

STEPHEN E. PATTERSON

Indian-White Relations in Nova Scotia, 1749-61: A Study in Political Interaction

THERE IS A POPULAR VIEW TODAY that native people were simply the victims of history, implying that they passively fell before a European juggernaut. This viewpoint not only distorts history but also inadvertently disparages the historic role of native people themselves. In Nova Scotia the Micmac, Maliseet and Passamaquoddy behaved as autonomous peoples throughout the contact period, exercising choices which represented their best efforts to accommodate the European intruders and adjust to the challenges and opportunities they posed. If we think of contact, as the ethnohistorians encourage us to do, as a process rather than as a point in time, we can see that in Nova Scotia it lasted for centuries, perhaps reaching a decisive phase in the mid-18th century. Yet what had begun, at least arguably, as a conflict of cultures — now well-documented in studies by anthropologists and ethnohistorians¹ — had by the 18th century become a conflict for space, for control, for power — or in a word, politics. By this stage in their dealings with each other, natives and non-natives alike faced choices which were essentially political, although the options had diminished in number, and the option of avoiding a decision was frequently no longer possible. In part, this politics was a politics of war, illustrative of Clausewitz's famous dictum that war is "politics by other means". This was a conflict of diverse peoples in a frontier setting where authority was far from omnipresent. While French and British civil and military authorities sought to implement their respective official policies, New England fishermen and merchants largely did what they wanted, French

1 The seminal statement is Alfred Goldsworthy Bailey, *The Conflict of European and Eastern Algonkian Cultures, 1504-1700: A Study in Canadian Civilization* ([1937] Toronto, 1969). More recent studies include Bernard G. Hoffman, "Historical Ethnography of the Micmac in the Sixteenth and Seventeenth Centuries", Ph.D. thesis, University of California, Berkeley, 1955; Wilson D. Wallis and Ruth Sawtell Wallis, *The Micmac Indians of Eastern Canada* (Minneapolis, 1955); Harold Franklin McGee, Jr., ed., *The Native Peoples of Atlantic Canada: A History of Ethnic Interaction* (Toronto, 1974); Philip K. Bock, "Micmac" and Vincent Erickson, "Maliseet-Passamaquoddy", in Bruce G. Trigger, ed., *Handbook of North American Indians, v. 15: The Northeast* (Washington, 1978), pp. 109-36; Virginia P. Miller, "Social and Political Complexity on the East Coast: the Micmac Case", in R.J. Nash, ed., *The Evolution of Maritime Cultures on the Northeast and the Northwest Coasts of America* (Burnaby, 1983), pp. 41-55; Ronald J. Nash and Virginia P. Miller, "Model Building and the Case of the Micmac Economy", *Man in the Northeast*, no. 34 (1987), pp. 43-56; Ronald J. Nash, "An Alternative History: Uninterrupted Views of Micmac Society", in D.C. Tkaczuk and B.C. Vivian, eds., *Cultures in Conflict: Current Archaeological Perspectives* (Calgary, 1989), pp. 187-94; Frances L. Stewart, "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), pp. 55-77.

Stephen E. Patterson, "Indian-White Relations in Nova Scotia, 1749-61: A Study in Political Interaction", *Acadiensis*, XXIII, 1 (Autumn 1993), pp. 23-59.

missionaries dabbled in politics and diplomacy, and Acadians did their best to avoid either British or French control. Interests were fragmented and behaviours frequently individualistic. What applied to the newcomers applied equally to the natives, who did not behave as a uniform bloc, but rather sometimes disagreed with one another, occasionally had to deal with renegade individuals and often subordinated their broad common interests to the immediate imperatives of time and place.

A political framework, understood broadly, makes a good deal of sense when applied to the Nova Scotia of the mid-18th century, certainly more sense than the old imperial model which placed Nova Scotia within the essentially French-British struggle for control of North America, or that variation on the frontier thesis which described Nova Scotia's early history as one aspect of the New England frontier experience. The interaction of indigenous and colonial peoples is best understood from the inside. Both natives and non-natives viewed the options open to them in any given situation and acted accordingly, and local conditions and immediate necessity frequently took priority over external pressures, distant alliances or broader visions.

The tools of political analysis can help sort out this complexity. Politics, of course, is in important ways an expression of culture. Broadly defined, politics is a conflict of values. To understand the conflict, we have to know about the sources of the values. Political historians have become used to describing the "political culture" within which organized or semi-organized groups make political choices.² They have long taken for granted that political choices reflect underlying interests and that the politically motivated will make conscious decisions based on self-interest. They have not been surprised when communities split apart along lines of interest when values collide, nor when groups with common interests coalesce to achieve a common purpose. Such modes of analysis can usefully be employed in interpreting the complex of war, quasi-war and alliance, the attempts at treaty-making and the population movements which characterized Nova Scotia's history in the mid-18th century. What they show is that Indian-White relations were driven by conscious political choices rooted in people's often imperfect understanding of their own self-interest.

For a period of 150 years the principal contact of Nova Scotia's Indians was with the French, who came as missionaries, fishermen, civil and military officials and Acadian farmers. The process of cultural transfer was still very much in train

2 Political culture may be defined as the framework of ideas, beliefs and assumptions within which individuals and groups make political choices. Since the early 1970s historians have found this concept, along with an expanded definition of politics, useful in transcending the biases inherent in the narrow examination of the politics of white, male power elites. Examples include Stephen E. Patterson, "The Roots of Massachusetts Federalism: Conservative Politics and Political Culture before 1787", in Ronald Hoffman and Peter J. Albert, eds., *Sovereign States in an Age of Uncertainty* (Charlottesville, 1981), pp. 31-61, and Ronald P. Formisano, *The Transformation of Political Culture: Massachusetts Parties, 1790s-1840s* (New York, 1983). The need to redefine politics in a more inclusive fashion is suggested by Paula Baker, "The Domestication of Politics: Women and American Political Society, 1780-1920", *American Historical Review*, LXXXIX (1984), pp. 620-47.

in the 18th century, yet by the time the Indians had to deal with British intruders in Nova Scotia, whose numbers dramatically increased with the founding of Halifax in 1749, they had already been conditioned to dealing with Europeans by the practices and values of the French. Of approximately 3,000 Indians in Nova Scotia, the Micmac were most numerous, 1,500 to 2,000 spread throughout present Nova Scotia and eastern New Brunswick as far as the Gaspé; the Maliseet of the St. John River valley numbered fewer than 1,000; and the closely related Passamaquoddy, whose territory spread from the St. Croix valley to Mount Desert Island, may have numbered no more than 100.³ The French influence was substantial. Maliseets in the 1740s referred to the king of France as “our king” and were to continue to call themselves “French Indians” even years after French power in North America had ended. By mid-century, many Indian leaders could speak or at least understand some French, and the adoption of French names was spreading rapidly, at first in combination with an Indian name, and then altogether in French with a man’s first name becoming the family name of his children. The process reflected both the spread of Christianity, widely disseminated throughout the region by French Roman Catholic priests, and the practice of interracial marriage, most commonly of Acadian men with native women. The blend of French and native cultures expressed itself in such things as the annual summer pilgrimage of Micmacs to Chapel Island on Cape Breton, which began around 1750 when Father Pierre Maillard turned his Holy Family Mission into a sort of cultural shrine.

The cultural interaction of Indians and French represented the natives’ first accommodation with Europeans, and cultural ties were a significant factor in the natives’ decision to support the French in time of war. The official French position, however, was that the alliance with natives was the direct result of French policy. Beginning in the late 17th century, officials in New France had formally drawn together the Indian tribes within the territories they claimed and by the 1720s thought of their alliances as a system.⁴ With the help of Jesuit missionaries and by pursuing a policy of encouragement to tribes alarmed by the more rapidly growing English colonies to the south, the French became friends and allies with the Abenaki of northern New England, the Montagnais, Nipissing and Algonquin of the St. Lawrence waterway, and the Potawatomi, Ottawa, Puan (or Winnebago), Sauk, Illinois and Huron from the region of the Great Lakes. Their friendship with the French drew the Micmac, Maliseet and Passamaquoddy of old

3 Among the best treatments of the Indians in the region during the 18th century are L.F.S. Upton, *Micmacs and Colonists: Indian-White Relations in the Maritimes, 1713-1867* (Vancouver, 1979); Andrew Hill Clark, *Acadia: The Geography of Early Nova Scotia to 1760* (Madison, 1968), esp. pp. 56-70; Olive Patricia Dickason, *Louisbourg and the Indians: A Study in Imperial Relations, 1713-1760* (Ottawa, 1976); Dickason, “Amerindians between French and English in Nova Scotia, 1713-1763”, *American Indian Culture and Research Journal*, vol. 10, no. 4 (1986), pp. 31-56.

4 Yves F. Zoltvany, “The Frontier Policy of Philippe de Rigaud de Vaudreuil, 1713-1725”, *Canadian Historical Review* [CHR], XLVIII (1967), pp. 227-50; “Philippe de Rigaud de Vaudreuil”, *Dictionary of Canadian Biography*, [DCB], II (Toronto, 1969), pp. 565-74; W.J. Eccles, “Sovereignty-Association, 1500-1783”, *CHR*, LXV (1984), pp. 475-510; Richard White, *The Middle Ground: Indians, empires, and republics in the Great Lakes region, 1650-1815* (Cambridge, 1991), pp. 142-85.

Acadia into this network. Even after Acadia was formally ceded by France to Britain in the Treaty of Utrecht (1713), the natives of Nova Scotia retained their alliance with France and with France's other Indian allies.⁵ From 1722 to 1725 they openly participated with the eastern Abenaki, Penobscot and other northern New England tribes in war against the British. New Englanders called it Dummer's War (after the Massachusetts governor), but Micmacs in Nova Scotia carried on hostilities against British fishermen and fishing stations quite independently of the actions of other tribes, including the Maliseet and Passamaquoddy, who were chiefly interested in the steady advance of Massachusetts settlers into their lands on the Maine frontier.

All of Nova Scotia's Indians, however, agreed in 1725 to follow their New England allies in accepting peace terms from the British, which were negotiated in Boston that year by four Penobscot delegates and commissioners from Massachusetts, New Hampshire and Nova Scotia. In 1726 representatives of the three Nova Scotia tribes gathered at Annapolis where they ratified one of the several treaties drafted at Boston, acknowledging British sovereignty in Nova Scotia and pledging future peace. In exchange, Lieutenant Governor John Doucett made several promises to the Indian signatories in a separate written document. It pledged that the Indians "Shall not be molested in their persons, hunting, fishing and their planting on their planting ground, nor in any other their lawful occasions".⁶ Several dozen Indians signed the 1726 treaty, but there was nothing in their experience with the French to prepare them for a legal accommodation with Europeans. What they were used to were the powerful ties of culture and in some cases consanguinity reinforced by regular presents and trading opportunities. Moreover, they were encouraged by the French to believe that paper promises meant nothing. For all of these reasons, when war broke out in 1744 between France and Britain — the War of the Austrian Succession, concluded in 1748 by the Treaty of Aix-la-Chapelle — all three tribes set their treaties aside and actively supported France.⁷ The vigorous military role of Indians in the region convinced British officials that Indians were no more than puppets in the hands of the French.

But were they? Despite the powerful French influence, the facts indicate that natives retained considerable independence of judgement and action. When, for example, in the 1710s the French urged Micmacs to resettle Cape Breton to contribute to its defence, Micmac bands divided in their response. Some were

5 Dickason, *Canada's First Nations; A History of Founding Peoples from Earliest Times* (Toronto, 1992), pp. 108-12, 159-62; Dean R. Snow, "Eastern Abenaki", *Handbook of North American Indians*, vol. 15, pp. 137-47.

6 Several copies of the Treaty of Submission and Agreement dated 4 June 1726 appear in C.O. 217/38 and C.O. 217/4, Colonial Office Records, Public Record Office (PRO), Great Britain [microfilm copies in Harriet Irving Library, University of New Brunswick]. For printed copies of the treaties, see W.E. Daugherty, *Maritime Indian Treaties in Historical Perspective* (Ottawa, 1983), pp. 75-8.

7 Messrs. de Beauharnois and Hocquart to Count de Maurepas, Quebec, 12 September 1745, "Military and other Operations in Canada during the years 1745-1746", and "Journal of Occurrences in Canada; 1746, 1747", in E.B. O'Callaghan, ed., *Documents Relative to the Colonial History of New-York, X* (Albany, 1858), pp. 3-19, 38-88, 89-132.

willing to move to Cape Breton and to accept a greater dependence on the French for foodstuffs, while others realized that to do so ran contrary to their traditional subsistence patterns. A hunting people understood the need to distribute themselves across the range of moose and other animals and to continue their pursuit of fish and game as the seasons dictated. On the other hand, the need to guard against the growing power of the British also seemed compelling. As with Indians elsewhere, Micmacs weighed the relative strength of the European intruders, made strategic decisions about alliances in relation to their need to survive and did not all make the same decision. Some went to Cape Breton; others did not. Similarly, the peace treaty of 1726 divided Micmacs. Bands closest to Annapolis as well as along the present east coast of New Brunswick supported it, while bands on the North Shore and on Cape Breton Island did not. French officials at Louisbourg made clear their own opposition to the treaty and succeeded in keeping some Micmacs from signing it, but many others simply ignored the French pressures.⁸ Europeans had their own ways of interpreting native decisions, of course, but the evidence does not suggest that Nova Scotia natives, any more than natives elsewhere, were simply the pawns or puppets of European imperialists.

