

# The Cultural Economy of Survival: The Mi'kmaq of Cape Breton in the Mid-19th Century

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Résumé de l'article

Vers le milieu du 19<sup>e</sup> siècle, les Mi'kmaq de l'île du cap Breton, comme les Mi'kmaq de la partie continentale de la Nouvelle-Écosse, étaient presque privés de ressources. Résultat de plus de deux siècles d'interaction politique, économique et culturelle avec les Européens, cette condition était aggravée par l'invasion massive des rapatriés écossais sur l'île à la fin des guerres de Napoléon – presque 30 000 entre 1815 et 1838. Étant donné l'occupation de leur terre et l'accès très limité à leurs terrains habituels de la chasse et de la pêche, la population Mi'kmaq de l'île – estimée à environ 500 en 1847 – avait adopté de nombreuses initiatives économiques pour rester en vie : ils cherchaient du travail agricole et salarié, utilisaient des compétences acquises vers de différents niches occupationnelles, et maintenaient, au moins jusqu'à un certain point, certaines ressources saisonnières habituelles. Cet article examine cette conception en évolution du pluralisme occupationnel, et met en vedette les normes, les codes et les comportements habituels par lesquels les Mi'kmaq de l'île avaient pris leurs décisions économiques pour survivre. Le cap Breton du milieu du 19<sup>e</sup> siècle était un endroit contesté comme les forces d'immigration et de peuplement ont exercé de nouvelles pressions sur la vie des Mi'kmaq. Cet article met ce changement dans son contexte et explique la façon dont les indigènes de l'île avaient cherché à comprendre, à négocier ses pressions et ses possibilités, et à émuousser ses effets négatifs.

## ARTICLE

# The Cultural Economy of Survival: The Mi'kmaq of Cape Breton in the Mid-19th Century

**Andrew Parnaby**

IN JULY 1841, GEORGE EDWARD JEAN, Clerk of the Peace for Richmond County, Cape Breton, conducted a census “shewing the number of Indians living within the County... with such other observations as would convey a full knowledge of their situation.” With the blessing of the Legislative Assembly, which just the month before had commended the clerk’s “desire” to “ameliorate the conditions of the poor Indians of this Province,” Jean spent nearly a month “consumed by the above mentioned service.” It was a difficult and, at times, potentially violent task. Not only was the county a large and geographically diverse area that required a boat, horse, and Indian guide to traverse, but the very people he hoped to assess were unwilling to cooperate, at least at first. Amongst the Mi'kmaq, most of whom resided at Chapel Island, the largest Mi'kmaw community in the county, rumour had it that the “government” desired greater knowledge of their “numbers and situation” not for “their benefit,” but, as their representatives made clear at an “assemblage” with Jean, “with a view to compel them to perform Statute Labour – pay taxes – and serve in the Militia.”<sup>1</sup>

1. Nova Scotia Archives and Records Management (NSARM), RG 5, Volume 8a, Number 14a, Rupert D. George to George Edward Jean, 28 June 1841; Petition from George Edward Jean to “the honourable the Representatives of the Province of Nova Scotia,” 28 January 1843; Volume 3, Number 72, Charles R. Ward to John Whidden, 11 February 1842. Mi'kmaq (with a 'q') is used to describe the indigenous people of the region as a whole. Mi'kmaw (with a 'w') is used to refer to a single person; it is also the adjectival form.

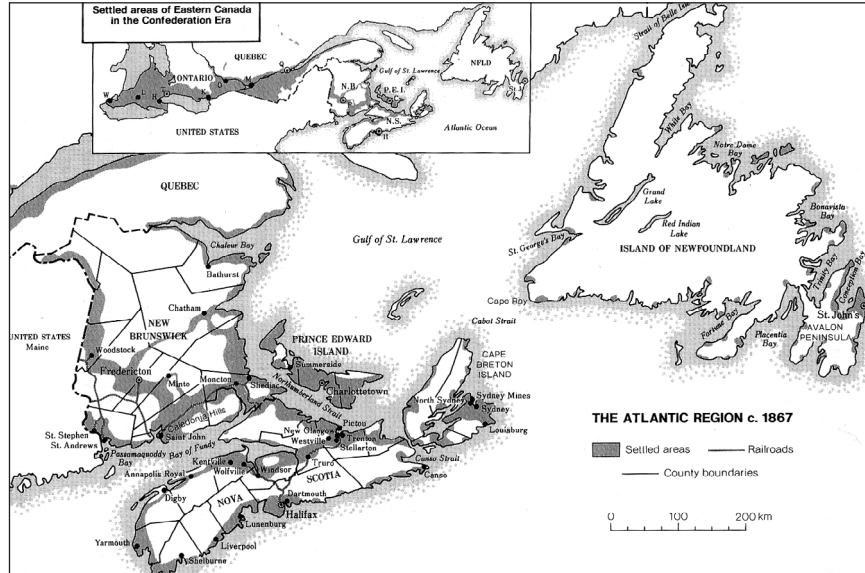
Frustrated by this lack of support, the clerk appealed to a local Catholic priest, Father Julian Courteau, for assistance, for he had a relationship with the local Mi'kmaq people. Accustomed to playing the role of arbiter in community disputes, Courteau urged the "Indians" to "co-operate," and by the end of July, as families and extended families gathered at Chapel Island for the annual St. Anne's Day celebration, many, if not most, agreed to answer Jean's questions about "the numbers of sex – which proportion were Children or Adults – the various tribes to which they belonged, their condition – [and] their habits (whether provident or otherwise)..."<sup>2</sup> The results confirmed the clerk's suspicions. Each and every one of the 226 "souls" who were enumerated on that July day were, in his estimation, "poor" or "very poor," and few, if any, of the families he spoke with continued to hunt and fish to satisfy their modest material needs – pursuing, instead, a combination of waged work, craft production, and subsistence agriculture on a seasonal basis. While Jean understood the important role that cash and crafts played in the Mi'kmaq's day-to-day life, he was particularly interested in the long-term viability of agriculture, noting that some "Indian families" would have cleared additional land and planted a wider variety of crops had they had access to more seeds. When it came to "ameliorat[ing] the conditions of the poor Indians," a sedentary lifestyle was, in his judgement, eminently more desirable than a "wander[ing]" one.<sup>3</sup>

George Edward Jean's study captures something of the Mi'kmaq's marginality in mid-19th-century Nova Scotia. After nearly two and half centuries of political, economic, and cultural interaction with Europeans – a complex dynamic that has been studied in depth by other scholars – this condition emerged and deepened after the collapse of the French imperial presence in 1758, the coming of the Planters and Loyalists from the American thirteen colonies between 1760 and 1784, and the massive immigration of Scottish settlers to the region – about 30,000 to Cape Breton Island alone between 1815 and 1838 – following the end of the Napoleonic Wars.<sup>4</sup> In this new context,

2. NSARM, RG 5, Volume 8a, Number 14a, George to Jean, 28 June 1841; Petition from Jean to "the honourable the Representatives of the Province of Nova Scotia," 28 January 1843; Volume 3, Number 72, Ward to Whidden, 11 February 1842. On St. Anne's day, see Janet Chute, "Ceremony, Social Revitalization, and Change: Micmac Leadership and the Annual Festival of St. Anne," in William Cowan, ed., *Papers of the 23rd Algonquin Conference* (Ottawa 1992), 45–59.

3. NSARM, RG 5, Series P, Volume 8a, Number 14b, "An account of the Indians living within the County of Richmond as taken on the 16th July 1841 – at the Indian Chapel Bras d'or Lake being the Anniversary of St. Ann's Day," 26 July 1841.

4. According to D.C. Harvey, the population of Cape Breton increased from approximately 6000 in 1815 to 35,420 in 1838; see his "Scottish Immigration to Cape Breton" in Don MacGillivray and Brian Tennyson, eds., *Cape Breton Historical Essays* (Sydney 1980), 31. This section is informed by L.F.S. Upton, *Micmacs and Colonists: Indian-White Relations in the Maritimes, 1713–1867* (Vancouver 1979), 81–95; John Reid, *Six Crucial Decades: Times of Change in the History of the Maritimes* (Halifax 1987), 61–93; Bill Wicken, "Mi'kmaq Land in Southwestern Nova Scotia, 1771–1823," in Margaret Conrad, ed., *Making Adjustments:*



**Map 1. "The Atlantic region at the time of Confederation"**  
 E.R. FORBES AND D.A. MUISE, EDs., *THE ATLANTIC PROVINCES IN CONFEDERATION* (TORONTO 1993), 4

the colonial government in Halifax viewed the Mi'kmaq not as an ally or even an enemy, but as a problem, like denominational schools, that needed to be investigated, assessed, and ultimately solved; census data, like Jean's, was critical to this process. Some politicians, philanthropists, and editorial writers even worried that the Mi'kmaq, like the Beothuk of Newfoundland before them, were on the verge of extinction. "Can any person, possessed of common feelings, view with indifference the deplorable state of the Indians of this Province," humanitarian Walter Bromley asked in 1813. "From thousands of athletic and powerful warriors, they now number only a few hundred miserable wretches, scattered over the length and breadth of the land," echoed the Halifax-based *The Times and Courier* in 1847.<sup>5</sup>

*Change and Continuity in Planter Nova Scotia, 1759–1800* (Fredericton 1991), 113–46; William C. Wicken, *Mi'kmaq Treaties on Trial: History, Land, and Donald Marshall Junior* (Toronto 2002). Of particular importance to my thinking here is John H. Reid, "Pax Britannica or Pax Indigena? Planter Nova Scotia (1760–1782) and Competing Strategies of Pacification," *Canadian Historical Review* 85:4 (December 2004), 669–692.

5. Beaton Institute, Cape Breton University, (BI-CBU), Pamphlet #E77 B7, Walter Bromley, "Two Addresses on the Deplorable State of the Indians; one delivered at the Free-Masons' Hall, August 3, 1813, the other at the Royal Acadian School, March 8, 1814, at Halifax Nova Scotia." See also Judith Fingard, "English Humanitarianism and the Colonial Mind: Walter Bromley in Nova Scotia, 1813–1825," *Canadian Historical Review* 54 (1973), 123–51. The second quotation is from *The Times and Courier*, 27 February 1849. Examples of this discourse of the "dying race" are ubiquitous at this time. "The distresses of these people are much greater than is commonly supposed," Lord Dalhousie informed the Legislative Assembly in 1827, "for so con-

That the Mi'kmaq of Cape Breton, whose population in the mid-19th century was thought to be around 500, were in a precarious economic position was particularly obvious when it came to the question of land (see Map 1, *The Atlantic Region* and Map 2, *Mi'kmaq Country*). "These lands are eagerly coveted by the Scottish Presbyterian settlers. That the Micmac's fathers were sole possessors of these regions is a matter of no weight with the Scottish emigrants," the Commissioner of Indian Affairs reported in 1846. "They are by no means disposed to leave the aborigines a resting place on the Island of Cape Breton."<sup>6</sup> As a consequence, the island's indigenous people, like the Mi'kmaq on the Nova Scotia mainland, either petitioned the colonial government for land grants or demanded licenses of occupation. At least fourteen of the former and fifteen of the latter had reached the colony's surveyor-general by 1821, prompting the government to finally conduct a survey of "Indian Reservations on Cape Breton Island" in 1832 and 1833.<sup>7</sup> In total, six reserves – located at Chapel Island, Eskasoni, Whycocomagh, Wagamatcook, Malagawatch, and "Indian Garden" – containing 12,205 acres were set aside. Within 40 years, however, the total number of acres reserved for the island's Mi'kmaq people had shrunk by approximately 20 per cent, due principally to white encroachment.<sup>8</sup> "White people are taking over lands in this place from us," Peter Googoo, a Mi'kmaq chief from Whycocomagh, wrote in 1855, "we fear we will be driven away from our lands and do not know where to go."<sup>9</sup>

At the same time, however, George Edward Jean's "account of the Indians

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siderable portion of the forest now being reclaimed from a state of nature, game has become so scarce the hunter has much difficulty in providing a scanty subsistence for his family." See NSARM, RG1, Volume 308, Number 88.

