HALIFAX MILITARY HERITAGE PRESERVATION SOCIETY

Historical Paper No. 1: Edward Cornwallis

November 28, 2016

Executive Summary: HMHPS Historical Paper No 1: Edward Cornwallis

Halifax has played a significant role in the history and development of Nova Scotia and Canada in peace and war. Since the founding of the city in 1749, the military has been an integral part of the defence and daily life of Halifax and its adjoining communities. Over the centuries the internationally recognized *Halifax Warden of the North* has served and continues to serve as Canada's Atlantic sentinel.

Historical events remain an emotional issue for many people. In particular, incidents of conquest, slavery, warfare, exploitation, rebellion and other examples of bloodshed that litter the historical record quite rightly remain sensitive subjects. Although it is often impossible to divorce history from emotion, the past should be a search for the factual and verifiable. Unfortunately, in many cases, the factual interpretation of events is often obscured by myths, half-truths, omissions, misinformation, controversy and one-sided presentations of a story.

In Nova Scotia, the subject of Colonel Edward Cornwallis—the founder of Halifax and Governor of the colony from 1749-1752—has become one such issue, yet he is very much a part of Halifax's rich and diverse military and political heritage. A discussion paper, prepared by members of the Halifax Military Heritage Preservation Society (HMHPS), is a constructive attempt on the part of its co-authors (*See *Note 1 below)* to offer an objective interpretation of the issue by presenting a factual and verifiable account related to Cornwallis's connection to the colony.

HMHPS, a volunteer educational society, worked in consultation with historians and researchers to produce *HMHPS Historical Paper No 1: Edward Cornwallis.* The intent of the paper is to contribute to open, informed, inclusive and respectful discussion regarding the Cornwallis issue to:

- Provide government officials and residents a factual and concise account of the interwoven imperial, colonial and indigenous events prior to, during and immediately following Cornwallis' tenure as Governor;
- Outline how culture, language and political differences often complicated discussions between the British and indigenous groups regarding land use, settlements, fishing and trading rights and treaty negotiations after the British captured Port Royal in 1710 and the French, via the 1713 Treaty of Utrecht, ceded Acadia to the British, a region the Mi'kmaq recognized as Mi'kma'ki
- Encourage attention to historical context and balance in examining controversial events and actions of the period, including Cornwallis's intent in placing a bounty on Mi'kmaq warriors in 1749 (rescinded in 1752), after they had attacked an unarmed group of woodcutters;
- Understand that the 1749 bounty did not target women and children. It explicitly states a 10 guineas reward "*to be paid upon producing such Savage taken or his scalp."* Further, the later bounty placed by Governor Charles Lawrence, stated 30 pounds for every male above 16 brought in alive and 25 pounds for a male scalp. Native woman or children were to be "*brought in alive,"* and only then would a bounty be paid; and
- Consider that with little or no documented, verifiable data regarding the number of native non-combatants killed during the 1749-1752 period, charges of genocide against Cornwallis are unsubstantiated.

We trust the information in this paper is of interest, timely and will be viewed in the spirit in which it was produced. The paper can be viewed at www.hmhps.ca where information on our Society's mission and objectives is also available. The undersigned would be pleased to receive any comments or questions regarding this paper at contactus@hmhps.ca.

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**Note 1: Historical Paper No 1 co-authors: John Boileau CD, Bryan Elson CD, Len Canfield CD, Leo J. Deveau, MLIS. (See Author's note, p.22).*

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Introduction

The Halifax Military Heritage Preservation Society (HMHPS) is a volunteer educational society incorporated under the Societies Act. Its mission is to promote public awareness of and appreciation for Halifax's profuse and diverse military heritage, including military organizations, personalities and events that have shaped the city from its founding in 1749 to the present.

In light of the controversy surrounding Edward Cornwallis, the Founder of Halifax and Governor of Nova Scotia, 1749-1752, the HMHPS Society has produced ***HMHPS Historical Paper No. 1: Edward Cornwallis.***

This document is a synopsis of the interwoven imperial, colonial and aboriginal events of the period and is designed to provide government officials and residents a factual and concise account based on recognized primary and secondary sources of significant events and actions prior to, during and immediately following Cornwallis' tenure as Governor.

HMHPS believes that an informed historical understanding must be based on rigorous research, consideration of different primary and secondary sources, and respectful and non-judgmental discussion. The historical context and record of events are subject to revision as new verifiable information comes to light, but cannot be altered to support a specific perspective or promote an agenda. At present the Cornwallis issue is surrounded by considerable misinformation, omissions, and half-truths.

The intent of this document is to contribute to open, informed, inclusive and respectful discussion concerning recent actions to remove the Cornwallis Statue (erected in 1931) and to rename Cornwallis Park in downtown Halifax, as well as to remove/or rename other public entities bearing the Cornwallis name in the city and province. We trust the following sequence of events and actions (in a factual format) speak for themselves.

HMHPS members have referenced a number of primary and secondary sources and consulted with historians and researchers in preparing this factsheet. Specific noted sources are provided for reference, and a bibliography is attached at the end.

Before Cornwallis arrived in Nova Scotia

Mi'kma'ki/Acadie 1500-1700

1500-1600: Given the oral tradition of the Mi'kmaq there are no written accounts detailing their governance, practices and traditions in the pre-contact period prior to the arrival of Europeans. It is known they lived within a widely scattered kin-ordered culture, and shared a tongue that distinguished them from neighbouring tribes, allowing them to develop a significant shared history, and recognize an ancestral territory (Prins, p. 11). By 1500 several distinct aboriginal tribes occupied north-eastern North America including the Mi'kmaq who occupied what are now Nova Scotia, Prince Edward Island and eastern coastal New Brunswick to the Restigouche River. The Mi'kmaq way of life included hunting, fishing and gathering. They were allied with the Wabanaki Confederacy that included the Maliseet, Passamaquoddy, Penobscot and Abenaki and warred with Massachusetts area tribes. In the early 1500s European fishermen began to visit Atlantic coastal areas to dry their catch and increasingly to trade with the inhabitants. In exchange for furs, hides and other goods the natives received European manufactured items including household utensils, woven fabric blankets, steel hatchets and knives, and muskets, powder and shot. Trans-Atlantic trade enabled them to maintain their traditional way of life but in due course at the cost of their previous self-sufficiency. After contact with Europeans, the Mi'kmaq population numbers decreased significantly due to disease. By the end of the century, after engaging in conflict with the Iroquois-speaking occupants of the Gaspe Peninsula, the Mi'kmaq had extended their territory into the Gaspé by conquest, thus enlarging the area that made up the region they called Mi'kma'ki.

