



1865 – 1949

# Confederation Debates

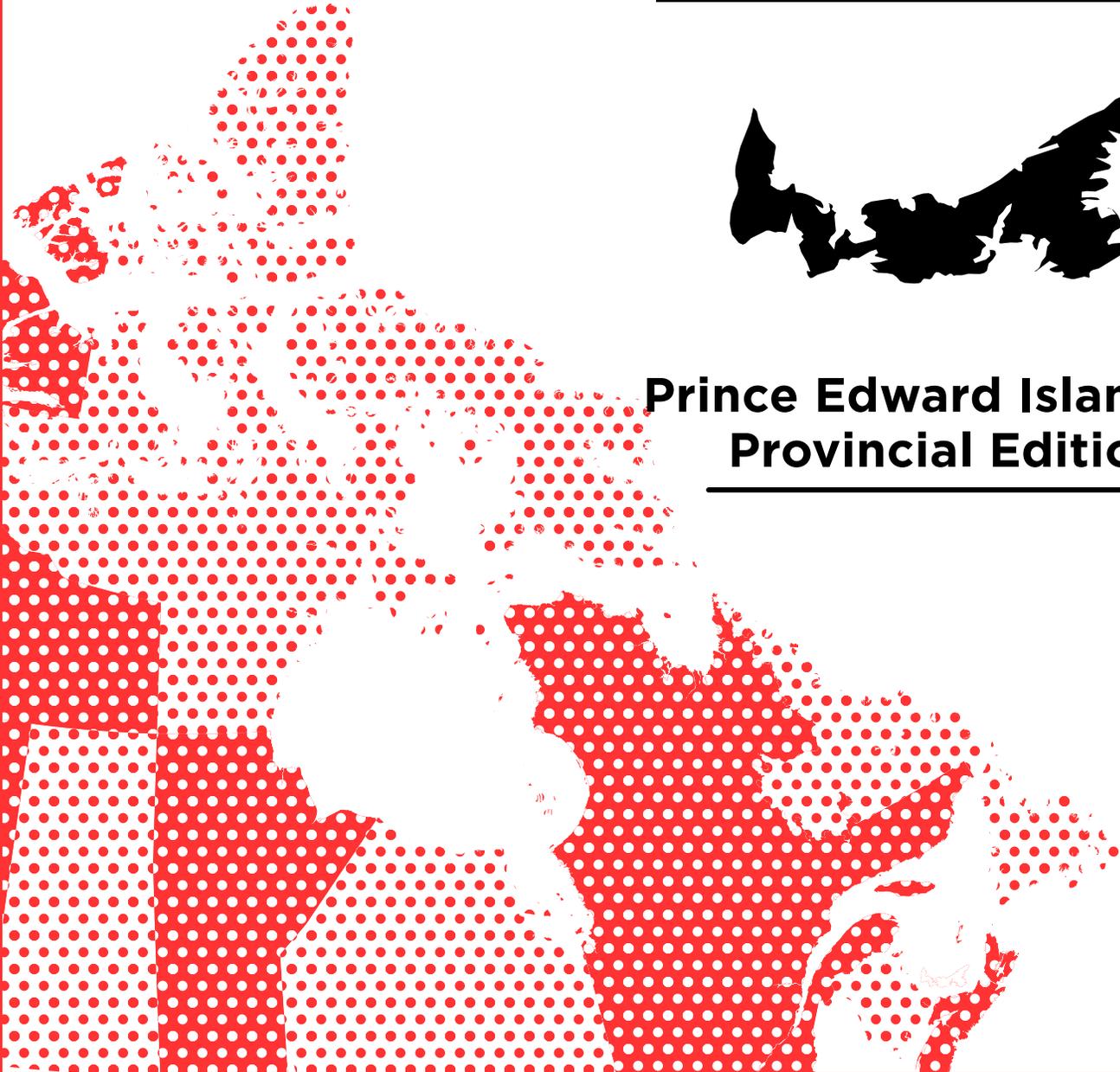
intermediate/senior  
mini unit

<http://hcmc.uvic.ca/confederation/>



**Prince Edward Island  
Provincial Edition**

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# ABOUT *THE CONFEDERATION* *DEBATES* MINI-UNIT

Before each province and territory became a part of Canada, their local legislatures (and the House of Commons after 1867) debated the extent, purposes and principles of political union between 1865 and 1949. In addition to creating provinces, the British Crown also negotiated a series of Treaties with Canada's Indigenous Peoples. Although these texts, and the records of their negotiation, are equally important to Canada's founding, as the Truth and Reconciliation Committee recently explained, "too many Canadians still do not know the history of Indigenous peoples' contributions to Canada, or understand that by virtue of the historical and modern Treaties negotiated by our government, we are all Treaty people."

The vast majority of these records, however, remain inaccessible and many can only be found in provincial archives. By bringing together these diverse colonial, federal and Indigenous records for the first time, and by embracing novel technologies and dissemination formats, *The Confederation Debates* ([theconfederationdebates.ca](http://theconfederationdebates.ca)) encourages Canadians of all ages and walks of life to learn about past challenges, to increase political awareness of historical aspirations and grievances and engage present-day debates, as well as to contribute to local, regional and national understanding and reconciliation.

This mini-unit for intermediate/senior-level classes helps students to understand and analyze the key ideas and challenges that preceded Prince Edward Island's entry into Confederation. The first section deals with the debates in the provincial and/or federal legislatures, while the second section addresses more specifically founding treaty negotiations with the First Nations. Each section can be taught independently.

The activities and attached materials will help students understand the diversity of ideas, commitments, successes and grievances that underlie Canada's founding.

By the end of this mini-unit, your students will have the opportunity to:

1. Use the historical inquiry process—gathering, interpreting and analyzing historical evidence and information from a variety of primary and secondary sources—in order to investigate and make judgements about issues, developments and events of historical importance.
2. Hone their historical thinking skills to identify historical significance, cause and consequence, continuity and change, and historical perspective.
3. Develop knowledge of their province/region within Canada, minority rights and democracy, and appreciate the need for reconciliation with Indigenous Peoples.

# CURRICULUM OBJECTIVES

This mini-unit has been broadly designed for intermediate/senior-level classes. The activities described in the pages, for example, fulfill the following outcomes listed in Prince Edward Island's "Social Studies 7," "History 621A: Canadian History," and "Canadian Studies CAS401A" curriculum guides.

## Social Studies 7

### UNIT TWO: ECONOMIC EMPOWERMENT

7.2.2 Investigate the various ways economic systems empower or disempower people

- explain that people have basic needs that must be met
- explain how capital is empowering

### UNIT THREE: POLITICAL EMPOWERMENT

7.3.3 Analyse the internal and external factors that led to Confederation

- identify the British North American colonies' perspectives on Confederation
- identify the key individuals with power and explain their involvement in making Confederation happen
- investigate the extent to which external factors affected the Confederation debate
- determine if Confederation was a democratic process by today's standards

7.3.4 Examine the political structure of Canada as a result of Confederation

- describe the concept of Federalism
- chart the structure of the Canadian government after Confederation
- compare the power given to the different levels of government by the BNA Act
- explain the role of the individual in the democratic process in Canada

7.4.3 Analyse the degree of empowerment and disempowerment for Aboriginal peoples in present-day Atlantic Canada during this period

- identify the various Aboriginal groups in present-day Atlantic Canada during this period
- describe the way of life of Aboriginal peoples in present-day Atlantic Canada during this period
- explore how national policies, treaties and the Indian Act impacted the Aboriginal peoples of present-day Atlantic Canada

## History 621A: Canadian History

### DEVELOPMENT

- D5 analyze the economic trends and policies that impact on Canada's current and future development

### GOVERNANCE

- G2 demonstrate an understanding of how and why competing French, British, and American governing philosophies merged in BNA
- G3 analyze how emerging political and economic structures led to Confederation
- G4 evaluate the evolution of federalism in Canada from Confederation to Patriation
- G6 demonstrate an understanding of the purpose of the Canadian constitution

### JUSTICE

- J4 demonstrate an understanding of how the lack of political and economic power has led to inequities and analyze the responses to these inequities

## Canadian Studies CAS401A

### CANADA'S VOICES FROM THE PAST

- 10-2-1 explain why some of the colonies of British North America merged to become the Dominion of Canada
- 10-2-2 explain the role of Prince Edward Island in the process of Confederation
- 10-2-3 describe several personalities (past and present) who have contributed to the growth and development of Canada
- 10-2-4 plan and carry out historical research of a local nature (e.g., events, people, places, landmarks)

### CANADA AS A DEMOCRACY

- 10-3-5 explain significant factors and possible outcomes surrounding a current issue in Aboriginal societies
- 10-3-6 demonstrate an understanding of Aboriginal peoples' unique status

# SECTION 1 | CREATING CANADA: PRINCE EDWARD ISLAND

## Prerequisite Skillset

- Word processing
- Web research
- Interpretation of primary sources
- Cooperative sharing
- Some familiarity with group debate

## Background Knowledge

Students may need to be reminded of the following subjects from the preceding weeks.

### **SOCIAL**

- Catholic-Protestant divisions that dominated PEI politics during the first half of the 1860s, and the way it complicated divisions between Island politicians during the Confederation debates

### **ECONOMIC**

- Relations with the United States (and especially the American cancellation of the Reciprocity Treaty in 1866)
- The construction of a railway and how it nearly drove the colony's government to bankruptcy by the early 1870s

### **POLITICAL**

- The colonial government's inability to completely resolve the absentee landlord problem
- The "better terms" that PEI ultimately accepted in 1873, which included the following additions that were not in the original terms offered in the 72 Resolutions
  - The federal government assumed all of the island's debts (including the debts from the new railway)
  - The federal government provided \$800,000 to buy out more absentee landlords
  - A federal guarantee to create continuous communication with the mainland via a steamship service
  - Six Members of Parliament (vs. the original five that were promised)
- The difference between a legislative union (ex. Great Britain had a single legislature for England and Scotland) and a federal union (with federal and provincial legislatures that each have areas of exclusive jurisdiction)
  - Charlottetown and Quebec constitutional conferences of 1864
  - The concept of dividing powers between federal and provincial governments and the respective jurisdictions of each (ex. education, military)
  - Increasing Aboriginal marginalization (especially neglected Treaty Rights)
- The concept of Maritime (as opposed to British North American) union

- The worry that the main impetus for Confederation came from the Province of Canada's need to overcome its own political deadlock (as opposed to the genuine pursuit of common interests among the colonies)

## Confederation Debates: Introductory Lesson

**Lesson:** Introduce Confederation and the concept of debate

**Concepts Used:** Brainstorming, concept map

**Recommended Equipment:** Computer(s) for viewing videos and reading *Dictionary of Canadian Biography* entries

**Materials Provided:** Video, handouts

**Time Needed:** 2 x 40-minute classes

### INTRODUCTION

The teacher will engage students in a brainstorming session with the suggested list of framing questions below.

### BRAINSTORM SESSION

To help students recall background knowledge (see previous page) please discuss the following questions:

1. What was Confederation?
2. What were the most influential ideas in Prince Edward Island's Confederation debates?
3. Who was the most influential individual in Prince Edward Island's Confederation debates?
4. How did linguistic or ethnic tensions impact the debates and our constitution?
5. What are some areas of continuity and change between the Confederation period and today?

### CONCEPT MAP

1. When the brainstorm session has been completed, the teacher will circle the most pertinent/important subjects and sub-subjects that resulted from the brainstorm session.
2. Teachers may add subjects or sub-subjects if important topics were missed during the brainstorm session.
3. Students will then develop a concept map to highlight the important subjects and sub-subjects.
4. A concept map will provide a visual aid for students to see the important subjects and sub-subjects throughout the unit.

### INTRODUCTION TO PARLIAMENT

1. Distribute the "72 Resolutions Handout" to the students and highlight and discuss:
  - a. The fact that representation in the House of Commons is representation by population, and representation in the Senate is by region (ex. the Prairies)
  - b. The division of powers between federal and provincial governments (note that one focuses on national issues like banking, while the other focuses on local concerns like hospitals).
2. Distribute "Introduction to Parliament: The Question Period" handout and review the questions with the class.
3. Show the class any Question Period video posted to <http://www.cpac.ca/en/programs/question-period/>.
4. Pause the video at the start and point out the government side (left), the opposition side (right) and the Speaker of the House (centre).

5. Play several minutes of the video and ask students to fill out and submit the handout for teacher evaluation.
6. When the video is complete and the handouts are submitted, discuss the following points with the class:
  - a. Note that different parties form the government and opposition, and that each take opposite sides on issues
  - b. During Question Period, one person asks questions; the other side answers/rebutts
  - c. The Speaker of the House controls the discussion
  - d. The classroom debate will not have any:
    - i. Yelling
    - ii. Talking over one another

## Confederation Debates: Biographical Research

**Lesson:** Introduce the key historical figures in the Confederation debates

**Concepts Used:** Critical thinking, historical inquiry process, historical thinking, online research

**Materials Used:** Computers

**Materials Provided:** List of biographies, biography handout, primary document handouts, self-evaluation for jigsaw activity

**Time Needed:** 3 x 40-minute classes

### HISTORICAL FIGURE COMPUTER RESEARCH

1. Teachers may wish to familiarize themselves with the key details listed in the historical figure briefs (see appendices) before beginning this activity.
2. Ideally, each student should do the research using their own computer. If there are no computers available, the teacher may wish to print off the *Dictionary of Canadian Biography* entries described below. Alternatively, if all students have access to a computer and internet access at home, this activity could be assigned for homework.
3. Divide the students into six equal-sized groups.
4. Assign each group one of the major historical figures listed below. Alternatively, teachers may allow students to choose their historical figure.
  - a. George Coles
  - b. John Hamilton Gray
  - c. Joseph Hensley
  - d. James Colledge Pope
  - e. William Henry Pope
5. Distribute copies of the “Biography Activity Handout” (see appendices) to all of the students.
6. Tell students to use Google to search for their historical figure and to find their listing on the *Dictionary of Canadian Biography* website as listed (see appendices).
7. Tell the students to read their respective *Dictionary of Canadian Biography* entries and record their answers in the blanks on the “Biography Activity Handout.”

### GROUP DISCUSSION

1. After students have completed their research—in the computer lab, or at home—the students should rejoin their groups (see 3 above) in the classroom.
2. Distribute the “Primary Source” handouts (see appendices) to the groups. (Each student should have their own copy.)
3. Each student will be given a task: reader, writer and discussant. (The reader will read the source to the group, the discussants will contribute to the discussion and the writer will record the group’s ideas on a separate sheet of paper.) There can be more than one student assigned to each role.
4. The teacher will encourage each group to decide which statements and positions were most important. They should then discuss the possible historical significance of these statements.
5. When this work is complete, the students will compare and share these reflections with their group members and determine what facts and ideas they think will be important for their peers to know. Each group member will add these notes to their “Biography Activity Handout.”

**JIGSAW**

1. When all students have shared information with their group, they will separate into a jigsaw activity. The goal of this activity is for all students to learn about every historical figure from their peers.
2. The teacher will assign the students in each group a number between 1 and 5. (ex. students researching George Coles will be labelled 1.)
3. All number 1s, 2s, 3s, 4s and 5s will then gather together. Each student should have at least one person from every group to share their information.
4. If there are too many students in the historical figure groups, each member should share a portion of what they learned with the jigsaw group. If there are too few students to divide the historical figure groups among each of the jigsaw groups, one student can present their information to more than one group.

**EXIT CARD**

1. Students will fill out the exit card (see appendices) and hand it in to the teacher for evaluation.
2. An exit card is an exercise designed to engage students with the material learned in class at the end of a lesson. All students will answer questions before leaving class. Exit cards allow teachers to assess the class's understanding of the day's material in preparation for the next lesson.
3. Students will answer the questions and will hand in the exit card to the teacher at the end of the lesson.
4. The exit card questions found in the appendices satisfy the requirements for three historical thinking concepts, historical significance, cause and consequence and historical perspective.
5. The teacher has discretion on whether to mark the exit cards to ensure understanding.

## Culminating Activity: The Debate

**Culminating Activity:** This culminating activity will introduce students to the basics of debate within a historical context and give them an opportunity to compare different historical positions on key issues of the 1860s.

**Concepts Used:** Critical thinking, primary sources, debate, using appropriate vocabulary, historical inquiry process, historical thinking concepts

**Time Needed:** 2 x 40-minute classes

Students/teacher will choose which figure they want to represent, which may be the same as or different than the historical figure they researched.

### MATERIALS (ENCLOSED)

- Mock ballots for optional voting activity, to be printed or photocopied in advance of the lesson (See appendices; the ballot's text is loosely based on the motion that all of the Province of Canada's representatives debated in 1865.)
- Script for teachers to use as "Speaker of the House" (See "Culminating Activity Script" below.)

### OPTIONAL MATERIALS (NOT ENCLOSED)

- Voting booth (set up before the debate begins for optional voting activity)
- Voting box (if the class is also going to do the voting activity)
- Costumes (ex. The teacher may borrow a graduation robe to wear while acting as "Speaker of the House," or find a white wig)

### DEBATE PREPARATION

1. If possible, rearrange the classroom desks to resemble parliament (i.e., the pro-Confederation and anti-Confederation groups will sit across from each other, with teacher standing in between at the front of the room).
2. Students will gather in their historical figure groups and prepare for the debate by composing short answers to the following questions that will be posed during the debate. Each student in the group will write an answer to one of the questions. If fewer than five students are in a group, one or more students may answer two questions.
  - a. What are the benefits of union?
  - b. What did James Colledge Pope originally think of Confederation? What made him change his vote?
  - c. What are the drawbacks of union?
  - d. Do we need representation by population in Confederation?
  - e. Local autonomy, or the ability to run things like schools without interference from the rest of the country, was very important to most of Canada's founders. Will the division of powers between federal and provincial governments protect local autonomy?
  - f. Will Prince Edward Island's economy benefit from Confederation?
  - g. Will Prince Edward Island be better defended from annexation to the United States by joining Confederation?
3. Students should practice their speech in front of the other members of their group to remain within a two-minute time constraint.

**DEBATE**

1. The Speaker of the House (the teacher) will stand at the front of the classroom (between the pro- and Anti-Confederation sides of the room if the classroom desks have been moved to either side of the classroom). The Speaker of the House will then read from the script enclosed below to bring the debate to order, and will pose important questions.
2. Students will be given the opportunity, after everyone has shared, to offer a direct rebuttal to another student's statement. The Speaker of the House may allow students to rebut a particular point.
3. Once each theme has been addressed and all students have had the opportunity to make their case, the Speaker of the House will motion for adjournment.
4. After the debate is finished, teachers may hold the optional voting activity (below).

**OPTIONAL VOTING ACTIVITY**

1. Students should fill out the "Post-Debate Self-Evaluation" handout (see appendices) and submit it to the teacher during the voting activity. If you chose to skip this activity, please proceed to the "Reflection Activity" below.
2. The teacher will invite each student to the front of the classroom to vote.
3. Each student will go to the voting booth, make their mark for or against joining Confederation based on the debates they have just heard, and deposit the ballot into the box or bucket.
4. When every student has voted, the teacher will collect the ballots, count them, and announce the outcome to the class.

**REFLECTION ACTIVITY**

1. Debrief session on how the 1865-1873 debates are important today. Guiding questions can include:
  - a. Why was their historical figure important in the Confederation debates?
  - b. What are some ways in which each historical figure responded to challenges and/or created change?
  - c. Was the language in the materials hard to understand? Imagine if, as was the case for the Indigenous Peoples of Canada, English was not your first language.

## Culminating Activity Script

1. To bring the House to order, the Speaker will say, “This meeting will come to order.”
2. The Speaker of the House will then conduct roll call for the five historical representatives. As each representative is named, students from that historical figure’s group will say, “Present.”
3. Once everyone is accounted for, the Speaker will read the House rules:
  - a. The Speaker of the House has ultimate power while Parliament is in session.
  - b. All representatives must stand to make their statements but will not leave their desk.
  - c. The Speaker will ask individual students to rise and sit as if they were debating in Parliament.
  - d. No name-calling or insults will be tolerated.
  - e. Representatives may ask to interrupt the current speaker with a question or counter point by raising their hand. The Speaker of the House will decide whether to ask the current speaker to pause.
  - f. Arguments must remain relevant to the subject of the debate. The Speaker of the House has the right to move to another speaker if anyone goes off-topic.
  - g. Students should write down any personal questions or comments for the debrief after the debate.
  - h. Optional: The Speaker may limit the amount of time Representatives are allowed to speak (ex. two minutes)
4. The Speaker will then introduce the first main question: “What are the drawbacks of union?” The groups representing George Coles and Joseph Hensley will be asked to speak. Each group will be limited to a two-minute opening statement.
5. The Speaker will then introduce the second main question: “What did James Colledge Pope originally think of Confederation? What made him change his vote?” This group’s response will be limited to a two-minute opening statement.
6. The Speaker of the House will then introduce the third main question: “What are the benefits of union?” The groups representing John Hamilton Gray and William Henry Pope will be asked to speak. Each group will be limited to a two-minute opening statement.
7. The Speaker will then introduce the fourth main question: “Should Prince Edward Island accept representation by population in Confederation?” Prompting questions for students may include:
  - a. Is it fair for some provinces to have more representatives than other provinces in the new country? Why?
  - b. Should PEI receive six MPs, instead of the five that strict representation by population would give it?
  - c. How much influence will Prince Edward Island possess within Confederation?
  - d. How did the founders expect the Senate (often referred to as the “Upper House”) to protect the less populated provinces from being dominated by Ontario and Quebec? Did everyone think the Senate would be effective in this role?
8. Before introducing the next main question, the Speaker of the House will say, “Is everyone ready for the next question?” Additional discussion/debate may ensue.
9. The Speaker of the House will then introduce the fifth main question: “Local autonomy, or the ability to run things like schools without interference from the rest of the country, was very important to most of Canada’s founders. Will the division of powers between federal and provincial governments protect local autonomy?” Prompting questions for students may include:
  - a. What powers does the Constitution give to the federal government?
  - b. What powers does the Constitution give to provincial governments?
  - c. Did the founders worry that the federal government would interfere in provincial affairs?
  - d. How did the founders try to minimize and alleviate these concerns about provincial autonomy?

10. Before introducing the next main question, the Speaker of the House will say, “Is everyone ready for the next question?” Additional discussion/debate may ensue.
11. The Speaker of the House will then introduce the sixth main question: “Will Prince Edward Island’s economy benefit from Confederation?” Prompting questions for students may include:
  - a. Will Confederation resolve the absentee landlord problem?
  - b. Will Prince Edward Island’s trade increase or decrease if it joins Canada?
  - c. Should Prince Edward Island focus on trading with the United States or with Britain and Canada?
12. Before introducing the next main question, the Speaker of the House will say, “Is everyone ready for the next question?” Additional discussion/debate may ensue.
13. The Speaker of the House will then introduce the seventh and final main question: “Will Prince Edward Island be better defended from annexation to the United States by joining Confederation?” Prompting questions for students may include:
  - a. If PEI joins Confederation, will it have to defend, or pay for the defence of other parts of the dominion?
  - b. If PEI does not join Confederation, could it still be defended?
14. When everyone has had the opportunity to state their case, the Speaker will say, “I move for the adjournment of this session of Parliament.”