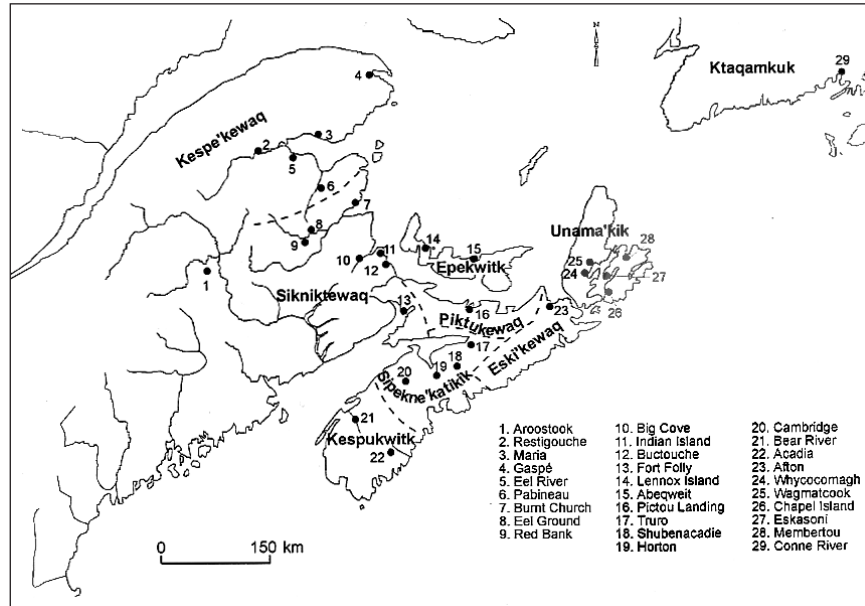
6. Quoted in Richard H. Bartlett, *Indian Reserves in the Atlantic Provinces of Canada* (Saskatoon 1986), 22.

7. The statistics are cited in Gary P. Gould and Alan J. Semple, *Our Land: The Maritimes: The Basis of the Indian Claim in the Maritime Provinces of Canada* (Fredericton 1980), 48. A grant gave the petitioner unencumbered title to the land; a ticket of location/license of occupation conferred a right to specific use, with the Crown retaining title to the land. As William Wicken has illustrated, it appears that in some cases aboriginal people called for a ticket of location/license of occupation as an interim step, with an eye to making a formal petition for a land grant at another time. See Wicken, "Mi'kmaq Land in Southwestern Nova Scotia," 115–18.

The creation of reserves in Cape Breton is discussed by Gould and Semple, *Our Land*, 48–49. An additional survey of the reserve lands was made in 1843 in response to white encroachment. On this final point see Library and Archives Canada (LAC), RG 10, Volume 459, frame 25, "Report on Indian Lands," 7 [?] June 1854 [?]. The report states: "It is a matter of consideration whether a distinction in price ought not to be made between those who intruded before and subsequent to 1843, at which time Mr. Crawley surveyed the lands and marked the bounds in Cape Breton." Some of Crawley's sketches can be found in NSARM, RG1, Volume 432, Joseph Howe Letterbooks, pages 199–211.

8. Bartlett, *Indian Reserves*, 10–11.

9. The quotation is from NSARM, RG5, Volume 15, Number 9, Petition from Mi'kmaq at Whycocomagh, signed by "Peter Googoo and 18 others," 1 February 1855.



Map 2. "Mi'kmaq Country: traditional districts and modern bands"

HARALD E. L. PRINS, *THE MI'KMAQ: RESISTANCE, ACCOMMODATION, AND CULTURAL SURVIVAL* (FORTH WORTH 1996), 1

living within Richmond County" hints at the sophisticated blend of cultural tenacity and economic survival that existed amongst the Mi'kmaq of Cape Breton at mid-century. "[A]fter planting their few potatoes they wander about the Island," he observed,

many [c]amping for a season in the vicinity of Arichat – the men employed as labourers – the women selling their handy work, and others Birch rinds for covering and as dunnage for shipping dried cod fish – and when the digging season returns they come home to gather in their potatoes and settle themselves down for the remaining part of the winter.<sup>10</sup>

Flexible and mobile, Mi'kmaw families were engaged in a mixed economy, in which men and women deployed some of their labour, some of the time in new ways – working for wages, selling "handy work" – while maintaining older practices of seasonal family migration and ties to an economically and culturally significant locale. Known to the Mi'kmaq as *Potletek*, Chapel Island was located by a short isthmus that linked the Atlantic Ocean to the Bras d'Or Lake – an inland saltwater lake around which the Mi'kmaq's subsistence economy was historically based.<sup>11</sup> A portage route and seasonal encampment,

10. NSARM, RG 5, Nova Scotia House of Assembly, Series P, Volume 8a, Number 14B, "An Account of the Indians living within the County of Richmond as taken on 16 July 1841." The 1828 edition of *Webster's Dictionary* defines "rinds" as: "The bark of a plant; the skin or coat of fruit that may be peeled off; also inner bark of trees."

11. A.J. B. Johnston, *Storied Shores: St. Peter's, Isle Madame, and Chapel Island in the 17th and*



Chapel Island was, simultaneously, a site of deep spiritual attachments for the Mi'kmaq, both before and after the arrival of Europeans. One of the first Catholic Missions in Cape Breton was established there around 1741; in 1819, Peter Tomah, acting on "behalf of himself and other Indians," pressed the colonial government to "secure to them" Chapel Island.<sup>12</sup> That the Mi'kmaq still used that location at mid-century, and indeed held it in high esteem, suggests that a resilient, adaptive, internal logic unique to them persisted during this context of material deprivation and political weakness, providing a cultural framework within which they pursued new economic activities.

Scholarship dedicated to earlier periods of Mi'kmaw history has been attentive to the relationship between indigenous culture, economic adaptation, and native-newcomer encounters.<sup>13</sup> Calvin Martin's *Keepers of the Game* is perhaps the most obvious, if provocative, example of this scholarship.<sup>14</sup> Less controversial are the contributions made by B.A. Balcolm and A.J.B. Johnston, who have examined the Mi'kmaq's interaction with French missionaries on Ile Royale (Cape Breton) in the 18th century; they make clear how French gift-giving, fur trading, and cultivation were incorporated into seasonal rounds of resource procurement. Similarly, William Wicken, who has written about the Mi'kmaq in southwestern Nova Scotia during the Planter and Loyalist migrations, illustrates the growing importance of farming to indigenous economic life.<sup>15</sup> Less understood, however, are the strategies that the Mi'kmaq used to survive the early-to-mid-19th century, and the importance of these earlier, 18th-century experiences in shaping their collective response to a decidedly different historical moment. This historiographical imbalance flows, in part, from the importance of the contact and early colonial periods, as well as the treaty-making years of 1760–61, in the Mi'kmaw literature, and the near total absence of aboriginal people from the scholarship on Nova Scotia's rural and

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*18th Centuries* (Sydney 2004), 15–24, 112–113.

12. Johnston, *Storied Shores*, 23 and 135; NSARM, Land Petitions, Cape Breton Island, 1787–1843, Number 2157, "Kavanagh, Lawrence & Others for the Indians in Bras d'Or Lake," 1819.

13. See the following historiographical articles: H.F. McGee, "No Longer Neglected: A Decade of Writing Concerning the Native Peoples of the Maritimes," in H.F. McGee, ed., *The Native Peoples of Atlantic Canada: A History of Indian-European Relations* (Ottawa 1983), 209–218; Ralph Pastore, "Native History in the Atlantic Region During the Colonial Period," *Acadiensis* 28:2 (Spring 1989), 200–225; Andrew Nurse, "History, Law, and the Mi'kmaq of Atlantic Canada" *Acadiensis* 33:2 (Spring 2004), 126–33.

14. Calvin Martin, *Keepers of the Game: Indian-Animal Relationships and the Fur Trade* (Berkeley 1978); Shepard Krech III, ed., *Indians, Animals, and the Fur Trade: A Critique of Keepers of the Game* (Athens 1981).

15. B.A. Balcolm and A.J.B. Johnston, "Missions to the Mi'kmaq: Malagawatch and Chapel Island in the 18th Century," *Journal of the Royal Nova Scotia Historical Society* 9 (2006), 115–140; Wicken, "Mi'kmaq Land in Southwestern Nova Scotia," 113–46.

working-class life in the 19th century.<sup>16</sup> No historian writing about the early-to-mid 1800s in Nova Scotia doubts that the Mi'kmaq were a small, extremely poor, and politically marginalized population: they were “wretched”; they were “desperate”; they were “miserable.”<sup>17</sup> This assessment is applicable to the Mi'kmaq who lived in Cape Breton, too, a place where the forces of immigration and settlement were exerting new and distinctive pressures on aboriginal life. Indebted to historical materialism and post-colonialism, and influenced by historians Harald Prins and Janet Chute, this essay is about that changing context and how the island's indigenous people sought to understand it, negotiate its pressures and possibilities, and blunt its negative effects.<sup>18</sup>



Agriculture was one of those politicized possibilities. As early as 1783, the colonial government expressed its desire that the Mi'kmaq must abandon their “original roving practices” and become farmers; only in this way, so the argument went, could their wretched condition be arrested and the ascent from savagery to civilization begin.<sup>19</sup> This obsession with the Mi'kmaq's “wandering ways,” and the concomitant desire to see them sedentary, was part and parcel of an ideology of land lodged deeply in the European encounter

16. Daniel Samson's edited collection *Contested Countryside: Rural Workers and Modern Society in Atlantic Canada, 1800–1950* (Fredericton 1994) is a revisionist and path-breaking consideration of rural society; it does not, however, include aboriginal people. While the Mi'kmaq are not mentioned in Rusty Bittermann's important essay, “Farm Households and Wage Labour in the Northeastern Maritimes in the Early Nineteenth Century,” *Labour/Le Travail* 31(Spring 1993), 13–45, they do make a short appearance in his MA thesis. See “Middle River: The Social Structure of Agriculture in a Nineteenth Century Cape Breton Community,” MA thesis, University of New Brunswick, 1987, 45, 95–6. Aboriginal people are not included in Stephen J. Hornsby's *Nineteenth-Century Cape Breton: A Historical Geography* (Montreal and Kingston 1992). They have fared no better in the context of Canadian labour history more broadly, where the experiences of newcomers, not natives, dominates the literature concerned with race and ethnicity. As David Roediger has argued, scholars working in this field have yet to “fully grasp” the importance of settler colonialism, in general, and aboriginal people, in particular, to the history of the Canadian working-class. See his “Top Seven Reasons to Celebrate and Ask More from *Labour/Le Travail*,” *Labour/Le Travail* 50 (Fall 2002), 88–99.

