

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 ANNA McDONALD-McDONNELL (RIN #2197)

**DETERMINATION AND REASONS FOR DETERMINATION
REGARDING THE ALGONQUIN TRIBUNAL'S INQUIRY INTO
ANNA McDONALD-McDONNELL (RIN #2197)**

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) Chief C. Bastien
Persons making presentations at hearing:	Joan Holmes (Enrolment Officer) Chief C. Bastien

**ALGONQUIN TRIBUNAL'S DETERMINATION REGARDING THE
INQUIRY INTO ANNA McDONALD-McDONNELL (RIN #2197)**

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 Anna McDonald-McDonnell (RIN #2197) 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 Anna McDonald-McDonnell (RIN #2197) is identified in a historic record or document dated on or before December 31, 1921, in such a way that it would be reasonable to conclude that she was considered to be an Algonquin or Nipissing, or a sibling of such a person.

Ralph Lance (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 Anna McDonald-McDonnell (RIN #2197).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 Anna McDonald-McDonnell (RIN #2197) (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 Anna McDonald-McDonnell (RIN #2197) 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 Anna McDonald-McDonnell (RIN #2197) would remain on the Schedule of Algonquin Ancestors.
8. If the Tribunal determines that Anna McDonald-McDonnell (RIN #2197) does not meet the above noted criteria, then Anna McDonald-McDonnell (RIN #2197) 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 Anna McDonald-McDonnell (RIN #2197) 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 Anna McDonald-McDonnell (RIN #2197), the Tribunal notes that the following documents were filed with the Tribunal and made available on its website:
 - a) Document 1 – Enrolment Officer Report Regarding Anna McDonald-McDonnell & Appendices
 - b) Document 2 – Initial Submission by C. Bastien on behalf of himself and his community (Part 1)
 - c) Document 3 – Initial Submission by C. Bastien on behalf of himself and his community (Part 2)
 - d) Document 4 – Initial Submission by C. Bastien on behalf of himself and his community (Part 3)
 - e) Document 5 – Enrolment Officers Reply to Initial Submission Regarding RIN #2197
 - f) Document 6 – Enrolment Officer's Supplement Presentation for Anna McDonald-McDonnell (Note that Document 6 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 after the hearing.)
18. The submissions from Chief Bastien were in support of keeping Anna McDonald-McDonnell (RIN #2197) on the Schedule of Algonquin Ancestors.

19. The Tribunal did not receive any submissions from persons who might be opposed to keeping Anna McDonald-McDonnell (RIN #2197) on the Schedule of Algonquin Ancestors. The lack of opposing submissions did not deter the Tribunal from fully assessing the materials in front of it as the Tribunal's mandate is to make an evidence-based determination, regardless of whether participants might oppose or support a particular outcome.
20. The schedule for filing materials, the hearing date and the materials noted above were all made available on the Tribunal's website in a timely manner and were also the subject of the Tribunal's update emails that were sent from time to time.
21. In addition, the Tribunal held a hearing on May 11, 2023, at the Best Western Hotel in Pembroke. The hearing was open to any interested parties.
22. Due to the potential for an overlap in issues and evidence with the inquiry into Cecile McDonnell-Mawiskak (RIN #14687), the Tribunal coordinated the present hearing with the hearing that pertained to Cecile McDonnell-Mawiskak (RIN #14687). 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).
23. At the hearing, the Enrolment Officer gave a brief oral presentation supplemented with PowerPoint visuals (i.e., *Document 6* 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 Anna McDonald-McDonnell (RIN #2197) on the Schedule of Algonquin Ancestors to make presentations.
24. In response to that invitation, Chief Bastien made brief submissions in support of maintaining Anna McDonald-McDonnell (RIN #2197) on the Schedule of Algonquin Ancestors.
25. The Tribunal then invited interested parties opposed to maintaining Anna McDonald-McDonnell (RIN #2197) on the Schedule of Algonquin Ancestors to make presentations.
26. No other presentations were made at the hearing despite interested parties having been invited to speak in favour or against the continued inclusion of Anna McDonald-McDonnell (RIN #2197) on the Schedule of Algonquin Ancestors.
27. The panel reserved its decision at the hearing until the release of these written reasons.

