

Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878

Secondary Level Learning Resources

This package contains the following documents:

1. *Petition Guide*
Provides background on petitions and describes their role in the development of the board game,
Contested Terrain: Petition Edition
2. *Petition Edition Game Board*
Game board optimized for black and white printing
3. *Playing Instructions*
Explains the rules of the board game
4. *Settlement Sheet*
Worksheet needed to play the board game
5. *Lesson Plan*
Assessment activity for the board game
6. *Petition Spelling*
Spelling worksheet and teacher's answer key.
7. *Petition Writing Instructions*
Rules for petition writing, published in *The Royal Gazette*, 11 March 1817, Fredericton, New Brunswick.
8. *Evaluation Form*
Survey of Learning Resources
9. *Appendix*
Petitions referenced in the Petition Guide and the Lesson Plan:
 - Petition of Francis Lazes, 7 August 1792
 - Petition of Gervas Say, 27 August 1792, Queen's County
 - Petition of Noel Mercure, 14 January 1814, Northumberland County
 - Petition of Thomas Ryan, 8 June 1824, York County
 - Petition of Jacob Silliker, 4 October 1841, Northumberland County
 - Petition of William Parks, 4 November 1841, Northumberland County
 - Petition of Pierre Basquet, 18 November 1841, Mission Point

Contested Terrain: Petition Edition

Petition Guide

By playing *Contested Terrain: Petition Edition*, students will become familiar with the types of settlement tasks that were involved with the land petition process. Students might be surprised to learn that both Aboriginal and white settlers petitioned for land. John Julian, the Chief of the Mi'kmaq at Miramichi, filed the first Aboriginal land petition with the New Brunswick government in 1786. Although tension existed between these two groups, there were also examples of cooperation. In the early years, Aboriginal and white settlers shared resources, and this spirit of cooperation is reflected in the game. In fact, this board game has been based upon the wide range of experiences described in the petitions filed by both Aboriginal and white settlers. Teachers and students are encouraged to explore this collection of digitized petitions to discover New Brunswick's rich heritage.

The Role of Resources

Land settlement is the object of the *Contested Terrain: Petition Edition* game. Settlers were expected to complete settlement tasks before they could petition for land. To complete these tasks required access to certain resources. The main resources included Labour, Tools, Wood, Cattle, and Crops. With these resources, settlers could build a house, clear the land, and plant the land. In completing these tasks, settlers were following a set of rules known as the Royal Instructions. In theory, settlers were expected to clear paths along their property, providing the foundation for a road system that would connect not only neighbours but communities. Road building was never enforced and a proper road system was slow to develop in New Brunswick.

The last resource, Write/Scribe, relates to literacy. Petitions had to be written, and if a settler could not write, then someone else performed that task. In many cases, the clerk at the Crown Land Office wrote petitions for both Aboriginal and white settlers. There are two possible ways to determine if a clerk wrote a petition. Clerks usually had neat handwriting as it was their job to write official government documents. People who could not write made an "X" by their name. The clerk wrote "his mark" by the "X." People who could write often acted as scribe for their neighbours. For many years, **William Parks** wrote petitions for his Aboriginal neighbours.

Petitions

The government published petition writing instructions in the provincial newspaper, *The Royal Gazette*. Even though petitions followed this format, they still provide interesting glimpses into the settlement experience. The following petitions reveal different land settlement issues or obstacles. Many other settlement stories can be found in this collection of petitions.

- **Francis Lazes**, an Aboriginal, asked the government in 1792 for land and tools.
- **Newell Mercure** was not satisfied with his land because there was no natural grass to enable him to keep a horse and a cow. He petitioned in 1824 asking for a grant of meadow land.
- **Thomas Ryan** had settled on the north side of the Richibucto River, clearing a considerable portion of land. Unfortunately he had settled on Aboriginal land and could not obtain a grant, so he petitioned in 1824 for a new tract of land on the south side of the same river.

Curricular Connections

The game can be used to foster discussion on the wider issues of land rights and human rights. The game satisfies three Social Studies Strands: Time, Continuity, and Change; Culture and Diversity; and People, Place, and Environment.

Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878

Secondary Level Learning Resources

Available online at <http://atlanticportal.hil.unb.ca/acva/contestedterrain/learn>

Choose
Resource



Trade
or
Roll Again

Delete
Row

Land
Office



Obstacle

Trade
or
Roll Again



Resource
2 Rolls

Complete
Row



Trade
or
Roll Again

Obstacle

Resource

Contested Terrain: Petition Edition

Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878

Contested Terrain: Petition Edition

Playing Instructions

Objective: Land settlement

Materials Needed: Game Board, Game pieces, Pencils, Copies of the Settlement Sheet, 1 die

Playing Time: 30 minutes

The game is designed for 3-6 players. Roll the die to determine order of play. High roll plays first. Start on “Land Office.” This is also a free space. On each turn, players roll the die to move around the board.

Players collect resources to complete land settlement tasks. They must build a house, clear the land, plant the land, and begin road building before filing a Land Petition. Players record resources, extra resources, points, and obstacle losses on the Settlement Sheet.

Resources (Points earned by completing settlement tasks)

There are 6 resources required for land settlement: *Labour, Tools, Wood, Cattle, Crops, and Write/Scribe*. For example: to build a house, requires *Labour, Tools, and Wood*.

Players acquire resources by landing on picture spaces or by rolling the die. At “Resource,” players roll once. At “Resource 2 Rolls,” players roll twice. At “Choose Resource,” players select the resource of their choice.

Players roll for *Labour, Tools, or Cattle*, the resources most in demand for settlement. Check the Settlement Sheet for roll values and corresponding resources.

Trade or Roll Again (Value: 1 point for Successful Trade)

Players will accumulate more resources than they can use. At “Trade or Roll Again,” an Extra Resource can be traded with another player for one they need. For example: players might trade extra *Crops* for *Wood*. Trades can be refused. Only one Trade can be made per turn. A successful Trade is worth 1 point for both players. If players have no Extra Resources to trade, they can Roll Again to move around the board.

Extra Resource Points (Value: 1 point by Trading in Extra Resources)

Once players accumulate 5 Extra Resources, they can Trade in these Extras for 1 point. This trade can only be made at “Trade or Roll Again.”

Obstacle (Value: lose points or resources – Players’ choice)

Players can choose either to lose points or a resource at “Obstacle.” Resources can only be deleted from incomplete rows. Players cannot lose resources from a completed settlement task. Check the Obstacle chart on the Settlement Sheet.

Complete Row or Delete Row

On “Complete Row,” players complete any settlement task. For example: players might complete planting crops, the task requiring the greatest number of resources. On “Delete Row,” players lose all the resources collected for one task. For example: players might delete road building, the task with the fewest resources.

Winning the Game

The first player to file a Land Petition and earn 10 points has successfully settled the land.

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Contested Terrain: Petition Edition

Lesson Plan: The Right to Write

Level	Secondary
Objective	To introduce students to the land petitioning process. Students will write a land petition using the governmental instructions.
Materials	Petition of William Parks (1841) Petition writing Instructions, published in <i>The Royal Gazette</i> in 1817
Background	<p>In order to acquire land, application had to be made by filing a land petition. A person did not have to be literate to submit a land petition, and either the clerk at the Land Office or a literate member of the community wrote the petition.</p> <p>William Parks, an Irish immigrant, settled on Aboriginal land. In exchange for free rent of that land, Mr. Parks provided many services for his Aboriginal neighbours. He performed land surveys, supplied them with utensils, and wrote land petitions for them. Read William Parks' land petition for more details.</p> <p>Land petitions followed a proper format as dictated by the New Brunswick government and the Provincial Secretary's Office. These instructions were published in the provincial newspaper, <i>The Royal Gazette</i>, in 1817.</p>
Method	Review the land petition format, using the printed instructions or by reading a few land petitions from this collection. Have students write a land petition, following the proper format. In their petitions, they will have completed the settlement tasks covered in the board game, <i>Contested Terrain: Petition Edition</i> . They can describe the type of house they have built, or even whether they have built a barn. Students might also note how many acres they have cleared and what kinds of crops they have planted. Have students choose either to write their own petition, or to act as a scribe for a neighbour petitioning for land.
Assessment	Have students identify petitions which have been written by the applicant or by a scribe. The petitioner who cannot write signed his or her name with an "X."
Evaluation	Discuss the differences between oral and print cultures.

