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ROYAL COMMISSION ON THE
DONALD MARSHALL, JR., PROSECUTION

VOLUME XX

Held: October 28, 1987

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

Before: Chief Justice T. 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

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Counsel for Donald Marshall, Jr.

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Joel Pink, Q.C.: Counsel for John F. MacIntyre

Donald C. Murray: Counsel for William Urquhart

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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 MacAlpine

Charles Broderick: Counsel for Carroll

S. Bruce Outhouse: Counsel for Wheaton & Scott

Guy LaFosse: Counsel for Davies

Bruce H. Wildsmith, & Graydon Nicholas:
Counsel for Union of Nova Scotia Indians

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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INQUIRY RECONVENED AT 9:35 o'clock in the forenoon on Wednesday, the 28th day of October, A.D., 1987, at Sydney, County of Cape Breton, Province of Nova Scotia.

1

2 MR. ORSBORN:

3 Mr. Chairman, the first witness this morning will be Mrs. Beudah
4 Chant. I'll indicate that the witnesses that we hope to call and
5 conclude today will be Mrs. Chant, Mr. Lawrence Burke, Mr. Wayne
6 Magee, and Inspector Arthur Woodburn.

7 BEUDAH ELIZABETH CHANT, being called and duly sworn, testified as
8 follows:

9 BY MR. ORSBORN:

10 Q. Good morning, Mrs. Chant. What is your full name, please?

11 A. Beudah Elizabeth Chant.

12 Q. How do you spell your first name?

13 A. B-e-u-d-a-h.

14 Q. B-e-u-d-a-h. Where do you live, Mrs. Chant?

15 A. Louisbourg.

16 Q. How long have you lived there?

17 A. Gracious. About twenty-three years, I would imagine. Twenty-
18 four years.

19 Q. I may have to ask you to speak up a little bit or perhaps get
20 the microphone a little closer to you because we may not
21 hear you. Do I understand that you are the mother of Maynard
22 Chant?

23 A. Yes.

24 Q. And do you have other children?

25 A. Yes.

- 1 Q. How many do you have?
- 2 A. Six others.
- 3 Q. And --
- 4 A. Besides Maynard, that's seven.
- 5 Q. Are they younger or older than Maynard or a combination of both?
- 6 A. A combination. He's second oldest boy.
- 7 Q. I see. I'd like to take you back, Mrs. Chant, to May of 1971,
8 and I would like to ask you for your recollection of the very
9 early morning of May 29th, 1971. Do you recall having any
10 conversation respecting Maynard's being at the Sydney Police
11 Department in the early morning of May 29th, 1971?
- 12 A. Yes.
- 13 Q. Could you give us your recollection, please?
- 14 A. They called and asked if we could come in and get him, and they
15 said -- They just said they couldn't tell us over the phone
16 what was the problem just to come in and pick him up.
- 17 Q. Was it you talking to the police department or your husband?
- 18 A. No. I believe it was my husband.
- 19 Q. Yes, and do you know what time it was?
- 20 A. No, it was after twelve.
- 21 Q. I see. And what did you do?
- 22 A. My husband got up and went in and picked him up.
- 23 Q. Did you talk to Maynard when he came home?
- 24 A. No.
- 25 Q. Did you see him?

- 1 | A. I don't remember.
- 2 | Q. Had you ever been asked before to pick him up at the police
3 | station at the early hour in the morning?
- 4 | A. No.
- 5 | Q. Were you concerned?
- 6 | A. Yes.
- 7 | Q. When did you first see him -- see Maynard when -- after he
8 | got home?
- 9 | A. It could've been the next morning. We got up early for church.
- 10 | Q. Yes.
- 11 | A. And I may have seen him that night. I don't recall.
- 12 | Q. The next morning would have been a Saturday morning. Would
13 | you have gone -- been going to church on a Saturday?
- 14 | A. Oh, I thought that would be Sunday. No, we'd be going to church
15 | on Sunday. I must have seen him then on the next morning.
- 16 | Q. I see. Do you remember having any discussion with him over
17 | the events of the night before?
- 18 | A. Don't remember.
- 19 | Q. Is it likely that you would've asked him?
- 20 | A. Probably.
- 21 | Q. Do you recall whether or not he came home with any clothes with
22 | blood on them?
- 23 | A. No.
- 24 | Q. You don't recall, or he didn't come home with any?
- 25 | A. No.

