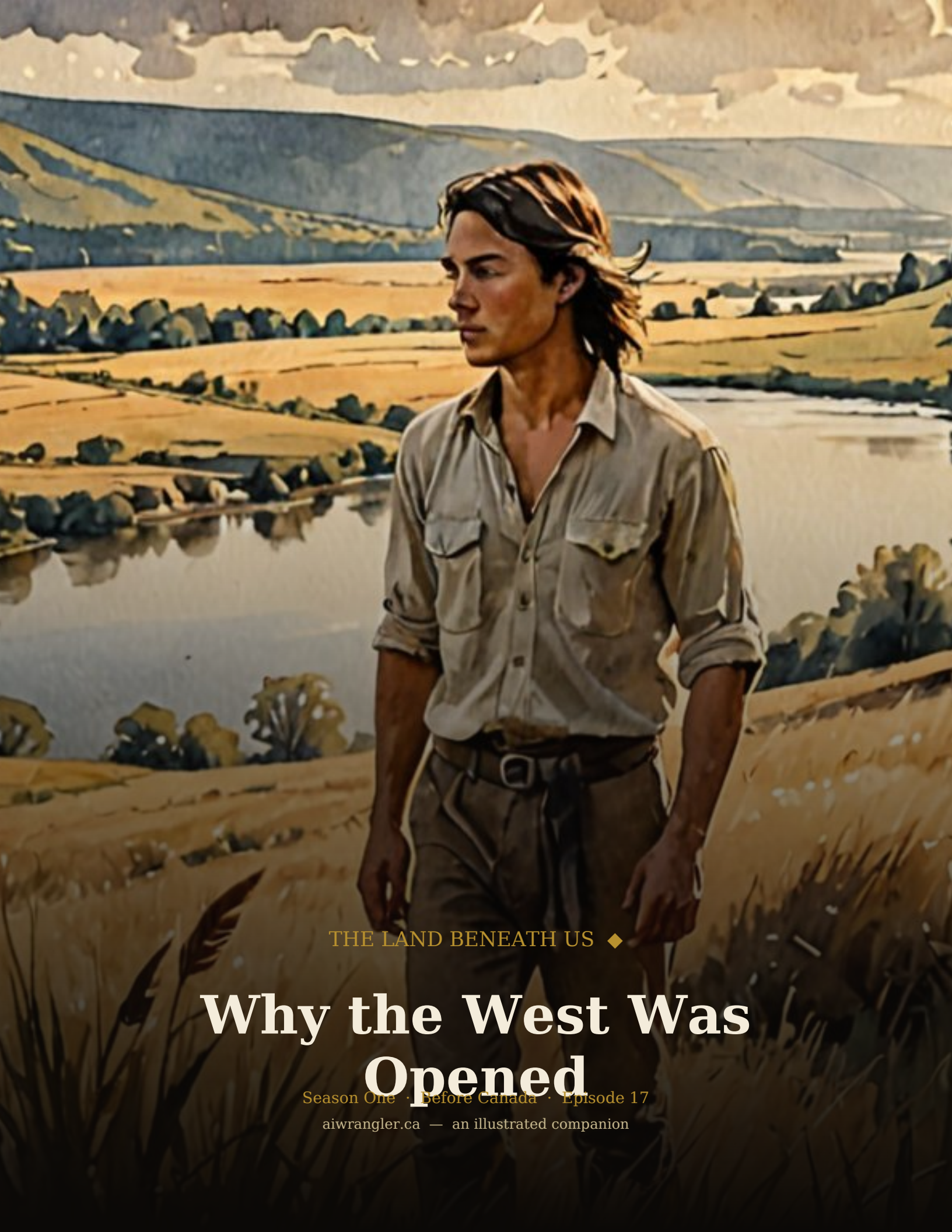




THE LAND BENEATH US ◆

Why the West Was Opened

Season One · Before Canada · Episode 17

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

I'm standing at The Forks in Winnipeg, where the Assiniboine meets the Red River, in front of the stone archway that is all that remains of Upper Fort Garry — the Hudson's Bay Company's headquarters for nearly everything west of Ontario. This is where a story began that runs under every field, every city block, every reserve, and every rail line across the Canadian West. The question I want to ask today is a simple one: who had the right to make the deal that opened all of it?

SAM CARDINAL

The Hudson's Bay Company received its charter from King Charles the Second in sixteen seventy — nearly two hundred years before Confederation. That charter granted the company what it called sole trade and commerce over all the lands whose rivers drained into Hudson Bay. That was roughly four million square kilometres — nearly half of what is now Canada. The company called it Rupert's Land, after Prince Rupert, the king's cousin and the charter's first governor. Nobody asked the Cree, the Assiniboine, the Saulteaux, the Ojibwe, the Blackfoot, or any of the nations who actually lived there.



WILLOW BORN WITH A TOOTH

So for two hundred years, the Hudson's Bay Company had a piece of paper from a king, and the nations had the land. How did we get from that arrangement to Canada?

SAM CARDINAL

Confederation happened in eighteen sixty-seven, and almost immediately the new country had an appetite. John A. Macdonald understood that Canada could not be a real nation — not in the shape he imagined — without the West. American settlers were pushing north. The great fear in Ottawa was that if Canada did not claim the prairies, someone else would. And the railway was the dream that held everything together: a line of steel from the Atlantic to the Pacific that would bind a scattered country into a single economy. But for any of that to happen, Canada needed the land between Ontario and the Rocky Mountains.



WILLOW BORN WITH A TOOTH

And the land between Ontario and the Rockies was still, on paper, Rupert's Land — property of a private trading company with offices in London.

SAM CARDINAL

In eighteen sixty-nine, Canada and the Hudson's Bay Company agreed on a price: three hundred thousand pounds sterling, plus the company keeping one twentieth of the fertile belt in scattered parcels, plus certain rights around its existing trading posts. The British Crown approved it. The deal closed in London, in offices, by men who had never set foot in most of what they were transferring. The nations whose territory this actually was — the people who had hunted, governed, and marked every river and ridge of that country for generations — were not at the table. Their names do not appear in the documents of the sale.

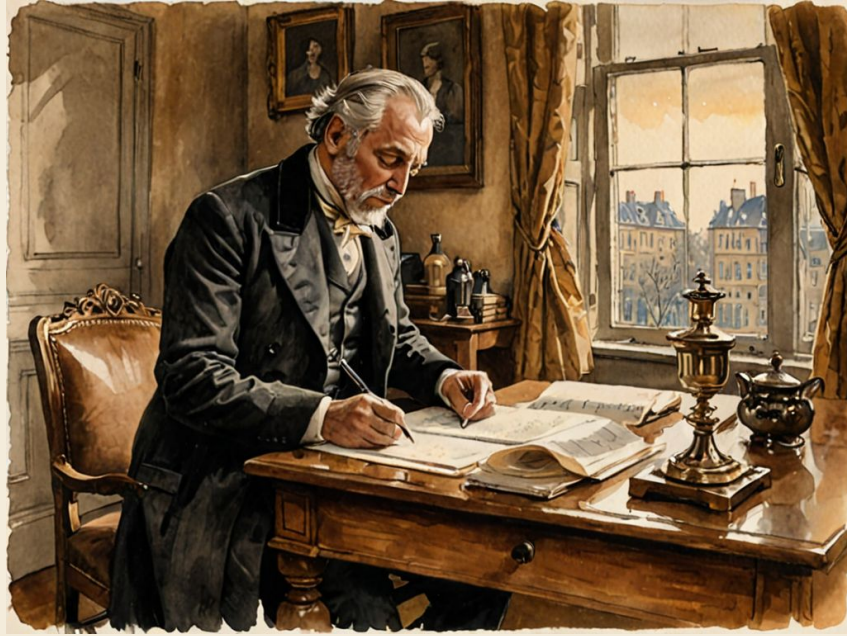


WILLOW BORN WITH A TOOTH

I want to sit with that for a moment. Canada bought the West from a company that got it from a king, and nowhere in that chain did anyone buy it from the people who were living there.

