

## **Response to Submission by Mr. Coburn regarding Michel McDonald**

**Submitted By Heather Majaury**

### **Preamble**

I have read Mr. Coburn's submission regarding his absolutist stance where he advocates for rejection of our ancestor Michel McDonald on the schedule of Algonquin Ancestors. I will address some of his weighted assumptions and interpretations in this response.

My first question would be who is the author of his report? I think that is important to know explicitly. His introductory letter does not say directly. I see no author on the actual genealogy he has provided. I take no issue with the original documents he has supplied other than most of them were already included in the Enrolment Officer's report already. However, there are a few new ones that he found that I did not know existed which I appreciate. I am no genealogist.

Together we all can consider this challenge and mystery of the origins of Michel McDonald and what Indigenous people he belongs to. Does this infer another person created this genealogy separate from Mr. Coburn's letter or is this whole document his opinion alone? Mr. Coburn states in his opening letter, "Please find enclosed **a** genealogy of Michel McDonald (RIN #14703)

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## History

All of this was thoroughly debated in 2013 by many people including a genealogist hired by Pikwakangan First Nation. Joan Holmes and associates were not the only contributors to this process. Relationships to other Algonquin families remain a meaningful part of the proposed beneficiary criteria if I have read it correctly. It is a very complex document that remains untested and unreviewed once it was adopted. It was a surprise when we were removed in 2020 based on John Christmas McDonald being born in 1885 while his brother (same parents) George would remain because he was born in 1880.

What we know for certain is that Michel was only ever found in Algonquin Territory in relationship with other Algonquin people or settler people who also were in relationship with Algonquin people. For example Esab Arcand who was the son of Cecelia Whiteduck was also the son of Francis Arcand/Arkle/Arcol a brother to Eliza Arkle Arand Arcol my gg-grandmother. Francis is the witness at John Christmas and Mary Peters wedding. Esab is mentioned in the Rosenberg research paper on the Whiteducks. He would be French of course given the records we now know exist. I submit this simply as an indicator of the interconnection between these families. These were people who knew each other and knew each other well.

There seems to be a belief that we were not enrolled as Algonquin before 2013 which is a distortion of the facts in Mr. Coburn's retelling of our story. I refer you to the letter we received from Enrollment in 2000 that is included in my initial submission. Some of this rhetoric is very assumptive.

## **The Proposed Beneficiary Criteria**

As far as I can tell the decision in 2013 regarding Michel McDonald was well adjudicated and there is no new information that should have changed outcomes except, I guess that the framework has changed to a more positivistic and simplistic model requiring explicit identification with the world *Algonquin* specifically on a piece of paper in essence the *smoking gun* requirement for legal protection. There doesn't seem to be much need for the current convoluted longevity requirement if this is the underlying truth of the most recently adopted proposed beneficiary criteria. The removal of John Christmas McDonald in 2020 was not due to the question of Michel McDonald's birth location but rather was the result of an inequity in the current criteria based upon a technicality within the adopted proposed beneficiary criteria.

Being able to produce a record that does not exist, after such a thorough search, by so many parties does seem to show a change in ethical practice with regard to identifying rights holders to now transfer the burden of proof back to the Indigenous people seeking protection. Of course this is a shared burden of proof and I appreciate the work done so far even by potentially hostile submissions that seek to remove Michel McDonald. The context of our inclusion was the result of invitation and there was no demand on our part. We honestly and truthfully believe Michel McDonald was a part of the historical Algonquin diaspora during his lifetime and was seen as such in whatever way it existed at that time off-reserve born in Manitoba or not. As we have stated many times we do not have an oral history that holds the memory of his birth in Manitoba. We only ever knew of him coming from and living in Algonquin/Nipissing territory.

I have included a copy this letter to the enrollment officer sent by my father on this matter.

925 MacPherson Road

Smiths Falls

K7A4S4

March 15, 2022

**Dear Joan. Holmes,**

I ask that you with your power of the Enrolment Officer for the Algonquins Of Ontario Land Claim, to please consider the request I'm about to make.

I will be looking forward to your reply, regardless of whether you are in agreement or not.

Every letter that I received on the following subject has been signed by you, so I have to assume that you are the appropriate person for me to contact.

I received a letter dated July 15, 2020 stating that I had until October 15, 2020 to supply documents to satisfy the Proposed Beneficiary Criteria. If I did not my name would not be placed on the voters list, and "furthermore you will not be eligible for any benefits, including harvesting under the authority of the Algonquins Of Ontario".

As you are aware that was at the height of the Covid 19 Pandemic, when all resource locations were on lockdown.

My family line was removed from the voters list, harvesting rights under the AOO were revoked, and we later received a letter signed by you, telling us to turn in our AOO Identification Cards.

**We were deprived of a hearing, and according to the ANR for the Ottawa Community Lynn Cloutier, people cannot be removed without a hearing.**

We were removed on a technicality, based on my Grandfather's date of birth, while his older siblings would have been accepted.

The following is information that in my opinion satisfies "APPROACH A" of the proposed beneficiary criteria.

STEP 1 Michel McDonald- Root Ancestor

STEP 2 Michel McDonald meets the 20 year requirement.

STEP 3 Relationship in petitioning period. All of the children of Michel and Elizabeth McDonald had a relationship with Sarah (Sarry) Whiteduck, after the death of their mother Elizabeth on August 23, 1893. When Sarah moved into the household to look after the children. 1901 Census shows her there, and I have a copy of Elizabeth's death certificate.

This will include my grandfather John Christmas McDonald born 1885.

The 1911 Census identifies her (Sarah) as Algonquin speaking Indian. That also explains how my great Aunt Liza Whetung conversed with her husband Edgerton Ryerson Whetung in the native language, as

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stated by her grandson Brent Whetung, at the hearing in defence of Michel McDonald as a root ancestor in 2013.

Also to satisfy Step 3 my grandmother Mary McDonald nee Peters was the niece of Joe Whiteduck "called Kelford" He was the son of Joe Whiteduck and Mary Jane (Jean) Kelford my great, great, grandmother who I am a direct descendant of. I would suggest that my great, great, grandmother had pretty close relationship with Joe Whiteduck.

**I agree with Lynn Cloutier that the descendants of Thomas St. Jean dit Leguard are entitled to an expedient hearing before removal, based on alleged fraud. Justice delayed is justice denied.**

**To deprive us of the same thing is clear. DISCRIMINATION!**

I request that the descendants of John Christmas McDonald be immediately reinstated as voters and members enrolled in the AOO in good standing. If there are any objections with grounds that meet the requirement for a hearing, it should happen ASAP or sooner.

Yours truly

Bob Majaury

## **Manitoba versus Ontario**

Here is a chart that compares the veracity of evidence regarding speculations around Michel's birth. From this you can see 6 documents that do not state his birth is Manitoba but assert Ontario or Canada. It needs to be noted that while there are patterns associated with how each census was filled out and instructions that were to be followed there are often some significant inconsistencies which call into the question many of Mr. Coburn's assumptions.

Four of these documents form new information not available in 2013. These suggest rather strongly that Michel was born in Ontario because all three sons and one daughter in different households have answered the question the same. If he were indeed born in Manitoba and was the primary informant in 1901 would this birthplace not be common knowledge to his eldest children?

We absolutely know without a doubt that the Michel McDonald that is my gg-grandfather is the person being referred to in all of these documents except the 1861 and 1871 census. Although it is strongly indicated that this is the same person as my gg grandfather through the oral history shared by Kevin Montgomery. It does call into question who informed the 1871 census and who informed the 1901 census. And then how and why information was transcribed in both of these census the way it was. None of us

were there so we cannot say for certain. But let us look at patterns and limitations of the day as well as the regulations and compare this to other entries that might be considered similar to see if Mr. Coburn's assertions are the only interpretation that can be deduced.

The documents were included in Joan Holmes initial report and we submitted them to her office in 2020 as well. They can be referred to there. In this context the new information that was not available in 2013 supports and weights the decision of the adjudicator at that time which weighed in favour of Michel McDonald because the onus of the protestor at the time was to show palpable and overriding error by the enrollment board. There was no such evidence.

**BIRTH**

Ontario Presumably Algonquin Territory	Manitoba
1861 Census Canada W	1871 Census (Mannatoba)
1881 Census "O" Ontario	1901 Census (Man)
1891 Census (Canada)	
1921 Census John Christmas McDonald's Father's Birth Ontario	
1921 Census George McDonald's Father's Birth Ontario	
1921 Census Peter McDonald's Father's Birth Ontario	
1921 Census Eliza Whetung nee McDonald Father's Birth Ontario	

Let us suppose that Mr. Coburn is correct, and Michel was absolutely born in Manitoba should it be considered that Jean Baptiste Bernard was an French-Algonquin who went out west to work for the NW Co. and HBC. He returned back to Algonquin territory (lived on Calumet Island) with his wife Catherine McLellan, who was only documented Indian, but she was Algonquin and likely Scot. Both born in "northwest territories" per two daughter's census reports. Bernard did not live to see the Census enumerations. Louis Laronde Jr. a son of Louis Laronde and his Nipissing wife was said to be born in Manitoba. Louis Kwanakwante Callihoo was born in Mohawk territory and went out west to work in the fur trade. The point being that the fur trade era was conducive to children of Algonquin heritage (and other indigenous Tribes) to be born in Manitoba. Not all became Metis in the modern sense of RR Metis identity and belonging although they may have been mixed-race, and some did become Metis and some returned home to there more eastern roots.

Michel being born in Manitoba would not mean he was necessarily Cree. He also could easily have been Cree and Algonquin/Nippising and was born there but just like me he was brought home to his people and home territory and grew up in those back hills that he called home for all of his known life. I was born in Calgary and moved to the Valley with my Mom and Dad at 1 year old and lived there until the age of 18. Moved back a few times in my life and now live in Kitchener.

The trend for most settlers I think was to go west looking for opportunity and never returning to the east because there were no ties to family and land. For my family those ties were very very strong. And my father could not stand to be away from the place he knew and the people who he comes from. The crisscross between east and west to visit family was a pattern I am very familiar with. I admit in my era we travelled by train or car for the most part sometimes plane. 3 days roughly on the ground 3 hours roughly in the sky. Obviously in Michel's day months or years that journey could have taken. But obviously many did.

The all or nothing attitude that someone born in Manitoba is only Cree at this time can easily be the result of a subconscious confirmation bias enacted by authority figures without this knowledge of the diversity and mobility of the actual fur trade. The world is not as absolute as Mr. Coburn is arguing or for that matter even what Justice Chadwick assumed in his deliberations. It is quite possible that it was Justice Chadwick's confirmation bias as well that had him readily accept the one piece of evidence that seemed to land in that hearing in the final hour for the Thomas St. Jean Dit Laguarde file, without the inspection of provenance because it included an explicit identification of *Algonquin* albeit from a secondary source in a forged document. It was supposedly written by a priest so it was taken carte blanche as the truth. That is how influence works.

And we all see what path that kind of reasoning has taken us. Such confirmation biases are common so it is important for the best care to be taken of vulnerable people who are being adjudicated on something as deeply personal and foundational as their sense of identity and belonging to become open minded and accepting that no one holds all of the knowledge or even the absolute truth of matters before them. The origin of my gg grandfather is steeped in mystery. Many people think of Gitche Manitou as Great Spirit but I think this is a much more accurate translation of this word Manitou (Mystery) Great Mystery. Manitou---Manitoba. Just like we all think of Miigwetch as meaning thank you and it does. But there is a deeper meaning a more accurate meaning as well I have been told. "I have enough." Although similar not



quite the same.

