

DEBORAH M. TIMMINS, by Mr. Spicer

1 DEBORAH MAXINE TIMMINS, being called and duly sworn, testified as
2 follows:

3 BY MR. SPICER:

4 Q. Your name is Debbie Timmins and in 1971 you were Debbie
5 MacPherson?

6 A. Yes, that's right.

7 Q. In 1971, how old were you?

8 A. I was fifteen.

9 Q. In May?

10 A. Yes.

11 Q. Your birthday --

12 A. I would have been sixteen the end of the month.

13 Q. I see. Okay, and where did you live in 1971?

14 A. On Keltic Drive. That's on the other side of Coxheath.

15 Q. And did you from time to time attend the dances at St. Joseph's
16 Church?

17 A. From time to time when I was allowed to go.

18 Q. When you were allowed to go?

19 A. Yeh.

20 Q. And did you attend the dance on the night of May 28th?

21 A. Yes, I did.

22 Q. With Scott MacKay?

23 A. Yes.

24 Q. Can you indicate what time approximately you left the dance?

25 A. Oh, I imagine around eleven-thirty to quarter to twelve or

DEBORAH M. TIMMINS, by Mr. Spicer

- 1 something like that.
- 2 Q. Would there be any particular reason why you would leave at
3 that time?
- 4 A. I was going to catch the Acadian Lines bus going to North
5 Sydney.
- 6 Q. And what time did that bus leave?
- 7 A. At twelve.
- 8 Q. Can you describe to us the route that you took after you left
9 the dance?
- 10 A. Yes, sir.
- 11 Q. Sure, stand up. Just come and stand around to this side over
12 here. I'll move the mike for you.
- 13 A. Okay.
- 14 Q. Okay.
- 15 A. Okay, we left the hall and we came down George Street and went
16 down Arygle and we went down through the walkway here through
17 where the band shelter was, a park bench, and we were there
18 for a few minutes and then we went back up on the road
19 through -- down through Crescent Street.
- 20 Q. Okay. During the time that you were sitting on the park
21 bench, did you hear anything?
- 22 A. No, sir.
- 23 Q. Did you see anybody?
- 24 A. No.
- 25 Q. No. Okay. Have a seat. What was the weather like that evening?

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- 1 A. It was fairly dark out. I never really noticed much.
- 2 Q. Do you remember whether it was rainy or misty?
- 3 A. It was misty. It wasn't like really rain but it was misty, yes.
- 4 Q. How would you describe the visibility?
- 5 A. Oh, fairly okay, you know.
- 6 Q. When you came up along Crescent Street what did you see?
- 7 A. I seen a body on the road.
- 8 Q. Do you know how far away you were from the body when you first
- 9 saw it?
- 10 A. Not really. I was quite a piece away though. I could see,
- 11 you know, further up the road.
- 12 Q. And what was it that you saw?
- 13 A. I'd seen a body on the road.
- 14 Q. Did you at that point say anything to Scott?
- 15 A. I think we were both thinking the same thing, but maybe I
- 16 had said, there's something lying on the road up there. I
- 17 thought it might have been a --you know, somebody drunk or
- 18 something. You know, I never really noticed who it was.
- 19 Q. Did you keep walking or did you run up to it?
- 20 A. No, we walked.
- 21 Q. You walked up to it?
- 22 A. Yes.
- 23 Q. And what happened when you got there?
- 24 A. Well, we realized that it was Sandy, Sandy Seale.
- 25 Q. Did you know Sandy personally?

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1 A. I knew of him, but I didn't know him personally, like I
2 knew -- because he went to a different school than I did.

3 Q. But you recognized him?

4 A. Oh, yes, I did. Yes.

5 Q. And what happened, did you bend down?

6 A. No, I didn't but Scott did.

7 Q. Did you hear anything that was said between Scott and Sandy?

8 A. No, I didn't. No.

9 Q. What were you doing during this period of time?

10 A. More or less just standing there. I was kind of concerned
11 about the bus because it was getting later too, hey, and I
12 had to get home.

13 Q. Okay, and for how long would you have been standing there?

14 A. Oh, not very long, a couple of minutes.

15 Q. A couple of minutes?

16 A. That's all, yeh.

17 Q. Did you say anything to Sandy during the time that Scott was
18 there?

19 A. No, no.

20 Q. Okay, and then what happened, did Scott leave?

21 A. Yes, he did. I recall Scott going to a home to -- he said he
22 was going to help, but the house that he went to, they didn't
23 answer the door, like he wasn't gone very long, and in that
24 period of time I had said to Sandy, I said, "He's gone for
25 help". He said, "No cops", and I sort of kind of backed off.

