

ALGONQUIN TRIBUNAL

RE: Inquiry conducted by the Algonquin Tribunal pursuant to section 76(d) of the Special Resolution of the Algonquin Negotiation Representatives on the Algonquins of Ontario Enrolment and Appeal Board (approved on April 20, 2021) regarding the historical person known as ANGELIQUE ATKINSON (RIN #8709)

**DETERMINATION AND REASONS FOR DETERMINATION REGARDING
THE ALGONQUIN TRIBUNAL'S INQUIRY INTO
ANGELIQUE ATKINSON (RIN #8709)**

Hearing Date:	May 12, 2023, Pembroke, Ontario
Date of Determination and Reasons:	August 2, 2023
Hearing Panel:	Ralph Lance (Chairperson), Andre Carle, Connie Deroneth, Robin McLaren and Robin Tinney
Legal counsel:	Ben Mills (Advisory Member) Angel Li
Persons filing written submissions:	Joan Holmes (Enrolment Officer) Chief W. Jocko
Persons making presentations at hearing:	Joan Holmes (Enrolment Officer) Chief C. Bastien Dr. V. Coburn

**ALGONQUIN TRIBUNAL'S DETERMINATION REGARDING THE
INQUIRY INTO ANGELIQUE ATKINSON (RIN #8709)**

The Algonquin Tribunal, pursuant to the provisions of Special Resolution of the Algonquin Negotiation Representatives on the Algonquins of Ontario Enrolment and Appeal Board (approved on April 20, 2021) and at the direction of the Algonquin Negotiation Representatives' Motion 20220422-01, has conducted an inquiry to determine whether Angelique Atkinson (RIN #8709) is identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that she was considered to be an Algonquin or Nipissing, or a sibling of such a person. A "sibling of such a person" means a person with a common Algonquin parent.

Further to its inquiry, the Algonquin Tribunal determines that Angelique Atkinson (RIN #8709) is identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that she was considered to be an Algonquin or Nipissing, or a sibling of such a person.

Ralph Lance(Chairperson)
Andre Carle
Connie Deroneth
Robin McLaren
Robin Tinney

REASONS FOR DETERMINATION

REASONS DELIVERED BY:

**Lance (Chairperson), Carle, Deroneth,
McLaren and Tinney.**

A. Introduction and Background

1. Tribunal's Mandate

1. The Algonquin Tribunal (the “**Tribunal**”) was established by the Algonquin Negotiation Representatives (the “**ANRs**”) pursuant to the Special Resolution of the Algonquin Negotiation Representatives on the Algonquins of Ontario Enrolment and Appeal Board (approved on April 20, 2021) (the “**Special Resolution**”).
2. By way of Motion 20220422-01, the ANRs directed the Tribunal to conduct inquiries into fourteen historical persons who are presently on the Schedule of Algonquin Ancestors with a view to determining whether those historical persons are identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that the person was considered to be an Algonquin or Nipissing, or a sibling of such a person. A “sibling of such a person” means a person with a common Algonquin parent.
3. These criteria are taken from the definition of “Algonquin Ancestor” as that term is used in the Special Resolution of the Algonquin Negotiation Representatives on the Proposed Beneficiary Criteria (approved on January 22, 2020) (the “**Proposed Beneficiary Criteria**”).¹
4. Included amongst the fourteen historic persons referred to the Tribunal for inquiry was Angelique Atkinson (RIN #8709).²

¹ Being a lineal descendant of an “Algonquin Ancestor” is one element of the Proposed Beneficiary Criteria. For the other elements, reference should be made to the Algonquin Negotiation Representatives on the Proposed Beneficiary Criteria (approved on January 22, 2020).

² As noted in the Enrolment Officer’s Report, an “RIN#” is a randomly generated number assigned by the Legacy Genealogical database to each individual person entered in that database. The use of a RIN # is not indicative of whether a historical person is, or is not, an Algonquin Ancestor or is otherwise suspected of being Algonquin. It merely means that the historical person has been entered into the Legacy Genealogical database. RIN #s are used to assist in the identification and tracing of family trees and are particularly useful when a historic person may be identified by different names or spelling conventions or when several individuals have the same or similar name.