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Secondary Level Learning Resources

Available online at <http://atlanticportal.hil.unb.ca/acva/contestedterrain/learn>

Petition Spelling

Name _____

Date _____

Instructions

Find the following misspelled words in the petitions. Identify the words and correct the spelling.

<i>Petition</i>	<i>Word</i>	<i>Correct Spelling</i>
1. Newell Mercure	Anctious	_____
2. John Julian	elegal	_____
3. Lewis Joseph	schoner	_____
4. Louis Joseph	Milacete	_____
5. Noil Bernard	Madawoiska	_____
6. Noil Bernard	Eist	_____
7. William Morison	Cheef	_____
8. Isaac Blair	Searved	_____
9. John Morison	privalige	_____
10. Simon Francis Xavier	on choir	_____
11. Simon Francis Xavier	fewter	_____
12. Simon Francis Xavier	trac	_____
13. Elizabeth Mackay	Ars	_____
14. Elizabeth Mackay	Bildens	_____
15. Elizabeth Mackay	Eath	_____

Petition Spelling: Teacher's Guide

Instructions

Find the following misspelled words in the petitions. Identify the words and correct the spelling. This activity can be used to explore phonetic spelling, the lack of standardized spelling in the 18th and 19th centuries, and it can provide a key to accents. Some of the “misspelled” words reflect the manner in which petitioners “sounded out” the words. It is important to note that without standardized spelling, the same word could be spelled different ways in a single petition. In John Morison’s petition, number 9 on this sheet, “privilege” was spelled two different ways. Other spelling “mistakes” reflect what the scribe *heard* the petitioner dictate.

Challenge students to find more misspelled words in these and other petitions in this collection. Ask them to identify reasons why the words were spelled that way.

<i>Petition</i>	<i>Word</i>	<i>Correct Spelling</i>
1. Newell Mercure	Anctious	<u>anxious</u>
2. John Julian	elegal	<u>illegal</u>
3. Lewis Joseph	schoner	<u>schooner</u>
4. Louis Joseph	Milacete	<u>Maliseet</u>
5. Noil Bernard	Madawoiska	<u>Madawaska</u>
6. Noil Bernard	Eist	<u>East</u>
7. William Morison	Cheef	<u>Chief</u>
8. Isaac Blair	Searved	<u>Served</u>
9. John Morison	privalige	<u>privilege</u>
10. Simon Francis Xavier	on choir	<u>inquire</u>
11. Simon Francis Xavier	fewter	<u>future</u>
12. Simon Francis Xavier	trac	<u>tract</u>
13. Elizabeth Mackay	Ars	<u>Heirs</u>
14. Elizabeth Mackay	Bildens	<u>Buildings</u>
15. Elizabeth Mackay	Eath	<u>Eighth</u>

Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878

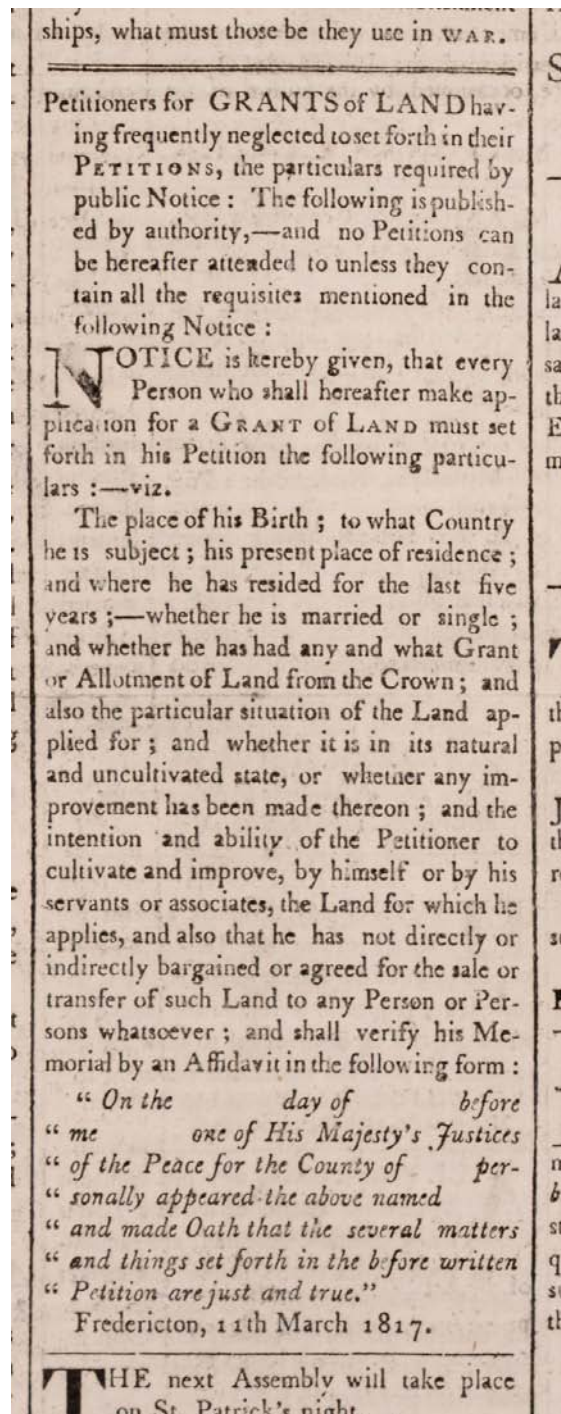
Secondary Level Learning Resources

Available online at <http://atlanticportal.hil.unb.ca/acva/contestedterrain/learn>

Contested Terrain: Petition Edition

Petition Writing Instructions

The following instructions for petition writers were published in *The Royal Gazette*, 11 March 1817, Fredericton, New Brunswick.



Petitioners for GRANTS of LAND having frequently neglected to set forth in their PETITIONS, the particulars required by public Notice : The following is published by authority,—and no Petitions can be hereafter attended to unless they contain all the requisites mentioned in the following Notice :

Notice is hereby given, that every Person who shall hereafter make application for a GRANT OF LAND must set forth in his Petition the following particulars :— viz.

The place of his Birth ; to what Country he is subject ; his present place of residence ; and where he has resided for the last five years ;—whether he is married or single ; and whether he has had any and what Grant or Allotment of Land from the Crown ; and also the particular situation of the Land applied for ; and whether it is in its natural and uncultivated state, or whether any improvement has been made thereon ; and the intention and ability of the Petitioner to cultivate and improve, by himself or by his servants and associates, the Land for which he applies, and also that he has not directly or indirectly bargained or agreed for the sale or transfer of such Land to any Person or Persons whatsoever ; and shall verify his Memorial by an Affidavit in the following form :

“On the _____ day of _____ before me _____ one of His Majesty’s Justices of the Peace for the County of _____ personally appeared the above named _____ and made Oath that the several matters and things set forth in the before written Petition are just and true.”

Fredericton, 11th March 1817.

Contested Terrain: Petition Edition

Evaluation Form

We welcome your feedback. Please send completed evaluation forms to:

Koral Lavorgna

Instructional Designer, *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1870*

c/o Electronic Text Centre, UNB Libraries

University of New Brunswick

P.O. Box 7500

Fredericton NB E3B 5H5

Scoring Rubric	
5	Strongly Agree
4	Agree
3	Neutral
2	Disagree
1	Strongly Disagree

An online version of this form is available at <http://surveys.poll daddy.com/s/911FB266E277EBD6/>

1. Do you consider the *Contested Terrain: Petition Edition* board game a useful instructional tool?

5 4 3 2 1

2. Were the associated lesson plans and activities clear and useful?

5 4 3 2 1

3. Were students engaged by the board game?

5 4 3 2 1

4. Would you play the board game again?

5 4 3 2 1

5. Would you recommend this board game to another teacher?

5 4 3 2 1

Comments:

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Petition of Francis Lazes, 7 August 1792

Excerpt from "Petition of Francis Lazes, 7 August 1792," *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878*, Atlantic Canada Virtual Archives. Digital facsimile created from "Petition of Francis Lazes, 7 August 1792," Provincial Archives of New Brunswick, RS108, reel F1038, Fredericton, New Brunswick.