The divided response of Micmac bands can be explained in part by the nature of their political structure and traditions. Where the Maliseet and Passamaquoddy were small, fairly homogeneous tribes, the Micmac, in contrast, had always been a decentralized people: organized in bands or districts which were largely family groupings, they had spread out over their territory in order to keep population and food resources in balance. Each band had its own chief or sagamo (sagamore) who was chosen from within and whose principal duty was to allot hunting grounds to the families within the band. Traditionally, life revolved around hunting, and the seasonal movements of the band within its district corresponded with the natural shifts in the availability of fish, fowl and mammals. By the mid-18th century, there were still 14 or 15 such bands, each identified with the island, bay or river system which marked their district. Occasionally, the leading men in some or all of the bands would meet in council, but even as late as 1750 there was no permanent or regular centralized structure and no overall authority. Sagamos met together as equals, and their efforts could as often end in general disagreement as in agreement.⁹ The concepts of grand chief and grand council were to come later, following the collapse of French power in America and perhaps as a direct consequence. Until then, decision-making among Micmacs could be fragmented as bands or districts assessed their interests in their own way. Europeans could deal

8 Dickason, *Louisbourg and the Indians*, pp. 68-72, 78-9; Dickason, *Canada's First Nations*, p. 118; L. Armstrong to Secretary of State, Annapolis Royal, 9 July 1728, C.O. 217/38. See also the interesting discussion by Bill Wicken, "Living Within the Imperial Vice: The Mi'kmaq and Acadians of La Have, 1690-1726", paper presented to the Canadian Historical Association, Kingston, June 1991, pp. 28-9.

9 Reuben Gold Thwaites, ed., *The Jesuit Relations and Allied Documents: Travels and Explorations of the Jesuit Missionaries in New France, 1610-1791*, 73 vols. (Cleveland, 1896-1901), III (1897), pp. 87-97; Chrestien Le Clercq, *New Relations of Gaspesia* ([1691] Toronto, 1908), pp. 234-7; Sieur de Diereville, *Relation of the Voyage to Port Royal in Acadia or New France* (Toronto, 1933), p. 157.

with no single leader or body and thus had no reliable assurance that all Micmacs would follow a given course.

Yet at the same time, the French understood this better than the British and had already influenced native political culture with French ideas of power and religion, even if such ideas coexisted in uneasy tension with native tradition. According to Sieur de Dièreville, who visited Port Royal in the 1690s, the rhetoric of chiefs assembled at a war council lavishly praised the French monarch and called upon Micmacs to fight for their king. In the 18th century, both the alliance and the network of Catholic missions had a centralizing and unifying effect. Moreover, by then the range of choice still open to natives had been severely limited by some of the choices of the past. Contact with Europeans had radically altered the native economy and established a degree of dependence which was difficult to escape. For example, natives eagerly adopted the use of firearms for hunting and thus became dependent on the French not only to supply them with powder and shot but also on French gunsmiths for periodic repairs to their weapons. The adoption of firearms also changed hunting practices, as many hunters gave up hunting small animals altogether and reserved their precious supply of powder and shot for large game animals, principally moose.¹⁰

Hunting practices were even more radically altered in times of war, for hunting required dispersion while fighting required the concentration of forces. The French offered two solutions: they regularly dispensed supplies and provisions from Louisbourg or elsewhere, or they paid Acadians to provide foodstuffs directly. Despite their claims to neutrality, the Acadians became regular providers to the natives. Even Penobscot Indians from Maine travelled to Minas in the 1720s to receive supplies, and the British periodically complained that Acadian food made it possible for Micmacs to pursue hostilities.¹¹ The cost of provisioning their Indian allies was a burden to French officials, but as they saw it, it was unavoidable. "It is highly important to preserve these Indians attached as they have always been to France; the English have been deterred from forming any settlement in Acadia solely by the dread of these Indians", wrote authorities at Quebec City. "All this consumption greatly increases the expenses, but it is impossible to avoid them, without abandoning the Indians of Acadia and the Micmacs, who, of all the nations, are the most faithful to us".¹² War in fact

10 Nicolas Denys, *The Description and Natural History of the Coasts of North America (Acadia)* [1672], translated and edited by William F. Ganong (Toronto, 1908), p. 187; Dièreville, *Relation*, pp. 139-41; Armstrong to Duke of Newcastle, Canso, 5 September 1725, C.O. 217/38, pp. 50-3.

11 Dièreville, *Relation*, p. 156; Dummer to Armstrong, c. October 1725, *Collections of the Maine Historical Society*, 2d series, X (Portland, Me., 1907), p. 351; "The State and Condition of His Majesty's Province of Nova Scotia truly Represented", 8 May 1728, C.O. 217/5, pp. 17-18; Armstrong to Newcastle, Canso, 5 September 1725; E.J. Philipps to Armstrong, C.O. 217/38, pp. 50-3, 143-5; "Remarks Concerning the Settlement of Nova Scotia, by Judge [Charles] Morris, 1753", *Documents Inédits sur le Canada et l'Amérique Publiés par le Canada-Français*, 3 vols. (Quebec, 1888-90), II, pp. 97-101.

12 O'Callaghan, ed., *Documents*, X, p. 126. For a discussion of the cost of providing presents to natives, see Catherine M. Desbarats, "Amerindians and Colonial Government Finances in New France, 1700-1750", paper presented to the Canadian Historical Association, Kingston, June 1991.

reinforced the changes already taking place in the native economy; the shift was away from dispersion and self-reliance towards concentration and dependence. The end of war in 1748 might have permitted a return to more traditional ways, but the choice for natives was complicated by the sudden arrival of large numbers of British settlers.

When the French and British ended their war in 1748, the British returned Louisbourg, captured by New Englanders and the British navy in 1745, to France. The Maritimes as we know them were divided between the two powers: Île Royale and Île St. Jean (Cape Breton and Prince Edward Islands) in French hands, peninsular Nova Scotia in British, with present-day New Brunswick claimed by both. While agreeing to the restoration of France's power-base at Louisbourg, the British immediately decided to erect a new heavily fortified town beside the excellent harbor at Chebucto "as a counterweight [to Louisbourg] and as a protection for New England and her trade" and to bring in new English and foreign Protestant settlers.¹³ In June 1749 Governor Edward Cornwallis and 2,500 settlers arrived to establish Halifax. Native people reacted, but not all in the same way. Even before Cornwallis and his settlers were settled on shore, three natives arrived in Chebucto Bay to treat with the governor and his council. Two of the three were Maliseets from the St. John River — Francois Aurodowish and Jean Battiste, claiming to represent the chief of the Passamaquoddy and Maliseet chiefs from Octpagh (Aucpec, above Fredericton) and Meductic. The third was a Micmac, Jean Pedousaghtigh of the Chignecto band. Claiming that they had seen the treaty signed by France with Britain "and are glad of it", they declared that "We reckon ourselves included in the peace made by the Kings of Great Britain and France", curiously implying not only that the Maliseet acknowledged their close alliance with France but also that they expected France to exercise sovereign rights on their behalf. Cornwallis, however, demanded to know if they were "empowered from your Chiefs to make a particular treaty with me", and they replied that they were, whereupon the treaty of 1726 was read to them and they agreed to renew it. All of these discussions were in French, and they were translated for the Indians by their own interpreter named Martin and an Acadian named André from Minas.¹⁴ Once signed, the treaty was taken by Captain Edward Howe to the mouth of the St. John River for ratification by the Indians there.

Howe's purpose was to gain through their direct participation the widest possible acceptance of the treaty by the Indians. On 4 September 1749 he was at the mouth of the St. John River where several "chiefs and captains of the River St. Johns and places adjacent", including Chief Pierre Paul Neptune of the neighboring Passamaquoddy, ratified the treaty. Even though this was a renewal of an earlier treaty, the new treaty was most specific in repeating verbatim the obligations of the Indians. Beyond the general and implied offers of amity, peace and protection offered by the British, however, there were no specific British obligations. In fact, none of the recorded discussions with the Indians either at Halifax or at the mouth

13 As quoted by J. Murray Beck, "Edward Cornwallis", *DCB*, IV (Toronto, 1979), pp. 168-71.

14 Council Minutes, 13-14 August 1749, vol. 186, RG1, Public Archives of Nova Scotia, Halifax [PANS].

of the St. John refer to any of the specific promises made by Lieutenant Governor John Doucett to those Indians who signed the 1726 treaty. By its silence on such matters, the 1749 treaty was no more than a simple peace treaty, and as it turned out, it failed to bring about the general peace that the British hoped for.

Indeed, British hopes were dashed within days when Cornwallis received a letter from the Micmac of Cape Breton and Antigonish. The letter was in French and it was dated “au Port Toulouse, 5 jours avant le St.-Michel”, indicating that it was the work of Micmacs gathered on Chapel Island near the Cape Breton community also known as St. Peter’s on 24 September. Father Maillard’s mission there was already becoming a favourite resort of Micmac people in the summer months. Maillard had enormous influence with them, not only because he had become accepted as their spiritual leader but also because he had succeeded in learning the Micmac language, for which he had developed an orthography in the European style. While hieroglyphs may have been used by the Micmac people earlier, Maillard, drawing on the work of an earlier priest, Chrestien Le Clercq, developed and taught his orthography to aid his religious instruction, confining his translation to the catechism, the Lord’s Prayer and other parts of the liturgy. However, he declined to teach the Micmacs how to read or write French, which he claimed they would abuse by learning what was evil rather than what was good.¹⁵ Instead, he offered to write for them, and thus it was that he wrote the letter which Cornwallis received in September and from which the British learned how some Micmac people felt about British peace overtures to the Indians of Nova Scotia.

The letter was direct: “Mon Roi et ton Roi font entre eux la distribution des terres”, it said, acknowledging as the Maliseet had done that Micmacs saw themselves as allies of France, “c’est ce qui fait que présentement ils sont en paix, mais pour moi, je ne puis faire alliance ni paix avec toi”.¹⁶ Did this then mean that the Micmacs would remain at war with the British? Taken with reports that British officials were receiving from elsewhere, the letter appeared to them to have this meaning. Only shortly before, they had received two letters reporting that Micmacs at Chignecto — with whom presumably Cornwallis had just signed a treaty — had attacked two vessels and that three Englishmen and seven Indians had been killed in the attack. When the council discussed the matter, they concluded that this treachery was the work of another French priest, the Abbé Jean-Louis Le Loutre, who was then with the Indians at Chignecto, “and it is highly probable that he is there on purpose to excite them to war”.¹⁷ Whatever the source of their information, the British had reason to be suspicious of Le Loutre. Only

15 Micheline D. Johnson, “Pierre Maillard”, *DCB*, III (Toronto, 1974), pp. 415-19; “Lettre de M. L’Abbé Maillard sur les Missions de l’Acadie et particulièrement sur les Missions Micmaques”, *Les Soirées Canadiennes: Recueil de Littérature Nationale*, III (Quebec, 1863), p. 358.

16 Micmacs to Cornwallis, [22 September] 1749, C.O. 217/9, p. 116. Author’s translation: “My king and your king together distribute these lands; it is because of that they they are now at peace, but for me I can make neither alliance or peace with you”. Maillard sent a copy of the letter written in Micmac and a French translation to his superior in Paris which has since been printed in *Collections de Documents Inédits Publiés par le Canada-Français*, I, pp. 17-19. This printed version of the letter is similar to, but not precisely identical with, the version received in Halifax.

17 Council Minutes, 18 September 1749, vol. 186, RG1, PANS.

shortly before, Le Loutre had written to the Minister of Marine in France: "As we cannot openly oppose the English ventures, I think that we cannot do better than to incite the Indians to continue warring on the English; my plan is to persuade the Indians to send word to the English that they will not permit new settlements to be made in Acadia...I shall do my best to make it look to the English as if this plan comes from the Indians and that I have no part in it".¹⁸ He obviously failed in covering up his own role and it appears likely that both the incidents at Chignecto and Maillard's letter were the products of Le Loutre's plan. In addition, the British soon had information about Micmac seizures of a number of other sailing vessels and the taking of 20 English prisoners at the fishing village of Canso. When on 30 September a Micmac raiding party killed four unarmed men and carried away another as they worked at a saw mill near Halifax harbour, British officials angrily took action. Refusing to declare war on the Micmac because to do so "would be a manner to own them a free and Independent people", governor and council issued a proclamation ordering British subjects to "annoy, destroy, take or destroy the savage commonly called Micmacks wherever they are found" and offering a reward for every Indian taken alive or killed "to be paid upon producing such savage taken or his scalp (as is the custom of America)".¹⁹

Intelligence reports and the facts at hand told the British that they were at war, which they called simply "the Indian war" but which historians have since referred to as the Micmac War or the Anglo-Micmac War.²⁰ In effect it continued the war begun in 1744, and it eventually blended into the next major conflict between Britain and France, the Seven Years' War (usually called in the British colonies the French and Indian War) which broke out in 1754. The Indian war ended in 1760 when Micmacs finally agreed to treaty terms, after several earlier failed attempts.²¹ During the war, the British remained hopeful that their treaty with the Maliseet would work, and they therefore exempted both the Maliseet and the Passamaquoddy from the Proclamation of 1749. Only the Micmac were to be destroyed. But it soon became apparent that the Maliseet were actively engaged, and again French missionaries appeared to be the culprits. While it was easy for the British to exaggerate the ability of the French to manipulate the Indians as they wished, documents now available from the French side, including a lengthy autobiography by Le Loutre himself, show conclusively that French intentions were as the British feared.²² British officials were bound by treaty to consider the French friendly, but what followed in Nova Scotia was at best a half-peace; the

18 29 July 1749, as quoted by Gérard Finn, "Jean-Louis Le Loutre", *DCB*, IV, p. 455.