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1 | MR. CHAIRMAN:

2 | Who said "No cops"?

3 | MR. SPICER:

4 | Sandy said it.

5 | BY THE WITNESS

6 | A. And then I kind of backed off and I said-- I didn't really
7 | say anything more. I had no conversation and then he said,
8 | "Move me", and like I was kind of stunned, I didn't say
9 | anything.

10 | Q. Was anything else said by Sandy when you were there by your-
11 | self other than that, other than "no cops"?

12 | A. No, nothing.

13 | Q. And did you say anything more to Sandy yourself?

14 | A. No, no, because I was kind of surprised, you know, that he had
15 | said something like that.

16 | Q. Could you tell by looking at Sandy lying there whether or not
17 | he'd been stabbed?

18 | A. No.

19 | Q. No?

20 | A. No.

21 | Q. What did you think at that time?

22 | A. I had no -- I don't really know what I -- You know, it was
23 | just -- I knew he was maybe hurt or something, but I didn't
24 | know actually what, you know, because he was in a crouched
25 | position with his hands to his stomach and, you know -- Yeh.

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- 1 Q. How long after the comment, "No cops", did you leave?
- 2 A. A couple of seconds because Scott had a ride back and he
3 said, "Well, you better go get your bus", and I said, "Yeh,
4 okay". So I just kept going.
- 5 Q. Did you say anything to Scott about any comments that Sandy
6 had made?
- 7 A. No.
- 8 Q. Okay. So what did you then do?
- 9 A. I proceeded down Crescent and I went right out to the end of
10 Atlantic Springs there at the corner so I could get the bus
11 and as it was I missed the bus.
- 12 Q. Right. During the period of time when you were standing by
13 Sandy, was there anybody else around other than Scott?
- 14 A. No.
- 15 Q. And on your way down towards the bus did you see anybody else?
- 16 A. No, I did not.
- 17 Q. Did you see any cars?
- 18 A. No.
- 19 Q. No?
- 20 A. Not on Crescent Street, no.
- 21 Q. Did you speak to any Police Officers that evening?
- 22 A. No.
- 23 Q. And did you at any time later speak to any Police Officers?
- 24 A. Yes, quite awhile after.
- 25 Q. And what happened quite awhile after?

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1 | A. Well, this particular day I was home sick from school and
2 | there was a knock on the door -- I was home by myself and
3 | this gentleman came to the door and asked who I was and
4 | I had told him or he knew who I was sort of thing, and he
5 | asked if I'd go down to the police station and I said,
6 | "Sure", you know, but I didn't go that day. I went the
7 | prior -- the next day. It was on a Thursday.

8 | Q. When you were asked at the door did you recognize the person
9 | who was asking you the question to be a Police Officer?

10 | A. No, sir. No, he wasn't -- I don't know. I thought it was like
11 | an investigator. I didn't think it was a Police Officer.

12 | Q. Did he identify himself in any way to you?

13 | A. He probably did but I can't remember.

14 | Q. Was there anybody else home at the time?

15 | A. No, there wasn't.

16 | Q. And you went the next day?

17 | A. Yes, I did.

18 | Q. Were you picked up by somebody?

19 | A. No, I had my brother and my uncle take me in.

20 | Q. Did you discuss the fact that you were going to the police
21 | station with your parents at all?

22 | A. Then I did because they didn't know anything up until that
23 | point?

24 | Q. You had not told your parents up to that point in time that
25 | you had --

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1 A. Nothing, no.

2 Q. --been there the night of the stabbing?

3 A. Right.

4 Q. Okay. Did your parents express any desire to come with you
5 to the police station?

6 A. No.

7 Q. So you went down with your brother and your uncle?

8 A. Yes, I did.

9 Q. And when you got to the police station do you remember by
10 whom you were interviewed?

11 A. Well, I remember Mr. MacIntyre mostly and there was one other
12 gentleman but I can't particular make him by name.

