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Vol 248
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ROYAL COMMISSION ON THE
DONALD MARSHALL, JR., PROSECUTION

VOLUME XIII

Held: September 25, 1987

At: St. Andrew's Church Hall
Bentinck Street
Sydney, Nova Scotia

Before: Chief Justice R. A. Hickman, Chairman
Assoc. Chief Justice L. A. Poitras, Commissioner
Hon. G. T. Evans, Commissioner

Counsel: George MacDonald, Q.C., Wylie Spicer, & David Orsborn:
Commission Counsel

Clayton Ruby, Ms. Maryls Edwardh, & Ms. Anne S. Derrick:
Counsel for Donald Marshall, Jr.

Michael G. Whalley, Q.C.: Counsel for City of Sydney

Ronald N. Pugsley, Q.C.: Counsel for John F. MacIntyre

Donald C. Murray: Counsel for William Urquhart

Frank L. Elman, Q.C., & David G. Barrett:
Counsel for the Donald MacNeil estate

Jamie W. S. Saunders, & Darrel I. Pink:
Counsel for Attorney General

James D. Bissell: Counsel for the R.C.M.P.

Al Pringle: Counsel for Correctional Services Canada

William L. Ryan: Counsel for Evers, Green and McAlpine

Charles Broderick: Counsel for Carroll

S. Bruce Outhouse: Counsel for Wheaton & Scott

Guy LaFosse: Counsel for Davies

Bruce H. Wildsmith: Counsel for Union of N. S. Indians
Assisted by Daniel Christmas

E. Anthony Ross, & Kevin Drolet: Counsel for Oscar N. Seale

E. Anthony Ross, & Jeremy Gay: Counsel for Black United Front

Court Reporters: J. Graham Robson, & Judith M. Robson, OCR, RPR

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COURT REPORTER'S CERTIFICATE MM

INQUIRY RECONVENED AT 8:06 o'clock in the forenoon on Friday, the 25th day of September, A.D., 1987, at Sydney, in the County of Cape Breton, Province of Nova Scotia

1 MR. CHAIRMAN:

2 Well, now, we're back on the rails.

3 MR. SPICER:

4 I think so, My Lord. The first witness that we would intend to
5 call this morning is Mrs. Pratico. Having spoke with her
6 yesterday and again yesterday after we broke up, I've concluded
7 that she's not prepared to give testimony with the t.v. cameras
8 present and having observed her, I think perhaps it's in every-
9 body's best interest that she be permitted to give her testimony
10 without the presence of the t.v. cameras. I don't think her
11 testimony is going to be of very great duration. Under the
12 circumstances, I'd ask that the t.v. cameras be taken down and
13 that the lights be turned off so that she can give her testimony.

14 MR. CHAIRMAN:

15 What's her first name?

16 MR. SPICER:

17 Margaret.

18 MR. CHAIRMAN:

19 I gather it's not very significant testimony.

20 MR. SPICER:

21 No.

22 MR. CHAIRMAN:

23 Any other counsel wish to be heard?

24 NO RESPONSE

25 MR. CHAIRMAN:

Yesterday we had intended to proceed to hear the testimony of Mrs.

DISCUSSION BETWEEN COMMISSION AND COUNSEL

1 Margaret Pratico and it became very obvious that she was not in
2 a satisfactory condition to give meaningful testimony with the
3 television lights blazing. Commission Counsel spent some time
4 with her in the -- to reassure her. I also met with her briefly
5 and it's clear to me that it would be that she cannot be expected
6 to give her testimony under these circumstances. We're satisfied
7 the television cameras would be so intrusive in the case of
8 Margaret Pratico that we're satisfied that it would totally
9 inhibit her giving reliable evidence. And I repeat what I said
10 earlier, the banning of television cameras in no way constitutes
11 this a closed hearing because tape recorders and microphones and
12 notebooks are permitted to stay. It's the view of all three of
13 us that it would be very much against the public interest if we
14 attempted to force Margaret Pratico to give her evidence under
15 the glare of television cameras.

16 It is ordered therefore that the television lights be turned
17 out -- turned off, rather, during the testimony of Margaret
18 Pratico and the cameras removed.

19 MR. SPICER:

20 Thank you, My Lord.

21 MR. CHAIRMAN:

22 Will that take any --

23 MR. SPICER:

24 I don't know how long that will take. Perhaps a couple of minuts.
25 Perhaps we could break while they're doing that.

DISCUSSION BETWEEN COMMISSION AND COUNSEL

1 | MR. CHAIRMAN:

2 | While the television cameras are being removed for the information
3 | of counsel and the press and other interested citizens, when we
4 | adjourn today, we will adjourn to Tuesday, October 6th, 1987, at
5 | nine-thirty and we will then sit for four days that week. We
6 | anticipate then it is necessary to have a two-week recess and then
7 | we will return on October the 26th for three weeks of hearings
8 | at a minimum, probably more. We realize that we are -- that
9 | additional witnesses which is inevitable in inquiries of this
10 | kind have been added and others may turn up during the hearings
11 | so we're somewhat behind and we have to expand our -- increase
12 | the number of days of sittings in Sydney. When we commence our
13 | adjourned hearings on October the 26th, we will then go into four-
14 | day a week sittings which will give us the same number of
15 | hours but will allow counsel and everyone else to have Fridays
16 | free to attend to their other duties and it will allow us, as
17 | judges, to attend to our duties and we'll all be very dutiful.
18 | And with this one rider nebulous qualification, we may in a moment
19 | of uncontrolled insanity move into night sittings on rare occasions
20 | if the need arises but I hope that that won't happen except in
21 | times of great emergency which undoubtedly will arise. That should
22 | be vague enough to confuse everyone.

23 | Now are you ready, Mr. Spicer?

24 | MR. SPICER:

25 | I think so, My Lord.

DISCUSSION BETWEEN COMMISSION AND COUNSEL

1 MR. MURRAY:

2 My Lord, before the witness comes in, I take it that the same
3 procedure will be followed as with John Pratico that we will keep
4 a tape, an audio tape, at least, of these proceedings.

5 MR. CHAIRMAN:

6 Yes, and I would ask counsel if -- I think it would be appropriate
7 again for counsel to sit when examining this witness.

8 MARGARET PRATICO, being called and duly sworn, testified as
9 follows:

10 BY MR. SPICER:

11 Q. What's your full name, Mrs. Pratico?

12 A. Margaret Pratico.

13 Q. Where do you live, Mrs. Pratico?

14 A. 183 Bentinck Street.

15 Q. I'm sorry?

16 A. 183 Bentinck Street.

17 Q. Okay, and you're John's mother?

18 A. Yes, sir.

19 Q. You heard some of the testimony that John gave the last couple
20 of days?

21 A. Yes, sir. Yeh.

22 Q. Can you help us at all with what John's condition was around
23 1970 or so, 1969, 1970, just prior to the stabbing in 1971?

24 A. Well, '69?

25 Q. '70, '71, in that period of time.

MARGARET PRATICO, by Mr. Spicer

1 A. Well, in '71, his nerves were bad.

2 Q. In '71, his nerves were bad.

3 A. Yeh, yeh.

4 Q. Were his nerves bad prior to the incident on May 28th?

5 A. Well, I can't recall that. Wait a minute. '71, they were,
6 like, you know after this here took --

7 Q. After. I understand.

8 A. -- this here took place, yeh.

9 Q. Can you give us any indication of what his condition was just
10 prior to the stabbing?

11 A. Well, he seemed to be all right.

12 Q. He seemed to be all right.

13 A. Yeh. That's right.

14 Q. Are you able to tell us whether or not he was taking any
15 medication in 1971 prior to the stabbing?

16 A. Oh, I can't recall that. Not until after he come back from
17 the Nova Scotia Hospital did he take pills.

18 Q. Okay.

19 A. So I couldn't say really.

20 Q. And you don't have any recollection of whether or not he
21 was on medication prior to the stabbing?

22 A. No.

23 Q. Okay. John gave us some testimony that he was doing a fair
24 amount of drinking?

25 A. Yes, sir.

MARGARET PRATICO, by Mr. Spicer

1 Q. Were you aware of that?

2 A. Oh, yes, I -- he drank quite a bit, yes, sir.

3 Q. Drank quite a bit.

4 A. Yeh.

5 Q. And was he drinking quite a bit in 1970 and 1971?

6 A. Oh, no, not in '70, no. '71, there, he was a bit. He
7 drank some in '70 but not that heavy. In '71, he drank quite
8 a bit.

9 Q. He drank quite a bit in '71.

10 A. '71, yeh.

11 Q. Are you able to tell us what his drinking habits were in
12 early 1971 just prior to the stabbing?

13 A. Oh, I couldn't tell you exactly there because he felt like,
14 you know, like --

15 Q. Can you -- I know it's difficult for you but if you could
16 try and speak up just a little bit. And if I don't hear your
17 answer, then I'll repeat it and if I get it wrong, you tell
18 me I got it wrong.

19 A. Yes.

20 Q. Was John in school in 1971 prior to the stabbing? Was he
21 still going to school?

22 A. Yes, he tried to went back, yes, at Sydney Academy and that
23 someone -- they sent him up to what school --

24 Q. When you said he went back --

25 A. Yeh, he did.

MARGARET PRATICO, by Mr. Spicer

1 Q. -- was that before or after the stabbing?

2 A. After.

3 Q. After, right, okay.

4 A. Yeh.

5 Q. Before the stabbing in 1971, was he still going to school during
6 that school year or do you remember?

7 A. I can't remember to tell you the truth.

8 Q. You can't remember?

9 A. No.

10 Q. Okay.

11 A. I know when he came back, he wanted to try to go back to school
12 but he --

13 Q. Yeh, that's after he came back from the Nova Scotia Hospital.

14 A. Yeh, but his nerves, he couldn't so --

15 Q. Right and that was later on. We'll get to that in a few
16 minutes, okay.

17 A. Yeh.

18 Q. On the night of the stabbing, do you remember John leaving
19 to go to the dance?

20 A. Well, he went out early. I can't exactly say what time he
21 went out. He went out early in the evening but I can't say
22 definitely what time he went out. I don't know really know
23 what time he went out.

