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'In the Midst of Three Fires, a French one, an American one, and an Indian one': Imperial-Indigenous Negotiations during the War of 1812 in Eastern British America

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'In the Midst of Three Fires, a French one, an American one, and an Indian one': Imperial-Indigenous Negotiations during the War of 1812 in Eastern British America

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Abstract

This essay argues that the War of 1812 in Eastern British America, despite the near-absence of land-based conflict in this region, marked a turning point in an imperial-Indigenous relationship that differed notably from comparable relationships elsewhere in North America because of the relatively late advent of substantial settler colonization. Diplomacy, which led in 1812 to the conclusion of a series of neutrality agreements in the borderland jurisdiction of New Brunswick, contributed to the forestalling of outright military conflict in the region. But diplomacy of this nature at the same time reached the end of its effective life, as the balance tipped towards a settled environment that eroded the effectiveness of the formerly powerful diplomatic tools of Indigenous-imperial negotiation.¹

Introduction

The land war between Great Britain and the United States between 1812 and 1815 was fought primarily in central areas of North America. Further east, the fighting took place largely at sea, while land conflict was confined to the immediate aftermaths of seaborne descents such as those by British forces on Washington and Castine. Accordingly,

conventional understandings of the Indigenous role in the War of 1812 have centred on themes distinctive to the peoples of the upper Laurentian and Great Lakes regions, notably the Haudenosaunee. The competition between Great Britain and the United States for native alliances, the internecine disputes that resulted, the cost in terms of loss of life and economic disruption for those Indigenous nations involved, and the ultimate betrayal of hopes for a guaranteed post-war space: these have been prime concerns of historians. Important as those themes remain, however, they lack explanatory power in the context of another major region, that of Eastern British America. In this more easterly context, the War of 1812 saw little land-based conflict at all. Yet it had profound significance as a turning point in an imperial-Indigenous relationship that differed notably from comparable relationships elsewhere because of the relatively late advent of substantial settler colonization. Here, the War of 1812 marked the fading from historical significance of a relationship that had passed its high-water mark some thirty years previously, and now manifestly yielded its centrality to a configuration of colonial-Indigenous relationships that had an entirely different tenor. Diplomacy, which led in 1812 to the conclusion of a series of neutrality agreements in the borderland jurisdiction of New Brunswick, contributed to the forestalling of outright military conflict in the region. But diplomacy of this nature at the same time reached the end of its effective life, as the balance tipped towards a settled environment within which the earlier diplomatic tools of Indigenous-imperial negotiation were no longer powerful.²

Three fires

At a meeting of the Council of the colony of Cape Breton Island in April 1794, Ingram Ball declared that the colony stood in danger of being placed 'in the midst of three [fires], a French one, an American one, and an Indian one.'³ An army officer during the Revolutionary War and older brother of the naval officer Alexander John Ball, he was well positioned to appraise the consequences for the colony if hostilities with the United States were added to the existing war with France.⁴ In considering the Mi'kmaw population as a serious threat to British control of the island, if combined with French and US action, Ball reflected views that had been expressed on a number of occasions at Council meetings. A year earlier, for example, the Council had recorded its anxiety that the colony was, in effect, defenceless in the face of either 'the sudden Attack of an

Enemy' or 'the unsettled and violent temper of the native Savages.'⁵ Such apprehensions also characterized neighbouring colonies. In early 1794, Nova Scotia's Indian Commissioner, George Henry Monk, reported to Governor John Wentworth that 'the Indians appear more restless and dissatisfied with their situation than I have ever known them to be; some of the more intelligent [i.e. well-informed] among them make circuitous visits to the different Tribes, and give false reasons for such long and unusual Excursions.'⁶ That spring, the governor of New Brunswick, Thomas Carleton, reported to London of the Mi'kmaw and Wəlastəkwiyyik inhabitants within the claimed boundaries of that colony that 'in the present posture of affairs it is certainly requisite to guard against their dissatisfaction, especially as, in case of hostilities here, there would be great danger of their being drawn away to take part with the Enemy, by a Tribe in the eastern parts of the State of Massachusetts, who have long been under the religious and political influence of that Government.'⁷

These concerns reflected two wider realities that would persist into the era of the War of 1812. One was the possibility that the American Revolution had left unfinished business that would have to be resolved ultimately by a second round of warfare. As Alan Taylor has recently argued, the similarities between English-speaking settler populations, despite the ideological divide that had been evident in the Revolution, meant that in Upper Canada – and the same went for Eastern British America – 'Americans remained the majority on both sides of the border.' Thus, for Taylor, 'the Civil War of 1812.'⁸ The implications of the incomplete separation identified by Taylor were compounded in Eastern British America by the imperfections of even the geographical separation. The Treaty of Paris (1783) had left the Massachusetts-Nova Scotia boundary (eventually the Maine-New Brunswick boundary) to be settled by ongoing negotiations. Although efforts to find the "true" St. Croix' – the elusive river the identification of which was central to defining the disputed boundary – were proceeding civilly enough during the 1790s, the potential for instability was plain for all to see and would become even more evident as US-British relations deteriorated after 1800.⁹

