

mi'gmawei gespisiq



MI'GMawei MAWIOMI SECRETARIAT

mi'gmawei gespisiq

Fall/ l'ete, 2002

VOLUME 1, NO 2

Meganumbe



Sauguaaram



Alt Loron

Arexies



Francois



Xavier

Lignum



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Our Mission • Notre mission

PROVISIONAL

The Mi'gmawei Mawiomi Assembly through the auspices of the Chiefs and Councils of the three Mi'gmaq communities of Gespeg, Gesgapegiag and Listuguj represents the collective interests in the responsible management of our lands and resources. Relying on our inalienable right of jurisdiction over Mi'gmaq Title, we pledge to renew and repatriate an unceded territory (Gespegewagi).

It is imperative that we demonstrate with the help of our researchers that our inalienable rights were never compromised or abrogated prior and during first European contact, in fact our culture, tradition and language continues to thrive.

Our research will be based on crucial issues surrounding our Mi'gmaq title and of our traditional use, occupation and management of the land and resources from our long-lasting connection to the land.

Our union will make every effort to improve communication and understanding between each community and its members will be accorded a priority in the negotiation and consultation process. The exchanges will take on traditional and modern meaning to assure that we educate, consult and inform you on every issue that is germane for the execution of our mandate.

Mi'gmaq Honor Song.

Gepmite'tmej, ta'n teli Inuultigw,
Nigmajtut, ge' mawita'nej
Gepmite'tmej, ta'n wetapegsulti'gw
Nigmajtut, apoqonmatultinej.
Apoqonmatultinej ta'n Gisulg
Teliga'lugsi'gw, ula ugs'tqamu'g

PROVISOIRE

L'Assemblée du Mi'gmawei Mawiomi, sous les auspices des Chefs et Conseils des trois communautés Mi'gmaq de Gespeg, Gesgapegiag et de Listuguj, représente les intérêts collectifs dans la gestion des responsabilités des terres et ressources. En comptant sur nos droits de juridiction du Titre Mi'gmaq, nous nous engageons de renouveler et de recouvrer le territoire qui n'a jamais été cédé (Gespegewagi).

Il est impératif que nous démontrons, avec l'aide de nos chercheurs, que nos droits inaliénables n'ont jamais été compromis ou abrogés, avant ou durant le premier contact avec les Européens, en effet, notre culture, notre tradition et notre langue continuent à se développer.

Notre recherche sera basée sur des sujets cruciaux entourant notre Titre Mi'gmaq et notre utilisation traditionnelle, occupation et gérance des terres et des ressources provenant de notre lien avec celle-ci

Notre union fera tous les efforts possibles afin d'améliorer la communication et la compréhension entre chaque communauté et ses membres verrons à rendre le processus des négociations prioritaire. Ces échanges prendront une signification traditionnelle et moderne afin d'assurer l'éducation, la consultation et l'information de nos membres sur chaque sujet pertinent et ce, dans l'exécution de notre mandat.

O way o hey hi ya ha
Way o hey o hey hi ya
Way o hey hi ya ha
Way o hey hi ya
O way o hey hi ya
O way o hey hi ya ha
Way o hey hi ya hey o.

PUBLISHER & EDITOR-IN-CHIEF:
..DITEUR ET R...DACTEUR EN CHEF :
Brenda Gedeon Miller

CONTRIBUTING WRITERS
COLLABORATEURS
Brenda Gedeon Miller
Donald Jeannotte
Tanya Barnaby
E. N'gšgwes Metallic
Charlene Labillois
Felix Atencio-Gonzales
Ed Two Axe Early

DESIGN & LAYOUT
CONCEPTION ET MISE EN PAGE:
JVH MarketDesign

OFFICE ADDRESS:
ADRESSE DU BUREAU :
2, Riverside West,
Listuguj, Qu'bec,
Canada, G0C 2R0

Tel./T"l. : 1-418-788-1760
Toll Free/Sans frais : 1-800-370-1760
Fax/T"l"copieur : 1-418-788-1315
E-mail/Courriel : secretariat@migmawei.ca

MAILING ADDRESS:
ADRESSE POSTALE :
P.O. Box /BoftePostale 135
Listuguj, Qu'bec,
Canada, G0C 2R0

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Our Cover...

Due to the significance of the Covenant Chain of treaties, we highlight for this special issue the 1749 Treaty which bears examples of totem signatures of Captains to the Migmaq Grand Council. The totem signatures are reprinted to illustrate the expression of our forefathers' understanding and their consent of the treaty utilizing a traditional identification mark related to their family's bond with the environment.

En couverture...

...tant donn" lŒimportance significative de la ChaŒne d'alliances des trait"rs, nous soulignons pour ce num"ro sp"cial le Trait" de 1749 qui donne en exemples des signatures tot"miques par des capitaines pour le MiŒgmaq Grand Council. Les signatures tot"miques sont reproduites afin dŒillustrer nos aLeux lŒexpression de leur compr"hension des trait"rs et de leur accord, en utilisant une marque dŒidentification traditionnelle li"e Œ lŒattachement de leurs familles Œ lŒenvironnement.



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EDITOR'S WORD / NOTE DU RÉDACTEUR

THE TREATIES AND THE WAMPUM BELTS

In commemoration of Treaty Day, October 1, 2002, this edition of the *Migmawei Gespisq* will focus on the treaty relationship between the Mi'gmaq Nation and the British Crown, the significance of these treaties and the covenant chain between the Crown and the Mi'gmaq, their interpretation from a Euro-centric perspective and their significance to the Mi'gmaq people.

The key to understanding the historical relevance of these treaties is to consider the circumstances surrounding the original treaty process. Our people held Council within their respective villages as well as with the Wabanaki Confederacy to deliberate and subsequently ratify their acceptance of the oral promises made to them by the government officials who were advancing a particular treaty.

These treaties were intended to contain the perpetuation of military actions between the British and our people who were responding to the dissipation of our territories, our resources and the deaths of our family members. Our culture dictated that all our communications took the form of oral communications between members of the various districts within the seven districts of the Mi'gmaq Nation. On the other hand the British incorporated the use of written text, which conformed to the bureaucratic, legalistic and militaristic forms prevalent among colonial world powers. The authors of these treaties reported directly to the Foreign Office in London and were compelled to adhere to protocols in writing these treaties expected by their superiors. Whether the Mi'gmaq understood what was written in the treaties is a subject of great debate to this day.

The contents of these treaties were conveyed to our people through interpreters hired to translate the words of military officers or government officials who attempted to explain the spirit of the treaties in councils conducted before an official signing ceremony. Did these descriptions closely approximate the written words in the treaty or were they words they felt the Mi'gmaq wanted to hear?

We believe that our ancestors constructed Wampum Belts that enumerated their understanding of each of the treaties. However, these invaluable Wampum Belts that could tell us what our ancestors believed was contained in the treaties they signed are in public and private collections around the world. These Wampum Belts will give us a definitive and conclusive perspective of what the ancient ones believed the treaties to mean. Research work is underway to gain an understanding of these valuable records of our history.

I would like to thank all contributors to this treaty edition of the *Gespisq* particularly; Dr. Bill Wicken whose most recent work on the treaties is included in this edition. Please read it in the spirit that much more will be published, as information is available to us.

Enjoy Treaty Day and consider the significance of this day.



Brenda Gedeon Miller

Executive Director of Mi'gmaq

LES TRAITÉS ET LES CEINTURES WAMPUM

Pour commémorer la Journée des traités, le 1er octobre 2002, le présent numéro du *Migmawei Gespisq* examine les rapports fondés sur les traités entre la nation Mi'gmaq et la Couronne britannique, leur signification et la chaîne d'alliance entre la Couronne et les Mi'gmaq, leur interprétation selon la perspective euro-centrique, et leur signification pour le peuple Mi'gmaq.

Pour bien comprendre la pertinence historique de ces traités, il est essentiel de tenir compte des circonstances entourant le processus de la signature du traité. Les représentants de notre peuple se sont réunis en conseil dans leurs villages respectifs, et avec la Confédération des Abénaquis, pour délibérer puis ensuite ratifier leur acceptation des promesses que leur avaient faites, de vive voix, les représentants du gouvernement qui préconisaient un traité particulier.

Ces traités visaient à réfréner les actions militaires entre les Britanniques et notre peuple qui s'insurgeait devant le démantèlement de nos territoires, l'épuisement de nos ressources et la mort de nombreux membres de notre famille. Notre culture commandait que toutes nos communications se fassent de vive voix entre les membres des divers districts, à l'intérieur des sept districts de la nation Mi'gmaq. Les Britanniques, de leur côté, avaient adopté l'usage de textes écrits, lesquels répondaient aux formalités bureaucratiques, juridiques et militaires en vigueur chez les puissances coloniales du monde. Les auteurs de ces traités répondaient directement au ministère des Affaires étrangères, à Londres, et devaient donc en les rédigeant adhérer aux protocoles comme l'exigeaient leurs supérieurs. Aujourd'hui encore, on se questionne beaucoup à savoir si les Mi'gmaq comprenaient la teneur de ces traités.

On embauchait alors des interprètes pour expliquer à notre peuple le contenu des traités rédigés par des militaires ou des représentants du gouvernement; les interprètes s'efforçaient d'expliquer l'esprit des traités lors de réunions en conseil qui avaient lieu avant la cérémonie de signature officielle. Ces descriptions correspondaient-elles à peu près au contenu du traité, ou employaient-elles des mots que l'on croyait que les Mi'gmaq voulaient entendre?

Nous croyons que nos ancêtres ont fabriqué des Ceintures wampum qui illustraient leur compréhension de chacun des traités. Mais ces précieuses Ceintures wampum, qui pourraient nous éclairer sur ce que nos ancêtres pensaient contenir ces traités, sont disséminées dans des collections publiques et privées un peu partout. Les Ceintures wampum nous fourniront un aperçu clair et concluant sur la façon dont les anciens interprétaient les traités. Des recherches sont en cours afin d'accroître notre compréhension de ces 'dossiers' précieux pour notre histoire.

Je remercie toutes les personnes qui ont contribué au présent numéro de *Migmawei Gespisq*, portant sur les traités, notamment le Pr Bill Wicken, auteur d'un livre sur le sujet. Veuillez la lire, sans oublier que de nombreux autres articles suivront à mesure que l'information nous parviendra.

Je vous souhaite une bonne Journée des traités et vous invite à réfléchir à sa signification.



Following the Footprints of our Ancestors • Sur la piste de nos ancêtres



by: Tanya Barnaby, Researcher/Archivist

The Mi'gmawei Mawiomi Secretariat is currently in the planning stage of a Traditional Use and Occupancy Study (TUS) which we are going to conduct in Gespegewagi Territory. This study will be the first of its kind in the 7th District and will provide vital information for each of our communities.

To provide a better understanding of what is meant by "use" and "occupancy", we have offered some definitions.

Use: The methods and ways in which our ancestors made use of the land. The utilization of land was often reflective in the naming of certain areas. For example: There is an area in Bonaventure County where the Mi'gmaq went to pick blueberries. This area is called Mgomanegatig, which is translated to "blueberry picking place".

Use is defined as any traditional activity to take place on the said land. Examples would include fishing, hunting, gathering berries or nuts, picking sweetgrass, gathering medicines and trapping.

Occupancy: This term is used to determine the places in which our ancestors made their winter and summer residences as well as any area in which they occupied at one time or another for various reasons.

Phase One of this Traditional Use and Occupancy Study will include training interested individuals who are outgoing, enthusiastic and who hold an interest in learning about the history of our ancestors. The Mi'gmawei Mawiomi Secretariat will be developing a training proposal to employ approximately 20 people from the three communities. Please stay tuned to the Mi'gmawei Ges'psiq for further developments on this exciting step in our future.

par Tanya Barnaby, Recherchiste/Archiviste

Le secrétariat Mi'gmawei Mawiomi envisage présentement d'élaborer une étude sur l'utilisation et l'occupation du territoire à des fins traditionnelles, que nous mènerons sur le territoire de Gespegewagi. L'étude, la première du genre à s'effectuer dans le Septième district, recueillera de l'information cruciale pour chacune de nos communautés.

Nous présentons ci-dessous la définition des mots «utilisation» et «occupation» afin de mieux faire comprendre notre propos.

Utilisation : La façon dont nos ancêtres utilisaient la terre. Souvent, l'utilisation que l'on faisait de la terre se reflétait dans le nom donné à certaines régions. Il y a par exemple dans le comté de Bonaventure une région où les Mi'gmaq cueillaient des bleuets et qui s'appelle Mgomanegatig, signifiant «lieu de cueillette du bleuet».

L'utilisation se définit comme étant toute activité traditionnelle qui avait lieu sur ladite terre, ce qui comprend la pêche, la chasse, la cueillette de baies ou de noix, la récolte du foin d'odeur et de plantes médicinales ainsi que le piégeage.

Occupation : Ce terme sert à désigner les endroits où nos ancêtres bâtissaient leurs habitations d'hiver et d'été, ainsi que toute région qu'ils occupaient à un moment ou l'autre pour diverses raisons.

La première étape de l'étude sur l'utilisation et l'occupation du territoire à des fins traditionnelles comprendra des séances de formation à l'intention de gens dynamiques, enthousiastes et intéressés à l'histoire de nos ancêtres.

Le secrétariat Mi'gmawei Mawiomi formulera une proposition de programme de formation qui emploiera une vingtaine de personnes des trois communautés. Lisez régulièrement le Mi'gmawei Ges'psiq pour en savoir davantage au sujet de ce projet d'avenir passionnant.



“Mi’kmaq Treaties on Trial”



The treaties are an important part of Gespe’gewa’gi’s history. The Mi’gmawei Mawioimi Secretariat is currently engaged in researching the history of the treaties as well as the history of Gespe’gewa’gi. A number of researchers have been contracted to assist the Secretariat to do this research, including William Wicken, the author of “Mi’kmaq Treaties on Trial,” a book that examines a series of treaties the Mi’kmaq made with the British in 1726, 1749, 1752, and 1760/61.

Mr. Wicken argues that the treaties cannot be evaluated except through reference to the history of the Mi’kmaq people and of their interactions with French and British settler governments. The central thesis developed by the author is that ‘while the 1726 treaty explicitly acknowledged the co-existence of Mi’kmaq and British law in interactions between the two communities, after 1749 a more forceful British military presence led officials to reinterpret the treaty, de-emphasizing its original meanings and stressing the primacy of the English text in the treaty’s interpretation.’

This ‘re-interpretation’ of the treaty’s original oral meanings has been the subject of controversy ever since. The Supreme Court’s decision in *R. V. Marshall* [1999] is just the latest

Les traités sont une partie importante de l’histoire du Gespe’gewa’gi. Le Secrétariat du Mig’mawei Mawioimi est présentement engagé dans les recherches de l’histoire des traités aussi bien que l’histoire du Gespe’gewa’gi. Un groupe de chercheurs a été engagé afin d’assister le MMS dans cette recherche, incluant William Wicken, l’auteur du «Mi’kmaq Treaties on Trial» un livre qui examine une série de traités que les Mi’kmaq ont signé avec les Britanniques en 1726, 1749, 1852 et 1760/61.