## SECTION 2 | CREATING CANADA: FURTHERING INDIGENOUS-CROWN RELATIONSHIPS

### Prerequisite Skillset

- Word processing
- Interpretation of primary sources
- Cooperative sharing

### Background Knowledge

Based on the background information provided (see appendices), teachers should familiarize themselves with the following ideas and consider how they will be discussed with students. These ideas will help the students think about treaties and the treaty relationship as important parts of Confederation and as founding documents of Canada's constitutional order. Understanding the treaties as important parts of Canada's constitutional architecture demonstrates the role Indigenous Peoples played in shaping the country. Important learning outcomes include:

- Nation-to-Nation relationship
- The Royal Proclamation, 1763 and the Treaty relationship
- The British North America Act, 1867
- The Indian Act, and how it was used to exercise jurisdiction *over* Indigenous Peoples
- The Treaties of Peace and Friendship
- Historical background on the signing of the Treaties and their main clauses

## “I Left a Trace”: Lesson 1

**Lesson:** Introduce oral tradition, negotiations with the Indigenous Peoples; discuss the possibility of cultural/linguistic misunderstanding

**Concepts Used:** Brainstorming, historical significance, written response log

**Materials Enclosed:** Handouts (see appendices)

**Time Needed:** 2 x 40-minute classes

### THINK, PAIR, SHARE

To introduce students to the idea that history is constructed from traces of the past (see list of examples below), we suggest this introductory activity. The two activities and the follow-up response log engage students by having them analyze their personal experience.

1. After describing what a trace is, ask students to take 10 minutes to record everything that they have done in the last 24 hours (and that would be appropriate for classroom discussion) on a blank sheet of paper. They must draw their reflections. Examples of traces include:
  - a. Telling your parent you loved her/him
  - b. Telling someone you know a story about your past
  - c. Bringing mud into the house
  - d. Things you created with your hands
  - e. Actions that influenced others
  - f. Digital traces
2. Ask the class to identify:
  - a. Which traces were purposeful and which were accidental by marking them with a “P” and an “A.”
  - b. How would someone who is not from Canada interpret your traces? Would they be the same or different?
  - c. Would an historian working 100 years from now be able to interpret your traces the same way you would today? Students should also mark traces that they believe historians would correctly interpret with an “H.”
3. Ask the students to find a partner.
4. The partners will then, without saying a word, exchange their drawings.
5. Tell the students that they are now historians, and instruct them take 5 minutes to examine each drawing and write down observations like:
  - a. What do they believe the drawing describes?
  - b. What is the drawing used for?
  - c. Why do they think the individual thought the drawing was important?
  - d. What does each trace mean?
6. Ask the students to pass the drawings back to their author.
7. Have the class discuss how many items their partners correctly identified. Did they correctly interpret the significance of the “H” items?
8. How many of the “P” items were interpreted correctly? Is the class surprised that their purposeful traces were not always the ones that were interpreted correctly?

### RESPONSE LOG

1. Hand out the “Response Log Handout.” (See appendices.) Students should answer one of the five questions to reflect on the topic. Recommended reflection time is half an hour.
2. If the students do not have time to finish their response, the teacher can assign it as homework.

**VIDEO DEBRIEF**

Debrief the class with one or both of these Indigenous “Trace” videos.

- “Wab Kinew — Heroes” (song about Indigenous heroes). <https://youtu.be/3U14KmHlzMc>.
- “The Ballad of Crowfoot,” which examines the situation of Aboriginal people in North America through the figure of Crowfoot, the legendary nineteenth-century Blackfoot leader of the Plains Cree. <https://youtu.be/l-32jc58bgI>.

## Museum Curation Activity: Lesson 2

**Lesson:** Introduce negotiations with the Indigenous Peoples; discuss the possibility of cultural/linguistic misunderstanding, nation-to-nation relationships and museum curation techniques

**Concepts Used:** Historical significance, flow charts

**Materials Enclosed:** Handouts (see appendices)

**Time Needed:** 2 x 40-minute classes

**Note:** Teachers may wish to invite an Indigenous leader into the classroom to tour the exhibit that the students will produce, comment on their interpretations of the “artifacts,” and share their own experiences with the Canadian state and/or reconciliation.

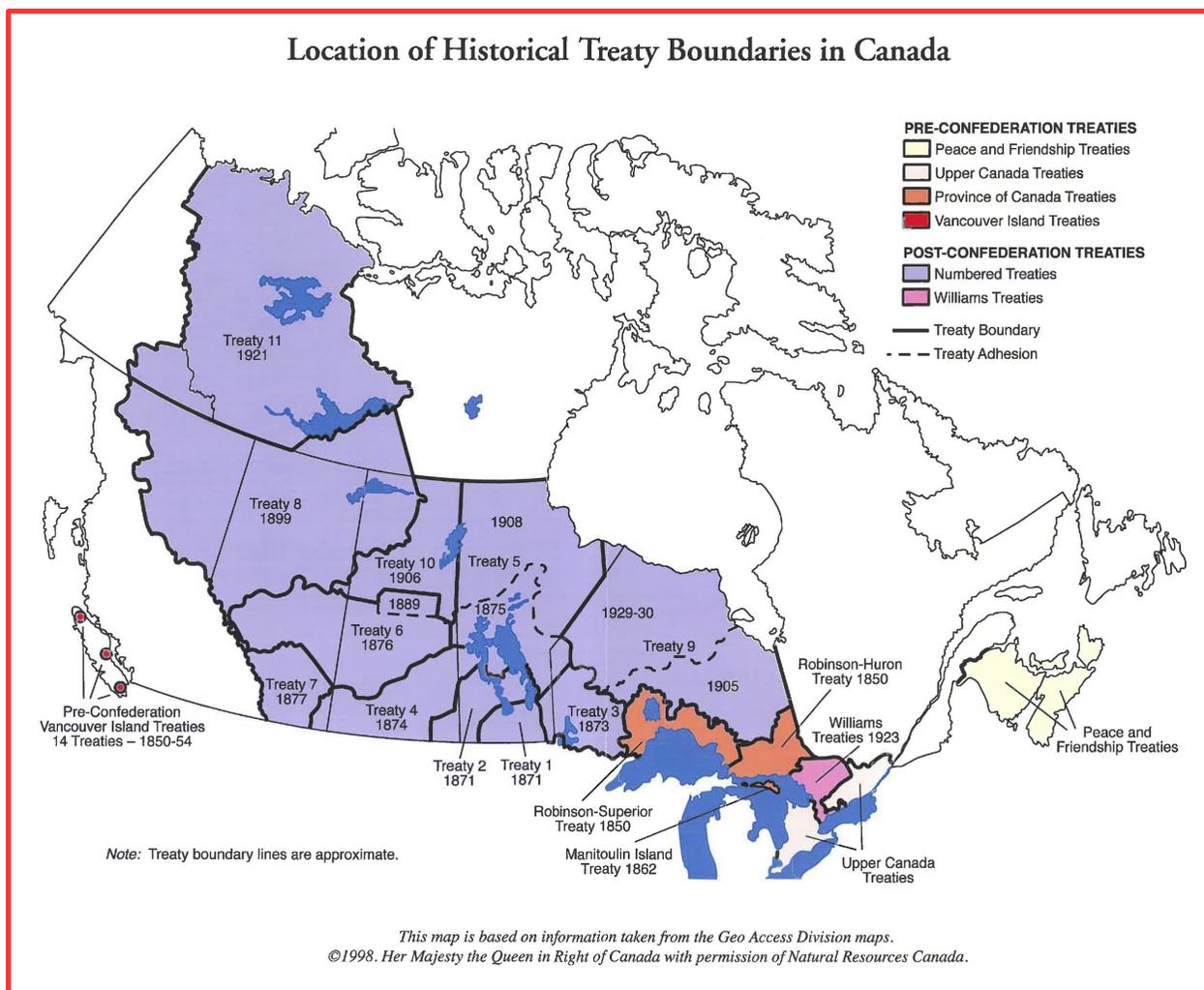
### INTRO/BACKGROUND INFORMATION FOR TEACHER TO PREPARE FOR THE MUSEUM CURATION ACTIVITY

#### *Introducing the Treaty Relationship*

There are two very distinct stories we can tell about Confederation and Canada’s Indigenous Peoples. In one story, Indigenous Peoples are largely invisible. Here, their only presence is found in s.91(24) of the British North America Act, 1867, where “Indians, and lands reserved for the Indians” were deemed to be federal, as opposed to provincial, jurisdiction. This has subsequently been interpreted as providing the federal government with a power *over* Indigenous Peoples and their lands. The Indian Act of 1876, which is largely still with us today, was passed on this basis. This created what political philosopher James Tully has called an “administrative dictatorship” which governs many aspects of Indigenous life in Canada. Many of the most profoundly upsetting consequences of colonialism are traceable in large part to the imposition of colonial authority through s.91(24) and the Indian Act of 1876.

But there is another story as well. Canada did not become a country in single moment. Though the British North America Act, 1867, created much of the framework for the government of Canada, Canada’s full independence was not gained until nearly a century later. Similarly, the century preceding 1867 saw significant political developments that would shape the future country. Canada’s Constitution is both written and unwritten. Its written elements include over 60 Acts and amendments, several of which were written prior to 1867. The Royal Proclamation, 1763, for example, is a foundational constitutional document, the importance of which is reflected by its inclusion in s.25 of the Canadian Charter of Rights and Freedoms. The Royal Proclamation, 1763, established a basis for the relationship between the British Crown and Indigenous Peoples in North America. By establishing a procedure for the purchase and sale of Indigenous lands, the proclamation recognized the land rights of Indigenous Peoples and their political autonomy.

Both the pre-Confederation and post-Confederation Treaties form an important part of this history and what legal scholar Brian Slattery calls Canada’s “constitutional foundation.” It is through Treaties such as these that the government opened lands for resource development and westward expansion. It is also through the treaty relationship that Indigenous Peoples became partners in Confederation and helped construct Canada’s constitutional foundations.



For a detailed discussion/background information, and a detailed version of what you will present to the class, consider watching “Legal Fictions of the Indian Act”: <https://youtu.be/PBXnjBX7j3c>.

If you want to present a video to the class on this, consider “Nation to Nation: Honouring the Royal Proclamation of 1763”: [https://youtu.be/eFyuI7gzy\\_0](https://youtu.be/eFyuI7gzy_0).

This helpful article outlines the Crown-Indigenous relationship and the importance of the Treaties: “Why It’s Time to Clearly Define the Crown’s Role with First Nations,” <http://www.macleans.ca/society/why-its-time-to-define-the-crowns-role-with-first-nations/>.

## INTRODUCING THE TREATIES OF PEACE AND FRIENDSHIP: TEACHER BRIEFING

A series of treaties known now as the Peace and Friendship Treaties were signed between the British and the Indigenous inhabitants of the Maritime Provinces, the Mi'kmaq, Wolastoqiyik (Maliseet) and Passamaquoddy, in the eighteenth century. These are recognized as the treaties of 1725–1726, 1749, 1752, 1760–1761 and 1779. This lesson plan will focus on the treaties of 1725–1726 and 1752. As the Department of Indigenous and Northern Affairs website states, all of these treaties “are important historical documents that can be viewed as the founding documents for the development of Canada.” Understanding the importance of the Peace and Friendship Treaties requires a brief account of the historical context in which they were signed.

The British claim to sovereignty in the Maritime provinces was based on two treaties with the French, the Treaty of Utrecht, signed in 1713, by which the French ceded peninsular Nova Scotia, and the Treaty of Paris, signed in 1763, by which Cape Breton and Prince Edward Island were ceded. New Brunswick has been determined by the courts to have come under British sovereignty in 1758 with the fall of Quebec. New Brunswick was a part of Nova Scotia until 1784.

When the British acquired Nova Scotia (previously called Acadia) from the French in 1713, there were almost no British people in the province. The British occupied only a small fort at Annapolis Royal. Outside the fort there were some 2,000–2,500 Mi'kmaq and about the same number of Acadians. As a result, Britain had no effective control of the territory at the time, and the sovereignty they had gained by the Treaty of Utrecht was a mere formality: the French continued to make claims to Cape Breton and Prince Edward Island, while Indigenous Peoples and Acadians occupied the land and lived according to their own legal and political orders. In 1722, a three-year war began between New England and the Wabanaki. The Wabanaki Confederacy was an “alliance was composed of four societies: the Mi'kmaq, the Maliseet, the Passamaquoddy and a loosely-allied group of communities living between the Penobscot and the Kennebec Rivers” (Wicken 2010). The war was the result of Wabanaki concerns over colonial expansion.

The Three Years' War (also known as Dummer's War, Father Rale's War, Lovewell's War, Greylock's War, the 4th Anglo-Abenaki War, or the Wabanaki–New England War of 1722–1725) was formally ended when the first of the Peace and Friendship Treaties was signed between the British and the Wabanaki in Boston on December 15, 1725. It was ratified by Mi'kmaq and Wolastoq delegates at Annapolis Royal, Nova Scotia, in 1726. The Treaty of 1725–1726 is composed of two documents: the Articles of Peace and Agreement, signed by 77 male delegates from the signatory indigenous nations, and the Reciprocal Promises, which contain commitments made by the British (see appendices). The Reciprocal Promises were signed by the Lieutenant-Governor of Nova Scotia, Lawrence Armstrong, and the Lieutenant-Governor of the British garrison at Annapolis Royal, John Doucett.

As historian William Wicken argues, the Treaty's most important provisions concern land. The Indigenous signatories agreed not to molest the British in settlements which had already been “lawfully” made. This implied that existing settlements were considered “lawful” by both parties and that it would be possible for future settlements to be made lawfully, though what exactly “lawfully” means is not explained in the treaty. To contemporary readers trying to understand the treaties, this suggests that the parties agreed that future settlements would, at the very least, require subsequent negotiations. In other words, this demonstrates that the British understood the Indigenous Peoples to have land rights and makes clear that these treaties do not cede those rights. Importantly, at this time there were no British settlers in the region and only two small military forts at Annapolis Royal and Canso, meaning that any settlement outside those forts would be subject to further negotiations.

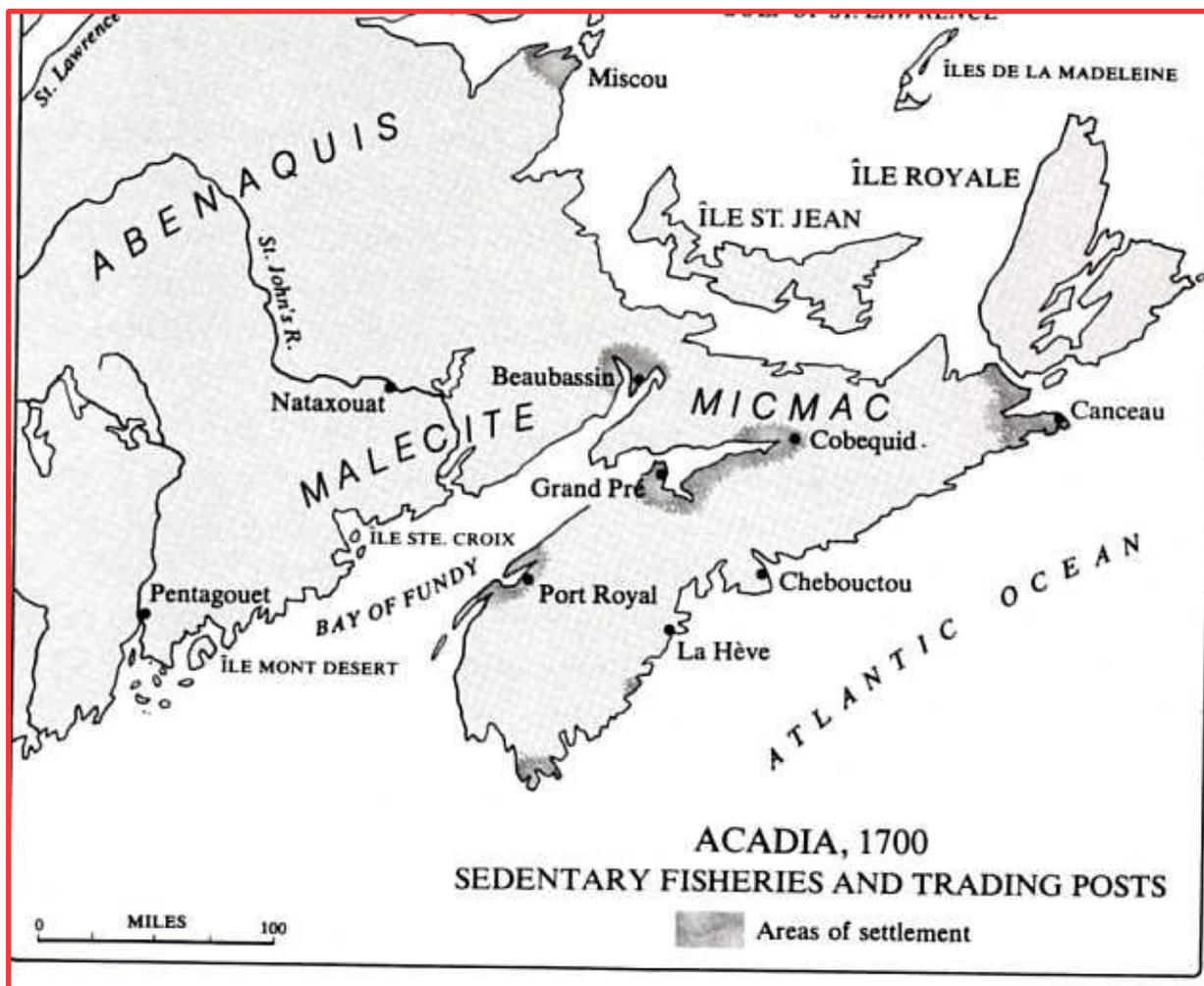
For their part, the British agreed not to interfere with Indigenous fishing, hunting, planting and “other lawful activities.” Again, the specifics are vague. Nowhere is the size or extent of the hunting or fishing areas, or the nature of “other lawful activities,” defined. In particular, as Wicken notes, “it is not clear whether or not all those lands outside the ‘existing settlements’ could be considered to be part of the ‘fishing, hunting, and planting grounds.’” Thus, there is some

confusion about what land, precisely, the Treaty of 1725–1726 protects. What is clear, however, is that the Treaty was intended to shape the political and legal relationships between the British and the Mi'kmaq, Wolastoqiyik (Maliseet) and Passamaquoddy. Thus, the Treaty represents the negotiation of a body of shared inter-societal law governing relations between the parties. While the British were certainly seeking to bring the Indigenous parties into their legal sphere and gain recognition of the sovereign authority they believed they had acquired from France at the Treaty of Utrecht, this did not happen in the 1725–1726 treaty.

Several subsequent treaties were signed in the following decades (1749, 1752, 1760–1761, 1779). Each of these has its own unique history, being signed by different parties and in response to different sets of political concerns. (The treaties of 1752 and 1760–1761, for example, added what is known as a “Truck House” clause, under which the British promised to build trading posts to encourage trade.) Each new treaty, however, reaffirmed the Treaty of 1725–1726. Thus, the recognition that there existed both British and Indigenous lands in the region and that the British would not interfere with any Indigenous hunting, fishing or planting remained central to the treaty relationship. The treaties were signed during a period when the British had little control over much of the territory they claimed. Through the treaty relationship, they hoped to build a trade and diplomatic network with the Indigenous Peoples of the region that would pull the region away from its relationship with France and bring it into the British imperial world.

#### **ADDITIONAL RESOURCES**

Wicken, William C. “Treaty of Peace and Friendship 1760.” *Indigenous and Northern Affairs Canada*. <https://www.aadnc-aandc.gc.ca/eng/1100100028599/1100100028600>.

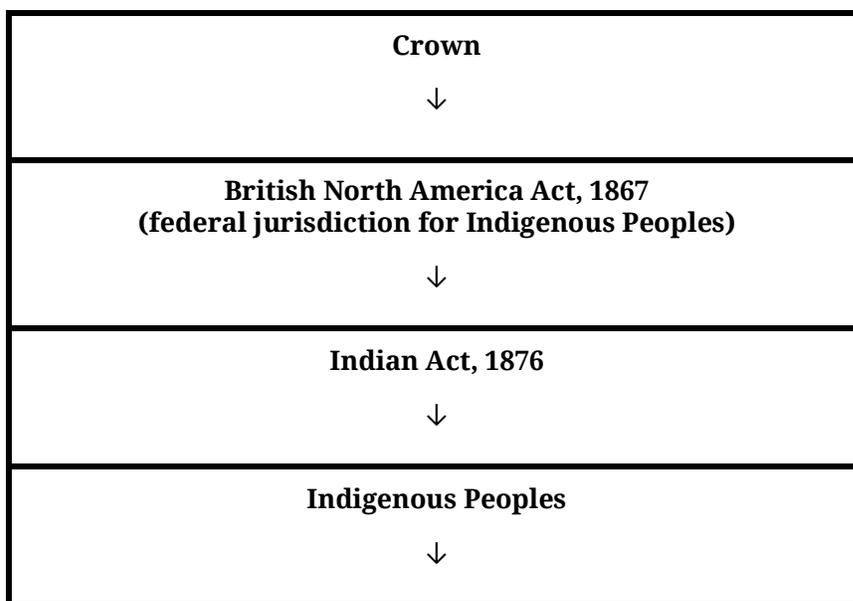


Note: This map is also included as a handout in the appendices.

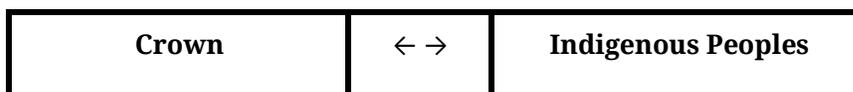
## INTRODUCING THE TREATIES OF PEACE AND FRIENDSHIP: HOW TO PRESENT THIS INFORMATION TO THE CLASS

To present these messages in an accessible way to the class:

1. The teacher will write all of the keywords on the board before the students enter the classroom:
  - a. British North America Act, 1867 (remind students that they have a handout on this from the parliamentary activities)
  - b. Indian Act, 1876
  - c. Royal Proclamation, 1763
  - d. Treaty Relationship
  - e. Treaties of Peace and Friendship
  - f. The Crown
2. The teacher will discuss the keywords by mapping out the relationship on their own flow chart at the front of the class visually linking these points as the federal government has traditionally seen it. (i.e., Indigenous Peoples are a jurisdiction of the Crown, wards of the state who needed to be assimilated into dominant Canadian society.) The drawing will be hierarchical:



3. The teacher will then ask the class to draw a second flow chart, and follow the teacher as they describe and link these ideas again according to a nation-to-nation relationship. (i.e., the Crown and Indigenous Peoples have a long pre-Confederation history as co-equal, non-hierarchical partners that was continued after Confederation.)The flow chart will emphasize equality:



## Museum Curation Exercise

1. Divide the class into six groups and assign each group one of the following:
  - a. Treaties of 1725–1726 and 1752
  - b. John Doucett
  - c. Jean-Baptiste Cope
  - d. Jean-Louis Le Loutre
  - e. Map of Mi'kma'ki
  - f. Reflections on Treaty Implementation
2. Each group will research their artifact using the resources provided in the appendices.
3. Teachers have the discretion to allow the groups to present what they learned in creative ways (ex. diorama, YouTube video), but we recommend that each produce an historical plaque (roughly 200 words).
4. Each group will pair their plaque (or other visual displays) with the historical artifact.
5. The class (teacher, students and Indigenous guest, if applicable) will then re-congregate and tour their collective exhibit.
6. Suggested talking points for each:
  - a. *Treaties of 1725–1726 and 1752*
    - i. What rights and responsibilities are in the written guarantees of the treaty?
    - ii. The treaty uses very complex and technical legal language. Did you find it easy to understand? Would it have been difficult for people who did not grow up with English to understand?
    - iii. Which of the parties to the treaty might have benefitted most from having it written this way? What does this tell us about how power is exercised by creating certain historical accounts?
  - b. *Biography of John Doucett*
    - i. Did Doucett believe the Mi'kmaq were allied with the French?
    - ii. Why might Doucett have believed that the Acadians were only pretending to be afraid of the Mi'kmaq?
    - iii. Why might Doucett have thought it was important to give the Mi'kmaq presents, as he did in the early 1720s?
    - iv. What might have driven the Mi'kmaq to capture fishing and trading boats in the early 1720s?
  - c. *Biography of Jean-Baptiste Cope*
    - i. What was Cope's influence among the Mi'kmaq?
    - ii. Why were the French angry when Cope signed a treaty with the British?
    - iii. Think back to our "I Left a Trace" activity. Did you notice that historians do not know as much about Cope as about the European historical figures?
    - iv. What did Cope hope to have resolved in the 1752 Treaty?
    - v. What led the 1752 peace to be broken? (Expect the students to provide different assessments.) Why do you think historians don't agree about what happened?
  - d. *Biography of Father Le Loutre*
    - i. Why might the English have been angry with Le Loutre?
    - ii. What was Le Loutre's plan for the Acadians? How did he threaten them?
    - iii. How did Le Loutre use his position as a spiritual advisor to try to influence the Mi'kmaq?
    - iv. When Le Loutre thought he was in danger, what did he do?
  - e. *Map of Mi'kma'ki*
    - i. Who did the Mi'kmaq believe the land in Mi'kma'ki (Nova Scotia) belonged to?
    - ii. How was Mi'kmaq territory traditionally divided?
    - iii. What was the political organization of Mi'kmaq society?
    - iv. What was the role of the summer village?
  - f. *Treaty Negotiation and Implementation*

- i. How differently did Mi'kmaq leaders view the settlements at Annapolis Royal and Halifax?
  - ii. The Treaty is all about who controls land. In what ways did Crown and Indigenous leaders disagree on the rights and obligations in the treaty?
  - iii. Mi'kmaq leaders and the Crown are still debating the extent of their rights and obligations today. How does the history of the treaties help us to understand what is going on now?
7. Ask the class to return to their desks and then raise some or all of the following questions in a debrief discussion:
  - a. How do the maps you have seen over the last few days compare to maps of Canada now?
  - b. What do these maps tell us about how Canada was formed?
  - c. Thinking about our museum exercise, how are these maps similar to or different from stories you've heard about Canada's history?
  - d. How do these maps demonstrate the important role of Indigenous Peoples in shaping Canada?
  - e. What do you take from the fact that the treaty borders do not match the provincial borders?