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DEBORAH M. TIMMINS, by Mr. Spicer

- 1 Q. All right. Do you remember what he looked like?
- 2 A. No.
- 3 Q. No. Do you remember for how long you were at the police
4 station?
- 5 A. Probably for an hour or an hour and a half for sure.
- 6 Q. All right, and what sorts of questions were you asked?
- 7 A. Just in general what happened that night, and you know, what
8 we would -- we come across and what was said and stuff like
9 that.
- 10 Q. Were you being questioned by MacIntyre?
- 11 A. Yes, most of the time.
- 12 Q. Most of the time.
- 13 A. All the time. He was there the whole time.
- 14 Q. Do you remember anything in particular that he was asking you?
- 15 A. Well, not really just that he -- I found him a little suggestive.
16 Things that I didn't see that maybe I should have seen or some-
17 thing.
- 18 Q. Can you remember any -- Can you give us any examples?
- 19 A. Well, for instance a man in a trench coat which I had no
20 recollection of at all but it was suggested more or less that
21 I did see him, but I didn't.
- 22 Q. Suggested to you by whom?
- 23 A. Mr. MacIntyre.
- 24 Q. I see. Is there anything else that you recollect about that
25 meeting?

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- 1 | A. Yes, and the railroad tracks. Crossing a railroad track,
2 | but like, you know, I had to cross the railroad tracks,
3 | really precise sort of thing and I said, "No, I didn't."
- 4 | Q. What was the reason that it was suggested that you had to
5 | cross the railroad tracks?
- 6 | A. I don't know why unless -- I don't -- I don't know why, why
7 | it was. Like it was more or less really suggestive and I
8 | kept saying, "No, that isn't where I went." or "That isn't
9 | how I went."
- 10 | Q. All right, and how many times would you have had to say, "No,
11 | that's not where I went."?
- 12 | A. Oh, quite a few times.
- 13 | Q. And what happened? Had they finally stopped asking about that?
- 14 | A. Yeh, well, my brother kind of spoke up. He said, "Well, if she
15 | didn't see nothing, she didn't see nothing." sort of thing so
16 | he kind of give up on it.
- 17 | Q. Okay. Did you say anything to the police that day about Sandy
18 | having said to you, "no cops".
- 19 | A. Yes, I told everything that I had heard and seen.
- 20 | Q. And you remember telling them that?
- 21 | A. Yes.
- 22 | Q. I see. Do you remember whether or not you signed a statement?
- 23 | A. Yes, I did.
- 24 | Q. Do you remember whether the statement was written out by
25 | MacIntyre or by anybody else?

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- 1 | A. I'm not really sure who wrote it out but it was hand-written
2 | and I know I signed it.
- 3 | Q. Do you remember signing it?
- 4 | A. Yes, I do.
- 5 | Q. Did you read it before you signed it?
- 6 | A. Not particularly, no, because I just figured they writ down
7 | what I said.
- 8 | Q. All right, was it read out to you before you signed it?
- 9 | A. I can't remember, no.
- 10 | Q. And this statement would have been taken at a time when you
11 | were still in school?
- 12 | A. Yes.
- 13 | Q. And when did school end?
- 14 | A. The end of June.
- 15 | Q. The end of June?
- 16 | A. Yeh.
- 17 | Q. So it would have been sometime probably in June?
- 18 | A. Yeh, some time.
- 19 | Q. Were you contacted at any time by lawyers acting for Mr. Marshall?
- 20 | A. No.
- 21 | Q. Were you ever contacted by the Crown Prosecutor's office?
- 22 | A. No.
- 23 | Q. No. Were you subsequently contacted by the R.C.M.P. in 1982?
- 24 | A. Yes. Yes, in 1982. That was the first telephone call I got
25 | since I had been at the police station that day.

DEBORAH M. TIMMINS, by Mr. Spicer

1 Q. All right, and did you give a statement to the R.C.M.P.?

2 A. No, they just formally as -- they said that there was a
3 new investigation into the Marshall case and they asked of
4 my name and that, who I was and that was more or less it.

5 Q. Did anything further come of that?

6 A. No.

7 Q. Were you ever contacted again?

8 A. Not until I heard from this Inquiry.

9 Q. I see. Thank you.

10 MR. SPICER:

11 My Lord, there's a statement that we've been referring to. We
12 have not received a copy of it. It is our understanding that we
13 had received everything that was in the Sydney Police records but
14 the statement that Mrs. Timmons is referring to is one that we do
15 not have or I would have referred Your Lordships to it. We don't
16 know where it is.