1 Q. I'm sorry.

2 A. I don't recall that he did.

3 Q. I see.

4 A. Yeh.

5 Q. Do you recall hearing any news about an incident in Sydney
6 involving a stabbing?

7 A. Yes, I think that was all he said, but I don't when he told
8 us that, whether it was that night or the next morning. He
9 just said that there was -- young fellow had been stabbed in the
10 park and that he happened to be coming around there when it
11 happened and that's why he was in the police station.

12 Q. Did he give you any details of what he had seen?

13 A. No. He said he hadn't seen anything.

14 Q. Did he tell you that?

15 A. No -- Yes, he said he hadn't seen nothing. He just got there
16 when it was all over or he was -- He had met Donald --

17 Q. Yes.

18 A. -- Marshall, and he had told him that there had been a
19 stabbing.

20 Q. Do you recall when it was he gave you this information? Is
21 it on this first Saturday?

22 A. I don't remember. I don't remember what day it was he told us
23 that.

24 Q. Is it the sort of experience that Maynard would likely have
25 sat down and discussed with you?

BEUDAH E. CHANT, by Mr. Orsborn

- 1 A. No. He was at that age where he didn't want us to know too
2 much of his business.
- 3 Q. Right.
- 4 A. Yeh.
- 5 Q. Is the sort of thing that he might've discussed with any of
6 his brothers or sisters?
- 7 A. He may have. They didn't say he had, but he could have. Like
8 they never told me that he did.
- 9 Q. Yes. Did he give you, at any time, the impression that he had
10 actually seen or witnessed the stabbing?
- 11 A. No.
- 12 Q. Did you have any further contact with the Sydney Police?
- 13 A. They came out on Sunday afternoon.
- 14 Q. Which -- Was this the Sunday immediately following the Friday
15 night?
- 16 A. Yes.
- 17 Q. Right.
- 18 A. Yes. And --
- 19 Q. How do you know it was the Sunday afternoon they came out?
- 20 A. We had just came from church.
- 21 Q. I see.
- 22 A. And when we came home, they were parked in our driveway --
- 23 Q. Right.
- 24 A. -- by our house. Yeh.
- 25 Q. Where did you go to church?

- 1 A. Sydney Pentecostal Church in -- on Victoria Road.
- 2 Q. So you had to travel into Sydney and then drive back?
- 3 A. Yes.
- 4 Q. And was it the morning service that you went to?
- 5 A. Yes. Yeh.
- 6 Q. Roughly what time would you have arrived home?
- 7 A. It would be about maybe one or one thirty.
- 8 Q. And was Maynard with you?
- 9 A. Yes.
- 10 Q. And you indicated that the police were in the yard waiting for
- 11 you when you got back?
- 12 A. Yes.
- 13 Q. Okay. Did you know who the police officers were?
- 14 A. It was Sergeant MacIntyre and another policeman. I don't know.
- 15 I don't remember his name.
- 16 Q. Had you known Sergeant MacIntyre before that day?
- 17 A. No.
- 18 Q. How do you know him now it was Sergeant MacIntyre?
- 19 A. Well, he told us --
- 20 Q. I see.
- 21 A. -- his name.
- 22 Q. And were they in uniform? Police uniform?
- 23 A. I don't remember.
- 24 Q. And do have a recollection now of what happened when you met
- 25 the police officers?

- 1 A. They said they would like to talk to Maynard that they had
2 reason to believe that he wasn't telling the complete truth.
- 3 Q. Do you have a recollection now of that being said to you on
4 that Sunday that Maynard was not telling the truth?
- 5 A. Yes.
- 6 Q. Okay. And did they give you any indication of what Maynard
7 had said to them?
- 8 A. No. They didn't really give anything in detail. They just
9 said that they felt that Maynard wasn't telling the truth
10 about the incident.
- 11 Q. Yes.
- 12 A. Yes.
- 13 Q. And were they still in the car when they were talking about
14 this?
- 15 A. No, I believe that was in the house.
- 16 Q. And were you and your husband present?
- 17 A. Yes.
- 18 Q. Was Maynard present as well?
- 19 A. Yes. Yeh.
- 20 Q. And after they indicated to you -- Who was it indicated to
21 you? Was it Sergeant MacIntyre or was it the other gentleman?
- 22 A. It was Sergeant MacIntyre.
- 23 Q. And after this was indicated to you, what happened?
- 24 A. We just encouraged Maynard to tell the truth. If he wasn't
25 telling the truth, to tell the truth.

