

A Brief History of the Madawaska Maliseet First Nation and Reserve

The Maliseet word for the St. John River is Wolastoq and it is from this watershed that the people get their name. Maliseets are known as Wolastoqiyik in their language, which means people of the beautiful river (Wolastoq).

In *A Passamaquoddy-Maliseet Dictionary* “Matawaskiyak” is defined as “at the place where water flows out over grass (possible origin of the place name Madawaska)”. This definition describes the hydrography and geography of the Madawaska river and region more accurately than the over popularized version of “porcupine place”; although it is possible that there is a connection between both meanings.

Madawaska is part of northern Maliseet territory (Wolastokuk) and has been used by the Maliseet since time immemorial as a hunting, fishing and camping site during seasonal subsistence activities. Madawaska had been used as a village site by the Maliseet since at least 1761 according to a map by Joseph Peach and George Sproule,¹ but it is unclear how long before the 1760s it had been a village.

The establishment of the village at Madawaska was most likely influenced by its proximity to Quebec City and possibly played a strategic role during the Seven Years’ War. A petition by Grand Chief Ambrose St. Aubin on behalf of the Maliseet Nation was published in the *Quebec Gazette* on January 24, 1765, shortly after the Royal Proclamation of 1763. It calls for the prohibition of settlers from Quebec from hunting beaver in the region between Lake Temiscouata and Grand Falls, and declares that the region is “Lands belonging to the [Maliseet] Nation”.²

Madawaska remained an important Maliseet village throughout the late 18th century. It seems to have been considerable in size and had become a mission site with a visiting priest from the province of Quebec. Its growth and importance rose in the aftermath of the colonial wars in New England (1675-1763); and was influenced by the granting away of Maliseet lands between Woodstock and the Bay of Fundy to the Saint John River Society in the 1760’s³, and the arrival of British Loyalists from the American Colonies in 1783. Madawaska acted as a haven for Maliseets and other Wabanakis since it was more secluded and lay further north than other Maliseet villages like Meductic and Eqpahak. However, Maliseets continued to travel frequently between these villages.

Madawaska became part of the ‘Disputed Territory’, after unclear terminology in the 1783 Treaty of Paris that ended the American Revolutionary War. It was a region fought over by three jurisdictions and resulted in decades of rampant, illegal lumbering by British and American merchants. The dispute between Massachusetts (later Maine) and New Brunswick was not settled until 1842 and the Quebec-New Brunswick Boundary

¹ George Sproule & Joseph Peach. [1787] LAC, MIKAN 4139943.

² *Quebec Gazette*. January 24, 1765 (page 2).

³ Nicholas, Andrea Bear. “Settler Imperialism and the Dispossession of the Maliseet, 1758-1765.” In *Shaping and Agenda for Atlantic Canada*, Ed. John G. Reid & Donald J. Savoie. Fernwood Publishing: Halifax & Winnipeg, 2011.

would not be settled until 1851. The international boundary hindered Maliseet accessibility to lands in northern Maine, only partly remedied with the passing of the Jay Treaty. In 1852, Maine passed an act that prohibited native peoples living in the British provinces, such as Maliseets, from hunting in Maine.⁴

In 1785, Acadians from the Fredericton area had arrived in Madawaska for the purpose of permanent settlement. They had petitioned the New Brunswick government for land above Grand Falls, since it was claimed by the Quebec Catholic Diocese and situated far from Loyalist settlement. Led by Louis Mercure, these Acadians were given a license of occupation to mark off their own lots and were told they would receive an official grant at a later date. They settled between the Iroquois and Green Rivers. Letters written in 1787 between Lord Dorchester and Thomas Carleton, governors of Quebec and New Brunswick, reveal that there was frequent fighting between Maliseets and Acadians at Madawaska.⁵ The granting away of Maliseet lands on the upper St. John River resulted in further tensions between Maliseets and settlers and set the stage for the events that were to come.

