

MAYNARD CHANT, by Mr. Orsborn

1 MAYNARD V. CHANT, being called and duly sworn, testified as
2 follows:

3 BY MR. ORSBORN:

4 Q. Mr. Chant, would you give the Commission your full name, please?

5 A. Maynard Vincent Chant.

6 Q. And you're fairly soft-spoken. I'd have to ask you -- have
7 to remind you to get as close to the microphones as you can.

8 A. Yeh.

9 Q. Where do you live, Mr. Chant?

10 A. Louisbourg.

11 Q. Is there a formal address, street address?

12 A. Commercial Street, Box 23.

13 Q. And how old are you?

14 A. I don't remember.

15 Q. What is your birthday?

16 A. The 15th of October. I'm thirty years old. '56.

17 Q. October 15th, 1956?

18 A. 14th '56.

19 Q. You have a family?

20 A. Yes.

21 Q. Children?

22 A. Two. Two children.

23 Q. And are you working?

24 A. Yes, I am. I'm presently employed with National Sea Products
25 in Louisbourg.

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- 1 Q. As what, sir?
- 2 A. As a fish cutter.
- 3 Q. That's full-time employment?
- 4 A. Yes.
- 5 Q. How long have you worked with them?
- 6 A. Seven years.
- 7 Q. What education do you have, Mr. Chant?
- 8 A. I have grade seven.
- 9 Q. How old were you when you left school?
- 10 A. I was fifteen.
- 11 Q. Had you skipped any grades or missed any grades along the way?
- 12 A. A couple, yes.
- 13 Q. A couple. How is your health?
- 14 A. Not too bad.
- 15 Q. Are you on any medications currently?
- 16 A. No, sir.
- 17 Q. Drink any alcohol?
- 18 A. No, sir.
- 19 Q. You've testified a number of times in the past concerning this
- 20 matter. I think probably at least six. This may be the seventh
- 21 and you've given statements and affidavits so you're --
- 22 A. Yes, I have.
- 23 Q. You're not unfamiliar with the matter before the Commission.
- 24 I'd like to take you back, if I may, through May, 1971.
- 25 Where were you living at that time?

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- 1 | A. I was still living in Louisbourg.
- 2 | Q. With your family?
- 3 | A. Yes, with my family, excuse me.
- 4 | Q. Did you have any brothers or sisters living at home?
- 5 | A. Yes, at that time all of my family was living at home except
- 6 | for one brother which was -- he was away working in the States.
- 7 | Q. How many brothers or sisters were at home?
- 8 | A. That would be three brothers and two sisters.
- 9 | Q. In may of '71, if my arithmetic is correct, I think you were
- 10 | fourteen?
- 11 | A. Yes, I was.
- 12 | Q. I take it you were still in school?
- 13 | A. Yes.
- 14 | Q. Do you know what grade you were in at the time?
- 15 | A. In grade six.
- 16 | Q. How big were you then?
- 17 | A. The same as I am now. Tall. I don't know. I was -- I was a
- 18 | lot thinner than I am now which is probably -- As far as
- 19 | height, I guess probably about maybe five-six.
- 20 | Q. Five-six. Can you make an estimate of your weight?
- 21 | A. My weight? A hundred and sixty-five pounds.
- 22 | Q. And at the time, were you in the habit of using any alcohol
- 23 | or any drugs?
- 24 | A. At the time, it was probably just -- I was -- I grew up under
- 25 | a very strict rule in my home. My parents were very godly and

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1 | probably at that time in my life, I was beginning to rebel
2 | against what they had planned for my life as far as
3 | Christianity and moral living as far as their morals were
4 | concerned. And at that time, I wasn't really involved in
5 | anything too heavy but I, you know, I probably dabbled a
6 | little bit with alcohol but nothing serious. I wasn't a
7 | steady drinker.

8 | Q. I see. What did your father do?

9 | A. My father?

10 | Q. Yes.

11 | A. He owns Chant's Funeral Home in Louisbourg. He's a funeral
12 | director and he works part time for National Sea.

13 | Q. And was he a funeral director back in '71 as well?

14 | A. Yes.

15 | Q. And still is?

16 | A. Yes.

17 | Q. I see, and at that time, speaking of May of '71, had you
18 | ever been in any difficulty with the law?

19 | A. Yes, at that time I was on probation.

20 | Q. For what, if you don't mind my asking?

21 | A. I was on probation. I had -- I had stole some things and
22 | resulted ending up in Court and I was on probation.

23 | Q. Do you recall what the terms of your probation was?

24 | A. Not really, no.

25 | Q. What kind of restrictions they put.

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1 A. Oh, what kind of restrictions, excuse me, yes. I had a curfew
2 I had to be in by nine o'clock. I wasn't allowed to go anywhere
3 outside of Louisbourg without my parents accompanying or --
4 That's basically --

5 Q. Was that curfew seven nights a week?

6 A. Yes.

7 Q. Pretty strict for a fourteen year old. Come down to the
8 night of May 28th, 1971, which I believe was a Friday night,
9 I think we can take it that you were in Sydney on that night.

10 A. Yes.

11 Q. Can you tell us how you came to be in Sydney?

12 A. Well, actually I had -- was attending a service with my parents
13 in at the Pentecostal Church in Sydney on Victoria Road, and --

14 Q. Were you allowed to be out after nine o'clock in the company of
15 your parents?

16 A. Yes, I was, but it was probably around nine -- it was probably
17 around that time I had asked their consent to go down to meet
18 a friend of mine from Louisbourg who was in the Pier visiting
19 a girlfriend and I was going to come home with him. So after
20 a little while of persuading, they finally decided to let me
21 go so.

22 Q. So your parents did consent to your leaving the Church?

23 A. Yes.

24 Q. And what happened after you left the Church?

25 A. I had proceeded down -- I went down to the Pier and when I --

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1 Q. When you say "the Pier", you're referring to?

2 A. Oh, I'm sorry.

3 Q. Whitney Pier?

4 A. Whitney Pier, yes. And after I got down there, my friend had
5 already left. Excuse me. So I decided that I was going to
6 go over town or hitchhike over town and see if I could catch
7 the bus home. And so I doddled along for a little while and
8 then I headed over town but by the time I got up to town, or
9 down onto Bentinck Street where the bus -- Acadian Lines was,
10 I had missed the bus.

11 Q. Do you recall what time that was?

12 A. Maybe eleven forty-five or twelve o'clock, around that time.

13 Q. Were you wearing a watch?

14 A. No.

15 Q. Do you know what time the bus was scheduled to leave?

16 A. I was thinking within that period of maybe between eleven and
17 twelve. I couldn't be really specific in saying, but between
18 the half or the quarter or anything like that, I -- it was
19 around eleven -- between eleven and twelve, I guess, at the
20 time, the buses were running, the last bus.

21 Q. In any event, when you got to the station the bus had --

22 A. The bus had already left.

23 Q. The bus had gone. And then what did you do?

24 A. Well, I decided then that I was going to have to thumb home,
25 hitch-hike home so I --

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1 Q. Was that something that you did on a regular basis?

2 A. Thumbing?

3 Q. Hitch-hiking?

4 A. Yes.

5 Q. Even at twelve o'clock at night?

6 A. Yeh. It -- I wasn't really -- Like I said, I never really
7 considered it. Everything had seemed to be pretty friendly
8 as far as people like. There was a lot of people usually in
9 and out of Sydney that were from Louisbourg that probably knew
10 me and I figured I'd probably get a lift out with one of them.

11 Q. You mentioned that you had dabbled in alcohol but not very
12 seriously. Do you recall between the time of your leaving
13 the Church and when you arrived at the bus station to find
14 the bus had gone, do you recall if you had any alcohol at all
15 that evening?

16 A. None, no.

17 Q. You had none?

18 A. No.

19 Q. Okay, I interrupted you. You had decided you were going to
20 hitch-hike home. What happened then?

21 A. So I had started down Bentinck Street and when I came to the
22 corner of Bentinck Street that follows right down -- If I
23 could look at this --

24 Q. Yes.

25 MR. ORSBORN:

What I would like to do, Mr. Chairman, I propose to go through with

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1 Mr. Chant what he actually recalls as having happened without any
2 reference to any statements or any transcripts at this time and
3 once we have determined where Mr. Chant travelled, I would then
4 propose to mark it on the map.

5 BY MR. ORSBORN:

6 Q. I'll just ask you to take a minute, Mr. Chant, to make sure
7 that you're comfortable with the orientation of this map.
8 My understanding is that a map similar to this has been used
9 in trials before but it was inverted with Crescent Street
10 being at the top and Byng Avenue being at the bottom. So if
11 I can point out to you the orange street which is Bentinck
12 Street, the Acadian Bus Lines Terminal is shown here as being
13 up on Bentinck Street. There are a couple of intersecting
14 streets on Bentinck which we could not put on the plan because
15 of space. You have to imagine that there are intersecting
16 streets coming across Bentinck but if the Acadian Bus Lines
17 Terminal is shown as here, Byng Avenue, Wentworth Park,
18 Crescent Street, George Street in green, just to make sure
19 that you fully understand how that map is set out and then
20 perhaps tell us where you remember actually going and then
21 we'll draw it on the map as best we can.

22 A. Do you want me to put my finger on it or just gesture?

23 Q. Perhaps if you would put your finger on it now and then once
24 we have made sure that we understand it, we will write it on
25 with a marker.

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1 A. Yeh, okay. I was coming down Bentinck Street and when I
2 reached the corner --

3 MR. CHAIRMAN:

4 Could you face the other way, please, so we can see?

5 BY MR. ORSBORN:

6 Q. Perhaps if you came over here.

7 A. So I was coming down this street here.

8 Q. So you're proceeding down Bentinck Street in a direction which
9 is southerly according to the map.

10 A. Yes. And I decided to go down to Byng Avenue and I was going
11 to just catch this walkway and hit George Street and then
12 proceed up and hitch-hike out towards Louisbourg. So I was
13 about here when a man came running to me and sort of yelled
14 to me and I stopped and turned around.

15 Q. So -- yes, you can sit down. Now if I were to just trace
16 that on a marker, Mr. Chant, to reflect accurately -- You've
17 told us that you were proceeding from the bus lines terminal
18 in a southerly direction down Bentinck Street and you turned
19 left onto Byng Avenue. Is that correct?

20 A. Yes.

21 Q. So if -- And could you point again approximately where you
22 stopped with the man running up to you? Now is that an
23 accurate representation, Mr. Chant, of what you told us?

24 A. Yes.

25 Q. Perhaps for the record, I'll mark that route as -- and it's

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1 red, as MC-1. And I'll mark an X at where you told us the
2 first contact occurred. How long would this be after you
3 left the bus terminal, Mr. Chant?

4 A. Maybe ten minutes.

5 Q. Ten minutes. Enough time to go into the --

6 A. Just walk down.

7 Q. -- bus terminal and see that the bus is gone and walk down
8 the street. As you were walking down Bentinck and into Byng
9 Avenue, did you hear anything in the way of a scream?

10 A. No, nothing.

11 Q. Now you've mentioned that a man came running up to you. Would
12 you take the story from there, please?

13 A. So he had hollered out and I stopped and turned around and
14 it was a young man with his -- He had a cut on one of his
15 arms.

16 Q. Did you see what direction he was coming from?

17 A. He was coming -- running from the -- Well, I basically -- He was
18 running from this area here. He was running down along --

19 Q. So you're pointing to Bentinck Street and what appears to be
20 a bridge on Bentinck Street where the Wentworth Creek runs
21 under Bentinck Street. Had you seen him as you were walking
22 down Bentinck Street yourself?

23 A. No.

24 Q. I see, but did you actually see him running across this bridge?

25 A. Well, I seen -- I more or less seen somebody running but I never

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1 really paid much attention to it until he got close -- until
2 he got closer. I was more or less for -- glancing over my
3 shoulder as he approached so he was very hyped up.

4 Q. Did he shout out to you before he got up to you?

5 A. Yeh, he was in a -- Like he was in a real state of -- you know,
6 he was very hyper, and he said, "Hey!" or something to that
7 reference to get my attention. So when I stopped, he had come
8 up and he had had his sleeves rolled up. He had a jacket on.