17 MR. CHAIRMAN:

18 Well, have you received any indication whether the statement is
19 still in existence?

20 MR. SPICER:

21 No.

22 MR. CHAIRMAN:

23 It isn't?

24 MR. SPICER:

25 Well, we -- it's our -- We had understood that we had asked for

DEBORAH M. TIMMINS, by Mr. Spicer, by Mr. Pugsley

1 everything from the Sydney Police. That statement was not included
2 in the statements that we received. There may be some evidence
3 later about that, but we have no knowledge as to where that
4 statement is.

5 MR. CHAIRMAN:

6 Mr. Ruby.

7 MR. RUBY:

8 I have no questions, My Lord.

9 MR. CHAIRMAN:

10 Mr. Pugsley.

11 MR. PUGSLEY:

12 Thank you, My Lord.

13 It is my understanding, My Lord, that all statements have
14 been turned over, that that statement is not among the ones turned
15 over because it was not there. That's my understanding, my
16 instructions.

17 BY MR. PUGSLEY:

18 Q. You say that some suggestions -- I'm acting for Mr. MacIntyre,
19 Miss MacPherson -- Ms. Timmons?

20 A. I'm married.

21 Q. Mrs. Timmons. You say there were suggestions made to you by
22 Mr. MacIntyre about a man in a blue coat, as to whether or not
23 you saw a man in a blue coat.

24 A. Yes, sir.

25 Q. Did he refer you to something like a priest, use those words?

DEBORAH M. TIMMINS, by Mr. Pugsley

1 A. No, sir. No, just a man with a trench coat.

2 Q. I see. Describe his hair, height, anything of that nature that
3 you can recall?

4 A. Not that I can remember, no. Just a simple man with a trench
5 coat.

6 Q. And you had not seen a man in a trench coat?

7 A. No, I did not.

8 Q. Indeed, you had not really seen anyone in the park from the
9 time you left the area of Pollett's Drug Store, went to the
10 bandshell, stayed there for about five minutes I suppose?

11 A. Oh, yes.

12 Q. Which side of the bandshell were you on? That is the open
13 semi-circle?

14 A. Yes, the open side. That's right.

15 Q. So you can look in and see the bandshell?

16 A. Yes. That's right.

17 Q. So you saw no one milling around there?

18 A. No, sir.

19 Q. You saw no one when you went up Crescent Street, except of
20 course for Mr. Seale?

21 A. Yes.

22 Q. That is correct?

23 A. Yes.

24 Q. yes. And you saw no one as you left Crescent Street?

25 A. No.

DEBORAH M. TIMMINS, by Mr. Pugsley

1 Q. You indicated that when you were -- when you went down to
2 the police station that -- they came to your house, you
3 presumably told them that you were not well that day and
4 wanted to have a chat another day. Is that so?

5 A. No, well, I -- Yeh, I just wanted to go the next day because
6 I hadn't told my parents up to this point anything so I had
7 to kind of tell them before I was able to go. I wouldn't --

8 Q. So it was your suggestion that you go down to see them, the
9 following day?

10 A. Well that I had to tell my parents before hand. So that was
11 okay, so I went the next day.

12 Q. Yes. Did you tell the policeman who came to the house that
13 you wanted to speak to your parents?

14 A. Yes, I did.

15 Q. Yes, and he said presumably that was fine.

16 A. Yes.

17 Q. And you went down the following day?

18 A. That's right.

19 Q. You're answer is yes to that?

20 A. Yes.

21 Q. You went with your brother and your uncle?

22 A. Yes, I did.

23 Q. How old is your brother or was your brother then? He's
24 older than you, I take it?

25 A. Oh, yes.

DEBORAH M. TIMMINS, by Mr. Pugsley

- 1 Q. How much?
- 2 A. He was in his twenties.
- 3 Q. Okay, and how old was your uncle?
- 4 A. Oh, god, I don't know.
- 5 Q. Roughly. How many years older than you is your uncle?
- 6 A. Maybe in his thirties, late thirties.
- 7 Q. He was then?
- 8 A. Oh, yes.
- 9 Q. And they were in the room with you --
- 10 A. Yes, they were.
- 11 Q. -- throughout the entire time?
- 12 A. Yes.
- 13 Q. Your brother and your uncle?
- 14 A. Yes.
- 15 Q. Yes. When -- do you know the name of the R.C.M.P. constable --
- 16 A. No.
- 17 Q. -- who got in touch with you in 1982?
- 18 A. No, I can't recollect the names but I'm sure I was told --
- 19 Q. That was only by --
- 20 A. -- but I can't remember.
- 21 Q. And that was only by phone? Did they --
- 22 A. Yes, that was by telephone.
- 23 Q. One telephone call?
- 24 A. Yeh.
- 25 Q. Did they indicate to you at that time that there was going to

DEBORAH M. TIMMINS, BY Mr. Pugsley

1 | be a reinvestigation and the conviction was going to be over-
2 | turned?