19 Council Minutes, 1-2 October 1749, C.O. 217/9, pp. 117-18.

20 See, for example, Micheline D. Johnson, "Jean-Baptiste Cope", *DCB*, III, pp. 136-7; Olive Patricia Dickason, "La 'guerre navale' contre les Britanniques, 1713-1763", in Charles A. Martijn, ed., *Les Micmacs et la mer* (Quebec, 1986), pp. 233-48; Dickason, *Canada's First Nations*, pp. 159-62.

21 The limited literature on treaties includes the old and sketchy article by R.O. MacFarlane, "British Indian Policy in Nova Scotia to 1760", *CHR*, XIX (1938), pp. 154-67.

22 John Clarence Webster, *The Career of the Abbé Le Loutre in Nova Scotia with a Translation of his Autobiography* (Shediac, 1933).

diplomatic and military niceties were observed and polite letters were exchanged, but Halifax did demand that the governor at Louisbourg remove Le Loutre from Nova Scotia, which he did not do. In fact, French civil and military officials both in Quebec and at Louisbourg directed the missionaries, and the missionaries directed “their Indians”, in what was in reality a war.

Yet because the Micmac and Maliseet fought for their own purposes, not as subordinates to the French in any strategic sense, it was a war which the French could not contain. The Micmac, and especially some bands among them, were independent-minded and were willing when it seemed in their interest to strike a course that neither French officials nor missionaries would approve. While British officials never fully understood this, they nevertheless retained a flexible attitude, looking for opportunities to separate the Indians from their French allies, or in a phrase, to divide and conquer. Nova Scotia’s governors from 1749 to 1760 — Cornwallis, Peregrine Thomas Hopson and Charles Lawrence, all of whom were military men — looked constantly for opportunities to bring the Indians to the peace table, but in the meantime, as one might expect of military men, they maintained a defensive posture and took the steps necessary to protect what tiny, scattered British settlements there were.

There were other tensions between Britain and France that complicated the Micmac War, among them a disagreement over the precise boundaries of Nova Scotia. In 1713 the French had surrendered Acadia “according to its ancient boundaries” with the exception of Île Royale and Île St. Jean. The British believed that they had won all of the territory of present Nova Scotia, New Brunswick and eastern Maine, although the boundaries with Massachusetts’ Maine and with Quebec remained vague. Yet French soldiers continued to travel through parts of the old Acadia without challenge until the British arrived in numbers in 1749. At this stage the French asserted their claim to the present New Brunswick by building a small earthenworks fort at Beauséjour on the Isthmus of Chignecto. To avoid war over the issue, both sides agreed to establish a boundaries commission, which met in Paris for several years without success.²³ War would eventually decide the issue, but before it did the French decided to make Beauséjour much more than a frontier outpost; they saw in it the opportunity to build a new Acadia by attracting to the lands they claimed the approximately 8,000 Acadians who lived in coastal settlements around Minas Basin, near the mouth of the Annapolis River or in various other places within Nova Scotia. If Acadians could be persuaded to move north of the Bay of Fundy or to Île St. Jean, they could build a self-sufficient society and strengthen French claims. Le Loutre took credit for the idea, and it was he, with full official sanction, who attempted to implement it.

Le Loutre has always been an enigmatic and fascinating historical figure. Arriving in Cape Breton in 1737 from the Paris-based Séminaire des Missions Étrangères, he was sent into Nova Scotia to minister to the Micmacs.²⁴ He “fixed on Chigabekakady [i.e. Shubenacadie] as his headquarters and there he erected a

23 John Clarence Webster, *The Forts of Chignecto* (Shediac, 1930); Max Savelle, *The Origins of American Diplomacy* (New York, 1967), pp. 386-419.

24 Finn, “Le Loutre”, *DCB*, IV, pp. 456, 453.

church and presbytery”, travelling widely from this centre to visit Micmacs who, as he explained, “lived in scattered communities widely separated from each other”. At first, the British had no objections to his activity, believing that Christian Indians would remain peaceable. But in 1744, after war broke out between Britain and France, Commandant Jean-Baptiste-Louis Le Prévost Du Quesnel at Louisbourg sent orders to Le Loutre “that the Indians were to declare war against the English and that he must accompany them as chaplain in all their expeditions”, and they were particularly to block food supplies to the British from Acadian farmlands.²⁵

After the war, Louisbourg officials, alarmed by the news that the Maliseet had signed a treaty and taken British presents, ordered Le Loutre to remove his headquarters from Shubenacadie to Beauséjour and to take with him “the Indians from Chigabekakady and the other tribes dependent on it as far away as Cape Sable, as they were too near Halifax”. Yet again the Micmac divided, some following Le Loutre and others declining. The group who went with him to Beauséjour he called “my Indians”; once there, they held a council in which they “decided to oppose the unjust invasions of the English”, sent necklaces to the Maliseet “to induce them to break the treaty which they had made with the English” and fought off two English vessels which had arrived in Beaubassin to look things over. Le Loutre wrote in his autobiography that this is why immediately afterwards the British “declared war on the Indians”, adding that “on receipt of this news all the Indians went on the warpath, and, everywhere they rose in arms and resumed acts of hostility”. But this attempt to blame the British for the resumption of hostilities flies in the face of Le Loutre’s private letters which clearly show that his initial object was to encourage British-Indian conflict. In his autobiography he claimed only the role of spiritual advisor who urged the Micmacs to treat their prisoners with humanity, but he also advised them “to uphold their rights and their claims to their lands, their hunting areas and their fishing of which the English wished to gain control”. These in themselves were powerful enough incentives to resist British intrusion; whether the Micmacs also needed Le Loutre’s prodding is difficult to know. Whatever the mix of motives, these Micmacs chose to fight and in doing so they accepted Le Loutre’s political as well as his spiritual guidance. Moreover, they were soon joined by Maliseets who apparently also accepted Le Loutre’s direction, for when winter approached “the Missionary [as Le Loutre called himself] dismissed the Malecites until spring time and retained only his own Indians”.²⁶

The plan to resettle Acadians north of the Missaguash soon became apparent to the British. Cornwallis’ excellent intelligence network reported that Le Loutre went to Cobequid (now Truro) to get Acadians to move to the Beauséjour area and that he was even threatening them with Indian massacre if they did not obey him. From a reconnaissance party sent to Chignecto under Major Charles Lawrence, he

25 Le Loutre, *Autobiography*, pp. 33, 35-8.

26 Le Loutre, *Autobiography*, pp. 39-42. Whether French missionaries were principally interested in religion or politics is explored in Micheline Dumont-Johnson, *Apôtres ou Agitateurs: La France missionnaire en Acadie* (Trois-Rivières, 1970).

learned that a French company of regular troops had already located there and that as many as 1,000 Acadians were dispersed in the Memramcook-Petitcodiac-Shepody area, all of them claiming that this was the territory of the King of France. Cornwallis countered by planning his own fort and a small settlement for the isthmus, yet he warned his London superiors that “those parts will be so infested with Indians that without guards, it will be dangerous to go into the woods for materials or firewood”.²⁷

Cornwallis implemented his counterstroke in the summer and fall of 1750, with landings at Chignecto and a supporting mission at the mouth of the St. John River. In both places his forces came up against stiff opposition from French soldiers with strong Indian reinforcements. At Baie Verte on the northern side of the Isthmus of Chignecto, a British naval vessel seized a French sloop which had just unloaded arms and ammunition from Quebec destined for “Loutre and his Indians”. In the same catch were several damning letters, including orders from the Quebec intendant to the master of the French vessel “to follow Loutre or LaCorne’s orders”, thus showing clearly that Le Loutre was acting under direction from the very top.²⁸ Both sides suffered losses in the Chignecto landing, but the British came ashore and erected their fort on the high ground east of the Missaguash, naming it Fort Lawrence after their commander. During a lull in the fighting, Captain Edward Howe, by now experienced in dealing with the natives, asked for and received permission to meet with French officers by the riverside under a flag of truce to effect a prisoner exchange. As the meeting concluded, however, shots rang out — purportedly from Indians who were concealed behind a dyke — and Howe was mortally wounded. The facts of the killing were never settled with any certainty, although the British talked about it for years as an example of French and Indian treachery; there were also those from the French side who saw it as a dishonourable violation of the rules of war and who blamed it all on Le Loutre and his Indians.²⁹ The uneasy standoff between British and French at Chignecto continued for almost five years while Micmac raids and skirmishes around the British settlement became so common as to attract scant mention.

Meanwhile, the Micmac War, openly supported by the French, manifested itself in other parts of the province. Off Cape Sable, the navy seized a French vessel headed from Quebec to the St. John River carrying “Arms, Ammunition, and Provisions for the Indians, who are at open War with His Britannick Majesty’s

- 27 Cornwallis to [Lt.] Gov. [Spencer] Phips [of Massachusetts], 3 May 1750; Cornwallis to Board of Trade, 10 July 1750, C.O. 217/10; Charles Lawrence, “A Journal of the Proceedings of the Detachment under my Command after entering the Basin of Chignecto [April, 1750]”, in John Clarence Webster, ed., *The Journal of Joshua Winslow* (Saint John, 1936), pp. 32-4.
- 28 Cornwallis to Board of Trade, 19 August 1750, C.O. 217/10. The letter is immediately followed by “Extract[s] of some letters found in the sloop London taken in Baie Verte by Captain LeCras”. See also Cornwallis to Duke of Bedford, 19 August 1750, in Webster, ed., *Journal of Joshua Winslow*, pp. 35-6.
- 29 John Rous to Cornwallis, 6 September 1750; Cornwallis to Bedford, Halifax, 20 September 1750; Cornwallis to Board of Trade, 22 September and 27 November 1750, in Webster, ed., *Journal of Joshua Winslow*, pp. 36-40; Beamish Murdoch, *History of Nova Scotia*, (Halifax, 1866), II, pp. 192-3.

Subjects". Cornwallis found such activities "so bold and daring, in direct Violation of express Treatys, that I own it astonishes me". In May 1751, a well-organized body of about 60 Indians swooped down on the tiny British settlement at Dartmouth, across the harbour from Halifax, catching the small garrison and most of the inhabitants in their beds. Accounts varied in their descriptions of the event, but they agreed that eight settlers were killed, six soldiers and several settlers were taken prisoner and the village was ransacked. The Indians, too, suffered casualties, including three killed, although they again carefully removed their dead and wounded. A furious Cornwallis immediately ordered a court-martial to discover how a British garrison numbering as many as 60 could have allowed this massacre, as they now called it, to occur. But intelligence information helped answer the question: the French had sent Indians in from Quebec "to join the St. John's and Mickmacks and to do what mischief they could in this Province", and, as a further incentive, "the Governor of Canada gave them a reward for every prisoner and scalp they bring of the English". Cornwallis also learned directly from some Acadians that they had been warned "not to go as courriers or assist the English in anything upon pain of death". He counteracted this French interference by sending British regulars amongst the large Acadian settlements at Minas and Pisiquid (Grand Pré and Windsor). But news from Louisbourg that the French navy was operating eight men-of-war in the region, two of which were known to be headed for the mouth of the St. John River, considerably altered the equation. With inadequate men and material resources on the one hand and the vigorous French and Indian activity on the other, Cornwallis knew that it would be dangerous and foolhardy to attempt new settlements away from the immediate vicinity of Halifax until the threat to their security could be removed. "War is not a time to settle inhabitants", he wrote despairingly, "and that it is so here no person that sees it and hears the transactions here can doubt".³⁰

By the late summer of 1751, however, Cornwallis saw promising signs of peace. The governments of New England regularly held conferences with the Algonkian Indians of the Maine district, and Nova Scotia continued to be represented there by Paul Mascarene, who had negotiated the 1725 treaty. In August commissioners met some of these Indians at Fort George on Casco Bay, and among them were eight Maliseets, or St. John's Indians as the British called them. Mascarene informed Cornwallis that they had with them a chief named Monsarrett, who "promised to go to Halifax with some deputies from his tribe to treat a peace with Your Excellency and to bring the Micquemacques in, and in the meantime to cease all acts of hostility". As summer gave way to fall, British optimism increased: Cornwallis could report that the Indians "have commenced no hostilities" since Mascarene's meeting, although he still had seen none of them at Halifax; he also found that the Acadians seemed more contented having just harvested a bumper crop. Moreover, while several British troops at Chignecto had fallen into the hands of Indians there, they had been ransomed through the efforts of Le Loutre and had been released unharmed. By February 1752 the pattern

30 Murdoch, *History of Nova Scotia*, II, pp. 200-1; Cornwallis to Board of Trade, Halifax, 27 November 1750; 24 June and 24 July 1751, C.O. 217/11, 217/12 and 217/13.

seemed even more assuring: “nothing extraordinary has happened. The Indians have not come to make peace, but have not committed any acts of hostilities”. When another summer rolled around and there were still no signs of conflict, Cornwallis decided that it was time to remove the old injunction against the Micmac. On 18 July he issued a proclamation forbidding hostilities against the Indians, which had the effect of cancelling the proclamation he had issued in 1749.³¹ Cornwallis did this on the eve of another conference in Maine, perhaps to indicate that he anticipated a formal renewal of peace with the Indians of Nova Scotia, but he did not act soon enough to prevent a most embarrassing incident. Three young Micmacs had boarded a New England schooner near Cape Sable only recently, apparently with some assurance that the crew was friendly, and they had been seized and killed. Cornwallis’ proclamation condemned the act and made clear the government’s policy of pursuing peace with the Indians, but this in fact was a policy that had not been publicly articulated before this time. Cornwallis now left Nova Scotia, and his place was taken by another British colonel who had served in Nova Scotia since the founding of Halifax, Peregrine Thomas Hopson.