# APPENDICES

# **SECTION 1: MATERIALS AND HANDOUTS FOR CREATING CANADA: NEW BRUNSWICK AND CONFEDERATION**



## Handout: Introduction to Parliament

### THE QUESTION PERIOD

What were the main topics discussed in the video?

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/5

List the political parties of the different politicians who spoke in the video (ex. "Conservative").

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/5

Do the politicians address each other directly? Explain.

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/5

How do members of the Parliament behave during Question Period?

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/5

Total: /20



## Biography Activity Handout

Your Name: \_\_\_\_\_

Name of Historical Figure: \_\_\_\_\_

Birth and Death Dates: \_\_\_\_\_

Family Members:

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Where were they born? \_\_\_\_\_

Where did they live? \_\_\_\_\_

Pro- or anti-Confederation? \_\_\_\_\_

Reason(s) for pro-Confederation or anti-Confederation position:

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## Exit Card

Your Name: \_\_\_\_\_

Date: \_\_\_\_\_

Historical significance: Name the three historical figures you think had the biggest impact on Confederation and write a sentence about each explaining why. (You should have at least one figure from pro- and one from anti-Confederation.)

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Cause and consequence: Name one way that Canada would be different if we didn't have Confederation.

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Historical perspective: Name one person and one reason they were anti-Confederation.

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If you were to select a new national capital, what city would you choose? Why did you choose this location? Do you think your choice would be different if you lived in a province other than Prince Edward Island?

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## George Coles in Brief

*This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.*

George Coles was born on 20 September 1810 in Prince Edward Island to the farming family of James Coles and Sarah Tally. His upbringing lacked the wealth that many of George’s future peers enjoyed, and the young Islander received little formal education. At the age of 19, he visited England and married Mercy Haine and the young couple returned to his hometown and began a family that would eventually including twelve children.

Coles subsequently became a successful farmland owner, merchant, brewer and distiller. In 1842, Coles contested the rural constituency of New London and became a member of the House of Assembly. He initially avoided partisan affiliations but initially tended to vote with the Tories. As a businessman, Coles was wanted Islanders to prosper and create local markets for his goods. He therefore desired the end of the absentee landlord system, but also recognized that radical solutions would not receive the Colonial Office’s support.

In the Assembly, Coles was a forceful speaker and did not avoid confrontation. Over the years, he challenged several rivals to duels, feuded with the Assembly’s Speaker Joseph Pope, and spent 31 days in the custody of the sergeant-at-arms. After Pope’s resignation in 1847, however, Coles joined the cabinet as a Reformer, resigned the following year, and then led the push for responsible government in the Assembly.



Image held by McCord Museum.

This latter campaign was hard fought, and the campaign catapulted him into the forefront of Reformers and Coles became Premier in 1851. After achieving responsible government, Coles rejected extreme solutions to the absentee landlord problem and instead implemented an estate-purchasing program. Under this program the government provided “fair compensation” to landlords who voluntarily resold their lands to the occupants at minimal rates. It also passed legislation to purchase larger estates and sell them to tenants and squatters at reduced rates. This latter measure, however, proved to be extremely expensive, and the Imperial government disallowed the Coles government’s bill to raise a further £100,000 loan for the purpose. His government survived until 1859 when it fell to Catholic-Protestant education tensions and the belief that its land policy was no longer effective.

When considering Confederation, Coles promised to support any plan that would lead to the liquidation of leasehold tenure. He pushed for this measure at the Charlottetown and Quebec conferences, but the Canadian delegates had already agreed to disproportionately high financial subsidies for the island, and rejected this large additional commitment. Coles subsequently led the Liberals in adamant opposition to the Quebec Resolutions.

The Tories, deeply divided over Confederation and other issues, fell to the unified Liberals in the 1867 election. Coles resumed his policy of voluntary land purchases but public unrest continued. Within a year, senility overtook him, and he resigned as premier in 1868 and left Liberal leadership to Joseph Hensley.

## John Hamilton Gray in Brief



*This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.*

John Hamilton Gray was a soldier and politician who was born in Charlottetown, Prince Edward Island, in 1811. Gray’s father was an American Revolution loyalist whose household settled in PEI after the Governor asked that he assume several official functions there. John Hamilton Gray was subsequently born into the colony’s ruling upper class. During his teens, the family sent John Gray to England to complete his schooling, and he followed a longstanding desire to follow his father’s footsteps into a military career, spending the next twenty-one years in the British Army’s 7<sup>th</sup> Dragoon Guards, including significant time in India and South Africa. He retired from the Army with the rank of colonel in 1852, returning to his PEI, his “native land.”

Just two years later, Gray was appointed to the Legislative Council, but his tenure was short lived because he left the Island once again and returned to military life. While he did not reach the front lines, he spent most of the war’s duration overseas. Shortly after returning to the Island, Gray faced the colony’s intense religious conflicts. Gray agreed with Protestants that the Bible be taught in public schools. The colony’s Catholics opposed this position because they feared that the lessons would have a Protestant slant. Gray outspoken advocacy of the Protestant position brought him additional prominence.

Gray also fought to resolve the colony’s absentee landlord problem. He strongly supported the establishment of a commission to consider the problem and appears to have genuinely believed that the body would find a resolution. Imperial authorities, however, heeded the objections of landlords and ignored the government’s 1862 legislation to resolve the impasse. His decades away from the Island, it appears, had led him to forget that British Imperial interests did not always align with the colony’s. His political star, however, remained ascendant and he became Premier on 2 March 1863.

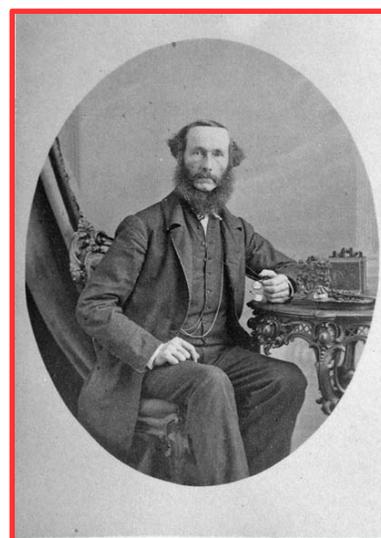


Image held by Library and Archives Canada.

As Conservative Premier, Gray supported Confederation. Learning from the land commission’s failure, for example, he expected that British North American colonies would better influence imperial authorities if they formed a common front. He therefore supported both Maritime and British North American union when most Islanders opposed these proposals. At the Quebec conference of 1864, Gray generally supported the proposed resolutions, though he joined his fellow delegates in complaining that the colony’s representation in the House of Commons and Senate would be inadequate. Nevertheless, he continued to support the union as a means of growing British North American influence and publicly defended the proposals, claiming that they would eventually provide a permanent solution to the colony’s land question. This stand put Gray at odds with his Attorney General Edward Palmer, who was championing the popular anti-Confederation cause. Feeling deserted, and possibly out of concern for his wife’s failing health, Gray resigned as Premier on 20 December 1864, creating a leadership gap that was ultimately filled by James C. Pope, whose stance on Confederation remained ambiguous.

Gray tried to return to politics several times but failed to win an election during the years immediately following his resignation. After PEI joined Confederation in 1873, Gray returned to his first love—the military—by accepting a position as Deputy Adjutant General of the newly formed Military District No. 12. He died in Charlottetown in 1877.



## Joseph Hensley in Brief

*This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.*

Joseph Hensley was born on 12 June 1824 in Tottenham, England, to Charles Hensley and Louisa Margaretta—a naval family. He was the second son in a family of ten and received good education both privately and at Hackney Grammar School. The family moved to Prince Edward Island in 1841 and his father soon became part of the colony’s small group of elites as a successful landowner and businessman. Joseph subsequently studied law and was called to the bar in 1847. He went to marry his law mentor’s only daughter, Anne Dover Hodgson, in Charlottetown in 1853.

Hensley could have become a member of the Island’s “Family Compact,” but chose to follow the Reformers led by George Coles when entering politics in 1851 as Solicitor General, despite lacking a seat in either of the colony’s legislatures. In 1853, he was appointed to the Legislative Council, where his father also held political office and became Attorney General in Coles’s second government.

Hensley’s political career then temporarily took an unusual twist. He resigned from the Legislative Council in 1858 to run for the 3rd District of Kings’ seat for the Legislative Assembly, but lost. In 1860, the Tories then appointed him to a commission and his subsequent political career benefit from being identified as one of the few lawyers in the colony who held the confidence of the tenantry.

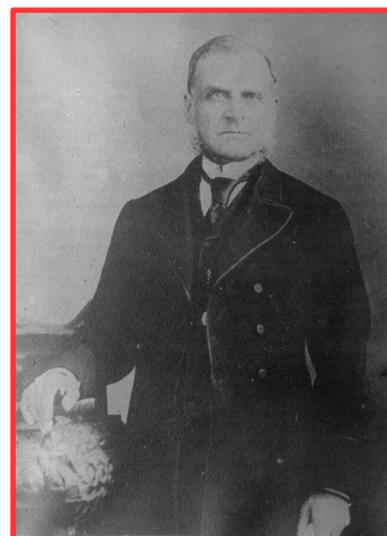


Image held by Prince Edward Island Archives.

He returned to politics the following year and quickly rose in political prominence. Winning a by-election in the solidly liberal 1st District of Kings, he subsequently regained his position as Coles’s Attorney General. By 1868, Coles was the leader of the government in the Assembly and, when religious sectionalism forced Coles to reign, Hensley succeeded him as Premier in 1868.

As Premier, Hensley opposed Confederation with the new Dominion of Canada. He continued to use the Land Purchase Act of 1853 to buy out willing proprietors and lobbied the British government for additional loans to buyout the leasehold system. In this time of extreme religious sensitivity, he tried to reconcile the Catholic and Protestant parts of his party. These efforts were unsuccessful and after less than a year as Premier, Hensley was appointed assistant judge of the Supreme Court of Prince Edward Island and vice-chancellor in the Court of Chancery.

Hensley continued as a judge for the next quarter century. He also became the President of the Bank of Prince Edward Island, which failed in 1881. As he grew older, Hensley moved to England for health reasons but died in New York in 1894.



## James Colledge Pope in Brief

*This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.*

James Colledge Pope was a land proprietor born in 1826 in Prince Edward Island (PEI). After going to California during the gold rush of 1849, he returned to the island and worked as a ship construction contractor for his father’s shipyard at Bedeque. In subsequent years, he diversified his investments into a host of fields including agriculture, fishing and real estate to the extent that virtually every merchant or entrepreneur in Summerside was indebted to him at some point. In 1857, he won a by-election against William Warren Lord’s Liberals, and the Conservative immediately adopted a reputation for belligerence during debates. In 1859, Pope was elected to the Executive Council under Edward Palmer’s Tory government.

In 1864, James Pope and his older brother William Henry Pope disagreed on Confederation. William favored Maritime and British North American union, while James contended that PEI would not benefit from either arrangement. Ultimately, James’s views triumphed for a time. Despite focusing primarily on his business interests, a political battle between John Hamilton Gray and Edward Palmer temporarily made James the most suitable leader, and he became premier on 7 January 1865. While James Pope was not entirely against union, he believed that the Quebec Resolutions were unfavourable to the Island, and that public opinion was strongly against union. So, the following year, James presented his famous “No Terms Resolution,” declaring that union would never benefit PEI. His brother William resigned from the cabinet in protest, but James remained committed to productive discussions and continued to seek better terms in subsequent negotiations.



Image held by Library and Archives Canada.

In 1867, the Tories lost the election following Pope’s use of troops to suppress the 1865 Tenant League. While Pope’s views against Confederation continued to soften, the general consensus on the island remained against Confederation, so Pope used the denominational school question to secure the support of Catholic Liberals regain power the following year. In 1871, he championed the construction of the PEI Railway, which quickly threatened to bankrupt the government. This hurt Pope’s credibility and he was defeated by the Liberals, who alleged that the railway was a scheme to bring PEI into Confederation (a point that was never proven). In February 1873, the Liberal administration negotiated terms of Confederation, which included Canadian assumption of PEI’s debts and the cost of the railway, as well as the establishment of continuous communication with the mainland and an annual subsidy. In the general election that followed, Pope claimed that the terms were inadequate, promised that he could do better, and won 20 of the Island’s 30 seats. After securing an increase of \$25,500 to the subsidy, his government consented to Confederation and PEI became a part of Canada on 1 July 1873.

After PEI’s entrance into Canada, Pope lost his seat in the provincial election in 1876 over the denominational school question. In 1878, when the federal Tories returned to power, Pope joined the cabinet as Minister of Marine and Fisheries under Sir John A. Macdonald, but ill health led him to leave politics a few years later. Pope died in 1885.

## William Henry Pope in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



William Henry Pope was born on 29 May 1825 in Bedeque, Prince Edward Island, to Joseph Pope and Lucy Colledge. Initially educated on the Island, he went to England to pursue higher education in law. He then returned to PEI to article, and was called to the bar in 1847. He then married Helen DesBrisay in 1851 and they went on to have eight children.

In 1854, William and his extended family took advantage of the government’s attempts to resolve the absentee landlord problem. After purchasing a large estate for £14,000, his family resold it to the government for £24,100. The government paid this exorbitant sum because the Popes threatened to take its tenants to court for payment of arrears in rent—an action which would have provoked riots. When this profiteering became public, it tarnished William’s reputation and it never fully recovered.

As the decade progressed, William and his younger brother James Colledge Pope became increasingly active in the Conservative party. When that party came to power in 1859, William became Colonial Secretary even though he did not hold office in either legislature. That same year, William also became the editor of the *Islander* newspaper and regularly exchanged barbs with rival Liberal papers. When considering the land question, for example, the *Islander* contended that the leasehold tenure system was “obnoxious” and “injurious,” but insisted that it had to be resolved in a way that did not infringe on the rights of the proprietors because it would call their property rights into question. Although Pope, a Methodist, initially tried to build bridges between Protestants and Catholics of sectarian education questions, these efforts failed and threats to mobilize Catholics against Protestants led him to publish a vicious series of editorials in the *Islander* pitting Protestants against Catholics. These eighteen months of editorial exchanges raised Pope’s political profile, but made him something of a *bête noire* to the Liberals.



Image held by Library and Archives Canada.

When the question of forming a Maritime or larger political union arose, William Pope was one of a very small group to support the idea. As a delegate to the Charlottetown and Quebec conferences, he strongly supported the 72 Resolutions even though the colony’s voters overwhelmingly opposed union. When his brother James became Premier at the beginning of 1865, William remained Colonial Secretary, but his pro-Confederation views rendered him increasingly isolated within the cabinet. Later that year, when his brother was about to move a debate on Confederation, William pre-empted the debate by moving eight pro-Confederation resolutions before his brother could speak. James moved a series of counter-resolutions and Confederation’s widespread unpopularity with the colony’s voters ensured their defeat. James then cemented William’s isolation by passing a “No Terms Resolution” declaring Confederation a non-possibility for the foreseeable future in 1866 while William was away on a trade delegation in Brazil. This unambiguous anti-Confederation stance led William to resign in protest shortly after his return.

After his resignation from the cabinet, William Pope continued to push for PEI’s entry into Confederation. He did not win another election but continued to edit the *Islander* and wrote many pro-Confederation editorials. He also mended fences with the colony’s Catholic community, helping to propel the Conservatives back to power. His brother James then eventually sought better terms of union and PEI entered Confederation in 1873. From this date, until his death in 1879, William worked as the judge of the Prince County Court.



## Ballots

### **BALLOT**

Be it resolved that Prince Edward Island should join Confederation as a province of Canada according to the negotiated terms of union.

- Yes  No
- 

### **BALLOT**

Be it resolved that Prince Edward Island should join Confederation as a province of Canada according to the negotiated terms of union.

- Yes  No
- 

### **BALLOT**

Be it resolved that Prince Edward Island should join Confederation as a province of Canada according to the negotiated terms of union.

- Yes  No
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## Teacher's Rubric for Evaluation of Confederation Debates

	4	3	2	1	Points
Factual Information	<p>Significant contribution to the debate.</p> <p>Student was able to provide historical information relating to their character.</p>	<p>Reasonable contribution to the debate.</p> <p>Student missed a few crucial elements of historical information about their character.</p>	<p>Minimal contribution to the debate.</p> <p>Student missed a significant number of crucial elements during the debate.</p>	<p>Unsatisfactory contribution to the debate.</p> <p>Student did not provide enough crucial pieces of historical information about their character.</p>	
Comprehension	<p>Student fully understands the historical content and significance of the debate. Speech is well prepared and all questions are answered during the debate.</p>	<p>Student somewhat understands the historical content and significance of the debate. Speech is prepared and major concepts are understood.</p>	<p>Student vaguely understands the historical content and significance of the debate. Speech is somewhat prepared but major concepts are missed or misunderstood.</p>	<p>Student does not understand the historical content and significance of the debate. Speech is not well prepared and student has not contributed significantly to the debate.</p>	
Delivery	<p>Student clearly articulates during the jigsaw and debate. All questions are answered and delivered articulately.</p>	<p>Student reasonably articulates during the jigsaw and debate and questions are reasonably answered.</p>	<p>Student sometimes articulates during the jigsaw and debate but there are a few misunderstandings.</p>	<p>Student does not articulate during the jigsaw and debate and does not deliver the speech well and there are many misunderstandings.</p>	
Rebuttal	<p>Student can effectively rebut during the debate.</p>	<p>Student can adequately rebut during the debate.</p>	<p>Student has limited rebuttal during the debate.</p>	<p>Student is not able to rebut during the debate.</p>	
Historical Thinking	<p>Student shows significant understanding of historical thinking concepts and uses them throughout the debate (e.g., speaking as their historical figure would as opposed to giving their own views).</p>	<p>Student shows a general understanding of historical thinking concepts and uses some throughout the debate (e.g., can somewhat speak as their historical figure would).</p>	<p>Student shows some understanding of historical thinking concepts and uses a few throughout the debate (perhaps with some misunderstanding or citing their own views).</p>	<p>Student shows little understanding of historical thinking concepts (e.g., not speaking as their historical figure would or giving irrelevant arguments).</p>	
Total					



## Post-Debate Self-Evaluation

Name: \_\_\_\_\_

Your self-grade: \_\_\_\_\_

Describe your contribution to the group:

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What would you do to improve your group work next time?

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What would you do to improve your debating skills next time?

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How could your team improve next time?

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Teacher comments:

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Teacher grade:

## Additional Resources

### GENERAL RESOURCES

“The Confederation Debates.” [www.theconfederationdebates.ca](http://www.theconfederationdebates.ca).

Bolger, Francis W. P. *Prince Edward Island and Confederation*. Charlottetown: St. Dunstan’s University Press, 1964.

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Tidridge, Nathan. “Why It’s Time to Clearly Define the Crown’s Role with First Nations.” *Macleans*. <http://www.macleans.ca/society/why-its-time-to-define-the-crowns-role-with-first-nations/>.

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Wicken, William C. “Treaty of Peace and Friendship 1760.” *Indigenous and Northern Affairs Canada*. <https://www.aadnc-aandc.gc.ca/eng/1100100028599/1100100028600>.

### VIDEO LINK

Question Period. <http://www.cpac.ca/en/programs/question-period>.

### COLES, GEORGE

Robertson, Ian Ross. “Coles, George.” *Dictionary of Canadian Biography*. [http://www.biographi.ca/en/bio/coles\\_george\\_10E.html](http://www.biographi.ca/en/bio/coles_george_10E.html).

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Johnson, Micheline D. "Cope (Cop, Copt, Coptk), Jean-Baptise, also sometimes called Major Cope." *Dictionary of Canadian Biography*.  
[http://www.biographi.ca/en/bio/cope\\_jean\\_baptiste\\_3E.html](http://www.biographi.ca/en/bio/cope_jean_baptiste_3E.html).

Plank, Geoffrey. "The Two Majors Cope: The Boundaries of Nationality in Mid-18th Century Nova Scotia." *Acadiensis* 25, no. 2 (1996): 18–40. Wicken, William C. *Mi'kmaq Treaties on Trial: History, Land, and Donald Marshall Junior*. Toronto: University of Toronto Press, 2002.

**DOUCETT, JOHN**

Fergusson, Charles Bruce. "Doucett, John." *Dictionary of Canadian Biography*.  
[http://www.biographi.ca/en/bio/doucett\\_john\\_2E.html](http://www.biographi.ca/en/bio/doucett_john_2E.html).

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## Primary Source: George Coles's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1865 and 1873, George Coles said the following points:

### SUMMARY STATEMENTS

"I stated at the Conference they refused my proposition with respect to the Land of Question of this Colony, that they might as well strike Prince Edward Island out of the constitution altogether."

*PEI Legislative Assembly Debates*, 2 March 1865, pg. 9.

"[On the accusation of being a traitor]... I deny these charges. I believe that Anti-unionists are just as loyal as any Unionist can be. I feel that my loyalty is equally as sincere as that of those who so zealously advocate the Quebec scheme, for I have yet to learn that Great Britain has aid we must go into Confederation. All that we have yet heard is the sanction of the Colonial Minister to the holding of a Conference in Canada, consisting of representatives from all the Provinces, to consider the large scheme of Union, and his opinion that the Report of the Conference upon the whole was creditable to the assembled delegates... What foundation, then, have those for their statements who tell us that we shall be compelled to go into Union? Who say that unless we enter the proposed Confederation we shall not get a single ship or man from the Mother Country to defend us? The Home Government has given no intimation of any kind. In fact it seems to be passive in regard to the Union movement. The Colonial Minister stated in effect in one of his despatches that if the people of the Colonies were desirous to enter into a Union, Her Majesty's Government would throw no obstacles in the way. This language conveys no such threat as has been held up by some hon members of this House."