SAM CARDINAL

That fact did not go unnoticed. The Métis people of the Red River settlement understood exactly what was happening, and they acted before the transfer had even formally taken place. When Canadian surveyors arrived in the fall of eighteen sixty-nine to begin laying out townships — already moving as though the land had changed hands — Louis Riel and the Métis stood in front of the survey chain and stopped it. The resistance that followed was a signal that Ottawa could not ignore. The West was not empty. It was not a blank map waiting to be filled in. There were people there with their own councils, their own land relationships, their own idea of who had the right to speak for that ground.



WILLOW BORN WITH A TOOTH

The resistance forced Canada to actually negotiate Manitoba into Confederation in eighteen seventy rather than just absorbing it. What did that teach the government about the larger West that was still out there?

SAM CARDINAL

It taught them that you cannot simply survey and settle a country with hundreds of thousands of people in it without some kind of agreement — and not only for moral reasons, but for legal ones. The Royal Proclamation of seventeen sixty-three was still in force, and it held that Indigenous peoples had to consent to the surrender of their lands before the Crown could open them to settlement. That proclamation existed precisely because the British had learned from costly conflicts in the American colonies that rushing past Indigenous title created instability. Canada needed a mechanism to make settlement legally defensible. The numbered treaties were that mechanism.



WILLOW BORN WITH A TOOTH

So the numbered treaties — the whole series that would eventually stretch from Manitoba to the Rockies and beyond — those were Canada's answer to a legal and political problem, not simply a humanitarian gesture.

SAM CARDINAL

That is a fair and important distinction, and it matters for understanding everything that followed. The pressure was real and it was building: settlers and railway surveyors were ready to move, or already moving, into territory where no agreement existed yet. What the government devised was a system — go to each nation, negotiate a written agreement, secure what Canada considered a surrender of the broader territory in exchange for reserves, annual payments, and certain tools and support for the future, then number each treaty in sequence, move west, and repeat. It was deliberate. It was methodical. And for the nations who sat across the fire from the Crown's commissioners, it was the most consequential negotiation their people had ever faced.



WILLOW BORN WITH A TOOTH

Here is what I keep coming back to: when the Crown's commissioners sat down across that fire and the nations sat down across from them, were they actually negotiating the same agreement?

SAM CARDINAL

That gap is what the whole series lives in. The Crown's commissioners were working from an English property law concept: fee simple surrender — the outright transfer of title, permanently removing Indigenous ownership in exchange for compensation. That is how London real estate works. But for the Cree, the Saulteaux, the Assiniboine, and many others, the land was not a commodity that a people could surrender the way you surrender a claim in court. It was the basis of life, of identity, of nationhood. A treaty, in the Indigenous understanding, was an agreement about how to live alongside one another — to share the territory, to set the terms of a lasting relationship. When the elders said these agreements would hold as long as the sun shines, the grass grows, and the rivers flow, that was not ceremonial language. That was a statement that the relationship had no end date and no full stop.

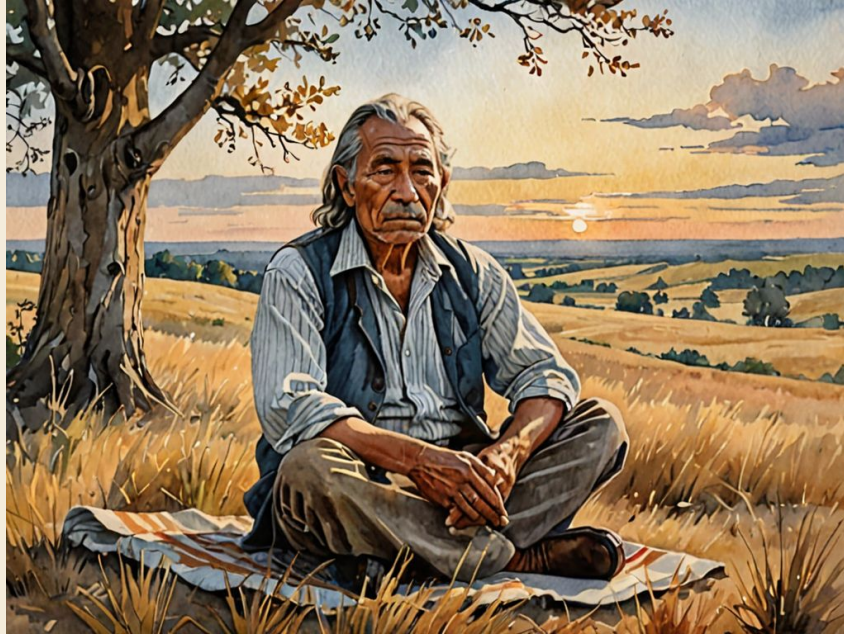


WILLOW BORN WITH A TOOTH

So Canada understood it was buying. And the nations understood they were agreeing to share.

SAM CARDINAL

In broad terms, yes — and within that broad truth, every nation and every negotiation brought its own specific understandings, its own pressures, and its own outcome. But the structural gap was present from the beginning, written into the design of the process. The printed treaty text that the commissioners carried from signing to signing was an English legal document. The spoken conversations at each fire were conducted through interpreters working across languages that did not map neatly onto each other, translating legal concepts that had no equivalent in Cree or Ojibwe and spiritual obligations that had no equivalent in English contract law. The gap between what the paper said and what the people believed they had agreed to — that gap is real, it is documented, and it is still being argued in Canadian courts today.



WILLOW BORN WITH A TOOTH

Before we follow the numbered treaties west, I want to stay here in eighteen seventy and ask what Canada actually controlled on the ground when it made this plan — because there is a difference between owning something on paper and governing it.

SAM CARDINAL

A very honest question, and the honest answer is: very little. West of the new province of Manitoba, Canada had no meaningful police presence, no courts, no administrative offices, no army that could operate effectively in the field. The North-West Mounted Police would not be created until eighteen seventy-three. The railway was still only a plan and a promise. The nations of the interior — the Plains Cree, the Blackfoot Confederacy — were organized, numerous, and still governing their territories according to their own laws. Canada, on the ground in the early eighteen seventies, was largely an ambition. The nations were the reality.



WILLOW BORN WITH A TOOTH

And yet the surveyors were already moving. Settlers were coming. Some of them were crossing land where no treaty yet existed.

SAM CARDINAL

That pressure was constant, and the nations understood it clearly. Some leaders made the calculation that negotiating now — while Canada still needed their formal agreement and had something to offer — was wiser than waiting for a moment when they might have less leverage. Some negotiators were reluctant, watching carefully for what each agreement would actually mean for their people's future. And more than a few made the pointed argument that the Hudson's Bay Company had never held the land in the first place — that the company had sold a legal fiction, that a charter from a distant king did not constitute ownership of territory that nations had governed since before Europeans arrived, and that any real agreement had to come from the people who actually held the ground. That argument was legally and morally coherent. It is still being made.

WILLOW BORN WITH A TOOTH

That is the place where the numbered treaties begin: Canada holding a paper it bought from a company, the nations holding the land, and everyone knowing that something has to be worked out.

SAM CARDINAL

The transfer of Rupert's Land created a question. The numbered treaties were Canada's answer — its attempt to move from a paper claim to an actual working relationship with the nations of the West, nation by nation, across decades. Whether each of those treaties genuinely resolved what the London transaction had assumed, or whether they deferred a reckoning that is still ongoing, is something the courts and the nations are still sorting through. The land beneath you, wherever you stand in the Canadian West, carries one of those agreements in its legal title. It was made at a specific fire, at a specific moment, with specific words spoken in at least two languages — and the words were not always the same.