1 Q. And did you remain in the house?

2 A. Oh, yes. I was back and forth. I had boarders; so I was
3 trying to get dinner, and I was sort of in and out of the
4 kitchen, back and forth and so like I didn't set in on at all.

5 Q. Yes. And do you have any recollection of what Maynard said
6 to the police officers that day?

7 A. Well, he seemed to stick to his story that he hadn't seen
8 anything up to just the time that when he met Mr. Marshall
9 coming around the road there by the park --

10 Q. Yes.

11 A. -- and stopped him and told him there had been a stabbing.
12 And that was all that he -- He maintained that story.

13 Q. And did you hear him telling the story to the police in your
14 house?

15 A. No, not the full story. I don't remember. Like I say, I
16 wasn't in through it all; so I only heard bits and pieces
17 here --

18 Q. Yes.

19 A. -- and there, but he just --

20 Q. Did you hear him saying, at any time in the house, that he
21 had not seen anything?

22 A. Oh, yes.

23 Q. I see. And do you recall what the attitude of the police
24 officers was when Maynard would indicate this?

25 A. They felt he was lying. They felt that he wasn't telling the

1 whole truth.

2 Q. How did Maynard seem at the time to you?

3 A. He -- Well, he was young and he was very nervous and afraid.

4 Q. Do you recall if your husband stayed in the room during the
5 conversation?

6 A. I don't remember. It's possible he could have, but I don't
7 remember whether he did or not.

8 Q. At the time, did you believe Maynard?

9 A. Yes, I had no reason not to.

10 Q. Had you had any previous difficulty with him not telling the
11 truth in any situations?

12 A. Well, yes. Most all kids don't tell the truth. Most
13 children they'll lie to cover up, you know. So I figured if they
14 thought he was lying, then he must be; so I just took it at
15 that.

16 Q. I see. Did -- How long did they stay in the house?

17 A. Oh, I'm not sure. I don't remember. Maybe half an hour.

18 Q. I see.

19 A. Maybe more. I don't really know.

20 Q. And at what point did they leave the house?

21 A. They had taken Maynard out in the car to --

22 Q. Do you recall why they took him out in the car rather than
23 stay in the house?

24 A. I guess maybe they thought they could -- Maybe he would talk
25 in -- to them maybe not in front of us, I don't know.

1 Q. Did they ask you if they could take him out in the car?

2 A. Yes.

3 Q. And what did you say?

4 A. We said yes.

5 Q. Did the -- How long did you stay out in the car?

6 A. Oh, it wasn't that long. Maybe fifteen minutes.

7 Q. And then what happened?

8 A. And then they -- He came in. They left and he said that they
9 didn't believe he was telling the truth that they thought that
10 he was there when it happened.

11 Q. At this point, did Maynard give you any suggestion at all that
12 he had seen anything other than Mr. Marshall coming along?

13 A. He said he never seen anything. He said he hadn't seen any --
14 Like he hadn't any -- seen anything only that Mr. Marshall had
15 stopped him on the road and they had gone back to the park,
16 that's all.

17 Q. Do you recall if Maynard left your yard at any time that day
18 with the police?

19 A. No.

20 Q. Do you know whether or not he went into Sydney on that day?

21 A. No.

22 Q. The reason I ask is that we have a statement that Maynard gave
23 on the 30th of May, which, I believe, was a Sunday, and it's
24 indicated on the statement that it was given between the hours
25 of five fifteen and five thirty-five on the Sunday afternoon.

1 That we believe it was taken in Sydney. Maynard thought
2 it was probably taken in Sydney.

3 A. We could've taken him in when we went back to church that night.
4 I don't remember, but we could have. It's possible, but I
5 don't remember anything about that.

6 Q. It's possible that you could've taken Maynard in --

7 A. That we could've taken him back when we went in. We generally
8 went in around six o'clock to church, and if they had asked
9 him to come in, we probably may have taken him in early.

10 Q. Do you have any recollection of your being asked to take him
11 in?

12 A. No. No.

13 Q. Do you have any recollection of the police saying that, "We
14 want to see Maynard again at some time."?

15 A. No.

16 Q. But your recollection today is that once Maynard came in the
17 house from being out in the car with the policemen that you
18 have no recollection of any contact with the police on that
19 Sunday -- any further contact with the police?

20 A. No. On the -- In a couple of days later they came back --

21 Q. Yes.

22 A. -- out again but not on that Sunday.

23 Q. I see. Do you know if Maynard got his dinner that day or not?

24 A. I don't remember that either.

25 Q. It might give you an -- some indication of how long he was

1 involved with the police.