The second reality was that settler colonization on a substantial scale in Eastern British America was of recent enough vintage during the years between the Revolution and the outbreak of the War of 1812 that its implications for Indigenous nations and for Indigenous-imperial relations were still in a process of development. The approximately 14,000 Acadian colonists who, prior to the expulsion of 1755–1762, had been settled primarily in clusters around the Bay of Fundy, had left most of the Mi'kmaw, Wəlastəkwiyyik and Passamaquoddy territories intact. Without

suggesting that the environmental consequences of the fur trade, and even of limited colonial settlement, were inconsequential, the geographical footprint of settlement remained slight. The immigration of some 8,000 New England Planters during the early 1760s, and smaller streams of immigration that were likewise facilitated by the modest advancement of the British ability to project imperial power that had been provided by the founding of Halifax in 1749, returned the non-Indigenous population to somewhere close to that which had prevailed before 1755 but did little to expand its territorial reach.¹⁰ In this context, imperial-Indigenous negotiation – conspicuously reflected in treaties concluded between 1725 and 1779 but most significantly in 1760–61 – and a distinctive pattern of cross-cultural ‘friendship’ proved indispensable to the security of the British presence in what remained primarily an Indigenous space.¹¹ A new and demonstrably different phase of settler colonization began during the later years of the Revolution, with the Loyalist migration. In excess of 30,000 Loyalists, free and enslaved, made their way to the region between 1782 and 1784, and their numbers were supplemented by Scots in numbers that soon became comparable, as well as by other migrants. The impact on the physical environment and on the Indigenous economy was immediate and marked. The effects of territorial dispossession and land clearance for agriculture were compounded by pressure on fish and animal populations. Reports of Indigenous displacement, impoverishment, and vulnerability to disease began to multiply. Yet the existing imperial-Indigenous relationship based on friendship and negotiation was not erased. Nor, in the minds and in the discourse of Indigenous leaders who made known their views of colonial settlement to imperial officials, was the relationship even eclipsed. It provided a framework within which the ever-advancing tide of aggrievement and consternation could be expressed and could frequently gain a serious hearing by imperial officials.¹²

Why, however, should these officials have been swayed by the objections voiced on behalf of peoples who ostensibly, as George Henry Monk put it, owed their troubles to their own inability as ‘Savages’ to break free of a life of ‘Idleness and Sport’?¹³ The only reasonable option to remedy this state of affairs, for Monk, was for the imperial state to provide a rigorous agricultural training that ‘some of the sedate Men among them’ would be prepared to accept in return for temporary provision of food and clothing. ‘Such an Establishment,’ Monk assured Governor Wentworth, ‘would be the Business of a few Years only, and much less Expence on the whole, than to furnish them with occasional relief till they become Extinct.’¹⁴ Constructions of savagery, however, were two-sided. Contempt

for a perceived fecklessness was one side; the other was fear. As Taylor has documented for the Canadian realm of operations during the War of 1812, an intense dread of Indigenous tactics became in itself a military factor that in general worked in favour of British forces fighting in concert with native allies.¹⁵ In New Brunswick, the senior British officer Joseph Gubbins observed in 1813 that it had been a justifiable decision on the part of British authorities not to arm Indigenous warriors, because of the risk of reciprocal action: 'such a measure would have certainly been followed by a retaliatory one on the part of the enemy, and the lives and property of the inhabitants of both frontiers would have been placed at the mercy of savages without promoting the general object of the war.'¹⁶ Fear was melded, for imperial officials in Eastern British America, with rational apprehension. When Wentworth reported to London in October 1807 that 'they [Mi'kmaw forces] might prove very mischievous upon the scattering unprotected settlements,' or when Major-General Martin Hunter noted as president of the New Brunswick Council in the following year that 'the Indian Natives of New Brunswick ... would be formidable as Enemies in a Country where the settlements are made fronting on the Rivers, with a wilderness every where close upon the Rear,' such professional opinions represented simple reality in an area of North America where settler colonization had only recently advanced to the point of doing critical damage to the existing environment and the Indigenous economy and where the projection of imperial power remained hesitant and uncertain.¹⁷

The possibility of multiple hostilities also weighed heavily in imperial officials' calculations, especially when combined with their efforts to decipher the meaning of inter-Indigenous alliances and diplomacy. Accordingly, while calculations of French naval and military strengths and occasional false reports – as when Wentworth reported in September 1796 that 'the French have made a descent on Newfoundland. Their future destination is yet uncertain'¹⁸ – were bracketed with speculations as to US intentions, tracing of the movements of Indigenous diplomats became increasingly frequent as British-US tensions mounted. Of the four Maritime colonies, Prince Edward Island was the least affected by such concerns, to the point that the now-retired but long-serving Governor Edmund Fanning commended Island Mi'kmaq in 1806 for their 'orderly, peaceable, and inoffensive Behaviour.'¹⁹ British concerns on Cape Breton Island, however, centred on Mi'kmaw connections both with compatriots in western Newfoundland and with French naval vessels in that area. The island's lieutenant-governor, William Macarmick, commented in September 1794 on the need for 'detering the Indians from attempting to

disturb the quiet of this Government, as they have been taking Measures to increase their Numbers – several families of the Micmacs having lately arrived here from Newfoundland.²⁰ Macarmick's successor David Mathews, some three years later, linked the potential Mi'kmaw threat explicitly with the French: 'the Old Man who was their Leader when the french possessed this Island is still alive and has much influence with the whole Tribe, he has always appeared much attached to the french and has on some occasions recently manifested a Disposition to be troublesome, from which Consideration I cannot help deeming it both prudent and Political to Endeavor to conciliate and keep them quiet during the War.'²¹

The movements of Cape Breton Mi'kmaq were also scrutinized from Nova Scotia, although in a wider and more continental geographical context. In the spring of 1804, Wentworth observed to Cape Breton's military commander that 'some Cape Breton Indians had been in Canada in Conference with those Tribes; on their return they have been spreading seditious ideas among these poor miserable wretches [Nova Scotia Mi'kmaq], who are made to believe that Canada will be invaded by 24,000, french men, within two months, and that these Provinces will be subdued and possessed by the French during the ensuing summer.'²² Wentworth's concern regarding Mi'kmaw embassies to more westerly allies was longstanding. In 1797, in the context of the supposed attempt at insurrection of the French Revolutionary sympathizer David McLane in Lower Canada, the Nova Scotia governor had sent an armed brig to intercept 'many Canoes [which] proceeded as far as the Gulf of St. Lawrence' before being 'interrupted.'²³ For Wentworth, the events of 1797 and those of 1804 were closely comparable, except that he informed the lieutenant-governor of Lower Canada, Sir Robert Shore Milnes, that the activity was greater in 1804 and that 'the Micmac Indians of this Province [Nova Scotia] have been assembled together in small parties, by some other Indians, who are not known here, and supposed to be messengers from Canada, upon some secret business.... The last Stranger Indian stayed only two days and has disappeared, soon afterwards several of ours, have come in painted red. They talk much about the French ... conquering all the English.'²⁴ Although any Mi'kmaw plans to send warriors to Canada apparently came to nothing, some four years later George Henry Monk reported that Nova Scotia and Cape Breton Mi'kmaq were expecting a French and US invasion, and intended to 'remain neuter until they can form an Opinion of the Strength of the Enemy; and then in their own words "to join the strongest party."' In Monk's opinion, Mi'kmaw groups might divide according to locality, with some potentially supporting the

