

Lesson 3.4

REACHING PEACE: THE CASCO BAY TREATY

Objective: Students will compare two differing interpretations of the Casco Bay treaty conference and evaluate the accuracy of each.

Materials:

- **Doc 3.4A(a), (b), or (c):** The Submission and Agreement of the Delegates of the Eastern Indians, cut into sections, (same as Doc 3.1C(a), (b) or (c))
- **Doc 3.4B:** Loron Sagouarrab's Explanation of the Treaty of Casco Bay, (same as Doc. 3.1A)
- Chalkboard or Overhead

Timing: Two to three class periods (This lesson will be more effective if taught with the 1726 Casco Bay Treaty Conference lesson (3.3) and if followed up by the Rewrite History: Keep the Peace (3.5), both of which are included in this chapter.)

Background Reading: Chapter Three, Section Four

Procedure:

1. Split the class into pairs or groups. Give each group one section of the Treaty terms to decipher. Have them read their section together, look up any words they don't understand, and rewrite their section in modern English.
2. When students are ready to present their terms, read the introduction to the "Submission and Agreement" (the Treaty of Casco Bay) to the class. You may wish to use the modified version of the introduction, for easier understanding. Muster up as much of a British declamatory voice as you can.
3. Have each group present the modern version of their section of the Treaty to the class. Each group should write their rewritten treaty term on the board or on an overhead transparency. Make sure all facts are correct.

****Note:** Instead of having students translate the treaty terms themselves, you may wish to simply present them with the modified version of the treaty (Doc. 3.1C(c)) to examine as a class.

4. Once students have a good understanding of the terms of the treaty, ask them to evaluate its fairness with questions like the following:

- What do you see as the most important terms of this treaty? Why?
- Are there any terms that would seem unfair to the French? Why?
- What terms might seem unfair to the Wabanaki? Why?
- Would any terms seem unfair to English colonists? Why?

- How might this treaty have differed if the Wabanaki had written it? If the French had written it?
- What does it imply that the treaty is written in English, and not in any other language?
- How would you evaluate this treaty in terms of fairness on a scale of 1 to 10, 10 being the most fair?

5. Pass out Loron Sagouarrab's speech and read it together as a class, or have students bring it home to read for homework.

6. Go through each of the terms that Loron Sagouarrab disputes in his Explanation, and have students identify which term of the treaty it matches up with. Use the list of treaty terms that students put on the board earlier to help students match up Sagouarrab's disputes. You may wish to illustrate this more clearly by using two columns: one for the English treaty terms, and the other for each of Sagouarrab's responses to those terms.

7. Ask the class to discuss whether his speech changes the way they see the treaty and the conference proceedings, with questions like the following:

- What reasons might he have for giving this speech?
- Why does he speak in his own language?
- Someone had to translate his speech into English and write it down. Who might that have been? Could that person have mistranslated him?
- Did the English interpreters at the treaty conference have reason to mistranslate the treaty to Sagouarrab? Why or why not?
- Does this speech change the way you look at the Treaty of Casco Bay?
- Who do you believe, Loron Sagouarrab or the English? Why?

7. Have students write a response to that last question: Who do you believe? Why? Make sure they back up their opinion with examples from the documents.

Evaluation: Collect student responses and grade them based on thoughtfulness and thoroughness of understanding of the Treaty of Casco Bay and Sagouarrab's speech. Students may choose to include their responses in their Unit 1 portfolio.

Follow up activities:

- Have students write a new treaty between the French, the English, and the Wabanaki that they think is fair to all sides involved (see Rewrite History, Lesson 3.5 in this chapter).
- Hold a class debate on bias in writing. Can you always trust what you read?

Alignment with Learning Results:

Grade Level: **9th-dipl.**

Content Area: Social Studies: **APPLICATIONS**

Standard: **Researching and Developing Positions on Current Social Studies Issues**

Students research, develop, present, and defend positions on current social studies issues by developing and modifying research questions, and locating, selecting, evaluating, and synthesizing information from multiple and varied sources.

Descriptor **A1c**: Make judgments about conflicting findings from different sources, incorporating those from sources that are valid and refuting others.

Grade Level: **6th-8th**

Content Area: Social Studies: **HISTORY**

Standard: **Historical Knowledge, Concepts, Themes, and Patterns**

Students understand major eras, majoring enduring themes, and historic influences in the history of Maine, the United States, and various regions of the world.