Hopson was not quite sure why the Indians were quiet, but he was distrustful enough of the French to believe that whatever happened was their doing, and their purposes seemed best served at present by a period of peace. Whatever their motives, however, he believed that British interests demanded a formal treaty with the Micmac and he decided to pursue one with vigour. If the Micmac were not going to come to him, he would go to them and invite them to come in to sign a treaty, promising them whatever gifts and other assurances for the future it might take. The best chances for contact were in Cape Breton, where New England and Nova Scotia merchants carried on trade with the French at Louisbourg despite the risks, since some of the trade was illegal and getting caught could mean the loss of ship and cargo. There were risks from the Micmac too. These Indians had always been skilled canoeists and, after the first contact, had acquired European shallops and the skill to sail them;³² by the mid-18th century they were capable of overtaking slow-moving or becalmed sailing vessels off the coast, and once aboard and in control, they navigated the vessels into French fishing ports such as St. Peter’s where they ransomed them back to their British owners. It was precisely an episode of this sort which gave Hopson his opportunity to seek out a Micmac chief

31 Paul Mascarene to Cornwallis, 27 August 1751, Cornwallis to Board of Trade, 4 September and 3 November 1751, 16 February 1752, C.O. 217/13, Council Minutes, 17 July 1752, vol. 186, RG1, PANS.

32 The transference of European sailing technology and skill to Micmacs was noted by several early observers. Marc Lescarbot reported Micmacs and fishermen from St. Malo sailing identical small vessels off Cape Breton in 1606: *The History of New France*, II (Toronto, 1911), pp. 308-9. LeClercq wrote of Gaspé Micmacs in the late 17th century: “ils s’embarquent dans des chaloupes, & traversent aux Isles de Maingan, país des petits Eskimaux”: *New Relations of Gaspesia*, pp. 418, 269n. Denys explained how the Micmac acquired shallops from the French (as translated by William F. Ganong): “These they sometimes buy from the Captains who are about to leave after having completed the fishery; but the greater part they take from the places in which the Captains have had them hidden on the coasts or in the ponds, in order to make use of them on another voyage”: *Description and Natural History*, pp. 196, 230, 422. The maritime experience of the Micmac is examined by several authors in Martijn, ed., *Les Micmacs et la mer*.

who might sign a treaty.

Early in August two British fishing schooners (one from Nova Scotia and the other from New England) were seized by Micmacs while fishing off Canso and both ships and their 15 crew members were taken into St. Peter's. Hopson negotiated their release through the Comte de Raymond, governor at Louisbourg, who volunteered the information that a third vessel, "appartenant au nommé Picquet d'Halifax" (probably William Piggott, who was a Halifax shipowner) had also been seized at Petit-de-Grat. Raymond promised that the latter would be returned without ransom since it was taken in French territory, but the best he could offer on the others was that the prisoners would be released unharmed and their English owners could come and pay the ransom for their vessels. The affair was handled with great politeness on both sides; but behind the careful diplomacy there appears to have been a secret mission. For while in Petit-de-Grat, Piggott sought out a Micmac chief who lived on the east coast of Nova Scotia named Jean-Baptiste Cope, offered him presents and told him that there would be more awaiting him if he would come into Halifax and sign a peace treaty on behalf of his band.³³ He was probably also given a letter or pass from the governor to ensure that he would encounter no difficulty in coming to Halifax. This approach worked and on 14 September 1752 Jean-Baptiste Cope appeared before the governor and council.

We know a fair amount about Cope. He appears frequently in the records during these years, particularly in French documents, and we know that he spent time at Beauséjour, Louisbourg and elsewhere on Cape Breton, and on the eastern shore of Nova Scotia, which he considered his home. His name, obviously, was thoroughly French and it appears that he spoke French. He went by the title "Major", which may have been given him by the French military in recognition of his service to them or may indicate that his father was a French soldier. Leslie Upton claims that the title "Captain" was commonly taken by métis men and that they frequently were given the task of dealing with Europeans by fellow Micmacs. Cope was well-known to French officials, who believed that he was completely untrustworthy and duplicitous. One French account identifies him as the murderer of Captain Howe, although it was probably his reputation rather than first-hand evidence that led to this conclusion. Both the French and Cope himself suggested that many Micmacs had no use for him and that he was considered something of a renegade. Le Loutre knew him and despised him, and while he never explained why, the circumstantial evidence is suggestive. Cope was a Shubenacadie Micmac. Shubenacadie was also Le Loutre's headquarters until he moved with "his Indians" to Beauséjour in the period around 1750. It is likely that at some point this band split in two and that those who did not want to follow Le Loutre and serve the French interest withdrew to lands on the eastern shore near Musquodoboit which had traditionally been

33 T.A. Crowley, "Jean-Louis de Raymond", *DCB*, IV, pp. 655-7; Hopson to the comte de Raymond, 10 August 1752; Raymond to Hopson, 30 August 1752, Hopson to Board of Trade, 16 October 1752, C.O. 217/13; Prévost to [?], 10 September 1752, MG1, Archives des Colonies, Série C¹¹B Correspondance generale, Île Royale, vol. 33, pp. 163-6, Archives Nationales, Paris [AC] [microfilm in le Centre d'études acadiennes, Université de Moncton].

within the territory of the Shubenacadie band (the Shubenacadie River and a series of lakes and streams traverse the province from Minas Basin to Musquodoboit, and this waterway had traditionally carried the seasonal migrations of the band which on some occasions was called the Shubenacadie-Musquodoboit “tribe”). These Micmacs along the eastern shore considered Cope their chief; they numbered 90 persons, including men, women and children.³⁴

Cope represented only a very small part of the Micmac people and he never pretended otherwise. In his first meeting with governor and council in Halifax, they asked him if he were a Micmac chief and he replied “that he was chief of that part of the nation that lived in these parts of the province and had about 40 men under him”. Asked what proposals he had for them, Cope replied “that the Indians should be paid for the land the English had settled upon in this country”. Could he bring “the other tribes of the Micmac nation to a conference here”? “He would return to his own people and inform them what he had done here and then would go to the other chiefs and propose to them to come in and renew the peace”. This he thought he could accomplish in about a month, and if he could not, he would return with their answer. On this basis, the council decided to draw up their own written proposal, which they presented to Cope the next day. He agreed to what they read him, a kind of preliminary peace treaty, and the council ordered that it be written up on parchment “in French and English to be ratified and exchanged on the morrow”.³⁵

The proposed peace treaty owed much to the thinking of a British regular officer named George Scott, who only the previous month had sketched out a plan for the governor based on his experience in attempting to pacify the Micmac over several years. The French held the allegiance of the Indians through trade and bribery, he believed; the Indians expected presents and they received them regularly. The British, he proposed, must do likewise and the Shubenacadie River was the place to do it. The route taken by Micmac raiders into Dartmouth led straight from the Shubenacadie, and even when at peace this is where the Indians came and went. The British should locate a fort here and attached to it should be a trading post where Indians could get high quality European merchandise at good prices in exchange for their furs and feathers. An advantageous trade would cement the friendship of the Indians, he believed, and even if the British operated at a loss, it would be well worth it if it succeeded in bringing about the desired pacification.³⁶

The proposal to Cope built on these ideas. “If you shall think fit to settle your wives and children upon the River Shubenacadie no person shall hinder it nor shall meddle with the lands where you are”, it declared. “And the Governor will put up a

34 Johnson, “Jean-Baptiste Cope”, *DCB*, III, pp. 136-7; Upton, *Micmacs and Colonists*, pp. 26-7; “From a ms. by a person who served at Louisbourg from 1750 to 1758”, in Murdoch, *History of Nova Scotia*, II, p. 193; “Anthony Casteel’s Journal”, *Le Canada-Français*, XX (Quebec, 1889), p. 125; Hopson to Board of Trade, 6 December 1752, C.O. 217/13, pp. 384-8; Prévost to Minister [of Marine], 12 May 1753, MG1, C11B, vol. 33, pp. 159 ff., AC.

35 Council Minutes, 14 September 1752, vol. 186, RG1; Treaty proposal, 16 September 1752, C.O. 217/13, pp. 306-7.

36 George Scott to Hopson, 17 August 1752, C.O. 217/13, p. 292.

Truckhouse of merchandize there where you may have everything you stand in need of at a reasonable price and where shall be given unto you the full value for the peltries, feathers, or other things which you shall have to sell". The British also promised that "we will not suffer that you be hindered from hunting or fishing in this Country as you have been used to do", that the disputes of the past would be "buried in oblivion", and that the Indians could expect annual presents "while you behave yourselves as good and faithful children to our great King". In return for this, the British expected that in addition to "the Burying of the Hatchet" the Micmac would acknowledge the British king as their "great chief and Father". Cope agreed to this and promised also that he would bring his own people in within a month to ratify a treaty based on these terms and that he would use his "utmost endeavors to bring here the other Tribes of Mickmacks to make peace".³⁷

The British in Nova Scotia were novices at Indian treaty-making. They had relied in the past on New Englanders to negotiate treaties through distant intermediaries, and even when they met the Maliseet in 1749, it was an old treaty which they renewed rather than negotiate a new one. But this treaty of 1752 now in process was in fact the first to be negotiated entirely in Nova Scotia, and the British were feeling their way. Prior to this the most extensive British experience with North American Indians had been with the Iroquois, and there clearly was in their discussions with Cope more than a little of the diplomatic language and style which the British had developed in their dealing with the Iroquois. At one point the British wrote that "we hope to brighten the chain in our hearts and to continue our Friendship every year", language reminiscent of the Covenant Chain alliance system that the British had with the Iroquois, even though the Micmac were no part of this alliance system. The father-child metaphor was also one from the Anglo-Iroquois past, although by the mid-18th century, the British had actually progressed beyond this: they were both children of the same father-King and therefore they addressed the Iroquois as "brethren".³⁸ Another significant point was that the British understood Micmac organization well enough by now to know that they did not have a highly centralized political structure, that they were organized in bands with many chiefs rather than with one and that the British were going to have to bring them in one band at a time before they could effectively establish peace with the whole Micmac people. Unfortunately, the British used the term "tribe" loosely when they meant "band", and they therefore wrote that Cope was chief of the Shubenacadie tribe, in fact that he was the "chief sachem", a term that was used in New England but which apparently was not in usage among the Micmac. Despite such loose terminology, the British understood what they were doing. The negotiation with Cope was seen and fully understood as a beginning, and it was with a band of Micmacs rather than the whole tribe.

37 Treaty proposal, 16 September 1752, C.O. 217/13, pp. 306-7.

38 See, for example, *An Account of the Treaty between His Excellency Benjamin Fletcher...and the Indians of the Five Nations* (New York, 1694) [Early American Imprints, no. 702]. For a discussion of the Covenant Chain, see Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (New York, 1976), pp. 322-4; Stephen Saunders Webb, *1676: the End of American Independence* (New York, 1984).

Cope went away loaded down with presents, and a little more than a month later, two Micmacs of Cope's band arrived in Halifax, apparently as his emissaries. Hopson therefore commissioned William Piggott to take a ship eastward, guided by the two Indians, to a place called Beaver Harbour where he understood that Cope and his people were living; the ship was to carry three weeks' provisions for "near fifty persons" — obviously for the wives and children, since Hopson expected that Cope's men would return with Piggott "to confirm and ratify the peace according to Treaty already made with Major Cope". Upon signing, each family would receive six months' provisions, a blanket and other articles. Since it was now late October, Piggott was urged to make haste so that the Indians might be back with their families before winter weather set in. They came. At least the principal men of Cope's band came with him prepared to sign a treaty even though Cope had had no success to this date in bringing in the chiefs of other bands. Hopson proceeded to settle for what he could, which was a full-scale treaty with Cope and his band, drawn up in both English and French and signed by both sides on 22 November 1752.³⁹

It was called a "treaty or Articles of Peace and Friendship" between the British and "Major Jean Baptiste Cope, Chief Sachem of the X X X Tribe of MickMack Indians Inhabiting the Eastern Coast of the said Province and Andrew Hadley Martin, Gabriel Martin and Francis Jeremiah members and Delegates of the said Tribe for themselves and their said Tribe their heirs and the heirs of their heirs forever". The name of the band was not given, although it was identified as the "Chibenacadie" in the proclamation that followed. Instead, the clerk seems to have left a space which was filled with three Xs either then or later. Unfortunately, some 20th-century transcriptions have omitted this, making it appear that Cope was "Chief Sachem of the Tribe of MickMack Indians", and thus leading readers to a most erroneous conclusion about who was actually covered by the Treaty of 1752. It was never meant to apply to all of the Micmac people, as the wording of the treaty itself and all of the other evidence surrounding it, including the proclamation that immediately followed and the governor's subsequent report to his superiors in Britain, prove categorically. This was a treaty with one band which Halifax officials hoped would serve as a model for dealing with all of the Micmac people.⁴⁰

The treaty began by recalling the treaty negotiated in Boston in 1725 and ratified in Annapolis in 1726 and renewed by some Indians in 1749; the terms of this treaty were now renewed by the signatories. Secondly, it acknowledged in several ways that the British and the Indians had been in conflict, but that now "all Transactions during the late War shall on both sides be buried in Oblivion with the Hatchet" and the Indians should enjoy British "favour, Friendship and

39 William Cotterell to William Piggot, 25 October 1752, vol. 163, RG1, pp. 25-6; Treaty of 1752, 22 November 1752, C.O. 217/40, p. 229.

40 The Treaty of 1752 is in C.O. 217/40, p. 229. This, as noted by the secretary on the document itself, is a copy taken from the Council Minutes of 22 November 1752 which appear, along with the Proclamation of 24 November 1752 and a printed broadside of the proclamation, in vol. 186, RG1, PANS.