M. Wicken souligne que les traités ne peuvent être évalués qu’à l’exception de faire référence à l’histoire du peuple Mi’kmaq et leur interaction avec les gouvernements Français et les Britanniques. La base centrale développée ici par l’auteur est comme suit: «quant au traité de 1726 qui reconnaît explicitement la co-existence des lois Mi’kmaq et Britannique dans les interactions entre les deux communautés, après 1749, une présence militaire britannique puissante a amené les officiels à ré-interpréter le traité, de minimiser sa signification originale et de mettre l’emphase sur la primauté du texte anglais dans l’interprétation du traité.



William C. Wicken

in a series of political and legal disputes in which the Mi'kmaq communities of Atlantic Canada have challenged governments' interpretations of the treaties.

William Wicken is an associate professor in the department of history at York University. He co-authored a report in 1993 on Mi'kmaq treaties for the Royal Commission on Aboriginal Peoples, and from 1993-5 was a researcher and employee for the thirteen reserves of Nova Scotia investigating their aboriginal title claim. He frequently testifies as an expert witness in court cases involving aboriginal and treaty rights in Atlantic Canada. In 1998, he co-edited *New Faces of the Fur Trade* with Jo-Anne Fiske and Susan Sleeper-Smith

Cette «ré-interprétation» de la signification donnée du traité original a été sujet de plusieurs controverses. Le jugement Marshall de la Cour Suprême (1999), n'est que le dernier d'une série de disputes politiques et légales dans lesquelles les Communautés Mi'kmaq de l'Atlantique ont mis les gouvernements au défi en ce qui a trait à l'interprétation des traités.

William Wicken est professeur agrégé du département d'histoire de l'Université York. En 1993, il a co-rédigé un rapport sur les traités Mi'kmaq pour le compte de la Commission royale sur les peuples autochtones. De 1993 à 1995, il fut chercheur et employé des treize bandes autochtones de Nouvelle-Écosse dans l'enquête relative à leurs revendications territoriales. Il témoigne fréquemment à titre d'expert devant les tribunaux sur les questions des droits autochtones et issus de traités au Canada atlantique. En 1998, il fut rédacteur adjoint de l'ouvrage *New Faces of the Fur Trade*, aux côtés de Jo-Anne Fiske et Susan Sleeper-Smith.

Review

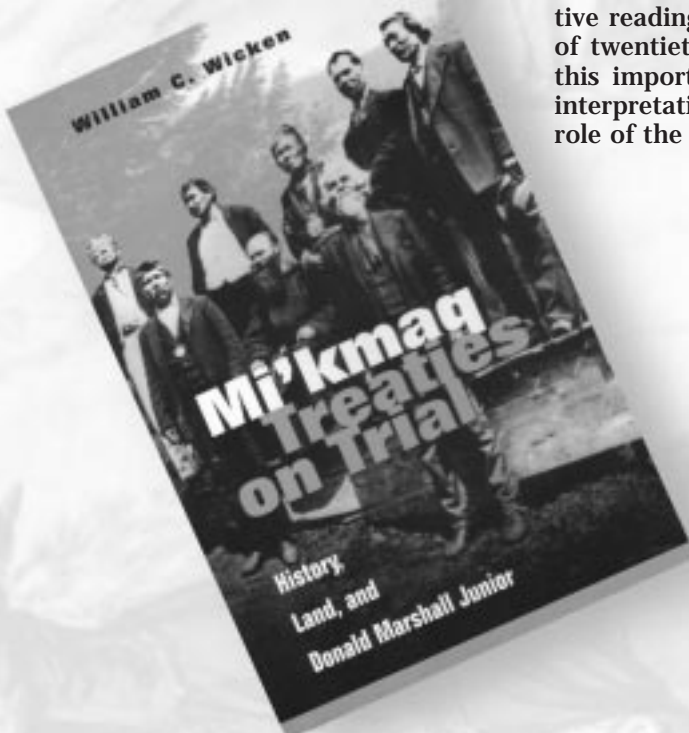
"The author's scholarship is commendable. He has combined an exhaustive reading of the eighteenth-century sources with a judicious selection of twentieth-century scholarship...to produce a persuasive treatment of this important topic...When published, this work will be an important interpretation of at least two topics: the Mi'kmaq treaties, and the public role of the historical researcher."

Jim Miller, Professor of History, University of Saskatchewan

Commentaires

«Le savoir de l'auteur est louable. Il a combiné une lecture exhaustive des sources du dix-huitième siècle avec une judicieuse sélection du vingtième siècle ... dans le but de produire un traitement persuasif de cet important sujet ... Lors de la publication, ce travail sera une interprétation importante d'au moins deux sujets : Les traités Mi'kmaq et le rôle public du chercheur historique.»

Jim Miller, Professeur d'Histoire
Université de Saskatchewan



LISTUUC



Teach Our Youth

Isaac (Ike) Metallic
Fisherman, Treaty Right advocate

ÒThe way I feel about a treaty right is that they should be honored and respected, which I don't see nowadays. I think the treaties were violated long time ago, for instance with our salmon fishery.

When our forefathers made those treaties, they foreseen 400 or 500 years ahead. There were no fancy words to it, it was simple, and it's so simple, even the smartest lawyers today can't even break those up. These Treaties exists and I don't think that they should be revised. They have been with us for 250 years, why couldn't they stay with us the way they are now. Why fix something that is not broken.

I had made a suggestion to one of the ex-chiefs to teach our young kids our treaty rights in school. Why don't we teach them our rights, so they don't grow up lost as we were? We are having a hard time to get our treaties recognized and if we don't teach our children right now about treaties they will grow and our treaties will disappear again as they have did for a long, long time. It happened when I was young. Nobody mentioned treaties. I mean you hear the odd word here and there, "there is a treaty" but what is in that treaty? Nobody knew. If we don't teach our kids the same thing is going to happen. If you just put it away and forget about it, we will lose all our rights and our identity. Without treaties we were like a lost people, because for years and years we were lost. We didn't know what was going on. I felt like I was a crook when I was out in the river fishing for salmon. They used to call it "poaching" but I'm not a poacher, I am a fisherman.

The more you know your treaties, the more you grow a strong feeling towards it, you feel you have a power; that you have rights and it makes you more aware of what is going on today and what people are trying to do to our treaties.Ò



Eduquer nos jeunes

Isaac (Ike) Metallic
P'cheur, d'fenseur
des droits issus des trait's.

ÇJe consid're que les droits issus d'Ontrait' devraient 'tre honor's et respect's, ce qui n'Est pas le cas de nos jours. È mon avis, ces trait's sont viol's depuis longtemps, comme dans le cas de la p'che au saumon, par exemple.

Lorsque nos anc'tres ont conclu ces trait's, ils voyaient loin, 400 ou 500 ann'es < l'Òavance. Le trait's ne contient pas de mots compliqu's; ils 'taient simples et sont encore si simples que m'me les plus brillants avocats ne peuvent aujourd'huiles modifier! Les trait's existent depuis 250 ans et je ne crois pas qu'Ondevrait les modifier, pourquoi ne pas les garder tels qu'Òilssont maintenant? Pourquoi r'parer ce qui n'Est pas bris'?"

J'Òavais sugg'r' < un ancien chef d'Onseigner nos jeunes, nos droits issus de trait's. Pourquoi ne pas les leur enseigner afin qu'Òilssne grandissent pas perdus, comme nous l'Òtions? C'Òesti difficile de faire reconnaftrenos trait's; si aujourd'hu nous n'enseignons pas nos enfants < leur sujet, ils vont grandir et les trait's seront m'connus, comme cela l'Òa't' pendant longtemps.

L'Òexp'riencesemble vouloir se r'p'ter, comme dans ma jeunesse alors que personne ne parlait de trait's. Nous entendions occasionnellement dire Çily a un trait'È, mais que contient t-il? Personne ne le savait.

Si nous ne l'Òenseignons pas < nos enfants, la m'me chose se reproduira. Si nous mettons "a de c'zt" nous l'Òoublieront nos perdrons nos droits et notre identit'. Sans nos trait's, nous 'tions bel et bien perdus, nous n'Òtions pas au courant sur nos droits. Je me sentais comme un escroc lorsque je p'chais le saumon sur la rivi're. On appelait "a du ÇbraconnageÈ, pourtant je ne suis pas un braconnier, je suis un p'cheur.

Plus vous connaissez vos trait's, plus fort deviennent vos sentiments < leur 'gard; vous vous sentez davantage en pouvoir, plus conscients de vos droits et plus 'veill's face < ce qui passe aujourd'huie < ce qu'Onveut faire de vos trait's.È

GUU



“As LongAs...”

Eva Mitchell
Elder, Signatory of the
Mi'gmawei Mawiomi
Political Accord

ÒMiÕgmaqt that time followed their way of life, like fishing in the summer, hunting in the winter and trapping. They would go way in the woods for their hunting and trapping.

In the spring they would come down for their fishery. And they would put up tents along the shore. That is how I remember my dad would tell us. When treaties were signed in behalf of Queen Victoria it was supposed to last Óaslong as the sun shines, the grass grows and the river flows." Natives will be taken care of and treaties respected.

We should be allowed to do fishing, hunting, logging, doing things that everyday people do, just like the white people do, and not be chased after by the RCMP, DFO, or any others.Ó

“Aussi longtemps...”

Eva Mitchell
Afn"e, signataire de
l'Accord politique
MiÕgmawei Mawiomi

ÇAutrefois, les MiÕgmaq vivaient selon leurs coutumes, s'Óadonnant la p'che l'Ót"et < la chasse et au pi"geage l'Óhiver Ils parlaient loin en for't pour chasser et pi"ger, puis au printemps, s'Óenrevenaient faire la p'che. Ils installaient des tentes le long du rivage.

Ce sont l' des souvenirs que je tiens de mon p're. Les trait"s, qui ont "t" sign"s au nom de la reine Victoria, devaient durer Çaussi longtemps que le soleil brillera, que l'Óherbe verdira et que les rivi'res couleront. On devait s'Óoe cuper des Autochtones et respecter les trait"s.

Aujourd'Ohui, tout comme le font les Blancs, nous devrions pouvoir p'cher, chasser, couper du bois et faire les choses que tout le monde fait, au lieu de se faire harceler par la GRC, le MPO ou toute autre autorit".È



Chief's Word

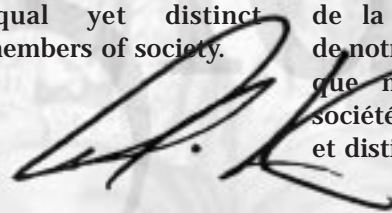


Allison Metallic
Listuguj Mi'gmaq Government

The Peace and Friendship Treaties that the Mi'maq entered into with Britain were intended to establish mutually respectful relationships between two sovereign states.

Although recognition of these treaties has been a slow process, their significance has never waned. Serving as international recognition of our rights to self-determination, these treaties ultimately support the human rights of the Mi'gmaq People and challenge colonialism.

Remaining true to the spirit of these treaties will allow us to become witness to the restoration of our People as equal yet distinct members of society.



Les Traités de paix et d'amitié conclus entre les Mi'maq et la Grande-Bretagne visaient à établir des relations mutuelles respectueuses entre deux états souverains.

Bien que leur reconnaissance fut un processus de longue haleine, ces traités n'ont jamais perdu de leur signification. Ils constituent une reconnaissance internationale de nos droits à l'autodétermination et, en bout de ligne, appuient les droits humains du peuple Mi'gmaq et remettent en question le colonialisme.

En restant fidèles à l'esprit de ces traités, nous serons témoins de la reconnaissance de notre peuple en tant que membres de la société, à la fois égaux et distincts.

Community Voices on Treaties ~ Notre communauté parle des traités

The Treaties Are Sacred

Richard Jeannotte
Lawyer and Legal Counsel

For the Gespeg Nation and for me personally, the treaties represent an exchange of solemn promises between the Crown and Aboriginal nations. We consider these agreements to be sacred, meaning that the parties involved must absolutely abide their mutual obligations.

Gespeg has been politically and administratively organized since 1972. To date, no treaty between the Crown and the Gespeg Nation has been discovered which does not necessarily mean that there weren't any. Should one or more treaties be discovered, we are prepared and determined to have the provisions respected.

Treaties are of vital importance to the contemporary economy of Aboriginal communities, to the extent that they allow Natives to actively participate in, and benefit from, natural resource development. For the Gespeg Nation, the 1760 and 1761 treaties between the British Crown and the Miqmaq and Maliseet of the Atlantic provinces, granting us fishing rights confirmed by the Supreme Court in its 1999 Marshall decision have enabled many members of our community to return to the labour market.

I believe that the biggest challenge for native attorneys in the struggle to have treaties respected lies in fashioning innovative approaches and legal arguments. Since the conventional legal rules do not apply to native law, Aboriginal lawyers must get off the beaten path in order to create new rules and adapt to them.

Since a treaty is a bilateral agreement, the two contracting parties must necessarily be involved in the review process. In its R. v. Badger decision, the Supreme Court of Canada indicated that the Crown has the obligation to consult the aboriginal nation concerned in the event of any violation of recognized treaty rights confirmed by section 35 of the Constitution Act of 1982.

An awareness campaign to educate our communities would certainly be very beneficial. But I believe that the priority should be to educate non-native communities that sometimes have the tendency to minimize the legal value of treaties. For example, by explaining to them the criteria for interpreting historical treaties, as defined in the Supreme Court of Canada's Sioui decision, these communities will be better able to analyse native arguments much more objectively.

To have their treaty rights respected, our people have in the past had to face criminal charges in relation to hunting and fishing activities. Now that the Supreme Court of Canada has defined the framework for interpreting treaty rights within the meaning of section 35 of the Constitution Act of 1982, my hope for the future is that historical research followed by legal analysis conducted in a spirit of co-operation between the parties involved will allow the various Aboriginal

Les Traités sont sacrés

Richard Jeannotte
Avocat et Conseiller juridique

Les traités représentent pour la Nation de Gespeg et moi-même, un échange de promesses solennelles entre la Couronne et les Nations autochtones. Nous considérons ces conventions comme sacrées, ce qui implique un respect absolu des obligations réciproques pour les parties concernées.

Gespeg est politiquement et administrativement organisé depuis 1972. Jusqu'à aujourd'hui, aucun traité entre la Couronne et la Nation de Gespeg n'a été découvert, ce qui ne veut pas nécessairement dire qu'il n'en existe pas. S'ils avaient existé ou plusieurs traités existent, nous serions prêts et déterminés à les faire respecter.

Les traités sont d'une importance capitale pour l'économie actuelle des communautés autochtones, dans le sens qu'ils permettent aux autochtones de participer activement et de bénéficier de l'exploitation des ressources naturelles. Pour la Nation de Gespeg, les traités de 1760 et 1761 entre la Couronne Britannique et les Micmacs et les Malisets des provinces de l'Atlantique, nous accordant des droits de pêche et qui ont été confirmés par la Cour suprême en 1999 dans l'arrêt Marshall, ont permis à plusieurs membres de notre communauté de réintégrer le marché du travail.