B. The Tribunal's Determination

28. Upon consideration of the evidence and having reference to the definition of "Algonquin Ancestor", the Tribunal has unanimously determined that Anna McDonald-McDonnell (RIN #2197) is properly considered an "Algonquin Ancestor" and should remain on the Schedule of Algonquin Ancestors.
29. In coming to its determination, the Tribunal had reference to all the information before it. Of those materials, the Tribunal notes that the comprehensive reports provided by the Enrolment Officer and the definition of "Algonquin Ancestor" were key to making its determination.
30. The Tribunal's reasons for its determination are set out below.

C. Definition of Algonquin Ancestor

31. The starting point of the Tribunal's analysis is the definition of "Algonquin Ancestor".
32. 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.
33. 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.

34. In this case, there is no question that Anna McDonald-McDonnell (RIN #2197) is an identifiable historical person who is identified in a record dated on or before December 31, 1921.
35. 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.
36. 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.
37. The Tribunal confirms that it applied the “reasonable to conclude” standard.
38. 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 the historical documents to assess what inferences or conclusions may be drawn from them.
39. 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).
40. 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

41. In this case, Anna McDonald-McDonnell (RIN #2197) is identified in census documents in a variety of ways, including as “Scotch”, “Algonquin Scotch Breed,” “Indian”, or “Red”, and as having been born in Moose Factory, Quebec, or Ontario. In light of this conflicting information from census records, the Tribunal also considered Anna McDonald-McDonnell (RIN #2197)’s genealogy and where she might be from in order to assess whether it is “reasonable to conclude that she was considered to be an Algonquin or Nipissing, or a sibling of such a person.”

E. Review of Historic Records

1. Introduction

42. 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.
43. The additional historical documents attached to Chief Clifford Bastien’s submissions have been vetted by the Enrolment Officer and have been confirmed as authentic copies and as coming from well-known and reputable sources.

2. Name variations

44. Anna McDonald-McDonnell (RIN #2197)’s name is spelt in various ways in the historical documents, including as “McDonell” or “McDonald” and her given name is rendered as Anna, Ann, or Annie.
45. For clarity and consistency, the Tribunal will refer to the subject ancestor as “Anna McDonald-McDonnell (RIN #2197).”

3. The historical records indicate that Anna McDonald-McDonnell (RIN #2197) is from the Temiskaming Area

(i) Anna McDonald-McDonnell (RIN #2197)'s Baptismal Record

46. The earliest known historical record for Anna McDonald-McDonnell (RIN #2197) is her baptism record at Temiscamingue, Quebec.³ This record is taken from the Indian Registers for the Albany-Temagami-Temiscamingue area. This record indicates that: a) Anna McDonald-McDonnell (RIN #2197) was baptized at Temiscamingue, Quebec, on June 15, 1845; b) she was 9 months old at the time of her baptism; c) her parents were Alexander McDonnell and Manian McKay (who are also known as Alexander McDonnell (RIN #14097) and Mary Ann McKay (RIN #14098)); and d) her godmother was Manian Kakikepikwe.
47. Because of her parents and godmother's identity and the location where she was born, it is clear that Anna McDonald-McDonnell (RIN #2197) is a woman of Indigenous descent. Although her baptismal and other records do not specifically identify her, or her parents, as being Algonquin or Nipissing, the Tribunal considered other available historical records that pertain to her parents and grandparents.