Descriptor **E1d**: Analyze interpretations of historical events that are based on different perspectives and evidence.

The SUBMISSION and AGREEMENT of the Delegates of the *Eastern Indians*.

[Treaty signed at Casco Bay, 1726]

Whereas the several Tribes of the Eastern Indians Viz. The Penobscot, Norridgewock, St. Johns, Cape Sables, and other Tribes Inhabiting within His Majesties Territories of *New England* and *Nova Scotia*, who have been engaged in the present War, from whom we, Saguaarum alias Loron, Arexis, Francois Xavier, & Meganumbee, are Delegated and fully Impowered to enter into Articles of Pacification with His Majesties Governments of the *Massachusetts-Bay*, *New-Hampshire* and *Nova Scotia*, have contrary to the several Treaties they have Solemnly entred into with the said Governments, made an Open Rupture, and have continued some Years in Acts of Hostility against the Subjects of His Majesty King GEORGE within the said Governments.

They being now sensible of the Miseries and Troubles they have involved themselves in, and being desirous to be restored to His Majesties Grace and Favour, and to Live in Peace with all His Majesties Subjects of the said Three Governments, and the Province of *New York* and Colonies of *Connecticut* and *Rhode Island* and that all former Acts of Injury be forgotten, have Concluded to make, and we do by these Presents in the Name and Behalf of the said Tribes, make Our Submission unto His most Excellent Majesty GEORGE by the Grace of GOD of *Great Britain*, *France*, and *Ireland*, KING Defender of the Faith, &c. in as Full and Ample Manner, as any of our Predecessors have heretofore done.

And we do hereby promise and engage with the Honourable WILLIAM DUMMER Esq; as he is Lieutenant Governour and Commander in Chief of His Majesties Province of the *Massachusetts Bay* and with the Governours or Commanders in Chief of the said Province for the Time being, *That is to say*.

We the said Delegates for and in behalf of the several Tribes abovesaid, Do Promise and Engage, that at all times for Ever, from and after the Date of these Presents, We and They will Cease and Forbear all Acts of Hostility, Injuries and Discords towards all the Subjects of the Crown of *Great Britain*, and not offer the least Hurt, Violence or Molestation to them or any of them in their Persons or Estates, But will hence forward hold and maintain a firm and constant Amity and Friendship with all the English, and will never confederate or combine with any other Nation to their Prejudice.

That all the Captives taken in this present War, shall at or before, the Time of the further Ratification of this Treaty be restored without any Ransom or Payment to be made by them or any of them.

That His Majesty's Subjects the English shall and may peaceably and quietly enter upon, improve and for ever enjoy all and singular their Rights of Land and former Settlements, Properties and Possessions within the Eastern parts of the said Province of the *Massachusetts Bay*, together with all Islands, Isletts, Shoars, Beaches and Fishery within the same, without any Molestation or Claims by us or any other Indians, and be in no ways Molested, Interrupted or Disturbed therein. Saving unto the *Penobscot*, *Norridgewock*, and other Tribes within His Majesties Province aforesaid, and their Natural Decendants respectively, all their Lands, Liberties and Properties not by them

conveyed or Sold to or Possessed by any of the English subjects as aforesaid, as also the Privilege of Fishing, Hunting, and Fowling as formerly.

That all Trade and Commerce which hereafter may be Allowed betwixt the English and Indians, shall be under such Management and Regulation as the Government of the *Massachusetts* Province shall Direct.

If any Controversie or Difference at any time hereafter happen to arise between any of the English and Indians for any real or supposed Wrong or Injury done on either side, no Private Revenge shall be taken for the same but proper Application shall be made to His Majesties Government upon the place for Remedy or Redress thereof in a due course of Justice.

We Submitting Our selves to be Ruled and Governed by His Majesty's Laws, and desiring to have the Benefit of the same.

We also the said Delegates, in Behalf of the Tribes of Indians, inhabiting within the French Territories, who have Assisted us in this War, for whom we are fully Impowered to Act in this present Treaty, DO hereby Promise and Engage, that they and every of them shall henceforth Cease and Forbear all Acts of Hostility, Force, and Violence towards all and every the Subjects of His Majesty the King of Great Britain.

