

**From Swords to Ploughshares: The Context for
Highland Soldier Settlement in Nova Scotia, 1710-1775**

Donald Brian Smith

A Thesis submitted in partial fulfillment
of the degree of Master of Arts (History)

Saint Mary's University
Halifax, Nova Scotia

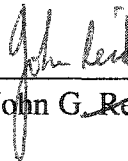
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Abstract/Executive Summary

Donald Brian Smith

From Swords to Ploughshares: The Context for Highland Soldier Settlement in Nova Scotia, 1710-1775

April 9th, 2003

This dissertation examines the circumstances whereby Scottish Highland soldiers became settlers in Nova Scotia prior to the American Revolution. It details the process, commencing in the late seventeenth century, of the gradual integration of Highland regiments into the regular British Army and the deployment of these units to North America. It also demonstrates how the garrisoning of these soldiers in Nova Scotia was designed to both contain the French and deal with their allies, the indigenous Mi'kmaq. It argues that the policy to allow discharged soldiers to settle in the colony was a product of these circumstances. While it has proven difficult to locate individual soldiers, by either rank or nationality, this thesis has uncovered enough evidence to demonstrate that Highland soldiers were indeed settled in the colony prior to 1775 and that this aspect of Nova Scotian settlement history is worthy of further investigation.

Acknowledgements

I would like to thank Dr. Michael Vance, my thesis supervisor at St. Mary's University for his flexibility and shared interest in many aspects of Scottish history that first attracted me to St. Mary's to do my graduate program. It was Dr. Vance's extensive knowledge, guidance, friendship and patient leadership that kept me moving forward through an extended study process. Without his support, encouragement and gentle persuasions, I could not have maintained the direction of my studies, and could easily have become a casualty along the road of academic pursuit.

I would also like to thank Dr. John Reid of St. Mary's University for opening my eyes to the Mi'Kmaq of Nova Scotia and their long and difficult series of conflicts with the British throughout the greater part of the eighteenth century. Thanks also to Dr. Ron McDonald, Manager of Cultural Affairs for the Halifax Defence Complex, Department of Canadian Heritage, for his leadership and insightfulness into the history of the British Army, especially in Nova Scotia. I would be remiss if I did not also thank Dr. Ian Dowbiggin, Chair of the Department of History, and Dr. Richard Kurial, Dean of Arts, at the University of Prince Edward Island for introducing me to the study of history, and for their encouragement and their friendship.

While not necessary, I want to thank my wife Mary for her love, patience and understanding, and for doing much more than her share over the past ten years. And to my sons, Geoffrey with whom I shared three interesting years of undergraduate study, Jonathan who has taught me patience through adversity, and Jamieson who has shown me the importance of sharing and having fun.

As suggested by the late Jerry Garcia, "what a long strange ride it's been..."

Preface

In the early Spring of 1990 I was standing alone on Culloden Moor, wind and rain blowing in my face. I recognized then I wanted to know more of the Highlanders who faced the Army of the Duke of Cumberland on April 16th, 1746, on this cold and damp piece of ground just east of Inverness. In the time that has passed since the reaffirmation of my awakening to the Scottish military tradition, I have completed my Bachelor's of Arts degree and my Honours degree in history at the University of Prince Edward Island. With the acceptance of this thesis, I will have completed my Master's of Arts degree in History at St. Mary's University in Halifax — all in an effort to gain knowledge of a people who were the forbears of my father, his father, and his father before him.

It was not long before I was emersed in the military ethos of the eighteenth century, searching wildly for a specific theme and time on which to focus that part of my energy reserved for academic pursuits.

The idea to undertake research on the settlement of Highland soldiers in Nova Scotia came from my supervisor, Dr. Michael Vance, now Chairman of the Department of History at St. Mary's University. Recognizing my interest in military history, and my desire to undertake research in some field of Scottish history, Dr. Vance suggested examining the context of soldier-settlement, with a Scottish twist. It seemed the perfect compromise that would allow a review of the history of Highland soldiers in the British army during the eighteenth century, the Seven Years War, and the settlement of disbanded soldiers in Nova Scotia, while avoiding the Loyalist immigrations that followed the defeat of the British in 1776 and the potential quagmire of genacology that often accompanies settlement research.

The challenge for this project lay in a joint-decision by Dr. Vance and myself to limit my research to private soldiers and non-commissioned officers, avoiding where possible the settlement of commissioned officers, especially those of senior rank. Given that

private soldiers and sergeants did not carry their rank with them upon disbandment as did many senior officers, especially those on half-pay, the search became an interesting challenge. Occasional references to junior officers (Subalterns, Ensigns, Lieutenants and Captains) do surface, while those related to senior officers (Majors, Lieutenant-Colonels and Colonels) are a rare occurrence. While sources such as land grant documents are helpful, they do not give the whole story — only that warrants were issued and grants given.

This is not a military history, but one which is built around a military framework as relates to soldier-settlement within the context of Nova Scotia. To achieve this objective it was necessary to take a “building-block” approach, which required a look into the ranks of the British Army to find Highland soldiers in North America. This, in turn, necessitated examination of the concept of imperialism and its application as policy during the first half of the eighteenth century. This led me to the relationship between the French and British and the Mi'kmaq of Nova Scotia, the French and Indian War (the Seven Years War), and finally the settlement of Highland soldiers in Nova Scotia through land grants offered by the Royal Proclamation of 1763.

The development of the thesis became very much like creating “a doughnut”, in which the hole is defined by the surrounding walls. The Colonial Office records at the Public Archives of Nova Scotia provided the primary source material. In particular, the Land Papers helped locate grants to Highlanders, private soldiers and non-commissioned officers. The land grants records, while numerous, were less helpful as there is seldom any identification of former soldiers, although the occasional record will identify a senior officer as the grantee.

This paper is not an extensive record of Highland soldier-settlement in Nova Scotia. It is, however, an introduction to an important aspect of the history of Nova Scotia and a topic that requires more study, possibly at the doctorate level.

Introduction

Much has been written of the social and economic conditions that prompted thousands of Scots to leave their homes and sail for new lands in British North America during the 18th century.¹ Not all who did so, however, were intentional immigrants. Prominent among those who settled in the North American colonies were Highland soldiers who left the British army when discharged, or when their regiments were disbanded following service to the King during the Seven Years' War (1756-1763).

The war, actually a continuation of earlier fighting suspended by the Treaty of Aix-la-Chapelle in 1748, was fought extensively in North America, where it was referred to as the "French and Indian War". It was, in fact, a war for empire, with Britain determined to end France's role as a colonial power.² As James Hunter points out, it was also a war fought in part by Highland regiments whose leaders "had now concluded that their future, if they were to have one, lay in putting lingering Jacobite sympathies firmly behind them and getting on to better terms with the Hanoverian establishment. This the French and Indian War was to enable them to do".³ With the capture of the French fortress at Louisbourg in 1758 and the fall of Quebec in 1759, the conflict in North America drew to

1. Ian Charles Cargill Graham, *Colonists from Scotland: Emigration to North America, 1707-1783* (Ithaca, N. Y.: Cornell University Press for the American Historical Association, 1956); Michael Vance, "Scottish Immigration to North America: A Review Essay," *Scottish Tradition* Volume 20 (1995), pp. 65-75; T. M. Devine, *The Scottish Nation 1700-2000* (London: Penguin Books, 2000); J. D. MacKie, *A History of Scotland*, 2nd ed. (New York: Dorset Press, 1978); Monica Clough, [second author] and Eric Richards, *Cromartie: Highland Life 1650 - 1914* (Aberdeen, Scotland: Aberdeen University Press, 1989); T. C. Smout, *A History of the Scottish People 1560 - 1830* (Glasgow, Scotland: William Collins Sons & Co. Ltd., 1969); J. M. Bumsted, *The People's Clearance: Highland Emigration to British North America* (Edinburgh: Edinburgh University Press, 1982).
2. Anthony MacFarlane, *The British in the Americas 1480-1815* (London and New York: Longman Group Limited, 1992), pp. 223-224. See also George Rawlyk's *Nova Scotia's Massachusetts*. (McGill-Queen's University Press, 1973).
3. James Hunter, *A Dance Called America* (Edinburgh and London: Mainstream Publishing, 1994), p. 54.

a close. With the signing of the Treaty of Paris in 1763, Britain was faced with the decision as to what to do with the thousands of soldiers who remained in the colonies.

Among the soldiers stationed in Nova Scotia were large numbers of Highlanders who had done their part to defend the empire against the French and their native allies. As these soldiers contemplated the probability of their new lives as farmers, fishermen, craftsmen, and labourers in the colony, Scots at home were stirred to move westward, prompted by an increased desire for land and opportunity in North America, including Nova Scotia.⁴ It was, as William Ferguson suggests, a time when "... heavy settlement of Highlanders began with the disbanding of Highland regiments at the end of the Seven Years' War, and their glowing accounts of colonial life provided most of the 'pull' for their kinsmen at home".⁵

The role of the military in settlement, or as an aspect of social history, is often overlooked as military historians focus on strategies, tactics, and objectives, while social historians tend to view the military as a society apart from the mainstream.⁶ As a result, the

4. For details related to Scots emigration to British North America, including Nova Scotia, see Ian Charles Cargill Graham, *Colonists from Scotland: Emigration to North America, 1707-1783* (Ithaca, N. Y.: Cornell University Press for the American Historical Association, 1956); J. M. Bumsted, *The People's Clearance: Highland Emigration to British North America* (Edinburgh: Edinburgh University Press, 1982), *The Scots in Canada* (Ottawa, 1982) and "Scottish Emigration to the Maritimes 1770-1815: A New Look at an Old Theme," *Acadiensis*, vol. 10(2), (1981), pp. 65-85; Bernard Bailyn's *The Peopling of British North America* (New York: Alfred A. Knoph, 1986) and *Voyagers to the West* (New York: Alfred A. Knoph, 1986); Malcolm Grey, *Scots on the Move: Scottish Migrants, 1750-1914* (Dundee, Scotland, 1990); James Hunter, *A Dance Called America* (Edinburgh and London: Mainstream Publishing, 1994). See also Stephen Hornsby, "Patterns of Scottish Emigration to Canada 1750-1870," *Journal of Historical Geography*, vol. 18, (1992); Michael Vance, "Scottish Immigration to North America", *Scottish Tradition*, vol. 20, (1995); Margaret Adams, "The Highland Emigration of 1770" *Scottish Historical Review*, vol. 16, (1919).
5. William Ferguson. *Scotland 1689 to the Present. (The Edinburgh History of Scotland*, Gordon Donaldson, General Editor, Volume 4, Edinburgh: Mercat Press, James Thin Ltd.), 1990. pp. 178-179.
6. Several well-known historians including Margaret Adams, J. M. Bumsted, Winthrop Bell, James Hunter, J. B. Brebner, George Rawlyk, Malcolm Gray, *et al*, have touched on the role of the disbanded soldier, including Highlanders, with regards to land grants, settlement, and immigration, but a review of several secondary sources suggests there is room in the historiography for a comprehensive study.

military is commonly examined as an isolated segment of society and not as an integral part of it. Given the numbers of British soldiers in North America following the Seven Years War and their potential impact on settlement in Nova Scotia, a study such as that offered by this thesis seems strangely lacking. Even a cursory review of the historiography suggests important gaps. The soldier-settler, as a member of a distinct cultural group in Nova Scotia, would appear not to have been analyzed and interpreted in any significant manner. This thesis will correct some of that oversight by examining the Scottish soldier as a member of a distinct society caught up in global circumstances over which he had no control, defined as much by the actions and events which surrounded him as by his individual choices, limited as these choices may have been.

The study area is limited to the central part of present-day Nova Scotia, an area roughly defined as from Halifax south to Lunenburg and Liverpool, west to Annapolis Royal, north to Fort Beauséjour (Fort Cumberland) and Fort Lawrence, then eastward to Halifax. It is recognized that eighteenth century Nova Scotia encompassed considerably more territory than the province does today, and included much of present-day New Brunswick and all of Prince Edward Island. While references may be made to these areas and parts of Cape Breton such as Louisbourg, other parts of Nova Scotia including the North Shore areas (Pictou/New Glasgow, Antigonish), and much of the Eastern Shore area (Guysborough) as well as most of the Hants area, will not be addressed in this thesis because of the extensive amount of work already completed on the Loyalist emigration and military settlement of these areas⁷.

7. For a good general overview of Loyalist settlement and military settlement after the American Revolution, see Robert S. Allen, ed., *The Loyal Americans: The Military Role of the Loyalist Provincial Corps and Their Settlement in British Nova Scotia*, (Ottawa: The National Museum of Man, 1983). Also of interest is Ann Gorman Condon, *The Envy of the American States: The Loyalist Dream for New Brunswick* (Fredericton, New Brunswick: New Ireland Press, 1984); J. M. Bumsted, "Understanding the Loyalists," *Wintthrop Pickard Bell Lectures in Maritime Studies*, #5 (Sackville, New Brunswick: Centre for Canadian Studies, Mount Allison University, 1986); Christopher Moore, *The Loyalists: Revolution, Exile, Settlement* (Toronto, Canada: Macmillan of Canada, 1984); For personal accounts see Phyllis R. Blakeley and John N. Grant, *Eleven Exiles: Accounts of Loyalists of the American Revolution* (Toronto: Dundurn Press, 1982).

While the thesis focuses primarily on the mid-part of the eighteenth century (1740-1775), it also addresses relevant issues of the first half of the century. By limiting the time period from the capture of Port Royal in 1710 and the establishment of Annapolis Royal as the seat of British government in Nova Scotia, to the founding of Halifax in 1749 and the onset of the American Revolution (1775-1783) the imperial context and the settlement scenario in Nova Scotia are both firmly established. Although aspects of the historical period leading up to the Seven Year's War (1754-1763) are examined, those related to the Loyalist emigration that followed the American Revolution, including the settlement of disbanded regiments of the British army in Nova Scotia, are avoided.⁸

Highland soldiers served as individuals within the regiments of the British army but also as members of their own regiments which were raised from the Highlands. By the middle of the eighteenth-century, these regiments formed an important part of Britain's land force and were employed in overseas service, especially in the North American colonies. The first chapter of this thesis examines the romanticism attached to Highland soldiers, and their employment over several centuries as mercenaries in the service of several European powers. It introduces the origins of the Scottish regiments and their integration into the British Army after the Battle of Culloden (1746)⁹, with emphasis on the 42nd Royal Highland Regiment (the Black Watch), the 77th Highland Regiment (Montgomery's Regiment) and the 78th Highland Regiment (Fraser's Highlanders) — regiments raised specifically for service in North America during the Seven Years War. It is not

8. Neil MacKinnon's *This Unfriendly Soil: The Loyalist Experience in Nova Scotia 1783-1791* (McGill-Queens University Press, 1986) provides a detailed account of the Loyalist exodus and settlement, their adjustment to life in Nova Scotia, and their effect on the social and economic structure of the province, its people, and its institutions. For a detailed account of one area of Nova Scotia, which serves well as a model for several others, see Marion Robertson's *King's Bounty: A History of Early Shelburne Nova Scotia*, (Halifax: The Nova Scotia Museum, 1983). For additional material, see the special issue of the *Nova Scotia Historical Review*, Volume 3, Number 1, 1983, which is dedicated to discussing the Loyalist settlement in Nova Scotia.
9. For an account of the Battle of Culloden, see David G. Chandler, ed. *Culloden 1746* (London: Osprey Publishing Ltd., 1991) and John Prebble, *Culloden* (London: Secker & Warburg, 1961).

intended to be a quantitative study related to numbers of soldiers, or a qualitative examination of their social and economic backgrounds. Instead, it anticipated that a perspective of the eighteenth-century Highland soldier within the context of time, and the evolution of his regiments, will shed light on the individual soldier, and provide some insight into the individual soldier-settler.

By the middle of the eighteenth-century Britain and France were locked in the Seven Years' War (1756-1763), a conflict that originated in Europe but quickly spread to North America and other locations. At stake was control of North America and in the case of Britain, an expansion of empire not seen since the days of ancient Rome. The second chapter of the thesis centers on imperial policy as it affected the settlement of Nova Scotia — a policy that brought the British army into Nova Scotia as a permanent force that would not leave for over one hundred and fifty years. The chapter introduces the concepts of colonialism and imperialism — the former exemplified through trade, the latter through territorial gain. By focusing on the settlement of Nova Scotia within the imperial context, the role of the province as an important component of the “strategic triangle”¹⁰ is demonstrated. It was Britain's imperial policy that created a climate of conflict with France as exemplified by the Seven Years War. It was the same war that brought the first Highland regiments to North America and which by its conclusion, saw the defeat of France and the subsequent discharge of thousands of British soldiers whose service was no longer required. With the offer of land grants, many chose to remain in areas such as Nova Scotia, where in many cases they became latent defenders of the Empire, and the vanguard of settlement in the province.

The third chapter will discuss the contemporary situation that brought the British

10. The concept of the “strategic triangle” comes from the geographical locations of three former British military strongholds situated at Gibraltar, Bermuda, and Halifax. It is identified in the text of the core facility exhibit, “Fortress Halifax: Warden of the North”, located at the Halifax Citadel, which was prepared by Bruce Rickett, Interpretation Specialist, Department of Canadian Heritage - Parks Canada.

military and colonists into conflict with the Mi'kmaq, the French, and the Acadians of Nova Scotia. The focus of the chapter will be settlement in the midst of chaos, as the relationship between the indigenous peoples of Nova Scotia, primarily the Mi' Kmaq, and the French and British Crowns is explored. From the early eighteenth century through to the establishment of Halifax and beyond the period of the Seven Years War, the British Army played an important role in the defence of Nova Scotia and securing the province for settlement—often during periods of conflict with the Mi'Kmaq. Britain's turbulent relationship with the Mi'Kmaq is examined within the context of the French-English struggle for domination of North America. Specific themes within the chapter include an analysis of the political and military situation that existed in Nova Scotia at the beginning of the century leading up to period 1749-1775, and the relationship between the Mi'kmaq in Nova Scotia and the French and British superpowers of the eighteenth century.

The final chapter will address the military situation in Nova Scotia during the early part of the eighteenth century, and the importance of strengthening the province's defences as a prelude to settlement. In a related issue, the efforts of the Lords of Trade to establish settlers, including disbanded or discharged soldiers of the British army, in Nova Scotia as permanent residents is examined. Further to this, the suspected conflict between the Lords of Trade and Governor Charles Lawrence over the need, use, and distribution of lands for disbanded soldiers is examined. Specific settlement incentives, in the form of land grants according to rank, were offered to soldiers discharged at the end of their service and who wished to remain in the province rather than return home. These grants were bestowed through Royal Proclamation and generally had conditions attached, including the amount of work required to maintain ownership of the grant. This chapter will show that once their service was complete, the soldiers accepted land grants which were as much an incentive to stay in Nova Scotia as they were a reward for faithful service. There is sufficient evidence to substantiate the thesis that Highland soldiers took advantage of grants offered by the Crown and settled in Nova Scotia. While evidence exists to confirm long-

term settlement, the question as to whether or not they stayed in the colony to become contributing member of society, or simply drifted away, remains somewhat elusive.

The themes addressed in the study are varied yet related, as each maintains a focus on one of the four main areas of research: Highland soldiers¹² in the British army, imperial policy, the relationships between the British, French and Mi'kmaq, and the settlement of discharged soldiers in Nova Scotia. Because of the strong links between these topics, each demands attention to become known and ultimately prove its relevance within the context of the impact of the British army and disbanded Scottish soldiers on settlement in Nova Scotia.

12. The terms "Scottish" and "Highland", or "Highlander", are used interchangeably throughout this paper, partly due to the difficulty in determining the actual origins of individuals who served in Highland regiments and in other units of the British Army, and in identifying "Highlanders" as separate from "Lowlanders." For the purpose of this paper, "The Highlands" can be identified geographically as the area encompassing the North-west Highlands from Mull in the south, the Isle of Skye in the west, to John O'Groats in the north. The Grampian Highlands east of Loch Ness can also be included, especially the area east of Fort William and Inverness that would include Kingussie and the Badenoch-Strath Spey areas.

Chapter 1

“...Birds of Passage”¹

Scottish Soldiers in the British Army, 1740 - 1763

Following the Jacobite Rebellion of 1745, Highland soldiers were recruited in disproportionate numbers to serve in the British army.² To appreciate the significance of this participation it is important to understand something of the nature of these soldiers who came out of the Highlands in 1715 and 1745 in support of the Catholic Stewarts,³ against the same nation that would, within a few years, seek their service to secure North America during the Seven Years' War (1756-1763)⁴. With two earlier previous attempts to gain their

1. “...Birds of Passage” is a term applied to soldiers of the British army in the 18th century, including Highlanders, because of the deployment of soldiers which never saw them remaining in one location for any period of time. There are two specific references: the first is found in an article by Joseph Plimsoll Edwards, “The Militia of Nova Scotia, 1749-1867” (Londonderry, Nova Scotia, read January, 1908 and November, 1911). “These men of the profession of arms were, however, **birds of passage**...” (p.71). While not specifically identified, it is believed this article was published by the Nova Scotia Historical Society. A copy is at the Public Archives of Nova Scotia (Call number F90 N85 V.17). The second reference is found in an article by Victor E. Neuburg, “The British Army in the Eighteenth Century”, *The Journal of the Society for Army Historical Research*, Vol. LXI, Spring 1983, No. 245, pp. 39-47. “...most soldiers did not stay anywhere...for very long. They were **birds of passage**.” (p.45). In spite of the uniqueness of the terminology, no credit is given by Neuburg to Edwards for use of the phrase “birds of passage”.
2. Highland Scots were initially recruited as regiments during the reign of George II (1727-1760). See Allan J. Guy, “The Army of the Georges 1714-1783” in David Chandler, ed. and Ian Beckett, assoc.ed., *The Oxford History of the British Army* (Oxford: Oxford University Press, 1996), pp. 92-111.
3. T. M. Devine, “The Jacobite Challenge,” *The Scottish Nation: 1700-2000* (London: The Penguin Group. Published in Penguin Books, 2000), pp. 31-48.
4. The period of the Seven Years' War, recognized as a global conflict, is identified as 1756-1763. While also known as the French and Indian War in the context of North America, this component of the war began in 1754. See Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas, 1755-1763* (Cambridge University Press, 2002), p. 12. Also see William R. Nestor, *The Great Frontier War: Britain, France, and the Imperial Struggle for North America, 1607-1755* (Praeger Publishers, Westport, Connecticut, 2000), p.175, and Fred Anderson, *Crucible of War: The Seven Years' War and the Fate of Empire in British North America, 1754-1766* (New York: Vintage Books, 2001).

independence in 1645 and 1689 Peter Womack has observed that Highlanders, through a recurring pattern of rebellion had “impressed themselves on British consciousness first of all as warriors...Scotland was negligible...militarily it had made itself impossible to ignore.”⁵ For centuries Scots had fought as mercenaries for most of the nations of Europe; it was, however, only after being defeated at home that their potential as soldiers of the Empire was recognized by Britain. As soldiers in the British army, Highland Scots were vital to the nation’s exercise of empire building during the eighteenth century. Consequently, Highland regiments were formed for service in North America during the Seven Years War.

The service provided by Highland soldiers during the first half of the eighteenth century brought about the establishment of Scottish Regiments which have served Britain for nearly two hundred and fifty years — progenitors of a tradition, indeed a military ethos, that today flourishes around the world. The image of the Highland soldier has long stirred the creativity of writers and artists, to the point of being almost synonymous with courage, strength, military skill, daring, and heroism. An example of this is found on a grey granite Celtic cross, some twenty feet high, which bears the inscription, in part: “Scotland is poorer in men, but richer in heroes....”⁶ Erected to commemorate the December 11, 1899, action of the Second Battalion of the 42nd Highland Regiment, the “Black Watch”, against entrenched and well-armed Boer forces at the Magersfontein battlefield, south of Kimberley, South Africa, the memorial is but one of many that reinforces the romantic imagery of the Highland soldier. In spite of its inherent sentimentality, or perhaps because of it, the inscription that stands over Magersfontein can serve as an epitaph for all Scottish soldiers who have fallen in the service of the Crown, on battlefields far from the Highlands of Scotland. Whether reflecting a resounding victory, or echoing a disastrous defeat, many foreign battlefields became the final resting place for Highland soldiers who were, as

5. Peter Womack, *Improvement and Romance: Constructing the Myth of the Highlands* (London: The MacMillan Press Ltd., 1989), p. 27.

6. John Laffin, *Scotland the Brave: The Story of the Scottish Soldier* (London: White Lion Publishers. 1974), p. 2.

described by James Wolfe, "...hardy, intrepid, and accustomed to a rough country".⁷

The highly romanticized imagery created by artists and writers, especially during the late eighteenth-century and into the Victorian period, provides numerous visual and literary icons that reflect much of the public perception of the Highland soldier. Panoramic depictions such as that of Piper Kenneth MacKay of the 79th Cameron Highlanders playing the traditional rallying tune, *Cogadh no Sith*,⁸ as the regiment is forced into a defensive "square" at the Battle of Waterloo, reinforce in part the visual legacy of determination and courage embodied in the traditions of the Highland regiments. It is this type of image that has reinforced the "Scottishness" of the British army and, as Paul D. Dickson of the University of Guelph declared, "quelled any lingering doubts about the loyalty of the Scots to the political entity that was the United Kingdom".⁹ In addressing the myth of the Highland warrior, Peter Womack suggests that this sense of exaggerated militarism within Highland society was "intended to produce the image of a social system wholly geared to war".¹⁰

As James Michael Hill points out, the tactics and strategies, logistics and military prowess of Celtic warriors had been highlighted as early the Roman occupation of Britannia. In particular, the fighting skills of Highlanders had remained apparent throughout the many conflicts between Scots and English from the late sixteenth through to the early part of the eighteenth centuries.¹¹ Womack however, goes further by suggesting "the Highlanders were like the barbarians who brought down the Roman Empire; formidable in battle, not despite their uncivilized way of life, but because of its privations..."¹²

7. J. T Findlay, *Wolfe in Scotland in the '45 and from 1749 to 1753* (London: Longmans, Green and Co., 1928), p. 226.
8. Diana M. Henderson, *The Scottish Regiments*, 2nd ed. (Glasgow: HarperCollins Publishers, 1996), p. 141.
9. Paul D. Dickson, "Some Thoughts on the Nature of the Scottish Regiments," *Scottish Tradition*. Vol. 26 (2001), p. 3.
10. Womack, *Improvement and Romance*. p. 28.
11. James Michael Hill, *Celtic Warfare 1595-1763*, 2nd ed. (Reprinted with new preface, Gregg Revivals, Ashgate Publishing Company, Brookfield Vermont, 1993. Originally published by John Donald Publishers Ltd., Great Britain, 1986.), p. 1.
12. Womack, *Improvement and Romance*. p. 27.

The evolution of the Highlander from farmer, craftsman and tradesman to soldier started slowly during the mid-eighteenth century. By the end of the century, and into the Napoleonic period, writers such as William Wordsworth, Sir Walter Scott and Robert Burns had completed the transformation. Jacobitism, once banned in word and literature, had lost its reputation for rebellion and was, in fact, quite in vogue because of its adaptability to the romantic writings of the period.¹³ An example is found in Wordsworth's "Sonnet in the Pass of Killicranky":

Six thousand Veterans practised in war's game,
Tried men, at Killicranky were arrayed
Against an equal host that wore the plaid,
Shepherds and herdsmen. — Like a whirlwind came
The Highlanders; the slaughter spread like flame...¹⁴

Developed through the last half of the eighteenth century and into the nineteenth century, myths of the Highland warrior and the military prowess of his regiments are indeed the stuff of legend. Through stories, paintings, song, stage, poems, and even motion pictures from the present era, the imagery of the Highland soldier remains, for the large part, unchanged.¹⁵ Yet as with many legends, there remains a core of truth that is the genesis for the mythology surrounding the Highland soldier. The battle honours are too many to be ignored: Killigranky, Minden, Ticonderoga, Louisbourg, Québec, Assaye, Waterloo, Alma — even Magersfontein! Often overlooked, however, in the creation of the myth is the complexity of the social forces at work in Scotland during the late eighteenth century which affected recruitment from the Highlands. Economic, education and religious factors,

13. Robert Clyde, *From Rebel to Hero: The Image of the Highlander, 1745-1830* (East Linton, Scotland: Tuckwell Press, 1995), p. 119.

14. *Ibid.*

15. For accounts of the transformation of Scotland to a land of heroic proportions, see Peter Womack, "Warriors", *Improvement and Romance: Constructing the Myth of the Highlands* (London: The MacMillan Press Ltd., 1989), pp. 27-60, and Robert Clyde, "Romanticists", *From Rebel to Hero: The Image of the Highlander, 1745-1830* (East Linton, Scotland: Tuckwell Press, 1995), pp. 116-159.

changes in the Clan system, technology, and even military tactics and strategies all played significant roles in the transformation of the Highlander¹⁶. Scholars such as Andrew Mackillop, whose recent work on Scots in the British army has recognized many of these factors, has suggested that the mythology of the Scottish regiments, which comes in large part from the regiments own histories¹⁷, is a distorted one and reflects “a distasteful jingoistic hangover from Scotland’s imperial past...they appear to be of little or no actual relevance to the wider processes that shaped modern Scotland.”¹⁸ For Mackillop, the recruitment of Highlanders during the period of the Seven Years War had less to do with the perception of them as warriors, and more to do with the accumulation of benefits to be gained from Britain’s growing dependency upon the Scots for manpower. Enlistment in the British army was considered “the best means of obtaining patronage from a position of strength”.¹⁹

Before recruitment of Highlanders for the British Army assumed national significance during the mid-half of the eighteenth-century, Scottish soldiers, having fought in the armies of several European nations for hundreds of years, enjoyed a long-standing

16. See Isabel F. Grant and Hugh Cheape, *Periods in Highland History* (London: Shephard-Walwyn, 1987), T. M. Devine, *The Scottish Nation 1700-2000* (London: Penguin Books, 2000) and Devine, *Clanship to Crofters’ War: The Social Transformation of the Scottish Highlands* (Manchester: Manchester University Press, 1994).

17. For an example of this type of history, see Peter Simpson, *The Independent Highland Companies 1603-1760* (Edinburgh: John Donald, 1996). The 42nd Highlanders, the famed “Black Watch”, was formed from independent Highland companies in 1739. The author, a former officer in the Black Watch, has created a military history of the traditional genre, without analysis of socio-economic and demographic factors that affected recruitment of Highlanders into the British army during the mid-eighteenth century. For a more recent, appropriately analytical perspective see Andrew Mackillop, *More Fruitful than the Soil: Army, Empire and the Scottish Highlands 1715-1815* (East Linton, Scotland: Tuckwell Press, 2000) and Diana M. Henderson, *The Scottish Regiments*, 2nd Edition (Glasgow: HarperCollins, 1996) and *Highland Soldier: A Social Study of the Highland Regiments 1820-1920* (Edinburgh: John Donald, 1989). For a contemporary perspective on the Highland regiments, see David Stewart of Garth, *Sketches of the Character, manners, and Present State of the Highlanders of Scotland; with Details of the Military Service of the Highland Regiments* 2nd. ed. (Edinburgh: John Donald, 1977. Originally printed for Archibald Constable & Co., Edinburgh, 1829).

18. Andrew Mackillop, *More Fruitful than the Soil* (East Linton, Scotland: Tuckwell Press, 2000), p. 1.

19. *Ibid.* p. 44.

reputation as mercenaries.²⁰ The most prominent examples of these foreign nations are Denmark, France, Germany, Russia and Poland. Ross Bartlett of Queens University indicates that in a period of eighteen years (1625-1642), a minimum of 47,110 soldiers were pledged to foreign nations with the largest single levy being for 6,000 soldiers to go to Germany out of a total of 8,700 over the period indicated. Sweden would receive 13,360 and Denmark 12,950 during the same period.²¹ As Professor Bartlett observes, it is clear “beyond any doubt at all...the propriety and legality of foreign service and the degree to which such action formed an outlet for Scottish energy.”²²

The success of their special tactic, “The Highland Charge”, had served the Highlanders well in virtually every battle for hundreds of years. It would, however, falter in the early part of the eighteenth century — not because of a lack of courage or commitment to their cause, but because the broadsword was no match for evolving technology and tactics afforded by the lethal combination of massed infantry, cavalry and artillery of the British army as demonstrated at the Battle of Culloden in 1746.²³ The Highland Charge would be reinstated after Culloden, albeit in a modified, more disciplined manner. Its success would continue to serve Highland regiments well by employing similar tactics against the French and their native allies during the French and Indian War, especially when directed by officers who knew how best to channel the martial energy of the Scots against

20. See Grant G. Simpson, ed. *The Scottish Soldier Abroad 1247-1967* (Edinburgh: John Donald Publishers Ltd., 1992). An important work, this book contains articles by a variety of Historians referencing Scottish service in France, the Low Countries, Russia. See also James Hayes, “Scottish Officers in the British Army 1714-63”, *The Scottish Historical Review* (Vol. 37, 1958-59), pp.23-33. Hayes refers to “Twelve independent companies, largely composed of, and officered by, Highlanders, ... sent out to India...” (page 26, note 3).

21. I. Ross Bartlett, “Scottish Mercenaries in Europe, 1570-1540: A Study in Attitudes and Policies”. *Scottish Tradition* (Canadian Association for Scottish Studies: Vol. XIII, 1984-85), p.21. See also William S. Brockington, “Scottish Military Emigrants in the Early Modern Era” *Proceedings of the South Carolina Historical Association*, 1991, pp. 95-101.

22. Bartlett, “Scottish Mercenaries in Europe”, p. 23.

23. Hill, *Celtic Warfare 1595-1763*, p. 179.

their enemies in the field.²⁴ An eighteenth-century witness would describe the violence and mayhem created by a Highland Charge in terms indicative of the fear it would create, even in the most determined of adversaries:

Their manner of fighting is adapted for brave but undisciplined men. They advance with rapidity, discharge their pieces when within musket length of the enemy, and then, throwing them down, draw their swords, and...dart with fury on the enemy through the smoke of their fire. When within the reach of the enemy's bayonets, bending their left knee, they...cover their bodies with their targets...while at the same time they raise their sword-arm, and strike their adversary....Their attack is so terrible, that the best troops in Europe would with difficulty sustain the first shock of it; and if the hordes of the Highlanders once come in contact with them, their defeat is inevitable.²⁵

Among the British officers who faced the last Highland Charge on British soil in 1746 was a young Major who would later command Highland soldiers in battle against the French strongholds of Louisbourg and Québec. James Wolfe was one of the few British officers who attempted to stop the slaughter of the wounded and captured Scottish

24. The Highland Charge was employed at Québec in 1759. See John Laffin, *Scotland the Brave* (London: White Lion Publishers, 1974), p. 41, and Fred Anderson, *Crucible of War: The Seven Years War and the Fate of Empire in British North America 1754-1766* (New York: Vintage Books, 2001), pp. 361-362. See also Diana M. Henderson, *The Scottish Regiments*, p. 103, which describes the charge of the 42nd Highlanders, the Black Watch, against fortified French positions at Ticonderoga (Fort Carillon) in 1758, losing 647 men out of a strength of 1100.
25. The Chevalier de Johnstone, *Memoirs of the Rebellion in 1745 and 1746*, 2nd ed. (London: Longman, Hurst, Rees, Orme and Brown, 1821), pp. 113-115. As quoted in James Michael Hill, *Celtic Warfare 1595-1763* (Reprinted with new preface, Gregg Revivals, Ashgate Publishing Company, Brookfield Vermont, 1993. Originally published by John Donald Publishers Ltd., Great Britain, 1986.), p. 1. The Highland Charge is thoroughly discussed in David Stephenson, *Alasdair MacColla and the Highland Problem in the Seventeenth Century* (Edinburgh: John Donald Publishers, 1980). "When the Highlanders come within musket shot of the enemy... they fire a volley; then they immediately throw down their muskets and charge with their swords and targets [round wooden shields, also known as 'targes']. As they charge they try to instill panic by their loud battle cries..." (see Stephenson, p. 82). Hill attributes the origins of the Highland Charge as far back as the ancient Celts (see Hill, *Celtic Warfare*, p.1).

clansmen at Culloden.²⁶ His motive on that occasion probably had less to do with his affection for the Highlanders and more with his personal ideals, in that he refused to be a murderer even under direct orders from the Duke of Cumberland. Although he did not trust the Highlanders nor have much regard for their lives,²⁷ Wolfe was so impressed with the courage and determination of the Scots that he was one of the first to suggest that these men, who fought with such bravery and tenacity, should be integrated into the British Army and used in service to the Crown. A few years after Culloden, Wolfe wrote to his friend in Nova Scotia, Captain William Rickson, and in a partisan tone that reflected both his admiration and hostility towards the Highlanders, reaffirmed his thoughts on the use of Highlanders.

