

TREATY RESEARCH REPORT
TREATY SEVEN
(1877)

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HISTORICAL BACKGROUND

When Treaty Seven was signed in 1877, it became the last in a series of agreements concluded between the Government of Canada and the Indians of the North-West during the decade of the 1870s. Upon its conclusion, more than twenty years would pass before another treaty was made. Treaty Seven, then, completed the task which the government had set out to accomplish after it acquired control of Rupert's Land in 1870.

From the government's perspective, the need for Treaty Seven was immediate and simple. As part of the terms of bringing British Columbia into Confederation in 1871, the Canadian government had promised to build a trans-continental railway within ten years. Such a line would have to traverse the newly-acquired western territories, through land still nominally in control of Indian tribes. Huge land concessions would need to be offered to the company building the railway and later, the existence of the line would encourage large scale immigration to the western prairies.

When the British North America Act was passed in 1867, the responsibility for Indians and Indian lands had been vested in the federal government. Further, the government was bound by the terms of the Royal Proclamation of 1763, which recognized Indians as rightful occupiers of their hunting grounds until such time as these were ceded to a government authority. This meant that the railway could not be built until the rights of the Indians along its route had been extinguished. Therefore, during the period from 1871 to 1876, the government of Canada had systematically concluded treaties with all tribes in the arable regions of the North-West Territories, with the exception of those inhabiting some 50,000 square miles of land south of the Red Deer River and adjacent to the Rocky Mountains. This was the hunting area of the three tribes of the Blackfoot nation -- the Blackfoot, Bloods, and Peigans -- as well as their allies, the Sarcees, and an enemy tribe, the Stoneys. While the first four constituted entire tribes, the Stoneys were a branch of the Assiniboines; some of their tribesmen who occupied hunting grounds further east had signed Treaty Four and Treaty Six.

Because the Blackfoot tribes dominate the unceded region, the proposed pact came to be known as the Blackfoot Treaty, even though it did involve other tribes. The sheer numbers of Blackfoot Indians and their undisputed domination of the area made them the point of primary focus for government officials.

At the time of first contact in the mid-1700s, the Blackfoot occupied relatively the same area as they did in later years, although they had retreated south from the North Saskatchewan River to the Red Deer in the face of well-armed hostile Crees.

Generally, the Blackfoot tribe occupied the northern portion of the hunting grounds, with the Bloods hunting south of them and the Peigans claiming the area close to the mountains. The Bloods and Peigans extended their hunting grounds well into the United States, as far as the Missouri River. Of the three tribes, the Peigans were the largest and by the early 1800s they had divided into two groups, the North Peigans and the South Peigans. The Sarcee, a small tribe, tended to hunt near the Blackfoot in the regions of Fort Edmonton and Rocky Mountain House while the Stoneys occupied the woodlands and foothills regions from the headwater of the Athabasca River south to Crowsnest Pass.

Although the Blackfoot hunting grounds straddled both British and American territories, trading with these tribes was controlled by the Hudson's Bay and North West companies for the first several decades of white contact. The killing of a Peigan Indian by the United States expedition of Lewis and Clark in 1806 and the subsequent invasion of their hunting grounds by American fur trappers made the Blackfoot hostile to any parties ascending the Missouri River. However, in 1831, Americans succeeded in making peace with the Blackfoot and soon there were trading posts established all along the upper Missouri River.

From that time on, the Blackfoot tribes carried their trade to either the British or the Americans, depending upon which companies offered the best goods and lowest prices. Generally, however, the Blackfoot and Sarcees tended to trade with the British, the Peigans with the Americans, and the Bloods dividing their business between the two.

The Stoneys were entirely within the British sphere.

In 1855, when the American government was seriously considering allowing a railway to be built to the Pacific coast, it negotiated a treaty with the tribes inhabiting the present regions of northern Montana and Idaho. Among the most prominent signatories were leaders of the South Peigans and Bloods, while a few North Peigans and Blackfoot also participated. Interestingly, three of the Blood chiefs who signed treaty -- Medicine Calf, Many Spotted Horses, and Father of Many Children -- were later to sign Treaty Seven with the Canadian government.¹

The Blackfoot experience with the American treaty making process proved to be disillusioning. Annuities failed to be delivered on time, the quality of the goods deteriorated, and as settlers arrived the treaty was renegotiated, each time trimming the hunting grounds to smaller and smaller areas. In addition, the discovery of gold in Montana in the 1860s brought a flood of settlers, creating strained relations and later open hostilities between the Americans and Blackfoot. The situation was referred to as the "Blackfoot war" and culminated in 1870 with the Baker Massacre in which American soldiers slaughtered 173 Peigans, mostly women and children, in an unprovoked dawn attack.

On the British side, the Hudson's Bay Company maintained good relations with the Blackfoot. But as these tribes congregate more and more in the South Saskatchewan-Missouri River region, the more northerly Blackfoot bands were unable to withstand the pressures of Crees who were moving onto the plains. By the 1870s, the Blackfoot had given up the North Saskatchewan and Battle River territory and tended to hunt in the region near the Red Deer and Bow Rivers.

In 1869, the trading firm of Hamilton and Healy moved north from Montana into "British possessions" to establish a fort which was beyond the jurisdiction of American authorities. Located at the confluence of the Belly and St. Mary rivers, near the present city of Lethbridge, the post was originally named Fort Hamilton but soon became

notorious as Fort Whoop-Up. Two of its main items of trade were whiskey and repeating rifles. The former caused great havoc with the Blackfoot tribes while the rifles permitted the wholesale slaughter of buffalo for their valuable hides.

When the success of Whoop-Up was known, other Americans invaded Blackfoot hunting grounds, establishing several posts which were dubbed "whiskey forts" and glorified in such names as Standoff, Slideout, and Robbers' Roost. Within a short time, these forts wrought havoc and tragedy among the Blackfoot tribes. A few years later, missionary Constantine Scollen described to the treaty commissioners the effects of the liquor traffic. "The fiery water flowed as freely," he said, "as the streams running from the Rocky Mountains, and hundreds of the poor Indians fell victims to the white man's craving for money, some poisoned, some frozen to death whilst in a state of intoxication, and many shot down by American bullets..."² He stated that the Blackfoot had drunken quarrels amongst themselves, so that in a short time they were separated into small parties, afraid to meet. He noted that although they had been among the wealthiest Indians in the area, they soon were clothed in rags, without horses and without guns.