Image held by McCord Museum.

*PEI Legislative Assembly Debates*, 31 March 1865, pgs. 65–66.

### PRINCE EDWARD ISLAND'S POTENTIAL PROVINCIAL AUTONOMY

"Again with respect to our Local Legislature under the Confederation scheme, what would it amount to! We would be a laughing stock to the world. The City Council would be a king to such a Legislature. In this House scarcely anything would be left us to do, but to legislate about dog taxes and the running at large of swine."

*PEI Legislative Assembly Debates*, 31 March 1865, pg. 68.

## PRINCE EDWARD ISLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

“The Union which I advocated was one that would give us inter-colonial free trade and a uniformity of currency. But here in this Report we have a constitution under which we may be taxed at any rate the Canadians think proper. At present we hold the power of taxation in our own hands; under Confederation, it would be placed almost entirely beyond our control, as well as the power to say what portion of these taxes imposed upon the people of the Colony should be expended for objects in which they are immediately interested... When the Canadian delegates came down to the Conference the chief points which they laid down were representation by population for the Lower House, and a nominated Upper House to consist of 60 members — 20 for Upper Canada, 20 for Canada East, and 20 for the Lower Provinces. Representation by population, however, appeared to be the leading principle for which they contended. I enquired what they would be willing to concede<sup>1</sup> to us for giving up the privilege of taxing ourselves, and for handing over our revenue; and they asked what I thought would be fair. I said 200,000, sterling, or 300,000, currency; and that this money should be placed into our land funds, entirely at the control of the Colony for the purchase of proprietors’ estates. This proposition, I understood, was assented to. I had also private conversations afterwards with Hon Mr. Brown<sup>2</sup> and Hon. Mr. Cartier,<sup>3</sup> and they admitted the justice of the claim. With the impression that a grant to the amount, and on the conditions which I have stated, was to be given to this Colony for the purchase of lands, I did not offer that opposition at Quebec to some of the first clauses of the Report, which I otherwise would have done.”

*PEI Legislative Assembly Debates*, 31 March 1865, pg. 67.

“We had been in Conference only a few days when the question of representation in the Upper Branch<sup>4</sup> came up for consideration. On account of the Newfoundland delegates taking part in the proceedings, and it being proposed to give that Colony 4 members in the Legislative Council,<sup>5</sup> the Canadian ministers retired into their council chamber, and returned with the proposition that 24 members should be allowed to each of the two sections of that Province. Lower Canada<sup>6</sup> stood out for equal representation in the Upper Branch as a security against the superior influence which the Upper Province<sup>7</sup> would possess in the Lower House on the principle of representation by population. When the question of representation in the House of Commons came up for discussion, this principle was ably and strenuously contended for by the Hon. George Brown; and well it might, for he knew that it would enable Upper Canada to maintain the control of the General Legislature for ever. Representation by population will give the two Canadas 100 of a majority over all the Lower Provinces in the House of Commons and by each of the Canadas having as many members in the Legislative Council as the whole of their eastern sisters,<sup>8</sup> they will together always command a majority there of 24 over us, so that the only principle of which we, in the Maritime Colonies, can expect justice will be through the quarrels of the two western Provinces.<sup>9</sup> In view of this, I ask what prospect is there for us if we give up our revenue, but to put our hands in the pockets and pay our own expenses. We cannot hope to contend with the influence which will be brought to bear against us in Canada.”

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<sup>1</sup> Concede = give

<sup>2</sup> George Brown = the leader of Upper Canadian Reformers (present-day Ontario Liberals)

<sup>3</sup> George Cartier = the leader of Lower Canadian *Bleus*

<sup>4</sup> Upper Branch = Senate

<sup>5</sup> Legislative Council = Senate

<sup>6</sup> Lower Canada = present-day Quebec

<sup>7</sup> Upper Province = present-day Ontario

<sup>8</sup> Eastern sisters = the Maritime provinces

<sup>9</sup> Western Provinces = present-day Ontario and Quebec

*PEI Legislative Assembly Debates*, 31 March 1865, pg. 67.

“Talk of our young men rising to judgeships, and to be premiers in Canada; why, Sir, they have far too many favors at their hands. The politicians in that Province are sometimes put to their wits ends how to provide snug berths<sup>10</sup> for persons they wish to shelve out of their way. A little transaction of this kind occurred when the delegates were there. A member of the Legislature was appointed to a judge-ship under the Stamp Act, in order to make room for the Provincial Secretary, who had lost his election in the district her formerly represented. Under Confederation work would, not doubt, be carried on to a much greater extent, and amid the intriguing of Canadian office seekers on the spot, the young aspirants in the Lower Provinces would stand very little chance of success.”

*PEI Legislative Assembly Debates*, 31 March 1865, pg. 69.

### **DEFENCE AND TAXATION**

“Here we may see the pitiable<sup>11</sup> condition to which this Island would be reduced under Confederation, —our revenues taken away, scarcely enough allowed us to work the machinery of the local government, and should more money be required when our population increased, it would have to be raised by direct taxation. The people of this Colony were battling four years to gain responsible government, and since obtained, I believe it has given general satisfaction.”

*PEI Legislative Assembly Debates*, 31 March 1865, pg. 66.

“But, Sir, were we to adopt this Report, it would deprive us of our constitution and leave us no corresponding benefit in return. It is urged that as a compensation for our loss we would become a part of a great union that in time would form a mighty nation. But I ask what greater nationality can we enjoy than that with which it is our pride and privilege at present to be connected? What greater flag can wave over us than the time-honored banner of Old England? I do not think that Great Britain wishes to throw us off; on the contrary I believe that her statesmen see that the separation of the Colonies from the parent state would cause trouble. Sir, I look upon this talk about the Mother Country casting us off from her apron strings, and this shaking of the stars and stripes in our face, as only stories to frighten the timid. Let us remain true to the Mother Country and she will stand by us. Separate as we are from the other Colonies, our hands are just as strong and our hearts as willing to aid in defence of the Empire, as they could be under any scheme of political union whatever.”

*PEI Legislative Assembly Debates*, 31 March 1865, pgs. 66–67.

“I will now turn to the financial part of the Report....Besides having to tax ourselves for local improvements, we will have to bear a share of the expenses of Canada, as she is unable to meet them now, and will be less able to do so under Confederation, for they will be much heavier than at present. In the matter of defences alone the outlay will be enormous....About two million pounds, sterling, will be required to for fortifications, and of this sum Great Britain will only provide 200,0000, leaving an amount to be raised by Canada, together with the armaments she will have to provide, equal to five dollars per head of her population. This sum would be more than enough; yet it is not all that would be required... does any person suppose that if the Americans are going to attack the Colonies they will wait until we are prepared? Sir, this whole talk about invasion from the United States I believe to be a will-o'-the wisp<sup>12</sup> got up to frighten us

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<sup>10</sup> Berths = beds

<sup>11</sup> Pitiable = sad

<sup>12</sup> Will-o'-the wisp = a false or unreachable goal

into Confederation. But let us proceed with the calculation of expenses. The Confederated Provinces would set out with a debt of \$25 per head; fortifications will add at leader \$5 per head more, and gunboats and other naval armaments probably an equal sum. Then there is the Intercolonial railway, which will cost at least \$15,000,000, and add a further debt of \$5 per head of the population. The enlargement of the Canals is another project, requiring a draft on the finances, which is to be proceeded with as soon as practicable. This work will add not less than other \$5 per head to the general debt, and what with the opening of the North West Territory, and other expenses which I have not enumerated,<sup>13</sup> will run up the debt to \$60 per head of the entire population of the Confederate Provinces. We have been informed during this debate that the debt of the United States now amount to \$125 per head of her people. But this debt was caused by a protracted war. Our debt of \$60 per head would be incurred during peace; and should war break out with the States, even for a short time, our debt would soon be equal to theirs. I believe that few hundred pounds spent on a friendly delegation to Washington would save millions of dollars, and do much more to preserve peace between the two countries than all the fortifications which could be built. All these expenses to which I have referred, a large portion of which will have to be borne by the General Government<sup>14</sup> should Union take place, show clearly that our taxation under Confederation must be very heavy indeed.”

*PEI Legislative Assembly Debates*, 31 March 1865, pg. 69.

“I wish also to show that this Report, as a whole, does not place Nova Scotia and New Brunswick in such an unfavorable position as this Island. These Provinces have large local revenues, that of Nova Scotia in 1863, being, as shown by Mr. Galt in his speech at Sherbrooke, \$107,000, and that of News Brunswick in the same year \$89,000. He sets down the local revenues of this Colony at \$32,000; but I am at a loss to know how he made up that sum unless he included in the amount the instalments paid in during the year from the sales under the Land Purchase Act. This money, however, forms no part of our local revenues; it is all required to make up the price paid by the Government for the proprietors’ estates which have been purchased. In this neighboring Provinces the case is different; their public lands are Crown lands,<sup>15</sup> the sale which brings in a large revenue, that will be wholly available for sectional<sup>16</sup> purposes. Taking into consideration also that these Provinces are to receive 80 cents per head for their local wants as well as this Island, and that New Brunswick is guaranteed a subsidy besides, they are tolerably well provided for. But Canada will far still better. Her local revenues in 1863, as given by Hon. Mr. Galt, were \$1,297,043; and the allowance of 80 cents per head of her population would yield her about \$2,000,000, which will be about 2,000,000 more than she now expends out of the public funds for local purposes. This Island hitherto<sup>17</sup> has almost solely relied on her customs revenue, and therefore it is that with the small per capita allowance of 80 cents, we would be unable to carry on the local government without resorting to direct taxation. We are even prevented from levying an export duty on our produce, while this privilege is allowed Nova Scotia and New Brunswick on certain articles. Taking all these points into consideration, I think it is clear that the Report before us is not such as should be adopted by this House. To enter such a Confederation as is here proposed would evidently prove ruinous to the Colony. If a change is through desirable, I consider it would be more for our advantage to have a representation in the British Parliament, and to pay a percentage to the Imperial Government out of our revenue for the purpose they may think proper. I believe that one representative there would secure for us a greater share of justice than we are ever likely to receive from a federal legislature in Canada. Should Confederation take place, I believe that in a very few years the people under it will be as heavily taxed as the people of the United States are now at the termination of the civil war. I

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<sup>13</sup> Enumerated = listed

<sup>14</sup> General Government = federal government

<sup>15</sup> Crown lands = lands owned by the government

<sup>16</sup> Sectional = religious denominations

<sup>17</sup> Hitherto = previously

shall vote for the resolutions submitted by hon. leader of the Government, and trust they will receive the support of a larger majority of this House; also that an Address to Her Majesty will be passed, showing the true position of this Colony in regard to the Confederation scheme. (Prolonged cheers.)”<sup>18</sup>

*PEI Legislative Assembly Debates*, 31 March 1865, pg. 70.

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<sup>18</sup> Cheers = applause from fellow politicians.



## Primary Source: John Hamilton Gray's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1865 and 1873, John Gray said the following points:

### SUMMARY STATEMENTS

"...We talk of this Island being cut off and separated by an immovable barrier of ice from the neighbouring Provinces. Science and art may yet overcome the obstruction of that barrier. An unobstructed intercourse and communication with the Mainland, by properly fitted Steam-propellers may yet be secured to us in the winter season. What is the barrier which Britons cannot overleap? But, if the Island is to be bound by the Resolutions in question, it will indeed be more effectually cut off and separated from the Confederated Provinces — it will have little prospect for the future beyond a dwarfed existence, or ultimate absorption into the neighbouring Republic. The great burden of all the speeches which have been delivered in the Island, both in this House and out of it, against Confederation has been that the terms offered to us are not commensurate with our wants or such as our exceptional position demands that they should be — that they are not sufficiently favorable. But now, by these Resolutions, you shut yourselves out from the acceptance of *any* terms which may be offered, however, favourable they may be. In declaring that a Union of these Provinces can *never* be effected on terms favourable to Prince Edward Island, you arrogate to yourselves the power of Omniscience."

*PEI Legislative Assembly Debates*, 8 May 1866, pg. 111.

"For myself, I may say, solar as rewards in this world weigh with me, I know none greater than the approval of my fellow men, but, to obtain even this, I cannot condemn what I truly believe to be for the best interests of us all; nor can I, for any amount of popular applause, give utterance with my lips, to what, in my heart, I disapprove. Probably, as times go, I, too, might have acquired some quasi popularity, if, on my return from Canada, I had denied and repudiated all I had ever said in favor of Union and joined the cry against it; but then I would have lost what I value for more highly than popular applause — self-respect. The various details embodied in the Report of the Delegates<sup>1</sup> speak for themselves. Hon members need not to be told that delegates from six Provinces, each representing a diversity of interests, could only by mutual concessions obtain such a united whole as we could all agree in supporting and submitting to the people. That we had arrived at such a result I never for one moment doubted until my return here from Canada. Taken as a whole, I cannot come to any other conclusion than this, that the principles here set forth are well calculated to establish and consolidate a great nationality, and to be the means of elevating British America to a height of wealth, grandeur and prosperity, such as we can never in

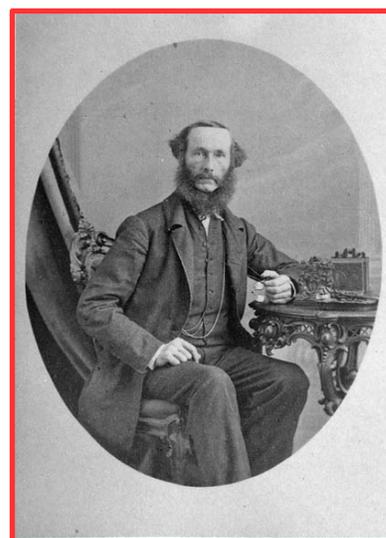


Image held by Library and Archives Canada.

<sup>1</sup> Report of the Delegates = a report from the PEI delegates on the 72 Resolutions and how the deal was made.

any other way attain to. And as far as this Island is concerned, as Confederation will bring prosperity to Halifax and St. John, whose rise will be ours, as it will bring us an influx of capital to develop the mines of wealth we possess in our fisheries; as it will build up harbors where needed for the interest of that trade; as it will give us manufactories in our own midst with constant employ to our youth of both sexes, summer and winter; the means of banishing the discontent of prosperity: a Government elected by four millions of people, which will be as formidable in its strength as ours ever has been impotent in its weakness; a Revenue amply sufficient for our local wants as heretofore; and instead of a Legislative Union, such as deprived Ireland other separate Parliament, we are secured all the advantage of having our own Island Parliament for the management of our local affairs.”

*PEI Legislative Assembly Debates, 25 March 1865, pg. 49.*

### **TRADE AND PROSPERITY**

“Mr. Speaker, we know that our free trade with the United States is about to cease. Already notice for the abrogation<sup>2</sup> of the Reciprocity Treaty been given by the American authorities, and, when this shall have been finally acted upon, we must look elsewhere for markets for our produce, or submit to a taxation on it in the ports of the United States which will almost prohibitory; there, as we are peculiarly<sup>3</sup> an agricultural people, the great object of our solicitude<sup>4</sup> should be to look around and enquire where we may best secure ready markets, and as near to our own doors as possible; for it is obvious that if we can have easy access to markets in rich and populous cities in our midst, we will receive far better returns than if driven to have recourse<sup>5</sup> to places remotes, and only to be reached after long and tedious voyaging. Sir, I believe that we may safely assume that in a few years, when confederated, that Halifax and St John along will be ready to absorb all we can raise until every acre in this Island be cultivated like a kitchen garden. Let us consider the future of these two cities, for, great as their natural advantages now are, all pales before the contemplation of what they are destined ultimately to become. Let me instance the rise and progress of two place somewhat similarly situation, in the past — Singapore and Chicago. When that eminent man, Sir Stamford Raffles, first suggested the idea of founding that famous emporium for the China trade, how the enemies of progress lifted up their eyes in amazement! how they ridiculed the idea! how great the ruin which must ensue the adoption of the policy proposed! But what was the result? Soon he was enabled to write, (I quote from memory his own words), “From an insignificant fishing village, our town, in three years, has a population of ten thousand; our lands are rapidly rising in value, and we have every reason to expect, that, in a very few years, we shall have ten times our numbers.” How truly prognostics of this great man have been fulfilled, this wonderful mart of commerce, with its hundred thousands of population, bears, at this day, ample witness. Look again at Chicago. In the year of 1833, it was a town of fifty inhabitants; twenty years after it had a population of eighty thousand.”

*PEI Legislative Assembly Debates, 25 March 1865, pg. 45.*

### **REPRESENTATION BY POPULATION AND PRINCE EDWARD ISLAND’S POTENTIAL INFLUENCE WITHIN CONFEDERATION**

“The next point I would remark upon is our share in the Representation in the General Parliament, and the complaints of the objectors that we have too few members. When the revolted Provinces ordained and established their Constitution, it was provided that Representatives from any State might be sent to Parliament in the proportion of one member to

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<sup>2</sup> Abrogated = cancelled

<sup>3</sup> Peculiarly = unusually

<sup>4</sup> Solicitude = care or concern for someone or something

<sup>5</sup> Recourse = alternative

every thirty thousand of the population. The State of Delaware, large and influential, as well as that Rhode Island, somewhat similar in extent to this Colony, did not think it against the interests of their people to enter their Union with one member each; this Island is invited to enter the proposed Confederation with five. We are also told that our four members in the Council will be no protection to our interests; and that the customer obtaining in the United States is far better. Now let us take this view of the question, and follow the United States' system. Vancouver, Columbia, Red River, Upper Canada, New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island, each sends two members to the Upper Chamber. If a question arouses affecting our sectional rights, interests and privileges, do we imagine that our two members could carry the point against the other sixteen? But, I would ask has a case ever occurred in which such injustice was attempted or even hinted, at as the opponents of Confederation are so grievously afraid of? At the time of the Revolution, the white population of the whole thirteen States was less than that of Canada at this time. The population of Canada is now considerably more than thirty times that of this Island, and if we are to follow the plan of the United States to mete out the even-handed justice, we must first portion out Canada into thirteen sections, approximating to what the United States were at the time of their Union, not what they now are. But, I would ask, is it necessary that we should go into this Confederation with our hearts and minds filled with suspicions? Is it a foregone conclusion with us that all the other Provinces will unite to do injustice to one particular section of their common country? Yet we have all these dark surmisings,<sup>6</sup> and much more freely enunciated<sup>7</sup> by all parties who oppose the Confederation. 'Where will the interested of Upper Canada be,' cries Mr. Cameron [of Upper Canada], 'when the other Provinces hold a majority of thirty against here in the Lower, and fifty-two in the Upper Chamber?' Then Mr. Dorion cries out for poor Lower Canada. Then comes New Brunswick, Nova Scotia and Prince Edward Island. Let us say, 'away with such unworthy suspicions, they should not be held by liberal and enlightened men.' As I said before, such a case has never occurred in the history of nations, and is it not monstrous<sup>8</sup> doctrine to pretend that it could ever occur with us in this age of reason? But the weapon which has been wielded with greatest success in setting our people against Confederation has been the cry of taxation."

*PEI Legislative Assembly Debates, 25 March 1865, pg. 47.*

### **TAXATION AND TARIFFS**

"...surely, if the farmers of Upper Canada are willing to be taxed by their local boards, we, in this Island, are not going to begrudge<sup>9</sup> their right to do so. It will be a long time, I dare say, before we will follow their example, and tax ourselves for local works as they do; but I would observe, it must be very obvious to those who choose to understand, that if people of Upper Canada have already heavily taxed themselves by their local boards, they are sure to send representatives into Parliament, pledged to economy, who will unite with the other Provinces to keep down any profuse expenditure of the public funds."

*PEI Legislative Assembly Debates, 25 March 1865, pg. 47.*

"I believe that many of our people do not do not rightly comprehend the meaning or bearing of the term Tariff.<sup>10</sup> Some of them fancy that a Tariff is a direct tax, somewhat like our land tax, and quite as objectionable. Others again proclaim that if we go into the Union and the Tariff be increased five per cent, we must necessarily pay on-twentieth more for the articles of ordinary consumption than we now do. I will show the fallacy<sup>11</sup> of this. We are not a rich people, but those

<sup>6</sup> Dark surmisings = worries

<sup>7</sup> Enunciated = expressed

<sup>8</sup> Monstrous = terrible

<sup>9</sup> Begrudge = reluctantly give up

<sup>10</sup> Tariff = a tax on imports or exports

<sup>11</sup> Fallacy = a lie

among us who can afford to purchase expensive articles of foreign manufacture, such as English carriages, harness, saddlery, silks, velvets, jewelry, broadcloths, and expensive wines, surely they should not object to pay one shilling in the pound more for these articles than they now do. But it is the bulk of the people with whose interested I would deal, and I maintain that, under the Canadian Tariff, we can have the articles of ordinary consumption at as low a rate as they are now sold for in Charlottetown; but before proving this I will quite, as germane<sup>12</sup> to the subject, a statement made in Halifax before a very large meeting, at which numbers of the wealthiest merchants were present, and we now how strongly many of them are opposed to Union. One of them alone, it is currently reported, has subscribed one thousand pounds to state a newspaper to help to write Confederation down! I am told that the mercantile establishment with which the gentleman referred to is connected, supplies many of the small dealers in this Island, and clears some sixteen or twenty thousands pounds a year by their transactions. No wonder such influences are brought to deceive our people.”

*PEI Legislative Assembly Debates*, 25 March 1865, pgs. 47–48.

“It was only a short time ago since I was under the impression that, under the tariff of Canada, Tea and Sugar would be a trifle<sup>13</sup> dearer<sup>14</sup> than we now have them in Charlottetown, because these are some thousand miles further for the place of transit of these articles, but I find I was mistaken, and that they can be sold as low under the tariff of Canada as under our own; hence I maintain, if the people were truthfully informed, that they would see that it is clear as the sun at noonday, that if we become the consumers, duty free, of the various manufactures of four millions of people, possessing abundance of water-power, raw material and steadily increasing markets, the great bulk of the population of this Island could dispense with the consumption of dutiable<sup>15</sup> articles, with the exception of tea, sugar, and molasses, the prices of which, I have shown, are not higher under the Canadian than our own tariff.”

*PEI Legislative Assembly Debates*, 25 March 1865, pg. 48.

## DEFENCE

“Mr. Speaker, we may rest assured that, in Confederation, or out of Confederation, the people of Great Britain will take care that they will not, in future, pay more towards the defence of these Colonies than what recollection of their past, and anticipation of their future, may satisfy them is right and just; and, Sir, if we prefer to remain outside the proposed Confederation, we will be under the necessity which must, sooner or later arrive, of taxing ourselves pretty heavily for this object of defence. The arms alone which we would require for the equipment of our sixteen thousand men would cost some eighty thousand pounds sterling, and material many thousands additional. The annual five days' drill of the Militia would be a heavy charge on the Treasury and individuals. Now, if we were in Confederation the General Government would furnish arms and material, and grant us an annual allowance for maintenance, &c.<sup>16</sup> Again, all who are at all conversant with military matters know that there can be but one arm, one executive, as it were, to work where military matters are concerned; but, if our people prefer it, they will find out that it is no small matter. Yet it must be done in some shape. A few years ago we were in the presence of a neighbour with a standing army of eight thousand, now they have seven hundred thousand...

