



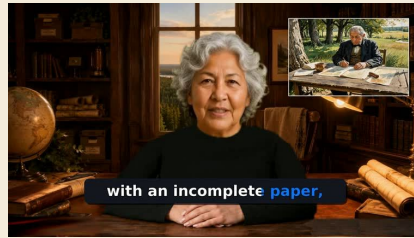
THE LAND BENEATH US ◆

The Stone Fort

Season One · Before Canada · Episode 18

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

Come stand with me outside these limestone walls on the Red River, north of what is now Winnipeg. This is Lower Fort Garry — people have always called it the Stone Fort — and in the late summer of eighteen seventy-one, it was the place where Canada made its very first numbered treaty with the nations of the West. I'm Willow Born With a Tooth, and the question I want to walk you through tonight is this: what did the people on both sides of that table actually believe they had agreed to — and why didn't those two answers match?

SAM CARDINAL

The nations who came to the Stone Fort in the first week of August, eighteen seventy-one were primarily Anishinaabe — Saulteaux people — and Swampy Cree communities whose territories covered the Red River valley, the Assiniboine, and the lands east toward Lake Winnipeg. They had been watching the ground change around them for months before the treaty talks opened. Surveyors were already running lines across their territory. Settlers were arriving under a land policy that had not yet asked permission. Manitoba had been declared a province just the year before, and the question of what relationship the nations of that territory would have with the new Canadian government was still open. These were not passive observers of events happening around them. They were leaders of nations with centuries of governance, and they came to the Stone Fort with their own purposes and their own bottom line.



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And sitting across from them — who was Canada sending?

SAM CARDINAL

The Crown's side was led by Wemyss Simpson, the Indian commissioner, and Adams Archibald, the lieutenant-governor of Manitoba. These were men with the authority to commit Canada to terms. They also arrived with a printed document — a standardized treaty text prepared in advance, which laid out the basic framework Canada was willing to offer. That document was the starting point of the negotiation, not the record of it. And that distinction matters enormously, because what was added during the days of talking — the promises spoken aloud, across the interpreter, in the presence of chiefs and headmen and witnesses on both sides — did not automatically find its way back onto the paper.



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So what does the paper say? What is Record One — the written Treaty One, signed the third of August, eighteen seventy-one?

SAM CARDINAL

The written text records that the nations cede, release, surrender, and yield up all their rights, titles, and privileges in the territory described — a large piece of what is now southern Manitoba. In exchange, the treaty promises three things: a reserve of one hundred sixty acres for each family of five, a school on each reserve wherever the band desires one, and an annuity of three dollars per person per year, paid to every man, woman, and child in the treaty. That is the written treaty. Three dollars. One hundred sixty acres per family of five. A school. Those words are in the National Archives today and anyone can read them.



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One hundred sixty acres for a family of five. That is the same land an individual settler could claim for himself alone under the homestead policy being written at exactly the same moment. I think the listener is already asking: was that truly the whole agreement?

SAM CARDINAL

No. It was not. And we know this not only because the nations said so immediately and consistently, but because the Crown's own negotiators said so. What the written treaty does not record is what was spoken during the days of negotiation — a set of commitments made aloud by Commissioner Simpson that the nations understood to be binding parts of the deal. These became known as the outside promises, or sometimes the outside papers. They included agricultural implements: ploughs, harrows, hoes, spades, scythes, and seed grain to begin farming. They included livestock — a bull, cows, and a boar for each reserve. A chest of tools for each chief. Suits of clothing for chiefs and headmen every three years. Ammunition and twine, so the people could continue to hunt and fish while they built a new economy. Not one of these commitments appears in the original written text of Treaty One. But all of them were heard, understood, and carried forward by the nations as part of what had been agreed.



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So we have Record One: the written treaty. Record Three: what the nations heard, remembered, and carried. What about Record Two — what did the Crown's own negotiators write back to Ottawa?

SAM CARDINAL

Here is where the story sharpens considerably. In the reports that Simpson and Archibald sent back to the government after the signings, they did not deny that additional commitments had been made at the table. They acknowledged that certain assurances beyond the written text were given during the negotiations. They did not call the nations mistaken. What they failed to do was press Ottawa urgently to honour those commitments — and so the outside promises fell into a gap between what was acknowledged and what was acted upon. The nations, meanwhile, had moved to their new reserves and were waiting: for ploughs that did not arrive, for livestock that did not come, for the tools that had been part of the agreement they had walked away from the table believing they had signed.



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How long did they wait?

SAM CARDINAL

Four years. In eighteen seventy-five, after sustained and consistent pressure from the nations of Treaties One and Two — who refused to let the outside promises be quietly forgotten — Canada produced a formal memorandum that acknowledged those commitments in writing and pledged to honour them. The eighteen seventy-five memorandum is a remarkable document in its quiet way. It is the Crown, in writing, conceding that the original written treaties had been incomplete. It is confirmation that the nations were right about what had been promised. It arrived four years late, and during those four years people were trying to farm without ploughs, trying to build a new livelihood without the tools they had been told were coming, on reserves smaller than many settler homesteads.