(ii) Anna McDonald-McDonnell (RIN #2197)'s mother and maternal grandparents

48. Anna McDonald-McDonnell (RIN #2197)'s mother, Mary Ann McKay, is the daughter of John McKay and Elisabeth Nettawabank dite Nikins. This is confirmed by Mary Ann McKay (RIN #14098)'s baptismal record⁴ and her marriage record.⁵ Importantly, Mary Ann McKay (RIN #14098)'s marriage and baptism occurred at Temiscamingue. Mary Ann McKay (RIN #14098) was aged 14 at the time of her baptism and 15 at the time of her marriage. Also, the Tribunal notes that the baptism was witnessed by Bazile Kije-inini (also known as Basile Kijiinini dit Merry (RIN #7012)), who is listed on the Schedule of Algonquin Ancestors.⁶
49. The marriage between Mary Ann McKay (RIN #14098) and Alexander McDonnell (RIN #14097) occurred in July of 1837. This date corresponds with Alexander McDonnell (RIN

³ ALG-40097

⁴ ALG-40127

⁵ ALG-02131

⁶ ALG-40127

#14097)'s Hudson Bay Company ("HBC") biographical record, which puts him at Temiscamingue from 1833 to 1845.⁷

50. Mary Ann McKay (RIN #14098) and Alexander McDonnell (RIN #14097) had six known children. Of those children, the following are known to have been baptized at Temiscamingue: a) Mani (RIN #14745) baptized at seven months old in June 1843⁸; b) Anna McDonald-McDonnell (RIN #2197) baptized at nine months old in June 1845⁹; and c) Sophie (RIN #14099) baptized at three months old in July 1848.¹⁰
51. Mary Ann McKay (RIN #14098)'s mother, Elisabeth Nettawabank dite Nikins, was baptized at Temiscamingue on July 25, 1836.¹¹ At the time of her baptism, Elisabeth Nettawabank dite Nikins was 39 years old. Elisabeth Nettawabank dite Nikins officially married John McKay at Temiscamingue on July 25, 1836. This marriage was witnessed by Bazile Kije-inini (also known as Basile Kijiinini dit Merry (RIN #7012)) and Paul Inini dit Napons (RIN #6437), both of whom are on the Schedule of Algonquin Ancestors. It is clear that the union between Elisabeth Nettawabank dite Nikins and John McKay pre-existed the solemnization of this marriage as, at the time of their marriage they had five children.¹²
52. The HBC biographical sheet for Mary Ann McKay (RIN #14098)'s father, John McKay, notes that he was from Temiscamingue parish and was related to the "principal Indians" of the district. George Simpson, who was the Governor of the HBC, noted that John McKay "is only retained in the Service as he would be troublesome in opposition from his knowledge [of] the country and influence over the principal Indians of the District to whom he is related."

(iii) Anna McDonald-McDonnell (RIN #2197)'s father and paternal grandparents

53. Anna McDonald-McDonnell (RIN #2197)'s father, Alexander McDonnell (RIN #14097) (sometimes spelt as "McDonald"), was an employee of the HBC. His HBC biographical sheet indicates that he is the son of Allan McDonnell, and his parish of origin was said to be "Indian

⁷ ALG-20746

⁸ ALG-40110

⁹ ALG-40110

¹⁰ ALG-40097

¹¹ ALG-40101

¹² See page 12 of *Document 1 – Enrolment Officer Report Regarding Anna McDonald-McDonnell & Appendices*.

Country”.¹³ Taken in context, this means that he was born in the territory in which his father served as a trader for HBC. Note that this also means that Alexander McDonnell (RIN #14097) is a man of Indigenous ancestry because, at the time of his birth, the only women in the relevant area were either Indigenous or of mixed Indigenous and European ancestry.