“Yes, Mr. Speaker, federation or annexation is what we must regard as our future. And I would ask, have we considered the alternative? Do we imagine that it is remote, something to be thought upon at a future day? Already the warning notes have been sounded, and what steps have these

<sup>12</sup> Germane = relevant to the subject under consideration

<sup>13</sup> Trifle = little

<sup>14</sup> Dearer = more expensive

<sup>15</sup> Dutiable articles = goods that have tariffs

<sup>16</sup> &c = etcetera

Provinces taken to meet the reality! We know that the feeling in England has been, until very lately, most strongly excited against us, but since this question of Confederation has been agitated a more kindly spirit has been evoked, because, in Confederation, the Mother Country sees at length aroused a disposition heretofore<sup>17</sup> dormant,<sup>18</sup> an awakening to a sense of the duty we owe to ourselves and our posterity, and a determination on our part to unite as one people against the coming storm: and in this case they have promised to stand by us, but I know very little of the people of England, if we do not, before many weeks, hear that the late action of the people of New Brunswick has revived all the old distrust. If we are not, now, true to ourselves, in this great crisis. We may rest assured that England will not send a man to help us in our hour of need. We will find, to our cost that, on the very first outbreak, the Stars and Stripes will wave over us; what then will be the position in which our folly will have placed us!”

*PEI Legislative Assembly Debates, 25 March 1865, pgs. 48–49.*

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<sup>17</sup> Heretofore = previously

<sup>18</sup> Dormant = asleep



## Primary Source: Joseph Hensley's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1864 and 1865, Joseph Hensley said the following points:

### SUMMARY STATEMENTS

"I believe that the fact is that the Canadians finding a general Union of the Colonies would be of service to themselves, send Delegates here with the view of commending<sup>1</sup> their project to the favorable consideration of the Legislatures of the Lower Provinces,<sup>2</sup> and I do not blame them for doing so. The terms of the Report before us are, in my opinion, very unfavorable to this Island."

*PEI Legislative Assembly Debates, 27 March 1865, pg. 50.*

### REPRESENTATION BY POPULATION AND PRINCE EDWARD ISLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"When Dr. Tupper in Nova Scotia urged that union with Canada was not desirable, on the ground that his country would not have an equal number of Representatives in the Legislature, I would have liked to have asked him whether Nova Scotia or New Brunswick would be prepared to admit us to an equal voice in the deliberations of the associate Lower Colonies.<sup>3</sup> Although the union between Upper and Lower Canada was arranged on the basis of each Colony having an equal number of Representatives, it is now sought by the latter to regulate representation according to population. In view of this fact, what guarantee have we that, after having cast in our lot with our neighbors on the principle of numerical equality of representation we may not thereafter have that principle abrogated?"<sup>4</sup>

*PEI Legislative Assembly Debates, 18 April 1864, pg. 39.*

"A question of this magnitude should be approached free from political or party bias. When the matter of Confederation was under discussion last Session the idea was express, and very generally acquiesced in, that united with only the Maritime Provinces, we would be absorbed, and quotations from speeches of Provincial Secretary of Nova Scotia, and others, as to the absorption of that Province in case of Union with Canada were adduced<sup>5</sup> to warrant the opinion. Well, Sir, if such would probably be the effect of our connection with Nova Scotia and New Brunswick, I can

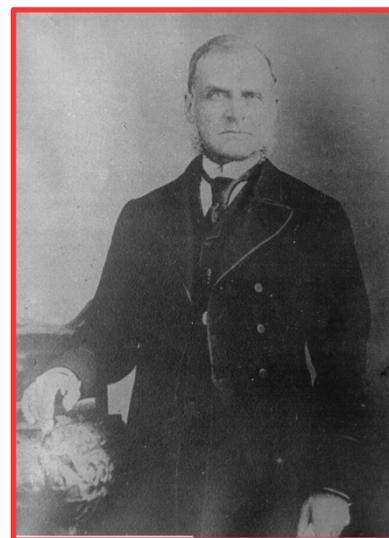


Image held by Prince Edward Island Archives.

<sup>1</sup> Commending = trusting

<sup>2</sup> Lower Provinces = Maritime provinces

<sup>3</sup> Lower Colonies = Maritime provinces

<sup>4</sup> Abrogated = cancelled

<sup>5</sup> Adduced = cited as evidence

only come to the conclusion that we would be entirely swamped if we cast in our great lot with Canada. No doubt the idea of forming part of a great country is very captivating, if we really were a separate and solitary people; but, I cannot recognize its force in our case when I call to mind that we are part and parcel of the great British Empire.”

*PEI Legislative Assembly Debates, 27 March 1865, pg. 50.*

“On the scale of representation proposed, we would be without the slightest influence, we would be without the slightest influence in the United Parliament. It is true, that if we went into the proposed Union, we would have no right to expect a large number of representatives as either of the Lower Provinces, but then, if, or why should we throw away our independence which we now enjoy?”

*PEI Legislative Assembly Debates, 27 March 1865, pg. 50.*

### **TRADE**

“There would, of necessity, be an increased tariff under the Union, and before I can admit the force of the argument that Canada and New Brunswick will supply us with boots, shoes, and spirits, and other articles of manufacture and at a lower rate than we can get at the present, I should like to be satisfied, as to their present ability, to supply themselves with those articles. Such returns of importations into these two Provinces, for the year 1863, as we have before us, seem to me rather to indicate an entirely different state of things in that respect. Now, Mr. Speaker, if the people of those two Colonies cannot, with a high protective tariff,<sup>6</sup> furnish the articles I have specified in quantities sufficient for their own requirements, it is not to be supposed that they can supply them to us. Our chief, because most advantageous, trade is with the United States and Great Britain, and as long as we shall find it to our advantages that it should be so, it will naturally seek these channels; and if we come under the influence of a higher Tariff we shall be taxing our best customers and crippling our most profitable channels for commercial interchange.<sup>7</sup> I cannot think that Great Britain will look favorably on a scheme which, so far, as these Lower Colonies are concerned, who will have the effect of placing heavier duties on the importation of her manufactured goods.”

*PEI Legislative Assembly Debates, 27 March 1865, pg. 50.*

### **DEFENCE**

“Without offering any observations upon the probable consequences to the Island of cessation of the civil war which has so long raged in the States, I see no special reason to apprehend<sup>8</sup> a successful invasion of the Colony by the disengaged forces of the Republic. That subject, I am, however, willing to leave to the more qualified judgement of the hon. Leader of the Government and the Speaker, who are both military men. The extensive land frontier of Canada justified the Imperial authorities in urging upon its Government the propriety and necessity of that great dependency taking measures for its own protection against hostile incursions, but nothing has yet transpired as far as my knowledge extends, which is indicative of any intention on the part of the Mother country to abandon her Colonial possessions. The naval power of Great Britain is our best protection, and I believe that it would be as available in our defense as ever.”

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<sup>6</sup> Tariff = a tax on imports or exports

<sup>7</sup> Commercial interchange = trade

<sup>8</sup> Apprehend = stop

*PEI Legislative Assembly Debates, 18 April 1864, pg. 38.*

“....But on of the principal points to which I did not refer last night was military defences. The argument advanced on this feature of the subject by those favorable of Union is that, in order to prepare for efficient military defence we require a central power. As long as we contribute our quota of men and mean, and the other Provinces do the same, I consider it would be quite as efficient as method of providing for defence as any organization into which we would enter. We are told that the General Government would take control of the general revenue and provide naval and military forces. In the event of war with the United States, however, we know full well that there will be no chance of success without the aid of Great Britain, and it is difficult to understand how Confederation would increase our ability of resistance. By late papers I observe that Colonial Minister, Mr. Cardwell, has introduced a bill into the Imperial Parliament providing for a Colonial naval force to be supported by Colonial funds, but to be at the command of the Imperial authorities. It was laid down in regard to the measure that commissions could not be granted by Colonial authorities; they must be issued by the Imperial Government to be valid. If this plan can be pursued in naval affairs why may not a similar scheme be adopted in military matters? All preparations for defence must be arranged under the superintendence of the Imperial Government, and under British commissioned officers; and since this is the case it is doubtful whether a central Colonial Government would be any advantage. We do not wish to shrink from our duty in regard to defence as subjects of the British Empire. Disagreeable as it might be to be taken away to fight in the neighboring Provinces, still if the order should come it is not at all probable that we would refuse. Whence the necessity of merging all Legislatures together to have a central power when we are already all organized under the Imperial Government of Great Britain? Another portion of the Report to which I object is that which provides that the expense of railways and canals connecting two Provinces shall be equally borne by all the Colonies. It was said by Mr. Galt the other day in Canada that it was necessary all their railways should have an outlet to the sea. This is what he terms a geographical necessity; but I do not think that this Island would benefit by these works. We have the same geographical necessity in the winter season that Canada has; our case is even worse, for we are surrounded by ice, and there is little prospect that anything can be done to improve our position, unless indeed we obtain steam communication over the Straits during the winter, as suggested by one of the delegates the other night. The intercolonial railway will confer very few commercial advantages on this Island. It will no doubt afford facilities for travelling; but its benefits to us will not compensate for the amount which we would have to contribute toward it by the terms of the Report. In view, then, of the nature of the Report, I am prepared to support the resolution submitted by the hon Leader of the Government. I do not say that I would be opposed to Union on any terms; but I think that such terms as are contained in this Report are very unfair to this Colony. If agreed to I consider that the interested of the Island would be altogether sacrificed. Our taxation would be greatly increased without corresponding advantages. Some maintain that we should not be alarmed at taxes; they would be no burden providing we had additional scope for trade. But what more scope do we require, as we have already facilities for commerce as extended as the bounds of the British Empire?”

*PEI Legislative Assembly Debates, 27 March 1865, pg. 50.*



## Primary Source: James Colledge Pope's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1865 and 1873, James Pope spoke on Confederation. His position shifted over time from anti-Confederate to pro-Confederate, so pay careful attention to whether Pope said each quote before 1873, or during 1873.

### SUMMARY STATEMENTS

"I regret that I must oppose the measure, for the reason that the details, as adopted by the Quebec Conference, do not offer, in my opinion, fair terms to the people of the Island. It must be remembered, in the discussion of this question, that our insular<sup>1</sup> position, the absence from our soil of minerals, and the difficulty, I might almost say, impossibility, of communication without sister Colonies during half the year, place us, in dealing with this question, in a position totally different from Nova Scotia or New Brunswick. These Provinces are geographically connected with Canada, and have, within themselves, the materials requisite<sup>2</sup> to constitute<sup>3</sup> them manufacturing countries."

*PEI Legislative Assembly Debates*, 24 March 1865, pg. 45.

"RESOLVED... even if a Union of the Continental Provinces of British North America should have the effect of strengthening and binding more closely together those Provinces, or advancing their material and commercial interests, this House cannot admit that a Federal Union of the North American Provinces and Colonies, which would include Prince Edward Island, could ever be accomplished upon terms that would prove advantageous to the interests and well-being of the people of this Island, cut off and separated as it is, and must ever remain, from the neighboring Provinces, by an immovable barrier of ice for many months in the year; and this House deems it to be its sacred and imperative duty to declare and record its conviction, as it now does, that any Federal Union of the North American Colonies, that would embrace this Island, would be as hostile<sup>4</sup> to the feelings and wishes, as it would be opposed to the best and most vital interests, of its people."

*PEI Legislative Assembly Debates*, 4 May 1866, pg. 52.



Image held by Library and Archives Canada.

<sup>1</sup> Insular = isolated

<sup>2</sup> Materials requisite = required materials

<sup>3</sup> Constitute = make

<sup>4</sup> Hostile = contrary

“First, I will say a word respecting myself in so far as I have had publicly to do with this matter. For years I have been in favor of Confederation, providing we could obtain terms just to this Island. The Quebec Scheme I did not regard as such.”

*PEI Legislative Assembly Debates, 28 April 1873, pg. 58.*

“Now while I have been represented as a Confederate, my political associates have been strong Anti-Confederates, and whilst they are accused of changing their views, it is due to them to say, that necessity, not choice, causes them now to look forward to a union with the Dominion.”

*PEI Legislative Assembly Debates, 28 April 1873, pg. 58.*

## TRADE

“1. Resolved, That Prince Edward Island, be entirely dependant on its Agriculture and Fisheries, has nothing to export for which Canada can furnish<sup>5</sup> a market. That while such is, and ever must be relative commercial position of this Island and Canada, the product of our soil Fisheries find in the extensive markets of our parent country, the United States and the West Indies, ready and profitable customers. The proposed Union, while admitting the produce and manufactures of Canada into this Island free, would by assimilation of taxes enormously increase the duty to which those of Great Britain and the United States are at present subject, thereby compelling this Island to take a large portion of its imports from Canada, making payment therefor in money instead of procuring them from countries which would receive our product in exchange,—an arrangement so inconsistent with the fundamental principles of commerce must greatly curtail<sup>6</sup> our commercial intercourse with the United States, and would, in the opinion of this House, materially diminish<sup>7</sup> our Exports to that country, and prove most injurious to the agricultural and commercial interests of this Island.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 44.*

“As to the argument that our trade would be increased by the Union with Canada, I cannot recognize its force, for we produce the same description of articles as that country can or could supply us with. Our trade must naturally be with Great Britain, the United States, and the West Indies, the products and manufactures of which we require. The high tariff of Canada would raise the cost to the consumer of goods from these countries much higher than it is at present on the Island, and firmly believing that the true principle of trade is to buy in the cheapest, and sell in the dearest, market, I should be doing violence<sup>8</sup> to my own convictions, if I affirmed by my vote any other rule.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 45.*

“It is not to be supposed that the increased taxation which, it is not denied, the Canadian tariff imposes, will have any other effect than that of driving from our shores those who would naturally seek in enlarged fields of action more ample returns of their labor, and greater means of meeting the liabilities imposed upon them.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 45.*

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<sup>5</sup> Furnish = provide

<sup>6</sup> Curtail = limit or reduce

<sup>7</sup> Materially diminish = reduce

<sup>8</sup> Doing violence = violating

## TAXATION

“[RESOLVED] 3. That the old Imperial error in granting all the lands in large tracts<sup>9</sup> to absentees, which deprives this Island of the Revenue drawn by the sister Colonies from these sources, our insular position and numerous harbor, furnishing cheap and convenient water communication which render expensive Public Works here unnecessary, the Revenue to be drawn by the proposed Federal Government from this Island, and expended among the people of Canada and the other Colonies in constructing Railways and other Public Works, thereby creating a trade which would build up cities and enhance the value of property in various localities there—advantages in which this Island could enjoy a very small participation. Our complete isolation during five months of the year, when ice interrupts our trade and communication with the Mainland, and during which period the Island could derive no possible benefit from the Railroads and other Public Works which they would be (equally with the people of those Colonies) taxed to construct; these and many other considerations, but which seem to have been entirely ignored, ought, in the opinion of this House, to have produced an offer of a financial arrangement for this Island very different in its terms from that contained in the Report of the Convention.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 44.*

“This Island occupies an entirely different position from that of any of the other Colonies, as the latter have many great sources of revenue which we have not. Ontario derives a revenue from her Crown lands, amounting to a million dollars per year; New Brunswick has her Crown lands and forests, and Nova Scotia lands and mines. Although this Province is the most fertile and productive in British America, it is dependent upon the products of its soil and fisheries, and has no Crown lands or forests as sources of revenue, as have the other Provinces. Owing to our isolated position, we could not expect to successfully carry on manufacturing operations or anything of that kind, while the other Provinces are not cut off from each other during half the year, and have four millions of customers for their manufactured goods. I, therefore, looked upon this Island as occupying an exceptional position, and in giving up the power of self-government and taxation, I felt that we should receive a sum sufficient to enable us to meet our requirements, as we have hitherto<sup>10</sup> done.”

*PEI Legislative Assembly Debates, 23 May 1873, pgs. 167–168.*

“Now, I believe that the statesmen of Canada are liberal<sup>11</sup> enough not to ask us to place ourselves in a ruinous position, in which we would be compelled to resort to local taxation, immediately after accepting Confederation, and becoming a portion of the Dominion. It would be far better and more conducive to their interests, as well as our own, to give us sufficient to make our people contented, prosperous, and happy. I do not intend to go over the whole ground again; but I believe we shall have no difficulty in obtaining better Terms.”

*PEI Legislative Assembly Debates, 30 April 1873, pg. 128.*

## RAILWAY

“The hon. member the Leader of the Opposition said, when the Railway Bill, was passed he thought our liberties were gone. Now I never looked at it in that way. When the Railway Bill was carried it was also said, that it was introduced for the purpose of forcing us into Confederation... I can assure this hon. House such was not the intention. I for one, believed it would with proper management be found to be a public benefit and believe so still. I will look for a moment at the career of the late government, and see if their conduct was consistent with their professions, and

<sup>9</sup> Tracts = sections

<sup>10</sup> Hitherto = previously

<sup>11</sup> Liberal = generous

whether they sacrificed the interests of the country or their own, for the purpose of keeping themselves in power... On the 19<sup>th</sup> of June when the measure was before the House, I considered the government had no excuse for going on with the branch lines<sup>12</sup>...I opposed them in every way I could... Yet in the face of all reasonable remonstrance,<sup>13</sup> they introduced and carried the branch Bill and strange to say, without making any provision for raising the interest which the cost of their construction would entail upon the country. Was it possible for the government to take a more effectual way to destroy the public credit of the colony? But they were in power, and to retain.... their positions were prepared to sacrifice the country.”

*PEI Legislative Assembly Debates, 28 April 1873, pgs. 58–60.*

“Baring Brothers<sup>14</sup> will not take one of our Bonds, therefore it is, that union with Canada will place our public securities on a par with those of the Dominion, and our public position will be better. Feeling as we all do that all side issues should give way in order that the public credit may be maintained, and if Confederation will do this. I believe that in view of all the difficulties entailed<sup>15</sup> upon the country, this side of the House feels constrained<sup>16</sup> to overcome their scruples<sup>17</sup> against Confederation, and for the common good, seek to obtain better terms with a view to unite our destinies with those of the people of the other Provinces in the Dominion.”

*PEI Legislative Assembly Debates, 29 April 1873, pg. 62.*

“True they [the federal government] take our Railway, but that consideration aside, I consider it my duty to look at the matter fairly, and in doing so, do not hesitate to say that this amount would be insufficient, Again, by the way matters have been managed of late it is beyond our power to put the credit of the colony on a good footing. If our public securities<sup>18</sup> were offered in the Stock exchange, and the credit of the colony through the sale of our Debentures<sup>19</sup> and Warrants.<sup>20</sup>

“Brought down, we would soon find ourselves in a position that x<sup>21</sup> to us. I do not charge the late government with doing any act for the purpose of injuring our position. They no doubt did the best they knew how; but at the same time, it cannot be denied, but that they did a great deal to destroy the public credit. Nor do I hesitate frankly to affirm, that I see but one way to restore this, and that is through Confederation which on fair terms will, in every way, place us in a better position than we occupy at present.”

*PEI Legislative Assembly Debates, 28 April 1873, pg. 64.*

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<sup>12</sup> Branch line = a small section of railway that is connected to a main line

<sup>13</sup> Remonstrance = complaints

<sup>14</sup> Baring Brothers = an extremely large British bank that governments frequently approached when in need of funds for public projects

<sup>15</sup> Entailed = involved

<sup>16</sup> Constrained = limited

<sup>17</sup> Scruples = biases

<sup>18</sup> Public securities = bonds

<sup>19</sup> Debentures= loans protected by a general guarantee rather than specific assets

<sup>20</sup> Warrants = documents that prove an individual or corporation’s right to receive funds

<sup>21</sup> Creditable = complimentary

## REPRESENTATION BY POPULATION AND THE ISLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

“[RESOLVED] 2. That if the relative circumstance of Canada and this Island rendered a Union practicable, the evident injustice of the terms agreed to by the Quebec Convention would prevent their being ratified<sup>22</sup> by the Legislature of this Island. Without alluding<sup>23</sup> to all, it is proper to notice some of the objectionable features of the Report. Without admitting the principle of Representation according to Population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this Island of connection with Canada, taking into consideration that the number of our inhabitants is, and must continue comparatively small, owing to the fact that we have no Crown Lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become any extent a manufacturing people, in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped. Under this principles, the City of Montreal alone would, at the present time, have a representation greater than the whole Province of Prince Edward Island, and under the provisions of the Convention which regulate the mode of re-adjusting the relative representation of the various Provinces at each decennial census<sup>24</sup> looking at the rapid increase of the population of Upper and Lower Canada heretofore—particularly the former,—and the certainty of a still greater increase therein in the future, over that of the population of this Island, it follows as a certain and inevitable consequences, if a Federation of the Provinces were consummated<sup>25</sup> upon the basis of the said Convention, that the number of our Representatives would, in the course of a comparatively short number of years, be diminished to a still smaller number than that allotted at the onset to us.”

*PEI Legislative Assembly Debates*, 24 March 1865, pg. 44.

“The people should take care to return<sup>26</sup> gentlemen able to exercise a pretty strong influence in the Dominion Parliament, in order that their interests may be served in the best possible manner. The only battle that will be fought by our representatives in the House of Commons will be to obtain, each for his own district, as large a share of the monies granted for local improvements, as possible. In our representation in the Dominion Parliament, there will be no sectional<sup>27</sup> interests, and probably no party lines. He hoped to see our representatives in the House of Commons stand shoulder to shoulder for the interests of this Island and those of the Maritime Provinces as well. If this principle is fully carried out, we shall secure our share of the monies granted for local works. The Parliament and people of Canada have a large, rich country, full of resources, and not half developed, and, therefore, look upon this Island as a very small place, still they earnestly desire to have us united with them, as we are a thriving people, and possess a fertile and prosperous country. Numbers of Canadians will find their way down here in the summer season, as they take a deep interest in our little Island, and have always manifested a disposition to deal liberally with us. He was satisfied we should have our full share of influence in the Dominion Parliament, and that we should receive justice at its hands.”

*PEI Legislative Assembly Debates*, 26 May 1873, pg. 204.

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<sup>22</sup> Ratified = approved

<sup>23</sup> Alluding = referring

<sup>24</sup> Decennial census = Every ten years, each colony counted all of its inhabitants, its residences, and other professional statistics.

<sup>25</sup> Consummated = joined

<sup>26</sup> Return = elect

<sup>27</sup> Sectional = religious

**DEFENCE**

“The military phase of the question is not worth of much consideration, for if an invasion of Canada by the people of the United States should take place, it would involve, as a matter of course, the necessity of retaining all available strength in each of the other Provinces for the defence of their respective territories. While I admit, as cordially<sup>28</sup> as any, that it is the duty of every man to contribute, as far as in him lies, to the defence of the country in which he lives, and that it is not fair to the taxpayers of Britain that they should be at the exclusive cost of our protection, I am willing to trust a reasonable portion of that duty to the Mother Country, the army and navy of which must keep somewhere; and her experience shows that nowhere can they be maintained as cheaply as the Colonies.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 45.*

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<sup>28</sup> Cordially = politely



## Primary Source: William Henry Pope's Views on Confederation

When Prince Edward Island's legislature debated Confederation in 1865, William Pope said the following points:

### SUMMARY STATEMENTS

“It is well known, Sir, not only in this House, but from one end of the Island to the other, that the members of the Government, with two exceptions, are hostile to the proposed Confederation... but, Sir, in this House the number of those who advocate Confederation, which this Report<sup>1</sup> contemplates,<sup>2</sup> is so very small—consisting of some four or five only—that we cannot afford that even one should remain silent.”

*PEI Legislative Assembly Debates*, 24 March 1865, pgs. 39–40.