## **Identity & Enrollment**

My grandmother called us *French* Indians. That was how she identified herself. It was my uncle Gerald Majaury, who first made contact with Doreen Davis. He was told by people from Akwesasne said that he should go to Sharbot Lake to see if they could help him with proving/finding who he was in a more recognized way. When he met Doreen Davis she said they already had his family's records and they had been looking for the McDonalds. She advocated that we were definitely Algonquin but that we would need to enroll in the landclaim and she would handle it and represent us in the process. But we needed to submit our grandmother's information to link her to our Algonquin ancestors and then her children could enroll and their children--my generation. This is covered in my initial submission as well. So as not to beat a dead horse I will leave it at that. This process has created a great deal of acrimony, suspicion, and fear over many years.

Doreen welcomed Gerald with open arms. She welcomed all of us with open arms and invited him to become a part of her community and to have my grandmother enroll first. My grandmother was happy to enroll because she thought she was being accepted and recognized for who she was. I don't think she understood all the politics involved she just thought she was being recognized. It was okay now to tell people who she was as an Indigenous woman because it had not been a prudent or safe thing to do before. That was something you kept in the family. I have pondered this for a long time. Now it was celebratory. Was she shame-based about her identity? It never seemed that way to me. It seemed to me that she was protective of it because of the racism and prejudice that permeated the Ottawa Valley. She seemed a bit frustrated to me at times that people didn't know who she really was.

My grandmother had a 4<sup>th</sup> grade education. Her father was still quite visibly Indigenous. I am told he was a very quiet man who kept to himself. I have included two photographs of him in the first submission if you are curious what he looked like as a human being both as an older man and as a much younger man. I do know my grandmother cautioned me more than once when sharing what she knew. She said more than once to be careful who I told.

Her cousins, who were Mississauga and thus part of the Williams Treaty, she also thought of as *Indians* but they were not *French* Indians, their mother was obviously, but they came from a reserve and that made them more recognized or legitimate in terms of government recognition. We really run the risk of analyzing the lives of our ancestors from a unbalanced positivist and presentist framework which I think does them great harm and dishonour, not to mention the social harm to current generations.

### **Dibajimowinan**

This particular story, she told me, is of particular interest in terms of how she saw herself. I am a theatre artist, playwright, director, and actor. I have spent a great deal of time working with verbatim text in performance reflecting lived experience and my grandmother was one of my best collaborators. Here is some text that landed in some of my performances where I embodied her words exactly as they had been said to me. Verbatim meaning no altering of the original words. I was doing to this come to understand the embodied nature of orality. Whereas the written word though useful can be quite abstract embodied presentation if one is to create an oral tradition to remember past events is quite concrete and it is multi-sensory and thus transmits a great deal of subtle information not discernable in historical texts.

Grandma (Frances Dobbie, prior Majaury, nee. McDonald) - “My neighbour Bernice was a real pain in the backside. She would go on and on about how she was standing beside a REAL Indian.”

[In reference to visiting the petroglyphs on Stoney Lake where the Whetung’s our cousins owned land at the time and still do. My grandmother was reacting to her neighbor fawning over her cousins as authentic or real, while not recognizing my grandmother was also Indigenous. She wasn’t angry about it she was laughing at the irony. I think she found it annoying]

Grandma (Frances Dobbie, prior Majaury, nee. McDonald) - “I thought to myself, huh, you don’t know how close you are standing to one right now.”

## 1901 Census

Mr. Coburn seems fixated on the 1901 census and what he is calling the *smoking gun* that unravels the mystery of Michel McDonald and he surmises in his reasoning that there is no doubt that Michel was Cree and NOT Algonquin. He bases his trust in the infallibility of the census taker.

If this census taker was so accurate in his transcriptions, then why was he unable to ascertain that Angus Clems, (I am assuming he is a descendant of Peter Clemo) was an *Algonquin* Indian on this particular 1901 census. He only writes down *Indian*. If it was so much more reliable and accurate then why was Solomon Benedict designated simply as *other*. Under Mr. Coburn's reasoning surely Mr. Solomon, would have also known his own ethnicity and had to be the informant? Or perhaps the effects of genocide were so damaging that people had lost that knowledge of themselves but were still experiencing prejudice and racism collectively and individually. Context matters. When gazing at evidence from the past presentism can be a serious trap to fall into.

I believe Mr. Coburn's ongoing use of the word self-identified in a different era from today in this context is a strong example of his biased tendency toward presentism. For the purpose of comparison, can this process verify if Angus Clems is indeed a descendant of Peter Clemo? As I have said I am not a genealogist and I think it is helpful to know who he is. If he is Algonquin and verifiable as such.

The enumerator James Moore for the 1901 census was English, Canadian and Methodist. It should also be noted that on the census for 1921 where John, George, and Peter are again identified as Indian that in the language of origin column (if different than English or French) had been filled in with mostly English inappropriately. Then struck out. But when you get to John there is a dark pen written over which I think we can infer reasonably was because the enumerator changed it (or his superior did) to Indian. They spoke English and most likely would not have known the language is called Anishinaabemowin. That is to say enumerators made errors or were inaccurate at times and not bilingual. Technical errors and likely errors in judgement were more common than Mr. Coburn wants to imagine. After all we are discussing the work of human beings. Some who may even have been racist.

The 1901 census may have now asked for tribal origin or race but from everything I have read it was still

inaccurate and assumptive at times

According to academic Michelle A. Hamilton in her paper “Anyone not on the list might as well be dead”: Aboriginal Peoples and the Censuses of Canada, 1851–1916

For First Nations, specific tribal or band names, rather than the simple label “Indian,” were to be recorded. For non-Aboriginals the instructions indicated that origin was to be traced through the father’s lineage, but did not explicitly suggest how Aboriginal origins should be traced. In 1911 and 1916 the instructions clearly state that Indians inherited their origin through their mother’s family. (Pg. 67)

This explains the zigzag of various identities recorded in different years if someone was multi-ethnic. Multi-ethnic in terms of tribal identity and European identity. Hamilton goes on to share,

The censuses of the mid-1880s began a series of enumerations to measure immigration to and settlement of the Canadian west. As a result, these censuses of the districts of Assiniboia, Alberta and Saskatchewan, and the province of Manitoba were the first to distinguish Métis as individuals with mixed Native and European ancestry. Previously, the Métis had been classed as being of European descent. Consequently, just two Métis in total had been recorded by the 1871 census of Ontario, Quebec, Nova Scotia, and New Brunswick. There were few persons of mixed blood in these provinces, the census report explained. However, the report also stated that an entry of “not given” for origin was often written down when there was no “definite answer,” a common occurrence when enumerating families of mixed origin. In the western censuses of the 1880s, there were five options for Métis classification: English, French, Scotch, Irish, or “Undefined” “Half-Breed.” (Pg.67)

This census was the only one to ask for multiple origins, and in 1911 the origin of the Métis or mixed-race Indigenous was recorded through the patrilineal line, in comparison to Indians who were considered to trace their heritage through their mother’s ancestry. Hence you can see if a census recorder thought of you as pure blooded or if you said you were then the origin of the mother would be asked and recorded as the race. If you were thought of as a half-breed then you would be recorded same as the patrilineal. This is consistent with how Peter and Mary McDonald nee Pierre are recorded in 1911 if Peter is designated Scotch based upon his surname if they are both being thought of as breeds rather than Indians. Eliza McDonald is enumerated with the Cornelious family at this time and she is recorded consistently as Indian

like her father and likely seen as a half breed so she is enumerated from her patrilineal lineage. This shifts to French like her mother in 1921. Being recorded as Scotch if assumed white which as likely what happened to John McDonald in 1911 since he was a boarder and likely not the informant would have been based on his surname. Interestingly George who was married to another French woman was quite likely seen as a breed as well and therefore he was enumerated as French like his mother.

Of course, the enumeration experience did not neatly match this system of classification. Despite their instructions, officials often expressed uncertainty about how to determine Aboriginal identity. One 1861 enumerator for the Nipissing district in Ontario noted on his forms, “These people are so mixed up with Indian that I scarcely know what to call them. The principal mixture is white, and they cultivate the soil so I call them white.”<sup>40</sup> In 1891 the column to identify French-Canadians confused enumerators who were unsure whether to include the Métis of Manitoba and the northwest territories in this category.<sup>41</sup> Enumerators did not always follow instructions either. In British Columbia in 1891, George Sargison, the Chief Census Officer, questioned the absence of a place to distinguish First Nations on the enumeration schedules, believing that it was necessary for statistical purposes.<sup>42</sup> He apparently communicated his concern to the enumerators under his charge, for the 1891 British Columbia census manuscripts abound with the earlier short form “Ind,” even though there was no specific column for this designation. In 1911 some census-takers continued to record “half breed” in the racial and tribal origin column even though they were asked to identify only one origin. (Hamilton p. 68)

The census instructions stated in 1911 that Indian ancestry was traced through maternal descent, legal Indian status was inherited through the paternal side. As you can see much confusion in either system was the result. And this continues to this day. Severely damaging our ability to connect and see each other for who we really are across these systemic barriers created by these two systems which have over time built what feels like fortress walls between us in the pursuit of designating an us versus them dynamic that continues to harm us psychologically, socially, legally, and politically. All for the sake of ticking the box.

Here is a case study of this issue across reserve status Indian and department of agriculture lines.

The mix of census and DIA policies used to identify racial, ethnic, or legal identities can also be demonstrated by the documentation of the D’Aigle or Dokis family. Migisi, otherwise known as Michel d’Aigle, was born of a French Canadian fur trader father and an Anishinabeg woman.

As a child he acquired the name Dokis and, at the time of the Robinson-Huron treaty negotiations, he was recognized as a chief and awarded a reserve on the French River for his own family and extended kin. Although biologically Métis, Dokis was raised as an Anishinabeg. The 1901 census listed this band as all Ojibwa half-breeds and used their official last name D'Aigle, but in 1911 all band members were labelled Indian with the last name of Dokis. These discrepancies were due to the different enumerators. The 1901 enumerator was a French-speaking individual hired by the Department of Agriculture who would have used the census definitions to define the biological component of the D'Aigles' ancestry. George Cockburn, Indian agent for this area, took the 1911 census. Cockburn would have known them as the legally registered Dokis band, identified them as holding this last name and chose their origin based on their legal status. (Hamilton Pg. 72)

Mr. Coburn is correct beginning with the 1871 census, enumerators were instructed to pose questions to the head of each household and write down the response, rather than fill out the forms according to their own observations or local knowledge. This approach allowed Aboriginal peoples some measure of self-identification of their origins, despite the census or Indian Act classifications. This is not the same level of self-identification that is happening currently in academic settings for years where anyone could identify as Indigenous no questions asked and simply be accepted on the honour code. It is obvious given some pretty high-profile cases in the media, both here and in the United States recently, this lack of knowledge and oversight on the part of these institutions made it easy for some individuals to have committed a form of identity fraud. My family has not done this in any way shape or form. We are exactly who say we are. If anything, we might be considered "ethnic drifters"

According to Hamilton "Ethnic drifters" could choose a different origin than their parents, or change their answer between censuses, particularly if they had more than one origin from which to select.<sup>62</sup> Identities could also be simplified over generations; as Neal McLeod argues, those who now think of themselves as Cree because of the language they speak, really possess a mixed ancestry of Saukteaux, Assiniboine, and Cree. (pg. 73) Equally there is no reason that Algonquin could also be Cree and Saukteaux or Cree could be Algonquin and Ojibwa.

To get a better sense of the underpinning beliefs that informed the general cultural zeitgeist of the times I will rely on Hamilton again to paint a picture.