1600-1700: The French founding of Port Royal in 1605 provided year-round trading opportunities for the Mi'kmaq and the beginning of a deep French-Mi'kmaq alliance. This alliance played a significant role in the struggle between France and Britain into the 1700s. Grand Chief Membertou accepted Christianity in 1610 and thereafter French missionaries, beginning with the Jesuits (Prins, p. 73), were active in Mi'kmaq religious and political affairs. At the same time, the Acadian community grew in numbers and expanded from Port Royal to Minas and Beaubassin (Chignecto). In the 1620s the original Port Royal settlement would relocate several miles to the east to an area what is today Annapolis Royal.

Based on land claimed by John Cabot in 1497/98 (under the authority of Edward V11), the English King James l claimed Acadia in 1621, renamed it Nova Scotia and granted the area to Scottish nobleman, Sir William Alexander for settlement. Other English statements of land claims in North America were made in the early 1600s.

In the mid-1600s, English colonists who had settled in the Massachusetts Bay area began expanding into aboriginal territories in the north-east setting off clashes that continued into the 1700s. In addition, Anglo-French wars in Europe spilled over into North America where each side enlisted its own aboriginal allies. Mixed ranger companies of frontiersmen and indigenous

warriors adopted a variety of guerrilla tactics and scalping was a common North American practice at this time, with all sides paying a bounty for scalps. Although often acting independently of their French allies, over the years the Mi'kmaq supported the French in wars with England.

The Mi'kmaq warriors were powerful in their resistance and wars against the English (Note: After 1707 British will be used in place of English) in New England (present day Maine) from the late 1600s through to 1750s (Scott, p.1) – in fact, as Scott points out, "Contrary to the traditional historiography…" such resistance was not understood by those making decisions in London, far from the on-the-ground experience and fears of settlers and those in charge of their safety. Later, in the 19th century, Silas T. Rand would document from the oral Mi'kmaq culture when they claimed they; "…destroyed far more than they lost" in their wars with the English (Rand, p.2).

Nova Scotia/Acadia 1700s

1700-1730:
1700: The Acadian population at the turn of the century was estimated at 1,400.
1702-1713: Queen Anne's War, the North American theatre of the War of the Spanish Succession (1701-1714) was one of a series fought for control of North America between France and England, each of whom was allied to various tribes. One front involved New England, Acadia and Quebec, where the French and the Wabanaki Confederacy tried to prevent New England expansion into Acadia and French Canada.
1704: New England soldiers blockaded the Acadian capital at Port Royal and conducted raids on three villages; three years later (1707) the New Englanders twice besieged Port Royal unsuccessfully.
1710: The British captured Port Royal, established their capital there and renamed it Annapolis Royal. The British capture of Port Royal was a seminal event in Nova Scotia's history. After 1710 the French-Mi'kmaq alliance solidified.
1711: Mi'kmaq and Abenaki warriors ambushed a 70-man New England militia logging party at Bloody Creek (near Annapolis Royal) sent for logs to repair the fort (Plank, p. 60), killing 16, wounding nine, and capturing the rest (Faragher, p.135). Soon after, a force of 600 Mi'kmaq, Abenaki and Acadians blockaded the fort but left when British reinforcements arrived (Griffiths, p. 249).
1713: The Treaty of Utrecht ceded Acadia to Britain, although the boundaries of Acadia were vague and remained in dispute. The Mi'kmaq continued to resist the British after peace was reached as they had not been party to the treaty and continue to see the British as encroaching on their land. Further, they were motivated by the French desire to recover Acadia. At this time, the missionary, Fr. Antoine Gaulin, would play a dominant role as a warrior-priest for about 30 years, establishing Mi'kmaq missions on Merigomish Island (near Antigonish), and on the banks of the Shubenacadie River, strategically within reach of French Acadian settlements at Cobequid and Minas (Prins, p. 137).

1719: Construction began on major French fortifications at Louisbourg on Ile Royale (Cape Breton) and continued until 1740. It would become one of the busiest ports on the eastern seaboard after Boston, New York and Charleston, South Carolina (Prins, p. 135).
1720: New France Governor-General Vaudreuil wrote that "*Father Rale continues to incite Indians of the mission at* [Norridgewock, Maine] *not to allow the English to spread over their lands.*" Governor Richard Phillips established a small British garrison at Canso (Grassy Island).
•In October 1720 a group of Mi'kmaq chiefs met at Les Mines (Minas) and later sent a letter to Nova Scotia Governor Richard Philipps at Annapolis Royal, expressing their concerns over British encroachment on their lands. It was written by a missionary in French , stating in part; *"…we do not want the English living in our land, the land we hold only from God. We will dispute that with all men who want to live here without our consent."* (Johnston, *Endgame* 1758, p. 39)
1722-1725: To protect their claims, France built forts and established missions in Acadia outside mainland Nova Scotia; none of these claims were recognized by Britain. Additionally, the Mi'kmaq had not been consulted in the transfer of Nova Scotia and the disputed territories to Britain, which they opposed. These disputes led to Father Rale's War (also known as Dummer's War, named after William Dummer, Lt. Gov. of Massachusetts) and were fought primarily in northern New England although the British settlements in Nova Scotia (at Annapolis Royal and Canso) were also attacked. While the Abenakis signed the Treaty of Portsmouth (1713), none had been consulted about the ownership of Nova Scotia, and the Mi'kmaq reacted with raids against New England fishermen and settlements. Later, Abbé Antoine Gaulin reported that the Mi'kmaq population on the mainland and Ile Royale was fewer than 900.
1722: A Mi'kmaq and Maliseet force gathered at Minas to lay siege to Annapolis Royal, while the British took Mi'kmaq hostages to prevent an attack. In July, the Abenaki and Mi'kmaq blockaded Annapolis Royal and captured fishing vessels and prisoners in raids across Nova Scotia. In response, the British launched a campaign and rescued New England prisoners taken by the Mi'kmaq and Maliseet. At the battle of Jeddore Harbour 35 Mi'kmaq and five New Englanders were killed.
1723: Mi'kmaq warriors raided Canso in July and killed five members of a New England fishing party including Capt. Watkins, a woman and child on Durrell's Island.
1724: A force of 60 Mi'kmaq and Maliseet raided Annapolis Royal, killed and scalped two soldiers, wounded four more and terrorized the village. The British responded by executing one of the Mi'kmaq hostages. Following a raid at Norridgewock and the killing of Father Rale and a number of Indians, Penobscot chiefs communicated to Massachusetts Lieutenant-Governor Dummer their willingness to open peace talks. They were opposed by French authorities who continued to encourage the conflict.
1725: A Mi'kmaq and Abenaki force launched another attack on Canso that resulted in five deaths. Hostilities ceased on July 31 and formal Articles of Submission and Agreement were signed at Boston on December 15 by chiefs representing several confederacy tribes inhabiting Nova Scotia and New England. Among other conditions, the chiefs accepted responsibility for the war and promised to keep the peace. They could continue to hunt and fish on property not owned by the English. The chiefs "*acknowledge His said Majesty King George's jurisdiction and dominion over the territories of the said Province of Nova Scotia or Acadia, and make our submission to His said Majesty in as ample a manner as we have formerly done"* to the French king.