I have been told, Sir, that by advocating the adoption of the principle of the Quebec Report, I am placing myself in antagonism to the people of this Island, and especially to my own constituents. I, Sir, should consider myself unworthy of the confidence reposed<sup>3</sup> on me, as a Representative of the people, were I to shrink from the full expression of my opinion upon a great subject deeply affecting the interests of the Colony, simply because my constituents, or the people of the Colony, are supposed to entertain<sup>4</sup> any question, can, in themselves, have no influence upon my opinion. In the present instance, I believe Confederation would promote the best interests of the Island. I may be aware that my constituents think otherwise, and are opposed to Confederation. My individual opinion may remain unchanged, but a knowledge of the views and wishes of my constituents, would most materially<sup>5</sup> influence my conduct. Popular opinion is proverbially<sup>6</sup> changeable, and I expect ere long<sup>7</sup> to hear many of those who now denounce the Report of the Quebec Conference admit that after mature deliberation, they have come to the conclusion that its principles are just.”

*PEI Legislative Assembly Debates*, 24 March 1865, pg. 43.



Image held by Library and Archives Canada.

<sup>1</sup> This report = a report from the PEI delegates summarizing the Quebec conference

<sup>2</sup> Contemplates = considers

<sup>3</sup> Reposed = given to

<sup>4</sup> Entertain = consider

<sup>5</sup> Materially = substantially

<sup>6</sup> Proverbially = known to be

<sup>7</sup> Ere long = before long

“Mr. Speaker: with your permission I shall initiate the discussion of the important subject which is this evening to engage the attention of this House, by submitting the following Resolutions:

“1. *Resolved*, That the best interests, and present and future prosperity of British North America, would be promoted by a Federal Union, under the Crown of Great Britain, provided such Union could be effected on principles just to the several Provinces and Colonies...

“5. *Resolved*, That the Report of the Conference of Delegates from the British North American Provinces and Colonies held at Quebec in October last, taken as a whole, contains a declaration of principles—as the basis of a Federal Union—which this House considers just<sup>8</sup> to the several Provinces and Colonies.

“6. *Resolved*, That this House, believing it is only by mutual concessions and compromises the several British North American Provinces and Colonies can ever agree upon those principles which shall form the basis of a Union, orders that the report of the Conference of Delegates from these several Provinces and Colonies held at Quebec in October last, be published throughout this Colony for the deliberate consideration of the people, on whom will devolve<sup>9</sup> the acceptance or rejection of the proposed Union.”

*PEI Legislative Assembly Debates*, 24 March 1865, pg. 39.

## TRADE

“4. *Resolved*, That a Federal Union of British North America, based upon the Resolutions adopted at the Conference of Delegates from the Provinces of Canada, Nova Scotia and New Brunswick, and the Colonies of Newfoundland and Prince Edward Island, held at the City of Quebec, 10th October, 1864, as the basis of a proposed Confederation of those Provinces and Colonies, would, among other advantages, promote the development of the trade and manufacturing capabilities of these Provinces and Colonies, and advance the general prosperity, by inducing the substitution of a customs tariff,<sup>10</sup> uniform and common to the Confederation, in lieu of<sup>11</sup> the various tariffs now in force in the several Provinces and Colonies.”

*PEI Legislative Assembly Debates*, 24 March 1865, pg. 39.

“The most effectual<sup>12</sup> means of advancing our prosperity would be found in a Union, such as is proposed in the Report of the Quebec Conference. A great deal has been said and written on the subject of the proposed Confederation by our Island statesmen, who have told the people of the disastrous effects the Union would exert upon our trade and manufactures. If the gentlemen, to whom I allude, have not instructed, they have, at least, amused the more intelligent of their hearers and readers. It is true, Sir, that our trade is chiefly in agricultural produce, that our manufactures are few, and that there are physical disabilities which will prevent us from becoming a great manufacturing country. For five months in the year we are cut off from communication with our neighbors, yet, Sir, our manufactures are capable of expansion, and under Union they would expand. At present the manufacturers of Leather and of Cloth are obliged to limit their operations. If they manufacture more than they can sell in this little Island they have to export, subject to a heavy duty.<sup>13</sup> Yet even in the face of this duty we now export Island Manufactured Leather to New Brunswick. But, Sir, Union would develop the enormous manufacturing capabilities of Nova Scotia and New Brunswick. Great, Prince Edward Island never can become, her geographical position, her limited area, her small population, and the

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<sup>8</sup> Just = fair

<sup>9</sup> Devolve = pass

<sup>10</sup> Tariff = a tax on imports or exports

<sup>11</sup> In lieu of = instead of

<sup>12</sup> Effectual = effective

<sup>13</sup> Duty = a tax on imports or exports

absence of all mineral deposits, preclude<sup>14</sup> us from becoming a great country; but, Sir, the Provinces with which it is proposed that we should unite, contain every element of greatness; there is no reason, then, why they should not become a great and prosperous country, or why we should not share their greatness.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 42.*

“It is argued that the Canadian Tariff would follow Union, and that the people of Prince Edward Island would, under its operation, be necessitated to pay an increased amount of duties. I do not believe such would be the case. It is true that the Canadian Tariff is very much higher than the Tariff of this Island. Tea and Sugar, imported under the Canadian Tariff, would probably cost higher than they cost at present; but, it is equally true that a variety of articles on which we now pay duty, would then, as the manufactures of the Confederation come to us duty free, and the saving which we should effect on these articles of Home Manufacture, would very materially exceed the excess of duty which we should pay upon foreign importations. It has been urged, that under Confederation, although we might obtain from within the Confederation many articles, the manufactures of Canada, Nova Scotia and New Brunswick, the Canadian Tariff would prevent such articles from being imported from Britain and the United States. But, Sir, if, under Confederation, the people of Prince Edward Island should be able to procure British Colonial Manufactures cheaper than they can now procure similar articles from the United States or Britain, they would evidently be gainers by Confederation.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 42.*

“Why, I would ask, as a British American, do we not make an effort to develop [sic] our boundless manufacturing capabilities? Were you, Sir, to go to the enterprising people of the neighboring republic, and to enter their manufactories, you would there learn the fact that a large number of their most skillful mechanics are men from these British Provinces; this Island has contributed her proportion of these valuable men; they year after year leave their native country and never return to it, because, Sir, there is, at home, no employment for them. (Hear, hear.)<sup>15</sup> The sooner the Colonists set to work to establish manufactories, the better will it be for all of us. But, Sir, to this, Confederation is requisite. Tariffs between the Provinces must be abolished.<sup>16</sup> Unite the several Provinces, as proposed in the Report of the Quebec Conference, give to Nova Scotia to New Brunswick, to Prince Edward Island four millions of customers. If this should be done, our young men, who have become skillful artizans<sup>17</sup> in the workshops of the United States, would find employment in their native<sup>18</sup> Provinces... We may reasonably hope for the restoration of peace in the United States. Intercolonial free trade<sup>19</sup> would in the words of the resolution promote the development of the trade and manufacturing capabilities of the Colonies and advance the great prosperity, but intercolonial free trade is impracticable<sup>20</sup> without Confederation.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 42.*

## TAXES

“I regard the terms of the Report of the Quebec Conference—so far as they relate to Prince Edward Island—to be, in a financial aspect, just and even liberal.<sup>21</sup> The average indebtedness<sup>22</sup> of

<sup>14</sup> Preclude = prevent

<sup>15</sup> (Hear, hear.) = other politicians agreeing with Pope

<sup>16</sup> Abolished = ended

<sup>17</sup> Artizans = tradesmen

<sup>18</sup> Native = home

<sup>19</sup> Free trade = trade without tariffs

<sup>20</sup> Impracticable = very unlikely

<sup>21</sup> Liberal = generous

<sup>22</sup> Indebtedness = debt load

the Provinces generally, is equal to \$25 per head of the population. The debt of Prince Edward Island is, in reality, but little in excess of \$2 per head. By the terms of the Report we should receive annually from the General Government the interest of an amount equivalent to \$25 per head of our population—less the interest of our actual indebtedness—or in other words we should receive annually £30,000 currency from the General Government, over and above the interest upon our public debt... In all the British North American Provinces, Revenue is derived chiefly,<sup>23</sup> from Customs and Excise. When the population of the Confederation shall be double what it now is, the consumption of articles paying duty will be vastly increased, and the revenue proportionally augmented.<sup>24</sup> Reduction of taxation would follow, as a matter of course. The great Public Works of Canada will by-and-bye<sup>25</sup> completed, her Strongholds fortified, her Canals widened and completed, and her Lakes and Rivers rendered navigable; and, Sir, I consider myself fully justified in assuming that the increase of population throughout the Confederation, and more especially in Canada, will be so rapid, the consumption of duty paying articles so great, that at no distant day the rate of taxation per head, required for the maintenance of the General Government, will be less than is now paid in Prince Edward Island, the least taxed of the Provinces.”

*PEI Legislative Assembly Debates, 24 March 1865, pg. 43.*

## DEFENCE

“2. *Resolved*, That the existence of immense Military and Naval forces in the neighbouring Republic, renders it specially incumbent<sup>26</sup> on the people of British North America to take the most efficient precautionary measures by which their independence against Foreign aggression may be secured.

“3. *Resolved*, That a Union, such as in times of extraordinary danger would place the Militia, the Revenues, and the Resources of the several Provinces, at the disposal of a General Parliament, is necessary in order to maintain the independence of British North America against Foreign aggression, and to perpetuate<sup>27</sup> our connection with the Mother Country.”<sup>28</sup>

*PEI Legislative Assembly Debates, 24 March 1865, pg. 39.*

“It has been urged against the Confederation of the Colonies, proposed in the Report of the Quebec Conference, that the scheme had its origin in the local difficulties of the Canadians. It is true that the sectional<sup>29</sup> difficulties of Canada during the last year occasioned a “deadlock.”<sup>30</sup> I cannot, however, discover any force<sup>31</sup> in this objection. This crisis in the political affairs of Canada led the statesmen of that Province to consider their position, with a view<sup>32</sup> to remedy evils<sup>33</sup> which were such as to render impracticable<sup>34</sup> the further government of the Province under the existing

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<sup>23</sup> Chiefly = mainly

<sup>24</sup> Augmented = increased

<sup>25</sup> By-and-bye = over time

<sup>26</sup> Incumbent = necessary

<sup>27</sup> Perpetuate = make a situation continue indefinitely

<sup>28</sup> Mother Country = the British Empire

<sup>29</sup> Sectional = nineteenth century linguistic and religious divisions between politicians residing in the provinces that are today Ontario and Quebec

<sup>30</sup> Deadlock = a situation where neither side can win and everyone is stuck

<sup>31</sup> Force = convincing point

<sup>32</sup> A view = a desire

<sup>33</sup> Evils = problems

<sup>34</sup> Impracticable = undoable

constitution. I need not enumerate<sup>35</sup> the many reasons which induced those statesmen to propose a Confederation of all the Provinces. They realized, among other things, the position in which these Provinces stand in relation to the neighboring Republic, which, within the short space of our years, from being a purely commercial and agricultural people had become one of the greatest military and naval powers in existence. They had also received an intimation<sup>36</sup> from the Imperial Government to the effect that the people of the Colonies would be required to contribute largely to the cost of Fortifications, and other means of defence, as a condition of England's undertaking to co-operate in their defence. The Colonies have heretofore<sup>37</sup> left it to England to provide and maintain fleets and armies for the security of their country at the cost of the tax payers of Great Britain; and, Sir, I can see nothing unreasonable in the people of the Colonies being, at this day, called upon to contribute of their ability, to the cost of their defence. As subjects of the Crown of Great Britain, we have a right to demand the protection of the Mother Country; but if we have this right, we are most certainly under the obligation to contribute of our ability to the maintenance of those fleets and armies which are necessary for the defence of the Empire of which we form a part. If, Sir, the existence upon our borders of a vast military and naval power, rendering it prudent for the Colonies to prepare means for their defence, together with other reasons, can be adduced<sup>38</sup> to prove that Confederation is essential to the maintenance of our institutions, and that it will promote our common prosperity, it matters not what were the peculiar<sup>39</sup> circumstances in which the project of Confederation had its origin; whether it arose out of the political dissensions<sup>40</sup> between Upper and Lower Canada, or resulted from less important causes...

“If we neglect to discharge<sup>41</sup> our duty in providing for our safety, we may reasonably expect that England will withdraw her military and naval forces, and leave us to our fate. But on the other hand, if we show ourselves anxious to maintain our connection with England, and do that which is reasonably required of us, England will defend us to the utmost. It is to my mind very evident that we must choose between consolidation<sup>42</sup> of the different Provinces and Colonies, and absorption into the American Republic.”

*PEI Legislative Assembly Debates, 24 March 1865, pgs. 39–41.*

“We have recently had a discussion in this House on the subject of our Militia. To train the Militia of this Island would require an annual outlay nearly equal to our entire Revenue; and were our Militia to be rendered efficient, of what service would they be unless they were available for the defence of the frontiers of Canada or of New Brunswick? That our sons would be required to shoulder arms and march to the frontiers of Canada has been urged as an argument against Confederation. This Island is of no importance in a military point of view. It will never be a battlefield. A Gunboat or a Privateer might enter into any one of our numerous harbors do a great deal of mischief, and depart before our defenders could be mustered.<sup>43</sup> Unless under a general organization our Militia will necessarily be useless. Although opposed to spending money uselessly upon our Militia, I am in favor of training every man in the Provinces capable of bearing arms, provided such training be conducted under a general organization, believing that readiness on our part for defence, would be our best protection against invasion.”

*PEI Legislative Assembly Debates, 24 March 1865, pgs. 41–42.*

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<sup>35</sup> Enumerate = list

<sup>36</sup> Intimation = indication or hint

<sup>37</sup> Heretofore = before now

<sup>38</sup> Adduced = cited as evidence

<sup>39</sup> Peculiar = unusual

<sup>40</sup> Dissentions = disagreements

<sup>41</sup> Discharge = fulfill

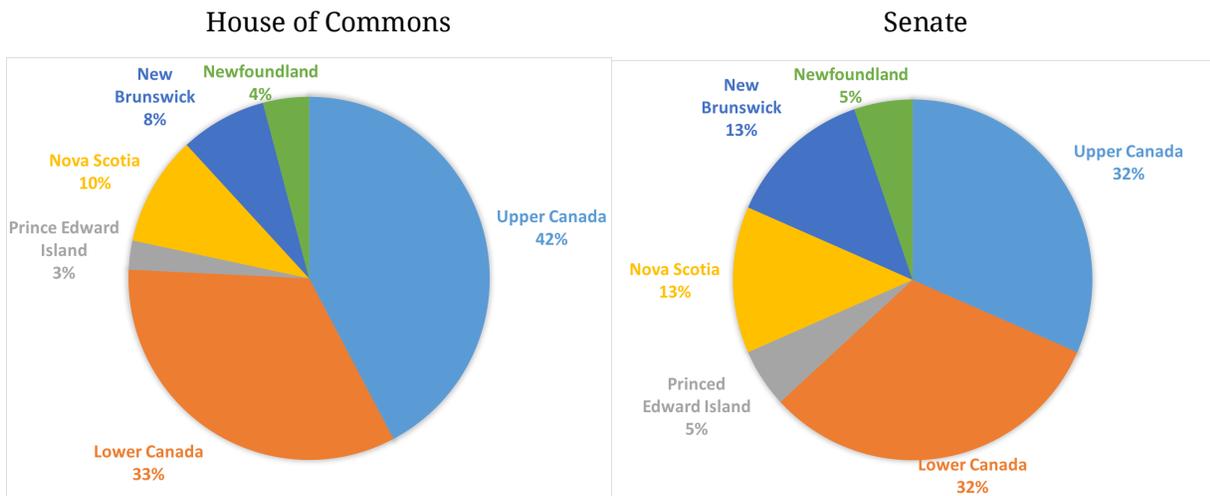
<sup>42</sup> Consolidation = union

<sup>43</sup> Mustered = gathered

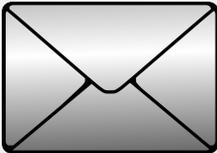
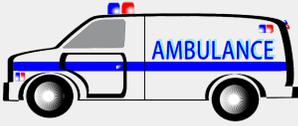


## 72 Resolutions Handout

### PARLIAMENTARY REPRESENTATION



### DIVISION OF POWERS

<p>Federal Powers</p>	 <p>Military</p>	 <p>Postal Service</p>	 <p>Indigenous Peoples</p>
<p>Provincial Powers</p>	 <p>School</p>	 <p>Health Care</p>	 <p>Prisons</p>

## **SECTION 2: MATERIALS AND HANDOUTS FOR CREATING CANADA: FURTHERING INDIGENOUS-CROWN RELATIONSHIPS**



## Response Log Handout

Name: Date:
Answer one of the five questions below:     Mark out of 5
Questions I have:     Mark out of 5

Please answer **ONE** of the following questions:

- Were there any things you did that left no trace or that left only traces that would not be preserved? What does this suggest about the historical record?
- What might future historians think about you if they were able to study your traces?
- If the historian was from a difficult culture or language, would they understand your trace?
- What if historians only examined traces that you left purposefully? How much of a trace would you have left?
- What other kinds of traces, relics, testimony and records would help historians learn about our society?
- Would it have been easier if you had recorded your traces with words? What if these words were in another language?

## Handout: Copies of Treaties of Peace and Friendship



*Note: The spelling in these treaties is very inconsistent, so we did not mark misspellings with [sic].*

### Treaty of 1725 for Ratification at Annapolis Royal

Reproduced from: “*Indian Treaties and Surrenders, from 1680-1890: In Two Volumes, Volume 1.*”  
Ottawa: S.E. Dawson Printer, 1905: 198.

ARTICLES OF SUBMISSION AND AGREEMENT made at Boston, in New England, by Sanquaaram alias Loron Arexus, François Xavier and Meganumbe, delegates from Penobscott, Naridgwack, St. Johns, Cape Sables and other tribes inhabiting within his Majesty's territories of Nova Scotia or New England.

Whereas His Majesty King George by concession<sup>1</sup> of the Most Christian King, made at the Treaty of Utrecht, is become the rightful possessor of the Province of Nova Scotia or Acadia according to its ancient boundaries: We, the said Sanquaaram alias Loron Arexus, François Xavier and Meganumbe, delegates from said tribes of Penobscott, Naridgwack, St. Johns, Cape Sables and other tribes inhabiting within His Majesty's said territories of Nova Scotia or Acadia and New England, do, in the name and behalf of the said tribes we represent, 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 most Christian King.

And we further promise on behalf of the said tribes we represent that the Indians<sup>2</sup> shall not molest<sup>3</sup> any of is Majestie's subjects or their dependants in their settlements already made or lawfully to be made, or in their carrying on their traffick and other affairs within the said Province.

That if there happens any robbery or outrage committed by any of the Indians, the tribe or tribes they belong to shall cause satisfaction and restitution to be made to the parties injured.

That the Indians shall not help to convey away any soldiers belonging to His Majestie's forts, but on the contrary shall bring back any soldier they shall find endeavouring<sup>4</sup> to run away.

That in case of any misunderstanding, quarrel or injury between the English and the Indians no private revenge shall be taken, but application shall be made for redress according to His Majestie's laws.

That if the Indians have made any prisoners belonging to the Government of Nova Scotia or Acadia during the course of the war they shall be released at or before the ratification of this treaty.

That this treaty shall be ratified<sup>5</sup> at Annapolis Royal.

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<sup>1</sup> Concession = to give up

<sup>2</sup> Indians = an archaic term for First Nations Peoples

<sup>3</sup> Molest = bother

<sup>4</sup> Endeavoring = trying to accomplish something

<sup>5</sup> Ratified = made official

Dated at the Council Chamber in Boston in New England, this fifteenth day of December, Anno Domini one thousand seven hundred and twenty five, Annoq. Regni Regis Georgii, Magna Britannia, & c., Duodecimo

Signed, sealed and delivered in the presence of the Great and General Court or Assembly of the Province of the Massachusetts Bay.

Sanquaaram (totem) alias Loron (L.S.)

Arexes (totem) (L.S.)

François Xavier (L.S.)

Meganumbe (totem) (L.S.)

### Treaty of 1725, Promises By Lieutenant Governor of Nova Scotia

Reproduced from: "Treaty of 1725, Promises By Lieutenant Governor of Nova Scotia." CIFAS.  
<http://cifas.us/treaty-of-1725-promises-by-lieutenant-governor-of-nova-scotia/>.

By Major Paul Mascarene one of the Council for His Majesty's Province of Nova Scotia or Accadie and Commissioned by Honourable Lawrence Armstrong Esqr Lieut. Governour and Commander in Chief of the said Province for Treating with the Indians Engaged in the Late Warr<sup>6</sup>

Whereas Sanquarum Alias Laurens Alexis, François Xavier and Meganumbe Delegates of the Tribes of Penubscutt Norrigewock St. Johns Cape Sables and other Tribes Inhabiting His Majestys Territories of Nova Scotia or Accadie and New England; have by Instruments signed by them, made their Submission to His Majesty George by the Grace of God of Great Britain France and Ireland King Diffender of the Faith and Acknowledged His Majesty's Just Title to the Province of Nova Scotia or Accadie and promised to live peaceably with all His Majesty's Subjects and their Dependants with what further is contain' d in the severall Articles of those Instruments I do in behalf of his Majesty's said Governour and Government of Nova Scotia or Accadie promise the said Tribes all marks of favour protection and friendship. I further Engage and promise in behalf of the said Government.

That the Indians shall not be molested in their persons, Hunting, Fishing and planting grounds nor in any other their lawfull Occasions by His Majesty's subjects or their Dependants nor in the exercise of their Religion provided the Missionaries<sup>7</sup> residing amongst them have Leave from Governour or Commander in Chief of His Majesty's said province of Nova Scotia or Accadie for so doing.

That if any Indians are Injured by any of His Majesty's aforesaid Subjects or their Dependants they shall have the Satisfaction and Reparation<sup>8</sup> made to them according to His Majesty's Laws whereof the Indians shall have the Benefit Equall with His Majesty's other Subjects.

That upon the Indians Bringing back any soldiers endeavouring to Run away from any of His Majesty's Forts or Garisons the said Indians for this good office shall be handsomely Rewarded.

That the Indians in Custody at Annapolis Royall shall be Released except such as the Governour or Commander in Chief shall think proper to keep as Hostages at the Ratification of this Treaty which shall be att Annapolis Royall in presence of the Governour or Commander in Chief and the Chiefs of the Indians.

Given under my hand and Seal att the Council Chamber in Boston in New England this fifteenth day of December Anno Domini one thousand seven hundred & twenty five annoque Regni Regis Georgii Magnae Britanniae & c., Duodecimo.

P. Mascarene

Attested by me L Armstrong Lt. Govr. Endorsed

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<sup>6</sup> Indians Engaged in the Late Warr = Indigenous groups who fought against the British during the war

<sup>7</sup> Missionaries = individuals sent by the church to try to convert Indigenous Peoples to Christianity

<sup>8</sup> Reparation = payments made to apologize for past wrongs

### **Treaty of 1725, Promises by Lieutenant Governor of Massachusetts Bay**

Reproduced from: "Treaty of 1725, Promises by Lieutenant Governor of Massachusetts Bay." *CIFAS*. <http://cifas.us/treaty-of-1725-promises-by-lieutenant-governor-of-massachusetts-bay/>.

By the Honorable William Dummer Esqr. Lieutenant Governor and Commander in Chief of His Majesties Province of the Massachusetts Bay in New England

Whereas Sanguaaram alias Loron Areaus, François Xavier & Meganumbe the delegates from the Tribe of Penobscot Naridgwalk St. Johns Cape Sables and other Tribes of the Eastern Indians Inhabiting within His Majesties Territorys of New England and Nova Scotia Declaring themselves fully Impowered thereto Have in the Name and Behalf of the said Tribes Signed & Executed an Instrument of Submission to His Majesty bearing date the fifteenth day of this Instant December therein firmly promising & Engaging forever to Cease all Hostilities and Violences and to live in Peace & Amity with all His Majesties Subjects.