Despite Aboriginal resistance, a great deal of information was collected by enumerators between

1851 and 1916. Officials interpreted this data based on their nineteenth-century preconceptions that Aboriginal culture was inferior to European-settler societies, and also used it to justify policies. In a contradiction common to accepted evolutionary theory of the time, it was believed that First Nations would die off as Canadians supplanted their communities or would assimilate into mainstream society. In 1861 Thomas Johnson, enumerator for a large part of northern Ontario, assumed that “the Red Men of the Forest are fast passing away,” and so he thought the documentation of their numbers through the census was important to see their “gradual decline.” Joseph-Charles Taché, Deputy Minister of Agriculture and Statistics, also commented on the decline of Aboriginal peoples after the 1871 census. Those who lived solely by hunting and fishing, Taché argued, could not increase their numbers beyond a certain limit. Such peoples were decreasing in number as their Euro-Canadian neighbours encroached upon their natural resources, or as they intermarried with them.<sup>84</sup> Essentially, Taché validated the common belief that contact between Aboriginals and settlers led to extinction or assimilation. (Pg. 78)

Mr. Coburn seems to be expressing a similar bias in his analysis to a degree. Hamilton contends and I wonder if this is not what is occurring again with the shift in legal populations who are receiving their Indian status and rightfully so under the Indian act but now Indian Affairs again takes credit for population growth while simultaneously continuing an unabated genocidal policy of exclusion for those never registered under the act or those facing the second generation cut off.

If their numbers were decreasing, it was because of their predetermined evolutionary limit; if their numbers were increasing, it was due to the policies of the Department of Indian Affairs, not their own strategies to adapt to the increasing pressures of Canada’s settler society. Whatever the numbers gathered by the census, the government used them to justify its own particular goals. (Pg. 79)

I agree with Hamilton on this.

Further inaccuracies and omissions in the census data resulted from the two different systems of cultural identification — the biological one set out by the census bureau and the legal one created by the Indian Act. Thus, all of the census data regarding Aboriginal peoples must be understood in the context of their colonial relationship with the Canadian state. (Pg. 79)

I can’t imagine that in the Valley where our numbers were even less, while Algonquins were dispersed

throughout the territory to more and more isolated places in a highly surveyed and settled land-base with the pressure to assimilate such accuracy was that much better. Whatever Algonquin/Nippissing people remained off-reserve, were likely experiencing some pretty intense erasure generally. It seems counter-productive to blame the victim of such erasure and to ask for documents that cannot reasonably be found. When there are a significant number of documents with a great deal of oral history that corresponds.

Ottawa being an urban centre and the Nation State's capital city was attracting a diverse Indigenous population from all over the country as people were migrating to urban centres to find work starting in the 1800's. But that diversity would not have been as intense in rural areas of the watershed. What we call the back country. What I consider our home the place we come from. At that time in fact the patterns show that as Algonquin/Nippissing people were being surveyed off their hunting grounds they were retreating into more isolated areas of the western watershed. The Fur Trade route along the Ottawa and all the way to the Abitibi region also saw a multiethnic blending of Algonquin, Nipissing, Ojibway, and Cree people with various European settlers contributing to the admixture thus the confusion and the recording of partial identities increased. Michel is only ever found in very rural settings, once he is documented at all. It seems to me that it was Indigenous people who were living in bush settings that may have been missed by the enumerators and/or misidentified at the very least for many reasons stated over and over again.

Do not confuse what I am saying with suggesting they experience more, or less, racism. I suspect it was simply different with the lack of recognition being a major characteristic of the systemic issues they were navigating. And there were times I am sure that they did not want to be recognized but couldn't help it if they exhibited stereotypical phenotypes. Again, I don't know I wasn't there. I experience light skinned privilege. But I also know the feeling of settler gaze. This was all happening over a time when there was flagrant neglect of so many petitions. I would like to posit that an anglophone settler enumerator, would have been as accurate as his own perceptions of the day would allow. His own prejudices and biases may have informed his actions as well and what he placed on paper by ink. This is why I am concerned that this analysis though thorough, may be suffering from some unconscious bias of presentism in some vital ways. It is definitely biased toward positivism in its approach.

Peter Clemo appears on the Algonquin schedule of ancestors and was believed to have taken presents with Shawanapinesi (Peter Stevens) from Lake of Two Mountains at Perth. This letter regarding the history of the Bedford reserve was written for my cousin to verify her belonging to Sharbot Lake in 2019. It



mentions the Bedford Reserve and Shawanipinesi. Much has been written about his petition and the subsequent failure of Canada to protect his lands.



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July 5, 2019

To Whom It May Concern:

Shabot Obaadjiwan First Nation members have occupied the Ottawa Valley in Ontario since time immemorial. Chief Peter Shawanipinesi, Chief of that era refused the move to a reserve and choose to keep his people on our surrendered land. The Shabot Obaadjiwan First nation roams freely over 2.3 million acres of Traditional Algonquin Territory within Ontario today.

There are 10 Algonquin First Nations that occupy this Territory. The Algonquins of Ontario (which we are one of) are currently in a Treaty process to settle the injustice that has happened under the Government of Canada and Ontario's watch over the last 400 years. Our web site is [www.sofn.band](http://www.sofn.band).

Katelyn Majauary is a member of Shabot Obaadjiwan First Nation and is in good standing with the Community. Our Nation identifies our members as a direct descendant from a recognized ancestor before 1897. Blood quantum does not define who is an Algonquin, social, cultural connection to the community, native values and respect for "All Our Relations" matter more to our Nation.

Katelyn's bloodline is directly from Michele McDonald. I am Quin's Chief and I have been Chief of this First Nation since 1999. My status card number is: 1630319101.

If further information is required, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink that reads "Chief Doreen Davis".

Chief Doreen Davis

I believe some of the Clements were hunting with my cousin Tony before we were removed from the enrollment list in 2020. Could it be that the enumerator was transcribing his own interpretations of the data at hand through either an informant within the house, or from neighbours relatively near by, weaving his own biases, guesswork, opinions, with perhaps the arrogance of professionalized authority and European settler entitlement of the time combined with white and class privilege when adjudicating Indians. I don't know. I wasn't there but neither was Mr. Coburn. Literature on these subjects affirm that could be the case.

### **Metis vrs. Indian vrs. Non-Status vrs. Algonquin - Wholism instead of Reductionism**

In earlier eras Europeans, especially French, allied with Algonquin and Nipissing and other Indigenous peoples through marriage raising the status of the European within Indigenous contexts. By the mid 1800's. I am not so sure that this was the case any longer. By Michel's era I believe he inherited a reduced social status being Indigenous in the Ottawa Valley. According to Jennifer Hayter in her paper Racially "Indian", Legally "White": The Canadian State's Struggles to Categorize the Metis 1850 to 1900

Métis communities.<sup>26</sup> The entire Great Lakes region on both sides of the border was filled with multicultural French-Indigenous trading towns and villages from the seventeenth century, and

In addressing this idea that these enumerators were essentially infallible and that all heads of family or senior members of a household were always the informants on these census, I have taken a quote from one of the other reports in this tribunal from the enrollment officers report for Mary Petrin.

It should be noted that information was recorded on census tracts by the enumerator hired to conduct the census. The information may have been provided by the person being enumerated (e.g. Mary Petrin or her husband) or by a third party such as a neighbour. It is also possible that the enumerator entered information based on his own knowledge or assumptions. There was no mechanism for individuals to challenge the information recorded on the census and it is difficult to know if the persons being enumerated were aware of the information that was being recorded about them during the relevant period. It is not unusual for the ethnic origins of individuals to be listed differently in different census years. This was particularly true for persons of Indigenous descent.

To address this further because I am certain this Enrolment Officer will be responding to all of our submissions, it seems to me, that employing a combination of positivist and interpretivist approaches to our current dilemma of who is and who should be accepted as Algonquin/Nippissing root ancestors will

yield a more fulsome exploration of the particular concerns of this file than a strictly positivistic approach can deliver if natural justice is the goal. A positivist approach does seem an expedient way to reduce numbers of recognized rights bearing populations. This should not be confused with files that remain as ancestors due to alleged fraud or truly information that confirms without a doubt that an ancestor is NOT Algonquin but indeed belongs to another Nation entirely and is claimed by that Nation as well. We also need to consider the power to define who has had it when? Again pulling for Jennifer Hayter. Due to time constraints I am sharing screenshots will provide citations if and when required.

of the Indian Act and Indian Affairs policy, including in Ontario and British Columbia. Such analysis helps us understand how the existence of mixed and Métis people affected the creation of "Indian" identification laws, primarily by forcing the state to articulate the underlying conceptions of Indianness that were at the core of the legislation and policy. In articulating what it thought defined an "Indian," the state was, at the same time, constructing whiteness as its opposite.

Mr. Coburn seems to want to force us into the box of white if I am reading his speculation that we may not be Indigenous at all. He also accuses our family of disavowing our proud Metis heritage but his idea of Metis is limited to Manitoba. Can someone be born in one region and yet be part of another or different nation than the region they are born to? Jennifer Hayter offers this example for the west.

It is also notable that Isabell was born at Qu'Appelle, located in what is now the Province of Saskatchewan, but she identified as a native of Manitoba. Her parents were both born at St.

Francois Xavier (also known as White Horse Plain and Grantown), a French Catholic parish west

I am guessing in Mr. Coburn's paradigm this is only applicable to those moving about in the prairie provinces.

The state-given identifiers of “Indian” and “half-breed” were intended to make diverse Indigenous Peoples legible and controllable by the federal government. Which term was applied to an Indigenous person defined which laws of Canada applied to them: if “Indian,” the Indian Act applied. If “half-breed,” the person may be treated racially as Indian, but was legally considered white. These state-created labels had and continue to have, enormous implications for the persons on the receiving end of each designation. The term Status Indian in Canada, with all that it implies, is a construct of nineteenth-century legislation. Defining people by statute in this

It seems that Mr. Coburn and Pikwakagan Reserve desire to uphold this idea of the default if not a status Indian with the right explicit ethnic designation on an original document and on this will legally reduce all of their Indigenous cousins lacking such paper work not as unrecognized and unrepresented Indigenous people’s but as white. White just makes things easier doesn’t it?

### **Sarah Whiteduck**

On the matter of how a servant would have been enumerated or a domestic helper I did come across this in the 1901 census enumerators guide. It states,

76. Persons in a family or household whose home or domicile has been elsewhere should not be taken by the enumerator unless it is to be ascertained that they do not intend to return, when they should be entered on Schedule No. 1, whether the time of their residence in the local be long or short the family de jure, and she may also be reported as de jure of the household where she is employed. Or if absent from the home for a comparatively long time and in her present place of service for only a short time, she may be left out the enumeration altogether.

This tells me that Sarah Whiteduck was not going home at night but actually living in the residence with Michel McDonald. She easily could have been the informant at the time especially if Michel was outside the home hunting, working in a lumber camp, doing any number of things to bring in an income and survive. He is shown to be out of the house for two months but we do not know the frequency of his absence or the span of it. He may no longer been considered a hunter by trade but I am sure he continued

to do things the way he had always done them but the game he would have hunted may have changed over his lifetime. He may have been working in the fields preparing for planting.

## **Process and Removal**

In 2020 we were removed from the enrollment list without appeal because of the birthdate of my grandfather John Christmas McDonald and not because of failure to provide a birth record for Michel. Joan Holmes advised us that finding information about Michel's parents could support the file in our circumstances. The law as it is written discriminates between two brothers known to have the same parents. The longevity criteria, as written, however absolutely protected all descendants of Thomas St. Jean Dit Laguarde and Emily Carriere due to a positivistic bias on the part of the process that seemed to uncritically accept anything that appeared to say *Algonquin*. It looks like much work was done to create a special use case to ensure their inclusion through the negotiation process at that time. And had their documents not been shown to be very questionable and allegedly fraudulent they participated in the creation of a proposed criteria that ensured their acceptance while discriminating against others where there was no dispute of Indigeneity but perceived tenuous claims to being rights bearing Algonquin worth of acceptance and representation moving forward.