British. Nevertheless, two Mi'kmaw emissaries had recently returned from Canada, where 'there were many Men from the United States, with the Canada Indians, and much talk of War among them.'²⁵

There was also a further geographical dimension to imperial apprehensions regarding Indigenous diplomacy during the years leading up to the War of 1812, which was of concern to Nova Scotia but even more immediately to New Brunswick. Wentworth reported to London in 1804 that Mi'kmaw plans involved sending 2000 warriors to Canada – 'in which case they must be joined by the Marisite [Maliseet] Indians of New Brunswic [sic], and Penobscots who inhabit in the eastern district of Massachusetts, near to Passamaquoddy.' He was sceptical of the numbers and the likely quality of any Indigenous force of this kind, but still wasted no time in sharing the information with Milnes and with the President of the New Brunswick Council, Gabriel George Ludlow, in communications marked 'secret.'²⁶ New Brunswick governors and administrators from Carleton to Hunter had entertained similar disquietudes regarding possible Indigenous action spanning the disputed border, and in 1807 Hunter – at the time commander of the Nova Scotia military district, which included New Brunswick – had both the Nova Scotia and New Brunswick militia alerted in anticipation of a US invasion and warned that the frontiers were unprotected 'not only against any American force but a Tribe of Savages they have in pay ready to act on hostilities commencing.'²⁷ By the following year, colonial inhabitants of St Andrews, according to the record of a meeting held there with unspecified – though including Passamaquoddy – 'delegates of the Indians ... [who] appeared in full Indian dress with a Mohawk interpreter,' were 'greatly alarmed lest the Indian should, in the case of war with the united states, take arms against the English.' Although some reassurance was apparently derived from the statement of the Indigenous representatives 'that they were King George's men and desired to be neutral and to trade with both parties,' the tensions were evident.²⁸ That they persisted, at least in the estimation of a senior officer of the New Brunswick Fencibles, was shown in Lieutenant-Colonel Charles MacCarthy's warning on 3 July 1812 that no effort should be made to redistribute muskets to the most potentially active militia units, 'as nothing could tend so much to create dissatisfaction and alarm among the Inhabitants of the Country as to be under the necessity of taking their arms from those who may not be called out, especially on account of the Indians, who tho' not very numerous, are not at all to be depended upon.'²⁹

Thus, although the statements of governors and other senior imperial officials were frequently bracketed with observations that

Indigenous groups throughout the area covered by the four provinces were in acute distress resulting from colonial encroachment and the resulting environmental degradation, Wentworth's comment that in a context of multiple hostilities 'it is their custom always to join those they think strongest, and that many among our tribes have not quite forget their old french attachments' also reflected a generalized perception that there was a residual threat that might expose limits to the projection of imperial power.³⁰ Moreover, despite undoubted deficiencies in categorizing Indigenous diplomatic networks and alliances, imperial correspondence was suffused with a sense of differential geography based on cultural affinities that paid no regard to recently-imposed provincial boundaries. Together with a knowledge of yet-unsettled terrains that would enable small Indigenous forces to 'infest an army moving through a rough Country, full of fastnesses, forests and waters, unknown but to the Indians and those Men of this Country, whose occupations employ them in the wilderness,' the result was the persistent awareness of an intellectual or imaginative as well as a geographical space that imperial coercion could not reach, and that therefore had to be reckoned as threatening in its unpredictability.³¹

Governor Wentworth had long argued for cooption where coercion could not succeed. As early as during the spring of 1793, in the earliest days of the French Revolutionary War, he had claimed that 'I have at length brought them to understand the nature of this war, and to be interested in His Majesty's Service. It is probable a company of 60 to 100 men might be raised and be of signal use, should an Ennemy attempt to make an impression upon this Province.'³² The alternative, Wentworth argued, in the context of the encroachments of settlement, would be to risk Indigenous 'depredations.. on the dispersed settlers in this and the Neighbouring Province [of New Brunswick].'³³ Receiving no endorsement from Home Secretary Henry Dundas, who feared that the proposed company would be more expensive than it was worth, Wentworth retreated, explaining that the plan 'was intended to operate only in times of invasion; and to prevent their being employed against the province, which undoubtedly would be attempted.'³⁴ The governor never, however, fully abandoned the notion of recruiting among the Mi'kmaq, and as late as in 1807 he advocated having a force ready to supply scouting parties 'when War is declared.'³⁵ Yet in reality, despite Wentworth's claim that such recruitment could be accomplished at minimal expense, financial outlay was not the only significant consideration. Although the Earl of Bathurst, as Secretary of State for War, was willing during the summer of 1812 to countenance the use of Indigenous forces in Nova Scotia in

neighbouring areas if the only alternative was to be left with the likelihood ‘that if not retained as our Friends, they will act against us as Enemies, and that if We decline to employ them, we ensure to ourselves all those Evils from which We are desirous of exempting our Enemies,’ even Bathurst’s justification served only to underline the fear of ‘Excesses’ and retaliation on which Gubbins would remark in 1813.³⁶