A complete transcription of this document is available online at
http://atlanticportal.hil.unb.ca/acva/contestedterrain/petitions/view/lazes_francis_1792_01

To his Excellency Thomas Carleton Esq^r
Lieu^t Governor and Commander in Chief in
and over the Province of New Brunswick
Chancellor and Vice Admiral of the same &c

The Memorial of Francis Lazes an Indian being
Desirous for some Land to work on and find by information
that there is no owner in this Province for Lott N^o 63 of
Block Granted to the late New York Volunteers the owners
name being unknow to Your Memorialist, may be easily
found in the Register of the Grant. Your Memorialist
Humbly Prays your Excellency to take it into your
wise consideration and Grant him said Lott when escheated
and if there be any Tools allowed from Government to the
Indians that will work Your Memorialist Humbly Prays
Your Excellency to allow him such a Proportion as Your
Excellency may think Proper for mySelf and Family

and as in Duty bound shall ever pray

Francis Lazes
August 7th 1792

[...]

Petition of Gervas Say, 27 August 1792, Queen's County

Excerpt from "Petition of Gervas Say, 27 August 1792, Queen's County," *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878*, Atlantic Canada Virtual Archives. Digital facsimile created from "Gervas Say, 27 August 1792, Queen's County," Provincial Archives of New Brunswick, RS108, reel F1038, Fredericton, New Brunswick.

A complete transcription of this document is available online at
http://atlanticportal.hil.unb.ca/acva/contestedterrain/petitions/view/say_gervas_1792_01

The Memmorial of Gervas Say in behalf of A few familes
of Indians, humbly Sheweth

[...]

If Your Excellency in Council Would be Pleased to
take this Matter into Consideration, and Suffer me to Look
out Lands on the Grand Lake; unoccupied by any of his
Majesties Subjects at Present, and can consistanly give
Some Small Donations to the Indians, as Corn, Some
cloathing, axes, and hoes, with Amunition to kill their own
Meat, as their Poverty is Such that it is imposable for
them to go forward without help, Giveing them a proper
title to these lands, Under Such A Restriction that they
Shall not Convey these Lands to any Without Previous
Notice to Governor and Counsel I on my Part am Ready
to go out with them and with my advise and assistance will
Engage to do all I Can to bring things to A favourable
Issue[.]

Petition of Noel Mercure, 14 January 1814, Northumberland County

Excerpt from "Petition of Noel Mercure, 14 January 1814, Northumberland County," *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878*, Atlantic Canada Virtual Archives. Digital facsimile created from "Petition of Noel Mercure, 14 January 1814, Northumberland County," Provincial Archives of New Brunswick, RS108, reel F1038, Fredericton, New Brunswick.

A complete transcription of this document is available online at
http://atlanticportal.hil.unb.ca/acva/contestedterrain/petitions/view/mercure_noel_1814_01

To His Honor Sir Thomas Seamuraz President & Commander
in Chief of the Province of New Brunswick &c &c &c

The Memorial of Newel Mercure

most Humbly Sheweth

That he is a native of this Province has a family has
never had any Lands Granted him Except a Reserve given
in Common with the other natives at Sedbuctoosh River
in the County of Northumberland – But as there is no
natureal Grass on Said Reserve to Enable your memorialist
to keep a house & Cow He is Extreemly Anctious to take up
and Improve for that Purpose a Certain Piece of
Wild medow laying on South Side of Said River about
four or four & half miles from the Bank and adjoin-
ing the Line of the Indian Tract Containing about
fifty Acres which is now vacant
Which your Mem-
oralist most humbly Prays your honor may be
Pleased to Grant Him -

and he as in Duty Bound
Shall ever Pray -

Newel^{his} X_{mark} Mercure
Richibucto 14th Jany 1814

[...]

Petition of Thomas Ryan, 8 June 1824, York County

Excerpt from "Petition of Thomas Ryan, 8 June 1824, York County," *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878*, Atlantic Canada Virtual Archives. Digital facsimile created from "Petition of Thomas Ryan, 8 June 1824, York County," Provincial Archives of New Brunswick, RS108, reel F1038, Fredericton, New Brunswick.

A complete transcription of this document is available online at
http://atlanticportal.hil.unb.ca/acva/contestedterrain/petitions/view/ryan_thomas_1824_01

[...]

The Petition of Thomas Ryan
a Single man, native of Ireland

about 30 years of age, and a resident in this Province
for these last 9 years

[...]