9 Q. I'm sorry, sleeve or sleeves?

10 A. Sleeves.

11 Q. Both sleeves.

12 A. Yeh.

13 Q. I see.

14 A. And he had a cut on his arm and he asked for my help.

15 Q. Do you recall the first thing he said to you? Let me ask you
16 this: Do you, even at this stage, still have a picture in
17 your mind of his coming up to you that night or are you going
18 on a remember -- memory that's somewhat refreshed by your
19 testimony and statements? Can you still see it?

20 A. I can see it. Mostly doing -- I'm trying to think in reference
21 to the statements that I've given. I can get a picture of it
22 but it's not -- I can't remember really exact accurately what
23 he said is -- you know, in regards to what you're wanting me
24 to say or --

25 Q. Give us your best picture right now. We'll get to your statements

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1 by and by.

2 A. So he come up and he showed me his arm and he had asked for help.

3 He had given me some indication that a buddy was down on the

4 other side of the park. He was stabbed and he was down. So

5 at that time, as I proceeded to help him, there was a --

6 Q. I guess before you get to that, did you recognize him?

7 A. Not really, no.

8 Q. Did you know Mr. Marshall?

9 A. No, not personally.

10 Q. What was your immediate feeling when this man came up to you?

11 A. I was kind of up-tight but I sensed that he needed a hand or

12 he needed help, so --

13 Q. Were you scared?

14 A. Yeh, I was scared but I still wanted to help.

15 Q. Do you recall if there was any blood on his arm?

16 A. Not really, no.

17 Q. You say not really.

18 A. Well, I mean, it wasn't -- there wasn't any red blood running

19 down his arm or anything like that. It didn't seem -- It

20 didn't appear to be that, you know, blood was just gushing

21 out of it. It was -- there was no blood on the arm.

22 Q. Do you recall what he was wearing?

23 A. He had on a jacket. I don't --

24 Q. Dark or light?

25 A. Light.

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1 Q. Do you recall whether or not there was any blood on the jacket
2 itself?

3 A. No.

4 Q. There was not or you don't remember.

5 A. I don't -- I don't remember.

6 Q. You don't know. And what did you do in response to his
7 request for help?

8 A. Well, at that time we had started to walk down Byng Avenue
9 and we probably got about maybe about twenty feet and we
10 met up with two couples that were coming our way and he
11 begin to tell them what had happened briefly, and at that
12 time there was a car coming so --

13 Q. You say you were walking down Byng Avenue?

14 A. Well, hurrying.

15 Q. Hurrying.

16 A. Yeh.

17 Q. Did you have any idea of where you were going or what you were
18 going to do?

19 A. Not really. We were just looking for somebody maybe to get
20 us back over to where the young man was and see if, you know,
21 we could help him.

22 Q. The couples that you encountered, did you know any of them?

23 A. No.

24 Q. Two couples you mentioned?

25 A. Yeh.

Q. Did they provide any help to you?

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1 A. I remember one of the -- one of the young ladies giving the
2 fellow that was with me a kleenex for his arm. I can't
3 really remember if there was any conversation between us or
4 them or -- I -- It's very, you know, very vague as far as
5 even to remember it.

6 Q. Would it be fair to state that because of the offer of a
7 kleenex that there was in fact some bleeding from the arm?

8 A. Probably at that time.

9 Q. I think on one of the statements that you gave the R.C.M.P.,
10 Mr. Chant, you identified one of these girls as Patricia
11 Harriss. Is that in fact your recollection?

12 A. According to the statement?

13 Q. Yes.

14 A. Or according to the trial?

15 Q. I know you've got it all built up but according to your memory
16 is that in fact a -- is that a correct statement?

17 A. Yes, that would be --

18 Q. But you say you didn't recognize her if you're still able to
19 name Patricia Harriss.

20 A. Oh, I -- I don't know if -- I don't believe that I named her
21 as far as her name. Probably -- The only probably time I
22 give her name is when I found out who she was but I didn't
23 know her at that time, no.

24 Q. Are you telling us now that one of those girls that you met
25 on the street was in fact Patricia Harriss?

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1 A. Yes, I later learned to find out that it was Patricia Harriss.

2 Q. You didn't know her at the time?

3 A. No.

4 Q. I should point out to you that we expect Patricia Harriss to say
5 that that was not her in the park. Does that shake your
6 recollection at all?

7 A. No, it doesn't bother me.

8 Q. Does it cast any doubt on your memory?

9 A. No.

10 Q. I'll perhaps come back to that. You mentioned a car coming
11 down. Are you able to tell us how much time elapsed between
12 your first encounter with Mr. Marshall, if we can assume it
13 was Mr. Marshall, and the sighting of this car?

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MAYNARD CHANT, by Mr. Orsborn

- 1 Q. When you say "they", I gather there was more than one person
2 in the car?
- 3 A. There was two people in the car.
- 4 Q. Do you recall what kind of a car it was?
- 5 A. It looked like a Nova, four-door.
- 6 Q. It was a four-door car?
- 7 A. Yeh.
- 8 Q. And you say it looked like a Nova. Were you familiar with
9 cars as a fourteen year old?
- 10 A. Well, I mean, from looking back today it looked like a Nova.
11 I wasn't really familiar with cars then, but basically,
12 you know, from my knowledge of cars today it looked like a
13 Nova.
- 14 Q. I see. Do you recall anything about the colour?
- 15 A. It was dark.
- 16 Q. It was a dark colour. You're not colour blind by any chance,
17 are you?
- 18 A. I don't think.
- 19 Q. After the car stopped did you form any impression as to whether
20 or not Mr. Marshall knew either of the people in the car?
- 21 A. No.
- 22 Q. You didn't form an impression or he didn't know them?
- 23 A. No. I didn't form any impression.
- 24 Q. Did you know either one of them?
- 25 A. No.

MAYNARD CHANT, by Mr. Orsborn

1 BY MR. ORSBORN:

2 Q. The gesture that Mr. Marshall made when he flagged down
3 this car, perhaps you could repeat that gesture and we'll
4 try and describe it for the record?

5 A. Well, he waved his hands, not like that, but for them to
6 stop.

7 Q. So you're showing a waving of both hands extended out from your
8 body just a little more than shoulder height?

9 A. Yeh.

10 Q. Did you get any impression that Mr. Marshall knew the occupant
11 or the driver of the car before the -- before he flagged it
12 down?

13 A. No.

14 Q. Was this the first car that had come along when you were
15 walking?

16 A. Yes.

17 Q. What happened when the car pulled over?

18 A. We explained to them what the situation -- what the problem
19 was.

20 Q. When you say "we", did you participate as well or was it just
21 Mr. Marshall?

22 A. I think I did. I think I -- I remember -- I can remember me
23 saying something. I don't remember the actual conversation
24 but I remember me making a gesture of speaking, so they
25 had decided to drive us over.

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1 A. Maybe five minutes, nothing -- There was no length of --
2 really lengthy time. It basically happened moment after
3 moment, so, you know, I wouldn't put too much longer than -- Five minutes
4 is quite a long time.

5 Q. And you mentioned a car. Do you recall which direction the car
6 was coming from?

7 A. The car was coming, it was coming down Byng Avenue from
8 George.

9 Q. It was proceeding down Byng Avenue from George Street?

10 A. Yeh.

11 Q. I see. So the lights would have been coming towards you?

12 A. Yes.

13 Q. What did Mr. Marshall do?

14 A. I don't -- He never really did anything, just gestured to the
15 car to haul over and it hauled to the side of the curb and --

16 Q. Did he jump out onto the road or anything like that?

17 A. I don't remember as far as, you know, him actually jumping
18 out on the road and stopping it, I don't -- I can't place
19 that in my mind.

20 MR. RUBY:

21 He mentioned a gesture made. I wonder if he could describe it
22 further.

23 MR. ORSBORN:

24 Thank you.

25

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1 Q. And did they respond to your request for help?

2 A. Yes.

3 Q. What happened?

4 A. They -- We had got in the car and they had turned around in
5 one of the driveways and they proceeded back to Byng Avenue,
6 down George, and down Argyle Street and then onto Crescent
7 Street.

8 Q. So what you're describing, if I may, for the record is the
9 encounter with the car on Byng Avenue. Can you tell us
10 approximately where you got into the car on Byng Avenue?

11 A. Maybe about ten feet -- ten or fifteen feet from the "X".

12 Q. From the -- where you encountered Mr. Marshall?

13 A. Can I see that?

14 Q. I'll simply write the word "car" there. Mr. Chant, is that
15 an accurate reflection of your memory?

16 A. Yes.

17 Q. And you have indicated that you got into the car. Did you and
18 Mr. Marshall get into the back seat?

19 A. The back seat, right.

20 Q. The car turned around on Byng Avenue and proceeded to
21 George Street?

22 A. Yes.

23 Q. And down George Street onto Argyle Street and along Argyle
24 Street and then turned onto Crescent Street?

25 A. Yes.

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1 Q. Do you have any idea why the car turned around?

2 A. No, I don't.

3 Q. Rather than going -- just continuing on in the direction
4 it was going?

5 A. I don't know.

6 Q. Was there any discussion about --

7 A. Not that I remember.

8 Q. --that the car should turn around?

9 A. No.

10 Q. Do you have any recollection of anything being said by
11 Mr. Marshall in the journey in the car?

12 A. I remember him explaining that his buddy was down on the
13 other side of the park, that two men, they had got into a
14 ruckus with two men, and -- resulting in his friend getting
15 stabbed and the conversation is very --

16 Q. A long time ago?

17 A. Yeh, well, I can't really -- Like I can't really put words
18 to, you know -- That's the best I could do probably.

19 Q. Do I gather that you have a recollection then of a
20 conversation in the car which refers to a ruckus between
21 two men?

22 A. I remember a conversation in the car to that -- in reference
23 to that but I -- like I vaguely remember the actual words that
24 were spoken as far as what exactly went on and I --

25 Q. And what's your best memory of that?

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1 A. What I just gave a statement to.

2 Q. Was the word "ruckus" used?

3 A. That's my own word.

4 Q. That's your word.

5 A. I don't know if the word "ruckus" was used. I don't know
6 exactly what the words that were used -- I'm just putting it
7 in my own words.

8 Q. Did you get any impression of what this ruckus was about?

9 A. I like to think I remember --

10 Q. Do you recall any mention of calling or not calling the
11 police?

12 A. Myself?

13 Q. No in the car was there any discussion about whether or not the
14 police should be called?

15 A. I don't remember.

16 Q. Was there any mention of a robbery?

17 A. I seem to remember him making the statement at some point
18 in time, I can't give you the actual --, that two fellows
19 jumped him or jumped him and his friend. I mean I don't know
20 if it was when I first met him or if it was in a discussion
21 that we had driving over or anything like that, but I seem
22 to recall that statement that he said that two fellows
23 jumped him.

24 Q. Do you recall any conversation that mentioned blacks or Indians?

25

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1 A. No.

2 Q. Did the car proceed straight over to Crescent Street without
3 stopping on the way?

4 A. Yes.

5 Q. There was no stops?

6 A. Oh --

7 Q. Other than the normal stop signs?

8 A. No.

9 Q. No detours of any kind?

10 A. No.

11 Q. At that time as you were coming up to Crescent Street was there
12 anything at all in what had happened which gave you any
13 impression that Mr. Marshall might himself have done the
14 stabbing?

15 A. No.

16 Q. And do I gather from what you said that the reasons that were
17 being given for the stabbing was that it had come out of
18 a ruckus as you put it?

19 A. Did I -- Can I reflect to the statement that I had given or
20 did I say anything --

21 Q. We'll get to that in a little while. I'm just trying as best
22 I can to gain from you what your memory is of what actually
23 happened and then we'll go to the statements because you would
24 appreciate that there is some --

25 A. Okay. That's no problem.

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1 Q. --some -- There are some differences.

2 A. All right.

3 Q. The point of the question is that, you know, as the car came
4 back onto Crescent Street, were you, yourself, getting any
5 impression of why Mr. Seale had been stabbed?

6 A. I can't really comment on that. I don't -- I don't know.

7 Q. Perhaps you could go back to the map again, Mr. Chant,
8 and again to the best of your recollection point out to us
9 what you saw as you come up on Crescent Street and where the
10 car came to a stop?

