

ON TREATY, VIRTUE, AND PLOTS THAT CHOOSE DEATH: MOSES PERLEY'S SPORTING SKETCHES

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Abstract

It remains somehow contrary to the mythology that Canadian academics have built up around Moses Perley over the course of the past 180 years to say that he believed the elimination of Waponahki people from this land was in his own interest—and yet he clearly did, and not only because this is how settler colonialism works, but because he says as much in his own writings. This article situates Moses Perley's sporting sketches, first published in the *London Sporting Review* in the 1830s and 1840s, within the related contexts of self-interest and of what colonial literary historians since Howard Mumford Jones have discussed as “promotion literature.” The author models and advocates for a process of reading the literatures of this land *through* the Peace and Friendship Treaty relationship—a reading strategy that can draw each of us into the work of restoring our collective treaty order.

Résumé

Il est en quelque sorte contraire à la mythologie que les universitaires canadiens ont construite autour de Moses Perley au cours des 180 dernières années de dire qu'il croyait que l'élimination du peuple Waponahki de cette terre était dans son intérêt personnel – et pourtant c'était clairement le cas, non seulement parce que c'est ainsi que fonctionne le colonialisme de peuplement, mais aussi parce qu'il l'affirme dans ses propres écrits. Cet article situe les esquisses sportives de Moses Perley, publiées pour la première fois dans la *London Sporting Review* dans les années 1830 et 1840, dans les contextes connexes de l'intérêt personnel et de ce que les historiens de la littérature coloniale, depuis Howard Mumford Jones, ont appelé la « littérature de promotion ». L'auteur modélise et préconise un processus de lecture des littératures de ce pays *à travers* la relation du traité de paix et d'amitié – une stratégie de lecture qui peut entraîner chacun d'entre nous dans le travail de restauration de l'ordre de notre traité collectif.

“Storytelling is a fight for the future...[and] it is up to us to write a story worth living.”
—Kelly Hayes, “Remaking the World”¹

In Moses Perley's nine relatively obscure sporting sketches, first published in the *London Sporting Review* in the 1830s and 1840s, the otherwise famous New Brunswick colonist sought to animate himself as both a rugged sportsman and an insider with special access to information about Waponahki culture and history.² Travelling “deep” through “the wilds of New Brunswick” in these tales, Perley and his colleagues—a rotating roster of often identifiable characters that includes the renowned Maritime physician and geologist Abraham Gesner³—are supported by “trusty Indians of the Meliceti tribe” who make and break camp for their guests daily, spread “branches of...silver fir” on the ground for their sleeping, provide language lessons, share stories, and protect the frequently careless settlers against such

fates as accidental drowning, all while tracking and processing the food that sustains them on their collective journey across the woods and waterways of Wolastokuk and Mi'kmaki.⁴

This article situates Perley's sporting sketches in the arguably related contexts of self-interest and of what colonial literary historians since Howard Mumford Jones have discussed as "promotion literature."⁵ Self-interest isn't an inherently unhealthy or harmful consideration or pursuit, and some Indigenous writers have cautioned against indiscriminate or simplistic messaging that implies individuals or the desires of individuals don't matter outside of colonial and capitalist sociopolitical structures.⁶ People matter very much, always, and what people need or want matters—but self-interest is always a toxic pursuit under a governing colonial ideology that systematically prioritizes the prosperity and advancement of one segment of the population *over* a well-being that is truly shared or collective. This idea is developed at length in some economic theory, where it is generally understood that unfettered self-interest, or self-interest that isn't constrained by clear ethical considerations, laws, or agreements, is just greed.⁷ Here in the unceded and unsurrendered Waponahki homelands, we have the Peace and Friendship Treaties that are meant to protect a truly collective well-being and to function as what could be described as a kind of constraint on settler colonial self-interest, or as limitations on the actions and behaviours of the people, like my own ancestors, who came to this beautiful land to stay.⁸ In the eighteenth century, the Peace and Friendship Treaties authorized the creation of a non-Indigenous social and legal order alongside—or, more specifically, within—a larger Waponahki world, and, in what follows, I assess the world that Perley creates in his sketches against the laws and imperatives that were agreed upon in those treaties as I have been taught to understand them.⁹

This process of reading Perley *through treaty* comes from a larger research program in which I am arguing that the fundamental ways in which settlers do their work as academics cannot be compartmentalized against the laws of treaty, and that as a literary historian who makes her home in Menahkwesk (Saint John, New Brunswick), or in Peace and Friendship Treaty territory, the methods I use (and that I pass on to my students and colleagues) must—like all of my conduct—be fundamentally informed and guided by those laws. When, for example, students are encouraged to understand how treaty can function as part of their own critical reading methods, they are in a much better position to recognize themselves as active parts of treaty and as treaty people; they are less likely to see the university as a space that somehow exists outside of the jurisdiction of treaty; they are better able to recognize how, across centuries, non-Indigenous writers have continuously reconsolidated and helped to maintain the violent occupation of Waponahki homelands through the creation and normalization of imaginative worlds that exist in contravention of the laws of peace and friendship; and crucially, when students can read literature through treaty, they are better able to recognize fundamental and ongoing violations of the laws of treaty in the larger world around them.¹⁰

Situating Perley within the Traditions of Colonial Promotion and Recruitment

What follows, then, is a cursory demonstration of what my own method of reading through treaty currently looks like—a way of reading that, for me, involves assessing materials (created by people with family histories like mine) against the laws of peace and friendship as I have been taught to understand them. Like most New Brunswickers today, as I'll expand upon in more detail shortly, Moses Perley uncritically and perhaps even unthinkingly accepted or believed that the settler colonial occupation of Waponahki homelands was in his own interest. He was the grandson of Israel Perley, the New England Planter who, in the 1760s, recruited hundreds of people from Massachusetts to settle a profitable grant in