I should imagine that two or three independent Highland companies might be of use; they are hardy, intrepid, and accustomed to a rough country, and no great mischief if they fall. How can you better employ a secret enemy than by making his end conducive to the common good? If this sentiment should take wind, what an execrable and bloody being should I be considered here in the midst of Popery and Jacobitism!²⁸

There still remains some ambiguity as to who first suggested the recruitment of Highlanders to the British army. Although the idea of using Highlanders as regular soldiers in the British army had been suggested by John Russell, the Duke of Bedford, in 1746, it is William Pitt (the Elder) who is most often credited with first promoting the raising of the Highland regiments and championing their integration as regular units into the British army.²⁹ The argument as to who was the first to suggest Highlanders be recruited as

26. For an brief account of the Battle of Culloden Moor, see David G. Chandler, ed. *Culloden 1746* (London: Osprey Publishing Ltd., 1991, the Osprey Military Campaign Series). See also James Michael Hill, "The 'Forty-five': Jacobite Strategy and Tactics" *Celtic Warfare 1595-1763*, 2nd ed. (Brookfield, Vermont: Gregg Revivals, Ashgate Publishing Company, 1993), pp. 100-156.

27. Robert Clyde, *From Rebel to Hero*. p. 153.

28. J. T Findlay, *Wolfe in Scotland in the '45 and from 1749 to 1753* (London: Longmans, Green and Co., 1928), p. 226.

29. Clyde, *From Rebel to Hero*. p. 153. See also Bruce Lenman, *The Jacobite Clans of the Great Glen 1650-1784* (Aberdeen: Scottish Cultural Press, 1995), p. 194.

soldiers is not crucial. The important point in the debate is, as Professor Tom Devine indicates, that Pitt was certainly the first to divert, "...on a systematic basis....the martial spirit of the Highlanders to the service of the imperial state..." in an effort to channel the military skills and experience of the Clans to meet the immediate needs of the Crown.³⁰

Certainly James Wolfe was a leading proponent for the use of Highlanders. Yet at the same time as Wolfe was promoting the concept, in America William Pepperell was writing to Newcastle, then Secretary-of-State. In a letter dated June 24, 1746, Pepperell suggested that if two hundred rebel prisoners (Highlanders) could be sent over for the use in his regiment, and that of then-Governor Shirley of the Massachusetts colony, they might make good subjects of them.³¹

The value of the Highlanders as soldiers was considered much earlier than 1746,³² but the idea was often in dispute because of concerns over the perception of criminal activities and deep-rooted political hostility so prevalent following the Jacobite rebellion of 1715.³³ In 1738, Duncan Forbes of Culloden, Lord President of the Court of Session, is credited with suggesting the extension of the independent companies not only within the Highlands, but as an opportunity to increase the involvement of the Highlands within a broader British military context.³⁴ Later, Forbes was to suggest to James Wolfe that "those independent companies raised and disbanded between 1667 and 1725" be reinstated.³⁵

Although small companies had been used by the Crown for police duties in the Highlands, most were disbanded. It was not until 1725, ten years after the Jacobite

30. T. M. Devine, *The Scottish Nation 1700-2000* (London: Penguin Books Edition, 2000), p. 239.

31. Lawrence to Secretary of State (Newcastle), June 24, 1746. PANS, CO217, Vol.32. A&WI(America and West Indies), Reel 13852, Vol. 63, p. 18.

32. Mackillop *More Fruitful than the Soil*. p. 15.

33. *Ibid.* p. 25. Mackillop indicates the idea of retaining Clansmen as a Highland garrison developed as early as 1685, but was rejected only to be resurrected again in 1692.

34. *Ibid.* p.27.

35. Vincent Keyte, "James Wolfe and the Highlanders" (*Army Quarterly and Defence Journal*, Vol. 105(3), 1975), p. 349.

rebellion of 1715, that “the Highland Watch” was revived. In 1724 General George Wade was appointed Commander-in-Chief for Scotland. It was his task to oversee the construction of roads throughout the Highlands, examples of which can still be seen today, and to establish strongholds such as Fort Augustus and Fort William. In December, 1724, Wade reported “that there were 12,000 Highlanders hostile to the London government and more than willing to ‘rebel’ in favour of the Stuarts”.³⁶ Based on his estimates of the numbers of potential rebels, Wade recommended the raising of six Independent Companies of Highlanders to be officered from the loyal Clans of Campbell, Munro, Grant, and Fraser.

According to his report, Wade believed that the Highland clans that still exhibited loyalty to the Crown could, under the supervision of Gaelic-speaking officers and subject to martial law, be organized. It was Wade’s intention that “the said companies be employed in disarming the [disloyal] Highlanders, preventing depredations, bringing criminals to justice, and hinder rebels and attainted persons from inhabiting that part of the kingdom”.³⁷

On May 12th, 1725, the enlistments of the six companies were authorized by George I. Over time, these independent companies became known throughout the Highlands as *Am Freiceadan Dubh*, or as they were to become more widely known, “The Black Watch”, due in part to the the dark tartan which they wore in fulfillment of their duties related to the guardianship they maintained over the Highlands. In late 1739, King George II authorized the companies to be formed into the 43rd Regiment of Foot, a regiment of the regular British army. As a consequence of this decision, the status of the companies was changed, with the resultant loss of their position as “independent”³⁸ through the issuance of a Royal Warrant which read, in part:

36. Raymond Lamont Brown, “General George Wade: Roadmaker in the Highlands” *History Today*, Vol. 29, Issue 3, March, 1979, p. 149.

37. Eric and Andro Linklater, *The Black Watch: The History of the Royal Highland Regiment* (Barrie & Jenkins, Communica-Europa, 1977), p. 16.

38. *Ibid.* p. 17.

WHEREAS we have thought fit that a regiment of foot be forthwith formed under your command, and consist of ten companies, each to contain one captain, one lieutenant, one ensign, three serjeants, three corporals, two drummers, and one hundred effective private men; which said regiment shall be partly formed out of six independent companies of foot in the Highlands of North Britain.... to be raised in the Highlands with all possible speed; the men to be natives of that country, and none other to be taken.³⁹

Scots in general, including Highlanders, had been serving in the British Army not only as “rank and file”⁴⁰ in the regiments, but also as officers. As James Hayes has pointed out in his pioneering work on Scottish officers in the British army:

Between 1715 and 1739...there were nineteen Scots among the ninety-four new appointments: and between 1739 and the end of the Seven Years’ War, forty-seven Scotsmen figured among the 199 new colonels, making a total of seventy-eight Scottish Colonels out of the 374 confirmed and appointed since 1714. This means just under one-fifth of all colonelcies went to Scottish officers....The majority of these officers were lowland Scots.... There were, however, far more Highland officers in the [British] army before the outbreak of the Seven Years’ War than is generally realized.⁴¹

Furthermore, Hayes contradicts those who credit Pitt with being the first to recruit Highland soldiers into the army, not only on an individual basis, but also as whole regiments, drawing attention to the recruitment of Highland companies to form the 43rd Regiment of Foot (later the 42nd Regiment — The Black Watch) in 1739.⁴² Pitt’s claim, however, launched in his pronouncement to Parliament, “I sought for merit wherever it was

39. A copy of the Royal Warrant issued as dated is available in its entirety at the website of the 42nd Royal Highland Regiment (<http://www.42ndRHR.org/warrants.php>).

40. In the British army there were officers and non-commissioned officers, which included sergeants and corporals. Other enlisted ranks were referred to as “rank and file”.

41. James Hayes, “Scottish Officers in the British Army, 1714-63” *The Scottish Historical Review* (Volume 37, 1958), p. 26. This article is based on Hayes’ Master Thesis, *The Social and Professional Background of the Officers of the British Army 1714-63*, completed in 1954 at the University of London. Hayes is recognized as one of the first historians to address the issues related to Scots in the British army and is often quoted by historians who have undertaken more recent works of similar themes.

42. *Ibid.* See note 3, p. 26.

to be found. It is my boast that I was the one of the first ministers who looked for it and found it in the mountains of the north. I called it forth and drew into your service a hardy and intrepid race of men...”,⁴³ was not simply a magnanimous a gesture on his part. In truth, the British were as pleased about arming Highlanders as the French were about arming natives in North America. They did so because it was the expedient thing to do, and because they thought there was no alternative to raising soldiers for the army.⁴⁴ Raising Highland companies and regiments was not universally popular in Britain, as there was a prevailing concern that the Highlanders of the 1750s were not to be trusted anymore than those of the previous decade, especially as they had been rearmed. William Wildman, Lord Barrington, Secretary of War, was to remark “the only business I shall have with these companies is to see that they be well accoutred and sent out of Scotland as soon as possible”.⁴⁵

Pitt was later instrumental in adding other companies to the existing battalions and in raising another Highland battalion. For the government, the recruitment of Highlanders provided two important dividends: it coincided with the need to find infantry regiments for service in North America, and it served as an outlet for the perceived martial spirit of the Highlanders that could have been turned against it.⁴⁶ In recruiting Highlanders, however, the army was merely continuing with a policy initiated as early as the War of Austrian Succession. Expanded during the Seven Year War, this policy would see the army draw officers from the Scottish landed classes and gentry, and soldiers from the Highland clans.⁴⁷

The raising of infantry regiments from the Highlands was a dramatic indication

43. James Hunter, *A Dance Called America* (Edinburgh/London: Mainstream Publishing Company Limited, 1994), p. 53.

44. *Ibid.* p. 54.

45. Hunter, *A Dance Called America*, p. 54.

46. Richard Holmes. *Redcoats: The British Soldier in the Age of Horse and Musket* (London: Harper Collins Publishers, 2001), p. 57.

47. Adam Norman Lynde. *The British Army in North America 1755-1783. Defeat as a Consequence of the British Constitution*. Unpublished Ph.D Thesis. Temple University, 1992. p. 138.

of manpower shortages affecting the British army.⁴⁸ Nations generally reduce their armies following a period of war. Britain was no exception to this rule, with the result that when a crisis developed, whether internal or external, manpower levels were found to be wanting. A review of the numbers of men allocated by Parliament for the army suggests its size was regulated by the rise and fall of crises created by international politics.

Following the Jacobite Rebellion of 1715 the number of soldiers in the British army remained somewhat stable at slightly over 14,000 men. Although there were peaks in 1727 and 1735, army strength would not see any real increase until the 1740s, with nearly 36,000 men under arms in 1742, dropping gradually over the next few years to a strength of under 16,000 by 1745, the year of the last Jacobite Rebellion. Within the year, the size of the British army had increased dramatically to nearly 50,000 men. Following the defeat of the Highland clans in 1746 and a reduced threat of French invasion, the army again declined in size to the point where within only a few years, the number of soldiers available to meet a threat either at home or abroad, was again under 20,000. In the eighteenth century, as today, nations were often undermanned and under-equipped to deal with a crisis when one erupted.⁴⁹

At the outbreak of the Seven Years' War in 1756 Britain, with an army of only 18,000 soldiers, was faced with fighting a war that would change forever the map of North America. What began as a struggle between British and French colonists quickly expanded to the level of a major international conflict. Also known as "The Great War for the

48. *Ibid*, pp.161-162.

49. These figures are taken from a document dated 21 February, 1816, *An ACCOUNT, showing the Average Numbers...of the MILITARY and NAVAL Establishments maintained by this country, in the several Periods of Peace, from the Treaty of Utrecht to the Commencement of the American wars; so far as the same can be ascertained*. C. Arbuthnot, Whitehall, Treasury Chambers. Figures for the number of men voted for the navy were also provided. In general, navy numbers follow the same course as those of the army, falling to a low of 8,000 in 1732-33, rising to a high of 70,000 each year for 1760-62. Following the Seven Year's War, navy numbers declined to the same level as the army by 1775. This document was obtained at <http://www.hillsdale.edu/dept/history/documents/war/18e/1816-establishment.htm>.

Empire”, the Seven Years War became the first of the modern world wars, with campaigns in North America, Europe, India, Africa and the Caribbean.⁵⁰ By 1757, however, over 30,000 recruits, including entire regiments of Highlanders, had been added to the British Order of Battle, bringing the number of soldiers on active service up to just under 50,000 — the same number available at the time of the Battle of Culloden in 1746. In 1762, near the end of the Seven Years’ War, the army had grown to an eighteenth-century peak of just under 70,000 soldiers! With victory over France and North America secured for her own, British military planning again went into hibernation, seemingly unaware of the growing unrest in her American colonies. By 1775, the eve of the American Revolution, British army strength was down to just over 17,000 men — its lowest point since 1745, the eve of an earlier rebellion in the Highlands of Scotland.⁵¹

It takes time to create an army, especially during a time of national crisis such as the early period of the Seven Years War. In spite of national concern about residual Jacobite loyalties among the Scots, the Pitt-Devonshire administration opted for the recruitment of two full Highland battalions from the clans that had been loyal to the Stewarts and had faced the British at Culloden. What would seem to be probably the most effective solution to a serious problem would not prove to be the most satisfactory one. With memories of the ‘45 uprising still fresh in the minds of many Britons, this recruitment effort was viewed as somewhat radical and threatening, and almost created a constitutional crisis because of Parliamentary aversion to arming what was still perceived as an enemy camp.⁵² Military necessity, as is often the case in the time of war, would win out against British suspicions of the Scots. It was quickly rationalized that even former soldiers of the Stewarts could be used to defend the interests of the Crown abroad; indeed the Crown itself, and the Protestant succession, considering the lingering threat of a French invasion. Instead of

50. Seymour I. Schwartz, *The French and Indian War 1754-1763: The Imperial Struggle for North America* (Edison, New Jersey: Castle Books, 1994), p. 1. See also Bruce Lenman, *The Jacobite Clans*, p. 181.

51. See Note 49, p. 26.

52. Lynde, *The British Army in North America*, pp. 161-162.

being a drawback, the perception of the natural strength of the Scots, when combined with that of the British, created a new military force sufficiently strong to counter threats both external and internal.⁵³

In an effort to draw on local interests, former clan chiefs were encouraged to capitalize on the transformation of clansmen into warriors for the empire by considering them as an additional source of revenue to be earned by recruiting regiments for the British army, solely for deployment to the Americas.⁵⁴ This in itself is an indication of the situation in which Britain found herself. The use of the chiefs, or local landed gentry interests, for this purpose was seen as a tolerable alternative to the military “press”, similar to that used by the Royal Navy to “recruit” sailors into the service of the Crown, even though it represented a return to the somewhat medieval practice of raising tenants as soldiers rather than a state-directed recruitment process.⁵⁵

As murky as their origins as units of the British army may have been, Highland companies had been in service as early as 1739 when the 43rd Regiment, later the 42nd, The Royal Highland Regiment, or *The Black Watch*, was raised. Years later Pitt recognized the need to use the Scots in order to meet the dangerous shortages of military manpower at a time when England and France were almost constantly at war with each other. According to James Hunter, Pitt’s response to the looming crisis with the French over control of the new world was “to involve Scottish Highlanders inextricably in North America”.⁵⁶ The prevailing belief was that by bringing Highlanders into the army and shipping them to North America, Britain would be spared the spectre of once again

53. Lynde, *The British Army in North America*, pp. 161-162. See also Richard B. Shea, “Adam Ferguson, Adam Smith, and the Problem of National Defence”. *Journal of Modern History*. Vol. 61. No. 2 (June 1989). pp. 243-244.

54. T. M. Devine. *The Scottish Nation: 1700-2000* (London: The Penguin Group. Published in Penguin Books, 2000), p. 27.

55. Lynde. *The British Army in North America*, p.161. See also Ian Scobie, “The Highland Independent Companies of 1745-1747”, *The Journal of the Society for Army Historical Research*. Vol. 20 (1941). pp. 5-37.

56. James Hunter, *A Dance Called America*. Edinburgh and London: Mainstream Publishing Company Limited, 1994. p. 53.

fighting the Scots as they had in the 1740s. For James Hunter, this concern of the British government was real, “especially when that Highlander, whom the government had so forcefully disarmed in the period following Culloden, had once more got a musket in his hand”.⁵⁷ According to Tom Devine, even William Pitt, who on one hand heaped praise upon the Highlanders, for they were “esteemed as a tough, loyal and mobile light infantry...”,⁵⁸ admitted on the other to an attitude that was prevalent well into the next century, “‘tis no mischief if they fall”.⁵⁹ It would be wrong to underestimate the impact of the Jacobite rebellions on British military thinking. The rebellion of 1745 in particular, which saw the Jacobites march almost unopposed as far south as Derby, created a sense of national paranoia among the British when it came to the perception of a continuous threat from the highlands of Scotland — a perception that would last into the next century. Andrew MacKillop has encapsulated the prevailing British attitude of the time:

The military dimension to the Scottish Highlands was the single largest concern that British government held regarding the region in the period 1746-1800. From this perspective, the direct result of 1745 was the high lighting and resuscitation of the region’s military potential at a crucial period of British military and imperial expansion.⁶⁰

It is clear that the government was not averse to exploiting the “military potential” of the Highlands through recruiting Highlanders as soldiers. It was a logical extension of the thinking of the British government brought into action, especially when that same government encouraged the maintenance of the Scottish tradition of arms so that Highlanders could be employed in the defence of British liberty.⁶¹ As pointed out by Andrew MacKillop, “it must stand as one of the most ironic aspects of the ‘45... that while it stimulated the demilitarization of Highland Society, it also intensified the large-scale recruitment

57. Hunter, *A Dance Called America*, p.54.

58. T. M. Devine, *The Scottish Nation: 1700-2000*. London: The Penguin Group. Published in Penguin Books, 2000. p.27.

59. *Ibid.* (Compare this quote attributed to Pitt with that of James Wolfe. Footnote 17).

60. Andrew MacKillop, *Military Recruitment in the Scottish Highlands*, p. 13.

61. *Ibid.* p. 29

of Gaels for Britain's imperial army."⁶² The use of these soldiers abroad, however, was also intended to 'encourage' them to remain in the colonies where, at the end of their military service, they would settle on lands set aside for that purpose. William Wildman, Lord Barrington, the Secretary of War, opposed measures for limiting service in the army. He preferred to see service for life, especially for Highlanders as once they had been shipped overseas, they would not be able to return to Britain. Barrington would argue his point convincingly... "I am for having always in our army as many Scottish soldiers as possible...and of all Scottish soldiers I should chose to have and keep in our army as many Highlanders as possible".⁶³

The Scottish regiments took on a new significance as they offered Highlanders a transference of identity based on loyalty to a Clan society, to the recognition of a new loyalty to the state. In the process, the characteristics and value system of the individual Highlander was strengthen and enhanced, but transferred from the individual to the regimental unit. The martial energy of the Highlanders that had so vexed the monarchs of Scotland and England for generations, was now able to be harnessed for use by the Crown. The defence of a nation's homeland, or its colonies, along with the projection of national policy and policing of the civil population were among the primary responsibilities of the eighteenth-century British army — a body that functioned on organization, training, and discipline. The regiment is an important component of most armies, but to the British army, the regiment is essential to its form and function. To a soldier, it was home and family. When all seems lost and King and Country no longer matter, soldiers would continue to fight for each other — and for their regiment. Considering the close bloodties and loyalties of the Scottish clans, the transference of these attributes by the Highlanders to their regiments is understandable.⁶⁴

62. MacKillop, *More Fruitful Than the Soil*, p. 58.

63. *Ibid.*

64. Paul D. Dickson, "Introduction: Some Thoughts on the Nature of Scottish Regiments" (Scottish Tradition, Vol. 26, 2001), pp. 4-6.

In 1757 when the British government, spurred on by Pitt, determined to raise Highland corps for service in North America, letters of service were issued for the formation of new regiments. These regiments were considered an integral part of the British army — not units distinct or separate from it. They were, however, Highland regiments, which by definition implies distinctiveness. With Scots responding to the demand for recruits, the British government was not long in sending the Highland Regiments to North America to meet the ever-increasing demand for soldiers created by the French and Indian War.

Highland units that fought in North America during the Seven Years' War were the 42nd Regiment of Foot (Royal Highland Regiment — The Black Watch), the 77th Regiment of Foot (Montgomerie's Highlanders), and the 78th Regiment of Foot (Fraser Highlanders), the latter two being raised specifically for service in America. It is generally accepted that the only Highland units that fought in the French and Indian war as regiments, as distinct from battalions (which are units within a regiment) were these three regiments. To suggest, however, that only Highland regiments fought in North America, or that Scots were recruited to only Highland regiments would be inaccurate. The Army lists⁶⁵ of 1758 and 1761 also identifies the 2nd Battalion, 1st Royal Regiment of Foot (Royal Scots) as being present in North America during the Seven Years War. An examination of the official Army List of 1758 indicates the presence of the 62nd and 63rd Regiments of Foot under the command of Lieutenant-Colonel Archibald Montgomery and Lieutenant-Colonel

65. "The Army Lists" were published by the Secretary of State at War and were officially titled *A List of the General and Field-Officers, as they Rank in the Army. Of the Officers in the Several Regiments of Horse, Dragoons, and Foot, on the British and Irish Establishments*. The Lists were printed by J. Millan, "opposite the Admiralty-Office, Whitehall". A limited selection of the Army Lists are available at the Library of the Nova Scotia Legislature, but may not be photocopied. A number of lists were hand-copied, including 1759. Similarly, a limited selection is available at the Nova Scotia Archives and Records Management (1749, 1757, 1758, 1824, 1871, 1878 and 1894). Copies for the years 1758, 1760-61, 1769-70, 1775-75, and 1777 were made available through the courtesy of Tim Dubé, Historical Resources Branch, National Archives of Canada.

Simon Fraser respectively. The same regiments are identified as the 77th and 78th Regiments of Foot, under the same commanders, in the Army List of 1759. It is apparent that within a year following deployment to North America, the regimental numbers were changed. Although it was not uncommon that this occurred, the reason for it is not clear. There is little doubt, however, that the size of the British army grew considerably, and quite quickly.

In order to meet the demands for new soldiers, the Highlands were heavily “mined” for recruits. A review of the rank and file and non-commissioned officers of the British army in North America during 1757 indicates a total of seventeen regiments and battalions, for a total of 14,126 personnel. Officers would account for an additional 654 giving a total strength of 14,780. Of the enlisted personnel Scots would account for 3,867, or 27.7% of the rank and file and non-commissioned officers. Scots as commissioned officers would account for 207, or 31% of the officer corps in North America during that year.⁶⁶ These numbers would increase over the next few years, especially with the addition of the 77th (Montgomery’s) Highlanders and the 78th (Fraser’s) Highlanders, which would not arrive in North America until the following year.

There is a general assumption that many regiments of the British army came to Nova Scotia on their way from New England to fight the French at Louisbourg in 1755 and 1758, and again at Québec in 1759. A review of the regiments stationed in Halifax during the period 1754-1763 indicates there were Scottish units among those that served in the garrison, even though settlement had been established only five years earlier. These units included the 1st Regiment of Foot (The Royal Regiment), stationed at the Citadel from 1756-1758, and the 1st Battalion of the 42nd Regiment of Foot (The Royal Highland Regiment) garrisoned in Halifax from 1755-1757.⁶⁷ Although the Royal

66. Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas, 1755-1763* (Cambridge University Press, 2002), p. 318.

67. This reference item is a typed-written (semi-published) manuscript, entitled *Halifax 1749-1906, Soldiers who Founded and Garrisoned a Famous City*. It was prepared by Captain W. D. Armit, RD, RCN(R), Ret'd., Curator of The Army Museum, Halifax Citadel, 1962. A copy of Captain Armit’s paper is available at the Nova Scotia Archives and Records Management (Call Number UA, Title AR6).

Proclamation of 1763 that made provision for land grants to discharged soldiers would not be made until several years later, it is likely that their time spent in Nova Scotia would have been sufficient for some soldiers to recognize the potential of the region as future homesteads.

Unlike the Highland Regiments that served in North America, The Royal Scots was a Lowland regiment organized in 1633 under the commission of Charles I, and based on survivors of much earlier regiments whose origins are obscured by the passage of time. The regiment remained loyal to King James II during the Glorious Revolution, but shortly after, gave its allegiance to the Protestant successors, William and Mary of Orange.⁶⁸ The Royal Scots retained this allegiance and along with the Munros and other Scots, the regiment fought at Culloden with the Duke of Cumberland against Prince Charles Edward Stuart and his Highland regiments. It was, however, the three Highland regiments previously identified that constituted the bulk of Highlanders in North America, with the 77th and 78th regiments having been raised specifically for that purpose. Pitt, who had opposed the employment of foreign troops as mercenaries, was faced with the task of raising sufficient numbers of soldiers from domestic sources alone. In 1757, two Highland units were approved, to be commanded by two unlikely individuals: Archibald Montgomery, a Lowlander, and Simon Fraser, son of the Lord Lovat, who had been executed for his role with the Jacobites during the rebellion of 1745.⁶⁹

Upon receipt of his letter of service, Montgomery began to build a regiment in the North and was soon able to recruit a body of men who were formed into a regiment of 13 companies, of 105 rank and file each, making in all, with 65 sergeants, and 30 pipers and drummers, 1,460 effective men. This corps was numbered the 62nd regiment, and was quickly shipped out of Greenoch to Halifax for service in North America even before the troops had completed basic military training.⁷⁰ Once in North America, the regimental

68. Diana M. Henderson, *The Scottish Regiments*, p. 40-41.

69. MacKillop, *More Fruitful Than the Soil*, p. 47.

70. Lenman, *The Jacobite Clans*, p. 186.

number was changed and the unit became known as the 77th Regiment, Montgomery's Highlanders. Usually employed in small expeditions, and often traversing the most difficult terrain during which they had numerous skirmishes with the Indians and French irregular troops, the regiment's efforts often met with mixed results.⁷¹ At the close of the war, all the officers and men who chose to settle in America were permitted to do so, each received a grant of land in proportion to his rank. A number of these officers and men, as well as those of the 78th regiment, would later rally to the King's standard in 1775 to form, with the 84th Regiment of Foot, a corps known as 'The Royal Highland Emigrants. It was composed almost entirely of veterans of the Seven Years War who had remained in North America and fought with distinction during the American Revolution (1775-1783).⁷²

The recruitment of the 78th Highlanders originated as much from political motives as those related to the military. Britain had subjugated the Scots after Culloden, depriving them of customs and traditions which was peculiarly theirs and in many cases, seizing the estates of those who had supported the Jacobite cause. The raising of the Highland Regiments, however, gave the British government the decided advantage of appearing somewhat benevolent toward the recently defeated Scots through acquiring the services of Highlanders as soldiers. Simon Fraser, designated Colonel of the new regiment, had calculated that by assisting the Crown with recruitment efforts, he would gain favour with the Government and win back his family estate, which would allow him to rebuild his personal

71. Fred Anderson, *The Crucible of War*, p. 462-463.

72. Information related to the history of the 77th Regiment of Foot was obtained from T. F. Mills' extensive website, <http://www.regiments.org/milhist/uk/inf/077monty.htm>. The specific reference is the article on the history of the regiment prepared by Clyde R. Jasper, "Montgomerie's Highlanders: 77th Regiment of Foot (<http://www.digitalhistory.org/77th.html>). Mills' website is very comprehensive in its treatment of regiments of the British Army. It should be noted that internet sources were searched only a review of the secondary sources indicated that even mid-twentieth century historians such as Major Ian H. MacKay Scobie, *The Scottish Regiments of the British Army* (Edinburgh: Oliver and Boyd Ltd., Tweeddale Court, 1942) and J. B. Kirkwood, *The Regiments of Scotland* (Edinburgh: The Moray Press, 1949), and more recent historians, John Laffin and Diana Henderson address primarily the present-day Scottish regiments of the British army, excluding many of the older regiments such as the 77th and 78th.

fortune. The battalion was to be raised on the forfeited estate of the Frasers, so recently vested to the Crown. For their part, the Government would later encourage other disinherited individuals such as Fraser to follow his example and regain their respectability through the recruitment of Highlanders as soldiers.⁷³

Without estate, money or influence Simon Fraser would, in a few short weeks, raise a body of nearly 800 men. The officers of the regiment would raise an additional 700 men, thereby creating a compliment of approximately 1500 enlisted men, including 65 sergeants and 30 pipers and drummers, developing in the process a fighting force similar in size to Montgomery's 77th Regiment of Foot. In the spite of the ban on traditional Highland garments and weapons which had been instituted in 1747, the Regiment's uniform was the full Highland dress, complete with musket and broadsword. Many soldiers added, at their own expense, a dirk and a purse of Badger or Otter skin, and a feathered bonnet, commonly associated with the Jacobite regiments.

The 78th Highland Regiment embarked from Grennock, in company with Montgomery's Highlanders, to land at Halifax in June 1757, where it remained until it formed up with the expedition against Louisbourg. The regiment was alternately quartered in Canada and Nova Scotia until the conclusion of the war in 1763. A number of the officers and men settled in North America after the war, and by their own request received a grant of land. The remainder were sent home and discharged in Scotland.⁷⁴ The 78th

73. Robert Clyde, *From Rebel to Hero*, pp. 152-153.

74. Information related to the history of the 78th Regiment of Foot was obtained from T. F. Mills' extensive website, <http://www.regiments.org/milhist/uk/inf/078fraser.htm>. The specific reference is the article on the history of the regiment prepared by Clyde R. Jasper, *Fraser's Highlanders: 78th Regiment of Foot* (<http://www.digitalhistory.org/fraser.html>). Mills' website is very comprehensive in its treatment of regiments of the British Army. See also J. R. Harper, *The Fraser Highlanders* (Historical Publications, The Society of the Montréal Military and Maritime Museum, 1979). This book contains an extensive history of the 78th Regiment of Foot, and includes copies of correspondence and several appendices related to land grants to soldiers disbanded in Canada, and a copy of the Application for land grants to officers of the regiment, dated July 1766, for lands in Nova Scotia and the Island of St. John's (Prince Edward Island). Unfortunately, acreage or location is not identified for the rank and file as it is for officers. A comparison of Harper's book and Jasper's article would suggest that the book served as a source of information for the website article.

Highlanders would continue to distinguish itself well into the nineteenth century and was, by all accounts, a superior body of fighting men.

Of the Scottish regiments that served in North America, the 42nd Highlanders was senior to the 77th and 78th, having been on the British army establishment for several years before the other regiments were raised. At the Battle of Fontenoy in 1745, the regiment played a leading role in covering the withdrawal of the Allied Army after a costly encounter with the French. Following the battle, an anonymous French author wrote, "...the Highland furies rushed in upon us with more violence than ever did the sea driven by tempest.... we gained the victory, but may I never see such another!"⁷⁵

As regiments were amalgamated or disbanded, regimental numbers were subject to change. In 1751, following the reduction of a regiment previously numbered the 42nd, the Black Watch, having previously been identified as the 43rd Regiment, moved up to receive the number "42nd" by Royal Warrant. Following the outbreak of war in North America between the British and the French, the Regiment was sent to New York where, at Ticonderoga in July 1758, the 42nd fought its fiercest battle to date, losing half their men and two thirds of the officers in an unsuccessful attempt to capture the French-held fort. On July 22nd, 1758, the worth of the Regiment was officially recognized when King George granted it the title "Royal":

We being desirous to distinguish our Forty-Second Regiment of Foot, with some mark of Our Royal favour, Our Will and Pleasure therefore is, and we do hereby direct, that from henceforth Our said regiment be called, and distinguished by the title and name of Our 'Forty-Second, or Royal Highland Regiment of Foot', in all commissions, orders, and writings, that shall hereafter be made out, or issued for and concerning the said regiment.⁷⁶

In 1767 the Regiment sailed from America to Ireland where they were to spend the

75. Linklater, *The Black Watch*, p. 27.

76. A copy of the Royal warrant is available in its entirety at the website of the 42nd Royal Highland Regiment (<http://www.42ndRHR.org/warrants.php>)

next eight years, finally returning to Scotland in 1775.⁷⁷ As testament to their loyalty, the Black Watch, or “the Forty-Twa” as the regiment was nicknamed, has drawn the majority of its officer corps from the same families as the original independent companies in 1725. Since that time, apart from wartime appointments, it is estimated the Campbells, Munros, Grants, and Frasers have provided in excess of three hundred officers to the regiment.⁷⁸

As with any regiment, it is neither the politicians nor the commanding officers who give the unit its name and reputation, although both often claim the credit. It is the actions and attitudes of the individual soldiers. The British soldier in the eighteenth century has often been characterized as the quintessential “scum of the earth”, often portrayed as cannon-fodder, obedient to the death, driven on by ruthless officers more likely to use the lash than reason; their officers, on the other hand, are seen as unskilled aristocratic snobs or bumbling fops, ineffective in the military arts having purchased their rank through family connections.⁷⁹ There may be some truth to signs posted at taverns and inns advising travellers and patrons that dogs and soldiers were not allowed on the premises, given that an early eighteenth-century journal made the following observation regarding soldiers: “He is generally loved by two sorts of companion, in whores and lice; for both these vermin are great admirers of a Scarlet Coat....” These impressions may seem harsh and even somewhat biased. Unfortunately, however, it is this image of the British soldier that seems to be the most prevalent. To answer questions pertaining to the nature and

77. A history of the 42nd Royal Highland Regiment can be found the regimental website: (<http://users.tinyonline.co.uk/blackwatch/his1.htm>). See also Eric and Andro Linklater, *The Black Watch: The History of the Royal Highland Regiment* (Barrie & Jenkins, Communica-Europa, 1977); John Laffin, *Scotland the Brave: The Story of the Scottish Soldier* (London: White Lion Publishers. 1974), pp. 117-127, and Diana M. Henderson, *The Scottish Regiments*, 2nd ed. (Glasgow: HarperCollins Publishers, 1996), pp.100-116.

78. John Laffin, *Scotland the Brave: The Story of the Scottish Soldier* (London: White Lion Publishers. 1974), p. 118. Note: The figure used by Laffin is 275 officers, but as his book was published in 1963 and again in 1974, it is not known if the information provided was updated. An allowance of one officer per year to compensate for the passage of time has been suggested in this paper.

79. Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas*, pp. 84-85.

character of the British soldier is a difficult task. There seems to be one almost inescapable conclusion as offered by historian Victor E. Neuberg:

...the redcoated soldier who sweated it out in India or the West Indies, marched into the Highlands of Scotland or garrisoned New York, remains an illusory figure. The characteristics imputed to him are bravery on the one hand and drunkenness on the other....So far as the eighteenth-century is concerned, we know little about most of the serving officers at regimental level and even less about the non-commissioned officers and men.⁸⁰

While Neuberg's observation does not specifically refer to Highlanders or British troops in Nova Scotia, the reference to drunkenness as a personal characteristic is supported by comments from Colonel Charles Lawrence to the Lords of Trade. His suggestion that "...every soldier who has come into this province since the establishment of Halifax has either quitted it, or become a dram seller"⁸¹ was intended to keep disbanded soldiers from settling near Halifax. Not a very flattering comment from one charged with the responsibility of finding suitable land for these very soldiers, upon their discharge from the army. These observations, plus others even less flattering, are shared by James Wolfe in a letter to Lord George Sackville:

Too much money and too much rum necessarily affect the discipline of an army. We have glaring evidence of their ill consequences every moment. Sergeants drunk upon duty, two sentries upon their posts and the rest wallowing in the dirt. I believe no nation ever paid so many bad soldiers at so high a rate.⁸²

Wolfe once described soldiers of his own regiment as "terrible dogs to look at". In a later letter to Sackville, Wolfe would describe garrison soldiers at Portsmouth as "vagabonds that stroll around in dirty red clothes from one gin-shop to another...dirty, drunken, insolent rascals".⁸³

80. Victor E. Neuberg, "The British Army in the Eighteenth Century", *Journal of the Society for Army Historical Research*, Vol. LXI, No. 245 (Spring 1983), p. 39.

81. Colonel Charles Lawrence to the Lords of Trade, May 11, 1760. CO217, Vol.17, Reel 13847.

82. Beckles Willson, *The Life and Letters of James Wolfe* (London: William Heinemann, 1909), p. 368.

83. Willson, p. 357.

These attitudes seem to spring from a seemingly common conclusion that most of the recruits to the British army during the eighteenth-century were criminals — some convicted as such, others given a choice between conviction and joining the army. Since the penalty for crime was often swift and harsh, many chose the army, only to find that instead of prison or the hangman's noose, they faced the lash, the firing squad, or death by disease or enemy action in any one of a number of god-forsaken outposts that Britain had decided it was in the national interest to occupy. The consensus is, however, that once a criminal was in the army, the only change that occurred was the uniform, which did little to change the man.⁸⁴

Based on their studies of select regiments of the British army, Sylvia Frey and John Houlding were among the first historians to suggest that rather than criminals, or “pressed” soldiers, many soldiers were tradesmen who had lost their livelihood due to economic conditions and volunteered for the army as a means of securing means to support their families. Indeed, as Houlding points out that recruiting parties not only brought in criminals, but others who were not guilty of a crime other than being able-bodied, reasonably healthy, but who were unemployed, without a trade or unable to show any means of support.⁸⁵ Houlding and Frey are supported by the more recent work of Stephen Brumwell, who indicates that based on a survey of the records of only one regiment, a sampling of 558 soldiers came from trades and occupations such as labourers and husbandmen, weavers, shoemakers and cordswainers, tailors, and a mixture of metalcraftsmen, stone-cutters, masons and bricklayers, blacksmiths, leather workers, potters, sawyers, carpenters and barbers, plus numerous others.⁸⁶ Houlding goes further to state:

84. Richard Holmes, *Redcoat*, p. 135-156.

85. See Sylvia Frey, *The British Soldier in North America: A Social History of Military Life in the Revolutionary Period* (Austin, Texas: University of Austin Press, 1981) and John Houlding, *Fit for Service: The Training of the British Army, 1715-1795* (Oxford: Clarendon Press, 1981)

86. Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas*, p. 320.

