

PATRICIA HARRISS

- (a) First statement to Det. Sgt. William URQUHART 17 June 71. States she saw grey haired man on Crescent St. wearing a long coat. This statement is unsigned and appears unfinished, taken at 8:15 P.M. ATTACHMENT #1.
- (b) Statement taken 1:20 A.M. 18 Jun 71. Taken by URQUHART and MacINTYRE. No mention of white haired man, states she saw SEALE and MARSHALL on Crescent Street. ATTACHMENT #2.
- (c) Evidence given by Patricia HARRIS at both Preliminary and Supreme Courts, that she saw MARSHALL and another person on Crescent St. just prior to Murder.
- (d) 1st of March, 1982, Patricia HARRISS states she was taken to the Police Station several times on 17th. She was pressured into saying what police wanted, tried to tell the truth finally at 1:20 A.M. gave statement to Chief MacINTYRE and Sgt. URQUHART.
- (e) Patricia HARRISS and mother go to a lawyer re: Police action, as girl is only 14 years. Appointment confirmed by Solicitor A.O. GUNN.
- (f) Mother, Mrs. Eunice HARRISS, interviewed, confirms daughter's story with regards to stress placed on Patricia by police and Crown.
- (g) Patricia HARRISS admits to not telling complete truth on the stand.

JUNE 17, 1971 - 8:15 P.M.

STATEMENT OF PATRICIA HARRIS, 5 KINGS ROAD,
BORN: 1957-Nov-15

On the night of the dance at St. Joseph's, May 28, 1971, my boyfriend Terry GUSHUE, 2 Tulip Terrace, left the dance at 11:45 P.M. We sat on a bench near the Bandstand. We sat on a bench. Robert PATTERSON was on the grass sick, throwing up. We smoked a cigarette. Terry and I left, walked back of the Band Shell on to Crescent Street in front of the big green building. We saw and talked to Junior MARSHALL. With MARSHALL was two other men.

Q. Describe the other men to me?

A. One man was short with a long coat. Gray or white hair, with a long coat. I was talking to Junior. Terry got a match from Junior and Junior said they are crazy. They were asking him, Junior, for a cigarette.

Q. Did you see Sandy SEALE in the Park?

A. No.

Q. Was there anyone else in the Park?

A. Yes, boys and girls walking through the Park. Gussie DOBBIN and Kenny BARROW, they left while we were still on the bench.

CITY OF SYDNEY POLICE DEPARTMENT
CONTINUATION REPORT

130 7

SUBJECT

CASE No.

C O P Y

June 18th - 1:20 A.M.

Statement of Patricia Ann Harris, age 14 yrs., residing at
5 Kings Road, Swaney

On May 28th, 1971, I went to St. Joseph's Dance Hall. I met Terry Gushue there. We danced for awhile and then a fight started. Terry got mixed up in it and he was asked to leave. So I went with him. I got mad at him for drinking & fighting. We went to the Park and sat on a bench and started smoking. Robert Patterson came to the Park with us. After a while, we crossed the park back of the grandstand. Then we went up to Crescent St. and by the green apt. building, we met Jr. Marshall. Terry got a match of him.

Q. Was there anybody with Jr. Marshall

A. Yes

Q. Who was it

A. He had a dark jacket on

Q. Was it Sandy Seale. Do you know him

A. Yes, I know Sandy and it looked like him

Q. Did he speak to you

A. No

Q. Did Jr. Marshall say anything else

A. He was drinking

Q. How was he dressed

A. He had a light jacket on

Q. Were they standing or walking when you met them

A. Standing, facing one another, but when we came closer, they sort of parted and Sandy Seale moved back. We talked to Jr. got a match and left for home.

Q. Did you see anybody else in the area

A. No. Not on Crescent St.

Q. Did you notice anybody on the railroad tracks

A. No

Q. Where did you learn about the stabbing

A. My mother told me.

RE

SUBJECT

CASE No.

COPIE

continued - page 2 - Patricia Harris

Q. Did you see any weapons on either Jr. Marshall or Sandy Seale

A. No

Q. How were they facing

A. Sandy was facing the houses and Jr. Marshall was facing the Park

Q. What time would this be

A. I would say about 11 P.M. XX we left the dance about 11:30 P.M.

Signed: Patricia Harris

June 10th - 12:45 A.M.

Serjt. Det. J.J. McIntyre

Serjt. .. Unruhart.

- 75 - PATRICIA HARRIS, Dir. Exam.

Q. What exactly did you do just now when you swore?

A. I swore to tell the truth.

Q. Before whom did you take this oath?

A. Pardon me.

Q. Before whom did you take the oath?

A. The Court, Jury.

Q. Do you remember the words - "So Help You God"?

A. To tell the truth and nothing but the truth.

(10) Q. So Help You God?