17. See Olive P. Dickason, *Canada's First Nations: A History of Founding Peoples from Earliest Times*, 2nd ed., (Toronto 1997), 202–3; Daniel N. Paul, *We Were Not Savages: A Micmac Perspective on the Collision of European and Aboriginal Civilization* (Halifax 1993), 185; Harald E.L. Prins, *The Mi'kmaq: Resistance, Accommodation, and Cultural Survival* (Toronto 1996), 164–165.

18. Two texts deserve to be singled out: Raymond Williams, “Base and Superstructure in Marxist Cultural Theory,” in *Problems in Materialism and Culture* (New York 1980), 42 and Homi K. Bhabha, *The Location of Culture*, 2nd ed., (New York 2004), 51–2, 54–5.

19. “Original roving practices” is from NSARM, RG1, Volume 431, Number 62.5, H.W. Crawley to Joseph Howe, 13 February 1852.



with the so-called new world.<sup>20</sup> In the specific frame of the British experience, this ideology, which was influenced in decisive ways by John Locke's "labour theory of property," rested on the notion that indigenous lands were either being used inefficiently or not at all, and thus indigenous people deserved to be displaced by more productive practices and people. Land may have been God's gift to humanity, Locke reasoned in the late 17th century, but it was productive labour – what settlers and colonial officials often called "improvements" – made obvious in the form of a garden, a ploughed field, a fence, and a home that transformed land into private property and thus made it something of value.<sup>21</sup> Further legitimized by settlement pressures, commercial self-interest, and the pervasive discourse of the "dying Indian," this ideology manifested itself in the government's early reserve policy, adopted in 1819, and, 34 years later, in its *Act for the Instruction and Permanent Settlement of the Indians*, which, among other initiatives, authorized the Commissioner of Indian Affairs to "parcel out to each head of a family a portion of the reservations...and also to aid them in the purchase of implements and stock."<sup>22</sup> To bring the Mi'kmaq into "a state of civilization," Abraham Gesner, Commissioner of Indian Affairs in Nova Scotia, observed in 1847, "they must cultivate the land" – or accept their inevitable fate.<sup>23</sup>

Likely non-existent in pre-contact society, agriculture was of some importance to the Mi'kmaq, both on the Nova Scotia mainland and Cape Breton, during the early-to-mid-18th century.<sup>24</sup> At the Mirligueche (Malagawatch) mission site, which was established on the southern shore of the Bras d'Or Lake in Cape Breton by the French in 1725, the Mi'kmaq combined their-customary rounds of hunting, fishing, and gathering with the cultivation of

20. On this point see Patricia Seed, *Ceremonies of Possession in Europe's Conquest of the New World, 1492–1640* (New York 1995); Peter Karsten, *Between Law and Custom: 'High' and 'Low' Legal Cultures in the Lands of the British Diaspora – The United States, Canada, Australia, and New Zealand, 1600–1900* (Cambridge 2002); John Weaver, *The Great Land Rush and the Making of the Modern World, 1650–1900* (Montreal and Kingston 2003).

21. Here I am paraphrasing Cole Harris, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver 2002), 46–56. I am indebted to Shirley Tillotson for reminding me of the importance of John Locke.

22. The emergence of agriculture in government policy is detailed in Prins, *The Mi'kmaq*, 168–9; Elizabeth Haigh, "They Must Cultivate the Land: Abraham Gesner as Indian Commissioner, 1847–1853," *Journal of the Royal Nova Scotia Historical Society* 3 (2000), 54–71; NSARM, RG1, Volume 432, Joseph Howe Letterbooks, "An Act to Provide for the Instruction and Permanent Settlement of the Indians."

23. NSARM, MG 15, Volume 4, Number 32, Abraham Gesner to Sir Rupert D. George, 29 September 1847.

24. The extent to which the Mi'kmaq cultivated the soil prior to ongoing contact with Europeans has been the focus of debate. See, for example, Patricia Kathleen Linskey Niefeld, "Determinants of Aboriginal Micmac Political Structure," PhD dissertation, University of New Mexico, 1981, 306–365. Agricultural practices on the Nova Scotia mainland during the early 1700s are mentioned in Wicken, *Mi'kmaq Treaties on Trial*, 30.

corn, which, according to the governor of Fortress Louisbourg, they did quite effectively.<sup>25</sup> Across the lake at Vachelouacadie (Chapel Island), which had become the centre of French missionary activity in 1742, extremely modest attempts at growing food continued. There, in the 1750s, Louis Petitpas, whose mother was Mi'kmaq, and Madelaine Poujet, his Mi'kmaw wife, grew root vegetables and wheat "of a quality above the ordinary."<sup>26</sup> While cultivation was by no means a new experience for the Mi'kmaq on Cape Breton in the early-to-mid-19th century, the pressures emanating from government policy and white encroachment, coupled with their reduced political influence, certainly were. Thus, on or near four of Cape Breton's six reserves, the Mi'kmaq attempted to work the soil on a wider scale than before. At Chapel Island in 1818, Morice Bask, an "Indian," and "his two sons cultivated ... part of a tract of 1000 acres that has been for many years in the occupation of the Indians."<sup>27</sup> By 1841, numerous Mi'kmaw families in that area were doing the same thing: they planted potatoes, wheat, barley, and hay – some in small garden-sized plots, others in fields as large as two acres; pigs, cows, and sheep were kept as well.<sup>28</sup> Partial evidence suggests that similar "agricultural settlements" were evident elsewhere on the island, such as Eskasoni, perhaps as early as the 1810s and 1820s.<sup>29</sup> In a petition to the colonial government in 1860, Francis Tomma, "Head Chief of the Micmacs," described the "Roman Catholic settlement on the east of the B'ras d'Or" as possessing "fields and houses, and flocks and herds." There, he continued, the "Indians enjoy all the consequent benefits that by lawless aggression and unattainable redress have been so completely wrested from the Indians in the [Mi'kmaw] settlement[s] of Whycocomah and Wagmatcook."<sup>30</sup>

Subsistence farming was never easy, of course, for the land itself was contested terrain. Louis Joseph Gregoire, "the poor Indian," understood this notion. Beginning in the late 1790s, his father, Joseph, made the "first improve-

25. Balcolm and Johnston, "Missions to the Mi'kmaq," 123–4, 128.

26. Kenneth Donovan, "Imposing Discipline Upon Nature: Gardens, Agriculture, and Animal Husbandry in Cape Breton, 1713–1758," *Material Culture Review* 64 (Fall 2006), 22–3, 35.

27. NSARM, Land Petitions, Cape Breton Island, 1787–1843, Number 1835, "Bask, Morice (Indian)," 1818; LAC, RG 10, Volume 459, Number 3, "The Petition of Louis Gregoire [?], residing near Chapel Island," 11 July 1867. In this petition, the writer states that "said island has been worked and improved on for the last seventy six years."

28. NSARM, RG 5, Nova Scotia House of Assembly, Series P, Volume 8a, Number 14B, "An Account of the Indians living within the County of Richmond as taken on 16 July 1841."

29. NSARM, RG 5, Volume 15, Number 9, Petition from Mi'kmaq at Whycocomagh, 1 February 1855. This petition reads in part: "Even pieces that were cleared [?] and partially cultivated by our forefathers ... we hold most dear." See also Brian Tennyson, ed., *Impressions of Cape Breton* (Sydney 1986), 80–81.

30. NSARM, RG 5, Series GP, Volume 3, Number 162, "Petition from Francis Tomma (Head Chief of the Micmacs)...concerning the intrusions...", 12 July 1860.

ments” on a small island to the west of Chapel Island – a spot, according to a local priest, Joseph received “for his wages for his service accompanying the surveyor of the land for a long time.” Upon his death, Joseph left the land to his son, who “mowed the hay on the island...yearly up to the present date [1867], [and] lived on the island during the summer months” to “support a large family.” Sometime in the late 1850s or early 1860s, however, the island was formally granted to a Scottish settler; Joseph’s and Louis Joseph’s improvements, ordinarily one of the strongest signs of possession one could make under English law, were evidently not enough to secure the Gregoires’ title to the land.<sup>31</sup> Similar stories unfolded elsewhere on the island. Beginning in 1811, Scottish settlers began clearing land, building fences, houses, and barns, grazing animals, and planting crops along the Wagamatcook River valley and the Wagamatcook reserve; by 1837, at least 13 immigrant families were squatting on hundreds of acres of reserve land.<sup>32</sup> For the local Mi’kmaw families, this encroachment not only removed “good upland” from their possession, thus depriving them of its potential benefits, but it produced endemic friction between themselves and their unwanted neighbours.<sup>33</sup>

Between 1837 and 1860, high-ranking colonial officials – the Indian Commissioner for Cape Breton and the Indian Committee of the Legislative Assembly – agreed that the squatters should be removed from Wagamatcook, and that the boundaries of the reserve must be fixed with greater clarity and defended from further encroachment more vigorously. But their strong words – “shall any person dare to settle on any Indian Reserve, or to extend his improvements, or cut timber, or commit any other act of depredation thereon, such offender will be...punished with the utmost rigour of the Law” – never translated into decisive action on the ground, leaving the squatters at Wagamatcook, and increasingly at other reserves on the island, too, free to expand the circumference of their occupation, and to sink deeper roots – both literally and metaphorically – into aboriginal soil (see Illustration 1, *Notice to Trespassers*).<sup>34</sup> “It appears that no means will be effectual, short of destroying the houses and

31. LAC, RG 10, Volume 459, Number 3, “The Petition of Louis Gregoire [?], residing near Chapel Island,” 11 July 1867; Volume 459, Number 1, J. Courteau to S. Fairbanks, 22 August 1867.

32. Rusty Bittermann, “The Hierarchy of the Soil: Land and Labour in a 19th Century Cape Breton Community,” in P.A. Buckner, Gail G. Campbell, and David Frank, eds., *The Acadiensis Reader: Volume One*, 3rd ed., (Fredericton 1998), 263, 266–7; NSARM, RG 1, Volume 432, Joseph Howe Letterbooks, “List of Trespassers on a tract of Land reserved for the Indians of Wagamatcook,” 8 July 1837.

33. Harold Franklin McGee, “White Encroachment on Micmac Reserve Lands in Nova Scotia, 1830–1867,” *Man in the Northeast* (1974), 57–64.