The Press Acts, which were in operation only during the years 1704-12, 1745-6, 1755-7, and 1778-9, hardly provided the most willing or able of recruits; and the main purpose of impressment was never simply to take up the rogues, vagabonds and others socially undesirable but rather *pour encourager les autres* — to drive others to volunteer for fear of being pressed.⁸⁷

The British army had three national roles to fulfill: the first was the fighting role, or soldiering in the real sense; the second was serving as the national police force; the third, and probably the most onerous for those who had this duty, was the role of garrisoning forts and outposts, not only in Britain, but in any part of the world that was considered British.⁸⁸ If recruiting sufficient numbers of soldiers to meet the army's needs during times of peace was difficult, it became all the more problematic during time of conflict.

Whether a man volunteered or was pressed to "take the King's Shilling", it was never easy for recruiters to fill their quotas. To be certain, the Recruiting Sergeants were active in the Highlands, as witnessed by an old traditional Scottish Ballad, "Twa Recruitin' Sargents", that suggested a recruit should "Pit a feather tae your bonnet, and a kilt aboon your knee... Enlist my bonnie laddie and come awa wi' me."⁸⁹ Life in the army, however, was notoriously tough, with poor pay often in arrears, hunger, harsh punishment, uncertain enlistments, and as often as not, a grave in a foreign country. While many criminals who entered the army never reformed, many who were honest men became criminals, at least in the eyes of their superiors, just to survive. Although many soldiers had trades or occupations before entering the army, most were poorly educated, some illiterate. Under the command of officers who, for the most part, could not understand or appreciate the problems of the common soldier, many fared poorly in an environment where brutal discipline was the norm, and open communications between a soldier and his officers was simply not

87. John Houlding, *Fit for Service: The Training of the British Army, 1715- 1795* (Oxford: Clarendon Press, 1981), p. 118.

88. Houlding, pp. 3-4.

89. Gloria Dufield, "Sauvages d' Ecosse in the French and Indian War". Traditional Scottish Ballad, taken from website <http://sageunix.uvm.edu/~gdufield/news.htm>.

tolerated. It is easy to understand why enlistments were always problematic. In a time when recruiting sergeants used threats, trickery and alcohol in an effort to fill the ranks, it was never easy to find willing volunteers to fight in the British army. The surprising part is that in all of Britain, the Highlands of Scotland would prove to be among the most fertile ground for recruiters.⁹⁰

Unlike many of their English counterparts, Highlanders enlisted in large numbers before they were pressed. It was, in fact, considered a social stigma to wait to be pressed, not unlike later wars of the twentieth century where volunteerism was encouraged and being conscripted was almost socially unacceptable. This almost paradoxical situation developed as a result of the Jacobite defeat of 1746. Highlanders knew that their economic future depended on their role within the British union. Unable to promote their Jacobite ideals militarily, the Highland elites saw recruitment as a new avenue for them to renew their ambitions. Sending men to the British army, especially in time of war, was one sure way to promote both an individual and a collective patriotism while establishing their British credentials. Given the prevalence of both anti-British and anti-military sentiments following their crushing defeat at Culloden, recruitment became simply another way for the Highlanders to conduct business with the British.⁹¹ As Andrew MacKillop pragmatically points out:

It would be highly inaccurate to suggest that every Highland soldier was little more than a reluctant conscript....the 1750s and 1770s saw the region produce soldiers on a scale that was comparable to the mobilizing power of the pre-Culloden clans....Moreover, Highland recruiting was all the more efficient because of the dual impact of state sponsored impressment and the economic leverage held by the region's proprietary elite.⁹²

90. Arthur N. Gilbert, "Why Men Deserted from the Eighteenth-Century British Army", *Armed Forces and Society*, Vol. 6, No. 4, (Summer 1980), pp. 554-555.

91. Andrew MacKillop, "Continuity, Coercion and Myth: The Recruitment of Highland Regiments in the Later Eighteenth Century", *Scottish Tradition*, Vol. 26, 2001, pp. 30-51.

92. *Ibid.* p. 51.

James Hunter offers a supporting opinion in his observation that “not every Highland soldier went voluntarily, cheerily and courageously to war”⁹³, in spite of economic or patriotic considerations. A contemporary of the period cynically reported:

The zeal with which the followers of any chieftain then came forward to enlist...was prompted not only by affection and the enthusiasm of clanship, but...by obvious views of private interest. The tenant who, on such occasion should have refused to comply with the wishes of his landlord, was sensible that he could expect no further favour and be turned out of his farm. The more considerable the possession he held, the more was it in his best interest, as well as his duty, to exert himself. The most respectable of the tenantry would, therefore, be among the first to bring forward their sons; and the landlord might, upon an authority almost despotic, select from among the youth upon his estate all who appeared most suitable for recruits.⁹⁴

War in North America was a different experience for the Highland regiments. Throughout their campaigns against the British in Scotland, the Scots had been favoured by the rolling hills, glens and rocky outcrops that had defined their homeland. With broadswords and targes as their main weaponry, the Highlanders had always avoided strongly fortified positions. The British, on the other hand, did not construct any major fortified positions in the Highlands during the period between 1644 and 1746.⁹⁵ The battle experience of the Highlanders, therefore, was not beneficial to them in the wooded forests of North America nor, where the French had built fortifications such as Fort Duquesne, Fort Ticonderoga, Fortress Louisbourg, and Québec. Throughout the French and Indian War, the British continuously used the Highlanders as an early form of shock-troops in their assaults against these well-fortified and defended French positions.⁹⁶

Perhaps it was their inexperience or simply their refusal to give in against even the

93. James Hunter, *A Dance Called America* (Edinburgh: Mainstream Publishing, 1994), p. 57.

94. *Ibid.* The quote is from David Stewart, *Sketches of the Highlanders of Scotland*, John Donald edition, 2 volumes, published in Edinburgh, 1977.

95. Hill, *Celtic Warfare*, p. 160.

96. For a description of battles and the use of Highlanders against fortified positions, see Fred Anderson, *Crucible of War*, pp. 207-208, 240-249, 344-368. See also Brumwell, *Redcoats*, pp. 264-289, and Hill, *Celtic Warfare*, pp. 157-169.

greatest of odds. In a world where casualties were the price of both victory and defeat, the losses suffered by the Highland regiments were considered staggering, even by eighteenth-century standards. At Fort Duquesne Montgomery's 77th Highland Regiment lost fifty-eight percent of their force; at Ticonderoga the Black Watch suffered losses equaling fifty percent; at Québec Fraser's 78th Highlanders lost over thirty percent of their number. Only at Louisbourg, where the 78th lost just six percent of their force, could the casualties be referred to as "acceptable".⁹⁷ The rocky landscape surrounding Louisbourg is believed to have been instrumental in the small number of casualties taken by Fraser's regiment — it was similar to the rocky outcrops of the Highlands, and therefore was considered familiar ground for the Scots. While the loss of rank and file was a serious matter, of greater significance was the loss of one hundred sixteen officers of the Highland Regiments, especially given that a year earlier, there were only two hundred and seven Scottish officers in North America.⁹⁸ By comparison, losses of English and American soldiers in the same campaigns totalled less than nine percent.⁹⁹

Casualty lists most often identify those killed in action. The wounded and the extent of their wounds are not included — nor is their suffering. Nine months after the unsuccessful assault on Fort Ticonderoga, eighty wounded veterans of the 42nd Highlanders arrived back at Portsmouth. Their arrival gave Britons their first real glimpse of the cost of the war in America. In one of its June 1762 editions, the government-sponsored journal, *The Briton*, would remind its readers of "those swarms of miserable maimed Highlanders' who could be seen crawling about the outskirts of London 'with scarce any vestige of the human form'."¹⁰⁰ According to Stephen Brumwell, the plight of the

97. For accounts of losses in the Highland regiments during actions in North America during the Seven Years War, see Brumwell, *Redcoats*, p. 267, and Hill, *Celtic Warfare*, p. 168.

98. Brumwell, *Redcoats*, p. 318.

99. Hill, *Celtic Warfare 1595-1763*, p. 168. These casualty figures are confirmed in a recent publication by Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas, 1755-1763* (Cambridge University Press, 2002), p. 267.

100. Stephen Brumwell, "Home from the Wars," *History Today*, Vol. 52, No. 3 (March, 2002), p. 41.

wounded was ignored for the most part, however, “because of society’s ingrained disdain for the soldier, the crippled veteran was all too often an object of derision rather than pity — one whose sorry state offered a grim warning against both the folly of taking the King’s shilling and the inevitable consequences of disruptive and costly foreign conflicts”.¹⁰¹ This was a situation that was to remain almost unchanged until after the Crimean War, nearly one hundred years later.

James Michael Hill suggests that the Highlanders fought best when they fought offensively like their forebears, and that credit must be given to Wolfe and other British commanders who, through discipline and training, were able to channel the Highlanders aggressive method of fighting to meet the needs of the British army. Wolfe’s use of the Highland regiments, while sometimes considered a wasteful disregard for the lives of the Highlanders, was not malicious in its intent, but simply based on a basic understanding of the offensive nature of Gaelic warfare.¹⁰² On the other hand, cynics can reflect on Wolfe’s early assessment of the Highland warriors... “they are hardy, intrepid, and accustomed to a rough country, and no great mischief if they fall”.¹⁰³

The contemporary work of David Stewart of Garth, who himself spent many years of service in a Highland regiment, would, according to James Hunter, “remain the most sensitive account of what it meant in eighteenth-century circumstances to be a Highland soldier”.¹⁰⁴ Stewart determined the Highlander was attuned to military life, being both mentally and culturally “fit for service”, as J. A. Houlding would phrase it. The military character of the Highlander, as defined by Stewart, was that he was:

Nursed in poverty, he acquired a hardihood which enabled him to sustain severe privations. As the simplicity of his life gave vigour to his body, so it

101. Brumwell, “Home from the War,” *History Today*, Vol. 52, No. 3 (March, 2002), p. 41.

102. Hill, *Celtic Warfare 1595-1763*, p. 169.

103. J. T Findlay, *Wolfe in Scotland in the '45 and from 1749 to 1753* (London: Longmans, Green and Co., 1928), p. 226.

104. James Hunter, *A Dance Called America*, p. 57

fortified his mind. Possessing a frame and constitution thus hardened, he was taught to consider courage as the most honourable virtue, cowardice the most disgraceful failing; to venerate and obey his chief, and to devote himself for his native country and clan; and thus prepared to be a soldier, he was ready to follow wherever honour and duty called him.¹⁰⁵

This may, in part, explain the grim determination of Highland soldiers to secure victory, whatever the cost. Hunter suggests that other infantry regiments of the time lacked the social cohesion that was an essential part of the Highland regiments. The highlanders were unlike other regiments in which individuals were often thrown together from diverse backgrounds, often of less savoury circumstances, and more motivated by punishment than commitment.¹⁰⁶ In contrast to Hunter's comment on the infantryman of other regiments, David Stewart commented that the Highland infantryman was:

surrounded by the compatriots of his youth...strengthened by the consciousness that every proof which he displays, either of bravery or cowardice, will find its way to his native home....Hence he requires not artificial excitements. He acts from motives within himself... his aim must terminate in victory or death.¹⁰⁷

Whatever opinion is raised of the Highland soldier in the British army during the middle eighteenth-century, there remains little doubt that they were recruited in large numbers to serve a nation — not in defence of their homeland, but in an ever-expanding quest for empire. To this end Highlanders served British imperial ambitions in North America with courage and distinction. Many would die for Britain's national interests; others would seek land as the reward for their service, hopeful for the opportunities this would provide for them in the American colonies, including Nova Scotia.

105. David Stewart of Garth, *Sketches of the Highlanders of Scotland*, Vol. 1 (Edinburgh: John Donald, 1977), p. 235.

106. *Ibid.*

107. *Ibid.*

Chapter 2

British Imperial Policy and Eighteenth-Century Nova Scotia

During the eighteenth century Scottish soldiers came to Nova Scotia not as settlers, but as instruments of a nation at war in North America. In a time spanning the period from the capture of Port Royal in 1710 to the onset of the American Revolution in 1775 Britain had, by force of arms, decimated Nova Scotia's aboriginal inhabitants, deported the majority of its Acadian settlers, and destroyed French strongholds in North America including Louisbourg and Québec. With the Treaty of Paris in 1763 the Seven Years War was brought to an successful conclusion for Britain, the recipient of territorial holdings from North America to Africa in a peace settlement that would see the French empire, as suggested by Earl Reitan, "virtually wiped out".¹ North America emerged from the Seven Years War as part of a single empire — a British imperial one.

Imperial policy was an essential factor in the settlement of Highland soldiers in Nova Scotia during the eighteenth century. An examination of this policy within the context of both occupation and settlement suggests that an important connection existed between imperialism and the British army's role in its implementation, especially during the early part of the century and the period that surrounded the Seven Years War (1756-1763).²

1. Earl A. Reitan, *Politics, War and Empire: The Rise of Britain to a World Power 1688-1792* (Arlington Heights, Illinois: Harlan Davidson, 1994), p. 96.
2. For a review of colonial settlement in North America and Nova Scotia see Anthony MacFarlane, *The British in the Americas 1480-1815* (Longman, London and New York, 1992); Bernard Bailyn, *Voyagers to the West* (New York: Alfred K. Knopf, 1986) and *The Peopling of British North America* (New York: Alfred K. Knopf, 1987); John Brebner, *New England's Outpost: Acadia before the Conquest of Canada* (Hamden, Connecticut: Archon Books, 1965), George Rawlyk, *Nova Scotia's Massachusetts: A Study of Massachusetts-Nova Scotia Relations 1630-1784* (Montreal and London: McGill-Queen's University Press, 1973); John Reid, *Acadia, Maine and Nova Scotia: Marginal Colonies in the Seventeenth Century* (Toronto: University of Toronto Press, 1981) and *Six Crucial Decades: Times of Change in the History of the Maritimes* (Halifax: Nimbus Publishing Limited, 1987); Andrew Hill Clark, *Acadia: The Geography of Early Nova Scotia to 1760* (Madison: The University of Wisconsin Press, 1968); Winthrop Bell's "The Foreign Protestants" and the Settlement of Nova Scotia (Toronto: University of Toronto Press, 1961); W. S. MacNutt, *The Atlantic Provinces: The Emergence of Colonial Society 1712-1857* (Toronto: McClelland and Stewart Limited, 1965).

There are, therefore, two important issues: the nature of imperialism and the use of the British army as a tool of that policy. It was the implementation of imperial policy that required substantial growth of the British army and due to its composition, large numbers of Scottish soldiers who were deployed with their regiments in North America during the crucial period of the Seven Years War. It was the same policy, surrounded as it was by a political, economic and administrative angst over the future of the American colonies, and indeed an expanded empire³, that would see thousands of soldiers left in the North American colonies, including Nova Scotia.

As the result of their experiences during the Seven Years War, many British military officers were dissatisfied with the performance and effort of the American colonial militia. This is reinforced, in part, by James Wolfe after the defeat of the French at Louisbourg, when he described the America militia “as the dirtiest, most contemptible cowardly dogs that you can conceive. There is no depending upon ‘em in action. They fall down in their dirt and desert by battalions.”⁴ That the British army would stay in North America was never in question, for in addition to the negative views expressed as to the qualities and capabilities of an “American Army”, possible future action by the French would remain a long-standing concern. As Fred Anderson pointed out, there was a serious and legitimate concern about the loyalty of the many thousands of former French subjects in Canada, that demanded the maintenance of a substantial armed force as a reminder of British military power. A factor of even greater importance, however, was the numerous problems that would be created in Parliament, should a large army be demobilized in Britain. The point of debate, therefore, revolved around not whether the army would remain in North

3. These concerns have been identified by Lawrence James, *The Rise and Fall of the British Empire* (London: Little, Brown and Company, 1995), p. 94-95; Fred Anderson, “An Urgent search for Order”, in *Crucible of War* (New York: Vintage Books, 2001), pp. 560-571; Denis Judd, *Empire: The British Imperial Experience 1765 to the Present* (New York: Basic Books[Random House], 1996), pp. 21-22. Linda Colley, *Britons: Forging the Nation 1707-1837* (New Haven and London: Yale University Press, 1992), pp. 101-105.
4. Lawrence James, *The Rise and Fall of the British Empire*, p. 93.

America, but how large an army it would be.⁵ In addition, British authorities concluded because of native uprisings, “it would be necessary to maintain troops in the colonies after the war: to protect the Indians from the colonists and the colonists from the Indians.”⁶

The Seven Year War, however, was not the first time that British troops had been used in Nova Scotia. An early attempt by Sir William Alexander to establish a permanent settlement in Nova Scotia was not successful, although he came close to succeeding with his Scottish settlement near Port Royal in 1629.⁷ Within ten years, however, and on the orders of Charles I, the Scots colony was abandoned and reverted to the French, who had originally settled the site fifteen years prior to Alexander. For several decades following the departure of Alexander's colonists, controversy and conflict swirled around the Port Royal site. Several attacks were mounted from New England, and for the most part, were successful in capturing the town and its fort. Each time, however, military success was overthrown by diplomatic negotiations as Port Royal was returned time after time to French control. In 1710 the town finally fell to New England volunteers and British Marines, lead in part by British army officers. This time, however, the town was not returned to the French by treaty and remained British, although over the next thirty years there were attempts by France to reclaim it for their own.

The struggle for this strategic site, eventually renamed Annapolis Royal after Queen Anne was a small confrontation in a continuous series of battles between Britain and France. It was significant, however, in that after changing ownership several times since its founding as a French fort early in the seventeenth-century, this vital foothold at the mouth of the Annapolis River was finally British, and would remain as the seat of British authority in Nova Scotia until the founding of Halifax nearly forty years later. With the Treaty of Utrecht in 1713, Acadie, which had been settled by France and consisted of the areas

5. Fred Anderson, *Crucible of War* (New York: Vintage Books, 2001), pp. 560-561.

6. Reitan, *Politics, War and Empire*, p. 97.

7. See N.E.S. Griffiths and John G. Reid, “New Evidence on New Scotland, 1629”, *The William and Mary Quarterly*, 3rd Series. Volume XLIX, (July, 1992), pp. 492-508.

around the Bay of Fundy and Île St. Jean (Prince Edward Island) was ceded to Britain. Until the middle of the eighteenth century, however, British control of the area and its Acadian population was quite tenuous as peninsular Nova Scotia remained vulnerable to attack from the French who still held Ile Royale (Cape Breton Island), the site of their great fortress at Louisbourg.⁸

For several years “the Fort at Annapolis Royal”⁹ stood as England’s lone military outpost in Nova Scotia. With the establishment of Halifax as a permanent garrison and settlement in 1749, Britain achieved a measure of security in Nova Scotia, although real security from the French would not be achieved until after the defeat of Napoleon in 1815. The acquisition of territory north of the New England colonies through force of arms signalled the North American expansion of the first British Empire that continued throughout most of the eighteenth-century.¹⁰ As part of the strategic triangle which included

8. For a review of the early history of Annapolis County, Annapolis Royal and Fort Anne, and early Scottish settlement in Nova Scotia see W. A. Calnek, *History of the County of Annapolis*, Canadiana Reprint Series No. 30. (Belleville, Ontario: Mika Publishing Company, 1980. Originally published in 1897 by William Briggs of Toronto). Also see John G. Reid, *Acadia, Maine, and New Scotland: Marginal Colonies in the Sixteenth Century* (Toronto: University of Toronto Press, 1981); Winthrop P. Bell, *The “Foreign Protestants” and the Settlement of Nova Scotia: The History of a Piece of Arrested British Colonial Policy in the Eighteenth Century* (Sackville, New Brunswick: Centre for Canadian Studies, Mount Allison University, 1990); John Bartlett Brebner, *New England’s Outpost: Acadia before the Conquest of Canada* (Hamden, Connecticut: Archon Books, 1965); Naomi E. S. Griffiths and John G. Reid, “New Evidence on New Scotland” *The William and Mary Quarterly*. (3rd Series, Vol. XLIX, No. 3. July, 1992. pp. 492-508).
9. For many years Fort Anne was known simply as “the Fort at Annapolis Royal”, or simply as “the fort”, even in official documents. It was never granted an official name; the name Fort Anne simply evolved through abbreviation and common usage sometime after the end of the Napoleonic Wars, circa 1815. This was first identified to the author by Wayne Kerr, Interpretive Specialist with Parks Canada, and a former Superintendent of the Fort Anne National Historic Site. This is confirmed in Calnek’s *History of the County of Annapolis*, Mika Publishing Company, Belleville, Ontario, 1980. Calnek cites several reference to “the fort”, including descriptions by Paul Mascarene and others well into the eighteenth century. See pages 42, 64, 67, and 97. There are no references to a “Fort Anne”.
10. David Chandler, ed. and Ian Beckett, assoc. ed., *The Oxford History of the British Army* (Oxford: Oxford University Press, 1996), pp. 67-68.

Gibraltar and Bermuda, Halifax — and by implication Nova Scotia — was the northern cornerstone of England's Atlantic empire.

The eighteenth century, which opened for the British in North America with the capture of Port Royal, was not the beginning of British imperial adventures. By the end of the previous century, England (Britain, following the Act of Union in 1707) “was appreciably more of a maritime and Imperial power...than had been the case sixty, fifty, or even forty years earlier”.¹¹ By the early eighteenth century, however, Britain had already emerged as what John Brewer referred to as “the military wunderkind of the age”.¹² For decades Britain and France had been embroiled in a series of wars that, by the middle of the century, had raged almost uninterrupted for over one hundred years. The ongoing conflict was not solely related to military matters, but involved a complex series of political and diplomatic manoeuvres that employed force as an extension of national policy. Because of the significance of the events that dominated the period from the Glorious Revolution of 1688 to the final defeat of Napoleon at Waterloo in 1815, the eighteenth century is often referred to as “the long century”.¹³ Specifically, there was the Nine Years War with France

11. G.E. Aylmer, “Navy, State, Trade, and Empire” (*The Origins of Empire*, Nicholas Canny, ed. Oxford and New York: Oxford University Press, 1998), p. 467.

12. John Brewer, *The Sinews of Power: War, Money, and the English State 1688-1783* (New York: Alfred A. Knopf, Inc., 1988), p. xiii.

13. Several historians have identified this period as important to the study of imperialism, especially the pivotal period of the Seven Years War. These include James Axtell, *Beyond 1492: Encounters in Colonial North America* (Oxford University Press, 1992), Earl Reitan, *Politics, War, and Empire: The Rise of Britain to a World Power 1688-1793* (Harlan Davidson, 1994), Lawrence James, *The Rise and Fall of the British Empire* (Little, Brown and Company, 1994), John Brewer, *The Sinews of Power: War, Money and the English State, 1688-1783* (Alfred A. Knopf, 1989), W. Ross Johnston, *Great Britain Great Empire: An Evaluation of the British Imperial Power 1754-1765* (University of Queensland Press, 1981), p. 8, Derek Jarrett, *Britain 1688-1815* (London: Longman Group Limited, 1965). See also P. J. Cain and A. G. Hopkins, *British Imperialism: Innovation and Expansion 1688-1914* (Harlow, Essex: Longman Group UK Limited; New York: Longman Publishing, 1993). For a detailed account of the Seven Years War see Seymour I. Schwartz, *The French and Indian War 1754-1763: The Imperial Struggle for North America* (New York, N. Y.: Simon & Schuster, 1994) and most recently, Fred Anderson's *Crucible of War: The Seven Years War and the Fate of Empire in British North America, 1754-1766* (New York, N.Y.: Vintage Books, 2001). It should be noted that while the period is sometimes extended to 1850, most historians reviewed agree the origins of the eighteenth century is the Glorious Revolution in 1688. It should be further noted that both the seventeenth and nineteenth centuries have also been referred to a “long” centuries, for similar reasons, but different events.

(1689-1697) followed by four periods during the eighteenth century when Britain and France were at war: the War of the Spanish Succession (1702-1713), the War of the Austrian Succession (1740-1780), the Seven Years War (1756-1763), and the French Wars (1792-1815).¹⁴ By the end of the century, “British power was unchallenged and unchallengeable, as much in its imperial manifestations as in its economics”.¹⁵ It was not long before both nations implicated their North American colonies as surrogate battlefields to settle their European differences and, of some strategic significance, as an effort by each to capture the colonies of the other. It was a time when, from a French perspective, war was “by the will of the English... expanded from Europe across the oceans...”.¹⁶ Designed not just to colonize East and West, but to establish military, political and economic hegemony throughout the world and to hold it against all threats, it was an evolution that brought the English armies, and their inevitable complement of Scottish officers, noncommissioned officers and private soldiers, to North America, and to Nova Scotia.

The same period has often been referred to as the “Second Hundred Years War” — not only because of conflicts with France, Britain's main imperial rival and protagonist in the struggle for control of the North American colonies,¹⁷ but also because when Britain was not fighting France, it was actively engaged with Spain, Russia, and India. It was this constant struggle, spilled over from the European continent to the new world, that brought the British army to North America — an army that included thousands of Scottish officers and private soldiers, for “ever since the Union, the British Army had been one of the few

14. Muriel E. Chamberlain, *“Pax Britannica”? British Foreign Policy 1789-1914* (London and New York: Longman Group UK Limited and Longman Inc., 1988), p. 21.

15. W. Ross Johnston, *Great Britain Great Empire*. (University of Queensland Press, 1981), p. 8.

16. Pierre Goubert, *The Course of French History* (London: Routledge, 1991), p. 169.

17. Linda Colley, *Britons: Forging the Nation 1707-1837* (New Haven and London: Yale University Press, 1992) elaborates on the struggle with France and the notion of the “Second Hundred Years War”. See also Anthony McFarlane, *The British in the Americas 1470-1815* (London: Longman Group Limited, 1992), p. 219.

majority of whom were sons of impoverished gentry, the army meant advancement in social standing. For them, the successive link of imperial wars during the second half of departments of the state wide open to Scottish ambition.”¹⁸ For officers in particular, the eighteenth century “was a godsend.”¹⁹ More significant, however, was the military success of the British against the French that led to a dramatic increase in the size and cultural diversity of their new North American Empire. Ironically it was, as identified by Linda Colley, this same success that created the need for a larger, permanent British military presence in North America.²⁰ This observation is supported, in part, by Stephen Greiert who suggested it was this same success that reinforced the importance of a continued military presence, but within the context of a strong British colony that would prove indispensable to maintaining British authority in Nova Scotia.²¹

The buildup of military forces was a gradual development, but one that suggests a planned approach. It was, according to Stephen Webb, “imperialism, but it was not new”.²² The British military establishment had been actively involved in North America since at least the seventeenth century and although soldiers were seen as the basis for military administration of the colonies, there were seldom more than one thousand regular soldiers on the continent, dispersed throughout small, poorly developed garrisons. By the middle of the Seven Years War, however, this number would increase to over thirty thousand regular

18. Colley, *Britons*, p. 126. Please note that Colley quotes an article by James Hayes, “Scottish Officers in the British Army 1714-63”, *Scottish Historical Review*, Vol. 37, 1958. Hayes’ article draws upon his unpublished Master’s thesis written in 1952. His work, although dated, still remains one of the leading pieces on the involvement of Scots in the British army during the eighteenth century.

19. *Ibid.* p. 127.

20. *Ibid.* p. 135.

21. Stephen G. Greiert, “The Earl of Halifax and the Settlement of Nova Scotia, 1749-1753,” *Nova Scotia Historical Review*, (Volume 1, Number 1, 1981. pp. 4-23), p. 6.

22. Stephen Saunders Webb, “Army and Empire: English Garrison Government in Britain and America, 1569 to 1763”, *The William and Mary Quarterly*, Vol. XXXIV, Third Series, No. 1, 1977, p. 31.

troops.²³ These soldiers, including garrisons in Nova Scotia and Newfoundland, would continue their efforts at soldier-settlement throughout the eighteenth century. Their presence served an important role not only in settlement, but in a manifestation of the army's "social, political and profoundly imperial influence..."²⁴

Britain's use of the army outside of national boundaries soon began to develop a mythology of imagery, reminiscent of that related to Highland soldiers, that has grown up around the concept of imperialism. Created by artists and writers, such imagery defined the public perception of British imperialism and was often based on the characterization of a determined *Britannia*, resplendent in her flowing robes, with shield, helmet, and lance — a latter-day *Athena*, goddess of war, prepared to do battle with the enemies of the Empire.²⁵ While considered evocative of later nineteenth century expansionism, it is less commonly recognized that this militant icon was well-established, having appeared in a more infantile form during the late seventeenth century as a manifestation of economic imperialism. By the mid-eighteenth century, however, the image of *Britannia* had matured into that of a young woman, carrying Britain's banner in furtherance of imperial conquests, both to the East and West.²⁶ It is unfortunate that an understanding of eighteenth-century imperialism, and its importance as an instrument of policy or national will, has often been overwhelmed by the imagery, passion, and jingoism of an imperialistic Victorian society.

23. Webb, "Army and Empire: English Garrison Government in Britain and America, 1569 to 1763", p. 30.

24. *Ibid.* p. 21.

25. There are several visual references to this use of an armed and girded female icon to represent Britain throughout the eighteenth century, including the John Ross Robertson Collection at the Metropolitan Toronto Library. Linda Colley uses several eighteenth century images of a militant *Britannia* in her important work *Britons: Forging the Nation 1707-1837* (New Haven and London: Yale University Press, 1992.). Anne McClintock's *Imperial Leather* (New York and London: Routledge, 1995) contains several references to the use of women as border markers, and visual references to the nineteenth century "Britannia". The maintenance of the icon and the visual continuity virtually unchanged over two centuries, is striking.

26. Linda Colley, *Britons: Forging the Nation 1707-1837* (New Haven and London: Yale University Press, 1992) See pages 38, 70, 89, 96, and 98 for relevant imagery.

While the characteristics of eighteenth-century imperialism remain somewhat overshadowed,²⁷ there are few reasons to believe that it was not equally as ambitious and militaristic as its nineteenth-century counterpart.²⁸

The eighteenth-century is generally recognized as the watershed between colonialism, which dominated the preceding two hundred years, and imperialism that became the dominant policy for the nineteenth century, and even into the early twentieth century. As has been argued by Stephen Webb, the mid-eighteenth century "has always and rightly been considered a great turning point... Great Britain obtained peace and securely established imperial status."²⁹ It was, however, more than a simple dividing line between two policies. While it can be argued that colonialism lost favour as a national policy in favour of imperialism during the eighteenth century, the process was evolutionary. A clean break was impossible as the roots of one policy became inexorably entwined with the other for, as described by Webb, "English colonization was as much imperial as it was mercantile, and English colonial policy was as much military as it was commercial".³⁰ Within a relatively short period of time, however, imperialism came to dominate British political thinking. When implemented as the foreign policy of several competitive European nations, including Britain, France, and Spain, imperialism led to a climatic struggle for empire in North

27. Marshall. P. J., "Imperial Britain", *The Journal of Imperial and Commonwealth History*. Vol. XXIII, No. 3. (September, 1995), pp. 379-394.

28. For a review of 19th century imperialism, see C. A. Bayly, *Imperial Meridian: The British Empire and the World 1780-1830* (London: Longman, 1989); C. A. Bayly, ed. *Atlas of the British Empire* (New York: The Hamlyn Publishing Group, 1989); Muriel E. Chamberlain, "Pax Britannica"? *British Foreign Policy 1789-1914*. (London: Longman, 1990); Robin W. Winks, ed. *British Imperialism: Gold, God, Glory* (Toronto: Holt, Rinehart and Winston, 1963), James Morris, *The Pax Britannica Trilogy* (London: The Folio Society, 1992, Vol. 1-3), Denis Judd, *Empire: The British Imperial Experience 1765 to the Present* (New York: Basic Books[Random House], 1996) and P. J. Cain and A. G. Hopkins, *British Imperialism: Innovation and Expansion 1688-1914* (London: Longman Group UK Limited, 1993).

29. Webb, "Army and Empire: English Garrison Government in Britain and America, 1569 to 1763", p. 1.

30. *Ibid.* p. 2

America³¹ and its inevitable conclusion as exemplified by the Seven Years War, a conflict described by Linda Colley as the “most dramatically successful war the British ever fought”.³²

Prior to the Seven Years War, colonialism represented the extension of authority and control over an “unoccupied”³³ foreign territory, or a dependent territory or administrative unit such as a colony. The British empire was one of economics and merchants, based on a policy of trade and commerce rather than territory and authority. After 1763, however, Britain controlled a new empire that brought with it both new meaning and a new direction. A territorial empire had succeeded one of commerce, and imperialism, which had been defined in commercial terms, evolved into a policy defined by politics.³⁴ This argument is supported by Anthony McFarlane, who observed that British policy following the Seven Years War shifted from a mercantilist concern intended to regulate commerce to “an imperialist preoccupation with territory and the exercise of authority”.³⁵

Imperialism, within the context of the eighteenth century, was the assertion of direct control over an occupied independent nation or territory, or the acquisition of

31. For a detailed account of the struggle for the North America Empire, see Ian R. Christie's *Crisis of Empire: Great Britain and the American Colonies 1754-1783* (New York: W. W. Norton & Company, 1966), and Seymour I. Schwartz, *The French and Indian War 1754-1763: The Imperial Struggle for North America* (New York, N. Y.: Simon & Schuster, 1994.). This account focuses on the Seven Years War in North America while Ian Christie starts with this conflict but continues on until the end of the American Revolution.

32. Linda Colley. *Britons*. London: Random House, 1992, p. 101.

33. It can be successfully argued that North America was not an “unoccupied” territory, being the homeland of many distinct native groups, each with its own communities, custom, culture, and systems of government and religion. The same arguments can apply to nearly all regions of the world that were occupied by several European nations as the search for resources and mineral riches expanded throughout the eighteenth and nineteenth centuries. See James Axtell, *Beyond 1492: Encounters in Colonial North America* (Oxford University Press, 1992), Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (New York and London: W.W. Norton & Company, 1975).

34. Webb, “Army and Empire: English Garrison Government in Britain and America, 1569 to 1763”, p. 1.

35. McFarlane, *The British in the Americas 1470-1815*, p. 263.

territory through military action and settlement.³⁶ As has been suggested by Linda Colley and Stephen Greiert, imperialism was the establishment of political or economic hegemony over another nation, with a strong military force as the guarantor of that hegemony.³⁷ It was the economic and military direction taken by Britain during the eighteenth century.³⁸ V. I. Lenin explained the colonial-imperial evolutionary concept even further by defining imperialism in simple economic terms as “the monopoly stage of capitalism”.³⁹ In exploring the transition from colonialism to imperialism, Lenin recognizes the division of the world as “the transition from a colonial policy which has extended ... to territories unoccupied by any capitalist power, to a colonial policy of monopolistic possession ... of the world which has been completely divided up”.⁴⁰

Whether defined in economic terms, or as James Axtell suggests, an aggressive opportunity to “invade, conquer, and resettle,”⁴¹ or perhaps more subtly as offered by P. J. Cain and A. G. Hopkins, “an incursion, or an attempted incursion, into the sovereignty of another state,”⁴² imperialism was a policy implemented by Britain for the expansion of empire, albeit with an economic basis. Anne MacClintock offers a distinctly feminist perspective on the nature of imperialism that she suggests was “from the outset, a violent

36. These basic characterizations of colonialism and imperialism were developed by V. I. Lenin, *Imperialism: The Highest Stage of Capitalism* (New York: International Publishers, 1989), pp. 88-94. See also British economist, J. A. Hobson in his book, *Imperialism: A Study* (London: George Allen & Unwin Ltd., 1968, a reprint of the original 1902 edition by the same publishers). See also P. J. Cain and A. G. Hopkins. *British Imperialism: Innovation and Expansion 1688-1914* (London and New York: Longman Group UK Limited and Longman Publishing Limited, 1993).

37. See page 49, notes 18 and 21.

38. For a detailed description of the history of eighteenth-century Britain with special emphasis on foreign and colonial policy see Paul Langford, *The Eighteenth Century 1688-1815* (London: Adam & Charles Black, 1976); Jeremy Black, *British Foreign Policy in an age of Revolutions 1783-1793* (Cambridge: Cambridge University Press, 1994); W. Ross Johnston, *Great Britain Great Empire: An Evaluation of the British Imperial Experience* (St. Lucia, Queensland: University of Queensland Press, 1981); and George Louis Beer, *British Colonial Power 1754-1765* (New York: The MacMillan Company, 1922).