11 A. Okay. It's probably when we got up into bend of the turn,
12 right about here, that there was a young fellow bent over in
13 the street, laying on the -- lying on the street.

14 Q. So you're pointing to the turn on Crescent Street approximately
15 opposite the house which is numbered 120?

16 A. Yeh.

17 Q. And you're saying that there was a man lying on the street?

18 A. Yes.

19 Q. Do you recall if he was on the side of the street closer
20 to the houses or the side closer to the park?

21 A. I don't know. It looked like he was in the middle of the
22 street to me.

23 Q. There is an "X" on the plan already with the initials S.M.
24 I believe on -- by it, and I think you indicated generally
25 the same location. Would that be accurate?

MAYNARD CHANT, by Mr. Orsborn

1 A. Yeh.

2 Q. Did you see anything else as the car approached other than the
3 man lying down? Any other people?

4 A. No.

5 Q. What happened when the car got there? What did you do?

6 A. I got out with Marshall and we both approached the young
7 fellow that was lying down and I stayed with him and he
8 sort of ran off to go to some -- He said he was going to call
9 an ambulance or something and --

10 Q. So you stayed with Mr. Seale and Mr. Marshall went to get some
11 help?

12 A. Yes.

13 Q. Do you recall what happened to the car?

14 A. No. I don't -- It went, but I don't know which way it went or--

15 Q. Do you recall whether or not the driver or the occupant got out
16 to see how Mr. Seale was?

17 A. I don't know.

18 Q. Do you recall whether there was any discussion that perhaps
19 the car might be some help in getting Mr. Seale to the
20 hospital?

21 A. No, no. All I remember is the lights that were -- that's
22 how I spotted the young man that was laying on the road as
23 the lights shine on him, but I remember the lights holding
24 there for a little while, for a few -- for a little bit and
25 I don't know how long -- I couldn't give you an approximate

MAYNARD CHANT, by Mr. Orsborn

1 time of how long they were there but I remember them going
2 after a little bit.

3 Q. Was there any suggestion by you or Mr. Marshall that the car
4 should leave?

5 A. I don't know --Not by me.

6 Q. Not by you. You say you went over to Mr. Seale. Did you know
7 Mr. Seale at this time?

8 A. Not personally, no.

9 Q. And what did you do?

10 A. I had knelt beside him and I had -- I took off my shirt and
11 I had put it down towards the area in which he was wounded,
12 and just told him to hold on.

13 Q. Was he conscious?

14 A. He seemed to be conscious.

15 Q. Did he say anything to you that you can recall?

16 A. He was saying a few words. I don't really remember -- I
17 remember him saying that he was cold. He was -- He had a very--
18 He was doubled up, I guess. He was in a lot of pain. He
19 wasn't really saying too much.

20 Q. Did you ask him who stabbed him?

21 A. No, I didn't.

22 Q. Did he give you any information at all about who stabbed
23 him?

24 A. No, he didn't say anything regarding to that.

25 Q. Did he make any comments about getting help or not getting help,

MAYNARD CHANT, by Mr. Orsborn

1 or calling the police or not calling the police?

2 A. No, he just -- He was -- He was just laying there and he
3 was -- like he was -- He was with me or he was alert, but
4 then he wasn't. You know, he was just sort of laying there
5 doubled up.

6 Q. Were you kneeling in front of him so that he could see you?

7 A. I was -- I think I was kneeling over his -- I think I was
8 kneeling on his backside.

9 Q. Do you have any recollection of what Mr. Marshall was doing
10 at this time?

11 A. I was thinking that he was up getting -- trying to get some
12 help from the houses -- from one of the houses.

13 Q. Why were you thinking that?

14 A. Well, he made reference to that's what he was going to do.
15 I remember it seemed to be I got awful impatient and then
16 I had left the young man for a few moments and ran up to the
17 houses myself.

18 Q. Do you have any idea how long you were there with Mr. Seale
19 before you ran off to get help yourself?

20 A. Not really. It's -- Everything was right -- Everything seems
21 to be run together. I couldn't really give you a -- I
22 couldn't really pinpoint the time as far as how long that --

23 Q. Were there any other people around?

24 A. Not at that time.

25 Q. So from the time you arrived and knelt down by Mr. Seale and

MAYNARD CHANT, by Mr. Orsborn

1 stayed there for whatever period of time and then went
2 yourself to try and get some help, I take it nobody else
3 arrived on the scene?

4 A. No.

5 Q. Did you see anything of Mr. Marshall after he went off to
6 get the help?

7 A. I seem to remember him coming back after I went back and I
8 was kneeling beside Mr. Seale, and he was standing up in --
9 up by his shoulder's but about back by about maybe ten feet
10 or -- not maybe that -- maybe close to ten feet on the
11 background looking and at that time or around that time the
12 ambulance had approached and they had taken Mr. Seale.

13 Q. Before the ambulance approached did you see any police?

14 A. There might have been police there. I seen lights flashing.
15 I don't know if it was from the police or -- I know it was
16 from the ambulance but I don't recall any police being there.

17 Q. But they might have been there but you just don't recall?

18 A. Well, yeh, my attention wasn't really on what was going on
19 around really. I was just sort of there kneeling with the
20 young man.

21 Q. What did you do when the ambulance arrived?

22 A. After they had put him in there was nothing really there so I
23 just proceeded back.

24 Q. Okay, before we get to that then, did you, before you left
25 the scene have any contact with any Police Officer?

MAYNARD CHANT, by Mr. Orsborn

1 A. No.

2 Q. Did you see where Mr. Marshall went?

3 A. Not really, no.

4 Q. I take it then you did not see him going off to the hospital
5 with the police?

6 A. No, I didn't see him.

7 Q. And at the time you left do you have any recollection of how
8 many people might have been on the scene?

9 A. At that time there was a few people there. I don't really
10 remember how many there was, but there -- at that time there
11 was a little bit of a crowd had gathered and I just -- after
12 the ambulance had left I just slipped out and proceeded
13 towards home.

14 Q. Had you ever had any previous experience or encountered injured
15 people who had to get help?

16 A. Not really injured people, no. Nothing to that -- Nothing.

17 Q. One of the questions is that you've seemed to have acted
18 quite coolly in coming along and giving assistance to a
19 badly injured person and I'm trying to understand how that
20 might have affected you in any way?

21 A. I wasn't really thinking of myself. I was quite -- I was
22 probably quite hyped up because of the whole scene, but as
23 far as really being in a state of shock, I can't say that
24 I was in a real, you know, shocked state because I wasn't.

25 Q. So you started then to go home. I take it you had taken your

MAYNARD CHANT, by Mr. Orsborn

1 shirt off to help Mr. Seale?

2 A. Yes.

3 Q. Did you have a jacket to put on?

4 A. Yeh.

5 Q. What did you do with the shirt when you left?

6 A. I just balled it up.

7 Q. And carried it with you?

8 A. I don't know. I think so.

9 Q. I see. So you were then walking with your jacket on and a
10 shirt in your hand, were you?

11 A. Yeh.

12 Q. And how did you intend to get home?

13 A. I was going to continue to -- I was just going to go back
14 down Argyle Street and when I come onto George I was going
15 to continue to thumb home.

16 Q. So you walked back down Crescent Street towards Argyle and
17 along Argyle to George and with the intention of thumbing
18 a ride home?

19 A. Yes.

20 Q. The route along George Street, I take it -- Is that the route
21 back to Louisbourg?

22 A. Yes, it is.

23 Q. I see, and did you get a ride?

24 A. I don't remember getting a ride. I remember as I was waiting
25 there for awhile I remember the police had hauled along side

MAYNARD CHANT, by Mr. Orsborn

1 as I was hitchhiking.

2 Q. Do you have any recollection of being picked up by a man in
3 a truck before that?

4 A. No, I just don't remember that. It probably could have
5 happened. I don't remember, I guess. I guess I was in a
6 little bit of -- I was a little devastated by the whole
7 thing because I don't remember -- All I remember is standing
8 on the side of the road and the policeman approaching me
9 in a car and picking me up. I remember them asking me,
10 "Did you see anything?", and I had said, "Yes, I seen it
11 all". I don't know if they were -- I don't know if I was
12 giving them the implication that I had seen the whole thing
13 or -- I wasn't really -- I don't -- I was basically saying
14 that I seen it all in regards to the young man that was lying
15 on the road and was in a very bad condition.

16 Q. You do remember then saying something to the effect, "I saw
17 it all"?

18 A. Yes.

19 Q. I see, and what did the policeman do then?

20 A. They asked me to come back -- get in with them, so I did, and
21 they were -- We ended up at the hospital. I don't know why
22 we went to the hospital first. We were there for awhile. I
23 never got out of the car or anything and we went --

24 Q. You say you never got out of the car --

25 A. No.

MAYNARD CHANT, by Mr. Orsborn

1 Q. --at the hospital?

2 A. No.

3 Q. I see.

4 A. Then we went from there up to the police station.

5 Q. Do you recall talking to anybody at the hospital other than
6 the Police Officers that had been in the car with you?

7 A. I don't remember.

8 Q. I take it you have a clear recollection of not going into the
9 hospital itself?

10 A. Yeh.

11 Q. Did you see Mr. Marshall while you were in the car at the
12 hospital?

13 A. I seem to remember them saying something in reference to him
14 being there. I don't know what it was or -- getting stitches
15 or something, but that's basically all that I can remember of
16 that particular scene like being there in the police car.

17 Q. Do you remember while you were at the hospital saying anything
18 in relation to what you had seen and what you hadn't seen?

19 A. No, I don't remember that or saying anything.

20 Q. And up until this time was there anything to give you the
21 impression that Mr. Marshall had stabbed Mr. Seale?

22 A. No.

23 Q. Were you still scared at this point?

24 A. Oh, yeh, I was -- as things went on I got a little more --
25 I kept getting a little more scared.

MAYNARD CHANT, by Mr. Orsborn

1 Q. What were you scared of?

2 A. Well, I was -- I guess I wasn't really -- I was scared. I
3 was out past my curfew, really out past my curfew this time.
4 I had --

5 Q. What point was this while you were at the hospital? Do
6 you recollect?

7 A. Oh, I don't. Way after twelve.

8 Q. Well after twelve and that much more after nine --

9 A. That much more after my parents telling me to come straight
10 home, it was much more after all that, so I was quite scared
11 because I broke my probation for one thing and I always
12 had a -- I always had a certain fear towards police or anything
13 like that because where I was involved with them because I was
14 on probation and dealing with the Court system and dealing
15 with Police Officers and stuff -- I always had a fear for them.
16 I don't know why. I understand why but --

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MAYNARD CHANT, by Mr. Orsborn

1 Q. Until -- up until this time when you were in the car at the
2 hospital had the police given you any reason that night to
3 be scared of them?

4 A. Not really, not, not -- I was just -- just scared that's all.
5 I just -- just the presence of them -- I was fearful -- I was
6 just brought up that way I guess.

7 Q. Where did you go from the hospital?

8 A. They took me up to the police station?

9 Q. The same two officers in the car that picked you up?

10 A. Yeh.

11 Q. In the same car, you didn't get out of the car at all?

12 A. I don't think so.

13 Q. And what did you do at the police station?

14 A. I remember waiting in the, in the -- when you first go in the
15 doors there, there's like a lobby type of a thing. I
16 remember waiting there. And I remember sitting down at, ah
17 somewhere there and I remember Marshall coming out of the,
18 of the thing and I remember him coming over to me and leaning
19 over me and saying, "There was two of them, wasn't there?"
20 And I said, "Yeh, there was two of them."

21 Q. Are you sure that this was the same night in which you had gone
22 to hospital?

23 A. I think so. I think it was the same night.

24 Q. Is it possible that you did not see Mr. Marshall that night
25 and it was in fact a couple of days later when you went back to

MAYNARD CHANT, by Mr. Orsborn

1 the police station, that you first saw Mr. Marshall?

2 A. The way that I, the way that I pictured it in my mind is
3 that I was up there and I remember, well, I didn't know him
4 at the time, but I remember the young fellow coming out of
5 the, out of the -- there was a closed door, he came out of
6 that. I guess it was an office and coming over to me and
7 leaning over me and saying, "There's was two of them", I
8 believe it was that night. I, I remember -- it seems to
9 correspond with my father later on coming in and picking
10 me up. That's basically what I remember.

