



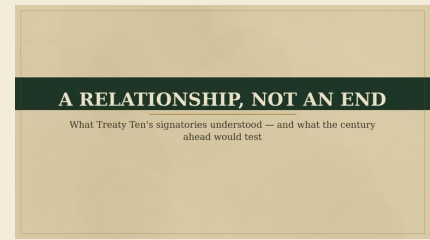
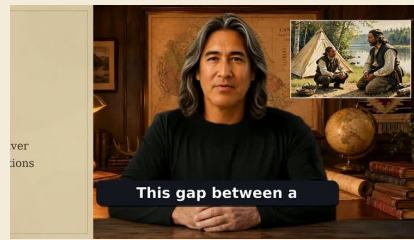
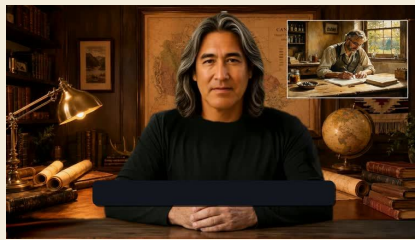
THE LAND BENEATH US ♦

Filling In the North

Season One · Before Canada · Episode 29

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

Welcome to the Churchill River country in northern Saskatchewan — and to a mystery that lives right there on the map if you know how to read it. Spread out the numbered treaties and there is a gap: a stretch of Dene and Cree homeland sitting between treaty territories on all sides, left unaddressed until nineteen oh six, a full year after Saskatchewan itself became a province. What made the Crown leave this country off the map for so long — and what, finally, brought them here?



SAM CARDINAL

The answer is Treaty Ten, signed in the summer of nineteen oh six, and the first thing worth knowing about it is what it was not. It was not rushed forward by a gold rush, the way some of the northern treaties were. It was not driven by a settler wave needing farmland, or a railway that needed a corridor cleared. Treaty Ten was brought forward because, in September of nineteen oh five, Saskatchewan became a province, and the Dominion of Canada suddenly needed its administrative map to be complete. In a very real sense, the people of the Churchill River country were not in anyone's way — the Crown simply could not leave a blank space inside a province's boundaries and call its legal paperwork finished.



WILLOW BORN WITH A TOOTH

So these communities had watched their neighbors on every side enter into treaties for decades, and the Crown had just... not gotten around to them?



SAM CARDINAL

Largely, yes — and it was a peculiar kind of limbo to occupy. Some families had drifted onto the annuity lists of neighboring treaties because a government clerk needed to put them somewhere, or because a family had camped inside a treaty territory during a season and been counted there. The people of the Churchill River country were neither formally inside the numbered-treaty system nor formally outside it, and that ambiguity had started to create real problems for the new provincial administration trying to assert jurisdiction over the north. The blank space on the map was not, from the Crown's vantage point, an oversight they were comfortable leaving in place now that there was a provincial government to answer to.

THREE RECORDS

WRITTEN TREATY

Nations cede and surrender land; reserves, annuities, and regulated hunting rights

CROWN REPORTS

Orderly negotiations; chiefs signed freely; terms explained through interpreters

ORAL RECORD

A sharing relationship, not a surrender; land remained theirs to use as always

WILLOW BORN WITH A TOOTH

Who were the nations the Crown was coming to meet?



SAM CARDINAL

The people of this country were the Dene Suline — the Chipewyan people — who held the northern reaches of the Churchill River watershed and the lands around Reindeer Lake and the Athabasca country, and the Woodland Cree, the nêhiyawak of the boreal forest, whose communities ran through the middle country of the river. Places like Ile-a-la-Crosse, Portage la Loche, Canoe Lake, and the shores of Reindeer Lake had been home to these nations for generations beyond counting. And here is what matters most for understanding Treaty Ten: these were not peoples in crisis. The collapse of the old plains economy that had driven other nations to the treaty table had not come for them. They were still living substantially on the land — hunting, fishing, trapping the river system — and that relative strength shaped everything about what they believed they were agreeing to when the commissioners arrived.

KEY DATES

1905 — Saskatchewan becomes a province
1906 — Treaty Ten signed along the Churchill River
1930 — Resource transfer reshapes treaty obligations