34. NSARM, RG 1, Volume 431, Number 36, “Notice To Trespassers on Indian Reserves,” 1 May 1837.

barns ... now existing," lamented H.W. Crawley, the Indian Commissioner for Cape Breton. For their part, the Mi'kmaq sent numerous petitions to a range of colonial officials; one missive, drafted during the St. Anne's Day celebrations in 1860, called for a "full survey" of all "Indian lands," an inventory of the squatters "and the damage they have done," and immediate action to "secure...all the lands reserved for [our] use in Cape Breton."<sup>35</sup>

By that time, however, the colonial government sought to solve the problem not by evicting the transgressors, some of whom had been on the land for nearly three decades, but by selling or leasing the disputed land back to the Europeans, and holding the revenues in trust for the "benefit of the Indians." Limited evidence suggests that at least eleven Scottish families took the colonial government up on its offer before the policy was suspended in 1867, when the new Dominion was created and Indian affairs became a federal responsibility.<sup>36</sup>

The challenges to farming posed by white encroachment, which affected

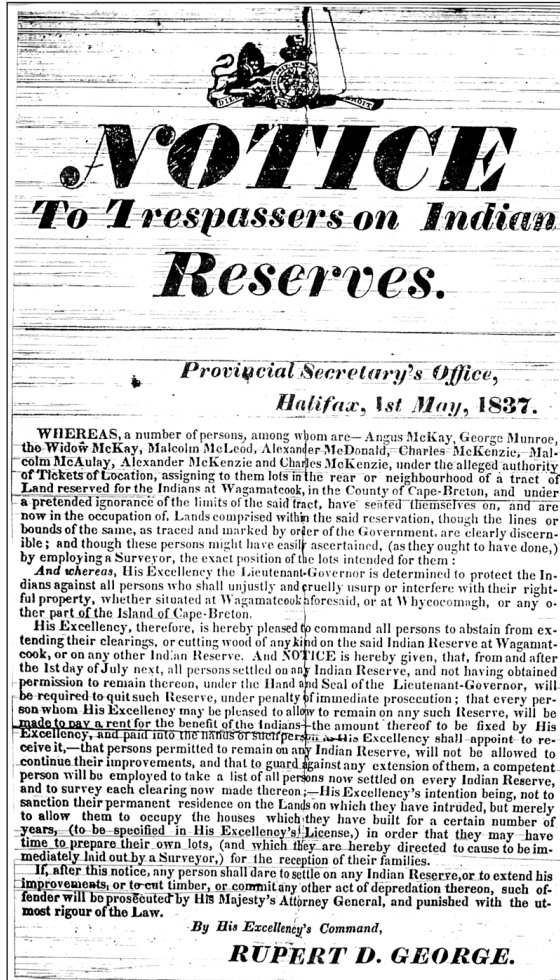


Illustration 1. "Notice to Trespassers on Indian Reserves," Cape Breton, 1837.

NSARM, RG 1, VOLUME 431, NUMBER 36

35. Quoted in McGee, "White Encroachment," 60.

36. NSARM, RG1, Volume 431, Number 135, Samuel Fairbanks to Provincial Secretary, 1862. Appended to this letter is a "List of Settlers at Middle Rivers – Prices fixed by Committee of House of Assembly."

nearly all of the newly laid reserves on the island, were compounded further by land that was often difficult to clear, seeds and implements that were hard to acquire, and potato crops that, as the island-wide famine of 1845–1851 made painfully clear, often fell prey to disease.<sup>37</sup> Not surprisingly, then, Mi'kmaw families tended to view subsistence agriculture as only one economic option, opting to deploy their labour power in customary ways – seasonally and in family units – when the need arose, much to the government's dismay. “[T]hat gradual transition taking place among them from the unsettled habits of their ancestors to that of permanent residents of their land has suffered disadvantageous interruption,” Crawley reported in 1848. As a result, they leave “their agricultural settlements and diffuse over the country in search of subsistence.”<sup>38</sup> Or, as George Edward Jean put it, referring to a Mi'kmaw couple from Chapel Island who were deemed “strong and healthy”: “[they] would prefer fishing to farming.”<sup>39</sup>

From Chapel Island, some Mi'kmaw families migrated south to Arichat in search of “subsistence.” Located on Isle Madame on Cape Breton's south coast, the town dominated the island's cod fishery, serving as the home for Phillip Robin and Company, one of three Channel Island merchant firms active in the cod fishery in the Gulf of St. Lawrence. Arichat boasted the largest population of any settlement on the island, including Sydney, Cape Breton's administrative capital. There, the Mi'kmaq joined a multi-ethnic assortment of workers – Channel Islanders, Acadians, and Irish – in a pre-industrial enterprise calibrated to the seasonal movement of fish and connected to global networks of merchant capital and exchange.<sup>40</sup> As “labourers,” Mi'kmaw men perhaps maintained fishing premises, helped build shallops and schooners, and constructed barrels for shipping dried fish – a craft that, according to one colonial official, they came to dominate by the 1850s.<sup>41</sup> Moreover, given their history as seafarers, and knowledge of inshore waters, it is possible that they crewed

37. On the famine, generally, see Robert Morgan, *Early Cape Breton* (Wreck Cove, Cape Breton 2000), 136–152. The impact of potato rot on the island's Mi'kmaq is described in NSARM, MG 15, Volume 3, Number 111, “Year end report from Cape Breton with a strong appeal for more assistance from Dodds, Indian Commissioner, 1846.”

38. NSARM, MG 15, Volume 4, Number 59, H.W. Crawley, “Accounts and vouchers showing expenditure of the legislature for the benefit of the Cape Breton Indians, 12 February 1848.”

39. NSARM, RG 5, Series P, Volume 8a, Number 14b, “An account of the Indians living within the County of Richmond as taken on the 16th July 1841 – at the Indian Chapel Bras d'or Lake being the Anniversary of St. Ann's Day,” 26 July 1841.

40. Rosemary E. Ommer, *From Outpost to Outport: A Structural Analysis of the Jersey-Gaspé Cod Fishery, 1767–1886* (Montreal, Kingston 1991).

41. NSARM, RG1, Volume 431, Number 101, Petition from “Indians on the North Shore of the East Arm of the Great Bras Dor, County of Cape Breton...1851 [?]”; NSARM, RG 1, Volume 431, Number 62.5, H.W. “Crawley to Joseph Howe, 13 February 1852.” According to Crawley, “They are expert workmen at the coopering business and supply all the trade in this part of the Island with fish casks....”



fishing and coastal vessels as well. A petition sent to the colonial government in 1864, in which the “Indians near St. Peter’s” state that they are “well versed in the art of seine hauling,” appears to support this speculation.<sup>42</sup> That the Clerk of the Peace made specific mention of Mi’kmaw men who supplied branches and birch bark for the fishery, which were used to dry salted fish, suggests that they were a part of the salting and curing process, an occupation that Mi’kmaw women might have undertaken as well.

How Mi’kmaw workers were paid – either in cash, credit, or provisions – is difficult to ascertain. Men from the Channel Islands, who came to Cape Breton under contract with a large merchant firm, worked on sizable fish-processing settlements where tasks were specialized, clearly defined, and undertaken under the supervision of company overseers; migrant workers were paid in cash upon the completion of their contracts. In contrast, resident workers were usually employed by local “planters” – people who possessed their own boats and small-scale storage and processing sheds, and exchanged their catch with local or international merchants for credit or provisions. More independent, and less specialized than their Channel Island colleagues, local workers were typically paid in provisions, whether they worked on land, sea, or both.<sup>43</sup> “Laborers” in the view of the Clerk of the Peace, the Mi’kmaq were likely remunerated in kind, not cash, an assessment supported by a scrap of evidence gleaned from the account books of Lawrence Kavanagh, a local merchant based out of St. Peter’s who possessed a substantial interest in the cod fishery at Arichat, providing “sundry articles and provisions”; “8 eel spears to Indians,” reads one entry in his ledger dated 1832.<sup>44</sup>

The Mi’kmaq knew exactly what to do with eight eel spears, for they had fished in the island’s rivers and inshore waters for a long, long time. Before and after the arrival of Europeans, fishing was as important as hunting to the Mi’kmaq’s seasonal rounds of resource gathering.<sup>45</sup> French missionaries and colonial officials on Cape Breton during the early-to-mid-18th century understood this fact, and thus located their missions near the Mi’kmaq’s customary fishing sites, which ringed the Bras d’Or Lake; the island’s reserves, which

42. Olive Dickason highlights the Mi’kmaq’s skills as mariners in *Louisbourg and the Indians: A Study in Imperial Race Relations, 1713–1760* (Ottawa 1976), 46, 75–77. The petition is found in NSARM, RG 1, Volume 431, Number 142, “Micmac near St. Peter’s to Lt. Gov. McDonnell, October 1864.”

43. Hornsby, *Nineteenth-Century Cape Breton*, 4–15.

44. NSARM, MG 3, V301–304, “Kavanagh Account Books, St. Peter’s, Nova Scotia, 1817–1824,” page 205.

45. Janet E. Chute, “Mi’kmaq Fishing in the Maritimes: A Historical Overview,” in David T. McNab, ed., *Earth, Water, Air, and Fire: Studies in Canadian Ethnohistory* (Waterloo 1998), 100. My argument in this paragraph is drawn largely from Chute’s article. On the seasonal dynamics of fishing see Frances L. Stewart, “Seasonal Movements of Indians in Acadia as Evidenced by Historical Documents and Vertebrate Faunal Remains from Archaeological Sites,” *Man in the Northeast* 38 (Fall 1989), 55–75.



were created about a century later, were similarly situated for similar reasons. Critical to the Mi'kmaq's subsistence economy, and imbued with deep spiritual and political import, fish and sea mammals played only a modest role in trade relations with the British and French, at least when compared to fur-bearing animals.<sup>46</sup> There is no evidence that the Mi'kmaq participated in the cod fishery centred at the French stronghold of Fortress Louisbourg between 1713 and 1758, although fish may have circulated between the two groups as part of the diplomacy of gift-giving.<sup>47</sup> Removed somewhat from the commercial incentives of mercantilism, fishing was thus a zone of relatively autonomous activity for the Mi'kmaq well into the mid-to-late 1700s – a status reinforced by the continued use of fishing materials derived largely from indigenous, as opposed to European, resources.<sup>48</sup>

Yet as population pressures tied to the Planter, Loyalist, and Scottish migrations mounted, fishing, like hunting and trapping, became severely circumscribed. “The Population and Improvements by their Conquerors occupy the Rivers and Forests that were the sources of their means of subsistence,” the Superintendent of Indians Affairs for Nova Scotia reported in 1808.<sup>49</sup> Throughout the mid-to-late-19th century in Cape Breton, conflicts between natives and newcomers occasionally flared up around the Bras d'Or Lake and along the Margaree River system – “the Indians have been giving trouble to the new settlers” – as immigrants established farms and mills or sought access to spawning fish.<sup>50</sup> “You have put ships and steamboats upon the water and they scare away the fish,” stated the “Chiefs and Captains of the Micmac Indians” in 1849. “You have made dams across the rivers, so that salmon cannot go up, and your laws will not let us spear them. As our game and fish are nearly gone and

46. In “Mi'kmaq Fishing in the Maritimes,” Chute stresses that “commercial incentives likely permeated Mi'kmaq fishing practices at a fairly early date,” p. 96. I don't doubt her basic point, only that this commercial activity appears – based on the evidence she presents – quite small compared to the fur trade.

47. B.A. Balcolm, “The Cod Fishery of Ile Royale, 1713–1758,” in Eric Krause, Carol Corbin, and William O'Shea, eds., *Aspects of Louisbourg* (Sydney 1995), 169–97; A.J.B. Johnston, “The Fishermen of 18th Century Cape Breton: Numbers and Origins,” *Nova Scotia Historical Review* 9:1 (1989), 62–72. I am indebted to Kenneth Donovan for the final point about fish and gift-giving.

48. Chute, “Mi'kmaq Fishing in the Maritimes,” 96. This is not to say that Europeans were not involved in the Mi'kmaw fishery at all. According to B.A. Balcolm, it was not uncommon in the 1720s and 30s for French officials at Fortress Louisbourg to provide Mi'kmaw fishermen with boats to hunt seals on the Magdalen Islands, and to receive, in return, seal oil for the winter. See Balcolm, “The Mi'kmaq and Louisbourg,” guide for interpreters at Fortress Louisbourg, revised edition, 2006, on file at Fortress Louisbourg.