24 Q. Sure. Did you give him money to go to the dance that night?

25 A. No, sir. No.

MARGARET PRATICO, by Mr. Spicer

- 1 Q. Did you give him money to go to the dance that night?
- 2 A. No, sir.
- 3 Q. And when -- Did you see him when he got home from the dance?
- 4 A. Yes, sir.
- 5 Q. Okay, and what do you remember about him when he got home from
- 6 the dance that night?
- 7 A. Well, that he come home and his shirt was -- had blood stains
- 8 on it and I asked him where he got it, eh. He said he got
- 9 into a fight with a young fellow at the dance.
- 10 Q. Okay, so you're saying he came home, had blood stains on his
- 11 shirt and he told --
- 12 A. On his shirt, yes.
- 13 Q. On his shirt.
- 14 A. Yeh.
- 15 Q. He told you he got them from a fight.
- 16 A. At the dance.
- 17 Q. Fight at the dance.
- 18 A. Yeh.
- 19 Q. All right, did he say anything to you about seeing a stabbing?
- 20 A. No, he never mentioned a thing, nothing to me about that, no,
- 21 sir. No.
- 22 Q. Did the two of you used to talk pretty freely?
- 23 A. Yeh but that, he never discussed anything like that. He
- 24 never mentioned anything like that.
- 25 Q. As his mom, do you think that if he had seen anything that

MARGARET PRATICO, by Mr. Spicer

1 | night he would have told you?

2 | A. He would have mentioned it. Yeh he would have said something
3 | to me.

4 | Q. Do you have any recollection of what kind of condition he
5 | was in when he got home from the dance?

6 | A. Oh, he wasn't in too bad a shape. He did sit down a few
7 | minutes. Then he went to bed.

8 | Q. Okay. Are you able to tell us whether you think he'd been --
9 | whether you thought he'd been drinking that night?

10 | A. Well, he had been drinking but he was --

11 | Q. He had been.

12 | A. -- but he was okay when he got home.

13 | Q. I'm sorry.

14 | A. He was all right when he got home, like, you know.

15 | Q. He was all right when he got home. Is that what you said?

16 | A. Yeh. But I mean he wasn't drunk or but he had been drinking,
17 | you know, earlier in the evening.

18 | Q. So you talked for a few minutes and then he went to bed.

19 | A. Yes, sir. Yeh.

20 | Q. Okay. When's the first time that you knew anything about the
21 | stabbing?

22 | A. Oh, I turned the radio on in the morning and they said somebody
23 | got hurt in the park and Johnny woke up and asked what happened.
24 | I said, "Somebody got hurt in the park." He said, "Who?" I
25 | said, "I don't know."

MARGARET PRATICO, by Mr. Spicer

1 Q. Okay, just -- just a sec.

2 A. Yeh.

3 Q. I'm just going to slow it down a little bit. You're saying
4 that John woke up in the morning. What did he say?

5 A. He asked me "Who got hurt? What happened in the park?" I
6 said, "Somebody got hurt." He said, "Who?" I said, "I don't
7 know; they didn't say." And he got dressed and went out.

8 Q. Okay, John got dressed and went out on the Saturday?

9 A. Yes, sir. Yeh.

10 MR. CHAIRMAN:

11 I'm afraid you're going to have to repeat some of the answers,
12 Mr. Spicer.

13 MR. SPICER:

14 Yes.

15 MR. CHAIRMAN:

16 What the answer was when John asked his mother what happened in
17 the park.

18 BY MR. SPICER:

19 Q. Did you hear the Chairman's question? He'd like you to repeat
20 your answers to what you said when John asked what happened
21 in the park.

22 A. I told -- He asked what happened and I said, well, -- he said
23 -- and I said, "Somebody got hurt." "Did they say who?" I
24 said, "No, they didn't say who."

25 MR. SPICER:

She's saying that somebody got hurt and John said, "Did they say

MARGARET PRATICO, by Mr. Spicer

1 | who?" and Mrs. Pratico said, "No."

2 | BY THE CHAIRMAN:

3 | Q. You heard this on the radio, Mrs. Pratico?

4 | A. Yes, on the radio in the morning.

5 | Q. Thank you.

6 | BY MR. SPICER:

7 | Q. And I think you were saying that John then got dressed and
8 | went out?

9 | A. Yes, sir. Yeh.

10 | Q. Okay. Do you remember him coming home later on that day?

11 | A. Yeh, it was late in the afternoon he came home.

12 | Q. Late in the afternoon when he came home.

13 | A. Oh, I'd say -- that fellow's got that camera over there.

14 | Q. No, that's not a t.v. camera.

15 | A. About five o'clock I think it was when Johnny came home,
16 | around five. Somewhere around that.

17 | Q. Okay, he came home around --

18 | A. I'd say around five, yeh.

19 | Q. Around five. Did he say anything to you when he came home on
20 | the Saturday about whether or not he'd seen Junior Marshall
21 | that day?

22 | A. No, he didn't.

23 | Q. He did not?

24 | A. No, sir. No.

25 | Q. Now John's given some testimony that he -- there were two

MARGARET PRATICO, by Mr. Spicer

1 | statements taken from him by the Sydney Police Department
2 | in the days following the stabbing. Do you remember Sergeant
3 | MacIntyre coming to your house to take John down?

4 | A. Yes, sir. Yes. I remember, yeh.

5 | Q. Do you remember that happening?

6 | A. MacIntyre come to the home, yes.

7 | Q. Okay. Now if you could just slowly take us through what you
8 | remember of that and if you could just try and speak up a
9 | little bit. He came to the door?

10 | A. He came and I answered the door and then they came in and
11 | he said, "Where's John?". I said, "He's in bed." --

12 | Q. Okay, just a sec. I'm going to repeat some of this for the
13 | benefit of their Lordships and the others here. He came to
14 | the door and asked "Where's John?".

15 | A. He knocked at the door and I answered and he came in and he
16 | said, "Where's John?" and I said, "He's in bed.".

17 | Q. He's still in bed.

18 | A. Yes.

19 | Q. Yes, and would this be Sergeant MacIntyre?

20 | A. Yes, sir.

21 | Q. Okay. And what did Sergeant MacIntyre say --

22 | A. He said, "Would you get him up? I want him." I said, "Fine.".

23 | Q. Just a sec. He said, "Get him up. I want him."?

24 | A. He wanted John. He was going to -- yes, sir, he wanted Johnny.

25 | Q. He wanted Johnny?

MARGARET PRATICO, by Mr. Spicer

- 1 | A. Yeh.
- 2 | Q. And you said, "Just a sec."?
- 3 | A. Yeh. And I went in --
- 4 | Q. Okay, then what did you do? Go and get him up?
- 5 | A. I went in and I told John to get up because Mr. MacIntyre wanted
- 6 | you, so he got up.
- 7 | Q. Do you remember what time of the day that was, Mrs. Pratico?
- 8 | A. Oh, I couldn't know roughly. I don't know what time it was.
- 9 | Q. If John was still in bed --
- 10 | A. Yes, sir.
- 11 | Q. -- would it have been in the morning?
- 12 | A. In the morning.
- 13 | Q. In the morning.
- 14 | A. Yes, sir.
- 15 | Q. Okay. So you go and get him up and what did you tell him?
- 16 | A. I told him Mr. MacIntyre wanted him so he come out.
- 17 | Q. Did he express any surprise about being wanted down the
- 18 | station?
- 19 | A. Well, he didn't say nothing. He didn't show anything like,
- 20 | you know.
- 21 | Q. I see. And did he go with Sergeant MacIntyre?
- 22 | A. Yes, sir. He went, yeh.
- 23 | Q. Did Sergeant MacIntyre say anything to you about whether or
- 24 | not you should come along?
- 25 | A. Mr. MacIntyre said to me "Do whatever you got to do," he said,

MARGARET PRATICO, by Mr. Spicer

1 "do it." And then he said, "Take your little girl and come
2 up to the station."

3 Q. Okay, just hold on. Do I understand you correctly what he
4 said to you: "Finish what you've gotta do, whatever you
5 gotta do.".

6 A. Yeh, and then come up to the station.

7 Q. And then come along up to the station.

8 A. Yes, sir.

9 Q. Okay. Did you ask Sergeant MacIntyre why he was taking
10 Johnny to the station?

11 A. No, sir. I didn't.

12 Q. Did he tell you why he was taking him to the station?

13 A. No.

14 Q. No. Did you have any idea, then, why Johnny was being taken
15 to the station?

16 A. No, really I didn't know.

17 Q. You had no idea at all?

18 A. No.

19 Q. Okay. All right, so we'll just follow along. Then he left
20 with Sergeant MacIntyre?

21 A. Yes, sir.

22 Q. And did you then finish what you had to do --

23 A. Before he left, Mr. MacIntyre asked what he looked like
24 before he left the house, like, what he was dressed like.

25 Q. I'm sorry, I didn't hear that?

MARGARET PRATICO, by Mr. Spicer

1 A. Mr. MacIntyre asked me what he looked like when he came home.
2 And I told him about the shirt and that and he asked me for
3 his shirt. He asked me for Johnny's shirt.

4 Q. Okay.

5 A. The shirt he had on that night at the dance.

6 Q. Did he ask you for the shirt that he had on at the dance?

7 A. Yes, sir, yeh.

8 Q. Before you left?

9 A. Before they left to go up to the station, yes.

10 Q. Before they left to go up to the station?

11 A. Yes, sir, yeh.

12 Q. Do you have any idea why he would have asked for that shirt?

13 A. Well, he asked and I told him about the blood being on it and
14 Johnny had gotten into a fight but I gave him the shirt.

