

Chapter Six

Establishing Laws, Establishing Relationships

This chapter analyses the rest of the 1726 treaty – namely, the last five clauses of the articles of peace and agreement and the four clauses of the reciprocal promises (see pp. 63–5). Together, these nine clauses amounted to a framework for regulating relations between the Mi'kmaq and the British.

The second clause of the treaty had formalized a political alliance between King George and the Mi'kmaq. The nature of that relationship was outlined in the remaining clauses. Both parties were concerned mainly about their economic and political interests in the region. The British wanted assurances about the security of their garrison, the integrity of their existing settlements and any future ones, and the right of New England traders and fishermen to tap the region's economic resources without fear of Mi'kmaq interference. Mi'kmaq concerns were less extensive. Mainly, they wanted the British to promise not to interfere with their fishing, hunting, and planting grounds. Two issues were especially nettlesome: How were the lands to be inhabited and used by the Mi'kmaq to be defined? And what would the procedures be for establishing new British settlements? The failure to reach an understanding on these two issues would be a source of irritation for the British and the Mi'kmaq in later years.

Articles of Peace and Agreement

[Clause III] That the Indians shall not molest any of His Majesty's Subjects or their Dependants in their Settlements already made or Lawfully to be made

The Mi'kmaq and the British were grappling with the unique historical situation that the Treaty of Utrecht had created. Great Britain had been