11 Q. I see. So you had a recollection that night of Mr. Marshall
12 saying that "there was two of them, wasn't there". Did he
13 say anything else to you?

14 A. No, that was basically it.

15 Q. Was there anybody else there at the police station that you
16 spoke to?

17 A. I seem to remember them taking me in for a statement. I
18 don't know. I don't know if it was just questioning or --
19 I remember a man writing something down. I don't know if it
20 was -- I don't -- I thought it was basically him asking me
21 what had went on and --

22 Q. You did point out that the first statement that we at least
23 have on record, Mr. Chant, is on the 30th of May which would
24 have been a Sunday. This was very late, this was very late
25 on the Friday night or the very early Saturday morning.

1 A. That was the first statement.

2 Q. The first statement is May 30th, yes. Is it possible that
3 over the period of sixteen, seventeen years there might be
4 some confusion over when you actually gave that first statement?

5 A. There could be. I remember, I remember sitting in the lobby
6 of the police station and I remember Mr. Marshall coming out
7 and leaning over me and saying, "There was two of them". I
8 thought it was that night. I believe it was that night.

9 Q. Okay, and this statement of Mr. Marshall's whenever it was
10 made, is in -- in taken in line with what you had learned
11 in the, in the car during the --

12 A. Yeh, I remember the questions that were asked me, I basically
13 just given them the information that he had passed on to me.

14 Q. Okay, we'll come to that. Do you recall how long you were in
15 the police station that night before your father came to pick
16 you up?

17 A. No, it was a long time. I felt it was a long time. Of course,
18 everything started to get pretty long by that time.

19 Q. How far is it from Sydney to Louisbourg?

20 A. It's around twenty to twenty-five miles.

21 Q. About a half hour drive then, is it?

22 A. Yeh.

23 Q. And I gather that sometime very late that night your father
24 came to pick you up?

25 A. Yes.

MAYNARD CHANT, by Mr. Orsborn

1 Q. Were you scared of your father?

2 A. What do you mean?

3 Q. A fourteen year old out on probation and in the police station
4 at three o'clock in the morning and your father's coming to
5 pick you up. Were you at all apprehensive of what he might do
6 or not do to you?

7 A. My father was probably at his limit with me. He was never a
8 man for -- he wasn't a violent person. He was a very, very
9 tender and very understanding. I don't -- I had no reason to
10 really fear him.

11 Q. On the way back to Louisbourg, did you talk to him at all
12 about the incident?

13 A. No.

14 Q. Nothing?

15 A. No.

16 Q. Did he ask you?

17 A. I don't remember if he asked me. I don't -- I just -- no, I
18 don't really -- I don't remember if he had.

19 Q. The following day was a Saturday, the same day really that
20 you were picked up, do you have any recollection of that
21 day and in particular whether or not you discussed the
22 preceeding night with any member of your family?

23 A. I can't remember really in detail anything that I said. I
24 just -- well, they basically knew that I was in at the
25 police station and they come and picked me up and they were --

MAYNARD CHANT, by Mr. Orsborn

1 I guess they were at that time, they were probably fed up with
2 me because I was always getting into trouble and I guess they
3 figured it was just another type of a trouble thing. They
4 never really -- I don't remember really then sitting me down
5 and questioning me to exactly what was going on.

6 Q. Did you ever volunteer the fact that you had seen a stabbing?
7 And when I say stabbing, I mean the actual incident itself
8 rather than coming upon Mr. Seale?

9 A. I really didn't give it to the point where -- well, I really -
10 basic -- first story I remember the first statement I think
11 that I had given was the statement that I had said that there
12 was two men.

13 Q. Yeh, I'm sorry. I'll try not to get to far ahead of you.
14 I'm thinking that before you gave that statement whether or
15 not there was any sort of equivalent information given to
16 your family before, before you started to give that statement
17 to the police?

18 A. From me or --

19 Q. Yes.

20 A. I don't remember.

21 Q. On that first day, which was a Saturday, do you recall any
22 contact with the police?

23 A. Saturday did you say -- the day after --

24 Q. Yes.

25 A. I remember them coming out afterwards, I don't know if it was

MAYNARD CHANT, by Mr. Orsborn

1 Saturday or Sunday or -- I don't --

2 Q. Do you recall hearing that Mr. Seale had died?

3 A. I seem to remember that.

4 Q. Do you recall when you heard that?

5 A. No.

6 Q. The following day was a Sunday, was it your custom to go to
7 church on Sunday's?

8 A. Yes.

9 Q. Did you go with your family that Sunday?

10 A. Oh, yes.

11 Q. Sunday morning?

12 A. Yeh.

13 Q. Do you recall any contact with the police on that day?

14 A. I remember after we had got home --

15 Q. Is that home from church?

16 A. Home from church. I remember a car hauling up in the yard
17 and I don't know if it was Sunday or Saturday. It seemed,
18 it seemed to be Sunday, we were just getting home from
19 church and I remember two men coming in and taking me out to
20 the car.

21 Q. Had you seen these policemen before?

22 A. I, I don't know.

23 Q. Were they in uniform?

24 A. I don't think.

25 Q. I'm sorry?

MAYNARD CHANT, by Mr. Orsborn

1 A. No.

2 Q. You don't think so?

3 A. No.

4 Q. You say they took you out to their car?

5 A. Yes and they had begin to -- they begin to question me to --

6 Q. In the car in the yard?

7 A. Yes.

8 Q. Anybody else with you in the car other than the policemen?

9 A. No.

10 Q. They began to question you?

11 A. They began to question me to what I had seen. I remember them
12 questioning me and I was telling them. I can't really remember
13 what the -- what it was that they were saying or even what it
14 was that I was saying. I don't know what I was -- I thought
15 they were just out to talk to me. I thought that I had --
16 I thought they were out to talk to me because I thought that
17 I had given a statement earlier on that night. I don't know
18 if -- I thought I remembered them just letting me out of the
19 car or -- and --

20 Q. Did they drive you anywhere?

21 A. I remember one of the, one of the police -- or whatever they
22 -- plain clothes or I remember them taking me -- one of them
23 taking me for a drive. I don't remember if it was that day.
24 Or if it was the following day. I remember going as far as
25 Catalone, which is about six miles out of Louisbourg, towards

MAYNARD CHANT, by Mr. Orsborn

1 Sydney. And I remember him hauling off to the side of the
2 road asking me a few questions and --

3 Q. And at the time you took this drive to Catalone, was there
4 one policeman or two?

5 A. Just one.

6 Q. I see.

7 A. And then they took me back home. And then I remember going
8 home. I mean as far as going in the house. I don't know if --
9 and then I don't know if they came back that day or another
10 day but they decided they wanted to take me down to the
11 Town Hall for questioning.

12 Q. Okay, before we get to the Town Hall, I think is a few days
13 later. Do you have any recollection on that Sunday, the
14 same day you went to church, of being driven into Sydney to
15 the police station there?

16 A. It seems like the days on everything that is really happened
17 or everything that had happened is sort of mixed up in my
18 mind as far as the time period. I remember going in Sydney
19 and, and giving -- or them taking me to the spot where the
20 what had happened. And them going over with me what had
21 taken place and stuff like that. But I don't know if it
22 was Sunday or if it was, I don't know if it was the following
23 week or three or four days, I can't --

24 Q. Okay, let's back up a little bit. Again going back to the
25 Sunday when you were talking to these police officers or

MAYNARD CHANT, by Mr. Orsborn

1 during the drive to Catalone whether it was Sunday or another
2 day. Do you recall on either those occasions telling the
3 police that you saw the stabbing?

4 A. I'd remember some time within that period I'd given a
5 statement. I don't know if I had really said that I had
6 saw the stabbing. I don't really remember to be honest
7 with you, if I had really said that I had saw the stabbing
8 at that point.

9 Q. At that time?

10 A. Yes.

11 Q. Up until the time the police questioned you in the car outside
12 your house, had the police given you any reason to be scared
13 of them? Other than the normal apprehension that you spoke
14 of a minute ago?

15 A. No, like I said it was, it was always there -- I don't know
16 if it was a reverence or a fear but I always had, you know,
17 -- I always wanted to be more than cooperative, I remember
18 with the police.

19 Q. I see. Perhaps we could turn then, Mr. Chant, to the first
20 statement that you gave the police which is found in Volume
21 12, which is the red book in front of you. And the type-
22 written copy of that is at Page 1 of that Volume.

23 MR. ORSBORN:

24 And Mr. Chairman, the handwritten copy of that statement is found
25 at Volume 16, Page 20. We have the original of the handwritten

MAYNARD CHANT, by Mr. Orsborn

1 copy here, which we'll have Mr. Chant to identify and then
2 perhaps file as an Exhibit.

3 BY MR. ORSBORN:

4 Q. This is the original handwritten copy, Mr. Chant, of the
5 statement which is reproduced in typing at Volume 12, Page
6 1. Do you recognize the signature on Page 1 of that
7 statement?

8 A. Oh, yes.

9 Q. And do you recognize the signature on Page 2?

10 A. Yes.

11 Q. And do I gather that the handwriting in the body of the
12 statement would not be your handwriting?

13 A. No.

14 Q. That's not your handwriting?

15 A. No.

16 MR. ORSBORN:

17 I recommend, Mr. Chairman, I ask this to be filed. Okay, it's
18 a two page Exhibit dated May 30th, 1971, Exhibit 30.

19 BY MR. ORSBORN:

20 Q. So you say that you recognize the signature, Mr. Chant?
21 So you're saying that it your signature?

22 A. Yes.

23 Q. Now just before we get into the body of this statement, Mr.
24 Chant, you were fourteen years old. Did you attend Sunday
25 School?

MAYNARD CHANT, by Mr. Orsborn

1 A. Yes.

2 Q. Did you know that there was a God?

3 A. Yes.

4 Q. You heard of him?

5 A. Yes.

6 Q. Did you know what it meant to lie?

7 A. Yes.

8 Q. Had you been involved in or up until this time, had you told
9 any lies?

10 A. Yes.

11 Q. Did it come easy to you?

12 A. Well, it probably came to protecting myself it did or not --
13 I wasn't in the habit of lying continuously, if that's what
14 you're implying.

15 Q. No, I'm sorry I didn't mean to imply that. I meant if you
16 had had occasion to lie in the past and if so whether or
17 not that it was an easy thing for you to do?

18 A. What do you, what do you mean easy? Do you mean as far as
19 have no thought towards it or just do it at the -- no
20 problem at all with it or --

21 Q. Do it with no problem at all?

22 A. No, I would say when I wouldn't tell the truth, it really
23 bothered me.

24 Q. Any particular situations in which you would not tell the
25 truth? You mentioned something about protecting yourself?

MAYNARD CHANT, by Mr. Orsborn

1 A. If I was doing something that wasn't right in my parent's eyes.
2 Giving into maybe some mischief or something. It was -- it's
3 not, it's not something that is done in our home, lying. I
4 was always told to tell the truth. I was brought up to tell
5 the truth. But I don't know why I lie. I just probably
6 lie to cover up or basically why young people lie.

7 MR. ORSBORN:

8 Mr. Chairman, I propose to go through this statement in some
9 degree of detail. I don't know if you wish to take a break at
10 this time, or should I just keep going.

11 MR. CHAIRMAN:

12 Five to ten minute break.

13 INQUIRY ADJORNED: 10:53 a.m.

14 INQUIRY RECONVENED: 11:16 a.m.

15 MR. CHAIRMAN:

16 Yes.

17 MR. ORSBORN:

18 Thank you, Mr. Chairman.

19 BY MR. ORSBORN:

20 Q. Mr. Chant, if i can ask you to, to speak up as much as you
21 can and I'll try and do the same. For I believe we're not
22 being heard too well at the back of the, at the back of the
23 hall. Just a couple of points from your testimony before,
24 when you went to the police station after being at the
25 hospital on the night of the incident, you testified that

MAYNARD CHANT, by Mr. Orsborn

1 you recall speaking to one or more police officers there. Do
2 you know who those officers were that you spoke to?

3 A. No.

4 Q. You also mentioned that, that one police officer drove you to
5 Catalone and talked to you in the car. Do you know who that
6 police officer was?

