

ALGONQUIN TRIBUNAL

RE: Inquiry conducted by the Algonquin Tribunal pursuant to section 76(d) of the Special Resolution of the Algonquin Negotiation Representatives on the Algonquins of Ontario Enrolment and Appeal Board (approved on April 20, 2021) regarding the historical person known as CECILE MCDONNELL-MAWISKAK (RIN #14687)

DETERMINATION AND REASONS FOR DETERMINATION REGARDING THE ALGONQUIN TRIBUNAL'S INQUIRY INTO CECILE MCDONNELL-MAWISKAK (RIN #14687)

Hearing Date:	May 11, 2023, Pembroke, Ontario
Date of Determination and Reasons:	July 18, 2023
Hearing Panel:	Ralph Lance (Chairperson), Andre Carle, Connie Deroneth, Shelley Holmberg, Tom Vincent
Legal counsel:	Ben Mills (Advisory Member) Angel Li
Persons filing written submissions:	Joan Holmes (Enrolment Officer) J. Poirier Chief C. Bastien Dr. V. Coburn Chief W. Jocko Chief G. Sarazin
Persons making presentations at hearing:	Joan Holmes (Enrolment Officer) Chief Clifford Bastien

**ALGONQUIN TRIBUNAL’S DETERMINATION REGARDING THE
INQUIRY INTO CECILE MCDONNELL-MAWISKAK (RIN #14687)**

The Algonquin Tribunal, pursuant to the provisions of Special Resolution of the Algonquin Negotiation Representatives on the Algonquins of Ontario Enrolment and Appeal Board (approved on April 20, 2021) and at the direction of the Algonquin Negotiation Representatives’ Motion 20220422-01, conducted an inquiry to determine whether Cecile McDonnell-Mawiskak (RIN #14687) is identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that she was considered to be an Algonquin or Nipissing, or a sibling of such a person. A “sibling of such a person” means a person with a common Algonquin parent.

Further to its inquiry, the Algonquin Tribunal determines that Cecile McDonnell-Mawiskak (RIN #14687) is not identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that she was considered to be an Algonquin or Nipissing, or a sibling of such a person.

Pursuant to Article 100 of the Special Resolution of the Algonquin Negotiation Representatives on the Algonquins of Ontario Enrolment and Appeal Board (approved on April 20, 2021), the Tribunal directs that Cecile McDonnell-Mawiskak (RIN #14687) be removed from the Schedule of Algonquin Ancestors.

Ralph Lance (Chair Person)
Andre Carle
Connie Deroneth
Shelley Holmberg
Robin McLaren

REASONS FOR DETERMINATION

REASONS DELIVERED BY:

**Lance (Chairperson), Carle, Deroneth,
Holmberg and Vincent.**

A. Introduction and Background

1. Tribunal's Mandate

1. The Algonquin Tribunal (the “**Tribunal**”) was established by the Algonquin Negotiation Representatives (the “**ANRs**”) pursuant to the Special Resolution of the Algonquin Negotiation Representatives on the Algonquins of Ontario Enrolment and Appeal Board (approved on April 20, 2021) (the “**Special Resolution**”).
2. By way of Motion 20220422-01, the ANRs directed the Tribunal to conduct inquiries into fourteen historical persons who are presently on the Schedule of Algonquin Ancestors with a view to determining whether those historical persons are identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that the person was considered to be an Algonquin or Nipissing, or a sibling of such a person. A “sibling of such a person” means a person with a common Algonquin parent.
3. This criteria is taken from the definition of “Algonquin Ancestor” as that term is used in the Special Resolution of the Algonquin Negotiation Representatives on the Proposed Beneficiary Criteria (approved on January 22, 2020) (the “**Proposed Beneficiary Criteria**”).¹
4. Included amongst the fourteen historic persons referred to the Tribunal for inquiry was Cecile McDonnell-Mawiskak (RIN #14687).²