1726: More than 75 chiefs and Wabanaki confederacy representatives gathered at Annapolis Royal June 4 to ratify the treaty signed at Boston. Reciprocal promises were signed the same date by John Doucet, Lieutenant Governor of Annapolis Royal. The chiefs promised that they would not molest settlers and in turn that they would have access to British law and reparations in the event of any outrage being committed against them. The chiefs were also assured freedom of religion, and their traditional rights to hunting, fishing and planting. In return the Mi'kmaq and Maliseet acknowledged that the Treaty of Utrecht made King George I *"the rightful Possessor of the province."* The Mi'kmaq and Maliseet had consistently fought as allies of the French. The peace and friendship treaties were mainly concerned with establishing a stable relationship between the British and the region's indigenous communities. They agreed not to molest His Majesty's subjects in their settlements "*already made or lawfully to be made.*" The treaty however, did not define 'lawfully to be made.'

1726-1728: After the 1726 treaty ratification at Annapolis Royal the Lieutenant Governor, Lawrence Armstrong, reported he intended to meet with a "body of Indians" to discuss issues that had not been discussed then. Since not all of the region's Mi'kmaq groups had been signatories to the treaty at the signing in 1726 they wanted further discussion (Johnston, p.37). Peace was finally concluded in 1728. The signing of the treaty over an extended period of time involving different chiefs and representatives underscored the fact that unanimity among the Mi'kmaq on such issues was not always easily achieved.

1730s-1740s:

Governors and administrators at Annapolis Royal continued to attempt to finalize the allegiance of the Acadians to the British Crown while attempting to overcome indigenous intransigence.

1732-33: Fortress Louisbourg, with a population of close to 4,000, experienced a smallpox epidemic that also spread to Mi'kmaq communities.

1735-1737: French missionaries Abbé Pierre Maillard and Abbé Jean-Louis Le Loutre arrived in Nova Scotia and exercised significant influence on French and Mi'kmaq relations.

1740: At Annapolis Royal, Paul Mascarene - a long-serving French-speaking British officer in Nova Scotia/Acadia - was appointed administrator and served as the senior British official (on paper Richard Philipps remained the Governor) until the arrival of Edward Cornwallis in 1749. Mascarene had also represented Nova Scotia in the early treaty negotiations in New England in 1725 and 1728, and later would assist Edward Cornwallis in renewing the 1726 treaty.

•The Acadian population on the mainland and Ile Royale at the time was estimated at around 7,000 (and would grow to 12,000-15,000 by 1750s).

1744: France and Great Britain went to war again (War of Austrian Succession 1744-1748, also known as King George's War). A French and Mi'kmaq force from Louisbourg attacked New England traders at Canso and captured the small British garrison, forcing Massachusetts Governor William Shirley to act.

•In May, British Captain David Donahew took prisoner the chief of the Mi'kmaq of Ile Royale, Jacques Pandanuques, and his family, and delivered them to Boston where Pandanuques was reported killed (Johnson, DCB Online). Donahew would later be captured and killed by the Mi'kmaq. (Maillard, Online).

•In July a force of 300 Mi'kmaq under Abbé Le Loutre attacked the British garrison at Annapolis Royal, but was unsuccessful due to the arrival of reinforcements from New England including John Gorham's Rangers.
•In mid-August, a second attempt to attack the British garrison at Annapolis Royal by the French and Mi'kmaq failed. It was during this time that Mascarene reported that the Rangers (described as a "company of Indians or Wood Rangers") "…*fell upon a group of Indians nearby, killed some (including women and children) and scattered the rest."* (See also Maillard, Online).
•In November, in retaliation for Mi'kmaq and Maliseet participation in the attack on Annapolis Royal, Massachusetts declared war against 'the Cape-Sable's and St. John's Indians, the common names, respectively, for the Mi'kmaq of western peninsular Nova Scotia and the Maliseet.' (Dunn, p.155). The Declaration of War was announced in the *Boston News-Letter* on November 8th, announcing a bounty of £100 New England money for scalps of adult males over the age of twelve and £50 for scalps of women and children under twelve, 'killed in flight,' and £105 and £55 respectively for live captives. (Ibid).
1745: In early May Fortress Louisbourg was attacked and fell to a combined New England militia and British naval force led by General William Pepperell and Admiral Peter Warren. At the same time, 600-700 Mi'kmaq conducted another attack on Annapolis Royal, but they were to retire from the attack upon learning of Louisbourg being under siege. Weeks after the fall of Louisburg, the before mentioned Capt. Donahew and his crew of 11 were captured near the Strait of Canso by the Mi'kmaq and he and five members killed, and the remaining crew taken prisoner (Deforest, p. 94). At LaHave, the Mi'kmaq also killed seven New England fishermen and sold their scalps to the French (Brodhead, p. 10).
1746: September 10th, Duc d'Anville's storm-wracked fleet, sent to recapture Louisburg and retake Annapolis Royal on the mainland, and go on to attack Boston, arrived at Chebucto/Kjipuktuk (later named Halifax Harbour by the British) with ships' crews plagued with typhoid, typhus and scurvy. A large number of sailors and soldiers died (estimates range between 600 and 1100) near the shores of Bedford Basin (Pritchard, pp. 177-183); the contagion spread, causing a massive depopulation of Mi'kmaq communities.
1747: During a surprise winter night attack at Grand Pré, a French Canadian, Mi'kmaq and Acadian force overwhelmed a New England force under Colonel Arthur Noble, resulting in more than 100 casualties.
1748: The Treaty of Aix-la-Chapelle concluded the War of the Austrian Succession and returned Louisbourg to the French. In response to the loss of Louisbourg, Massachusetts Governor William Shirley, who exercised considerable influence on Nova Scotia affairs, commissioned Charles Morris to survey and gather intelligence on the location and size of Acadian settlements around Minas and Chignecto and on the peninsula. This information was later sent to the Duke of Bedford, Secretary of State in London, as part of the larger plan that was emerging to place a British settlement at Chebucto/Kjipuktuk.