WILLOW BORN WITH A TOOTH

We are going to follow that trail — treaty by treaty, nation by nation, fire by fire — across this whole series. But for now it is enough to know where it started: a company, a charter, a country that needed a West, and nations who had always been there and would not simply be absorbed into someone else's plan.

SAM CARDINAL

These were not abstractions. Behind the design of the numbered treaty system were real nations facing a turning point that would shape their children's lives and their grandchildren's lives. The people who came to those negotiations came with their own law, their own history, their own idea of what a solemn agreement meant and what it would require of both sides. Canada arrived with a plan. The nations arrived with a country. What was made between them — what was promised, what was written, what was remembered, and what gap sits between those three things — that is the story of the land beneath us. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

And I'm Willow Born With a Tooth. The nations never left, and neither did the agreements — even the promises that never made it onto the page. We'll be back for Treaty One.

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



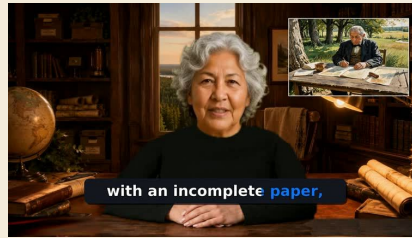
THE LAND BENEATH US ◆

The Stone Fort

Season One · Before Canada · Episode 18

aiwrangler.ca — an illustrated companion

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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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.



WILLOW BORN WITH A TOOTH

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.

WILLOW BORN WITH A TOOTH

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

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References & further reading



THE LAND BENEATH US ◆

The Hard Bargain

Season One · Before Canada · Episode 19

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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.

WILLOW BORN WITH A TOOTH

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.

WILLOW BORN WITH A TOOTH

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.

WILLOW BORN WITH A TOOTH

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.

WILLOW BORN WITH A TOOTH

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.

WILLOW BORN WITH A TOOTH

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

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References & further reading



THE LAND BENEATH US ♦
Qu'Appelle

Season One · Before Canada · Episode 20
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From the episode

WILLOW BORN WITH A TOOTH

Stand at the rim of the Qu'Appelle Valley in what is now southern Saskatchewan and look down at the river threading between those hills. In September of eighteen seventy-four, this valley was the site of something almost no one expected — the nations who gathered here stopped the treaty talks on the very first day, and they stopped them with a question that had no clean answer.

SAM CARDINAL

The Qu'Appelle Valley — the Cree name for this river means the one that calls, and the French heard it and named it Qu'Appelle — had been Cree and Saulteaux territory for generations. Canada sent commissioners here to make a treaty, to settle what the Crown called Indigenous title. But the nations at Qu'Appelle were not about to sit down and discuss what Canada wanted until someone explained something first: how could the Hudson's Bay Company have sold land the nations had never given it?



WILLOW BORN WITH A TOOTH

That is not a rhetorical question. The Saulteaux and Cree leaders laid it out in council — the Company had been trading in this territory for generations, yes, but trading on the land is not the same as owning it. So where exactly did the Company get the right to sell?

SAM CARDINAL

The three Crown commissioners who came to Qu'Appelle were Alexander Morris, David Laird, and William Christie. Christie was himself a former Hudson's Bay man, which every nation present would have known. Morris was the lead negotiator, and he believed deeply in the treaty process — his written accounts of these talks are among the most detailed records we have from any of the numbered signings. He reports that the talks opened not inside the Hudson's Bay post at Fort Qu'Appelle but outside it, in a tent the nations had set up on their own ground, because several leaders refused to negotiate anywhere near a Company building. That single detail tells you something about the temperature in the valley that September.



WILLOW BORN WITH A TOOTH

Several thousand people had gathered near the fort. They came prepared. The Saulteaux leader known to history as The Gambler was among the most direct — he wanted an accounting before any treaty discussion could begin.

SAM CARDINAL

Morris's written report describes the opening session in careful diplomatic language, but what comes through clearly is that he was not in control of that council. The Gambler and other leaders told him plainly that the Company had been paid for something it never owned, and they wanted to know whether Canada understood that the nations themselves had never been part of that transaction. Morris's position — the Crown's position — was that Canada had purchased the Company's rights and interests, not the land itself, and that the treaty they were here to make was precisely how the land question would be settled properly. The nations heard that answer. They were not satisfied.



WILLOW BORN WITH A TOOTH

The commissioners are saying: we know what the Company sold, but the real question — the land — is what we're here to negotiate right now. The nations are saying: you're asking us to negotiate on top of a transaction we never agreed to. That is not the same starting point.

SAM CARDINAL

It is not the same starting point, and this brings us to the three records we need to hold side by side — because the gap between them is the whole story of Treaty Four. The first is the written text of the treaty itself, signed on September the fifteenth, eighteen seventy-four. By its terms, the assembled nations ceded a vast territory across what is now southern Saskatchewan. It promises reserves of one square mile for each family of five. It sets the annual payment at five dollars per person, with higher amounts for chiefs and headmen. It promises farming implements, cattle, seed, ammunition, twine, and a school on each reserve. What the written text does not contain — what it is entirely silent on — is the Hudson's Bay Company. In the document, that opening confrontation simply does not exist.



WILLOW BORN WITH A TOOTH

The paper acts as if the question was never asked.

SAM CARDINAL

The paper does. Now the second record: Morris's own report to the federal government, written after the signing. In that report he does describe the dispute. He tells Ottawa that the chiefs demanded compensation for what the Company had extracted from their territory over the decades — the profits taken out through trade, the goods carried away. He reports that he responded by telling the chiefs the matter would be considered by the government. That phrase — will be considered — is doing a great deal of work in that sentence, because it is not a promise, and it is not a resolution.



WILLOW BORN WITH A TOOTH

Will be considered is a door left open. The question is whether anyone ever walked through it.

SAM CARDINAL

The Crown's own records show that no compensation for the Hudson's Bay extraction was ever paid. But the third record is what the nations carried home from Qu'Appelle, and it is different again. Oral accounts passed down within Cree and Saulteaux communities describe the agreement not as a land surrender but as a sharing — the nations understood they were agreeing to share the land with newcomers while retaining their right to live on it, to use it, to govern their own affairs within it. The HBC grievance, in that understanding, was not set aside — it was acknowledged by the Crown and left to be resolved. In the written treaty it does not appear at all. Those are two very different things, and the distance between them is not an accident of translation.



WILLOW BORN WITH A TOOTH

Three records, three different stories, one valley. The paper says surrender. The commissioner's report says the grievance was heard and would be considered. The nations' memory says we agreed to share, and the debt from the Company is still owed. All three of those records exist. None of them has gone away.

SAM CARDINAL

And this is what makes Treaty Four distinct in the numbered sequence. The nations at Qu'Appelle were not simply accepting a framework — they were challenging the premise. They were saying that the transaction Canada had built its authority upon was flawed from the beginning, and that challenge is preserved in the Crown's own documents. Morris wrote it down himself, which makes it impossible to claim it was never said.



WILLOW BORN WITH A TOOTH

After four days of negotiation, most of the assembled chiefs did sign. Not all — some Saukteaux bands withheld their signatures that September and only adhered in the years that followed. What brought those who signed to put their names to it?

SAM CARDINAL

Several things, and honesty requires holding them all. The buffalo across the southern plains were already thinning — not gone yet in eighteen seventy-four, but the direction was clear, and the nations knew it. Surveyors and settlers were already moving onto the land before any treaty had been made. The treaty offered reserves, farming support, and annual payments — a floor, however inadequate, under a future the nations could see coming whether they signed or not. Paskwa, a Saukteaux leader at the talks, is remembered as a man who sought to protect his people's future, and a signed agreement at least put obligations on the Crown's paper. The leaders who signed were not naive. They were making a hard calculation under very hard conditions.



WILLOW BORN WITH A TOOTH

And the HBC question — the grievance that stopped the talks on day one?