49. NSARM, RG 1, Volume 430, Number 145, G.H. Monk to George Provost, 23 April 1808.

50. NSARM, Land Petitions, Cape Breton Island, 1787–1843, Number 854, **Petition from Charles McNab**, 1812; Number 624, **Petition from “Margaree Inhabitants,”** 1810.

we cannot sell the articles we make, we have resolved to make farms.”<sup>51</sup> Many on the island, of course, did pursue agriculture, but others sought to insert themselves into the European-controlled fishery, as labourers (as at Arichat) or as fishermen in their own right. Writing to the colonial government in 1864, 42 families from Chapel Island requested a “seine of 100 fathoms long.” Without reliable access to their customary hunting and fishing grounds, and having found it extremely difficult to “support themselves and their families, as the cooperating business has become limited,” they hoped to make a “comfortable living” in the commercial fishery. “[We] principally reside near the seaboard where fish can be taken in abundance.” Their appeal, however, was never fulfilled.<sup>52</sup>

For Mi'kmaw women, the seasonal migration to Arichat provided an opportunity to sell baskets, earning them a meagre income that supplemented the goods likely received by their male counterparts (see Photographs 1, 2, and 3).<sup>53</sup> “The Squaws sit for hours and days in their smoky wigwams, making baskets, or ornamental trifles, generally sort of mosaic work, in moose hair or quills of the Nova Scotian porcupine, stained of various colours, and worked upon a shell of birch bark,” wrote soldier-turned-writer William Moorsom in 1830.<sup>54</sup> Freighted with an ugly sense of cultural superiority, Moorsom's observation nevertheless hints at the gendered division of labour that underpinned the production and sale of baskets and “ornamental trifles”: both dimensions were monopolized by Mi'kmaw women, who learned their skills from their mothers. They, and not their male counterparts, were the artisans in this specific context, transforming “ash and maple” – to borrow from the late Mi'kmaw poet Rita Joe – into “intricate designs, carefully woven, nothing crude, perfection binding.”<sup>55</sup> In search of “a high price and ready sale,” Mi'kmaw women travelled far from their home communities to hawk their wares. The routes from Eskasoni to Sydney, “where [in the 1850s and 60s] the squaws find ready markets...on board the steamers which touch Sydney for coal,” and from Chapel Island to Arichat,

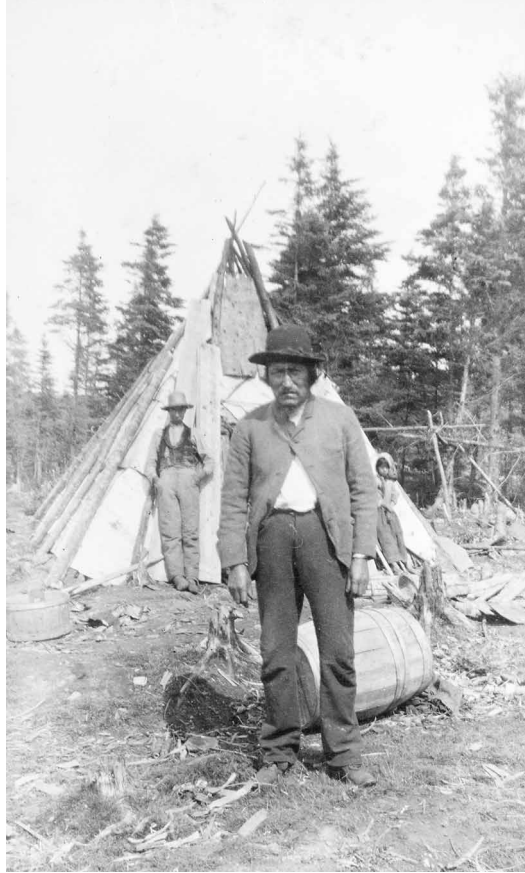
51. NSARM, RG 5, Series P, Volume 45, Number 162, Petition of the “Chiefs and Captains of the Micmac Indians of Nova Scotia for aid to make farms,” 1849.

52. NSARM, RG 1, Volume 431, Number 75, Petition from “Indians near St. Peter's in the County of Richmond,” 17 October 1864. The appeal for a “comfortable living” echoes down to the historic Supreme Court decision in *R. v. Marshall* in 1999, in which the Mi'kmaq were granted the (regulated) right to earn a “moderate livelihood” in the commercial fishery.

53. Bunny McBride and Harald Prins, *Our Lives in Our Hands* (Halifax 1990), 3–23.

54. William S. Moorsom, *Letters from Nova Scotia: Comprising Sketches of a Young Country* (London 1830), 112–3.

55. Rita Joe, *Poems of Rita Joe* (Halifax 1978), 23. See also Jane L. Cook, “Natives and Newcomers in the New World: Maritime Furniture and the Interaction of Cultures,” in David Newhouse, Cara Voyageur, and Dan Beaver, eds., *Hidden in Plain Sight: Contributions of Aboriginal People to Canadian Identity and Culture* (Toronto 2005), 115–135.



**Photo 1. Mi'kmaw people at the King's Road settlement, Sydney, Cape Breton, 1880. Note the barrel and wood shavings behind the man.**

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78-710-2460

were particularly well travelled – by foot, canoe, and horse and wagon.<sup>56</sup> When the railroad linked Cape Breton to the Nova Scotia mainland decades later, the radius of this movement widened further.<sup>57</sup> Near to home or far away, the generosity of friends and family, who provided food, shelter, and company along the way, was critical to the success of a woman's basket-selling sojourn; so, too, were repeat customers, who were purposely sought out in a given locale.<sup>58</sup> Payment in cash and kind was readily accepted, with

flour, tea, sugar, molasses, and cloth fetching a basket or two.<sup>59</sup>

56. Tennyson, *Impressions*, 141; Richard Brown, *History of the Island of Cape Breton, with Some Account of the Discovery and Settlement of Canada, Nova Scotia, and Newfoundland* (London 1869), 459; Ronald Caplan, ed., "Annie and John Battiste: A Mi'kmaq Family History," in *Cape Breton Works* (Wreck Cove, Cape Breton 1996), 163–184. The importance of Sydney to Mi'kmaw families from Eskasoni is hinted at in NSARM, RG 1, Volume 431, Number 48, H.W. Crawley to Joseph Howe, 22 May 1848.

57. This took place in 1891. My thanks to Don MacGillivray for digging up this date. See also J. William Calder, *All Aboard* (Antigonish 1974), 127–129.

58. Caplan, ed., "Annie and John Battiste," 163–184.

59. McBride and Prins, *Our Lives in Our Hands*, 11. The importance of the "doorstep" economy to Mi'kmaw women resembles similar patterns of employment for aboriginal women in the Pacific Northwest in the mid-to-late-19th century. See Carol Williams, "Between Doorstep Barter Economy and Industrial Wages: Mobility and Adaptability of Coast Salish Female Laborers in Coastal British Columbia, 1858–1890," in Mark B. Spencer and Lucretia Scoufos, eds., *Native Being, Being Native: Identity and Difference* Proceedings of the Fifth Native



**Photo 2.** This picture was taken at the same time as Photo 1 by the same (unknown) photographer. On the back of this image is the caption: "The Micmac Elite."

BEATON INSTITUTE, CAPE BRETON UNIVERSITY, HAROLD MEDJUICK PHOTO COLLECTION: 78-711-2461



**Photo 3.** Part of the same series as Photos 1 and 2, this image reveals an additional "wigwam" – suggesting that more than one family resided at the King's Road settlement at this time.

BEATON INSTITUTE, CAPE BRETON UNIVERSITY, HAROLD MEDJUICK PHOTO COLLECTION: 78-712-2462

Regarded as skilled workers, Mi'kmaw women also possessed a reputation as hard bargainers. In late July 1860, a small group of Mi'kmaw people

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American Symposium (Durant, Oklahoma 2005), 16–27.

– women and children – were gathered at the seasonal “Indian encampment” located on the north side of the entrance of Sydney Harbour, near Sydney Mines. Their families and extended families had left “North Bar” earlier that month for Chapel Island for the “great annual festival of St. Anne,” leaving a few community members, who were perhaps too old or too young to make the trip, behind. One afternoon, a large group of non-Aboriginal people turned up at the camp – its spokesperson asking if any of the camp’s inhabitants wanted to meet the Prince of Wales, who was in Sydney for a brief visit while en route from St. John’s to Halifax as part of a grand royal tour. “The squaws, with natural politeness for which many of them are distinguished, expressed their pleasure at seeing the Prince,” one royal watcher observed at the time, adding, somewhat incredulously: “[They] had the satisfaction of disposing of some trifling articles of their own at fabulous prices.”<sup>60</sup> Significantly, not all transactions were so fabulous; selling baskets and quillwork could be dangerous. Fragmentary evidence suggests that some Mi’kmaq women were exposed to smallpox from their European customers while peddling their wares door to door. Waiting to see if infection followed the initial exposure was no doubt stressful on the individual woman and her family – all of whom were now at risk – for the Mi’kmaq and Europeans alike knew that smallpox led to a blazing fever, quarantine, and usually death.<sup>61</sup>

In addition to labouring in the commercial fishery and craft production, the Mi’kmaq rented pieces of land to white tenants, sold “wood whenever they [could] find an opportunity,” and acted as guides for surveyors, hunters, travellers, and government officials.<sup>62</sup> Travelling in 1849, C.H. Harrington, an aspiring merchant, “engaged a canoe and two Indians” from the “Indian settlement [on] the Bras D’Or Lake” to take him from St. Peter’s to Sydney, a distance, he stated, of about “70 miles.”<sup>63</sup> Moving north-east from Eskasoni toward Blackett’s Lake and Sydney River, the group “threaded the most intricate and tortuous part of the channel” – the aboriginal guides sleeping and paddling the entire way. About “12 miles” from their destination, Harrington noted, “we unloaded and one of the Indians took my trunk on his back, the

60. Brown, *History of the Island of Cape Breton*, 461. When the Prince of Wales turned up in Charlottetown, the local Mi’kmaq asked for assistance to become farmers. See Jennifer Reid, *Myth, Symbol, and Colonial Encounter: British and Mi’kmaq in Acadia, 1700–1867* (Ottawa 1995), 83. The royal visit is the subject of Ian Radforth, *Royal Spectacle: The 1860 Visit of the Prince of Wales to Canada and the United States* (Toronto 2004).

61. Caplan, ed., “Annie and John Battiste: A Mi’kmaq Family History,” 163–184.

62. For renting of land see NSARM, RG 1, Volume 431, Number 99, Samuel Fairbanks to Provincial Secretary, 12 August 1858; for selling of wood see LAC, RG 10, Volume 459, Number 6, Fairbanks to Secretary of State (Canada), 3 April 1868.