The existence of the American forts virtually destroyed the trade of the Hudson's Bay Company, the Blackfoot tribes remaining out on the plains and disposing of their buffalo robes as soon as they obtained them. As a result, the steady influence of the British traders was lost as the Blackfoot became caught up in a maelstrom of whiskey, intra-tribal disputes, and a complete breakdown in their social and political systems. The Stoneys, who had come under the influence of Methodist missionaries, were less affected by the liquor traffic and continued to trade with the Hudson's Bay Company.

The deteriorating conditions in the far West had not gone unnoticed in Ottawa. In 1872, Col. P. Robertson-Ross, Adjutant-General of the Militia of Canada, was sent to study conditions and to make recommendations for the introduction of law and order. His primary concern was with the Blackfoot tribes, whom he was told totalled 10,092 persons -- 2,523 men, 3,384 women, and 4,245 children.³ Robertson-Ross travelled

through a portion of the future Treaty Seven area and on his return to Ottawa, he indicated the immediate need for a police force in the Blackfoot hunting groups.

Partly as a result of the Robertson-Ross's report, Prime Minister John A. Macdonald introduced legislation a year later which resulted in the formation of the North-West Mounted Police. One of its primary assignments was to travel to the West to stamp out the illicit whiskey trade. Although organized in 1873, the force did not actually commence its western duties until a year later, when its members set out on an epic march from Dufferin, Manitoba, to the foothills of the Rocky Mountains. When they arrived in southern Alberta, they discovered that the whiskey traders had fled, but the Indians were in a terrible plight. However, once liquor traffic had been quelled, the Indians soon began to rebuild their horse herds and re-establish their political and judicial systems.

Not surprisingly, the Blackfoot considered the North-West Mounted Police to be their saviours. As Medicine Calf stated: "before the arrival of the Police, when I laid my head down at night, every sound frightened me; my sleep was broken; now I can sleep sound and I am not afraid."⁴ There were several reasons why the Blackfoot regarded the Mounted Police so highly. Besides ridding the country of whiskey traders, they proved to be both sympathetic and fair in their dealings with the Indians. This was due, in part, to the calibre of their commanding officer, James F. Macleod, who initially marched west as Assistant Commissioner and then was promoted to the rank of Commissioner.

When he first met the Blackfoot, Macleod told them there would be only one law, and it would be applied equally to Indian and white. This was a far cry from the experiences of the Indians in Montana Territory and when his promise was actually carried out, the Blackfoot were impressed. Similarly, Macleod learned not to make promises he could not keep and to follow through with every promise he made. This, too, impressed the chiefs. Furthermore, practically none of the members of the small force had had any experience with Indians, so initially they harboured none of the western prejudices which were so common on the American frontier.

The consequence of all these factors was that the Blackfoot came to trust and rely upon the Mounted Police, and Macleod in particular. As a result, when he was appointed as one of the commissioners to treat with the Indians, he was looked upon as an honest, trustworthy man who always spoke the truth.

While the Blackfoot were pleased with the arrival of the Police, they were angry and concerned that the presence of the authorities opened the region for incursions by their enemies and unwanted traders. They particularly resented the Métis buffalo hunters, who established semi-permanent camps near Fort Macleod and Fort Calgary, trespassing on land which the Blackfoot considered to be theirs. They also were hostile to any traders who settled in the area without paying the Blackfoot for the privilege of being there.

The first direct reference made to the Blackfoot about a possible treaty occurred in the summer of 1875, just weeks after Fort Calgary had been established. At that time, Crowfoot went to the Methodist mission on the upper waters of the Bow River and expressed his concerns to the Rev. John McDougall. "He was full of questions regarding the future," recalled McDougall. "I took time to explain to him the history of Canada's dealing with its Indian people thus far and assured him that I expect in due time, treaties would be made and a settled condition created in this country where in justice would be given to all concerned. The chief expressed himself as delighted with what I had told him and said that he was much pleased with the change that the coming of the Mounted Police had brought in all the west."⁵

In the summer, the question of a treaty arose again when Crowfoot met Major General E. Selby-Smyth, commander of the Canadian militia, who was making a tour of the West; the chief asked him to enlarge upon some of the points made by McDougall. Although Selby-Smyth was generally uninformed on the subject of treaties, he promised to take the enquiry back to Ottawa and said that the government would deal fairly with the Indians.

In the autumn of that same year, perhaps in response to McDougall's and Selby-Smyth's information, the leading chiefs of the Blackfoot, Blood, Peigan, and Sarcee tribes gathered at Blackfoot Crossing and, with the assistance of Jean L'Heureux, a French-Canadian who lived among them, they prepared a memorial to Lieutenant-Governor Alexander Morris. It was obvious from its contents that the Blackfoot were aware that treaties were being made elsewhere and that the Queen recognized Indian possession of their hunting groups. In the memorial, the chiefs asked for a meeting with an Indian Commissioner to stop the invasion of their territory "till our treaty be made with the Government."⁶ They complained that white men had taken the best locations for their settlements and that Métis and Cree Indians had for four years "hunted Buffalo summer & winter" in the center of their hunting grounds.⁷

Although the meeting was held in 1875, the memorial was not submitted until the spring of the following year. By that time, the Blackfoot had become aware that the government was negotiating Treaty Six with the Crees, Assiniboines, and Saulteaux (Ojibwa) to the north and east of them. Accordingly, they selected two delegates to travel to Fort Pitt to carry the concern of the southern Indians directly to the commissioners. However, the prairies were completely devoid of game and the men had to turn back.

Instead of a direct appeal, the Blackfoot had to rely upon Methodist and Catholic missionaries to take their concerns to the commissioners when they met at Fort Pitt. As a result, the Rev. John McDougall appealed to Lieutenant-Governor Morris for action by stating: "...I cannot too strongly recommend that the Dominion Government should send a Commissioner or Commissioners to negotiate or treat with the various Blackfoot Tribes at as early a date as possible." He also noted that

whites from all parts are flocking into the country which they have called theirs. Their late mortal enemies the Crees and Assiniboines are receiving attention of the Government and being treated with this present summer. Knowing the Indian character it is consistent to believe that if they are neglected by the Government, jealousy and bad feeling arising from various causes in consequence will sooner or later produce mischief."⁸

Father Constantine Scollen also made an appeal on behalf of the Blackfoot, explaining that:

They have an awful dread of the future. They think that Police are in the country not only to keep out whiskey traders, but also to protect white people against them, and that this country will be gradually taken away from them without any ceremony. This I can certify, for although they may not say so to others yet they do not hide it from me...The Blackfeet themselves are expecting to have a mutual understanding with the Government, because they have been told of it by several persons, and namely by General Smythe last year.⁹