15 Q. Did you tell Sergeant MacIntyre that Johnny come home
16 with a shirt that had blood on it?

17 A. Yes, sir, because he asked once and I told him about the
18 blood being on the shirt, and he asked me for the shirt.

19 Q. Okay. Just a sec, though. What was it? What was it that
20 Sergeant MacIntyre asked you that made you tell him that
21 he came home with a shirt with blood on it?

22 A. Well, then, he didn't say -- He just asked me what he looked
23 like and I told him, I said, about he had come home, I said,
24 with blood on his shirt. And he asked me for the shirt and
25 he asked me for the shirt and I give it to him.

MARGARET PRATICO, by Mr. Spicer

- 1 Q. Well, was Sergeant MacIntyre then asking you if what --
- 2 A. What did he look like when he come home.
- 3 Q. What he looked like when he came home from the dance.
- 4 A. Yeh, from the dance, yeh.
- 5 Q. Okay. So did you -- did you then know that he was taking
- 6 him down to the station had something to do with the dance?
- 7 A. And well, I don't know what it had to be about, really. I
- 8 don't know, really, because he didn't say too much to me.
- 9 Q. In any event, Sergeant MacIntyre -- you gave him that shirt.
- 10 A. Yes, sir.
- 11 Q. And he took it away with him?
- 12 A. Yes, sir.
- 13 Q. Had it been washed in the meantime?
- 14 A. No, no.
- 15 Q. It hadn't been.
- 16 A. No, it wasn't. No.
- 17 Q. Have you ever seen that shirt again?
- 18 A. No, sir. No.
- 19 Q. Okay. They leave together. Johnny and Sergeant MacIntyre go
- 20 down to the station.
- 21 A. Yes, sir.
- 22 Q. You finish what you have to do.
- 23 A. Yes.
- 24 Q. Do you then go on to the station yourself?
- 25 A. I took my little girl and I walked up to the station. Yeh. I

MARGARET PRATICO, by Mr. Spicer

1 | went up to the police station.

2 | Q. Okay, so you and your daughter walked up to the station.

3 | A. Yeh, sir, yeh.

4 | Q. And what do you do when you get there?

5 | A. I got there and I was talking to Mr. MacIntyre and --

6 | Q. Did -- What -- Did Mr. MacIntyre come out to see you?

7 | A. Yes, sir, I was talking to him but I didn't see Johnny, though.

8 | Q. You didn't see Johnny?

9 | A. No, no.

10 | Q. And when Sergeant MacIntyre came out to see you, what -- do
11 | you remember the conversation?

12 | A. I asked him what was going on. He said him and John, they're
13 | going to have a busy day at the park.

14 | Q. He said that he and John were going to have a busy day at the
15 | park?

16 | A. Were going to have a busy day at the park.

17 | And I said, "What about Johnny's meals?" He said, "I'll see
18 | to it Johnny gets something -- gets his meals."

19 | Q. Okay. After -- After he had said, "We're going to have a
20 | busy day at the park.", you inquired about Johnny's meals.

21 | A. Yes, sir.

22 | Q. Like a good mother.

23 | A. And he said -- well, he said, "I'll see that he'll get his
24 | meals." and I left. That was all the conversation we had.

25 | Q. Okay, and Sergeant MacIntyre said, "I'll see that he gets his

MARGARET PRATICO, by Mr. Spicer

1 meals."

2 A. And then I left. That was all the conversation we had and I
3 left.

4 Q. That was the extent of it?

5 A. Yes, sir.

6 Q. Was there any suggestion by Sergeant MacIntyre that you come
7 along to the park?

8 A. No, sir, no.

9 Q. Was there any suggestion by Sergeant MacIntyre that you sit
10 in on any meetings --

11 A. No, sir, no.

12 Q. No?

13 A. No, sir. No.

14 Q. Okay. Did you ask any more questions of Sergeant MacIntyre?

15 A. No, sir, no.

16 Q. Were you not curious as to what your son was doing down
17 there?

18 A. Well, I mean I was confused myself and I didn't know what was
19 going on and I didn't --

20 Q. Okay, you were confused yourself and you --

21 A. Yeh, it was too much.

22 Q. You didn't know what was going on.

23 A. No, no, really, no, I didn't.

24 Q. Did you think on that day that you had any right to ask whether
25 or not you could stay?

MARGARET PRATICO, by Mr. Spicer

1 A. Well, I guess but I didn't think of it, you know, like, you
2 know.

3 Q. Didn't think of asking?

4 A. No, really, no, I didn't. No.

5 Q. Did you see any other police officers in the station
6 that day other than Sergeant MacIntyre?

7 A. No, I can't recall seeing anybody else there.

8 Q. Did you see Johnny at all?

9 A. Not that day after MacIntyre told him took him to the station,
10 no, sir. No. Not until he come home.

11 Q. Okay, and you didn't --

12 A. Any more until he come home.

13 Q. -- see Johnny at the station.

14 A. No.

15 Q. And you didn't see him at the station.

16 A. No. No, sir.

17 Q. You didn't see him again until he got home.

18 A. Yes, sir. No, I never seen him until he got home.

19 Q. When he got home, did he tell you what he'd been doing during
20 the day with Sergeant MacIntyre?

21 A. I don't think so. I can't recall him saying anything. No,
22 I can't recall of him saying anything really.

23 Q. I'm sorry?

24 A. I can't recall of him saying anything when he came home, really.

25 Q. I can't recall him saying anything when he got home?

MARGARET PRATICO, by Mr. Spicer

- 1 A. No, which I don't think he did.
- 2 Q. Did you ask him what he was doing down there?
- 3 A. No, I don't think I did. Really, no.
- 4 Q. No. Did you subsequent to Sergeant MacIntyre taking Johnny
5 down to the station, a couple of days later did you have a
6 visit from Tom Christmas?
- 7 A. Well, it was in the night time when he came to my door. It
8 was in the night -- it was in the evening when they came.
- 9 Q. All right. Now let's just take our time for a sec. Did the
10 incident involving Tom Christmas take place after Johnny had
11 gone down to the station that day?
- 12 A. No, no. No, sir. No.
- 13 Q. Not on the same day but on another day later?
- 14 A. No, it wasn't the same day. I'm sure of it.
- 15 Q. No. Was it a few days later?
- 16 A. Now it could have been a week or it could have been a few
17 days. I can't really say for sure.
- 18 Q. Okay, but it was after the day that he went to the station.
- 19 A. Oh, it was after that, yeh.
- 20 Q. Okay. All right, so he -- Tom Christmas comes during the
21 evening?
- 22 A. Yeh, it was in the evening.
- 23 Q. And is there anybody with him?
- 24 A. Pardon?
- 25 Q. Did he have Howard Hawkins with him?

MARGARET PRATICO, by Mr. Spicer

- 1 A. -- was with him. Howard Hawkins was with him.
- 2 Q. Right. Okay. And what happened?
- 3 A. Well Howard Hawkins came through the door. He knocked at the
4 door.
- 5 Q. Okay, Howard Hawkins came to the door and knocked at the door.
- 6 A. Yes, and he said, "Is John in?" I said, "Yes.". He said,
7 "Somebody wants to see him." I said, "Who?"
- 8 Q. Just a sec. This is Howard Hawkins who's talking now?
- 9 A. Yes, sir, yes.
- 10 Q. And he said, "Somebody wants to see Johnny."?
- 11 A. Yes, and I said, "Who?".
- 12 Q. Did he say who wanted to see John?
- 13 A. He said the Christmas fellow. And I said, "What for?", and
14 he didn't say so I went down out to the end of the step and
15 I told them to leave so they both left. Never said nothing.
16 They left.
- 17 Q. Now in the meantime -- just a sec. In the meantime when you
18 said you went down to the bottom of the step and --
- 19 A. Out -- just out at the end of the veranda like.
- 20 Q. And told them to leave?
- 21 A. Yeh.
- 22 Q. And did you see anybody other than Mr. Hawkins at that time?
- 23 A. Yes, the other fellow was there. The other -- the Indian
24 boy was there with him --
- 25 Q. That was Mr. Christmas.

MARGARET PRATICO, by Mr. Spicer

- 1 | A. Yes, sir, yes.
- 2 | Q. Where was Johnny at this time?
- 3 | A. In the house. In the front room.
- 4 | Q. In the house?
- 5 | A. In my front room.
- 6 | Q. Sorry?
- 7 | A. He was in my dining room at the time.
- 8 | Q. In your dining room.
- 9 | A. Yes, sir.
- 10 | Q. And did he -- do you know whether or not he knew that these
- 11 | guys had arrived at the front door?
- 12 | A. Yes, I told him who had been there. Yes, I did mention it
- 13 | to him.
- 14 | Q. Did you tell him that they had been there after they left,
- 15 | or did he know when they banged on the door that somebody
- 16 | was there?
- 17 | A. He didn't know who it was --
- 18 | Q. I see.
- 19 | A. -- but after they left, I told him who it was, yeh.
- 20 | Q. Okay, and what did Johnny do?
- 21 | A. Well, then, him and this other fellow, Jackie person, got
- 22 | ready and went up the road, up the corner.
- 23 | Q. Sorry. Sorry, you're going too fast for me. What did Johnny
- 24 | do after they left and you told him that they'd been there?
- 25 | A. They just -- he got ready and went up the road, him and this

MARGARET PRATICO, by Mr. Spicer

1 | person --

2 | Q. He got dressed or he got ready.

3 | A. He was dressed. He was going out.

4 | Q. Was he going out anyway?

5 | A. Yes, sir.

6 | Q. He was.

7 | A. He went for a walk, yeh.

8 | Q. For a walk.

9 | A. Yeh.

10 | Q. So he goes out and what, comes back a few minutes later?

11 | A. Yeh, he got up as far as the corner, not far from the house.

12 | Q. Got up as far as the corner, not far from the house.

13 | A. Yeh.