3 | A. No, just that it was a reinvestigation and just, you know, to
4 | state that I -- who I was and that I was there and whatnot but
5 | that was it.

6 | Q. Did they indicate to you they were going to get a new trial for
7 | Mr. Marshall?

8 | A. No.

9 | Q. Do you have any recollection as to what time of year this was
10 | that you received this call?

11 | A. I -- maybe in the spring. I think I had -- probably they
12 | had contacted my family's home first because and then they
13 | got the telephone number of my own home there, and then they
14 | called me there and that was all I heard.

15 | Q. Were you married at that time?

16 | A. Yes, I was.

17 | Q. Living in Sydney?

18 | A. No.

19 | Q. Living where?

20 | A. I live on the Cabot Trail.

21 | Q. I see. How far from Sydney?

22 | A. Approximately a hundred and thirty miles.

23 | Q. I see. Did you indicate to them on the telephone, the R.C.M.P.
24 | who phoned you, that Sandy Seale said, "No cops.", at the
25 | scene?

DEBORAH M. TIMMINS, by Mr. Pugsley, by Mr. Murray

1 A. No, sir, I never spoke of anything only that he just inquired
2 in who I was and that was it.

3 Q. And did you say that you were at the scene the night of the
4 incident?

5 A. No, I presumed that he knew that. That's why he called me.

6 Q. What did he say?

7 A. He just said that there was an investigation reopening and
8 that I was Deborah MacPherson, at that time and I said, "yes, sir,
9 that's right", and he said, "Well, okay, that's fine.". It was --

10 Q. Did he indicate --

11 A. It was a very brief conversation. That was it.

12 Q. Did he indicate that someone would be in touch with you?

13 A. No.

14 Q. And there never were?

15 A. No.

16 Q. Thank you.

17 MR. CHAIRMAN:

18 Mr. Murray.

19 BY MR. MURRAY:

20 Q. My name is Donald Murray and I'm representing Mr. Urquhart of
21 the Sydney City Police - formerly with the Sydney City Police.
22 You mentioned that there was -- were suggestions made about
23 crossing railroad tracks.

24 A. Yes, sir.

25 Q. Was that in reference to perhaps seeing anyone in bushes? Was

DEBORAH M. TIMMINS, by Mr. Murray

- 1 | that part of the suggestions?
- 2 | A. No, not -- not in general; just that I had to cross them.
- 3 | I had to cross them but I didn't cross them.
- 4 | Q. I see. You made the comment that after you and Scott MacKay
- 5 | came upon Sandy Seale, at that point Scott MacKay immediately
- 6 | went to a house on Crescent Street.
- 7 | A. Yeh, he was going for help. He just ran -- the home was
- 8 | just right directly not very far, just in a couple of seconds,
- 9 | he was gone.
- 10 | Q. Do you recognize the area depicted on the map?
- 11 | A. I recognize the street and that but I wouldn't be able to --
- 12 | the home, no.
- 13 | Q. You wouldn't be able to pick out the home?
- 14 | A. No.
- 15 | Q. Would you be able to place the approximate area where you
- 16 | came upon Sandy Seale's body?
- 17 | A. Well that wasn't too far -- Down on the other side there.
- 18 | These are the apartments --
- 19 | Q. Could you get up and point it out for us please?
- 20 | A. Down around here somewhere.
- 21 | Q. So would it have been to the large green building that Scott
- 22 | MacKay went?
- 23 | A. No. It was a home.
- 24 | Q. Directly across?
- 25 | A. I'm sure it was a home. It wasn't like an apartment building, no.