5. The ANRs' referral of Angelique Atkinson (RIN #8709) (and other historical persons) to the Tribunal was made pursuant to section 76(e) of the Special Resolution, which provides that the "Tribunal has jurisdiction to hear and determine ... such other matters as may be referred to the Tribunal by the ANRs or may be necessary to carry out its functions under this Special Resolution."
6. In short, the Tribunal's mandate is to determine whether Angelique Atkinson (RIN #8709) is properly considered an "Algonquin Ancestor" for the purposes of the Proposed Beneficiary Criteria (which is also sometimes known as the "Enrolment Criteria").
7. If the Tribunal determines that the criteria is met, then Angelique Atkinson (RIN #8709) would remain on the Schedule of Algonquin Ancestors.
8. If the Tribunal determines that Angelique Atkinson (RIN #8709) does not meet the above noted criteria, then Angelique Atkinson (RIN #8709) would be removed from the Schedule of Algonquin Ancestors. As a consequence of that decision, the Enrolment Officer would review the Enrolment List to identify those individuals who no longer qualify for enrolment as a result of the Tribunal's decision to remove Angelique Atkinson (RIN #8709) from the Schedule of Algonquin Ancestors and would remove those individuals from the Enrolment List. This would be done pursuant to Article 103 of the Special Resolution.
9. Section 101 of the Special Resolution provides that the Tribunal's determination, its reasons for determination and any accompanying order or recommendation are to be provided to those participating in the inquiry, the Enrolment Officer and the ANRs. Also, the Tribunal is to provide these documents to the AOO Consultation Office for public posting.

2. Procedural Background

10. Once the Tribunal was constituted and a Chair and Vice-Chair appointed, the Tribunal undertook various efforts to ensure that interested parties were informed: a) that the Tribunal was undertaking inquiries as directed by the ANRs; b) that interested parties could participate in the inquiries; and c) how interested parties could access information relevant to the inquiry and file evidence or submissions in support of their respective positions.
11. The Tribunal's efforts to inform interested parties of the inquiries and how they could participate in the Tribunal's inquiry process include, but are not limited to, the measures described below.

12. First, the Tribunal sent a letter to all enrolled members of the AOO whose enrolment is based on them being a lineal descendant of one or more of the fourteen historical persons referred to the Tribunal for inquiry. This letter informed recipients that their enrolment as proposed beneficiaries may be affected by one or more of the Tribunal's inquiries and that they have an opportunity to participate in the inquiries. This letter directed affected persons to the Tribunal's website, which is <https://www.tanakiwin.com/tribunal/>.
13. Second, the Tribunal sent a letter to all other enrolled members of the AOO whose enrolment is not based on them being a lineal descendant of one or more of the fourteen historical persons referred to the Tribunal for inquiry. This letter informed recipients of the fact that the Tribunal had undertaken the inquiries and that they may participate. This letter also noted the removal of Algonquin Ancestors may result in persons who are presently enrolled as proposed beneficiaries no longer being eligible for enrolment. This letter also directed recipients to the Tribunal's website. This letter was sent to individuals who are enrolled through the AOO application process and to individuals who are enrolled on the basis of being members of the Algonquins of Pikwakanagan First Nation (the "AOPFN").
14. The Tribunal notes that members of the AOPFN are not directly affected by the Tribunal's inquiries as their enrolment is based on them being on the AOPFN's membership list. Nonetheless, the Tribunal wanted to ensure that members of the AOPFN were specifically informed of the Tribunal's inquiries and also understood that they are welcome to participate in the inquiries. The Tribunal recognizes that the proper and dutiful application of the Proposed Beneficiary Criteria is of great importance to everyone involved in the treaty process, including the members of the AOPFN.
15. In addition to the above noted letters, the Tribunal also undertook its best efforts to send letters to individuals who are not presently enrolled but are known to be interested in the Tribunal's inquiries. These individuals included, but were not limited to, people who sought enrolment on the basis of one or more of the above noted historical individuals but were not enrolled for some other reason. Recipients were informed of the Tribunal's inquiries and their potential interest in one or more of the inquiries and were also advised to visit the Tribunal's website for additional information.