39. Lenin, *Imperialism: The Highest Stage of Capitalism*, p. 88.

40. *Ibid.* p. 89.

41. James Axtell. *Beyond 1492* (Oxford University Press, 1992. p. 290).

42. Cain and Hopkins. *British Imperialism*. (London: Longman Group UK Limited, 1993), p. 43.

encounter with pre-existing hierarchies of power that took shape not as the unfolding of its own inner destiny but as untidy, opportunistic interference with other regimes of power.”⁴³

The objective of British imperialism was to create and hold an empire through economic and military conquest. There was a price to pay for both. It has been argued by Anthony McFarlane that following the Seven Years War Britain enjoyed a sudden increase in territorial gains, but needed to exploit the economic benefits of that expansion because of a huge national debt, a still dangerous international situation, and a heavily-taxed population. Furthermore, Britain had the political will through parliament to impose a strict system for extracting revenues from both its colonies and the home population.⁴⁴ According to Bruce Lenman, William Pitt, the British Prime Minister, was determined to defeat the French in North America regardless of the cost. In the period from the early eighteenth century to the Seven Years War, the British military establishment grew from approximately 135,000 to close to 200,000.⁴⁵ Consequently, in excess of £7,500,000 was spent by the Treasury to support military action in North America during the period 1756-1763 alone.⁴⁶ Britain's debt load, the result of deficit budgeting to finance the several wars during the period from the turn of the century to the end of the Seven Years War, accumulated significantly. An example of the link between the public debt and war has been provided by Cain and Hopkins in support of their concept of a “military-fiscal” system. In 1700, the national debt stood at £14,000,000, by 1748 it had grown to £78,000,000, and within fifteen years, the debt had burgeoned to £133,000,000! The burden of the debt created the need for additional taxes and a search for new revenues that could only come from abroad.⁴⁷

43. Anne McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Conquest* (New York: Routledge, 1995), p. 6.

44. McFarlane, *The British in the Americas 1470-1815*, p. 263.

45. James Horn, “The British Diaspora: Emigration from Britain 1660-1815” *The Oxford History of the British Empire - The Eighteenth Century*, ed. P. J. Marshall (Oxford: Oxford University Press, Vol. II, 1998), p. 33.

46. Bruce P. Lenman, “Colonial Wars and Imperial Stability” *The Oxford History of the British Empire - The Eighteenth Century*, ed. P. J. Marshall (Oxford: Oxford University Press, Vol. II, 1998), p. 161.

47. Cain and Hopkins. *British Imperialism*. (London: Longman Group UK Limited, 1993), p. 75.

The debt, added to unemployment and food shortages, created an atmosphere of uncertainty in Britain that for many brought its own harsh realities,⁴⁸ and in part, initiated an emigration movement to North America. For most their dreams were simple — the hope of escaping the difficult social and economic situations at home, and the desire to seek a better life for themselves and their families. The appetite on the part of Britons to leave their homeland was fueled by the desire of their government to have them leave. This desire on the part of the government, however, was generally limited to the poor, which included servants, outcasts and criminals who immigrated to the colonies that “provided work for the unemployed”.⁴⁹ According to John Horn, this situation, coupled with strategic interests along the Atlantic coast of Canada and an uncertainty about the possibility of future conflicts with France, “encouraged the British government to become directly involved in settlement.”⁵⁰ This concept was not new to the eighteenth century, however, for according to Derek Jarrett, “Queen Elizabeth had ordered her over seers... to give paupers ‘a convenient stock of ware and stuff’ so they might provide for themselves by their labour; and in the colonies the ware and stuff lay ready to hand, provided by nature itself.”⁵¹ Within a fifteen year period between 1760 and 1775, more than 100,000 emigrants left Britain for North America.⁵² While servants and criminals contributed to this number, P. J. Marshall has observed that it also included “people of some substance and ambition...merchants in their own right or in professions.”⁵³

48. For a review of social conditions in Britain during the 18th century and motivations for emigration, see David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989), Nicholas Canny, *Europeans on the Move: Studies on European Migration, 1500-1800*. (Oxford: Clarendon Press, 1994), Hugh Kearney, *The British Isles: A History of Four Nations* (Cambridge: Cambridge University Press, Canto Edition, 1995), Bernard Bailyn, *Voyagers to the West* (New York: Alfred A. Knoph, 1986), J. H. Plumb, *England in the Eighteenth Century 1714-1815*. (Middlesex, England: Penquin Books, 1964), R. Porter, *English Society in the Eighteenth Century*. (London, 1982).

49. Derek Jarrett. *Britain: 1688-1815* (London: Longman Group Limited, 1965), p. 297. See also P. W. Coldham, *Emigrants in Chains: A Social History of Forced Emigration to the Americas of Felons, Destitute Children, Political and Religious Non-conformists, Vagabonds, Beggars and other Undesirables, 1607-1776* (Baltimore, Maryland: Genealogical Publishing Company, 1992).

50. James Horn, “The British Diaspora: Emigration from Britain 1660-1815”, p. 33.

51. Jarrett. *Britain: 1688-1815*, p. 297.

52. P. J. Marshall, “Britain and the World in the Eighteenth Century: II, Reshaping the Empire” *Transactions of the Royal Historical Society*, Sixth Series, Vol. VIII, 1998, p. 4. See also Bernard Baylin, *Voyagers to the West* (New York: Alfred A. Knoph, 1986).

53. *Ibid.*

For those that left Britain, and for those that remained, the concept of “Britishness”, of being Britons, in relation to the emigrants remained strong; it would remain as a physical and emotional link between the new world and the old. As observed by Earl Reitan, Britain was more than a nation, a homeland — it had become the heart of an overseas empire that was connected by a network of language, laws, culture, and trade, managed through one political authority, and under one crown.⁵⁴ The idea of actually transferring English society, including social mores and values such as English civil law, indeed the essence of everything English, to a new continent should not have been unexpected as, in terms of the British community, the North American colonies were the most rapidly growing part of the empire. The colonists were not initially regarded as “Americans”⁵⁵, but as British subjects living abroad and responsible to Parliament and subject to the authority of the crown. For their part, colonists believed themselves to be British, and “entitled to the rights of Englishmen on the same basis as in the mother country.”⁵⁶ This position is further reinforced by Stephen Conway who suggests that the concept of “Britishness” was, in fact, reciprocated by Britons to the colonists, who not only saw themselves as Britons but appear to have been viewed in the same light by those at home in Britain.⁵⁷

Immigration alone was not enough to assure the survival of the colonies that ranged from Florida to Nova Scotia. The colonies could only survive if they were populated, protected from internal enemies, the indigenous native populations, and external threats,

54. Earl Reitan, *Politics, War, and Empire: The Rise of Britain to a World Power 1688-1792* (Arlington Heights, Illinois: Harlan Davidson, Inc., 1994), p. 73.

55. According to Peter Marshall, “The great controversy between imperial authority and colonial rights that began in 1765 gave British opinion a sharper sense of a collective American identity and of American difference.” See P. J. Marshall, “Britain and the World in the Eighteenth Century: II, Reshaping the Empire”, p. 4.

56. Ibid. p. 75. The process referred to wherein British colonists began to see their new communities as “home” is referred to as “Anglicization”. See Nicholas Canny, “The Origins of Empire”, *The Oxford History of the British Empire - The Origins of Empire* ed. Nicholas Canny, (Oxford and New York: Oxford University Press, Vol. I, 1998), p. 29.

57. Stephen Conway, “War and National Identity in the Mid-Eighteenth-Century British Isles” *The English Historical Review*, Vol. CXVI, No. 468 (September, 2001), p. 890.

primarily from the French. As has been evidenced, the necessity of garrisoning soldiers in the colonies quickly became obvious not only for the protection of British territory, but to ensure the smooth flow of trade and commerce. If a colonial population became well-established, productive, and secure, the benefits accrued through their labour would flow back to the mother country which, in turn would ship manufactured goods back to the colonies. Successful and uninterrupted trade was critical to Britain and, as pointed out by Linda Colley, the commercial dynamism of the imperial sector was almost boundless. Imports from the colonies had increased dramatically during the first half of the eighteenth century. By the end of the Seven Years War, exports had increased to the point that most of the increase in British commodity exports was sold to colonial markets. Such an important commercial exchange was worth protecting, and both soldiers and sailors were required to do so.

Not all colonists were paupers and criminals, the unemployed, merchants, traders, or tradesmen. Because of the long period of wars from 1700-1763, there were large numbers of discharged soldiers and sailors whose services were no longer required by the crown. The situation faced by such individuals following the peace of 1748, as described by Stephen Greiert, is representative of similar conditions that would follow the Seven Years War that would be well underway in less than a decade:

The continuous wars of the preceding ten years had left a heavy debt pressing on the kingdom, as well as an enormous number of soldiers and seaman discharged from service, living in wretched poverty, and resorting to crime as a means of livelihood. London and other centers of population swarmed with beggars who had served their country and who now received little consideration from their fellow Englishmen. British leaders searched for a solution to alleviate the terrible squalor.⁵⁸

Recognizing this, the British government felt considerable pressure to reduce the numbers of discharged soldiers and sailors and the unemployed poor. One solution was to

58. Stephen G. Greiert, "The Earl of Halifax and the Settlement of Nova Scotia, 1749-1753" *Nova Scotia Historical Review*, Volume 1, Number 1, 1981, p.6. For a description of conditions faced by soldiers returning to Britain following the Seven Years War see Stephen Brumwell, "Home from the War," *History Today*, Vol. 52, No. 3 (March, 2002) and Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas, 1755-1763* (Cambridge: Cambridge University Press, 2002).

ship them to North America as settlers and to increase recruitment for both the army and the navy, where they could serve Britain's imperial objectives of territorial control and protection. The nation did not need to have trained, experienced former military personnel unemployed and restless at home. The potential for that experience and training to be used against the Crown, rather than as an instrument for it, was just too great. As Linda Colley observed on conditions following the Seven Years War, "there was the predictable social strain of absorbing more than 200,000 demobilized men, most of them poor, some of them mutilated, all of them trained to violence."⁵⁹ Colley further suggests the effectiveness of the recruitment effort as a solution to the crime and unrest that resulted from poverty also "tried to encourage good conduct among ordinary soldiers and sailors. Each new boy recruited... was supplied with a new set of clothes and with a new set of ideas:

You are the sons of freedom. Though poor, you are the sons of Britons, who re born to liberty; but remember that true liberty consists in doing well; in defending each other, in obeying your superiors and in fighting for your King and Country to the last drop of your blood."⁶⁰

Inspired by such ideals, jingoistic as they were, the young poor were caught up in the patriotic fervour, and joined the military. In doing so, they unwittingly helped the British government achieve the desired result of recruiting orphans and the unemployed as an acceptable solution to both poverty and crime. It was the government's belief that a strong national defence would go hand-in-hand with clearing the streets and ridding cities of thieves, beggars, and criminals.⁶¹ With the number of conflicts in which Britain was involved leading up to and including the Seven Years War, the success of this policy, if settlement was its secondary objective, may never be known, for according to Colley, only approximately 5% of nearly five thousand recruited were accounted for at end of the war.⁶²

59. Colley, *Britons*, p. 101.

60. *Ibid.* p.97. Colley is quoting Jonas Hanway, *Letter to the Encourages of Practical Public Love* (1758), founder of the Marine Society, and according to Colley, "the first British male regularly to use an umbrella".

61. *Ibid.* pp. 97-98.

62. *Ibid.* p. 98.

With new territories gained as a result of the triumphant experience in North America and with emigration underway to populate the colonies, the administrative burden upon the British government expanded proportionately. Earlier control of the colonies, previously in the hands of the colonial governors, most of whom were military officers, suggested a political role for the army in their administration.⁶³ Even though the colonists in North America were viewed as British subjects and permitted to enjoy the rights associated with that status, their true position became apparent following the Seven Years War, when control of the colonies was clearly managed from a Britain that by this time, had the necessary administrative support required to control an empire.

From the late seventeenth-century through to the middle of the eighteenth, Britain experienced an administrative revolution which according to John Brewer, “saw an astonishing transformation in British government, one which put muscles on the bones of the British body politic, increasing its endurance, strength, and reach”.⁶⁴ Because of its expanding colonial tax base, Britain had the means to pursue an aggressive imperial policy and, as Brewer further suggests, “was able to shoulder an even-more ponderous burden of military commitments thanks to a radical increase in taxation, the development of public deficit financing on an unprecedented scale, and the growth of a sizable public administration devoted to organizing the fiscal and military activities of the state”.⁶⁵

By the middle of the eighteenth-century, Britain possessed the means to achieve an empire. From a burgeoning commercial system to a strong army, and with a homeland protected by a vastly superior navy, Britain was better equipped with the tools of empire than many European neighbours. Supported as it was by an edge in technology, and with the means of moving the army across oceans, and Britain was able to more effectively assert its

63. P. J. Marshall, “Britain and the World in the Eighteenth Century: II, Reshaping the Empire”, p. 6.

64. John Brewer, *The Sinews of Power: War, Money and the English State, 1688-1783* (New York: Alfred A. Knopf, 1989), p. xvii.).

65. *Ibid.* p. xvii.

will militarily. As an island nation, the British homeland had not experienced the ravages of foreign wars, protected as it was from external invasion by the “wooden walls and Jolly Tars” of the Royal Navy.⁶⁶ Consequently, it did not hesitate to use force where it was felt necessary or advantageous to do so. Britain had not only the technology and administrative support required for empire-building, but as John Brewer observed, a “fiscal-military state...dominated by the task of waging war”⁶⁷, with the desire to use all the tools at its disposal.

With imperialism firmly established as national policy, and fuelled by decades of conflict with her cross-channel neighbour, Britain and France came together in direct conflict in North America during the Seven Years War.⁶⁸ Nearly one hundred years of intermittent conflict had transformed British military action from defensive to protect overseas territory, to offensive — a war of conquest, if only to secure British assets from future aggression by the French.⁶⁹ It was the war that defined the need for maintaining military forces in British North America, a need that would prove all the more important with the loss of the American colonies a few short years later.. As Fred Anderson suggests:

...the Seven Years' War ended in the decisive defeat of one belligerent and a dramatic rearrangement of the balance of power in Europe and North America alike. In destroying the North American empire of France, the war created a desire for revenge that would drive French foreign policy... for two decades.⁷⁰

66. John Brewer. *The Sinews of Power*, p. 1. Also see Brewer, pp. 30-63, “Patterns of Military Effort” which explains the economics of Britain’s military effort from 1680-1780, which is relevant to the period of study, and explains how Britain was prepared to spend her way to victory by maintaining large armies in the colonies rather than a smaller standing army at home, and a large navy, far in excess of her European neighbours.

67. Brewer. *The Sinews of Power*, p. 33.

68. Reitan, *In Politics, War, and Empire*, 1994, p. 3. Reitan claims that the Seven Years War was Britain's “most successful war of the eighteenth century”. This is repeated by Linda Colley, in *Britons* (Yale University Press, 1992, p. 101).

69. P. J. Marshall, “Britain and the World in the Eighteenth Century: I, Reshaping the Empire” *Transactions of the Royal Historical Society*, Sixth Series, Vol. VIII, 1998, p. 9.

70 Anderson, Fred. *Crucible of War: The Seven Years War and the Fate of Empire in British North America 1754-1766* New York, N.Y.: Vintage Books. p. xvii.

It was a war of global proportions and implications — a war defined by Anderson as “a theatre of intercultural interaction” in which the colonists of New France and British North America both came into contact with authorities in their respective mother countries— political, military and administrative superiors who shared their languages but not share their views of the war or the nature of the imperial relationship. It was also a war that saw the direct and sustained involvement of native peoples, on both sides of the conflict, whose participation proved so important to the way the war was fought, and to its final outcome.⁷¹

These relationships with native groups would prove invaluable to both sides in the imperial conflict. How the English and the French developed and maintained their relationships with the Mi'kmaq of Nova Scotia throughout the early and middle eighteenth-century was a pivotal point in the maintenance of troops in the colony, and the subsequent settlement of Scottish soldiers in Nova Scotia.

71. Anderson, Fred. *Crucible of War* (New York, N.Y.: Vintage Books), p. xxii.

Chapter 3

**A Clash of Peoples: The Relationship between
the British, French, and the Mi'kmaq of Nova Scotia**

A great deal of scholarly attention has been given to the period spanning the seventeenth and eighteenth centuries, when France and Britain battled almost uninterruptedly for the control of North America. While fought across the eastern area of the continent, part of the conflict concentrated on a small piece of maritime territory known as *Acadie* to the French and *Nova Scotia* to the British. Central to the imperial struggle for this territory was the complex relationship between the two European powers and the native *Mi'kmaq*, in which each of the protagonists viewed themselves as independent and autonomous nations. Because of this, native fighters of the region would play an important role in the imperial struggle in Nova Scotia, both strategically and tactically as the increasing rivalry between the English and French for North America drew them into their conflict. Their relationship with the British, victors in the long, intense struggle, was such as to contribute to the necessity of settling soldiers in Nova Scotia following the end of the Seven Years War.

In the context of the eighteenth century, the *Mi'kmaq* tended to support the French because of a long-standing relationship that began in the late sixteenth century. Nevertheless, they chose their battles carefully and frequently operated outside of the French sphere for their own purposes and, at times, to further their own agenda.¹ This

1. See L.F.S. Upton, *MicMac and Colonists: Indian-White Relations in the Maritimes, 1713-1867* (Vancouver: University of British Columbia Press, 1979), pp. xii-xiv. While most of this book is beyond the study period, Upton's introduction encapsulates the earlier period and defines the *Mi'kmaq* attitude and the reasons behind it. See also Alfred G. Bailey, *The Conflict of European and Eastern Algonkian Cultures 1504-1700: A Study in Canadian Civilization*, 2nd ed. (Toronto: University of Toronto Press, 1969). Wayne Daugherty's *Select Annotated Bibliography on Maritime Indian History*, (Department of Indian and Northern Affairs, 1984) is also helpful because of its listing of sources.

eventually brought them into direct conflict against the British around Port Royal, Nova Scotia.

From its beginnings early in the seventeenth century, until the founding of Halifax in 1749, Port Royal was the home of the Governor and the seat of power for the occupier — English or French. Situated at the end of the long narrow basin which leads from the Bay of Fundy, near the mouth of La Rivière Dauphine, Port Royal was protected by a large earthen-works bastioned fort which was known for years simply as “the Fort”.²

To say that Port Royal was a hotbed of military and diplomatic activity is somewhat of an understatement. Between its founding in 1629 and its final capture by the British in 1710, Port Royal changed hands between France and Britain no fewer than eight times; four times to each side.³ Even after its final capture the ever-persistent French continued their efforts to recapture the strategic fort well into the 1740s.⁴ This extensive military

2. See page 46, note 9. Like many established fortifications of the period, the fort at Port Royal/Annapolis Royal underwent a series of extensive modifications, each changing the size and shape of the fort to meet the prevalent engineering philosophy of the day. According to the interpretive prospectus for the Fort Anne interpretive exhibit prepared by Wayne Kerr and Brenda Dunn of Parks Canada, there have been at least six forts on the same site, with the most radical changes coming in the late 17th-early 18th centuries. See also John C. Kendall, “The Forts of Annapolis Royal” *Military Collector and Historian*, Volume 24, No. 3, 1972, pp. 69-76.
3. The extensive series of conflicts surrounding Fort Anne has been documented by several historians. See, for example, William A. Calneck, *History of the County of Annapolis* (Mika Publishing Company, 1980). Also McCreath and Leefe, *A History of Early Nova Scotia* (Four East Publications, 1990), and George Rawlyk, *Nova Scotia's Massachusetts: A Study of Massachusetts-Nova Scotia Relations 1630-1784* (McGill-Queen's University Press, Montreal and London, 1973). Originally published in 1927, John Bartlet Brebner's *New England's Outpost: Acadia Before the Conquest of Canada*, (reprinted 1965, Hamden, Connecticut, Archon Books) provides an overview of the period, with some analysis of the long-term struggle for Port Royal. Bartlet provides some insight into the role, and reason for support, of the Mi'kmaq for the French. It should not be overlooked because of its age. Additional sources include William Mortimer McVicar's *A Short History of Annapolis Royal: The Port Royal of the French, from its Settlement in 1604 to the withdrawal of the British troops in 1854* (Toronto: Copp, Clark, 1897), and Bernard Pothier, “The Siege of Annapolis Royal, 1744” *Nova Scotia Historical Review*, Volume 5, No. 1, 1985, pp. 59-71.
4. See Bernard Pothier, “The Siege of Annapolis Royal, 1744” *Nova Scotia Historical Review*, Volume 5, No. 1, 1985, pp. 59-71.

and diplomatic activity, however, was not limited to the involvement of the European protagonists. *Acadie* was not an unpopulated area. French settlers, *Les Acadiens*, had created farmlands by dyking Le Rivière Dauphine all along its course, establishing homes, farms, and families.⁵ Native groups, however, had occupied the region for thousands of years before the coming of the Europeans. These peoples, consisting primarily of the Mi'kmaq, Maliseet, Penobscot, Passamaquoddy, and the Abenaki⁶, occupied an area that includes present-day Nova Scotia, New Brunswick, Prince Edward Island, Maine, and Vermont. Since the early part of the seventeenth century, England and France had established relationships with native tribes. Based mainly on trade, but also on religion, the strength of these "alliances" would vary, but would prove valuable to the Europeans in their ongoing struggle against each other.

For much of the first half of the eighteenth century, especially the first quarter, the Mi'kmaq and other natives such as the Abenakis supported the French militarily as they had during the late part of the seventeenth century when, as George Rawlyk states "the Indian allies, the Abenakis, the Malecites, and the Micmacs, provided the personnel for the land offensive, and the French supplied them with some military leadership, guns, ammunition, and other inducements..."⁷ Later, the Mi'kmaq actively fought with the French during

5. For the history of the Acadians in Nova Scotia see Naomi E. S. Griffiths, *The Contexts of Acadian history 1686-1784* (Montreal and Kingston: McGill-Queen's University Press, 1992), Jean Daigle. "Acadia from 1604 to 1763: An Historical Synopsis". *Acadia of the Maritimes: Thematic Studies from the Beginning to the Present*. ed. Jean Daigle, (Moncton, New Brunswick: Chaire d'études acadiennes, Université de Moncton, 1995) Charles D. Mahaffie Jr. *A Land of Discord Always: Acadia from Its Beginnings to the Expulsion of Its people, 1604-1755*. (Camden, Maine: Down East Books, 1995). Mahaffie covers the period from Champlain to the expulsion of the Acadians, including the sieges and battles at, and around, Port Royal. See also Calnek's *History of the County of Annapolis* (Mika Publishing, 1980), and Brebner's *New England's Outpost: Acadia Before the Conquest of Canada*, (Hamden, Connecticut: Archon Books, 1965).
6. Philip K. Bock, "Micmac". *Handbook of North American Indians*. Volume 15. Northeast. ed. Bruce Trigger, (Washington: Smithsonian Institution), p. 109. See Naomi E. S. Griffiths, *The Contexts of Acadian History 1686-1784*. (Montreal and Kingston: McGill-Queen's University Press, 1992), pp. 22-25.
7. George A. Rawlyk, *Nova Scotia's Massachusetts: A Study of Massachusetts-Nova Scotia Relations 1630-1784*. (Montreal and London: McGill-Queen's University Press, 1973), p.72.

the siege and capture of Port Royal by the British in 1710. During the same siege, British forces also used the services of native allies, believed to be Mohawks, commanded by Colonel John Livingston.⁸ The Mi'kmaq were also involved in another attack in 1724 and, yet again, during an attack on Annapolis Royal in 1744. Nor were the Mi'kmaq alone in their conflict with the British. The Abenaki, led by a Frenchman, attacked and decimated a sixty-nine man detachment of New Englanders⁹ under the command of a British officer in 1711 at Bloody Creek, approximately twelve miles from Annapolis Royal.¹⁰ While these examples provide confirmation of native involvement in the series of conflicts which were focused on or around Port Royal/Annapolis Royal they do not, by themselves, explain the native rationale. To understand the reasons for their involvement, it will be necessary to place the actions of the natives within the context of the period.

The idea that two European nations would fight over their lands was somewhat foreign to the Mi'kmaq, especially the belief on the part of Britain that their social order could be transferred and transplanted,¹¹ superimposed in effect, on two pre-existing cultures. Yet it was this idea become policy that dominated British thought for the better part of at least three centuries, with varying degrees of success when applied to different lands and different cultures around the world. Within the Nova Scotia context, however, it would,

8. John David Krugler, "John Livingston". *Dictionary of Canadian Biography*. Volume II 1701-1740. (Toronto: University of Toronto Press), pp. 436-438.
9. New Englanders were active in military operations in Nova Scotia for most of the late 17th and early to mid-18th centuries, especially around Annapolis Royal, and also during the Louisbourg campaigns against the French.
10. Brenda Dunn. "Bloody Creek, 1711". Unpublished Notes, Canadian Heritage-Parks Canada, Atlantic Region Office. July 18, 1994. (Ms. Dunn has worked extensively on material directly related to Fort Anne and the British presence at Annapolis Royal. She is currently completing a manuscript on her research). Calnek, in his *History of Annapolis County* (Mika Publishing, 1980), p. 64, does not identify the native group involved, referring to them simply as "Indians". Calnek's casualty figures also differ from Dunn's, which are about half as many as Calnek states.
11. See Nicholas Canny, "The Origins of Empire", *The Oxford History of the British Empire - The Origins of Empire* ed. Nicholas Canny, (Oxford and New York: Oxford University Press, Vol. I, 1998), p. 29.

because of its impossibility, lead to the alienation of the Mi'kmaq who were, according to Jennifer Reid, "regarded as lacking human significance, and so were ignored altogether..."¹²

An attitude such as that displayed by Britain toward natives was encouraged by the concept of "strongest nation" status that proved a powerful incentive for an imperialist approach. In the process of achieving that status, however, Anthony Pagden suggests that "the English... sought only to exclude the Indians, or where expedient, to annihilate them. Because of their view of themselves as a commercial and agricultural, rather than a conquering people, few Europeans were so little given to moral scruples over their imperial exports as the English."¹³ This imperial attitude on the part of the British was generated by conflict with France and is based, in part, on the fur trade, an important economic factor for both natives and whites which often served as a common link between the races.

Before the arrival of the European settlers, the indigenous peoples of North America had established a series of strong bonds with their natural environment, including sustainability, philosophy, religion, and economics.¹⁴ Originating with native groups for their own purposes, native stewardship of the fur-bearers was maintained until the arrival of the Europeans. With the arrival of the Europeans, the natives were introduced to two important factors that would affect their culture irreversibly: European trade goods which were exchanged for furs, and European diseases brought to the natives by their new benefactors.¹⁵ The latter would, in a relatively short period of time, decimate the

12. Jennifer Reid. *Myth, Symbol, and Colonial Encounter: British and Mi'kmaq in Acadia, 1700-1867*. (Ottawa: University of Ottawa Press, 1995), pp. 97-98.

13. Anthony Pagden. "The Struggle for Legitimacy and the Image of Empire in the Atlantic to c.1700". *The Origins of Empire*. ed. Nicholas Canny. (Oxford and New York: Oxford University Press, 1998), p.37.

14. For insight into the relationship between natives and their environment, especially the impact of the switch of native economies, see William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England*, (New York: Hill and Wang, 1983), pp. 91-107.

15. See Harald E. L. Prins, *The Mi'kmaq: Resistance, Accommodation, and Survival* (Orlando, Florida: Harcourt Brace College Publishers, 1996) and W. J. Eccles, "The Fur Trade and Eighteenth-Century Imperialism" *William and Mary Quarterly*, Vol. 40, 1983, pp. 341-362.

native populations to levels from which they would never recover.

While more than an system of exchange that saw natives trade “furs for pots”, the desire for manufactured goods by the natives rose with the increased demand for furs from the European market. In response, the natives increased their take of furs, a consequence of which was a corresponding increase in the numbers of animals killed by the natives solely for their economic benefit.¹⁶ By the middle of the seventeenth century the fur trade was in trouble. By the 1690s there was a glut of furs on the European market, with four times as much fur as there was a demand for it. The French had to take drastic action to curb the supply, including war with the Iroquois, the closure of military posts in the West, and even a consideration of abandoning the West altogether. Politics prevailed over economics, however, and France remained a player in the fur trade.¹⁷

With the onset of the eighteenth century, the objectives changed for France. While earlier conflicts had been fought with native groups, including the Illinois and Iroquois,¹⁸ for the control of the western fur trade, the wars which introduced the new century were directed towards containing the advance of the English from their eastern seaboard enclave into the rich fur territories in the interior of the North American continent.¹⁹ Equally important, France continued to trade with native groups for furs not only to advance religious conversion among the natives, but also to gain support in their ongoing effort to hem in the British. Although the French used the natives as an instrument of their foreign policy, the natives did likewise with their foreign policy vis a vis both the French and the British, as long as it suited their purpose. This circumstance was to prove critical in the eighteenth century when the foreign policy of the Natives, the British, and the French was

16. Cronon, *Changes in the Land*, pp. 91-107.

17. W. J. Eccles, *The French in North America 1500-1783*. Revised Edition (Markham, Ontario: Fitzhenry and Whiteside, 1998), pp. 109-111.

18. W. J. Eccles, “The Fur Trade and Eighteenth-Century Imperialism” *The William and Mary Quarterly*, Volume 40, 1983, p. 342.

19. Eccles, *The French in North America 1500-1783*, pp. 114-119.

defined by a state of near-continuous warfare between all three groups²⁰.

For generations Eastern natives, including the Mi'kmaq, had enjoyed good relations with the French,²¹ notwithstanding the fact that in the early part of the seventeenth century they were caught at times between rival French factions which were known to quarrel among themselves.²² For their part, the French were somewhat unimpressed with the natives and considered them to be "an inferior people".²³ This attitude was to change rapidly though, as the Mi'kmaq helped the French to adapt to the rigours of a North American climate and a new lifestyle to which they quickly assimilated in their pursuit for furs.

According to Olive Dickason, the Mi'kmaq never considered themselves as subjects of the French. On the contrary, they had welcomed them as friends and allies.²⁴ As early trading partners with the Mi'kmaq, the French used their trade as a link between the two cultures, and expanded their relationship through religion and military alliances, which were

20. See Eccles, "The Fur Trade and Eighteenth-Century Imperialism" *William and Mary Quarterly*, Vol. 40, 1983, pp. 341-362, Stephen E. Patterson, "Indian-White Relations in Nova Scotia, 1749-61: A Study in Political Interaction", *Acadiensis*, Volume 23, No.1, (Autumn, 1993, pp. 23-59) and Olive Patricia Dickason, "Amerindians Between French and English in Nova Scotia, 1713-1763", *American Indian Culture and Research Journal*, Volume 10, No.4, (1986), pp. 31-56.
21. For sources on the nature of the relationship between the French and the Mi'kmaq see Elizabeth Hutton's unpublished MA thesis, "The MicMac Indians of Nova Scotia to 1834", Dalhousie University, 1961; Olive Patricia Dickason, *Canada's First Nations*. (Toronto: McClelland & Stewart Inc., 1992); Alfred G. Bailey, *The Conflict of European and Eastern Algonkian Cultures 1504-1700* (Toronto: University of Toronto Press, 1969); Stephen E. Patterson, "Indian-White Relations in Nova Scotia, 1749 - 61: A Study in Political Interaction", *Acadiensis*, Volume 23, No.1, (Autumn, 1993), pp. 23-59 and Olive Patricia Dickason, "Amerindians Between French and English in Nova Scotia, 1713-1763", *American Indian Culture and Research Journal*, Volume 10, No.4, (1986), pp. 31-56.
22. Olive Patricia Dickason. *The Myth of the Savage and the Beginnings of French Colonialism in the Americas*. Edmonton: The University of Alberta Press, 1979, p. 105.
23. L.F.S. Upton. *MicMacs and Colonists*. (Vancouver: University of British Columbia Press, 1979), p. 17. This contradicts a claim by E. Palmer Patterson. *The Canadian Indian: A History Since 1500*. Don Mills, Ontario: (Collier-Macmillan Canada Ltd., 1972), p. 59. Patterson indicates "that the French did not look down on the Indians...as being racially inferior...".
24. Olive Patricia Dickason. *Canada's First Nations*. Toronto: McClelland & Stewart, 1992. p. 108.

necessary for the French to maintain their North American territories. For their part, the Mi'kmaq never felt seriously threatened by the French, in part because of their long-standing relationship, but also because the numbers of French settlers and soldiers never reached a level sufficient to be of concern to the Mi'kmaq. It was also clear to the Mi'kmaq that other than for the benefits of the fur trade, the French did not seem to have any overt designs on their land. Olive Dickason suggests this is because of the relationship between the Mi'kmaq and the French — one in which the idea of being subjugated to France was completely foreign. Furthermore, France was far too dependent upon the Mi'kmaq as allies, and for reasons of security and trade would never push the issue, to the point of issuing instructions that the natives were not to be disturbed on lands they occupied or used.²⁵ According to Bill Wicken, the establishment of kinship ties between Acadians and Mi'kmaq helped to cement the relationship between the two groups, and proved beneficial when furs and skins were valuable export commodities, even in the heartland of Acadian agriculture. It should be noted, however, that Wicken further suggests that even these established relationships became strained as settlement increased.²⁶

The same relationship with the Mi'kmaq was not to be had by the English who, by the end of the seventeenth century, had established numerous colonies along the Eastern seaboard, an indication to the natives that these Europeans were not going to leave. Sensing that their lands were in jeopardy, the Mi'kmaq were not reluctant followers of the French against the British in an effort that amounted to saving not only their land, but also their culture. As Bill Wicken points out, the British perceived the Mi'kmaq as culturally inferior and barbaric. The irony of this, of course, is that the the French shared the same perceptions,²⁷ but with strong historic ties to the French, the Mi'kmaq saw the British as

25. Olive Patricia Dickason, "Amerindians Between French and English in Nova Scotia, 1713-1763", *American Indian Culture and Research Journal*, Volume 10, No. 4, (1986), p. 33.

26. William C. Wicken, "Encounters with Tall Sails and Tall Tales: Mi'kmaq Society 1500-1760", Unpublished Ph.D. Thesis (Montréal: MacGill University, 1994), p. 307.

27. *Ibid.* p. 418-419.

the greater of two evils. To the British, of course, the issue of Mi'kmaq sovereignty was never real. According to Olive Dickason, when the British took over Acadia in 1710, whatever title or claim to land the Mi'kmaq may have had was superseded by the defeat of France. The irony of this is that when the British took over Acadia, "they had a long history of recognition of aboriginal land rights, in contrast to the French, who had never formally acknowledged such rights, except when it was useful for annoying the British".²⁸ Furthermore, as Dickason points out, as Christian nations both England and France "considered their claim to sovereignty over lands pre-eminent to that of non-Christian peoples".²⁹

Territorial gain was often accompanied by religious fervour, as manifested in the evangelical ethos of the period. The British and the French had strong motives to support their missionary efforts, as both Catholicism and Protestantism of the period were considered "conquest religions".³⁰ That the head of the Church of England was also the monarchical head of England should not be overlooked as well. As a prime motivator in imperial history, the rigorous application of Christian principles, specifically Church of England principles, meant the Empire would be Protestant. As Jack P. Greene suggests, "British peoples were overwhelmingly Protestant peoples", and during the Seven Years War, colonials endorsed the view that war with France was a war between Protestantism and Catholicism. Victory was seen as a victory for the Protestant succession and a blessing on the British empire.³¹ However, Catholic nations with their own imperial ambitions, such as France, were also ardent and aggressive competitors for the souls of the world during the seventeenth and eighteenth centuries.

28. Dickason, "Amerindians Between French and English in Nova Scotia", p. 33.

29. *Ibid.* p. 34

30. Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (New York and London: W. W. Norton & Company, 1975), p. 56.

31. Jack P. Greene, "Empire and Identity" *The Oxford History of the British Empire - The Eighteenth Century*, ed. P. J. Marshall (Oxford: Oxford University Press, Vol. II, 1998), p. 215.