2 A. I don't remember.

3 Q. Do you recall if he was upset when he came back from the police
4 car?

5 A. Yes, he was quite upset, yeh.

6 Q. And why was he upset, do you know?

7 A. I think he thought like we did that maybe they were trying to
8 implicate him in something.

9 Q. What, to implicate him in something?

10 A. In -- maybe -- I don't know. Maybe being there or telling
11 something that, you know -- You never know. I thought maybe
12 he might think -- Now, this is just my judgment -- that he
13 might think maybe they were trying to accuse him of something
14 that maybe he didn't do or something.

15 Q. Do you have anything on which to base that judgment of yours?

16 A. No, but it was a very serious charge and, you know, a young
17 fellow being there after and seeing everything, you never know
18 what, you know, people might think.

19 Q. Were you concerned then that the police might have been trying
20 to suggest that Maynard himself had done the stabbing?

21 A. No, I never thought that. I thought maybe he might've been
22 somewhere around there or something with someone because
23 when -- You know, you don't know where children are --

24 Q. Yes.

25 A. -- when they're not home.

- 1 Q. Was there anything said to you at any time by either of the
2 police officers to suggest that Maynard had in fact seen
3 the stabbing?
- 4 A. No, they didn't say. They said they had reason to believe
5 he wasn't telling the truth. That was all. Except for on
6 another day. The next time they came out, they said that
7 they had a witness to prove --
- 8 Q. Yes.
- 9 A. -- that he had seen it. But not on that day.
- 10 Q. Not on this --
- 11 A. Not on Sunday.
- 12 Q. On this first occasion, did the police give any suggestion to
13 you as to what they thought the truth was?
- 14 A. I don't remember, no.
- 15 Q. Well, after Maynard came back then from the police car and upset
16 as you say, did you make any further attempts to say sit down
17 with him and say, "Now, look here, what's going on. What
18 actually happened?"
- 19 A. I remember telling him, "Well, Maynard, if you're not telling
20 the truth, you'd better tell the truth because this is very
21 serious and, you know, you might get in trouble yourself if
22 you --" because he was on probation and he said he was telling
23 the truth.
- 24 Q. Did you know at this time that Mr. Seale had died?
- 25 A. No.

1 Q. I see. In your opinion, did Maynard realize how serious the
2 situation was -- how serious the stabbing was?

3 A. I believe he did, but I don't remember. Like I couldn't say
4 for sure, but I believe he thought it -- You know, he was very
5 scared.

6 Q. And after he came back from the police car and you impressed
7 on him again the need to tell the truth, when he reiterated to
8 you that he had seen nothing, at that point, did you believe
9 him?

10 A. Yes, I believed him. I didn't have any reason not to. You
11 know, like I mean, he said that he hadn't seen anything and
12 so I just said to him, "Well, tell the truth," and he said
13 he didn't. He had told the truth. So I mean, that was --
14 You can't --

15 Q. I understand.

16 A. Yeh.

17 Q. Did you have a further contact with the Sydney Police Department?

18 A. Yes, they came out in a couple of days later and came in again
19 and said that they had a witness to prove that he had been
20 in the park.

21 Q. Right. Now, did the -- Do you recall the police coming to
22 your house and telling you that?

23 A. Yes, they came to the house.

24 Q. There's some -- There may be some evidence that Mr. Magee, in
25 fact, was the gentlemen that came to your house and picked up

1 Maynard and took you back to the Town Hall. Do I understand
2 that your recollection is that the Sydney Police in fact came
3 to your house to get him?