14 | Q. And then he --

15 | A. They -- he said that the Christmas fellow had threatened him.

16 | Q. He told you that when he got back.

17 | A. Yes, right, and he came right back.

18 | Q. What was it that he told you when he got -- Sorry, what was
19 | it that he told you when he got back?

20 | A. He said that Tom Christmas had threatened him.

21 | Q. Tom Christmas had threatened him.

22 | A. Yes, sir.

23 | Q. Did he say anything about Hawkins?

24 | A. No, he didn't mention Hawkins, no.

25 | Q. Just that Tom Christmas had threatened him.

MARGARET PRATICO, by Mr. Spicer

- 1 A. Tom. Yes, sir.
- 2 Q. And did he say anything more than that? Did he say what he
3 threatened him about?
- 4 A. I can't recall now. He could have. I think it might have
5 had to -- something to do with the Marshall case, I think.
- 6 Q. You think it had something to do with the Marshall case?
- 7 A. I think so, yes. Something about the Marshall boy and that.
- 8 Q. The Marshall boy.
- 9 A. Yeh, Junior.
- 10 Q. Is that you're -- Is that what you remember?
- 11 A. I think that's what I think that's what it was about.
- 12 Q. Is that what you were told by Johnny?
- 13 A. I don't know whether Johnny said but that's what -- that's
14 what I think it was about.
- 15 Q. Yeh, I understand that that's what you think it was about.
16 All I'm trying --
- 17 A. Yeh. I can't remember if Johnny mentioned that was the
18 reason why or not. I can't recall that. I don't --
- 19 Q. Okay.
- 20 A. -- remember, sir.
- 21 Q. But in any event you do remember that he told you that Tom
22 Christmas had threatened --
- 23 A. Threatened him, yeh. Yes, sir, yeh.
- 24 Q. And once you were told that, what did you do?
- 25 A. I went up to the station, Johnny and I. We went up to the

MARGARET PRATICO, by Mr. Spicer

1 | police station.

2 | Q. That same evening?

3 | A. Yes, sir, yeh.

4 | Q. Both you and Johnny went to the station?

5 | A. Yes, sir.

6 | Q. And who did you see when you got to the station?

7 | A. I believe it was Mr. MacIntyre.

8 | Q. You believe it was Sergeant MacIntyre?

9 | A. Yeh, I'm pretty sure it was MacIntyre.

10 | Q. And what did you tell Sergeant MacIntyre?

11 | A. I told him about Johnny being threatened.

12 | Q. About Johnny being threatened.

13 | A. Yes.

14 | Q. And Johnny was with you?

15 | A. Yes, sir.

16 | Q. And do you remember what Sergeant MacIntyre said?

17 | A. Well, he didn't say too much but then they had him picked up.

18 | Q. They had him picked up.

19 | A. Yeh.

20 | Q. Did Sergeant MacIntyre or anybody take a statement from you
21 | at that time?

22 | A. No.

23 | Q. No.

24 | A. Not to -- They just asked me and I told them about the Hawkins
25 | fellow, like. Howard Hawkins and the Indian boy and they were --

MARGARET PRATICO, by Mr. Spicer

1 said they'd pick them up and they'd question, eh. So

2 Q. Okay. Just a sec. Let me get ahead for a sec. You
3 told him about Howard Hawkins and the Indian boy and the
4 threatening.

5 A. Yes.

6 Q. And then they went ahead and picked -- picked them up?

7 A. Yes, cause as far as I know they picked them up.

8 Q. As far as you know they picked them up.

9 A. Yeh.

10 Q. Did you have to -- did you have to go to court as a result of
11 this?

12 A. Yes, sir. Yes.

13 Q. Okay, and do you -- can you tell us what you did when you went
14 to court in connection with this?

15 A. Well, they put me up on the stand --

16 Q. They put you on the witness stand.

17 A. Yes, sir, and they asked me if the young fellow that threatened
18 Johnny, if he was in the court room and I said yes.

19 Q. They asked you if the young fellow who threatened Johnny was
20 in the court room.

21 A. And they got me to point him out to them.

22 Q. And who did you point out? Tom Christmas?

23 A. Yes, sir.

24 Q. I see. Do you remember who the Crown Prosecutor was?

25 A. No, I do not. I couldn't say who it was, really. I don't

MARGARET PRATICO, by Mr. Spicer

1 Q. Did you know Mr. MacNeil?

2 A. I couldn't tell you who the Crown Prosecutor was. I don't know.

3 I can't recall who it was. Really I don't know who he was.

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Spicer

MARGARET PRATICO, by Mr. Spicer

1 Q. Do you remember at all whether Tom Christmas had a lawyer?

2 A. Now that's something I can't say.

3 Q. You don't know that either?

4 A. I don't know. I couldn't tell you.

5 Q. So was the extent of the testimony that you gave then just to
6 identify the person in the court room? Is that all you did?

7 A. That's all I did, sir.

8 Q. That's all you did was identify him?

9 A. Yes.

10 Q. And then you got down off the stand and that was it?

11 A. Yes, sir. Yeh.

12 Q. Were you there at the end of the proceeding? In other
13 words, at the end of the case do you know what happened to
14 Mr. Christmas?

15 A. No, I left the --

16 Q. You left.

17 A. And then I -- How I found out what happened? I read it in the
18 paper that he got six months for threatening a witness.

19 Q. You read that in the paper?

20 A. Yes, sir. Yeh. Yeh. Yeh.

21 COMMISSIONER EVANS:

22 What was the answer?

23 MR. SPICER:

24 She read in the paper, My Lord, that -- that he got six months.

25 COMMISSIONER EVANS:

And would you ask whether John testified.

MARGARET PRATICO, by Mr. Spicer

1 | THE WITNESS:

2 | For threatening a witness. That was in the paper.

3 | BY MR. SPICER:

4 | Q. Did John Pratico -- Did your son testify at that hearing?

5 | A. No.

6 | Q. No?

7 | A. No. No, sir. No.

8 | Q. John has indicated to us that he gave testimony at -- on two
9 | occasions in connection with Junior Marshall's trial, one,
10 | a Preliminary Hearing in July and then again at --

11 | A. Well, in the Marshall trial he was, but not as far as the
12 | Christmas fellow threatening him.

13 | Q. No, I understand. Okay.

14 | A. No.

15 | Q. The first time that Johnny went to testify in connection with
16 | the Marshall matter, did you go along?

17 | A. Did I go to the --

18 | Q. Did you go to the court room?

19 | A. No, sir.

20 | Q. Did John tell you why he was -- why he had to go to Court?

21 | A. I can't remember now. He could have. I can't recall that.

22 | Q. You can't recall?

23 | A. No, sir.

24 | Q. Did he tell you before he went to give testimony that he'd
25 | given a statement to the police that wasn't true?

MARGARET PRATICO, by Mr. Spicer

1 A. I can't recall him telling me that really. I don't recall.

2 Q. You don't think he did tell you that?

3 A. No, I don't think so, no. I don't think so. I can't recall
4 that. I don't think so.

5 Q. That's probably something you would remember if it had happened?

6 A. Yeh, because I can't recall that. I would remember but I don't --
7 I can't recall him telling me that, no.

8 Q. Okay. Do you remember when he did go to Court to give
9 testimony?

10 A. No, I don't remember exactly when, no.

11 Q. No, I know you may not remember exactly when, but do you
12 remember the day and do you remember him saying, "I've got
13 to go to Court and give some testimony"?

14 A. No, I don't remember, dear, no?

15 Q. Okay. Were you ever talked to by -- This is in 1971
16 now, up until the time of Mr. Marshall's trial. Were you
17 ever talked to by any of the lawyers that represented Junior
18 Marshall?

19 A. No, sir.

20 Q. Mr. Khattar or Mr. Rosenblum?

21 A. No, sir.

22 Q. No?

23 A. None of them. No.

24 Q. Were you ever talked to by the Prosecutor Donald C. MacNeil?

25 A. No, sir.

MARGARET PRATICO, by Mr. Spicer

1 Q. No?

2 A. No. No.

3 Q. John told us during his testimony and I think it was after
4 the Preliminary Hearing and before the trial that there was
5 an incident when his nerves were quite bad and he locked himself
6 in the bedroom?

7 A. Yes, he did. Yes, sir, that's true.

8 Q. And you called the police?

9 A. Yes, I had to. Yes, sir. That's true.

10 Q. To come and get him out?

11 A. Yeh. Yes, sir.

12 Q. Do you remember who the police officers were who came?

13 A. Mroz I think.

14 Q. Mroz?

15 A. Officer Mroz. I'm pretty sure that's who it was.

16 Q. You think it was?

17 A. Yeh, I'm sure of it. Yeh.

18 Q. Are you sure?

19 A. Yeh.

20 Q. Yes. Was he by himself?

21 A. Mroz, you mean?

22 Q. Yes, or did he have a partner or somebody else with him?

23 A. I'm not sure now whether he came by himself or if there
24 was another officer with him or not, but I know it was
25 Officer Mroz.

MARGARET PRATICO, by Mr. Spicer

- 1 Q. Okay, and you had phoned the police station and asked for
2 assistance?
- 3 A. I went up. I had no phone. I went up.
- 4 Q. Oh, you went up?
- 5 A. Yes, sir.
- 6 Q. Okay, and you said --
- 7 A. Because I didn't have a phone.
- 8 Q. And you said, "Johnny has locked himself in the bedroom"?
- 9 A. Yeh, and he wouldn't open it, you see, and I couldn't open
10 the door.
- 11 Q. You couldn't open the door?
- 12 A. No. No, sir. No.
- 13 Q. John went to the Nova Scotia Hospital between the time of the
14 Preliminary Hearing and the time of the trial, that is, in the
15 summer of 1971?
- 16 A. Yes, sir.
- 17 Q. Do you remember that?
- 18 A. Yeh.
- 19 Q. Did you go up to the Nova Scotia Hospital with him?
- 20 A. Well, the first time, yes, I went with him.
- 21 Q. Okay, and the first time, I think, that was in August? In the
22 summer --
- 23 A. I can't exactly -- I know, sir, but I can't exactly remember
24 what month, but I did go with him, yes.
- 25 Q. You went with him the first time?