Je crois que le plus gros défi pour les avocats autochtones dans la bataille pour faire respecter les traités, se situe au niveau de l'innovation de l'approche de l'argumentation juridique. Car comme les règles de droit conventionnelles ne s'appliquent pas au droit autochtone, les juristes autochtones devront sortir des sentiers battus pour créer et adapter de nouvelles règles.

Comme un traité est une convention bilatérale, les deux parties contractantes doivent nécessairement être impliquées dans le processus de révision. Dans sa décision R. c. Badger, la Cour Suprême du Canada a indiqué que la Couronne avait l'obligation de consulter la nation autochtone concernée, lorsqu'elle transgressait des droits issus de traités reconnus et confirmés par l'article 35 de la Loi Constitutionnelle de 1982.

Une campagne d'éducation serait certainement bénéfique pour nos communautés. Mais je crois que la priorité devrait être mise à l'éducation des communautés non-autochtones qui ont parfois tendance à minimiser la valeur juridique des traités. Ainsi, en leur expliquant les critères d'interprétation du traité historique, tels que définis dans l'arrêt Sioui, de la Cour Suprême du Canada, ces communautés seraient en mesure d'analyser de façon beaucoup plus objective l'argumentation des nations autochtones.

Dans le passé, pour que leurs droits issus de traités soient reconnus, nos peuples ont dû faire face à des accusations de nature pénale relativement à des activités de chasse et de pêche. Maintenant que la Cour Suprême du Canada a défini le cadre d'interprétation des droits issus de traités au sens de l'article 35 de la Loi Constitutionnelle de 1982, j'ose espérer que pour le futur, ce seront des recherches historiques suivies d'une analyse juridique effectuée dans un esprit de collaboration par les parties concernées qui permettront aux différentes nations autochtones de recouvrer dans la dignité les droits qui devraient leur être reconnus en vertu de traités.





Helping Each Other S'entraider

Camille Jeannotte
Register

Camille Jeannotte
Registraire

Our band was founded in 1972. Before that we had no Chief, we used to deal with Restigouche and Quebec. We just had just a guy who was working for Indian Affairs that used to come down, take information and then go up to Quebec.

Notre bande a "t" fond"e en 1972. Auparavant, nous n'avions pas de chef et nous devions traiter avec Restigouche et Qu"bec. Une seule personne travaillait aux Affaires indiennes et venait nous visiter, recueillait des informations puis s'en retournait à Qu"bec.

He used to come down once every three months and it never was the same guy. One or two guys used to come down, tell us a story and after that two other guys used to come down and they used to tell us another story, another one would come and it would go on like that all the time. It never was the same guy.

Nous recevions la visite de quelqu'un jamais la m"me personne, à tous les trois mois environ. Une ou deux personnes venaient nous rendre visite, disaient une chose; deux autres revenaient plus tard et nous racontaient autre chose. Puis, une autre personne diff"rente arrivait ensuite et "a continuait ainsi. Ce n"était jamais la m"me personne.

Then we met a Chief from Restigouche, he was Chief for a long time and told us "If you want to work in Gaspé, if you want the Indians to get together and start your own band, you have to elect a Chief and Council" So we started doing that in 1971.

Puis un jour, un chef Restigouche, il a "t" Chef pendant longtemps, nous a dit: "Si vous voulez travailler à Gaspé", si vous voulez réunir les Indiens et former votre propre bande, vous devez élire un Chef et un conseil." C'est ce que nous avons commencé à faire en 1971.

It was only in 1972 that we founded our Band Council and elected our first Chief and two councilors. My brother Leo Jeannotte was the first Chief from 1972 until 1984.

C'est donc seulement en 1972 que nous avons formé notre conseil de bande et élu notre premier Chef ainsi que deux conseillers. Mon frère, Leo Jeannotte, fut le premier chef, de 1972 à 1984.

We don't have a reserve, with our own church, our own school and everything. Our children go at the school as the white people, everyone pays tax, just like everyone else but we are trying to change that.

Nous ne possédons pas notre propre réserve, avec l'église, l'école et ainsi suite. Nos enfants vont à l'école avec les Blancs, nous payons des taxes comme tout le monde, mais nous essayons de changer cela. È



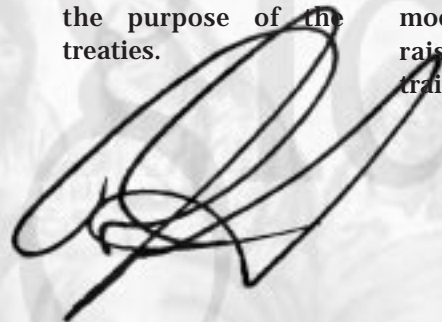
Chief's Word



Richard Jalbert
Nation Micmac de Gespeg

We have very little information about our community's involvement in the signing of the treaties. There are currently two theories of who is included in these treaties. The first theory states that Gespeg is not included on this agreement since they were not signatory of the treaties. The second one is more inclusive. In fact, it states that the Mi'gmaq who signed the treaties originally signed them on behalf of the entire Nation. We are convinced that we are included in these treaties. They are the guardians of our way of life. That's the purpose of the treaties.

Nous avons très peu d'information concernant l'implication de notre nation dans la signature des traités. Il existe présentement deux théories à ce sujet. La première est que les Micmacs de Gespeg ne font pas partie de ces ententes puisqu'ils n'ont pas signé les traités. La deuxième, plus inclusive, inclut toutes les communautés Micmac car les signataires pour la partie Micmac, le faisaient au nom de la Nation. Pour notre part nous sommes convaincus que nous faisons partie de ces ententes et elles sont pour nous, les gardiens de notre mode de vie. C'est la raison même des traités.



Community Voices on Treaties ~ Notre communauté parle des traites

LISTUUC

The Right to Land and Resources

Peter Jerome
Community worker

À Treaty is an agreement among a Nation with a governing Nation. It gives us a right to act freely amongst ourselves without having to deal with people interfering with our own actions. A Treaty represents who we are, what we have and who we will always be as a Nation. Treaties give us the right of land and the resources surrounding our land and it gives a Nation the right to be heard and the right for an opinion.

When the Governments back is on the wall that is when they only look like they are respecting the rights of our people. When a Nation has to fight for certain rights and privileges that we've always believed in and used in our everyday lives, that is when I feel that the government is not respecting us as people. Whoever you are, people need a right to be heard and often we as Aboriginals don't get that chance.

I think that Treaties should be revised when there is "change" that occurs in a community. An example could be like if someone loses the right to fish, then they should be revised. Our Nations are constantly changing, so when there is a big aspect that affects a Nation, revising a Treaty would sound appropriate.

Learning about Treaties

I believe that the youth in our communities need to be targeted with the knowledge of Treaties. The youth are our future, they are the people that will have more power in the future. They are the future leaders of our Communities. I also feel that the Elders need to have a little knowledge of what Treaties are just to keep them informed with what is happening. I feel that there should be more workshops in the Communities dealing with Treaties or even have courses in school to educate them. Again, it is also important that every member of a community have at least some knowledge of what a Treaty is and what it means to them personally.

We definitely should celebrate Treaty Day. It should be a day where we celebrate what we have and what we've accomplished as a Nation. Celebrating Treaty Day also would help educate the Community to have more knowledge of what Treaties are. A feast for the whole Community would sound good. Having some food that the community has caught from their resources and having a celebration. After that maybe even have information sessions.



Le droit au territoire et aux ressources

Peter Jerome
Travailleur communautaire

Les traités, des ententes entre une nation et une nation gouvernante, nous donne le droit d'agir librement entre nous, sans avoir à transiger avec des gens qui s'ingèrent dans nos actions. Les traités représentent ce que nous sommes, ce que nous possédons et ce que nous serons toujours en tant que nation et nous donnent droit au territoire et aux ressources; il donne à la nation le droit de parole et le droit à son opinion.



Ce n'est que lorsqu'il est acculé au mur que le gouvernement semble vouloir respecter les droits de notre peuple. Quand la nation doit lutter pour des droits et privilèges auxquels nous avons toujours cru et eu recours dans notre vie de tous les jours, j'ai alors le sentiment que le gouvernement ne nous respecte pas comme peuple. Tous les peuples ont besoin du droit de parole; pourtant, nous, Autochtones, n'avons pas souvent cette chance.

Je suis d'avis qu'il faudrait pouvoir réviser les traités lorsqu'un changement survient dans une communauté, par exemple lorsqu'on perd le droit de pêcher. Nos nations changent constamment; ainsi, lorsqu'un important dossier touche la nation, il semble approprié de réviser un traité.

Connaissance des traités

Je crois que nous devons veiller à faire connaître les traités aux jeunes de nos communautés. Ce sont les jeunes – les futurs dirigeants de nos communautés – qui auront plus de pouvoir demain. Les aînés aussi doivent avoir une certaine connaissance des traités afin qu'ils soient informés de ce qui se passe. Nos communautés devraient offrir davantage d'ateliers: ce sujet ou même des cours à l'école. Je le répète, c'est important que chaque membre de la communauté possède au moins un minimum de connaissances sur les traités et savoir ce que signifie dans leur vie.

Nous devons certainement souligner la Journée des traités et célébrer ce que nous possédons et ce que nous avons accompli comme nation. La Journée des traités contribuera aussi à mieux faire comprendre les traités à la communauté. Il me semble qu'un festin pour toute la communauté, avec des produits venant de nos ressources, serait une bonne idée, pour la célébration. Peut-être que nous pourrions aussi offrir une séance d'information.

G U U



Exercising our Treaty Rights

Alma Vicair
Elder, Signatory of the
Mi'gmawei Mawiom Political
Accord

ÔÏviving in Gesgapegiag for 83 years now. My father was originally from Listuguj and my mother was from here. In the summer we would fish and sell what we caught to non-natives. During the winter time, we made many axe handles, snowshoes, moccasins and baskets.

We could fish and hunt anywhere we wanted. We didn't have any boundries, we were free to do whatever we wanted anywhere. There were horses back then but we would have to walk all the way Maria for the horses too. In the winter we would use dogs and sleds. We have very big families. We didn't have to worry about food because we could hunt and fish anytime we wanted. We already had guns back then, but some people used their bow and arrows.

The Government? At first we got nothing. But one the Chiefs fought for us to get some. It wasn't money but food. We would have to walk all the way to Maria and we would just tell them our names at the store and they would give us certain amount of food.

L'exercice de nos droits

Alma Vicair
Afn'e, signataire de l'Accord poli-
tique Mi'gmawei Mawiom,

ÇÏhabet Gesgapegiag depuis maintenant 83 ans. Ma m're 'tait originaire d'iciet mon p're de Listuguj. L'ot'nous p'chions et vendions nos prises aux non-Autochtones. L'hiver nous fabriquions en grand nombre des manches de hache, des raquettes, des moccasins et des paniers.

Nous pouvions p'cher et chasser partout os nous le voulions. Nous n'avions aucune limite et nous 'tions libres de faire ce que nous voulions os nous le voulions. Il y avait des chevaux < cette 'poque, mais nous devions marcher loin, jusqu' Maria, pour se rendre jusqu'eux. Durant l'hiver nous utilisions les chiens et les traflneaux. Nous avions de tr's grandes familles. Nous n'avions pas < nous inqui'ter pour la nourriture car nous pouvions chasser et p'cher aussi souvent que nous le voulions. Nous avions d'j' des fusils < cette 'poque, mais certaines personnes utilisaient les arcs et les fl'ches.

Le gouvernement? Tout d'abord, rien. Plus tard, l'undes chefs a lutt' en notre nom pour obtenir quelque chose, pas de l'agent, mais de la nourriture. Nous devions marcher jusqu' Maria; au magasin, nous nous nommions et on nous donnait une certaine quantit' de nourriture.



Chief's Word



Allison Metallic
Listuguj Mi'gmaq Government

To me as a Mi'gmaq person, it is all very simple. Treaties are an expression of Nationhood in all its facets, especially the Mi'gmaq treaties because they predate Canada and were signed between sovereign Nations.

Our job as political leaders is to uphold these treaties and pursue our rightful place with Canada. This requires that we build strong governing structures so as to make it possible for us to take our rightful place with honor and dignity. The preservation of our people depends on it.

En ce qui me concerne, comme Mi'gmaq, tout est tr's clair. Un trait' traduit l'expression d'une nation sous toutes ses composantes, particuli'ement les trait's Mi'gmaq, conclus avant la fondation du Canada et sign's par des nations souveraines.

Notre t'che, en tant que leaders politiques, consiste à faire respecter ces trait's et continuer de prendre la place qui nous revient au sein du Canada. Il faut donc 'tablir des structures de gouvernance solides pour que nous puissions occuper cette place qui nous revient de droit, avec honneur et dignit'. Le sort de notre peuple en d'pend.

Our Ancestors • Nos ancêtres



“Our Ancestors wanted to ensure our future”

The MiĠmaweiMawimi Secretariat on its continuous effort to share fundamental information on Treaty Rights, invited Georgianna Barlow a representative of the Atlantic Policy Congress to make a presentation about Treaties, at the Listuguj Powwow site on August 3. Charlene Labillois, interviewed Ms Barlow for the MiĠmawei Gespisig readers.

Charlene Labillois: When you do a presentation on Treaty Rights, what is your message?

Georgianna Barlow: That our treaty rights are very, very important and they are very sacred. We have signed many treaties in terms of peace and friendship with the British who colonized on our land. The importance of them dates back to the time that they were signed, before they were signed. The reason for the signing of these treaties was to ensure our continued existence, and the best thing about today is the fact that we are still here.

C.L.: Our ancestors signed these treaties to protect our way of life

G.B.: They ensure that our way of life will not be damaged, will not be extinguished, they want to ensure that our governance, our territories, that we still had our land, our customs, our practices, our religion. All they wanted was to ensure that our way of life will be maintained. Grand Chief Gabriel Sylliboy, the first one to be elected, the one who argued the first for the treaty of 1752 and for any treaty in the Atlantic said before he died never stop fighting for aboriginal treaty rights. And, it's very important for our young people to understand that, because it is their future.

C.L.: What would be the consequences if our Treaties are diluted or abolished, because there are intentions within Canadian political forces to diminish our Treaty Rights?

G.B.: Many people today make up their living by hunting, fishing and gathering and if we lose all that, there is going to be a lot of poverty. Our people have been fishing in their lands and in their waters, and hunting in their lands since time immemorial. They have always, always fished and hunted and gathered and maintained their way of life in these lands. These lands are our lands. Colonization began at a certain point, but we were always here. Thousands of years, time immemorial and that can not be erased and that is a right that we have as First Nations people to fish and hunt and maintain our way of life, that is a right that we have, and non-natives should acknowledge that because we have been here far so long. Diminishing our treaties will have a big impact on our economy. Because this is what we know, it's in our blood and if we lose all our treaties you will see a lot of economic disparity.

C.L.: Do you speak to non-natives about these issues?

G.B.: Not all of the time and that is why they call us, because they want to know. We give them a good understanding of treaties and they are glad that we came, because it alleviates stereotypes and racism, and it changes a lot of non-natives minds about how they feel about native people. We tend to try to dispel these myths, these ideologies that they have about us. It benefits them to because then they get a better understanding of the first peoples of this land.