Wolastokuk, securing what would be colonially known as Maugerville against competing interests, most important and fundamental among those of course being Waponahki interests. Israel successfully consolidated what his grandson would proudly describe, in his own accounts, as “the first permanent British settlement on the river St. John,” and in a lecture delivered before the Saint John Mechanics’ Institute in 1841, Moses mused in strikingly romantic terms that “the decline of the Indians” in this territory actually began with the successful settlement of his grandfather’s grant.¹¹

Moses’s interest in recruiting other settlers to Waponahkik was perhaps the one constant in a career in which he variously worked as a lawyer, scientist, trader, lumber baron, fisheries commissioner, government adviser, businessman, writer, newspaper publisher, emigration agent, commissioner of Indian Affairs, and more. He published his nine sporting sketches between 1839 and 1842 in the *London Sporting Review* after spending significant time in England

“selling” the province to a certain kind of young Britisher and making a pitch for what would be called today adventure tourism. He was a brilliant salesman, transforming the apparent disadvantages of New Brunswick—the lack of sporting “amenities,” the hard slog through dense, fly-infested woods—into desirable and exclusive features which the favoured few could enjoy.¹²

This essential sales pitch is the spine of these nine writings. “The Lawyer and the Black Ducks,” for example, begins with the following appeal to Perley’s brother sportsmen:

The majority of sportsmen from the United Kingdom, who have wandered into the British Provinces of North America, have generally complained of a lack of field sports, and on returning to that glorious “FATHER LAND,” from which we colonists are proud to claim our origin, have described this country to their brother sportsmen as not worth the trouble of a visit.¹³

What both precedes and follows in this larger series of writings was explicitly structured to convince those “young Britishers” that the “favoured few” who bravely persevered in this territory, those colonists who, in Perley’s words, “conquered the first difficulties attendant on every new undertaking...opened to themselves a wide field of gratification, which amply rewarded their perseverance, and afforded endless and ever-varying sources of delight.”¹⁴ The final sketch in this series, titled “La Belle Toolotah,” offers what is perhaps the purest example of how this colonial recruitment strategy functions as a basic plot structure or trajectory of these tales. Opening with a prolonged account of a days-long and difficult portage, replete with “mosquitoes and black-flies which assailed us in perfect clouds,” “stifling heat,” rains that came in “perfect sheets,” “heavy loads,” and much more, the tale ultimately rewards its steadfast colonists with unrivalled fishing, a luxurious party and feast on a British timber vessel, and an exciting storybook adventure featuring the perilous rescue of a beautiful Wolastoqewi woman from a rival camp.¹⁵

In this sense, Perley’s stories are not entirely unlike other colonial propaganda from this continent that sought to naturalize notions of Western sovereignty over Indigenous lands and peoples and to spread the *Good News* of these territories among groups of potential English (and, later, American) prospectors and investors.¹⁶ Almost twenty years after the publication of his sporting sketches, Perley would make the same argument in his *Handbook of Information for Emigrants to New Brunswick*, assuring his far-flung readership that although the coasts and harbours of New Brunswick might initially fail to beguile discerning Europeans seeking viable places to settle down and thrive, those who bravely and steadfastly

“penetrate...through the interior” of the province “will be struck by the number and beauty of its rivers, by the fertility of its river islands,” and by the “boundless forests still unreclaimed.”¹⁷ Like his grandfather before him, Moses was a colonial recruiter who knew that the best way to protect the viability of “New Brunswick” was to plant additional people here who could, simply by going about their lives, hold this space against what were often uncritically and even erroneously perceived as competing values and interests. He wanted to help do for New Brunswick and New Brunswickers what his grandfather had done for Maugerville—to support and shore up the “geographic fiction” of this land as “New Brunswick,” as the waiting and ready inheritance of people like himself, and to plant what he perceived as his people’s own best interests ever more firmly in this unceded and unsundered land.¹⁸ He worked in support of this process and perpetual state of occupation from various angles for the duration of his career.

It is within the same contexts of colonial promotion and self-interest that we must situate Perley’s famous laments for Waponahki people, along with the supposedly tireless ways in which he fought for the rights and interests of those people. When Perley spoke of the “rapid decrease of the Indian race among us, calling loudly for the interference of government in behalf of this unfortunate people, the survivors of the ancient possessors and lords of the country, who are fast yielding to the calamitous fate which so often befalls uncivilized man,” he was not speaking in terms that were agreed upon in the Peace and Friendship Treaties or invoking his personal responsibilities or the responsibilities of his government under those laws, nor was he arguing in support of giving back stolen land or helping to facilitate meaningful reparations or Waponahki resurgences.¹⁹ He was instead very carefully distinguishing between those colonists who would “[supplant]” Indigenous peoples “only to destroy” them and those who would instead “civilize and save” them through benevolent processes of education and assimilation.²⁰ As others have shown, these are two distinct rhetorical doors, but they both have the full realization of the colonial mission and the replacement of Indigenous peoples on the land behind them.²¹

It remains somehow contrary to the mythology that many Canadian academics have built up around Perley over the course of the past some 180 years to say that he believed the elimination of Indigenous peoples from this land was in his own interest—and yet he clearly did, and not only because this is how settler colonialism works, but because he openly says as much in his handbook for emigrants.²² Here, again in the context of what is an overarching and discernable recruitment strategy that remains consistent across all of Perley’s writings, census evidence of the “steadily decreasing” numbers of Waponahki people in New Brunswick is offered up to potential European settlers as part of a larger sales pitch—as proof that nineteenth-century New Brunswick was an increasingly promising, safe, or viable investment for newcomers from Europe.²³ This is just one example of how an underlying context of colonial propaganda fundamentally undermines the way in which Perley has most often been mythologized in Canadian historical scholarship—as a lonesome defender of Waponahki interests pushing bravely back against “what the colonial government of New Brunswick expected of him.”²⁴ In a context of colonial propaganda, even one borrowed only from his own other writings, it is clear that when Perley laments the plight of Waponahki people, he is simply invoking the myth of the vanishing race to signal to waves of potential new investors that competing interests in this land were weak and weakening.