4 A. Yes, they came again.

5 Q. And do you recall whether or not it was the same police officers
6 that had come before?

7 A. Yes, it was the same two.

8 Q. Right. And they'd indicated that they had an eye witness?

9 A. Yes. They said they had a witness to prove that Maynard had
10 been there and that he was lying.

11 Q. Was this said to you in the house?

12 A. Yes.

13 Q. Was your husband present?

14 A. No, he was at work.

15 Q. Was Maynard present?

16 A. Yes.

17 Q. Did the police say any more than that they had another eye
18 witness?

19 A. No.

20 Q. Did they say who the eye witness was?

21 A. No.

22 Q. Did they say that they had a suspect for the stabbing?

23 A. No, I don't recall.

24 Q. Did you know at this point that Mr. Seale had died?

25 A. I don't remember. I could have, but I don't remember.

1 Q. After the police indicated that they had an eye witness that
2 proved that Maynard was lying, what happened then?

3 A. They said that they would like to take him down to the Town
4 Courthouse and question him down there.

5 Q. Yes.

6 A. So we went down. They took us down.

7 Q. Yes. You went with them?

8 A. Yes.

9 Q. Did you ask to go?

10 A. I don't remember.

11 Q. Was there any suggestion made by the police officers that you
12 should not go?

13 A. I don't remember. No, I don't think so.

14 Q. Any objection to your going?

15 A. No.

16 Q. Do you have a recollection today -- have a picture in your mind
17 of the interview at the Courthouse?

18 A. Not completely. It's something you try to wipe away.

19 Q. Do you have any recollection today of that interview?

20 A. I don't remember like too much. I know we went in the room
21 and they had talked to him for a bit, but they thought they
22 weren't getting anywheres with him; so they asked me if I would leave.

23 Q. Okay. So you went into a room. This was a room in the Town
24 Hall, the Courthouse, is it?

25 A. Town Hall, yeh.

BEUDAH E. CHANT, by Mr. Orsborn

- 1 Q. In Louisbourg?
- 2 A. Yes.
- 3 Q. Right. Do you remember if there was anybody else present?
- 4 A. I believe Wayne Magee, but that's all besides the two officers.
- 5 That's all I remember being there.
- 6 Q. Did you know Mr. Magee?
- 7 A. Oh, yes.
- 8 Q. Is he a friend of yours?
- 9 A. Yes.
- 10 Q. A friend of Maynard's?
- 11 A. Yes.
- 12 Q. Did his being there give you any comfort in any way?
- 13 A. Yeh, I believe it did.
- 14 Q. Yes. Do you have any recollection of the setting in the
- 15 room -- what the furniture was like, how big the room was?
- 16 A. No.
- 17 Q. Were you nervous?
- 18 A. Yes, like I am now.
- 19 Q. Why were you nervous?
- 20 A. Well, it's just nerve-wracking, you know, to go through any-
- 21 thing like that. We had never gone through anything like
- 22 that before and so we just didn't know what --
- 23 Q. Had you ever been involved in talking to the police in company
- 24 with Maynard before?
- 25 A. Oh, yes, Wayne Magee.

- 1 Q. Yes.
- 2 A. Yeh. And he was going through a lot of rebellious period there
3 and things, you know. He was trying -- didn't want to go to
4 school and different things like that and he had -- Wayne had
5 really helped us, you know -- tried to help Maynard.
- 6 Q. Nothing as serious as this, I take it?
- 7 A. No, not that serious, no.
- 8 Q. Do you know if you were sitting down when you went into the
9 room?
- 10 A. I don't remember that.
- 11 Q. Do you know if you were close to Maynard?
- 12 A. Yeh, I believe he was sitting alongside of me.
- 13 Q. Okay.
- 14 A. Or we could've been sitting down. I don't know. I don't remember.
- 15 Q. I see.
- 16 A. Or standing by me or something. I don't really remember.
- 17 Q. Do you have any recollection of how the interview proceeded
18 while you were there?
- 19 A. No, I don't. I don't remember.
- 20 Q. Do you remember Sergeant MacIntyre being there?
- 21 A. Yes.
- 22 Q. And I believe the evidence will indicate that the other officer
23 there was Detective Urquhart. Did you know Detective Urquhart?
- 24 A. No.
- 25 Q. Do you remember another policeman being there?

BEUDAH E. CHANT, by Mr. Orsborn

- 1 | A. Outside of Wayne Magee, I don't remember, no.
- 2 | Q. Do you remember if anybody in the room was standing while the
- 3 | interview was taking place?
- 4 | A. Don't remember.
- 5 | Q. Do you remember if there was anything at all about the inter-
- 6 | view -- the way it was conducted that caused you to become
- 7 | either more or less nervous?
- 8 | A. I don't recall, no.
- 9 | Q. Do you remember if anything was said about this eye witness
- 10 | that had indicated or suggested that Maynard was lying?
- 11 | A. No, I don't remember that either.
- 12 | Q. Did you stay in this room to your recollection for the whole
- 13 | interview?
- 14 | A. No, they had asked me if I would leave, and I said, "Yes."
- 15 | So I got up and left.
- 16 | Q. Do you recall who asked you to leave?
- 17 | A. I believe it was Sergeant MacIntyre.
- 18 | Q. And do you know what had happened that might want them to have
- 19 | you leave?
- 20 | A. They thought maybe he -- Maynard would talk more freely if I
- 21 | wasn't there.
- 22 | Q. Was this said to you?
- 23 | A. Yes.
- 24 | Q. And who said that to you?
- 25 | A. I don't remember.