C.L.: Do you travel to different MiĠmaq communities?

G.B.: We try to promote the awareness and understanding of treaties and the different communities that we go to, they do know a lot about treaties, and it is very inspiring because when I go to different communities they will tell me something that they know about treaties which helps me do the work that I do. A lot of elders do know about treaties and they have been passed down to their children who will often come to these sessions and give their comments and their stories about treaties

«Nos ancêtres voulaient assurer notre avenir»

Le secrariat MiĠmaweiMawimi, toujours soucieux de partager l'information de base sur les droits issus des traités, a invité Georgianna Barlow, une représentante du Atlantic Policy Congress à faire un exposé sur les traités, le 3 août dernier, au site du Powwow de Listuguj. Charlene Labillois a interviewé Mme Barlow pour le bénéfice des lecteurs et lectrices du MiĠmaweiGespisig.

Charlene Labillois : Lorsque vous faites un exposé sur les droits issus des traités, quel message voulez-vous véhiculer?

Georgianna Barlow : Que ces droits sont, pour nous, extrêmement importants et sacrés. Avec les Britanniques qui ont colonisé notre territoire, nous avons signé plusieurs traités de paix et d'amitié. L'importance de ces traités remonte à la période de leur signature, voire même à la période qui précède. La signature de traités visait à assurer notre survivance et le présent atteste bien que le peuple MiĠmaq existe toujours..

C.L.: Nos ancêtres ont signé ces traités pour protéger notre mode de vie

G.B.: Les traités assurent la protection et la pérennité de notre mode de vie; ils visent la pérennité de notre gouvernance de notre territoire, de nos terres, de nos us et coutumes et de notre religion. Nos ancêtres voulaient avant tout assurer que nous puissions continuer de vivre comme avant. Le grand chef Gabriel Sylliboy, le premier élu et le premier qui a argumenté en faveur du traité de 1752 et de tout autre conclu en Atlantique a rappelé, avant sa mort, de ne jamais cesser de lutter pour les droits autochtones issus de traités. Il est donc très important que les jeunes comprennent son message, car c'est de leur avenir qu'il s'agit.

C.L.: Comme certaines forces politiques au Canada semblent vouloir atténuer nos droits issus des traités, quelles seraient les conséquences de leur dilution ou de leur abolition ?

G.B.: Aujourd'hui, beaucoup de gens vivent de la chasse, de la pêche et de la cueillette; si nous perdons tout cela, il y aura normalement normalement de pauvreté. Depuis la nuit des temps, nos gens pêchent dans leurs eaux et chassent sur leurs terres. Depuis toujours, ils pêchent, chassent, fse ont la cueillette rassemblent et conservent leur mode de vie sur ces terres. Ces terres sont nos terres. Nous y sommes toujours là, bien avant que ne commence la colonisation. Il s'agit d'un passé lointain, de milliers d'années que l'homme peut effacer, et en tant que peuple des Premières nations, nous avons le droit de pêcher, de chasser et de perpétuer notre mode de vie. Les non-Autochtones devraient nous reconnaître ces droits puisque nous existons ici depuis si longtemps. L'affaiblissement de nos traités aura d'importantes répercussions sur notre économie. Ces traités, ce que nous avons de plus précieux, sont inscrits dans notre sang, et si nous les perdons tous, il y aura de grandes disparités économiques.

C.L.: Parlez-vous à des non autochtones sur ces questions?

G.B.: Pas toujours, et c'est pour cette raison qu'on nous appelle, car on veut savoir. Nous leur expliquons clairement en quoi ils insistent, et ils sont contents que nous le faisons. L'absence contribue à diminuer les stéréotypes et le racisme, et beaucoup de non-Autochtones changent d'attitude envers les Autochtones. Nous visons à détruire ces mythes et ces idées fausses qu'ils entretiennent à notre endroit. Ils profitent de nos enseignements car ils comprennent mieux les peuples des Premières nations du pays.

C.L.: Allez-vous dans les différentes communautés MiĠmaq?

G.B.: Nous essayons de sensibiliser les gens et de mieux leur faire comprendre les traités. Dans plusieurs des communautés que nous visitons, on en connaît déjà beaucoup sur les traités, ce qui m'inspire car on me parle de choses qui m'aident à faire mon travail. Beaucoup d'adultes sont effectivement au courant et ils ont transmis leur savoir à leurs fils ou à leurs filles qui participent aux sessions et qui, à leur tour, me font part de commentaires et me rapportent des faits sur le sujet.



Historical Resource Centre • Centre Ressource Historique



Gespe'gewa'gi Historical Resource Centre.

By Donald Jeannotte, Research Coordinator

Would you like to read about the history of Gespeg? Watch a documentary on Gesgapegiag? Look at old pictures of people from Listuguj? Would you like to know more about the history of the Mi'gmaq of the Seventh District? Soon, all this will be possible thanks to the Gespe'gewa'gi Historical Resource Centre.

The main objective of the Gespe'gewa'gi Historical Resource Centre will be to provide the members of the three Mi'gmaq communities in this area, as well as researchers from various academic fields, with a resource centre complete with library, video library and research centre.

Considering the overflow of documents relating to the Mi'gmaq Nation, it will be easy for us to give users the opportunity to view the documentaries, films and other audiovisual documents in the Resource Centre, as well as to provide them access to all the printed documents. Users will be able to use Alchemy, a highly sophisticated, user-friendly, easy-to-use archiving software that facilitates the search for previously scanned documents. We will also be working to develop a living oral tradition centre where Mi'gmaq Elders will be invited to share the traditions that have allowed our Nation to thrive on this territory since time immemorial.

Centre Ressource Historique du Gespe'gewa'gi

Par Donald Jeannotte, Coordonator des Recherches

Aimeriez vous lire l'histoire de Gespeg? Regarder un documentaire sur Gesgapegiag? Voir des photos anciennes des gens de Listuguj? Aimeriez vous approfondir vos connaissances sur l'histoire des Mi'gmaq du Septième District? Bientôt tout cela sera possible grâce au centre Ressource historique du Gespe'gewa'gi.

Le Centre Ressource historique du Gespe'gewa'gi aura pour mission principale de fournir aux membres des trois communautés Mi'gmaqs de ce territoire ainsi qu'aux chercheurs de divers disciplines académiques un centre de ressource offrant les services de bibliothèque, vidéothèque et Centre de recherche.

Regorgent de documents relatifs à la Nation Mi'gmaq, il nous sera enfin simple d'offrir aux utilisateurs la possibilité de visionner les documentaires, les films et autres documents audiovisuels que le Centre ressource aura à sa disposition, ainsi que tous documents imprimés. Les utilisateurs auront la possibilité d'utiliser un Logiciel d'archive des plus sophistiqué soit Alchemy, qui facilite par sa convivialité et sa simplicité d'utilisation, la recherche des documents qui auront été préalablement digitalisés. Aussi nous travaillerons à développer un centre de tradition orale vivant, ou les aînées Mi'gmaqs auront la possibilité de venir partager les traditions qui ont permis à notre nation de survivre sur ce territoire depuis les temps immémoriaux.



The General Assembly

A Huge Success

The first Annual General Assembly (Mawiomí) of the Chiefs and governing councils and constituents of the three Mi'gmaq communities of Gespeg, Gesgapegiag and Listuguj was held in May, 2002 at the community center in the Mi'gmaq First Nation of Listuguj.

The program began with a traditional Grand Entry of the Elders, leaders, dignitaries and speakers to the Assembly with an Honor Song sung by the Redhorse Singers. Blanche Martin and Glenda Wysote opened the meeting with a traditional ceremony.

The program included nationally and regionally renowned speakers including: Phil Fontaine, former National Chief of the Assembly of First Nations, Dr. William Wicken, professor at York University and key witness for the defense in the Marshall Case, Chief Clifford Moar and Denis Gill from Mashteuiatsh Innu First Nation, Cheryl Knockwood, legal policy advisor for the APC, former Chief Manny Jules, Kamloops, B.C.; John G. Paul, Executive Director of the Atlantic Policy Congress who gave a briefing on the First Nation Governance; Luc Laine of the First Nation Statistical Institute; Violet Paul of the APC spoke on the Mi'gmaq Social Policy Accord; Ghislain Picard Vice Chief Assembly of First Nations for Quebec provided a Briefing on Quebec Political Issues.

Major events included the unveiling of the Mi'gmaq Gespisiq Magazine, a presentation to the Listuguj Migmaq Ironworkers by members of the Kahnawake Mohawk Government; an Elders talking circle; a film presentation by filmmaker Felix Atencio on the Mi'gmaq Mawiomí and the day concluded with an evening of entertainment and dance by the Eagle Feather Band.

The quality of information, the different background of speakers and the various events brought an invigorating spirit to the first General Assembly of the Mi'gmaq Mawiomí. We want to thank the community members of Listuguj, Gesgapegiag and Gespeg for coming out to the Assembly. We will be looking forward to seeing each and everyone of you next year where many additional activities are planned that you and your families will enjoy. So please join us next year 2003 in our annual celebration.

ÒIn the 1760's the fisheries became in this region a critical component for international trade for Canada, southern Europe and North America. The fish that is caught here fed the slaves in the Caribbean and Caribbean at that time was the epicenter of developing colonial and international economy, the genesis of industrialization. So fisheries beside other reasons, was critical for the British to make treaties with the Mi'gmaq. Were the Mi'gmaq negotiating treaties of surrender? Absolutely no, because the British at the time were in no position to dictate to Mi'gmaq the terms of agreement. These treaties become treaties of coexistence in which both nations work among them to walk side by side into the present and in the future. These treaties demonstrate Aboriginal title.

Dr. William Wicken, York University

"We have people that believe in their past, that believe in their culture and that have developed a vision for a better tomorrow for our youth and that is what we have to look upon. Ó Chief Clifford Moar, Innu, Mashteuiatsh

ÒCanada has got to move fundamentally to accommodate Native people not only in terms of economy but in terms of our vision of who we are as Indigenous Peoples. Ó Former Chief Manny Jules, Secwepemc, Kamloops, B.C.

ÒOur Ancestors signed Treaties to protect the interest of the community here and the communities of other Nations and our responsibility today is to protect the interest and rights of future generations. Ó

Cheryl Knockwood, legal policy advisor for the





L'assemblée générale

Un franc succès

ÇNous avons des gens qui croient en leur passé, en leur culture et entretiennent la vision d'Un avenir meilleur pour notre jeunesse; telle est la cause que nous devons aussi embrasser.É

Chef Clifford Moar, Innu Mashteuiatsh

ÇFondamentalement, le Canada doit agir pour accommoder les Premières nations, non seulement sur le plan économique mais aussi en ce qui concerne notre vision de ce que nous sommes, nous, les peuples autochtones.É

Manny Jules, ancien Chef, Secwepemc, Kamloops (C.-B.)

ÇNos ancêtres ont signé des traités pour protéger les intérêts de la communauté d'ici celles d'autres nations; nous avons aujourd'hui une responsabilité de défendre les intérêts et les droits des générations futures. É

Cheryl Knockwood, conseiller en politique juridique pour l'Atlantic Policy Congress

ÇDans cette région, durant les années 1760, les pêcheries devinrent une composante cruciale du commerce international pour le Canada, l'Europe et l'Amérique du Nord. Le poisson pris ici alimentait les esclaves aux Caraïbes. Les Caraïbes étaient alors l'empire économique coloniale et internationale émergente, à l'aube de l'industrialisation. É cause des pêches et d'autres raisons, il importait donc aux Britanniques de conclure des traités avec les Miqmaqs. Les Miqmaqs ont-ils négocié des traités d'abdication? Bien sûr que non, car les Britanniques l'ont toujours tenu nullement en position d'imposer aux Miqmaqs des conditions d'une entente. Ces traités deviennent des traités de co-habitation en vertu desquels deux nations travaillent ensemble dans le but de progresser. Ça c'est, au présent et dans l'avenir. Ces traités prouvent le titre de propriété autochtone.É

Dr William Wicken, Université York

La première Assemblée générale annuelle (Mawiommi) des chefs, des conseillers et des membres des trois communautés Miqmaq de Gespeg, Gesgapegiag et Listuguj a eu lieu en mai 2002, au centre communautaire de la Première nation Miqmaq de Listuguj.

Le programme s'est amorcé par le dîner solennel traditionnel des aînés, des chefs, des dignitaires et des orateurs de l'Assemblée, et par un chant d'honneur interprété par Redhorse Singers. Blanche Martin et Glenda Wysote ont inauguré l'Assemblée par une cérémonie traditionnelle.

Au programme, des conférenciers de renommée régionale et nationale : Phil Fontaine, ancien grand chef national de l'Assemblée des Premières nations; Dr William Wicken, professeur à l'Université York et témoin clé pour la défense dans le cas Marshall; le chef Clifford Moar et Denis Gill de la Première nation Innu de Mashteuiatsh; Cheryl Knockwood, conseillère en politiques de l'Atlantic Policy Congress (APC), l'ancien chef Manny Jules, Kamloops (C.-B.); John G. Paul, directeur général de l'APC, sur la gouvernance des Premières nations; Luc Laine, Institut de la statistique des Premières nations; Violet Paul de l'APC, sur l'accord Miqmaq en matière de politiques sociales; Ghislain Picard, vice-chef de l'Assemblée des Premières nations pour le Québec, sur les questions en matière de politiques au Québec.

Les principaux événements incluaient le dévoilement du magazine Miqmaq Gespeg, une présentation aux Miqmaq Ironworkers de Listuguj par des représentants du gouvernement Mohawk de Kahnawake; un cercle de discussion des aînés; la projection d'un film sur Miqmaq Mawiommi du vidéaste Félix Atencio-Gonzales et, pour conclure, une soirée de divertissement et de danse animée par Eagle Feather Band.

La qualité de l'information, les expériences variées des conférenciers et la variété d'activités ont créé un esprit de motivation favorable pour cette première Assemblée générale annuelle de Miqmaq Mawiommi. Nous remercions les membres des communautés de Listuguj, Gesgapegiag et Gespeg qui ont assisté à l'Assemblée. Nous espérons vous voir à nouveau l'année prochaine. Plusieurs activités auxquelles vous et votre famille pourrez participer seront ajoutées au programme. Veuillez donc nous joindre, en 2003, pour notre célébration annuelle.





A confirmation of Nationhood

By : Chief John Martin, Gesgapegiag

As First Nations on this continent we know that through our extended presence in this part of the world we have what is commonly known as Aboriginal Rights. Euro- Canadian society and colonial powers always attempt to disprove these facts by trying to demonstrate that we are different from those First Nations that ruled and dominated these lands.

Such attempts are a dishonor to the crown and to euro-canadian society. Such attempts have only one objective and that is to try and negate aboriginal title and establish the colonial powers (Canada) title over first nations lands, water and the resources contained there in.