Protection". Indicating the limited scope of this treaty, another clause had the Indians promise to "use their utmost endeavours to bring in the other Indians to Renew and Ratify this peace" and to inform the British of any Indians "or any enemy whatever" (presumably meaning the French) who had designs against the British. If the signatories, because of their friendship with the British, found themselves attacked by other Indians, the British promised to come to their aid. The treaty also promised that the Shubenacadie band "shall not be hindered from, but have free liberty of Hunting and Fishing as usual" and, "if they shall think a Truckhouse needfull", it would be built on the Shubenacadie or any other place the Indians frequented. This left George Scott's plan conditional and open-ended, and as it turned out, no truckhouse was built in accordance with this provision. The treaty also provided for an immediate presentation of gifts, a promise of similar presents "to the other Tribes that shall hereafter Agree to renew and Ratify the Peace" and more gifts to the treaty-Indians half-yearly "for the time to come" and then every October first "so long as they shall Continue in Friendship". The Indians promised that they would help save the lives and goods of people shipwrecked on the coasts, and perhaps most importantly from the British perspective, that they would settle all future disputes with His Majesty's subjects "in His Majesty's Court of Civil Judicature, where the Indians shall have the same benefit, advantage and Priviledges as any others of His Majesty's Subjects".⁴¹

While Hopson was happy to have his treaty, he was also realistically cautious about what it meant. As he wrote to the Board of Trade in London, he had a treaty "with one tribe of the Mickmack Indians; tho it is but a small tribe I hope it may have the good effect to bring over the Rest but this is more to be hoped for than trusted to". More specifically, he added: "I have given provisions for Six months to this Tribe; which amounts (their familys included) to ninety persons". The proclamation issued a few days earlier was equally clear. It informed the people of Nova Scotia (on beautifully printed broadsides bearing the royal coat of arms and in both English and French) that the treaty was between the government and "Major Jean Baptiste Cope, Chief Sachem of the Chibenaccadie Tribe of Mick Mack Indians, Inhabiting the Eastern Coast of this Province", and it warned all of His Majesty's subjects that they should "forbear all Acts of Hostilities against the aforesaid Major Jean Baptiste Cope or His Tribe of Chibenaccadie Mick Mack Indians". Within days, these broadsides appeared in forts, settlements and public places all over the province, and French officials in far off Louisbourg were soon worrying about the impact it was having on the 2,000 or so other Micmacs who had not signed this treaty.⁴²

French officials, in fact, followed all of these proceedings with great interest, having in their possession key pieces of the puzzle with which the British were wrestling. Authorities at Louisbourg had good contacts with the Micmac and understood what the Indians were doing and why. The commissary at Louisbourg,

41 C.O. 217/40, p. 229.

42 Hopson to Board of Trade, 6 December 1752, C.O. 217/13, pp. 384-8; Council Minutes, 24 November 1752, vol. 186, RG1, PANS; Prévost to Minister [of Marine], 12 May 1753, MG1, C11B, vol. 33, pp. 159 ff., AC.

Jacques Prévost, learned about William Piggott's visit with Jean-Baptiste Cope on Cape Breton and about Cope's subsequent visit to Halifax to sign a treaty. He dismissed it as a treaty with "quatre vingt dix à cent Sauvages tous mauvais sujets et tant hommes, femmes qu'enfants." "Les Anglais", he said, "ont voulu se servir de ce traité pour attirer tous les autres Sauvages" but as he heard the story, it had split the Micmac people, most of whom were angry at Cope and had no intention of following his lead. He pointed out to his superiors in France that Cope had a reputation for being perfidious with both the English and the French, and the story was about that Cope and the chief of the Cape Sable Indians had together planned to sign a treaty with the British in order to get their presents, but that they had no intention of honoring it. Prévost's accounts have the quality of hearsay, but in a number of respects, the information appeared accurate. If Cope's treaty had angered other Micmacs — and there are other indications that it did — it may have made sense for Cope to disavow it by spreading the story that he had never meant it to be a serious undertaking. All he had to do now was to prove this, and in fact he very shortly did so.⁴³

The other point missing from British knowledge had to do with the activities of Le Loutre, whose power over the Micmacs seemed curiously lacking through the period of the treaty and its aftermath. Le Loutre, as he explains in his autobiography, had in the summer of 1752 reached a critical point in the development of his Acadian settlement north and west of the Missaguash. There were more than 2,000 settlers, an enormous shortage of provisions, and the great marshlands near Beauséjour needed draining and dyking if the Acadians were to practise their special type of agriculture and thus become self-sufficient. As a result, Le Loutre had left Beauséjour in August 1752 and had gone first to Quebec to get approval of a mammoth land reclamation project, back to Beauséjour briefly to put a fellow priest named Manach in charge, then to Louisbourg to get needed foodstuffs sent back to Beauséjour, and thence to France where he went to the highest authorities for 50,000 livres to pay for the massive draining and dyking project he had in mind. Le Loutre succeeded in all of this, but it was June of 1753 before he was back at Louisbourg; when he learned about the Treaty of 1752, he was enraged. He claimed that Cope was not the head of the Shubenacadie but the "tail". If the British wanted to deal with these Indians, he fumed in what may have been a moment of supreme candour, they should have done so through him.⁴⁴ Le Loutre's absence may explain a lot; his return coincided with a dramatic turn for the worse in Anglo-Micmac relations.

Hopson lacked detailed knowledge of what the French were doing, but was prepared to speculate in a letter to the Board of Trade: "I conclude this Letter with a conjecture of my own which the behaviour of the French at this Juncture helps to confirm me in", he wrote in the winter following the treaty, "it is, that their ceasing

43 Le Loutre, *Autobiography*, pp. 44-8; "Anthony Casteel's Journal", *Le Canada-Français*, XX, pp. 125-6.

44 Prévost to Minister, 12 May 1753, MG1, C11B, vol. 33, pp. 159 ff., AC. Author's translation: "ninety to one hundred Indians, all evil subjects, men, women and children"; "The English wanted to use this treaty to attract all the other Indians".

to urge the Indians to annoy us is only with a view of Employing themselves and the expence they were at in that Service to Strengthen their own colony and thereby enable themselves to give a Surer and more decisive blow". Hopson could have been reading Le Loutre's mind; the realist in him said that he must use the brief hiatus afforded by the treaty to plant settlements and strengthen the position of the English in Nova Scotia, while the optimist clung to his original hope that Cope would keep his promise and bring in more Micmac bands to sign treaties. By March 1753 he had word of the killing and scalping of two British soldiers at Chignecto, but that Micmacs in the vicinity had disavowed the act. Meanwhile, he said, "the Indians on this side remain quiet", meaning presumably the Indians nearer to Halifax. In fact, by April he was reporting with great confidence that he had letters and other information to confirm that "the remainder of the Mickmack Indians will very soon be here to make peace". And on 12 April Glaude Gisigash, "an Indian who stiles himself Governor of LaHave", arrived before the council in Halifax to agree to terms like those settled with Cope and to promise to return with his own interpreter and several members of his band to ratify a treaty. Hopson was not sure how much longer his luck would last, but for the moment at least he claimed that "our design seems to be much favoured by the Indians remaining quiet".⁴⁵ Without his knowing it, however, the period of peace had already ended.

On 16 April 1753 two English settlers, John Conner and James Grace, paddled into Halifax harbour in an Indian canoe with six Indian scalps and a frightening story. They were part of a party of four, they reported to council, which had left Halifax by schooner in February and proceeded along the eastern shore to Jeddore and then points beyond. They were between Country Harbour and Torbay around 21 February when a canoe with four Indians came out, fired at them and pursued them as the wind drove them toward shore. Other Indians joined in and finally boarded the schooner, forcing them to submit and run their vessel into an inlet. Conner and Grace were sent into the woods to collect firewood and as they returned they saw Indians strike their companions, Michael Hagarthy and John Poor, in the head with axes "and killed and scalped them". From there, they claimed, they were taken "about 10 miles into the country where they continued prisoners until the 8th day of this month". At that point, they were left in the care of six Indians, including a woman and a boy, while the others went off. Seizing an opportunity when the men were separated from the woman and boy, Conner and Grace claimed that they killed the latter, secured arms and ammunition and then killed the four men on their return, permitting their escape. They had the scalps to prove it.⁴⁶

It was a harrowing story, and Conner and Grace were immediately required to sign sworn depositions attesting to its validity. In fact, the Treaty of 1752, if followed to the letter, might bring in Cope's followers demanding satisfaction in the King's courts. Moreover, if the account were true, it would mean either that

45 Hopson to Board of Trade, 6 December 1752, C.O. 217/13, pp. 384-8; 28 March and 14 April 1753, C.O. 217/14, pp. 30-9, Council Minutes, 12 April 1753, vol. 186, RG1, PANS.

46 Council Minutes, 16 April 1753, vol. 186, RG1, PANS; Hopson to Board of Trade, 16 April 1753; "An Examination...of James Grace and John Conner taken April 16th 1753", C.O. 217/14, pp. 151-5.

Cope was failing in his bid to bring other Indians into the peace or, worse, that Cope himself had gone back on his word. Hopson did not particularly want to believe either of these things and decided to await further developments. He was in this quandary when Cope's own son arrived in Halifax with a story that seemed to make sense of what was going on. The son claimed that Cope and Glaude Gisigash had been to Chignecto to urge the band there to come into the peace, "but they could not succeed therein and the Chignecto and Cape Breton Indians would continue the war". Cope and Gisigash had decided that they "would bring their families and settle at Halifax and behave as good subjects to His Majesty". Would the governor send a ship to Cope's home along the eastern shore, take on board the provisions he had there, since "evil minded persons had stole several casks", and bring them back to the safety of the British settlement? Hopson and his council agreed.⁴⁷

Hopson had a lot on his mind in May 1753 when he commissioned a local shipowner, Samuel Cleaveland, to take his sloop and a small crew, along with Joseph Cope and his two Indian companions, to rescue Cope's provisions somewhere near Jeddore on the eastern shore. His preoccupation was with settling German Protestants who had been assembling in Halifax for almost three years awaiting a time when they could safely plant a new community. Early plans had been to settle them at Musquodoboit, and surveys had actually been carried out there in 1752. But in the end, apprehension about Indians had led Hopson to fix on a site on the other side of Halifax, on the south shore at a place the Micmac and French called Mirligueche, but which the British now renamed Lunenburg. The German Protestants were part of a long-planned scheme to counterbalance the large Acadian population of Nova Scotia at a time when English migrants, it seemed, preferred to go to the better-established English colonies to the south. The arrival of the Germans and the necessity of feeding and housing them until they could be settled had contributed to the pressure on Nova Scotia governors to arrange a peace treaty with the Micmac. Hopson was now determined to get on with it, even though warning signs were up. In late May he received "an Express from the Officer commanding at Pisiquid [Windsor] advising me, that he is credibly informed that there are three bodys of Indians disposed of in those parts, amounting to about three hundred who lye there in readiness, as they give out, to oppose the Settlement of Merlegash and intend to begin the March there as soon as they have information when the Settlers are to Sail". The news was alarming but Hopson claimed that he was not as worried about the Indians at this point as he was about the French: another Nova Scotia schooner, he learned, had been taken by Indians while it was in a French harbour in Cape Breton; a considerable number of New England vessels trading into Louisbourg "have been detained there a long while by an Embargo"; and the small sloop he had sent with Cope's Indians had been gone so long that he was beginning to fear it had been "certainly stopped".⁴⁸

His fears would undoubtedly have been greater still if he had been able to read

47 Council Minutes, 16 May 1753, vol. 186, RG1, PANS.

48 Hopson to Board of Trade, 29 May 1753, C.O. 217/14, pp. 177-8.

the correspondence of Jacques Prévost, the civilian administrator of Louisbourg, who explained that at this point there were few Indians in Cape Breton “parce que les principaux guerriers suivis de la jeunesse courent la côte de l’est à l’Acadie”, the name the French still used when referring to Nova Scotia. They were there “de venger la mort de leurs frères”, according to Prévost, meaning those who had been killed by Grace and Conner. Commissary Prévost’s sources of information among the Micmac were good, and he usually was able to sort out what they were doing and why. He wrote long, detailed letters to his superiors in the Ministry of Marine in France. He knew, for example, about the Grace and Conner incident and that the Indians claimed that their schooner had run aground and sank, drowning some of her crew. This much Prévost was not inclined to believe because, as he reasoned, the four men captured by the Indians were sufficient to man a small craft of this size. The Indians admitted that they had captured four men, and some of them claimed that two had died of illness while others said that they had killed them. Which was correct Prévost was unable to determine. But he did know that the two who survived had surprised their captors while they slept and had killed them and escaped.⁴⁹ What Prévost wrote certainly confirmed much of what Conner and Grace had sworn.

Prévost also quickly learned what had befallen Jean-Baptiste Cope. The Indians who set out to avenge the death of the Micmacs scalped by Conner and Grace came eventually upon the bodies of two Cape Sable Indians whom they knew to be a man named Joseph and his wife, both of whom they believed had been treacherously killed by the English. The source of the trouble, they concluded, was the treaty that Cope had signed with the British, for which they determined they must punish him. They therefore visited the Shubenacadie-Musquodoboit band, found Cope, took him to the Micmac village at Ramsheg (now Wallace on the north shore of Nova Scotia) and decided at first that he should be sent with several English prisoners to Quebec. At that point, however, their plan seems to have changed; instead, they devised a scheme whereby one of the adherents of Cope’s treaty would be sent into Halifax with a request that the British send a vessel to the eastern shore to carry provisions and there it would be destroyed. Prévost’s information was that this had happened, that the vessel had carried ten men and that of them the English crew had been killed while only an Acadian pilot had been spared. Afterwards, the Indians who carried out the attack “se sont ensuite retirés et dispersés de différents côtes dans l’Acadie pour continuer disent-ils à frapper dur leurs ennemis”.⁵⁰ If Prévost was right, Joseph Cope’s visit to Halifax had been part of a rather elaborate hoax and the Micmac war was on again with a vengeance.