63. BI-CBU, Harrington Collection (HC), MG 12, 3A, C.H. Harrington to Sarah, 6 September 1849. Another reference to the Mi’kmaq working as guides can be found in Jeanette McDonald, “A History of the Maragrees,” (BA Essay, St. Francis Xavier, 1965), 3. That essay can be found at: BI-CBU, Reports (Towns and Villages), #78–199–669.



other took the canoe on his head, & thus we crossed the portage three miles ...& from there to Sydney.”<sup>64</sup> John G. Marshall, “chief justice of the courts of common pleas” in Nova Scotia between 1823 and 1841, had a similar experience while travelling the island as part of his judicial circuit. “Large portions of my journeys were performed in Indian canoes,” he recounted in a short monograph. “I sometimes passed the greater part of the whole of the night, occasionally paddling to lessen chilliness” – and to give his aboriginal guide, who in this case was a “poor, tired squaw,” a well-deserved break.<sup>65</sup>

Other indigenous families hunted on a seasonal basis. “The Indians are continually wandering from one part of the Island to the other,” A.W. Desbarres, the Attorney General for Cape Breton, observed in 1818. “[T]hey transport themselves along the shore in canoes; their baggage usually consists of a blanket, a musket, and axe...and a large iron pot for cooking; also the peltry...they have collected.”<sup>66</sup> For Mi'kmaw families in the 1840s and 1850s, fur-bearing animals remained a source of food and, to a lesser extent, clothing; fragmentary evidence, like Desbarres's observation, suggests that pelts were occasionally sold for modest financial gain as well. Although the heyday of the region's fur trade was long over, small quantities of fur – bear, elk, moose, caribou, deer, beaver, muskrat, and fox – were still being exported from Cape Breton to Halifax and then on to Europe between 1788 and 1791, continuing an economic endeavour which had persisted on the island throughout the French regime.<sup>67</sup> In the early decades of the 19th century, thousands of Nova Scotia pelts, some of which were from the island, were shipped overseas.<sup>68</sup> No doubt dominated by poor white settlers, who faced dire material circumstances on the island too, the early-19th-century fur trade also included the Mi'kmaq of Cape Breton, but only in a limited way. As B.W.A. Sleight, an officer in the British Army stationed in Sydney, recounted in 1846: “I purchased a couple of red foxes from an Indian.... Cape Breton abounds in these destructive animals; but, as a slight recompense, there are a good many black foxes about, whose skins are most valuable, and fetch a high price in the Halifax market.”<sup>69</sup> Sleight did not know it, but within Mi'kmaw communities the collection of “peltry” was orchestrated through a “family hunting territory system” – a sophisticated method of regu-

64. BI-CBU, HC, MG 12, 3A, Harrington to Sarah, 6 September 1849.

65. Quoted in A.A. Johnston, *A History of the Catholic Church in Eastern Nova Scotia*, Vol. II, (Antigonish 1971), 26.

66. Quoted in Tennyson, *Impressions of Cape Breton*, 81.

67. Balcolm and Johnston, “Missions to the Mi'kmaq,” 115–140.

68. Julian Gwyn, “The Mi'kmaq, Poor Settlers, and the Nova Scotia Fur Trade, 1783–1853,” paper presented at the 82nd meeting of the Canadian Historical Association, Dalhousie University, 2003.

69. Quoted in Tennyson, *Impressions of Cape Breton*, 133–34.



lating access to, and the dimensions of, specific hunting grounds that evolved from similar practices that pre-dated contact with Europeans.<sup>70</sup>

Glimpses of this system are evident in the numerous petitions filed by Mi'kmaw "Chiefs" and "Captains," some of whom likely presided over this complex ecologically sensitive calculus, that protested the conduct of white hunters. Not only did Europeans over-hunt moose, they argued, but they did so with dogs, killed males and females indiscriminately, and did not fully use the animals' remains. "The flesh of the Moose always afforded our people an important supply of food ... when all other means of support failed. [Now] a part of the flesh was left in the woods," read one missive presented to the Legislative Assembly in 1848. "The skins of the Moose, Cariboo, and beaver were warm [?] to our bodies. We had plenty of good land. We worshipped the Great Spirit," echoed another dated 1850. "But your people had not enough land....The moose yards of our fathers, where are they? Now whitemen kill the moose and leave their flesh in the woods."<sup>71</sup> Such waste, the petitions suggest, ran counter to the Mi'kmaq's "cultural emphasis on balance and responsibility toward the natural world" – an emphasis that was deeply lodged in the family hunting territory system.<sup>72</sup> That several "Chiefs" and "Captains" ended their petitions not just with their signatures, but with their "marks" – cross, hatchet, canoe, paddle, spear – highlights the persistence of the territory system further: each symbol denoted a particular Mi'kmaw group as well as the size and location of their historic hunting ground.<sup>73</sup> In a context shaped decisively by the presence of European settlers and colonial "Indian" policy, the Mi'kmaq used an older method of delimiting the boundaries of, and access to, specific hunting grounds, thereby eluding, if only in a partial and limited way, the encompassing and encaging geographies of the reserve system and the wider policy of assimilation of which they were a part.

In addition to hunting, Mi'kmaw families at mid-century supported themselves by pressing local officials for "Indian meal," seed potatoes, blankets, coats, and, in some instances, cash. From the perspective of H.W. Crawley, who

70. Janet Chute, "Frank G. Speck's Contributions to the Understanding of Mi'kmaw Land Use, Leadership, and Land Management," *Ethnohistory* 46:3 (1999), 481–539. It is important to note here that Speck's contentions on this specific subject have been highly controversial; see, for example, Alfred G. Bailey's summary of the debate in *The Conflict of European and Eastern Algonkian Cultures, 1504–1700: A Study in Canadian Civilization* (Toronto 1969), xviii–xxii. Thanks to John Reid for bringing this source to my attention.

71. NSARM, MG 15, Volume 4, Number 57, "Petition of the chiefs of the Indians to prevent the hunting of moose by dogs and to preserve their salmon fisheries," 5 February 1848; RG 5, Volume 45, Number 162, "Petition of the chiefs and captains of the Micmac Indians of Nova Scotia for aid to make farms," 8 February 1849 [?].

72. The quoted phrase appears in Chute, "Frank G. Speck's Contributions," 506.

73. On this point see Marie Ann Battiste, "An Historical Investigation of the Social and Cultural Consequences of Micmac Literacy," PhD dissertation, Stanford University, 1983, 52–79.

surveyed the island's Indian affairs from the comfort of Sydney, the provision of "supplies" was risky business, and thus was done "with a view of affording to the Indians a motive for exertion." Not surprisingly, then, he appears to have prioritized those who, in his judgement, were the deserving poor: "to two old women," "paid widow," and "cash to Joseph, a sick Indian," read one of his account books. "Cash to Mary Ann, an old Squaw," "cash to blind Squaw," stated another. Those who did not fit this profile – aged, sick, female – purchased "the remaining articles." In this way, Crawley reported in 1852, "the welfare of these people will be promoted and their habits of industry encouraged." Yet what to this official was "gratuitous relief" was to the Mi'kmaq simply their due. Drawing on their past experiences with the French and British in the 18th century, in which gifts were given in exchange for loyalty, they, in Crawley's words, "entertained" the "notion" that an "annual tribute of provisions and clothing" was "their right" – a sentiment that persisted amongst the Mi'kmaq, and frustrated state officials, into the 1860s.<sup>74</sup> "[Blankets and coats] are distribute[d] amongst the most destitute [Indians], having particular regard to the sick and the aged," observed the Indian Commissioner for Nova Scotia in 1868. "The quantity is small in proportion to the number of Indians, all of whom think themselves entitled to a share."<sup>75</sup>

Those who did not present themselves in Sydney for relief, where, as several Mi'kmaw families knew well, smallpox was "introduced by the Emigrant ships," placed their demands before the state from a distance: at least 38 separate petitions poured into Halifax, the colonial capital, between 1819 to 1867.<sup>76</sup> Accustomed to, and masters of, the face-to-face diplomacy of the 18th century, in which their positions were set before the British and French orally, the Mi'kmaq's use of petitions, a written form, makes manifest not only the narrow range of political options available to them in the early-to-mid-19th century, but, importantly, a capacity to adapt an older political style to a new set of circumstances.<sup>77</sup> In words and phrases that would not have been out of place at a treaty negotiation in 1726 or 1761, several quite lengthy Mi'kmaw petitions deployed a discourse of deference, duty, and protection – often laced

74. NSARM, RGL, Volume 431, Number 62.5, H.W. Crawley to Joseph Howe, 13 February 1852.

75. LAC, RG 10, Volume 459, Number 6, Fairbanks to Secretary of State (Canada), 3 April 1868.

76. This number (38) requires some explanation. Gould and Semple state that by 1821 the colonial government had received "no fewer than fourteen petitions for land on the Island from the Indians as well as demand for 15 tickets of location in the same area." (See *Our Land*, 48). To this total of 29, I have added an additional nine petitions, which were sent to the colonial government between 1819 and 1867. Some of these additional nine petitions were sent by the Mi'kmaq of Cape Breton on their own or as part of a wider coalition that included the Mi'kmaq from the Nova Scotia mainland.

77. This point is also made in Micah A. Pawling, "Petitions, Kin, and Cultural Survival: The Maliseet and Passamaquoddy Peoples in the Nineteenth Century," MA thesis, University of Maine, 1999. On the orality of diplomacy in the 18th century see Wicken, *Mi'kmaq Treaties on Trial*, 3–16.

with historical, familial, and spiritual metaphors – that underscored the unshakeable obligation that the British had to the island’s indigenous people. “[O]n behalf of themselves, and of the other Micmac Indians of Cape Breton,” a petition sent to the colonial government in 1860 began. “Aborigines of that part of the continent now called Nova Scotia by means of treaties made in former days with their forefathers by the British Government become British subjects, and while as such, they acknowledge due allegiance to her Majesty Queen Victoria; they would respectfully, yet firmly claim the rights, privileges and the protections given to British subjects.”<sup>78</sup> Often such claims to legal status were followed by specific objections related to land and white settlement and detailed demands for better seed, tools, coats, blankets, and rifles – items that Mi’kmaq families from Cape Breton called for on numerous occasions between 1853 and 1859.<sup>79</sup>

While the language of rights, privileges, and protections makes obvious the Mi’kmaq’s rigorous understanding of English law, it also suggests that an intermediary – someone with the ability to listen carefully to the Mi’kmaq’s concerns and express those concerns clearly and persuasively in writing – was involved in the petitioning process, at least on some occasions. In 1819, merchant, farmer, and future Catholic member of the Nova Scotia legislature Lawrence Kavanagh, along with two local priests, assisted “Peter Tomah...and other Indians of Bras D’or” in petitioning the colonial government for the land at Chapel Island “whereon...is a residence for a priest.”<sup>80</sup> Years later in the same locale, Father Julien Courteau, who was assigned to the nearby Catholic mission of L’Ardoise in 1841 and considered by the colonial government to be “most in communication with the Indians,” supported Mi’kmaq petitions in 1848, 1851, and 1867.<sup>81</sup> Whether or not Courteau spoke Mi’kmaq is unclear. “That your petitioners enjoy the rights and privileges of British subjects we are now few in number, the remnant of the Micmac Indians once a power-

78. NSARM, RG 5, Volume 3, Number 162, “Petition from Francis Tomma (Head Chief of the Micmacs)...concerning the intrusions...,” 12 July 1860.

79. NSARM, RG1, Volume 431, Number 75, “Account of great coats, blankets, and muskets issues to Indians in 1853.”

80. NSARM, Land Petitions, Cape Breton Island, 1787–1843, Number 2157, “Kavanagh, Lawrence & Others for the Indians in Bras d’or Lake.”