In Perley’s sporting sketches, the same sales pitch is developed through the contradiction between the author’s seemingly deep admiration for (and utter reliance on) the skills and knowledge of his guides and his simultaneous erasure of those same people (and their families, communities, and values) from his visions of the future. This aspect of his sketches, in which Indigenous characters are praised for their essential skills and knowledge while remaining eternally subject to the racism and violence of settler colonialism resonates with recent scholarship in the field of sport history, where, for example, John Reid has shown the

“prominent role” that sport played in the appropriation of land and in “the normalization of settler colonial society”—in obvious violation of the treaties—in Waponahkik.²⁵ In one of Perley’s sketches, after shooting a caribou (which the sportsmen refer to as their “prize”) and leaving “the Indians to do the needful,” Perley and his colleagues climb to a summit to look out over “a wide tract of densely wooded country.”²⁶ Imagining what the land might look like “a hundred years hence,” they envision an “abiding place of hundreds of industrious and stalwart farmers, assisted by their active and thrifty dames, and troops of hardy, rosy-cheeked boys and girls.”²⁷ The air they imagine is filled with the sounds of mills and church bells; herds of cattle ramble through sprawling, deforested pastures; cottages crowd the waterways; and carriages line the highways. They envision, in other words, an occupied Waponahkik that has been utterly transformed into a vast and busy European-style settlement made by and for European-style people—people willing to occupy the land against the laws of treaty with their bodies and their lives. Here, as elsewhere in Perley’s writings, respectful interactions with Waponahki people and knowledge are always a means to an end, and this violent and exclusory vision of the future of New Brunswick is portrayed as a return on the investment of those steadfast Europeans who could be convinced to stay forever.

Occupying Waponahkik against Treaty and Thereby against Ourselves

As previously stated, the Peace and Friendship Treaties put limits on the behaviours (or greed) of my ancestors that were meant to protect and affirm the rights and interests of Waponahki people in perpetuity. Today we can very loosely understand these limitations as an essential check against greed and as laws that were meant to ensure a truly collective well-being in this land. We can see the failure of this treaty order not only in these old nineteenth-century stories by Perley but also in the sociopolitical structure all around us. An obvious example would be the forest spraying in this province. There is an interest that is being pursued through the spraying of glyphosate in Waponahkik; it is not a collective interest, and, as we heard in the New Brunswick legislative hearings several years ago when Waponahki Elders and Knowledge Carriers spoke, this interest has not been appropriately constrained by the laws of peace and friendship.²⁸

To understand how something like forest spraying implicates all New Brunswickers in the failure of our treaty order, no matter an individual’s position on this particular issue, we can more generally consider the functions of Perley’s work in the context of colonial promotion and that genre’s conventional appeals to Renaissance *virtù*.²⁹ In Western thought, this is of course a concept that comes from Machiavelli, who said in *The Prince* that to be virtuous is to be flexible enough to be able to vary your conduct from good to evil and back again, all in the service of maintaining power and control.³⁰ This concept can help us better understand something like New Brunswick—a system in which people often find themselves defending the theft and colonization of Waponahki homelands even when trying to live good, honourable lives and to make good personal decisions.

Previously, in public forums where I have scrutinized the Saint John City Charter as a colonial and colonizing document and structure, I have used the example of settlers in Menahkwesk (or Saint John) fighting with Saint John City Council for more and safer bike lanes—because how could this fight, in which parents are simply seeking to make the roads safer for all children to bike to school, not be noble? This is a noble fight insofar as it is our collective responsibility to care for the children of our communities (and certainly I also wish for more and safer bike lanes for my own children). At the same time, these parent lobbyists are appealing to settler colonial jurisdiction, affirming and thereby strengthening the authority of a municipal structure that was explicitly designed to hold Menahkwesk against or apart from

the laws of treaty. This does not mean that the fight for bike lanes is not a worthy one—it simply means that as non-Indigenous people in this space, we need ways of recognizing, conceptualizing, and perhaps even addressing how even our honourable actions and best intentions feed into this fundamental dishonour in which we are always and collectively complicit. Our actions within the context of invasive structures like New Brunswick or the city of Saint John are fundamentally inextricable from this larger colonial enterprise that is about defending and justifying the theft of Waponahkik in perpetuity. To escape this situation, we would need to reassess everything that was once built, conceived, or created in violation of the laws of peace and friendship and that is now taken for granted or treated as natural or inevitable within the context of New Brunswick. Put another way, individuals who benefit from the settler colonial order need not always consciously concern themselves with the logics of dominion over land and people when they live inside and participate in systems—like New Brunswick or Saint John—that uphold those fundamental logics on behalf of all settlers.

Like most British settlers of his time, and like most New Brunswickers today, Perley was deeply invested in the systemic viability of New Brunswick, and he assumed that attracting and retaining people who were willing to invest their lives inside the idea of this land as “New Brunswick” was among the best ways of pursuing this interest. In New Brunswick political discourse today, this interest in a process of recruitment that can help firm up our occupying structures is commonly developed in rhetoric and programming around population growth. *Growth* in this particular sense is a unifying settler colonial concept that receives broad bipartisan support, and, for this reason, growth is a useful access point into the idea of unceded and unsurrendered land for diverse groups of people and students. We mostly all, in New Brunswick, support the basic concept of population growth, even though New Brunswickers don’t all speak about the need for growth and recruitment in the same terms. Some discuss the need for growth as a need to be more diverse and inclusive as a population, more educated, more compassionate, perhaps more talented, certainly less white; others laud the economic benefits of a growing tax base, reduced costs of infrastructure, and robust public services that are easily available to all people. But we don’t currently have any provincial or municipal growth plans that are accountable to or that even mention the Peace and Friendship Treaty relationship as a relevant factor in decision making in or about this land—even though, as even most white settlers admit today in our land acknowledgements or elsewhere, this is unceded and unsurrendered Waponahki land.³¹

The government of New Brunswick officially puts it this way in their current public strategy document:

By building on past successes and recent progress, we can make New Brunswick a place where people of all ages can build happy and fulfilled lives, families can thrive and newcomers can prosper. Our greatest strength is our people. We must focus on New Brunswickers, our families, our workforce and our communities to build a successful, multicultural and thriving New Brunswick for all.³²

Yes, our greatest strength as upholders of this broken treaty order is our people, much like Israel Perley needed people, people like my ancestors, human bodies, those several hundred New Englanders who could hold what he insisted was Maugerville against the Peace and Friendship Treaty relationship and against Wolastoqiyik. This is how people with family histories like mine have always defended and perpetuated their theft—by seizing and occupying swaths of Waponahkik in fundamental contravention of the treaties, by recruiting human bodies willing to hold those spaces with their lives and their children’s

lives, and then by presenting settler colonial ways, values, and political processes as the sole means of belonging in those same spaces.