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

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

5. The ANRs' referral of Cecile McDonnell-Mawiskak (RIN #14687) (and other historical persons) to the Tribunal was made pursuant to section 76(e) of the Special Resolution, which provides that the "Tribunal has jurisdiction to hear and determine ... such other matters as may be referred to the Tribunal by the ANRs or may be necessary to carry out its functions under this Special Resolution."
6. In short, the Tribunal's mandate is to determine whether Cecile McDonnell-Mawiskak (RIN #14687) is properly considered an "Algonquin Ancestor" for the purposes of the Proposed Beneficiary Criteria (which is also sometimes known as the "Enrolment Criteria").
7. If the Tribunal determines that the criteria is met, then Cecile McDonnell-Mawiskak (RIN #14687) would remain on the Schedule of Algonquin Ancestors.
8. If the Tribunal determines that Cecile McDonnell-Mawiskak (RIN #14687) does not meet the above noted criteria, then Cecile McDonnell-Mawiskak (RIN #14687) would be removed from the Schedule of Algonquin Ancestors. As a consequence of that decision, the Enrolment Officer would review the Enrolment List to identify those individuals who no longer qualify for enrolment as a result of the Tribunal's decision to remove Cecile McDonnell-Mawiskak (RIN #14687) from the Schedule of Algonquin Ancestors and would remove those individuals from the Enrolment List. This would be done pursuant to Article 103 of the Special Resolution.
9. Section 101 of the Special Resolution provides that the Tribunal's determination, its reasons for determination and any accompanying order or recommendation are to be provided to those participating in the inquiry, the Enrolment Officer and the ANRs. Also, the Tribunal is to provide these documents to the AOO Consultation Office for public posting.

2. Procedural Background

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

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

16. The Tribunal's website was (and continues to be) publicly available. Through the website, interested parties were able to access additional information regarding the Tribunal's process, scheduling information and relevant documents. Individuals were encouraged to sign-up for updates from the Tribunal and were encouraged to state their interest in participating in one or more of the inquiries. As information became available and the Tribunal's website was updated (such as posting the Enrolment Officer's report or submissions from participants), the Tribunal would send an email to those who indicated their interest in receiving up-dates. Also, the Tribunal maintained a telephone number so that interested parties could speak with the Tribunal's legal support team to ask questions regarding the Tribunal's process and their Algonquin ancestry.
17. Specifically with respect to the Tribunal's inquiry into Cecile McDonnell-Mawiskak (RIN #14687), the Tribunal notes that the following documents were filed with the Tribunal and made available on its website:
- a) Document 1- Enrolment Officer's Report Regarding Cecile McDonnell-Mawiskak & Appendices
 - b) Document 2 – Initial Submissions by J. Poirier (in support)
 - c) Document 3 – Initial Submission by C. Bastien on behalf of himself and his community (Part 1)
 - d) Document 4 – Initial Submission by C. Bastien on behalf of himself and his community (Part 2)
 - e) Document 5 – Initial Submission by C. Bastien on behalf of himself and his community (Part 3)
 - f) Document 6 – Enrolment Officers Reply to Initial Submissions Regarding #14687
 - g) Document 7 – Submission by V. Coburn regarding Cecile McDonnell Mawiskak
 - h) Document 8 – Reply Submissions by J. Poirier
 - i) Document 9 – Submission by Chief W. Jocko on behalf of her community
 - j) Document 10 – Enrolment Officers Reply to responding submission re 14687
 - k) Document 11 – Enrolment Officers Reply Report to Poirier Reply re #14687

- l) Document 12 – Reply Submission by Chief G. Sarazin on behalf of his community
 - m) Document 13 – Reply Submission by J. Poirier
 - n) Document 14 – Enrolment Officer’s Reply to submissions 9 & 12 re 14687
 - o) Document 15 – Enrolment Officer’s Reply to submission 13 re 14687
 - p) Document 16 – Submission by J. Poirier
 - q) Document 17 – Enrolment Officer’s Reply to submission 16 re 14687
 - r) Document 18 – Submission by J. Poirier
 - s) Document 19 – Enrolment Officer’s Supplement Presentation for Cecile McDonnell-Mawiskak (Note that Document 19 is a copy of the power point presentation made by the Enrolment Officer at the hearing on May 11, 2023. This presentation was posted on the Tribunal’s website subsequent to the hearing.)
18. The various submissions from Chief C. Bastien and J. Poirier were in support of keeping Cecile McDonnell-Mawiskak (RIN #14687) on the Schedule of Algonquin Ancestors.
 19. The submissions from Dr. V. Coburn, Chief W. Jocko, and Chief G. Sarazin were opposed to keeping Cecile McDonnell-Mawiskak (RIN #14687) on the Schedule of Algonquin Ancestors.
 20. The Tribunal thanks all participants for their thoughtful submissions.
 21. The schedule for filing materials, the hearing date and the materials noted above were all made available on the Tribunal’s website in a timely manner and were also the subject of the Tribunal’s update emails that were sent from time to time.
 22. In addition, the Tribunal held a hearing on May 11, 2023, at the Best Western Hotel in Pembroke. The hearing was open to any interested parties.
 23. Due to the potential for an overlap in issues and evidence with the inquiry into Anna McDonald-McDonnell (RIN #2197), the Tribunal coordinated the present hearing with the hearing that pertained to Anna McDonald-McDonnell (RIN #2197). Also, the Tribunal panel members are the same for both the inquiry into Cecile McDonnell-Mawiskak (RIN #14687) and the inquiry into Anna McDonald-McDonnell (RIN #2197).