49 T.A. Crowley, “Jacques Prévost de la Croix”, *DCB*, IV, pp. 643-7; Prévost to Minister [of Marine], Louisbourg, 17 June 1753, MG1, C11B, vol. 33, pp. 181-3, AC. Author’s translation: “because the main warriors followed by the young are travelling on the east coast of Acadia” and “to avenge the death of their brothers”.

50 Prévost to Minister, 17 June 1753, MG1, C11B, vol. 33, pp. 181-3, AC. Author’s translation: “withdrew and spread out into different parts of Acadia in order, according to them, to continue to strike their enemies with force”.

For weeks Hopson had nothing but his own suspicions that things had gone awry. But by 23 July, as he wrote to the Board of Trade, he knew that peace had not been secured: “the almost continual war we have with the Indians prevents our mixing any English Settlers with these Inhabitants or instituting any sort of civil jurisdiction among them”. He firmly believed that the French were at the root of the problem. The Indians, he claimed, “have been hitherto left open to the insinuations and evil practices of French Priests & other Emissaries that are sent amongst them from Canada and the French Fort at Beauséjour, who have at all times been endeavouring to prejudice them against an English Government, and to persuade them that the Country they live in will very shortly fall into the hands of the French either by negotiations or by force of Arms”. The problem, as he analyzed it, was precisely the problem that had existed before the Treaty of 1752: “In fact what we call an Indian War here is no other than a pretense for the French to commit hostilities upon his Majesty’s subjects”.⁵¹

Hopson had the hard facts of missing or delayed ships and reports of Indians massed to oppose his settlements to convince him that he was at war; by 30 July he also had the story of Anthony Casteel, an Acadian in the British employ who now arrived in Halifax alone several weeks after having left on Cleaveland’s schooner. Casteel was a French-English interpreter and messenger for the Nova Scotia council, a valued servant of the British given the fact that the largest part of the Nova Scotia population was French-speaking Acadian and that Micmacs and Maliseets could deal with Europeans only in French. Casteel knew Jean-Baptiste Cope, and it seems likely that it was he who translated for Cope and the council when Cope had originally negotiated his treaty. It therefore made sense for Casteel to be sent on this mission. Now Casteel returned, the sole survivor. The schooner, he reported, had gone along to Jeddore without incident, and there they were met by Major Cope who greeted him like a long-lost friend. Cope acknowledged that he was in deep trouble with the other Micmacs because of the treaty he had signed. But then things turned violent. Cope’s Indians seized the Europeans and killed and scalped them all except Casteel — whom they spared after much deliberation because he was French.⁵²

Casteel’s adventure had just begun. Cope, he reported, seemed delighted that this ruse had worked; it proved that he was a “good soldier”. Yet apparently there was more to prove. Casteel was taken by the Shubenacadie route across the province to Cobequid (Truro) where they stopped at an Acadian house to obtain provisions. Casteel claimed that his captors produced a written order from a French officer calling on Acadians to furnish ammunition and provisions to this “detachment” since it was “upon the Kings duty going to Chebucto”. Here Casteel was shown Cope’s copy of the Treaty of 1752 which he scarcely began to read when an Indian snatched it from him and threw it into the fire, “telling him `that was the way they made Peace with the English’”. From there Casteel was taken to Tatamagouche and then to Ramsheg, and before he was taken finally to

51 Hopson to Board of Trade, from Letter Book, P.A.C./N.S./A:54, printed in N.E.S. Griffiths, ed., *The Acadian Deportation: Deliberate Perfidy or Cruel Necessity?* (Toronto, 1969), pp. 84-5.

52 “Deposition of Anthony Casteel”, 30 July 1753, C.O. 217/14, p. 199.

Louisbourg, he visited Baie Verte, where a large council of Indians set a ransom of 300 livres upon his head, which he claimed was paid for him by a local Acadian. Once at Louisbourg, Casteel was thoroughly questioned by French officials about the military preparedness of the British in Halifax. Now in a totally different situation, Casteel, doubtless aware of the cartel by which the French and English had agreed the previous year to exchange military prisoners, insisted that he was British and was in the employ of the Nova Scotia government. After a final interview with Le Loutre, just returned from France — the occasion when the priest denounced Major Cope, his treaty and the British for toying in this fashion with the “souls” of the Micmacs — the French allowed Casteel to return to Halifax. What he had to tell Hopson would clearly be in the French interest since, however he phrased it, it would demonstrate that the Treaty of 1752 was dead and that attempting to lure the Micmac away from the French would not work. Le Loutre also had a special message for the governor; it was, according to Casteel, that “the English might build as many Forts as they pleased but he wou’d take care that they shou’d not come out of them, for he was resolved to torment them with his Indians and desired that the Governor might declare War Accordingly”.⁵³

Hopson understood the message clearly; he had failed in his bid to pacify the Micmac. To an official query about the volume of British trade with the Indians, he replied that it was negligible “and indeed the shortness of the time they were peaceable makes it impossible to form any right judgement of this matter”. By mid-summer he had reports from Chignecto of Le Loutre’s return and that he had 300 Micmac families there with him. His conclusion was that “very little progress can be made in the service I have the honor to be employed in, until the French flag is removed out of this province by some means or other; when that happens I have hopes that the Indians when their allies are withdrawn will no more be able to disturb us and that they will then make proper submissions to His Majesty’s government and live under it in peace and quietness”.⁵⁴

Hopson was right in suggesting that the French had made use of their Indian allies to keep Nova Scotia unstable; specifically, the French sought to retard British settlement and buy time for France to implement its Acadian resettlement scheme. French accounts not only confirm the generality of Hopson’s charge, but show that in this summer of 1753 Le Loutre paid out “1800 argent de L’Acadie” to Indians at Beauséjour in payment for “dix huit chevatures qu’ils ont levés aux anglois dans les differents courses qu’ils ont faites sur leurs etablissements pendant le mois dernier”. But at this point, French Indian policy took a new turn. France’s larger interests dictated that full-scale war with Britain be delayed, and the French were growing worried lest their Indian allies precipitate one before the French were

53 Casteel’s deposition presents an abbreviated version of his story which appears in its complete form in “Anthony Casteel’s Journal”, *Le Canada-Français*, XX, pp.111-26. A handwritten transcript of this document by Dr. Andrew Brown was taken from the original at the British Museum and is located in the Public Archives of Nova Scotia in the Andrew Brown Manuscripts. Brown’s marginally inserted opinions unfortunately influenced Leslie Upton in his interpretation of the Grace and Conner incident: see *Micmacs and Colonists*, p. 55.

54 Hopson to Board of Trade, two letters of 23 July 1753, C.O. 217/14, pp. 185-96; Letter Book, P.A.C./N.S./A:54, in Griffiths, ed., *Acadian Deportation*, pp. 84-5.

ready. Marquis Duquesne, governor general of New France, accordingly wrote his military commander at Beauséjour in July 1753 that he was giving orders “pour empêcher que l’ont tuat les Anglois”, and “si les sauvages de votre contrée venoient vous demander pareille permission vous leur dirés que je leur ai deffendu de la leur donner”. Duquesne knew that the French did not have, nor could they have, absolute control over what the Indians did. “Comme ce Mikmaks ont levé la hache contre les Anglois”, he acknowledged, “vous ne pouver guerre les empêcher d’aller frapper au loin si c’est part esprit de vengeance, mais pour frapper à Beaubassin il ne conviendrait pas de le souffrir sans être exposé au risque detre insulté dans votre poste”. Duquesne’s order is useful evidence of the nature of French-Indian relations: the French knew what they wanted, but they also knew that the Micmacs had minds of their own. The Indians did become quiet around Beauséjour, however, and this benefited both the French and the English. With Le Loutre once again in charge, Acadians, French soldiers and their Indian allies worked diligently through the summer of 1754 building dykes, aboiteaux and roads at Chignecto, while his emissaries pressed Acadians at Minas and elsewhere to relocate there. This Duquesne approved: “Je ne puis qu’approuver le mouvement que se donne Monsieur l’abbé Le Loutre pour faire occuper les terres qui restent en friche. Nul n’est pas capable que lui de faire cette repartition et d’engager l’habitant à un établissement solide”.⁵⁵ Simultaneously the new British governor at Halifax, Charles Lawrence, continued work on his Lunenburg settlement, sent out a party of soldiers to explore the upper reaches of the Shubenacadie River and began planning a community at Musquodoboit to provide protection to Dartmouth from Indian attacks.⁵⁶

British policy in Nova Scotia continued to steer between fear of Indians and hope for peaceful accommodation. Despite the collapse of peace on the eastern shore, the British did not formally renounce the Treaty of 1752 until 1756. Meanwhile, they had two encounters with the Micmac which demonstrated to them that some of the Indians were clearly under French control and others were not, suggesting the need for greater flexibility in their approach. In November 1753 representatives of the Cape Sable Indians arrived in Halifax with a peace message. The Cape Sables were a small band of about 60 Micmacs who lived on the South

55 Prévost to Roué, 16 August 1753, MG1, C11B, vol. 33, AC. Author’s translation: “18 scalps which they took from the English in different incursions that they have made on their settlements during the last month”. Duquesne to de la Martinière, 27 July and 10 September 1753, copy in Webster Collection, New Brunswick Museum, Saint John [NBM]. Author’s translation: “prohibiting the killing of the English” and “if therefore, the Indians in your district ask for permission to do so, tell them that I have forbidden you to do so”; “As the Micmac have gone on the warpath against the English, you can scarcely prevent their striking at distant places in the spirit of vengeance, but it could not be tolerated at Beaubassin without exposing your post [i.e. Beauséjour] to the danger of attack”; “I cannot do otherwise than approve the efforts of the Abbé Le Loutre to have the uncultivated land occupied. No one is more capable than he is [to oversee this project] and to encourage the inhabitants to undertake a permanent settlement”: Le Loutre, *Autobiography*; pp. 46-7; “Journal of Louis de Courville, 1755”, in John Clarence Webster, ed., *Journals of Beauséjour* (Halifax, 1937), p. 45.

56 Abbé Daudin to Abbé de l’Isle Dieu, 26 September 1754, Copy in Webster Collection, NBM; Le Loutre, *Autobiography*, p. 47; Lawrence to Board of Trade, 1 March and 1 June 1754, C.O. 217/15, pp. 25-9, 32.

Shore. Their spokesmen included Baptiste Thomas, one of two chiefs of the band, who explained to the governor and council that they had “never joined with the other Indians in molesting the English” and because, to the contrary, they had occasionally helped Englishmen whose vessels had become storm-wrecked along their coast, they had “never received any assistance from the French”. They were now nervous about going into British settlements, they explained, because “the other Indians have renewed hostilities” and they feared British retaliation against the Cape Sables even though they were innocent. The clarity of their message, and perhaps also their courage in coming in to give it, deeply impressed the council, who correctly deduced that some bands were under French influence and others were not, and that therefore their policy towards the Indians should be adjusted: “tho’ it was highly proper as much as possible to annoy and destroy such of the Indians as continued to make war upon us”, their minutes record, “yet on the other hand it might be of great advantage to support and encourage such of them as should come in and be willing to remain friends with us, and that by acts of friendship and kindness the whole of them might at length be convinced that it would be more for their interest to be our friends than enemies”. In consequence, the council voted winter provisions for 60 people and the secretary even made an account of the bread, pork, blankets, powder, shot, tobacco, pipes and other items that made up the gift.⁵⁷

The second encounter, however, raised skeptical eyebrows because Le Loutre attempted to serve as an intermediary. Through a British officer at Fort Lawrence, Le Loutre sent the message that the Indians wished to make proposals “towards establishing a General and lasting Peace”. In a detailed letter, Le Loutre explained that Baptiste Cope had recently arrived at Chignecto with news that British soldiers had penetrated into Micmac hunting grounds on the Shubenacadie, and in their traditional fashion, Micmacs at Chignecto had called a council to settle on a course of action. According to Le Loutre, the Indians proposed that a large portion of Nova Scotia should be recognized by the British as Micmac territory. It would run from the Isthmus to Minas, then to Cobequid and Shubenacadie (including Le Loutre’s old mission), across to Musquodoboit, then along the eastern shore to Canso and finally through the strait (or Fronsac), along the north shore and back to Baie Verte. For a people who lived by hunting and fishing, argued Le Loutre, this was a reasonable demand. What he did not say, of course, was that the land proposal would have the effect of creating an Indian buffer state between a rather truncated British Nova Scotia and his new French Acadia, limiting the British in fact to the small area which France now claimed it had surrendered to Britain in 1713. While the council in Halifax agreed that the Indians “or anybody on their behalf might come here with great security to make their proposals and that nothing should be wanting on our part to establish a general peace”, they privately expressed their misgivings. The council’s secretary wrote that he did not trust Le Loutre, whom he blamed for the treacherous murder of Captain Howe, and more than this, Le Loutre “cannot be ignorant that we are by no means the aggressors or

57 Council Minutes, 16 November 1753, vol. 187, RG1, PANS.

in any way desirous to begin or continue a war with the Indians if they would demean themselves as they ought to do towards his Majesty's subjects". The British had shown their good will in their treaty with Major Cope, he added, yet the treaty "has indeed since been broke through on their part, of which Transaction Mr. Le Loutre can probably give a better account than we". Suspicious of Le Loutre, whose ulterior motives seemed all too transparent and whose letter was "too insolent and absurd to be answered through the Author", the Nova Scotia council addressed a general letter to all Nova Scotia's Indians. If the Indians were at all serious about making peace, they could come into Halifax "where they will be treated with reasonable conditions".⁵⁸

In February 1755 the Chignecto Micmacs by-passed Le Loutre and repeated their demand for the same area of land through a Micmac spokesman, Paul Laurent, who had for a time lived in captivity in Boston and could speak English.⁵⁹ Laurent's message to the governor and council was that a peace treaty depended on a land grant, and while he was not able to negotiate this, he asked for a reply in writing "and that the Council would specify therein the Quantity of Land, that they would allow them, if they thought what was required was too much". The council replied that the demand was "unreasonable" and that the Indians' peace overtures were "very general and the demands you make, in our opinion, are extremely exorbitant". But they hastened to add that they were quite willing to set aside a tract of land "for your hunting, fishing, etc. as shall be abundantly sufficient for you and what we make no doubt you, yourselves, will like and approve". To arrange this, they asked that the chiefs of the Micmac tribe come to Halifax to work out the details, insisting that the piecemeal approach of the past had not worked. With obvious reference to the treaties of 1749 and 1752, they wrote: "You are sensible that certain Captains of your Tribes, (at least Persons styling themselves such) have appeared here and made peace under promises of bringing in the other tribes, that instead of bringing those tribes, the treaties have been immediately and perfidiously broken; and that when these things had happened and we have complained of them, the tribes in general have disclaimed such proceedings from whence it is apparent we could have no certain dependence on overtures made by one or a few individuals". As skeptical as they were, the British made clear that they were ready to negotiate and that the concept of setting aside Indian lands was acceptable, but it must be within the framework of a general peace treaty and it must have the sanction of all of the Micmac chiefs together.⁶⁰ Unfortunately, that was to be the end of peace negotiations for the time being.