Cornwallis Governorship

1749: On June 21, Colonel Edward Cornwallis, appointed Governor of Nova Scotia, arrived at Chebucto/Kjipuktuk with 2,576 British settlers (including 500 soldiers). He named the settlement Halifax after the Earl of Halifax, George Montagu-Dunk, who was the president of

the Board of Trade and Plantations. The Board had financed and directed the establishment of the settlement as a British priority to counterbalance the French fortress at Louisburg and strengthen the British grasp on Nova Scotia (Johnston, *Endgame 1758*, p. 39).

•Cornwallis set up His Majesty's Council for the Province of Nova Scotia; its members included Paul Mascarene who had been the former administrator at Annapolis Royal and had witnessed earlier treaties at Boston and Annapolis Royal on behalf of the British. Other members of the Council included: Capt. Edward How, Capt. John Gorham, Benjamin Green, John Salisbury, and Hugh Davidson, who acted as Secretary (Akins, pp. 9-10). Later, after having handed Fortress Louisburg back to the French, Peregrine Hopson would arrive in Halifax to sit on the Council.

•Cornwallis commenced correspondence with the Board of Trade and Plantations and with the Duke of Bedford regarding the settlement's progress and challenges. A third of the settlers would not survive the first winter (Akins, *History of Halifax,* p. 19).

•By August, plots were allotted and settlers began building homes with supplies shipped in from Boston. To open up better communication to Minas, Gorham's Rangers and 50 French Acadians began construction to upgrade a trail from Halifax that had been used by the Mi'kmaq and Acadians. A blockhouse and battery was also established at Bedford (Fort Sackville) and Grand Pré (Fort Vieux Logis). On the 14th, three French Acadian Deputies, Jean Melanson (Canard River), Claude le Blance (Grand Pré), and Philip Melanson (from Pisiquid) visited Cornwallis to 'pay their respects,' and he requested the views of their inhabitants in the respective districts regarding renewing an Oath of Allegiance to the British Crown. The deputies thought this matter had been resolved in 1730 under Gov. Phillipps. They would later return in early September with a letter signed by 1,000 inhabitants wanting to take a qualified oath - but only on the condition that they would not be forced to bear arms against France. Cornwallis failed to obtain the oath he sought from the Acadians.

•In mid-August, 13 natives arrived to meet with Cornwallis, three of whom were deputy chiefs—two Maliseet from the Saint John River area, Francois Aurodowish and Jean Battiste, claiming to represent the chief of the Passamaquoddy, and Maliseet chiefs from Aucpec, (above Fredericton) and Meductic, and one Mi'kmaq, Jean Pedousaghtigh, from the Chignecto band (Patterson, *Indian-White Relations…* p. 29). They agreed to reaffirm the *Peace and Friendship Treaty* of 1726: Part of the discussion with the representatives (as recorded in Council minutes of August 14, 1749) included the following:

"Governor (Cornwallis): *Do you remember the Treaty made with your Tribes in 1726.* Indians: *Yes. Some of us were present when it was made.*

Governor: *Will you have it read to you?*

Indians: *We have a copy of it ourselves and we have come to renew it.*

Governor: Have you instructions from your tribes to renew the same Treaty?

Indians: *Yes.*

Governor: *Then tis necessary that the Treaty be read.*

Accordingly it was read in French and interpreted from French into their language by Martin the Indian and André the interpreter from Minas and signed on August 15th (Akins, *History of Halifax,* p.15):

Governor: *Do you agree to renew every Article of the Treaty now read to you.* Indians: *Yes.*

Governor: *Then I shall order a parchment to be ready for you to sign tomorrow and Captain How shall carry it to St John to be ratified.* Indians: *Agreed."*