The Mi'kmaq were drawn to the French, in part, because of the Catholic religion. Almost since the arrival of the French, priests of the militant Society of Jesus missionary order, better known as the Jesuits, had been proselytizing among the Mi'kmaq. Their new flock proved to be willing converts, in part because the Mi'kmaq, seeing the importance the French placed on their religion and its rituals, responded in kind in the assumption this would help create alliances with the Christians. The Jesuits found portions of Mi'kmaq spiritual beliefs to be conducive to the acceptance of the Catholic faith. Basic tenets shared by the Mi'kmaq and the Catholic Church such as love, respect, sharing, and peace were found to be common ground for the purpose of missionary work, as was the Mi'kmaq belief in spirits and the concept that men had souls. The spiritual role of the Shaman and the use of talismans were also paralleled with that of the priest and his role in religious ceremony.³²

From the perspective of the Jesuits, the Mi'kmaq were fertile soil in which to plant the seeds of Christianity. In writing of the Jesuits, however, Sean O'Neill argues their primary role was not so much salvation in general, but their own personal salvation, to be achieved "through preaching God's glory, whether the Indians listened to them or not. Nevertheless, they hoped the Indians would hear them and convert, since the salvation of so many people would enhance the glory of God."³³ This spiritual bond created through baptism would strengthen the relationship between the French and the Mi'kmaq, in spite of the fact that rapid conversions actually passed on little knowledge of Christianity to the natives.³⁴

32. Olive Patricia Dickason, "Amerindians Between French and English in Nova Scotia, 1713-1763" *American Indian Culture and Research Journal*, Volume 10, No. 4, 1986, p. 33. See also Olive Patricia Dickason. *Canada's First Nations*. (Toronto: McClelland & Stewart, 1992), p.109.

33. Katherine J. Brooks. "The Effect of the Catholic Missionaries on the Micmac Indians of Nova Scotia, 1610-1986", *The Nova Scotia Historical Review*, Volume 6, No. 1, (1986), p. 110.

33. Sean O'Neill. "French Jesuits' Motives for Baptizing on the Frontier of New France", *Mid-America*, Volume 71, No. 3, (October 1989), p. 128.

34. Olive Patricia Dickason, *The Myth of the Savage* (The University of Alberta Press, 1979), p. 253.

In building upon the influence of the missionaries on the Mi'kmaq, L. S. F. Upton states that French political leaders "had no scruples about using religion for temporal purposes, and they commanded missionaries as they would military officers."³⁵ As "Soldiers of Christ", the Jesuit missionaries were not in the least reluctant to encourage secular military activities through their religious influence with the Mi'kmaq. After all, Upton continues, it should not be forgotten that the British "were not only the enemies of France but of the true faith as well.... the Catholic religion became an integral part of the MicMacs' identity, and they were to use it to put a distance between themselves and the conquering English...."³⁶

The relationship between the French and the Mi'kmaq, and other native groups, was often secured through the exchange of gifts, so much so that the cost of these gifts had a significant impact on the French treasury. Colonial officials complained about the cost of these gifts, which included rations, powder and shot, knives, tools, clothing, and blankets.³⁷ Firearms were rarely issued, although baptized natives were considered as likely candidates to receive these weapons. While several native groups received firearms in limited numbers, Alfred Bailey suggests the Mi'kmac, "who had been the earliest recipients of European materials, made an almost complete substitution of the musket for the bow and arrow in the seventeenth century".³⁸ These gifts came to be recognized as direct gifts from the King of France, although the King's bounty would be withdrawn by the early part of the eighteenth century because of the increasing expectations on behalf of the natives which were attributed to laziness.³⁹

35. L.F.S. Upton. *MicMacs and Colonists*. p. 33

36. L.F.S. Upton. *MicMacs and Colonists*. p. 33. See also Catherine M. Desbarats. "The Cost of Early Canada's Native Alliances", p. 619. The author writes "Missionaries not only preached to the Abenakis, they encouraged raids against British settlers". Furthermore, it was acknowledged that "missionaries furthered French strategic aims...especially...in the Atlantic Region."

37. Olive Patricia Dickason. *The Myth of the Savage*. (The University of Alberta Press, 1979), p. 253. See also Catherine M. Desbarats, "The Cost of Early Canada's Native Alliances: Reality and Scarcity's Rhetoric", *The William and Mary Quarterly*, 3rd Series, Volume LII, No. 4, (October 1995), p. 628, for a listing of weapons, tools, and clothing, plus other benefits paid to natives by the French.

38. Alfred G. Bailey. *The Conflict of European and Eastern Algonkian Cultures 1504-1700*. p. 52.

39. Catherine M. Desbarats. "The Cost of Early Canada's Native Alliances", p. 615.

The issue in the relationship between the French and the Mi'kmaq was not how the French secured their support and friendship, but that the Mi'kmaq let it develop at all. Trade, religion, and military alliances all contributed to the success of the interaction between the two groups that lasted from 1604 until well after the fall of New France in 1760. The most important point, however, is that at any time during the fledgling years of the French settlement at Port Royal, the Mi'kmaq could have withheld assistance, or simply destroyed the small fragile colony. According to John Reid, during the early years of the seventeenth century, "it was the native people of the region who held the real power."⁴⁰ In supporting the French during the early years of the French Regime, the Mi'kmaq were instrumental participants in the establishment of a relationship that would last over one hundred and fifty years.

The British, either by design or by chance, became an enemy not only through their own actions, but by warring with the French, friend and ally to the Mi'kmaq. Their relationship with the French notwithstanding, the Mi'kmaq still remained independent, and according to Olive Dickason, quite capable of "asserting their right to make war or peace as they willed...,"⁴¹ in spite of the fact that as late as 1701 it was French Imperial policy that required the Indian nations of the west and of Acadia be brought together into a close commercial alliance designed to prevent contact with the English colonists by whatever means necessary.⁴² In retaining their independence from the French, the Mi'kmaq were still able to support their long-time ally. As Jean Daigle points out, however, it is important to make the distinction that the Mi'kmaq "did not espouse French policies subserviently, not knowing which of the two warring parties would be victorious, they preferred not to compromise their position."⁴³

40. John G. Reid, "Decade of Colonization", *Six Crucial Decades: Times of Change in the History of the Maritimes*, (Halifax, Nova Scotia: Nimbus Publishing Limited, 1987), pp. 3-28.

41. Dickason, *Canada's First Nations*, p.159.

42. W. J. Eccles, "The Fur Trade and Eighteenth-Century Imperialism", p. 345.

43. Jean Daigle, "Acadia from 1604 to 1763: An Historical Synopsis" *Acadia of the Maritimes: Thematic Studies from the Beginning to the Present*. ed. Jean Daigle, (Moncton, New Brunswick: Chaire d'études acadiennes, Université de Moncton, 1995), p. 32. (This quote, used by Daigle in his article, is credited to L.F.S. Upton, *MicMacs and Colonists*, pp. 33-36).

Although the conflicts between the Europeans powers and the Mi'kmaq flared sporadically for most of the seventeenth-century, it was the loss of Port Royal by the French in 1710, and the subsequent Treaty of Utrecht in 1713, that served as the catalyst for the greatest fighting between the English and the Mi'kmaq for nearly half a century more. In addressing the entangled political and military situations of the time, John Reid suggests that by 1715, Nova Scotia "was a colony in which the complex relations between French, British, Acadians, Micmac, and New Englanders had yet to fall into any clear or stable pattern.... the reality was that the stability promised by the treaty was still much more apparent than real".⁴⁴ The Mi'kmaq never recognized that they were part of the defeat of France. They continued on, therefore, as an independent nation. The notion that they should give up their land, acknowledge the British King as their sovereign, and share their land with British settlers was repugnant to them⁴⁵ and continued "hostility to the English was the corollary of their continued attachment to France".⁴⁶

Realizing they were on the verge of losing their territories in North America, the French could not take direct action against the British because of a friendship clause in the Treaty of Utrecht. They did, however, encourage the Mi'kmaq at every opportunity to continue the fight, which the Mi'kmaq did with moderate levels of success, including an attack against Annapolis Royal in 1724.⁴⁷ By 1725 the Mi'kmaq, tired of the continuous stream of battles and suffering from a reduced population, acknowledged British governance over Nova Scotia.⁴⁸ A second agreement, known as Treaty No. 239, was signed

44. John G. Reid, "Mission to the Micmac", *The Beaver*, Volume 70, No. 5, (September 1990), p. 15.

45. See Olive Patricia Dickason, *Canada's First Nations*. (Toronto: McClelland & Stewart, 1992), pp. 108-111. For a stronger opinion on the offer of the British to the Mi'kmaq see Daniel N. Paul, *The Confrontation of Micmac and European Civilizations*, (Truro, Nova Scotia: The Confederacy of Mainland Micmacs, 1993), p. 10.

46. L.F.S. Upton, *MicMacs and Colonists*, p. 32.

47. Elizabeth Hutton, "The MicMac Indians of Nova Scotia to 1834". Unpublished MA thesis, Dalhousie University, 1961. pp. 118-126. See also L.F.S. Upton, *MicMacs and Colonists*. p. 32, and John G. Reid. "Mission to the Micmac", *The Beaver*, (September 1990), p. 20.

48. Olive Patricia Dickason, "Amerindians Between French and English in Nova Scotia, 1713-1763", *American Indian Culture and Research Journal*, p. 39.

which detailed how the Mi'kmaq were expected to act as subjects of the Crown. Issues over interpretation of the clauses of the treaty ensued almost immediately, with the Mi'kmaq highly suspicious of British intentions. As the Mi'kmaq considered the ratification of each treaty as a separate agreement which concerned the signees and their bands alone, these treaties are still beset by controversy today.⁴⁹

Peace would prove elusive, however, as the French and the Mi'kmaq continued to pressure Annapolis Royal — the only British settlement, along with a small garrison at Canso, on the Nova Scotia peninsula. Paul Mascarene, governor at Annapolis Royal, continued to plead for support from Governor Shirley of the Massachusetts Colony, asking repeatedly for money, men, and materials to upgrade the crumbling fort from which he hoped to hold Nova Scotia for Great Britain. On May 21st, 1744, Mascarene wrote to Shirley that “a French Officer with a great number of Indians & People from Cape Breton were up our river att [sic] a small distance from this place.”⁵⁰ With the hope of avoiding a confrontation that would be difficult to defend against, Mascarene opened a dialogue with natives from across the Bay of Fundy, with the intention of reducing the influence of the French. As he stated to Shirley, “It is probable that if they have any design on us they will visit us soon—whilst they know our works are in a bad state of repair—and our garrison weak”.⁵¹ On June 2nd, Mascarene would inform Shirley of his on-going efforts to secure the safety of Annapolis Royal through negotiations with the natives:

...there are some Emmissarys — sent from Cape Breton — to incite the people — to revolt — I have summoned the Deputies and ancient inhabitants before me in council & represented to them their duty in the strongest terms. They gave me assurance of their intention to keep in the fidelity to his Brittanick Majesty & desir'd to leave to consult with other settlements on means of preserving the tranquillity amongst themselves and the Indians of the Province... It is certain we can never force them

49. Olive Patricia Dickason “Amerindians Between French and English in Nova Scotia, 1713-1763”, *American Indian Culture and Research Journal*, pp. 40-41.

50. Paul Mascarene to Governor Shirley, May 21st, 1744. National Archives of Canada. MG 18, Vol. F9. File Mascarene, Paul. Folio 20.

51. *Ibid.* Mascarene to Shirley.

to take up arms against the French — but if I can succeed in what I have labour'd for these four years past that is to wean them so far from the French as to prevent their joining with or assisting them & hinder by their means the Indians about us giving us any disturbance here — it will make it much more difficult for the French of Cape Breton to attack us here..⁵²

For the next decade war and rumours of war ruled Nova Scotia, with the Mi'kmaq finally declaring war against the British in 1749,⁵³ the same year as the founding of Halifax. With the French fomenting unrest and the Mi'kmaq attacking Halifax, Edward Cornwallis, Governor of Nova Scotia, extolled settlers to kill natives, offering payment of bounties for scalps — the first, but not the last governor to do so. The *Manchester Magazine*, dated September 18, 1750, was to publish a note originating on July 10th of the same year:

The Indians having committed some fresh Cruelties and Barbarities in Nova Scotia, Governor Cornwallis hath issued a Proclamation, offering a Reward of 50£ (instead of 10£ which was offered in a former Proclamation, as is practiced in America) to any Person, that shall bring in an Indian Prisoner, or the Head or Scalp of an Indian, Kill'd in the Province of Nova Scotia, or Accadie, to be paid out of the Treasury.⁵⁴

This seemingly barbaric approach on behalf of the British in an effort to terrorize the natives and provide a certain security for the new colonies on either side of the harbour only served to exacerbate the situation. The Tuesday, July 2, 1751, edition of *Whitworth's Magazine* provides evidence that the French, at least in specific geographic areas, were prepared to respond in kind. Letters from Annapolis Royal advised that in the Chignecto area "...the French Missionary, amongst the Indians, bribed them to murder... that he pays fifty Livres for every Scalp, 100 Livres for every Prisoner, and 400 Livres for every Officer they bring in".⁵⁵

52. Paul Mascarene to Governor Shirley, June 2nd, 1744. National Archives of Canada. MG 18, Vol. F9. File Mascarene, Paul. Folio 22.

53. Jean Daigle, "Acadia from 1604 to 1763: An Historical Synopsis", *Acadia of the Maritimes: Thematic Studies from the Beginning to the Present*. ed. Jean Daigle, p. 36. Please note that Daigle has quoted from "Déclaration de guerre des Micmacs aux Anglais," 1749, Collection de documents inédits, vol. 1, pp. 17-18.

54. *The Manchester Magazine*. Number 1007, Tuesday, September 18, 1750. Extract from "Boston in New England, July 10." National Archives of Canada. MG 18, Vol. F9. File: Whitworth's Magazine 1745-1751. Folio 50.

55. Ibid. Number 1047, Tuesday, July 2, 1751. Extract from "London". National Archives of Canada. MG 18, Vol. F9. File: Whitworth's Magazine 1745-1751. Folio 53.

The savagery of the conflict is demonstrated in an extract of a letter from Halifax dated July 30th, 1751.

A few days since the Indians in the French Interest perpetrated a most horrible massacre at the Town of Dartmouth, on the opposite shore to us, where they Killed, scalped, and frightfully mangled, several of the Soldiery and Inhabitants of the Town: They have not spared even the Women and Children. A little baby was found lying by its father and Mother, all three scalped. The whole Town was a Scene of Butchery, some having their bellies ripp'd open, and others their brains dash'd out. In short, never was more inhuman Barbarity beheld. many persons are missing, so that our whole loss is not yet known.⁵⁶

The British, however, refused to formally declare war on the Mi'kmaq because in the political sense, to do so would be tantamount to recognizing them as a free and independent nation.⁵⁷ This Britain was not prepared to do in spite of the fact the Mi'kmaq had afforded their European protagonist a similar courtesy. The Mi'kmaq realized their best course of action lay, as it always had, in looking out for their own interests. This proved to be a considerable challenge, however, as they had been left dependent on their own resources which had been depleted, making it difficult for the Mi'kmaq to maintain their military effort.⁵⁸

With the assistance of the French, the Mi'kmaq continued their hostile actions against the British with attacks on Halifax continuing as late as 1757, at which time Governor Charles Lawrence offered "cash for prisoners or scalps".⁵⁹ Given this circumstance, it is difficult to understand why the Mi'kmaq remained loyal to the French, up to and past the point where the French had any role to play in Nova Scotia. One explanation,

56. *Ibid.* Number 1076, Tuesday, September 17, 1751. "An Extract of a Letter from Halifax in Nova Scotia, dated July 30". National Archives of Canada. MG 18, Vol. F9. File: Whitworth's Magazine 1745-1751. Folio 54.

57. Stephen E. Patterson, "Indian-White Relations in Nova Scotia, 1749-1761: A Study in Political Interaction", *Acadiensis*, Vol. XXIII, No. 1, (Autumn, 1993), p. 31.

58. Olive Patricia Dickinson, "Louisbourg and the Indians: A Study in Imperial Race Relations, 1713-1760". *History and Archaeology* 6. Ottawa: Parks Canada. Department of Indian and Northern Affairs and the Ministry of Supply and Services, 1976. p. 124.

59. L.F.S. Upton, *MicMacs and Colonists*, p. 56.

as Upton suggests, is that the Mi'kmaq "became increasingly dependent on the generosity of the French government in order to sustain their aggressive policy against the British."⁶⁰ It could be said that the Mi'kmaq were simply pawns in an Imperial chess game played between England and France,⁶¹ but to do so would not be an accurate interpretation. Stephen Patterson suggests that while it is true the "vigorous military role of Indians in the region convinced British officials that Indians were no more than puppets in the hands of the French....the facts indicate that natives retained considerable independence of judgement and action."⁶²

While French power and influence had been on the decline with the Mi'kmaq in Nova Scotia, culminating with the final fall of Louisbourg in 1759, they still wielded influence over groups of Maliseet who occupied parts of what is now present-day New Brunswick and Prince Edward Island. In retaliation for British raids on Acadian territory, "The governor-general of New France, Pierre de Rigaud de Vaudreuil de Cavagnial, the Marquis de Vaudreuil, order[s] his commander in Acadia, Charles Deschamps de Boishébert et de Raffetats, to continue sporadic raids on English territory".⁶³ Beginning in the same year, and continuing for a two-year period, native raids were conducted against the settlers of Lunenburg Township. Located south of Halifax, Lunenburg had been established only three years previously as the new home of some 1450 European "Foreign Protestants".

60. Jean Daigle, "Acadia from 1604 to 1763: An Historical Synopsis", p. 37.

61. R.O. MacFarlane, "British Indian Policy in Nova Scotia to 1760", *The Canadian Historical Review*, Volume XIX, (1938), p. 166. "So long as France cherished dreams of recovering any part of the province, or so long as she held Cape Breton, the natives were pawns in her game of empire. The early success of the French missionaries and traders in comparison with the efforts of their British competitors, made the Indians willing tools in the hands of the French".

62. Stephen E. Patterson, "Indian-White Relations in Nova Scotia, 1749-1761: A Study in Political Interaction", *Acadiensis*, Vol. XXIII, No. 1, (Autumn, 1993), p. 26.

63. Pierre-Francois de Rigaud, marquis de Vaudreuil, "Lettre de Vaudreuil au Ministre, Montréal, le 6 aout 1756", Public Archives of Canada Report for 1905, Vol. II, app. A, Part III (Ottawa, 1905), p. 181. As quoted by Linda G. Wood, "The Lunenburg Indian Raids of 1756 and 1758: A New Documentary Source", *The Nova Scotia Historical Review*, Volume 13, Number 1, (1993), p. 105.

A description of such a raid, which became known as the Payzant Massacre, is indicative of the violence of the attack:

This day we have received Intellidgend in Town that last Thursday the 8th day of May the Indians have fallen in at Mahone Bay upon Louis Paysants Island where the have kild him & his maid servant and her child, & have Carried his wife & her four Children long with them, & Likewise the Indian have kild the Same day at Capt. Rouse Island an old man & a Growing Son of Him. whereof Colonell Sutherland has Dispatched a Command of about thirty Man with the Officers in Order to visit the Said Island, the found that it was So, & Likewise the house was bourned to the Ground & all their effects where Gan.⁶⁴

The ferocity of these attacks is indicated in the treatment of Payzant and his servant woman, Anne Riovant, who were both scalped. The attackers also “dashed out the brains of her two-year old son Jean.”⁶⁵ Yet another example confirms that native raids continued in other locations well into 1758.

1758 the 23 day of march the Indians where fallin to North West Range in Letter B No 30, where they Calpet (scalped) one Johns. Ohx (Johannes Ochs) & his wife and two Children of his & the Wife to one William Roder five in the whole, it was done about Sun Sett, & about ahalf Hour after nine the Intillidgen (intelligence) Came to Town & upon this the two allarm Guns where fired, & the whole Inhabitants of the Town & Captains of the Militia waited on the Colonell Sutherland for orders...⁶⁶

With a considerable history of attacks by natives through the first half of the eighteenth century, both in support of the French and on their on initiative, it is almost certain that

64. Payzant Documents from William Lewis Payzant (1869-1955) in scrapbook of Dr. Elias Nichols Payzant (1830-1925), MG 1, Vol. 747, File 42, Nova Scotia Archives and Records Management. As quoted in Wood, “The Lunenburg Indian Raids”. p. 104.
65. Silas Tertius Rand, “Early Provincial Settlers: An Indian Story”, in *The Provincial* (Halifax), I, 8 (August 1852), p. 302, and the Bell Fonds, MG 1, Vol. 110, p. 38, Nova Scotia Archives and Records Management. As quoted in Wood, “The Lunenburg Indian Raids”. p. 106.
66. The Bell Fonds, MG 1, Vol. 110, p. 142, Nova Scotia Archives and Records Management. As quoted in Wood, “The Lunenburg Indian Raids”. p. 107.

the need to maintain soldiers in Nova Scotia to defend the colony against further such attacks was an important consideration for the governors of Nova Scotia.

For a century and a half the Mi'kmaq supported one Imperial European nation against another, but always for their own purpose. It should not be forgotten that in their relationship with the French, the Mi'kmaq were the teachers and the French were the students. The French, with their ethnocentric perspective of European superiority, were surprised at the attitude of the Mi'kmaq, who viewed them as the inferior being. One French missionary wrote of the Mi'kmaq "holding their heads so high that they greatly underrate us, regarding themselves as our superiors....they think they are better, more valient and ingenious than the French, and...richer..."⁶⁷ Initially the French failed to recognize or appreciate the political structure of Mi'kmaq society, which consisted of independent districts and villages which operated as individual units, but also as a single unified body should a situation warrant it. The Mi'kmaq were also powerful militarily, but like their political organization, their military command was generally decentralized. Economically, the Mi'kmaq were able to outmaneuver the French. Their recognition of the value of both French and English trade goods enabled them to work better deals;⁶⁸ their understanding of the value of furs lead to more trade goods per pelt, especially for beaver.⁶⁹ As French power in the region of Acadie declined, the nature of their relationship with the Mi'kmaq shifted — for both. As Olive Dickason suggests, while "the French manipulated the Indians for their own end, it is equally true that the Indians were engaged in the same game. However, the goals were different: the French were building and maintaining an empire, while the Indians were seeking self-survival".⁷⁰ This can be considered as

67. John G. Reid, "Decade of Colonization", *Six Crucial Decades*, p. 17.

68. See Catherine M. Desbarats. "The Cost of Early Canada's Native Alliances: Reality and Scarcity's Rhetoric", *The William and Mary Quarterly*, 3rd Series, Volume LII, No. 4, (October 1995), p. 609-630.

69. John G. Reid, "Decade of Colonization", *Six Crucial Decades*, p. 20.

70. Olive Patricia Dickinson, "Louisbourg and the Indians: A Study in Imperial Race Relations, 1713-1760", p. 128.

that while the Mi'kmaq were maintaining an independent position, they were adopting a more defensive posture directed towards the preservation of their very existence.

From their early clashes with the English in the seventeenth century to their battles with the British in the eighteenth century, the Mi'kmaq displayed remarkable tenacity and resiliency in the face of intense imperial pressure as they fought for their own purposes. By 1758, however, they had lost their enthusiasm for supporting a foreign cause, which clearly could no longer benefit them as a people. After the fall of Louisbourg, the last French stronghold in Nova Scotia the Mi'kmaq, as L. F. S. Upton indicates, "held on through 1759, but the winter broke them. Without powder and shot they could neither hunt game nor fight the English. Micmac resistance ended as it ran out of ammunition."⁷¹ Not willing to concede defeat or to acknowledge the signing away of their lands and rights as a people, the Mi'kmaq remained resolute in maintaining the integrity of their way of life as they sought a continuity within their landscape — one that would bring all inhabitants together in peaceful coexistence. Their continuity, however, was not one in the British sense of establishing and securing settlements in the colonies, but one in which "the same land might concede the presence and significance of all its people".⁷²

The Mi'kmaq knew they could play the French and British off against each other in an effort to make the best possible arrangement for themselves. While this may be considered as opportunistic by some, it was simply a matter of staying alive and surviving, as individuals, as a people, and as a culture. For the French, driven from Nova Scotia, it was the beginning of the loss of their North American empire. The fall of Québec in 1759 and the Treaty of Paris in 1760 sealed French ambitions, leaving only two small Islands off Newfoundland in their possession. For the British, who had borne the brunt of native attacks in Nova Scotia through much of the Seven Years War, suspicion and mistrust would remain. Unable to gain the military support of the natives as had the French, it would be difficult to relax their vigilance following the end of the war. This, coupled with a continued mistrust of the French, required that Britain would maintaining garrisons and soldier-settlers in order to solidify a British presence in Nova Scotia for the next several decades.

71. L.F.S. Upton. *MicMacs and Colonists*, p. 57.

72. Jennifer Reid. *Myth, Symbol, and Colonial Encounter*, (University of Ottawa Press, Ottawa, Ontario. 1995), p. 113.

Chapter 4

The Settlement of Highland Soldiers in Nova Scotia

Following the signing of the Treaty of Paris in 1763, which brought the Seven Years War to an end, Britain was faced with the decision as to what to do with thousands of soldiers still in America. Included in these numbers were Scots of the Highland regiments who had battled against the French and their native allies for several years, often at a terrible cost. As a reward for their efforts in expanding the empire, King George III issued a Royal Proclamation which enabled Britain to look to settlement through land grants as the best, and perhaps the only, solution to retaining soldiers in the colonies. The settlement of Nova Scotia in order to secure the province as a British colony, however, was not contingent upon the successful transformation of soldiers into settlers following the Seven Years' War. This process was begun several years earlier, with the establishment of Halifax by Edward Cornwallis in 1749. To succeed in the settlement process, the province first had to be wrested from the French. Soldiers, whether active or disbanded, were considered essential to the long-term viability of settlement. Nova Scotia was no exception to this rule. Consequently large numbers of disbanded soldiers, including Highlanders, were offered land grants to secure their presence in the province. The grants, however, came with significant conditions that could result in the loss of the granted land if not met. While generally not considered good material as settlers, many of these soldiers were able to find a measure of success in establishing new lives in Nova Scotia—in spite of the uncertainty of holding on to their land.

During much of the first half of the 18th century, the British occupation of Nova Scotia was far from secure. Even though the mainland peninsula area of the province was ceded to the British in the Treaty of Utrecht in 1713, the French retained Isle Royale (Cape Breton Island), where they established significant fortifications at Louisbourg, strategically positioned to guard the Gulf of St. Lawrence, access to Québec and Montréal, and the gateway to the interior of North America. Apart from a fort and fledgling community at

Annapolis Royal, wrestled from the French in 1710, and a small outpost at Canso, the British controlled little else in a land where the population of the province was almost exclusively French, Acadian, and Native.

Between the period following the Treaty of Utrecht and the outbreak of hostilities that signalled the beginning of the Seven Year's War, the French and Mi'kmaq placed considerable pressure on the British at both Annapolis Royal, the seat of colonial government, and Canso, little more than a fishing outpost. Perhaps recognizing the lack of any real British strength in Nova Scotia and just how precarious the situation was, the Lords of Trade asked the Secretary of State, Henry St. John, Viscount Bolingbroke, to provide them with a report on a proposal for the settling of disbanded officers and soldiers in Nova Scotia.¹ This was followed by another enquiry to the Lords of Trade seeking an opinion on a plan for disbanded soldiers to be settled in Nova Scotia, with a year's pay as an incentive.² It would seem, however, there was more concern for the actions of the French and Mi'kmaq, which in the opinion of the colonial Governors, required a strong British hand in dealing with a wide range of specific problems. For the most part, these related to the removal of the French³, who were not trusted because of their refusal to swear allegiance, and the support of the Mi'kmaq for the French. Furthermore, there were continuing incursions by the French with reports of them cutting dykes, with the requirement of immediately securing the countryside.⁴ In 1720, Governor Philips advised the Lords of Trade that he "sees everyday more reason to show the inhabitants that this [Nova Scotia] is a British province....[The French] should swear or leave..."⁵

Not until the establishment of Halifax in 1749, and the settlement of Lunenburg a few years later, were the British able to establish an effective presence to counter the

1. Public Archives of Nova Scotia. Colonial Office Papers. CO 217, Vol. 1, Reel 13841, "Lords of Trade to Secretary of State, Bolingbroke, Whitehall, July 13, 1713".
2. *Ibid.* "T. Harley to Lords of Trade, The Treasury, August 11, 1713".
3. *Ibid.* "Vetch to the Lords of Trade, London, November 24, 1714".
4. PANS. Colonial Office Papers. CO 217, Vols. 1-3, Reel 13841, and CO 218 Vol. 1, Reel 13952, contain considerable references refers to problems with the French and the Mi'kmaq, included those identified.
5. PANS. Colonial Office Papers. CO 217, Vol. 3, Reel 13841. "Philips to Lords of Trade, Annapolis Royal, November 24, 1720".

French stronghold at Louisbourg.⁶ In less than ten years, however, Nova Scotia was entirely in British hands, and the French were locked in a desperate struggle to maintain Québec and the rest of Canada. From the their loss of Port Royal (Annapolis Royal) through to the mid-eighteenth century, the French and Mi'kmaq launched sporadic raids and direct attacks against the British settlement. As indicated in the previous chapter, Paul Mascarene, the Chief Administrator of Nova Scotia (1740-1749,) expressed serious concern as to the generally weak condition of Nova Scotia.

On February 24th, 1744, the Lords of Trade sent a copy of a letter received from Mascarene to the Secretary of State, Newcastle. In his original letter dated December 1st, 1743, Mascarene had reported to their Lordships, with specific references to the fortifications at Canso and the Fort at Annapolis Royal.⁷ Considering these were the only two British settlements in Nova Scotia at the time, his concern for the future of the province was justified. The remainder of the population, as described by Mascarene, consisted of "all French Roman Catholicks—who...cannot be depended upon for assistance.... It is as much as we can expect if we can keep them from joyning with the enemy or being stirr'd up to rebel".⁸

Recognized for his diplomatic skills throughout his administration, Mascarene is credited, in part, with helping to maintain the neutrality of the Acadian population of Nova Scotia. It was, however, a time when diplomacy did not always succeed. While Mascarene was able to keep the Acadian population from rebelling, he still had to contend with continuous threats from the French and Mi'kmaq.

Mascarene painted a bleak picture of his military fortifications. The defences of Canso, he would write, consisted of "a blockhouse built of timber by the contribution of a few fishermen...".⁹ Annapolis Royal fared no better and, in fact was in worse condition

6. Winthrop P. Bell, *The "Foreign Protestants" and the Settlement of Nova Scotia : The History of a Piece of Arrested British Colonial Policy in the Eighteenth Century* (Toronto: University of Toronto Press, 1961), pp. 317-320.
7. PANS. Colonial Office Records. CO 218, Vol. 2. Reel 13952, BTHS Vol. 33, p.373. "Lords of Trade to Secretary of State Newcastle, February 24, 1744".
8. National Archives of Canada. MG 18, Vol. F9. File Mascarene, Folio 16. "Paul Mascarene to Secretary of State and Lords of Trade, December 1, 1743".
9. *Ibid.*

than Canso as “the Fort being built of earth of a sandy nature is apt to tumble down in heavy rains, or in thaws after frosty weather”.¹⁰ To make matters worse, the Fort at Annapolis Royal was woefully undermanned as Mascarene complained, “... the five company’s here consist by the present establishment of no more than thirty one private men—when compleat the number will fall much short of what is necessary in time of warr”.¹¹

Mascarene implored the Lords of Trade to strengthen the settlements and greatly increase the number of soldiers at each. At a time when Britain should have exercised considerably more diligence in her guardianship of the struggling colony, the “motley garrison and decrepit fort at Annapolis Royal displayed British weakness rather than strength”.¹² Given the circumstances and conditions of British power in Nova Scotia, it is small wonder the French took advantage of the situation and continued to pressure militarily.

In 1748, Mascarene would again prompt the British government to develop a plan for settlement, and again emphasize the need for soldiers. In a letter dated October 17th of that year, he made a reference to Nova Scotia, “...to people it with good English subjects....A number of British families might be settled on the Eastern Coast and the place fortified....”.¹³ This prompted the Lords of Trade to increase not only the military establishment in the colony, but to encourage permanent settlement. This would be undertaken within a decade by subsequent governors such as Edward Cornwallis and Charles Lawrence who, within a few short years, would subdue the Mi’Kmaq and deport the Acadians, opening Nova Scotia for settlement in the process.

On May 2, 1749, within seven months of Mascarene’s letter requesting British families and fortifications, Orders in Council were issued approving the commission of Edward

10. National Archives of Canada. MG 18, Vol. F9. File Mascarene, Folio 17. “Paul Mascarene to Secretary of State and Lords of Trade, December 1, 1743”.

11. *Ibid.*

12. Bernard Pothier, “The Seige of Annapolis Royal, 1744”. *The Nova Scotia Historical Review*, Volume 5, Number 1, 1985, p. 60.

13. PANS. Colonial Office Records. CO 217, Vol. 40. Reel 13858, “Mascarene to Lords of Trade, October 17, 1748”.

Cornwallis "Governor of Nova Scotia, or Acadia",¹⁴ who was subsequently dispatched with soldiers and settlers to establish a permanent settlement at Halifax. Cornwallis' mandate was twofold: the establishment of a strong military presence in the colony of Nova Scotia, and the establishment of a civilian population to ensure a permanent settlement to secure Nova Scotia as a British colonial possession.¹⁵ Fortifications were a priority for Cornwallis. On July 23rd he reported from Chebucto to the Secretary of State, Bedford, that he had placed settlers on St. George's Island, where he had a set up a guard and stores, and proposed the construction of a powder magazine.¹⁶

Prior to the establishment of Halifax and Lunenburg, settlement efforts by the British had been organized by commercial concerns. The settlement of Halifax was a new venture for the government as it was the first time that it had become directly involved in the settlement of the colonies. As a government venture, the settlement of Halifax was subject to the urgencies of politics and national interests. The site, as an example, had been selected primarily because of its strategic location, its defensible position, and its excellent harbour, with an almost non-existent agriculture potential.¹⁷ Dominated as it was by a high central hill, the peninsula at Chebucto was not an ideal place for settlers. Cornwallis, however, had little time to organize his expedition and arrived at Chebucto with a rather disparate collection of potential settlers numbering approximately two thousand, including discharged soldiers and sailors, and a strong military contingent. Within a year, many of the settlers would leave, possibly prompting Charles Lawrence's later negative comments regarding the qualities of discharged soldiers as settlers.

14. PANS. CO 217, Vol. 9. Reel 13844, p. 138, May 2, 1749.

15. PANS. Colonial Office Records. CO 218. Vol. 2. Reel 13952, F77 BTHS, Vol. 9.

"Order In Council approving of the commission to Edward Cornwallis, Governor of Nova Scotia, or Acadia. May 2, 1749".

16. PANS. Colonial Office Records. CO 217, Vol. 9. Reel 13844, "Cornwallis to Bedford, July 23, 1749."

17. Brian Preston, *The Scottish Settlement of Nova Scotia, 1770-1830* (an abridged version of *The Settlement of Scottish Immigrants in Nova Scotia, 1770-1830*, Ph.D. thesis submitted to the Department of Economic History, University of Glasgow, 1986) 1995, p. 116.

The necessity of soldiers to defend and hold Halifax against the French and Mi'kmaq was emphasized by Cornwallis almost as soon as he landed. On December 7, 1749, in a letter that could be considered blunt for its time, he stated categorically "the King's just rights cannot be maintained without additional force".¹⁸ Halifax grew more rapidly than expected, yet there was still great concern about the French. Less than a year after the establishment of the new British settlement, indications were that even more settlements would be required if the French were to be induced to become good subjects, and the Natives subdued so that peaceful settlement could ensue.¹⁹ Even the establishment of one settlement such as Halifax presented somewhat of a logistical problem, as everything the settlers and the military required would have to be brought with them, at least until the first crops were harvested the following year. With Cornwallis' suggestion that even more settlements were necessary to secure the colony, the logistical problem would become that much more complicated with even more mouths to feed. In order to secure the required provisions and to ensure the British settlers had priority over the supplies, London issued instructions to the Governor in Nova Scotia, under severe penalty, "forbidding all persons... to export out of our said province to any French settlement whatever any corn, cattle or provision of any kind, without leave first obtained from you...".²⁰

In March, 1749, a few months before Cornwallis reached Halifax, William Shirley, Governor of the Massachusetts colony, wrote to Secretary of State Bedford indicating that estimates would be provided for:

the costs of settling in Nova Scotia respectively 2000 families from Europe, the same number from the northern colonies, and an equal number of soldiers at the end of their service...This will enable a judgement to be formed of the whole possible expense and as to the

18. PANS. Colonial Office Records. CO 217, Vol. 40. Reel 13855 (A&WI, Vol. 31), "Cornwallis to Lords of Trade, December 7, 1749."

19. PANS. Colonial Office Records. CO 217, Vol. 33. Reel 13852 (A&WI, Vol. 595), "Cornwallis to Lords of Trade, March 9, 1750".