A. Yes.

Q. You've taken the oath before God?

A. Yes.

Q. Would you venture to say what happens to anyone who tells a lie?

A. It's perjury.

Q. It is perjury. What is perjury? What is your idea of perjury?

A. Well, if you don't tell the truth, you go to jail, or school for girls.

Q. You appreciate then the significance of the oath that you have

(20) taken, what it means?

A. Yes.

Q. I'm sure you are satisfied of the seriousness of what you are about to say today?

A. Yes.

Q. That you are going to tell the truth?

A. Yes.

THE COURT:

I am satisfied and I have no doubt that Miss Harris is one who understands the nature of the oath and appreciates the significance

(30) of what it means not to tell the truth. I am satisfied and you may proceed.

MR. MacNEIL:

Thank you, my Lord.

- 76 - PATRICIA HARRIS, Dir. EXAM.

BY MR. MacNEIL:

Q. I believe I got your name. Did I ask you where you lived?
Where do you live?

A. 5 Kings Road.

Q. Kings Road, that's in the City of Sydney here, County of Cape Breton, Province of Nova Scotia?

A. Yes.

(10) Q. As a matter of fact, it's just across the pond from the front
of this court house, is it not?

A. Yes.

Q. And where were you on the evening of the 28th of May, 1971?

A. St. Joseph's Dance.

Q. You will have to speak up loud, now.

A. Yes.

Q. Where?

A. St. Joseph's Dance.

Q. And that's held at the Parish Hall on George Street in the City of Sydney?

(20) A. Yes.

Q. And how long did you stay at the dance?

A. Oh, until about 10:30.

Q. And what did you do at 10:30?

A. Well my boyfriend was asked to leave the dance, so I went with him down to Wentworth Park, in front of the bandshell and we stayed there for a while. First we got a package of cigarettes. We went down and sat on the bench. A friend walked by and we asked him for a match and lit the cigarette. After that we left and come on to Crescent Street.

(30) Q. All right now, what time would this be?

A. Oh, about quarter to eleven.

Q. Quarter to eleven? Are you sure of that, Miss Harris?

A. Left the dance about 10:30, we were there for a while; we walked back of the bandshell and came up on Crescent.

- 77 - PATRICIA HARRIS, Dir. Exam.

Q. How long did you remain in the park, the bandshell?

A. Just to smoke the cigarette.

Q. All right, you say it was what time when you decided to leave Wentworth Park and the bandshell?

A. I'm not sure - twenty to eleven, around there.

Q. And as you proceeded along Crescent Street, who was with you?

A. My boyfriend, Terry Gushue.

Q. And which direction were you walking along Crescent Street?

(10) A. Going towards my house.

Q. Well, which direction is that? In other words, you were walking towards the direction of Kings Road, were you?

A. Yes.

Q. Walking from the bandshell over in this direction - did you walk past in front of the court house here?

A. Yes.

Q. All right now, as you were walking along Crescent Street, would you tell His Lordship and the gentlemen of the jury what took place?

(20) A. Well we met Junior Marshall and we asked him for a match. He gave us a match and-

MR. ROSENBLUM:

A little louder, please.

WITNESS:

-spoke to Junior for a while. And we left.

BY MR. MacNEIL:

Q. Spoke to who?

A. Junior.

Q. Junior - who is Junior? Donald Marshall Jr., the accused?

(30) A. Yes.

Q. And had you known him before this time?

A. I met him at the dance-

Q. So you know him. For how long a period?

A. Not too long.

- 78 - PATRICIA HARRIS, Dir. Exam.

Q. Well-

A. Do you mean, how long I knew him?

Q. Yes! Over what period of time had you known him?

A. Ever since I went to the dances.

Q. All right, when did you start going to the dances?

A. This year, last year.

Q. Last year or this year?

A. Last year.

(10) Q. Can you tell us how many months or how many years you know him?

A. About six or seven months.

Q. I beg your pardon.

A. Six or seven months.

Q. Prior to this evening that you saw him. Was there anyone with Mr. Marshall, the accused?

A. I think so, yes.

Q. Did you have any conversation with Donald Marshall, yourself?

A. Not long - like I said - he asked "Were you at the dance" and

(20) I said, "Yes."

Q. Then what did you do?

A. Well, Terry lit the cigarette and then we just said "Bye" and went home.

Q. And did you see the accused, Mr. Marshall, any more that evening?

A. No.

Q. What time did you arrive home?

A. I don't know. I'm not sure.

Q. Was there more than one person with Mr. Marshall?

A. Yes.

(30) Q. How many were there?

A. I don't know really but there wasn't many there.

Q. I beg your pardon.

A. There wasn't many there.

Q. What?

A. There wasn't many there.

- 79 - PATRICIA HARRIS, Dir . Exam.

Q. Now what do you mean by that?

A. Well, there wasn't a crowd of people.

Q. How many people that you know were there?

A. Just Junior.

Q. Just Junior?

A. Yes.

Q. I may have confused you. Miss Harris, you saw Donald Marshall and did you see anyone else there?

(10) A. Yes.