7 A. Not at the time. No.

8 Q. And have you subsequently determined who that was?

9 A. I presumed it was one of the Chief Detectives. Later on I --

10 Q. Why did you presume that?

11 A. Later on?

12 Q. Yes.

13 A. Well, because I got to know him and since he was there and
14 everything through all the whole trial and I know him now.
15 I didn't know him first.

16 Q. I see. Do you know who that was now?

17 A. Pardon me.

18 Q. The name?

19 A. Mr. MacIntyre. Would he be the --

20 Q. So if I understand you correctly, the, you were taken in the
21 car to Catalone by one police officer. You didn't know the
22 police officer at the time but through later dealings, you
23 recognized him to be Sergeant MacIntyre. Is that accurately
24 what you've said?

25 A. Yes.

MAYNARD CHANT, by Mr. Orsborn, by Mr. Chairman

1 Q. Okay. I'd like to turn to the --

2 THE CHAIRMAN:

3 Mr. Orsborn.

4 BY THE CHAIRMAN:

5 Q. May we assume that in identifying Sergeant MacIntyre, you are
6 referring to the police officer who took you on the drive
7 outside Louisbouig?

8 A. Yes.

9 Q. He was alone, just the two of you?

10 A. Yes.

11 Q. You now know -- or you have since identified that person as
12 Sergeant MacIntyre?

13 A. Yes.

14 Q. Thank you.

15 BY THE WITNESS:

16 A. Could I -- I see something here in reference to -- you
17 were saying that this was the first statement that was
18 taken.

19 BY MR. ORSBORN:

20 Q. Well, the statement in Volume 12 at Page 1 that we're
21 just going to talk about, is the first statement that
22 we have in writing?

23 A. Because I had remembered giving a statement before this,
24 that I don't see. Is it here?

25 Q. A statement before the Sunday statement?

MAYNARD CHANT, by Mr. Orsborn

1 A. Yes.

2 Q. We have no records of any statement before the Sunday
3 statement. Perhaps I could ask you, how many statements
4 do you recall giving?

5 A. I remember giving one before this.

6 Q. How many statements in total do you recall giving?

7 A. Two, I believe.

8 Q. Well, if I were to say that we do have two statements
9 here, would you then conclude that the statements we
10 have are all the statements that you gave?

11 A. In '71?

12 Q. Yes, I'm sorry. There is a statement reproduced at Page
13 1 of Volume 12 and there should be a further statement
14 in your Volume at Page number 3, which is the later
15 statement. So if there are two statements from you in
16 1971?

17 A. No. Well, I was basically meaning that I had given a
18 statement before this one on May 30th. Before that
19 Sunday.

20 Q. Before that Sunday.

21 A. Yes.

22 Q. Do you recall if that was a written statement?

23 A. Yes.

24 Q. So you're now suggesting that you gave three statements?

25 A. Yes, that would be the implication, yes.

MAYNARD CHANT, by Mr. Orsborn

1 Q. So I think it's fair to say that what we have in our
2 records is a statement of May 30th on the Sunday. We
3 then have a statement of June 4th which is taken in
4 the Louisbourg Town Hall. And are you now suggesting
5 that there was an earlier statement taken?

6 A. Well, I had thought that night that I had give, I had
7 given some information to what had happened that, that
8 night.

9 Q. This is on the --

10 A. In the police station.

11 Q. This is the late Friday night, early Saturday morning after
12 the incident?

13 A. Yes. I was just wondering is that statement here?

14 Q. As I say, we have no record of a statement having been given
15 at least in writing on the very earlier morning of the 29th.

16 Do you actually recall signing a statement on that night?

17 A. I don't really remember signing it, the statement.

18 Q. Do you have any recollection of what information you gave
19 that night?

20 A. To basically what had happened as far as me seeing. I
21 don't know if it was taken as a statement but I remember
22 giving some evidence or something recalling what had
23 happened. I don't know if it was --

24 Q. When you say recalling what had happened, is this --

25 A. That night.

MAYNARD CHANT, by Mr. Orsborn

1 Q. Recalling what you actually did in terms of encountering
2 Mr. Marshall and coming upon Mr. Seale or did you, did you
3 recount what Mr. Marshall had told you?

4 A. I was recounting on what Mr. Marshall had told me when --
5 because I distinctly remember him coming out of the office
6 and leaning over me and saying, "There was two". And I
7 basically remember giving some indication that there was
8 two people to one of the people that were questioning me
9 there that night. I seem to be remember being questioned
10 that night.

11 Q. We might be able to clear up the confusion a little later when
12 Mr. Marshall testifies. But is it your recollection that
13 your first statement or your first information that you
14 gave to the police, was at the time that Mr. Marshall was
15 in the police station?

16 A. Yes.

17 Q. I see. So at best we're left with now is, you have some
18 recollection of giving a statement or some information on
19 the night of the 29th. Your recollection is that this
20 was at the same time that Mr. Marshall was there and told
21 you that there was two of them. But you do not recall
22 at least on that night, whether or not you actually gave
23 a written statement?

24 A. No. I'm -- I vaguely remember somebody writing something,
25 I don't know if it --

MAYNARD CHANT, by Mr. Orsborn

1 Q. Okay. And I think you earlier told us that your best
2 recollection is that there was two statements that you
3 did give in 1971?

4 A. Well, two statements as far as this one and the one at
5 the Town Hall.

6 Q. Right.

7 A. By meaning that I guess I should have clarified myself in
8 saying three.

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MAYNARD CHANT, by Mr. Orsborn

1 Q. Let's turn to the first one that we do have. This is noted
2 as being 5:15 on the thirtieth of May. That is a Sunday
3 evening around supper time. Do you have any recollection
4 at this time of giving a statement around supper time
5 on that Sunday?

6 A. I remember them -- I remember a man writing a statement
7 down that I'd given in a car -- in the car that had come
8 up in to the yard that Sunday afternoon.

9 Q. Do you remember --

10 A. When I came home from church. I didn't think it was
11 that late but I guess probably it was.

12 Q. You remember a man writing down a statement?

13 A. Yes, a hand written statement.

14 Q. Where was that being done?

15 A. I was in the backseat and the two detective or policemen
16 where in the front seat and as they were asking the questions
17 -- or asking me what it was going on, I remember giving a
18 statement. I remember one of them writing it down.

19 Q. And do you recall whether or not you were taken to the
20 Sydney Police Station on that day?

21 A. I remember that I was taking -- taken in -- in to the
22 police station. I don't know if it was on that day but
23 I was taken in there for -- to review what had -- the
24 incident that had happened but I don't remember if it was
25 that day.

MAYNARD CHANT, by Mr. Orsborn

1 Q. I see. Do I take it that your recollection today is
2 that this statement which is dated May thirtieth at 5:15
3 and we have the original there. That this statement was
4 taken from you in the police car?

5 A. Yes.

6 Q. Do you have any doubt about that?

7 A. I thought that this was the statement, after viewing it,
8 -- I thought it was the same statement that I'd given
9 that night in Sydney. I thought that this is the statement
10 but looking over it I -- I know I'd given a statement in
11 a car and I had thought that I had given some type of
12 statement in the police station that night and I know
13 that I had given another statement down at the Town Hall
14 in Louisbourg. The only -- the only really one that
15 I really remember as far as --

16 MR. WILDSMITH:

17 My Lord, if I might interject at this point. I wonder if it
18 would be of assistance to this witness to look in volume twenty-one
19 at page eighty-one. This appears to be a statement not signed
20 by him but relates to his time in the police station on the
21 night in question that he's speaking about.

22 BY THE WITNESS:

23 Do I have it?

24 MR. WILDSMITH:

25 Well, perhaps Commission Counsel would produce it for you. That's

MAYNARD CHANT, by Mr. Orsborn

1 volume twenty one at page eighty-one.

2 BY MR. ORSBORN:

3 Q. That particular document, Mr. Chant, do you have that in
4 front of you?

5 A. Yes.

6 Q. Referring to page eighty-one which to my understanding
7 is a typewritten copy of an internal Sydney Police
8 Department memo. It's unlikely that you would have seen
9 that. And that simply refers to the dealings of the
10 Sydney Police with you on that -- on that evening. It
11 does however, refer to your being questioned by a Sergeant
12 MacDonald at the City Hospital. And it's my recollection
13 that the evidence that you gave us this morning, early this
14 morning, said that you did not recall getting out of the
15 car at the hospital.

16 A. No, I don't remember getting out of the car. I'm sorry.
17 No, I don't remember getting out of the car.

18 Q. Do you have any recollection of being questioned by Sergeant
19 MacDonald at the hospital?

20 A. I can't remember. I can't remember -- no.

21 Q. Is it possible that it was his questioning at the hospital
22 that might be confusing you as to the information you gave
23 to the police that night?

24 A. I don't think so. I remember -- like I say, I remember being
25 -- I might have probably just give the -- one of the Sergeants

1 there a statement but I remember giving some type of
2 info to what had happened that night after I felt that --
3 I remember Marshall coming out of the office. I don't
4 know if that ties in or not. I just -- everything seems
5 to be running together a little bit on me right now.

6 Q. When you say Marshall coming out of the office, you're
7 again referring to the police station --

8 A. Yes.

9 Q. -- and not to the hospital?

10 A. Yes. I don't -- I don't -- Like I say, I would have nothing
11 to do with this statement anyway. This -- this here particular
12 statement and it's --

13 Q. No, it's simply taken from the internal police records --

14 A. Yeh, it's nothing.

15 Q. -- and it --

16 A. No, I'm not referring to that.

17 Q. It relates the -- It sets out the contact that the police
18 had with you on that night and the only reference to the
19 police station there, as I recall, is your being taken
20 to the police station and the comment says that your
21 father came and picked you up.

22 A. Oh.

23 Q. Now, the fact that there was -- there was no reference
24 to any statement being given at the police station that
25 night, does that in any way cause you to doubt the fact

1 that you gave a statement at the police station?

2 A. The reason why I'm saying that is because looking over
3 the May thirtieth statement, it seems like that
4 I'm going in quite into detail of the story that had happened
5 that night. Of the scene that had happened that night and
6 I'm trying to figure out why I would -- why I would give the
7 description of two men, even the weight -- even -- of two
8 men and --

9 Q. Those were to be my questions when we started to go through
10 the --

11 A. Oh, sorry.

12 Q. -- through the statement. We're just trying to, as much
13 as we can, clarify what statements you gave to the police
14 at what time.

15 A. Yeh. It's just that in reference to that I don't remember
16 Mr. Marshall giving me that much of a detail to what had
17 taken place that night but as I can see here, there is
18 quite a detailed statement.

19 Q. Okay, let me see if I can sort of summerize our somewhat
20 confused process to date. On the night of the incident
21 your recollection is, at the City Hospital, that you did
22 not get out of the car and you did not give any information
23 at that time. The records of the Sydney Police Department
24 conflict with that to some extent in that they indicate
25 that you were indeed questioned by Sergeant MacDonald at the

MAYNARD CHANT, by Mr. Orsborn

1 police station. I'm sorry, at the hospital. There is
2 no record in the Sydney Police Department of your
3 being questioned at the police station. You however have
4 testified today, that you recall giving some information
5 and perhaps a statement on that night.

6 A. Yes.

7 Q. And your recollection is that that statement was given
8 at the same time that Mr. Marshall was at the police
9 station and came out and said there were two of them.

10 A. Yes.

11 Q. I see.

12 COMMISSIONER EVANS:

13 Commission Counsel, before you proceed any further with this
14 witness. Do we know whether there are any notes here respective
15 of the statements signed by this accused in the hands of the
16 police department. Notes taken by Detective M. R. MacDonald,
17 John Johnson or Frank MacKenzie?

18 MR. ORSBORN:

19 To our knowledge there are none, My Lord.

20 COMMISSIONER EVANS:

21 There are none?

22 MR. ORSBORN:

23 To our knowledge.

24 BY MR. ORSBORN:

25 Q. In any event, Mr. Chant, the statement dated May thirtieth

MAYNARD CHANT, by Mr. Orsborn

1 -- the Sunday afternoon, your recollection is that
2 this statement was taken in the police car outside your
3 house?

4 A. Yes.

5 Q. It's, I think, indicated in your testimony at the -- I think
6 perhaps both at the preliminary and at trial, that you
7 refer to being in Sydney on Sunday afternoon.