BEUDAH E. CHANT, by Mr. Orsborn

1 Q. Up until the time you left, do you know what Maynard had been
2 saying?

3 A. He had said -- was saying -- He had maintained his story that
4 he hadn't seen anything.

5 Q. Yes.

6 A. You know. And that was all I remember that he kept saying he
7 hadn't seen nothing.

8 Q. Yes. Do you know did he repeat this that he hadn't seen
9 anything?

10 A. He must have. I don't remember.

11 Q. Do you know how long you were in the room before you left?

12 A. Not very long. Fifteen, twenty minutes maybe.

13 Q. Was it as long as you've been testifying this morning?

14 A. Probably.

15 Q. That's about twenty-five minutes, I would think.

16 A. Yes.

17 Q. Do you recall anything about the tone of the questioning, the
18 tone of the voices while you were there?

19 A. No.

20 Q. Was there anything about the interview that made you want to
21 stay there and not leave?

22 A. No, I felt that if I -- I felt if I did leave that Maynard
23 would probably maybe open up and tell the truth. I don't know
24 why, whether he -- Maybe he might've been afraid of punish-
25 ment from us. I don't know, but I felt maybe he might talk

1 to them more freely if I wasn't there because he wasn't supposed
2 to be in Sydney that night --

3 Q. Yes.

4 A. -- you know, and so -- because he was on probation.

5 Q. He was supposed to have been in church with you, I think,
6 wasn't he?

7 A. Yes.

8 Q. But were you still of the opinion that when Maynard said that
9 he saw nothing he was in fact telling the truth?

10 A. Well, at that point, I didn't know whether he was telling
11 the truth or not. If they had evidence to prove that he was
12 there, I felt he must be lying.

13 Q. I see. And do you recall this being stated at the Louisbourg
14 Town Hall that this eye witness was there -- that they had
15 other evidence to prove that Maynard was lying?

16 A. Yes.

17 Q. Do you recall if they said who the eye witness was?

18 A. Who the -- Pardon me?

19 Q. Who the eye witness was?

20 A. No.

21 Q. Do you recall if Mr. Marshall's name came up in the interview
22 while you were there?

23 A. Don't remember.

24 Q. While you were in the room, do you recall how Maynard was, if
25 he was calm, if he was upset?

BEUDAH E. CHANT, by Mr. Orsborn

- 1 | A. I don't remember.
- 2 | Q. Did he start to cry at any time while you were there?
- 3 | A. I can't remember that. He could have. Well, I don't remember.
- 4 | Q. If he had started to cry, is it likely that you would've left?
- 5 | A. I probably wouldn't have.
- 6 | Q. Probably wouldn't have?
- 7 | A. Yes.
- 8 | Q. While you were in the room, do you recall any reference being
9 | made to the fact that Maynard was on probation and could get
10 | in some trouble?
- 11 | A. Yes. Yeh.
- 12 | Q. Do you recall who made that reference?
- 13 | A. No, I don't know. But I know -- It was said that he was on
14 | probation and he could be in a lot of trouble if he didn't
15 | tell the truth and didn't --
- 16 | Q. Who was doing most of the talking?
- 17 | A. I believe it was Sergeant MacIntyre.
- 18 | Q. And other than Maynard and Sergeant MacIntyre, do you remember
19 | anybody else saying anything at all?
- 20 | A. I don't remember.
- 21 | Q. Do you recall while you were there, any reference being made
22 | to the fact that Maynard perhaps could have committed perjury
23 | or perhaps could go to goal for two to five years?
- 24 | A. Yeh, I believe that was mentioned that he -- if he was lying,
25 | he could be charged.

BEUDAH E. CHANT, by Mr. Orsborn

1 Q. Yes. And do you recall this sort of two to five years in
2 jail being mentioned?

3 A. No. I don't remember that.

4 Q. Do you recall who mentioned that he might go to goal if he
5 was lying?

6 A. No.

7 Q. Do you recall any mention of a knife while you were there?

8 A. I don't -- I can't remember if it was there or where it was,
9 but this was after they had asked me to leave the room and
10 they said they had a statement. When they came out, they said
11 they had a statement from Maynard.