I do have a procedural question regarding the root ancestors.

When the 2020 resolution that was passed did it include the proposed list of 53 ancestors that were published and shared at the consultation sessions in 2019?

Perhaps Joan Holmes can answer this question. I did not see this list of these ancestors in the adopted proposed beneficiary criteria published on the web but I remembered getting a copy of it and assumed they would be part of the adopted package.

Should only an explicit record that states Algonquin be the exclusive criteria for recognition or acceptance of a historical Algonquin ancestor?

I do believe that if there is a record that says someone is Algonquin that definitely carries and should carry significant weight unless it is fraudulent. I have added relevant paragraphs of our decision in 2013 for Mr.

Coburn to review. These were already provided in my initial submission, but I am including them again here. The other reality is that not all historical Algonquin/Nipissing would have been listed on these petitions or recognized as leaders of their communities like the three historical figures, that rightfully so, remain recognized as Algonquin Ancestors although not born ethnically Algonquin or within the boundaries of Traditional Algonquin Territory. Of course, it also needs to be noted because they were married to Algonquin/Nipissing women there is no risk of removal of their descendants regardless. So the stakes are much lower for the descendants of these ancestors because there is no risk of removal ultimately, but it is an interesting academic exercise which I am learning a great deal from.

## **Prior Decisions**

### **CONCLUSION**

[27] The place of Michel McDonald's birth is very much in issue. If he was born in Ontario, he was most likely Algonquin. If born in Manitoba, he would not be of Algonquin ancestry. Neither the historical documents, nor oral history is able to conclusively identify Michel McDonald's place of birth. There is no question Michel McDonald is an aboriginal. The Enrollment Board considered this matter and unanimously found an aboriginal lineage. In order to allow the protest, and to remove Michel McDonald as an Algonquin Ancestor, I must find that the Enrollment Board made a "palpable and overriding error". On all of the evidence and submissions, In my view the protestors have not satisfied the onus upon them to show the Enrollment Board made a "palpable and overriding error. As such, the protest is dismissed and Michel McDonald will remain on the list of Algonquin Ancestors.

**Dated** at Ottawa this 27<sup>th</sup> day of February, 2013

*James B. Chadwick, Q.C.*

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**The Honourable James B. Chadwick, Q.C.  
Judicial Member of the Review Committee**

[3] These hearings are conducted by me as a judicial member of the Review Committee. In dealing with protests to remove a name, section 15.7.9 sets forth the procedure I must follow. It reads in part:

... The Review Committee shall not overturn a decision of the Ratification Committee to accept or reject an Applicant approved by the Ratification Committee in the absence of a palpable and overriding error by the Ratification Committee or an Appeal Board that determined that an ancestor of the Applicant was an Algonquin ancestor, fraud in any application, or new evidence that was not available to the Ratification Committee or the Appeal Board that determined that an ancestor of the Applicant was an Algonquin Ancestor.

Mr. Coburn is not presenting any new information in this file that has any bearing on reversing the decisions in 2013. He is only bringing opinions, that are not any different than what was presented in 2013. All new information reinforces that Michel's descendants were still identified as Indians in the 1921 census including my grandmother whom I knew. Four of his children claim their father was born in Ontario in 2021. There was no evidence of fraud or palpable error on the part of the original board decisions in 2000 or 2012 and yet the memory of Michel McDonald and his acceptance as an Algonquin ancestor is subject to this new review regardless of respect for Article 6 of U.N.D.R.I.P. as it should apply to Michel. It states clearly that Indigenous individuals also have a right to a Nation.

In contrast there was definite evidence of alleged fraud in some of the other files being reviewed. All new information that has come to light regarding relationships to Algonquin people and continued Indigenous identifiers point in the direction of him being a part of the off-reserve diaspora of Algonquin people living in historically inhabited areas of the unceded territory. Unlike the Dit Laguarde Emily Carriere files where the only positive identification of being Algonquin was the result of the submission of an alleged fraudulent document not checked for provenance at that time. In this situation there is much original source information clearly identifying the lineage of this family all the way back to France. Michel cannot do that because there were no birth records in Ontario when he was born and there is no record of his birth in Manitoba. It looks like Manitoba was struggling with completing census on Indigenous people which has left many gaps ongoing in the historical record.

We have several records that show significant relationships ongoing with Algonquin and there is no dispute that Michel was an Indigenous man. Although the idea he is not keeps creeping into Mr. Coburn's arguments. This points to the same bias similar to Ron Bernard's bias in 2013. At one point does the never-ending review of this decision and file become a more a nuisance or even harassment rather than an honest search for truth, justice and reconciliation.

Natural justice and due process for those of us removed in 2020 has been completely eclipsed while we endure this rehash of the exact same information that was adjudicated and decided upon in 2013 where the exact same arguments were put forth then. What I see in all of this is that there is no denying there is a polyglot polyethnic population of people with Ojibway, Algonquin and Cree heritage from the Abitibi region and from the indicators in other files including our own, there is similar overlap of this phenomenon in the southern part of unceded Algonquin Territory. This polyglot polyethnic evolution is also mixed with various European ethnicities as well.

Mr. Coburn asserts with absolute authority,

Given the Registrar's findings that Sarah Whiteduck was Algonquin, it then becomes quite obvious that *she was not the person who was interviewed* for the census. Indeed, if she had been the person being interviewed and/or had participated in the interview, she would have surely declared that she was *Algonquin* and not a *Cree French Breed* as she was erroneously identified.

This theory does not hold up to scrutiny when we consider the August Clemens identification. Surely, he should have known he was Algonquin as well according to Mr. Coburn's hypothesis argued as fact.

Since we have no records that indicate Michel McDonald's real name and can only go by this surname in searches then our oral history that remains, as a fragmented as it is, does elucidate the circumstances of why he does not exhibit the kind of information that would link him to a known historical Cree community or Metis Community in Manitoba. This due diligence was performed in 2013 as well and clarified by the Justice Chadwick in his closing arguments. There is nothing new to ponder here.

The fact that we cannot find a Michel McDonald in those records where Cree and Metis people were known and who's homelands are claimed by the Cree and/or Metis is actually consistent with our oral history that states this was not the name he had when he was born. We may be colloquial in how we speak but to our family this meant that McDonald was not his REAL name. I am willing to entertain it could be



the surname of his father. But we have found nothing close to indicating who that was either.

Already entered into the records in 2013 by both the enrolment officer, our selves, and the genealogist hired by Pikwakanagan in that round of scrutiny was the 1861 census that may or may not be our Michel McDonald. He is not listed in order of birth and he is recorded as a labourer at the bottom of the list of people in the household consistent with people who are not members of the nuclear family. Is he a relative? He is not likely a son if he is included out of birth order. There is nothing to tell us otherwise. We have our oral history that is all.

This record does place him in the territory between Golden Lake and Pembroke in a settler's home with the name McDonad or ODonald. Arguments were put forth in the first hearing that perhaps Richard McDonald had lived in Manitoba and made Michel with a Cree woman out there. But that argument was debunked then. This man had moved here from Ireland and his first sons were born there. His next children are born in CanadaWest (Upper Canada) not Manitoba. There is no record of this man in Manitoba. And we cannot be certain that this Michel is our Michel McDonald but on the balance of probabilities set against our oral history this is the most possible scenario these records have indicated.

There are good reasons why the enrollment officer cautions the use of records prior to confederation unless they are explicit in their identification but what we do all agree on without a doubt is the Michel McDonald we are discussing is the one in the 1881, 1891 and the 1901 census. We have done this through triangulation and linking the vertical lineages and there is no doubt this my gg-grandfather. We can all say this with absolute certainty. We also know that the 1911 census where his daughter Eliza is recorded as Indian exists and we did not know that before. Thank you Mr. Coburn this verifies and corroborates Kevin Montgomery's oral history in my initial submission.

And we now have access to the 1921 census that records three of his sons as Indians with their children as such. The wives are recorded as their predominant European ethnicities. It should be noted that in 1911 that Peter McDonald is recorded as Scotch and Kate Pierre Jocko is recorded as French consistent with a paternal or patrilineal interpretation of their valid ethnicity, but had they been recorded as Indigenous people which clearly Kate was even if you want to deny Peter she should have been recorded as the race of her mother. Algonquin and was not. Who do think was informing that census? This again clearly shows that the census takers were likely making many assumptions based on partial information. They were obviously not informed enough to ask questions in a manner that could be depended upon or elucidate in

the way Mr. Coburn is presenting his arguments as absolute truths and infallibility. All of the children Michel McDonald found in the 1921 census state their father was born in Ontario including George.

The question remains who told Mr. Moore what in 1901? My father verifies as well that his grandfather could John Christmas could not read or write. So is also likely that we can surmise neither did Michel McDonald. Or did the enumerator write down what he thought to be true based upon observation and what he thought he heard. Especially if the respondent had an accent that his ears were not accustomed to any number of misinterpretations, filled with error, could have occurred. From what I can see from his ethnicity he was anglophone and culturally English. If Sarah Whiteduck was simply a servant in the house why would the enumerator assume she was Cree FB just like Michel? Mr. Coburn suggests he knew there were different tribes. Which ones did he know? Being aware there are different tribes and knowing how to identify them could be two very different things.

A common believe at the time was the Algonquin were close to extinct. Sarah was not married to Michel and the child had a distinct last name that designated her English like her father. She was not recognized *chattle* to him. She was not legally bound to take on his ethnicity or his name. If it was reasonable to assume that either Michel or Sarah were the informants, and not some neighbour, then why would Michel say she was Cree French Breed when he most likely was married to two of her cousins and also attended Theresa Jacob's funeral and would have known she was Algonquin. Would he not have known his two previous wives were Algonquin? Especially since such well known Algonquins witnessed these weddings? Yes we do have to remember that we can absolutely without a doubt positively identify Michel McDonald of 1881, 1891, and 1901 census as the Michel McDonald of this tribunal review we do see a significant number of indicators that point to this Michel being the Michel that married Mary Whilduck and Mary Constant. This does bring us again to contemplate the Manitoba mystery and what it then means in determining Michel's right to be considered an Algonquin root ancestor.

With regard to the enumerator of the 1901 census that identifies Michel McDonald and Sarah Whiteduck, does Mr. Coburn know this enumerator? How can he assess this injustice to the character of this man? Perhaps he was quite racist and his beliefs about Indigenous people

distorted his reason and contributed to assumptions that lead to inaccuracies. We don't know. I find it interesting that Mr. Coburn is so concerned about the *just* treatment of this enumerator over the just treatment of actual Indigenous people when there was an obvious hegemonic power relationship that privileged the enumerators pen over the Indigenous voice especially if the people he was enumerating didn't read or write themselves.

What is the first syllable of Man-i-to-ba? What is the first syllable of Man-i-tou, (Man-i-do if you are speaking with a more southern Anishinabemowin accent) Man-i-tou-lin? Man-i-waki?, Manitou Mountain in Calabogie? Manitou Lake in the northern part of Algonquin park? There are many places that someone with a superior attitude who is anglophone could have jumped to translating to Manitoba. I also think that the census record of Eliza McDonald on Curve Lake reserve shows that it would have been reasonable to have put Ontario for her mother's birthplace since that was where she was born but instead, they put French. Weird eh. French isn't a province or a territory it's a language. So much for consistency.