We do further in Behalf of the Tribe of the *Penobscot* Indians, promise and engage, that if any of the other Tribes intended to be Included in this Treaty, shall notwithstanding refuse to Confirm and Ratify this present Treaty entered into on their Behalf and continue or Renew Acts of Hostility against the English, in such case the said *Penobscot* Tribe shall join their Young Men with the English in reducing them to Reason.

In the next place we the aforementioned Delegates Do promise and engage with the Honourable JOHN WENTWORTH Esq; as He is Lieut. Governour and Commander in Chief of His Majesty's Province of *New Hampshire*, and with the Governours and Commander in Chief of the said Province for the time being, that we and the Tribes we are deputed from will henceforth cease and forbear all Acts of Hostility, Injuries & Discords towards all the Subjects of His Majesty King GEORGE within said Province. And we do understand and take it that the said Government of *New Hampshire* is also included and comprehended in all and every the Articles foregoing excepting that respecting the regulating the Trade with us.

And further we the aforementioned Delegates do Promise and Engage with the Honourable LAWRENCE ARMSTRONG Esq; Lieutenant Governour and Commanader in Chief of His Majesty's Province of *Nova Scotia* or *L'Acadie* to live in peace with His Majesty's Good Subjects and their Dependants in that Government according to the Articles agreed on with Major PAUL MASCARENE commissioned for that purpose, and further to be Ratified as mentioned in the said Articles.

That this present Treaty shall be Accepted Ratified and Confirmed in a Publick and Solemn manner by the Chiefs of the several Eastern Tribes of Indians included therein at *Falmouth* in *Casco Bay* some time in the Month of *May* next. *In Testimony* whereof we have Signed these Presents, and Affixed Our Seals. Dated at the Council Chamber in *Boston* in *New England*, this Fifteenth Day of December, Anno Domini, One Thousand Seven Hundred and Twenty-five, Annoque Regni Regis GEORGIJ, Magnae Britanniae, &c. Duodecimo.

Signed



Sauguaarum
alias *Loron* [L.S.]

Signed



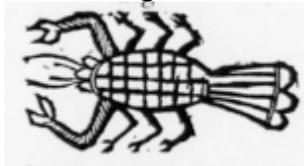
Arexus
[L.S.]

Signed



Francois
alias Xavier [L.S.]

Signed



Maganumbee
[L.S.]

Done in the presence of the Great and General Court of Assembly of the Province of the Massachusetts Bay aforesaid, being first Read distinctly, and Interpreted by Capt. *John Gyles*, Capt. *Samuel Jordan*, and Capt. *Joseph Bane*, Sworn Interpreters.

Attest J. WILLARD, Secr.

From *The Collections of the Maine Historical Society*, Series 1, Vol. III. Portland: Maine Historical Society. ©1853. p. 416-420.

The SUBMISSION and AGREEMENT of the Delegates of the *Eastern Indians*.

[Treaty signed at Casco Bay, 1726]

Abridged

[INTRODUCTION]

Whereas the several Tribes of the Eastern Indians Viz. The Penobscot, Norridgewock, St. Johns, Cape Sables, and other Tribes Inhabiting within His Majesties Territories of *New England* and *Nova Scotia*, who have been engaged in the present War, from whom we, Saguaarum alias Loron, Arexis, Francois Xavier, & Meganumbee, are Delegated and fully Impowered to enter into Articles of Pacification with His Majesties Governments of the *Massachusetts-Bay*, *New-Hampshire* and *Nova Scotia*, have contrary to the several Treaties they have Solemnly entered into with the said Governments, made an Open Rupture, and have continued some Years in Acts of Hostility against the Subjects of His Majesty King GEORGE within the said Governments.

They being now sensible of the Miseries and Troubles they have involved themselves in, and being desirous to be restored to His Majesties Grace and Favour, and to Live in Peace with all His Majesties Subjects of the said Three Governments, and the Province of *New York* and Colonies of *Connecticut* and *Rhode Island* and that all former Acts of Injury be forgotten, have Concluded to make, and we do by these Presents in the Name and Behalf of the said Tribes, make Our Submission unto His most Excellent Majesty GEORGE by the Grace of GOD of *Great Britain*, *France*, and *Ireland*, KING Defender of the Faith, &c. in as Full and Ample Manner, as any of our Predecessors have heretofore done.