"In Acadia, during the winter of 1755, we lived in profound peace", a French soldier wrote in his journal. But in fact war had already broken out between English and French forces at the forks of the Ohio River. In no time, Acadia became the scene of some of the bitterest fighting that took place in the Seven

58 Council Minutes, 29 July, 9 September 1754, vol. 187, RG1, PANS; William Cotterell to Captain Hamilton, 3 June 1754, in Thomas Beamish Akins, ed., *Selections from the Public Documents of Nova Scotia* (Halifax, 1869), p. 210.

59 Micheline D. Johnson, "Paul Laurent", *DCB*, III, pp. 358-59.

60 Council Minutes, 12 and 13 February 1755, vol. 187, RG1, PANS.

Years' War. In June a force of 2,000 British regulars and colonial troops completely surprised the commander at Beauséjour, who tried briefly to muster his inadequate complement of French regulars, Acadian workers and Indian allies and then surrendered when all looked hopeless.⁶¹ Le Loutre disappeared from Beauséjour before the British entered, and while his dream of a new Acadian homeland under the flag of France was now dashed forever, he and other French priests were still able to provide direction to Micmac and Maliseet warriors who had not conceded defeat. To deal with both the Indians and the French, whose stronghold at Louisbourg remained, the British at this point decided to destroy their logistical support; since they firmly believed that both were dependent on food provisions from the Acadians, they took the drastic decision to expel the entire Acadian population. Over the summer and fall of 1755, Acadian families were rounded up at Minas and Annapolis and deported. Hundreds more met a similar fate as the war progressed, while many others escaped to French territories — Quebec, Île Royale, or Île St. Jean — or to the relative security of the northern bays and forests of present-day New Brunswick which were beyond the effective limits of British administration. While the reasons for the expulsion were complicated, a significant factor in British thinking was their experience, since their arrival at Halifax in 1749, of war with Micmac and Maliseet Indians, a continuous war which British officials believed had been engineered by France. Moreover, the British also acted on the belief that the Acadians had become willing pawns in this contest. Lawrence claimed to have solid evidence that Acadians had provided both the French and the Indians with “intelligence, Quarters, provisions, and assistance in annoying the Government” during the Indian war.⁶²

The British were wrong in thinking that Micmac and Maliseet warriors served only French interests. They had their own interests and they understood them. While they had been divided in accepting the guidance of French priests in the past, they now generally chose to fight in alliance with France and to accept their tactical direction. This decision turned out to be a serious miscalculation on their part, not so much because they chose the side that would eventually lose, but because their choice profoundly altered the very basis of their subsistence. The lives of hundreds of self-sufficient Indians were completely disrupted by their service to the French cause as they came to rely on regular supplies of food and ammunition from the French government. This in turn required food shipments from Acadian farmlands to supplement the inadequate supplies reaching Louisbourg and other French outposts from Quebec and from France itself. It was this fragile chain of

- 61 “Journal of Louis de Courville”, in Webster, ed., *Journals of Beauséjour*, pp. 45-50; “Pichon’s Journal of the Siege of Beauséjour”, in John Clarence Webster, *Thomas Pichon, “The Spy of Beauséjour”* (Halifax, 1937), pp. 100-7; John Clarence Webster, ed., “Journal of Abijah Willard”, *New Brunswick Historical Society Collections*, XIII (1930), p. 25; Lawrence to Board of Trade, 18 July 1755, C.O. 217/15.
- 62 Lawrence to Board of Trade, 11 August 1755, C.O. 217/15. The variety of interpretations of the expulsion is explored by Griffiths, ed., *The Acadian Deportation*. See also Jean Daigle, “Acadia, 1604-1763: An Historical Synthesis”, in Jean Daigle, ed., *The Acadians of the Maritimes: Thematic Studies* (Moncton, 1982), pp. 17-46 and Naomi Griffiths, *The Acadians: Creation of a People* (Toronto, 1973), pp. 48-85.

supply which the British destroyed by expelling the Acadians. The accuracy of their analysis immediately became apparent as the dependence of the Indians on the Acadians and on Beauséjour shifted to Louisbourg: “Nous nous appercevons déjà de la misère que les Sauvages éprouvent sur les frontières de l’Acadie par les visites qu’ils se font ici”, wrote Louisbourg’s highest officials. “Ils paraissent zélés et prêt à servir le roi, mais on saurait les employer sans les nourrir, et nous vous prions de nous procurer assez de vivres pour le pouvoir faire”. What they asked was only the beginning. The supply problem plagued the French for the rest of the war and they never resolved it. More than any other single factor — including the massive assault that eventually forced the surrender of Louisbourg — the supply problem spelled doom to French power in the region. From Halifax Lawrence had clearly understood the relationship between supply and the ability to fight, and he believed that the expulsion not only reduced French power in region, but also that it “renders it difficult for the Indians, who cannot as formerly be supply’d with provisions and Intelligence, to make incursions upon our Settlers”.⁶³

While the expulsion seriously undermined the French position, it did not lessen their determination or the willingness of their Indian allies to wage war against the British using every means at their disposal. By the spring of 1756 Lawrence was receiving reports from all parts of the province describing the hit-and-run strikes of Micmac and Maliseet warriors. Schooners seized, British regulars killed and scalped at Fort Moncton, houses destroyed and settlers killed in Mahone Bay — this was the information laid before the provincial council on 14 May, when the council agreed to a new proclamation repealing that which had accompanied the signing of the Treaty of 1752. Notwithstanding this treaty, read the proclamation, “the Indians have of late, in a cruel and treacherous manner killed and carried away divers of his Majesty’s subjects in different parts of the Province”. The officers and subjects of the British crown in Nova Scotia were therefore commanded “to annoy, distress, take and destroy the Indians inhabiting different parts of this province, wherever they are found”. A reward was offered for prisoners or scalps. Thereafter, reports of Indian attacks became so commonplace that Lawrence became offhand in his treatment of them. “Nothing extraordinary has happened since my last”, he wrote the Board of Trade, “except that the Indians in Conjunction with some of the French inhabitants that were left behind, have scalped and carried off some People in different parts of the province”.⁶⁴

Effectively, the proclamation of 1756 ended British treaty-making attempts for the time being on the grounds that the Micmac themselves had violated earlier treaties. While the Micmac would have differed in their interpretation of events, they accepted that they were at war. As French correspondence from Louisbourg

63 Vaudreuil to the Minister [of Marine], 19 April 1757; Druccourt and Prévost to the Ministry [of Marine], 6 April 1756 and 12 May 1757, copies in Webster Collection, NBM [Author’s translation of letter of 6 April 1756: “We already see the hardship that the Indians suffer on the frontiers of Acadia because of the visits they made here. They seem zealous and ready to serve the king, but we cannot employ them without feeding them, and we beg you to procure enough foodstuffs to be able to do it”]; Lawrence to Board of Trade, 18 October 1755, C.O. 217/15.

64 A Proclamation, C.O. 217/16; Council Minutes, 14 May 1756, vol. 187, RG1, PANS; Lawrence to Board of Trade, 25 May 1756, C.O. 217/16.

shows, the Micmac in general were most active in scouting and raiding, and even the Cape Sables, who had made such a point in 1753 of remaining peaceable, were now as involved as any other Micmac band. Indian warriors now regularly reported to Port Toulouse to receive French presents and military directions: some were employed in guarding the passages between Nova Scotia and Île Royale, some were sent to Chignecto to serve under the French officer Charles Deschamps de Boishébert and others were ordered directly to the Halifax area to spy and to conduct guerrilla-style attacks. Acadians and Indians at times worked together and were especially effective in capturing small British vessels that ventured near or through the Cabot Strait, from which escapades the Indians brought back scalps to collect French reward money. Lawrence reported that it had become common practice for Acadians and Indians to ambush British settlers and soldiers, killing and scalping them as they passed on the province's few usable roads, and that settlers in new towns such as Lunenburg and Lawrence Town had to observe the greatest precautions in venturing into the woods to gather firewood or clear land. Lawrence warned his superiors that he could not induce new settlers to come to Nova Scotia, since they were "liable to have their throats Cutt every moment by the most inveterate Enemies, well acquainted with every Creek and Corner of the Country by which they can make their Escape". Boishébert's force of Indians near the old Fort Beauséjour killed and scalped unwary soldiers, burned their wood supply and so frightened them that they ventured out only to get to their boats. As Marquis de Vaudreuil, governor general of New France, heard it, "Il a été envoyé de temps en temps d'autres partis sauvages qui ont toujours eu quelque succès".⁶⁵

Such reports illustrated how completely the role of Indians had been integrated into French military operations. At Louisbourg, the commissary's account books showed increasing amounts set aside for Indian presents and provisions, which by late 1756 consisted of one and a half pounds of bread and a half-pound of meat for every warrior employed in guarding the coast. From 1756 to the fall of Louisbourg in 1758 the accounts show regular payments of scalp money — including notably one payment to Baptiste Cope — and they specify that supplies were regularly dispensed to 700 Indians. Micmac and Maliseet warriors had become indispensable defenders of Île Royale while also providing the French with their most effective raiding and intelligence capacity. Yet when the British assault on Louisbourg finally came in 1758, it was such a massive blow, delivered by a force so vastly outnumbering the defenders, that the French quickly capitulated, leaving their fleeing Indian allies to fend for themselves.⁶⁶

65 Drucourt and Prévost to the Minister [of Marine], 6 April 1756, Prévost to Minister [of Marine], 27 September and 2 October 1756, Vaudreuil to Minister [of Marine], 19 April 1757, copies in Webster Collection, NBM [Author's translation: "From time to time other parties of Indians have been sent out, and they have always had some success"]; Prévost to unknown, 12 May 1756, MG1, C11B, vol. 33, pp. 105-6, AC; Lawrence to Board of Trade, Halifax, 3 November 1756, C.O. 217/16.

66 Accounts, 29 November, 20 December 1756, 30 September 1757, MG1, C11B, vol. 37, pp. 209 ff., vol. 36, pp. 221 ff., vol. 37, pp. 128 ff., AC. The most complete account of the military career of Louisbourg is J.S. McLennan, *Louisbourg from its Foundation to its Fall, 1713-1758* (Sydney, 1957). For numbers of men and details of the initial attack in 1758, see especially pages 247-60.

For a time, Micmac and Maliseet warriors tried to continue without French support, returning to the guerrilla tactics which they had employed so effectively at the high tide of the Micmac War in the early 1750s. Strike groups attacked fishermen along the eastern shore, taking them prisoner or killing and scalping them, while skilful sea raiders seized increasing numbers of British vessels. It was bad enough to lose civilians just outside the capital, lamented Lawrence, but “what is still more extraordinary they have now commenced a War upon us by Sea, and in one Month have taken ten Coasters between this Place [meaning Halifax] and Louisbourg in spite of every measure Mr. Whitmore and I could concert for the Protection of the Coast”.⁶⁷ While Lawrence advertised in New England newspapers in 1758 that Nova Scotia was now open for settlement, incursions by Micmacs and Acadians in the Minas and Pisiquid areas effectively prevented it until 1760. But by then, native warriors were feeling the full impact of their loss of French logistical support; without the French to supply them with arms and ammunition and the Acadians or Louisbourg to feed them, they suddenly found themselves in the same desperate misery as the scattered groups of Acadians, convincing proof if ever it was needed of how completely they had lost their pre-war self-sufficiency. The Micmac and Maliseet, after 16 years of almost constant warfare, had become a dependent people. Only the belief that France would be able to reassert its power in the region kept them going; when news arrived that Quebec itself had fallen, the will to fight rapidly evaporated. Dire need forced them to capitulate wherever they could find British troops. Maliseets first presented themselves at Fort Frederick at the mouth of the St. John River in November 1759, and Micmacs appeared during 1760 at Louisbourg, Chignecto or Halifax. All were told to send representatives to Halifax to sign formal treaties with the governor and council.⁶⁸

Ballomy Glode and Michel Neptune, respectively of the Maliseet and Passamaquoddy tribes, arrived in Halifax in February 1760, and the terms negotiated with them became a model for the several treaties which followed with the Micmac, although there was also an essential difference. The Maliseet and the Passamaquoddy had a treaty relationship with the British in Nova Scotia going back to the Treaty of 1725, which had been renewed in 1749. Even though Glode and Neptune were now willing to admit that they had broken the treaty, the British agreed to bury all former hostilities in oblivion, to incorporate these earlier agreements into the new treaty (in effect renewing them) and to propose an additional new arrangement for maintaining the peace through the establishment of a regulated trading system. There were no reciprocal obligations: no British

67 Lawrence to General Amherst, 17 September 1759, W.O. 34/11, War Office Records, PRO [microfilm in the Harriet Irving Library, University of New Brunswick]. The prowess of the Micmac at sea is explored by Dickason, “La ‘guerre navale’ contre les Britanniques, 1713-1763”, in Martijn, ed., *Les Micmacs et la mer*, pp. 233-48.