A negotiated neutrality, however, offered a further alternative if neither coercion nor cooption could succeed. As the War of 1812 approached, strategic attention in Eastern British America moved towards the disputed boundary between New Brunswick and the District of Maine, still a district of Massachusetts but later to become the State of Maine. It was true, of course, that – as Barry Moody has argued – this proved to be ‘the War to which nobody came.’³⁷ That it was so was no mere accident of history. Many historians have long and thoroughly documented the regional divisions within the US that saw the outbreak of a war which enjoyed little support, and little interest in fighting – on land at least – in New England.³⁸ Imperial officials in Nova Scotia and New Brunswick lost no time in issuing proclamations aimed at forestalling local conflicts. In New Brunswick, the *Royal Gazette* of 29 June 1812 carried news of the US declaration of war, and exactly two weeks later it printed the order of George Stracey Smyth, newly-appointed President of the Council, ordering New Brunswick colonists to avoid any damage to ‘the defenceless [US] Inhabitants upon the Frontiers, so long as they shall abstain on their part from any acts of hostility and molestation towards the Inhabitants of this Province, and of the Province of Nova Scotia.’³⁹ Nevertheless, tranquility could not be taken for granted. On 3 July, a week before the issuance of his proclamation, Smyth spelled out New Brunswick’s defensive strategy. Although its first aspiration was ‘a reciprocal forbearance from Hostilities,’ the response to an invasion from the southwest would be for New Brunswick forces – after making ‘the best resistance’ possible – to fall back to the St. John River where, as Smyth advised militia commanders, ‘you will be supported by an increased population, and be succoured by the whole Military Force of the Country well Appointed with Artillery.’ The overall commander of the forces in British North America, Sir George Prévost – who was also governor-general of British North America, as well as being a recent lieutenant-governor of Nova Scotia – was not optimistic. For Prévost, both Fredericton and Saint John were indefensible, although an effort would have to be made to mount some kind of defence of the river and valley. Indeed, the salience of the river as a defensible barrier was underlined by Smyth’s emphasis on ‘a measure of the utmost importance, which will be,

to destroy, or place out of the reach of the enemy, all Craft on the River St. John, of a burthen greater than a Canoe.⁷⁴⁰

Smyth made no mention in his militia circular of the role, if any, of Indigenous forces. But the observation of his predecessor, Hunter, that they could be ‘formidable as Enemies’ in the particular environment of New Brunswick had been unequivocal. Hunter, promoted to Lieutenant-General, had ceded the President’s duties to Smyth only on 15 June 1812.⁴¹ Hunter, and even more so his wife, Jean Dickson – who had a group of Wəlastəkwiyyik women to whom she referred as ‘my “sisters”’ – had cultivated direct personal ties with Wəlastəkwiyyik neighbours while in Fredericton.⁴² In March 1810, having previously failed to persuade the imperial government to provide for ‘some occasional relief’ for Indigenous communities in New Brunswick, Hunter had succeeded in a more modest request to the New Brunswick Assembly to pay £50 per annum to support a Roman Catholic missionary at the new Wəlastəkwiyyik community of Meductic.⁴³ Hunter’s conciliatory approach was evidently continued during the earliest days of his successor, when the provincial Executive Council recorded on 22 June 1812 that, ‘A meeting of Indians from Penobscott with those of the River Saint John being expected to be held at Meductic in the course of a few days the Council, being thereon consulted by the President, are of opinion that it will be expedient for His Honor ... to make a donation of provisions to these Indians.’⁴⁴ The purpose of the Meductic meeting has gone unrecorded, and details as to whether it took place after the US declaration of war on 19 June 1812 had become known are beyond the historian’s reach. Nevertheless, it may have formed a prelude of sorts for the rapid succession of neutrality agreements that were announced in July and August, for the first of them carried the names of Passamaquoddy and Penobscot representatives, while Mi’kmaw and Wəlastəkwiyyik agreements followed.

On 6 July 1812 a meeting took place in the settler town of St. Andrews, in the Passamaquoddy territory and the New Brunswick county of Charlotte. As the New Brunswick Council acknowledged four days later, leading Charlotte magistrates had met with ‘the Indian Chiefs and other Indians in that Neighbourhood ... for the purpose of securing the neutrality of these Indians during the present war ... and of preventing any injury being done by British Subjects to the Indian Chapel erected at Point Pleasant [Sipayik], within the Territories of the said States.’ The Council’s ratification was accompanied by the names of the Passamaquoddy chief Francis Joseph and of Francis Loran, ‘son of the chief of the Penobscot Tribe,’ while the importance of the agreement on the New Brunswick side was accented by its being published

repeatedly in leading newspapers.⁴⁵ In the District of Maine, word of the agreement was received with predictable caution. As Micah Pawling has shown, however, early apprehensions in Calais and surrounding areas that the agreement would bring the Passamaquoddy too close both to the British and to British-allied Indigenous forces further west were finally laid to rest at a conference in Eastport in early 1813, and Passamaquoddy and Penobscot neutrality prevailed even following the British capture of Castine in the following year.⁴⁶