24. At the hearing, the Enrolment Officer gave a brief oral presentation supplemented with PowerPoint visuals (i.e., Document 19 as noted above). She answered questions from the panel and from those in attendance. After the Enrolment Officer presented and answered questions, the Tribunal invited those in support of maintaining Cecile McDonnell-Mawiskak (RIN #14687) on the Schedule of Algonquin Ancestors to make presentations.
25. In response to that invitation, Chief Bastien made brief submissions in support of keeping Cecile McDonnell-Mawiskak (RIN #14687) on the Schedule of Algonquin Ancestors. His oral submissions reflected the arguments advanced in his written submissions, namely that Cecile McDonnell-Mawiskak (RIN #14687) is: a) the daughter of Allen McDonald (RIN #57433) and Margaret Anne Cameron (RIN #14101); and b) the aunt of Anna McDonald-McDonnell (RIN #2197).
26. The Tribunal then invited interested parties opposed to keeping Cecile McDonnell-Mawiskak (RIN #14687) on the Schedule of Algonquin Ancestors. While written submission were filed in opposition, no oral submissions were made in opposition.
27. No other presentations were made at the hearing despite interested parties having been invited to speak in favour or against the continued inclusion of Cecile McDonnell-Mawiskak (RIN #14687) on the Schedule of Algonquin Ancestors.
28. The panel reserved its decision at the hearing until the release of these written reasons.

B. The Tribunal's Determination

29. Upon consideration of the evidence and having reference to the definition of "Algonquin Ancestor", the Tribunal has unanimously determined that Cecile McDonnell-Mawiskak (RIN #14687) is not properly considered an "Algonquin Ancestor" and should be removed from the Schedule of Algonquin Ancestors.
30. In coming to its determination, the Tribunal had reference to all of the information before it.
31. The Tribunal's reasons for its determination are set out below.

C. Definition of Algonquin Ancestor

32. The starting point of the Tribunal's analysis is the definition of "Algonquin Ancestor".
33. Broken down into its components, an "Algonquin Ancestor" is:

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

34. Elements (a), (b) and (c) confirm that the “Algonquin Ancestor” must be an identifiable historical person. While this may seem somewhat trite, these elements are very important as they confirm that a determination of who is or who is not an “Algonquin Ancestor” requires the Tribunal to focus on a specific historical person who is documented as being an identifiable person who existed in a time and place. This requirement means that the claim to Algonquin ancestry for the purposes of enrolment must be grounded or based on an actual historical person.
35. In this case, there is no question that Cecile McDonnell-Mawiskak (RIN #14687) is an identifiable historical person who is identified in a record dated on or before December 31, 1921.
36. Element (d) pertains to the historic record itself as opposed to the person under consideration and that the historic record must be one that is dated on or before December 31, 1921. The Tribunal confirms that it focused its analysis on those documents that are dated on or before December 31, 1921.
37. Element (e) describes the standard that Tribunal must apply when making its determination. In this regard, the Tribunal must be satisfied that it is “reasonable to conclude”. As is readily apparent from the words used, this standard is obviously higher than “possible to conclude” or

“may conclude” but is lower than being convinced “beyond all doubt”. The “reasonable to conclude” standard requires the Tribunal to conduct a thorough analysis of the evidence and to base its determination on the evidence.