20. Leonard Woods Labaree, ed. *Royal Instructions to British Colonial Governors 1670-1776*, Volume II (New York, Octagon Books, Inc., 1967), p. 634. See Appendix 9 for full text of proclamation.

surest way, of speedily drawing a number of settlers together for the districts of Annapolis River, Minas, and Chignecto, the most difficult to settle and the most essential for securing possession of the province.²¹

In an estimate that provides an insight into the value assigned to families and the cost of their settlement, as opposed to disbanded soldiers, Shirley indicated that estimates of the costs for the two thousand families, as suggested, would be £78,900.00, or £39.45 per family, and for the same number of families from the Northern Colonies, £48,900.00, or £24.45 per family. The estimate for the settlement of two thousand soldiers "at the end of their service", was a mere £3900.00, or a negligible amount of £1.95 per man. According to the estimates Shirley provided to Bedford, a total of £131,700.00,

For ten years 6000 families could be settled in Nova Scotia, the Province secured against the inroads of the French, the fishing not only secured but improved and the principal of the expense repaid in a few years by the increase in trade.²²

With a few simple calculations Shirley was able to establish the value of disbanded soldiers at less than £2 per head. This equates to less than 1/20 the cost to transport a family from Europe. At a cost so cheap in comparison to the cost of establishing non-military personnel and families, disbanded soldiers could not be ignored as potential settlers. At a time when the Army establishment was actively seeking Highland Scots to fill their ranks and the Scots were responding in significant numbers, it was only natural that many of these same soldiers would find themselves seeking land grants in Nova Scotia upon being disbanded. Prized as they were as soldiers, it was evident that Highlanders might become good settlers as well. Not only were they considered as the most effective soldiers in the British army, the Highland soldier was considered physically capable of doing more than

21. PANS. Colonial Office Records. CO 219, Vol. 9, V1, p. 135. "Shirley to Secretary of State, Bedford. March 3, 1749". See also A&WI Vol. 63, p. 108.

22. PANS. Colonial Office Records. CO 219, Vol. 9. "Shirley to Secretary of State, Bedford. March 3, 1749". See also A&WI Vol. 63, p. 109.

the ordinary man. As James Hunter points out, the Highland soldier had “acquired a hardihood which enabled him to sustain severe privations”.²³

Once established with a compliment of both soldiers and settlers, Halifax quickly became the centre of commerce, replacing Annapolis Royal as the seat of government and the headquarters for British military forces in the colony. The decision to establish Halifax was a timely one not only because of an ongoing series of conflicts and periods of unrest with the French, but also because of altercations with the Acadians and the Mi'kmaq of Nova Scotia. From the capture of Fort Beauséjour in 1755 to the Indian raids of 1758-60, also known as the “Mi'Kmaq Wars”, and then through the Seven Years War and the capture of Louisbourg and the French colony of Canada, Halifax served its intended purpose.²⁴

On August 2, 1763, Jonathan Belcher, Lieutenant Governor of Nova Scotia (1761-1763) advised Secretary of State Egremont that “the news of peace had been communicated”.²⁵ This was followed shortly by the Royal Proclamation of October 7th, 1763, under which land in Nova Scotia and many other parts of the Eastern seaboard became available on terms that favoured settlement. Discharged soldiers of the Highland regiments, who had fought so tenaciously against the French in Québec and throughout the French and Indian War, chose to settle along the St. Lawrence River, where a number married into French communities. Many returned to the area around the Hudson River, while still others

23. James Hunter, *A Dance Called America* (Edinburgh: Mainstream Publishing, 1994), p. 57. Hunter is quoting David Stewart, *Sketches of the Highlanders of Scotland*, (John Donald edition, 2 volumes, published in Edinburgh, 1977).

24. PANS. Colonial Office Papers. CO 217, Vols. 9 and 33. See Cornwallis' comments regarding conflict with the French and the Indians. The Colonial Office papers contain numerous references to the series of ongoing conflicts between the British military and colonists against the French, who seemed desirous of populating Nova Scotia with their own people (see CO 217, Vol. 33, Reel 13852, “account of Thomas Pownall of French settlements before the Treaty of Utrecht and of the forts and settlements made in Nova Scotia since the settlement of Halifax”). There are also several references to open military conflict with the Mi'Kmaq in the CO 217 series, and “uneasiness of the new settlers on account of the Indians and Acadians”(CO 217, Vol. 19, Reel 13844, September 7, 1762).

25. PANS. Colonial Office Papers. CO 217, Vol. 43, Reel 13856, Doc. 141. “Belcher to Egremont, August 2, 1763.”

looked eastward to Nova Scotia and Prince Edward Island.²⁶ For many of these soldiers the colony of Nova Scotia, which at the time included present-day New Brunswick, was to become home, as they began to settle on land made available to them for that purpose.

The Royal Proclamation of 1763 is considered a landmark document in immigration and settlement history. It encouraged the settlement of disbanded and discharged soldiers on territories previously recently wrested from the French and was, for all intentions, the beginning of the permanent settlement of Highland Scots in Canada. It was a policy that served both the British government and former soldiers. For the government, it resolved a number of thorny issues, especially the rapid settlement of land won from the French with soldiers whose loyalty and fighting abilities had been proven beyond any doubt, and who might be needed in the future. It also encouraged an increase in population that could very well have taken generations to achieve without the settlement of soldiers who, as a result of accepting land grants, inspired further immigration from Scotland to Canada.²⁷ For their part, the soldiers stayed because they received free land as a reward for service. Land represented an opportunity for new prosperity and a future that for most would not have otherwise been attainable. For many former Scottish soldiers, the ownership of their own land in the Highlands would have been but a dream.

Many officers received 'half-pay' as a pension, although they were eligible for recall to active service with regular and militia units. This enabled the government to support a trained officer corps without the expense of maintaining them on full service. Throughout the period leading up to, and during the Seven Years War, militia units were often subject to recall to deal with local and regional disturbances and situations of general unrest.²⁸ Notwithstanding provisions of land for service, the process of settlement proved

26. James Hunter, *A Dance Called America* (Edinburgh: Mainstream Publishing, 1994), p. 73.

27. David Dobson, *Scottish Emigration to Colonial America* (Athens, Georgia: The University of Georgia Press, 1994), p. 180.

28. PANS. Colonial Office Papers. CO 217, Vol. 19, Reel 13848, refers to "the weak state of the regular forces makes it necessary to call out the militia".

somewhat more difficult, as disputes over the allocation of land for settlement were not uncommon.²⁹ Making a life in the wilderness was also no easy task as more than one soldier found the transition from military to civilian life difficult and even insurmountable.³⁰

The objective of establishing settlers in Nova Scotia was maintained throughout this period as evidenced by a letter from London “for assistance to obtain transport for settlers to be sent to Nova Scotia and for certain (specified) privileges and encouragements to settlers”.³¹ By creating a sense of security for new colonists, the army helped encourage immigration and settlement beyond their efforts to settle disbanded soldiers. This security, in part, was offered by the immigrants themselves and their component of Highlanders. According to historian David Dobson, “the only people the English found acceptable were the Scots, a Protestant nation sharing the same King... The Scotch being the general travellers and soldiers in most foreign parts”.³²

Lieutenant Jeffery Amherst was one of the first to recognize the benefit of settling disbanded soldiers in the province. Amherst had originally proposed a scheme that would see

... the land... laid out in townships of four miles square, divided into 66 shares, two of these appropriated for a minister and school master, and four for the crown, without one penny out of any one's pocket... soldiers after some years of service may be discharged and have lands given them on condition of settling in the province; and the Captains may carry fictitious names in their muster rolls 'till they have a fund to raise other men, and this will have the convenience of strengthening the colony without charge to the Government with a serviceable militia who having been instructed in the use of arms may teach others, And this management will make recruiting with good men easy, and prevent desertions which have been very troublesome.³³

29. Public Archives of Nova Scotia. Colonial Office Papers. CO 217, Vol. 20, Reel 13848, p. 239, January 24, 1763, refers to “settlers to occupy lands reserved for disbanded soldiers...”

30. PANS. *Nova Scotia Gazette and Weekly Chronicle*. Tuesday, 28 March, 1769. “...hanged in a barn, John Gibson, late soldier in the 59th Reg’t.”

31. PANS. Colonial Office Papers. CO 217, Vol. 18, Reel 13848, “March 16, 1762. Memorial to MacNutt...”.

32. David Dobson, *Scottish Emigration to Colonial America* (Athens, Georgia: The University of Georgia Press, 1994), p. 69.

33. PANS. Colonial Office Papers. CO 217, Vol. 40, Reel 13855, #16.

Evidently Amherst did not have a problem rationalizing the provision for pay and maintenance of non-existent soldiers by the Crown so long as it resulted in a core of seasoned soldiers to serve as the nucleus for a colonial militia, due in part to the "uneasiness of the new settlers on account of the Indians and Acadians...".³⁴

There is evidence in the Colonial Office Papers that Highland soldiers were requested for duty in Halifax and that they were landed in parts of Nova Scotia, Lunenburg as one example, where they were employed against marauding natives.³⁵ While Scottish soldiers were perceived as a positive addition to the British army, they were not really wanted as settlers. There was, however, a necessity for disbanded soldiers even as the settlement of Halifax was being planned, with allowance being made for grants to "2000 soldiers at the end of their service".³⁶

Charles Lawrence, Governor of Nova Scotia from 1753 until his death in 1760 was a leader in the settlement of Nova Scotia. He has, however, proven to be a controversial figure for ordering the deportation of the Acadians from lands on which they had been settled for nearly a century and a half. It was this land that the Lords of Trade had set aside for the settlement of disbanded soldiers in return for their service to Britain against the French and their Native allies. Instructions given to the Governors of Nova Scotia and applicable during the period 1749-1756, specified "...you are hereby directed and required to give all possible assistance, encouragement, and protection to such of the inhabitants of the said province as shall be willing to settle in the said townships".³⁷ Lawrence, with the knowledge of the Lords of Trade who in 1758 had stressed the importance of settling the lands formerly held by Acadians, promoted the land in the New England area, hoping to secure settlers with experience and means to settle the rural

34. PANS. CO 217, Vol. 19, Reel 13848, "September 7, 1762..."

35. PANS. CO 217, Vol. 17, Reel 13847. "Lawrence to Lords of Trade, May 11, 1760".

36. See CO 217, vols. 18 and 32. Public Archives of Nova Scotia

37. Leonard Woods Labarree, ed. *Royal Instructions to British Colonial Governors 1670-1776*, Volume II (New York, Octagon Books, Inc., 1967), p. 541.

farming areas and the Atlantic coastal fishing harbours.³⁸

In accordance with his understanding of the Board of Trades suggestion, Lawrence issued two proclamations suggesting the advantages of settling in Nova Scotia: the first in October of 1758, the second in January of 1759. New England was beginning to feel pressure from settlement that had been ongoing for over a century, so it was a logical area from which to seek new settlers. Since any expansion west from New England was curtailed by a continuing threat from the French and Natives, it was also logical for New Englanders seeking new lands to turn their attention to the Northeast.³⁹

Lawrence had determined land distribution would be organized into townships of 100,000 acres each. In his study on the Scottish settlement of Nova Scotia, Brian Preston of the Nova Scotia Museum indicates:

...each settler would be allocated quantities of cleared Acadian land according to his abilities. In addition, each head of family would be eligible for 100 acres of "wild" land, with another 50 acres for each dependant. One third of the grant was to be improved in 10 years and the remaining two-thirds in the following 20 years. A quit-rent of one shilling per annum on each of 50 acres granted was to be imposed after 10 years of occupancy. There were to be no fees on grants, and no individual was to receive more than 1,000 acres.⁴⁰

It would seem, however, that there were contradictions in policy, or at least in its implementation. Although the Lords of Trade were aware of his efforts and, in fact, had suggested looking to New England for settlers, their initial reaction to Lawrence's initiative was unfavourable. On one hand they had set aside the vacated Acadian lands for disbanded soldiers; on the other, they encouraged Lawrence to promote the land in New England, with an eye to having settlers move up to Nova Scotia. This may have been due, in part,

38. PANS. RG1, Vol. 30, Doc. 21, "Board of Trade to Lawrence, February 7, 1758".

39. Brian Preston, *The Scottish Settlement of Nova Scotia, 1770-1830* (an abridged version of *The Settlement of Scottish Immigrants in Nova Scotia, 1770-1830*, Ph.D. thesis submitted to the Department of Economic History, University of Glasgow, 1986), p. 118.

40. *Ibid.*

because New England soldiers who had fought in Nova Scotia showed little desire to remain there once their term of service was expired.⁴¹ This would leave the land open and available to non-military settlers. Rather than leave the vacated lands unoccupied, non-military settlement would be a reasonable alternative. There is also evidence to suggest that disbanded officers and soldiers from New England had settled on reserved lands, but within a few years were in danger of being removed from their grants. As suggested in a petition, this should not be allowed as "they will be of great use and their removal would cause them total ruin".⁴²

Questions remain related to suggestions of conflict at high levels over the settlement of disbanded soldiers in Nova Scotia. On August 1st, 1759, Lawrence received a communication from the Lords of Trade which indicated that the lands that formed the frontier had not been granted, and should remain that way so as to be available as a reward for officers and soldiers once the peace had been won. Lawrence was obviously upset with a seeming reversal of policy by the Lords of Trade. He had acted on the belief that he had been instructed as to his actions regarding the peopling of the lands formerly occupied by the Acadians, and that his efforts were highly approved of by the government. In his letter of December 10, 1759, decrying their criticism, Lawrence refers their Lordships to their letter to him of July 8th, 1756, as justification for his actions in settling the lands, supported by yet another letter dated February 7, 1758.⁴³

Dispatches travelled slowly in the eighteenth century, and it was common practice for a number of copies of the same letter to be sent on different ships at different times. Because of this laborious process, letters often crossed paths with considerable time-lags

41. Winthrop P. Bell, *The "Foreign Protestants" and the Settlement of Nova Scotia* (Toronto: University of Toronto Press, 1961), pp. 109-110.

42. PANS. CO 217, Vol. 20, Reel 13848, "Charles Morris and Henry Newton, a Committee of Council, to Mauger, August 5, 1763." See also CO 216, Vol. 6.

43. PANS. CO 217, Vol. 17, Reel 13847, "Lawrence to Lords of Trade, December 10, 1759". See also RG1, Vol. 30, Reel 13851, Doc. 21, "Board of Trade to Lawrence, February 7, 1758".

between questions and answers which, more often than not, resulted in confusion and mis-communication. The difficulties and consequences of trans-oceanic communication, as described by Brian Preston, relate directly to the situation that developed between Lawrence, “on the ground” in Nova Scotia, and the Lords of Trade in London:

...this tended to exacerbate the cross-purposes which could arise when, with the advantage of on-the-spot insight, the local administration displayed a propensity to overstep the bounds of accepted policy when it seemed that delay could only result in lost opportunities. However, the settlement and the events of the early 1760s revealed that, provided the course of action was attended with a reasonable degree of success, local initiative could win acceptance in London, even if grudgingly and with querulous reservations.⁴⁴

An example of this is a letter dated December 14, 1759, from the Lords of Trade to Lawrence only four days after he had written them expressing outrage at their disapproval of his conduct *vis-a-vis* the settling of vacated lands. In this letter, the Lords of Trade approved Lawrence’s grant of Horton Township and the laying out of ten other townships, but with the caveat that the King, as they reminded Lawrence, may continue to reserve some of these lands as a reward to disbanded officers and soldiers. Within a week, however, the Lords of Trade had sent a copy of the letter to the King, but included proposed terms and conditions that would allow inhabitants of adjacent colonies to settle on lands vacated by the French inhabitants of Nova Scotia.⁴⁵ It is little wonder that Lawrence was both confused and irritated.

There appears to be some level of clarification, possibly even partial vindication. for Lawrence as on May 11, 1760, he wrote the Lords of Trade expressing his satisfaction

44. Brian Preston, *The Scottish Settlement of Nova Scotia, 1770-1830* (an abridged version of *The Settlement of Scottish Immigrants in Nova Scotia, 1770-1830*, Ph.D. thesis submitted to the Department of Economic History, University of Glasgow, 1986) 1995, p. 120.

45. Public Archives of Nova Scotia.. CO 218, Vol.. 5, “Lords of Trade to Lawrence, December 14, 1759”. See also the same information dated December 20, 1759, CO 218, Vol. 5, p. 219, “Lords of Trade to the King”.

at their approval of his conduct in settling the province. With a certain amount of obsequiousness Lawrence addressed their Lordships:

It is therefore with the highest satisfaction I can inform your Lordships that, the prospect of further settling country still opens and that I have had many applications from people whose industry and circumstances give me the greatest hope that your Lordships last letter directs me, still to have attention to that part of your letter to me...pointing out, that his Majesty might think it advisable, that some part of those valuable lands should be reserved as a reward and provision for such officers and soldiers as might be disbanded in America upon a peace, in obedience, therefore to your Lordships commands, I have desisted from making any further grants to the cleared land....⁴⁶

Lawrence did, however, manage to take the opportunity to remind their Lordships that grants of land at Minas and Chignecto that had been set aside nearly twenty-five years earlier by the then Lieutenant-Governor and Council for their own purposes had never seen duties or quit-rents paid.⁴⁷

With the war still in progress, Highlanders continued to arrive in Nova Scotia, not only as disbanded soldiers in search of land, but on active duty, including “200 Scotch Highlanders as a garrison” in Lunenburg in the Fall of 1760.⁴⁸ While adhering to his instructions to settle disbanded soldiers, Lawrence was particular as to where they were granted lands. Rather than lands around Halifax or Lunenburg, the two principle settlements in Nova Scotia, he recommended to the Lords of Trade that disbanded soldiers be offered grants to land at Passamaquoddy, Harbour L’Etang, Tatamagouche, and “thirty leagues up the St. John River...”.⁴⁹

Lawrence died in the late fall of 1760,⁵⁰ within a year of his battle with the Lords

46. PANS. CO 217, Vol. 17, Reel 13847, “Lawrence to Lords of Trade, May 11, 1760”.

See Appendix 1 for an expanded section of Lawrence’s letter.

47. *Ibid.*

48. PANS CO 217, Vol. 18, Reel 13848, “Moreau to S.P.G., Lunenburg, October 15, 1760”.

49. PANS. CO 217, Vol. 17, Reel 13847, “Lawrence to the Lords of Trade, May 11, 1760”.

50. PANS. CO 217, Vol. 18, Reel 13848, p. 223, “Report of the death of Lawrence received, December 2, 1760”.

of Trade over the settlement of the Acadian lands. In addition to the deportation of the Acadians, the resettlement of their lands, and the colonization of Nova Scotia in general, Lawrence is remembered for his attitude towards disbanded soldiers, as defined by his letter of May 11, 1760, to the Lords of Trade:

...I fear the difficulty of forming them into societies will be great, that the undertaking will be excessively expensive to the Crown and that, after all, it will prove abortive for according to my ideas of the military... they are the least qualified from their occupation as soldiers, of any men living to establish new countrys, where they must encounter difficulties with which they are altogether unacquainted and I am the rather convinced of it, as every soldier that has come into this province since the establishment of Halifax, has either quitted it, or become a dram seller.... I would humbly offer it to your Lordships consideration in case the disbanded military are to be left in America, whether it would be more desirable to establish them in the Mohawk River, the German Flats, the Ohio and other valuable lands to the westward in the neighbourhood of the old established colonies where if they cannot thrive and do well in one way, they may find the means of intermarrying and supporting themselves in another.⁵¹

Lawrence would seem to have been a man with a tendency to blame others, however at least one contemporary report suggested that many of Lawrence's problems in the colony may have been of his own making, although not in any way deliberate.

Mr. Lawrence died suddenly in October, 1760, universally regretted by all who were personally intimate with him, and every unprejudiced person must allow, that he was possessed of a good heart. The misfortunes which he was instrumental in bringing on this province arose from timidity, his want of Interest, and his ignorance of civil government, he had certainly a difficult task to execute, and it required uncommon abilities and experience to establish a good form of government in a new country.⁵²

Given Lawrence's description of the value of discharged soldiers as settlers, it is interesting to note that contemporary opinions were in agreement with him as to the

51. PANS. CO 217, Vol. 17, Reel 13847, "Lawrence to the Lords of Trade, May 11, 1760".

52. Anonymous (Member of Assembly), *An Essay on the Present State of the Province of Nova Scotia, with some strictures on the measures pursued by Government from its first settlement by the English in the year, 1749*. Public Archives of Nova Scotia, VF Vol. 160, #129, p. 7.

quality of not only the private soldier, but sailors as well. General Jeffery Amherst, when Commander of Montréal following the fall of Quebec, indicated to Lord Murray, Commander of the British Fleet, that several complaints had been received of sailors who had come into the town, “plundered, robbed the inhabitants and committed all sorts of disorders, and have stolen, particularly several of the army....whosoever is found in the fact of plundering the inhabitants shall be hung immediately”.⁵³

For the soldiers who sacrificed much in helping to secure Britain’s American colonies, there was at least one tangible reward waiting for them, if they so desired, and that was the offer of land grants in the colonies—Nova Scotia included. By the end of the Seven Years War, Nova Scotia’s land mass was considerably larger than what it is today. With the defeat of the French in 1760, the British acquired Isle Royale (Cape Breton), Isle St. Jean (Prince Edward Island), and most of New Brunswick. In effect, Nova Scotia encompassed nearly all of the present-day Maritime Provinces. This was a large mass, with a significant amount of acreage available for settlement by disbanded officers, soldiers and sailors.

Archival records indicate a large number of applications for land grants were submitted by discharged soldiers after their service during the wars of the eighteenth century. It is difficult to ascertain, however, how many of these grants were actually settled for an extended period of time, for most grantees would prove to be unsuccessful settlers. In spite of this, the policy that provided for land grants continued unchanged, based on a belief by the government that disbanded soldiers made excellent settlers, identified by James Stewart Martell as being “capable of developing a country in time of peace and holding it in time of war”.⁵⁴

At a time when Great Britain was caught up in the shambles of a post-war economy, there was very little for disbanded soldiers to do by way of meaningful employment.

53. PANS. Reel 21433, p. 13, “Jeffrey Amherst to Lord Murray, September 15, 1760”.

54. James Stewart Martell, “Military Settlements in Nova Scotia after the war of 1812” *Collections of the Nova Scotia Historical Society*, Volume 24, 1938, p. 75.

The Lords of Trade in London were doing all they could to keep the mostly untrained and unskilled disbanded soldiers far away from Britain — untrained and unskilled, that is, except for the military arts. It was obvious that the disbanded soldiers would retain the double-edged sword of military skills which could be used against the Crown as well as on behalf of it, given the right circumstances and conditions. It is possible that doubts may have arisen in the collective minds of the Lords of Trade, and others, when reports of failures among the soldier-settlers became known. It was easier, however, for government to maintain a policy rather than change it. The problems may well have been complicated by a sense of moral obligation to provide something for those who had risked so much.⁵⁵ It would seem, however, that few discharged soldiers were actually ready to take on the harshness of pioneering and settling a new and rough land, even though upon receiving their discharge they were offered a chance to build themselves new lives in the colonies.⁵⁶

The Royal Proclamation of October 7, 1763, was the defining document related to land grants following the Seven Years War.⁵⁷ The Proclamation had two purposes: to provide for the establishment of governments in the territories acquired by Britain as a result of the Seven Years War, and to provide for British control of Indian affairs in the new lands. The latter question had been under consideration during the war, but became more urgent with the news of Pontiac's rebellion of May, 1763, which resulted in the capture of all British posts in the west except Fort Pitt and Detroit. The rebellion was crushed in 1764 but the news of it influenced the Proclamation, for it drew an imaginary line behind the Allegheny mountains beyond which colonists were forbidden to settle, leaving land in the East, with Nova Scotia being both vast and relatively vacant. The proclamation is best known, however, for its instructions to the governors of the American colonies and provinces regarding the settlement of disbanded soldiers, the amounts of land to which

55. James Stewart Martell, "Military Settlements in Nova Scotia", p. 75.

56. *Ibid.*

57. Leonard Woods Labarree, ed. *Royal Instructions to British Colonial Governors 1670-1776*, Volume II (New York, Octagon Books, Inc., 1967). p. 533. See Appendix 2.

they were entitled, and the terms and conditions attached to the grants. Furthermore, it emphasized the need to retain disbanded soldiers, who as James Martell indicated, "were capable of developing a country in time of peace and holding it in time of war".⁵⁸

With the peace won and the Treaty of Paris signed on February 10, 1763, orders were issued to disband the regiments in early December of the same year. J. R. Harper indicates "Any officer or soldier who desired to stay in Canada could do so and would be rewarded by fourteen day's subsistence pay and a grant of land, the extent of which depended on his rank and length of active service. Those who did not wish to accept this offer were shipped back to Scotland and 'paid off' in Inverness".⁵⁹

Under the provisions of the Royal Proclamation, the awarding of land grants to disbanded soldiers was precisely laid out as it stipulated, in part, "To every person having the rank of a field officer, five thousand acres. To every captain, three thousand acres. To every subaltern or staff officer, two thousand acres. To every non-commission officer, two hundred acres. To every private man, fifty acres".⁶⁰ While five thousand acres might seem like a significant amount of land even for a General or a Colonel, it was, in fact, not considered as such to those of the Officer Corps, most of whom had come from the British gentry. To a non-commissioned officer or private soldier, however, two hundred acres or even fifty acres in a new land would have been considered a treasure by those who had little hope of ever owning their own land.

The proclamation of 1763 was not the first of its kind, nor was it the first to provide land in return for service rendered to the crown. The instructions to Governors,

58. James Stewart Martell, "Military Settlements in Nova Scotia after the war of 1812" (Collections of the Nova Scotia Historical Society, Volume 24, 1938), p. 75.

59. J. R. Harper, *The Fraser Highlanders* (Montéal: Historical Publications, The Society of the Montréal Military and Maritime Museum, 1979), p. 122. Harper has included a number of appendices in his chapter "Disbandment of the 78th Fraser Highlanders 1763", including a listing of non-commissioned officers and men who were disbanded in Canada, and an application for land grants in Nova Scotia in July, 1766, identifying 146,000 acres requested for officers of the 78th Highlanders.

60. Labarree, ed. *Royal Instructions*, Volume II (New York, Octagon Books, Inc., 1967). p. 533. See Appendix 2.

including Cornwallis and his successors for the period 1749-1756, Peregrine Thomas Hobson and Charles Lawrence, demonstrate that land grants were given to officers and private soldiers prior to the Royal Proclamation of 1763. Depending on rank, the grants stipulated that "... fifty acres of land shall be granted...to any private soldier...eighty acres... shall be granted to every officer under the rank of Ensign in the land service ...two hundred acres...shall be granted to every ensign, three hundred to every lieutenant, four hundred to every captain, six hundred to every officer above the rank of captain...".⁶¹ Nevertheless, following the cessation of hostilities that signalled the end of the Seven Years War, the value of the reward for service extended by the Crown had increased substantially from that offered less than seven years earlier. Grants for non-commissioned officers nearly tripled, while for Ensigns and other subalterns the grants increased ten-fold! Lieutenants would see their grants jump from three hundred acres to two thousand and for Captains, the limits of their grants would increase five hundred percent from six hundred acres to three thousand acres! For the private soldier, the value of his service remained unchanged at fifty acres, even after seven years of war. Approximately a dozen years earlier Governor Shirley of the Massachusetts Colony had placed a value of less than two Pounds Sterling on the settlement of each disbanded soldier. It is possible the government believed that fifty acres was reward enough for a private soldier. Whether or not discharged private soldiers recognized the unfairness of the grants or were troubled by the variances in the grants is not known. It is possible that they considered fifty acres a fair settlement for their service.

The term "grant" was not as it seemed, however, in that it signified a piece of land that did not require a payment for the transfer of ownership from the Crown to the grantee—given, as it were, by the King to a trusted servant who had earned a just reward. It was to an extent, almost contrary to the Royal Proclamation with the stated purpose of

61. Labarree, ed. *Royal Instructions*, Volume II (New York, Octagon Books, Inc., 1967). p. 533. See Appendix 2.

King George III, which was:

to testify our royal sense and approbation of the conduct and bravery of the officers and soldiers of our armies, and to reward the same,... to grant, without fee or reward, to such reduced officers as have served in North America during the late war, and to such private soldiers as have been or shall be disbanded in America...⁶²

The grants were free—in the sense that money was not paid for the land. All the same, the Crown did extract payment from the disbanded soldiers in the form of conditions attached to the grant. Payment was not measured in “coin of the realm”, but in the sweat and effort expended by the new landowner. These conditions were numerous and often considered onerous. For many of the soldiers the land they received may have proven more of a burden or a punishment than a reward for service against the enemies of Britain. According to instructions issued to governors and applicable to Nova Scotia for the period 1764-1774, the grants dictated a series of conditions that had to be met in order for the land to remain in the hands of the grantee.

By 1763 the government was exercising some caution in the awarding of grants. Service in the Army meant a soldier was eligible for a grant—it did not guarantee one. Under prior proclamations, problems had arisen throughout the colonies as a result of large grants being issued to individuals or groups who did not settle on the land, or rent it to others so the land could at least be cultivated. To avoid a similar situation from developing with grants following the Seven Years' War, governors were instructed “to take especial care that in all grants to be made by you, by and with the advice and consent of our council, to persons applying for the same, the quantity be in proportion to their ability to cultivate...”⁶³ Grants, therefore, were issued after a process of some scrutiny to ensure that the grantee was physically capable of undertaking the clearing and cultivation of land, and that

62. Labarree, ed. *Royal Instructions*, Volume II (New York, Octagon Books, Inc., 1967), p. 533. See Appendix 2.

63. *Ibid*, pp. 529-531. See Appendix 3 for details of terms and conditions of grants.

the intent was present to carry out the necessary tasks.⁶⁴ It is not known for certain who made the assessment as to the condition and intent of those applying for the grants, although as applications were made to the governor, it is likely that there was a review board or similar body charged with processing the applications.

The grantee was also required to pay two shillings Sterling for every hundred acres of land owned. Payment was not required for two years from the date of a grant, and it was to be made on a yearly basis. If the payment was not made, the grant could be considered null and void, with the land reverting back to the Crown in a process known as escheatment. Once the land was escheated, it could be granted, or even sold, to others at the pleasure of the Crown. Furthermore, for every fifty acres of land that was deemed to be suitable for cultivation, the grantee was required to have at least three acres cleared and under cultivation at the end of the first three years from the date of the grant. It was optional to clear and drain an equal amount of acreage of swamp or marsh in preparation for cultivation. If this was not possible, the grantee was required to have at least three cattle for every fifty acres of land, a number he was required to continue until the obligatory three acres out of every fifty was cleared and improved.

While it could be assumed that the first task a new settler would undertake was the erection of a house, it was stipulated in the conditions of the grant that if the land was not fit for cultivation, a house was to be constructed according to specific dimensions, as well as establish the required amount of cattle. Given the mix of land available throughout the Maritimes, it is certain that all was not fit for raising either crops or livestock, and the grants made provision for such circumstances by requiring the grantee to hire at least one person for every hundred acres of land suitable for mining or as rock quarries. Once these conditions had been met, the land was deemed to be safe from forfeiture—at least fifty acres of it. To ensure the land was actually cultivated, or had been put to productive use as

64. Labarree, ed. *Royal Instructions*, Volume II (New York, Octagon Books, Inc., 1967). pp. 529-531. See Appendix 3 for details of terms and conditions of grants.

identified in the terms and conditions of the grant, the governor was to see that a survey was conducted so that he would know “to the best of his judgement and understanding” the actual condition of land in the province.⁶⁵

While Jeffrey Amherst had suggested the land grants would be free, and at cost to no one, including the Crown, the grants were clearly not without obligation. Just as the amount of lands granted to non-commissioned officers and private soldiers varied considerably, the requirements for improvement of the land also varied between officer and private man. For example, when comparing the grants of one William McDonald,⁶⁶ private soldier, to that of Colonel John Hale, general officer, McDonald was required to pay a yearly quit-rent of “one farthing per acre for every acre so granted...”, while Hale was required to pay two shillings for every hundred acres. Rents were payable annually by both. Furthermore, both McDonald and Hale were required to clear three acres for every fifty received within three years of the date of the of their grants. McDonald received a total of 500 acres. Colonel Hale received 10,000 acres.⁶⁷

McDonald was required to clear or drain three acres of “swampy or sunken” ground, or three acres of marsh. He was also required to put “three neat cattle” upon the land “...until three acres of every fifty be fully clear'd and improved”. Furthermore, he was required to erect a dwelling “twenty feet in length by sixteen feet in breadth” and then put to work “one good and able hand for every hundred acres”. When, and if, all this was completed within the stipulated three-year period, McDonald was required to appear in the County Court and offer proof of his compliance. If he could not, his lands would be forfeited.⁶⁸

From the evidence, it would appear that Colonel Hale did not fare much better than

65. Labarree, ed. *Royal Instructions*, Volume II (New York, Octagon Books, Inc., 1967).

pp. 529-531. See Appendix 3 for details of terms and conditions of grants..

66. See McDonald Grant. Appendix 7.

67. See Hale Grant. Appendix 8.

68. See McDonald Grant. Appendix 7.

Private McDonald. Hale was required to settle "Protestant settlers, one person for every two hundred acres - and such settlers to be from such parts of Europe as are not within the King's dominion or such as have resided 2 years in his Dominions in America". If he did not comply, his lands would be likewise forfeited.⁶⁹ So, at least in this example, officers fared little better than private soldiers when it came to the official requirements attached to land grants. How it worked in practice, however, is unknown. To be certain, an officer with the rank of Colonel and 10,000 acres of land was in a far better position than a private soldier. As rank was usually purchased,⁷⁰ a Colonel would be a wealthy man, and most likely from a wealthy family.

Given the caveats attached to the land grants, the fact that many soldiers took advantage of the opportunity offered by the Royal Proclamation is, of itself, somewhat of a wonder. There was, however, an incentive for the settler to complete the tasks assigned him under the terms of the grant. Upon providing evidence that the obligations had been fulfilled, the terms and conditions of the grant entitled the grantee to yet another of the same proportion and, not surprisingly, subject to the same conditions of the original. The assumption on the part of the government was that if a good farmer could improve and make productive his land as specified, and in the time required, he would then be given an equal amount of land to go through the same process again. This ensured settlement of the land, but it would also seem that the more land that was settled, the more land the grantee received. It is conceivable that by doing a good job, a settler could literally work himself to death.

Not all settlement by soldiers was successful—nor was it for officers, most of whom would not have been accustomed to earning a pioneer existence from the soil, rock,

69. See Hale Grant, Appendix 8

70. The purchase of rank was an established institution in the British army, not abolished until 1871 under the Cardwell Reforms. The system ensured a certain amount of loyalty among the officer corps, especially in times of upheaval such as the Jacobite Rebellions of 1715 and 1745. See Peter Young, *The British Army* (London: William Kimber, 1967), pp. 190-191.

and forests of Nova Scotia. One contemporary observer recorded an example of the consequences of failure of discharged officers to make a successful transition from soldier to farmer. In this example, the lands were forfeited for failure to meet the necessary obligations according to the grant. Rather than be granted to other discharged military personnel, be they officer or private man, the lands were granted to servants of the governor who had ordered the escheatment of the land. Rather than being cultivated or otherwise made productive, the land was immediately sold. The observer, who remains anonymous but was a Member of the Assembly, complained

...who the lands were taken from? ...from two Subaltern Officers on half-pay, who had spent their best days in the service of their country, and on that most disagreeable of all services, now worn out with age and infirmities, and weighed down with large families, unable to comply with all the terms of the grant, they had however been at as much expense as their abilities would admit of. Had their expenses been repaid then, it would have some humanity I cannot find, that the Council opposed this measure. I fear they did not dare to do it, tho' it must have hurt every humane man to see two old officers of nearly forty years service, deprived of the little compensation granted them by his Majesty, to gratify a Groom and a Musician.⁷¹

Criticism of such circumstances was most likely not an isolated event, for it was brought about by the very nature of the land-granting process. As indicated earlier, the granting of lands was contingent upon the "condition and intent" of the grantee. For some, the requirements of the grant were impractical given the nature of the land, or by their own lack of experience in improving such land. When conditions rendered the land unsuitable for practical settlement, concern was raised by the grantees. They were advised that the Lords of Trade, who directed such matters, were unaware of the actual conditions of the land and had "erred in their intentions". The grantees were advised that if they

71. Anonymous (Member of Assembly), *An Essay on the Present State of the Province of Nova Scotia, with some strictures on the measures pursued by Government from its first settlement by the English in the year, 1749*. Public Archives of Nova Scotia, VF Vol. 160, #129, pp. 18-20.

continued to pay the quit-rents, all other obligations would be overlooked, and "...the King who was the kind Father of his people would never require possibilities of them.... Grantees, trusted to the justice and humanity of their Sovereign, and as far as their abilities would admit...proceeded to till the earth...".⁷²

The exact number of Scottish soldiers in Nova Scotia is difficult to ascertain because of the numbers who served in non-Scottish regiments. As has been established, the Scottish regiments that served in North America during the Seven Years War were the 42nd, 77th, and 78th Highland Regiments, along with a battalion of the 1st Regiment of Foot, the Royal Scots. An examination of the Army Lists for the period from the founding of Halifax to the beginning of the American Revolution in 1775 indicate the 26th (The Cameronians) Regiment of Foot and the 27th (The Inniskillings) Regiment of Foot were also stationed in Nova Scotia. The 60th (Royal American) Regiment of Foot, which was also present in the province during the Seven Years' War, is worth examining within the context of this study because it was the regiment of such notables as Jeffery Amherst and Charles Lawrence, both of whom played an important role in the settlement of soldiers in Nova Scotia. While the Army Lists are an important source, they identify only officers, not non-commissioned officers and private soldiers.⁷³

Chauncey Ford's listings of British Officers serving in America between 1754-1775 indicates well in excess of three thousand officers.⁷⁴ Of this number, approximately 30% served with the Scottish regiments. Each regiment would contain several officers with the rank of Captain. For example, the Army Lists for 1759 indicate the 78th Regiment of

72. Anonymous (Member of Assembly), *An Essay on the Present State of the Province of Nova Scotia, with some strictures on the measures pursued by Government from its first settlement by the English in the year, 1749*. Public Archives of Nova Scotia, VF Vol. 160, #129, pp. 18-20.