68 Council Minutes, 30 November 1759. Several bands of Micmacs were represented by Roger Morris and four others who came directly into Halifax on 9 January 1760, and were given formal permission to come and go until a treaty could be negotiated: Council Minutes, vol. 188, RG1, PANS. For the capitulation of Cape Breton Micmacs, see the various letters of Whitmore to Amherst during 1760 in W.O. 34/17, pp. 87-183.

promises about fishing, hunting, land or anything other than the implied protection of Nova Scotia law. Subsequent treaties with the Micmac repeated the substance of these terms yet without reference to any earlier treaties, an approach that the records do not explain, but which clearly reflects the long history of British disillusionment with previous Micmac treaty arrangements, including the notoriously unsuccessful Treaty of 1752. Where the Maliseet and Passamaquoddy “hereby renew and Confirm the aforesaid Articles of Submission and Agreement, and every part thereof and do solemnly promise and engage that the same shall for ever hereafter be strictly observed and performed”, the Micmac treaties began *de novo*. As “treaties of peace and friendship”, they required the Micmac signatories to “acknowledge the jurisdiction and Dominion of His Majesty George the Second over the Territories of Nova Scotia or Accadia and [to] make submission to His majesty in the most perfect, ample, and solemn manner”. Also, because there were so many bands of the Micmac and the assembling of them all could not be achieved without great difficulty, the council decided to treat with each band separately, a process which took more than 18 months.⁶⁹

The novelty in all of the treaties was the establishment of government truckhouses in six different locations throughout Nova Scotia at which all trade between whites and Indians would be conducted. Every tribe or band was required to keep two or three “hostages” at one of these truckhouses “for the more effectual security of the due performance of this Treaty”, and the trade was to be conducted according to a negotiated price list which a number of unidentified Indian chiefs worked out with the governor and council in Halifax at the time of the first treaties. Borrowed from New England and reflective of George Scott’s arguments back in 1752, the truckhouse concept had admirable theoretical underpinnings in the liberal thought of the 18th century. Commerce, according to both Montesquieu and Hume, was the way to prevent war. Experience taught the British that commerce with the Indians, if it were to achieve the desired effect, must be regulated to prevent the abuses which governors in almost all colonies had reported in the past. By 1764 the Board of Trade itself proposed a massive plan to confine the Indian trade throughout North America to certain frontier posts and to license white traders to ensure their adherence to strict rules of fairness. The Nova Scotia experiment anticipated this imperial policy by four full years, although in its actual implementation, it was far too extended and costly for a small province to manage. Moreover, the first Indian commissary, Halifax merchant Benjamin

69 Council Minutes, 21, 22 and 29 February, 10 March, vol. 210, RG1, PANS, pp. 114, 115-16, 117-18. The Maliseet and Passamaquoddy Treaty was drafted and negotiated in French and the draft appears in vol. 258, MG1, PANS, pp. 66-83. Final drafts appear under date of 23 February 1760, in C.O. 217/18. The first Micmac treaties were signed on 10 March with the La Have and Richibucto bands, copies of which are in the PANS, the La Have Treaty in the Andrew Brown Manuscripts, #19071, p. 174. No copy of the treaty with the Shubenacadie-Musquodoboit band remains, although the council minutes report that one was signed on 10 March, and Lawrence reported to the Board of Trade that he had “made a peace on the same terms with the Tribes of Richibuctou, Musquadoit and La Have, who sent their Chiefs here for that purpose”: Council Minutes, 10 March 1760, vol. 210, RG1, PANS; Lawrence to Board of Trade, 11 May 1760, C.O. 217/17, p. 59.

Gerrish, managed the system so that it was the government which lost money while he profited usuriously.⁷⁰ By 1762 Gerrish was removed and the number of truckhouses was reduced to three. By 1764 the system itself was replaced by the imperial licensing of private traders, although the Indians themselves, if the Maliseet were representative in this respect, actually preferred the fixed prices of the truckhouses as opposed to the free market arrangement which followed. The Nova Scotia government lost heavily in the truckhouse system; they may also have bought a modicum of good will with the Indians.⁷¹

Despite an early plan to bring all of the Micmac bands together eventually for a grand reaffirmation of the treaties signed in 1760 and 1761, the Nova Scotia government never managed to do this. But on 25 June 1761 representatives of the Miramichi, Shediac, Pokemouche and Cape Breton bands — the largest gathering of Micmac chiefs to assemble to sign a treaty — gathered in Halifax. Council president Jonathan Belcher, who succeeded Lawrence as the king's representative when he died in 1760, marked the occasion with as impressive a ceremony as he could muster. They gathered in the open air at Belcher's farm on the edge of town, and there were speeches in Micmac and in English. Father Maillard, now devoting the last years of his life to bringing about a peaceful accommodation between the Micmac and the British, served as interpreter. Belcher spoke first and he was awkward; that is, not knowing how to approach the Micmac, he relied on the conventions established over the years between the British and the Iroquois; the rhetoric was Covenant Chain rhetoric even though the Micmac had never been part of the Iroquois alliance: "Protection and Allegiance are fastened together by Links", said Belcher, "if a Link is broken the Chain will be loose. You must preserve this Chain entire on your part by fidelity and Obedience to the Great King George the Third". But through all of the rhetoric, Belcher's explanation of the treaties they signed was also clear: the Micmac were to live now according to the laws of Nova Scotia: "The Laws will be like a great Hedge about your Rights and properties" and "your cause of War and Peace may be the same as ours under one mighty Chief and King, under the same Laws and for the same Rights and Liberties".⁷²

When Belcher had finished, the treaties were signed and hatchets were ceremoniously buried. The chief of the Cape Breton band spoke (with Maillard translating from the Micmac). What he said represents the longest single recorded statement by any Indian in the region for the period. How much Maillard may have altered it in translation we can never know, although there were things in it that must have embarrassed Maillard mightily: "My Lord and Father", he addressed Belcher in a most abject way. "We come here . . . to yield ourselves up

70 Council Minutes, 13, 14 and 16 February 1760; Minutes of the House of Assembly, 18 and 19 February 1760, C.O. 217/20; "Plan for the Future Management of Indian Affairs, 1764", C.O. 324/17; Stephen E. Patterson, "Benjamin Gerrish", *DCB*, IV, pp. 290-1.

71 Representations of the Maliseet Indians, Council Minutes, 18 July 1768, vol. 189, RG1, p. 119, PANS; "Remarks on the Indian Commerce carried on by the Government of Nova Scotia in the Year 1760, 1761 and part of 1762", 15 April 1763, C.O. 217/20, pp. 160-5.

72 "Ceremonials at Concluding a Peace", 25 June 1761, C.O. 217/18, pp. 276-84.

to you without requiring any Terms on our part". They were motivated to do this, he said, because of "your Charitable, mercifull and bountifull behaviour to the poor French wandering up and down the Sea Coasts and Woods without any of the necessaries of Life; Certain it is that they, as well as we, must have wretchedly perished unless relieved by your humanity". The British, he went on, were now the masters here, "such has been the will of God, He has given you the Dominion of these vast Countries", and since the British were willing to forget the hostilities "committed by us against you and yours", he was willing to swear on behalf of all his people "that I sincerely comply with all and each of the Articles that you have proposed to be kept inviolably on both Sides". It was a promise without limits, he declared: "As long as the Sun and Moon shall endure, as long as the Earth on which I dwell shall exist in the same State you this day see it, so long will I be your friend and Ally, submitting myself to the Laws of your Government, faithful and obedient to the Crown". What he wanted most for his people, he said, was "your indulging me in the free Exercise of the Religion in which I have been instructed from my Cradle". He had never understood, he said, that the British were also Christians, and he was sorry they had fought, for Christians should not shed the blood of other Christians. But he now buried his hatchet "as a Dead Body that is only fit to become rotten, looking upon it as unlawful and impossible for me to make use of this Instrument of my Hostilities against you".⁷³ And so he ended. For the Cape Breton and other Micmacs of present-day Nova Scotia, this was their final treaty with the British, the basis upon which they must build their future relationship with the European intruder.

For the Miramichi and Shediac bands who were present, however, and for the Maliseet who had signed earlier, there were to be other treaties in 1778 and 1779, restoring their allegiance after a short-lived lapse during the American War of Independence.⁷⁴ But by 1761 the die had been cast: the numbers of British colonists now rapidly increased as New England planters responded to Nova Scotia's call for settlers, and within 20 years, the Loyalist influx would further reduce the native room for manoeuvre. The Maliseet, at least in the short run, proved to be more adept than the Micmac in pursuing their grievances and rights

73 "Ceremonials at Concluding a Peace", C.O. 217/18, pp. 276-84. This account includes the treaty signed with Claude Atonash, chief of the Shediac band, while indicating that treaties of the same "Tenor and Contents" were signed by the chiefs of Miramichi, Pokemouche and Cape Breton. The Miramichi treaty can be found in vol. 165, RG1, PANS, pp. 162-65. Maillard's role was instrumental in bringing the Micmac to accept terms of accommodation, according to a member of the Nova Scotia council: "they had Assurances given to them of the free Exercise of their Religion, without which it is certain they would not have come to any terms": Michael Franklin to Board of Trade, 3 September 1766, C.O. 217/21, pp. 342-7. The account of the ceremonials does not identify the chief of Cape Breton by name, but it was probably Jeannot who was identified as chief in Whitmore to Amherst, 1 December 1759, W.O. 34/17, pp. 46-7. See the discussion of Jeannot in Dennis A. Bartels and Olaf Uwe Janzen, "Micmac Migration to Western Newfoundland", *The Canadian Journal of Native Studies*, X, 1 (1990), pp. 71-96, n. 19.

74 See Alice R. Stewart, "John Allen", *DCB*, V (Toronto, 1983), pp. 15-17; "Déclaration adressée au nom du roi", Webster Collection, NBM; Richard Hughes to Lord George Germain, 12 October 1778 and 16 January 1779, C.O. 217/54; the Treaty with Miramichi, Restigouche, Richibucto and Shediac bands of 26 September 1779, is in C.O. 217/54, pp. 252-7.

through a process of negotiation, but by the time New Brunswick was separated from Nova Scotia in 1784, there was little to choose between them in their concern for native people and in neither an adequate foundation upon which natives might stand to exercise the political power they had enjoyed in the 1750s.

Native power in the 1750s derived from circumstances: relatively speaking their numbers were still meaningful in the conflicts between British and French, and they were able to operate between the two with a measure of independence. In resolving the political questions they faced — to fight or to treat for peace, to rely on customary hunting practices or to integrate into a French and Acadian economy, to remain on traditional territory or to remove to positions of greater security — natives made reasoned choices based on their best efforts to understand their own interests, although they did not all make the same choices. Most decisions involved risks which were largely unavoidable. Moreover, by the 1750s the range of choice had considerably narrowed. The ties of dependency determined that natives would cast their lot, for better or worse, with the fortunes of France. While reliance on French and Acadian arms and provisions seriously compromised native economic self-sufficiency, the arrangement worked for a time and might well have continued to work had the British not found its inherent weakness. On the other hand, the French association posed almost as many problems for natives as the British did. French policy was designed to serve French interests; far from benign in its treatment of natives, France wanted native military help in pursuing its Acadian resettlement scheme and defending French posts. Moreover, their longtime association with the French did not prepare natives for the challenges they met from the British in the 1750s. Natives had reached a cultural accommodation with the French, but this had done nothing to prepare them for the British official preoccupation with signed agreements and with questions of sovereignty, dominion and exclusive ownership.

Despite this handicap, natives met British officials at various times after the founding of Halifax, and their negotiations represented important examples of political interaction. The treaty terms the British offered the Indians over the space of a decade are measures both of early native political clout and the gradual power shift to the British that occurred during the 1750s. In 1749, without experience in drafting treaty arrangements, Halifax officials were happy to stick to terms that had been agreed on years before in Boston. In 1752, now desperate for a way of reaching the Micmac, they were prepared to offer trade opportunities and guarantees respecting hunting and fishing. In 1754 and 1755, while they balked at the specific land claim of some Micmacs, they made clear that the land question was negotiable if it could be done within the framework of a general treaty. Yet by 1760, when the cards were clearly in British hands, it appears that all that was left to negotiation was the price list for goods to be exchanged at truckhouses. After years of war or similar hostilities in which the native people had allied themselves with the losing side, natives had lost their political leverage, and questions of land, hunting and fishing rights and other questions relating to native autonomy, simply were not dealt with. The treaties of 1760 and 1761 were those of a conquering power; they said what the British wanted them to say. Moreover, since the British succeeded in establishing their laws, courts and legal practices in Nova

Scotia, the treaties have ever since been legally interpreted within the imperatives of that tradition.

As in most political interactions, numbers tend to triumph. There are always options open to minorities, however, and native people in Nova Scotia made the best of the ones they had. This is what is remarkable about these decisive years of political interaction. Despite the intensity of the cultural and political pressures they were under by the mid-18th century, native people still retained their independence of thought and action. Their flexibility and adaptability were already clearly in evidence under the French regime, and their responses to the British arrival demonstrated a continuing ability to weigh the options and pursue reasonable strategies in their struggle to survive.