DEBORAH M. TIMMINS, by Mr. Murray

- 1 Q. It was a home. So Looking at that map, would it be the light
2 green or the gay house that he went to immediately?
- 3 A. The first one probably. It might have been closer than, you
4 know.
- 5 Q. When you say the first one, what colour is that?
- 6 A. Well, it's gray there on that there. Close to the apartments,
7 like, but it would be the round -- I don't know, you know the
8 first house or so.
- 9 Q. Are you able to give us a name that's written on that house on
10 the map?
- 11 A. No, sir.
- 12 Q. There are names written down. If you could just indicate for
13 the record.
- 14 A. Campbell, is it?
- 15 Q. Pardon?
- 16 A. Campbell. Is that it?
- 17 Q. Campbell?
- 18 A. I'm not quite sure. I know there was a home but to point it
19 out --
- 20 Q. That's D. W. Campbell?
- 21 A. Yes.
- 22 Q. After he went to --
- 23 A. There was no answer.
- 24 Q. -- the house and could not get a response.
- 25 A. No, there was no answer.

DEBORAH M. TIMMINS, by Mr. Murray

1 MR. CHAIRMAN:

2 Is this witness saying, -- you know, she says that she did not
3 know the home. Now am I to understand that she has identified
4 it as the home of one Campbell?

5 BY THE WITNESS:

6 A. No, I don't -- I'm not sure.

7 BY MR. MURRAY:

8 Q. You're not sure?

9 A. No, I couldn't say for sure if that was the home or not. It
10 was just a house.

11 Q. I see. When Mr. MacKay came back from going to this house,
12 at that point is when he went back across the park.

13 A. Yeh, I left and then he left, apparently.

14 Q. Oh, you did not see where he went after that.

15 A. No, I kept going. I kept -- I left. Then I left and apparently
16 he left.

17 Q. So no one was left with Sandy Seale at that point?

18 A. No.

19 MR. MURRAY:

20 I have no further questions.

21 MR. CHAIRMAN:

22 Mr. Elman.

23 MR. ELMAN:

24 No questions.

25 MR. CHAIRMAN:

Mr. Saunders.

DEBORAH M. TIMMINS, by Mr. Pink:

1 MR. SAUNDERS:

2 A few questions, My Lord.

3 MR. CHAIRMAN:

4 Okay, Mr. Pink.

5 BY MR. PINK:

6 Q. Mrs. MacKay -- Mrs. Timmons, the -- Your brother who was with
7 you, what's his name?

8 A. Steven.

9 Q. And where does he live now?

10 A. He lives on the Cabot Trail also.

11 Q. Pardon me?

12 A. He lives in -- down North in on the Cabot Trail.

13 Q. And your uncle who was present, what is his name?

14 A. Allan MacPherson. He lives in East Bay.

15 Q. And where is East Bay? That's in Cape Breton?

16 A. Yes, it is.

17 Q. And the statement that you gave, did you receive a copy of it?

18 Did the police give you a copy?

19 A. No, sir.

20 Q. Did you ask for a copy?

21 A. No.

22 Q. Did your brother or your uncle ask for a copy?

23 A. No.

24 Q. After you gave the statement to the police, did you ever see
25 it again?

DEBORAH M. TIMMINS, by Mr. Pink

1 A. No, sir. I never heard from nobody ever again.

2 Q. You never heard from anybody ever again.

3 A. No.

4 Q. The time of day that you were there to give the statement was
5 what?

6 A. It was in the morning because I was there before dinner so
7 I went in the morning.

8 Q. Did you have to miss school in order to go?

9 A. Yes. I didn't go to school the next day. I had been home sick
10 the day before.

11 Q. And you missed -- You didn't go back to school that day.

12 A. No.

13 Q. But it was your recollection it was on a school day.

14 A. Yes.

15 MR. PINK:

16 That's all.

17 MR. CHAIRMAN:

18 Counsel for the R.C.M.P.

19 MR. BISSELL:

20 No questions.

21 MR. CHAIRMAN:

22 Mr. Ross.

23 MR. ROSS:

24 Thank you, My Lord.

25

DEBORAH M. TIMMINS, by Mr. Ross

1 BY MR. ROSS:

2 Q. Mrs. Timmons, my name is Anthony Ross. I'm representing Oscar
3 Seale and the Black United Front. Be good enough to tell me,
4 please, around what time did you leave the dance that night?