First Nations like Mother Earth go through evolutionary changes. This is true for all living things. This also includes our languages and our culture. It is the way the Creator intended. Our languages are the most vibrant example of this and language also demonstrates how ridiculous the efforts of the colonial power's strategy of difference in culture to demonstrate illegitimacy of aboriginal title. Language evolves over time and many factors impact on its evolution and development to demonstrate this point I'd like to refer to Stephen Augustine; the Mi'gmaq curator at the museum of civilization in Ottawa.

In his work he has come across Mi'gmaq names of plants that only exist in the period immediately after the ice age. This dates the presence of our ancestors. Further to this we have many words that are common to many other First Nations such as the Innu, Attikwmekw, Algonquin, Ojibway and Blood.

As language evolves so does the manner in which societies organize themselves. Some are highly organized and others have remained simple. Mi'gmaq society was a fairly highly organized society with proper governance structures and intergovernmental structures and relations. An example of inter-government structure and rela-

tion is the Wabanaki Confederacy, which brought together five different nations in a working relationship for the mutual benefit and preservation of their nations.

The Mi'gmaq Nation Government was structured with a National Chief; one of the most famous being Henri Membertou. There were seven district chiefs and numerous chiefs within the districts. This government had a clear knowledge of its position, authority and its territory which they exercised as sovereign.

The first treaty to be signed was by the Grand chief of the Mi'gmaq Nation in 1610. This treaty is called the Migmaw Concordat signed with the Holy See (the Pope). Grand Chief Membertou commanded as much respect as any king in Europe. In fact, when the Grand Chief would come into Port Royal on a boat, the canons would be fired to honor his arrival.

This first treaty signed was in fact recognition of Aboriginal Dominion over Mi'gmagi. This was the first European-Aboriginal Treaty signed which as a basic premise recognized the sovereignty of our people over our lands. It was not the first treaty. In fact the formation and treaty reached between the nations of the Wabanaki Confederacy is very much similar to the North Atlantic Treaty organization commonly known as NATO.

To me as a Mi'gmaq person, it is all very simple. Treaties are an expression of Nationhood in all its facets, especially the Mi'gmaq treaties because they predate Canada and were signed between sovereign Nations.

Our job as political leaders is to uphold these treaties and pursue our rightful place with Canada. This requires that we build strong governing structures so as to make it possible for us to take our rightful place with honor and dignity. The preservation of our people depends on it.



Confirmation du statut de nation

Par: Chef John Martin, Gesgapegiag

En tant que Premières nations sur ce continent, nous savons que par notre importante présence dans cette partie du monde, nous détenons ce qui s'appelle communément des droits autochtones. La société euro-canadienne et les puissances coloniales tentent toujours de réfuter ces faits en essayant de démontrer que nous sommes différents des Premières nations qui gouvernaient et dominaient autrefois le territoire.

Ces réfutations portent atteinte à la Couronne et à la société euro-canadienne; elles ont pour seul objectif de nier le titre autochtone et d'imposer leur titre de puissance coloniale (le Canada) sur le territoire, les eaux et les ressources naturelles des Premières nations.

Les Premières nations, comme la Terre mère, subissent l'évolution et les changements, une réalité qui s'applique à tout être vivant. C'est vrai aussi pour nos langues et notre culture. Telle est la volonté du Créateur. Nos langues sont l'exemple le plus frappant de cette évolution; elles montrent aussi le ridicule des efforts stratégiques de la puissance coloniale, basés sur la différence de notre culture, pour invalider notre titre de propriété autochtone. La langue évolue et se développe au fil du temps, et plusieurs facteurs en sont la cause. Pour illustrer cet argument, j'aimerais parler de Stephen Augustine, le conservateur Mi'gmaq du Musée de la civilisation, à Ottawa.

Dans sa recherche, il a découvert les noms Mi'gmaq de plantes n'ayant existé que durant la période suivant immédiatement la période glaciaire. Cela prouve que nos ancêtres y étaient déjà. Qui plus est, nous avons plusieurs mots qui sont les mêmes chez plusieurs peuples des Premières nations, dont les Innus, les Attikwemkw, les Algonquins, les Ojibway et les Blood.

L'évolution de la langue entraîne avec elle l'évolution de l'organisation des sociétés. Certaines sociétés sont très organisées tandis que d'autres sont restées simples. La société Mi'gmaq était considérablement organisée, avec des structures de gouverne, des structures intergou-

vernementales et des relations définies. La confédération des Abénaquis est un exemple de structures et de relations intergouvernementales qui réunissaient cinq différentes nations travaillant en commun à leur bien mutuel et à leur préservation.

Le gouvernement de la nation Mi'gmaq était structuré et avait un chef national, dont le plus célèbre est Henri Membertou. Il y avait sept chefs de district et de nombreux chefs à l'intérieur des districts. Ce gouvernement avait une idée claire de sa position, de son pouvoir et de son territoire, lesquels il assumait comme souverain.

Le premier traité signé par le grand chef de la nation Mi'gmaq et le Saint-Siège (le pape) s'appelle le Concordat Micmac et remonte à 1610. Le grand chef Membertou inspirait le respect autant que n'importe quel roi d'Europe. En fait, quand il venait à Port-Royal, par bateau, on saluait son arrivée par une salve de canons.

La signature de ce premier traité reconnaissait le Dominion Autochtone sur le territoire Mi'gmagi. Il s'agit du premier traité conclu entre l'Europe et le peuple autochtone qui reconnaissait d'emblée la souveraineté de notre peuple sur notre territoire. Mais il ne s'agissait pas du premier traité. En effet, le regroupement et les traités conclus entre les nations de la confédération des Abénaquis s'apparentent grandement à l'Organisation du Traité de l'Atlantique Nord, communément appelée l'OTAN.

En ce qui me concerne, comme Mi'gmaq, tout est très clair. Un traité traduit l'expression d'une nation sous toutes ses composantes, particulièrement les traités Mi'gmaq, conclus avant la fondation du Canada et signés par des nations souveraines.

Notre tâche, en tant que leaders politiques, consiste à faire respecter ces traités et continuer de prendre la place qui nous revient au sein du Canada. Il faut donc établir des structures de gouvernance solides pour que nous puissions occuper cette place qui nous revient de droit, avec honneur et dignité. Le sort de notre peuple en dépend.



1725

Treaty 1725

The submission and agreement of the Delegates of the Eastern Indians (December 15, 1725, Boston, New England, British possession)

Whereas the several Tribes of the Eastern Indians viz the Penobscot, Narridgewolk, St Johns Cape Sables & other Tribes Inhabiting within His Majesties Territorys of New England and Nova Scotia, who have been Engaged in the present War, from whom we Sauguaaram alias Loron Arexus Francois Xavier & Meganumbe are Delegated & fully Impowered to Enter into Articles of Pacification with His Majties Governments of the Massachusetts Bay New Hampshire & Nova Scotia Have contrary to the several Treatys they have Solemnly Entred into with the said Governments made an open Rupture & have continued some years in Acts of Hostility Against the subjects of His Majesty King George within the said Governments, They being now sensible of the Miseries and Troubles they have involved themselves in, and being Desirous to be restored to His Majestys Grace & Favour & to live in Peace with all His Majesties Subjects of the said three Governmts & the Province of New York and Colonys of Connecticut & Rhode Island, and that all former Acts of Injury be forgotten Have Concluded to make and we Do by these presents In the Name and behalf of the said Tribes make our Submission unto His Most Excellent Majesty George by the Grace of God of Great Britain France and Ireland King Defender of the Faith &C. in as full and ample manner as any of our Predecessors have heretofore done.

And we do hereby Promise and Engage with the Honorable William Dummer Esqr as he is Lieutenant Govenor & Comander in Chief of the said Province for the time being That is to say. We the said Delegates for and in behalf of the several Tribes aforesaid Do Promise and Engage that at all times forever from and after the date of these presents We and they will lease and forbear all Acts of Hostility Injuries and Discords towards all the Subjects of the Crown of Great Britain, & not offer the lease hurt Violence or Molestation to them or any of them in their Persons or Estates, But will hence forward hold & maintain a firm and Constant Amity and Friendship with all the English and will never Confederate or Combine with any other Nation to their prejudice.

That all the Captives taken in this present War shall at or before the time of the further Ratification of this Treaty be Restored without any Ransom or payment to be made for them or any of them.

That His Majesties Subjects the English shall and may peaceable and Quietly Enter upon Improve & forever Enjoy all & Singular their rights of Land and former Settlements Properties & possessions within the Eastern parts of the said Province of the Massachusetts Bay Together with all Islands Islets, Shoars Beaches and Fishery within the same, without any Molestation or Claims by us, or any other Indians, and in no ways Molested Interrupted, or disturbed therein.

Saving unto the Penoscot, Narridgewalk And other Tribes within His Majesties Province aforesaid and their Natural descendants respectively All their Lands liberties & properties not by them Conveyed or sold to, or possessd by any of the English Subjects or aforesaid As alsot the Privilege of Fishing, Hunting & Fowling as formerly.

That all Trade and Commerce which hereafter may be allowed betwixt the English & Indians shall be under such Management & Regulation,

as the Government of the Massachusetts Province shall direct.

If any Controversy or difference at any time hereafter happen to arise between any of the English & Indians for any real or supposed wrong or Injury done on either side, no private Revenge shall be taken for the same, but proper Application shall be made to His Majestys Government upon the place for remedy or Redress there in a due Course of Justice we submit Our selves to be Ruled and Governed by His Majesties Laws and desiring to have the Benefit of the same.

We also the said Delegates in behalf of the Tribes of Indians Inhabiting within the French Territorys who have assisted us in this War,

for whom we are fully Impowered to Act in this present Treaty. Do hereby Promise and Engage that they and every of them shall henceforth lease and forbear all Acts of Hostility Force & Violence towards all and every the Subjects of His Majesty the Kingof Great Britain. We do further in behalf of the Tribe of the Penobscot Indians Promise & Engage That if any of the other Tribes Intended to be Included in this Treaty, shall notwithstanding refuse to Confirm & Ratify this present Treaty Entred into on their behalf & Continue or renew Acts of Hostility against the English in such case the said Penobscot Tribe shall Joyn their Young Men with the English in reducing them to reason.

In the next place we the aforementioned Delegated Do Promise and Engage with the Honorable John Wentworth Esqr as he is Lieutt Govenor & Comander in Chief of His Majesties Province of New Hampshire & with the Governors & Comanders in Chief of the said Province for the time being, That we & the Tribes we are Deputed from, willhenceforth lease & Forbear all Acts of Hostility Injuries and Discords towards all the subjects of His Majesty King George within the said Province. And we do understand and take it that the said Government of New Hampshire is also Included and Comprehend in all and every the Articles aforesaid, Excepting that respect the Regulating the Trade with us.

And further we the aforementioned Delegates Doe Promise & Engage with the Honoble Lawrence Armstrong Esqr Lt Govenor & Comander in Chief of His Majesties Province of Nova Scotia or Accadie to live in peace with His Majestys Good Subjects & their Dependants in that Government according to the Articles agreed upon with Majr Paul Mascarene Commissioner for that purpose & further to be Ratified as mentioned in the said Articles.

That this present Treaty shall be Accepted Ratified & Confirmed in a Public and Solemn Manner by the Chiefs of the several Eastern Tribes of Indians Including therein at Falmouth in Casco Bay so time in the Month of May next In whereof we have signed these pre-sent Affixed our Seals.

Dated in the Council Chamber in Boston in New England the fifteenth day of December Anno Domini One thousand seven hundred and Twenty five Annoq. RRS Georgii Magna Britanix &c Duodecimo Done in the presence of the Great & General Court or Assemble of the Province of the Massachusetts Bay Aforesaid Being first read distinctly & Interpreted by Capt. John Giles Capt. Saml Jordan & Capt. Joseph Bane sworn Interpreters

Att J Willard Secry

Sauguaaram Alt Loron

Arexies

Francois Xavier

Meganumbe



Ratification of 1725 Treaty

Whereas by the Articles of Peace and agreement Made & concluded upon att Boston in New England the Fifteenth Day of December One Thousand Seven Hundred & twenty five by our Delegates & Representatives Sanguarum (allias Laruns) Alexis Francois Xavier & Meganumbe as appears by the Instruments then Sign'd Seal'd & Exchanged in the Presence of the Great & Generall Court or Afsembly of ye Mafsachusetts Bay by our Said Delegates in behalf of us the Said Indians of Penobscott, Norridgewolk, St.Johns, Cape Sable, and the other Indian Tribes belonging to & inhabiting within these His Majesty of Great Britains Territories [of] Nova Scotia & New England & by Majr: Paul Mascarene Comifsioner from this Said Province in behalf of His Majesty by which Agreeemtitt being requir'd that the Said Articles Shou'd be ratified [?] att His Majesty's Fort of Annapolis Royall Wee the Chiefs & Representatives of the Said Indians with Full Power & Authority by Unanimous Consent 2 desire of the Said Indian Tribes are Come in Compliance with ye Articles Stipulated by our Delegates as aforesaid and do in Obedience thereunto Solemnly Confirm & ratifie ye Same & in Testimony thereof with Hearts full of Sincerity. Wee have Sign'd & seal'd the fol-lowing Articles being Conform to what was requir'd by the Said MajrPaul Mascarene & Promife to be perform'd by our Said Delegates. Whereas His Majesty King George by the Concefsion of the Most Christian King made att the Treaty of Utrecht is become ye Rightfull Pofsefsor of the Province of Nova Scotia or Acadia According to its ancient Boundaries wee the Said Chiefs & Representatives of ye Penobscott, Norridgewolk St. Johns, Cape Sables & of the Other Indian Tribes Belonging to & inhabiting within This His Majesties Province of Nova Scotia or Acadia & New England do for our Selves & the Said Tribes Wee represent acknowl-

edge His Said Majesty King George's Jurisdiction & Dominion Over the Territories of the Said Province of Nova Scotia or Acadia & make our Submifsion to His Said Majesty in as ample a Manner as wee have formerly done to the Most Christian King. That the Indians shall nott molest any of His Majesty's Subjects or their Dependants in their Settlements already made or Lawfully to be made or in their carrying on Their Trade or Other Affaires within the Said Province. That if there Happens any robbery or outrage Comitted by any of Our Indians the Tribe or Tribes they belong to Shall Cause Satisfaction to be made to ye partys Injur'd. That the Indians Shall nott help to convey away any Soldiers belonging to His Majesty's Forts butt on the Contrary Shall bring back any Solidier they Shall find Endeavouring to run away. That in Case of any Mifsunderstandng Quarrell or Injury between the English & the Indians no Private revenge Shall be taken, butt Application Shall be made for redrefs According to His Majestys Laws. That if there any English Prisoners amongst any of our aforesaid Tribes wee faithfully promifs that the Said Prinsoners shall be releas'd & Carefully Conducted & Deliver'd up to this Governmt, or that of New England. That in Testimony of our Sincerity wee have for our Selves & in behalf of Our Said Indian Tribes Confirnes to what was Stipulated by our Delegates att Boston as aforesaid this day Solemnly Confirm'd & ratified each & ratified each & every One of the aforegoing Articles which Shall be Punctually observ'd & duly perform'd by Each & all of us the Said Indians. In Wittnefs Whereof wee have before the [?] [?] John Doucett & Council for this His Majesty Said Province & the Deputies of the ffrench Inhabitants of Sd Province hereunto Sett our Hands & Seals att Annapolis Royall this 4th Day of June 1726 & in the Twelveth Year of His Majestys Reign.