The overuse and emphasis of the idea of circumstantial evidence when in fact we have many original source documents with oral history that elucidates the records may be employing persuasive rhetoric to maximum effect, but it is also showing a strong bias to discredit our family as honest people telling our truth. The truth remains ultimately a true mystery.

Can anyone take seriously a recounting of a conversation with a member of this (my) family who is not named? What I can tell you is there were certainly more records at the hearing even in 2013 than Mr. Coburn is listing in his attempt to discredit our assertion of Algonquin belonging and Algonquin identity. I know I was there.

Mr. Coburn states that Michel McDonald usually identified as Scottish. Two records identify him as Scottish one is likely him but not absolutely him. The other is absolutely him and it clearly identifies him as Scottish Indian.

Mr. Coburn stated he had self-identified as an "Indian" in the 1891 census while living in Canonto with his third wife, a French-Canadian, and their children.

Actually, he was identified explicitly in a column for simply identifying French as *Indian*. There is no column on this census that asked for ethnicity and race. Whomever filled this out explicitly made sure he was enumerated as an Indian.

I am perceiving some of this rhetoric repeated in Mr. Coburn's geneology opinion paper as distorted in a way to capture and spin the narrative to suit his own unconscious confirmation bias. The repetition of the same phrases over and over again do not make them any more true. Please review the rationale for the 2013 decision of the Michel McDonald file to consider the balance required when adjudicating original source documents, primary and secondary evidence, and oral history. All of this was considered in 2013.

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## ORAL HISTORY

[24] Much has been said about the use of oral history as it relates to aboriginal land claims. The courts have recognized that indigenous people did not write down their history, but rather passed it on from generation to generation by way of oral histories. The Supreme Court of Canada in *Mitchell v. Minister of National revenue* [2001] 1 S.C.R. 911 made the following comment at paragraph 27:

Aboriginal right claims give rise to unique and inherent evidentiary difficulties. Claimants are called upon to demonstrate features of their pre-contract society, across a gulf of centuries and without the aid of written records. Recognizing these difficulties, this Court has cautioned that the rights protected under s. 35(1) should not be rendered illusory by imposing an impossible burden of proof on those claiming this protection (*R. v. Simon*, [1985] 2 S.C.R. 387 (S.C.C.), at p. 408). Thus in *Van de Peet*, supra, the majority of this Court stated that "a court should approach the rules of evidence, and interpret the evidence that exists, with a consciousness of the special nature of aboriginal claims, and of the evidentiary difficulties in proving a right which originates in times where there were no written records of the practices, customs and traditions engaged in.

[25] In dealing with matters on this type of application it is somewhat different than in a longstanding land claim. An oral history does have an important role to play along with the historical documentation. The oral history is offered to establish they are aboriginal and Algonquin. However oral history evidence must be very carefully weighed and evaluated. I have no doubt the presenters are giving their best recollection of stories that have been passed down over the years. The oral history must be considered in conjunction with the Primary and Secondary documents.

Mr. Coburn creates more spin with this sly comment, "In fact, they might not even be Indigenous at all." As a matter of fact, there is more than enough evidence that we are Indigenous through Michel McDonald that

was not in dispute. The only other person who has asserted such a preposterous idea was Ron Bernard as our protestor in the last hearing and he was obviously incorrect.

### **Corrections**

Mr. Coburn: John Christmas MacDonald married Mary Anne Peters, daughter of Stephen Peters and Debbie Helfert on 1917-11-15 in Clarendon, Frontenac, Ontario.(Annex G)

My Answer: Her name was Pheobe Kelford and her name was pronounced Pebbie. The same as Joe *Kelford* Whiteduck.

Mr. Coburn: It is to be noted that John Christmas MacDonald self-identified as “Scottish” in the 1911 census

My Answer: He was identified as Scottish and he was a laborer in a rooming house. Who knows who the informant was. His sister Eliza was identified as an Indian in the 1911 census living with Dick Corneilus and Margaret Whiteduck which corroborates with our oral history submitted in my submission. You should read it. Thank you for finding that record.

Mr. Coburn: (Annex H) while he and his daughters, Brigitte and Frances MacDonald, self-identified as “Indian” in the 1921 census for Canonto, Ontario. (Annex I)

My Answer: Actually as a matter of fact and easily read on the 1921 census John Christmas McDonald is enumerated and identified as Indian. My grandmother Frances was barely a year old at the time of this census do you really think she self-identified? But she always identified as an Indian.

Mr. Coburn: Michel MacDonald death record says that he died in South Canonto on 1907-03-14 of general debility of which he had been suffering for at least the last seven (7) years of his life. He is said to be 68 years old (Born 1839 ca), a farmer and married. However, his wife’s name (if any at the time) is not provided. He is a

Roman Catholic.

My Answer: There was a 14 year gap from the time my gg grandmother passed away and she had children in the house that would have needed a caretaker this is obviously the reason why Sarah Whiteduck was in the house. Could my gg-grandfather who is listed as the informant on the death record have seen Sarah as a wife to Michel in those last years before his death? Perhaps. Even if they were not officially married? Perhaps. Or could he not have realized that the more accurate thing to have written would have been widowed? I do not know the actual literacy level of my g-grandfather. But this could have been a country union. Obviously after he passes away Sarah goes to Bonfield where there is a more concentrated population of recognizable Algonquin people and it my understanding that she was originally born in Calabogie. She is identified as Algonquin and that would be consistent with her actual roots. I believe both of her parents were Algonquin. Although she may descend from one of the three historical figures that were reviewed at this beginning of this Tribunal who were not born Algonquin but who assimilated into Algonquin society and married in and were listed on petitions as Heads of Family and Chiefs. I believe Joan Holmes can clarify this.

Veldon Coburn: As reported by his son, John MacDonald, his first name is clearly shown as “Michel” and his surname as “MacDonald”. The first name “Michel” instead of “Michael” implies a French heritage while the surname “MacDonald” would indicate an Irish or Scottish heritage.

My response: Already discussed ad nauseum in the 2013 hearing. My grandmother always pronounced his name Michel. The Whetung family verifies the pronunciation of the name as well. This was all discussed in the original hearing. Thank you for sharing what we already obviously know.

Veldon Coburn: No birth record could be found so far on Ancestry, Family Search, the Manitoba Archives and the Hudson’s Bay Company records for a person born around 1839 specifically named Michel MacDonald or any of its variants such as Michael and/or McDonnell or McDonell.

My Response: This was also revealed in the 2013 hearing and the search was conducted by the genealogist hired by Pikwakanagan.

## **Presentism**

Mr. Coburn use of the word *self-identified* always when referring to Michel McDonald in census. This is a flagrant example of presentism in this analysis. Self-identified implies in the census records of that time that one would fill them out directly. The appropriate and more accurate descriptor here would be to say was identified as. He has absolutely no idea who identified Michel McDonald. In our modern era we all fill out our own census unless we cannot for various and specific reasons that might include disability or literacy but in these past era's enumerators did this work. Mr. Coburn is creating a distortion when he uses this rhetorical description ad nauseum.

All of the birth records of Michel's children that identified Michel as an Indian were submitted and reviewed in 2013. And good for Mr. Coburn he was able to read that Joseph their youngest son was absent in a record. He is very observant and was able to extrapolate that he was not there. Our Oral history informs what happened to him and you will see a photograph of him in my initial submission. Joseph was taken to Sturgeon Falls near Nipissing Reserve a very short time after the death of his mother and was adopted or taken care of by my g-grandmothers side of the family. I included a photograph of him in my earlier submission.

If enumerators were quite aware of the difference between members of different First Nations that would be most true in townships and counties where there were actual reserves. Were they so informed that they knew how to identify subtle differences in groups other than their own ethnicities? Or were they like most people quite ethnocentric in their observations of those they deemed as *other*. Perhaps making stereotypical assumptions and applying generalized judgement.

Mr. Coburn states,

By Law, as enumerators, they had a legal obligation to scrupulously put down verbatim in the census form whatever information and/or statements were given to them by the persons being interviewed.

As an example, in the 1901 census for Algoma South in Renfrew North, Ontario, (Annex MM) those Indigenous and Mixed Indigenous-European individuals who *chose to self-identify* to enumerators as indigenous were duly recorded by the enumerators as Algonquin, Mohawk, Algonquin French Breed, Algonquin Scott Breed, Algonquin Other Breed, etc...

Then why was Tommy Sharbot and his entire family enumerated as Cree in 1921 in Calabogie?

Mr. Coburn states that it should be noted that the omission of Michel MacDonald's age and birth date is unusual.

I say but not when you consider our oral history. Since he is supposedly the informant and he didn't know his birthdate or his age, but he knew where he was born and his specific ethnicity? It's a stretch.

Mr. Coburn's Smoking Gun evidence was discussed deliberated and argued in 2013 and it was determined that the burden of proof to show palpable error in previous board decisions was not satisfied.

This whole section seemed to be weighted with vexatious hyperbole and feels even propagandist in its style of rhetoric. I take exception to this last sentence it infers we are not being truthful. Mr. Coburn obviously wants to diminish our reputation and character in front of our peers. I call it stirring the pot or poking the bear much more than an attempt of integrity to find truth.

Had it been considered at all that Michel McDonald's father could have been Cree and Scottish. His mother could have been any combination of Algonquin/Nippissing and even an admixture with French. This idea that if he were Cree he could not also be Algonquin is as ridiculous as if you were to say if he were French he could not also be Scottish. Perhaps they were in the Red River for a few years and then she returned home with the child to her family.

Surely Angus Clems who I am assuming is a descendant of Peter Clemo knew he was Algonquin.

In fact, in addition to Michel MacDonald's specific Cree French Breed household, two (2) other



Indigenous families were enumerated in Addington, Palmerston & Canonto, namely Angus Clems listed simply as an “*Indian*” and Solomon Benedict and his family, listed as “*Indian OB*” (i.e. Indian Other Breed).

I don’t know how Mr. Coburn can keep a straight face when he keeps writing with *absolute* certainty there were *no mistakes* on the part of the enumerator. When that is ridiculous.

All of the information regarding my gg grandmother was handled by Joan Holmes and from all of the records collected I am in agreement that my gg grandmother was a French woman. There was speculation by one branch of our family in 2006 that she was the daughter of Margaret Whiteduck that has been corrected. It did not contribute to Justice Chadwick’s decision at the time it was acknowledge that there was not enough evidence to determine anything about the speculation. With repeating names like Mary Margaret and Elizabeth it is easy for people to become confused in both records and memory. Which is why the most robust analysis of a file like Michel McDonalds is to balance positivism and interpretivism to come to the most fair and just decision and to weight the oral history with the historical record. Sometime was just need to accept mystery

Elisa Ellen MacDonald (1888-1973) named after her mother and possibly her grandmother on her father’s side was identified as Indian in 1911 when all of her brothers are identified by European markers. Two Scotch. One French. On 1921 census she is marked as French presumably because that was her mother’s ethnicity and is identified as speaking Indian. Her mother’s birth is recorded as French when it would seem the enumerator would know French was not a province or territory. According to the Mr. Coburn these enumerators were men of stellar character who never made errors. Surely the enumerator would know the difference between the location of birth and the ethnicity of her mother. Seemingly not. Mr. Coburn also has made an error in the name of the father of Ryerson Whetung her husband. He has written it as Arthur but it is Joseph. That could cause a rabbit hole.

