

first facts #1: What are Treaty annuities?

► Treaty annuities payable to every man, woman and child first began in 1818 with a \$10 annuity for members in Mississauga bands, but it was payable only until their deaths.

The British Crown introduced annuities as a way to reduce the upfront costs of acquiring First Nations lands by shifting payments into the future. The No. 20 Treaty signed in 1818 between the Crown and the Mississauga bands in south-central Ontario was the first to contain annuities payable to individuals. The annual payment of \$10 for “every man, woman and child” was only for band members alive at the time of signing. When they died, the annuity ceased entirely.

► The Treaty annuities for the Anishinaabe bands that signed the Robinson Treaties in 1850 were to be paid to band members annually and forever, with the annuities to increase over time.

The Anishinaabe chiefs of bands north of central Ontario and north of the Huron and Superior lakes, knew their lands contained valued minerals. To ensure that their people could continue to sustain themselves, the leaders negotiated two livelihood provisions. The first was the right to continue to pursue traditional forms of support, such as hunting and trapping. The second was a lump-sum annual payment to bands to be shared equally by every man, woman and child in perpetuity. The leaders initially sought \$30 per person, which was far more than the Crown would consider. Commissioner Robinson sought to break the impasse in negotiations. He

offered a low initial annuity, but included an “escalator clause” in the Treaties. The escalator clause was meant to trigger an increase in the annuity to reflect the increasing prosperity of the ceded Treaty lands.

► The Numbered Treaties signed after 1871 included an annuity payable directly to every man, woman and child in perpetuity, but did not include the Robinson escalator clause.

The Numbered Treaties (1-11) signed by bands in northern Ontario and west to the Rocky Mountains all contained annuities in perpetuity. Rather than a lump sum to be shared, the annuity of \$4 or \$5 was payable directly to every man, woman and child belonging to the Treaty bands. Although the annuity was considered a livelihood support for families, just as with the Robinson Treaties, the Numbered Treaties did not contain the escalator clause.

► In 1874, the chiefs of the Robinson Treaty bands finally triggered the escalator clause. It was the last time that annuities were increased.

By the time the Robinson Huron and Superior chiefs triggered the escalator clause in 1874, the annuity payment had shrunk to 96-cents per person. The bands had grown but the lump sum payment had not. In 1878, Parliament voted on and passed an increase in the Robinson annuities to \$4 per person. That was the last time the Robinson and Numbered Treaty annuities were increased. They remain, today, at \$4 or \$5 per year.