In 1787, George Sproule as Surveyor General of New Brunswick visited the Madawaska area. He was instructed to meet the Surveyor General of Quebec, Samuel Holland, in order to settle the boundary between Quebec and New Brunswick. On the resulting map is a black line outlining the Acadian lots and a red square surrounding the confluence of the Madawaska and St. John Rivers with the notation, "The Indians require the tract of Land inclosed [sic] within the red lines to be reserved for their use. Except Kelly's Lot."⁶

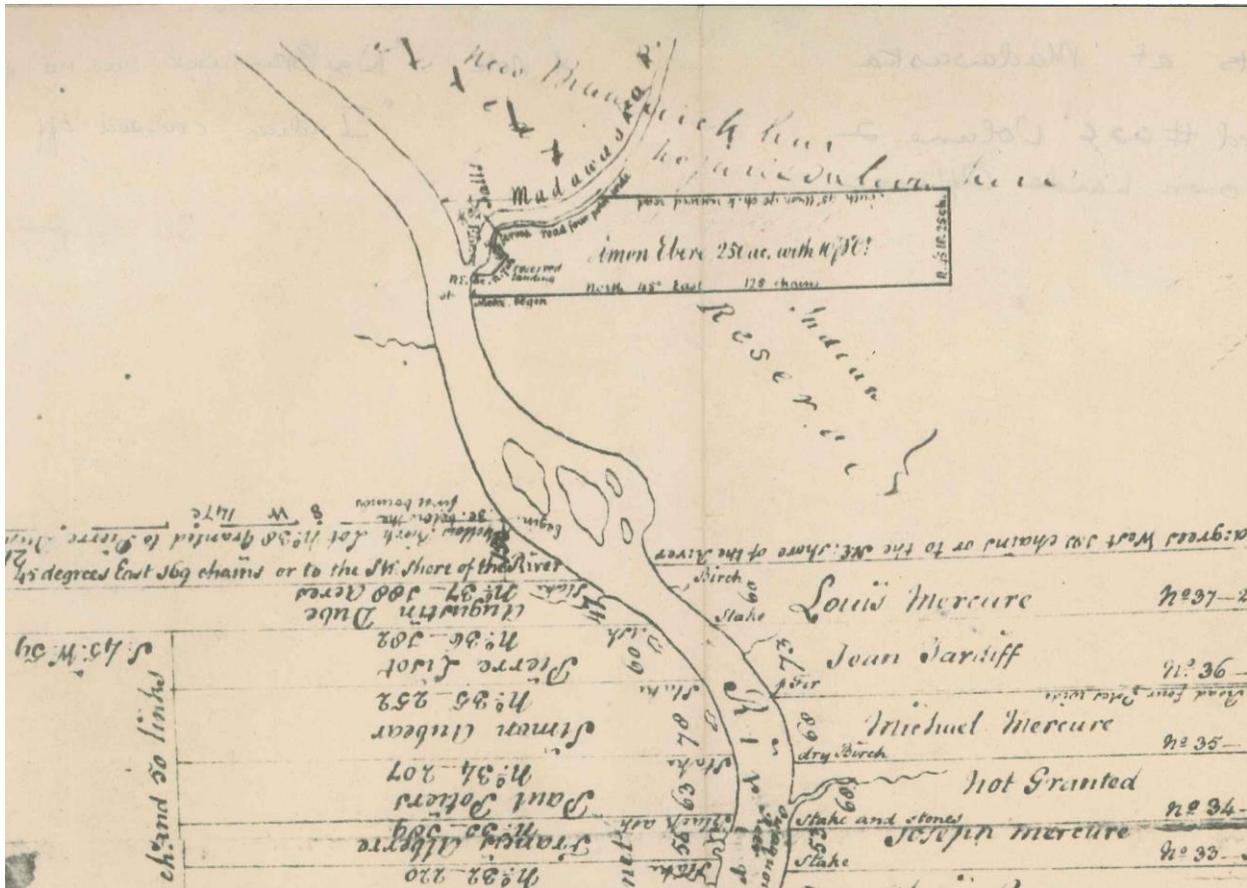


Map 1-1: George Sproule. "A survey from the Great Falls of the River St. John to the head of Lake Tamasquatat with part of the portage leading from that lake to the River St. Lawrence..." [1787] LAC, MIKAN 4125554.

⁴ Bourque, Bruce. 2001 *Twelve Thousand Years: American Indians in Maine*. University of Nebraska Press (2001), p. 223.

⁵ Letters from Lord Dorchester to Thomas Carleton. January–October 1787. PANB, RS 330.

In 1790, New Brunswick issued a grant to the Acadians at Madawaska. On the grant plan drawn by Sproule, the words “Indian Reserve” are written on either side of the Madawaska River, however, the word “Indian” is visibly crossed out and re-written to the east of the river.