As a result of these submissions, and in line with the government's objective of completing treaties all across the North-West Territories, Lieutenant-Governor Morris recommended to the Minister of the Interior in the autumn of 1876 that "steps should be taken for the making of a Treaty, early next season at some central place, where the Blackfeet are in the habit of assembling in early summer."¹⁰ He explained that "to prevent ill feeling arising amongst the Blackfeet, it is necessary to treat with them, and thus complete the series of Treaties, which have been made in the North West."¹¹

Later that year, in November, a delegation of Blood chiefs visited Fort Macleod to complain about the incursion of Cree hunters. Medicine Calf, war chief of the tribe, then took Colonel Macleod aside and questioned him about the rumoured treaty. Macleod explained that although there was no official announcement, he understood the negotiations would be held the following year. Medicine Calf responded that "he had at first been averse to making treaty, but that he had changed his mind, and would use all his influence towards getting his followers to consent to it. He is a very fierce, intelligent fellow and I was glad to hear him express himself as he did, as I had been told that he would do all he could to thwart the making of a treaty -- or as they express it themselves, 'giving their land for nothing'."¹²

Notes

1. They signed the United States treaty under the names of Nah tose onistah, Heavy Shield, and The Father of All Children.
2. Letter, Constantine Scollen to Hon. David Laird, September 8, 1876, in Alexander Morris. *The Treaties of Canada with the Indians of Manitoba and the North-West Territories*. Toronto, 1880; reprinted Coles Canadiana, 1971 (hereafter Morris, *Treaties*), p. 248.
3. Hugh A. Dempsey, ed. "Robertson-Ross' Diary: Fort Edmonton to Wildhorse, 1872," in *Alberta Historical Review*, 9:3 (Summer 1961), p. 11.
4. Morris, *Treaties*, p. 270
5. McDougall (1970), p. 15.
6. Provincial Archives of Manitoba (PAM), Alexander Morris Papers L/G, MG 12, B1, No. 1265, Memorial, Blackfoot chiefs to Lieut.-Gov. Alexander Morris, March 20, 1876.
7. *Ibid.*
8. PAM, Alexander Morris Papers, Ketcheson Collection, MG 12, B2, Correspondence No. 187, John McDougall to Lieut.-Gov. Alexander Morris September 9, 1876.
9. Morris, *Treaties*, p. 249
10. PAM, Alexander Morris Papers, Ketcheson Collection, MG 12, B2, Correspondence No. 193, Alexander Morris to the Minister of the Interior, October 24, 1876.
11. *Ibid.*
12. RCMP Museum, Regina, Fort Macleod letter-book, 1875-76, pp. 191-92, James F. Macleod to the Secretary of State, November 17, 1876.

PREPARATIONS FOR TREATY

In January 1877, the Hon. David Mills, Minister of the Interior, reported on the situation among the Blackfoot and stated that there was a "general desire of these Indians for the early conclusion of a treaty with them."¹ Accordingly, he appointed two commissioners to carry out the task. The first was the Hon. David Laird, Lieutenant-Governor of the North-West Territories, who had assisted in the negotiation of Treaty Four in 1874. The second was Colonel Macleod, who had recently been promoted to Commissioner of the North-West Mounted Police. Laird was obviously chosen because of his experience and official position, while Macleod was important because of the respect he commanded among the Blackfoot.

Originally, consideration was given to holding the negotiations in the Hand Hills, some hundred miles north of Blackfoot Crossing; this was the site requested by the Indians in their 1875 memorial. However, the commissioners decided to meet instead at Fort Macleod, which was in the central part of the proposed treaty area and was convenient for both the officials and the police. However, when Crowfoot, one of the two leading chiefs of the Blackfoot tribe, learned of the selection, he objected the meeting in a white man's fort and requested that the site be changed to Blackfoot Crossing. Reluctantly, the commissioners agreed.

The *Fort Benton Record*, in nearby Montana, observed that:

This will cause great dissatisfaction among the Bloods and North Piegans, and an outbreak is feared at the place where the treaty is to be held. If hostilities should occur, the Indians will have everything their own way, as they will probably be over ten thousand strong, while the whites will hardly number half as many hundreds... Probably the only conditions upon which these Indians will treat is that the Police must agree to keep the half-breeds, Crees, Assinaboins [sic], Pend' Oreilles [sic] and Nez Perces out of the Territory....²

Even the more conservative *Manitoba Free Press* was concerned about the negotiations. "What if the demands of the Blackfeet be such as it would be impossible

for the Canadian Government to agree to or fulfill?" it asked. "...If moral arguments fail to induce the consummation of a treaty, no method exists of compelling the Indians to accept the terms of the Government, and white men thenceforward visiting the Blackfoot country will occupy a very delicate position."³

Meanwhile, Lieutenant-Governor Laird arrived at Blackfoot Crossing on September 1, en route from Battleford. Three days later, he reached Fort Macleod where he met his fellow commissioner, James Macleod. He also received a despatch from the Minister of the Interior, dated August 1, "covering the Commission relating to the Treaty and a copy of the Order in Council of 12 July, in terms of which the commission was issued."⁴ Later, in discussion with the chiefs, Laird indicated that he had clear instructions as to what terms to offer. "The Queen wishes to offer you the same as was accepted by the Crees," he stated. "I do not mean exactly the same terms, but equivalent terms, that will cost the Queen the same amount of money."⁵

At Fort Macleod, Laird met a number of Blood chiefs who asked to be treated at the fort; they did not wish to go north to Blackfoot Crossing. This request was refused, as the commissioner said he wanted all the Indians together. During this time, some of the Peigans and Bloods indicated that they would not be attending treaty but, instead, they planned to go buffalo hunting.

The date for the negotiations was set for September 17, and when Laird arrived at Blackfoot Crossing on the previous day, he was disappointed to observe that "most of the Indians on the ground were Blackfoot and Assiniboines or Stonies."⁶ Crowfoot was the leading spokesman for the Blackfoot while the Stoneys were clearly under the influence of Methodist missionary John McDougall. When the Stoneys arrived at the site, they camped on the north side of the Bow River with the missionaries and Hudson's Bay Company traders, while the Blackfoot took the western portion of a huge river bottom on the south side of the river.

By the following day, one Blood chief and some Peigans had arrived, but the bulk of the

southern bands had not put in an appearance. Meanwhile, the Mounted Police were attempting to convince the Bloods and Peigans to go to the treaty. For example, Peigan chief Big Swan was en route to the Judith River in Montana when his band was intercepted by the police. "They had settled along this river when the soldiers [i.e. police] came, asking if Big Swan was among them," stated the chief's grandson. "This party then packed up and moved toward home; they made their stop around Standoff. The next day they came home and Big Swan then went on to Blackfoot Crossing."⁷ Similarly other bands were contacted and urged to attend.