16. The Tribunal's website was (and continues to be) publicly available. Through the website, interested parties were able to access additional information regarding the Tribunal's process, scheduling information and relevant documents. Individuals were encouraged to sign-up for updates from the Tribunal and were encouraged to state their interest in participating in one or more of the inquiries. As information became available and the Tribunal's website was updated (such as posting the Enrolment Officer's report or submissions from participants), the Tribunal would send an email to those who indicated their interest in receiving updates. Also, the Tribunal maintained a telephone number so that interested parties could speak with the Tribunal's legal support team to ask questions regarding the Tribunal's process and their Algonquin ancestry.
17. Specifically with respect to the Tribunal's inquiry into Angelique Atkinson (RIN #8709), the Tribunal notes that the following documents were filed with the Tribunal and made available on its website:
 - a) Document 1 – Enrolment Officer's Report Regarding Angelique Atkinson & Appendices
 - b) Document 2 – Submission by Chief W. Jocko on behalf of her community
 - c) Document 3 – Enrolment Officer's Reply to Submission 2 re 8709
 - d) Document 4 – Enrolment Officer's Supplement Presentation for Angelique Atkinson (Note that Document 4 is a copy of the power point presentation made by the Enrolment Officer at the hearing on May 12, 2023. This presentation was posted on the Tribunal's website subsequent to the hearing.)
18. The submissions from Chief W. Jocko on behalf of her community opposed keeping Angelique Atkinson (RIN #8709) on the Schedule of Algonquin Ancestors.
19. The Tribunal did not receive any written submissions from persons in support of keeping Angelique Atkinson (RIN #8709) on the Schedule of Algonquin Ancestors. The lack of such submissions did not deter the Tribunal from fully assessing the materials in front of it as the Tribunal's mandate is to make an evidenced based determination, regardless of whether participants might oppose or support a particular outcome.

20. The schedule for filing materials, the hearing date and the materials noted above were all made available on the Tribunal's website in a timely manner and were also the subject of the Tribunal's update emails that were sent from time to time.
21. In addition, the Tribunal held a hearing on May 12, 2023, at the Best Western Hotel in Pembroke. The hearing was open to any interested parties.
22. At the hearing, the Enrolment Officer gave a brief oral presentation supplemented with PowerPoint visuals (i.e., Document 4 as noted above). Also, the Enrolment Officer answered questions from the Tribunal, including regarding the 1921 census, which lists various people as being "~~Algonquin~~-Ind.". In response to that question, the Enrolment Officer advised, as indicated in her report, that various other known Algonquins were identified as "~~Algonquin~~ Ind.". The Enrolment Officer also indicated that it appears to her that the strikethrough of "~~Algonquin~~" and overlaid with "Ind" likely occurred when the census was provided to a subsequent government official as opposed to being done by the person taking the census. The Enrolment Officer confirmed that her view was based on a review of the markings of the census but cannot confirm that this was indeed the case.
23. After the Enrolment Officer presented, the Tribunal invited those in support of maintaining Angelique Atkinson (RIN #8709) on the Schedule of Algonquin Ancestors to make presentations.
24. In response to that invitation, Chief Clifford Bastien made submissions in support of maintaining Angelique Atkinson (RIN #8709) on the Schedule of Algonquin Ancestors. Chief Bastien submitted that if Angelique Atkinson (RIN #8709) were alive today, she would be considered a "Status Indian" under the *Indian Act*. Chief Bastien also submitted that the Tribunal should pay particular attention to the 1901, 1911 and 1921 censuses (which are attached to *Document 1 – Enrolment Officer's Report Regarding Angelique Atkinson & Appendices*) and that the information included in these census records provides a reasonable basis on which to confirm that Angelique Atkinson (RIN #8709) is properly considered an "Algonquin Ancestor" as that term is defined in the Proposed Beneficiary Criteria. Chief Bastien also submitted that Angelique Atkinson (RIN #8709) is not specifically identified in any historical document as originating from any Indigenous nation other than Algonquin.

25. The Tribunal then invited interested parties opposed to maintaining Angelique Atkinson (RIN #8709) on the Schedule of Algonquin Ancestors. Dr. Veldon Coburn made submissions opposed to keeping Angelique Atkinson (RIN #8709) on the Schedule of Algonquin Ancestors. Dr. Coburn submitted that the Tribunal should remain grounded in the documentary evidence and not entertain theories or speculate. Dr. Coburn submitted that a belief, no matter how strong, is not evidence. Dr. Coburn submitted that the documentary evidence suggests that Angelique Atkinson (RIN #8709) is Cree, and it would not be beneficial to co-opt her ancestry. With respect to the 1921 census (which identifies Angelique Atkinson (RIN #8709) as “~~Algonquin~~–Ind.”), Dr. Coburn submitted that being identified as “~~Algonquin~~–Ind.” does not provide a basis for concluding that Angelique Atkinson (RIN #8709) was considered “Algonquin”. Dr. Coburn submitted that the crossing out of Algonquin would suggest that Angelique Atkinson (RIN #8709) was not considered Algonquin. Dr. Coburn also submitted that nothing definitively points to Angelique Atkinson (RIN #8709) being Algonquin.
26. In reply to the submissions made by Dr. Coburn, Chief Bastien acknowledged that there is a strikethrough “~~Algonquin~~” on the 1921 census but submitted that it appears throughout that census, even with respect to well-known Algonquins. Chief Bastien also submitted that no historical documentation on the Tribunal’s record identifies Angelique Atkinson (RIN #8709) as Cree and that her mother is identified as Algonquin on the 1901 census.
27. No other presentations were made at the hearing despite interested parties having been invited to speak in favour or against the continued inclusion of Angelique Atkinson (RIN #8709) on the Schedule of Algonquin Ancestors.
28. The panel reserved its decision at the hearing until the release of these written reasons.