•Later in mid-late August events took another turn at Canso with the Mi'kmaq seizing Lt. Joseph Gorham's vessel and crew, taking 20 prisoners and carried them off to Louisbourg (they were later released). This was followed by a Mi'kmaq attack on a trading vessel at Beaubassin, resulting in three English and seven Mi'kmaq killed. (Akins, Ibid, p. 18).
•Soon intelligence reports reached Cornwallis that the Mi'kmaq were designing to molest the settlement at Halifax on the approach of their first winter (Akins, Ibid, p. 17). It was deemed advisable to erect a series of five blockhouses around the town settlement connected by a palisade.
•Based on earlier intelligence, authorities viewed Abbé Le Loutre as an instigator of the many attacks. This was later confirmed in an letter that had been written by Le Loutre (on July 29, 1749) to a colleague, when he wrote; "*As we cannot openly oppose the English ventures, I think that we cannot do better than to incite the Indians to continue warring on the English; my plan is to persuade the Indians to send word to the English that they will not permit new settlements to be made in Acadia…I shall do my best to make it look to the English as if this plan comes from the Indians and that I have no part in it."* (Finn, p. 455)
•In September 1749, Mi'kmaq chiefs and elders met at Port Toulouse/Potlotek (Ile Royale/Cape Breton) to discuss Cornwallis's settlement at Kjipuktuk/Chebucto/Halifax. Subsequently, French missionary Abbé Maillard composed and sent a letter written in French (dated September 23 and not September 24 as some references erroneously state) to the governor expressing the Mi'kmaq concerns regarding the British settlement of their lands and addressed the issue of the settlement at Kjipuktuk/Chebucto/Halifax. A portion of an English translation reads: "*The place where you are, the place where you live, the place where you are building a fortification, the place where you want now to establish yourself, the place of which you want to make yourself the absolute master, this place belongs to me. Me, the Indian, I come out of this earth like [a blade of] grass. I have been born here the son [and] from father to son. This place is my land, I swear it. It is God who has given me this land to be my homeland forever…My King and your King together distribute these lands, and it is because of that they are presently at peace, but for me I can neither make alliance or peace with you. Show me where I could, an Indian, withdraw to. As for you, you hunt me down. Show me then where you want me to take refuge. You have taken over almost all of this land, so that the only resource left to me is at Kchibouctouk [Halifax]. Yet you begrudge me even this piece [of land] and you even want to chase me from it. That is what makes me know that you have sworn to not cease to make war on us and to never enter into alliance with us. You are proud of your great numbers. I, who is very small in number, can only count on the God which knows what this is all about...I am going very soon to go and see you, yes, I shall certainly see you soon."* (PRO, CO 217/9:117r-118r, Mi'kmaq to Cornwallis; translation by Stephen Patterson in Wicken). A description of the sent letter to Cornwallis (NSA, mfr 13844, C. O. 217/9, Item 116) reads as follows: "Enclosed. Letter (in French) ending: 'Je te salue. Tous les sauvages de l'Isle Royale et de Malhickonneich 6 jours avant le St. Michel,' i.e. 23rd September, 1749. (Dennis Brymer, *Report on Canadian Archives*, 1894, p. 147). It is not known when Cornwallis received this letter. Several days later Maillard sent a different letter, including different terminology and 60 more words, to Abbé Du Fau, the head of the overseas missions in Paris. This second letter, dated October 8, 1749, is headed "Déclaration de Guerre des Micmacs aux Anglais s'ils refusent d'abandonner Kchibouktouk

Halifax." (*Le Canada Francais*, ASQ, 1888: pp. 17-19). The second letter was never sent to Cornwallis (for a more complete discussion see Zemel, Online).

•On Sept 30, Mi'kmaq warriors surprised a wood-cutting crew of six men in Dartmouth, with two of the men scalped, two decapitated, one captured and one escaped to sound the alarm. Rangers later captured and killed three Mi'kmaq warriors (Akins, *History of Halifax*, p.18).

•On October 2 as a result of previous Mi'kmaq raids on Canso, Chignecto and Dartmouth, and to defend the colony and protect the settlers, Cornwallis and his Council (Charles Lawrence and John Horseman had joined the Council by this time) issued a proclamation to British subjects to remove the Mi'kmaq from the peninsula, and separate them from the settlers. The bounty also read in part that; "*His Majesty's Council do hereby authorize and command all Officers Civil and Military…to annoy, distress, take or destroy the Savage commonly called Micmac wherever they are found … (and) do promise a reward of 10 Guineas for every Indian taken or killed, to be paid upon producing such Savage taken or his scalp (as is the case of America) if killed, to the Officers commanding at Halifax, Annapolis Royal or Minas...*" (Akins, *Selections*…, p. 582). A copy of the letter from Abbé Maillard and the scalping proclamation were included in Cornwallis's Oct 17, 1749 report to Secretary of State Bedford.

•The bounty was the same rate the French at Louisbourg offered the Mi'kmaq for British settler scalps, and there are a number of entries in the financial accounts of government expenditures at Louisburg which list payments to Mi'kmaq warriors for scalps (Dickson. Also Johnston, *Endgame 1758*, pp. 63, 305n57).

•Scalping proclamations had been a common practice in New England. The British colony of Massachusetts first introduced such a measure as early as 1689. But even before European contact, North American natives, including the Mi'kmaq, widely practiced scalping as a traditional trophy or memento of valour (Lescarbot, 3:271). But with the arrival of Europeans, the scalping trophy was soon transformed into 'a commodity to be exchanged for cash or merchandise and anyone - Indian, French, or English - was eligible to scalp or be scalped' (Prins, p. 122). Europeans did not introduce scalping to North America, but they did institute its commercialization, 'turning tribal warriors into colonial mercenaries.' (Ibid). The wording of the 2 October document states that the bounty of ten guineas was issued after taking *"into consideration the late Hostility committed by Indians,"* ergo the male warriors, and did not imply that the bounty was to include women and children. (*Council Minutes*, 1-2 Oct, 1749).

•Along with Gorham's Rangers, two new Ranger companies were formed to track down Mi'kmaq warriors particularly in the area around Halifax.

•In late November a combined force of 300 Mi'kmaq, Maliseet and Acadians attacked the newly established Fort Vieux Logis in Grand Pré; British prisoners were taken before Gorham's Rangers arrived to regain and defend the fort (Brebner, p. 174).

•On December 6, the Council ordered all males 16 to 60 to form a militia to protect the Halifax settlement (Akins, *History of Halifax City,* p. 20).

1750: In March, Gorham's Rangers and the Mi'kmaq clashed at St. Croix near Windsor. Reinforcements from Fort Sackville helped end the battle (Grenier, p.154-155; Murdoch, p.174). Also in March, Cornwallis' messenger was killed by Mi'kmaq and Acadian militias enroute from Halifax to Chignecto.

•On March 19, after the Board of Trade and Plantations in Britain questioned Cornwallis on his decision to impose a bounty on Mi'kmaq warriors, he responded; *"…that it never was in my*

*thoughts to exercise any cruelties upon the Indians, all my meaning was that I should never think of making peace with them when they offer it, as hitherto has been done, without their giving any kind of security that they will observe their agreements and treaties." (*British History Online; Loyalist Collection Online*).*

•Another major outbreak of smallpox was reported at Louisbourg.

•Later in May, Cornwallis dispatched a force under Maj. Charles Lawrence to Beaubassin/Chignecto to establish a British presence after the French started building Fort Béauséjour. Upon arrival and facing French/Mi'kmaq opposition Lawrence returned to Halifax. Lawrence returned in September with a larger force and Fort Lawrence was built opposite Fort Béauséjour across the Missaguash River. The Chignecto area would be the scene of numerous clashes between the British and French-Acadian-Mi'kmaq forces in the 1750s with both sides taking scalps.