In the meantime, a further meeting had taken place in Fredericton on 10 July 1812. According to a formal certification by Jonathan Odell, Provincial Secretary, ‘a number of the principal Indians of this District’ – presumably meaning Włastəkwiyyik of the Włastək (St. John) Valley – ‘made, on the Holy Cross, a solemn and public declaration of their firm purpose to take no part whatever in the War between His Majesty and the United States of America.’ Smyth, as President of the Council, Odell added, had accepted the declaration on behalf of the province.⁴⁷ The Mi’kmaw agreements took several more weeks. At a meeting in Saint John on 20 August 1812, representatives from Miramichi, Richibucto, and Tabusintac signed a document phrased as seeking permission from Smyth ‘to remain in a state of Neutrality’ during the war, while undertaking ‘that we and the rest of the said Indians will continue in our fidelity to His majesty the King.’ Smyth’s response on the same date, generalized to embrace ‘the Native Indians of the Micmac Tribe inhabiting different Parts of the County of Northumberland,’ confirmed the understanding, while Smyth also forwarded the document signed by members of the Julien and Ganis families, and others, to Odell to be kept as ‘a pledge ... to observe a strict neutrality.’⁴⁸ Permission or pledge, however, there was no ambiguity about the sense of relief, mingled with self-congratulation, with which Smyth reported to Bathurst some days later that, in addition to the initial agreement at St. Andrews, ‘I have the satisfaction to state that similar agreements have been entered into with the Indians of the River Saint John, Miramichi, and other parts of the Province.’⁴⁹ He was rewarded with a response from the Earl of Liverpool that ‘I am happy to observe ... that your Efforts to secure the Neutrality of the Indian Tribes have been so completely successful and that the Necessity which His Majestys Government, so anxiously deprecated, of engaging them in the Service of Great Britain is not likely to occur.’⁵⁰

Other than by the British capture of Castine and surrounding areas, the neutrality agreements were never tested by hostilities. At Castine, the expedition’s commander and also concurrent governor of Nova Scotia, Sir John Coape Sherbrooke, promptly endorsed the principle of

neutrality in a meeting with a Penobscot 'deputation.'⁵¹ In the meantime, the neutrality agreements had been confirmed not only by a speech made by Chief Francis Joseph Neptune at the Eastport conference but also by a meeting held in October 1812 between Neptune and the Campobello proprietor David Owen, at which Owen – who had longstanding personal ties with the Passamaquoddy – gave renewed assurances that 'Saint Andrews men' would maintain the peace.⁵² In a narrow sense, the neutrality agreements owed their existence to imperial perceptions of vulnerability. As a group headed by Joshua Upham, a member of the New Brunswick Council and Loyalist veteran of the Revolutionary War, had observed in 1807, 'should a War with the American States be found inevitable, we are apprehensive that the Province of New Brunswick, being at present in a defenceless State, and easily approachable on its western frontier, either by land or water, will be one of the first objects of invasion.'⁵³ In the added context of the contested boundary, which had already established relationships between Passamaquoddy chiefs and elders – who had become informants on historical and geographical matters connected with the boundary – and such leading New Brunswick residents as Owen and the St. Andrews merchant Robert Pagan, it was also unremarkable that the Passamaquoddy area would see the making of the first of the agreements.

Yet the neutrality agreements of 1812 must also be interpreted in a wider context. Like other manifestations of imperial-Indigenous negotiation in a geographical context that embraced Eastern British America as a whole – and in many respects extended into Wabanaki groups for whom the US border had limited significance – they were the products of a diplomatic relationship crucially and increasingly influenced by settler colonization. Parallel processes were at work. On the one hand, settler expansion and environmental change had accelerated following Loyalist, Scottish, and other immigrations during the late eighteenth and early nineteenth centuries.⁵⁴ As Stephen Dutcher has pointed out, the inability or unwillingness of colonial authorities to restrain encroachments was sufficient to ensure that the encroachments continued and became more intensive with every wave of increasing settler population.⁵⁵ Also, as Micah Pawling has argued, a 'reconfiguration of homeland' was forced on Indigenous groups who proved well able to continue to shape their own cultural space and to articulate it with a traditional intellectual understanding of physical space, but whose necessary reliance on petitioning settler authorities betokened a diminishing area of autonomy.⁵⁶ In this ongoing transformation of human and physical geography in the interests of colonial settlement, the role of imperial officials was necessarily

constrained. Both in the political sense that governors depended on relationships of mutual serviceability with councillors and also had to coexist with elected assemblies, and in the more general sense that their employability by the imperial government rested on their ability to provide protection to British and British-sponsored settlers, they were beholden to the settlement process at every turn.

Up to and including the War of 1812, however, a parallel pressure was imposed by the process of imperial-Indigenous diplomacy – embodying an explicit value of friendship – that had framed British imperial expansion for the better part of a century. Never an altruistic concept, but rooted in both British and Indigenous versions of reciprocity and interdependence, the relationship had long acted as a further constraint on imperial autonomy.⁵⁷ With projection of imperial coercive power severely limited in a region where centres of British military and naval strength were peripheral to a much more extensive and – until the 1780s – largely unsettled territory, preservation of British commercial and demographic interests had depended on a negotiated understanding with indigenous inhabitants. Settler colonization from the Loyalist era onwards complicated, and increasingly unbalanced, this relationship but did not erase it. While environmental change, the demographic weight of settlement, and socio-economic disruption of indigenous communities lessened the ability of Mi'kmaw, Wəlastəkwiyyik, and Passamaquoddy negotiators to impose courses of action on their imperial counterparts, the near-impossibility of providing imperial protection of scattered settlements, the fear of a perceived savagery, and the threat of multiple hostilities ensured that friendship could not yet be considered dispensable on the imperial side. In time of war, with coercion unfeasible and cooption unacceptable because of the retaliation it might bring, Indigenous neutrality offered an attractive expedient that was embraced quickly and thoroughly in 1812, especially in the sensitive border context of New Brunswick. It was a device that rested uneasily with any notion that Indigenous inhabitants owed allegiance to the Crown, even though neutrality and allegiance were sometimes juxtaposed in the same text, but one that faithfully reflected the historical development of a thoroughly ambiguous relationship.