Notes

¹. *Sessional Papers*, vol. 7, Session 1877, Report of the Department of the Interior for the Year Ended June 30th, 1877, p. xiii.

². *Fort Benton Record*, August 24, 1877.

³. *Manitoba Free Press*, September 13, 1877.

⁴. Morris, *Treaties*, p. 254.

⁵. Morris, *Treaties*, p. 268.

⁶. Morris, *Treaties*, p. 255.

⁷. Interview with Archie Big Swan, July 8, 1979, in author's possession.

TREATY NEGOTIATIONS - THE GOVERNMENT PERSPECTIVE

On Monday afternoon, September 17, Commissioners Laird and Macleod met with the chiefs who were in attendance at the treaty grounds. Generally, all negotiations were left to Laird, with Macleod speaking only in response to specific questions. As many of the Bloods and Peigans had not arrived, Laird decided to make only a brief opening speech. "We appointed this day," he told the assembly, "and I have come a very long distance to keep my promise."¹ However, he suggested that the negotiations be delayed for two days to allow time for the other chiefs to make their appearance.

During the two-day delay, the Mounted Police were instructed to issue rations to the Indians. "Crowfoot and some other Chiefs under his influence would not accept any rations until they would hear what terms the Commissioners were prepared to offer them," commented Laird. "He appeared to be under the impression that if the Indians were fed by the bounty of the Government they would be committed to the proposals of the Commissioners, whatever might be their nature. Though I feared this refusal did not augur well for the final success of the negotiations, yet I could not help wishing that other Indians whom I have seen, had a little of the spirit in regard to dependence upon the Government exhibited on this occasion by the great Chief of the Blackfeet."²

Government officials and other non-Indians on the scene were unsure as to how the Indians would respond to the terms of the proposed treaty. As one of the witnesses commented: "The hope was that the treaty to be negotiated would found a permanent peace. But the negotiations were only under way. All formerly warring elements of a great region was [sic] present, and no one could tell just what turn events might take. There was no doubt that the Blackfeet were in a position to command the situation."³

During the interim, while waiting for other chiefs to arrive, the commissioners spoke with a party of Crees under Bobtail who had come to sign an adhesion to Treaty Six. The Mounted Police also continued to issue rations to any Indians who would accept them.

By September 19, the main bands of Bloods had not yet arrived, but Laird decided to proceed with the negotiations. In the afternoon, the chiefs gathered in front of the large marquee tent where the commissioners and their aides were seated, while forming a semi-circle seven hundred feet back were about four thousand men, women and children. Laird began his address in expressive terms but when he had concluded his first few remarks, he encountered an unexpected problem.

"Having delivered himself of the opening sentences of what he meant to be an historic address," commented an observer, "he turned to Jerry Potts, Police interpreter, and waited to have his flow of thought translated to the assembled Blackfeet. That was as far as he has got. Jerry stood with his mouth open. He had not understood the words as spoken, and if he had he would have been utterly unable to convey the ideas they expressed in appropriate Blackfeet language. Jerry was a half-breed Blackfoot and knew the language of the Blackfoot people intimately. But he was shy on English, and had not even a remote idea of the form of that language used by Mr. Laird."⁴

Finally, the authorities gained the services of an elderly blind man named James Bird who, assisted by John Munro and Isidore St. Duval, handled the interpreting for the government. Jean L'Heureux, who lived in Crowfoot's camp, acted for the Indians although his services were paid for by the government. Finally, Commissioner Laird was able to deliver his major address:

The Great Spirit has made all things -- the sun, the moon, and the stars, the earth, the forest, and the swift running rivers. It is by the Great White Spirit that the Queen rules over this great country and other great countries. The Great Spirit has made the white man and the red man brothers, and we should take each other by the hand. The Great Mother loves all her children, white man and red man alike; she wishes to do them all good.⁵

After emphasizing the role of the North-West Mounted Police in helping the Indians, Laird expressed a fear the buffalo would not last much longer, and that the government had introduced regulations for the protection of the herds. He went to explain how other treaties had been made across the West. "In a very few years the buffalo will probably

be all destroyed," he said, "and for this reason the Queen wishes you to allow her white children to come and live on your land and raise cattle, and should you agree to this she will assist you to raise cattle and grain and thus give you the means of living when the buffalo are no more. She will also pay you and your children money every year, which you can spend as you please."⁶

He then set out the general terms of the treaty. As contained in the treaty document, these may be summarized as follows:

- For the first year, a bonus payment would be made of twelve dollars for every man, woman, and child, while thereafter and in perpetuity payments would be five dollars annually, with the minor chiefs or councillors receiving fifteen dollars, and chiefs twenty-five dollars;
- Reserves would be provided on the basis of five persons per square mile; Indians would have the right to hunt on unoccupied land, subject to the Queen's regulations;
- Two thousand dollars a year would be provided for the purchase of ammunition and, when not required for this purpose the government could, with Indian consent, spend it in some other way for the benefit of the bands;
- Salaries would be paid for teachers to instruct the children;
- At the signing, each chief and councillor would receive a suit of clothing and a Winchester rifle, while chiefs also would get a medal and flag. Thereafter chiefs and councillors would get a suit of clothing every three years;
- Each chief and councillor would get ten axes, five handsaws, five augers, one grindstone, and the necessary files and whetstones.
- When the Indians were settled, the government would provide two cows for every family of five persons or less, three cows for families with five to nine persons, and four cows to families of ten and over, as well as one bull for each chief and councillor. If a family wished to farm besides raising cattle, it would reduce its cattle allotment by one cow and receive instead two hoes, one spade, one scythe, and two hay forks. Three such families could collectively receive also a plough and harrow, with enough potatoes, barley, oats and wheat to plant the broken land.

In exchange, the Blackfoot, Blood, Peigan, Sarcee, and Stoney Indians were expected

to "cede, release, surrender, and yield up to the Government of Canada" all rights, titles and privileges to their hunting grounds.⁷ They also had to promise to live at peace with Indians, Métis, and whites, to obey the Queen's law, and to refrain from molesting anyone in the surrender territory. After he had concluded his address, Laird encouraged the chiefs to go to their council lodges and to consider the government's offer before speaking to the assembly.

On the following day, September 20, Laird informed the chiefs that he was now prepared to listen to them.

