THE LAND BENEATH US ◆

The Toronto Purchase

Season One · Before Canada · Episode 10

aiwrangler.ca — an illustrated companion

Every date, term, and quotation in this series is drawn from the historical record. This companion is the full episode narration, illustrated.

From the episode

WILLOW BORN WITH A TOOTH

Stand anywhere in downtown Toronto — the financial district, the waterfront, Union Station, a condo tower going up on King Street — and you are standing on land that was purchased in a single transaction in the year seventeen eighty-seven. The question we're here to ask is: what did that purchase actually say, and did everyone who signed it believe they were agreeing to the same thing?

SAM CARDINAL

The people who signed that document were the Mississaugas of the Credit — Anishinaabe, Ojibwe — the people who held the north shore of Lake Ontario and had done so for generations. The word "Toronto" itself is older than the city; it traces to an Anishinaabe term for a place where trees stand in the water, a weir where the lake narrowed, and the Mississaugas knew it well. These written surrenders of Upper Canada are often treated as the moment the land business was settled for good, but the Mississaugas' story shows us what was left out of that accounting. When the Crown came to them in the autumn of seventeen eighty-seven, it was to ask for the land that would eventually become the largest city in the country.

WILLOW BORN WITH A TOOTH

And the deed they signed — what does it actually say?

SAM CARDINAL

This is where the story gets remarkable, and not in a reassuring way. The deed from September of seventeen eighty-seven exists in the archives. You can hold it, you can read it. And when scholars and Mississauga representatives and eventually lawyers examined it closely, what they found is that the description of the land being surrendered had been left blank. The boundaries were not filled in. The acreage was missing. The Crown had a signed document, but the document itself did not clearly describe what had changed hands that day. It is sometimes referred to, plainly, as the blank deed.

THREE RECORDS

THE PAPER	THE CROWN	THE MISSISSAUGAS
a blank, undescribed deed	a purchase to tidy later	a sharing, not a sale

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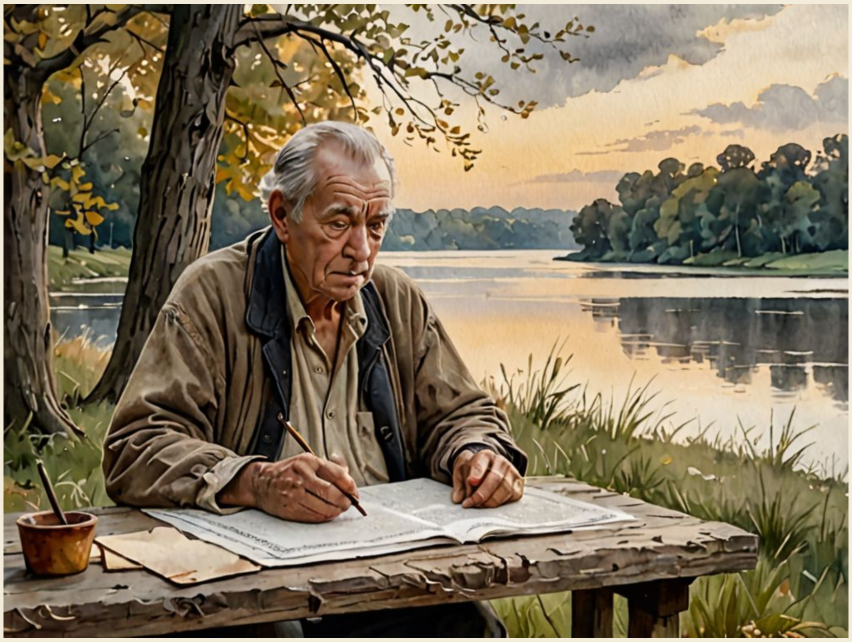
A blank deed. How does something like that happen — you are arranging the purchase of what will become the heart of a future city, and the boundaries don't get written down?



SAM CARDINAL

It wasn't carelessness exactly — it was urgency. The Crown was moving fast in the late seventeen eighties, and there was pressure to open land for settlement, to secure the territory, to have agreements in place before the wave of newcomers who were already arriving needed somewhere to go. These transactions were being made under considerable haste, and the care that should have gone into describing precisely what was agreed to was, let's say it plainly, not taken. The Crown's interest was in having a signed document. Whether that document was complete was a concern for another day.