That relationship had no abrupt ending at any given point. From the Loyalist era until the War of 1812, its balance was changing. After the War of 1812, its vestiges remained in continuing Indigenous efforts to seek redress from the imperial Crown for breaches of British treaty obligations, and for the gifts in time of need that a friend should reliably provide. In legal terms, treaty-based arguments by Indigenous defendants and claimants gathered force following the integration of the

Charter of Rights and Freedoms in the Canadian Constitution of 1982, and reflected an extended narrative of imperial-Indigenous relations that spanned centuries.⁵⁸ But the War of 1812 remained a significant turning point. The very absence of active conflict meant that, from an imperial perspective, neutrality agreements never had an occasion to prove their worth. Following the Treaty of Ghent (1814) and the subsequent defeat of Napoleon and Treaties of Vienna (1815), the fear of multiple hostilities greatly receded. It was true that the Maine-New Brunswick boundary remained unsettled until 1842, and the significance of the Aroostook War of 1839 – often portrayed by historians as *opéra bouffe* – should not be underestimated as an indicator of unresolved tensions and an accelerant of the effort to reach an eventual solution.⁵⁹

Nevertheless, the possibility of large-scale hostilities that could have significant imperial consequences had clearly declined since the end of the War of 1812. In this context, the colonial rather than the imperial state increasingly prevailed, and while petitioning colonial authorities provided a continuing source of Indigenous expression and could prompt actions at times, appeals to the Crown or its direct representatives carried no promise of offsetting continued settler encroachment, the constant diminution of reserves, and the eventual bureaucratization of Indian affairs. Generalization, of course, carries dangers. Thomas Peace has recently warned of the pitfalls of assuming Indigenous homogeneity when, even within Mi'kma'ki alone, significant variations of cultural and socioeconomic experience had been further complicated during the French regime by varying degrees of *métissage*.⁶⁰ Analogously, Mark W. Landry – whose study of Pokemouche provides an anatomy of dispossession in one important Mi'kmaw community, notably during the 1840s – carefully distinguishes between the uniqueness of Pokemouche as a community which encountered settlement relatively late, and the generality of the colonial pressures that eventually prevailed.⁶¹ Analysis of the imperial-indigenous relationship cannot answer all questions regarding the complex texture of the encounter between Indigenous societies and settler colonization in a geographically diverse region where both indigenous and colonial cultures and experiences varied over time and space. The era of the War of 1812, however, marked the erosion of diplomatic and military safeguards that had been available to Indigenous leaders, even though in declining measure since the Loyalist migration, as long as the possibility of multiple hostilities persisted.

In a wider context yet, the patterns of imperial-Indigenous negotiations in Eastern British America during the era preceding the War of 1812 and at the outbreak of the war itself offer a caution against undue

generalization regarding the overall significance of the conflict for empires – British and US – and Indigenous nations. To revisit Taylor’s characterization of the War of 1812 as a civil war, the settlement geography of North America in the era was sufficient in itself to ensure that a renewed conflagration would have complex and diverse consequences. While the area of settler colonization remained largely restricted to an easternmost core, there were folds, angles, and interstices.⁶² The conflict also drew upon a long and complex military history of deployment, cooperation, strategic use of neutrality, and other imperial-Indigenous patterns that increasingly had global as well as North American dimensions.⁶³ The War of 1812 was characterized by no single Indigenous experience and by no single pattern of imperial-colonial-Indigenous relations. Eastern British America was not, of course, paradigmatic. Yet, in the absence of a paradigm, it formed one significant part of a diverse spectrum of relationships that surrounded and in places penetrated the settled areas of the continent. When Ingram Ball voiced his fear of the ‘three fires,’ his apprehensions resonated far beyond the tiny colonial capital of Sydney, Cape Breton Island. Avoidance of having to deal with the three fires was a key to imperial-Indigenous negotiations over a wide area of Eastern British America, up to and including the neutrality agreements of 1812. When the three fires, after the international treaties of 1814–1815, were no longer likely to burn together, the balance of an old relationship was irrevocably altered.

Notes

- 1 The research for this essay was supported by the Social Sciences and Humanities Research Council of Canada. I thank Paul Craven, Micah Pawling and Donald Soctomah for generously sharing their knowledge and expertise, and Emily Burton, Kelly Chaves and Mark Landry for their valuable research assistance.
- 2 The discussion of imperial-Indigenous negotiation in this essay is predicated on distinguishing ‘empire’ from ‘settler colonization’. While settler colonization could be one expression of empire, commercial and strategic considerations were others. By ‘imperial officials’ is meant governors, and such officers as Indian commissioners who reported to them, as well as military commanders. By ‘colonists’ is meant colonial settlers and those who directly represented them. Members of colonial councils stood in between, being rooted in settler colonization but also frequently aspirants to imperial office. The empire studied primarily is the British Empire, although the United States – dealt with only to a limited extent, other than as the opponent of Great Britain in the War of 1812 – would also be considered an empire in this context.
- 3 Cape Breton Island Council Minutes, 30 April 1794, The National Archives (United Kingdom) (UKNA), Colonial Office (CO) 217/110, f. 180.
- 4 R.J. Morgan, ‘Ingram Ball,’ *Dictionary of Canadian Biography Online*, accessed at http://www.biographi.ca/009004-119.01-e.php?id_nbr=2250; Henry Frendo, ‘Sir Alexander John Ball,’ *Oxford Dictionary of National Biography*, accessed