SAM CARDINAL

It was never resolved. The compensation the nations requested for what the Company had extracted from their territory was acknowledged in Morris's report, discussed at various points over the years, and ultimately not paid. First Nations in Treaty Four territory have raised the HBC grievance in land negotiations and legal arguments in the decades since — it is not a footnote to the history, it is a living dispute with a paper trail that runs directly back to that tent outside the Fort Qu'Appelle post in September of eighteen seventy-four.



WILLOW BORN WITH A TOOTH

That tent stays with me. The nations wouldn't negotiate inside the Company's building. They set the ground for the conversation on their own terms, even when the larger situation was not on their terms.

SAM CARDINAL

That is the dignity of the record, and it matters to hold it clearly. These were nations with their own protocols, their own understanding of what a solemn agreement between peoples required. In the Cree and Saulteaux traditions, a covenant made at a council fire was not a commercial transaction — it was a relationship meant to carry forward as long as the sun shines and the rivers run. The pipe was carried to the ground at Qu'Appelle. What was spoken there was understood to bind in ways that a printed document, translated twice and read aloud once, could not fully carry. The gap between what was spoken and what was written is not a failure of memory. It is the central fact of how Treaty Four was made, and it is why the people of this valley have spent a hundred and fifty years pointing back to that September and saying: this is not what we agreed.

WILLOW BORN WITH A TOOTH

Treaty Four territory today takes in most of southern Saskatchewan — Regina, Moose Jaw, Swift Current, the Qu'Appelle Valley itself. More than sixty First Nations hold treaty rights here. Many are in active dialogue with Canada about what the treaty actually promised and what remains outstanding. The question The Gambler asked in eighteen seventy-four — how could you sell what you did not own — has never received a full answer. It is still on the table.

SAM CARDINAL

The land beneath us holds all of it — what was written, what was spoken at that council fire, and what was promised and never came. The treaties are not historical records sealed behind glass. They are ongoing agreements between nations, and understanding them honestly means reading all three records, not just the one on the page. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

And I'm Willow Born With a Tooth. If you are in Saskatchewan today, you are almost certainly standing in Treaty Four territory. Look up whose land you're on — it takes about thirty seconds. And the next time someone tells you the West was settled fair and square, ask them which record they are reading from. There are three. They do not agree.

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



THE LAND BENEATH US ◆

The Waterways

Season One · Before Canada · Episode 21

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

I'm standing at the south end of Lake Winnipeg — where the town of Gimli sits today, looking north across more than four hundred kilometres of open freshwater. Before Gimli, before any of this, there was just this lake. One of the largest in North America. And for thousands of years, the highway itself.

SAM CARDINAL

The nations of this lake — Swampy Cree, Ojibwe, the communities at places like Berens River, Norway House, Grand Rapids — they didn't live beside the water. They lived on it. Canoe routes running north and south, fish through the winter, trade the whole length of the lake. The lake was not background to their lives. It was the economy.



WILLOW BORN WITH A TOOTH

And by eighteen seventy-five, Canada had noticed. Because the lake that was a highway for the people was about to become a highway for a new country.

SAM CARDINAL

The steamboat had arrived on Lake Winnipeg. Not a fleet yet, but enough — vessels were already working the northern routes, and Canada understood what this water could be: the corridor connecting the Red River settlements to Norway House, to the trade routes beyond, to the whole interior north. The Crown was moving through the West, and this water had to be secured.



WILLOW BORN WITH A TOOTH

So commissioners came to the lake in the summer and fall of eighteen seventy-five — to Norway House, to Berens River, to Grand Rapids — to make a treaty. Treaty Five. And the written terms looked familiar at first glance.

SAM CARDINAL

Canada had been working through the numbered treaties for four years by then. Cash at signing, an annuity of five dollars per person per year, and reserves. But here is where Treaty Five departed from the treaties to the south, and the departure was written right into the document: reserves under Treaty Five were set at one hundred and sixty acres per family of five.



WILLOW BORN WITH A TOOTH

One hundred and sixty acres. Treaty Three, to the south — one square mile per family of five. Six hundred and forty acres. Treaty Four, the same. So why a quarter of that here?

SAM CARDINAL

The Crown's commissioners had an answer, and it was written into their reports. This was not prime agricultural land, they said. The people were not going to break the prairie and grow wheat. They were fishing people, living on the water. The reserve did not need to be large because the lake would provide. That logic was tidy. It was also a door that was not yet visible as a door.



WILLOW BORN WITH A TOOTH

Because if the Crown knew these were fishing people — and the commissioners' own reports make clear they did — then the question is what the treaty said about the fishery. And that is where the three records begin to pull apart.

SAM CARDINAL

The written treaty is silent on the fishery in any specific protective sense. The language that is there follows the standard form: the people retained "the right to pursue their avocations of hunting and fishing throughout the tract surrendered." That phrase is present. But the fishery as a governed resource, as a named and protected livelihood — Treaty Five does not carve that out. The Crown took back the right to open the land for settlement and other purposes. The fish of Lake Winnipeg are not mentioned by name.



WILLOW BORN WITH A TOOTH

Now — what did the commissioners report was said at the councils? Because Lieutenant-Governor Alexander Morris left a written record of these negotiations.

SAM CARDINAL

The commissioners recorded that the chiefs at Norway House and Berens River were careful and measured at the council fire. Chief Ramsay at Norway House pressed directly on what the treaty would mean for the water — for his people's way of life on the lake. The commissioners gave assurances: their fishing would not be interfered with. That was understood. Those words appear in the commissioners' notes. They do not appear in the treaty text.



WILLOW BORN WITH A TOOTH

And the third record — what the people carried forward from those councils in their own memory?

SAM CARDINAL

What the elders of Berens River, Norway House, Grand Rapids held was that the treaty was a sharing arrangement, not a surrender of the water. You might share the land on shore. Settlers might come. But the lake — the fishing grounds, the routes, the livelihood — those were not given away. The assurances spoken at the fire were that the fishery would be protected. That understanding was real. It was simply not written down. And so you have three accounts of the same agreement, and they do not match.



WILLOW BORN WITH A TOOTH

The written treaty: hunting and fishing rights acknowledged in general language, reserves set at one hundred and sixty acres per family. The commissioners' notes: oral assurances given that the fishery would not be disturbed. The nations' memory: the lake itself was never surrendered.

SAM CARDINAL

For a generation, that gap stayed quiet. The communities fished as they always had. The lake was still theirs in practice. But Canada's relationship to the fishery was changing beneath the surface.



WILLOW BORN WITH A TOOTH

By the eighteen eighties and nineties, the commercial fishery on Lake Winnipeg was becoming serious business. Companies arrived. Licences were issued. The lake that the treaty had not specifically protected was being managed as a Canadian resource — and the communities along it were not at the centre of that management.

SAM CARDINAL

I want to hold the full picture here, because the story deserves it. The commissioners in eighteen seventy-five were not constructing a deliberate trap. They genuinely believed a smaller reserve made sense for fishing people who would continue living on the water. Canada in eighteen seventy-five was not imagining a commercial lake fishery a generation ahead. The treaty was unequal and it was shortsighted — but it was made by people who did not see the future they were making. That doesn't undo the consequences. It keeps us honest about what we're actually looking at.



WILLOW BORN WITH A TOOTH

And the consequences have been long. The First Nations of Treaty Five — Norway House Cree Nation, Berens River First Nation, Pinaymootang, and others — are still working through what that treaty actually promised. Still pursuing specific claims about the reserve sizes. Still asserting rights to the fishery on the lake that was never named as surrendered.

SAM CARDINAL

The lake is still here. More than four hundred kilometres of it, still the largest water body in Manitoba, still the route it always was. The nations of Treaty Five are still here as well — on those small reserves, on the water, in the courts and at negotiating tables where the work of making the treaty mean what was actually agreed continues. The gap between the paper and the promise is not a closed chapter. It is an open file. That is the honest shape of this story. I'm Sam Cardinal.