8 A. On one of the statements that I had given?

9 Q. No. For example, at page forty-six of volume twelve,
10 you refer to some questioning by Mr. Justice Dubinsky and
11 he says: "When was it that you told them the untrue story?"
12 And you say: "On Sunday afternoon." The judge says: "On
13 Sunday afternoon in Sydney." And your answer is: "Yes."
14 And on the proceeding page there is reference to the
15 Sunday afternoon statement in Sydney and particularly
16 on page forty-four. Going back. If I can refer you.
17 Page forty-four, volume twelve, Mr. Rosenblum questioned
18 you: "When did you tell that untrue to the police, Maynard?"
19 And you say: "Sunday afternoon." Mr. Rosenblum then says:
20 "That was in Louisbourg." and you say: "That was in Sydney."

21 A. Yes.

22 Q. And you then say: "Oh." They took you -- Mr. Rosenblum
23 says: "They took you in to Sydney. How long did you stay
24 at the police station in Sydney on Sunday afternoon?" and
25 you answer: "Six o'clock." which is not to far off the time

MAYNARD CHANT, by Mr. Orsborn

1 of the statement shown on May thirtieth. Does that help
2 your memory in any way as to whether or not --

3 A. Yes, it does.

4 Q. -- you gave the statement in the car or in Sydney?

5 A. Yeh. It was probably just a confusion of my spot trying
6 to link up the times and the days of everything. But that
7 pretty well -- if that could have been time that Marshall
8 had come out then. I don't know if it was or -- but I
9 seem to recollect that night having an encounter with him.

10 Q. The night of the incident?

11 A. Pardon me?

12 Q. The night of the incident?

13 A. Yes, but it seems like, by you jogging my memory, according
14 to the statements that I've -- that has been given that
15 there -- they seem to bring -- to refresh me that possibly
16 that was it. That that might have been the time that
17 I encountered with him -- with Marshall.

18 Q. Does that also --

19 A. To the -- to your -- to the effect where he said there was
20 two of them when he came out of the office.

21 Q. Does that also refresh you memory as to giving the statement
22 on Sunday in Sydney rather than in the car outside your house?

23 A. I remember giving -- I remember giving -- I remember one of
24 them writing -- one of the officers writing down something
25 in the car. I -- everythings sort of running together right

MAYNARD CHANT, by Mr. Orsborn

- 1 now. Just give me a moment to think, please.
- 2 Q. Go ahead.
- 3 A. Okay. It -- I remember giving three statements. As far
4 as -- I could be running one over the other one a little
5 bit but I distinct with -- distinctively remember giving
6 three statements.
- 7 Q. When you refer to a statement, are you referring to something
8 in writing which you then signed or simply an interview when
9 you would give some information?
- 10 A. I'm referring to somebody writing something down. Not necessarily
11 me signing it but me writing some -- them writing something
12 as I spoke, yeh. That's what I mean by statement.
- 13 Q. So you're referring to then at least three encounters with
14 police?
- 15 A. Yes.
- 16 Q. Perhaps you gave information and something was written down?
- 17 A. Definitely, yes.
- 18 Q. Now, I think we can certainly identify two of them. Is it
19 in fact possible, Mr. Chant, that you spoke to Sergeant
20 MacDonald at the hospital on the night of the incident --
- 21 A. Oh, we -- it's --
- 22 Q. -- and he wrote something down?
- 23 A. I don't have any problem with that. That probably could
24 be very valid, yes. I don't have any --
- 25 Q. Could that be one of the three times you're referring to?

MAYNARD CHANT, by Mr. Orsborn

1 A. It could be. It could be. Although I remember a conversation
2 afterwards in the police station. I don't know if that
3 was -- like I say, it's a bit confused for me. Trying
4 to remember -- trying to look back. And also that the
5 fact that since that particular time up until this day or
6 until the '82 trial, I have given so many statements. I've
7 seen to -- Everytime I seem to open my mouth I'm being
8 questioned on everything that I've said or everything
9 that -- or everything that I've said and everything that
10 I've -- so it's to the point that I'm getting a bit
11 confused. I'm just trying to be as honest as I can.

12 Q. Sure.

13 A. I'm trying hard to remember.

14 Q. Well, maybe it will come to you, as you go through some
15 of these statements and we can perhaps return to it.

16 Let's get to something that we at least have in black and
17 white for the time being.

18 A. Okay.

19 Q. And you have told us that prior to giving this May thirtieth
20 statement, you have a recollection of Mr. Marshall saying
21 to you: "There was two of them."

22 A. Two of them.

23 Q. And you do recall that he said this to you before you gave
24 the statement?

25 A. Yes.

MAYNARD CHANT, by Mr. Orsborn

1 Q. Was it immediately before you gave the statement?

2 A. I presume that it was.

3 Q. Did he say anything else to you at that time?

4 A. Well, the night of the --

5 Q. No, but at the time you gave this --

6 A. At that time? No.

7 Q. This is a Sunday afternoon.

8 A. No. No. No.

9 Q. Can we accept that this was, in fact, in the Sydney Police
10 Station, Sunday afternoon based on your testimony at trial?

11 A. If -- Yes.

12 Q. How did Mr. Marshall seem to you when he spoke to you?

13 A. Seemed to be very raged. Very aggressive. As far as him
14 leaning over me, I was sitting down and he just -- not
15 to the point of shouting but with a very strong voice.

16 "There was two of them, wasn't there?" and --

17 Q. Have you seen him since the incident?

18 A. Since that night?

19 Q. Yes.

20 A. No. Not -- I don't know if it's that particular night
21 that I seen him in that office or was that particular day.

22 Q. Oh, well, let me ask you this. Your last recollection
23 of Mr. Marshall was going off to get some help when you
24 arrived to see Mr. Seale?

25 A. Yes.

MAYNARD CHANT, by Mr. Orsborn

1 Q. And you have testified that at some time during the
2 police station, either that night or a couple of days
3 later, he said to you: "There were two of them."
4 Now, between his saying that to you and your seeing him
5 go off to get an ambulance --

6 A. Yes.

7 Q. -- Did you have any contact with him?

8 A. No.

9 Q. When you gave this statement on May thirtieth, do you recall
10 if you were scared at that time?

11 A. This particular statement?

12 Q. Yes. Were you scared?

13 A. Yes.

14 Q. What were you scared of?

15 A. I remember when Mr. Marshall had come out and implied to
16 me that there was two of them and I had said: "Yes" when
17 I didn't see anything. I was -- I imagine -- I remember
18 there being a couple of police officers around and --

19 Q. A couple of police officers around where?

20 A. Where I was sitting in the -- waiting to --

21 Q. You imagined -- did you see any?

22 A. Oh, no. I didn't imagine. I seen them, yes.

23 Q. Okay.

24 A. I sorry. So I was -- I basically stuck myself into something
25 that I knew that I had done wrong be implying that there was

MAYNARD CHANT, by Mr. Orsborn

1 two when I did not even see any.

2 Q. But at that point, what had to done wrong?

3 A. Oh, I implicated that there was two men there when I
4 didn't see any men there at all because I wasn't even there.

5 Q. How --

6 A. At the stabbing.

7 Q. How did you indicate that there was two of them?

8 A. By -- I felt by him saying to me that there was two of them
9 there was relating to what he had told me or what we had
10 encountered on May twenty-ninth. Would it be? The night
11 of the -- and by me implying that there was two there, I was
12 -- I put myself in a spot to lie right there. By maybe
13 just being in feared from him.

14 Q. Were you afraid of him?

15 A. Yes.

16 Q. Had he given you any reason to be afraid of him?

17 A. No, only that he was a rough looking character. You know.

18 Q. Did you know he was Indian?

19 A. Not really, no. As far as -- I never associated the two
20 with his character or his appearance or as an Indian or --

21 Q. What was it about him that scared you?

22 A. Well, he was just -- he seemed to -- seemed to be, in my
23 eyes, he seemed to be a tall lad and he was rugged looking. I --
24 probably -- maybe the appearance of that. Maybe I was feared
25 of. And the way that he gestured to me that there was two of

MAYNARD CHANT, by Mr. Orsborn

1 them. I guess I -- well, I thought he was referring to
2 the men of the -- at the park that night. So I had
3 said yes, there was.

4 Q. You said he gestured to you. Do you recall how he did that?

5 A. Well, I mean through his voice. Excuse me, not gestured.
6 He spoke -- when he said: "There was two of them, wasn't
7 there?" and I said: "Yes."

8 Q. You said he came out of the questioning room to say this?

9 A. Yes.

10 Q. Was there anybody with him when he came out?

11 A. Not when he came out of the -- not when he came out, no.
12 He just -- when he came out he walked directly over to
13 me and said that.

14 Q. Was there anybody else in the police station at the time
15 other than police officers?

16 A. Not that I know.

17 Q. When he said this to you, do you recall if there were
18 police officers close by you?

19 A. Yes.

20 Q. Do you know who they were?

21 A. No.

22 Q. Were they in uniform?

23 A. Yes.

24 Q. And after Mr. Marshall said this to you, how long before you
25 were taken in to give your statement?

MAYNARD CHANT, by Mr. Orsborn

1 A. It was -- I believe it was just a few moments.

2 Q. And at that time did he say anything else to you at all other
3 than what --

4 A. Mr. Marshall?

5 Q. Yes.

6 A. No.

7 Q. So, if I may summarize the -- prior to your giving this
8 statement on May thirtieth your conversations with Mr. Marshall
9 were the encounter on Bing Avenue, what had been said to
10 you in the car and the statement at the police station. There
11 was two of them. Is that an --

12 A. He. -- Yeh.

13 Q. -- accurate representation of what you told us?

14 A. Yeh. It -- That night he had told me that there was -- that
15 he had -- that he was -- that his friend -- or his buddy was
16 down on the other side of the park and that two men had
17 -- I don't remember if they jumped -- I believe he said
18 jumped. I'm not to sure -- jumped him. And he told me
19 that-- he basically give me some indication of what they
20 were. They were big men or something or I don't really
21 remember. I remembered him -- I remember -- remember --
22 I remember him telling me the story of what had happened
23 and by looking at the statement here in front of me, it seems
24 to be in reference to that.

25 Q. Okay. When you gave this statement, do you recall how many

MAYNARD CHANT, by Mr. Orsborn

1 police officers were present when you gave it?

2 A. I don't know.

3 Q. It's witnessed, I believe, by Sergeant Detective J. F. MacIntyre.

4 Do you recall his being present? Taking the statement

5 from you?

6 A. It's witnessed by him?

7 Q. Well, his name appears on the statement in the bottom of the left-

8 hand corner of the typed copy of page two.

9 A. That he -- I thought that possibly that he was the one

10 that took the statement.

11 Q. Yes. Okay

12 A. That's --

13 Q. Do you recall his being there?

14 A. Yes, I recall him signing this.

15 Q. I see. Do you recall any other police officer being there?

16 A. No.

17 Q. Was there anybody there with you? Your mother, your father,
18 brother?

19 A. No. Nobody was there with me.

20 Q. You were alone. Do you recall what your intentions were

21 when you started to give that statement?

22 A. Above the fact that I had got myself into a spot to say that

23 there was two men there, I basically just was trying to help

24 I guess. Giving this statement to what -- what happened

25 that night.

MAYNARD CHANT, by Mr. Orsborn

- 1 Q. Who were you trying to help?
- 2 A. I was trying to help the police or maybe I was trying
3 to help Mr. Marshall, I guess, too.
- 4 Q. Up until the time you gave this statement, had anybody
5 given you the impression that Mr. Marshall was a suspect?
- 6 A. I had heard something. No, it wasn't at that time. No,
7 nothing, no.
- 8 Q. Nothing. Nothing from the police?
- 9 A. No.
- 10 Q. Let's go through your statement then, Mr. Chant. And the
11 first thing I'd like you to clarify for the Commission from
12 the statement is what this statement says about the route
13 that you took and if possible we'll -- once we have it
14 straight we'll mark it on the map. Now you say: "I left
15 the bus terminal on Bentinck Street. I walked down Bentinck
16 Street. I came over Bing Avenue and started to cross the
17 tracks. I got half way across the tracks." Now, from
18 what that statement says there could you point out for us
19 please the route on the map?
- 20 A. I was basically, in that statement, giving them -- I guess
21 I would be up to about here. But I was more or less telling
22 them what my plans were, I guess, more than what I'd actually
23 given in detail. I don't think I was really familiar with
24 what I was saying as far as being an actual statement. I
25 don't think I really understood the term. That it would be

MAYNARD CHANT, by Mr. Orsborn

1 recorded and used in that -- so I was basically giving him --
2 giving -- giving the detective at that time the statement
3 according to the way I was thinking it in my mind, so.