B. The Tribunal’s Determination

29. Upon consideration of the evidence and having reference to the definition of “Algonquin Ancestor”, the Tribunal has unanimously determined that Angelique Atkinson (RIN #8709) is properly considered an “Algonquin Ancestor” and should, therefore, remain on the Schedule of Algonquin Ancestors.
30. In coming to its determination, the Tribunal had reference to all the information on its record and the submissions made at the hearing.

31. The Tribunal's reasons are set out below.

C. Definition of Algonquin Ancestor

32. The starting point of the Tribunal's analysis is the definition of "Algonquin Ancestor".

33. Broken down into its components, an "Algonquin Ancestor" is:

- a) a person
- b) the person must be one who was born on or before July 15, 1897, and
- c) the person must be identified in a historic record or document
- d) this historic record or document must be one that is dated on or before December 31, 1921,
- e) the identification of the person must be in such a way that it would be reasonable for the Tribunal to conclude
- f) that the person identified in the historic record was considered to be an Algonquin or Nipissing,
- g) or a sibling of such a person. A "sibling of such a person" means a person with a common Algonquin parent.

34. Elements (a), (b) and (c) confirm that the "Algonquin Ancestor" must be an identifiable historical person. While this may seem somewhat trite, these elements are very important as they confirm that a determination of who is or who is not an "Algonquin Ancestor" requires the Tribunal to focus on a specific historical person who is documented as being an identifiable person who existed in a time and place. This requirement means that the claim to Algonquin ancestry for the purposes of enrolment must be grounded or based on an actual historical person.

35. In this case, there is no question that Angelique Atkinson (RIN #8709) is an identifiable historical person who is identified in a record dated on or before December 31, 1921.

36. Element (d) pertains to the historic record itself as opposed to the person under consideration and that the historic record must be one that is dated on or before December 31, 1921. The Tribunal confirms that it focused its analysis on those documents that are dated on or before December 31, 1921.

37. Element (e) describes the standard that the Tribunal must apply when making its determination. In this regard, the Tribunal must be satisfied that it is “reasonable to conclude”. As is readily apparent from the words used, this standard is obviously higher than “possible to conclude” or “may conclude” but is lower than being convinced “beyond all doubt”. The “reasonable to conclude” standard requires the Tribunal to conduct a thorough analysis of the evidence and to base its determination on the evidence.
38. The Tribunal notes that the “reasonable to conclude” standard invites the possibility of disagreement amongst reasonable people. Put another way, it is possible for reasonable people to disagree when applying this standard.
39. Element (f) requires the Tribunal to assess what the historical documents are telling us about the ancestor and how that ancestor may have been viewed by others. The Tribunal confirms that it reviewed all available historical documents to assess what inferences or conclusions may be drawn from them. The Tribunal’s conclusions result from the Tribunal members having thoughtfully considered all of the evidence on the Tribunal’s record.
40. Element (g) provides that the Tribunal may conclude that a historical person is properly considered an Algonquin Ancestor on the basis of a finding that the historical person at issue is a sibling of a person who meets elements (a) to (f), noting that “sibling” means to share a common Algonquin parent (i.e., the sibling relationship must be through a parent who is Algonquin as opposed to a parent who is not).
41. As previously stated by the Tribunal, the application of the phrase “considered to be an Algonquin or Nipissing” is a fact driven exercise that requires an attentive examination of the historical documents and the historical context in which they were created. The Tribunal notes that this is a highly contextual exercise that requires the Tribunal to analyze the evidence on the record before it as it relates to each matter or inquiry. The Tribunal’s task is always to determine whether it is reasonable to conclude that the historical person at issue “was considered to be an Algonquin or Nipissing” on the basis of the historical records.

D. Review of the Historical Records

42. The Enrolment Officer’s report (*Document 1 – Enrolment Officer’s Report Regarding Angelique Atkinson & Appendices*) describes the available historical records that pertain to Angelique Atkinson (RIN #8709). The relevant historical records are attached to her report.