- at <http://www.oxforddnb.com/view/article/1210?docPos=1>.
- 5 Cape Breton Island Council Minutes, 16 April 1793, UKNA, CO217/109, f. 52.
 - 6 George Henry Monk to John Wentworth, 23 January 1794, UKNA, CO217/65, f. 150.
 - 7 Thomas Carleton to Henry Dundas, 14 June 1794, UKNA, CO188/4, f. 184.
 - 8 Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies*, 2nd edition (New York: Vintage Books, 2011), 457.
 - 9 Francis M. Carroll, *A Good and Wise Measure: The Search for the Canadian-American Boundary, 1783–1842* (Toronto: University of Toronto Press, 2001), 3–21; David Demeritt, 'Representing the "True" St. Croix: Knowledge and Power in the Partition of the Northeast,' *William and Mary Quarterly*, 3rd ser., 54:3 (July 1997), 515-48.
 - 10 For population estimates, see Julian Gwyn, *Excessive Expectations: Maritime Commerce and the Economic Development of Nova Scotia, 1740-1870* (Montreal and Kingston: McGill-Queen's University Press, 1998), 25; Barry Moody, "'Delivered from all your distresses": The Fall of Quebec and the Remaking of Nova Scotia', in *Revisiting 1759: The Conquest of Canada in Historical Perspective*, eds. Phillip Buckner and John G. Reid (Toronto: University of Toronto Press, 2012), 227; Stephen A. White, 'The True Number of the Acadians,' in *Du Grand Dérangement à la Déportation: Nouvelles perspectives historiques*, ed. Ronnie-Gilles LeBlanc (Moncton: Chaire d'études acadiennes, Université de Moncton, 2005), 21-56. The argument summarized here is drawn from John G. Reid, 'Pax Britannica or Pax Indigena? Planter Nova Scotia (1760-1782) and Competing Strategies of Pacification', *Canadian Historical Review*, 85:4 (December 2004), 669-92.
 - 11 The evolution and significance of the friendship is discussed in greater detail in John G. Reid, 'Imperial-Aboriginal Friendship in Mi'kma'ki/Wulstukwik,' in *The Loyal Atlantic: Remaking the British Atlantic in the Revolutionary Era*, eds. Jerry Bannister and Liam Riordan (Toronto: University of Toronto Press, 2012), 75-102. This essay also contains, on pp. 92-3, an early outline of the argument advanced in the present paper.
 - 12 For fuller development of the arguments summarized here, see John G. Reid, 'Empire, the Maritime Colonies, and the Supplanting of Mi'kma'ki/Wulstukwik, 1780-1820', *Acadiensis*, 38:2 (Summer/Autumn 2009), 78-97; John G. Reid, 'Scots in Mi'kma'ki, 1760-1820,' *Nashwaak Review*, 22/23:1 (Spring/Summer 2009), 527-57.
 - 13 George Henry Monk to John Wentworth, 23 January 1794, UKNA, CO217/65, f. 150.
 - 14 Ibid, f. 151.
 - 15 Taylor, *The Civil War of 1812*, 203-33.
 - 16 Howard Temperley, ed., *Gubbins' New Brunswick Journals of 1811 and 1813* (Fredericton: Kings Landing Corporation, 1980), 77.
 - 17 John Wentworth to Lord Castlereagh, 26 October 1807, UKNA, CO217/81, f. 245; Martin Hunter to Lord Castlereagh, 25 May 1808, UKNA, CO188/14, f. 27.
 - 18 Letter of John Wentworth, 24 September 1796, UKNA, CO217/37, ff. 70-1.
 - 19 Certification of Edmund Fanning, 14 July 1806, UKNA, CO226/21, f. 196.
 - 20 William Macarmick to Henry Dundas, 16 September 1794, UKNA, CO217/110, f. 229.
 - 21 David Mathews to Duke of Portland, 2 August 1797, UKNA, CO217/113, f. 211.
 - 22 Wentworth to John Despard, 30 May 1804, Nova Scotia Archives and Records Management (NSARM), Wentworth Letter Books, Vol. 53, 507.
 - 23 Wentworth to Robert Hobart, 3 May 1804, UKNA, CO217/79, ff. 15-16.
 - 24 Wentworth to Sir Robert Shore Milnes, 18 April 1804, NSARM, Wentworth Letter Books, Vol. 53, 489.
 - 25 Report of George Henry Monk, 23 April 1808, UKNA, CO217/82, f. 202.
 - 26 Wentworth to Hobart, 3 May 1804, UKNA, CO217/79, f. 15; Wentworth to Gabriel George Ludlow, 17 April 1804, NSARM, Wentworth Letter Books, Vol. 53, 491-2; Wentworth to Milnes, 18 April 1804, Ibid., 489-90.
 - 27 Hunter to [Castlereagh?], [1807], UKNA, CO217/81, ff. 228-31; D.M. Young, 'Sir Martin Hunter,' *Dictionary of Canadian Biography*, http://www.biographi.ca/009004-119.01-e.php?&id_nbr=3454.
 - 28 Statement of 'an Indian named La Coote,' 10 July 1879, New Brunswick Crown Lands Office. I thank Micah Pawling and Donald Sotomah for drawing this document to my attention.
 - 29 Memorandum of Charles MacCarthy, 3 July 1812, UKNA, CO188/18, f. 110.