5 A. Approximately around eleven thirty-four to twelve.

6 Q. I see, and what time were you supposed to catch this bus?

7 A. At twelve.

8 Q. And you had to, I take it, get enough time to get down to the
9 bus -- bus stop?

10 A. Yes, that's right.

11 Q. And the bus stop was on King's --

12 A. King's Road.

13 Q. King's Road at which one, at Crescent or Byng?

14 A. At the end of Crescent. I went right straight through to
15 the end of Crescent there, at Atlantic Springs right at the
16 corner there on King's Road.

17 Q. I see. Yes, and tell me you would have left you say around
18 what, eleven-thirty, quarter to twelve?

19 A. Yeh, I was running kind of late so probably, yeh.

20 Q. Probably which one?

21 A. Well, around -- I'd say closer to, like, quarter to, twenty to
22 twelve, quarter to twelve.

23 Q. I see. Were you concerned about catching the bus?

24 A. Yes. Very much so.

25 Q. Yeh, and you stopped in the park at any rate?

DEBORAH M. TIMMINS, by Mr. Ross

- 1 | A. Yes, we stopped at the park bench just for like five minutes
2 | or so. Not very long.
- 3 | Q. Had you known Sandy Seale before this incident?
- 4 | A. Not personally but I knew who he was, yes, because he went to
5 | school with my older brother.
- 6 | Q. What's your older brother's name?
- 7 | A. Steven.
- 8 | Q. Yes. He had been in school with Steven?
- 9 | A. Yes.
- 10 | Q. When you saw this person on the street and you go up close
11 | enough, did you identify him definitely as Sandy Seale?
- 12 | A. Yes, I did.
- 13 | Q. Did you look -- You knew at that time it was Sandy?
- 14 | A. Yes. Yes.
- 15 | Q. And when you spoke with him and he said, "No cops", did you
16 | ask him why?
- 17 | A. No, sir, I didn't. I kind of backed off. I didn't know what
18 | to think.
- 19 | Q. And along the route, after you left Sandy Seale -- I'm sorry,
20 | before I get to that, did you know Maynard Chant?
- 21 | A. Pardon me?
- 22 | Q. Did you know Maynard Chant?
- 23 | A. No.
- 24 | Q. What about John Pratico? Did you know him?
- 25 | A. No.

DEBORAH M. TIMMINS, by Mr. Ross

- 1 Q. I see. And how long would it have been after Mr. MacKay left
2 you around the time that you had this conversation with Sandy
3 Seale, and Mr. MacKay getting back to you? About how long
4 would that have been?
- 5 A. Oh, it was just seconds, like.
- 6 Q. A very, very short time.
- 7 A. A very, very short time, yes.
- 8 Q. And from there you left and went home.
- 9 A. Yes, I did.
- 10 Q. Now as far as this statement is concerned, you gave the police
11 a full and complete statement about what happened on the
12 street?
- 13 A. Yes, I did.
- 14 Q. Now your brother and uncle were present at that time?
- 15 A. Yes, they were.
- 16 Q. Had you discussed the statement with them subsequent to giving
17 it to the police?
- 18 A. No. Not really.
- 19 Q. You've never -- You never have spoken to your brother about
20 this case --
- 21 A. Well, my brother, he was home that night when I arrived home.
22 I didn't realize exactly how bad Sandy was hurt until the
23 next morning because I didn't know that's what was wrong with
24 him.
- 25 Q. What did you find out the next morning?

DEBORAH M. TIMMINS, by Mr. Ross

1 A. That he had been stabbed.

2 Q. I see. But I'm -- I'm speaking about when you went down to
3 the police station. I understand you gave a statement to
4 Detective MacIntyre.

5 A. Yes, I did.

6 Q. And he wrote this down?

7 A. Yes, he did.

8 Q. With your brother, Steven, present and your uncle, Allan, present?

9 A. Yes.

10 Q. And I'm asking you: After giving that statement, did you speak
11 to Allan about the statement?

12 A. No, I tried to forget it really.

13 Q. I see, what about Steven? Did he ever read it?

14 A. No.

15 Q. So is it fair to say that between the time of that statement
16 which would have been in June of 1971 and now, did you ever
17 discuss with anybody apart from the police the statement he
18 said, "No cops."?

19 A. Maybe casual contact or casual conversation but nothing, you
20 know, no, nothing major.

21 MR. ROSS:

22 Thank you very much, Mrs. Timmons. No more questions.

23 MR. CHAIRMAN:

24 Mr. Wildsmith.

25 MR. WILDSMITH:

No questions, My Lord.