•In July, during a raid on Dartmouth, Mi'kmaq killed and scalped seven men who were working in the area (Akins, *History of Halifax City, Brook House edition,* p. 334).

•In August, the British transport *Alderney* arrived with 353 settlers who were settled in Dartmouth. In the next several months the Mi'kmaq, supported by Acadian insurgents, continued to conduct separate raids on the community that resulted in a number of deaths.

•Also in August (1750), off the coast of Baie Verte, the British defeated French in a naval battle. The British seized the French ship and discovered stores of arms and ammunition from Quebec that were being sent to Le Loutre and the Mi'kmaq.

•In September, British Captain John Rous engaged a French schooner off Port La Tour. Overtaking the ship, whose commander was Louis Du Pont Duchambon de Vergor (later the French commander at Fort Beauséjour), Rous discovered a cache of military supplies intended for the Mi'kmaq to use against the British. Later documents indicate that there were eight-to-ten French vessels that had unloaded war supplies for the Mi'kmaq, French and Acadians at Saint John River and Baie Verte.

•On Sept 30, Dartmouth was attacked again by the Mi'kmaq, and five more residents were killed (Grenier, p. 159).

•In October, during a Mi'kmaq raid on Halifax, Cornwallis' gardener and his son were killed and scalped and six other settlers taken prisoner (they were later released). Shortly after Cornwallis learned that Mi'kmaq were receiving payment from the French at Chignecto for taking five prisoners at Halifax, as well as prisoners from earlier raids on Dartmouth and Grand Pré (Murdoch, p. 183).

1751: French authorities ordered the Acadians to take an Oath of Fidelity to France and be incorporated into militia companies in the Chignecto area near Fort Beausejour, but they resisted.

•Mi'kmaq and Acadian insurgents, led by Beausoleil Broussard, carried out several more raids on Dartmouth on March 26, 28 and May 13. The numbers killed and scalped on March 26 were 15 settlers, with six taken prisoner. On the 28th, the Mi'kmaq abducted three more settlers. On May 13, in what became known as the 'Dartmouth Massacre,' 60 Mi'kmaq and Acadian insurgents killed up to 20 settlers that included the mutilation of men, women and children (Grenier, p. 159). The dead were later brought to Halifax for interment in the Old Burying Ground (Trider, p. 69).

•Later the British retaliated for the Dartmouth raids by sending several armed companies to Chignecto, where they breached the dykes and ruined crops.
•Further Mi'kmaq raids on the North and South blockhouses of the Halifax settlement resulted in the deaths of several soldiers on guard (Piers, p. 6; Landry p. 370).
1752: There were frequent reports of Mi'kmaq attacks along the coast, east and west of Halifax. In early July, New Englanders killed and scalped two Mi'kmaq girls and one boy off the coast of Cape Sable/Port La Tour (Murdoch, p. 209).
•Cornwallis and the Council explored the possibility of bringing the Mi'kmaq to the peace table. In July, before resigning as Governor and returning to England (in October), Cornwallis rescinded the scalping bounty and issued a proclamation forbidding hostilities against the Mi'kmaq. He assisted his successor Peregrine Hopson with a new peace and friendship treaty with the Mi'kmaq before returning to England. Hopson later ratified the 'Halifax treaty' with Maj. Jean Baptiste Cope, Sachem of the Shubenacadie Clan, in November, 1752, but the treaty was not acceptable to other Mi'kmaq leaders and Cope reportedly burned the treaty six months after he signed it (Upton, p. 55; Plank, pp. 33-34).
•In August, Mi'kmaq seized two schooners from New England, at St. Peter's, Ile Royale/Cape Breton; 21 prisoners were captured and later ransomed.
•In September, Mi'kmaq scalped a man who had been outside the palisade at Fort Sackville (*Halifax Gazette*, Sept. 30, 1952).

Post Cornwallis

•During Cornwallis' three years as Governor there is no verifiable data on the number of scalps of Mi'kmaq turned in at Halifax for the bounty. The number of warriors could be as few as one.
•Charges that Cornwallis' bounty proclamation was an act of genocide (a 20th century term) are unsubstantiated given an examination of the documented actions by all parties of the period, and in particular the bounty did not specifically target non-combatants (women and children), there was no central organization directing a systematic plan of different actions against the Mi'kmaq and there is no documented evidence of mass killings.
•Payment records at Fortress Louisbourg during this period (1749 -1752) show the French also paid the Mi'kmaq for the scalps of British settlers (Johnston, *Endgame 1758,* p. 63). Later, from 1756 to the fall of 1758, Louisburg records also 'show regular payments of scalp money - including notably one payment to Baptiste Cope' (Patterson, p. 53).
•A great many Mi'kmaq deaths happened as a result of widespread disease, devastating the Mi'kmaq population. This harsh reality goes back as far as the original French-Mi'kmaq contact in the early 1600s where; *"…we find that [the] Mi'kmaq suffered a mortality rate of 75 to nearly 90 percent after one hundred years of direct [European] contact."* (Prins, p. 27).
•By 1749 the Mi'kmaq population was estimated at between 2,000 (Prins, p. 148) and 3,000 (Patterson, *Indian-White Relations.*, p. 25), dispersed in small communities across mainland Nova Scotia, Ile Royale (Cape Breton), Ile St Jean (PEI) and the north-eastern Gaspé region. The Maliseet of the Saint John River Valley numbered fewer than 1,000. (Patterson, Ibid.)
•As late as 1750 historians (e.g. Patterson) have noted that the Mi'kmaq were a 'decentralized people: organized in bands or districts which were largely family groupings, they had spread out over their territory in order to keep population and food resources in balance' (Patterson, Ibid,

pp. 27-28). Further, there was no permanent or overall centralized structure or authority among the Mi'kmaq. But chiefs and elders did meet together on special occasions as equals and attempted to seek consensus on issues of concern.

1749-1759: In summary, **Dartmouth** experienced eight raids that significantly impacted the early development of the settlement. The last raid was conducted in 1759 near Eastern Battery (Eastern Passage) when five soldiers were killed (in an area later known as Scalp Cove). After the May 1751 raid no new settlers were placed in Dartmouth for 30 years. Figures for July 1752 showed a total population of 193; the 1766 census listed a population of 39; Dartmouth was described as virtually a 'ghost town' (Chapman, p.31).