Map 1-2: Plan attached to 1790 Grant to “Joseph Mazerolle & 48 Others”. George Sproule [1790] PANB, MC1236.

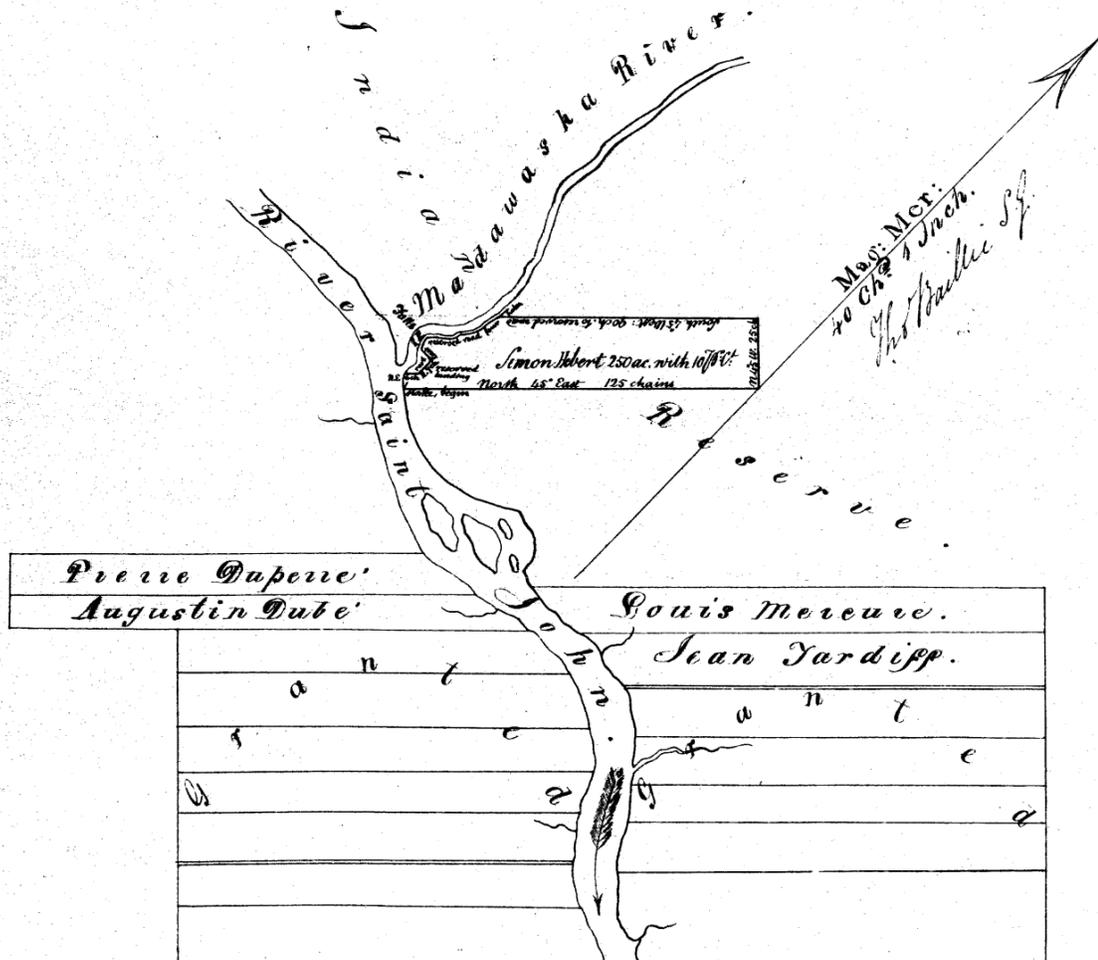
This is one example of the widespread tampering of maps that took place. In 1792, Grand Chief Simon Francois Xavier, Lewis Denis and Noel Bernard wrote a petition to New Brunswick on behalf of the Maliseet Nation requesting a grant for land at Madawaska.⁷ The petition has clear markers describing the land and it is possible that the land described in the petition is the same tract marked out in red for Maliseets on George Sproule’s 1787 survey. This petition was dismissed by the New Brunswick government.