To cite an accessible if in some ways far less useful contemporary example of how this occupation strategy continuously functions, we might pause to consider a small portion of what has unfolded thus far with the Wolastoqey title claim in New Brunswick's political discourse. In October 2021, the New Brunswick Attorney General Ted Flemming issued a memo, which was leaked to social media, prohibiting all public employees from using the words "unceded" or "unsurrendered" in their land acknowledgments.³³ By way of response, Wolastoqewi Kci-Sakom spasaqsit possesom countered, in his own powerful acknowledgement of the desperate state of our treaty order,

I respectfully acknowledge in our homeland of Wolastokuk that we Wolastoqewiyik have never surrendered one speck of Earth, one drop of Water or one breath of Air. Since first contact, the representatives of the british crown have strived to eliminate Wolastoqewiyik by violently stealing our lands and resources and by forcing our people onto reservations in the act of Genocide.³⁴

Wolastoqey chiefs publicly reiterated that with their title claim, they are simply reiterating, once more, that settler actions—and particularly the actions of industry in this province—should show care and respect for Wolastoqey title and rights and should be generally accountable to the Peace and Friendship Treaty relationship. They are seeking a recommitment to the terms that my (and perhaps your) settler ancestors agreed to in the eighteenth century—the terms upon which our treaty order was meant to be based. There has been no mistaking in the province's fearful response to the filing of this claim that the purpose of the New Brunswick government is to strengthen itself to the specific exclusion of Waponahki people and to consolidate "New Brunswick" against that treaty partnership. The provincial government has repeatedly called on New Brunswickers to make that stand, to hold this space against Waponahki claims and against what they have encouraged New Brunswickers to see as fundamentally competing interests.

Unlike the bipartisan concept of growth, as described briefly above, this embarrassing moment with Ted Flemming's memo is not a good access point for students if we're seeking, as settlers, to change who we are with clarity and intention, to finally become good treaty partners, to understand what it means to be *treaty people*, or to think more deeply about what it means to live on unceded and unsurrendered land. Quite simply, it is far too easy for our students, like us, to see themselves as being already on the right side of this issue. The moment with Flemming is, however, a useful access point for settlers into the important question, which Perley can again help us think more deeply about, of whether the system of occupation that endures in this unceded land has ever really represented even settlers' best interests.

At the very end of a sketch titled "The Forest Fairies of the Milicetes," there is a scene where a group of colonists are resting happily by a lake with their Wolastoqewi guides as the moon rises at the end of an adventurous day. They suddenly hear "voices and sounds, as of revelry and laughter, proceeding from the opposite shore, about a quarter of a mile distant"; at this, Perley writes, his guides "listened with undivided attention, remaining motionless and silent, while their countenances wore an expression of surprise and deep awe."³⁵ The men are initially unable to compel their guides to speak with them about the sounds, which seem to the colonists to emerge mysteriously and from deep within the dark and distant woods. But later, after the group has returned to their camp, Perley manages to extract from his guides

a traditional belief of the Milicete tribe, seldom mentioned, except by their own camp fires, and in the presence of their own people. They said it had always been believed among them, that near every large lake in New Brunswick dwelt a certain number of “good Indians,” who sported on the shores, fished in its waters, and hunted the neighbouring forest, never roaming far from its banks, and generally building their lodges in some shady hollow, near a bubbling stream....These “good Indians,” they said, were but seldom seen by the Milicetes....Sometimes, though rarely, their voices were heard in the distance; but it had ever been an invariable custom to avoid molesting them, or prying into their affairs: the Indians who had done so, were always unfortunate in hunting afterwards, and generally met with some serious accident. It was considered very wrong to infringe upon their hunting grounds, and no Milicete hunter, who regarded his own welfare, or the customs of his forefathers, would do so.³⁶

The following morning, as the guides work to break camp and to prepare for another long day of travel, Perley and his friends quietly sneak away to “[make] diligent search” of the site “from whence the sounds of mirth and revelry had proceeded.”³⁷ They find the place where they believe the evening voices had emerged from and they ransack it, looking for any evidence that there had been people there the night prior. Try as they might, they turn up no trace of the “good Indians” through their raid, and so they return to camp to join their guides, and with that, the sketch ends.

As a literary historian, I am less interested in the veracity of Perley’s depictions than with the more general question of how his stories function and the assumptions that they affirm. Although this is almost certainly not the way in which Perley intended for me to read this scene, he has produced here a remarkably useful representation of settlers working steadfastly and uncritically against their own interests. The scene described above comes at the end of yet another formulaic narrative about carefree white colonists adventuring through the forests of New Brunswick in a state of almost total reliance on Wolastoqewi guides. In this single sketch alone, the colonists would have starved to death or drowned, hopelessly lost in the woods, were it not for the various skills and knowledge of their guides. In these final moments of the tale, the guides generously share that their success in hunting depends on their adherence to certain conduct and on customs of self-restraint and non-interference. To reiterate, the colonists are just as reliant on this code—they are, at every turn, utterly dependent on their guides.