43. As with other historical persons, the subject ancestor at issue in the present inquiry is identified by various names, including “Arkinson”, Harkinson” and “Arkenson”. For ease of reference, the Tribunal will identify the subject ancestor as “Angelique Atkinson (RIN #8709).” Also, the Tribunal notes that Angelique Atkinson (RIN #8709)’s mother is identified by various names, including “Loysa” “Loysa Anna” and “Eliza”. For ease of reference the Tribunal will identify Angelique Atkinson (RIN #8709)’s mother as “Loysa Atkinson (RIN #8705).”

1. Documents relating directly to Angelique Atkinson (RIN #8709)

44. The earliest document that specifically identifies Angelique Atkinson (RIN #8709) is her baptismal record from December 1889 in Mattawa. In this record, Angelique Atkinson (RIN #8709) is noted as having been born five days earlier on Christmas Day and is identified as the illegitimate daughter of Loysa Atkinson (RIN #8705). Angelique Leclerc (RIN # 8711), whose father Benjamin Leclerc dit Meiyawassang (RIN #2172) is listed on the Schedule of Algonquin Ancestors, was a witness to Angelique Atkinson (RIN #8709)’s baptism.³

45. Nothing is known about Angelique Atkinson (RIN #8709)’s father or paternal ancestry.

46. Angelique Atkinson (RIN #8709) was enumerated in the 1901 census as part of her mother’s household, which included her mother Loysa Atkinson (RIN #8705) and her siblings (Charlotte, Florence, and Alex), her brother-in-law (Alphonse) and various nieces and nephews. Loysa Atkinson (RIN #8705) was identified as “Algonquin Scotch Breed”. Loysa Atkinson (RIN #8705) and her children, including Angelique Atkinson (RIN #8709), were all identified as “R” for “Red”, which, in this census, was used to identify someone who was Indigenous. Known Algonquins were enumerated on the same page as Angelique Atkinson (RIN #8709)’s family, including Jakot Takonens and his wife Angelique Leclerc (RIN # 8711), along with Crawford, Vanasse, Simon and Antoine families who are all noted as “R” and “Algonquin” or “Algonquin Breeds” and speaking Algonquin.⁴

47. Angelique Atkinson (RIN #8709) is recorded as having married Frank Jocko on November 3, 1909, in Mattawa. Angelique Atkinson (RIN #8709) and Frank Jocko are both listed as belonging to the parish. Frank Jocko (RIN #4581) was the son of Jean Baptiste Jacko dit Kijia (RIN #4577) and Elizabeth Jacob (RIN #5470). Jean Baptiste’s father, Jacques Kijia (RIN

³ ALG-06211

⁴ ALG-22118

#6645), is listed on the Schedule of Algonquin Ancestors. Elizabeth Jacob's father was Francois Jacob dit Miskwabimij (RIN #5468) who is also listed on the Schedule of Algonquin Ancestors.⁵

48. Angelique Atkinson (RIN #8709) was enumerated with her husband on the 1911 census, living with their children, as well as her mother and brother Alex. Angelique Atkinson (RIN #8709), her mother and brother were noted as having been born in Ontario and being "Scotch" in origin. Frank Jocko was noted as "Algonquin" and Frank and Angelique's children were also noted as "Algonquin."⁶
49. Angelique Atkinson (RIN #8709)'s daughter, Edna Jocko, was baptized in Mattawa in 1913. Edna's godparents were identified as being John Green and Therese Leclerc (RIN #2183), both of whom are descendants of people listed on the Schedule of Algonquin Ancestors.⁷
50. Angelique Atkinson (RIN #8709) was enumerated on the 1921 census with her husband Frank Jocko, their children, and her mother. Angelique Atkinson (RIN #8709) was noted as being born in Ontario, as were her husband and children. Angelique Atkinson (RIN #8709)'s mother Loya Atkinson (RIN #8705) was shown as born in Quebec. The entire household was shown as "Algonquin" in origin. However, "Algonquin" was struck out and replaced with "Indian." The Enrolment Officer notes that the replacement of "Algonquin" with "Indian" was done throughout this census. For example, the Bastien family, enumerated next door to the Jockos, was similarly identified. The Enrolment Officer also believes that this change was done by another government official as opposed to the enumerator, still, another participant contests this.
51. Angelique Atkinson (RIN #8709) and Frank Jocko (RIN #4581)'s daughter, Mary Aleta, was baptised in Mattawa in December 1921. Thomas Pierre (RIN #8803) and his wife Mary Magdalene Green (RIN #43606) were named as godparents. Thomas LaPierre dit Kekekons's father, Pierre Kekekons (RIN #5544), is listed on the Schedule of Algonquin Ancestors. Mary