It has been said over and repeatedly that the census recorded only one aspect of mixed-race Indigenous origins on each census following different instructions and trends therefore it was common for people to be recorded in a seemingly contradictory manners over time if you take a black and white, binary, positivist approach to analyzing this data. If we challenge a reductionist positivistic bias when analyzing these records and open our minds to actual possibility in our

interpretations and consider other evidence born of study of the patterns of migration of Indigenous folks around this time is it not possible that Michel McDonald's father was Scottish and Cree and his mother was Algonquin/Nipissing. She might also have also been French and had any Euro admixture in her ancestry. I could create many admixtures almost like a rubrics cube here. What is important to recognize is that Michel McDonald was an orphan. The records now being required by this process do not exist and never existed. Birth records did not exist in Ontario until 1869. It is obvious that Michel and his children interacted with Algonquin families known in the eastern Ontario region of Canada and there are no records of him being born in Manitoba beyond the two censuses.

Mr. Coburn says Self-identifying and/or having a family oral history of being of Algonquin descent, being married to an Algonquin and/or having Algonquin and/or Ojibwe aunts, uncles, or cousins and/or living as a hunter on Algonquin Traditional Territory does not change a person's Manitoba Cree French Breed origins into that of an Algonquin. Neither does being born Algonquin or multi-ethnic including Algonquin to Algonquin parents at least one and being born in Manitoba and returning to one's homeland unless there is a disrupted or interfered with right of return by a hegemonic power and occupier creating the rules of engagement and definitions of who is removed. After all identity is a construct of the human psyche that does other. And for this process to have meaning and to reduce Algonquin numbers the most efficient way to do that is to other the most vulnerable populations if they refuse to assimilate fully into mainstream Canadian Identity. And identity that is mostly constructed as white settler descending from immigrants.

It does seem and the AOO Tribunal agrees that in the cases of Jacque Kamiskwabinih, Francois Kawatiadidik, and Louis Michimanakwakwe this is precisely what happened. The below spin on this narrative by Mr. Coburn is pure fabrication and ignores the actual history of the process in 2013. Nothing was missed as inferred by Mr. Coburn's speculation of what was reviewed and adjudicated in that process. Quite the opposite. It was discussed over and over again in 2013 and the justice found in favor of the retention of Michel McDonald on the schedule of ancestor as a root ancestor based on the balance of probabilities and the burden of proof on the part of the protestor was not fulfilled.

## **U.N.D.R.I.P. + Provincial and Federal Influence**

Mr. Coburn included some history and information about how U.N.D.R.I.P. factors into the new beneficiary criteria as well as how recent changes in the laws affecting who are considered acceptable indigenous people and for the most part I appreciate and agree with what he shared. I guess I wonder about how Article 6. Of the U.N.D.R.I.P. factors into the current adopted proposed beneficiary criteria and how that impacts a decision around whether to retain Michel McDonald on the ancestors list or not. He suggests that the Algonquin will be undermining their own core values regarding their new beneficiary criteria if I am reading his statement correctly by forcibly removing people that in other times or context, they would have accepted them. I don't understand how that promotes healing, reconciliation, or self-determination. We have been told in various communications that the current criteria has been self-determined but how can that be if a significant number of people had gatekeeper powers and direct influence on its draft who are ultimately deemed not Algonquin because of fraud. Also, I wish to include this letter to my father from the Ontario Government regarding the creation of the most recent beneficiary criteria which seems to suggest that Ontario and Canada have been directly involved in its creation as well contrary to claim that this has been a completely independent and self-determining process.

July 16, 2021

Robert J. Mackenzie  
100 West Beaver Creek Road  
Brimley Falls ON L3R 0K6

Dear Mr. Mackenzie:

On behalf of the Honourable Greg Rickford, Minister of Indigenous Affairs, thank you for your correspondence dated July 2, 2021 sharing letters you have sent to Canada's Minister of Indigenous Services, the Honourable Marc Miller. I have been asked to respond on behalf of Minister Rickford.

Determining who will be Algonquin beneficiaries under an anticipated treaty has been an ongoing and evolving process.

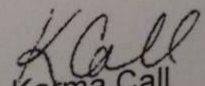
As part of their work to refine eligibility criteria, the Algonquins of Ontario (AOO) have recently developed more rigorous standards that an applicant must meet to demonstrate social and cultural connections to both historic and modern Ontario-based Algonquin communities. Ontario and Canada had input on the revisions and Ontario endorses this development. It is in all of the negotiation parties' interests to ensure that the opportunity to participate in the treaty is available to those people who have a legitimate claim to the rights it will address.

I encourage you to continue with that process. It is my understanding that review and appeal procedures for enrolment decisions will take place in the near future.

Further to this, the treaty will include a chapter on eligibility and enrolment, which will outline the criteria in order to be enrolled as a beneficiary of the treaty and will include an appeal process, pursuant to Chapter 3 of the Agreement-in-Principle.

I am confident that the AOO will continue to work with you through the due process they have in place.

Best wishes,

  
Karma Call

Director of Negotiations Northeast and South  
Negotiations and Reconciliation Division  
Ontario Ministry of Indigenous Affairs

We do not know and cannot assume Michel was recorded accurately in his own words on any of these censuses. We do know many outside authorities saw him as Indian on multiple documents and he had relationships with others of his kind that are indicated and documented. The idea of self-identification is an example of presentism and hegemony of social, political, and legal attitudes and norms of this time projected onto a past era. The constant inference of dishonesty in Mr. Coburn's opinion with its reductionism does not prove any error on this file in past board decisions. The only thing that seems to have changed is the criteria for beneficiary in an adopted proposed beneficiary criteria that remains unreviewed and untested since it was created in 2019. And the government of Ontario admits its direct and ongoing involvement in the creation of this criteria along with its implementation. As a past journalist one of my first questions would be how does Ontario benefit from a reductionist framework applied to Algonquin belonging and identity and in what ways?

I think one of the most bizarre statements by this report is the idea that anyone reneged on anything where Michel was concerned. Do people who live at Pikwakanagan reserve who transfer to that reserve because they have married in, or they have children there, renege anything other than the right to live on their original reserve? They are simply reduced regarding which treaty settlement they draw their benefits from or which treaty applies to them. In the case of transferring to Pikwakanagan they become untreated and simply and completely wards of the Crown. This attempt to characterize Michel or any of us reneging anything and it being a choice is just foolish. All this conjecture based upon a bias against reasonable uncertainty in a file where the records being requested do not exist because the government of Ontario did not have such records until 1869 is not reasonable. This is placing burden of proof on the descendants of the McDonald family after years of inclusion and acceptance, this is disturbing when there is no new information that would contradict the 2013 decision or render it unsound. There are no indicators of fraud. No hyperbolic rhetoric can manufacture such evidence no matter how hard it attempts to do so.

After a thorough search on the part of many people including Mr. Coburn, it remains obvious that Michel McDonald was an Indigenous person who is only ever found living in Algonquin Territory amongst Algonquin people. He is not of an elite class, a favored caste, he is a head of his own family, but he is not a leader, a Chief, a Sachem, and he is a humble man doing what it takes to survive. He passes away in 1907 the year he buys the land he lived on. To me this brings me a melancholic sadness when I contemplate the difficulties he faced from the loss of partners, children, and even his identity although I think he had a sense of belonging with the other Indigenous people in his life and he was accepted. He most likely cannot read or write, he does not directly enter his information into a census record the way it is done today. Self-

identification applied in the interpretation of the descriptors found in these tattered government issue documents of his life, identity, and relationships is an example of presentism in his analysis.

## **Disclaimer**

If this document requires a disclaimer such as the one included in this report, I guess it can be inferred that this, when all is said and done, is simply the opinion of Mr. Coburn who a member of Pikwakanagan Reserve is. This is not the submission of an actual objective third party who may have supplied a thorough genealogical analysis without significant bias who can demonstrate their certification in genealogical expertise. The cover letter is signed by Mr. Coburn. But this document seems to have no author. I think we must all be cautious in interpreting its veracity, but I acknowledge the thorough search for documents most of which were already collected by the process in 2013. But since 10 years have passed many more documents have become publicly available and so I thank him for adding to the repository of original documents that reflect the life of my ancestor Michel McDonald and his many relationships with Algonquin people throughout his lifetime.

To even infer that Michel McDonald was not an Indigenous person in my mind is an egregious spin that is taking advantage of the fact that Michel McDonald was not of an elite class, was an orphan, and was thus less documented than other Algonquin people inhabiting a more transparent and known relationship to the nation state and the colonial powers preceding it. If this is a just process aiming to conform to Algonquin values as much or more than colonial ones, then the integrity in these proceedings would point to the continued inclusion and acceptance of Michel McDonald as a root ancestor of the Algonquin Nation grandfathered in moving forward with a guarantee of continued inclusion.

And unlike the records of families that seem to be from Manitoba or spent time there some explicitly recorded as Metis we do not have any access to records that would reveal either of his parents. We are also likely dealing with a pseudonym or adopted surname rather than a surname that connotes paternity; but it might. Therefore, I looked quite carefully at the other files in this process with the surname McDonald or McDonnell, to compare them with our Michel McDonald and to see if there are potential links or clues to family ties and ancestral relations. This matter was addressed in the original hearing and Justice Chadwick came to this conclusion in his decision to have Michel McDonald remain on the schedule of ancestors and

be considered a root ancestor.

Finally, if this document is suppose to be confidential then how does publishing it on a website protect its confidentiality and to whom? My family has no choice to its transparency there is no protection of our privacy some of our most discreet and personal relationships are being assessed and scrutinized for the purposes of identification and recognition in a process that has adopted a proposed beneficiary criteria. It is precisely because we are honest people with integrity that we have engaged in this very very hostile and difficult process which is significantly distant from the original recruitment to enroll where we were welcomed with open arms to the point where I was encouraged to apply for a job with the process. And then go the job.

I have pondered Mr. Coburns arguments and see a pattern of colonial victim blaming when it comes to explaining away the anomalies or patterns that expose themselves in Michel McDonald's life as we look at the impact of colonization on Indigenous people without influence and not defined by or contained by the Indian Act. It had been suggested in the context of rape that we victim blame to try to keep ourselves safe psychologically from the knowledge that the same thing can happen to us given similar circumstances.

This seems an extraordinary level of surveillance to reduce numbers of historical figures who do not inhabit highly visible positions of authority or recognition from the past but who are just regular people, labourers, doing the best they can in a racist country doing whatever it can to contain them or eliminate them from the social consciousness. I do see why after time they were systemically made invisible to the eyes of the state legally. But to do this again in these circumstances is hurtful harmful and deeply problematic to any goal of actual social justice, truth or reconciliation ultimately. But I do hope our contributions help elucidate the truth of our family in a journey of deeper Debwewin ultimately considering era, context, and impact. Gtch Miigwetch. Niindawemaginduk

## **Added Thoughts to Consider**

The protested ancestor Michel McDonald was Aboriginal. He was identified as such in 1879 (twice) and on the 1881, 1891 and 1901 census. The contradictory evidence regarding his birth place and thus his tribal identity remains problematic. If one considers only the evidence from 1879 onward that is clearly associated with the ancestral family, he was born either in Ontario (1881 census) or Manitoba (1901 census). The family oral history has no memory of a Manitoba birth place; this is new information which the respondent has described at length. The protesters researcher reported that she conducted a search of Manitoba sources and did not find any records related to Michel McDonald. The lack of records in Manitoba sources is in itself not conclusive, especially if he assumed the surname of his adoptive family, as the family history suggests.

Michel's assuming the name of his adoptive family is one scenario contemplated by our family. The other is that he found out who his father was and chose to rename himself with that name or he took on the name McDonald as a way to pass for White or Scottish in a society predominantly consisting of Scottish settlers. Any of these theories could be true. Our oral history through Brent Whentung was very specific in that he said that Michel McDonald his great grandfather christened himself with the name McDonald at the age of 16. The reasons why are speculations and not fact. The oral history passed down to Brent indicates some form of rite of passage and a naming done at the will of my gg-grandfather. It seems to me to either indicate a choice and ceremony done outside the church or done in the manner of or like a church ceremony what I found fascinating about this description was he christened himself with this name.