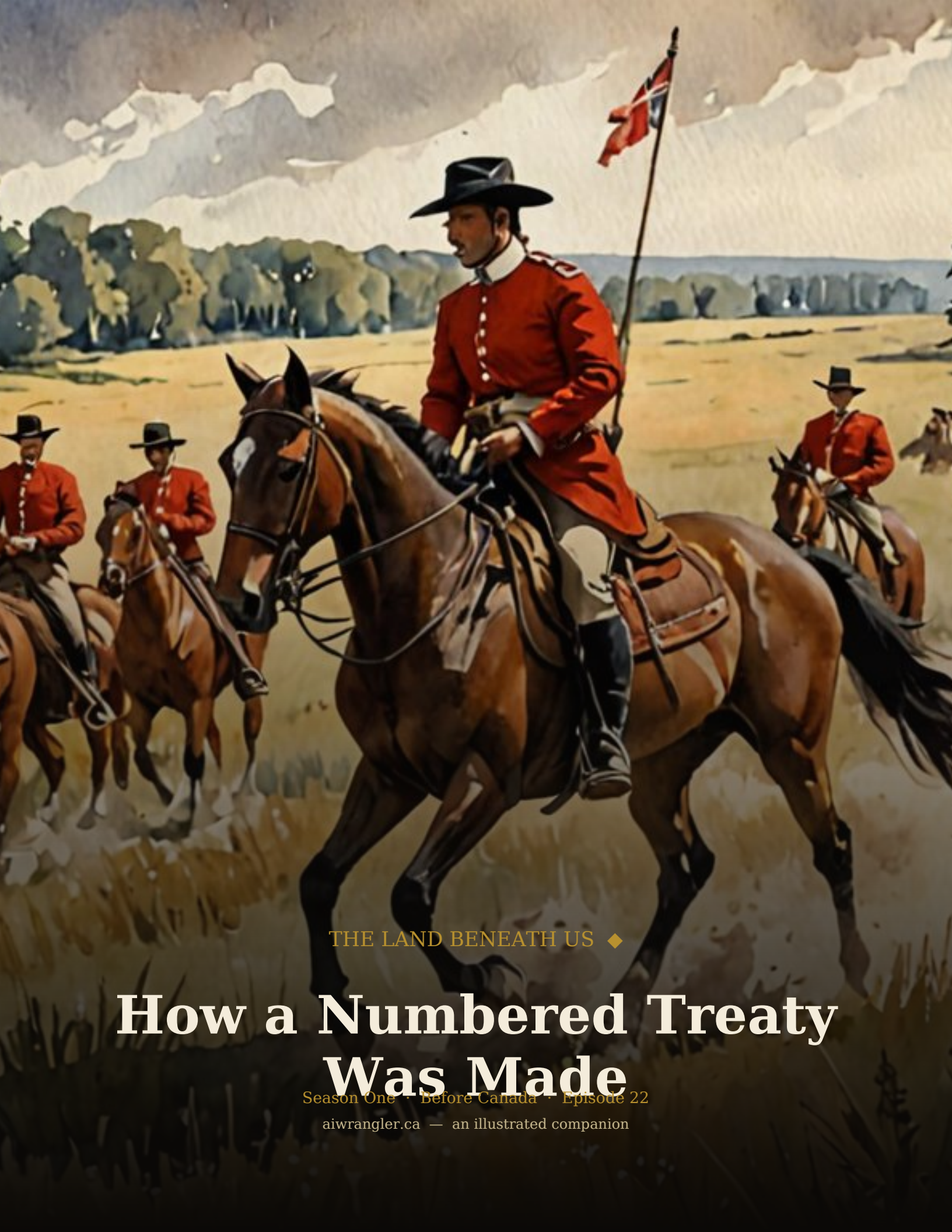
WILLOW BORN WITH A TOOTH

I'm Willow Born With a Tooth. The next time you look at a map of Lake Winnipeg — really look at it — find the reserve lands along that shore, and notice how small they are against the water. That proportion is Treaty Five. Made in eighteen seventy-five to secure a corridor for Canada. The conversation about what it actually meant is still being had on the same lake.

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



THE LAND BENEATH US ♦

How a Numbered Treaty Was Made

Season One · Before Canada · Episode 22

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

I'm at Library and Archives Canada in Ottawa, and on the table in front of me is a photocopy of one of the printed treaty forms from the eighteen seventies — and the first thing that stops me is that it is not handwritten. It's pre-printed, with blanks left for the names and the numbers. Somebody made a template and carried it West.

SAM CARDINAL

That template is where I want us to start today, because the form tells you something important before a single word was spoken at any council fire. Canada had decided, well before its commissioners ever sat down across from any nation's leadership, what a numbered treaty would look like. The structure, the legal clauses, the surrender language — all of it was already set. What changed from treaty to treaty was what went into the blanks. And that order of operations — form first, negotiation second — shaped everything that followed.



SAM CARDINAL

The man who carried that form across the West more than any other was Alexander Morris, the Lieutenant-Governor of Manitoba and the North-West Territories. He was a Canadian lawyer and politician, and he believed sincerely that he was doing honorable work for both Canada and the nations he sat across from. He presided over treaty signings from Treaty Three through Treaty Six, from eighteen seventy-three to eighteen seventy-six. When it was done, he wrote a book: "The Treaties of Canada with the Indians," published in eighteen eighty. That book is one of our most valuable windows into what was actually said at the councils, because Morris included the speeches and the exchanges — the back-and-forth. He recorded things that never made it onto the printed page.

WILLOW BORN WITH A TOOTH

And the gap between what his book records and what the document says — that is exactly where we're going today. But first: what did these signings actually look like?



SAM CARDINAL

They looked like pageants. I mean that literally — they were staged performances of Crown authority, carefully designed to impress. Morris and his fellow commissioners arrived with men in red coats, with flags flying, sometimes with cannon salutes. There was a formality to the arrival, a visual declaration of the reach and power of the Crown. And before the formal business began, gifts were distributed — and among the most significant were silver medals bearing the image of Queen Victoria, presented personally to the chiefs.

WILLOW BORN WITH A TOOTH

Those medals are sitting in museum display cases right now. Heavy, stamped silver, the Queen's image on one face. What were they meant to say?



SAM CARDINAL

To the Crown, they said: you are a loyal subject of Her Majesty, and this is the mark of that loyalty. It was a tradition centuries old in British dealings with Indigenous leaders — the medal as a symbol of the bond between the Crown and its Indigenous allies. But hold that word: allies. Because to many of the chiefs who received those medals, that is precisely what they signified. Not subjection. Alliance. A bond between nations, sealed in silver, to be worn and shown and passed down as proof that the Crown had made its promises and acknowledged this relationship.

SAM CARDINAL

The leaders who accepted those medals were often men who had been pressing the Crown for years to come to the table. They accepted them not as concessions but as confirmations that the relationship they had sought was now recognized. The medal was the Crown saying: we see you, we acknowledge you, we have entered into a covenant with you. That is a very different thing from: you are now under our authority. And that difference is not a small one.



WILLOW BORN WITH A TOOTH

Same object, two completely different understandings held in it at once. And alongside the medals and the red coats, the nations brought their own form of covenant-making to the council fire.

SAM CARDINAL

They did, and the commissioners sat inside it. Before negotiations began, the pipe was brought — and in Cree and Saulteaux and other Plains traditions, the pipe at a council is not decoration. It is a covenant act. To smoke together is to invoke the Creator as witness and to bind your words to truth. Morris's own account records him receiving the pipe with respect — he understood he was inside a sacred protocol, even if he did not share the same theology. And this is the part I want you to hold: once that pipe was lit and passed and the ceremony was complete, every word spoken in that council existed inside a sacred frame. A promise made after the pipe was a sacred promise. The nations present understood the entire negotiation that followed as a covenant made before the Creator, not as a business transaction made before a notary.