54. Alexander McDonnell (RIN #14097) is the son of Allan McDonnell (RIN #57432) and Margaret Cameron (RIN #14101).¹⁴
55. The HBC biographical sheet for Allan McDonnell indicates that he was originally from Scotland. As such, he is not the source of any Indigenous ancestry. However, it is noteworthy that Allan McDonnell was the Chief Trader at Temiscamingue from 1826 to 1828 and was the Chief Factor at Temiscamingue from 1828 to 1834.
56. Margaret Cameron (RIN #14101) is the daughter of Aeneas Cameron and his wife¹⁵, who is identified in various biographical dictionaries and scholarly works as an Indigenous woman from Fort Temiscamingue.¹⁶

(iv) Connection to Temiskaming and why this is important

57. The historical records provide a reasonable basis on which the Tribunal may conclude that Anna McDonald-McDonnell (RIN #2197) is from Temiskaming. In particular, it is almost certain that Anna McDonald-McDonnell (RIN #2197)’s mother, Mary Ann McKay (RIN# 14098), and her maternal grandmother, Elisabeth Nettawabank dite Nikins, originate from Temiskaming.
58. Furthermore, the historical records also suggest that Anna McDonald-McDonnell (RIN #2197)’s father, Alexander McDonnell (RIN #14097), is the child of an Indigenous woman from Temiskaming.
59. This connection is important to note because:

Algonquins were known to be using land around Lake Temiskaming from an early period. Families at Temiskaming applied through the Bishop of Bytown to have a reserve created at the head of Lake Temiskaming in 1849, identifying themselves as Algonquin. Upon the

¹³ ALG-20746

¹⁴ ALG-20746 and ALG-40112

¹⁵ ALG-40121

¹⁶ ALG-40113, ALG-40122 and ALG-40123

recommendation of the Assistant Commissioner of Land Applications the government passed legislation in 1851 to set aside two reserves in Lower Canada (now Quebec), one on Lake Temiskaming and one at River Desert (now Kitigan Zibi). In August 1853, both reserves were officially created by Order-in-Council. The reserve at Lake Temiscamingue (known officially as Timiskaming Indian Reserve 19) was said to contain 38,400 acres for the Nipissings, Algonquins and Outaouais inhabiting the “Country watered by the Ottawa adjacent to the Hudson Bay Territory.”¹⁷

60. In short, at the relevant time, Lake Temiskaming was known to be an Algonquin and Nipissing area.
61. The undeniable strong connection to this area provides a reasonable basis on which to conclude that Anna McDonald-McDonnell (RIN #2197) was Algonquin on the basis of her maternal line.

4. Anna McDonald-McDonnell (RIN #2197) continued interaction with Algonquins in the Mattawa area

62. In addition to originating from Temiskaming (which is a known Algonquin area), Anna McDonald-McDonnell (RIN #2197) spent her adult life with and amongst Algonquins in the Mattawa area.
63. In this regard, the Tribunal notes that:
 - a) Mary Petrin (RIN #4762) witnessed the baptism of Anna McDonald-McDonnell (RIN #2197)’s daughter at Sheenbororo in 1874.¹⁸
 - b) Anna McDonald-McDonnell (RIN #2197) was named as godmother to Mary Petrin (RIN #4762)’s son at his baptism in Mattawa in 1873.¹⁹
 - c) The godparents of Anna McDonald-McDonnell (RIN #2197)’s son, Walter Joseph Ferris, are named as Paul Chevalier (RIN #9690) and Mani Suzanne.²⁰ Paul Chevalier (RIN #9690) is the son of Paul Kwiwissens (RIN #7883), who is listed on the Schedule of Algonquin Ancestors. “Mani Suzanne” is most likely Paul Chevalier (RIN #9690)’s wife, who is the granddaughter of Paul Okimakijik (RIN #7916). Paul Okimakijik (RIN #7916) is listed on the Schedule of Algonquin Ancestors.

¹⁷ See page 5 of *Document 1 – Enrolment Officer Report Regarding Anna McDonald-McDonnell & Appendices* and ALG-40060, ALG-40061 and ALG-40062.