What I saw that struck me were two things regarding the other files in this process that are being reviewed examined and adjudicated.

In the Anne McDonald case there was a link to Manitoba which does establish that an Algonquin family could have lived for short time in Red River and that there are ties between the RR Metis and Algonquin people but that does not exclude a Metis descendant with Algonquin ties from being both. What it does require is a choice on the part of the descendant to determine which treaty, community, or land claim agreement they will adhere to if they have a choice.

If historically they have taken scrip then that indicates a acceptance of being Metis and not simply mixed race. It does not transform their heritage. The heritage includes both. Then in the Cecile Mawaskat McDonnel case there is a different issue or distinction where there are several records prior to the assertion of an explicit Algonquin identification in a colonial record that Cecile parents are not from Algonquin territory at all but they are named and



they are easily traced to other regions that are the traditional territory of other Nations. To me this an example of more information that potentially contradicts the identification of this person being Algonquin that perhaps was not available in the hearing where they were approved. If we only take on a positivistic analysis and do not include an interpretivist approach as well we do run the risk of making an unjust decision in these proceedings based upon confirmation biases rooted in only weighing the material positivistically and not interpretivistically.

I have addressed the confirmation bias regarding the supposition that Michel would not be Algonquin if proven to be born in Manitoba in my prior submission so I will not reiterate it here. But even with that bias informing Justice Chadwick's decision in 2013 he decided in favour of retention

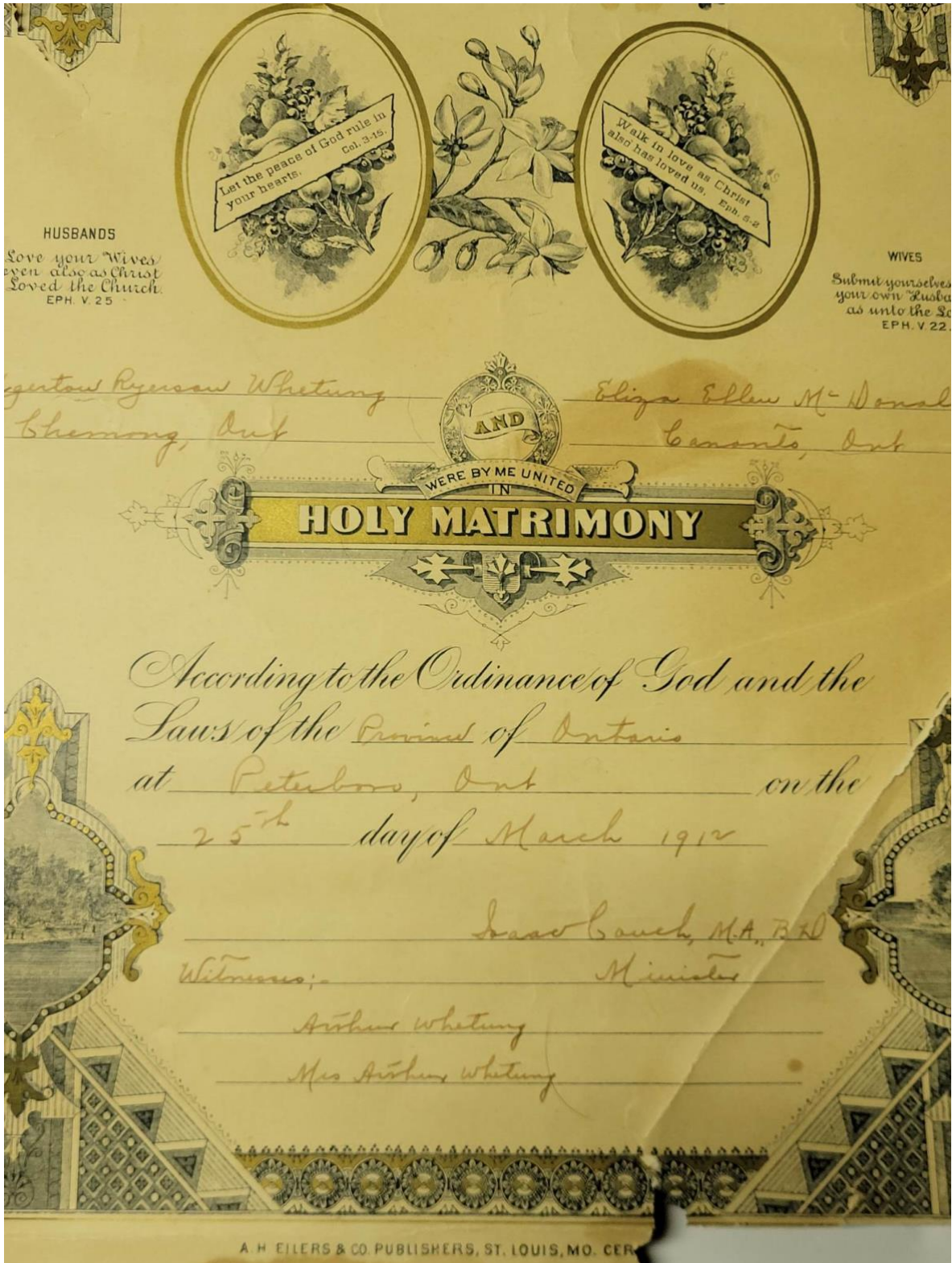
I will suggest that Mr. Coburn's interpretation is positivistic but lacks an adequate interpretivist balance where we can drill deeper to not just ask causal "what" question of the data at hand but to consider causal "how" questions of the data at hand, to inform a more robust and just outcome with regard to Algonquin legal principals and subsequent law and policy that could potentially govern a reconstituted nation in the future where those who should belong--do.

The question thus becomes

How does an orphaned Indigenous male find himself at the age of 18 or older in meaningful relationships with other Algonquin people in the heart of traditional Algonquin territory and how might this inform decisions to retain him as a recognized root ancestor of the Algonquins of Ontario for the purposes of settling a modern land claim agreement ultimately?

This may be a deeper and more important question than, "Does he have a piece of paper that explicitly names him as an Algonquin person at any time during his life."

Here is another marriage document for Eliza Whetung and Edgerton Ryerson Whetung. Mr. Coburn transcribed the years she was married as 1915 but it was actually 1912.



HUSBANDS  
Love your Wives  
even also as Christ  
Loved the Church.  
EPH. V. 25



WIVES  
Submit yourselves  
your own Lusts  
as unto the Lord  
EPH. V. 22

*Agustaw Ryerson Whetung  
Bhamong, Ont*



*Eliza Ellen M. Donald  
Bhamong, Ont*

**HOLY MATRIMONY**

*According to the Ordinance of God and the  
Laws of the Province of Ontario  
at Peterboro, Ont on the  
25<sup>th</sup> day of March 1912*

*Isaac Couch, M.A., B.D.  
Witnesses: Minister*

*Arthur Whetung  
Mrs Arthur Whetung*

## APPENDICES

Please see attached some materials submitted as well from Noreen Kruzic who is a genealogist that I engaged for a non-vested opinion and show due diligence on our part regarding archival searches to ensure we had not missed the documents being asked of us that were determined even in 2013 to not exist. A baptismal requires a baptism and there were no birth records in Ontario before 1869. As I am not a person with this expertise. I am a family member of an Algonquin Ancestor who is in threat of removal from the historical record with consequences for my living family. These decisions made now also have impact for the next seven generations of Algonquin people and their relatives. It is good that we are all taking these things seriously but let's assure they were without malice and acknowledge our biases.

She gave me permission to include these opinions with support documents.

1. Credentials
2. Examples
3. Thoughts
4. Excerpts 1901 census

## Credentials

### Noreen Kruzich

Member of the Ontario Genealogical Society

Researcher listed with Library & Archives Canada

Former student of International Institute of Genealogical Studies

Author of "*The Ancestors are Arranging Things...a journey on the Algonkin Trail*" Borealis Press-Ottawa 2011  
(Literary non-fiction book)

Twenty years in First Nation & Metis genealogy and history working with individuals/families across Canada, associations/institutes such as Metis Nation of Ontario, Crown-Indigenous Relations & Northern Canada, Canadian Museum for Human Rights, Hudson Bay Company Archives, Truth & Reconciliation Commission

Documentaries- *Trick or Treaty* directed by First Nation's filmmaker Alanis Obomsawin/Best Research - Academie Canadienne du Cinema et de la Television; *Colonization Road* directed by Michelle St. John/nominated at the 2018 Canadian Screen Awards for the Donald Brittain for Best Social/Political Documentary, 2017 Yorkton Film Festival/History & Biography Winner.

B.A. Central Michigan University -1980

Investigative reporter for ABC, CBS and PBS affiliates, and various magazines/newspapers.

Thoughts on the comments by V. Coburn

5. *"challenges the honesty and integrity of the enumerator"*

Historical enumerations are faulty, I doubt it had anything to do with the honesty or the integrity of the enumerator- it had more to do with ignorance- an unfamiliarity with indigenous heritages on the enumerator's part. Sometimes it was shame and cover up on the part of the enumerated.

With twenty years of conducting genealogical searches only in First Nation and Metis ancestral lines, I know Census enumerations are tenuous when solely used to determine Tribal and Racial origin. The Praxis Report demonstrates this. There are many other instances of incorrectly recorded information. The one sample I offered of Algonquin Chief Pinesi's descendants is just one of many.

6. *"There is absolutely no evidence whatsoever that the enumerator would have written down anything other than what he was specifically told and had the legal obligation to do during his interview."*

Again, the Praxis Report demonstrates that the enumerator did have control of the pen and the results.

7. *"Sara Whiteduck being Algonquin and a cousin of Michel McDonald's first two wives..."*

If in V. Coburn's assessment Sara Whiteduck is Algonquin, and the enumerator only writes down what he/she has been told. How did Sara, who was Algonquin all her life suddenly become Cree FB?

This question is followed up by Coburn's point 2. and 3. regarding the 1901 Census ----V. Coburn's assessment is that Michel McDonald i.d. Sara Whiteduck as Cree F.B.

That is highly unlikely for a man who was married twice to Algonquin women and obviously well acquainted with the fact that Sara Whiteduck was also Algonquin. He was also well acquainted with the Algonquin people. How could he possibly make this identification?

Again, the Praxis Report has the insight into this Cree designation by Ontario enumerators. Perhaps even more significant is the instructions for the 1901 Census to enumerators, which introduced the idea of Tribal I.d. into enumerator's heads, who perhaps knew little of indigenous tribes and their traditional territories etc.. The instructions actually mention only two indigenous tribes Cree and Chippewa in use for an example of how to record individuals of indigenous heritage.

A review of the Instructions to 1901 enumerators should be addressed.

Curiously, the Mother Tongue of Michel McDonald, his children and as well Sara Whiteduck were never recorded by the enumerator, yet everyone else on the page is recorded for Mother Tongue (Irish, English etc. all European languages is of note).

As far as the question of Michel's birth location which Coburn asserts that the answer *Manitoba* could not have possibly been mistaken by the enumerator.

I find that some people who were born in the "NorthWest Territories" or "Fur trade country" which actually included all of Ontario may have stated just that. At the time of Michel's birth both Ontario and Manitoba were considered the NorthWest Territories. Michel was not born in Ontario or in Manitoba. They were not provinces at his birth. Could it be that the enumerator decided that this answer in 1901 was Manitoba?