1749

TREATY 1749

Ratification of 1725 Treaty by the Maliseet
In behalf of the Chiefs of the Indian Tribes we
Represent have Subscribed and affixed our Seals
to the Same and engage that the said Chiefs shall
Ratify this Treaty at St. Johns. Done in Chibucto
Harbour the fifteenth of August One Thousand
Seven hundred and forty nine.

In Presence of
L. E. HOPSON,
T. MASCARENCE,
ROBT. ELLISON,
JAMES T. MERIER,
CHAS. LAWRENCE,
ED. HOW,
JOHN GORHAM,
BENJ. GREEN,
JOHN SALUSBURY,
HUGH DAVIDSON,
WM STEELE
JOANNES PEDOUSAGHTIGH, (totem)
FRANCOIS ARODORVISH, (totem)
SIMON SACTARVINO, (totem)
JEAN BAPT MADDOUANHOOK, (totem)

The Articles of Peace on the other Side,
Concluded at Chebucto, to the fifteenth of
August, one thousand Seven hundred and forty-
nine, with His Excellency Edward Cornwallis
Esqr., Capt. General, Governour and
Commander in Chief of His Majes Province of
Nova scotia or Accadie and Signed by our
deputies, having been communicated to us by
Edward How, Esqr., one of His Majes Council for
Said Province, and faithfully Interpreted to Us by

Madame De Bellisle Inhabitant of this river nom-
inated by us for that purpose. We the Chiefs and
Captains of the River St. Johns and places adja-
cent do for ourselves and our different tribes con-
firm and ratify the same to all intents and purpos-
es.

Given under our hands at the River St. Johns this
fourth day of September one thousand Seven hun-
dred and forty-nine in the presence of the under
written witnesses.

ED. How. of his Majestys Council,
NATH DONNELL
John WEARE,
JOSEPH WINNIETT
JOHN WENN.
Robert McKoun
MATT WINNIETT
JOHN PHILLIPPS
MICHELL (TOTEM) NARREYONES Chief,
NNOLA (TOTEM) NEGUIN CAPT.,
FRANOIS (TOTEM) DE XAWIER
ARCHIBANO MARQILLIE,
PIERRE (TOTEM) ALEXANDER MARGILLIE,
AUGUSTA (TOTEM) MEYAWET, Maitre Clef de
la Rio.,
FRANOIS (TOTEM) MAYAWYAWET, Maitre
Serure Dt.,
RENE (TOTEM) NEYUM,
NEPTUNE (TOTEM) PIERRE PAUL, Chief of
Capneyneidy,
SUAPAU (TOTEM) PAPANLONET
FRANOIS (TOTEM) GORMAM, Capt.,
PIERRE (TOTEM) BENNOIT, Capt.,
FRANOIS (TOTEM) DRINO Capt.,
RENE (TOTEM) FILIE DAMBROUS, Capt.
(Members of the Council for Nova Scotia)



TREATY 1752

Enclosure in letter of Governor Hopson to the Right Honourable The Earl of Holderness 6th of Dec. 1752 Treaty or Articles of Peace and Friendship Renewed BETWEEN His Excellency Peregrine Thomas Hopson Esquire Captain General and Governor in Chief in and over His Majesty's Province of Nova Scotia or Acadie Vice Admiral of the same & Colonel of One of His Majesty's Regiments of Foot, and His Majesty's Council on behalf of His Majesty. AND Major Jean Baptiste Cope Chief Sacham of the Tribe of Mick Mack Indians, Inhabiting the Eastern Coast of the said Province, and Andrew Hadley Martin, Gabriel Martin and Francis Jeremiah members & Delegates of the said Tribe, for themselves and their said Tribe their heirs and the heirs of their heirs forever.

Begun made and Concluded in the manner form & Tenor following, viz.

1. It is agreed that the Articles of Submission & Agreements made at Boston in New England by the Delegates of the Penobscot Norridgewolk & St. Johns Indians in the Year 1725 Ratified and Confirmed by all the Nova Scotia Tribes at Annapolis Royal in the Month of June 1726 and lately Renewed with Governor Cornwallis at Halifax and Ratified at St. Johns River, now read over Explained & Interpreted shall be and are hereby from this time forward renewed, reiterated and forever Confirmed by them and their Tribe, and the said Indians for themselves and their Tribe, and their Heirs aforesaid do make and renew the same Solemn Submissions and promises for the strict Observance of all the Articles therein Contained as at any time heretofore hath been done.
2. That all Transactions during the Late War shall on both sides be buried in Oblivion with the Hatchet, And that the said Indians shall have all favour, Friendship & Protection shewn them from this His Majesty's Government.
3. That the said Tribe shall use their utmost Endeavours to bring in the other Indians to Renew and Ratify this Peace, and shall discover and make known any attempts or designs of any other Indians or any Enemy whatever against his Majesty's Subjects within this Province so soon as they shall know thereof and shall also hinder and Obstruct the same to the utmost of their power, and on the other hand if any of the Indians refusing to ratify this Peace shall make War upon the Tribe who have now Confirmed the same; they shall upon Application have such aid and Assistance from the Government for their defence as the Case may require.
4. It is agreed that the said Tribe of Indians shall not be hin-

dered from, but have free liberty of Hunting and Fishing as usual and that if they shall think a Truck house needful at the River Chibenaccadie, or any other place of their resort they shall have the same built and proper Merchandize, lodged therein to be exchanged for what the Indians shall have to dispose of and that in the mean time the Indians shall have free liberty to bring to Sale to Halifax or any other Settlement within this Province, Skins, feathers, fowl, fish or any other thing they shall have to sell, where they shall have liberty to dispose thereof to the best Advantage.

5. That a Quantity of bread, flour, and such other Provisions, as can be procured, necessary for the Familys and proportionable to the Numbers of the said Indians, shall be given them half Yearly for the time to come; and the same regard shall be had to the other Tribes that shall hereafter Agree to Renew and Ratify the Peace upon the Terms and Conditions now Stipulated.

6. That to Cherish a good harmony and mutual Correspondence between the said Indians and this Government His Excellency Peregrine Thomas Hopson Esq. Capt. General & Governor in Chief in & over His Majesty's Province of Nova Scotia or Acadie Vice Admiral of the same & Colonel of One of His Majesty's Regiments of Foot hereby promises on the part of His Majesty that the said Indians shall upon the First Day of October Yearly, so long as they shall Continue in Friendship, Receive Presents of Blankets, Tobacco, some Powder & Shot, and the said Indians promise once every year, upon the first of October, to come by themselves or their Delegates and Receive the said Presents and Renew their Friendship and Submissions.

7. That the Indians shall use their best Endeavours to save the Lives & Goods of any People Shipwrecked on this Coast where they resort and shall Conduct the People saved to Halifax with their Goods, and a Reward adequate to the Salvage shall be given them.

8. That all Disputes whatsoever that may happen to arise between the Indians now at Peace and others His Majesty's Subjects in this Province shall be tryed in His Majesty's Courts of Civil Judicature, where the Indians shall have the same benefits, Advantages & Priviledges an any others of His Majesty's Subjects. In Faith & Testimony whereof the Great Seal of the Province is hereunto appended, and the Partys to these Presents have hereunto interchangeably Set their Hands in the Council Chamber at Halifax this 22nd day of Nov. 1752 in the 26th Year of His Majesty's Reign.

P.T. Hopson X
Chas. Lawrence Jean Baptiste Cope X
Benj. Green Mark Martin X
Jno. Salusbury Andrew Hadley X
Willm. Steele Francis Jeremiah X



1760

TREATY 1760

Treaty of Peace and Friendship concluded with the Delegates of the St. Johns and Passamaquody Tribes of Indians at Halifax, February 1760. Whereas Articles of Submission and Agreement were made and concluded at Boston in New England in the Year of our Lord 1725 by Sauguaaram alias Loron Arexus Francois Xavier and Meganumbe, Delegates from the Tribes of Penobscott Naridgwalk, St. Johns and other tribes inhabiting His Majestys Territories of Nova Scotia and New England, in manner and form following Vizn. Articles of Submission and Agreement at Boston in New England by Sauguaaram als Loron Arexus Francois Xavier and Meganumbe Delegates from the Tribes of Penobscott Naridgwalk St. Johns Cape Sable and other Tribes of the Indians inhabiting within His Majestys Territories of Nova Scotia and New England.

Whereas His Majesty King George by the Concession of the most Christian King made at the Treaty of Utrecht is become the Rightfull possessor of the Province of Nova Scotia or Accadie according to its ancient Boundaries We the said Sauguaaram als Loron Arexus Francois Xavier and Meganumbe Delegates from the said Tribes of Penobscott Naridgwalk St. Johns, Cape Sables and other Tribes inhabiting within his Majestys said Territories of Nova Scotia or Accadie and New England So in the Name and behalf of the said Tribes we represent acknowledge his Said Majesty King Georges Jurisdiction and Dominion over the Territories of said Province of Nova Scotia or Accadie and make our Submission to his Said Majesty in as ample a manner as We have formerly done to the Most Christian King.

And we further promise in behalf of the said Tribes we represent that the Indians shall not molest any of His Majestys Subjects or their Dependants in their Settlements already or lawfully to be made or in their carrying on their Trade and other affairs within said Province. That if there happens any Robbery, or outrage Committed by any of the Indians the Tribe or Tribes they belong to shall cause Satisfaction and Restitution to be made to the Parties injured. That the Indians shall not help to convey away any Soldiers belonging to His Majestys Forts, but on the contrary shall bring back any soldier they find endeavouring to run away.

That, In case of any misunderstanding Quarrel or Injury between the English and the Indians no private Revenge shall

be taken but application shall be made for Redress according to his Majestys laws. That is the Indians have made any Prisoners belonging to the Government of Nova Scotia or Accadie during the course of the War they shall be released at or before the Ratification of the Treaty. That this Treaty shall be Ratified at Annapolis Royal. Dated at the Council Chamber at Boston in New England this fifteenth day of December An Dom, one thousand Seven hundred and twenty five Annog R.R. Georgy Mag Britan and Duodecimo.

Which Articles of Submission and Agreement were renewed and confirmed at Halifax in Nova Scotia in the Year of Our Lord 1749 by Joannes Pedousaghugh Chief of the Tribe of Chignecto Indians and Francois Aroudorvish, Simon Sactarvino and Jean Baptiste Maddouanhook, Deputies from the Chiefs of the St. Johns Indians in manner and form following Vizn.

I Johannes Pedousaghugh Chief of the Tribe of Chignecto Indians for myself and in behalf of my Tribe my Heirs and their heirs for ever and We Francois Aroudorvish, Simon Sactarvino and Jean Baptiste Maddouanhook Deputies from the Chiefs of the St. Johns Indians and Invested by them with full powers for that purpose Do in the most solemn manner renew the above Articles of Agreement and Submission and every Article thereof with His Excellency Edward Cornwallis Esq Captain General and Governor in Chief in and over His Majestys Province of Nova Scotia or Accadie Vice admiral of the Same Colonel in His Majestys Service and one of his bed Chamber In Witness whereof I the said Johannes Pedousaghugh have Subscribed this Treaty and affixed by Seal and We the said Francois Aroudorvisah Simon Sactarvino and Jean Baptiste Maddouanhook in behalf of the Chiefs of the Indian Tribes we Represent have Subscribed and affixed our Seals to the Same and engage that the said Chiefs shall Ratify this Treaty at St. Johns. Done in Chibucto Harbour the fifteenth of August One Thousand Seven hundred and forty nine.

In Presence of
P. Hopson Mascarence, Robt ellison, Iam T. mercer, Chas Lawrence, Edn How, Edm. Gorham, Benj. Green, John Salusbury, Hugh Davidson, William Steele
(Members of the Council for Nova Scotia)
Johannes Pedousaghsigh
Francois Arodorvish
Simon Sactarvino
Jean Bap.t Maddouanhook



Treaty 1760

And the same was according Ratified at St. Johns in manner and form following Vizu. The Articles of Peace on the other Side Concluded at Chibucto to the fifteenth of August One Thousand Seven hundred and forty nine with His Excellency Edward Cornwallis Esq. r. Cap. t. Gen. Gov. r & Commander in Chief of His Majesty's Province of Nova Scotia or Acadie and Signed by our Deputies having been communicated to Us by Edward How esq. r. One of His Majesty's Council for Said Province, and faithfully Interpreted to Us by Madam DeBellisle Inhabitant of this River nominated by Us for that purpose We the Chiefs and Captains of the River St. John and places adjacent do for ourselves and our different Tribes Confirm and Ratify the same to all Intents and purposes.

Given under our Hands at the River St. Johns the fourth day of September One Thousand Seven hundred and forty nine in presence of the under written Witnesses

Michell Narragonis chief
Nicola Neguin Capt
Francois De Xavier Archibano Marquillie
Pierre Alexander Margillie
Augustin Meyacvet, Maitre Chief de Riv. St. Jean
Francois Mayanyarvet, Maitre Lerure D.
Rene Neguin
Neptune Pierre Paul Chief of Pasmeguody
Luafin Papanlouet
Francois Germain Capt
Pierre Bennoit Capt
Francois Drino Capt
Rene file Dambroise Capt
Ed. d Hon. One of His Majesty's Council
nath Dennial
John Beare
Joseph Winniett
John Wonn
Rob McKoun
Matt Winniett
John Phillipps

And Whereas the said Articles of Submission and Agreement, so made and concluded, renewed, confirmed and ratified have notwithstanding been since violated contrary to the good Faith therein engaged for the constant and strict Observation and performance thereof and to the Allegiance due from the said Tribes to His Majesty Our Sovereign Lord King George We Mitchel Neptune Chief of the tribe of Indians of Passamaquody, and Ballomy Glode Captain in the Tribe of Indians of St. Johns River Delegates from the said Tribes and by them fully authorised and empowered to make and conclude with His Excellency Chas Lawrence Esq. r. His Majesty's Captain General and Governor in Chief of the Province of Nova Scotia or Acadie in behalf of His Majesty's Government

of the Said Province a Treaty for the renewal and future firm Establishment of Peace and Amity between the said Tribes of Passamaquody and St. Johns River Indians and his Majesty's other subjects and to renew the Acknowledgment of the Allegiance of the said Tribes and their engagements to a perfect and constant Submission and Obedience to His Majesty King George the Second his Heirs and Successors Do accordingly in the name and behalf of the said Tribes of Passamaquody and St. Johns herby renew and Confirm the aforesaid Articles of Submission and Agreement, and every part there-of and do solemnly promise and engage that the same shall for ever hereafter be strictly observed and performed. And We the said Mitchel Neptune and Ballomy Glode, for ourselves and in the name and behalf of the said Tribes of Passamaquody and St. Johns Indians Do respectively further promise and engage that no person or persons belonging to the said Tribes shall at any time hereafter aid or Assist any of the Enemies of His most Sacred Majesty King George the Second or of his Heirs and Successors nor shall hold any Correspondence or Commerce with any such His Majesty's Enemies in any way or manner what-soever and that, for the more effectually preventing any such Correspondence and Commerce with any of His Majesty's Enemies the said Tribes shall at all times hereafter Traffic and barter and exchange Commodities with the Managers of such Truckhouses as shall be established for that purpose by his Majesty's Governors of this Province at Fort Frederick or elsewhere within the Said Province and at no other place without permission from His Majesty's Government of the said Province. And We do in like manner further promise and engage that for the more effectually securing and due performance of this Treaty and every part thereof a certain Number, which shall not be less than Three from each of the aforesaid Tribes, shall from and after the Ratification hereof constantly reside in Fort Frederick at St. Johns or at such other place or places within the Province as shall be appointed for that purpose by His Majesty's Governors of the said Province as Hostages, which Hostages shall be exchanged for a like Number of others of the said Tribes when requested.