The first speaker was Medicine Calf, a prominent 73-year-old war chief of the Blood tribe. Also known as Button Chief, he had signed the 1855 treaty with the Americans. He started by saying that the Great Spirit, not the Great Mother had given the land to the Indians. He praised the Mounted Police for driving out the whiskey traders but then outlined his suspicions and demands.

The Americans gave at first large bags of flour, sugar, and many blankets; the next year it was only half the quantity, and the following years it grew less and less, and now they give only a handful of flour. We want to get fifty dollars for the Chiefs and thirty dollars each for all the others, men, women, and children, and we want the same every year for the future. We want to be paid for all the timber that the Police and whites have used since they first came to our country. If it continues to be used as it is, there will soon be no firewood left for the Indians. I hope, Great Father, that you will give us all this that we ask.⁸

Laird responded to the speech by stating that Medicine Calf was asking for too much, that the government had done the Indians a favour by sending the Mounted Police. "Why," he said, "you Indians ought to pay us rather, for sending these traders in fire-water away and giving you security and peace, rather than we pay you for the timber used."⁹ Then, according to Laird, "Crowfoot and the other Chiefs laughed heartily at the Blood orator of the day."¹⁰ Meanwhile, the Stoney spokesman indicated a complete willingness to accept the terms which had been offered.

That evening, many of the Bloods and Peigans arrived and immediately went into

sessions with Crowfoot and other chiefs who had heard the proposals. Next morning, Laird commented that "there was a rumor that the Indians in their own Councils could not agree, that a small part was opposed to making a treaty."¹¹ Similarly, Cecil Denny of the Mounted Police noted that "it looked as if all chance of making a treaty would have to be abandoned."¹² However, not only did the Blackfoot accept the government's offer, they did so without quibbling over the terms.

When they gathered, Crowfoot made an acceptance speech on behalf of the Blackfoot and their allies:

While I speak, be kind and patient. I have to speak for my people, who are numerous, and who rely upon me to follow that course which in the future will tend to their good. The plains are large and wide. We are the children of the plains, it is our home, and the buffalo has been our food always. I hope you look upon the Blackfeet, Bloods and Sarcees as your children now, and that you will be indulgent and charitable to them. They all expect me to speak now for them, and I trust the Great Spirit will put into their breasts to be a good people -- into their minds of the men, women and children, and their future generations.

The advice given to me and my people has proved to be very good. If the Police had not come to the country, where would we be all now? Bad men and whiskey were killing us so fast that very few, indeed, of us would have been left today. The Police have protected us as the feathers of the bird protect it from the frosts of winter. I wish them all good, and trust that all our hearts will increase in goodness from this time forward. I am satisfied. I will sign the treaty.¹³

One by one, the other chiefs came forward to accept the treaty. Even Medicine Calf, the Blood war chief, felt obliged to agree. On the following day, Saturday September 22, the document was presented for the signatures of the chiefs. First to sign was Crowfoot, followed by the leading chiefs, minor chiefs, and councillors of five tribes. The only administrative problem occurred when Old Sun, a Blackfoot chief with status comparable to that of Crowfoot, indicated that he was too old and that his position should be taken by his brother, Heavy Shield. After this had been done, Old Sun changed his mind and demanded recognition, so the commissioners appointed three chiefs from the Blackfoot instead of two.

When the time came to select their reserves, only three tribes were emphatic in their demands. The Peigans wanted to be near the Porcupine Hills; the Stoneys, through their missionary, chose lands near the Methodist mission on the upper Bow River; and the Blackfoot wished to remain near Blackfoot Crossing. Because neither the Bloods nor the Sarcees showed any preference, Crowfoot suggested they take reserves adjoining his on the Bow River.

The following week was occupied with registering and paying the Blackfoot and other tribes. In all, the government paid ten head chiefs, forty minor chiefs or councillors, and 4,342 others, expending a total of \$52,954. In addition, the cost of presents, salaries, travel, etc., came to \$8,881.22. Later in the year, on December 4, Commissioner Macleod gained the adhesion of 281 more Blackfoot under the leadership of Three Bulls, Crowfoot's foster brother, paying them a further \$3,375. However, it was apparent that many Indians had not appeared at the treaty or the adhesion, including at least one chief, Strangling Wolf, and would not be paid until the following year.

When submitting the completed treaty to the authorities, Laird felt obliged to explain some promised expenditures which "may to some appear excessive."¹⁴ He said that the Blackfoot had no interest in farming, so he had to offer cattle instead; only the Stoneys showed a desire for agricultural machinery and seed. He also defended the number of cattle being offered, explaining that they could be purchased inexpensively in Fort Macleod, without a major cost for shipping. He also believed he had saved money in permitting the Blackfoot to name only a small number of minor chiefs, rather than numerous councillors. He concluded that "the total expense of supplying the articles promised by this treaty will, I am convinced, cost less than those under either Treaty Four or Six."¹⁵

On January 21, 1878, the Minister of the Interior submitted the signed document to the Privy Council, observing that "the terms of the Treaty, though somewhat onerous, appear to be, on the whole, satisfactory."¹⁶ Upon his recommendation, it was accepted and was approved by the Governor-in-Council on February 6.

TREATY NEGOTIATIONS - THE INDIAN PERSPECTIVE

When the government announced that it would negotiate a treaty, the question arises as to whether or not the Indians were aware of the purpose of the proposed meeting. The Government of Canada could draw upon a long history of individual land ownership, sale of property, and the use of written documents to formalize a pact in perpetuity. The northern Plains Indians, on the other hand, had no recognition of land tenure for the individual and it is questionable whether such ownership was recognized on a tribal basis. When Medicine Calf stated that "the Great Spirit, and not the Great Mother, gave us this land,"¹⁷ he was presenting a native concept of land occupancy. The Great Spirit had not physically presented a printed land deed to the Indians; rather, Medicine Calf implied that the Great Spirit was the giver of all life and that everything, including the land, had come from him.

Rather than ownership, the Indians considered themselves as having the right of occupancy. Those in possession of the land could defend it, levy fees against those who intruded upon it, and consider the creatures within it to be their private domain. Thus the Blackfoot could, and did, grant or withhold to traders the privilege of settling upon, and sometimes travelling through, their land. For example, it was customary for American traders coming to Blackfoot country to seek the permission of a chief who normally wintered nearby and to pay him for the use of building logs and firewood. This occurred when Hamilton and Healy constructed Fort Whoop-Up in 1869 and the permission of Blood chief Iron Collar was obtained. Similarly, when Colonel Macleod built his Mounted Police post in 1874, there is a tradition that he was advised to seek the permission of Bull Head, a Peigan chief who wintered in the area. It is said that Bull Head not only approved but he was so pleased to see the police that he conferred his name upon Macleod.