¹⁸ ALG-40091

¹⁹ ALG-02465

²⁰ ALG-22441

- d) Anna Mcdonald-Mcdonnell (RIN #2197) was enumerated in the 1881 census as being “Indian” and living amongst known Algonquin families, such as Antoine, Bernard, Buckshot, Chevalier, Ignace, Lamur, Laronde, Leclerc, Minens, Pizintasatc, Simon, Stokois, and Wabikons.²¹
- e) Anna Mcdonald-Mcdonnell (RIN #2197) appears as a godparent along side Baptiste Lamuer (RIN #2305).²² Baptiste Lamuer (RIN #2305) is the son of Joseph Lamure dit Pakwacini (RIN #2273), who is listed on the Schedule of Algonquin Ancestors.
- f) Anna Mcdonald-Mcdonnell (RIN #2197) and her family appear on the 1891 census for Mattawa alongside Peter Leclerc/Leclaire (RIN #5311). Peter Leclerc/Leclaire (RIN #5311)’s father, Benjamine Leclerc (RIN# 2172) is listed on the Schedule of Algonquin Ancestors.²³
- g) Anna Mcdonald-Mcdonnell (RIN #2197) and her family appear on the 1901 census for the town of Mattawa along side notable Algonquin families. On this census Anna Mcdonald-Mcdonnell (RIN #2197) is identified as being “Algonquin Scotch Breed”.²⁴ On page 9 of *Document 1 – Enrolment Officer Report Regarding Anna Mcdonald-Mcdonnell & Appendices*, the Enrolment Officer identified the notable Algonquin families that are also identified as being “Algonquin”, Algonquin French Breed or Algonquin Scotch Breed on this grouping on the 1901 census.

64. These historical documents confirm that Anna Mcdonald-Mcdonnell (RIN #2197) continued to live in an Algonquin community after leaving Temiskaming and settling in the Mattawa area. It is clear from this documentation that Anna Mcdonald-Mcdonnell (RIN #2197) was not just living amongst Algonquins but was living with them as they shared life events. This supports that she herself formed part of the Algonquin community, not merely through proximity but through a shared heritage.

²¹ ALG-22445

²² ALG-01888

²³ ALG-22447

²⁴ ALG-22454

F. Putting it all together – Summary and Conclusions

65. On the basis of the above, the Tribunal finds as follows.
66. The historical records demonstrate that Anna McDonald-McDonnell (RIN #2197)'s mother (Mary Ann McKay (RIN #14098)) and maternal grandmother (Elisabeth Nettawabank dite Nikins) are clearly Indigenous women that are known to have lived in the Temiskaming area.
67. Anna McDonald-McDonnell (RIN #2197) was born in the Temiskaming area and continued to live in that area.
68. The Lake Temiskaming area was predominantly populated by Algonquins and Nipissings during the respective lifetimes of Anna McDonald-McDonnell (RIN #2197)'s mother (Mary Ann McKay (RIN #14098)) and maternal grandmother (Elisabeth Nettawabank dite Nikins).
69. This provides a strong basis on which to conclude that Anna McDonald-McDonnell (RIN #2197) is herself, and is descended from, Algonquins.
70. Anna McDonald-McDonnell (RIN #2197)'s life as a person living with and amongst Algonquins is demonstrated throughout her life in Mattawa where she is documented as living in an Algonquin community and sharing important life events with other known Algonquins.
71. The Tribunal also notes that Anna McDonald-McDonnell (RIN #2197) is identified as: a) "Indian" in the 1881 census;²⁵ b) "Algonquin Scotch Breed" in the 1901 census;²⁶ and c) "~~Algonquin~~-Indian" in the 1921 census.²⁷ Other known Algonquins are identified in similar ways in these censuses.
72. Taken together, the available historical records provide a strong basis on which the Tribunal may reasonably conclude that Anna McDonald-McDonnell (RIN #2197) 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.

²⁵ ALG-22445

²⁶ ALG-22454

²⁷ ALG-22493

G. Confirmation of Determination

73. For the reasons stated above and on the basis of the record before the Tribunal, the Tribunal determines that Anna McDonald-McDonnell (RIN #2197) is properly considered an “Algonquin Ancestor” and should remain on the Schedule of Algonquin Ancestors.

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