MARGARET PRATICO, by Mr. Spicer

1 A. Yes, I went up with him. Yes, sir.

2 Q. Do you remember -- Was there a police officer with you as well?

3 A. No, just the one -- Well, he was from the police force --

4 Q. Yes. Do you remember who it was?

5 A. -- and he took me up. MacDonald, I think, was his name.

6 Q. MacDonald?

7 A. I think. I can't recall, but I think that's who it was.

8 I think his name was MacDonald, I believe. Johnny knows him.

9 I can't remember, but I think that's what his name -- but I

10 know he was from the police force anyway. He was --

11 Q. Was he wearing a uniform when he went up?

12 A. No, sir.

13 Q. He was not?

14 A. Plain clothes.

15 Q. I see.

16 A. Yeh.

17 Q. Johnny was up in the Nova Scotia Hospital for awhile in the

18 summertime and then he came back and gave testimony at the

19 trial of Junior Marshall?

20 A. Yes, sir.

21 Q. Did you know that Johnny was going to have to give testimony

22 at the trial?

23 A. No, I really didn't.

24 Q. You didn't know?

25 A. No, sir. No.

MARGARET PRATICO, by Mr. Spicer

- 1 Q. No. Did he tell you the day that he went off to give this
2 testimony that he was going into Court and had to give some
3 testimony?
- 4 A. No, I can't recall him telling me. No, I can't recall Johnny
5 mentioning it to me.
- 6 Q. Were you reading the newspaper accounts at the time of the
7 trial?
- 8 A. The odd time I'd look at the paper or I'd hear it on the news
9 about they're finished, you know.
- 10 Q. You'd hear it on the news?
- 11 A. Yeh, or maybe the odd time I'd get the paper and see something
12 in the paper about that.
- 13 Q. The odd time you'd get the paper. You didn't get the paper
14 every day?
- 15 A. Nothing steady, no, sir.
- 16 Q. No?
- 17 A. No.
- 18 Q. Did you know around the time of the trial though that Johnny
19 had given testimony?
- 20 A. I can't recall knowing that he did, no.
- 21 Q. You can't recall?
- 22 A. No, sir.
- 23 Q. And he never said anything to you about it?
- 24 A. No, I can't remember him telling me.
- 25 Q. You can't remember him telling you?

MARGARET PRATICO, by Mr. Spicer

1 A. --John even telling me that he gave it.

2 Q. I see.

3 A. I can't recall that, no, sir. I guess I just thought that he
4 might have, but I mean I can't --

5 Q. There's a possibility that he might have told you but you
6 don't remember?

7 A. I can't -- I don't think so though. I can't remember. I don't
8 think so though.

9 Q. You're saying that probably if he had told you it's something
10 you would remember?

11 A. Yes, sir. Yes.

12 Q. After the trial John was back and forth a couple of times to
13 the -- or he was back in the Nova Scotia Hospital again?

14 A. Yes, sir. Yeh.

15 Q. And that was -- He went back to the Nova Scotia Hospital fairly
16 shortly after the trial around November or December? Do you
17 remember that?

18 A. He went back but I can't exactly remember when.

19 Q. You can't exactly remember when?

20 A. He did go back, yes, sir.

21 Q. Did you -- Did you go with him?

22 A. The first trip and not the --

23 Q. Not the second time?

24 A. No, sir. No.

25 Q. Do you know who went with him the second time?

MARGARET PRATICO, by Mr. Spicer

1 A. He went on his own, I think. I think by himself.

2 Q. Did they pick him up at the house, at your home?

3 A. The first time we went?

4 Q. No, the second time. The second time. The time you -- that
5 you just indicated to me that you didn't go yourself?

6 A. I can't recall. I don't --

7 Q. You can't recall?

8 A. I can't remember that. It's possible that they might have.

9 Q. What kind of -- What kind of shape was Johnny in at that time
10 after the trial before he went to the Nova Scotia Hospital,
11 how were his nerves?

12 A. Well, his nerves were a little on the --

13 Q. I'm sorry.

14 A. They were bad a bit, yes. Yeh, they were a bit on the edge,
15 they were really. Yeh, his nerves were becoming bad a bit.

16 Q. Okay. Let's -- Let's just go back a couple of steps. Can
17 you tell me again how his nerves were after the trial?

18 A. I know they weren't the best.

19 Q. They weren't the best?

20 A. No, sir.

21 Q. What kinds of things was he doing to make you say that his
22 nerves weren't the best?

23 A. Oh, no, I can't -- I can't go into it at all. I just don't
24 remember that far back of everything, really I don't.

25 Q. You don't?

MARGARET PRATICO, by Mr. Spicer

1 A. I know his nerves weren't that good.

2 Q. You know his nerves weren't that good and that they were bad
3 enough for him to go back to the Nova Scotia Hospital?

4 A. Yes, sir. Yes. Yes, sir. Yeh.

5 Q. Now you remember some years later being contacted by somebody
6 from the R.C.M.P. when all -- this whole matter came up
7 again and there was a re-investigation?

8 A. You mean in '82, you mean?

9 Q. Yeh, in '82.

10 A. I believe it was Corporal Carroll who came to my place one day.

11 Q. Okay. Corporal Carroll came to your place one day?

12 A. I'm sure. Yes, sir.

13 Q. Did he come to see you? Did he talk to you for awhile?

14 A. Yeh, but I told him there wasn't anything I knew like and --

15 Q. Sorry.

16 A. I told him there was nothing I knew about it because --

17 Q. You told him there was nothing --

18 A. You know, which I didn't, you know, really --

19 Q. You told Corporal Carroll that there was nothing that you knew
20 about it?

21 A. Yeh, I'm pretty sure it was Corporal Carroll who was at the
22 house.

23 Q. Okay, and did he ask to see Johnny as well?

24 A. Yes, I believe Johnny was in New Waterford then I think --

25 Q. Right.

MARGARET PRATICO, by Mr. Spicer

1 A. --at the time.

2 Q. Do you know whether or not he had already seen Johnny when
3 he saw you?

4 A. I couldn't say. I don't know really.

5 Q. Do you remember anything about what Corporal Carroll might have
6 said to you when he came to see you?

7 A. No, sir.

8 Q. No?

9 A. No.

10 Q. And over this period of time, Mrs. Pratico, from 1971, up until
11 1982, Johnny hadn't told you that the story that he'd told at
12 the trial -- sorry, the story that he -- the statements that
13 he'd given to the police were not true?

14 A. Pardon.

15 Q. He never told you --

16 A. No.

17 Q. --that the story he told was untrue?

18 A. I can't recall him ever saying anything. He never mentioned
19 it to me.

20 Q. He never said a thing to you about it?

21 A. No, sir.

22 Q. How did you eventually find out?

23 A. Well, I seen it -- Well, the only way I knew what happened in
24 the park was when I read it in the paper like.

25 Q. So in 1982 and in the years subsequently -- The way you found out

MARGARET PRATICO, by Mr. Spicer

1 | about this --

2 | A. I'd read it in the papers or like, you know, I'd hear it --

3 | Q. You'd hear it on the radio?

4 | A. Yeh.

5 | Q. Yes. You never talked to Johnny about it?

6 | A. No, sir. He didn't discuss it with me and I didn't ask him
7 | nothing about it. I figured, well, if he wanted to talk to
8 | me about it he would have talked to me or someone about it.

9 | Q. If he wanted to talk to you about it, he would have talked
10 | to you about it?

11 | A. Yes, sir, that's the way I was -- So I didn't question him
12 | on it.

13 | Q. And you never questioned him about it?

14 | A. No, sir. No. No, sir. No.

15 | Q. What kind of shape do you think he's in these days?

16 | A. He's in pretty good shape.

17 | Q. Pretty good shape?

18 | A. Yes, sir. Yeh.

19 | Q. Is this about the best you've seen him in a long time?

20 | A. Yes, sir.

21 | Q. Yeh?

22 | A. Yeh.

23 | Q. There's been some testimony -- questions concerning Maynard
24 | Chant and whether or not he ever spent a night at your place?

25 | A. No, sir, Maynard Chant never did. I know he told that, but

MARGARET PRATICO, by Mr. Spicer, by Ms. Derrick

1 Maynard Chant never stayed at my place.

2 Q. Maynard Chant never --

3 A. No, sir, never. No. No, sir. No. No. No.

4 Q. I'll just be a second.

5 MR. SPICER:

6 Thanks very much. There's some other lawyers that are going to
7 ask you some questions.

8 THE WITNESS:

9 Oh, my --

10 MR. SPICER:

11 It's okay.

12 BY MS. DERRICK:

13 Q. Mrs. Pratico, my name is Anne Derrick and I represent
14 Donald Marshall, Jr. I just have a few questions I want to
15 ask you. You were telling Mr. Spicer that you remember an
16 occasion when Johnny locked himself in his bedroom?

17 A. Yes, ma'am.

18 Q. Is that correct?

19 A. Yes, ma'am. Yes.

20 Q. And I'm afraid-- Maybe you gave this answer but I don't --
21 I didn't hear it. When did that happen? Is that before the
22 incident in the park?

23 A. Pardon.

24 Q. Was that before 1971?

25 A. No, ma'am.

MARGARET PRATICO, by Ms. Derrick

1 Q. When -- Do you remember when it happened?

2 A. Oh, no, I can't exactly remember when, but it did happen.

3 Q. Was it when Johnny was a teenager then?

4 A. Oh, yes. Yes, ma'am. Yeh.

5 Q. And when he locked himself in the bedroom, what kind of
6 behavior was he exhibiting? What was he doing that caused
7 you to get the police involved?