And so what is the nature of this plot structure? Certainly, in the actions of Perley and his colleagues, there is an unfettered interest that is being pursued—their actions have not been constrained by appropriate values and considerations, and so we can interpret their actions in this scene in the context of greed. But this is also a plot that chooses death: a structure of behaviour and storytelling that proceeds steadily and unthinkingly toward a mutual destruction.³⁸ It is significant that Perley and his colleagues are so out of touch with what constitutes their own interest at the end of this story—that they take direct action to oppose their own survival by threatening the hunt of the people who are feeding them. Because their actions have not been properly constrained, they do things impulsively and without always even knowing why. Neither the boundaries nor the consequences of breaching them are clear to them. And wouldn’t this story have ended very differently if their actions in this moment had been constrained by a good relationship with Waponahki people, constrained by things like respect and honour, gratitude, peace, friendship, and love for their guides and for their families?

The collective actions of New Brunswickers have never been properly constrained by the Peace and Friendship Treaty relationship, and this makes New Brunswickers, as a collective, reckless and

dangerous to Waponahki people *and* to ourselves. New Brunswickers don't have a good sense of what we are strengthening and affirming even with our *good* behaviours—our fights for our children's safety, our advocacy for better policies and programming always within the context of this ongoing occupation and dominion. We are collectively virtuous in that Machiavellian sense of being flexible enough to be capable of both good and evil. We don't have good vocabulary around the ways in which death and fear and greed have been systematized here, and we don't fully appreciate how every issue is an inextricable piece of this colonial enterprise.

And we are living our lives inside of plots that choose death. Investigations into a mysterious neurological illness that has received international media attention have been shut down and blocked by the province;³⁹ steadily warming temperatures mean that salmon populations are declining or at risk of declining in the rivers and that winter ticks are killing juvenile moose;⁴⁰ Waponahki people have identified devastating systemic anti-Indigenous racism within the province's justice system while calls for an Indigenous-led inquiry into systemic racism have been consistently denied;⁴¹ and in 2020, scientists were unable to locate a single right whale in the Bay of Fundy.⁴² These and other plot trajectories are condoned by the provincial government, and this government is what we are currently strengthening through our lives and actions within the administrative units of New Brunswick. In this paper, I used the examples of municipal lobbying for bike lanes and bipartisan growth strategies to demonstrate how this strengthening works. And I hope that readers of this article will appreciate that this is not an argument about limiting or in any way controlling or imposing upon the people who wish to come here. Indeed, this isn't an argument about the people coming here at all but rather it is about what those people are coming into: a fundamentally broken treaty order and a New Brunswick that was designed to replace Waponahki people on the land and to occupy their land against them in perpetuity, against the treaty relationship, and truly against our own survival.

And most New Brunswickers today remain invested in the viability of New Brunswick—this system that takes *even our love* and converts it into this violence. It takes our love for our children, our fights for their safety, our desire to welcome new friends and neighbours, our desire to provide robust social services for everyone—New Brunswick as currently structured takes all of this energy and uses it to defend and legitimize and perpetuate this shameful occupation and theft. And until we have systems and processes in this place that honour and are fundamentally accountable to the treaty relationship, the people whom we recruit to live alongside of us in this province will inherit our dishonour, even in those instances in which they struggle against it. And this, too, is a significant and meaningful part of our violence in New Brunswick, this implicating of innocent others in our dishonour as a means of perpetuating it.

When thinking about the future, the Menominee writer and organizer Kelly Hayes cautions that we should resist the impulse to “fill in the empty spaces with theory, prediction, or possibility”; our job instead is to consistently “pick up a pen” as creative and committed thinkers and storytellers, “knowing you may not finish the story, but knowing full well that you will reject the ending you've been given, every step of the way.”⁴³ By resisting the urge to finish every story and to fill in every gap, we acknowledge that “we are working toward a future that we will be unlikely to see” and that the kind of change that Hayes and Mariame Kaba advocate for in their important book—much like the work of fundamentally rethinking and restructuring the province of New Brunswick—“is the work of many lifetimes.”⁴⁴ In a 2021 letter written by her own imagined descendant, Grandmother Terry-Ann Sappier asserts that none of the violence that has been normalized in this province is inevitable or immutable, and she presents New Brunswick readers with a vision of the future that differs markedly from what we see around us today. In “Dear Grandmothers,” Sappier speaks from seven generations in the future to honour the sacrifices that

Wolastoqewi Mothers and Grandmothers are making now, in the present, in protecting the land and water and in upholding our treaty order. “Now we live as one people,” Sappier hopefully envisions,

all Treaty people, each understanding the obligations and responsibilities set forth....Without you our forests would be tree farms for industry, our waters poisoned with chemicals and dead to all life, and our farms sprayed with poisons that give people cancer....I wish you could see the future you have helped create. Because of your commitment and tenacity, you changed the way New Brunswickers think and live. You paved the way for a better tomorrow....With the true intent of the Treaties entrenched in our structure of government, the province is now co-managed, and everyone is prosperous.⁴⁵

Sappier’s vision—which, reflecting the spirit of our treaties, excludes no one and protects us all—is as much about encouraging the Mothers and Grandmothers in their ongoing land protections as it is about showing New Brunswickers a path forward. How and whether we will achieve this future together, how and whether New Brunswickers will take up their responsibilities as treaty people, is the story we are collectively writing.

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Notes

¹ Kelly Hayes, “Remaking the World,” *Let This Radicalize You: Organizing and the Revolution of Reciprocal Care* (Chicago: Haymarket Books, 2023), 4.

² This interpretation of Perley’s intent is in line with Bill Parenteau’s work on the connections between sport and settler colonialism in nineteenth-century New Brunswick, where he argues that “sportsmen...were fascinated by all aspects of Native culture. Their closer contacts with Native people, and the pretensions of many sportsmen that they were experts on the increasingly popular subject of natural history, prompted them to speak as authorities” on Indigenous peoples and cultures. Bill Parenteau, “‘Care, Control and Supervision’: Native People in the Canadian Atlantic Salmon Fishery, 1867–1900”, *Canadian Historical Review* 79.1 (1998), 30.