38. The Tribunal confirms that it applied the “reasonable to conclude” standard.
39. Element (f) requires the Tribunal to assess what the historical document or documents are telling us about the ancestor and how that ancestor may have been viewed by others. The Tribunal confirms that it reviewed all of the historical documents and the submissions pertaining to them to assess what inferences or conclusions may be drawn from them.
40. Element (g) provides that the Tribunal may conclude that a historical person is properly considered an Algonquin Ancestor on the basis of a finding that the historical person at issue is a sibling of a person who meets elements (a) to (f), noting that “sibling” means to share a common Algonquin parent (i.e., the sibling relationship must be through a parent who is Algonquin as opposed to a parent who is not).
41. As previously stated by the Tribunal, the application of the phrase “considered to be an Algonquin or Nipissing” is a fact driven exercise that requires an attentive examination of the historical documents and the historical context in which they were created. The Tribunal notes that this is a highly contextual exercise that requires the Tribunal to analyze the evidence on the record before it as it relates to each matter or inquiry. The Tribunal’s task is always to determine whether it is reasonable to conclude that the historical person at issue “was considered to be an Algonquin or Nipissing” on the basis of the historical records.

D. The Issue in this Case

42. In this case, the Tribunal was not only called upon to consider how Cecile McDonnell-Mawiskak (RIN #14687) is identified in specific documents but was also called upon to consider whether Cecile McDonnell-Mawiskak (RIN #14687) is connected with other historical persons who might be considered Algonquin.

E. Review of Historic Records

1. Introduction

43. The Enrolment Officer’s reports are based on historical documents in her possession. No issues were raised with the respect to the authenticity of the documents and their reliability. The

records and documents appended to the Enrolment Officer's report have been verified as being authentic copies and as coming from well-known and reputable sources.

44. The Enrolment Officer's reports have incorporated and commented on historical records provided by other participants, which include participants who are in favour of continuing to list Cecile McDonnell-Mawiskak (RIN #14687) on the Schedule of Algonquin Ancestors and those who are opposed to her remaining on the list. In particular, the Enrolment Officer has not raised any issues regarding provenance or reliability of historical documents that have been submitted by Chief Clifford Bastien or that have been incorporated into the materials filed by Dr. Colburn and J. Poirier.
45. The Tribunal notes that the Enrolment Officer has questioned the accuracy of certain secondary sources (such as information from genealogy websites) as those secondary sources are not consistent with historical documentation. The Tribunal has focused its analysis on the historical records and not on secondary information found on genealogy and other such websites.
46. The Tribunal recognizes that the various participants to this proceeding have different views on what inferences and conclusions may be drawn from the documents. However, there does not appear to be any allegation that the historical documents before the Tribunal are not what they purport to be.

2. Name variations

47. Cecile McDonnell-Mawiskak (RIN #14687)'s name is spelt in various ways in the historical documents, including as "McDonell" or "McDonald" and will sometimes also include "Mawiskak" or "dite Mawishk". Cecile McDonnell-Mawiskak (RIN #14687)'s first name is sometimes articulated as "Marie Cecile" or "Marie". Cecile McDonnell-Mawiskak (RIN #14687)'s married name was "Dorion", which was sometimes spelt as "Dorian", "Laurion" or "Lorion". As noted by the Enrolment Officer, spelling anomalies commonly occurred in historical documents because those who created the document often used phonetic spelling or those to whom the record pertains may have guessed at the spelling.
48. For clarity and consistency, the Tribunal will refer the subject ancestor as "Cecile McDonnell-Mawiskak (RIN #14687)."

