



THE LAND BENEATH US ◆

The Hard Bargain

Season One · Before Canada · Episode 19

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

If you find your way to the far northwest corner of Ontario, past Kenora and down through the lake country, you reach a place called the Northwest Angle — where Ontario, Manitoba, and Minnesota nearly touch at the corner of Lake of the Woods. A treaty was signed here on the third of October, eighteen seventy-three. What the sign doesn't mention is that Canada came here two years earlier, and the Saulteaux sent them home without a deal.

SAM CARDINAL

The Saulteaux had the patience to wait because they had the position to wait. Every canoe, every supply load, every survey crew heading west had to move through this country — through the portages and river crossings of the Rainy Lake and Lake of the Woods corridor, the one path threading from Lake Superior to the prairies. Canada was already building the Dawson Route through here, a road-and-water passage that settlers and soldiers were already using, and the railway that would eventually follow this same corridor was already being planned. Not one foot of it had been negotiated for with the people who lived here. The Saulteaux knew what they held, and they were in no hurry to release it cheaply.



WILLOW BORN WITH A TOOTH

So this is a story about leverage, and about what a nation does with that leverage when it decides to use it carefully.

SAM CARDINAL

In eighteen seventy-one, Crown commissioners came to Fort Frances on Rainy Lake and laid out what they had in mind. The offer — modest annuities, small reserves, a few tools — was not what the Saulteaux leaders were looking for. They deliberated, and they declined. Not with anger, but with deliberateness. They sent the commissioners back to Ottawa. The same thing happened in eighteen seventy-two: a second attempt, more talks, the same outcome. Two years, two refusals, one consistent message: come back with something worth saying yes to.



SAM CARDINAL

And what they were asking for was precise, not vague. They wanted annuities considerably higher than the earlier numbered treaties had provided. They wanted reserves calculated at one square mile for every family of five — a formula they proposed themselves and held to specifically. They wanted agricultural support for communities moving toward farming, schools on each reserve, and protection of their fisheries and hunting grounds across the territory. These were not opening positions intended to be negotiated away. They held to them for two years.

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And when the Crown came back a third time, in eighteen seventy-three, it came with more.



SAM CARDINAL

Lieutenant-Governor Alexander Morris, who led the Crown's side at the Northwest Angle signing, arrived having been briefed on the previous two rounds. Treaty Three as signed delivered annuities markedly higher than any numbered treaty before it, the one-square-mile-per-family-of-five reserve formula the Saulteaux had proposed, agricultural equipment, and a school on each reserve. Morris wrote to Ottawa afterward that he had rarely seen negotiations conducted with such steadiness and discipline on the other side of the table. The Saulteaux had held their line for two years and come away with terms that no nation in the numbered treaty process had received before them.

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Now — three accounts of the same signing, and they don't all say the same thing.



SAM CARDINAL

The written treaty is the first record. Its language follows the standard form used across the numbered treaties: the Saulteaux were described as agreeing to "cede, release, surrender and yield up" all rights and title to the territory — fifty-five thousand square miles of what is now northwestern Ontario. In exchange, the Crown committed to the annuities, the reserves, the agricultural equipment, the schools. Chiefs' marks and signatures, Morris's signature, and the date. That is what the document says.

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Then there is what Morris wrote back to Ottawa — his own account of what the Saulteaux believed they had agreed to.



SAM CARDINAL

And Morris's own account complicates the Crown's own text. In his letters and in his published memoir of the negotiations, Morris described the Saulteaux as understanding that their hunting and fishing rights were not being surrendered — that those would continue across the territory, that the people would not be disturbed in their way of life. He recorded assurances spoken at the table: that settlers would keep their distance from Saulteaux communities, that the nations would remain at home in their country. He believed he was reporting faithfully what had been promised. But those assurances do not appear in the written treaty with anything approaching that clarity, and the gap between his letters and the signed document is not a small one.

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And then there is the third account — the one the Saulteaux wrote for themselves.



SAM CARDINAL

The document known as the Paypom record, named for a Rainy Lake chief, is the Saulteaux's own account of what was promised in those negotiations. Written in Ojibwe, kept within the community, and handed down through generations, it records commitments that the written treaty does not contain. The Paypom record describes specific assurances: that settlers would be kept at a distance from Saulteaux lands, that resource extraction — particularly mining — was understood on terms different from what the Crown later asserted, and that the Crown's negotiators had conveyed the arrangement as one of sharing the land, not surrendering it outright.

SAM CARDINAL

When you hold all three records together — the Crown document saying "surrender," Morris's letters saying the Saulteaux understood they were sharing and retaining their rights, and the Paypom record describing concrete promises that never made it onto the written page — you are not simply looking at one side deceiving the other. You are looking at two different ideas of what a treaty was. For the Crown, the signature on the paper was the agreement, and everything else was context. For the Saulteaux, the words spoken in council before witnesses carried the full authority of a binding promise, because that is how binding promises had always worked. Nobody paused in eighteen seventy-three to reconcile those two frameworks before the ink was dry.



WILLOW BORN WITH A TOOTH

What came in the years after signing? What did the Saulteaux actually receive?

SAM CARDINAL

The annuity payments came, and continue to come today — though what that sum represents in the twenty-first century is not what it represented at the Northwest Angle in eighteen seventy-three. Agricultural equipment arrived in some communities. Schools were established on some reserves. But the reserves were often surveyed differently than the Saulteaux had understood from the negotiation — not always in the locations communities needed, not always in the configurations they had expected.



SAM CARDINAL

Provincial hunting and fishing regulations were applied across Treaty Three territory as though the treaty's assurances about those rights simply did not exist. The specific promises in the Paypom record — about settler distances, about how resource use would work, about the particular terms of sharing — were not honoured in the ways the Saulteaux had understood them. This distance between what was agreed in council and what arrived on the ground would prove to be one of the defining features of the numbered treaty era.

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The Paypom record did not stay in a drawer.



SAM CARDINAL

It has been brought forward repeatedly. The Grand Council Treaty Three — the contemporary governing body of the Saulteaux and Ojibwe nations of that territory — has used the Paypom record in negotiations with federal and provincial governments over resource extraction, land use, and what the treaty's terms actually require in practice. It has been part of discussions about mining rights, about jurisdiction over the territory, about whether the oral promises made at the Northwest Angle are as binding as the words on the Crown's paper. The chiefs who wrote their record in their own language understood something important: that memory unsupported by a document is easily dismissed, and they were not going to let that happen.

SAM CARDINAL

What I come back to is the patience and the clarity the Saulteaux brought across those two years. They waited. They said no twice. They came back to the table with specific demands, held them, and won better terms than any nation before them in the numbered treaty process. And when it was done, they kept their own record — in their own language, by their own witnesses — because they knew the agreement was more than what the Crown was carrying away on paper. They understood they were describing a relationship, not concluding a transaction, and they wanted that relationship's terms set down somewhere they controlled.

SAM CARDINAL

A hundred and fifty years later, that record is still being read — at negotiating tables, in legal arguments, in the ongoing work of understanding what Treaty Three actually means for the people living under it. The land beneath the Northwest Angle was shared, under terms that are still being worked out between the nations who made them. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

The next time you drive that long stretch of highway through the lake country of northwestern Ontario — past Kenora, through the boreal reaches, the portages and the birch-and-spruce corridors — you are moving through Treaty Three territory. That road follows the route Canada needed, and the Saulteaux knew Canada needed, and bargained hard over for two years before they said yes. The deal they made is still in effect. The record they kept of what was promised is still in the room. I'm Willow Born With a Tooth. 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