4 Q. Were you familiar with all these street names around
5 Wentworth Park?

6 A. No, not then.

7 Q. Do you have any recollection of how you were able to
8 identify Bentinck Street and Bing Avenue?

9 A. I knew Bentinck Street but I didn't know Bing Avenue. Even
10 to this day I didn't -- only that I drove down through
11 there this morning coming to court that I remembered the
12 name of the street. Bing Avenue.

13 MR. CHAIRMAN:

14 Would you ask this witness to show us the railway track he crossed
15 or supposed to have crossed?

16 BY THE WITNESS:

17 A. Basically this was the spot that I was saying that I was
18 going to go through the walkway and head up the tracks to
19 George Street.

20 BY MR. ORSBORN:

21 Q. Well, the railroad tracks are those represented in brown on
22 the plan.

23 A. Yeh, I'm more or less giving suggestion here of my intention.
24 I --

25 Q. Okay. Before we get to your intention even, can you offer

MAYNARD CHANT, by Mr. Orsborn

1 any assistance as to how even the words Bing Avenue would have
2 arrived in the statement if you didn't know the street?

3 A. I was -- when I give gesture to the street the -- maybe the
4 officer that was taking the statement had indicated that
5 it was the street name.

6 Q. Was there a map in front of you when you were giving the
7 statement?

8 A. I don't remember if there was a map there. No, I don't think
9 so.

10 Q. Now, you say: "I started to cross the tracks and got half
11 way across the tracks." Now, the tracks are referred to here
12 in brown and noted C.N.R. Tracks and you told us you're not
13 sure whether or not you actually did this or whether it was
14 a statement of your intention?

15 A. Well -- well, --

16 Q. When you say half way across the tracks, what do you mean?

17 A. It -- Just that -- I don't think that I was saying that
18 I was particularly there. I was giving a jest of my --
19 what I was plan on doing. And I think maybe it got misinterpreted
20 to saying that I was half across the tracks. I don't --
21 because I distinctly -- I remember where the point of x is marked
22 that was where I met Mr. Marshall. I didn't -- I wasn't
23 in the park at all. Anywhere, in the park. I -- My intention
24 was to proceed that route. To walk the path and hit the --
25 go to the tracks and then event -- go to -- cause it was
just a short cut. I was just trying to get --

MAYNARD CHANT, by Mr. Orsborn

1 Q. What is the short-cut that you were trying to take?

2 A. The short-cut that I was -- I was just trying to go down
3 through here and walk the tracks and go down.

4 Q. So your intended short-cut --

5 A. It wasn't really much of a short-cut.

6 Q. And perhaps I'll simply put it in a dotted green because
7 we're not really sure if it was an intention or what you
8 actually did or what you actually stated?

9 A. Well, I didn't really even get there.

10 Q. Your intention then was to come down Bentinck Street?

11 A. Yes.

12 Q. And do I -- I understand you'd turn onto Byng Avenue?

13 A. Yes.

14 Q. And it was your intention to cut through the park?

15 A. Just cut the -- Yeh.

16 Q. Across the walkway that --

17 A. Yeh, and go down the tracks.

18 Q. And was it your intention then to actually walk along the
19 tracks?

20 A. Well --

21 Q. Had you done it before?

22 A. I don't know if I done it before.

23 Q. How did you know it was a short-cut?

24 A. Well, I mean, probably in the day time I must have been
25 through there.

MAYNARD CHANT, by Mr. Orsborn

1 Q. I see. So do you recall now what route it was your
2 intention to take?

3 A. Yes.

4 Q. Well, which was it? We've got as far as the tracks. Where
5 were you going to go from there?

6 A. I don't know. Fourteen years -- When I was fourteen I can't really
7 tell you exactly what -- My intention was just to get out to
8 George Street whether way of the tracks or walking down through
9 the park. What I'm saying here is what the statement is
10 giving -- it's giving my intentions, not actually where I
11 got to. As far as where I met -- All I'm saying is --

12 Q. I understand. Let's cut it off at the tracks then if you're
13 not sure where you would have gone from there.

14 A. Yes.

15 Q. We'll mark the green dotted line M.C.-2. Now you then talked
16 about what you saw. You say:

17 "I saw two fellows walking and two
18 more were walking kind of slow,
talking".

19 A. Excuse me.

20 Q. I'm sorry.

21 A. I don't mean to interrupt but I see the confusion. According
22 to the statement that I had given which is this here particular
23 statement, it only holds water to when I get down to go onto
24 Byng Avenue because in -- when I had given this statement I --
25 I don't -- I can't see myself seeing the -- I remember -- I don't

MAYNARD CHANT, by Mr. Orsborn

1 know if it was when I gave the statement that I had -- that
2 the Police Officers had took me down before giving the
3 statement and lined -- helped me to understand where I would--
4 where I would have to be in order to see the matter according
5 to what they had related or according to the incident.

6 Q. We'll come to that. We -- I think we talked about whether or
7 not you had any contact with the police until the Sunday
8 afternoon when they came to your house and if I recall your
9 testimony I think you told us that you had not had any
10 contact with them between the night of the incident and the
11 Sunday when they came to your house or it might have been
12 a later time with which we're speaking now.

13 A. Yeh.

14 Q. Let me make it clear, Mr. Chant, you know, you're not on trial
15 or anything like that.

16 A. No, no, I have no problem.

17 Q. But what we are trying to understand is what somebody reading
18 this at the time would have gleaned from it because like it
19 or not it is a statement and it did, in fact, exist in
20 1971. Someone had to read --

21 A. I know. I just want you to understand also that by getting
22 myself up in a mix-up of what had happened according to
23 give this statement-- this particular statement from the
24 time, to where we leave, to where I had given this statement
25 in '82 as having first contact with Mr. Marshall, none of this

MAYNARD CHANT, by Mr. Orsborn

1 is true.

2 Q. I understand that.

3 A. Okay. Well, you're -- Like you're trying to get me to go
4 through a detail that really never happened, so that's what
5 I'm saying. I never did any of it. My mind is not in any of
6 this statement as far as -- This is a -- This statement is
7 a hearsay or something that I conjured up because I got myself
8 into a fix and I just wanted to state that everything that
9 has been said here is basically on some evidence that I
10 compiled myself or some of -- in reference to what had
11 happened according to what Marshall had told me on the night
12 of the incident and --

13 Q. Well, I was coming up to that because, in fact, you got
14 yourself into a bit of fix because Mr. Marshall had said
15 there were two of them and you nodded some kind of agreement?

16 A. Right.

17 Q. What was to stop you from saying Mr. Marshall said there was
18 two and simply leaving it at that?

19 A. I don't know. I'll be honest with you, the only thing I can
20 say is I felt pressured myself and --

21 Q. You felt pressured?

22 A. I felt pressured by what he -- When he said that I was scared.
23 I felt pressured.

24 Q. Where was that pressure coming from?

25 A. From --

MAYNARD CHANT, by Mr. Orsborn

1 Q. From him?

2 A. --within.

3 Q. From yourself?

4 A. Yeh, I felt pressured within myself, but I -- as I stated
5 before that the way -- because of his appearance and because
6 of the way he said it that I felt -- I was scared and it
7 caused me to say, "yes", that there was two of them, and then
8 realizing what I had done I realized that I would have to --
9 that this particular statement I would have to give reference
10 to that if I said that I had saw two men then I would have
11 to give a statement in reference to saying that I had saw two
12 men.

13 Q. Couldn't you say Mr. Marshall said there were two men?

14 A. I don't know. If you talked to me when I was fourteen I'd
15 be able to tell you, but I can't really -- I couldn't really
16 go back into my mind. Viewing back on it I don't understand
17 why I said what I said. All I know is that I was a person
18 that -- I was intimidated by what had happened. I was full of
19 fear because there was a few circumstances involving --
20 that I would be in fear because I had a fear for the law
21 because I had run in with them before and I was on probation.
22 I was always brought up with a respect attitude, so anything
23 that would cause me to -- cause me to feel pressure would
24 probably cause me to lie or cause me to --

25 Q. Well, the detail that you give in here about seeing two fellows

MAYNARD CHANT, by Mr. Orsborn

1 walking and two more kind of slow, talking, and one
2 fellow hauling a knife out of his pocket and talking for
3 a few minutes. Are you able to say at this time whether or
4 not this was a detail that was provided to you by Mr. Marshall
5 in your contact with him or whether as you suggested it was
6 perhaps something just conjured up by yourself?

7 A. Part of it was relating to what Mr. Marshall had said in my
8 encounter with him that night and possibly some of it was
9 what I had to conjure up, yes.

10 Q. Are you able at this stage to tell us what parts were conjured
11 and which parts were based on what Mr. Marshall told you?

12 A. I'll try.

13 Q. Please.

14 A. Okay. Maybe as you read it through and I'll follow you on it
15 and I could probably give you some indication.

16 Q. You say:

17 "First I seen two fellows walking and
18 two more were walking kind of slow,
talking".

19 A. Well, that's not true. I don't know if -- I probably conjured
20 that up myself.

21 Q. "The two fellows who stabbed Donald
22 Marshall and Sandy Seale, they talked
23 for a few minutes over on Crescent
Street".

24 A. I don't -- It's just that I'm -- I don't think that Marshall
25 told me any of that, no. I probably had to conjure that up.

MAYNARD CHANT, by Mr. Orsborn

1 Q. Conjured it up.

2 "One fellow hauled a knife from his
3 pocket and he stabbed one other
fellow".

4 A. Basically saying that -- thinking that Marshall told me that
5 one of his friends had got stabbed I took the lead from that
6 and that's why I came up and said that, so that it was basically
7 on what -- the evidence that I had received from him to what
8 had happened and that's resulting in why I said that.

9 Q. You say:

10 "So I took off back across the tracks
11 to Byng Avenue and started to walk
towards the bus terminal".

12 A. Well, there's no truth in that again, and basically if I had
13 ended up over there, I had to make a story to get back there.
14 I probably conjured that up.

15 Q. Would you just run that by me again?

16 A. I would have to make that up.

17 Q. Make up a story to get back to where?

18 A. To get back to Byng Avenue.

19 Q. So the reason for that is that you had placed yourself on
20 the tracks, but you had earlier met Mr. Marshall somewhere
21 back on Byng Avenue and you had to get yourself back there?

22 A. That's right.

23 Q. That seems to be fairly sophisticated thinking for a fourteen
24 year old under some degree of stress, that you're able to
25 juggle your route around to fit your story?

MAYNARD CHANT, by Mr. Orsborn

1 A. Yes. It's quite a story. Looking back at it now I don't
2 believe it was me, but -- Like from the statement that I'm
3 looking at now, the story -- I don't picture myself as
4 being that type of a person that would use words or would use
5 that type of -- to tell that type of a thing. Basically,
6 like I said, I found myself in a jam and somehow through the
7 evidence that Mr. Marshall had given me that night and through
8 some other type of evidence that I had heard, this is the only
9 thing that I can think of right now that I would come up with
10 this story.

11 MR. CHAIRMAN:

12 Mr. Orsborn, before we leave the park, Mr. Chant has said that he--
13 earlier that he was not too familiar with the area. Would you
14 inquire of him as to how often he visited Wentworth Park in
15 Sydney when he was a young boy and how often he came to Sydney
16 from Louisbourg, and whether indeed he was aware that there were
17 tracks in the park.