³ Gesner was a colonist, physician, professor, and geologist, perhaps best remembered for inventing kerosene. In “The Indian Regatta,” Perley describes Gesner as a bugle player whom “the Indians” call “Nochein-peel-wat,” meaning doctor. See Moses Perley, *Camp of the Owls: Sporting Sketches and Tales of Indians* (Hantsport, NS: Lancelot Press, 1990), 68. Gesner’s bugle playing features across several of Perley’s sketches.

⁴ *Camp of the Owls*, 17, 18, 22, 29, 23. The “Meliceti” or “Maliseet” are the Wolastoqiyik, the Waponahki people of the Wolastoq River.

⁵ “The Colonial Impulse: An Analysis of the ‘Promotion’ Literature of Colonization,” *Proceedings of the American Philosophical Society* 90. 2 (1946): 131–161. In 2008, Karen Schramm provided an overview of this genre (based on Jones’s work) for the *Oxford Handbook of Early American Literature*.

⁶ See, for example, Cante Waste (Good Heart), “Towards an Indigenous Egoism”, *Unsettling America: Decolonization in Theory & Praxis*, <https://unsettlingamerica.wordpress.com/tag/individualism/#:~:text=Colonial%20individualism%20and%20entitlement%20were,people%20had%20to%20be%20subjugated>, accessed 8 November 2023. See also Leanne Simpson in conversation with Eve Tuck, “Indigenous Resurgence and Co-Resistance”, *Critical Ethnic Studies*, 2.2 (2016): 19–34, where Simpson discusses the profound affect that individuals necessarily have on collectives.

⁷ See, for example, Steven Suranovic, “Distinguishing Self-interest from Greed: Ethical Constraints and Economic Efficiency.” *Institute for International Economic Policy Working Paper Series*, Washington DC, Elliott School of International Affairs, George Washington University, October 2019.

⁸ Thanks to Mercedes Peters for challenging me on this representation of treaty as a form of constraint. This conceptualization is admittedly imperfect but hopefully workable within the limited contexts of this argument about greed and Moses Perley. To be clear: no one loses in a healthy treaty order that honours and protects the well-being of all parties. On how treaty partnerships are key to preserving a healthy treaty order, see Andrew Costa, “Interrelated Treaty Orders Across the Generations: Autonomy, Obligation and Confederacy in the Wabanaki Compact (1725–26).” Costa’s article draws heavily from James Sa’ke’j Youngblood Henderson, *Wabanaki Compact: The Foundation of Treaty Federalism in North America, 1621–1728*. See also Henderson, *Elikewake Compact: The Mi’kmaw, Wolastoqey, and Passamaquoddy Nations’ Confederation with Great Britain, 1725–1779*.

⁹ This paper reflects where I am currently in my own understanding and commitment to living the treaties. Woliwon to those who have guided me on this journey and especially to Gina Brooks, Susan Sacobie, Andrea L. Polchies, Ramona Nicholas, Beverly Perley, and Terry Ann Sappier.

¹⁰ The practice of reading through treaty is deeply informed and inspired by the work of the Nêhiyaw and Saulteaux educational philosopher Margaret Kovach, who writes about the subversive and transformative power of “teaching through treaty”, “Treaties, Truths, and Transgressive Pedagogies: Re-Imagining Indigenous Presence in the classroom”, *Socialist Studies*, 9.1 (2013), 123. I am thinking here too of Adam Barker and Jenny Pickerill’s recent work on “Geographies of Collective Responsibility” and on the ways in which we can avoid “performative decolonization” by attending deeply to the specificity of place and to the responsibilities that arise from this engagement outside of institutions such as the university. Adam Barker and Jenny Pickerill. “Geographies of Collective Responsibility: Decolonising Universities through Place-Based Praxis”, *Journal of Geography in Higher Education*, 2023, <https://doi.org/10.1080/03098265.2023.2263741>. Accessed 8 November 2023.

¹¹ *On the Early History*, 9–10. The full quote: “The settlers on the St. John, at Maugerville, in addition to the many difficulties and privations attendant on establishing new settlements in a remote part of a wilderness country, were for some time also annoyed by threatened attacks from the Indians. But in 1765 an amicable arrangement was entered into, and a good feeling established between them and the white settlers. From that moment the decline of the Indians may be dated, and the swelling tide of civilization, as it rolls its restless course over this favored land, bids fair in a few years to sweep off the last trace of the Red man, leaving only his remembrance in the land which once belonged to him, and which for unnumbered ages he had roamed over in perfect freedom and independence, and in the enjoyment of sovereign power.” The Saint John Mechanics’ Institute was formed by members of the New Brunswick Philosophical Society in 1838 and was taken over by the Natural History Society of New Brunswick in 1890. This progression would lead to the opening of a provincial museum in 1934.

¹² Peter Thomas, *The Lost Land of Moses: The Age of Discovery on New Brunswick’s Salmon Rivers* (Fredericton: Goose Lane Editions, 2001), 18–19.

¹³ *Camp of the Owls*, 45.

¹⁴ *Camp of the Owls*, 45.

¹⁵ *Camp of the Owls*, 85. Researchers of Perley’s government policies with respect to Indigenous peoples might be interested in this final sketch for its strange lament of the supposed extinction of “the Mohawks” and for its deeply racist portrayal of “the Micmacs” as “deceitful” and as inferior to Wolastoqiyik (88).

¹⁶ This is a reference to Edward Winslow’s *Good Newes from New England* (1624). Other iconic examples of this genre of writing include John Smith’s *Description of New England* (1616) and Benjamin Franklin’s *Information for Those Who Would Move to America* (1784).

¹⁷ *Handbook of Information for Emigrants*, 4. Perley quotes the Scottish agricultural chemist James Finlay Weir Johnson as the authority on this point. Johnston was commissioned (on Perley’s recommendation) by the government of New Brunswick in 1849 to produce a report supporting development of the province. He concluded that the soil in the province was superior to that found in New York or Ohio.