⁵ ALG-22127

⁶ ALG-22129

⁷ ALG-40150

Magdalene Green's great great-grandfather, Louis Constant Pinesi (RIN #45169), is also listed on the Schedule of Algonquin Ancestors.⁸

52. Angelique Atkinson (RIN #8709) and Frank Jocko (RIN #4581)'s other daughter, Beatrice, married Joseph Nelson in Mattawa on May 7, 1929. Joseph Nelson was the son of Madeleine Antoine (RIN #4790) whose grandfather, Jean Baptiste Kijico-Manitou (RIN #1918), is listed on the Schedule of Algonquin Ancestors.⁹

2. Loysa Eliza Atkinson (Angelique Atkinson (RIN #8709)'s mother)

53. The Enrolment Officer's report (*Document 1 – Enrolment Officer's Report Regarding Angelique Atkinson & Appendices*) also describes historical documents pertaining to Loysa Atkinson (RIN #8705), who is Angelique Atkinson (RIN #8709)'s mother.
54. The earliest available historical record for Loysa Atkinson (RIN #8705) is the record of her baptism in Mattawa on October 15, 1872. This record indicates that Eliza Atkinson (RIN #8705) was 17 at the time of her baptism and is described as a Moose Factory "squaw" and the daughter of Samuel and Sara, who are noted as deceased.¹⁰ This baptism was witnessed by Anna McDonald (RIN #2197), who is listed on the Schedule of Algonquin Ancestors.
55. As set out on pages 8 to 10 of the Enrolment Officer's report (*Document 1 – Enrolment Officer's Report Regarding Angelique Atkinson & Appendices*), Loysa Atkinson (RIN #8705) was enumerated and participated in life events at Fort William (Pontiac) and in Mattawa, as follows:
- a) The birth and baptism of her first daughter, Charlotte Jane, who was baptized at St. Anne's in Mattawa in 1878.¹¹
 - b) The birth and baptism of her son John Samuel, who was baptized in Mattawa in March 1880 and whose godparents were known Algonquins, Jean Chevalier (RIN #9689) and Mary Petrin (RIN #4762).¹²

⁸ ALG-40152

⁹ ALG-27750

¹⁰ ALG-40139

¹¹ ALG-40140

¹² ALG-40140

- c) Loysa Atkinson (RIN #8705) enumerated in the 1881 census for Fort William (Pontiac) as living in an Algonquin community and was described as being born in Ontario and being “Indian”. The term “Indian” was used to describe many known Algonquins in this census.¹³
- d) The birth and baptism of her son, Alexander, who was baptized in Mattawa in 1886. This baptism was witnessed by Anna McDonald (RIN #2187), who is on the Schedule of Algonquin Ancestors.¹⁴
- e) Loysa Atkinson (RIN #8705) was enumerated on the 1891 census for Mattawa village as living amongst other known Algonquin families. Loysa Atkinson (RIN #8705) and her mother are noted as having been born in the North-West Territories.¹⁵
- f) Loysa Atkinson (RIN #8705) was enumerated in the 1901 census as having been born in Hudson Bay and being “Algonquin Scotch Breed” in origin.¹⁶
- g) Loysa Atkinson (RIN #8705) was enumerated in the 1911 census for Mattawa. In this census, Loysa Atkinson (RIN #8705) is identified as being born in “M.F.” and being “Scotch” in origin.
- h) Loysa Atkinson (RIN #8705) was enumerated in the 1921 census for Mattawa as “Algonquin”. However, this notation was, at some point, struck through and appears as “~~Algonquin~~-Indian”.
- i) Loysa Atkinson (RIN #8705) was buried at St. Anne’s in Mattawa in December 1932.