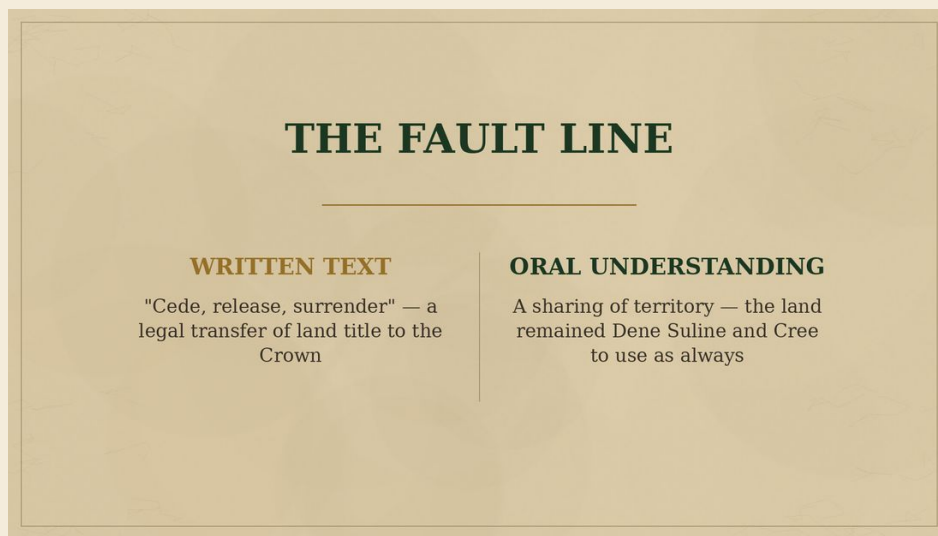
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The commission traveled to community after community by river that summer. And that's where we need to lay the three records side by side.



SAM CARDINAL

Record one is the written treaty itself, and it reads, in its essential terms, the same as the numbered treaties that came before it. The nations cede, release, surrender, and yield up their rights and title to the land described in the agreement. In exchange: reserves of one square mile for every family of five, annual payments of five dollars per person and twelve dollars for each chief, the promise of schools, and — this is the phrase that would carry enormous weight across the coming decades — the right to pursue hunting, fishing, and trapping throughout the surrendered territory, subject to such regulations as the government may from time to time see fit to impose. That is the paper. That is record one.



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And record two — what did the Crown's commissioners report back to Ottawa?



SAM CARDINAL

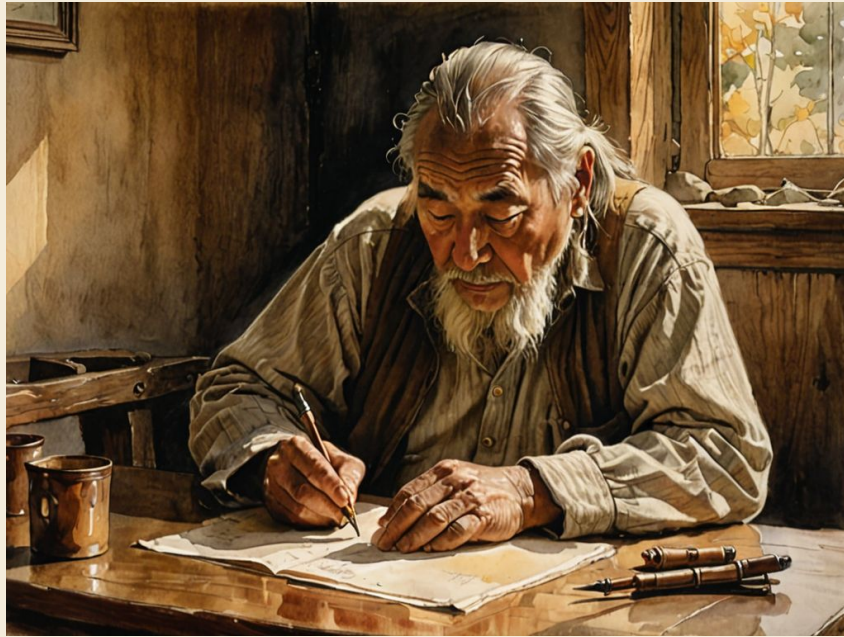
The official reports described orderly negotiations and a people who were willing — eager, some accounts suggest, to have the same terms and the same annual payment their neighbors had received under earlier agreements. The commissioners recorded that the terms were explained through interpreters, that the chiefs signed freely, and that the proceedings were conducted with dignity on all sides. What the Crown's reports do not press on is the question of whether the word "surrender" — the legal cornerstone of the whole agreement — was the word that was actually carried across the language barrier and understood by the people sitting across from the commissioners on the banks of the Churchill River.

A RELATIONSHIP, NOT AN END

What Treaty Ten's signatories understood — and what the century ahead would test

WILLOW BORN WITH A TOOTH

So what does record three say — what did the Dene Suline and Woodland Cree communities hold in their own memory of that negotiation?



SAM CARDINAL

The oral record from the Churchill River nations is consistent on the point that matters most: what they understood themselves to be agreeing to was not a sale and not a surrender, but a relationship — a sharing of the territory with the Crown, under which their way of life on the land would continue undisturbed. The annuity was received as a gift, a gesture of goodwill between parties entering a relationship, not a purchase price for something being handed over. The land itself, in their understanding, remained theirs to use as it always had been. This gap — between a written text that says "surrender" and an oral record that says "sharing" — is the fault line that runs beneath Treaty Ten, just as it runs beneath so many of the numbered treaties. But it has a particular character here, because the people who signed it were not desperate, and they signed believing they had secured something real and lasting.