73. "The Army Lists" were published by the Secretary of State at War and were officially known as *A List of the General and Field-Officers, as they Rank in the Army*. For further information see Chapter 1, note 46.

74. PANS. Call Number F37.1 NEHGR, No. 42, Vol. 49. Chauncey Ford, "British Officers Serving in America, 1754-1774" (New England Historical and Genealogical Register, Volume 49. See also Volumes 57 and 58.)

Foot, Fraser's Highlanders, had a complement of sixty officers, including eleven Captains and twenty-eight Lieutenants. Normally during this period a Captain or a Lieutenant would command a company of between 50 and 100 men, depending on levels of recruitment and desertion, but few regiments were ever at full strength. A quick calculation, however, will indicate a pool of several thousand Scottish soldiers to draw upon as potential settlers in Nova Scotia.

While the Army Lists relate to serving officers in North America, it is important to note that these officers did not remain stationary upon disbandment. Because there is evidence of grants to "officers and their men", it is a safe assumption the rank and file moved with their officers. Nancy S. Voyer has identified over sixty-six hundred officers, and suggests:

Most of the officers moved during and after rather than prior to the war. Although four times as many officers changed their residence during and after rather than prior to and during the war, there is a factor of youth and marriage to be considered in determining their motivation for migration. Some were taking up homesteads for the first time, marrying and having children. Hundreds of families moved to new agricultural lands in Maine and Nova Scotia after the war and this movement was a direct result of visits to these areas.⁷⁵

The Royal Proclamation of 1763 set the tone for the grants through the provision of guidelines which allocated land according to rank—the higher the rank, the larger the grant. A review of the available records at the Public Archives of Nova Scotia (Nova Scotia Archives and Records Management) suggests that a number of officers received grants that

75. Nancy S. Voyer, ed. *Massachusetts Officers in the French and Indian War, 1748-1763* (The Society of Colonial Wars in the Commonwealth of Massachusetts, 1975), p. xiii. This fact has been attributed to the similarities in the landscapes between Eastern Cape Breton and the Highlands of Scotland, where Scots had fought each other and the English for centuries. Stephen Brumwell has also suggested that the recognition of a familiar landscape may have been a factor in the decision for Scottish officers and their men to settle in Nova Scotia. (See Brumwell, *Redcoats: The British Soldier and War in the Americas*, p.318. Chapter 1, Note 76.)

exceeded that prescribed by the Royal Proclamation of 1763.⁷⁶ For the most part, however, the land grants to officers, non-commissioned officers, and private soldiers indicate that most received their allotment as specified in the Royal Proclamation. J. M. Bumsted suggests that while officers and private soldiers were offered grants in Nova Scotia, it was mostly officers who took advantage of the opportunity. Since the land grants to officers were substantial compared to those of soldiers, it afforded them the opportunity to subdivide the grants and sell smaller parcels to immigrants. As many of the officers were the younger sons of Highland Lairds or tacksmen, there was little opportunity on the land for them at home, so the sale of their land in Nova Scotia and other parts of America was a road to new prosperity.⁷⁷ There are examples, however, where Commanding Officers took care of the needs of their men, as well as themselves, by using their larger grants for settlement of their soldiers. An example of this is found in a July 10th, 1764, memorial from the Lords of Trade to the King recommending "that Hon. Archibald Montgomery, Colonel of the late 77th Regiment receive a grant of 20,000 acres for the settlement of men of his regiment".⁷⁸ There is also evidence indicating there were complaints of settlements made beyond the limits set by the Royal Proclamation, as found in a memorial from Lieutenant-Governor Francklin to Secretary of State Shelburne.⁷⁹

Evidence exists to substantiate that Scottish private soldiers and non-commissioned officers did not simply disappear from Nova Scotia after their discharge from the army, as may have been hoped by Charles Lawrence. They did, in fact, receive land grants, and while it is not evident that all grants to soldiers were turned into productive areas of the province, it is certain that many of them achieved a measure of success. While exact

76. The grant to Colonel Hale (see Appendix 8) is an example. Hale, as a Colonel was of Field Officer rank and according to the terms established by the Royal Proclamation, was eligible for 5000 acres. According to his grant, however, Hale received double that amount — 10,000 acres.

77. J. M. Bumsted, "Scottish Emigration to the Maritimes 1770-1815" *Acadiensis*, Vol. X, No. 2, Spring 1981, p. 74.

78. PANS, CO 218, Vol. 6, "Lords of Trade to the King, July 10, 1764." Reel 13958.

79. PANS. CO 217, Vol. 44, Doc. 156. "Francklin to Shelburne, November 19, 1766."

numbers are difficult to ascertain, there are several examples of grants to private Highland soldiers, non-commissioned officers, and others in Highland regiments, located in the files of the Public Archives of Nova Scotia. There are also several land grants to officers who, for the most part, have not been included in this study.

The private soldiers proved difficult to locate, possibly because of the gaps in the records, and the time period. It was possible, however, to identify soldiers as Highlanders by their names. The ranks of private soldiers and non-commissioned officers were very seldom identified in the grants, other than as a "private soldier" or "non-commissioned officer." Similarly, the regiments in which private soldiers served were not usually identified. The petition of one Peter Collins for land is an exception, however, for it identifies Collins as a private soldier in the First, or Royal Regiment of Foot, having served at both Ticonderoga and Louisbourg.⁸⁰ The grants were further limited to veterans of the Seven Years War or previous wars. Grants awarded for service during the American Revolution have not been included. There is also evidence that Highland soldiers demonstrated a special entrepreneurial spirit, not always expected of such men, in acquiring and expanding their grants.

One such example is William McDonald, a discharged private soldier, who was granted land under the conditions established by the Royal Proclamation of October 7th, 1763, for service during the Seven Years' War (1756-1763),⁸¹ referred to in grants as "the last war", or "the late war with France". The grant was for fifty acres of land, the normal allocation for private soldiers. McDonald, as his grant will confirm, was able to purchase nine lots of fifty acres each from fellow Highland soldiers. When combined with his

80. PANS. Nova Scotia Land Papers, RG. 20, Series A, Vol. 1, 1765 Reel 15685, 1779-3, "Petition of Peter Collins". The Army lists of 1758 and 1761 identifies the 2nd Battalion, 1st Royal Regiment of Foot as the "Royal Scots", present in North America during the Seven Years War. There is no direct evidence that Collins was a Highlander, although he served in Scottish regiment. See p. 28, note 65. Also see Appendix 10 for the petition of Peter Collins, the survey warrant, and the resulting land grant.

81. See William McDonald Grant, Appendix 7.

original grant of fifty acres, this acquisition increased his total to five hundred acres in all. This is a small amount of land in comparison to the grants awarded to even junior officers, but it appears that McDonald had the will to enlarge his holdings in order to increase his chance of establishing a successful homestead. Similar grants suggest that land was awarded to more than one individual at a time.

John Miller, a discharged non-commissioned officer received a grant of two hundred acres. The same grant provides fifty acres each to Colin McKay, John McDonald, William Navin, Kenneth McHenrie, and John McIver, all discharged private soldiers, according to the Royal Proclamation of 1763.⁸² There is a connection between these lands and those of William McDonald and John McCra,⁸³ a discharged non-commissioned officer. A note on the original grant suggests that the land granted to William Navin and John Miller was subsequently purchased by John McCra. The lands granted to John McIver, Kenneth McHenrie and John McDonald was later purchased by William McDonald and granted in 1781.

McDonald's land was situated along the Shubenacadie River, near South Maitland. William McDonald and his son, William Jr., were thought to have served in the American Revolutionary War (1775-1783), with the 84th Regiment of Foot, Royal Highland Emigrants, and received three hundred acres granted by Colonel John Small for that service. Small's grant to the men of the 84th stated "thence east 128 chains to McDonald's land, then north 40 chains on said land, then east to the River Shubenacadie...". In addition, The Nova Scotia Land Grants Index 1730-1937 lists four hundred acres along the Shubenacadie River to William McDonald in 1781.

McDonald also apparently sold four hundred acres of his land to his sons, James and Andrew, and fifty acres to his son-in-law, William McDougall. In the April

82. PANS. Nova Scotia Land Papers, RG. 20, Series A, Vol. 1, 1765 Reel 15685, 1775-5. "John Miller and others".

83. PANS. Nova Scotia Land Papers, RG. 20, Series A, Vol. 1, 1765 Reel 15685, 1777-3. "John McCra and others". See Appendix 12.

20th, 1791 Assessment on the Inhabitants of the Township of Douglas..., there is listed "on Shubenackady (sp.) River (Colchester Bay) William McDonald, Farmer, possessing more than six neat cattle...." By 1794 William McDonald had purchased an additional five hundred acres and shows up in the Poll Tax Record of that year as possessing "8 cattle, 5 sheep..." Again in the 1795 Assessment of the Poll Tax on the Inhabitants of the District of Shubenacadie in the Township of Douglas (for that year), William McDonald is listed as having "6 cattle, 10 sheep...."⁸⁴ The grant to William McDonald was for land in Shubenacadie and suggests a somewhat entrepreneurial spirit. McDonald was able to secure not only his own grant of fifty acres, but was able to purchase nine other grants from discharged fellow soldiers to increase his holdings to five hundred acres.

McDonald's experience clearly reflects the fact that Highland soldiers were granted land in Nova Scotia in the aftermath of the Seven Years War and in at least one case, supports the conclusion that Scottish soldiers worked their land grants, raised their families, and became productive members of society.

The questions that remain unanswered, however, relate to the private lives of the discharged Highland soldiers. Historians such as Andrew McKillop, Sylvia Frey, John Houlding, and Stephen Brumwell have suggested that while recruitment practices netted some of the worse types of individuals, they also drew in others such as craftsmen and tradesmen who were unemployed, but nevertheless, different from a number of other recruits who represented much of the standard view of the private soldier. The British army cast a large net with respect to recruiting in time of national crisis. The interpretation of the private soldier, as offered by today's historians, seems to be somewhat at odds with contemporary perspectives. It is highly probable that in many cases the discharged private

84. To deal with the provincial debt the Nova Scotia legislature passed poll tax acts in 1791, 1792 and 1793 which levied a tax on all adult males based on a person's employment and their ownership of cattle or sheep. It was collected until the legislation was repealed in 1796. The legislation grouped occupations into classes and named a sum to be paid by persons falling into that class. The sums raised were then forwarded to local Collectors of Impost and Excise who in turn forwarded it to the Provincial Treasury. PANS. Poll Tax Records 1767-1794, Vol. 443. Reel 13579.

soldier, including Highlanders, did in fact confirm Charles Lawrence's worst suspicions. On the other hand, there is the example of Private William McDonald.

David Dobson states categorically "it is clear that in the years following the conquest of Canada the majority of the British settlers were discharged soldiers, especially from the Highland regiments, who played a major role in the conflict...".⁸⁵ As these Scottish soldiers were contemplating the probability of their new lives as farmers, fishermen, craftsmen, and labourers, Scots at home were beginning to move westward, prompted by an increased desire for land and opportunity in North America, including Nova Scotia.⁸⁶ As established by Scottish historian William Ferguson, it was a time when "... heavy settlement of Highlanders began with the disbanding of Highland regiments at the end of the Seven Years' War, and their glowing accounts of colonial life provided most of the 'pull' for their kinsmen at home".⁸⁷ With the expulsion of the Acadians, the fall of Louisbourg, and the defeat of the Mi'kmaq, Nova Scotia became firmly British.

It is believed that the settlement of disbanded Scottish soldiers of the British army in Nova Scotia, while not indicative of significant numbers, opened the way for others to follow from the Highlands. Within ten years of the end of the Seven Years' War, the *Hector*,

85. David Dobson, *Scottish Emigration to Colonial America* (Athens, Georgia: The University of Georgia Press, 1994), p.192

86. For details related to Scots emigration to British North America, including Nova Scotia, see Ian Charles Cargill Graham. *Colonists from Scotland: Emigration to North America, 1707-1783* (1956); J. M. Bumsted's *The Scots in Canada* (1982); Bernard Bailyn's *The Peopling of British North America* (1986); *Voyagers to the West* (1986, with Barbara DeWolfe); Malcolm Grey's *Scots on the Move: Scottish Migrants, 1750-1914* (1990); *A Dance Called America* by James Hunter (1994). There are also a number of articles including Stephen Hornsby's "Patterns of Scottish Emigration to Canada 1750-1870" (*Journal of Historical Geography*, vol. 18, 1992); Michael Vance's review article, "Scottish Immigration to North America" (*Scottish Tradition*, vol. 20, 1995); Margaret Adams, "The Highland Emigration of 1770" (*Scottish Historical Review*, vol. 16, 1919); and J. M. Bumsted's "Scottish Emigration to the Maritimes 1770-1815".

87. William Ferguson. "Scotland: 1689 to the Present" (*The Edinburgh History of Scotland*. Gordon Donaldson, General Editor, Volume 4.) Edinburgh: Mercat Press (James Thin Ltd.), 1990. pp. 178-179.

out of Greenock and Loch Broom, arrived at Pictou, carrying nearly two hundred Highlanders after a voyage that signalled the beginning of the first wave of permanent Scottish Settlers in Nova Scotia.

Epilogue

The central theme of this thesis is the settlement of disbanded Highland soldiers in Nova Scotia following the Seven Years War (1756-1763) and the Royal Proclamation of October 7, 1763. To build upon the main theme and its importance to the history of Nova Scotia the thesis addresses a number of specific issues, including the recruitment of Highlanders by the British army and the role of an imperial policy that brought the army to North America during the eighteenth century. Furthermore, it examines the relationships between Britain, France, and the Mi'kmaq of Nova Scotia during a period that Stephen Patterson identifies as a time of nearly continuous conflict. It was, according to Patterson, "a three-cornered struggle"¹ that created the requirement for maintaining military forces in Nova Scotia. An examination of various aspects related to Highland soldiers and their settlement in Nova Scotia is important because it establishes a framework which places Highland soldiers in the province, and assists in filling the existing gap in Nova Scotia settlement history.

In the absence of a published military history of Nova Scotia,² it is necessary to review the establishment of the British army in Nova Scotia, at Annapolis Royal during the early eighteenth century and at Halifax in the middle of the century. Within the military context, the Seven Years War is the pivotal event that helps to define soldier-settlement

1. Stephen E. Patterson, "1744-1763 Colonial Wars and Aboriginal Peoples," in *The Atlantic Region to Confederation: A History*, eds. Phillip A. Buckner and John G. Reid (Toronto: University of Toronto Press, 1994), p. 125.
2. See Donald E. Graves and Anne E. MacLeod, *Nova Scotia Military History: A Resource Guide* (Halifax: The Army Museum), 1982. A comprehensive compilation of sources, mostly secondary, this work relates to three main aspects of military history in the province: the French colonial period, the service of British units in Nova Scotia with a focus on Halifax, and the history of the Nova Scotia Militia. The guide includes over eight hundred sources, but does not identify any studies specific to soldier-settlement. Most references are related to battles and campaigns such as Louisbourg, with several references to regimental histories, but not within the context of this study.

during the period 1763-1775, with the Royal Proclamation becoming the catalyst through making land available to discharged soldiers following the cessation of hostilities with France.

Land grants to soldiers in Nova Scotia date back to the period following the Treaty of Utrecht (1713), although a Boston merchant and former Scottish military officer, Samuel Vetch (later military and civil governor of Port Royal) had argued as early as 1707 for “a speedy conquest of Acadia and its resettlement by Scots”.³ Winthrop P. Bell has indicated that during the long period of peace that followed the cessation of hostilities and saw the capture of Port Royal and the establishment of Annapolis Royal in 1710, there were applications for land grants from soldiers who found themselves unemployed. At least three different groups of unidentified soldiers sought grants as a reward for their services. According to Bell, their applications were subject to an extended process of approval, including several long appeal periods which were never satisfactorily resolved.⁴ There is evidence, however, that private soldiers received land grants in Annapolis Royal following the Treaty of Utrecht. Gunner Samuel Douglas and Bombadier Francis Wetherby, both former soldiers in the garrison of Annapolis Royal, received grants for plots of land within the town of Annapolis Royal. Douglas’ grant included a house built by a previous owner, possibly Acadian, displaced by the British following the capture of the town.⁵

While not ignoring the fact that officers received land grants for their service, this study has focused primarily on private soldiers and non-commissioned officers — those with ranks such as Private, Grenadier, Bombardier, Corporal, Drummer, and

3. John G. Reid, “1686-1720 Imperial Intrusions,” in *The Atlantic Region to Confederation: A History*, eds. Phillip A. Buckner and John G. Reid (Toronto: University of Toronto Press, 1994), pp. 89-90.

4. Winthrop Pickard Bell, *The “Foreign Protestants” and the Settlement of Nova Scotia* (Toronto: University of Toronto Press, 1961), p. 19.

5. PANS. Nova Scotia Land Papers, RG 20, Series A, Vol. 1. Reel 13033, Folios 21 and 31. Researchers should note that the Land Papers located at PANS seem to identify a number of disbanded officers and soldiers, although not all Highlanders, while the Land Grants do not identify soldiers, with the exception of the odd senior officers with the rank of Lieutenant-Colonel and higher ranks. See Appendix 13.

Sergeant. While reference is made to officers, it has been done only as a point of comparison of lands granted to them and to private soldiers, and to reinforce the settlement of Highlanders by referring to those grants given to junior officers such as Ensigns and Lieutenants. References to senior officers of the rank of Captain, Major, Colonel, and above have been avoided whenever possible. The establishment of parameters related to rank has increased the challenge of the study considerably, due to the limited amount of information available on private soldiers and non-commissioned officers.

Rank should not define the study of Highland soldiers in Nova Scotia, nor should it limit it. In the eighteenth century, however, rank was both a defining and limiting factor. A private soldier could rise to become a non-commissioned officer with the rank of Corporal or Sergeant. Only through a recognized act of outstanding heroism or dedication to duty, however, could one be "raised from the ranks" to become an officer.⁶ Given the right social or economic status, an officer's rank could often be bought, regardless of age or military experience. This was achieved through the purchase system, described by Brigadier Peter Young as "the time-honoured system...by which infantry and cavalry officers obtained advancement."⁷ The division created by rank could bring about additional study related to soldier-settlement in Nova Scotia, through encouraging research related to military history and its application to the history of settlement in the province.

If the gap created by rank between private soldiers and officers was a wide one, then the difference in social status was equally as wide. Before the soldiers were recruited into the British army, many of them had trades and occupations⁸ to which it was hoped

6. See Richard Holmes, *Redcoat: The British Soldier in the Age of Horse and Musket* (London: Harper Collins, 2001), pp. 166-167, for the commissioning without purchase of Sergeant John Shipp.
7. Peter Young, *The British Army* (London: William Kimber, 1967), p. 190. See also p. 105, note 70, of this study.
8. See Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas, 1755-1763* (Cambridge University Press, 2002), p. 320, Table 8. Brumwell provides two samples related to the occupations of soldiers prior to their enlistment. While the greatest number are labourers, there is a significant percentage that are identified as tradesmen or craftsmen. Sylvia Frey's study, *The British Soldier in North America: A Social History of Military Life in the Revolutionary Period* (Austin, Texas: University of Austin Press, 1981), suggests many soldiers were involved in trades and crafts, and elected to join the army during tough economic times. Frey's study, while related primarily to the Revolutionary War period (1775-1783), can apply, in part, to the period preceding the American Revolution. See also Sylvia Frey, "The Common British Soldier in the late eighteenth century: a profile", *Societas*, Vol. V, No. 2 (Spring 1975), pp. 117-131.

they could return once their term of military service was completed; officers were more often men of property and position, or the sons of the same. Herein lies the paradox of the British soldier of the eighteenth century. Notable military officers, including James Wolfe and Charles Lawrence, have described soldiers of the British army as drunks and criminals. Recent historians such as Brumwell and Frey have moved beyond these characterizations, however, to find that a surprising number of trained and educated craftsmen and trades people became soldiers.⁹ While their study samples are small, they are indicative of other perspectives as to the character and nature of the British soldier in the eighteenth century. It should be noted that the very nature of the army was enough to make many soldiers change their character. Richard Holmes cites Daniel Dafoe who, in 1726, argued that there was "a kind of poverty and distress necessary to bring a poor man to take arms". According to Holmes, Dafoe further suggested that these "poorest of men may have principles of honour and justice in them."¹⁰ These poor but honest men, when exposed to the most appalling living conditions, forced associations with the worse kind of criminals who had been pressed into the army, and a brutal discipline code that killed as much as it reformed,¹¹ could have become violent themselves, simply to survive.

Soldiers, regardless of their backgrounds, were recruited for defence of the nation and for offensive action against imperial rivals, often in conflicts removed from their home territories. Linda Colley has suggested that war played a vital role among the factors that lead to "the invention of a British nation after 1707."¹² It was war that brought the French

9. Brumwell, *Redcoats* (Cambridge University Press, 2002), p. 320, Table 8. In one regiment alone, the 58th Regiment of Foot, Brumwell identified nearly 30% of the soldiers as being weavers, shoemakers/cordwainers, and tailors prior to their enlisting. Labourers and husbandmen account for 35%, while "others" account for 36%. This last percentage, according to Brumwell, included a large number of tradesmen and craftsmen.

10. Holmes, *Redcoat: The British Soldier in the Age of Horse and Musket* (London: Harper Collins, 2001), p. 149.

11. *Ibid.*

12. Linda Colley, *Britons: Forging the Nation 1707-1837* (London: Pimlico, 1992), p. 367.

and British, and their native allies, into a conflict that saw the fall of the French Empire in North America and the addition of new territory to the expanding British Empire. It was also war that brought the British army, with its compliment of Highland soldiers, to North America. This is not surprising, however, as Hew Strachan suggests Britain has been involved in wars for most of the past three hundred years. According to Strachan, most of Britain's conflicts have been non-European, with only thirty-five of the past two hundred years involving conflicts with continental forces: the Napoleonic Wars, the Crimean War, and the two World Wars. While Britain did engage in continental war during the Seven Years War, it was fought, in large, on the North American Continent.¹³ Britain's most costly war, in terms of territory lost, was most certainly the loss of the American colonies, a conflict fought almost entirely in North America.

An insight into British military history, even at a cursory level, is important because of its relevance to the present study. Since the Vietnam War (1963-1975), when the anti-war movement garnered much popular support, the study of military history has often been viewed as supporting a militaristic position. Military history, however, often includes a study of societies and national policies as much as the military sciences. Therein lies the real relevance of the British army to this study. According to Diana Henderson, the recruitment of soldiers from an eighteenth century Highland society was a deliberate and politically-motivated initiative on the part of the government, designed to depopulate the Highlands through recruiting men for an army destined for foreign wars. It was, on the other hand, an opportunity for Highlanders to escape an overpopulated land and possible starvation while restoring their credibility as loyal supporters of the Crown and their reputation as fighting men. Furthermore, it was the imperial policies of Britain that sent the Highlanders to

13. Hew Strachan, "The British Way in Warfare," in *The Oxford History of the British Army*, eds., David Chandler and Ian Beckett (Oxford: Oxford University Press, 1996), p. 403.

North America, and to other parts of the world such as the Caribbean and India, to suffer the ravages of both battle and disease.¹⁴

From the introduction of Highland regiments into the regular British army and the recruitment of Highland soldiers through to the land grants made available by the proclamation of 1763 and the settlement of Highlanders within the province of Nova Scotia, the study provides a link between military and settlement history. In the absence of any significant work related to Highland soldier-settlement in Nova Scotia following service in the French and Indian War, it provides important information relevant to Highland soldiers. In doing so, it opens an important part of the history of the province during the eighteenth century to further research and interpretation.

While Britain had strong motives for recruiting Highlanders to fight in foreign wars, the government also felt it was absolutely necessary to establish a strong colony in Nova Scotia. Discharged soldiers, who were living in poverty and resorting to crime in London and other populated centers as a means of securing their livelihood, were recruited as settlers for Nova Scotia.¹⁵ These discharged soldiers, who were among the early settlers with Cornwallis in 1749, did not make good settlers. They may have, in fact, been the grounds for Charles Lawrence's perception of soldiers as poor settlers.¹⁶ Lawrence came to Halifax as a Major with Edward Cornwallis in 1749. His claim that soldiers were poor settlers and more likely to become "dram sellers" was made in 1760, when he was Governor of the colony. Winthrop Bell supports this claim by suggesting that, as early as 1752, both soldiers and civilians were involved in "black market" activities in Halifax, selling provisions and rations to buy rum.¹⁷

14. Diana M. Henderson, *Highland Soldier 1820-1920* (Edinburgh: John Donald Publishers Ltd. 1989), p. 5. Diana Henderson is also the author of *The Scottish Regiments*, 2nd. ed. (Glasgow: HarperCollins, 1996).

15. Steven G. Greiert, "The Earl of Halifax and the Settlement of Nova Scotia, 1749-1753," *Nova Scotia Historical Quarterly*, Vol. 1, No. 1 (1981), p. 6.

16. *Ibid.* p. 10.

17. Bell, *The "Foreign Protestants" and the Settlement of Nova Scotia*, p. 189.

Although the Treaty of Utrecht in 1713 had established Nova Scotia as a British Colony, it was several decades before any serious attempt was made to establish settlements. During this period attempts were made to settle disbanded soldiers—a common procedure, but not always a popular one with civil administrations as soldiers were considered unsuited for settlement and, in general, made poor farmers.¹⁸ W. S. MacNutt has observed that in spite of victory over the French in the Seven Years War nearly fifty years later, the “British conquest did not result in rapid settlement.”¹⁹ This is supported by J. M. Bumsted, who suggests that the British were, in fact, so intent on defeating the French in order to provide security for their American colonies, they did not have any real plans for the settlement of lands newly acquired in North America. It was not until after the Treaty of Paris that the British developed an overall policy for North America, as defined by the Royal Proclamation of October 7th, 1763, with its emphasis on opening up land for settlement by soldiers who had served in North America during the Seven Years War.²⁰ Bumsted further credits the British Government with introducing Highlanders to Canada “in large numbers”, in part because of the high regard held for Highland soldiers, indicating that many received land grants “in the conquered regions after 1763.”²¹ He also suggests, as does MacNutt, that settlement was slow, indicating that only 1,100 Scots migrated to British North America between 1763 and 1775, discounting disbanded soldiers.²²

18. R. S. Longley, “The Coming of the New England Planters to the Annapolis Valley,” in *They Planted Well: New England Planters in Maritime Canada*, ed. Margaret Conrad (Fredericton, New Brunswick: Acadiensis Press, 1988), pp. 16-17. For further reading on the Planters see *Making Adjustments: Change and Continuity in Planter Nova Scotia 1759-1800*, ed. Margaret Conrad (Fredericton, New Brunswick: Acadiensis Press, 1991) and *Intimate Relations: Family and Community in Planter Nova Scotia 1759-1800*, ed. Margaret Conrad (Fredericton, New Brunswick: Acadiensis Press, 1995).
19. W. S. MacNutt, *The Making of the Maritime Provinces 1713-1784* (Ottawa: The Canadian Historical Association, 1955), pp. 6-7.
20. J. M. Bumsted, “1763-1783 Resettlement and Rebellion,” in *The Atlantic Region to Confederation: A History*, eds. Phillip A. Buckner and John G. Reid (Toronto: University of Toronto Press, 1994), p. 158.
21. J. M. Bumsted, *The Scots in Canada* (Ottawa: The Canadian Historical Association, 1982), p. 11.
22. J. M. Bumsted, “Scottish Emigration to the Maritimes 1770-1815: A New Look at an Old Theme”, *Acadiensis*, Vol. X, No. 2 (Spring, 1981), p. 67.

It is difficult to ascertain the number of Highland soldiers who came to North America during the Seven Years War. It is even more difficult to determine the number who received land grants and settled in Nova Scotia. In 1724 General Wade estimated that the Highlands could field approximately 27,000 fighting men, of which 10,000 might be considered loyal to the British Crown.²³ At the Battle of Culloden in 1746, the numbers of Highlanders available for potential service as British soldiers were diminished by approximately 2000. According to John Baynes and John Laffin, a government survey of 1750 “showed that Highland Scotland had about 12,000 young men who could be turned into soldiers.”²⁴

In all, eleven Scottish regiments were raised for service during the Seven Years War, all but one being Highland regiments. During the war Britain was fighting on three fronts — in Europe, India, and North America, four if the Caribbean is included. Three Highland regiments were dispatched to North America for service. These were the 42nd Highland Regiment, the 77th or Montgomery’s Regiment, and the 78th, Fraser’s Regiment. Given that the accepted strength of a regiment such as the 77th was 1,450 officers and rank and file, then less than 5,000 Highland soldiers were sent to North America.²⁵ With the ebb and flow of new soldiers to replace those killed or severely wounded, the numbers of Highland soldiers cannot be accurately determined. Based on the strength of the three Highland regiments in North America during the period of this study, the numbers could not have been great. This does not include Highland officers who may have served in non-Scottish regiments of the British army.

23. Stephen Wood, *The Scottish Soldier* (Manchester: Archive Publications Limited, 1987), p. 29.

24. John Baynes and John Laffin, *Soldiers of Scotland* (London: Brassey’s Defence Publishers, 1988), p. 30.

25. John Baynes and John Laffin, *Soldiers of Scotland* (London: Brassey’s Defence Publishers, 1988), pp. 30-31. See also Anthony D. Darling, *Red Coat and Brown Bess* (Bloomfield, Ontario: Museum Restoration Service, Historical Arms Series No. 12, 1971), p. 7.

In 1904, a list of British officers serving in America from 1754-1774, which included service during the French and Indian War, was prepared by Worthington Chauncey Ford and published in the *New England Historical and Genealogical Register* (Volume 58, April, 1904).²⁶ A review of Ford's list indicates a possible 304 Highland officers out of a total of 2,581 listed within 43 regiments, including the 42nd, 77th, and 78th Regiments of Foot. The number of Highlanders who may have served in non-Highland regiments as private soldiers and non-commissioned officers remains an unknown factor. The search for Highland soldier-settlers in Nova Scotia, therefore, remains an interesting challenge.

By 1906 the departure of the British army from Nova Scotia was complete. It is unfortunate that with typical military thoroughness, many records were removed to Britain, leaving very little with which to trace individual soldiers, especially those discharged in the province following the proclamation of 1763. The research is complicated further by the regimental system. During the eighteenth century, regiments of the British army were identified numerically, such as the 77th or 78th Highland Regiments, or the 35th Regiment of Foot. They were also known by the name of the senior officer who also had a hand in the recruitment of soldiers for the regiment. It was not uncommon for the 77th Highland Regiment to be known as Montgomery's Highlanders, the 1st Highland Battalion, the 62nd (Regiment of) Foot and the 77th Foot.

In a similar manner, Fraser's Highlanders had a variety of names, including the 2nd Highland Battalion, the 63rd Foot and the 78th Foot.²⁷ To compound the situation, companies within the regiments were often identified by the name of the company commander, usually a captain. As an example, it was common for a company to be referred to as Campbell's Company, Macleod's Company, or Cameron's company — all officers in the 78th Regiment²⁸, without reference to the regimental number. Without the company lists,

26. PANS. Call Number F37.1 N42 V. 48.

27. John Baynes and John Laffin, *Soldiers of Scotland*, p. 31.

28. J. R. Harper, *The Fraser Highlanders* (Montréal: The Society of the Montréal Military and Maritime Museum, 1979), Appendix C "Application for Land Grants July 1766", pp. 127-128. Appendix A, pp. 123-125 identifies "non-commissioned officers and men" disbanded in Québec in 1763, by rank and by the name of each company commander.

the problem is further complicated by the fact that unlike discharged officers who were often maintained on half-pay, and kept their rank, private soldiers remained anonymous. Officers were identified in a grant as a "reduced Ensign" or "reduced Lieutenant", according to their rank. Discharged private soldiers and non-commissioned officers simply faded into the wilderness, identified on their land grants as "a discharged soldier", or "discharged non-commissioned officer." Other grants identify soldiers only through reference to service "in the late war with France." Furthermore, there are references to petitions such as that located at PANS, in the Colonial Office Records, which "recommend that Hon. Archibald Montgomery, Colonel of the late 77th Regiment receive a grant of 20,000 acres for the settlement of men of his regiment."²⁹ The ranks of these men are unidentified, and without names, it is difficult to identify these Highlanders through the few eighteenth-century land grants that remain on record at PANS.

An important factor in the search for private soldiers and non-commissioned officers as settlers is the simple fact that more officers took advantage of grants than did other ranks. Evidence located in the record of land grants at the Public Archives of Nova Scotia indicates significantly more officers than private soldiers and non-commissioned officers received land grants. Officers are also easier to locate in the records as they are often identified by rank, and because of the size of the grants.³⁰ This is confirmed by J. M. Bumsted who suggested that new opportunities became available to Highland soldiers following the Seven Years War. Many Highlanders saw North America as a wilderness full of available land, much of it with obvious agriculture potential.³¹

It was officers, however, who perceived the real economic opportunity. Many were the sons of Highland lairds or tacksmen who had little to look forward to at home once their period of service was finished. With the availability of large tracts of land as a reward

29. PANS. CO 218, Vol. 6. Reel 13953. "Lords of Trade to the King, July 10, 1764."

30. PANS. Nova Scotia Land Papers, RG 20, Series A, Vol. 1. Reel 15685.

31. Bumsted, "Scottish Emigration to the Maritimes", p. 74.

for their service, many officers saw the subdivision of their lands for sale to emigrants as a solution to their economic futures. This provided them with choices that allowed them to remain in North America as men of wealth and property, or to return home to the Highlands with the same status. It is clear that it was the officer class who took the most advantage of the land grants, and who became more directly involved in the development of their new homeland.³²

Andrew Mackillop, author of *'More Fruitful than the Soil': Army, Empire and the Scottish Highlands, 1715-1815* (East Linton, Scotland: Tuckwell Press, 2000), reflected on the difficulty associated with tracking Highland soldiers following their discharge. Mackillop suggested that he "was fascinated with the Seven Years War demobilisations and could never find anything on them, bar the odd reference here and there."³³ The exception was a list of acres given to men (mostly officers - but including NCOs) of the Black Watch and Montgomery's 77th, north of Albany in 1764.³⁴ Sylvia Frey supports Mackillop's claim as to the difficulty of finding references related to discharged soldiers by suggesting that although the lives of a number of distinguished British officers have been completed, a scholarly treatment of the common soldier of the eighteenth century remains elusive. According to Frey this is due, in part, to the fact "the war office maintained no records on the rank and file in the eighteenth century and regimental records are fragmentary....general information about the private soldier is insignificant and probably erroneous."³⁵

32. Bumsted, "Scottish Emigration to the Maritimes", p. 74.

33. Andrew Mackillop to the author in an email message, July 18, 2002. The NCOs (Non-commissioned Officers) to which Mackillop referred, are William Ferguson of the 77th Highland Regiment, granted 200 acres on March 23, 1765, John Macdonald also of the 77th Highland Regiment, granted 200 acres on March 23, 1765, and Moses Campbell of the 42nd Highland Regiment, granted 200 acres of land, March 30, 1765.

34. *Ibid.* See note 28. The grant of 200 acres to each of the NCOs was the standard acreage prescribed under the Royal Proclamation of October 7, 1763. Robert England, "Disbanded and Discharged Soldiers in Canada Prior to 1914," *The Canadian Historical Review*, Vol. XXVII, No. 1 (March, 1946), p. 10, indicates that the size of land grants to discharged and disbanded soldiers had not changed in any significant way by 1814. Sergeants were still eligible for grants of 200 acres. It is interesting to note, however, that the size of grant available to a private soldier had doubled from 50 acres to 100 acres.

35. Sylvia Frey, "The Common British Soldier in the late eighteenth century: a profile", *Societas*, Vol. V, No. 2 (Spring 1975), p. 117.