I do therefore in the Name of His Most Excellent Majesty George by the Grace of God of Great Britain France and Ireland King Defender of Faith etc. Receive and recommend the said Tribes to His Grace and Favour Promising them Benefit and Protection of His Majesties Laws in like manner as His English subjects have and Enjoy.

That all Acts of Hostility from this Government against the said Tribes of Indians shall Cease and that a firm and constant Friendship & Amity shall hereafter be Maintained with them.

That upon the Indians delivering up all the English Prisoners, as they have Engaged to do all the Indian Captives within this Government shall likewise be set at liberty.

That the said Indians shall Peaceably Enjoy all their Lands & Properties which have been by them Conveyed and Sold unto, or possessed by the English & be no ways Molested or Disturbed in their planting or Improvement And further that there be allowed them the free Liberty and Privilege of Hunting Fishing & Fowling as formerly

And whereas it is the full Resolution of this Government<sup>9</sup> that the Indians shall have no Injustice done them respecting their lands

Indians do therefore assure them that the several Claims or Titles (or so many of them as can be then had and obtained) of the English to the Lands in that part of this Province shall be produced at that Ratification of the present Treaty by a Committee to be appointed by this Court in their present Session, and Care be taken as far as possible to make out the same to the satisfaction of the Indians and to distinguish & ascertain<sup>10</sup> what Lands belong to the English in Order to the effectual prevention of any Contention<sup>11</sup> or Misunderstanding on that Head for the future.

That Commerce and Trade shall be carried on between the English & Indians according to such directions as shall be agreed by His Majesties Government of this Province.

That no Private Revenge shall be taken by the English; but in Case any Person shall presume so to do; upon Complaint & proof there of Justice shall be done the party aggrieved In Testimony whereof I have signed these presents & caused the Publick Seal of the Province of the Massachusetts Bay aforesaid to be hereunto Affixed Dated at the Council Chamber in Boston this fifteenth day of December Anno Domini one thousand seven hundred and twenty five Annoq RRS Georgij Magnee Britanniae & c Duo decimof.

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<sup>9</sup> Full Resolution of this Government = determination of this government

<sup>10</sup> Ascertain = learn

<sup>11</sup> Contention = claims

Wm. Dummer

By Comand of His Honour

the Lieut Governour

J Willard, Secretary

## Treaty or Articles of Peace and Friendship Renewed 1752

*Note: Treaty transcript from Supreme Court of Canada decision. No signed original documents are known to exist.*

Reproduced from: "Treaty or Articles of Peace and Friendship Renewed 1752." *Indigenous and Northern Affairs Canada*. <https://www.aadnc-aandc.gc.ca/eng/1100100028593/1100100028594>.

Treaty or Articles of Peace and Friendship Renewed between

His Excellency Peregrine Thomas Hopson Esquire Captain General and Governor in Chief in and over His Majesty's Province of Nova Scotia or Acadie. Vice Admiral of the same & Colonel of one of His Majesty's Regiments of Foot, and His Majesty's Council on behalf of His Majesty.

AND

Major Jean Baptiste Cope, chief Sachem of the Tribe of Mick Mack Indians Inhabiting the Eastern Coast of the said Province, and Andrew Hadley Martin, Gabriel Martin & Francis Jeremiah, Members and Delegates of the said Tribe, for themselves and their said Tribe their Heirs, and the Heirs of their Heirs forever, Begun made and concluded in the manner, form and Tenor following, vizt:

It is agreed that the Articles of Submission and Agreement, made at Boston in New England by the Delegates of the Penobscot Norridgwolk & St. John's Indians, in the year 1725 Ratified & Confirmed by all the Nova Scotia Tribes, at Annapolis Royal, in the month of June 1726, & lately renewed with Governor Cornwallis at Halifax, & Ratified at St. John's River, now read over, Explained and Interpreted, shall be and are hereby from this time forward Renewed, Reiterated,<sup>12</sup> and forever Confirmed by them and their Tribe; and the said Indians for themselves and their Tribe and their Heirs aforesaid Do make & Renew the same Solemn<sup>13</sup> Submissions and promisses for the Strickt observance of all the Articles therein contained as at any time heretofore hath been done.

That all Transactions during the late War shall on both sides be buried in Oblivion with the Hatchet,<sup>14</sup> and that the said Indians shall have all favour, Friendship & Protection shewn them from this His Majesty's Government.

That the said Tribe shall use their utmost endeavours to bring in the other Indians to Renew and Ratify this Peace, and shall discover and make known any attempts or designs of any other Indians or any Enemy whatever against His Majestys Subjects within this Province so soon as they shall know thereof and shall also hinder and Obstruct the same to the utmost of their Power, and on the other hand if any of the Indians refusing to ratify this Peace, shall make War upon the Tribe who have now confirmed the same; they shall upon Application have such aid and Assistance from the Government for their Defence, as the case may require.

It is agreed that the said Tribe of Indians shall not be hindered from, but have free liberty of Hunting & Fishing as usual: and that if they shall think a Truckhouse needful at the River Chibenaccadie or any other place of their resort, they shall have the same built and proper Merchandize lodged therein, to be Exchanged for what the Indians shall have to dispose of, and that in the mean time the said Indians shall have free liberty to bring for Sale to Halifax or any other Settlement within this Province, Skins, feathers, fowl, fish or any other thing they shall have to sell, where they shall have liberty to dispose thereof to the best Advantage.

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<sup>12</sup> Reiterated = repeated

<sup>13</sup> Solemn = deeply sincere

<sup>14</sup> Be buried in Oblivion with the Hatchet = to be made a lasting peace

That a Quantity of Bread, Flour, & such other Provisions as can be procured, necessary for the Familys , and proportionable to the number of the said Indians, shall be given them half yearly for the time to come; and the same regard shall be had to the other Tribes that shall hereafter agree to Renew and Ratify the Peace upon the Terms and Conditions now Stipulated.

That to Cherish a good Harmony & mutual Correspondance<sup>15</sup> between the said Indians & this Government, His Excellency Peregrine Thomas Hopson Esqr. Captain General & Governor in Chief in & over His Majesty's Province of Nova Scotia or Accadie, Vice Admiral of the same & Colonel of one of His Majesty's Regiments of Foot, hereby Promises on the Part of His Majesty, that the said Indians shall upon the first day of October Yearly, so long as they shall Continue in Friendship, Receive Presents of Blankets, Tobacco, and some Powder & Shot; and the said Indians promise once every Year, upon the first of October to come by themselves or their Delegates and Receive the said Presents and Renew their Friendship and Submissions.

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

That all Disputes whatsoever that may happen to arise between the Indians now at Peace, and others His Majesty's Subjects in this Province shall be tryed in His Majesty's Courts of Civil Judicature, where the Indians shall have the same benefit, Advantages and Priviledges, as any others of His Majesty's Subjects.

In Faith and Testimony whereof, the Great Seal of the Province is hereunto Appended, and the party's to these presents have hereunto interchangeably Set their Hands in the Council Chamber at Halifax this 22nd day of Nov. 1752, in the Twenty sixth year of His Majesty's Reign.

(Signatures removed)

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<sup>15</sup> Correspondance = communication



## Handout: Crown Biography (John Doucett)

DOUCETT, JOHN, captain, was lieutenant-governor of the fort of Annapolis Royal, N.S from 1717–26, and administrator of the government of Nova Scotia from 1717–20 and 1722–26. He was probably born in England, and died 19 November 1726 at Annapolis Royal. Although presumed to be of French descent, Doucett was, as he himself put it, “a Stranger to the French Tongue.” He received several military commissions from 1702 on, and was appointed lieutenant-governor of the garrison of Annapolis Royal on 25 May 1717, succeeding Thomas Caulfield. Richard Philipps, the new governor of Nova Scotia, remained in England to gather information and arrange for instructions about his responsibilities; meanwhile Doucett went out to Nova Scotia, arriving at Annapolis Royal on 28 October 1717.

He was concerned to find the fort in ruins and the garrison unruly because of lack of pay and shortage of clothing, and he took steps to remedy this situation. Doucett was alarmed that the Acadians, who formed the bulk of the population in the settlement, had not signaled their allegiance<sup>1</sup> since the territory was surrendered to the British in the Treaty of Utrecht in 1713. Doucett drafted an oath for their signature. Within a few days of his arrival, he summoned the neighbouring Acadians to sign it, and early in December he sent a copy of it to Peter Mellanson (Pierre Melanson?) of Minas to be translated into French and made public there. He also urged Father Félix Pain, the French priest at Minas, not to influence the inhabitants against swearing allegiance to King George I.

Doucett’s efforts with respect to the oath were of little avail.<sup>2</sup> The Acadians of Annapolis replied that unless the garrison could protect them from the Mi’kmaq they dared not take the oath. Otherwise, they could only take an oath not to take up arms against England, France, or any of their subjects or allies. Doucett regarded this dread of the Mi’kmaq as mere pretence, and believed that the Acadians actually feared their priests. The reply from Minas was received on 10 February 1717/18. The inhabitants refused to sign the oath for three alleged reasons: it did not assure them freedom of religion; upon taking the oath they would be threatened by the Mi’kmaq; and their ancestors had never taken such an oath.

Doucett proposed to Vaudreuil at Quebec and to Brouillan at Louisbourg that mutual efforts be made to cement the peace, between Britain and France. In his letter to Vaudreuil, dated 15 April 1718, he expressed his desire that those Acadians who were inclined to become British subjects should be free to do so, and asked that Vaudreuil order all those who would not to withdraw to French territory. In his letter of 15 May 1718 he complained to Brouillan about French encroachments on the fisheries of Nova Scotia, as well as about the French failure to comply with the agreement signed by the Acadians with Louis Denys de La Ronde in 1714, in which they signified their willingness to leave Nova Scotia. Doucett considered the agreement annulled, but was willing to allow any Acadians who still wished to leave to do so.

Brouillan replied, in July, that he had no knowledge of French encroachment on the British fishery, that in his opinion the Canso (Canseau) Islands belonged to France, and that the failure of the Acadians to emigrate was attributable to obstacles raised by the former governor, Francis Nicholson, and others who did not wish them to carry off their goods. Vaudreuil’s reply was

<sup>1</sup> Had not signaled their allegiance = had not taken sides

<sup>2</sup> Efforts ... were of little avail = did not work

similar in substance. He also requested Doucett not to allow English vessels to sail the Saint John River which, Vaudreuil claimed, was under French control. Doucett was convinced that Vaudreuil's claim to the Saint John was without foundation for that river was "much about the center of Nova Scotia." The gravity of the matter, however, was emphasized by letters from Vaudreuil to Louis Allain of Annapolis, which fell into Doucett's hands. Vaudreuil told Allain that the Saint John was not under English control and that the Acadians could obtain land along it by applying to Father Loyard who had authority to make such grants. The boundary dispute was clearly more than academic, for the French claimed that only the peninsula of Nova Scotia fell within the ancient limits of Acadia as ceded to Great Britain by the treaty of Utrecht.

The subject of trade also bristled with difficulties. Smuggling was prevalent, and there was considerable trade between Île Royale (Cape Breton Island) and the Acadian settlements at Minas and Cobequid. Doucett hoped that measures would be taken to prevent clandestine<sup>3</sup> trade and encroachments on the fishery<sup>4</sup> and in letters dated 6 February 1717 to the Lords of Trade and to the secretary of state he pointed out the advantages of having three or four sloops, of four or six guns each, cruising between the Strait of Canso (Grand Passage de Fronsac) and Mount Desert Island (Îles des Monts Déserts), and in the Bay of Fundy. Doucett continued to press for this support, but although his advice was sound, effective action was not taken immediately. In the meantime, in September 1718, French fishermen at Canso were plundered by a New England vessel commanded by Thomas Smart. When, in turn, English fishermen at Canso were raided in 1720 by French and Mi'kmaq, a company of troops was stationed there for the ensuing winter, and Captain Thomas Durell, in the Seahorse, provided protection for the fishery in 1721.

Governor Philipps arrived at Annapolis Royal about the middle of April 1720, and on 25 April established His Majesty's Council of Nova Scotia, with Doucett as president. Philipps took up residence at Canso in the summer of 1721, remaining there until his return to England late in 1722, when he left Doucett in command at Annapolis Royal.

The need for winning over the Mi'kmaq of Nova Scotia had become obvious to Doucett, and on 13 December 1718 he urged Philipps to apply to the Lords of Trade for presents to give them. In the summer of 1721 these arrived and early in 1722 Philipps gave a feast at Canso for Indigenous chiefs. The chiefs solemnly promised their friendship. Relations between the Abenakis and the government of Massachusetts had been steadily worsening, however. In mid-June Abenaki raids began at the Kennebec River, and simultaneously the Mi'kmaq, perhaps joined by Maliseet and Abenaki, made an attack upon shipping in the Bay of Fundy and along the eastern coast of Nova Scotia. Reports were received that the Mi'kmaq and their allies had captured 18 trading vessels in the bay and 18 fishing boats off the eastern coast. Doucett heard that their design was to capture Annapolis Royal. Seizing as hostages 22 Mi'kmaq who happened to be encamped nearby, he sent a sloop to Canso for Philipps' instructions and to warn the fishermen and traders along the coast to be on their guard. Doucett's initiative at Annapolis Royal and Philipps' actions at Canso thwarted the plans. Doucett later expressed the belief that the Mi'kmaq living at Father Gaulin's mission had taken part in the plundering.<sup>5</sup>

A definite peace with the indigenous peoples of the region was not established in New England until 1727, but the war in Nova Scotia officially ended with the ratification of the peace at Annapolis Royal on 4 June 1726. Among the Mi'kmaq and Maliseet present were Joseph Nepomoit (Nipimoit) of Saint John, and representatives of the Cape Sable, Shubenacadie, La Have, Minas, and Annapolis River First Nations. It cost Doucett nearly £300 in presents and feasts to achieve this peace, but the ratification gave him a measure of satisfaction.

Lawrence Armstrong was commissioned lieutenant-governor of Nova Scotia on 8 February 1724/25; Doucett continued as president of the council, as well as lieutenant-governor of

<sup>3</sup> Clandestine = secret

<sup>4</sup> Encroachments on the fishery = moving into another group's fishing waters

<sup>5</sup> Plundering = stealing

Annapolis Royal. By August 1726 Doucett had received permission for a leave of absence of some months, but he remained in Annapolis Royal until his death in November. Doucett's wife was with him in Nova Scotia but her name is unknown. In 1721 they had a family of six children. In 1723, Isabella and Honoria Doucett, aunts and guardians of four of John Doucett's children, petitioned the War Office on their behalf.

Reproduced from Fergusson, Charles Bruce. "Doucett, John." *Dictionary of Canadian Biography*. [http://www.biographi.ca/en/bio/doucett\\_john\\_2E.html](http://www.biographi.ca/en/bio/doucett_john_2E.html) with some updates.



## Handout: Indigenous Biography (Jean-Baptiste Cope)

Jean-Baptiste Cope (also John-Baptiste Cope, Major Cope) was a Mi'kmaq Sachem (also sakamaw, Chief) in the modern day province of Nova Scotia. Of course, to Cope and other Mi'kmaq, the territory was not called Nova Scotia, but Mi'kma'ki. Cope was Catholic, he spoke French, and he maintained close ties with Acadians. He was likely given the title of "Major" by the French. It is thought that he died sometime between 1758 and 1760, likely in the Miramichi region of New Brunswick.

Signature of Jean Baptiste Cope (Beaver). Image from Geoffrey Plank, "The Two Majors Cope: the boundaries of Nationality in Mid-18th Century Nova Scotia", *Acadiensis*, XXV, 2 (Spring 1996), pp. p. 40.

Cope is best known as a Mi'kmaq signatory to the Peace and Friendship Treaty of 1752. Some historians argue that he signed as Chief Sachem of all the

Mi'kmaq, a point on which there is disagreement. As historian William Wicken points out, there is no historical evidence that he was the Grand Chief. This is not the same thing as saying he was not Grand Chief, it simply means that there is no direct evidence of it in written records. As Wicken suggests, what is clear is that, at the very least, "Cope's influence extended beyond his own village" (Wicken 2002).

The Treaty of 1752 was a peace treaty negotiated to bring an end to intermittent warfare between the British and Mi'kmaq, which had been ongoing since the Mi'kmaq (with the exception of one community) refused to join the Maliseet in signing the 1749 Treaty with the British. The Mi'kmaq refusal was the result of anger at the founding of Halifax, which the Mi'kmaq saw as an unjustified occupation of their lands and a breach of the 1725–1726 Treaty. The resulting war, with the British on one side and the French, Mi'kmaq and Acadians on the other, is sometimes known as Father Le Loutre's War. The War would outlast the signing of the 1752 Treaty, ending in 1755.

Upon signing the 1752 Treaty with Governor Peregrine Hopson, Cope would have been very aware of the 1725–1726 treaty and its terms. Some historians argue that he was likely one of the signatories to that earlier treaty. As Wicken (2002) notes: "At talks with the council [at Halifax] on 14 and 16 September 1752, Cope wanted to discuss how to define the territories where the Mi'kmaq and British would live in the future. To Cope, the founding of Halifax and Fort Lawrence had demonstrated the need to refine the 1726 treaty. In his view, 'the Indians<sup>136</sup> should be paid for the Land the English had settled upon in this Country'" (Wicken 2002). Ultimately, Cope proposed "to divide mainland Mi'kma'ki into Mi'kmaq and British spheres. The Mi'kmaq would exercise jurisdiction over one area, the British over another" (Wicken 2002). The British did not negotiate on this point, choosing to emphasize trade instead. Thus, the 1752 Treaty was silent on land, simply reaffirming what had been agreed to in the 1725–1726 Treaty. The 1752 agreement recognized the right of indigenous peoples to hunt and fish as they had before and included a promise to build "truck houses" (trading posts) where required by the Mi'kmaq.

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<sup>136</sup> Indians = an archaic term for First Nations Peoples

Cope attempted to have other villages sign the treaty, but those more distant from Halifax and more dependent on the French were hesitant. The signing of the 1752 Treaty was controversial in its time and historians disagree about many details. To begin with, the French were upset at Cope for having negotiated with the British. What this shows, however, is that while the Mi'kmaq were allied with the French until the French ceded Cape Breton, Prince Edward Island and New Brunswick to the British in 1763 in the Treaty of Paris, the Mi'kmaq nonetheless exercised considerable agency. They were not simply tools of the European imperial powers, but were navigating a complicated and shifting political terrain to achieve the best outcome for themselves.

Shortly after peace was agreed to in November 1752, the peace was broken. On 21 February 1753 what is known as the "Attack at Mocodome" occurred. There are competing accounts of what happened, with the British blaming the Mi'kmaq and the Mi'kmaq blaming the British. Whatever the cause, two English and six Mi'kmaq died. In response, in the "Attack at Jeddore," Cope and Mi'kmaq warriors under his command seized a ship transporting English diplomats, killing nine. By the time the next peace treaty was signed in 1760, Cope was likely dead, as he was not a signatory.



## Handout: Jean-Louis Le Loutre

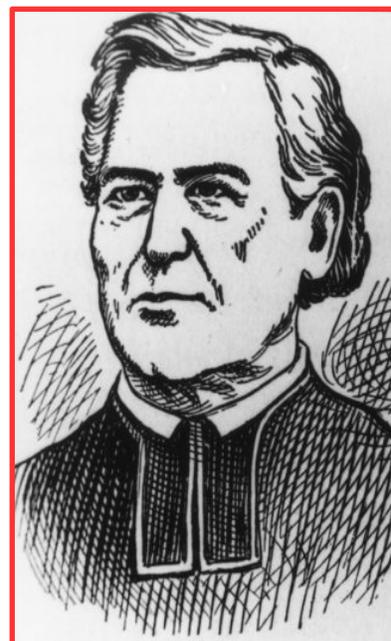
LE LOUTRE, JEAN-LOUIS, priest, Spiritan, and missionary; born 26 September 1709 in the parish<sup>1</sup> of Saint-Mathieu in Morlaix, France, son of Jean-Maurice Le Loutre Després, a paper maker, and Catherine Huet, daughter of a paper maker; died 30 September 1772 in the parish of Saint-Léonard in Nantes, France.

Le Loutre was a French priest and missionary who was active in Nova Scotia at a time of considerable tension between the English and French and the English and Mi'kmaq. The French had lost mainland Nova Scotia to the British, but hoped to continue to exert influence there through the Mi'kmaq and the Acadians. As such, the Acadian settlers often found themselves in the middle of the conflicts between the French and English. They had developed a distinct identity and self-sufficient farming communities and, for the most part, enjoyed close relations with the Mi'kmaq. Because of their French heritage, their ties to the Mi'kmaq, and their Catholicism, the English viewed them as potential barriers to English control. The French hoped to use the Acadians against the British, a role which the Acadians most often tried to escape from. The Mi'kmaq were also largely Catholic, and French priests played an important political role in the region.

On 22 September 1738, Le Loutre left Île Royale (Cape Breton) for the Shubenacadie mission on mainland Nova Scotia. Before joining “his flock” Le Loutre spent some months at Maligouèche in order to learn the Mi'kmaq language. Le Loutre was to minister to the Mi'kmaq as well as to the French posts at Cobequid and Tatamagouche. With the cooperation of the authorities at Louisbourg he immediately undertook to build chapels for the Mi'kmaq. Although his relations with Governor Armstrong were strained at first, on the whole he remained on cordial terms with the British authorities until 1744.

With the declaration of war between France and Great Britain in 1744, the French authorities made a distinction in Acadia between the missionaries ministering to parishes with a French population and those serving among the Mi'kmaq. The former were advised to remain neutral, at least in appearance, in order to avoid being expelled; the others were advised to support the intentions of the governor of Louisbourg and encourage the Mi'kmaq to make as many forays into British areas as the military authorities considered necessary. In June 1745, Louisbourg fell to Anglo-American forces. Le Loutre then returned to France until 1749.

He returned to Acadia in 1749 with the new governor of Île Royale, which had been restored to France by the treaty of Aix-la-Chapelle the previous year. The situation in Acadia had changed considerably since Le Loutre's departure: Louisbourg was again French, and the British had just



Jean-Louis Le Loutre.

Image from: Bourgeois, Philius Frédéric. *L'histoire du Canada*, Montréal, Librairie Beauchemin, 1912, p. 71

<sup>1</sup> Parish = the area that a missionary works in

founded Halifax. The missionary was ordered to set up his headquarters at Pointe-à-Beauséjour (near Sackville, N.B.) rather than at Shubenacadie, which was too close to the authorities in Halifax who were clamouring for the missionary's head. The French claimed that Pointe-à-Beauséjour was outside the "old" Acadia, ceded to Great Britain in 1713 by the treaty of Utrecht, whereas the British maintained that Acadia extended as far as the Baie des Chaleurs. While the boundary commissioners were engaged in discussions in Paris, the French attempted to reinforce their claims to the region by encouraging the Mi'kmaq to harass the British and restrict their settlements and by trying to persuade as many Acadians as possible to leave enemy territory and settle in the area under French control.

With regard to the Mi'kmaq Le Loutre 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." The attacks made by the Mi'kmaq led Edward Cornwallis, the governor of Nova Scotia, to swear that he would have Le Loutre's head, and to describe him in October 1749 as "a good for nothing Scoundrel as ever lived." Cornwallis tried to capture him dead or alive by promising a reward of £50.

As for the Acadians, Le Loutre thought that they were ready to abandon their land, and even to take up arms against the British, rather than sign an unconditional oath of allegiance to King George II. They were, however, perhaps not as determined to emigrate as Le Loutre maintained. Since 1713 the Acadians had found ways to co-exist with the British régime, and it was difficult for them to leave fertile lands that they had cleared and settled in French territory. On behalf of the French government Le Loutre promised to establish and feed them for three years, and even to compensate them for their losses. They were not easily convinced, and the missionary apparently used questionable means to force them to emigrate – threatening them, among other things, with reprisals from the Mi'kmaq.