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And that phrase about hunting and fishing rights being "subject to regulations" — that's carrying a lot of weight in a very small number of words.



SAM CARDINAL

It is doing quiet but enormous work, and the people of the Churchill River country would feel the full weight of it across the following generation. In the summer of nineteen oh six, the right to hunt and fish across the territory sounded, to the Dene Suline and Woodland Cree, like a formal confirmation of what they already did every single day. But the written caveat gave the Crown — and eventually the province — a lever they could tighten without technically breaking the treaty: fur trade regulations, game laws, licensing requirements, seasonal restrictions. The machinery of provincial administration that Saskatchewan would build out over the next forty years pressed steadily against that right, in ways that no one sitting beside the Churchill River in nineteen oh six could have seen coming.



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And here is what strikes me about Treaty Ten in particular: most of the numbered treaties were signed because the Crown wanted something specific on the ground. Treaty Ten was signed because the Crown needed the map to look right.

SAM CARDINAL

That is a distinction worth sitting with for a moment, because it tells us something about what the numbered-treaty system had become by nineteen oh six. The Dene Suline and Woodland Cree of the Churchill River were not standing in the path of settlers. They were not on a route to a gold field. The boreal lake country of northern Saskatchewan was not, in that year, land the Dominion expected to open for farming or towns. The treaty was made because you cannot have a legally unaddressed territory sitting inside a province's administrative boundaries. Treaty Ten is, in that sense, perhaps the most candid of the numbered treaties about what the whole enterprise had always been, underneath the language of mutual benefit: a mechanism for bringing land under the Crown's legal framework, completed now not because the land was urgently wanted, but because the paperwork required it.

WILLOW BORN WITH A TOOTH

So the Crown came to people who were not in crisis, on land it did not immediately need, and signed a document mainly to complete a legal grid.

SAM CARDINAL

Yes — and what the people who signed understood, I think, was something genuinely true in that moment: they were agreeing to a relationship, not an end. The annuity, the promise of schooling, the written confirmation of their right to live on the land — these were the terms of an ongoing connection, not a closing transaction. What they could not know was how thoroughly the century ahead would test that word "ongoing." The reserves allocated under Treaty Ten were small. The resources beneath the northern Saskatchewan landscape — the minerals, the timber, the hydroelectric potential of those rivers — would eventually attract the kind of attention that was simply not imaginable in nineteen oh six.

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And then there is nineteen thirty, and what it meant for every nation that had signed a treaty with the Dominion.

SAM CARDINAL

Twenty-four years after Treaty Ten was signed, the Natural Resources Transfer Agreements moved jurisdiction over the resources of the prairie and northern territories from the Dominion to the provinces — including Saskatchewan. The people of the Churchill River had signed with the federal Crown, and now the province held a significant share of the authority over the land and resources the treaty touched. What that transfer meant for treaty rights was never clearly resolved at the time, and it has been contested in negotiations and in courts ever since. The hand that held the resources changed; the promise written into the treaty did not change with it — but the question of who was responsible for keeping that promise became considerably more complicated.

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Where does Treaty Ten stand today?

SAM CARDINAL

It stands as a living agreement — actively pursued, actively litigated, actively negotiated. The Dene Suline and Woodland Cree communities of northern Saskatchewan, organized today through bodies like the Meadow Lake Tribal Council and the Athabasca Denesuline First Nations, have been among those pressing the Crown on treaty land entitlement shortfalls: the acreage that should have been set aside under the original terms and was not. Canadian courts have repeatedly affirmed, in cases touching the numbered treaties as a whole, that the Crown is bound by the honour of the Crown doctrine — meaning the obligations of these treaties must be fulfilled not technically, not minimally, but in the spirit that the nations understood when they agreed. The gap between the paper and the promise is still, in nineteen oh six's northern Saskatchewan, the live question. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

That question is being answered right now — in treaty offices and courtrooms, in band councils along the Churchill River, where the grandchildren of the people who signed in the summer of nineteen oh six are still holding the Crown to a relationship that was promised to last as long as the rivers flow. The Churchill River is still flowing. I'm Willow Born With a Tooth.

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 script states chiefs received '\$12' annually under Treaty Ten; the treaty text specifies \$25 per year for chiefs and \$15 for headmen, not \$12. The \$5 per-person figure is correct.

The script says Treaty Ten was signed 'a full year after Saskatchewan became a province' (September 1, 1905). Negotiations opened in June 1906 and signing concluded by August — roughly nine to ten months, not a full year; a minor but factually contestable characterization.

References & further reading

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Canada, *The Constitution Act, 1930* (Natural Resources Transfer Acts), which transferred control of Crown lands and natural resources from the Dominion to the prairie provinces, with direct consequences for treaty hunting and fishing rights.