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BEUDAH E. CHANT, by Mr. Orsborn

- 1 Q. Yes.
- 2 A. And they felt, I guess, that they had finally got the truth
3 from him. Now I don't know whether it was then or when it
4 was but they had told him that he couldn't say that he had
5 seen a knife, that he could only say it looked like or that
6 it seemed like to him a knife.
- 7 Q. Now did the police tell this to you directly or was this
8 something that Maynard related to you?
- 9 A. I don't remember.
- 10 Q. I see. After you left the room, where did you go?
- 11 A. I just went out in the hallway and stood.
- 12 Q. Was the door to the room open?
- 13 A. No.
- 14 Q. Could you hear what was happening inside?
- 15 A. No.
- 16 Q. Do you have any idea how long you were out there?
- 17 A. I don't know, maybe twenty minutes. I don't know.
- 18 Q. Did you feel like going back at any time and inquiring as to
19 how Maynard was?
- 20 A. No.
- 21 Q. Did Maynard ask you to stay when you -- When you left the
22 room did he make any -- propose to you that you should stay
23 there?
- 24 A. I don't know. I can't remember.
- 25 Q. And what is your recollection of when the interview was over and

BEUDAH E. CHANT, by Mr. Orsborn

1 the people came out of the room, did anybody speak to you?

2 A. Pardon me?

3 Q. Did anybody speak to you when the interview was over?

4 A. Yes, they came out and said that -- I believe it was
5 Sergeant MacIntyre who said that he finally -- that they had
6 got a statement from Maynard.

7 Q. Right.

8 A. That he had signed a statement.

9 Q. Right, and do you know what Maynard had said to the police? Did
10 they say what he had said?

11 A. No.

12 Q. Did you see the statement that Maynard had given?

13 A. No, I don't remember seeing any statement.

14 Q. I'd ask you to have a look at the -- the paper there to the
15 left of you.

16 MR. ORSBORN:

17 That, My Lord, is Exhibit 31 which is the original handwritten
18 copy of Mr. Chant's statement of June the 4th. A copy of that
19 appears in Volume 16 at pages 50 to 54.

20 BY MR. ORSBORN:

21 Q. Have you ever seen that before, Mrs. Chant?

22 A. No.

23 Q. I'd ask you to look at the -- the bottom of each of the first
24 four pages or three pages and indicate whether or not your
25 signature appears anywhere on those pages?

BEUDAH E. CHANT, by Mr. Orsborn

1 A. No, I don't see it.

2 Q. I'd ask you to look at the last page -- the very last page
3 with the names at the top and it appears to be in the handwriting
4 of Mrs. Beudah Chant, mother. Is that your handwriting,
5 Mrs. Chant?

6 A. I don't believe so.

7 Q. How was Maynard when the interview finished, do you recall?

8 A. No.

9 Q. How did you feel when the --the police came out and said that
10 they had finally got a statement from Maynard and that he'd
11 been telling you all along that he'd seen nothing and that
12 he was telling the truth and telling the truth?

13 A. I believed, I guess, that he had told the truth.

14 Q. Did you know at that time what the truth was?

15 A. No.

16 Q. Did you ask him?

17 A. No.

18 Q. Why not?

19 A. I don't know. Maybe I didn't want to face it.

20 Q. What did you think you were facing, that you might be facing?

21 A. Something serious.

22 Q. Serious in the sense that Maynard could be somehow implicated
23 in it?

24 A. I figured he'd probably have to go to Court and witness and I
25 just didn't want to have to deal with that.

1 Q. I see. When did you become aware that Maynard was, in fact,
2 going to be a witness?

3 A. I don't remember.

4 Q. Did you go to Court with Maynard at the Preliminary Hearing
5 which would have been in July of that year?

6 A. No.

7 Q. The first hearing?

8 A. No.

9 Q. Did any members of your family go with him?

10 A. No, not -- not that I remember.

11 Q. Before he went to Court in July did you have any idea what --
12 why he was being called as a witness?

13 A. Apparently he had said he had seen it.

14 Q. Did Maynard tell you this?

15 A. I don't remember whether it was him that told us. He probably
16 did, but I don't remember. I don't remember who told us.

17 Q. When you found out that Maynard was saying that he had -- he
18 had, in fact, seen it, did you talk to him about it? Did you
19 find out exactly what he had seen?