81. For biographical information on Courteau, see Johnston, *A History of the Catholic Church*, 54–59, 238; BI-CBU, MacLean (Alex D.) Scrapbook #39, clipping from the *The Casket*, 28 May 1936; Anselme Chiasson, *Chéticamp: History and Acadian Traditions* (Wreck Cove, Cape Breton 1998), 97–100. Originally from Lower Canada, Courteau served the Catholic mission in Chéticamp, an Acadian community on the island, between 1826 and 1841. For Courteau’s support of Mi’kmaq petitions, see NSARM, RG5, Volume 45, Number 89, petition of J. Courteau, 8 February 1848; Volume 431, Number 61, “The Petition of the Undersigned Indians ... on the North Shore of the East Arm of the Great Bras Dor,” 1851, signed by Courteau; LAC, RG 10, Volume 459, frame 341–2, J. Courteau to S. Fairbanks, 1867.

ful tribe occupying a sequestered part of the East Arm of the Brasdor called [Eskasoni],” began the Courteau-assisted epistle of 1851:

Your Petitioners have erected comfortable dwellings in imitation of the Scotch who are now our neighbours and are maintaining our families by cultivating the soil. We have also erected a house of worship in which we assemble to praise the Lord of Hosts, the maker and giver of all things in whom we live and move. Your Excellency's petitioners are few in number and owing to the failure of the crops all over the Province we had often to combat with famine in all its various forms which time after time stared us in the face. The ermine and other inhabitants of the woods have for some time past disappeared from being destroyed or driven from their natural haunts by the whites and now no resources left for Your Excellency's petitioners but by cultivating the soil. Being yet backward in husbandry we can hardly raise more than half we consume and the remainder we purchase [from?] coopering. ... Your Excellency's petitioners therefore [ask?] that the sum of fifty pounds will be granted us.

That Peter Tomah and “other Indians” called upon local clergy for political assistance is not surprising given the Mi'kmaq's long history with Christianity – beginning in the early 1600s – and the near continuous presence of Catholic missionaries among the island's indigenous communities during the French Regime, when ceremony, gift-giving, and religion defined diplomatic relations.<sup>82</sup> This lengthy exposure to Christianity not only made working with local priests a possibility for the Mi'kmaq, but it provided some writers with a religious discourse in and through which to express their grievances. The “Lord”, one petitioner argued in 1853, gave the “woods, the rivers, and seas” to everyone. “God blessed” the Mi'kmaq nation and it was “great.” Since then, he continued, “the white man drive us off, and we perish, we perish every day. ... You think all this right?” It wasn't, of course, from the petitioner's perspective. One day, he concluded, turning his gaze from the past to the future, the “Lord” will come again and “know who be right.”<sup>83</sup>



When George Edward Jean arrived at Chapel Island in July, 1841, to complete his inventory of the “Indians” “habits” and “general characteristics,” the

82. On this long encounter with Catholicism, see James Sakej Youngblood Henderson, *The Mikmaq Concordat* (Halifax 1997) and Angela Robinson *Ta'n Teli-ktlamsitasit (Ways of Believing): Mi'kmaw Religion in Eskasoni, Nova Scotia* (Toronto 2005). On the presence of missionaries in Cape Breton see Johnston, *Storied Shores*, appendices C and D, 134–5.

83. NSARM, RG 5, Series P, Volume 46, number 202, “Petition of the Micmac Indians of Nova Scotia,” 3 March 1853. This language echoes that of the True Levellers, who fought the enclosure movement in mid-17th-century England, and black radicals in the United States, who sought the abolition of slavery during and immediately after the American Revolution. On the former see Christopher Hampton, ed., *A Radical Reader: The Struggle for Change in England* (London 1984), 212–3; for the latter see Manisha Sinha, “To ‘cast just obliquy’ on Oppressors: Black Radicalism in the Age of Revolution,” *William and Mary Quarterly* LXIV:1 (January 2007), 151.

Mi'kmaq refused to provide any information, and convened an "assemblage," a political structure that resembled the seasonal gatherings used to consider important matters in the 17th and 18th centuries. "Evil-minded persons," Jean complained, "[were] misrepresenting...the true tenor of my [work]."<sup>84</sup> Although this opposition to the census-taker was brief, the Mi'kmaq's capitulation to government policy, and the wider pressures of white encroachment of which it was a part, was not complete. At the same time that Jean was filling in his rows and columns, they were enjoying St. Anne's Day, a celebration in honour of the Virgin Mary's mother in which hundreds of people gathered to socialize, discuss politics, and attend religious services. A blend of aboriginal spirituality and Catholicism, the annual ritual was not only enjoyable, but helped reaffirm the bonds between Mi'kmaw bands. A similar combination of the old and the new formed the material basis of Mi'kmaw society at mid-century as a customary and intimately experienced pattern of attaining resources was adapted to a newer and less understood context of occupational pluralism. That this transition was taking place at the same time that St. Anne's Day was assuming a new vitality is significant. The celebration, a moment in which the "spiritual and social realms" of everyday life were drawn closer together, helped to reaffirm their patterns of living and language, and, in doing so, braced Mi'kmaw families for the difficult economic choices that lay before them.<sup>85</sup> Moreover, that they were able to piece together a meagre livelihood at all ensured that they were able to hold the celebration in the first place. Cultural and material resources – as displayed on that special day – were necessary to engage and deflect colonialism's heavy pressures. "For months before, they save all the money they can collect from the sale of baskets, tubs, and fancy work in order to display a little finery for this grand event of the year," John Bourinot, a journalist and government official from Sydney, recounted in 1867.<sup>86</sup>

Within this pattern of adaptation and survival, Mi'kmaw men and women undertook a variety of economic roles, depending on the particular occupational context. Out in the fields, men and women planted and harvested the potato crop. In the commercial fishery, the men worked as labourers and the women, if they were not employed salting and drying the day's catch, sold their "handy work" in town. In the forests, entire families pursued moose and other game: the men hunted; the women organized the seasonal encampments in their absence; and both processed the catch for personal consumption and

84. Whether or not this "assemblage" represented the Mi'kmaq from Chapel Island, specifically, or Cape Breton, generally, is unclear; equally obscure is how the decision to oppose the census was made. See Wicken, *Mi'kmaq Treaties on Trial*, 40–58, and Chute, "Frank G. Speck's Contributions," 494–495. The quotation from Jean is in the "Recapitulation" section of the census document; see NSARM, RG 5, Series P, Volume 8a, Number 14b, "An account of the Indians living within the County of Richmond as taken on the 16th July 1841 – at the Indian Chapel Bras d'or Lake being the Anniversary of St. Ann's Day," 26 July 1841.

85. The quoted phrase is from Chute, "Ceremony, Social Revitalization, and Change," 45.

86. Quoted in Tennyson, *Impressions of Cape Breton*, 161.

possible commercial sale.<sup>87</sup> According to Ellice Gonzalez, during the early contact era (to about 1700) the “sex division of labor” within Mi’kmaw society was “interdependent”; by the close of the colonial era (1700 to 1850), however, the combined impact of “western technology, trade items, and religion” had subordinated women’s economic role – a developed hastened by the advent of wage labour within Mi’kmaw communities in the late 19th century.<sup>88</sup> Yet as this investigation suggests, the gendered division of labour among the Mi’kmaw of Cape Breton at mid-century was not so clearly drawn. An individual’s contribution, and the value of that contribution, depended on the economic task being performed, and no one task dominated Mi’kmaw economic life in the 1830s and 40s in the same way that the fur trade did in an earlier period.

By the late 1860s and early 1870s, this was no longer the case, as the economic roles of Mi’kmaw men and women on the island appear to be more sharply defined – the former working primarily on the land or with wood and earning the lion’s share of family income. The 1871 federal census is suggestive on this specific point. Of the 196 males on the island who were enumerated that year, 106 identified a source of income, including farmer, boat builder, carpenter, fisherman, and cooper. For the vast majority of men, that final occupation – cooper – was the most important: 51 per cent identified it as a primary source of revenue, while an additional 38 per cent indicated that it was on par with either farming or fishing.<sup>89</sup> Mi’kmaw women on the island continued to make and sell baskets and quillwork into the 1870s, as they had in previous decades, but they did so in an occupational context in which other remunerative options were restricted. Not only did government policies – distribution of supplies; support for wood working and farming – prioritize the male heads of households, but the near total collapse of hunting for personal consumption and commercial gain eliminated an economic practice that rested on a division of labour in which the contributions of men and women were equally valued and equally valuable.<sup>90</sup> “The Micmac women are, as a general rule, infe-

87. Ruth Holmes Whitehead, *The Old Man Told Us: Excerpts from Mi’kmaw History 1500–1950* (Halifax 1991), 215.

88. Ellice Gonzalez, “An Ethnohistorical Analysis of Micmac Male and Female Economic Roles,” *Ethnohistory* 29:2 (1982), 117–129. This conclusion echoes the work of Jo-Anne Fiske, “Colonization and the Decline of Women’s Status: The Tsimshain Case,” *Feminist Studies* 17:3 (Fall 1991), 509–35; Eleanor Leacock, “Montagnais Women and the Jesuit Program for Colonization,” in Leacock, ed., *Women and Colonization* (New York 1980), 25–41. An opposite view is presented in John Lutz, “Gender and Work in Lekwammen Families, 1843–1970,” in Kathryn McPherson, et al., eds., *Gendered Pasts: Historical Essays in Femininity and Masculinity in Canada* (Toronto 1999), 80–105.

89. BI-CBU, MG 7A, 16, “Identification of Indians in the Nova Scotia Census,” specifically, “Indians of Nova Scotia, 1871, sorted by location.”

90. The collapse of hunting is reported in Canada. *Sessional Papers* (Ottawa 1876). Annual Report, Department of Indian Affairs. Report by Indian Agent John McDougall for District #6, Richmond County, 1 October 1875; report by Indian Agent Alex F. McGillivray for District #8,



rior to the other sex,” reported the Indian Agent for Eskasoni in 1876, referring specifically to the “Indians” livelihoods.<sup>91</sup>

Other equally important internal changes took root within Mi’kmaq communities as the 1860s became the 1870s. Preliminary, but highly suggestive evidence from this time hints at different and uneven patterns of employment emerging on each reserve. Land use at two locales illustrates this point well. At Chapel Island in 1869, only 1 family of the 44 who were enumerated that year laboured on a piece of land bigger than 10 acres – the biggest such “improvement” in the community – while 20 other families, 45 per cent of the reserve’s population, had improved no land at all. In contrast, at Eskasoni, where in 1869 more acres were cleared and under cultivation than on any other reserve on the island, individual families used relatively large pieces of land for farming and grazing cattle. Of the 41 families inventoried there by the Department of Indian Affairs, 34 cared for plots between 11 and 40 acres, whereas 5 families, only 12 per cent of the reserve’s inhabitants, did not clear trees or break the soil at all.<sup>92</sup> That some reserves adopted agriculture on a wider basis than others is obvious; what is not clear, and thus deserves additional consideration, is the extent to which land use, coupled with access to other options of remuneration and employment, was linked to higher levels of family income, more material possessions, and political influence within Mi’kmaq society. One Cape Breton Indian Agent’s report from 1874 hints at this possibility, and the possible link between a hierarchy of the soil and class stratification within local indigenous communities. “Some of the said Indians own cattle and horses, and live in houses, and own considerable other personal property.... But the greater number live in wigwams, and are poor, but excellent laborers.”<sup>93</sup> In this important respect, the Mi’kmaq’s experience resembles that of European settlers, like those in mid-19th-century Middle River, Cape Breton, examined by Rusty Bittermann, for whom settlement was a process of differentiation, not levelling, which in time ended in proletarianization.<sup>94</sup>

Despite the government’s opposition to their “wandering” way of life, the Mi’kmaq continued to move about the island, across the colony, and throughout the region – a landscape that remained for them the single, unified context

Cape Breton County, 22 November 1875. See also Ellice B. Gonzalez, *Changing Economic Roles for Micmac Men and Women: An Ethnohistorical Analysis* (Ottawa 1981), 65–68.