The Maliseet population at Madawaska declined drastically at the turn of the 19th century. This decline can be attributed to the series of events that took place after the arrival of the Acadians leading up to the dismissal of the 1792 petition. Many Maliseets later moved to the Tobique reserve after it was established in 1801. In the early 1800s,

⁷ Petition of Maliseets for land at Madawaska. October 4, 1792. PANB, RS 108.

settlers from Quebec and Maine began arriving in large numbers at Madawaska, which limited Maliseets' accessibility to the St. John River and traditional territory.

On May 25, 1825, Simon Hebert, who was settled at Madawaska since at least 1820, received a grant for 250 acres from the New Brunswick government on the east side of the Madawaska River. The sketch that was attached to his grant shows that Hebert was granted land on the Indian Reserve.



Map 1-3: Plan attached to Simon Hebert's Grant. May 16, 1825. PANB, (Vol. 8) #1808.

Hebert was considered a loyal British subject, who was interested in the economic potential of the Communication Route and the prospect of a sawmill at the Madawaska falls for lumbering. Other settlers also squatted on the Madawaska reserve such as Peter Campbell, Indian Agent John Emmerson, and John Hartt.

In 1841, Moses Perley, New Brunswick's first Commissioner of Indian Affairs had visited Madawaska on his tour of Maliseet and Mi'kmaq villages throughout the province. While at Madawaska he spoke with Louis Bernard "Captain of the Madawaska Settlement",

He [Louis Bernard] told me that he was upwards of fifty years of age; that he was born on the land, and that his father and grandfather were also born, lived, died, and were buried on this spot. That when he was a boy, the Indians had a very considerable Village here, the wigwams standing in regular streets near the water side ; he pointed out to me the former site of their Village, and also the boundaries that were assigned to the Tribe when he was a youth.⁸

Moses Perley's Report was a precursor to New Brunswick's 1844 *Act to Regulate the Management and Disposal of the Indian Reserves in this Province*. The act stipulated that adult males on New Brunswick reserves would be given 50 acres of reserve land, with the remainder being auctioned off to settlers. In 1842, Deputy Surveyor H.M. Garden sketched a map of the Madawaska Reserve showing eight lots.⁹ It is possible that these eight lots were drawn on the map after the passing of the 1844 act.

In 1860, John Hartt, who had squatted on the reserve for the better part of two decades, received a grant for a lot adjacent to the Hebert lot. In May of 1861, Louis Bernard, then 90 years old, traveled to Fredericton to file a complaint to the Lieutenant Governor about the land granted to Hartt and the misdealing that took place on the Madawaska reserve throughout his life,

He cannot bear the sorrowful thought of having to remove from the lands where he has buried his wives and children and grandchildren and his Father and Mother and his Brothers and Sisters and all he holds dear to him but hopes to be allowed to spend the remainder of his life upon the land. That has become so sacred to him on account of all the above stated endearing associations and which the thought of being obliged to lose and remove from would be like a premature Death to him.¹⁰

On March 5, 1874, two islands in the St. John River near the bank of the reserve were sold at public auction to Levite Theriault. Theriault was a wealthy property owner and Member of the House of Assembly for Madawaska County. The Maliseets made a complaint and an investigation was undertaken by local Indian Agent William Fisher about whether the sale was illegal. Fisher stated the following in a letter to the Minister of the Interior,

I do not believe that the Local Government or Mr. Theriault can make it appear, that the said islands have not been in possession of the Indians from time immemorial & that being the case the Indians claim the right if not by grant by possession...¹¹

⁸ Perley, Moses H.. "Reports on Indian Settlements, &c." Journal of the House of Assembly of New Brunswick, 1842.

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¹⁰ Petition of Louis Bernard. May 1, 1861. PANB, RS 965.

¹¹William Fisher to Minister of the Interior. August 8, 1874. LAC, MIKAN 2082506.

The letter included affidavits stating that settlers in the area had always considered the islands to be reserve land and that they had been refused to previous settlers. Today the islands belong to the NB Department of Transportation and Infrastructure.

Historically, Maliseet leaders known as “Captains” and “Head men” always existed at Madawaska however, after the Indian Act was passed in 1876, the Council at Tobique administered the Madawaska reserve. In 1956, Madawaska elected its first Chief and Council. Currently the Madawaska Maliseet First Nation reserve (St. Basile 10) contains roughly 841 acres.