18 BY MR. ORSBORN:

19 Q. Okay.

20 A. Yeh, I knew there were tracks in the park.

21 Q. Were you a frequent visitor?

22 A. I used to -- We used to come in every Sunday to church.

23 I knew my way around Sydney as far as even going with my
24 parents or something and a couple of times I've gone on
25 the train from Sydney to camp which was a summer camp, a

MAYNARD CHANT, by Mr. Orsborn

1 christian summer camp that I attended as a youth to -- in
2 Truro, Camp Evangeline it was called. So I was familiar with
3 the tracks, but I wasn't really familiar with the names of
4 the streets. The only implication I could say that led me to
5 give the name of a street is just that when I indicated
6 the street that I was on, possibly somebody helped me by
7 saying the name of the street to make the statement --

8 Q. Do you recall having been in the Wentworth Park area prior to
9 this night?

10 A. Yes.

11 Q. Do you recall how frequent those occasions would have been?

12 A. No, just that I was familiar just with Sydney basic -- not
13 as much as I was familiar with my home town but growing up,
14 you know, and coming back and forth into Sydney and usually
15 that would be the route that we would take to go to church.

16 BY MR. CHAIRMAN:

17 Q. Where was your church?

18 A. It was on Victoria Road.

19 BY MR. ORSBORN:

20 Q. Can you tell us where that is in relation to the map that we
21 have here now?

22 A. It's up to the -- To the map? In relation to the map?

23 Q. Yes.

24 A. We would probably come down George and keep going out until
25 we hit Charlotte Street, and then from Charlotte Street we

MAYNARD CHANT, by Mr. Orsborn

1 would turn onto Victoria Road.

2 Q. So Victoria Road would be in the upper left of the map then?

3 A. Yeh.

4 Q. Have you had occasion to walk through Wentworth Park previously?

5 A. Yeh.

6 Q. Did you know that there were railroad tracks there?

7 A. Yes.

8 Q. Had you crossed them on occasion?

9 A. Yes.

10 Q. And were you aware that you could take a short-cut through
11 the park from Byng Avenue over to George Street?

12 A. Well, I must have. That was my intention.

13 Q. Do you know if you've done it before?

14 A. I don't remember.

15 Q. You give in this statement a rather detailed description of
16 the men that you say you saw:

17 "One man about six-two, light brown hair,
18 dark pants, suit coat, over two hundred
19 pounds". "The other fellow, six feet
tall, dark pants, dark hair, one sixty-five
pounds".

20 Are you able now to tell us whether or not this was something
21 related to you by Mr. Marshall or something that you conjured
22 yourself?

23 A. It basically might have been something that -- I don't think
24 it came from Mr. Marshall. Basically it might have came
25 from -- While I was giving this statement I felt that the person

MAYNARD CHANT, by Mr. Orsborn

1 that was making -- or taking the statement which would be
2 the detective at that time, was helping me with the statement.
3 It wasn't something that I just ran through and gave it
4 word for word and he copied it down and that was it. I
5 remember exchanging communication with him when I was giving
6 the statement, but to pinpoint the words to actually what he
7 was implicating or what he was saying for me -- Like he wasn't
8 filling my mouth with words but --

9 Q. How was he helping you?

10 A. Well, I imagine by -- first of all, by me saying Byng Avenue,
11 I wouldn't say Byng Avenue.

12 Q. Okay, and I'll ask you as best you can, not to imagine but just
13 rely on your memory.

14 A. That's all I can do is imagine or rely according to what had
15 happened. I can't really -- The only real things that are
16 really imbedded as far as memory is concerned is basically
17 the truth of the event that night. Everything else that --
18 Even looking back over this statement, it doesn't even seem
19 to be the person that I am as far as --

20 Q. The description that is given here of the men, do you recall
21 Mr. Marshall giving you that kind of detail in the car?

22 A. I really couldn't say that he did, no.

23 Q. I'm sorry.

24 A. I really couldn't say that he did give me that full a
25 description.

MAYNARD CHANT, by Mr. Orsborn

1 Q. Well, if he didn't give you that description is it fair to
2 say that you made it up?

3 A. You could say that. I'll probably say that just for to say it.

4 Q. No, I don't want you to say it just for saying it.

5 A. No, well, what I'm saying is I don't know where it came from.

6 Q. Did the police suggest it to you?

7 A. I can't specifically remember them saying that, no.

8 MR. CHAIRMAN:

9 Again before we leave that area, could you get some indication
10 as to whether this witness between the time of the incident
11 and the time of making the statement read anything in the Press
12 about the occurrence of that evening or heard anything on radio
13 or --

14 BY MR. ORSBORN:

15 Q. On the Saturday that you were home in Louisbourg and on the
16 Sunday when you had these discussions with the police, do you
17 recall hearing anything about the incident on the radio,
18 television, or in the newspaper?

19 A. It's -- It doesn't seem to be in my -- I don't think. I can't
20 seem to remember anything to that or hearing anything or --

21 Q. Was it family members?

22 A. I heard somebody saying that the young -- Sandy Seale never
23 made it.

24 Q. I'm sorry.

25 A. I heard my mother telling my father or something that --about

MAYNARD CHANT, by Mr. Orsborn

1 the young boy that was stabbed never made it.

2 Q. A day later?

3 A. Yeh. Something else I'm a bit confused with is why I'm saying
4 what I'm saying. I don't remember -- I remember some Officers
5 taking me to the park and going through the whole incident
6 of what had happened and telling me if I had been standing at
7 such and such you wouldn't have saw this or you had to be
8 standing back. I remember that -- I remember, you know, them
9 helping me get a clear sight on to what I was to see.

10 Q. Was this before or after you implicated Mr. Marshall?

11 A. I don't know in the time period if it was before or if it was
12 after. I'm trying to remember that but I can't just seem to
13 bring it -- I can't really bring it into, you know, proper --

14 Q. Okay. Well, perhaps we'll talk about that in the context of
15 the second statement that you gave, but are you able now to
16 offer any assistance at all as to the possible source of this
17 very detailed description. We've got two or three possible
18 sources. We've got Mr. Marshall, we've got the police, we've
19 got perhaps radio, television, and we've got your own memory
20 or your own imagination of -- There may be others, but of
21 those possible sources can you give us any assistance at all
22 as to where this detail may have come from?

23 A. No. Basically like I say it would either have to be something
24 I conjured up to make --

25 Q. When you would -- I'm sorry.

MAYNARD CHANT, by Mr. Orsborn

1 A. I'm sorry.

2 Q. Go ahead.

3 A. To make the story believable, I guess, because I felt like I
4 said before that I had gotten myself into something -- I don't
5 know why I just didn't say -- At that particular time I thought
6 that I was helping, I thought that I was -- I never really
7 even thought of it as -- I knew I was doing something wrong
8 but I never really thought of it as really lying. I thought
9 I was just basically giving a story that was told to me.
10 By looking at this, I never thought that I had given such a
11 detailed statement.

12 Q. So what we have from Mr. Marshall saying that there were two
13 of them and from whatever information Mr. Marshall told you
14 in the car we end up with this particular statement of what
15 happened?

16 A. Particular statement, yes.

17 Q. Is there any reason why you didn't mention in this statement
18 that Mr. Marshall and his friend had been jumped or there
19 was a ruckus?

20 A. I don't know. I don't know.

21 Q. And you, in fact, signed the statement I believe?

22 A. Oh, yes.

23 Q. Did you know it was false when you signed it?

24 A. Well, I knew it wasn't true. I was bothered by it. I --

25 Q. When you conjured up stories to your parents to protect yourself

MAYNARD CHANT, by Mr. Orsborn

1 would you conjure up this kind of detail in telling
2 stories?

3 A. No, I usually didn't get away with it. I usually ended up
4 telling the truth after all anyway to her--to my family,
5 parents, but if I was to cover up something I probably, you
6 know -- They could probably see right through it. I wasn't --
7 I'm not that type of a person today to be that much in detail
8 even through hunting or -- I do a lot of hunting or I do a
9 lot of public speaking. I don't -- Unless there's something
10 that I'm taking a description from a book, I don't really get
11 too much into the detail.

12 Q. But you did tell us a few minutes ago that you felt this kind
13 of detailed description was probably conjured up by yourself?

14 A. Yes, but it had to be through the influence of something. I
15 really believe that. I don't think I'd just, you know, pick
16 it out of my mind. I don't think that -- Going by what like
17 I said Seale had told me or somebody else had implicated, but
18 I can't remember who it was.

19 Q. You say what Seale had told you, do you mean Mr. Marshall?

20 A. Excuse me, I'm sorry, Marshall, yes. I don't remember who it
21 was that gave me the -- I couldn't say really any -- gave me
22 the information to say because most of it is, like I say, most
23 of it is just -- came out of my -- you know, conjured up.

24 Q. And the only thing I think you've told us if I understand you
25 correctly, the only thing that was preventing you from telling

MAYNARD CHANT, by Mr. Orsborn

1 the truth at this time was you felt you were in a jam because
2 you had agreed with Marshall when he said there was two of
3 them?

4 A. Yes.

5 Q. Is that correct? That's the only thing that was stopping you
6 from telling the truth?

7 A. At that time, that I was in a jam and I was -- Yeh, I was
8 afraid. I was probably afraid of him. I never really
9 considered the, you know, consequences of it all and I just --
10 I didn't really probably understand the extent of what was
11 happening.

12 Q. The statement is shown as having lasted about twenty minutes,
13 from five fifteen to five thirty-five. Do you recall if you
14 were talking to Sergeant MacIntyre any longer than that at
15 this time?

16 A. I don't -- I couldn't say. I don't remember that.

17 Q. Do you recall when you came out if Mr. Marshall was there?

18 A. I don't remember that neither. I don't think so. There was
19 nobody there that I remember.

20 Q. What was it again?

21 A. There was nobody that I remember, I'm sorry.

22 Q. You don't recall seeing John Pratico there?

23 A. I don't know. I don't think. I don't remember.

24 Q. Do you recall how you got home from Sydney?

25 A. No, I don't really remember that.

MAYNARD CHANT, by Mr. Orsborn

1 Q. Did the fact that you had signed this false statement bother
2 you?

3 A. Quite a bit. It -- not that -- I thought I was helping. I
4 really didn't -- I knew what I was saying wasn't true but
5 I didn't really think of it as being everything that it was,
6 that it would turn up into going to Court. I never really
7 understood the impact of what was happening at that time. I
8 just thought that I was telling a story and if I exaggerated
9 or told something that was told to me or relayed something
10 that I heard I wasn't really doing anything -- but I knew
11 I was doing wrong but I didn't realize the impact of the wrong
12 that I was doing. I was just more or less trying to ease the
13 tension that I probably felt at that time, and fear, and
14 being put on the spot.

15 Q. So what you were relating then was what you thought might have
16 happened?

17 A. Yes, depending upon what I heard and what I assumed myself, yes.

18 MR. PUGSLEY:

19 With respect, My Lord, I don't want to interfere with my friend's
20 examination but this witness and other witnesses are particularly
21 suggestive and it's difficult if my friend does not make this
22 an examination-in-chief and I don't ascribe anything other than
23 good intentions to him in an attempt to get the facts out before
24 the Commission but I would ask for Your Lordship's guidance on
25 my friend leading in areas that are a bit, a bit tender.

MAYNARD CHANT, by Mr. Orsborn

1 MR. ORSBORN:

2 I have no intention to lead the witness as such, My Lord, but
3 given the nature of the testimony and the general uncertainty
4 surrounding the testimony, the attempt has been at times to
5 summarize what the witness has said or to ask him if I've
6 understood him correctly. I certainly have no intention of
7 leading the witness.

8 MR. CHAIRMAN:

9 I appreciate that and Commission Counsel in Inquiries of this
10 kind are in somewhat of an unusual position and they are -- they --
11 It is not quite the same as appearing before Court. They have an
12 obligation to try -- to test the credibility of what normally
13 would be regarded as their witness. This man is not their
14 witness.

15 MR. PUGSLEY:

16 Yes.

17 MR. CHAIRMAN:

18 And it's inevitable that there will be, I suggest, cross-examination
19 by Commission Counsel. There would be criticism of Commission
20 Counsel I would suspect if there wasn't.

21 MR. PUGSLEY:

22 I can certainly understand that, My Lord.

23 MR. CHAIRMAN

24 And hopefully a lot of the testing of the credibility of witnesses,
25 particular witnesses whose evidence appears to be very vital to this

MAYNARD CHANT, by Mr. Orsborn

1 Inquiry and some of the issues in this Inquiry, that there will
2 be that kind of examination that we've experienced this morning
3 and I can't find anything wrong with it.
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