91. Canada. *Sessional Papers* (Ottawa 1877). Annual Report, Department of Indian Affairs. Report by Indian Agent Alex F. McGillivray for District #8, Cape Breton County, 24 October 1876.

92. LAC, RG 10, Volume 459, Number 6, frames 565–6, “Schedule of Occupants of Indian Reserves Within the County,” undated, likely 1869.

93. Canada. *Sessional Papers* (Ottawa 1875). Annual Report, Department of Indian Affairs. Report by Indian Agent J.B. McDonald for District #7, Inverness and Victoria County, 2 October 1874.

94. See Bittermann, “Hierarchy of the Soil.”

of *Mi'kma'ki*. Mobility was key to their history; it remained vital to their future. Older cycles of migration tied to the availability of resources, and modulated by kin-ties and identities, persisted, joined by new patterns of movement brought about, in part, by the influence of white settlement, economic change, and colonial policy. The route from Eskasoni to Sydney, travelled for the purposes of selling baskets or securing supplies from the government, was well-worn by the 1850s; in time, enough people would stay permanently in the city and create the King's Road settlement. Families from Chapel Island, however, did not typically head to Sydney for these purposes, for help from Catholic clergy was available closer to home, the closest market for baskets was in St. Peter's, and opportunities in the commercial fishery were available in Arichat. Still others used distance in another way: they sought better circumstances by moving to the eastern shores of the Nova Scotia mainland or left the colony altogether, as some had done in the 1760s, when they migrated to western Newfoundland on a permanent basis. "We found Micmacs everywhere in these Provinces, and scattering ones all the way to Montreal," Protestant missionary Silas T. Rand wrote of his travels in 1858–59. "A Micmac family reached that city by the same train by which we arrived. We met another company there one day in the streets who were from Cape Breton."<sup>95</sup> Mobility, as this brief anecdote suggests, meant constant interaction with whites – a reality of Mi'kmaw life that only grew more intensive as the island became "thickly settled."<sup>96</sup> Sometimes deadly due to the transmission of disease or overtly confrontational because of squatting and trespassing, aboriginal-white encounters sometimes turned on more friendly and intimate terms as well, and encompassed a wider range of relationships – from employers to co-workers to husbands and wives.<sup>97</sup> That both the Mi'kmaq and poor white settlers – be they Acadian, Scottish, or Irish – sometimes referred to colonial officials and merchants as "the English" is suggestive of at least some common experiences and expectations, which deserve further research.<sup>98</sup>

95. On the movement of Mi'kmaq from Cape Breton to the eastern shore see Chute, "Frank G. Speck's Contributions," 508. On the migration to western Newfoundland in the 1760s see Dennis A. Bartels and Olaf Uwe Janzen, "Micmac Migration to Western Newfoundland," *Canadian Journal of Native Studies* 10:1 (1990), 71–94. Rand is quoted in Thomas S. Ablner, "Micmacs and Gypsies: Occupation of the Peripatetic Niche," in Cowan, ed., *Papers of the Twenty-First Algonquian Conference* (Ottawa 1990), 5.

96. NSARM, RG5, Volume 16, Number 47, "Petition of the undersigned inhabitants of Whycomagh re: lands granted to the Indians," 16 April 1857.

97. On this point generally see Ann Laura Stoler, "Tense and Tender Ties: The Politics of Comparison in North American History and (Post) Colonial Studies," *The Journal of American History* 88:3 (2001), 829–865. Ramon A. Gutierrez's short response to Stoler's essay – contained in the same volume of *JAH* – warns that an appreciation of the colonial "politics of intimacy" should not displace an exploration of dominance and violence in the making of "colonial conquests and racist regimes," 866–869.

98. I am indebted to Don MacGillivray for this point.

Among 19th-century government officials in Nova Scotia, there was little doubt that the “Indians” were headed in one of two directions: extinction or assimilation. “It is abundantly clear that the poor Micmacs of Nova Scotia must now either embrace some of our habits of subsisting or perish,” read a memorandum prepared by the Legislative Committee on Indian Affairs in 1842. “When I take an impartial view of the Indians at Eskasonie, and thoroughly consider their customs, honesty, integrity, and their burning desire to serve their Maker,” echoed the Indian Agent for Cape Breton County in 1876, “I am led naturally to conclude that the tide of time, the liberal support they receive from the government, together with a very close supervision, will eventually put the Micmacs of Eskasonie on par with other people of whiter and more tender complexions.”<sup>99</sup> But these Indians, like indigenous people across the island, eschewed the stark set of choices laid out for them by the colonial (and later federal) state and European settlers – opting, instead, to farm, utilize their “customs,” and serve their “maker” at one and the same time. Indeed, within an evolving set of punishing circumstances, the Mi’kmaq understood that there was still room to manoeuvre and thus avoid utter despair.

In this predicament, the Mi’kmaq of Cape Breton were not alone: broadly similar patterns of cultural and economic adaptation – specifically the ways in which customary, seasonal rounds of resource gathering were selectively threaded in and around the emerging material realities of colonial society – took hold in other geographic locations and other time periods in Canada.<sup>100</sup> Yet as John Lutz’s analysis of the “aboriginal labouring class” of British Columbia between 1849 and 1890 suggests, broadly similar does not mean exactly the same. Indeed, as he argues, when the Kwakwaka’wakw, Lekwammen, and Squamish – all of whom had historically lived on Vancouver Island and/or the southern coastal regions of the British Columbia mainland – opted for waged work in the mid-19th century, they did so from a position of strength, not marginality: they were demographically strong, occupied customary territories, pursued subsistence economies, and practiced culturally significant activities, with little destructive interference from missionaries, European settlers, or agents of the colonial state until later in the century. In this context, Lutz maintains, indigenous peoples worked for wages not because their customary resources had failed them, but as a way to attain additional wealth and thus enrich existing and still vibrant cultural practices – specifically the potlatch, a collection of ceremonies that reaffirmed the prestige, status, and influence

99. NSARM, MG 15, Volume 3, Number 76, “Appendix 6, Legislative Council Journal for 1842. Memorandum respecting the Indians of Nova Scotia; read 14 July 1842”; Canada, *Sessional Papers* (Ottawa 1877), Annual Report, Department of Indian Affairs, report by Indian Agent Alex F. McGillivray for District #8, Cape Breton County, 24 October 1876.

100. Steven High provides an excellent introduction to this subject in “Native Wage Labour and Independent Production during the ‘Era of Irrelevance,’” *Labour/Le Travail* 37 (Spring 1996), 243–64. In the American context, see Alice Littlefield and Martha C. Knack, eds., *Native Americans and Wage Labor: Ethnohistorical Perspectives* (Norman and London 1998).

of particular leaders or families through feasting, dancing, and gift-giving.<sup>101</sup> Put simply, for some indigenous peoples in British Columbia at mid-century, choice, cash, and culture went together; their homeland was, after all, still a “native place.”<sup>102</sup> The same cannot be said for the Mi'kmaq of Cape Breton, whose position in mid-19th-century colonial Nova Scotia, after nearly 250 years of political, economic, and cultural interaction with Europeans, was comparatively weaker. When Mi'kmaw men and women moved into the commercial fishery, agriculture, or craft production in the 1840s, 50s, and 60s they did so not because they wanted to, but because they had to: by that time, their ability to hunt, fish, and gather was sharply curtailed, and they had few other options. The difference between the east coast and west coast indigenous experiences on this specific point – class formation – is stark.

Yet by the later decades of the 19th century – as British Columbia entered the industrial age, by way of the land-based fur trade and gold rush – the experiences of some indigenous groups in BC's southern coastal areas, who bore the brunt of white encroachment, came to resemble that of the Mi'kmaq of Cape Breton in important ways. A brief comparison with the Squamish, linguistically a subdivision of the Coast Salish, illustrates this idea well. In the long era prior to European immigration and settlement, the Squamish occupied territory between Howe Sound and Burrard Inlet in southwestern British Columbia. The rhythms of life, then, were calibrated to the seasonal availability of terrestrial and aquatic resources – especially salmon – and potlatches were particularly important. Squamish life underwent an important series of changes after 1863, when the first sawmill was constructed on Burrard Inlet; shortly thereafter families and extended families moved to the area on a more permanent basis and began incorporating wage labour into their seasonal migrations. All the while, the potlatch continued, and with it, older, resilient methods of affirming political leadership, bonds between families and extended families, and access to resources sites.<sup>103</sup> By the late 1870s and early 1880s, however, the Squamish's access to customary lands and resources had narrowed considerably: reserves were a reality; so, too, were laws restricting hunting and fishing. Drawn into the capitalist labour force by a wish to continue potlatching, the Squamish continued to seek wages on the Vancouver waterfront, in the salmon canneries of the Fraser River and northern coastal areas, and in the hop fields of Puget Sound because, like the Mi'kmaq on the Atlantic coast, they now possessed few other economic choices. “A long time ago, the Indians depended on hunting and fishing as their only means of

101. John Lutz, “After the Fur Trade: The Aboriginal Labouring Class of British Columbia, 1849–1890,” *Journal of the Canadian Historical Association* New Series #3 (1992), 69–94.

102. Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographic Change* (Vancouver 1997), 69.

103. On the Squamish see Andrew Parnaby, *Citizen Docker: Making a New Deal on the Vancouver Waterfront, 1919–1939* (Toronto 2007), 76–80.

living,” Squamish leader Mathias Joseph remarked in 1913. “Now things have changed.”<sup>104</sup> That change, however, was accompanied by continuity. Among the Squamish and the Mi’kmaq, the pursuit of waged work, subsistence agriculture, and craft production did not obviate the need and desire to pursue more customary methods of support such as hunting and fishing. Nor did it negate the significance of particular, culturally specific activities such as the potlatch or St. Anne’s Day. Indeed, as the persistence of the former and the revival of the later illustrate, culture is not only something that the dispossessed have, but it is something that they use when navigating periods of adjustment or crisis: it can be a weapon for the weakened.

In their everyday lives the Mi’kmaq of Cape Breton understood this idea well enough, and enjoined it to an equally penetrating insight: that resistance to colonialism’s disruptive transformations was as much about culture (or identity or psychology) as it was about supporting oneself economically in an evolving, harshly constructed, material context. Indeed, when Mi’kmaq people created a basket, dressed up for a social occasion, sowed seeds, filed a petition, expressed “superstitious beliefs,” signed a document, or “wandered” far from home, they demonstrated the ways in which history, custom, ritual, and labour could be renewed and recast, not as nostalgia or retreat, but as a resource that helped shape new, hybrid patterns of life that ensured their very survival under conditions so obviously not of their own choosing.<sup>105</sup> Of that final notion, George Edward Jean, the Clerk of the Peace for Richmond County, Cape Breton, in 1841, was no doubt unaware.

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104. Quoted in Parnaby, *Citizen Docker*, 80.

105. My understanding of “hybridity” has been shaped by Bhabha, *The Location of Culture*, xi, xiii, 2, 10, 26; Robert J.C. Young, *Colonial Desire: Hybridity in Theory, Culture, and Race* (New York 1995), 1–28.