And we do hereby promise and engage with the Honourable WILLIAM DUMMER Esq; as he is Lieutenant Governour and Commander in Chief of His Majesties Province of the *Massachusetts Bay* and with the Governours or Commanders in Chief of the said Province for the Time being, *That is to say*.

[TERMS OF THE TREATY]

1. We the said Delegates for and in behalf of the several Tribes abovesaid, Do Promise and Engage, that at all times for Ever, from and after the Date of these Presents, We and They will Cease and Forbear all Acts of Hostility, Injuries and Discords towards all the Subjects of the Crown of *Great Britain*, and not offer the least Hurt, Violence or Molestation to them or any of them in their Persons or Estates, But will hence forward hold and maintain a firm and constant Amity and Friendship with all the English, and will never confederate or combine with any other Nation to their Prejudice.

2. That all the Captives taken in this present War, shall at or before, the Time of the further Ratification of this Treaty be restored without any Ransom or Payment to be made by them or any of them.

3. That His Majesty's Subjects the English shall and may peaceably and quietly enter upon, improve and for ever enjoy all and singular their Rights of Land and former Settlements, Properties and Possessions within the Eastern parts of the said Province of the *Massachusetts Bay*, together with all Islands, Islets, Shoars, Beaches and Fishery within the same, without any Molestation or Claims by us or any other Indians, and be in no ways Molested, Interrupted or Disturbed therein. Saving unto the *Penobscot*, *Norridgewock*, and other Tribes within His Majesties Province aforesaid, and their Natural Decendants respectively, all their Lands, Liberties and Properties not by them conveyed or Sold to or Possessed by any of the English subjects as aforesaid, as also the Privilege of Fishing, Hunting, and Fowling as formerly.

4. That all Trade and Commerce which hereafter may be Allowed betwixt the English and Indians, shall be under such Management and Regulation as the Government of the *Massachusetts* Province shall Direct.

5. If any Controversie or Difference at any time hereafter happen to arise between any of the English and Indians for any real or supposed Wrong or Injury done on either side, no Private Revenge shall be taken for the same but proper Application shall be made to His Majesties Government upon the place for Remedy or Redress thereof in a due course of Justice.

6. We Submitting Our selves to be Ruled and Governed by His Majesty's Laws, and desiring to have the Benefit of the same.

7. We also the said Delegates, in Behalf of the Tribes of Indians, inhabiting within the French Territories, who have Assisted us in this War, for whom we are fully Impowered to Act in this present Treaty, DO hereby Promise and Engage, that they and every of them shall henceforth Cease and Forbear all Acts of Hostility, Force, and Violence towards all and every the Subjects of His Majesty the King of Great Britain.

8. We do further in Behalf of the Tribe of the *Penobscot* Indians, promise and engage, that if any of the other Tribes intended to be Included in this Treaty, shall notwithstanding refuse to Confirm and Ratify this present Treaty entered into on their Behalf and continue or Renew Acts of Hostility against the English, in such case the said *Penobscot* Tribe shall join their Young Men with the English in reducing them to Reason.

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The SUBMISSION and AGREEMENT of the Delegates of the *Eastern Indians*.

[Treaty signed at Casco Bay, 1726]

Text modified for easier reading

[INTRODUCTION]

The several Indian tribes living in New England and Nova Scotia (including the Penobscot, Norridgewock, St. Johns, Cape Sables, and others) have openly broken the treaties they have made with Massachusetts Bay, New Hampshire, and Nova Scotia, and have continued to perform hostile acts against the subjects of His Majesty King George for many years.

Now, aware of the misery and trouble they have caused, they wish to regain the favor of King George, and to live in peace with his subjects. Hoping that all previous hostilities will be forgotten, we, the representatives of these Eastern Indian tribes, make our submission to the king of Great Britain, France, and Ireland.

[TERMS OF THE TREATY]

1. We promise that all the abovementioned tribes will cease all hostile acts toward the king's subjects forever. We will not hurt nor disturb them or their property. We will be friends and allies with all the English and will never conspire against them with any other nation.

2. That we will release all captives from this war without collecting ransom.

3. That the English may return peacefully to their settlements and reclaim their possessions in Eastern Massachusetts [Maine], including all islands, shores, beaches, and fisheries, without being bothered or disturbed by any Indians. All lands and property that have not been sold or possessed by the English will revert to the aforementioned Indian tribes and their descendants, including the privilege of fishing, hunting, and fowling on those lands.