•On Feb 21, 1753 the Mi'kmaq captured a British vessel with a crew of four along the Eastern Shore, killed two and took two captive, John Connor and James Grace; the latter two killed several Mi'kmaq (including a woman and child) while escaping their captors. The Mi'kmaq retaliated by luring a Halifax trading ship to the Jeddore area where they overpowered and killed seven of the eight crew members; the eighth member, Anthony Casteel, was held for ransom and eventually freed. Casteel provided a deposition covering the event, including describing how his fellow crew members were killed (Murdoch, p. 410; Paul, p 135).

•In May, two British soldiers were scalped near Fort Lawrence (Murdoch, p. 219).

•On 23 July 1753, Cornwallis' successor, Governor Hopson, reported to the Board of Trade and Plantations on the *"continual war we have with the Indians."* In a later letter to the Board, dated 1 October 1753, he wrote further; *"At Dartmouth there is a small town well picketed in, and a detachment of troops to protect it, but there are not above five families residing in it, as there is no trade or fishing to maintain any inhabitants, and they apprehend danger from the Indians in cultivating any land on the outer side of the pickets."*

Lunenburg, (settled in June, 1753), and surrounding area was also the scene of nine raids by the Mi'kmaq and Maliseet in the 1750s resulting in the deaths of men, women and children. In August 1753, it is recorded that Le Loutre had paid Mi'kmaq warriors for 18 British scalps, which they had taken on different excursions over the summer around Lunenburg.

•In May, 1754, Mi'kmaq and Acadians, led by Beausoleil attacked Lawrencetown, scalping four settlers and two soldiers (Marshall, pp. 110-111).

•During this time prominent Halifax business person, Michael Francklin, was captured by a Mi'kmaq raiding party and held captive for three months.

•On Aug 6, 1754, Charles Lawrence was officially appointed Governor of Nova Scotia, taking over from Hopson. The Seven Years' War had broken out in 1754, with the North American theatre known as The French and Indian War. It would continue till the Treaty of Paris in 1763.

•By August, 1755, following the fall of Fort Beauséjour (in June), and with the assistance of Governor Shirley in Boston, (and using the earlier intelligence gathered by surveyor Charles Morris and others), Governor Lawrence ordered the deportation of the Acadians with the first wave beginning at Chignecto in the Bay of Fundy region.

•On April 2, 1756, Mi'kmaq warriors received payment from the Governor of Quebec for 12 British scalps taken at Halifax (McLennan, p. 190).

•On May 14, 1756, following Mi'kmaq raids in the Chignecto and Lunenburg areas, Governor Charles Lawrence approved a bounty on the Mi'kmaq and Maliseet: 30 pounds for every male

above 16 brought in alive, 25 pounds for a male scalp and a similar amount for every native woman or child brought in alive. (*A Proclamation*, C.O., 217/16; Council Minutes, 14 May 1756; also see Daniel Paul, *British Scalp Proclamation: 1756*.). There is limited data on the number of native combatants or non-combatants killed or taken prisoner during this period. Rev. J.B. Moreau, an Anglican missionary serving the Lunenburg settlers during the Seven Years War, reported to his superiors in London that; *"…the number (settlers) massacred by the Indians during the War was 32."* Names of those killed including members of the Payzant, Ochs, Hatt, Tripo and Oxner families are recorded in government, church and family records.

•There were three raids on Halifax by Mi'kmaq warriors in 1757, the last one occurring in September when Acadian Pierre Gautier led four Mi'kmaq warriors in the scalping of two British men near Citadel Hill (McLennan, p. 190).

•In April, 1757, a band of Acadian and Mi'kmaq warriors raided a warehouse near Fort Edward (Pizquid/Windsor), killing 13 British soldiers. Further attacks took place at Fort Cumberland, which resulted in the killing of 23 and the capture of two of Gorham's rangers (Grenier, p. 190).

•On December 8, 1757, Mi'kmaq and Acadian militia attacked a detachment of British soldiers at Bloody Creek near Annapolis Royal. It was the same area where another battle had occurred in 1711; 24 British soldiers were killed and wounded, while 12 Mi'kmaq and Acadians also died (Parks Canada, Online version).

1758: In April, the Mi'kmaq returned seven prisoners and 16 scalps to Louisburg from attacks on Halifax/Dartmouth (McLennan, p. 246 n1).

•On late May, a massive British land and sea force under General Jeffrey Amherst and Admiral Edward Boscawen arrived in Halifax with plans to capture Fortress Louisbourg. By late July, with the subsequent loss of Louisburg and French support in the region, the Mi'kmaq opposition to the British was greatly limited.

•The Board of Trade and Plantations instructed Governor Lawrence to call a Representative Assembly. After a series of delays, the first Assembly met in Halifax on October 2, and 10 days later, Lawrence published a Proclamation in the *Boston Gazette* seeking proposals for new settlers to come to Nova Scotia.

1759: Five agents arrived in Halifax on April 18 representing New England Planters to view the lands left by the Acadians. In July it was reported that 'bands of Indians, with a few Frenchman, had threatened forts at Windsor, Lunenburg, and Sackville.' And it was agreed the Planter settlement plans be postponed 'until peaceful conditions prevailed.'

•In September (1759) Quebec fell to the British under General James Wolfe and that would soon lead to the end of French power in North America and further diminished the ability of the Mi'kmaq to oppose the British. But after years of conflict, the British continued to recognize the Mi'kmaq as adept forest fighters and warriors and sought agreeable peace terms. The British understood Mi'kmaq organization well enough to know that they did not have a highly centralized political structure, and therefore they needed to bring in the individual band chiefs one at a time before 'they could effectively establish peace with the whole Mi'kmaq people' (Patterson, p. 39). Thus, on Nov 26, Governor Lawrence invited the respected Mi'kmaq missionary Abbé Maillard who had relocated to Merigomish to assist the British in obtaining peace treaty agreements with the Mi'kmaq chiefs. He accepted and arrived in Halifax to begin his new task. The French called Maillard a traitor for his decision to assist the British.

1760s:

1760-1761: In the spring of 1760, New England Planters began to arrive in Nova Scotia. Governor Charles Lawrence died 19 Oct, 1760.