And We do further promise and engage that this Treaty and every part thereof shall be ratified by the Chiefs and Captains and other principal persons of the said Tribes for themselves and in behalf of their Tribes at Fort Frederick aforesaid on or before the 20th of May next.

In Faith and Testimony whereof We have Signed these Presents and caused the Seal of the Province to be hereunto affixed, And the said Michel Neptune and Ballomy Glode have hereunto put their Marks and Seals in the Council Chamber at Halifax in Nova Scotia the Twenty third Day of February in the Year of our Lord One Thousand Seven hundred and sixty and in the Thirty third Year of His Majesty's Reign.

A true Copy.

By His Excellency's Comm
Rich. d Bulkeley, Sec. y



TREATIES OF 1760-1761

Treaty of Peace and Friendship concluded by [His Excellency Charles Lawrence] Esq. Gov and Com. In Chief in and over his Majesty's Province of Nova Scotia or Accadia with Paul Laurent chief of the LaHave tribe of Indians at Halifax in the Province of N.S. or Acadia.

I, Paul Laurent do for myself and the tribe of LaHave Indians of which I am Chief do acknowledge the jurisdiction and Dominion of His Majesty George the Second over the Territories of Nova Scotia or Accadia and we do make submission to His Majesty in the most perfect, ample and solemn manner.

And I do promise for myself and my tribe that I nor they shall not molest any of His Majesty's subjects or their dependents, in their settlements already made or to be hereafter made or in carrying on their Commerce or in any thing whatever within the Province of His said Majesty in any thing whatever within the Province of His said Majesty or elsewhere and if any insult, robbery or outrage shall happen to be committed by any of my tribe satisfaction and restitution shall be made to the person or persons injured.

That neither I nor any of my tribe shall in any manner entice any of his said Majesty's troops or soldiers to desert, nor in any manner assist in conveying them away but on the contrary will do our utmost endeavors to bring them back to the company, Regiment, Fort or Garrison to which they shall belong.

That if any Quarrel or Misunderstanding shall happen between myself and the English or between them and any of my tribe, neither I, nor they shall take any private satisfaction or Revenge, but we will apply for redress according to the Laws established in His said Majesty's Dominions.

That all English prisoners made by myself or my tribe shall be sett at Liberty and that we will use our utmost endeavors to prevail on the other tribes to do the same, if any prisoners shall happen to be in their hands.

And I do further promise for myself and my tribe that we will not either directly or indirectly assist any of the enemies of His most sacred Majesty King George the Second, his heirs or Successors, nor hold any manner of Commerce traffick nor intercourse with them, but on the contrary will as much as may be in our power discover and make known to His Majesty's Governor, any ill designs which may be formed or contrived against His Majesty's subjects. And I do further engage that we will not traffick, barter or Exchange any Commodities in any

manner but with such persons or the managers of such Truck houses as shall be appointed or established by His Majesty's Governor at Lunenburg or Elsewhere in Nova Scotia or Accadia.

And for the more effectual security of the due performance of this Treaty and every part thereof I do promise and Engage that a certain number of persons of my tribe which shall not be less in number than two prisoners shall on or before September next reside as Hostages at Lunenburg or at such other place or places in this Province of Nova Scotia or Accadia as shall be appointed for that purpose by His Majesty's Governor of said Province which Hostages shall be exchanged for a like number of my tribe when requested.

And all these foregoing articles and every one of them made with His Excellency C.L., His Majesty's Governor I do promise for myself and on of sd part & behalf of my tribe that we will most strictly keep and observe in the most solemn manner.

In witness whereof I have hereunto putt my mark and seal at Halifax in Nova Scotia this day of March one thousand & c.

Paul Laurent

I do accept and agree to all the articles of the forgoing treaty in Faith and Testimony whereof I have signed these present I have caused my seal to be hereunto affixed this day of march in the 33 year of His Majesty's Reign and in the year of Our lord & 1760

Chas Lawrence [Emphasis added.]

The above Treaty was signed 15 days after the Maliseet and Passamaquoddy signed a similar worded Treaty.

Documented adhesions to the this treaty were singed also by the Mi'kmaq of Richibuctou & March 10, 1760, Mouscadaboet & March 10, 1760, Shediac & June 25, 1761, Pokemouche & June 25, 1761, Cape Breton & June 25, 1761, La Heve & November 9, 1761.

In the Executive Council minutes there are also references to treaties signed with other communities though no copy of the Treaty has been found. These communities are: Chignecto & July 8, 1761 and Pictou & October 12, 1761.



Treaty 1776

A Treaty of Alliance and Friendship entered into and concluded by and between the Governors of the State of Massachusetts Bay, and the Delegates of the St. Johns & Micmac Tribes of Indians.

Whereas the United States of America in General Congress Assembled have in the name, and by the Authority of the Good people of these Colonies Solemnly published and declared, that these United Colonies are, and of Right ought to be free and Independent States; that they are absolved from all Allegiances to the British Crown; and that all political connection between them and the State of Great Britain is and ought to be dissolved; and that as Free and Independent States they have full power to Levy War, conclude Peace, contract Alliances established Commerce, and to do all other Acts and things which Independent States may of Right do;

We the Governors of the State of Massachusetts Bay do by virtue hereof, and by the powers vested in us enter into and conclude the following Treaty of Friendship and Alliance, viz.,

1st . We the Governors of the said State of Massachusetts Bay and on behalf of said States, and the other United States of America on the one part, and Ambrose var, Newell Wallis, and Francis, Delegates of the St. Johns Tribe, John Denaquara, Charles, Mattahu Ontrane, Nicholas, John Battis, Peter Andre, and Sabbatis Netobcobwit Delegates of the Mickmac Tribes of Indians, inhabiting within the Province of Nova Scotia for themselves, and in behalf of the said Tribes on the other part do solemnly agree that the people of the said State of Massachusetts Bay and of the other United States of America, and of the said Tribes of Indians shall hence forth be at peace with each other and be considered as Friends and Brothers united and allied together for their mutual defence Safety and Happiness.

2nd. That each party to this Treaty shall, and will consider the Enemies of the other as Enemies to themselves, and do hereby solemnly promise and engage to, and with each other that when called upon for that purpose, they shall, and will to the utmost of their abilities, aid and assist each other against their public Enemies; and particularly, that the people of the said Tribes of Indians shall and will afford, and give to the people of the said State of Massachusetts Bay and the people of the other United States of America during their present War with the King of Britain, all the aid and assistance within their power. And that they the people of said Tribe of Indians shall not, and will not directly or indirectly give any aid, or assistance to the Troops or Subjects of the said King of Great Britain, or others adhering to him or hold any correspondence or carry on any Commerce with them during the present War.

3rd. That if any Robber y, or Outrage happens to be committed by any of the Subjects of said State of Massachusetts Bay, or of any other of the United States of America upon any of the people of said Tribes, and said State shall upon proper application being made, cause satisfaction and restitution speedily to be made to the party injured.

4th. That if any Robbery, or Outrage happens to be committed by any of the said Tribes of Indians upon any of the Subjects of the said State or of any other of the United States of America the Tribe to which the Offender or Offenders shall belong, shall upon proper application being made, cause satisfaction and Restitution speedily to be made to the Party injured.

5th. That in case any Misunderstanding, Quarrel, or injury shall happen between the said State of Massachusetts Bay, or of any other of the

United States of America and the said Tribes of Indians, or either of them, no private revenge shall be taken but a peaceable application shall be made for Redress.

6th. That the said Tribes of Indians shall and will furnish and supply 600 Strong Men out of the said Tribes, or as many as may be, who shall without delay proceed from their several homes up to the Town of Boston within this State, and from thence shall march to join the Army of the United States of America now at New York under the immediate command of his Excellency General Washington, there to take his Orders.

7th. That each of the Indians who shall by their respective Tribes be appointed to join the Army of the United States of America shall bring with them a good Gun, and shall be allowed on Dollar of the use of it; and in case the Gun shall be lost in the service, shall be paid the Value of it. And the pay of each Man shall begin from the time they sail from Machias for Boston, and they shall be supplied with provisions and a Vessel or Vessels for their passage up to Boston. Each private Man shall receive the like pay as is given to our own private Men. The Indians shall be formed into Companies when they arrive at Boston, and shall engage, or enlist for long a time as General Washington shall want them, not exceeding the term of three years, unless General Washington and they shall agree for a longer time. And as Joseph Denaquara, Peter Andre, and Sabbatis Netobcobwit have manfully and Generously offered to enter immediately into the War they shall be sent as soon as may be to Gen. Washington to join the Army, and shall be considered as entering into our pay at the time of arrival at New York.

8th. The Delegates above named, who may return to their Homes, do promise and engage, to use their utmost influence with the Passamaquoddy, and other Neighbouring Tribes of Indians to persuade them to furnish and supply for the said service as many strong of their respective Tribes as possible, and that they come along with those of the Tribes of St. Johns (and) Micmac. And the said Governor of the said State of Massachusetts Bay to hereby engage to give to such of the Passamaquoddy or other Neighbouring Indians, who shall enter into the Service of the United States of America, the same pay and encouragement, in every particular, as is above agreed to be given to the St. Johns, or Micmac Indians, and to consider them as our friends, and Brothers.

9th. That the said State of Massachusetts Bay shall, and will furnish their Truckmaster at Machias as soon as may be with proper articles for the purpose of supplying the Indians of said Tribes with the necessities and conveniences of life.

10th. And the said Delegates do hereby annul and make void all former Treaties by them or by others in behalf of their respective Tribes made with any other power, State of person so far forth as the same shall be repugnant to any of the Articles contained in this Treaty.

In Faith & Testimony whereof we the said Governors of the said State of Massachusetts Bay have signed these presents, and caused the Seal of said State to be hereunto affixed and the said Ambrose Va r, Newell Wallis, and Francis, Delegates of the St. Johns Tribe, Joseph Denaquara, Charles, Mattahu Ontrane, Nicholas, John Battis, Peter Andre, and Sabbatis Netobcobwit, Delegates of the Micmac Tribes of Indians have hereunto put their Marks, and Seals in the Council Chamber at Watertown in the State aforesaid the Nineteenth day July in the year of our Lord One thousand and seven Hundred, and seventy six .

Annex - Treaty of Watertown 1776



1779

Treaty 1779

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Calopy)
Whereas in May and July last a number of Indians at the Instigation of the Kings Disaffected Subjects did Plunder and Rob Mrs. John Cort and Several other of the English Ihahabitants at Mirimichy of the transiaction Principal part of their Effects in which ^ we the undersigned Indians had no concern but nevertheless do blame our Selves for not having exerted our abilities more Effectually than we did to prevent is now being greatly dismayed and at a loss for the necessary Supplys to keep us from the (illegible) of the approaching number and to Enable us to (illegible) our familys And Whereas Captain (Augushed Hervey?) Commander of his Majesty's (Sloop Viper?) did in July last / to prevent further Mischief Seize upon in Mirimichy River of Sixteen of the said Indians, one of which was Killed, three released and Twelve of the most Atrocious have been carried to Quebec, to be Dealt with, as his Majesty's Government of this Province Shall in the future Direct, which (~?). Measures we hope will send to restore Peace and good order to that Neighbourhood.

Be it Known to all men that we John Julien, Chief, Antoine Arneau, Captain, Francis Julien and Thomas Demoganiche Councillors of Mirimichi and also representatives of and Authorized by the Indians of Pogmosche and Restigouche, Augustine Michel, Chief, Louis Augustine Cobaise, Francis Joseph (illegible), Captains. Antoinés

Page 1 (right side)

Antoine and Guiaume Gabelier Councillors of Richebouctou and Thomas Jones Son and Representative of the Chief of (illegible) do for ourselves and in behalf of the Several Tribes of Mickmack Indians beforementioned, and all

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others residing between Cape Tourmentine In the Gulph of St. Lawrence and the Bay De Chaleur ^, inclusive Solemnly Promise and Engage to and with Micheal Francklin Esquire the Kings Superintendent of Indian Affairs in Nova Scotia.

That we will behave Quietly and Peaceably towards all his Majesty's King Georges good Subjects treating them upon every an (beeasion) in ^ honest friendly and brotherly manner.

That we will at the Hazard of our own lives defend and Protect to the Utmost of our Power the Traders and Inhabitants and their Merchandise and Effects who are or may be Settled on the Rivers Bays and SeaCoast within the fore mentioned District Against all the Enemies of His Majesty King George Whether French Rebels or Indians.

That we will whenever shall be required apprehend and Deliver into the hands of the Said W Franchlin to be Dealt with Accordingly to his Deserts any Indian or other person who Shall Attempt to Disrupt the Peace and tranquility of the Said District.

That

Page2 (left side)

That we will not hold any Correspondence or Intercourse with John Allen or any other Rebellion Enemy to King George let his nation or country be what it will.

That we will use our best endeavors to prevail with all other our Mickmack (illegible) throughout the other parts of the Province to come into the like Measures with us for their Several Districts.

And we do also by these present for ourselves and in behalf of your Several (illegible) hereby, Renew, (Ratify?) and Confirm all former (Incatys?) entered into by us or any of us or them, heretofore, with the late Governor (illegible) and others His Majesty's King George's Governors who have Succeeded him in the Command of this Province.

In Consideration of the true performance of the foregoing articles on the part of the Indians the said W. Francklin as the Kings Superintendent of Indian Affairs doth hereby Promise in behalf of Government.

That the said Indians and their (conshments?) shall remain in the District before mentioned, Quiet and Free from any molestation of any of His Magesty's Subjects Troops or other his good Subjects in their hunting and fishing.

That Immediate measures Shall

Page 2 (right side)

Shall be taken to cause Traders to supply them with ammunition, clothing, and other (illegible) necessary stores in Exchange for their (Furs?) and other Commodities. In witness whereof we the above mentioned have Interchangeably get our lands and seals at (Windsorw?) Nova Scotia this Twenty Second day of September 1779.

Micheal Franklin} Superintendent of Indian Affairs in Nova Scotia

John Julian + Chief} of Mirmichy
Frances Julian + 3rd Chief} and acting
Antoine Arneau + Captain} for Pogmouche
Thomas Demagonishé + Councillor} and Restigouche

Augustine Michel + 1st Chief} of
Francis Joseph (illegible + 2nd Chief} Richebuctou
Augustine Cobaise + Captain}
Antoinés + Councillor}
Julien Gabrelier + Do}

Thomas Jones} Son and Representative of the Chief of (Jedyiee?)