¹⁸ On the gradual transformation of “geographic fictions” into settler colonial administrative units in Waponahkik, see Jeffers Lennox, *Homelands and Empires: Indigenous Spaces, Imperial Fictions, and Competition for Territory in Northeastern North America, 1690–1763* (Toronto: University of Toronto Press, 2017).

¹⁹ “Reports on Indian Settlements”, 6. Two critical perspectives on Perley’s “Report on Indian Settlements” are Sidney L. Harring’s *White Man’s Law: Native People in Nineteenth-Century Canadian Jurisprudence* (Toronto: University of Toronto Press, 1998) in which Perley’s report is described as “pathetic” (182) and Andrea Bear Nicholas, “The Role of Colonial Artists in the Dispossession and Displacement of the Maliseet, 1790s–1850s”, *Journal of Canadian Studies* 49.2 (2015): 25–86. Bear Nicholas writes that “for exposing such details of abuse and suffering on nearly all reserves, and for recommending the removal of all squatters or making them pay for lands they had usurped, Perley has been dubbed the ‘best friend’ of New Brunswick Indians. Unfortunately for the

Mi'kmaq and Maliseets, he squandered...the opportunity to at least call for the preservation of hunting territories and to lay blame on the government for failing to protect Indigenous lands...In the end, Perley's central recommendation was no different from what the New England Company had been charged to do more than 50 years earlier" (64).

²⁰ "Reports on Indian Settlements", 7.

²¹ Bear Nicholas, "The Role of Colonial Artists," and Rachel Bryant, "The Last of the Wabanakis: Absolution Writing in Atlantic Canada", *Settler Colonial Studies*, 10.1 (2020): 1–14.

²² It is notable that so many historians and writers have taken at face value Perley's own estimation of his significance in Waponahki contexts, identifying him as a "political [reformer]...whose interest in the Mi'kmaw plight distinguished [him] from most of [his] colonial counterparts", Martha Walls, *No Need of a Chief for This Band: The Maritime Mi'kmaq and Federal Electoral Legislation, 1899–1951* (Vancouver: UBC Press, 2010), 50; as an "honorary Indian chief" who "showed concern for the welfare of the Indians" (Spray); as "a respected advocate for the Mi'kmaq and Maliseet people", Raymond B. Blake and Jeffery A Keshen, et. al. *Conflict and Compromise: Pre-Confederation Canada*, (Toronto: University of Toronto Press, 2017), 262; and as "an activist who worked to protect reserve lands and provide health and educational services to Aboriginal people". Murray G. Phillips, Russell Field, Christine O'Bonsawin, and Janice Forsyth, "Indigenous Resurgence, Regeneration, and Decolonization through Sport History", *Journal of Sport History*, 46.2 (2019), 139. Scholars across different disciplines, writing for different audiences, have praised his "impassioned commitment to protecting the lifestyle values of Indigenous people". Gwendolyn Davies, "Loyalist Literature in New Brunswick, 1783–1843." In *New Brunswick at the Crossroads, Literary Ferment and Social Change in the East*, edited by Tony Tremblay (Waterloo: Wilfrid Laurier University Press, 2017), 40 and his "passionate concern" for the "welfare" of Waponahki people, demonstrated throughout his life. Brian Cuthbertson, *Stubborn Resistance: New Brunswick Maliseet and Mi'kmaq in Defence of their Lands* (Halifax: Nimbus, 2015), 30.

²³ *Hand-Book of Information for Emigrants to New Brunswick*, 90.

²⁴ Jennifer Reid, *Myth, Symbol, and Colonial Encounter: British and Mi'kmaq in Acadia, 1700–1867* (Ottawa: University of Ottawa Press, 1995), 100. There are few exceptions to the way in which Perley has been mythologized in scholarship, notable among them include forthcoming work by the historian Richard Yeomans along with work by Mark Landry and Andrea Bear Nicholas. See, for example, the opening of Andrea Bear Nicholas, "Maliseet Aboriginal Rights and Mascarene's Treaty, Not Dummer's Treaty", *Papers of the Algonquian Conference*, 17 (1986): 215–229. Landry too has pushed back against uncritical repetitions of Perley's self-estimation, arguing, for example, that "while [L.F.S. Upton, author of *Micmacs and Colonists*] suggests that Perley was a champion of native rights due to his desire to atone for his accidental shooting and killing of an indigenous person when he was a teenager, his background was also that of an entrepreneur with and interest in exploiting the land for capital" Mark Landry, "Pokemouche Mi'kmaq and the Colonial Regimes" (MA thesis, Saint Mary's University, 2010), 57.

²⁵ John Reid, “Space, Environment, and Appropriation: Sport and Settler Colonialism in Mi’kma’ki”, *Journal of Sport History*, 46.2 (2019), 248. See also Robert Kossuth, “Indigenous and Colonial Physical Culture in Lethbridge: Sport, Contact, and Settlement on the Prairie Frontier”, *Journal of Sport History*, 46.2 (2019): 255–272, and Phillips, Field, O’Bonsawin, and “Indigenous Resurgence, Regeneration, and Decolonization through Sport History”.

²⁶ *Camp of the Owls*, 23, 24.

²⁷ *Camp of the Owls*, 24.

²⁸ See Moira Donovan’s piece on this topic in *Canada’s National Observer*, which contains quotes from Grandmother Cecelia Brooks, Wolastoq Grand Chief Spasaqsit Possesom (Ron Tremblay), and others. Moria Donovan, “Glyphosate Spraying in N.B. Akin to ‘Eco-Genocide,’ Indigenous Communities Say”, *Canada’s National Observer*, [Glyphosate spraying in N.B. akin to ‘eco-genocide,’ Indigenous communities say | Canada’s National Observer: Climate News](#), Accessed 7 November 2023.

²⁹ Howard Mumford Jones, “The Colonial Impulse: An Analysis of the ‘Promotion’ Literature of Colonization”, *Proceedings of the American Philosophical Society* 90.2 (1946), 134.