Your Petitioner begs leave to state that he
applied for, and obtained an allotment on
the North side of said River, on which
allotment he made considerable improvements
That he came to the Secretarys Office to pay
the Fees and obtain a Grant for said allotment;
but was there informed that it was Reserved for
the Indians. Your Petitioner has in conse-
quence sustained a considerable loss, and
humbly prays Your honor will take his
case into consideration and grant him
two hundred acres

And as in duty bound will ever pray

Thomas ^{his} X _{mark} Ryan

[...]

Petition of Jacob Silliker, 4 October 1841, Northumberland County

Excerpt from "Petition of Jacob Silliker, 4 October 1841, Northumberland County," *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878*, Atlantic Canada Virtual Archives. Digital facsimile created from "Petition of Jacob Silliker, 4 October 1841, Northumberland County," Provincial Archives of New Brunswick, RS108, reel F1038, Fredericton, New Brunswick.

A complete transcription of this document is available online at
http://atlanticportal.hil.unb.ca/acva/contestedterrain/petitions/view/silliker_jacob_1841_01

[...]

The Petition of Jacob Silliker of Little South
West in the County of Northumberland Farmer

Most Humbly Sheweth

[...]

That when Your Petitioner went into possession the
land was in a Wilderness State, no improvements having been
made thereon, and has since cleared about two acres, and has
made preparations to build a House, and has got a part of
the materials there to erect the same[.]

[...]

Petition of William Parks, 4 November 1841, Northumberland County

Excerpt from "Petition of William Parks, 4 November 1841, Northumberland County," *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878*, Atlantic Canada Virtual Archives. Digital facsimile created from "Petition of William Parks, 4 November 1841, Northumberland County," Provincial Archives of New Brunswick, RS108, reel F1038, Fredericton, New Brunswick.

A complete transcription of this document is available online at
http://atlanticportal.hil.unb.ca/acva/contestedterrain/petitions/view/parks_william_1841_01

[...]

To His Excellency Colonel
Sir William McBean George Colebrooke –
Lieutenant Governor and commander in chief
of the province of New Brunswick K. H. &c &c

The humble petition of William
-Parks a native of Ireland a Bona Fide british
subject sheweth that for services rendered these
last twelve years to Julian family in surveys
writing, cash, &c to the amount of forty pounds

[...]

Sir Barnaby, and Benard Julian
two years since gave me a piece of land
situate in the Little South west on the
South side about three fourths of a mile
above what is commonly called the Indian
gardens for services rendered these last twelve
years in surveys, writing, cash, and culinary
utensils to the amount of forty pounds.
I have no lease of the place but got it
on condition to write for the Julian family
whatever they may require at any time
as also to keep their Accounts. The Indian chiefs
are willing that I should retain it.

[...]

Petition of Pierre Basquet, 18 November 1841, Mission Point

Excerpt from "Petition of Pierre Basquet, 18 November 1841, Mission Point," *Contested Terrain: Aboriginal Land Petitions in New Brunswick, 1786-1878*, Atlantic Canada Virtual Archives. Digital facsimile created from "Petition of Pierre Basquet, 18 November 1841, Mission Point," Provincial Archives of New Brunswick, RS108, reel F1038, Fredericton, New Brunswick.

A complete transcription of this document is available online at
http://atlanticportal.hil.unb.ca/acva/contestedterrain/petitions/view/basquet_pierre_1841_01

[...]

To His Excellency, the Lieutenant Governor of New –
-Brunswick, the petition of Pierre Basquet, Milicete Indian, humbly
and respectfully sheweth.

That about five years back, your Petitioner applied to Mr Barbaril, Commissioner for Indian- Affairs, for permission to establish himself on a certain un-occupied lot of land situated at the S. W. end of Heron Island. Mr Barbaril told your Petitioner that he had no power to grant the permission applied for, but that on his next visit to Fredericton, he would speak on the subject to His Excellency Sir John Harvey, (the then Lieut Governor) and in the mean time he apprehended that your Petitioner would meet with no disturbance. In consequence of what Mr Barbaril said, your Petitioner went to Heron Island, and cleared by his own personal labour about six acres of land. He raised crops as follows the first year; 30 barrels of potatoes – the second year, 50 barrels of potatoes, together with 30 bushels of oats, and 19 of barley – and he also kept pigs – and the third year he employed himself in clearing more land; but was interrupted about the spring of the year by a Mr Archibald McNair, who forcibly dispossessed him, (upon what authority your Petitioner knows not) and made him no remuneration Whatever for his various improvements.

[...]