- 30 Wentworth to John Despard, 30 May 1804, NSARM, Wentworth Letter Books, Vol. 53, 507-8.
- 31 Wentworth to Lord Castlereagh, 26 October 1807, UKNA, CO217/81, f. 245.
- 32 Wentworth to [Dundas?], 3 May 1793, UKNA, CO217/64, f. 172.
- 33 Wentworth to Dundas, 23 July 1793, UKNA, CO217/64, ff. 236-7.
- 34 Dundas to Wentworth, 6 July 1793, UKNA, CO217/64, f. 219; Wentworth to Dundas, 27 August 1793, UKNA, CO217/64, f. 253-4.
- 35 Wentworth to Lord Castlereagh, 26 October 1807, UKNA, CO217/81, f. 245; for a more detailed discussion, see Reid, 'Imperial-Aboriginal Friendship,' 91-2.
- 36 Bathurst to Sir John Sherbrooke, 26 August 1812, UKNA, CO217/89, ff. 214-15; Temperley, ed., *Gubbins' New Brunswick Journals of 1811 and 1813*, 77.
- 37 Barry M. Moody, 'The War to which Nobody Came: Maritime Canada and the non-War of 1812', Paper presented to Conference on 'The War of 1812: Myth and Memory, History and Historiography', University of London, July 2012.
- 38 See, for example, J. Mackay Hitsman, *The Incredible War of 1812: A Military History* (Toronto: UTP, 1965), 48-9. On the war at sea, see Faye M. Kert, *Prize and Prejudice: Privateering and Naval Prize in Atlantic Canada during the War of 1812* (St. John's: International Maritime History Association, 1997), and Joshua M. Smith, *Battle for the Bay: The Naval War of 1812* (Fredericton: Goose Land Editions and The New Brunswick Military Heritage Project, 2011).
- 39 *Royal Gazette and New Brunswick Advertiser* (Saint John), 29 June 1812, 13 July 1812. Smyth's proclamation was dated 10 July 1812.
- 40 Smyth to Lt.-Col. Leonard (circular), 3 July 1812, Provincial Archives of New Brunswick (PANB), Militia Records, 1800-1827, RS 559/A/1a; Prévost to the Earl of Liverpool, 18 May 1812, UKNA, CO42/146, ff. 200-1. See also, for another contemporary judgment on the vulnerability of New Brunswick's southwestern frontier, Joshua Upham et al. to Castlereagh, 14 August 1807, UKNA, CO188/13, f. 298.
- 41 Young, 'Sir Martin Hunter.'
- 42 See Anne Hunter and Elizabeth Bell, eds., 'The Journal of Sir Martin Hunter and Some Letters of his Wife, Lady Hunter', typescript in PANB, 87, 95, 101-2.
- Quotation from 101, dated 24 May 1808. The typescript is apparently a copy taken in 1939 from a published version with the same title (Edinburgh: The Edinburgh Press, 1894).
- 43 Hunter to Castlereagh, 25 May 1808, UKNA, CO188/14, f. 27; Castlereagh to Hunter, UKNA, CO188/15, ff. 9-10; PANB, *Journals of the House of Assembly*, 1, 10 March 1810, Vol. IV, 39-40, 58.
- 44 PANB, Executive Council Minutes, 22 June 1812, Vol. 4, 53.
- 45 Extract from Council Minutes, 10 July 1812, PANB, RS 336 A2a; *Royal Gazette and New Brunswick Advertiser*, 13, 20, 27 July, 10 August; *City Gazette and General Advertiser* (Saint John), 25 July, 8 August.
- 46 Micah A. Pawling, 'Petitions and the Reconfiguration of Homeland: Persistence and Tradition among Wabanaki Peoples in the Nineteenth Century' (Ph.D. dissertation, University of Maine, 2010), 229-31.
- 47 Certification of Jonathan Odell, 17 July 1812, PANB, RS 336 A/2/a.
- 48 Engagement of Andrew Julien et al., 20 August 1812, Harriet Irving Library (University of New Brunswick) Archives and Special Collections, Indian Affairs Documents, MG H54, No. 41; Order of Smyth, 20 August 1812, *Ibid.*, No. 40; T. Wetmore to Odell, 20 August 1812, *Ibid.*, No. 39.
- 49 Smyth to Bathurst, 31 August 1812, UKNA, CO188/18, f. 70.
- 50 [Liverpool] to Hunter [*sic*, for Smyth], 2 October 1812, UKNA, CO188/18, f. 59.
- 51 Sherbrooke to Bathurst, 10 September 1814, UKNA, CO217/93, f. 282.
- 52 Owen to Earl of Liverpool, 27 April 1813, UKNA, CO188/19, f. 81; 'Indian Conference,' 3 October 1812, UKNA, CO188/19, f. 87; Pawling, 'Petitions and the Reconfiguration of Homeland,' 230-1.
- 53 Upham et al. to Castlereagh, 14 August 1807, UKNA, CO188/13, f. 298 (emphasis in original).
- 54 For a broadly-sketched outline of certain patterns of encroachment, see Reid, 'Empire, the Maritime Colonies, and the Supplanting of Mi'kma'ki/Wulstukwuk,' 82-7.
- 55 See Stephen Dutcher, 'Aboriginal Agency and British Colonial Power in Post-Revolutionary Nova Scotia: A Reconsideration', Paper presented at Nineteenth Atlantic Canada Studies Conference, Saint John, NB, May 2012.

- 56 See Pawling, 'Petitions and the Reconfiguration of Homeland,' especially 558-69.
- 57 For more detailed discussion, see Reid, 'Imperial-Aboriginal Friendship'.
- 58 See Reid, 'Empire, the Maritime Colonies, and the Supplanting of Mi'kma'ki/Wulstukwik', 95-7.
- 59 See W.E. (Gary) Campbell, 'More than a Clash of Lumbermen: New Insights into the Causes and Significance of the Aroostook War of 1839', Paper presented at Nineteenth Atlantic Canada Studies Conference, Saint John, NB, May 2012.
- 60 Thomas Peace, 'Mi'kmaw and Acadian Neighbours: Tracing Complex and Variable Relationships in Early Eighteenth Century Mi'kma'ki', Paper presented at Canadian Historical Association Annual Meeting, Waterloo, May 2012.
- 61 Mark W. Landry, 'Pokemouche Mi'kmaq and the Colonial Regimes' (M.A. thesis, Saint Mary's University, 2010), especially 106-15.
- 62 See, for example, D.W. Meinig, *The Shaping of America: A Geographical Perspective on 500 Years of History: Volume I, Atlantic America, 1492-1800* (New Haven: Yale University Press, 1986), Part Three, Chap. 12, especially 365; R. Cole Harris and David Wood, 'Eastern Canada in 1800', in Harris, ed., and Geoffrey Matthews, cartographer/designer, *Historical Atlas of Canada: Volume I, From the Beginning to 1800* (Toronto: University of Toronto Press, 1987), Plate 68.
- 63 See Wayne E. Lee, ed., *Empires and Indigenes: Intercultural Alliance, Imperial Expansion, and Warfare in the Early Modern World* (New York: New York University Press, 2011). On North America, see in particular the chapters by Jenny Hale Pulsipher, Wayne E. Lee, and Geoffrey Plank.

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