WILLOW BORN WITH A TOOTH

And then they unfolded the printed form.

SAM CARDINAL

Then they unfolded the printed form. And standing between those two worlds — the sacred oral covenant on one side, the pre-printed legal instrument on the other — were the interpreters. Most of them were Métis men who had grown up between two languages and two ways of understanding the world, and their job was to carry every word across a gap that was not just linguistic but philosophical. The structural problem was this: the most important legal phrase in the Crown's text required the nations to, in the document's own words, "cede, release, surrender, and yield up" all rights and title to the land. That is a precise legal cluster describing the permanent alienation of land. And that concept — the permanent alienation of title — had no ready equivalent in Cree or in Saulteaux.



WILLOW BORN WITH A TOOTH

So what came out the other side, in Cree, at the council fire?

SAM CARDINAL

The oral records of the nations, and the later testimony of elders, and in some cases the accounts left by interpreters themselves, suggest that what was conveyed was something closer to: we are agreeing to share this land, to allow settlers to use the surface of it, while the nations retain their right to hunt and fish and live as they always have. That is not the same agreement as surrendering legal title. It is a fundamentally different understanding of what was being agreed to — a layering of uses, a shared relationship with the land, not an extinguishment of the original one. Both things were said in the same tent, in the same moment, and both sides believed they had heard an agreement. The gap between them was not visible to either party at the time.



WILLOW BORN WITH A TOOTH

What do Morris's own reports to Ottawa tell us about what he was promising at those councils?

SAM CARDINAL

They tell us he was making commitments that went well beyond what the printed form contained. He told the assembled nations, in recorded speech after recorded speech, that the Crown would help them learn to farm, that teachers would come to the reserves for their children, that in times of hardship and want the government would come to their aid and they would not be left to suffer. He said these things under the pipe, before witnesses, in a sacred council. They were heard and they were remembered. And then the standardized form was signed, and not all of those promises appeared in it.



SAM CARDINAL

What Morris spoke at the councils became what historians now call the "outside promises" — commitments made at the council fire that do not appear in the written treaty. Some were eventually added as separate agreements or adhesions when the nations pushed back. Many were not. And so we are left with three distinct records of what was agreed at any given signing: the printed text, which the courts treated as authoritative for most of a century; Morris's own reports to Ottawa, which show him making commitments the text does not contain; and the oral memory of the nations, which recorded what was said and heard as covenant. Three records. They do not agree.

WILLOW BORN WITH A TOOTH

When the signing was done and the commissioners rolled up the document and headed for the next council — how did the nations carry what had been said aloud?



SAM CARDINAL

Deliberately. The elders carried the memory of the council the way any important record is kept — carefully, intentionally, passed from one generation to the next. Who was there. What was promised. What the chief said when he pressed Morris on a particular point. What Morris answered. This was not informal recollection — it was a form of record-keeping, because the people who were there understood that someday they would need to say: this is what we agreed to, and this is not what we have received. The Crown's record went into a file in Ottawa. The nations' record lived in living memory. And for most of the period that followed, only the file was treated as evidence of anything real.

WILLOW BORN WITH A TOOTH

Was there anyone standing at that table who understood both sides of the gap they were crossing?

SAM CARDINAL

Peter Erasmus interpreted at Treaty Six, at Fort Carlton in eighteen seventy-six, and decades later he left an account that was eventually published as a memoir in the nineteen seventies. In it, you can feel the weight of what he carried in that council tent. He knew what the Cree chiefs understood they were agreeing to, and he knew what the printed form said, and he knew the distance between them. And there was no mechanism — no procedure, no protocol, no instruction from anyone — that would have allowed him to stop the proceedings and say: these two parties are not agreeing to the same thing. Nothing like that existed. He translated what was said, and the form was signed, and it was folded up and carried to the next council, where the whole process began again from the same template.

WILLOW BORN WITH A TOOTH

The same template. The same gap sealed into it. Every signing.

SAM CARDINAL

Every signing. And that is what I want us to sit with: the gap between what was said and what was written was not an accident in any one negotiation. It was structural. The form was pre-printed before anyone reached any council fire. The legal language of surrender was in the document before the pipe was ever lit. The interpreters were working inside a process that had not accounted for the distance between what it required and what could actually be conveyed across two languages and two entirely different understandings of what it means to have a relationship with land. When you look at the treaty cases being argued in Canadian courts today — nations presenting their oral histories and the testimony of elders as evidence of what was promised — you are looking at the direct consequence of that structural gap. It did not close when the signings ended. It opened wider.

WILLOW BORN WITH A TOOTH

The nations who brought the pipe to those councils understood they were entering a living relationship — a covenant meant to hold as long as the land does. They signed because the spoken promises were real to them.

SAM CARDINAL

They were stepping into an uncertain future, doing what any responsible leadership does — trying to secure their people's survival through the best agreement available to them in that moment, made in the most sacred frame their tradition had. What they got was a pre-printed form, and a spoken promise that outlasted the paper it was never written on, and a gap that has shaped the relationship between those nations and the Crown ever since. Understanding that the machinery itself produced the gap — not bad faith in any single moment, but the structure of the process — is where the real reckoning has to begin. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

The medals are still in glass cases in museums. The printed forms are in the archives in Ottawa. And the oral memory — the third record, the one the courts are only now beginning to hear — is still being carried, still being spoken, still being taken into courtrooms across this country. The land beneath us was put in place by a process, and that process had a gap built into its center. Knowing where that gap came from is the first step toward honoring what was actually agreed. I'm Willow Born With A Tooth. We'll see you next time on 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



THE LAND BENEATH US ◆

A Cow and a Plough

Season One · Before Canada · Episode 23

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

I'm standing in the parkland belt of what is now central Saskatchewan, in Treaty Six territory — the wide stretch of aspen and grassland where, in eighteen seventy-six, Cree and Assiniboine leaders sat down with the Crown and tried to build a bridge across the end of an era. What they were really negotiating, when you read it carefully, was a cow and a plough.

SAM CARDINAL

That phrase gets used dismissively sometimes, as if the nations were being offered kitchen scraps. But it is worth slowing down and reading what Treaty Six actually promised, because the list is careful and specific. Every family actually farming would receive two hoes, one spade, one scythe, reaping hooks. Each chief's band would receive four oxen, one bull, and six cows — and one additional cow for each farming family. There was a hand mill, a whip saw, a grindstone, a chest of carpenter's tools. And woven through all of it was something no earlier numbered treaty contained: a famine clause. In times of pestilence or general famine, Her Majesty would lend a helping hand.



WILLOW BORN WITH A TOOTH

That famine clause stands out. Who put it there?

SAM CARDINAL

The Cree negotiators pushed for it — and behind that push was an anxiety that two men named Ahtahkakoop and Mistawasis had been watching build for years. The buffalo were thinning. Everyone at that council fire knew it. But a leader named Mistahimaskwa — Big Bear — looked at the famine clause and at the whole treaty and said: these words are not enough. He refused to sign in eighteen seventy-six. He held out for six years, trying to get a better guarantee for his people's survival. By the time he signed, in eighteen eighty-two, the buffalo were gone. He signed not because he had been persuaded but because there was nothing left to wait for.



WILLOW BORN WITH A TOOTH

So even within Treaty Six you had leaders who signed and leaders who didn't — and both of them were reading the same future.

SAM CARDINAL

They were. The ones who signed believed they were locking the Crown into a genuine partnership — not just a list of implements but a commitment: as long as we are making this transition, you stand with us. What the people carried forward in memory from those negotiations was broader than any printed clause. The written treaty promised a school on each reserve whenever the band desired it. What was understood at the council fire, from the spoken exchange, was something more like: we will help you become what this new world requires, and we will not leave you to do it alone.