Treaties of Peace and Friendship • Traités de paix et d'amitié

by: Ed Two Axe Early

Treaties between the colonial powers and Native Americans were entered into for a multiplicity of reasons and under varying circumstances. The Mi'gmaq Nation occupied and had custodianship over all the lands that comprised the north eastern frontier.

As the wars between France and England continued from the late 1600s at a tremendous cost in human lives, financial resources as well as the disruption of their economy especially in fisheries, the negative impact on the colonial ability to pursue a healthy trade relationship with Aboriginal people became a major setback to their colonization agenda. The prudent thing to do was to enter into Treaties of Peace and Friendship with the Wabanaki Confederacy who were comprised of the Mi'gmaq Nation, the Manliest Nation, the Penobscot Nation, and the Passamaquoddy Nation. This strategic plan was intended to neutralize the threat of continued conflict with the Wabanaki Confederacy nations while continuing to attract settlers to the east coast. The question begs to be asked, were the treaties a benevolent gesture on the part of a good king or the actions of a desperate people trying to buy time through the perpetuation of peace and friendship?

At the same time, the nations of the Wabanaki Confederacy were suffering a serious decimation due to the holocaust caused by smallpox, influenza, diphtheria, whooping cough, the bubonic plague and measles, all viral contagious diseases that claimed the lives of up to 95% of the members of certain communities. The shamans and medicine people were not equipped with the pharmacology needed to cure these pandemics and these pathogens new to the Western hemisphere.

Did the Wabanaki enter these negotiations because they were witnessing a population decline? Did the Wabanaki enter these peace and friendship agreements to insure another source of merchandise aside from their trade with the French at this time? The Wabanaki had become accustomed to European manufactured trade goods and were becoming more dependent on them but we don't know the unrecorded circumstances to events leading to the treaty negotiations and subsequent signing ceremonies.

Did the Wabanaki fully comprehend, understand and concur with the written words in these treaties? Did they believe the words of the military officers or bureaucrats who gave them oral renditions of the content of the written treaties through interpreters who claimed to have a total comprehension of the their respective languages? Did the military officers and bureaucrats skew their dialogue to cushion, hide or distort the literal meaning of the treaties? We do know that the military officials and crown bureaucrats who constructed these agreements were under pressure from the Foreign Office in London to follow certain protocols that would make them satisfactory to the Crown. Did this incite the architects of these treaties to tell the Crown one thing and the Wabanaki something else? The answers to these questions are the subject of much debate in academic circles as well as among the Wabanaki people.

These treaties entered into by the Wabanaki and the British Crown is undoubtedly one-sided representations of what the British Colonial Office felt essential and prudent at the time. They most assuredly do not reflect everything the Wabanaki were told the documents contained before they signed their totems or marked an X to show complicity and cooperation to the words they heard describing the essence of the agreement. Since they could not read the strange marks on the parchment paper that comprise the English language, are we to assume these agreements were made in good faith and according to the rule of international law? Would an international court of law adjudicate these treaties as valid and binding or would they allow for the oral interpretation of the Wabanaki people regarding their understanding of the contents of these treaties. These are some of the thoughts you could ponder as you reflect on Treaty Day and peruse the rest of this section.

par Ed Two Axe Early

Les traités entre les puissances coloniales et les Amérindiens ont été signés pour des raisons multiples et en des circonstances changeantes. Les Mi'gmaq étaient les gardiens de toutes les terres qu'ils occupaient, à la frontière nord-est.

Les guerres successives entre la France et l'Angleterre, à partir de la fin des années 1600, furent extrêmement coûteuses en vies humaines, en ressources financières et en bouleversements économiques, surtout dans le secteur des pêches. Les répercussions négatives sur les capacités coloniales à maintenir de saines relations commerciales avec les autochtones signifiaient un important recul dans le dessein colonisateur des deux puissances. La prudence leur conseilla donc de conclure des Traités de paix et d'amitié avec la confédération des Abénaquis, qui comprenait les nations des Mi'gmaq, des Manliest, des Penobscot et des Passamaquoddy. Ce plan stratégique avait pour but de neutraliser la menace de conflits continus avec les nations de la confédération des Abénaquis, tout en continuant d'attirer des colons sur la côte est. Une interrogation s'impose: Les traités traduisaient-ils une attitude bienveillante de la part d'un bon roi ou les actions d'un peuple désespéré, essayant de troquer du temps en maintenant la paix et des rapports amicaux?

À la même époque, les nations membres de la confédération des Abénaquis se faisaient sérieusement décimer dans un holocauste provoqué par la variole, la grippe, la diphtérie, la coqueluche, la peste bubonique et la rougeole, tous des virus contagieux qui tuèrent près de 95 pour cent des membres de certaines communautés. Ni les shamans ni les gens de médecine ne possédaient les notions pharmacologiques nécessaires pour parer à de telles pandémies et contrer ces éléments pathogènes, nouveaux dans l'hémisphère occidental.

Les Abénaquis ont-ils choisi de négocier parce qu'ils assistaient au déclin de leurs populations? Ont-ils conclu ces Traités de paix et d'amitié pour s'assurer d'une source d'approvisionnement autre que celle provenant du commerce avec les Français de l'époque? Les Abénaquis s'étaient accoutumés à des produits fabriqués en Europe et en dépendaient de plus en plus. Nous ne connaissons toutefois rien des circonstances et événements non consignés qui ont conduit à la négociation des traités puis aux cérémonies de signature subséquentes.

Les Abénaquis ont-ils saisi et compris le contenu réel de ces traités et y ont-ils adhéré? Ont-ils cru sur parole les militaires ou les bureaucrates qui rendaient compte oralement du contenu réel des traités, par le truchement d'interprètes ayant dû comprendre totalement leurs langues respectives? Les militaires et les bureaucrates ont-ils biaisé leur propos pour atténuer, dissimuler ou déformer la signification littérale des traités? Nous savons pour cause que les militaires et les bureaucrates de la Couronne qui ont conclu ces accords subissaient les pressions du ministre des Affaires étrangères de Londres pour qu'ils respectent certains protocoles dans le but de rendre acceptables aux yeux de la Couronne les documents. De telles circonstances ont-elles incité les architectes de ces traités à affirmer une chose à la Couronne puis une autre aux Abénaquis? Les réponses à ces questions sont au cœur de nombreux débats dans les milieux de chercheurs et chez les Abénaquis eux-mêmes.

Ces traités conclus entre les Abénaquis et la Couronne britannique ne représentent sans doute qu'un point de vue de ce que le British Colonial Office à l'époque considérait essentiel et prudent. Ils ne reflètent certainement pas tout ce qu'on a dit aux Abénaquis qu'ils contenaient, avant que ceux-ci signent leurs totems ou apposent un X afin de signifier leur complicité et leur acceptation des mots utilisés pour leur expliquer l'essence de ces accords. Puisqu'ils ne savaient pas lire sur les parchemins ces signes étranges représentant la langue anglaise, pouvons-nous présumer que ces accords ont été conclus de bonne foi et dans le respect des principes du droit international? Est-ce qu'un tribunal de droit international saurait statuer en faveur de leur validité et de leur caractère exécutoire? Ou accepterait-il l'interprétation orale des Abénaquis quant à leur compréhension du contenu desdits traités? Voici quelques impressions pour alimenter vos réflexions durant la Journée des traités et en parcourant le reste de cette section.



Toponyms • Toponymes



WHAT IS IN A PLACE NAME?

by: E. Nagugwes Metallic

Canadian history books have forever stated that the term 'Canada' is an Iroquoian word and that when Jacques Cartier waded ashore on the tip of the Gaspé Peninsula, he encountered Mohawks and not Mi'gmaq. Historians are now uncertain about this claim.

For one argument, Gaspé was definitely Mi'gmaq territory. It is known that Mi'gmaq country extended as far west as present day Quebec City. The existence of Iroquoian settlements is in question that far-east within the post contact period.

This is the scenario to which I suggest happened about the naming of our country when Jacques Cartier was looking to discover a western passage to China. In the Gulf of St. Lawrence River, he inquired as to where this river went. He was either told 'Kahnawake' or 'Ganadawàgi.', "The land of flint" as he found out when he arrived there he could go no farther. Jacques Cartier still believed he had arrived in China and promptly called the place 'LaChine' or China.

There is a village here since millennia. At this same place there is also a quarry of best flint found anywhere. The use of flint by our Ancestors includes knives, axes, and scalpels among other uses.

Canada as a linguistic term is both Iroquoian and Algonquian. No one is at fault except those historians who have not done their homework. Linguists are not historians and vice versa.

UN NOM... PEUT EN DIRE BEAUCOUP

par E. Nagugwes Metallic

Les livres d'histoire du Canada ont toujours stipulé que le nom «Canada» est un mot Iroquois et que lorsqu'il débarqua au bout de la péninsule gaspésienne, Jacques Cartier rencontra des Mohawks et non des Mi'gmaqs. Aujourd'hui, les historiens doutent d'une telle allégation.

On peut cependant affirmer que Gaspé était un territoire Mi'gmaq. C'est connu que le pays des Mi'gmaq s'étendait alors aussi loin vers l'ouest qu'à la ville de Québec actuelle. L'existence d'un établissement Iroquoien aussi loin à l'est, suite au contact avec les Européens, est en doute.

Voici ma suggestion de ce qui est survenu au moment de nommer notre pays, alors que Jacques Cartier cherchait à découvrir la route de l'Ouest vers la Chine. Dans le golfe Saint-Laurent, il a demandé où menait le fleuve. On lui a répondu soit «Kahnawake» ou «Ganadawàgi», qui signifie «terre du silex», ce qu'il constata lui-même en remontant le fleuve jusqu'à son cul-de-sac. Croyant encore qu'il arrivait en Chine, Cartier nomma spontanément l'endroit «LaChine».

Il existe en ce lieu, depuis des millénaires, un village où l'on trouve aussi une carrière de silex de la meilleure qualité qui soit. L'usage du silex par nos ancêtres était répandu, servant entre autres aux couteaux, aux haches et aux scalpels.

Le mot «Canada», sur le plan linguistique, est à la fois Iroquois et Algonquin. Personne n'est fautif sauf ces historiens qui n'ont pas fait leur travail. Les linguistes ne sont pas des historiens pas plus que ces derniers sont des linguistes.

Cascapédia, une rivière au courant large
Waqamêtkuk : Bonaventure, la ville et la rivière,
ainsi que le comté, une rivière au courant propre.



Legende Mi'gmaq Legend

The Turtle

In the long ago, Turtle was the great storyteller of all the birds and animals of Glooscap's land. During the summer he had many friends, but when the cold Winter King came from the northland, most of the birds flew south to the home of the warm Summer Queen and many of the animals hibernated deep underground. Turtle did not know how to do this. He walked so slowly that the cold Winter King soon caught up with him. He nearly froze. He was so very cold and lonesome.

However, his great friendliness was his way to rescue. He talked to the geese about taking him to the warm south. They agreed to do so only if they could find some way to stop turtle from talking, for he was a bore to the geese who liked to honk their tales far and wide. The wily geese found a way. They carried turtle by his mouth on a stick and, of course, once off the ground he didn't dare open his mouth.

He did not enjoy his stay in the land of the Summer Queen. It was too warm in his heavy shell and he missed many of his dear friends. The next summer the maidens of the Queen brought him back to Glooscap's land and taught him how to hibernate.

It is said that if you find a turtle hibernating from the cold of the great Winter King he will be deep under the soil telling stories all winter long to his many friends.

La Tortue

Il y a fort longtemps, la Tortue était reine conteuse de tous les oiseaux et animaux du pays de Glooscap. L'été, elle s'entourait de nombreux amis, mais sitôt le roi Hiver arrivé, du pays du Nord, la plupart des oiseaux migraient vers le Sud, au pays de l'adorable reine Été, et de très nombreux animaux hibernaient profondément sous terre. La Tortue, elle, ne savait pas hiberner sous terre. Elle marchait si lentement que la froideur du roi Hiver ne tardait pas à la rattraper. Elle en souffrait et s'ennuyait à mourir.

Un beau jour, par sa grande gentillesse, la Tortue se tira d'affaires. Elle alla prier les oies de l'emporter avec elles sous le chaud soleil du Sud. Celles-ci acceptèrent de l'emporter à la condition qu'elles trouvent le moyen de faire taire la Tortue, source d'agacement pour ces oies qui aimaient bien claironner leurs histoires sur tous les toits du monde. Les oies sauvages trouvèrent la solution: elles transportèrent la Tortue sur un bâton auquel elle s'agrippa... par la gueule. Bien entendu, une fois dans l'air, elle n'osa jamais desserrer les mâchoires.

Mais la Tortue s'ennuyait au pays de la reine Été; elle avait trop chaud sous sa lourde carapace, et ses chers amis lui manquaient terriblement. L'été suivant, les filles du Roi la ramenèrent au pays de Glooscap et lui montrèrent la façon d'hiberner.

On raconte que si vous trouvez une tortue en train d'hiberner, à l'abri du grand roi Hiver, c'est qu'elle s'est enfouie loin sous terre pour conter, durant tout l'hiver, des histoires à ses nombreux amis.

Legende Mi'gmaq Legend





Mi'gmawei Mawiomí Secretariat have commenced an important historical document and artifact gathering project. **We ask your help** to locate Mi'gmaq historical documents, letters, books, pictures, land claim documents, maps, old magazines or tapes speaking about our history, culture and traditions. *We assure prompt return of all materials.*

Le secrétariat Mi'gmawei Mawiomí a lancé un projet de cueillette de documents et d'artefacts historiques. **Nous sollicitons votre aide** pour nous aider à repérer des documents historiques mi'gmaq, des lettres, des livres, des photos, des documents de revendication territoriale, des cartes géographiques, de vieilles revues ou d'anciennes bobines qui parlent de notre histoire, de notre culture et de nos traditions. *Soyez assurés que nous vous renverrons le matériel dans les plus brefs délais.*

Help Wanted

The MMS is putting together a calendar for the year 2003. We are in search of old photos of Mi'gmaq people fishing, hunting, picking berries or doing other traditional activities. All photos will be promptly scanned and returned to the owners.

Vous pouvez nous aider

Le SMM prépare un calendrier pour l'année 2003. Nous sommes à la recherche d'anciennes photos montrant des Mi'gmaq de Gesgapegiag, Gespeg et Listuguj qui font la pêche, la chasse, cueillent des petits fruits ou exercent d'autres activités traditionnelles.

Contact / Personne-ressource:
Tanya Barnaby, poste 107
e-mail: tbarnaby@migmawei.ca

Mi'gmawei Mawiomí Secretariat
2, rue Riverside West, Listuguj, Québec, Canada G0C 2R0
TEL./TÉL: 1-418-788-1760 • TOLL FREE/SANS FRAIS : 1-800-370-1760
GENERAL E-MAIL/COURTEL : secretariat@migmawei.ca