4. That the Province of Massachusetts Bay will manage and regulate all trade between the English and the Indians.

5. If any disputes should arise between the English and Indians for any reason, it will be settled by his majesty's government in a due course of justice. No private revenge will be taken.

6. We will submit to the king's rule and his laws, and wish to benefit from them ourselves.

7. We also promise that the Indians living in the French territories, whom we also represent in this treaty, will cease all hostile acts toward the English.

8. Furthermore, we, the Penobscot Indian tribe, promise to join the English in reducing to reason any tribe included in this treaty who refuses to ratify it or who renews hostilities against the English.

INDIAN EXPLANATION OF THE TREATY OF CASCO BAY [EXCERPT]
Treaty of Peace concluded at Caskebay between the Indians of the Village of
Panaouamsqué and the English, the 4th August, 1727.

I, Panaouamskeyen¹, do inform ye--Ye who are scattered all over the earth take notice--of what has passed between me and the English in negotiating the peace that I have just concluded with them. It is from the bottom of my heart that I inform you; and, as a proof that I tell you nothing but the truth, I wish to speak to you in my own tongue.

My reason for informing you, myself, is the diversity and contrariety of the interpretations I receive of the English writing in which the articles of Peace are drawn up. . . . These writings appear to contain things that are not. . . .

We were two that went to Boston; I, Laurence Sagouarrab, and John Ehennekouit. . .

He began by asking me, what brought me hither? I did not give him for answer--I am come to ask your pardon; nor, I come to acknowledge you as my conqueror; nor, I come to make my submission to you; nor, I come to receive your commands. All the answer I made was, that I was come on his invitation to me to hear the propositions for a settlement that he wished to submit to me.

Wherefore do we kill one another? he again asked me. 'Tis true that, in reply, I said to him--You are right. But I did not say to him, I acknowledge myself the cause of it, nor I condemn myself for having made war on him.

He next said to me, Propose what must be done to make us friends. 'Tis true that thereupon I answered him--It is rather for you to do that. And my reason for giving him that answer is, that having himself spoken to me of an arrangement, I did not doubt but he would make me some advantageous proposals. But I did not tell him that I would submit in every respect to his orders.

Thereupon, he said to me--Let us observe the treaties concluded by our Fathers, and renew the ancient friendship which existed between us. I made him no answer thereunto; much less, I repeat, did I, become his subject, or give him my land, or acknowledge his King as my King. This I never did, and he never proposed it to me. I say, he never said to me--Give thyself and thy land to me, nor acknowledge my King for thy King, as thy ancestors formerly did.

He again said to me--But do you not recognize the King of England as King over all his states? To which I answered--Yes, I recognize him King of all his lands; but, I rejoined, do not hence infer that I acknowledge thy King as my King, and King of my lands. Here lies my distinction--my Indian distinction. God hath willed that I have no King, and that I be master of my lands in common.

He against asked me--Do you not admit that I am at least master of the lands I have purchased? I answered him thereupon, that I admit nothing, and that I knew not what he had reference to.

He again said to me--If, hereafter, any one desire to disturb the negotiation of the peace we are at present engaged about, we will join together to arrest him. I again consented to that. But I did not say to him, and do not understand that he said to me, that

¹Panaouamskeyen: villagers of Panaouamsque

we should go in company to attack such person. . . . I said to him only, and I understand him to say to me, that if any one wished to disturb our negotiation of Peace, we would both endeavor to pacify him by fair words, and to that end would direct all our efforts.

He again said to me--In order that the peace we would negotiate be permanent, should any private quarrel arise hereafter between Indians and Englishmen, they must not take justice into their own hands, nor do any thing, the one to the other. It shall be the business of us Chiefs to decide. I again agreed with him on that article, but I did not understand that he alone should be judge. I understood only that he should judge his people, and that I would judge mine. . . .

These are the principal matters that I wished to communicate to you who are spread all over the earth. What I tell you now is the truth. If, then, any one should produce any writing that makes me speak otherwise, pay no attention to it, for I know not what I am made to say in another language, but I know well what I say in my own. And in testimony that I say things as they are, I have signed the present Minute which I wish to be authentic and to remain for ever.

From *Documents Relative to the Colonial History of New York*, by John Romeyn Brodhead, edited by E.B. O'Callaghan. Vol. IX. Albany: Weed, Parsons, and Company. ©1855. p. 966-967.