Given the difficulty in accessing sufficient primary documents, the search for Highland soldiers and non-commissioned officers has been a challenge. The problem lies, in part, with the decision to restrict the present study to a relatively small geographic area, and to remain within the period from the cessation of the Seven Years War to the American Revolution — a “window” of only twelve years. It is, therefore, difficult to determine the number of Highland soldiers who received land grants for service following the Seven Years War, and even more difficult to determine how many actually settled. There is sufficient evidence, however, to confirm that Highland soldiers did receive grants following the Seven Years war, and settled in Nova Scotia. The best example, and the most complete, is that of Private William McDonald, whose grant indicates that ten grants were originally issued to Highland soldiers, but it was only McDonald who settled after purchasing the grants from the other nine soldiers.³⁶ There is further evidence that a grant was issued to John Miller, a discharged non-commissioned officer, along with a number of Highland soldiers. These included Colin McKay, John McDonald, William Navin, Kenneth McHenrie, and John McIver, who each received a grant of fifty acres as discharged soldiers “agreeable to His Majesty’s Proclamation of the 7th of October, 1763.”³⁷ These private soldiers, along with the ten on McDonald’s grant, indicate that fifteen individual grants were awarded to discharged private soldiers, at Nine Mile River, along the Shubenacadie River.

The years between 1763 and 1775 were crucial years in the settlement of Nova Scotia. It can be suggested that among the settlers who came to the province during that period, discharged and disbanded soldiers were but a small, almost unrecognized contingent. In spite of the emphasis placed on the Crown providing land grants to military men as a reward for their service, they are easily overlooked in the rush to fill land made available by the expulsion of the Acadians and the defeat of France in the Seven Years War. Soldiers were simply outnumbered and overlooked, lost among the immigrations of the mid-eighteenth century.

36. See McDonald Grant. Appendix 7.

37. PANS. Nova Scotia Land Papers, RG 20, Series A, Vol. 1. Reel 15685. “John Miller and others, 1775-5”.

Barry Cahill has identified four important demographic events of the period. The first of these is the founding of Halifax in 1749, the second is the arrival of the German and Swiss Protestants immediately following in 1750, with third being the expulsion of large numbers of the Acadian population in 1755. The fourth great event, according to Cahill, is the arrival of thousands of New Englanders in Nova Scotia towards the end of the French and Indian War, and the cessation of hostilities between Britain and France and their respective allies that signaled the end of the Seven Years War.³⁸ The lack of reference to settlement of discharged and disbanded soldiers, of all ranks, is a clear indication that in terms of numbers, they were not considered as significant as the Acadians, Foreign Protestants, or Planters, even though the period extends beyond 1763.

In spite of the limited number of land grants confirmed, the value of this study within its contribution to the settlement history of Nova Scotia. There is little evidence that previous attempts have been made to identify and position Highland soldiers as settlers in Nova Scotia, especially during the time period specified in this study. There has, in fact, been very little done as relates to the regiments of the British Army in Nova Scotia during the twelve-year time period identified. Two of the more prominent works are Harry Piers' "The Fortieth Regiment, Raised at Annapolis Royal in 1717; and Five Regiments Subsequently Raised in Nova Scotia",³⁹ and Jonas Howe's "Royal Emigrants".⁴⁰ Both are dated, and neither is directly applicable to the settlement of Highland soldiers in Nova Scotia. Howe's work relates to the 84th Regiment, or the Royal Highland Regiment of Emigrants or simply, The Royal Emigrants. It is interesting, however, in that the regiment consisted of a number of former soldiers who served in North America during the Seven Years War nearly twenty years earlier. The muster rolls of the regiment at the onset of the American Revolution are included in Howe's book.

38. Barry Cahill, "New England Planters at the Public Archives of Nova Scotia," in *They Planted Well: New England Planters in Maritime Canada*, ed., Margaret Conrad (Fredericton, New Brunswick, Acadiensis Press, 1988), pp. 120-121.

39. Harry Piers, "The Fortieth Regiment, Raised at Annapolis Royal in 1717; and Five Regiments Subsequently Raised in Nova Scotia", *Collections of the Nova Scotia Historical Society*, (1924), pp. 115-183. PANS, NSHS Vol. 21, F90, N85.

40. Jonas Howe, "Royal Emigrants", *Acadiensis*, Vol. IV, No. 1, (January 1904), p. 50-75.

It is clear that an important gap in the historiography of the region exists — that related to soldier-settlement during the period 1763-1775. As an example, Robert England's work on the settlement of soldiers in Canada does not even identify the period following the Seven Years War, with the exception of the post-conquest settlement of Wolfe's soldiers, primarily the 78th Highlanders, in the Eastern Townships. Apart from approximately one page related to Quebec from the conquest to the American Revolution, England has focused on the post-revolution settlements, including the Loyalists, following the Napoleonic War and the War of 1812-1814, and later conflicts of the nineteenth and early twentieth centuries. There is no reference to Nova Scotia other than a brief statement referring to Colonel Charles Lawrence's settlement of German emigrants and "a number of [unidentified] regular soldiers and rangers...."⁴¹ In spite of the fact that it is quite dated, England's work still remains one of the few related specifically to discharged and disbanded soldier-settlement in Canada. Most references to Highland soldiers in Nova Scotia, outside of military campaigns such as Louisbourg, are limited in both number and scope. Because of the absence of any significant work on Highland soldier-settlers within the context of Nova Scotia, a key element of the province's settlement history is missing.

In conclusion, the present study will help in a small way to fill part of the existing void regarding the settlement of Highland soldiers in Nova Scotia following their service during the Seven Years War. In doing so, it will help to create connections to Nova Scotia's Scottish heritage. Whether criminal or drunk, weaver or tinker, volunteer, recruited or pressed, general or private, warrior or common soldier, the Highland soldier joined the British army and for the most part, "he served his country well."⁴² For some, their reward was land in Nova Scotia. By providing a greater understanding of the Highland soldier in the British army, and their settlement in the province, this study has contributed a small but important addition to the historiography.

41. Robert England, "Disbanded and Discharged Soldiers in Canada Prior to 1914,"

The Canadian Historical Review, Vol. XXVII, No. 1 (March, 1946), pp. 2-3.

42. Sylvia Frey, "The common British Soldier in the late eighteenth century," p. 131.

There is, however, much more that remains to be done. Future studies should include an identification of the land grants to Highland officers, as this would help to determine the extent of soldier-settlement in Nova Scotia, and expand upon the number of discharged and disbanded soldiers who settled in Nova Scotia following the Seven Years War. An expansion of the time period to include the Loyalist settlements following the American Revolution, and the disbanding of Highland regiments in Nova Scotia following that crucial conflict, would also make a significant contribution to a broader study. Furthermore, an in-depth review of the many local histories and genealogies will most likely yield additional information. An examination of the records at the Public Records Office in London, especially recruitment records,⁴¹ is sure to lead to the identification of disbanded Highland soldiers.

With further study, these sources in combination with others, should lead to an even greater understanding of the important role played by Highland soldiers in the settlement of Nova Scotia.

41. The original documents pertaining to recruitment for the Seven Years War are located at the Public Record Office, Kew, London. Visiting researchers can inquire to use the HMSO published index, date 1931, and by identifying reference numbers, search for the documents being sought. For example, references to "America, North", and specific regiments such as "42nd Foot", "77th Foot", and "78th Foot", as well as terms such as "Recruiting", "Enlistment", "Infantry of the Line", etc., should yield appropriate files. The proper title for the index is *An Alphabetical Guide to Certain War Office and Other Military Records Preserved in The Public Record Office*. War records may be accessed through the PRO website (<http://www.pro.gov.uk>) and can be found in classes WO 339 and WO 374 for officers and class WO 363 and WO 364 for non-officers. It should be noted, however, that not all records survived the bombing of the Army Record Office in 1940. Information obtained from communications through the Scottish Military Historical Society website (<http://www.btinternet.com/~james.mckay/dispatch.htm>) suggested that when reviewing the Public Record Office's on-line catalogue (PROCAT), the officers' records have no full Christian names, ranks or regiments in the catalogue. Non-officers are only searchable on the catalogue by the first and last names— anything else between these parameters is not returned. The PRO also holds the Royal Hospital Chelsea Soldiers Documents (WO 97, MG 12, 1-117) from 1760 into the nineteenth century. This series consists of service documents and discharge papers of private soldiers and non-commissioned officers of the British army discharged to pensions. The papers are arranged by regiment and alphabetically by surname.

Appendix 1

Governor Charles Lawrence to the Lords of Trade, May 11, 1760, regarding the settlement of disbanded soldiers

"It is therefore with the highest satisfaction I can inform your Lordships that, the prospect of further settling this country still opens and that I have had many applications from people whose industry and circumstances give me the greatest hopes, but as your Lordships last letter directs me, still to have attention to that part of your letter to me of the 1st of August, pointing out that his Majesty might think it advisable, that some part of those valuable lands should be reserved as a reward and a provision for such officers and soldiers as might be disbanded in America upon a peace, in obedience, therefore to your Lordships commands, I have desisted from making further grants to the cleared lands....

In having your Lordships command to do so, I have carefully, and as well as I am able, considered what lands may be fit for accommodating disbanded officers and soldiers and I now lay before you a paper containing the names of such places as I conceive will be proper for such purposes. They are chiefly on the confines of the province and some of them contain considerable quantities of fertile, cleared lands.... In regard to the method of carrying such a design into execution, I beg leave to observe to your Lordships that besides the transportation, such settlers must be furnished with provisions for one year at least, materials and tools for building, implements for husbandry, and cattle to stock their land, that is, soldiers having nothing of their own, to set out with will necessarily be in want of everything in the beginning but I fear the difficulty of forming them into societies will be great, that the undertaking will be excessively expensive to the crown and that, after all, it will prove abortive for according to my ideas of the military which I offer with all possible deference and humiliation, they are the least qualified from their occupation as soldiers, of any men living to establish new countrys, where they must encounter difficulties with which they are altogether unacquainted and I am the rather convinced of it, as every soldier that has come into this province since the establishment of Halifax, has either quitted it, or become a dram seller, upon the whole I am very much at a loss to point out to your Lordships with any precision, any method of carrying such a design into effectual execution either with the advantage to the disbanded soldier or with security to the province and therefore if my opinion was to have any weight in a matter of such importance, I would humbly offer it to your Lordships consideration in case the disbanded military are to be left in America, whether it would be more desireable to establish them on the Mohawk River, the German Flats, the Ohio and other valuable lands to the westward in the neighbourhood of the old established colonys where if they cannot thrive and do well in one way, they may find the means of intermarrying and supporting themselves in another."

Appendix 2

The Royal Proclamation

October 7, 1763

Whereas we have taken into our royal consideration the extensive and valuable acquisitions in America, secured to our crown by the late definitive treaty of peace concluded at Paris the 10th day of February last; and being desirous that all our loving subjects, as well of our kingdoms as of our colonies in America, may avail themselves, with all convenient speed, of the great benefits and advantages which must accrue therefrom to their commerce, manufactures, and navigation; we have thought fit ... to issue this our royal proclamation, hereby to publish and declare to all our Loving subjects, that we have ... granted our letters patent under our great seal of Great Britain, to erect within the countries and islands, ceded and confirmed to us by the treaty, four distinct and separate governments, styled and called by the names of Quebec, East Florida, West Florida, and Grenada.

And to the end that the open and free fishery of our subjects may be extended to, and carried on upon the coast of Labrador and the adjacent islands, we have thought fit ... to put all that coast, from the river St. John's to Hudson's Straits, together with the islands of Anticosti and Magdalen, and all other smaller islands lying upon the coast, under the care and inspection of our governor of Newfoundland.

We have also ... thought fit to annex the islands of St. John and Cape Breton, or Isle Royale, with the lesser islands adjacent thereto, to our government of Nova Scotia. We have also ... annexed to our province of Georgia, all the lands lying between the rivers Altamaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling our new governments, that our loving subjects should be informed of our paternal care for the security of the liberties and properties of those who are, and shall become in habitants thereof; we have thought fit to publish and declare, by this our proclamation, that we have, in the letters patent under our great seal of Great Britain, by which the governments are constituted, given express power and direction to our governors of our colonies, respectively, that so soon as the state and circumstances of the colonies will admit thereof, they shall, with the advice and consent of the members of our council, summon and call general assemblies within the governments respectively, in such manner and form as is used and directed in those colonies and provinces in America, which are under our immediate government; and we have also given power to the governors, with the consent of our councils, and the representatives of the people, so to be summoned as afore, to make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good government of our colonies, and of the people and inhabitants thereof, as near as be, agreeable to the laws of England, and under such regulations and restrictions as are used in other colonies; and in the meantime, and until such assemblies can be called as afore, all persons inhabiting in, or resorting to, our colonies, may confide in our royal protection for the enjoyment of the benefit of the laws of our realm of England;

For which purpose we have given power under our great seal to the governors of our colonies respectively, to erect and constitute, with the advice of our councils respectively, courts of judicature and public justice within our colonies, for the hearing and determining all causes as well criminal as civil, according to law and equity, and as near

as may be agreeable to the laws of England, with liberty to all persons who may think themselves aggrieved by the sentences of such courts, in all civil cases, to appeal, under the usual limitations and restrictions, to us, in our Privy Council.

We have also thought fit ... to give unto the governors and councils of our three new colonies upon the continent, full power and authority to settle and agree with the inhabitants of our new colonies, or with any other persons who shall resort thereto, for such lands, tenements, and hereditaments, as are now, or hereafter shall be, in our power to dispose of, and them to grant to any such person or persons, upon such terms, and under such moderate quit-rents, services, and acknowledgments, as have been appointed and settled in our other colonies, and under such other conditions as shall appear to us to be necessary and expedient for the advantage of the grantees, and the improvement and settlement of our colonies.

And whereas we are desirous, upon all occasions, to testify our royal sense and approbation of the conduct and bravery of the officers and soldiers of our armies, and to reward the same, we do hereby command and empower our governors of our three new colonies, and all other our governors of our several provinces on the continent of North America, to grant, without fee or reward, to such reduced officers as have served in North America during the late war, and to such private soldiers as have been or shall be disbanded in America, and are actually residing there, and shall personally apply for the same, the following quantities of lands, subject, at the expiration of ten years, to the same quit-rents as other lands are subject to in the province within which they are granted, as also subject to the same conditions of cultivation and improvement, viz.

To every person having the rank of a field officer, five thousand acres. To every captain, three thousand acres. To every subaltern or staff officer, two thousand acres. To every non-commission officer, two hundred acres. To every private man, fifty acres.

We do likewise authorise and require the governors and commanders-in-chief of all our colonies upon the continent of North America to grant the like quantities of land, and upon the same conditions, to such reduced officers of our navy of like rank, as served on board our ships of war in North America at the times of the reduction of Louisburg and Quebec in the late war, and who shall personally apply to our respective governors for such grants.

And whereas it is just and reasonable, and essential to our interest, and the security of our colonies, that the several nations or tribes of Indians with whom we are connected, and who live under our protection should not be molested or disturbed in the possession of such parts of our dominions and territories as, not having been ceded to, or purchased by us, are reserved to them, or any of them, as their hunting grounds; we do therefore ... declare it to be our royal will and pleasure, that no governor, or commander-in-chief, in any of our colonies of Quebec, East Florida, or West Florida, do presume, upon any pretence whatever, to grant warrants of survey, or pass any patents for lands beyond the bounds of their respective governments, as described in their commissions; as also that no governor or commander-in-chief in any of our other colonies or plantations in America, do presume for the present, and until our further pleasure be known, to grant warrants of survey, or pass patents for any lands beyond the heads or sources of any of the rivers which fall into the Atlantic Ocean, from the west and northwest; or upon any lands whatever, which not having been ceded to, or purchased by us, as afore, are reserved to the Indians, or any of them.

And we do further declare it to be our royal will and pleasure, for the present, to reserve under our sovereignty, protection, and dominion, for the use of the Indians, all the

lands and territories not included within the limits of our three new governments, or within the limits of the territory granted to the Hudson's Bay Company, as also all the lands and territories lying to the westward of the sources of the rivers which fall into the sea from the west and northwest; and we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatever, or taking possession of any of the lands above reserved, without our especial leave and licence for that purpose first obtained.

And we do further strictly enjoin and require all persons whatever, who have either wilfully or inadvertently seated themselves upon any lands within the countries above described, or upon any other lands, which not having been ceded to, or purchased by us, are still reserved to the Indians, forthwith to remove themselves from such settlements.

And whereas great frauds and abuses have been committed in the purchasing lands of the Indians, to the great prejudice of our interests, and to the great dissatisfaction of the Indians; in order, therefore, to prevent such irregularities for the future, and to the end that the Indians may be convinced of our justice and determined resolution to remove all reasonable cause of discontent, we do ... strictly enjoin and require, that no private person do presume to make any purchase from the Indians of any lands reserved to the Indians within those parts of our colonies where we have thought proper to allow settlement; but that if at any time any of the Indians should be inclined to dispose of the lands, the same shall be purchased only for us, in our name, at some public meeting or assembly of the Indians, to be held for that purpose by the governor or commander-in-chief of our colonies respectively within which they shall lie: and in case they shall lie within the limits of any proprietary government, they shall be purchased only for the use and in the name of such proprietaries, conformable to such directions and instructions as we or they shall think proper to give for that purpose: and we do declare and enjoin, that the trade with the Indians shall be free and open to all our subjects whatever, provided that every person who may incline to trade with the Indians, do take out a licence for carrying on such trade, from the governor or commander-in-chief of any of our colonies respectively, where such person shall reside, and also give security to observe such regulations as we shall at any time think fit, by ourselves or by our commissaries, to be appointed for this purpose, to direct and appoint for the benefit of the trade; and we do hereby authorise, enjoin, and require the governors and commanders-in-chief of all our colonies respectively, as well those under our immediate government, as those under the government and direction of proprietaries, to grant such licences without fee or reward, taking especial care to insert therein a condition that such licence shall be void, and the security forfeited, in case the person to whom the same is granted, shall refuse or neglect to observe such regulations as we shall think proper to prescribe.

And we do further expressly enjoin and require all officers whatever, as well military as those employed in the management and direction of Indian affairs within the territories reserved for the use of the Indians, to seize and apprehend all persons whatever, who standing charged with treasons, misprisions of treason, murders, or other felonies or misdemeanours, shall fly from justice and take refuge in the territory, and to send them under a proper guard to the colony where the crime was committed of which they stand accused, in order to take their trial for the same.

Given at our court at St. James's, the seventh day of October, one thousand seven hundred and sixty three, in the third year of our reign.

Appendix 3

Terms and Conditions for Land Grants in New Colonies

1) And whereas great inconveniences have arisen in many of our colonies in America from the granting excessive quantities of land to particular persons who have never cultivated or settled it and have thereby prevented others more industrious from improving the same; in order therefore to prevent the like inconveniencies for the future, you are to take especial care that in all grants to be made by you, by and with the advice and consent of our council, to persons applying for the same, the quantity be in proportion to their ability to cultivate; and you are hereby directed to observe the following directions and regulations in all grants to be made by you, viz:

2) That one hundred acres of land be granted to every person being master or mistress of a family for himself or herself, and fifty acres for every white or black man, woman, or child of which such person's family shall consist at the actual time of making the grant; and in case any person applying to you for grants of land shall be desirous of taking up a larger quantity than the actual number of persons in his or her family would entitle such persons to take up, it is our will and pleasure and you are hereby allowed and permitted to grant unto every such person or persons such further quantity of land as they may desire, not exceeding one thousand acres over and above what they are entitled to by numbers of persons in their respective families; provided it shall appear to you that they are in a condition and intention to cultivate the same; and provided also that they do pay to the receiver of our quit-rents or to such other officer as shall be appointed to receive the same the sum of five shillings only for every fifty acres so granted on the day of the date of the grant.

3) That all grantees be subject to the payment of two shillings Sterling for every hundred acres, to commence at the expiration of two years from the date of such grant, and to be paid yearly and every year, or in default of such payment the grant to be void.

4) That every grantee, upon giving proof that he or she has fulfilled the terms and conditions of his or her grant, shall be entitled to another grant in the proportion and upon the conditions abovementioned.

5) That for every fifty acres of lands accounted plantable, each patentee shall be obliged within three years after the date of his patent to clear and work three acres at the least in that part of his tract which he shall judge most convenient and advantageous, or else to clear and drain three acres of swampy or sunken grounds or drain three of marsh, if any such be within the bounds of his grant.

6) That for every fifty acres of lands accounted barren, every patentee shall be obliged to put and keep on his land within three years after the date of his grant, three neat cattle, which number he shall be obliged to continue on his land until three acres for every fifty shall be fully cleared and improved.

7) That if any person shall take up a tract of land wherein there shall be no part fit for present cultivation without manuring or improving the same, every such grantee shall be obliged within three years from the date of his grant to erect on some part of his land one good dwelling house, to contain at least twenty feet in length and sixteen in breadth; and also to put on his land the like number of neat cattle for every fifty acres.

8) That if any person who shall take up any stony or rocky grounds not fit for planting or pasture shall within three years after the passing of his grant begin to employ thereon and so continue to work for three years then next ensuing in digging any stone-quarry or other mine, one good and able hand for every hundred acres of such tract, it shall be accounted a sufficient cultivation and improvement.

9) That for every three acres which shall be cleared and worked as aforesaid, and every three acres which shall be cleared and drained as aforesaid, shall be accounted a sufficient seating, planting, cultivation, and improvement to save forever from forfeiture fifty acres of land in any part of the tract contained within the same patent; and the patentee shall be at liberty to withdraw his stock or to forbear working in any quarry or mine in proportion to such cultivation and improvement as shall be made upon the plantable lands or upon the swamps, sunken grounds, and marshes which shall be included in the same patent.

10) That when any person who shall hereafter take up and patent any lands shall have seated, planted and cultivated or improved the said land or any part of it according to the directions and conditions aforementioned, such patentee may make proof of seating, planting, cultivation, and improvement in the general court or in the court of the county, district, or precinct where such land shall lie and have such proof certified to the register's office and there entered with the record of the said patent, a copy of which shall be admitted on any trial to prove the seating and planting of such land.

11) And lastly, in order to ascertain the true quantity of plantable and barren land contained in each grant hereafter to be made within our said province, you are to take especial care that, in all surveys hereafter to be made, every surveyor be required and enjoined to take particular notice according to the best of his judgement and understanding how much land so surveyed is plantable and how much of it is barren and unfit for cultivation and accordingly to insert in the survey and plot by him to be returned into the register's office the true quantity of each kind of land.

Applicable to Nova Scotia, 1764-74.

Appendix 4

Suspend Granting of Lands Except to Veterans

“Whereas it hath been represented unto us that the state and condition of our colonies and plantations in America do, both in justice and expediency, require that the authority for granting lands contained in the commission and instructions given to our governors in the plantation should be further regulated and restrained; and that the grantees of such lands should be subjected to other conditions than those at present prescribed in our said instructions; it is therefore our will and pleasure that for the present and until our further pleasure be signified, you, our governor of our said province, and the commander in chief of the said province for the time being, do forbear upon the pain of our highest displeasure and of being immediately removed from your and his office to issue any warrant of survey or to pass any patents for lands in the said province, or to grant any license for the purchase by private persons of any lands from the Indians without especial directions from us for that purpose, under our signet or sign manual or by our order in our Privy Council, excepting only in the case of such commissioned and non-commissioned officers and soldiers who are entitled to grants of land by virtue of our Royal Proclamation of the 7th of October, 1763, to whom such grants are to be made and passed in the proportion and under the conditions prescribed in our said proclamation.”

Applicable to Nova Scotia, 1773-74.

Source: Leonard Woods Labarree, ed. *Royal Instructions to British Colonial Governors 1670-1776*, Volume II (New York, Octagon Books, Inc., 1967). p. 533.

Appendix 5

Land Grants in Nova Scotia for Reduced Soldiers and Sailors

1) And whereas for the encouragement of such of the reduced officers and private men lately dismissed our land and sea service and other our subjects as shall be willing to settle in our said province of Nova Scotia, we have thought fit to cause our royal will and pleasure to be made public:

2) That fifty acres of land shall be granted in fee simple to any private soldier or seaman free from the payment of any quit-rents or taxes for the term of ten years, at the expiration whereof no person to pay more than one shilling per annum for every fifty acres so granted.

3) That a grant of ten acres over and above the said fifty acres shall be made to each private soldier or seaman having a family, for every person, including women and children, of which his family shall consist.

4) That eighty acres on like conditions shall be granted to every officer under the rank of ensign in the land service and that of lieutenant in the sea service, and to such as have families fifteen acres over and above the said eighty acres for every person of which their families shall consist.

5) That two hundred acres on like conditions shall be granted to every ensign, three hundred to every lieutenant, four hundred to every captain, six hundred to every officer above the rank of captain in the land service, as also the like quantity of four hundred acres and on the like conditions to every lieutenant in the sea service and six hundred to every captain, and to such of the above-mentioned officers as have families a further grant of thirty acres shall be made over and above their respective quotas for every person of which their families shall consist.

6) That fifty acres of land will likewise be granted to carpenters, shipwrights, smiths, masons, joiners, brickmakers, bricklayers, and all other artificers necessary in building or husbandry, not being private soldiers or seamen, and also that two hundred acres of land shall be granted to all surgeons, whether they have been in our service or not. You are therefore to cause the lands to be parcelled out to the said settlers by proper persons to be by you appointed for that purpose as soon as possible after their arrival at each settlement, according to the said proposals and agreeable to such lists or certificates as shall be delivered to you signed by a proper officer here, specifying the name and quality of each person we shall think proper to send over thither, and also the number of his family.

Applicable to Nova Scotia, 1749-52; 1752-1756.

Source: Leonard Woods Labarree, ed. *Royal Instructions to British Colonial Governors 1670-1776*, Volume II (New York, Octagon Books, Inc., 1967). pp. 619-620.

Appendix 6

Observations on Quit-rents and Escheatments as Affecting Grants to Soldiers

"...the several Governors with the consent of Council gave grants of land to individuals on certain conditions of improvement, and payment of quit-rents; some of the conditions of improvement were impracticable, and repugnant to the nature of the soil, others amounted to a prohibition by the expense necessary to fulfil them, these conditions greatly alarmed the candidates for land, but their apprehensions were quieted by the several governors and the members of his Majesty's Council, who informed them, that the conditions of settlement were directed by the Board of Trade who unacquainted with the nature and circumstances of the Province, had erred in their intentions, but that they expected these impracticable conditions would shortly be remitted in consequence of representations, which they had made, and they further informed the Grantees that if they would regularly pay the quit-rents, when due, no notice would be taken of the other omissions, justly observing, that the quit-rent would be a sufficient tax to oblige grantees to improve their lands, to make them valuable to answer the experience, and that the King who was the Father of his people would never require impossibilities of them, the propriety and reasonableness of these arguments were apparent. Grantees, trusted to the justice and humanity of their Sovereign, and as far as their abilities would admit they proceeded to till the earth and raise the necessaries of life.

Notwithstanding all this, have we not seen the estates of individuals yorn from them on the pretence of not having fulfilled the conditions of the settlement? Have we not seen those very lands granted the next day to the Domestics of that Governmor who ordered their escheatment? Did these new grantees improve their lands? No, they sold them immediately, and put the money in their pockets. Let us enquire further, who the lands were taken from? I answer, from two Subaltern Officers on half-pay, who had spent their best days in the service of their country, and on that most disagreeable of all services, now worn out with age and infirmities, and weighed down with large families, unable to comply with all the terms of the grant, they had however been at as much expense as their abilities would admit of. Had their expenses been repaid then, it would have some humanity I cannot find, that the Council opposed this measure. I fear they did not dare to do it, tho' it must have hurt every humane man to see two old officers of nearly forty years service, deprived of the little compensation granted them by his Majesty, to gratify a Groom and a Musician."

Source: Anonymous (Member of Assembly), *An Essay on the Present State of the Province of Nova Scotia, with some atrictures on the measures pursued by Government from its first settlement by the English in the year, 1749*. Public Archives of Nova Scotia, VF Vol. 160, #129, p. 18-20.

Appendix 7

Land Grant: Private William McDonald

"By virtue of the power and authority to me given by his present majesty King George the Third under the Great Seal of Great Britain have given, granted and confirmed and do so by these presents pursuant to His Majesty's Proclamation bearing date the seventh day of October, One thousand and Seven Hundred and Sixty-Three for granting lands to reduced Officers, Soldiers and Seaman, give, grant and confirm unto William McDonald as a discharged soldier and in consequence of his having in the years 1777 and 1778 purchased the titles of land from John McGregor, John Fraser, John McIver, Donald McLeod, Kenneth McKenzie, John McDonald, George Sutherland, John Cameron, and Donald McDonald, discharged soldiers, his heirs and assigns, a tract of land... along the Shubenacadie River... by estimation 500 acres, a free yearly quit rent of one farthing per acre for every acre so granted...

And the said grantee lends and obliges himself... within three years from the date hereof to clear and work three acres of or for every fifty acres in the tract hereby granted... in that part of the tract which he or they shall judge most convenient and advantageous or clear and drain three acres of swampy or sunken grounds or drain three acres of marsh, if any such be within the bounds of the grant, or put and keep on his lands within three years from the date hereof, three neat cattle to be continued upon the lands until three acres of every fifty be fully clear'd and improved.

But if no part of said tract be fit for present cultivation without manuring and improving the same, then the said grantee... shall be oblig'd within three years from this date hereof to erect on some part of said land one dwelling house to contain twenty feet in length by sixteen feet in breadth and to put on three neat cattle for every fifty acres, or if the said grantee... shall within three years after the passing of this grant begin to employ thereon and so to continue to work for three years then next ensuing, in digging any stone quarry or other mines one good and able hand for every hundred acres of such tract it should be accounted as sufficient cultivation and improvement, and every three acres which shall be cleared and drained as aforesaid, shall be accounted as sufficient seating, planting, cultivation and improvements to save forever from fisture (feiture? forfeiture?) fifty acres of land as any part of the tract hereby granted.

And the said grantee shall be at liberty to withdraw his stock or to forbear working in any quarry or mine in proportion to such cultivation and improvements as shall be made in the plantable lands or upon the swampy or sunken ground and marshes which are included in his grant... And the said grantee... having seated, planted, cultivated and improved the said lands or any part thereof according to the conditions above mentioned may make proof of such seating, planting, cultivation, and improvements in the general court or the court of the county, district, or precinct where such lands shall lye and such proof certified to the Registers office, and there entered with a record of this grant, a copy of which shall be admitted on any trial to prove the seating and planting of such land."

Also..."Situate lying and being beginning at the lower or northern Boundary of land granted James and John Ormsby on the West side [of] the River Shubenaccadia Thence to run

west on said Ormsby land One Hundred & Thirty two chains (of four rods each) Thence north on ungranted land One Hundred and Thirty Chains or until it comes to Shubenaccadia River aforesaid. Thence to be bounded by the several courses of the said River upstream until it comes to the bounds first mentioned containing in the whole five Hundred acres More or less allowance be made for all such roads as may hereafter be judged necessary to pass thro the same. According to the plan annexed all Wilderness land.

Halifax, Dec 12, 1780."

(signed) Charles Morris Chief Surveyor

Appendix 8

Land Grant: Colonel John Hale

The land grant to Colonel John Hale is dated June 11, 1773, and is for 10,000 acres at Hale's River/Beaver Harbour. The grant reads, in part:

"Quit rent commencing 11 June, 1783, two shillings for 100 acres payable annually on the Feast of St. Michael and in default the land to be (sold). Settlement to be made on or before 1788 of Protestant settlers, one person for every 20 acres, and such settlers to be from such parts of Europe as are not within the King's Dominions or such as have resided 2 years in his Dominion in America, in default, void. 3 acres of every 50 to be cleared in 3 years from the date of grant or forfeited."

(signed) Wm Campbell, Governor

Appendix 9

Order to Governors to Export No provisions To French Settlements

“And in order to prevent a scarcity of provisions in the said province, and that our subjects may always be supplied with proper quantities of corn and cattle for their immediate use, as well as for stocking their lands, you are therefore to cause a proclamation to be published forbidding all persons under a severe penalty to export out of our said province to any French settlement whatever any corn, cattle or provision of any kind, without leave first obtained from you or the commander in chief for the time being.”

Applicable to Nova Scotia, 1749-52; 1752-1756.

Source: Leonard Woods Labarree, ed. *Royal Instructions to British Colonial Governors 1670-1776*, Vol. II (New York, Octagon Books, Inc., 1967). p. 634.

Appendix 10

Petition of Peter Collins, Private Soldier, First Regiment of Foot (The Royal Scots), the Warrant of Survey, and the Grant Description

“To the Honourable Richard Hughes Esq. Lieutenant Governor and Commander in Chief of His Majesty’s Province of Nova Scotia and the Honourable His Majesty’s Council for said province.

The Petition of Peter Collins humbly herewith.

That your petitioner during the course of the late war with France did faithfully serve His Majesty as a private soldier in his said Majesty’s First or Royal Regiment of Foot and was at the seige of Louisbourg and Ticonderoga in North America and there did his duty as a private soldier and after the said war ended received his discharge from His Majesty’s Service.

That your Petitioner hath never had granted to him the allowance of land which His Majesty was by Royal Proclamation graciously pleased to allow to his Officers and Soldiers who had served during said war in North America.

Your Petitioner therefore humbly prays that your Honours would please to grant him said allowance of land within this province upon the conditions expressed in and according to the form and effect of His Majesty’s said Proclamation.

And your Petitioner as in duty bound shall ever pray be”

(signed) Peter Collins

Halifax, August 20, 1779

“To Charles Morris Esquire, Chief Surveyor of Lands

You are hereby directed by yourself or your Deputy to admeasure and layout unto Peter Collins a discharged soldier in His Majesty’s First or Royal Regiment of Foot, a plantation containing fifty acres of land, Agreeable to His Majesty’s Proclamation of the 7th of October 1763 and make a return to the secretary’s office within six months from the date hereof, with a plot or description hereunto annexed. Also to certify the nature and Quality of such lands according to His Majesty’s instructions. And for doing so this shall be your warrent.

Given under my hand at Halifax this twenty seventh day of August, 1779.”

(signed) Richard Hughes

“In obedience to the Within Warrant I have caused to be surveyed and laid out unto Peter Collins fifty acres of land therein mentioned — situate lying and being abutted and bounded beginning at the Northern Bound of Peter Marlins land as Ketch Harbour, thence to run west on said land one hundred chains, thence north five chains, Thence East one hundred chains to the said Harbour thence by the several courses of the said harbour to the bound first mentioned containing fifty acres.”

(signed) Chas. Morris, Chief Surveyor

Source: PANS. Nova Scotia Land Papers, RG. 20, Series A, Vol. 1, 1765 Reel 15685, 1779-3.
(Petition, warrant and survey for lands awarded to Peter Collins.)

Appendix 11

Warrant and Grant to John McCra, Discharged Non-commissioned Officer

“To Charles Morris Esq. Chief Surveyor of Lands

You are hereby directed by yourself or your Deputy to admeasure and layout unto John McCra a discharged non-commissioned officer two hundred acres of land, Agreeable to His Majesty's Proclamation of the 7th of October 1763 and make a return to the secretary's office within six months from the date hereof, with a plot or description hereunto annexed as also to certify the nature and Quality of such Lands Comformable to His Majesty's instructions. And for doing so this shall be your warrent.

Given under my hand at Halifax this 24th day of January 1777.”

(signed) Mariot Arbuthnot

“Pursuant to the within Warrant, I have caused to be surveyed and laid out onto John McCra, 200 acres of Land at Pictou.

Beginning at the West side East River, at a point on tongue of land formed by the meeting of two rivers, thence to run west one hundred & eighty seven rods on Colin McCra's settlement thence to run South one Hundred & ten rods on ungranted land, thence north seventy Eight degrees East One Hundred & Seventy six rods till it comes to the River thence to the Bound first mentioned Containing One Hundred acres. Also another tract Beginning on the West side of said East River at a point of its edge, thence to run West two Hundred rods thence north seventy five rods, thence East two Hundred and Forty seven rods to the River aforesaid, thence to be bounded by the several courses of the River to the Bound first mentioned containing one Hundred acres and containing in the whole of both tracts two hundred acres. Allowance being made for all such roads, as may hereafter be judged necessary to pass thro' the same. Oct. 8, 1777.

NB. All Wilderness land, no proper place for fortifications or Naval Yard.”

(signed) Charles Morris Chief Surveyor.

Appendix 12

Segments of Grants to Samuel Douglas and Francis Wetherby

“...to confirm unto Samuel Douglas, Gunner in his Majesty’s Garrison of Annapolis Royal, his heirs and assigns forever, a plot of ground lying and being in the lower town of Annapolis Royal...

...Samuel Douglas obliges himself and his aforesaid to improve the said ground and to keep the house already built thereon in good repair from time to time on their own charges...

1st August, 1725.”

“ ...Francis Wetherby, Bombadier in the Garrison of Annapolis Royal his heirs and assigns for ever, a plot of ground lying and being in the lower town of Annapolis Royal...

Aug 1, 1735.”

Source: PANS. Nova Scotia Land Papers, RG. 20, Series A, Reel 13033, Folios 21 and 31, Francis Wetherby (Folio 21) and Samuel Douglas (Folio 31).

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