It is also interesting to note that when the Blackfoot prepared a memorial to the government in 1875, they did not ask for a treaty to be negotiated, but for a meeting with the commissioner to stop "the invasion of our country, till our treaty be made with

the Government."¹⁸ They were more concerned about Crees and Métis slaughtering buffalo in Blackfoot hunting grounds and white men building in their best wintering grounds than they were about the need for a treaty.

Of course, treaties were not new to the Blackfoot. With almost boring regularity, chiefs made peace treaties with the enemy tribe and a few weeks or months later these were broken by young warriors on horse raiding expeditions. On several occasions, peace treaties were negotiated by fur traders to bring about more settled conditions in their region. For example, in 1831 a formal treaty was negotiated by American traders at Fort Union on the Missouri River, establishing peace between the Blackfoot, Bloods and Peigans on one side, and Assiniboines on the other. The document which the chiefs signed included such phrases as "so long as the water runs, or the grass grows"¹⁹ and that "a treaty of peace and friendship was entered into by the said high contracting parties, and is testified by their hands and seals hereunto annexed."²⁰

The first land cession treaty which the Blackfoot experienced was the American pact of 1855. Like earlier agreements, however, the document placed its major emphasis upon maintaining peace among the warring tribes. In addition, the treaty itself was never adequately honoured by the government and in 1865 when relations between the Blackfoot and incoming settlers were strained, it was scrapped completely. In its place, the Indians were offered a new treaty with a reservation containing considerably less land. Whether out of resignation or genuine friendship, Little Dog, a leading Peigan chief, agreed to the terms, saying: "The Land belongs to us... we were raised upon it; we are glad to give a portion to the United States; for we got something for it."²¹

While this may seem to imply that the Blackfoot had some knowledge of land surrenders, this is not necessarily the case. Rather, to them the treaty was comparable to agreements which the Blackfoot had made for generations. They were simply allowing the Americans to occupy a portion of their land, just as they had when they had permitted traders to become established.

Similarly, the 1875 memorial was concerned with the fact that white men were settling in their hunting grounds, presumably without getting permission or making any adequate payment. Medicine Calf alluded to his problem with Treaty Seven when he said, "We want to be paid for all the timber that the police and whites have used since they first came to our country. If it continues to be used as it is, there will soon be no firewood left for the Indians."²² These are not the words of a man who is surrendering his entire hunting grounds, but someone concerned about the availability of wood as he wanders through his domain. Just before the treaty, when he said that the Blackfoot would not be "giving their land for nothing,"²³ he was simply emphasizing that settlers should pay the Blackfoot, just as they always had in the past.

Nowhere is there a clear statement that the Blackfoot were knowingly prepared to give away their entire hunting grounds and there is nothing in prior experience which would make such an action comprehensible to them. In fact, Crowfoot made it clear in his closing speech that his people were not giving away their lands. Father Scollen quoted his words as follows: "Great Father! Take pity on me with regard to my Country; with regard to the mountains, the hills, and the valleys; with regard to the prairies, the forests and the waters, with regards to all the animals that inhabit them, and do not take them from myself and my children forever!"²⁴

Accordingly, when the announcement was made in 1877 that the Queen's government wished to meet with them to make a treaty, the news caused neither surprise nor concern. It was likely perceived as a gathering, whereby the friendship with the Mounted Police would be reaffirmed, promises would be made to live at peace and, if they were lucky, that action would be taken to curb the incursions of the white traders and enemy hunters.

As a result, very little importance was attached to the meeting by the leading chiefs. For example, when Crowfoot had the venue changed to Blackfoot Crossing, some of the Bloods and Peigans decided not to attend, simply because it was too far away and probably not worth the effort. Only when Mounted Police scouts sought them out did

they agree to go. Some measure of the lack of importance attached to the sessions can be gained by examining the attitude of Father of Many Children, one of the leading and most elderly Blood chiefs to attend the negotiations. Besides being a leader, he was keeper of the tribal calendar and had the responsibility for naming each year after the most significant event which had occurred during that period. He recognized the smallpox epidemic of 1869-70 and the arrival of the Mounted Police in 1874, but for the treaty year of 1877, he recorded it simply as "*Itsiparkap-otomiop* - When we had a bad spring."²⁵ There was no reference to Treaty Seven.

The notable exception to this offhand attitude can be found in Crowfoot, one of the leading chiefs of the Blackfoot tribe. As Father Scollen observed: "It is true, Crowfoot, who, beyond a doubt, is considered the leading Chief of the Plains, did seem to have a faint notion of the meaning of the treaty."²⁶ Yet even his appreciation of the event appeared limited to the possibility that the Blackfoot would need to rely upon the white man for future food supplies when the buffalo were gone.

Initially, those who were gathered at the treaty site were the Indians who normally inhabited the area -- such as the Stoneys who were under the influence of Methodist missionaries. After Commissioner Laird had outlined the terms of the government's offer, the chiefs of the Blackfoot nation gathered in the lodge of Heavy Shield to discuss the terms. Old Sun, who shared leadership of the Blackfoot tribe with Crowfoot, deferred to the younger chief. At first there was a mixed reaction to the idea of a treaty, with Eagle Ribs being the most strongly opposed. However, traders from Fort Benton and Edmonton were at the site with an attractive variety of clothing, weapons, beads, and utensils; many individual Blackfoot realized that if they accepted the treaty, they would be able to buy many of these items. As one informant stated: "There were hundreds of whites camping with things to sell. The Indians wanted these things badly, so wanted treaty for the cash."²⁷

To add to the problems, there was a personal feud between the families of Crowfoot and Eagle Calf, and when the latter chief learned that the head chief was undecided

about the treaty, he publicly proclaimed his support for it. He believed that white settlers were coming anyway, so that Indians should get money for their land. However, Eagle Calf stood alone. All other Blackfoot chiefs were hesitant and were waiting for a decision from Crowfoot.

As the Blackfoot waited for the missing chiefs, opinion gradually shifted in favour of signing, probably because of the presents and because of the general trust the Indians placed in Colonel Macleod. However, it was obvious that Crowfoot was still undecided when the council reconvened on Thursday. There was general agreement that the final negotiations would be left to him; only Blood chief Medicine Calf, who was a prominent leader in his own tribe, decided to act independently.