56. During her life, Loysa Atkinson (RIN #8705) is recorded as having witnessed the baptism of John McConnell in Mattawa in 1883. John McConnell’s grandfather, Paul Pesanawatch (RIN# 6296), is listed on the Schedule of Algonquin Ancestors. Joseph Leclerc (RIN# 2822) also witnessed this baptism, whose father, Benjamin Leclerc (RIN# 2172), is listed on the Schedule of Algonquin Ancestors.¹⁷

¹³ ALG-40141

¹⁴ ALG-40142

¹⁵ ALG-22118

¹⁶ ALG-22129

¹⁷ ALG-24098

3. Angelique Atkinson (RIN #8709)'s maternal grandparent (Loysa Atkinson (RIN #8705)'s parents)

57. The above noted historical records provide a means of identifying the parents of Loysa Atkinson (RIN #8705), who would be the maternal grandparents of Angelique Atkinson (RIN #8709). As was done in other inquiries, the Enrolment Officer reported on the available historical records that pertain Loysa Atkinson (RIN #8705)'s parents as this may assist the Tribunal in its work.
58. The Enrolment Officer identified Samuel Atkinson (RIN #58099) and Sarah Moore (RIN #58100) as Loysa Atkinson (RIN #8705)'s parents, which would make them Angelique Atkinson (RIN #8709)'s maternal grandparents.
59. The historical record identified as ALG-40157 indicates that Samuel Atkinson (RIN #58099) and Sarah Moore (RIN #58100) were married on August 7, 1844, by Joseph Beioley, who was the Chief Factor in Moose Factory. This suggests that the marriage occurred in Moose Factory. However, this has not been confirmed and it is not clear from where the historic record identified as ALG-40157 originated. The Enrolment Officer's report indicates that ALG-40157 is "Reported to be from Moose Factory HBC Records."¹⁸
60. ALG-40157 identifies Sarah Moore (RIN #58100)'s parents as George Moore Junior and Emma Moore. No parents were named for Samuel Atkinson (RIN #58099).
61. The HBC biographical sheet for George Moore Junior indicates that he was born in 1796 in the Moose District and entered into service with the HBC as a labourer in 1812. Most of his work was in, or northwest of, the Moose District. On the basis of being born in the Moose District, it is almost certain that George Moore Junior had an Indigenous mother.¹⁹
62. Sarah Moore (RIN #58100) appears on various documents pertaining to the Fort William (Pontiac) and Mattawa areas.
63. Sarah Moore (RIN #58100) was baptized at the Fort William Mission on July 13, 1868. She was noted as being 50 years of age at that time. This baptismal record indicates that Sarah Moore (RIN #58100) was born in Moose Factory.²⁰ Sarah Moore (RIN #58100)'s baptism

¹⁸ See page 25 of Document 1 – Enrolment Officer's Report Regarding Angelique Atkinson & Appendices.

¹⁹ ALG-40193

²⁰ ALG-40144

was witnessed by Joseph Lamure Sr. dit Pakwachinini (RIN #2273), who is listed on the Schedule of Algonquin Ancestors.

64. Sarah Moore (RIN #58100)'s daughter, Jane, was baptized at St. Anne's, Mattawa, in 1873. Named as a godmother was Mary Petrin (RIN #4762), who is on the Schedule of Algonquin Ancestors.²¹ Mary Petrin (RIN #4762) also named Sarah Moore (RIN #58100) as the godmother to her son, Francis, who was baptized in Sheenboro in 1875.²²
65. Sarah Moore (RIN #58100) appears on the following census records:
 - a) The 1881 census for Fort William (Pontiac) enumerates her as having been born in Ontario and of "Indian" origin and living within a large Algonquin community in Fort William.²³
 - b) The 1881 census for Sheen, Aberdeen, Esher, and Malakoff, Pontiac enumerates her as being born in Ontario and of "Indian" origin and living amongst other Algonquins, including Paul Chevrier/Chevalier (RIN #9690).²⁴
 - c) The 1891 census enumerates her as living at Mattawa Village and having been born in the North-West Territories.²⁵
66. Sarah Moore (RIN #58100) died and was buried in St. Anne's church yard in Mattawa on May 21, 1896. Amongst those noted as witnessing the burial were Andrew Landon, whose grandfather and great grandfather are listed on the Schedule of Algonquin Ancestors.²⁶

4. Angelique Atkinson (RIN #8709)'s Aunt and Sisters

67. In her report, the Enrolment Officer also considered the available historical records that pertain to Angelique Atkinson (RIN #8709)'s aunt (Elizabeth Atkinson) and Angelique Atkinson (RIN #8709)'s sisters (Florence Atkinson and Charlotte Atkinson).
68. The available historic records pertaining to Elizabeth Atkinson (RIN #21842) confirm that she is an Indigenous woman but do not identify what Indigenous nation she may be from. The