3. Documents that directly or indirectly comment on Cecile McDonnell-Mawiskak (RIN #14687)'s apparent origin

(i) Documents created during Cecile McDonnell-Mawiskak (RIN #14687)'s lifetime

49. The earliest known record for Cecile McDonnell-Mawiskak (RIN #14687) is the baptismal record of her daughter Marie Cecile at Pointe-aux-Trembles on February 7, 1835.³ In this document, Marie Cecile is recorded as being 14 months old and the “fille naturelle” of Narcisse Lorion (who is identified as a voyageur) and “Cecile Magdelaine”. Pointe-aux-Trembles was a small settlement located on the east end of Montreal Island.
50. A historical document dated July 9, 1836, records the baptism of Cecile McDonnell-Mawiskak (RIN #14687)'s son, Narcis, at the Mattawa Post (which is located at what is now modern-day Mattawa). This record identifies Narcis's parents as “Narcis Lorion” and “Cicile Mawishk”. In this document, Cecile McDonnell-Mawiskak (RIN #14687) is identified as being from the “Sauteurs” nation.⁴
51. The Enrolment Officer states that “Sauteur” or “Saulteaux” was a name given by French-speakers to an Ojibwe/Ojibway group located in southern Manitoba and southern Saskatchewan. According to the Enrolment Officer, this group of people was also known as Western Ojibwe and was an Algonquian-speaking people.⁵
52. Cecile McDonnell-Mawiskak (RIN #14687) is documented as having married “Narcis Laurion” at Temiscamingue on June 22, 1837. In this document, Cecile McDonnell-Mawiskak (RIN #14687) was identified as “Metisse” and living at the “Mattawa Poste”.⁶ The Enrolment Officer reports that, in this context, “Metisse” means a woman of mixed Indigenous and French (or other European) descent.⁷
53. The priest who recorded Cecile McDonnell-Mawiskak (RIN #14687) as “Sauteurs” in ALG-22371 and “Metisse” in ALG-07289 is the same person, being Father Charles de Bellefeuille.

³ ALG-40179

⁴ ALG-22371

⁵ See page 5 of *Document 1- Enrolment Officer's Report Regarding Cecile McDonnell-Mawiskak & Appendices*

⁶ ALG-07289

⁷ See page 6 of *Document 1- Enrolment Officer's Report Regarding Cecile McDonnell-Mawiskak & Appendices*

54. The 1861 census notes that Cecile McDonnell-Mawiskak (RIN #14687) was born in “Upper Canada”.⁸
55. The 1871 census notes Cecile McDonnell-Mawiskak (RIN #14687) was born in “Manitoba” and was of “Scotch” origin.⁹
56. Cecile McDonnell-Mawiskak (RIN #14687) died in 1875 and was buried in St. Anne’s churchyard in Mattawa on April 25, 1875. This burial record does not comment on her origin or Indigenous affiliation.¹⁰

(ii) Documents indicate that Cecile McDonnell-Mawiskak (RIN #14687) met Narcisse Dorion in Manitoba

57. The Hudson’s Bay Company (“HBC”) biographical sheet for “Narcisse Laurion” records that he: a) was from Pointe-aux-Tremble, which is on east end of Montreal Island; b) born around 1806; c) worked at Norway House under a three-year contract, where he worked from June 1830 until he returned to Montreal in 1834; and d) was subsequently posted to “Matawin” from 1835 to 1837 and to Lac Des Allumette from 1837 to 1840.¹¹
58. The birthdate of Cecile McDonnell-Mawiskak (RIN #14687) and Narcisse Dorion’s eldest child (Marie Cecile) suggests that this child was conceived when Narcisse Dorion was in Norway house.
59. In this regard, the Tribunal notes that Marie Cecile is recorded in ALG-40179 to have been baptised at Pointe-aux-Trembles on February 7, 1835. This baptismal record indicates that Marie Cecile was 14 months old at the time of her baptism.¹² This would provide a birthdate November or December 1833.
60. If Marie Cecile were born in or around November or December 1833, this would suggest that she was conceived in 1833, which is when Narcisse Dorion was under contract with HBC at Norway House. At that time, Norway House was located at the northern tip of Lake Winnipeg.

⁸ ALG-22375

⁹ ALG-00421

¹⁰ ALG-22378

¹¹ ALG-22370

¹² ALG-40179

The Enrolment Officer notes that, at the relevant time, Norway House was a transitional area surrounded by Cree and Ojibway.¹³

61. No information has been provided to the Tribunal indicating that Cecile McDonnell-Mawiskak (RIN #14687) met Narcisse Dorion before his posting to Norway House. On the basis of the baptismal record for Marie Cecile (being ALG-40179), it is highly unlikely that they would have first met after Narcisse Dorion's posting to Norway House.
62. In addition, the civil marriage record of Marie Cecile Sauvie (who is the eldest child of Cecile McDonnell-Mawiskak (RIN #14687) and Narcisse Dorion) states that the bride (being Marie Cecile) was born in "North West Territories".¹⁴ Marie Cecile is sometimes, but not always, identified in census records as being born in the area that might now be considered Manitoba.¹⁵