When the Blood and Peigan chiefs finally arrived, they went into a long session with Crowfoot and his fellow chiefs. The leading spokesman of the Bloods was Red Crow who, from all evidence, had no appreciation of the long term effects of the proposed treaty. Like the other leaders, he was prepared to leave the final negotiations to Crowfoot.

There is a strong tradition among the Blackfoot that Crowfoot was so concerned about the treaty that he went to an elderly holy man, Pemmican, to seek his spiritual guidance. Twice he visited the man but without success. Finally, on the third visit, the holy man spoke:

I want to hold you back because I am at the edge of a bank. My life is at its end. I hold you back because your life henceforth will be different from what it has been. Buffalo makes your body strong. What you will eat from this money will have your people buried all over these hills. You will be tied down, you will not wander the plains; the whites will take your land and fill it. You won't have your own free will; the whites will lead you by a halter. That is why I say don't sign. But my life is old, so sign if you want to. Go ahead and make the treaty.²⁸

Finally, with a favourable consensus of the Bloods, Peigans, and Sarcees, as well as his own tribe, Crowfoot decided to accept the terms of the treaty. Father Scollen, who was

a party to the entire proceedings, raised the question two years later as to why this decision had been made:

Did these Indians, or do they now, understand the real nature of the treaty made between the Government and themselves in 1877? My answer to this question is unhesitatingly negative, and I stand prepared to substantiate this proposition. It may be asked: If the Indians did not understand what the treaty meant, why did they sign? Because previously to the treaty they had always been kindly dealt with by the Authorities, and did not wish to offend them; and although they had many doubts in their mind as to the meaning of the treaty, yet with this precedent before them, they hoped that it simply meant to furnish them with plenty of food and clothing, and particularly the former, every time they stood in need of them; and besides this, many outside influences were brought to bear upon them; but I repeat, they were not actuated by any intuitive comprehension of what they were called upon to do.²⁹

Besides having a different concept about the function of treaties in general, the Blackfoot also had problems understanding the interpreters. Father Scollen complained about the absence of competent interpreters, while the difficulty in translating the terms was cited by Campbell Munroe. "I stood right by my father, John Munroe, when he was talking to the Blackfoot Indians," he recalled, "telling them what the Government wanted. There were many word and things which the Indians could not understand. The Blackfoot language is very short and there are many things for which there are no words of meaning in Blackfoot."³⁰

The speeches of the leaders imply that they were signing treaty because of their faith in Colonel Macleod, rather than any comprehension of the terms. Both Crowfoot and Red Crow referred primarily to the good work of the Mounted Police, while Old Sun seemed to be preoccupied with the gifts. Two likely reasons why the Indians did not attempt to negotiate seriously -- other than Medicine Calf's lone effort -- were their lack of comprehension of the specific terms and their inability to perceive the pact as a long term land treaty.

After the document was signed (when Crowfoot suspiciously failed to touch the pen before his mark was made), the question of reserves was raised. Here again, Crowfoot

was the only chief who seemed to have some appreciation of the significance of the decision. The Stoneys followed the advice of their clergyman and took land near the Methodist mission, even though this was central to only the Chiniki band. Neither the Goodstoney band, which hunted northward near the Kootenay Plains, nor the Bearspaw band, which hunted south towards Chief Mountain, offered any objection, likely because they attached no importance to the function of a reserve.

The Peigans chose land in the region of their wintering grounds, but the Bloods and Sarcees had no strong feelings about a location. Accordingly, they had no objections when Crowfoot suggested a common reserve along the Bow River through arid buffalo hunting land as far east as the confluence with the Red Deer. With these decisions made, and the later adhesion of Crowfoot's foster brother, Three Bulls, the treaty was concluded.

Notes

¹. Morris, *Treaties*, p. 265.

². Morris, *Treaties*, p. 265.

³. Frank Oliver, "The Blackfeet Indian Treaty," in *Maclean's Magazine*, March 15, 1931, p. 8.

⁴. Oliver, p. 8.

⁵. Morris, *Treaties*, p. 267.

⁶. Morris, *Treaties*, p. 268.

⁷. Morris, *Treaties*, p. 369.

⁸. Morris, *Treaties*, p. 270.

⁹. Morris, *Treaties*, p. 271.

¹⁰. Laird tried to make it appear that the Indians laughed at Medicine Calf when he wrote that "Crowfoot and the other Chiefs laughed heartily at the Blood orator of the day." Morris, *Treaties*, p. 258. However, the *Globe's* interpretation, i.e., that the Indians were laughing at Laird's foolish statement, is probably the correct one. Later, when Mounted Police officer S.B. Steele was writing his reminiscences, he preferred Laird's version, referring to Medicine Calf as "an Indian who made stupid remarks during the conference." See Samuel B. Steele. *Forty Years in Canada*. Winnipeg, 1915.

¹¹. Morris, *Treaties*, p. 258.

12. Denny (1905), p. 98.
13. Morris, *Treaties*, p. 272.
14. Morris, *Treaties*, p. 262.
15. Morris, *Treaties*, p. 262.
16. Orders In Council, Dept. of the Interior, Vol. 2, 1874-76.
17. Morris, *Treaties*, p. 270.
18. Memorial, Blackfoot chiefs to Lieut.-Gov. Morris, *op. cit.*
19. Letter, Kenneth McKenzie to Pierre Choteau, December 11, 1831, cited in Chittenden, 1954, vol. 1, p. 374.
20. *Idem.*
21. *The Montana Post*, December 9, 1865.
22. Memorial, Blackfoot chiefs to Lieut.-Gov. Morris, *op. cit.*
23. Letter, Macleod to Secretary of State, November 17, 1876, *op. cit.*
24. NA, RG 10, file 14,924, Letter, Constantine Scollen to A.G. Irvine, 13 April 1879.
25. Dempsey (1965), p. 16.
26. Letter, Scollen to Irvine, April 13, 1879, *op. cit.*
27. Interview with Many Guns, Blackfoot Indian, by Lucien and Jane Hanks, ca. 1939. Copy in author's possession.
28. Interview with Many Guns, ca. 1939, *op. cit.*
29. Letter, Scollen to Irvine, April 13, 1879, *op. cit.*
30. Interview with Campbell Munroe, n.d. Copy from Oblate Archives, Edmonton, in author's possession.