A DEAL REDONE

1787 — the blank deed
1805 — re-surveyed and confirmed
2010 — settled at last

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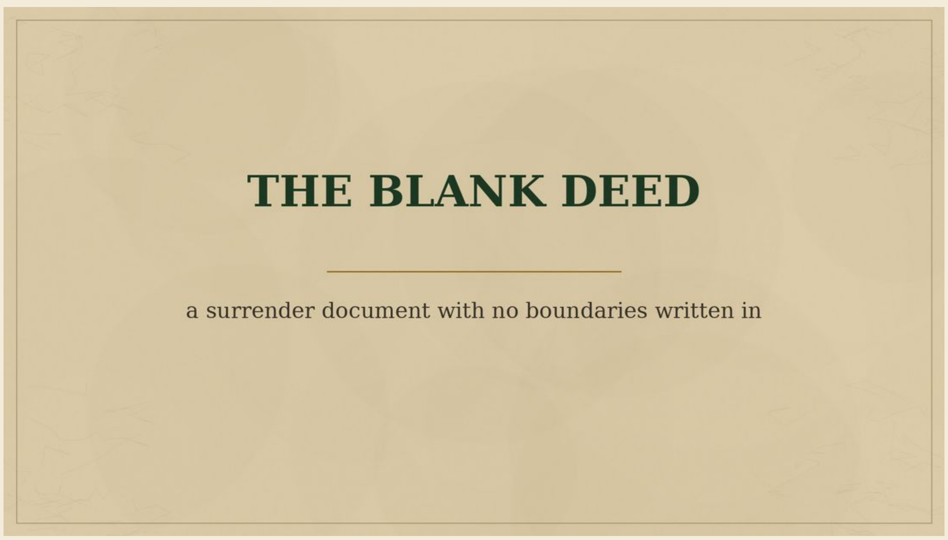
So we have three records to look at. The deed itself — which is blank. The Crown's own reports from the negotiation. And what the Mississaugas of the Credit said they understood the agreement to mean. Do they match?

SAM CARDINAL

They do not. The written deed, such as it is, records a surrender in the Crown's terms — a final sale of the land, the kind of transaction you sign once and don't revisit. The Crown's negotiators reported that a purchase had been made, that goods had been exchanged — cloth, tools, provisions — and that the matter was closed. What the Crown paid was very small relative to what they were acquiring, even by the measures of that era. But what the Mississaugas understood, and what their people maintained across the generations that followed, was something fundamentally different: they had agreed to share the land with the newcomers. They had not agreed to leave it. They had not agreed to stop being a people of this territory.



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That difference — between a final sale and a sharing agreement — isn't a small disagreement about wording. These are two entirely different understandings of what happened on that September day.

SAM CARDINAL

And the difference showed up almost immediately. The Mississaugas were still fishing the lake. Still coming to the Credit River with the seasons. Still moving through the territory as their people always had. And then in seventeen ninety-three, the colonial government founded the town of York on that very land — the town that would become Toronto — and a city began to grow up around them and past them, on ground the Crown now considered fully purchased and fully theirs to settle.

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Which is part of why, in eighteen oh five, the Crown came back to the table. The original deed had problems that the government could no longer ignore.

SAM CARDINAL

By eighteen oh five, Upper Canada was growing quickly enough that someone in the colonial administration looked at the seventeen eighty-seven deed and recognized that it would not withstand serious scrutiny. A resurvey was ordered. A new deed was drawn up — meant to confirm and correct the original purchase, to put into the record what the blank deed had failed to specify: where the boundaries actually were, and how much land had in fact changed hands in seventeen eighty-seven. The Crown understood this as a housekeeping exercise, a tidying up of paperwork.

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Did the Mississaugas of the Credit see it the same way?

SAM CARDINAL

The eighteen oh five deed was clearer than the first one, and that matters — but clarity about boundaries does not close the gap between a sale and a sharing. What the Crown was clarifying in eighteen oh five was its own reading of events: that the land had been fully surrendered in seventeen eighty-seven, that the town of York and everything growing up around it stood on legitimately purchased ground, and that the transaction was final. The Mississaugas were by then under serious pressure — disease had reduced their numbers sharply, the territory around them was filling in — and the world they had agreed to share was, faster than anyone might have imagined, becoming a world with very little room left for them in it.

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They ended up at New Credit — near what is now Hagersville — more than a hundred kilometres from the waterfront where we started this story.

SAM CARDINAL

Moved in stages through the nineteenth century. Further from the lakeshore. Further from the Credit River. Further from the place their people had known for generations. By the time Toronto was a city of hundreds of thousands, the Mississaugas of the Credit were on a small reserve in what is now Haldimand County, and most of the people living above that blank deed had never heard of it. That is not a condemnation — it is an observation about how these transactions were designed to recede. The paper was signed, the land was settled, and the question of what the paper actually said was left for another generation to find.

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Another generation did find it. The Mississaugas of the Credit filed a specific claim with the federal government, arguing that the seventeen eighty-seven transaction was defective — that a blank deed is not a valid deed, and that what was paid bore no reasonable relationship to what was taken.