4. Petition on behalf of the "Indians of Mattawa"

63. The Tribunal notes that Narcisse Dorion and his son Alexandre (who is also the child Cecile McDonnell-Mawiskak (RIN #14687)) both signed the petition from the "Indians of Matawa" requesting a mission at Mattawa to serve the Indian population. This petition was also signed by many prominent Algonquin men within the Mattawa Algonquin community.¹⁶ However, this supports only that there may have been social connections between Cecile McDonnell-Mawiskak (RIN #14687)'s family and those with Algonquin heritage, rather than familiar connections.

5. Documents connecting Cecile McDonnell-Mawiskak (RIN #14687) to Allan McDonnell and Margaret Cameron and their children

64. The Tribunal has also considered the documents that connect Cecile McDonnell-Mawiskak (RIN #14687) to Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101) and their children (in particular Alexander McDonnell (RIN #14097) and grandchildren (in particular Johnny McDonnell (RIN #3773)).

¹³ See page 8 of *Document 1- Enrolment Officer's Report Regarding Cecile McDonnell-Mawiskak & Appendices*

¹⁴ ALG-22385

¹⁵ In the 1861 census she is identified as being born in "Upper Canada" (ALG-22375), in the 1871 census she is identified as having been born in "Ruperts Land" (ALG-40197), in the 1881 census she is identified as having been born in US N. York (ALG-00094), in the 1891 census she is identified as having been born in the "North West Territories", which census also identified her mother having been born in the North West Territories (ALG-22387) and in the 1901 census as having been born in "Ontario" (ALG-01394).

¹⁶ ALG-40100, ALG-40135 and ALG-40136

65. This was done to assess the submission that Cecile McDonnell-Mawiskak (RIN #14687)'s should be considered Algonquin on the basis of being part of this family.
66. In summary, those in support of keeping Cecile McDonnell (RIN #14687) on the Schedule of Algonquin Ancestors advanced the argument that:
- a) the historical records demonstrate that Cecile McDonnell (RIN #14687) was the daughter of Allan McDonnell (RIN #57432) and Margaret Anne Cameron (RIN #14101) and also the sister of Alexander McDonnell (RIN #14097);
 - b) the historical records demonstrate that Anna McDonald (RIN#2197) was the daughter of Alexander McDonnell (RIN #14097);
 - c) on that basis, Anna McDonald (RIN #2197) (who is on the Schedule of Algonquin Ancestors) is therefore a niece of Cecile McDonnell (RIN #14687); and
 - d) Allan McDonnell (RIN #57432) and Margaret Anne Cameron (RIN #14101) or their children are properly considered Algonquin, which would mean that siblings of Cecile McDonnell (RIN #14687) meet the definition of "Algonquin Ancestor".
67. For this argument to work, those in support would have to demonstrate that it is reasonable to conclude that there is a familial connection between: a) Cecile McDonnell (RIN #14687); and b) Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101) and their children.
68. Upon considering the available historical records, the Tribunal is not satisfied that the historical records demonstrate a familial connection.
69. In this regard, the Tribunal notes that there is no historical evidence on the record before it that would allow the Tribunal to conclude that Cecile McDonnell (RIN #14687) is the daughter of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101). It is theoretically possible that she could be their daughter.¹⁷ However, the mere possibility that there is a familial connection does not provide an adequate basis on which the Tribunal may make such an inference. Essentially, the Tribunal would be engaged in speculation.

¹⁷ See page 13 of Enrolment Officer's Report Regarding Ancestor Cecile McDonnell dite Mawishk (RIN #14687) (which is posted on the website as *Document 1- Enrolment Officer's Report Regarding Cecile McDonnell-Mawiskak & Appendices*).