²¹ ALG-02464

²² ALG-30330

²³ ALG-40141

²⁴ ALG-22109

²⁵ ALG-22115

²⁶ ALG-06795

records indicate that she lived with Algonquins in Algonquin communities in Fort William (Pontiac) and, later, at Temiscamingue/Temiskaming. The 1871 census notes her as having been born in Rupert's Land. However, other census documents do not.²⁷

69. The available historical records for Florence Atkinson (RIN #8707) and Charlotte Atkinson (RIN #16814) are similar to those pertaining to Angelique Atkinson (RIN #8709). Florence Atkinson (RIN #8707) and Charlotte Atkinson (RIN #16814) lived the early parts of their respective lives in the Algonquin community in Mattawa and shared life events with Algonquin families. By 1911, Florence Atkinson (RIN #8707) was living in Ottawa's Hintonburg area. Charlotte Atkinson (RIN #16814) had also moved to Hintonburg by 1921.²⁸

E. The Tribunal's assessment of the available historical documents

70. The Tribunal recognizes that Angelique Atkinson (RIN #8709) is an Indigenous woman and, hence, her descendants are of Indigenous ancestry.
71. The Tribunal has also concluded that Angelique Atkinson (RIN #8709) is properly considered an "Algonquin Ancestor" on the basis of the census documentation and documentation related to life events. The Tribunal recognizes that Angelique Atkinson (RIN #8709)'s mother (Loysa Atkinson (RIN #8705)) may have been from northern Ontario, which could provide a basis on which to question whether she was Algonquin.
72. However, that possibility is not enough to outweigh the other historical evidence on the Tribunal's record which provides a reasonable basis on which to conclude that Angelique Atkinson (RIN #8709) was considered to be an Algonquin.
73. In this regard, the Tribunal bases its decision on the fact that the historical records confirm that Angelique Atkinson (RIN #8709): a) lived her entire life in Algonquin communities; b) is documented as participating in the life events of Algonquins; c) Algonquins are documented as participating in her life events; d) her mother (with whom she was living at the time) is identified in the 1901 census as being "Algonquin Scotch Breed"; and e) was identified as "Algonquin Indian" in the 1921 census along with prominent known Algonquin families.

²⁷ See pages 12 and 13 of Document 1 – Enrolment Officer's Report Regarding Angelique Atkinson & Appendices.

²⁸ See pages 14 – 16 of Document 1 – Enrolment Officer's Report Regarding Angelique Atkinson & Appendices.

74. Furthermore, the Tribunal notes that Angelique Atkinson (RIN #8709)'s mother, aunt, and sisters all lived in Algonquin communities and shared life events with Algonquins.
75. The Tribunal members have reviewed and considered the historical records that suggest Angelique Atkinson (RIN #8709)'s mother (Loysa Atkinson (RIN #8705)) may be from northern Ontario. However, the Tribunal is of the view that these documents do not outweigh the strong basis on which to conclude the Angelique Atkinson (RIN #8709) was considered Algonquin by those with whom she lived her life.
76. Also, none of the available historical records pertaining to Angelique Atkinson (RIN #8709), her mother, her aunt or her sisters identify them as associated with any other Indigenous nation other than Algonquin.
77. Furthermore, in considering this issue, the Tribunal notes that the definition of "Algonquin Ancestor" as set out in the Proposed Beneficiary Criteria does not require the Tribunal to be convinced beyond all reasonable doubt that the historical person referred to in the documents was considered Algonquin. Nor does it require the existence of positive proof that the historical person at issue has a genealogy that categorically excludes descendance from other Indigenous nations. The Tribunal notes that Angelique Atkinson (RIN #8709)'s father is unknown, and her mother has not been specifically identified as having originated from any other specific Indigenous nation.
78. The definition of "Algonquin Ancestor" is nuanced and requires the Tribunal to determine whether it is reasonable to conclude that the historical person at issue "was considered to be an Algonquin or Nipissing" on the basis of the historical records.

F. Confirmation of Determination and concluding comments

79. For the reasons stated above and on the basis of the record before the Tribunal, the Tribunal unanimously determines that Angelique Atkinson (RIN #8709) is properly considered an "Algonquin Ancestor" and should remain on the Schedule of Algonquin Ancestors.
80. The Tribunal has fully explored the relevant historical documents and has come to a determination using the process set out in the Special Resolution.

TO: Algonquin Negotiation Representatives

AND TO: Enrolment Officer

AND TO: Algonquins of Ontario Consultation Office (for public posting)

AND TO: Registered Participants:

- a) Chief C. Bastien
- b) Chief W. Jocko
- c) Dr. V. Colburn