8 A. Well, I had to get them now in order to get the door opened.
9 You see, the way my door was, there was a little button on
10 the inside that you turned down and you couldn't turn the
11 key in the door.

12 Q. There was a button on the inside of the door?

13 A. Yes, and see --

14 Q. And you couldn't unlock it if someone locked it from the
15 inside?

16 A. And see, so I had to get them to come down like to get him
17 to open the door.

18 Q. So you had to get them to come down to get him-- to get him
19 to open the door?

20 A. Yes.

21 Q. But was he doing anything inside of the bedroom that was
22 concerning you?

23 A. Oh, no. No. No.

24 Q. So he was being quiet, was he, in there?

25 A. Yeh, he was quiet like, you know, just -- and I told him,

MARGARET PRATICO, by Ms. Derrick

1 I said, "I'll have to get them".

2 Q. He was being quiet but when you --

3 A. He wasn't doing nothing like, you know. It was just that he
4 wouldn't open the door like.

5 Q. Why didn't you feel you could just leave him alone until he
6 decided to come out?

7 A. Well, how was I supposed to get in it with my little girl.
8 Let's face it, I mean, I had to get in my bedroom.

9 Q. Oh, it was your bedroom?

10 A. Yes, ma'am. I mean, I had to get in there.

11 Q. It was your bedroom?

12 A. Yes, ma'am.

13 Q. Was there anyone else in there with him?

14 A. No.

15 Q. He was in there by himself?

16 A. Yeh, as I recall it was just himself.

17 Q. And -- And when the police came how did they get him to come
18 out?

19 A. Well, they said who he was and then he opened because he
20 said to me -- He said he wanted to talk to Officer Mroz, but
21 why I don't know.

22 Q. So he wasn't prepared to come out for you but he was prepared
23 to come out for the police?

24 A. Yes, ma'am. Yes. Yes, ma'am. Yeh.

25 Q. Did he know Officer Mroz?

MARGARET PRATICO, by Ms. Derrick

1 A. Well, apparently he knew Officer Mroz then.

2 Q. You say, apparently he knew him?

3 A. Yes, because he knows him. Yeh.

4 Q. He did know him?

5 A. Yes, he knew Mroz because he said to me -- he said, "If
6 Officer Mroz comes down...", and I said, "Fine", so I --
7 I didn't know what Officer Mroz looked like, and so when
8 they came down, and I said, "The police are in". He said,
9 "Who is it?", and he said, "Officer Mroz". Well, then he
10 opened the door.

11 Q. I see. When Officer Mroz came he identified himself and
12 he went --

13 A. He opened the door.

14 Q. --into it -- to John through the door?

15 A. He opened the door and --

16 Q. When John came out of the bedroom how was he?

17 A. He was all right.

18 Q. Was he calm or was he upset?

19 A. Oh, yeh, he was all right.

20 Q. He was all right then?

21 A. Oh, yes, ma'am, he was all right.

22 Q. Yeh, and did Officer Mroz have to talk to him for quite
23 awhile to get him to come out?

24 A. No.

25 Q. So he came out, did he?

MARGARET PRATICO, by Ms. Derrick

1 A. He just opened the door right away as soon as he came down.

2 Q. Do you recollect any other occasions when you had to get the
3 police to come and talk to John?

4 A. No. No.

5 Q. That was the only occasion you can remember?

6 A. Yes, ma'am. Yeh.

7 Q. Do you remember any occasions when the police brought John
8 to your house?

9 A. No, ma'am. No.

10 Q. In calling the police on that occasion was it your belief
11 that the police were there to help you?

12 A. Yes, ma'am. Yeh.

13 Q. They seemed the most logical people to call in that --

14 A. That was the only ones I knew that we're to get in touch
15 with.

16 Q. They're the only people you knew to get in touch with?

17 A. Yes, ma'am. Yeh. At the time, yes, ma'am. Yeh.

18 Q. Now you remember the -- the morning after the stabbing in the
19 park, and I think you told Mr. Spicer that there was a
20 radio broadcast that morning that you were --

21 A. Yeh, they said somebody got hurt in the park.

22 Q. Someone got hurt in the park. It was a news broadcast then --

23 A. On the radio, yes, ma'am.

24 Q. And to this point you heard nothing from John about this at
25 all?

MARGARET PRATICO, by Ms. Derrick

- 1 A. Not a thing. No, ma'am. No.
- 2 Q. Did you ever know that he had been through the park the night
3 before?
- 4 A. No, I can't recall him being at there. I knew he was at the
5 dance at St. Joseph's Hall.
- 6 Q. So that was the only discussion you'd had with him?
- 7 A. The only thing.
- 8 Q. Was him being at the dance?
- 9 A. Yes, ma'am. Yeh.
- 10 Q. And is your recollection of John's reaction to that broadcast
11 that he didn't seem to know what was going on?
- 12 A. He didn't say anything about anything as far --
- 13 Q. He didn't say anything about anything?
- 14 A. Nothing, no.
- 15 Q. So is it your recollection that his reaction to the broadcast
16 was that this was the first he knew about it too?
- 17 A. Well, that's the way I look at it because he said to me --
18 He said, "Who -- What happened in the park"? I said,
19 "Somebody got hurt". He said, "Who"?
- 20 Q. So that's -- That's the way you recollect it too?
- 21 A. I said, "I don't know", and that was -- that was all that was
22 said.
- 23 Q. Now when the police arrived that morning to speak to John, did
24 you know Chief MacIntyre?
- 25 A. MacIntyre? At that --

MARGARET PRATICO, by Ms. Derrick

1 Q. Did you know him personally?

2 A. Well, no, I didn't know him really. No.

3 Q. So he introduced himself, that's -- that's how you --

4 A. I knew they were talking about it, but I mean I didn't
5 know him personally.

6 Q. So you knew him to see him, did you?

7 A. Yes, ma'am.

8 Q. You never met him before?

9 A. No. That day he came to my place. I knew him just to, you know--

10 Q. And you didn't understand what they were doing there?

11 A. Well, all I knew was he came and he said he wanted -- asked
12 where Johnny was and I said, "Johnny's in bed", and he said
13 to get him up.

14 Q. And that's all you knew about why they were there, they
15 wanted to see Johnny?

16 A. They wanted to talk to Johnny. MacIntyre wanted to --

17 Q. Why didn't you ask more?

18 A. Well, I just didn't think of it. That's all.

19 Q. Did you feel you had a right to know?

20 A. Well, yes, but I guess I just didn't think at the time of
21 nothing and then when we went up the station I got -- they
22 told me nothing.

23 Q. They didn't tell you anything up at the station?

24 A. No, just that they were going to the park and they were going
25 to have a busy day at the park, and I said, "Well, what about

MARGARET PRATICO, by Ms. Derrick

1 Johnny's meals"? He said they would see that Johnny would
2 get something.

3 Q. I'm sorry. Just slow down a moment. Your recollection is
4 that Chief MacIntyre said that they were going to have a busy
5 day at the park?

6 A. Yes, ma'am. Yes, ma'am.

7 Q. When Johnny went with the police that morning how was he?
8 What --

9 A. He seemed to be all right. He seemd all right when he left.

10 Q. He seemed all right?

11 A. Oh, yes, he seemed all right.

12 Q. Do you recall at that time giving him any advice about not
13 getting involved in anything if he didn't know anything?

14 A. Pardon?

15 Q. Do you recall giving him any advice when he left with the
16 police about not getting involved if he didn't know
17 anything?

18 A. No, I can't recall that.

19 Q. You don't recollect giving him any advice when he left?

20 A. No, I can't recall that. No.

21 Q. How long would it have been before you went down to the police
22 station, can you recall that, fifteen minutes, a half an hour,
23 an hour?

24 A. Pardon.

25 Q. I'm just giving you some -- some possibilities, like was it

MARGARET PRATICO, by Ms. Derrick

1 fifteen minutes later or half an hour later?

2 A. Oh, I'd say roughly a half hour.

3 Q. About half an hour?

4 A. Around that, roughly a half hour.

5 Q. When you got to the station you didn't actually see John?

6 A. No, ma'am. No.

7 Q. Is that correct?

8 A. No.

9 Q. Did you know where he was?

10 A. Well he was in the police station somewhere and where, I
11 don't know.

12 Q. Somewhere in the police station?

13 A. Yeh, and I cannot say where.

14 Q. And how long did you stay?

15 A. Not that long.

16 Q. Maybe five or ten minutes?

17 A. That's about it. Yeh, not that long.

18 Q. Were you encouraged by the police to stay or was it--

19 A. No. No, ma'am.

20 Q. So there was no mention of you staying around?

21 A. No. No.

22 Q. And did you leave with a feeling that you could trust the
23 police to look after John?

24 A. Yes, ma'am, I was.

25 Q. So you weren't concerned about him being in their hands. Is

MARGARET PRATICO, by Ms. Derrick

1 | that --

2 | A. Well, not really, you know. I mean I didn't --

3 | You know, they said they would see that he got his meals

4 | and I mean, you know --

5 | Q. You felt that they would see to getting his meals?

6 | A. Yeh.

7 | Q. And that was your principal concern?

8 | A. Yes.

9 | Q. Yeh.

10 | -- Mrs. Pratico you'd agree that John was a troubled child?

11 | Would you agree with that? Did he have problems?

12 | A. Well, when his nerves got bad, but other than that there's

13 | no trouble with Johnny.

14 | Q. No, but I mean with respect to his nerves?

15 | A. Just when his nerves got bad. Well, that could happen to the

16 | best of people when your nerves were bad, you know.

17 | Q. Oh, it's not a criticism, Mrs. Pratico.

18 | A. Pardon.

19 | Q. It's not a criticism. It just was concerning that John did

20 | have problems with his nerves?

21 | A. That's the only time I had to get the police, that time he

22 | locked himself in the room. Other than that, I mean --

23 | Q. Did you know that some of the Indian kids had befriended John?