LATER EVENTS AND INTERPRETATIONS

The immediate response of the Indians to the treaty was one of elation. A month later, a resident of Fort Macleod commented: "Since the treaty the Indians appear more contented, and, if possible, more friendly than ever. No red-coat can pass them either in the village or on the prairie without receiving the kindly grasp of their hand."¹

Then the doubts began to emerge. The Blackfoot believed that nothing happened by chance; good and evil spirits directed the fortunes of man. If a disaster occurred, there had to be a reason for it. As a result, when three signers of the treaty -- Rainy Chief, Weasel Bull, and Heavily Whipped -- died within the first year, an undercurrent of dread rippled through the Blackfoot camps. "Being very superstitious," said Father Scollen, "they often attribute to the white-man any misfortune that may befall them shortly after they have had any dealing with him; and so the death of three of their Chiefs during the first year alarmed them considerably, and was looked upon as a very bad omen for the future."²

Other forms of bad luck were quick coming. The first was a rapid decline in the number of buffalo, in spite of Commissioner Laird's assurance the herds would last another ten years. Then, to add to misery, the winter of 1877-78 was an open one, virtually without snow, and prairie fires drove the remaining buffalo far into Montana Territory. By spring, starvation was already haunting those bands which had failed to go south. "This, of course, to the Indian mind," said Scollen, "is the terrible consequence of the treaty."³

The reaction was not one of hostility but of depression and fear of the future. Rather than blaming the white man for making the treaty or for destroying the buffalo, the tribes believed that the fault was theirs, and they were being punished for accepting the treaty and opening the lands to the white man.

By 1880, when the importance of reserves was finally realized, both the Bloods and Sarcees rejected the lands which had been set aside for them at the treaty. In spite of

efforts to force them to remain near Blackfoot Crossing, the Sarcees insisted on moving to the Fort Calgary area and in 1880 permission was finally granted for them to remain there. Similarly, the Bloods were unwilling to move to Blackfoot Crossing and in the same year they were given permission to settle on the Belly River.

Then, in 1883, while the Canadian Pacific Railway was being constructed across the prairies, confusion arose as to the exact location of the original Blackfoot Reserve and fears were expressed that the railway line might trespass upon it. Accordingly, a new treaty was made with the Blackfoot on June 20, 1883, in which the tribe gave up its narrow strip of land and took a new reserve which bordered on the railway right-of-way. A week later, on June 27, 1883, a new treaty was signed with the Sarcees, formally exchanging their land along the Bow River for three townships west of Calgary, and on July 2, 1883, another treaty was made with the Bloods, officially giving them the land between the Belly and St. Mary rivers in exchange for their interests in the 1877 allotment. Other than the land exchange, the terms of the treaties remained the same as those accepted in 1877.

Further problems arose when the new Blood Reserve was surveyed. In the summer of 1882, a total of some 650 square miles of land was set aside for the tribe -- considerably below the five persons per square mile allocation if the current census figures of 3,542 persons were valid. However, in 1883 the census was reduced to 2,589 persons, the government claiming that unauthorized South Peigans from Montana and the falsification of the number of children had created an inflated figure. Accordingly, the reserve was resurveyed in that year and reduced to 547.5 square miles. This became the source of bitter controversy, particularly when Mormons from Utah settled on the disputed land in 1887.

On the Stoney Reserve, claims were made that insufficient land had been allocated for all three tribes. Many of the Goodstoney and Bear's Paw people refused to stay on the reserve and insisted on camping within their traditional hunting grounds. Finally, in 1946 a five thousand acre ranch on the Highwood River was purchased and

transformed into the Eden Valley Reserve for some members of the Bear's Paw band and a year later another five thousand acre portion of land in the Kootenay Plains was set aside for the Goodstoney group and named Bighorn Reserve.

These were the main land concerns of Treaty Seven tribes. However, just after the turn of the century a number of surrenders, land purchases, and long term leases took place, some of which later became the basis for legal claims. The main irritant in what was perceived to be unfulfilled treaty obligations was the land question on the Blood Reserve and with it has come the tradition of a ninety-nine year lease. For example, one informant said: "Somehow the Mormons got the chief to sign papers leasing that to them, but he did not know for how many years. We have heard that the Mormons wrote ninety-nine years. They all now have made their wealth from our lands. Today, we have nothing to show for that land. This is what I have been told by my elders."⁴

Claims of other non-fulfillment of treaty provisions over the years have related primarily to the concepts of unlimited rations and promised good treatment. For example, about 1918, One Spot, who had signed the 1877 treaty, commented, "I was at the great council at Blackfoot Crossing and the Queen's men said we would always sit on softest feathers."⁵ Duck Chief expressed the same view when he quoted Crowfoot as saying that because he had accepted treaty the government "should wrap me up in nice soft wrappings."⁶

Generally, there was considerable confusion as to what the tribes believed had been promised to them in 1877. Even the chiefs who were present at the negotiations appeared to have only an imperfect idea of the promises which had been made. And in light of the problems with interpreters and differing cultural concepts, such confusion is understandable.

A further subject of discussion among dissatisfied Indians was the ammunition clause in the treaty. The five tribes claimed that the promised \$2,000 a year had not been paid to them since the 1880s and further, that no formal permission had been granted to spend

the money for other services. The Government of Canada accepted the legitimacy of this claim and in 1973 it made a settlement of \$250,000 for back payments and interest. This led to a further controversy within Treaty Seven as to whether the funds should be divided equally among the five tribes or on a per capita basis.

Today, there are still many misconceptions in the minds of Indians about the treaty; some passages credited to the treaty have in fact been contained in the Indian Act. Indians who have had no opportunity to read the text of the treaty are convinced that it contains more promises than are actually there.

For example, a few Indians in the 1970s argued vehemently that there was a clause in Treaty Seven which prevented Indians from being hanged for any crime they may have committed.⁷ On the other hand, claims have been made by more informed elders, which are perhaps valid, that verbal promises were made which were never incorporated into the formal document. This belief may be based partly on the lack of understanding between the two cultures. Some of the requests made by the chiefs, for example, may not have been specifically rejected by the commissioners and therefore, in Indian eyes, had been approved. Still other problems arise from modern Indians applying their own late twentieth century concepts to nineteenth century situations, crediting to the treaty chiefs an innate knowledge of mineral rights, land leases and property values.

Notes

1. *The Globe*, Toronto, December 1877.

2. Letter, Scollen to Irvine, April 13, 1879, *op. cit.* 43.

3. *Ibid.*.

4. Interview with Camoose Bottle, Blood Indian, in Price, (1979), p. 134

5. "Copy of Notes from Speeches at Council of Chiefs of Blood Reserve," n.d. ca. 1918. Typed copy in author's possession.

6. Interview with Duck Chief, ca. 1939, *op. cit.*

7. Statement to author by a Blackfoot inmate during a lecture at Spy Hill Gaol near Calgary, 1978.

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