WILLOW BORN WITH A TOOTH

And what did the Crown's commissioners say they were promising?

SAM CARDINAL

Alexander Morris, who led many of these negotiations, reported to Ottawa that the agreements were generous and that the nations had been given fair terms. He wrote that the chiefs had been assured the government would not stand by and watch them starve. That was not a lie, exactly. But there is a long distance between "we will not let you starve," spoken at a riverside council fire, and what that phrase looks like when it becomes a budget line in an Ottawa office.



WILLOW BORN WITH A TOOTH

Three records, and the distance between them. The written list of cattle and tools. The commissioners' reports of spoken reassurance. And what the nations understood they were securing — something closer to a guaranteed partnership across a whole generation of change.

SAM CARDINAL

And when you lay them side by side, the gap shows you where the trouble was going to come. Because the written text controlled the money. A government official in Ottawa could point to the printed clauses and say: we delivered the tools. He could not be held to a spoken promise at a council fire on the North Saskatchewan River a decade earlier.



WILLOW BORN WITH A TOOTH

The delivery record is where this becomes hard to sit with. What actually arrived on the reserves?

SAM CARDINAL

The Indian Department's own files tell it plainly. Requests went in from farming instructors on the reserves — and some of those men were genuinely trying — and the replies from Ottawa were delays, substitutions, reductions. The money appropriated never matched the promises made. And here is the part that gets lost: the nations were farming. Ahtahkakoop's band on Sandy Lake, Mistawasis's people near what is now Shellbrook — they broke ground. They planted. Some of them were achieving real success by the middle of the eighteen-eighties.



WILLOW BORN WITH A TOOTH

So the farming worked. Then what stopped it?

SAM CARDINAL

A policy decision that is one of the more painful things to examine in this history. A man named Hayter Reed, who became Indian Commissioner for the Northwest, concluded in the early eighteen-nineties that if Indigenous farmers moved to mechanized farming and large-scale grain sales, they would compete with settler farmers on the open market. And so he designed what came to be known as the "peasant farming policy." Reserves were restricted to hand implements. Bands could not acquire threshers or binders. They could not sell grain off reserve without a permit from an Indian agent. The tools the treaties had promised to build a future were replaced by rules specifically designed to limit what that future could become.



WILLOW BORN WITH A TOOTH

I want to be careful here. The treaty promised tools to farm. The farming began to work. And then a policy arrived — not a renegotiation, not a new treaty — just an administrative decision — to make sure it couldn't work too well.

SAM CARDINAL

That is exactly right. No one renegotiated with the nations. The Indian Act had already closed off most avenues of legal challenge. And the men who had made the spoken promises at the treaty fires were long gone. The commissioners had ridden away; the Indian agents had arrived. Between those two moments, a great deal of what the nations had understood themselves to be securing simply disappeared into administrative practice, without any record of a change.



WILLOW BORN WITH A TOOTH

Chief Poundmaker was at the Treaty Six negotiations as a young man, and he spent the following decade trying to hold the Crown to what had been promised. His name appears again and again in the Indian Department's own files.

SAM CARDINAL

It does. He watched his people going hungry while the farming program ground along without adequate cattle, without enough tools, without the sustained support that had been pledged. His experience of those years is not a matter of oral tradition alone — it is documented in agent reports, in letters, in the record of a man pushing season after season for his reserve to receive what the treaty said it should. The gap between his requests and what arrived is measurable in those files.



WILLOW BORN WITH A TOOTH

The school promise runs alongside all of this. What did that look like in practice?

SAM CARDINAL

The treaty said the Crown would maintain a school on each reserve whenever the band desired it. In many places the school did not come, or came years late, or came without a qualified teacher, or came without any funding to sustain it. And by the eighteen-eighties, government policy had begun moving toward residential schools — institutions off the reserve, where children were taken away from their families and their languages. That is not what the treaty promised. The treaty promised a school on the reserve. What came instead was something no one at those negotiations had discussed or agreed to.

WILLOW BORN WITH A TOOTH

The ammunition and twine. I don't want to skip past those — they feel important.

SAM CARDINAL

They are. The treaties promised two hundred and fifty dollars' worth of ammunition and twine each year, for each treaty band. The reasoning was straightforward: while the farming was being established, while the seed was going in and the cattle were arriving, families still needed to hunt and fish to feed themselves through the winters. That ammunition allocation was not a gesture. In the years of the buffalo collapse, it was the difference between eating and not eating. And those allocations were cut, delayed, and disputed — in precisely the years when the hunting economy was failing and the farming economy had not yet taken hold. The people were caught in the gap between two worlds, and both sides of the promised bridge were not holding.

WILLOW BORN WITH A TOOTH

What strikes me is how precisely the nations had thought this through. The famine clause. The ammunition for the transition years. The school on the reserve, not somewhere else. These weren't people being naive about what they were agreeing to.

SAM CARDINAL

They had been trading and negotiating with Europeans for two hundred years. They knew how to build an agreement. What they could not fully account for was the velocity of what came next — the settlers, the permit system, the Indian Act steadily narrowing what the treaties could be held to mean — and the fact that the men who made the promises at the council fires were not the men who would be sent to administer them. The relationship the nations believed they had created had a different character than the transaction Ottawa believed it had completed. And the distance between those two understandings is what the farming families on those reserves lived inside, year after year, sending requests for ploughs and breeding stock and seed grain — requests that are still sitting in Library and Archives Canada, if you know where to look. The people asked, and they asked again, and the gap between the asking and the receiving is the whole story of what these promises meant in practice. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

Those requests are still there. The letters are still there — written in Cree syllabics, translated or not translated, filed or not filed forward to Ottawa. And the treaties are still in force. When you stand on a reserve in Treaty Six territory today, and talk to an elder who can tell you exactly what her great-great-grandfather was promised and what he received, you are not standing in history. You are standing in a conversation that has never been closed. This is 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



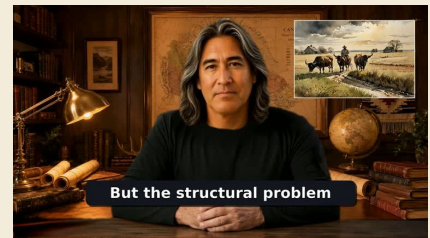
THE LAND BENEATH US ♦

What the West Was Promised

Season One · Before Canada · Episode 24

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

There is a cheque that still goes out every year to some families in Manitoba — five dollars per person, as agreed. Not adjusted for inflation. Not renegotiated in a hundred and fifty years. Five dollars. That is what Treaties One through Five promised, and five dollars is what their descendants receive today.

SAM CARDINAL

That number is a kind of compressed history. It is not just what was offered — it is what was never revisited, never honoured in the fuller spirit of what was spoken at those fires. And when you lay all five of the first numbered treaties side by side, from Treaty One in eighteen seventy-one to Treaty Five in eighteen seventy-five, that gap between what was spoken and what endured — that is the real story this first wave leaves us.



WILLOW BORN WITH A TOOTH

We have followed each of those treaties separately this season. Tonight we are stepping back and looking at the whole map at once. What did these five treaties, taken together, actually do? And what did they open?

SAM CARDINAL

Together, Treaties One through Five covered a vast corridor — the Red River country, the Qu'Appelle valley, the lake routes north, the eastern edge of what would become Saskatchewan. Five separate agreements with many different nations: Ojibwe, Cree, Saulteaux, Swampy Cree. Each negotiated in its own place, with its own character. But all five sharing the same basic structure, and the same basic problem.



WILLOW BORN WITH A TOOTH

What was the structure?

SAM CARDINAL

The written treaties offered reserves — one square mile per family of five — an annual payment per person, some farming implements, and the right to continue hunting and fishing on unoccupied Crown land. In exchange, the nations agreed, in the written text, to cede their claim to the land. That is what the paper said. Clear, finite, transactional.