During 1752 Le Loutre discussed with his religious superiors "certain circumstances in which he [might] find himself in relation to his Indians' warring and even that of the French, especially those who are still under the domination of the English." He pondered over his activity with the Acadians. What means could he use to persuade them to leave British territory? As for those Acadians who had taken the oath of allegiance to Great Britain, could he ask that they be deprived of the sacraments?<sup>2</sup> Was he empowered to threaten them with excommunication in order to persuade them to take refuge in territory claimed by France, or again could he ask the Mi'kmaq to force recalcitrants<sup>3</sup> to abandon their lands? Le Loutre also wondered whether he could encourage the Mi'kmaq to attack and scalp British settlers in peacetime.

In 1753 Le Loutre made persistent efforts to persuade the Mi'kmaq to break the peace that had been signed with the British during his absence by Jean-Baptiste Cope, and he encouraged them to harass the British settlers. He bought the trophies they brought back from hunts and raids; for example, he paid 1,800 livres for 18 British scalps. Le Loutre threatened to abandon the Acadians, withdraw their priests, have their wives and children taken from them, and if necessary have their property laid waste by the Mi'kmaq. Nevertheless, all Le Loutre's efforts proved vain. In June 1755 the British forces obliged Louis Du Pont Duchambon de Vergor to surrender Fort Beauséjour, and the deportation of the Acadians in the region began shortly thereafter. Knowing that he was in danger, the missionary had slipped out of the fort in disguise and reached Quebec through the woods. Late in the summer he went to Louisbourg and from there sailed for France.

Historians are unanimous<sup>4</sup> in recognizing the importance of Le Loutre's activity in Acadia but differ in their assessment of the significance of his role as a missionary. Several have criticized

<sup>2</sup> Sacraments = religious ceremonies (such as marriage) performed by missionaries

<sup>3</sup> Recalcitrants = individuals who refuse to cooperate

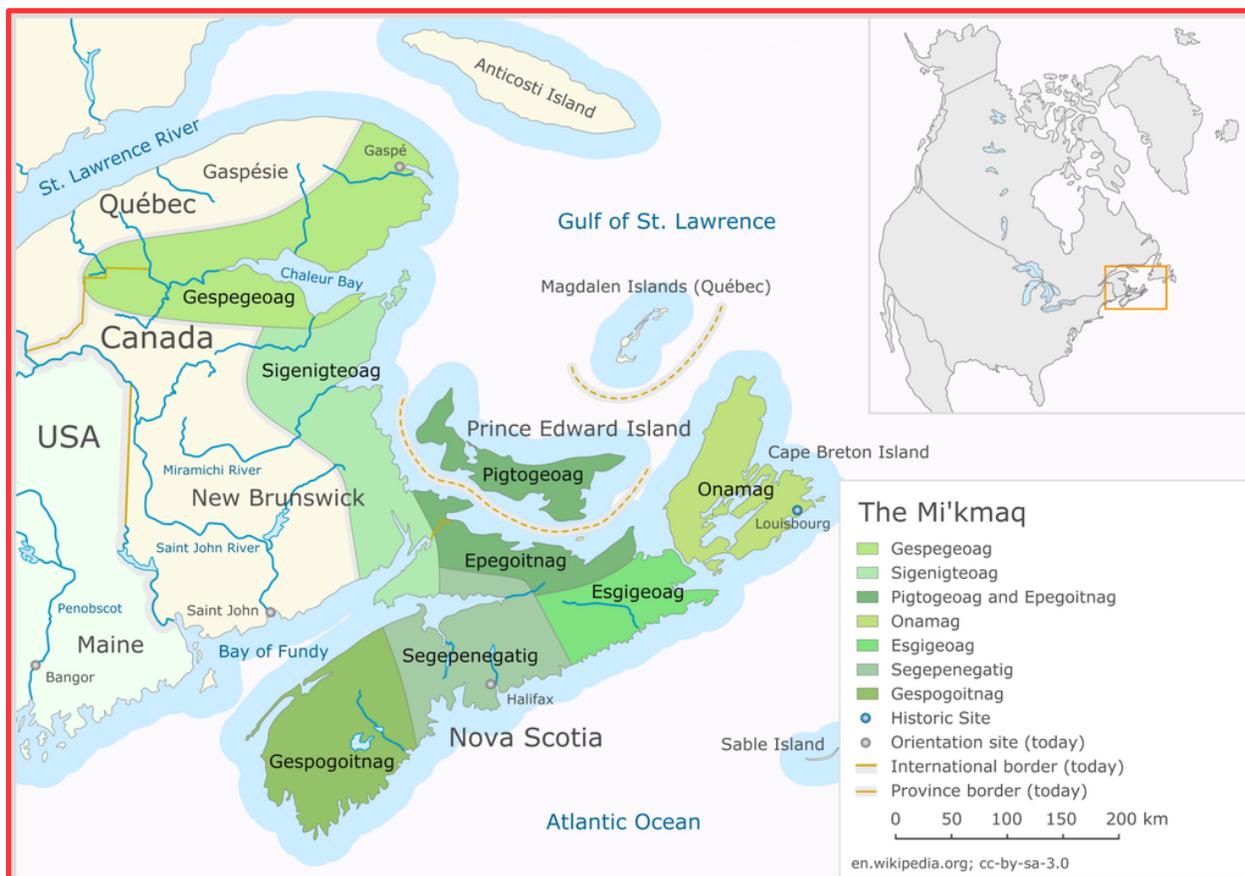
<sup>4</sup> Unanimous = when everyone agrees about something

him for having acted more as an agent of French policy than as a missionary, and they hold him largely responsible for the deportation of the Acadians from Nova Scotia in 1755 because in threatening them with reprisals if they signed the oath of loyalty he condemned them to a forced exile. Le Loutre was a politically involved missionary, stubborn and prepared to make up for the lack of French civil government in Acadia. His activity was displeasing to the government in Halifax, and even to certain French officers. He was probably excessively zealous, and his conduct was often questionable.

Reproduced from Finn, Gérard. "Le Loutre, Jean-Louis." *Dictionary of Canadian Biography*. [http://www.biographi.ca/en/bio/le\\_loutre\\_jean\\_louis\\_4E.html](http://www.biographi.ca/en/bio/le_loutre_jean_louis_4E.html) and edited for brevity and clarity.



## Handout: The Mi'kma'ki Territory



The Mi'kmaq refer to their territory as Mi'kma'ki. Traditionally, this territory was divided into hunting districts. The Mi'kmaq considered this territory to be theirs and, after the arrival of the British, repeatedly accused the British of taking lands without requesting permission. Political power in Mi'kmaq society was partly arranged according to hunting groups. These groups, made up of people related through marriage, had exclusive hunting, fishing and trapping rights in well-defined territories. Each group would have authority within its hunting territory. For example, the group had the authority to punish outsiders who hunted in that territory without their permission.

In the summer, groups would come together at summer villages near the ocean. Here, political issues that affected the Mi'kmaq as a whole, or several groups of them, would be discussed and decisions made. This collective decision-making process involved the adult members of the nation. The broader political entity, the summer village, would delegate leaders to carry out political tasks, such as the negotiation of treaties. These included treaties with the British, but also

political affiliations<sup>1</sup> with other Indigenous Peoples. For example, the Mi'kmaq belonged to the Wabanaki confederacy, a group of Indigenous nations in the Atlantic provinces and New England. The Mi'kmaq, then, came to negotiations with the British with a long history of interacting with other nations and forming political relationships with them.

The Mi'kmaq controlled use and access to their territory through their internal laws. As an expert witness during a trial about Mi'kmaq land rights, Dr. William Wicken stated that:

...[T]here was a protocol, there was a relationship, a customary relationship that evolved over time between these people and which governed their relationships. If somebody come on to your territory then in fact there was a law, if I can use that word, aboriginal law, their law, about how this infringement upon their territory would be dealt with (*R v Bernard*, 2003 NBCA 55 at para 146).

This legal system pre-dated the arrival of Europeans. Professor Sakéj Henderson, commenting on the views expressed by early Europeans in the region, stated:

Neither European adventurers nor missionary priests of the seventeenth century who encountered the sacred order of the Mikmaq (Mikmaki) perceived an unorganised society. They did not find the anarchy that their state of nature theory presumed. Instead, they reported a natural order, with a well-defined system of consensual government and both an international and domestic law (Henderson, James Youngblood. "First Nations legal inheritances in Canada: the Mikmaq model" (*Man. LJ* 23 (1995): 1 at 8).

The map above illustrates that territory was purposefully divided and named in a way that reflected the Mi'kmaq worldview. This illustrates the existence of political and legal orders that were necessary parts of governing territory.

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<sup>1</sup> Affiliations = connections between groups



## Handout: Record of Negotiation/Implementation: Who Controls the Land?

Since the eighteenth century, the Crown and Mi'kmaq Peoples have contested who owned the Maritime region and determined any future sharing of the land. In the past 30 years, the courts have recognized that the treaties include Mi'kmaq hunting and fishing rights on their historical lands and waters.

In practice, negotiations were rare. In 1749, Governor Cornwallis sailed into Chebucto Harbour— where Halifax now sits—with a convoy of ships carrying some 2,547 people intent on settling there (Wicken 2002). That same year, Halifax, the first British settlement in Acadia outside the fort at Annapolis, was founded. The Mi'kmaq had long considered Chebucto Harbour an



Elsipogtog First Nation Chief Aaron Sock. Image from CTV

important part of their territory and objected to its settlement. They visited the governor there to express their displeasure. In doing so, they were carrying on a tradition of resistance to the ignoring of Indigenous rights to the region. This resistance has continued for centuries, as the British and then the Canadian governments refused to recognize the Treaty relationship and instead imposed unilateral control. In this section are excerpts expressing the Mi'kmaq understanding of their territory and the treaty relationship, as well as the competing British views.

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Excerpt 1. On 18 October 1749, Mi'kmaq elders and chiefs addressed Governor Cornwallis, stating:

The place where you are, where you are building dwellings, where you are now building a fort, where you want, as it were, to enthrone yourself, this land of which you wish to make yourself now absolute master, this land belongs to me. I have come from it as certainly as the grass, it is the place of my birth and of my dwelling, this land belongs to me, the Indian, yes I swear, it is God who has given it to me to be my country forever.... Show me where I the Indian will lodge? You drive me out; where do you want me to take refuge? You have taken almost all this land in all its extent. Nothing remains me except Kchibouktouk. You envy me even this morsel. Your residence at Port Royal does not cause me great anger because you see that I have left you there at peace for a long time, but now you force me to speak out by the great theft you have perpetrated against me (Whitehead 1991).

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**Excerpt 2.** By the nineteenth century, however, the Crown had begun to ignore the treaties and land claims altogether. The Mi'kmaq continued to assert rights based on the treaty relationship, while the Crown denied these claims and acted according to its own different goals. The Mi'kmaq often used petitions to make their views known. In 1853, a petition was penned directly to the Queen, this one by Baptist Missionary Silas Rand on behalf of the Mi'kmaq. As Rand wrote:

We can neither disbelieve nor forget what we have heard from our fathers, that when peace was made between the Micmacs and the British, and the sword and the tomahawk were buried by mutual consent, by the terms of the treaty then entered into which was ratified by all the solemnities of an oath, it was stipulated that we should be left in the quiet and peaceable possession of the far greater portion of this Peninsula. May it please Her Majesty. The terms of that treaty have never been violated by the Indians, but the white man has not fulfilled his engagements (Wicken 2002).

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**Excerpt 3.** This trend of disagreement about land rights continued into the twentieth century.

In 1928, Gabriel Syliboy, the Grand Chief of the Mi'kmaq in Nova Scotia, was arrested and convicted under the Lands and Forests Act for possession of pelts contrary to the law. In short, he was arrested for hunting in violation of provincial law. In his defence, his lawyer argued that Syliboy held hunting rights under the 1752 Treaty. The judge rejected this defence on the grounds that the so-called treaty was not a treaty at all. An excerpt from his judgement shows how Canada refused to acknowledge the treaties and limited treaty rights.

Judge Patterson wrote:

... Two considerations are involved. First, did the Indians of Nova Scotia have status to enter into a treaty? And second, did Governor Hopson have authority to enter into one with them? Both questions must I think be answered in the negative.

... Treaties are unconstrained Acts of independent powers. But the Indians were never regarded as an independent power. A civilized nation first discovering a country of uncivilized people or savages held such country as its own until such time as by treaty it was transferred to some other civilized nation. The savages' rights of sovereignty even of ownership were never recognized. Nova Scotia had passed to Great Britain not by gift or purchase from or even by conquest of the Indians but by treaty with France, which had acquired it by priority of discovery and ancient possession; and the Indians passed with it.

.... Indeed the very fact that certain Indians sought from the Governor the privilege or right to hunt in Nova Scotia as usual shows that they did not claim to be an independent nation owning or possessing their lands. If they were, why go to another nation asking this privilege or right and giving promise of good behaviour that they might obtain it? In my judgment the Treaty of 1752 is not a treaty at all and is not to be treated as such; it is at best a mere agreement made by the Governor and council with a handful of Indians giving them in return for good behaviour food, presents, and the right to hunt and fish as usual—an agreement that, as we have seen, was very shortly after broken.

REX v. SYLIBOY [1928] N.S.J. No. 8 (paragraphs 21–23)

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**Excerpt 4.** Sixty years later, Chief Albert Levi repeated the Mi'kmaq understanding of the treaties expressed since the early 1700s. The following speech was given on Treaty Day, 1987:

Fellow chiefs, invited guests, ladies and gentlemen:

I am filled with pride to be able to speak with you on this important day. Today we celebrate our eastern treaties: they are our deeds to the land of the Micmacs and our Charter of Rights. Non-Indian governments try to explain our treaties away, but they cannot:

- The Treaties say that no land can be held by non-Indians until it is sold by the Indians.

And I say, when was this ground that I am standing on ever sold by the Micmac Nation?

The answer is, “never”.

- The treaties say we have a free right to hunt and fish and father those things of nature that our people need.

When did we ask the provinces to bother our hunters and fishermen with their laws?

The answer is, “never”.

- The treaties say that we are nations; equals with non-Indian governments.

When did we ask other governments to manage our affairs?

The answer is, “never”.

- In 1752 our treaties were law: Indian Law and non-Indian Law.

Now Ottawa and Halifax want to ignore and forget the treaty law. They want to forget that their forefathers got things from our treaties: peace and land and furs.

Now that they are rich governments, they refuse to pay their debts.

Well, on this day, the Indian Nations of the East are calling in all the treaty debts.

Governments, PAY UP!

In the 1760's the few people in the Department of Indian Affairs were only the Crown's Ambassadors to the Indian Nations:

But what do we have today?

- The department thinks that it owns us. It has no respect for our chiefs.
- It treats us like junior servants; it laughs at our nationhood.

But we know, and our treaties say, that this is not the basis of our ties to the crown.

Our governments ARE NOT agents of Indian affairs.

We were governments before there was an Indian affairs, we will still be governments when Indian affairs is gone.

We had our greatest strength when we were one Micmac nation and one confederacy of the Wabanaki.

Micmac, Maliseet, and Penobscot stood against a common enemy: they did not care about non-Indian borders or rules or regulations

They drew strength from unity.

We too, must practice unity and we must practice the old ways of Indian government. We must become real nations again.

By coming here today and answering an invitation made 235 years ago we are moving in that direction.

[As a Micmac chief and proud member of the Micmac nation, I would like to take this time to give \_\_\_\_\_ a complete copy of the treaty of 1725. This copy was beautifully made from the original treaty. I am proud of this treaty because it benefits every Micmac man, woman and child in the east. It is a clear declaration of our rights and I thank our ancestors for leaving it to us.]

Thank You.

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**Excerpt 5.** In 2013, Chief Arren Sock of Elsipogtog read the following in response to fracking on his band's traditional territory.

The "Whereas" statements should be read as if Chief Arren Sock is saying "Since Prime Minister Harper and the Canadian Government have washed their hands with regards to the environmental protection of our lands and waters, and since the provincial government has turned over all lands entrusted to them by the British Crown to a corporation for their own benefit...therefore...."

"Whereas Prime Minister Harper and the Canadian Government have washed their hands with regards to the environmental protection of our lands and waters," read Chief Sock from a prepared statement.

"And whereas the provincial government has turned over all lands entrusted to them by the British Crown to a corporation for their own benefit.

"And whereas our lands have been assaulted by clear-cutting and hardwood spray for the benefit of a few.

"And whereas the Queen, under whose name our lands are entrusted, has shown unequivocally<sup>1</sup> that she will not protect our interests.

"And whereas our present lands are not adequate for our populations.

"And whereas our lands have not yielded the amount capable of supporting our people due to mismanagement.

"And whereas we are capable of managing our lands better than other governments or corporations.

"And whereas we have lost all confidence in governments for the safekeeping of our lands held in trust by the British Crown.

"And whereas a notice of eviction from our Keptin has been totally ignored by the provincial government and Southwestern Energy.

"And whereas we have been compelled to act and save our water, land and animals from ruin.

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<sup>1</sup> Unequivocally = in a way that leaves no doubt

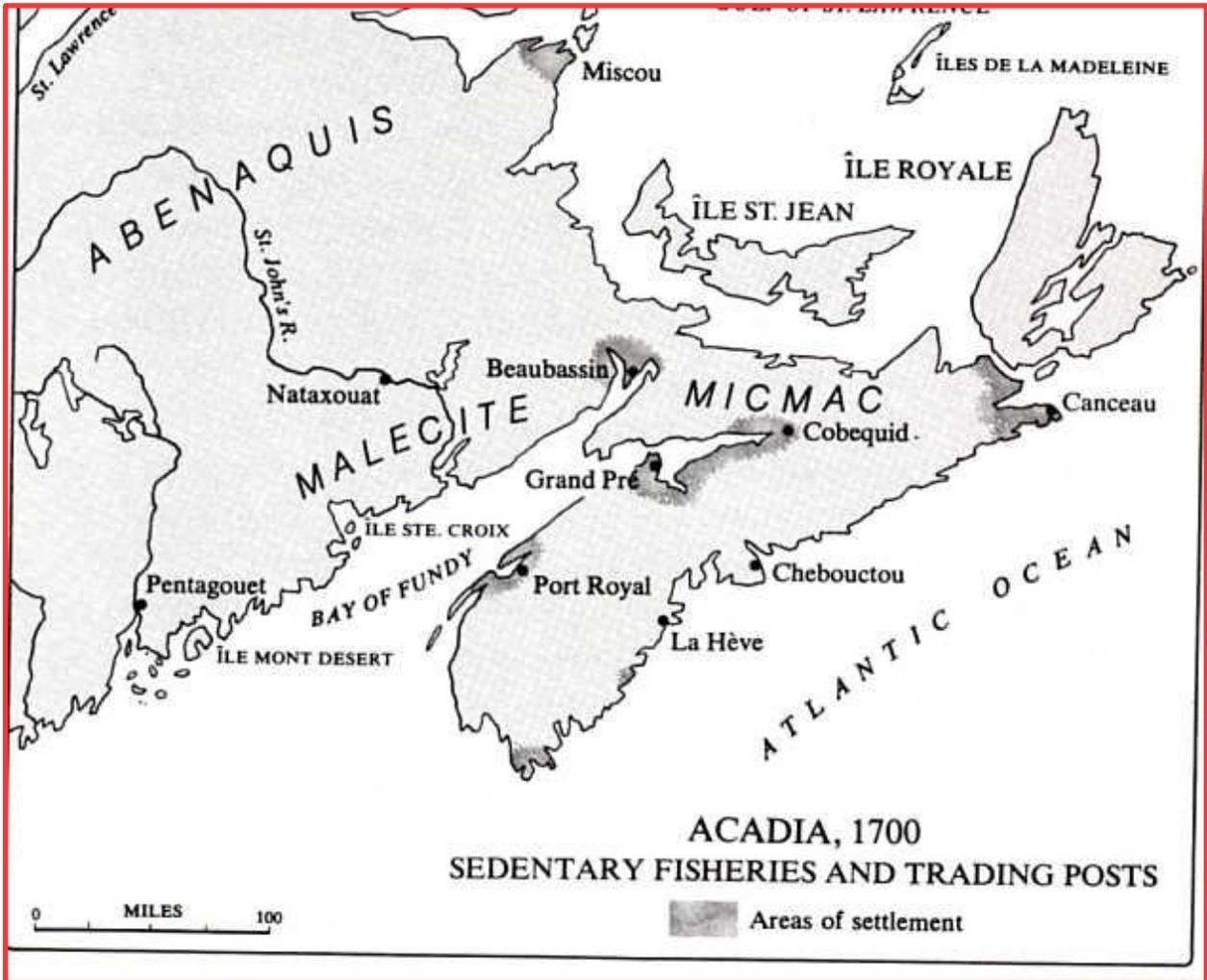
“Therefore, let it be resolved at a duly convened band council meeting, let it be known to all that we as Chief and council of Elsipogtog are reclaiming all unoccupied reserved native lands back and put in the trust of our people.

“Furthermore, we have been instructed by our people that they are ready to go out and stake their claims on unoccupied Crown lands for their own use and benefit.”

— Chief Arren Sock, Elsipogtog First Nation, Southeastern New Brunswick, September 2013



### Acadian Map Handout



# THE CONFEDERATION DEBATES

## EDUCATION TEAM



**Jennifer Thiverge** led *The Confederation Debates'* education committee. She is a PhD candidate in History at the University of Ottawa and has a Masters of Education and a Bachelor of Education in Voice, Drama, and History. Her research interests are interdisciplinary, ranging from using drama to teach about World War One, Dark Heritage and Collective Memory in the Museums, and how gender plays a role in the History of Computer Science. As an active historian and educator, Jennifer has extensive experience in both fields.



**Daniel Heidt**, PhD is *The Confederation Debates'* project manager. His doctoral research on Canadian politics and Ontario federalism during the nineteenth century demonstrated that asymmetrical political influence does not necessary destabilize national unity. He also has a strong background in digital humanities and co-owns Waterloo Innovations - a company dedicated to working with researchers to improve digital workflows.



**Bobby Cole** is an MA student in Canadian and Indigenous Commemorative History at the University of Ottawa. His research focuses on the Historic Sites and Monuments Board of Canada's representation of Indigenous history in the 30 years following the Second World War.



**Robert Hamilton** is a PhD student at the University of Victoria Faculty of Law. His research focuses on Aboriginal law in Canada, with a specific focus on Aboriginal and Treaty rights in Canada's Maritime Provinces. Robert holds a B.A. (Hons) in Philosophy from St. Thomas University, a J.D. from University of New Brunswick Law School, and an LL.M. from Osgoode Hall Law School. He has published in the area of Aboriginal land rights in the Maritime Provinces and has presented his research at numerous academic conferences.



**Elisa Sance** is a PhD student in Canadian-American history at the University of Maine. Her doctoral research focuses on language, citizenship and identity in teacher training in Maine and New Brunswick during the twentieth century. As part of her training, Sance studied the teaching of modern languages, the teaching of children with learning and behavior problems in the regular classroom, and feminist pedagogy. She regularly attends professional development events on related topics and participates in outreach programs benefitting high schools and middle schools in Maine.

Varun Joshi, Sharon Walia and Eleanor Wong composed biographical briefs for several of the historical figures included in this package.

In addition to the quotes identified by volunteer transcribers, Kayla Grabia canvassed the records for many of the quotes found in in the primary document handouts. Beth Graham kindly reviewed the entire lesson plan for typos and various inconsistencies.

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