SAM CARDINAL

A specific claim is the formal legal process through which a First Nation can bring a grievance about how the Crown met — or failed to meet — its obligations under an agreement. This particular claim wound through the federal process for years, as these things do, with negotiations that were neither quick nor simple. But in twenty ten, the Mississaugas of the Credit and the Government of Canada reached a settlement. One hundred and forty-five million dollars. For the land beneath what is now the financial and cultural centre of the country's largest city.

WILLOW BORN WITH A TOOTH

One hundred and forty-five million dollars. Two hundred and twenty-three years after a deed that could not be bothered to describe the land it was surrendering.

SAM CARDINAL

It is worth holding that number quietly for a moment — not as a price on the city, which would be beyond any calculation, but as something else entirely. An acknowledgment. An acknowledgment that what was done in seventeen eighty-seven was flawed. That a blank deed is a flawed instrument. That when you ask a nation to agree to something of enormous and permanent consequence, you are obligated to write down honestly what they are agreeing to — and that when you fail to do that, you have not finished the transaction. You have only postponed it. The Mississaugas of the Credit kept the story. They kept it across two centuries while Toronto grew up on top of it, and in twenty ten, the Crown finally had to account for the gap between the paper and the promise. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

The Mississaugas of the Credit First Nation are still here. They have a chief and council, a community at New Credit, and a land claim history they kept more faithfully than anyone kept that original deed. The land beneath Toronto has a long memory. And the people who lived on it before it had a name anyone south of the lake would recognize — they remember too.

Sources & Notes

The Land Beneath Us is built on the historical and documentary record. Where that record is contested, we say so.

A note on the record

The episode presents the 2010 figure of $145 million as compensation for the Toronto Purchase alone (“For the land beneath what is now the financial and cultural centre…”). In fact the 2010 settlement resolved two specific claims together — the Toronto Purchase Claim and the separate Brant Tract Claim (relating to lands near Burlington) — for a combined $145 million. The number is correct; attributing all of it to the Toronto Purchase overstates slightly.

The script frames the blank deed as something “scholars and Mississauga representatives and eventually lawyers” discovered — implying a largely modern finding. The defect was in fact recognized contemporaneously: Lieutenant-Governor John Graves Simcoe found the blank, undescribed deed in 1792, and that recognized flaw is precisely why the Crown ordered the 1805 re-survey and confirmation deed (Treaty No. 13). The episode’s own 1805 narrative is consistent with this; the earlier “eventually lawyers” framing is the loose point.

References & further reading

“The Toronto Purchase Treaty, No. 13 (1805).” Mississaugas of the Credit First Nation (mncfn.ca). Documents the 1787 council at the Bay of Quinte, the blank deed with no land description and chiefs’ marks affixed on separate papers, the 1 August 1805 confirmation deed purchasing roughly 250,000 acres for 10 shillings (with fishing rights reserved at Etobicoke Creek), and the 2010 settlement of the Toronto Purchase and Brant Tract claims for $145 million.

“Canada and Mississaugas of the New Credit First Nation Celebrate Historic Claim Settlement” and “Claim Settlement on the Horizon” (2010). Canada.ca / Indigenous and Northern Affairs news archive. Confirms the $145 million compensation, the largest specific-claim settlement of its kind at the time, ratified by community vote in 2010.

“Toronto Purchase.” The Canadian Encyclopedia. Overview of the 1787 surrender, its defective documentation, the 1805 clarification, and the long-running dispute settled in 2010.

“The Toronto Purchase of 1787” and “The Toronto Purchase Confirmation, 1805.” Talking Treaties (talkingtreaties.ca), Jumblies Theatre / First Story Toronto. Details the 23 September 1787 council, the trade goods paid, the blank/undescribed deed, and the 1805 re-survey.

“Remembering the Toronto Purchase and its Settlement.” Toronto Public Library (Snapshots in History). Notes the founding of the Town of York in 1793 on the purchased lands, the surrender of roughly 250,000 acres, and the June 2010 settlement.

Mississaugas of the Credit First Nation — community history. The nation relocated in stages through the 19th century from the Credit River, settling on the New Credit reserve (granted by the Six Nations) near present-day Hagersville, in Haldimand County, over 100 km from the Toronto waterfront; the First Nation today has a chief and council and community at New Credit.

“Toronto Purchase.” Wikipedia (citing Crown–Indigenous Relations records). Corroborates the September 1787 council at the “Carrying-Place” of the Bay of Quinte, the goods exchanged, the disputed acreage (~250,808–250,880 acres), the 1805 confirmation, and the 2010 $145 million settlement.