WILLOW BORN WITH A TOOTH

And what did the Crown's commissioners believe they had accomplished?

SAM CARDINAL

The commissioners reported back to Ottawa that they had extinguished Aboriginal title clearly, permanently, and inexpensively. They believed they had purchased land — purchased it outright — and opened the corridor for settlement and the railway. That is what Ottawa read, and that is what Ottawa celebrated. The title was clear. The West was open.



WILLOW BORN WITH A TOOTH

But the nations carried a different account of what had been agreed.

SAM CARDINAL

They did. The elders held memories of promises spoken aloud at those fires — commitments that never appeared in the written text. Detailed assurances about farming help that would actually arrive. Guarantees that hunting and fishing rights would remain secure even as settlers came in. And above all, an understanding that what was being created was a shared relationship — not the end of a transaction, but the beginning of an ongoing one, meant to last as long as the sun shines and the rivers flow. The gap between those two understandings did not close after the signing. It widened, year by year, as the settlers arrived and the bison vanished from the plains.



WILLOW BORN WITH A TOOTH

So we have three records for each of these treaties — the written page, the commissioners' reports, and the oral memory — and they do not match.

SAM CARDINAL

They do not match in ways that matter enormously, and they do not fail to match by accident. The written text is silent on many of the specific promises. The commissioners' reports emphasize clarity and finality — their job was to assure Ottawa the title was clean. And the oral record, carried by the elders and eventually documented by researchers working alongside the nations themselves, describes commitments that were central to why the nations agreed at all. When two very different understandings of what a treaty is — a living relationship on one side, a legal conveyance on the other — sit across a fire from each other and produce the same signature, you do not get one agreement. You get two, bound in the same document.



WILLOW BORN WITH A TOOTH

The nations understood a treaty as a relationship. The Crown understood it as a transaction. And both sides read their version into the same ink.

SAM CARDINAL

That is it exactly. And once the ink dried, the two versions moved in opposite directions. Canada read finality. The nations read continuity. And every dispute over treaty rights that has come before a court or a negotiating table in the century and a half since has been, at some level, an argument about which reading was the right one.



WILLOW BORN WITH A TOOTH

What did those years after the signings look like on the ground?

SAM CARDINAL

The reserves were surveyed — often smaller than the nations believed had been agreed, sometimes placed in locations not of their choosing. The farming implements were slow to arrive, and when they did arrive, they were often insufficient for the scale of agriculture the people were being asked to adopt almost overnight, without the generations of practice that farming requires. The annuities came, but the five dollars per person never grew. The right to hunt and fish on unoccupied Crown land stayed on paper, but the word "unoccupied" changed its meaning with every new homestead. What the nations had understood as a shared future began to look, on the ground, like a managed dispossession — and a slow one, which in some ways made it harder to point to and harder to resist.

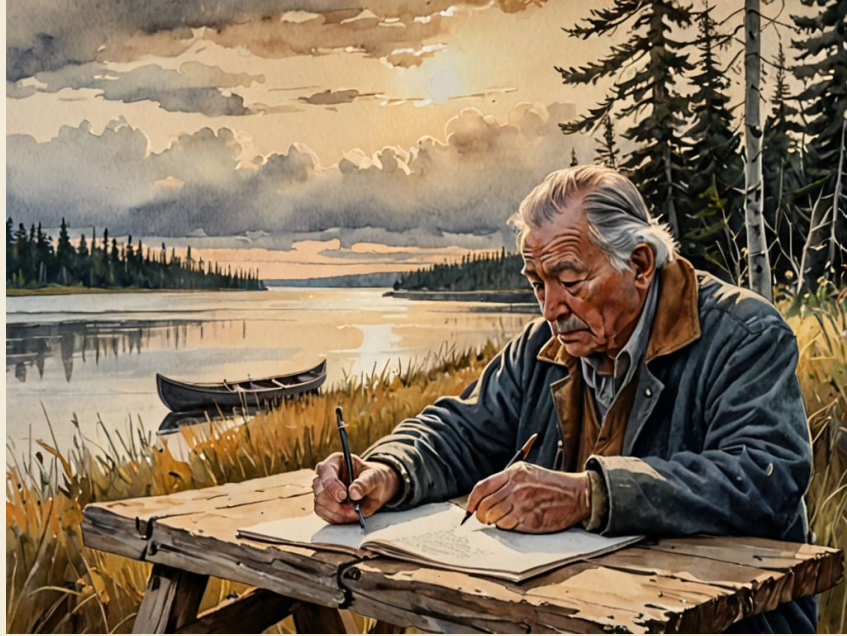


WILLOW BORN WITH A TOOTH

And yet — these treaties are still in force today.

SAM CARDINAL

That matters enormously, and it is worth saying clearly. The reserves established under Treaties One through Five still exist as recognized land. The annuities are still paid. The rights to hunt and fish on unoccupied Crown land are still protected — and the courts, over many decades of litigation, have interpreted those rights more broadly than the Crown originally intended. The nations have used the written treaty, alongside their own oral record, to hold Canada to account. These are not museum pieces. They are living legal agreements, and their terms are still being worked out — in negotiation, in court, and in the ongoing relationship between Canada and the nations who signed.



WILLOW BORN WITH A TOOTH

Which brings us to the door this first wave opened. Because Treaties One through Five were not the end of the numbered treaty process. They were the beginning.

SAM CARDINAL

They were the template. Imperfect, contested, but the template. By eighteen seventy-five, the method was established: a Crown commission would travel to the nations, a negotiation would be held at the fire, a printed treaty text would be presented, and Canada would consider the land available for settlement. That method was then carried west and north — to Treaty Six in eighteen seventy-six on the North Saskatchewan River, to Treaty Seven in eighteen seventy-seven with the Blackfoot Confederacy and their allies, and on through Treaties Eight, Nine, Ten, and Eleven, Treaty Eleven signed in nineteen twenty-one, reaching all the way to the Mackenzie Valley. The first five numbered treaties were the proof of concept for the rest of the West.

WILLOW BORN WITH A TOOTH

A proof of concept that carried its problems with it.

SAM CARDINAL

Every one of them. The oral-versus-written gap that first appeared at the stone fort on the Red River in eighteen seventy-one would appear again at Fort Carlton, at Blackfoot Crossing, at every fire where a later treaty was made. The nations who came to those subsequent negotiations had often heard, from the ones who had signed before, what to expect — and what to watch for. Some pushed harder. Some won more favourable terms. But the structural problem — two understandings of what a treaty is, pressed into one document — traveled with the commissioners wherever they went.

WILLOW BORN WITH A TOOTH

So when we look at a reserve today, or read a court ruling about treaty rights, or hear of a land claim — we are looking at a conversation that started at those first fires in eighteen seventy-one and has never really stopped.

SAM CARDINAL

The land beneath us in this part of the country is treaty land — not as a slogan, but as a legal and historical fact, with specific terms, specific promises, and specific obligations that still bind both sides. What this first wave of numbered treaties did was put those obligations into writing — imperfectly, incompletely, but into writing. And the nations have used that writing, alongside the memory the elders carried forward, to hold Canada to account ever since. The account is not closed. The promises are not settled. The relationship the nations understood themselves to be entering is still, in the deepest sense, waiting to be honoured. I'm Sam Cardinal.

WILLOW BORN WITH A TOOTH

The treaties made between eighteen seventy-one and eighteen seventy-five are why the map of western Canada looks the way it does today — where reserves sit, where cities were built, where the railway ran. They are also why First Nations people are at the negotiating table and in the courts right now, making the argument for what was actually promised at those fires. The elders kept the memory. Their grandchildren are still carrying it forward. The account is open. And so is the West.

Sources & Notes

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References & further reading