### EXAMPLES of inconsistent HISTORIC CENSUS ENUMERATIONS

The Praxis Report written in 2001 analyzed enumerations that took place in the same location in 1901. One enumeration was done by Ontario enumerators, the other by Quebec enumerators. The Praxis Report addresses the INCONSISTENCIES IN ENUMERATIONS which occurred during this DOUBLE ENUMERATION IN 1901:

The Praxis Report revealed this after examining families who had been enumerated twice in the same year.

As indicated in the Praxis Report "Historic Metis in Ontario: Timmins, Cochrane and The Abitibi Region" conducted for the Ministry of Natural Resources and published in 2001, specifically page 7.

Point being that these enumerations are of the same family, although recorded differently. What follows is the summation of findings in this regard within this report.

*It appears that enumerators who were within reasonable proximity to parts of this territory- whether in Ontario or Quebec- were assigned to enumerate the people who resided near HBC posts or Indian settlements. Hence, locations such as New Post and Mattagama Post were actually assigned to a Quebec enumerator covering the Indian Reserves near the Pontiac District, and the results were apparently "copied into [the] Ontario Book at a later date.....Meanwhile, an Ontario enumerator visited "unsurveyed territory" which is in margin notes indicate included Matagami, Biscotasing and Flying Post... Moreover, the criteria and coding system by which an individual was identified as metis or Indian appears to have differed between the Ontario (English) and Quebec (French) enumerators, making demographic analysis difficult. For example, the Ontario enumerator tended to identify racial/tribal origin as either "Chippewa" or "Cree," while the Quebec enumerator generally used the term "Algonquine"..... More crucial to the analysis of metis in this report, is the lack of coding consistency for colour and racial/tribal identification between the Quebec and Ontario enumerations. The Ontario enumerator for Nipissing unorganized territory consistently used the "Colour" code "R" (Red- Indian) for metis individuals, and under the "Racial or Tribal Origin" column elaborate on whether they were "Cree" or "Chippewa" and if either "FB" (French Breed, "EB" English Breed, "SB" Scot Breed, or "OB" Other Breed. Furthermore, the Ontario enumerations consistently code the children of a "Breed" parent also as "Breed", even in cases where only one parent was coded as a "Breed".....*

Source: "Historic Metis in Ontario: Timmins, Cochrane and The Abitibi Region" Praxis Research Associates Report for The Ontario Ministry of Natural Resources, Indian Affairs Unit, 2001. Document #200 Praxis Report page 7

Below is an example of one such family enumerated twice.

Document #004 1901 Census HEADING - Adisty Rock on Mattagama Lake, Ontario (top page 2 - Matagama Post HBC, Algoma, Ontario)

**(Quebec French enumerator)**

Arthur Groux- White, Head of Household, age 37 born Richmond, Quebec, French, Roman Catholic; mother tongue-French (can read/write/speak English & French)

**Abolia** -colour Red, age 35, born Johnegini Lake, Ontario, **Algonquine**, **speaks algonquine**, Roman Catholic

Charle age 6 **MF = Metis French** (it is clear here that Charles is the first born to Catherine)

Joseph age 4 **MF**

Arthur age 2 **MF**

John age 1 **MF** (enumeration is top of PAGE 2)

all children born Ontario, Algonquin speak Algonquin

Source: Year: 1901; Census Place: Pontiac, Quebec; Family No: 217 Sub-district: *Not Stated* Library and Archives Canada, 2004. <http://www.bac-lac.gc.ca/eng/census/1901/Pages/about-census.aspx>. Series RG31-C-1. Statistics Canada Fonds. Microfilm reels: T-6428 to T-6556.

Document #004 1901 Census 2ND ENUMERATION HEADING- Nipissing, Unorganized Territory

**(Ontario English enumerator)** )

Alex Groulx born 1863 age 37 , Trapper, French, born OR (Ontario Rural)

**Wakbegomigozigoke** age 28 born 1872 **Chippewa OB (Other Breed)**, born OR (Ontario Rural)

Neegahbe age 6 born 1894 **OB** (note this is Charle in the above recording)

Joseph age 4 born 1896 **OB**

Andre age 3 born 1897 **OB**

Johnie age 1 born 1899 **OB** (all children born OR- Ontario Rural)

Source: Year: 1901; Census Place: Rayside and Unorganized Territory/Territoire Non-Organisé, Nipissing, Ontario; Page: 15; Family No: 149 Sub-district: *Rayside and Unorganized* Library and Archives Canada, 2004. <http://www.bac-lac.gc.ca/eng/census/1901/Pages/about-census.aspx>. Series RG31-C-1. Statistics Canada Fonds. Microfilm reels: T-6428 to T-6556

#### ANOTHER EXAMPLE OF AN ALGONQUIN BEING IDENTIFIED

**Mary Constant**, granddaughter of Jean Baptiste Kigons Constant Pinesi (son of Chief Constant Pinesi). Mary Constant first married Alex Tennisco and she had Margaret by him. Alex passed on and she married George Crawford. Mary Constant was born along the Mattawa River not far from Calabogie, Ontario. She then moved to Mattawa, Ontario.

**In Three census enumerations for 1901, 1911, 1921** it can be demonstrated how faulty Census enumerations were, based on how Mary Constant and her daughter Marguerite/Maggy were enumerated.

**In 1901 Mary Constant** (Tennisco) Crawford is enumerated in Mattawa as **English** (followed by illegible writing possibly EB for English Breed).

**Source:** Library & Archives Canada, 1901 Census of Canada, RG31-C-1. Census Place: Mattawan (Town/Ville), Nipissing, Ontario; Page: 6; Family No: 41 Sub-district: *Mattawan (Town/Ville)*

**In 1911 Mary Constant** (Tennisco) Crawford is enumerated in Mattawa as **French**, while her daughter Marguerite is **German**.

Source: Library & Archives Canada, 1911 Census of Canada Series RG31-C-1. Census Place: 103 - Mattawa, Nipissing, Ontario; Page: 7; Family No: 58 Sub-district: *103 - Mattawa*

**In 1921 Mary Constant** (Tennisco) Crawford is enumerated in Mattawa as **Algonquin crossed out for Indian**. Her daughter Maggy Tennisco is enumerated in Mattawa as **Algonquin crossed out for Indian**.

Source: Library & Archives Canada, 1901 Census of Canada Reference Number: RG 31; Folder Number: 73; Census Place: 73, Nipissing, Ontario; Page Number: 24 Sub-district: *70 - Mattawa (Town)*

Had Mary Constant not lived passed 1921 she would not have been recorded in a census as Algonquin, and yet this i.d. was crossed out for Indian. Mary Constant is enumerated English, then French, then Algonquin, but crossed out for Indian.

Meanwhile Mary's daughter, Marguerite is Algonquin in 1901, a German in 1911 and in 1921 again she is Algonquin, but the enumerator crosses the latter out for Indian.

Summary:

We know that Alex Tennisco (a well-known surname at Pikwakanagan) was Algonquin and we know Mary Constant was of Algonquin descent through her mother and grandfather and great grandfather, the latter both Chiefs of the Algonquin peoples recorded in history on primary documentation.

How many individuals do not have Chiefs in their line or historically recorded Algonquin ancestors so that we know for sure they are not German, and not English, or not Cree -- but rather Algonquin?

Taking the analysis of the Praxis Report into account, how do we know that all the enumerations of Cree individuals in the Ottawa Valley were not Algonquin? We don't.

Noreen Kruzich First Nations & Metis Genealogy and History



## EXCERPT OF 1901 INSTRUCTIONS TO ENUMERATORS

**CITIZENSHIP, NATIONALITY AND RELIGION. 51.** In describing the country or place of birth it will suffice in the case of all persons born out of Canada to give the name of the country, as England, France, Germany or the United States, without giving the names of smaller subdivisions. **If born in Canada, the name of the Province or Territory should be given, as it will serve to indicate the tendency towards migration.** In all cases, too, it is important to know whether the person is country born or town born, which will be denoted by the addition of the letter " r " for rural or the letter " u " for urban, as the case may be. Thus, a person born in a town in Nova Scotia will be described in column 11 as "N.S . u," or if born on a farm in Quebec as " Q. r." 52. If the person is foreign born the year of immigration to Canada will be entered in column 12 ; and if born in some other country than the United Kingdom or any of its colonies or dependencies, the year in which the person has been naturalized and has acquired rights of citizenship should be entered in column 13. If the person has applied for papers, but has not yet reached the full status of citizenship, the fact should be indicated by writing in the column the letters " pa." 53. **Among whites the racial or tribal origin is traced through the father, as in English, Scotch, Irish, Welsh, French, German, Italian, Scandinavian, etc...** A person whose father is English, but whose mother is " American " or " Canadian " in a racial sense, as there are no races of men so called. " Japanese," " Chinese " and " negro " are proper racial terms ; but in the case of Indians the names of their tribes should be given, **as "Chippewa," "Cree," etc.** Persons of mixed white and red blood—commonly known as "breeds"—will be described by addition of the initial letters "f.b." for French breed, " e.b." for English breed, "s.b." for Scotch breed and " i.b." for Irish breed. For example : "Cree f.b." ^ denotes that the person is racially a mixture of Cree and French ; and " Chippewa s.b." denotes that the person is Chippewa and Scotch. **Other mixtures of Indians besides the four above specified are rare,** and may be described by the letters "o.b." for other breed. If several races are combined with the red, such as English and Scotch, Irish and French, or any others, they should also be described by the initials "o.b." A person whose father is English, but whose mother is Scotch, Irish, French, or any other race, will be ranked as English, and so with any others—the line of descent being traced through the father in the white races. 54. Nationality is a term of more or less conventional meaning. But as it applies by right of established usage to the citizens of Canada—the expression new nationality was in this sense introduced in the speech with which the Governor General opened the first Canadian Parliament—it is proper to use Canadian in column 15 as descriptive of every person whose home is in the country and who has acquired rights of Citizenship in it. A person who was born in the United States, or France, or Germany or other foreign country, but whose home is in Canada and who is a naturalized citizen, should be entered as a Canadian ; so also should a person born in the United Kingdom or any of its colonies, whose residence in Canada is not merely temporary. An alien person will be classified by nationality according to the country of his birth, or the country to which he professes to owe allegiance. . 55. The religion of each person will be entered according as he or she professes, specifying the church or denomination to which the person belongs or adheres, or which he or she favours. If the sons or daughters belong or adhere to, or favour another church or denomination than that of their parents, or of either of them, the proper entry should be made; but except in such cases they should be classed with their parents. The classification of the people by their religious faith must not ignore any church, or denomination, or form of belief, saving in the case of a church or denomination whose identity has been lost by union or otherwise. There is no State Church in Canada , and if a person is not a member of or does not adhere to or favour any one church or denomination he must not be classed with one or another. If he is an agnostic, or a non-believer, or a pagan, or a reincarnationist, or whatever his relationship to religion may be, he should be so classed. **67. Mother tongue is one's native language, the language of his race ; but not necessarily the language in which he thinks, or which he speaks most fluently,** or uses chiefly in conversation. Whatever it may be, whether English, French, Gaelic, Irish, German, Swedish, Russian or any other, it should be entered by name in column 33 if the person speaks the language, but not otherwise.

**47. The races of men will be designated by the use of "w " for white, " r " for red, " b " for black and " y " for yellow.** The whites are, of course, the Caucasian race, the reds are the American Indian, the

blacks are the African or negro, and the yellows are the Mongolian (Japanese and Chinese). But only pure whites will be classed as whites ; the Children begotten of marriages between whites and any one of the other races will be classed as red, black or yellow, as the case may be, irrespective of the degree of colour