³⁰ Machiavelli, 70. He argues that a leader should “not depart from good...but know how to enter into evil, when forced by necessity.” Machiavelli also develops this concept of virtù in *The Art of War*, where he writes about the necessarily flexible disposition of a general who is able to succeed in changing conditions. See Harvey C. Mansfield, *Machiavelli’s Virtue* (Chicago: University of Chicago Press, 1966).

³¹ “New Brunswick is at a crossroads,” wrote Daniel Allain, the Conservative Minister of Local Government and Local Governance Reform in the province’s 2021 Green Paper on “Vibrant and Sustainable Communities”; and “we need to modernize” our governance structures so that we can plant more people in this territory, grow our tax base, and make “our” lives better (1). The only mention of treaty in this paper comes in a discussion of western provinces. “Working Together for Vibrant and Sustainable Communities: A Green Paper”, Government of New Brunswick, Local Government and Local Governance Reform, April 2021, <https://www2.gnb.ca/content/dam/gnb/Corporate/Promo/localgovreform/green-paper21.pdf> Accessed 8 November 2023.

³² “New Beginnings: A Population Growth Strategy for New Brunswick, 2019–2024.” Government of New Brunswick. [https://www2.gnb.ca/content/dam/gnb/Departments/petl-epft/PDF/PopGrowth/Population growth strategy.pdf](https://www2.gnb.ca/content/dam/gnb/Departments/petl-epft/PDF/PopGrowth/Population%20growth%20strategy.pdf).

³³ Luke Beirne, “We Know Whose Land It Is, and So Does the Government.” *NB Media Co-op*, <https://nbmediacoop.org/2021/10/16/we-know-whose-land-it-is-and-so-does-the-government/>. Accessed 8 November 2023. A comparable example from Nova Scotia in which the authority of the treaties was recently diminished in public discourse would be Alex Cameron’s “conquered people” brief; Tim Bousquet, “Alex Cameron’s ‘conquered people’ Brief Is Odious, but He’s Got a Good Case Against the McNeil Government”, *Halifax Examiner*, <https://www.halifaxexaminer.ca/morning-file/alex-camersons-conquered-people-brief-is-odious-but-hes-got-a-good-case-against-the-mcneil-government/>, Accessed 26 March 2024.

- ³⁴ Ron Tremblay, “Wolastoq Grand Chief Acknowledges the Territory.” NB Media Co-op, <https://nbmediacoop.org/2021/10/15/wolastoq-grand-chief-acknowledges-the-territory/>, Accessed 8 November 2023.
- ³⁵ *Camp of the Owls*, 25.
- ³⁶ *Camp of the Owls*, 25.
- ³⁷ *Camp of the Owls*, 26.
- ³⁸ I use “plot” in this article to refer to a storyline, structured sequence of events, or narrative trajectory.
- ³⁹ Matthew Halliday, New Brunswick’s Mystery Disease: Why did the Province Shut Out Federal Experts? *The Walrus*, <https://thewalrus.ca/new-brunswicks-medical-mystery/>. Accessed 26 March 2024; Michael Vlessides, “Canadians Investigating Outbreak of Mysterious Creutzfeldt-Jacob Lookalike”, *Medscape*, <https://www.medscape.com/viewarticle/948101?form=fpf>. Accessed 26 March 2024; Aiden Cox, “Patients, Families Call On N.B. to Reopen Investigation into Neurological Illness”, CBC News, <https://www.cbc.ca/news/canada/new-brunswick/new-brunswick-neurological-illness-1.6793439>. Accessed 7 November 2023.
- ⁴⁰ Daniel Cassie, “Impact of Climate Change on Water Temperatures for Selected Rivers in New Brunswick and Potential Implications on Atlantic Salmon.” In *Aspects of Climate Change in the Northwest Atlantic off Canada*, edited by John W. Loder et al. Dartmouth: Fisheries and Oceans Canada, 2013. 183–190; Emily Corey, Tommi Linnansaari, and Richard A. Cunjak. “High Temperature Events Shape the Broadscale Distribution of Juvenile Atlantic Salmon (*Salmo salar*).” *Freshwater Biology* 68.3 (2023): 534–545; Kyle Ball, *Moose Density, Habitat. And Winter Tick Epizootics in a Changing Climate*. 2017 (University of New Hampshire, Master’s thesis); Steven Webb, “Early Research Suggests Winter Ticks Are Killing Young Moose in New Brunswick”, *CBC News*, <https://www.cbc.ca/news/canada/new-brunswick/winter-ticks-moose-nb-mortalities-1.6461447#:~:text=New%20Brunswick-Early%20research%20suggests%20winter%20ticks%20are%20killing%20young%20moose%20in,fatal%20for%20a%20moose%20calf>. Accessed 26 March 2024.
- ⁴¹ Naomi Metallic, “New Brunswick Needs a Public Inquiry Into Systemic Racism in the Justice System: Nova Scotia shows Why.” *Journal of New Brunswick Studies/Revue d’études sur le Nouveau-Brunswick*, 12: 7–14.
- ⁴² Fred Bever, “Scientists Have Not Detected a Single Right Whale in the Bay of Fundy This Year”, *Maine Public*, <https://www.mainepublic.org/environment-and-outdoors/2020-10-14/scientists-have-not-detected-a-single-right-whale-in-the-bay-of-fundy-this-year>. Accessed 7 November 2023; Sean Brilliant, “The Future of North Atlantic Right Whales and Fishing and Shipping Interactions”, *Ocean Yearbook Online*, 37.1 (2023): 207–220.
- ⁴³ Hayes, “Remaking the World”, 3.
- ⁴⁴ Marianne Kaba, “We Can Only Survive Together.” In *Let This Radicalize You: Organizing and the Revolution of Reciprocal Care* edited by Kelly Hayes and Mariame Kaba (Chicago: Haymarket Books, 2023), 14–15.

⁴⁵ Terry-Ann Sappier, “Dear Grandmothers.” In *Letters from the Future: How New Brunswickers Confronted Climate Change and Redefined Progress*, edited by Daniel Tubb, Abram Lutes, and Susan O’Donnell (Woodstock: Chapel Street Editions, 2021), 5–6.

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