24 | A. Pardon?

25 | Q. Did you know that some of the Indian children had made

MARGARET PRATICO, by Ms. Derrick

1 friends with John?

2 A. Well, I knew John was with them and he was friends with
3 them. I guess so. He'd talk to Johnny because Johnny is
4 friendly with --

5 Q. So you knew that he was friendly with them?

6 A. Yeh.

7 Q. And did you ever know about an occasion when Junior Marshall
8 stopped some children from roughing John up?

9 A. No. That could be true. I don't know --

10 Q. John never mentioned that to you?

11 A. That could be.

12 Q. You don't know anything about that?

13 A. I don't know really, ma'am. I couldn't say. That could be.
14 I don't know really.

15 Q. Now Mrs. Pratico we've learned that children can be very
16 impressionable and that they can be very unreliable when
17 they're be questioned by the police and that it's advisable
18 to have a parent present. I take it that that wouldn't
19 surprise you having brought up children yourself?

20 A. Pardon.

21 Q. I said, I take it that those observations wouldn't surprise
22 you having brought up children yourself? Is that correct?

23 A. Yes, ma'am I sure brought --

24 Q. Well, no, my question is, is that -- has it ever been your
25 experience that children can be unreliable?

MARGARET PRATICO, by Ms. Derrick

1 A. Well, I imagine it could happen at times, I guess.

2 Q. When you left the police station when John was done there
3 with the police, did you have any concerns about his ability
4 to cope with being questioned by them, that he might be
5 anxious about it or nervous or worried about being on his
6 own?

7 A. Well, like I said, I mean, he didn't talk to me about it, I
8 mean, and I didn't bother questioning him on it because,
9 I mean, like, you know, I figured well, if there was anything
10 he would have spoke to me about it.

11 Q. But you didn't actually see him when you went down to the
12 station?

13 A. No, not that day that Mr. MacIntyre -- No, I never seen him
14 no more until he came home, yeh. No, ma'am.

15 Q. Do you have any idea how long he was with the police on that
16 occasion?

17 A. No, I couldn't say. Sometime that afternoon, now I can't
18 recall exactly what time when he came home. I don't know.

19 Q. Was it your understanding that he came right back home
20 after being at the police station?

21 A. Well, as far as I know he came right back from the -- from wherever
22 they were that afternoon like, then he came right straight
23 home after.

24 Q. So you believe he came right back after they were finished
25 with him?

MARGARET PRATICO, by Ms. Derrick

1 A. Yes, right after.

2 Q. So can you give us any idea, would that have been an hour
3 later or two hours later?

4 A. Not -- No, I don't --

5 Q. You really don't have --

6 A. He didn't say anything.

7 Q. No, but -- but in your recollection from the time that you went
8 back home until the time that you saw John again, how long a
9 period of time was that?

10 A. Well, I couldn't exactly saw how long.

11 Q. Can you give us a rough idea?

12 A. Because it was in the morning when he came to the house.

13 Q. Right, in the morning when he came to the house?

14 A. And I'd say I probably went up there maybe about thirty
15 minutes -- about a half hour after --

16 Q. A half hour later that John came back?

17 A. It was sometime in the afternoon when John came back.

18 Q. So it was in the morning and then you didn't see John again
19 until --

20 A. Some time in the afternoon when he came home.

21 Q. So that's probably several hours then?

22 A. Yeh, he was gone quite awhile.

23 Q. Gone quite awhile?

24 A. Yes, ma'am. He was gone quite some time before he came
25 back home. Yeh.

MARGARET PRATICO, by Ms. Derrick

1 Q. Did you know that John had given a second written statement
2 to the police?

3 A. No, ma'am, I didn't. No.

4 Q. You didn't -- Obviously then you weren't at the police
5 station and you didn't know anything about this?

6 A. No, ma'am. No.

7 Q. At this time in 1971, Mrs. Pratico, and perhaps just prior
8 to this, had you had any experience with John's ability
9 to tell the truth?

10 A. The truth for what?

11 Q. With respect to anything. Had you had any occasions where
12 you had had problems with John telling the truth?

13 A. No.

14 Q. So you hadn't had a problem with that?

15 A. No, that's the only -- Like I said that time about the time
16 he locked himself in and --

17 Q. No, but that didn't involve an occasion --

18 A. No.

19 Q. That didn't involve an occasion where he had to tell the truth?

20 A. No.

21 Q. Did you ever catch him out in lies for instance?

22 A. No.

23 Q. Where he told you lies about things?

24 A. No.

25 Q. You're sure of that?

MARGARET PRATICO, by Ms. Derrick

1 A. Yes, ma'am.

2 Q. Now you mentioned -- I just have a few more questions. You
3 mentioned the Tom Christmas matter where you went to Court
4 and Mr. Christmas had been charged with threatening, John,
5 is that right?

6 A. Yes, ma'am, yeh.

7 Q. Do you recollect whether there were any discussions at that
8 time about John testifying, about John getting on the
9 witness stand and saying anything?

10 A. You mean as far as the Marshall case, you mean?

11 Q. No, no, as far as the Tom Christmas matter was concerned. You
12 said that you were on the witness stand and testified?

13 A. Yes, I was. Yes, ma'am, I was.

14 Q. And you said that John didn't?

15 A. Not that I know of anyway, no.

16 Q. And do you remember any discussion with anyone about why
17 John didn't, why you testified and why he didn't?

18 A. Unless they had John up, but to my knowledge John was not
19 on the stand, not to my knowledge.

20 Q. No, I know that that -- that's what you recollect, but what
21 I'm asking you is whether there were any discussions with
22 anyone about why John didn't testify?

23 A. Not that I know of, dear. There was none.

24 Q. So you don't remember any discussion with anyone saying
25 that?

MARGARET PRATICO, by Ms. Derrick

1 A. No. No. No, ma'am.

2 Q. As far as -- What you recollect is you testified but John
3 didn't?

4 A. That's right. Yes.

5 Q. Was he even in the court building that day when you testified?

6 A. No. I don't know.

7 Q. He didn't even go down with you then?

8 A. I don't think. John wasn't with me. I was there by myself.

9 Q. You think you were there by yourself?

10 A. I told you, yes, ma'am, I did because I can't recall
11 Johnny being with me, no.

12 Q. And I wasn't quite clear about this, Mrs. Pratico, when did
13 you learn that John had testified at Junior Marshall's
14 trial?

15 A. Well, I can't really --

16 Q. If I recollect what you said -- If I heard you correctly, it
17 wasn't at the time he testified, is that -- it wasn't back
18 in 1971, or was it? Do you remember learning in 1971 that
19 John testified at Junior Marshall's trial?

20 A. I can't recall exactly when, dear. I can't --

21 Q. When you did learn, do you recollect what your reaction was,
22 what you thought about it?

23 A. Well, I can't recall anybody telling me about it.

24 Q. But you did find out?

25 A. Well, when I seen it in the paper.

MARGARET PRATICO, by Ms. Derrick

1 Q. You saw it in the paper?

2 A. Yes.

3 Q. And when you saw it in the paper, what did you think about
4 that?

5 A. Well, I didn't say too much. I didn't talk about it really.

6 Q. Did you have any feelings? Did you think --

7 A. Well, sort of, yeh, but John didn't talk about it to me and
8 I didn't ask him no questions because I --

9 Q. Do you remember what those feelings were?

10 A. No, I don't remember.

11 Q. Were you surprised?

12 A. I can't recall. That's a long way back.

13 Q. Were you surprised?

14 A. I can't go that far back. I can't remember.

15 Q. You can't remember having any reaction at all. Is that right,
16 Mrs. Pratico?

17 A. On how I found that all of this was going on? I was reading
18 it in the paper and what was on the radio, other than that,
19 I don't know.

20 Q. You read about it?

21 A. Yes, but --

22 Q. But you don't recollect having any --

23 A. It was about what happened in the park, but I mean the thing
24 is so --

25 Q. You read about what happened in the park.

MARGARET PRATICO, by Ms. Derrick

1 | A. As far as Johnny, I didn't even know that he was going to
2 | testify.

3 | Q. No, I know you didn't know.

4 | A. No.

5 | Q. But do you remember having any reaction when you did find out?
6 | Were you surprised by reading that he was involved?

7 | A. Like I said, dear, I can't remember that far back. I can't
8 | remember. That's quite awhile back and I can't remember that
9 | far back.

10 | Q. You say you didn't attend either the Preliminary Hearing or
11 | the trial?

12 | A. No.

13 | Q. Do you think you would remember if you had attended?
14 |

15 |

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gmr.

MARGARET PRATICO, by Ms. Derrick

1 A. If I had attend, I would remember, but I wasn't -- didn't go.

2 Q. Did you make any observations of John around this time which
3 would be say in the fall in November of 1971, did his
4 condition seem any worse?

5 A. No, his nerves were really bad, but I mean --

6 Q. They were really bad at that time?

7 A. They were bad, real bad for a while there, yeh.

8 Q. And you had no contact with the police around that time?

9 A. No.

10 Q. In August of 1971, John was admitted to the Nova Scotia
11 Hospital and that was the trip you accompanied him on?

12 A. That I went with him, yes, ma'am, yes.

13 Q. Do you remember who arranged for that admission, who set it up?

14 A. Doctor Abe Gaum.

15 Q. So Doctor Gaum arranged it?

16 A. Yes, ma'am, yeh.

17 Q. Had anything been happening particularly that resulted in that?
18 Was John behaving in a --

19 A. Well, his nerves were bad --

20 Q. And what did that --

21 A. -- and he went to Abe Gaum, like, and asked Abe to help him.
22 And Abe then made arrangements for him to go up there.