•The British and Mi'kmaq were engaged in peace talks with the assistance of Abbé Maillard, and by 25 June 1761 they ratified a peace and friendship treaty between them, with many Mi'kmaq chiefs present from the region. At a 'Bury the Hatchet' ceremony at the Lt. Governor's farm in Halifax (near present day Barrington Street and Spring Garden Road)…one Mi'kmaq Chief from Cape Breton described that; "*As long as the Sun and Moon* [the treaty] *shall endure, as long as the Earth on which I dwell shall exist in the same State as you this day, with the Laws of your Government, faithful and obedient to the Crown."* This treaty reflected a consensus agreement which was mutual and non-coercive (Wicken, p. 166). The event *"concluded with dancing and singing and toasts to His Majesty's health. An honour guard fired three volleys to mark the joyful occasion…"* (Upton, pp. 58-59).

1762: The new Lieutenant-Governor, Jonathan Belcher, issued a proclamation forbidding the settlement or trespassing of certain lands claimed by the Mi'kmaq.

•Due to a lengthy illness, Abbé Maillard died on Aug 12. He was buried in the Old Burying Ground, an event attended by many government officials, 'all the gentlemen of Halifax and a very numerous Assembly of French & Indians (Akins, *History…* p. 71; Raddall, p. 68). Rev. Thomas Wood, vicar at St. Paul's Church, would later write to his superiors praising Maillard for his efforts in negotiating peace with the Mi'kmaq, stating; "*Thanks to* [Maillard] *many Englishmen were saved from being massacred."*

1763: The Treaty of Paris formally ended the Seven Year's War in North America (also known as the French and Indian War), with the French ceding territory and the British emerging as the leading imperial power.

Conclusion

In reviewing relations and actions involving the British, French, Mi'kmaq and other indigenous groups over the years leading up to the British establishing Halifax, several themes emerge:

- Culture, language and political differences often complicated discussions and 'meeting of the minds' regarding land use, settlements, fishing and trading rights and treaty negotiations after the British captured Port Royal in 1710.
- The general wording of the Peace and Friendship Treaty ratified at Annapolis Royal in 1726—the basis of future treaties between the Mi'kmaq and the British - later resulted in different interpretations by the parties involved. For example, the Mi'kmaq relied on the symbol of the wampum belt and the ceremonially recitation of oral stories by the Elders of the events and the terms of the agreements for understanding treaties (Battiste, p. 3). Whereas the British sought written terms conveying the terms of the agreements, the Mi'kmaq saw the treaties as terms of peace and friendship with the British. They did not see such treaties as ceding any land, but rather agreeing to shared jurisdiction of their territory with the British.
- "The treaties…are a silent constitutional affidavit connecting us to the past, to agreements and to an oral and written history, one that is often forgotten among those who arrive on the shores of this country or across southern borders."

(Battiste, p. 2). Aboriginal and treaty rights are now delegated to a separate section in the 1982 Constitution - Section 35, and are now observed yearly on Oct 1, Treaty Day in Halifax and other locations in the province.

- When Cornwallis arrived in 1749 he was aware of British-indigenous conflicts dating back to the 1600s, including the accepted practice of scalping and the paying of a bounty for scalps carried out by all warring parties in New England and Acadia.
- As a military commander Cornwallis was obligated to defend the new settlement and ensure the safety of settlers against attack by highly mobile Mi'kmaq forces.
- The 1749 Cornwallis bounty did not target women and children. It explicitly states a 10 Guineas reward: "…*to be paid upon producing such Savage taken or <u>his</u> scalp…."* (Akins, *Selections*…, p. 582). the Maliseet and other aboriginal groups were not included in the bounty. Further, the later bounty placed by Gov. Charles Lawrence, also stated 30 pounds for every male above 16 brought in alive, 25 pounds for a male scalp. Native woman or child were to be '*brought in alive,'* and only then would a bounty be paid.
- The bounty did not deter the Mi'kmaq from carrying out numerous raids against British settlements during and following Cornwallis' three years as Governor. There is little verifiable data regarding the number of Mi'kmaq combatants and non-combatants killed during Cornwallis' tenure.* The bounty by Cornwallis was rescinded in July 1752.
- In summary, New Brunswick historian Stephen Patterson has noted "…N*ova Scotia Governors from 1749 to 1760—looked constantly for opportunities to bring the Indians to the peace table, but in the meantime, as one would expect of military men, they maintained a defensive position and took the steps necessary to protect what tiny scattered British settlements there were."* Further, in remarks at a recent "Our Shared History" panel discussion in Halifax, "Spur Halifax: Thoughts on Edward Cornwallis," Nova Scotia historian A.J.B. Johnson noted: *"That context (of violence in the 18th century and earlier), I believe, is crucial to our understanding of Edward Cornwallis and the scalp bounties he introduced. Horrific as we find them today, they were part of a violent era. To zero in and select Edward Cornwallis as the stand alone villain of the piece is, in my opinion, to misrepresent the period. It is an exercise in wishful thinking, that by singling out one actor for retribution today we have somehow corrected the flaws of the (colonial) past... I think we should speak less about who was responsible for scalp bounties and more about what was responsible... "* (Johnston, http://ajbjohnston.com.blog).

*(There is recorded an action taken by British soldiers in 1756 when they killed 25 French and brought in their scalps, claiming they were Mi'kmaq so they could obtain bounties - See Johnston, p.40, referring to Doughty's reference in A*n Historical Journal of the Campaigns in North America for the years 1757, 1758, 1759, and 1760 by Captain John Knox.* Vol. 2, p. 197).

Background: Cornwallis Park & Statue

The following background is provided regarding efforts by Mi'kmaq and other interests to rename Cornwallis Park and remove the Cornwallis Statue:

The erection of a statue in 1931 to recognize Edward Cornwallis as the Founder of Halifax was undertaken and promoted by the Province, Canadian National Railways and Halifax business community. The bulk of the cost of the $20,000 statue, designed by Scottish-America sculptor J. Massey Rhind, was provided by the CNR that owned the newly opened Nova Scotian Hotel and the land across the street where the statue was placed. (In later years Cornwallis Park was transferred to the City). Along with recognizing Cornwallis, government officials and the business interests felt the statue and park would help increase tourism, including the arrival of visitors at nearby rail and ship terminals. In 1974, Edward Cornwallis was designated by the federal government as a 'Person of National Historical Significance.'

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