Q. Who was it, do you know?

A. (No response.)

Q. Answer me, please.

A. No.

Q. And how many people did you see there with Donald Marshall?

A. One.

Q. The one person.

A. Yes.

Q. Tell me, did you have any physical contact with Junior Marshall

(20) at that time?

A. Yes.

Q. What was that?

A. He held my hand.

Q. And did you notice anything about his condition insofar as liquor is concerned?

A. No, not really. You couldn't tell.

Q. You couldn't tell whether he had been drinking or not.

A. No.

Q. Did you have a conversation with Mr. Marshall while you were

(30) there on Crescent Street?

A. Just a short one.

Q. And do you see Donald Marshall here in court today?

A. Yes.

Q. Would you point him out to the court please?

A. (Witness points to the accused.)

- 80 - PATRICIA HARRIS, Dir. Exam.
Cross-Exam.

MR. MacNEIL:

Let the record indicate that the witness points to the accused.
I think that's all, my Lord.

BY MR. ROSENBLUM: (Cross-Exam.)

Q. Now Miss Harris, Junior Marshall spoke pleasantly to you and to your boyfriend, Terry Gushue?

A. (No audible response.)

Q. Didn't he?

(10) A. He just asked if I was at the dance.

Q. Pardon me.

A. He just asked if I was at the dance.

Q. And when Terry Gushue asked him for a match, he gave him a match?

A. Yes.

Q. And your encounter with Junior Marshall on that occasion was pleasant. There was nothing unpleasant about it, was there?

A. No.

Q. And it was only for a moment or two?

(20) A. Yes.

Q. I can't hear you.

A. Yes.

Q. Now can you say under oath that there was anybody at all with Junior Marshall that time or if there were other people around but you can't say if they were with him?

A. Well someone was there but I never paid any attention-

Q. No, you couldn't say if it was a woman, a man, a child?

A. No.

(30) Q. So you really are not sure if there was anybody with Junior Marshall at all, are you?

A. I knew he was there.

Q. Pardon?

A. Sort of knew he was there.

-- 81 - PATRICIA HARRIS, Cross-Exam.

Q. Knew who was there?

A. The person.

Q. You can't say if it was a man, woman or child, can you?

A. No.

Q. You say you knew there was somebody around?

A. (No audible response.)

Q. You will have to answer so we can get it down?

A. Yes.

(10) Q. And that other person that you're speaking about, they never had any conversation with you or with Terry Gushue?

A. No.

Q. Or with Junior Marshall while you were there?

A. No.

Q. And so the sum net result is that you and Terry Gushue went to a dance, you left the dance, you went to the bandshell for a cigarette, a smoke, whatever it was; then you started to walk towards your home over there on Kings Road, and on the way you met Junior Marshall who gave Terry Gushue a match:

(20) is that right?

A. Yes.

Q. And that's all. Isn't that it?

A. Yes.

Q. Anything else?

A. No.

(THE WITNESS WITHDREW)

MR. MacNEIL:

I will call Mr. Gushue.

TERRANCE GUSHUE, being called, came forward.

BY MR. MacNEIL:

Q. How old are you, sir?

A. Twenty.

MR. MacNEIL:

Proceed.

Statement of: Patricia Ann HARRISS (B: 15 NOV. 56)
5 Kings Rd., Sydney, N.S. 562-4009

TAKEN: 1 MAR 82 @ Sydney, N.S.

Statement # 22

In 1971 I would have been 14 years of age and I recall the Seale murder case. That evening I was at a dance at St. Joseph's Hall and left with Terry Gushue. We went down George St. to Wentworth Park. We sat on a park bench in the area of the band shell. My home was at five Kings Road so I feel that Terry and I would have walked up to Crescent St., more toward the South Bentinck end than the Argyll St. end. We walked a ways down Crescent St. before noticing anybody. I remember meeting Junior Marshall and there were other people on the street in this area. Who they were I don't know. I recall in my first statement to the Police there were two people. The police took at least three statements from me.

I don't recall exactly how many times I was taken to the police station. I found they were needlessly harping at me going over and over telling me what they thought I should see. They took statements from me and changed them. This took hours and hours and my parents were not allowed in. They came to the police station and they let me out once to see them but that was it.

I don't feel their actions were proper. I recall them banging their fist on the desk. I definitely did not see Sandy Seale in the Park that night. I don't recall if I said that in Court or not. The police had me so scared through out this affair that I felt pressured and agreed with things I shouldn't have agreed. Now that I am a mature adult I feel this was most improper and I have thought of this through the years often questioned this whole thing in general.

I am sure that I saw Junior Marshall in the area of the Green Apartment building on Crescent Street. There were other men on Crescent Street in this area two or three. I did not say this in Court but I did say this at the Police Station. I felt that I was obligated to stick with the statement the Police were happy with. Terry Gushue was also brow beaten at this time when they took the statement from him.

Patricia Harriss

H.F. WHEATON, S/Sgt.