23 Q. So you observed John's nerves being bad and you spoke --

24 A. Yes, they were at the time --

25 Q. -- to Doctor Gaum?

MARGARET PRATICO, by Ms. Derrick

1 A. Yes, ma'am.

2 Q. And what was John doing that made worried about his condition?

3 A. Well, I can't really remember that far back. But I know
4 his nerves were bad that he did need help, I know that.

5 Q. You knew he needed help?

6 A. He did need some help.

7 Q. And who made the arrangements for the transportation, I take
8 it you didn't have a car?

9 A. The police -- one of the policeman took us up.

10 Q. Did Doctor Gaum arrange that?

11 A. No, no.

12 Q. Did you arrange that?

13 A. No, they did it on their own, they took us up.

14 Q. How did they find out he was going into the hospital, do you
15 know?

16 A. Oh, I can't recall that, dear, unless -- I don't know if I
17 got in touch with them -- he was going up that way and
18 he took us up. He was going up through there.

19 Q. I see.

20 A. He was going up in the meantime and he took us up.

21 Q. And this was Sergeant MacDonald --

22 A. I'm pretty sure it was MacDonald.

23 Q. -- and he was going that way so --

24 A. Yes, ma'am.

25 Q. -- he took you and John and --

MARGARET PRATICO, by Ms. Derrick

1 A. And my little girl.

2 Q. -- and your daughter?

3 A. Yes, ma'am, yeh.

4 Q. Do you remember anything about the trip about John's behaviour
5 during the trip?

6 A. He was good on the way up. His behaviour was good.

7 Q. Did you discuss with Sergeant MacDonald how John had been?

8 A. Pardon.

9 Q. Did you discuss with Sergeant MacDonald --

10 A. No.

11 Q. -- how John had been? So there was no discussion about John's
12 condition?

13 A. Nothing, no, ma'am, no.

14 Q. Do you remember the second time that John went to the Nova
15 Scotia Hospital that would be in November?

16 A. At that time he went up on his own.

17 Q. And when you say "went up on his own" --

18 A. He went by himself, like.

19 Q. And how would he have got there? Did he go in someone's car?

20 A. I can't recall -- no -- how he went up there.

21 Q. If I said the name William Urquhart to you, does that ring
22 any bells? Sergeant Urquhart?

23 A. I don't know if he ever took Johnny up or not, I couldn't
24 say.

25 Q. You couldn't say whether he ever took him?

MARGARET PRATICO, by Ms. Derrick

1 A. I don't know -- it's possible but I can't say for sure. I
2 don't know.

3 Q. You didn't go on that occasion that John went --

4 A. No, that would be -- I knew Johnny went up but I mean --
5 I don't -- I can't recall him taking him up though.
6 Although it's possible.

7 Q. Would you agree with me though that someone must have had to
8 take him -- he couldn't have gone all by himself?

9 A. Oh, probably Urquhart did take him up.

10 Q. Probably --

11 A. Maybe Urquhart did take him up the second trip.

12 Q. Maybe Sergeant Urquhart did take him up but you don't
13 recollect that?

14 A. Maybe he did take him up. I can't recall who took him up
15 the second trip. Somebody took him up but I don't know who.
16 I couldn't tell you.

17 Q. And was it somebody from the Sydney Police Department again?

18 A. I couldn't tell you. I don't really know. I can't remember.
19 I don't know.

20 Q. How did you find out that he got there all right? Did someone
21 report back to you?

22 A. I don't know. I can't remember that far back. I can't
23 remember that far back. I don't remember.

24 Q. Now, Mrs. Pratico, would you agree that John was having
25 serious problems with his nerves in 1971, is that correct?

MARGARET PRATICO, by Ms. Derrick

1 A. Pardon.

2 Q. John was having serious problems with his nerves in 1971?

3 A. Yes, he was, yes, ma'am, yeh.

4 Q. And would you agree that he's much more stablized now in
5 fact --

6 A. He's good now.

7 Q. -- more so than ever?

8 A. Yes, ma'am, he's really doing good.

9 Q. He has regular contact with his doctors now?

10 A. He's good.

11 Q. Is that correct?

12 A. Oh, he goes back and forth to see the doctor at the Mental
13 Clinic out --

14 Q. So he keeps in regular contact with his doctors?

15 A. Yes, yes, ma'am.

16 Q. And he's has no recent hospitalization, has he?

17 A. No, not -- no not for a while, no.

18 Q. And to the best of your knowledge, he takes his medications
19 responsibly now?

20 A. Yes, ma'am, yes, he takes his medication regular.

21 Q. Is that right?

22 A. Right, yes, ma'am.

23 Q. And his living in the community? He has his own apartment
24 and he looks after himself?

25 A. Yes, ma'am, yes.

MARGARET PRATICO, by Ms. Derrick, by Mr. Murray

1 Q. Is that correct?

2 A. Yeh, yes, looks after himself and he's doing good, yes, ma'am.

3 Q. And can you make any observations of his present ability
4 to deal truthfully with his recollections of what happened
5 in 1971? Have you had any discussions with him about those
6 events?

7 A. No, he don't -- like I say, he don't talk about it.

8 Q. And you still don't discuss those --

9 A. And I don't talk about it to him.

10 Q. I see, you've just have seen that -- that he's better now
11 than he used to be?

12 A. I don't talk to him and he don't want to talk, so I don't
13 discuss it with him. I don't discuss it.

14 Q. But what you have observed is his condition has improved
15 considerably?

16 A. Yes, ma'am.

17 Q. Thank you Mrs. Pratico.

18 A. Your welcome.

19 MR. CHAIRMAN:

20 Mr. Murray.

21 BY MR. MURRAY:

22 Q. Mrs. Pratico, my name is Donald Murray and today I'm asking
23 some questions on behalf of John MacIntyre and William
24 Urquhart. The lawyer who was just here asked you a question
25 about whether you were able to comment on your son's

MARGARET PRATICO, by Mr. Murray

1 ability to talk truthfully about his memory in '71 and you
2 shook your head no, is that right?

3 A. Well, he never said nothing -- like I said, he never talked
4 about it and I never questioned him on anything because he's
5 doing fine.

6 Q. Okay, are you aware that when John went to the Nova Scotia
7 Hospital that -- and there will be evidence about this --
8 that some of his reason for being there, he put down to
9 problems with yourself?

10 A. Pardon.

11 Q. He put down some of the reasons for being in the Nova Scotia
12 Hospital as problems with yourself?

13 A. With who?

14 Q. With yourself?

15 A. Why would that be?

16 Q. So you weren't -- your're not aware of that?

17 A. Well, now explain yourself, what do you mean by that?

18 Q. Well, at the time when John first went to --

19 COMMISSIONER EVANS:

20 Is that -- how is that relevant? How is that the question that
21 you are asking relevant to this inquiry?

22 MR. MURRAY:

23 Well, I suggest it goes to -- to Mr. Pratico's appreciation of
24 what is in fact reality around him, Sir.

25

MARGARET PRATICO, by Mr. Murray

1 | COMMISSIONER EVANS:

2 | She doesn't indicate that there was any problem as between her and
3 | her son at all.

4 | MR. MURRAY:

5 | That answer was the end of that inquiry.

6 | BY MR. MURRAY:

7 | Q. Were you aware in 1971 that your son had spent nights at the
8 | police station for being drunk?

9 | A. Well, if he did, it's news to me.

10 | Q. I see, so you weren't aware of that?

11 | A. No, sir. One occasion, yes, that was like my doings, but
12 | anyway -- go ahead.

13 | Q. One occasion?

14 | A. I mean I got them one night for him. One day myself.

15 | Q. Was that his only contact so far as you?

16 | A. Pardon.

17 | Q. Was that his only contact with the police so far as you know?

18 | A. I did, I had them one day for something, but okay -- well
19 | listen we'll just get on -- some personal things I don't
20 | see why I should have to discuss it here with you people.

21 | Q. I see.

22 | A. This concerns the Marshall case and inquiry, but the personal
23 | things, I don't see why I should have to discuss it here,
24 | really.

25 | Q. Do you remember in 1982 hearing your son on the radio?

MARGARET PRATICO, by Mr. Murray

1 | A. No, sir.

2 | Q. Just leading on from a point that the other lawyer was
3 | talking about, when you're -- when you are discussing
4 | something with John, he can present something very convincingly
5 | to you, can he not?

6 | A. Like what?

7 | Q. Well, if he's telling you a story about what happened --

8 | A. Yeh, well he never, like I told yeh, he's never spoke to
9 | me about it and I didn't question him on it.

10 | Q. I'm not talking about this particular thing but if he was --
11 | if he was telling you a story about something that had
12 | happened to him --

13 | A. Pardon.

14 | Q. If he was telling you a story about something that had
15 | happened to him?

16 | A. To him?

17 | Q. Yes, he could be convincing about how that happened? You'd
18 | believe him?

19 | A. Well, he's my son, why shouldn't I -- well, would you tell
20 | me one good reason why a mother wouldn't believe her son.
21 | Can you answer that one? I don't see why a mother shouldn't
22 | believe her son.

23 | Q. Thank you.

24 | A. I got no reason not to believe my son.
25 |

MARGARET PRATICO, by Mr. Murray

1 | THE CHAIRMAN:

2 | No, that's a very good answer.

3 | NO FURTHER QUESTIONS BY REMAINING COUNSEL.

4 | MR. CHAIRMAN:

5 | That's all, thank you very much Mrs. Pratico.

6 | BY THE WITNESS:

7 | Well, it's only true. A mother has all the rights to believe her
8 | son. Why should she doubt her son for any --

9 | MR. CHAIRMAN:

10 | I know you were telling the -- You did a very --

11 | BY THE WITNESS:

12 | Pardon?

13 | MR. CHAIRMAN:

14 | You did a very good job indeed and thank you for coming.

15 | MR. MacDONALD:

16 | Thank you.

17 | MR. CHAIRMAN:

18 | Now would we recess and let there be light. You can take that
19 | anyway --

20 | INQUIRY ADJOURNED: 9:14 a.m.

21 |

22 |

23 |

24 |

25 |

J.M.C.