70. The Enrolment Officer's Report Regarding Ancestor Cecile McDonnell dite Mawishk (RIN #14687) dated February 22, 2023 (which was posted to the website as *Document 6 – Enrolment Officers Reply to Initial Submissions Regarding #14687*), provides a comprehensive review of historical records relating to the children of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101). Upon review of those historical documents, the Tribunal cannot find a basis on which it could reasonably conclude that Cecile McDonnell-Mawiskak (RIN #14687) was a daughter of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101).¹⁸
71. Also, in the Enrolment Officer's Report Regarding Ancestor Cecile McDonnell dite Mawishk (RIN #14687) dated February 22, 2023 (which is posted to the website as *Document 6 – Enrolment Officers Reply to Initial Submissions Regarding #14687*), the Enrolment Officer reviews historical documents that purportedly connects Cecile McDonnell-Mawiskak (RIN #14687) with the children or other relations of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101).¹⁹
72. Upon review of the historical records, the Tribunal acknowledges that the historical documents disclose what may be described as a social connection between: a) Cecile McDonnell-Mawiskak (RIN #14687)'s family including her husband and certain of their children; and b) the children or other relations to Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101). Still, the historical records do not provide a basis on which the Tribunal could reasonably conclude that Cecile McDonnell-Mawiskak (RIN #14687) was a familial relation between, for example, Alexander McDonnell or Anna McDonnell/McDonald (RIN #2197). None of these documents specify a familial relationship.
73. The Tribunal also acknowledges that certain secondary sources cited by J. Poirier suggest that there was a familial relationship between Cecile McDonnell-Mawiskak (RIN #14687) and the family of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101). However,

¹⁸ See pages 6 to 14 of Report Regarding Ancestor Cecile McDonnell dite Mawishk (RIN #14687) dated February 22, 2023 (which was posted to the website as *Document 6 – Enrolment Officers Reply to Initial Submissions Regarding #14687*), including referenced historical documents.

¹⁹ See pages 14 and of Report Regarding Ancestor Cecile McDonnell dite Mawishk (RIN #14687) dated February 22, 2023 (which was posted to the website as *Document 6 – Enrolment Officers Reply to Initial Submissions Regarding #14687*), including referenced historical documents.

those secondary sources are not consistent with the verified historical documents that are on the Tribunal's record.

F. Summary of the Tribunal's Findings and Conclusion

74. On the basis of the above, the Tribunal finds that:

- a) There is no question that Cecile McDonnell-Mawiskak (RIN #14687) is a woman of Indigenous ancestry.
- b) No historical document before the Tribunal specifically identifies Cecile McDonnell-Mawiskak (RIN #14687) as being Algonquin or Nipissing.
- c) The available historical documents provide a reasonable basis on which to conclude that it is likely that Cecile McDonnell-Mawiskak (RIN #14687) originates from present-day Manitoba.
- d) The historical records do not support the conclusion that Cecile McDonnell-Mawiskak (RIN #14687) was the daughter of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101).
- e) The historical records suggest that there was a social connection between Cecile McDonnell-Mawiskak (RIN #14687)'s family (including her husband and certain of their children) and the children or other relations of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101). However, the historical records do not provide a basis on which the Tribunal could reasonably conclude that there was a familial relationship between Cecile McDonnell-Mawiskak (RIN #14687) and, for example, Alexander McDonnell or Anna McDonnell/McDonald (RIN #2197).

75. Ultimately, the Tribunal concludes that Cecile McDonnell-Mawiskak (RIN #14687) is not identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that she was considered to be an Algonquin or Nipissing, or a sibling of such a person.

G. Confirmation of Determination

76. For the reasons stated above and on the basis of the record before the Tribunal, the Tribunal determines that Cecile McDonnell-Mawiskak (RIN #14687) is not properly considered an

“Algonquin Ancestor” and should, therefore, be removed from the Schedule of Algonquin Ancestors.

77. Pursuant to Article 100 of the Special Resolution, Cecile McDonnell-Mawiskak (RIN #14687) will be removed from the Schedule of Algonquin Ancestors.
78. Pursuant to Article 103 of the Special Resolution, the Enrolment Officer will undertake a review of the Enrolment List to identify those individuals who no longer meet Article 2.1(b)(ii) of the Enrolment Criteria and remove the names of those individuals from the Enrolment List. The Enrolment Officer will also provide the names of those individuals to the Tribunal Chairperson who will notify those individuals that they are no longer Enrolled.

TO: Algonquin Negotiation Representatives

AND TO: Enrolment Officer

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

AND TO: Registered Participants:

- a) Chief C. Bastien
- b) J. Poirier
- c) Dr. V. Coburn
- d) Chief W. Jocko
- e) Chief G. Sarazin