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I want the listener to hold that. Four years of living with an incomplete paper, arguing that the deal was the deal, and watching the promises the document said nothing about fail to materialize. And Treaties One and Two were the first — this was the template that would be carried west.

SAM CARDINAL

That is the full weight of it. The outside-promises problem was not a minor clerical oversight. It was a structural failure built into the method of treaty-making, and it set a pattern that nations across the prairies watched and learned from. The interpreter standing between the spoken promise and the written page was a bottleneck the nations did not control. The standardized text carried to each signing was a container that the oral negotiation could fill — but no one was reliably responsible for making sure what filled it got written down. The gap between what was spoken and what was recorded is not a footnote to the numbered treaties. It is, in certain respects, the central story of them.



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Let's bring in the land itself for a moment. One hundred sixty acres for a family of five. The nations who came to Lower Fort Garry had governed territories that stretched across what is now half of Manitoba. What did they understand themselves to be agreeing to when they accepted a reserve?

SAM CARDINAL

This is where the two understandings of the treaty diverge most fundamentally, and the divergence has never been fully resolved. In the Crown's legal reading, the treaty is a land surrender: the nations gave up their rights to the described territory and accepted the reserves as their allocated portion. In the Anishinaabe understanding, land belongs to the Creator — it is held in stewardship by the living for all the generations, not owned, and not anyone's to sell permanently on behalf of those who come after. What the nations understood themselves to have agreed to was a sharing arrangement: the newcomers would use the land, the peoples would live alongside each other in mutual responsibility, and the nations' right to hunt and fish throughout the territory would continue. The reserves were understood as a protected home base, not as the limit of what they retained. That gap in understanding did not close when the papers were signed. It is still active in Canadian courts and in community life on this land today.



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Treaty Two followed just a few weeks later — signed the twenty-first of August, eighteen seventy-one, at Manitoba Post, covering the country around Lake Manitoba and the Assiniboine River. Also Saulteaux communities, largely. Same commissioners, same document, same oral promises.

SAM CARDINAL

And the same gap. Treaty Two followed the identical printed template as Treaty One, and the negotiations produced the same outside commitments — the same agricultural implements, the same livestock, the same clothing and tools for the chiefs — spoken aloud and understood as binding, and absent from the written text. The nations of Treaty Two also had to wait for the eighteen seventy-five memorandum before they saw any of those promises acknowledged in writing. What this tells us is that the problem was not one commissioner's carelessness on one day. It was the method itself: a standardized paper carried to each table, an oral negotiation that could add to its terms, and no reliable mechanism to make the spoken and the written correspond.



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Then there is the annuity — three dollars per person per year. I want to understand what that meant to the people receiving it. Was it rent? Was it a purchase price for the land?

SAM CARDINAL

In the nations' understanding, it was neither of those things. The annuity was something closer to a covenant renewed. In the tradition of treaty-making the Anishinaabe and Cree peoples brought to these negotiations, a treaty is not a one-time transaction that concludes and then recedes into the past. It is a living relationship between peoples — meant to be maintained and affirmed as long as both peoples exist. The annuity payment was the mechanism for that renewal: every year, the Crown came to the community, paid the treaty money, and by doing so acknowledged that the relationship was still alive and that its obligations still stood. Three dollars was not the price of the land. Three dollars was the handshake, repeated. That is why, to this day, annuity payments under these treaties are still made in ceremony across Treaty One and Treaty Two territory — because the ceremony is the point, not the amount.

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Most people who live on this land have never been taught that. The treaty was built to be renewed every year. It is not a closed file. It is an ongoing relationship with a ceremony attached.

SAM CARDINAL

And that understanding is what sits beneath the words you hear at land acknowledgments and gatherings across this country: as long as the sun shines, the grass grows, and the rivers flow. Those are not poetic additions placed on the treaty after the fact. They are the terms. They describe the intended duration of the agreement — not a lease with an expiry, but a relationship without one. Lower Fort Garry stands today as a National Historic Site on the Red River. The treaties made inside those walls in eighteen seventy-one remain in force in Canadian law, in Anishinaabe and Cree oral tradition, and in the reserves and annuities that flow from them to people alive right now. The outside promises took four years to write down, and some of what was owed took far longer to arrive. But the agreement itself, incomplete paper and all, was never set aside. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

Every summer, people walk the grounds of the Stone Fort without always knowing that the deal struck inside those limestone walls is still, in the most literal legal sense, the foundation beneath the ground they're standing on. Winnipeg, the surrounding communities, this whole corner of the country — it sits on Treaty One and Treaty Two territory. The paperwork had gaps that took four years to partly close. The relationship is still in force. I'm Willow Born With a Tooth, and this has been The Land Beneath Us.

Sources & Notes

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

References & further reading