20 A. I had asked him if he had tried to help the boy and he said,
21 "Yes".

22 Q. Yes.

23 A. That was all. He said he had taken off his shirt or something
24 and tried to wrap it around him.

25 Q. But when -- when you believed that Maynard was going to Court to

BEUDAH E. CHANT, by Mr. Orsborn

1 | testify that he had seen it, what did you understand by that,
2 | that he had actually seen the stabbing or that he had seen
3 | the boy on the street and had tried to help him?

4 | A. I don't recall. I don't remember what it was that I had
5 | thought. I can't remember.

6 | Q. Just let me back track for a moment, Mrs. Chant. On the -- the
7 | matter of the Louisbourg interview you indicated that you left
8 | the room after some twenty to twenty-five minutes. We
9 | anticipate that both Sergeant MacIntyre and Mr. Magee will
10 | testify that you were there for the entire period of the
11 | interview. Does that in anyway change your recollection that
12 | you, in fact, left the room?

13 | A. No.

14 | Q. Are you sure that you did leave the room?

15 | A. I know I left the room. I was standing out in the hall when they
16 | came out.

17 | Q. I see. Do you recall after the Court hearing in July knowing
18 | that Maynard had testified that he had actually seen the
19 | stabbing?

20 | A. I don't remember.

21 | Q. You knew that Maynard had to go back to Court in November
22 | for the trial, I guess?

23 | A. Yes.

24 | Q. Okay. Before that time, did you have any discussions with
25 | him about what his evidence was going to be?

BEUDAH E. CHANT, by Mr. Orsborn

- 1 A. I don't remember that either.
- 2 Q. How was Maynard about testifying in Court? Was he nervous
3 about it or looking forward to it?
- 4 A. I think he was on the day that he went in, but up until then
5 like he was very nervous even of going into Sydney or
6 anything anywheres.
- 7 Q. Before he testified in Court in November did you have any other
8 contact or communication with the Police Department?
- 9 A. I don't remember.
- 10 Q. Okay. Did you have any contact with any of the -- the lawyers
11 that were involved in the case, Mr. Rosenblum, Mr. Khattar, or
12 Mr. MacNeil?
- 13 A. No.
- 14 Q. Do you know or know of John Pratico?
- 15 A. I just heard Maynard speak of him. That's all.
- 16 Q. When did you hear Maynard speak of him?
- 17 A. I don't even remember that but I know --
- 18 Q. Was it in recent years or was it in 1971?
- 19 A. No, it was back in -- in -- Back there he had spoke of him.
- 20 Q. Yes.
- 21 A. And I don't know whether I had learnt of him after the hearing
22 or before. I can't remember.
- 23 Q. Do you know whether or not Maynard spent a night at John
24 Pratico's house?
- 25 A. I believe he stayed there one night during the trial. We had --

BEUDAH E. CHANT, by Mr. Orsborn

- 1 My husband worked and it was difficult to get in and out of
2 Sydney.
- 3 Q. Yes.
- 4 A. And I believe he called from in there and asked if it was all
5 right if he stayed.
- 6 Q. John Pratico has indicated to us if my recollection serves
7 me right that if Maynard had spent a night in his room he
8 would have remembered it and he doesn't remember. Are you
9 fairly clear that Maynard, in fact, spent a night at
10 Mrs. Pratico's house?
- 11 A. Yes. Yeh.
- 12 Q. Did Maynard tell you that?
- 13 A. He told us that, yeh.
- 14 Q. Did you attend any of the trial in November?
- 15 A. I went in one day or two. I'm not sure but I just -- I couldn't
16 stay. I wasn't there when Maynard gave his testimony.
- 17 Q. You weren't?
- 18 A. No, and -- but I -- I went in the first day and I may have gone
19 back the second. I don't remember. It was very difficult
20 for me to get in because I had old people I was looking after
21 and it really bothered my nerves in there. I really couldn't
22 stand it, so I asked if I had to be present and they said it
23 wasn't necessary.
- 24 Q. Who told you it wasn't necessary?
- 25 A. I don't remember.

BEUDAH E. CHANT, by Mr. Orsborn

1 Q. Okay. Was any other member of his family present?

2 A. No.

3 Q. Were you aware at the time of the trial that Maynard was an
4 eyewitness or was testifying as being an eyewitness to the
5 stabbing?

6 A. I don't remember.

7 Q. Hindsight is a great thing but if -- one would think that
8 being an eyewitness to a murder would be a big thing in a
9 household and that you'd talk about it at dinner or sitting
10 around watching T.V. Was it an item of discussion in your
11 house?

12 A. I don't remember that either.

13 Q. I don't remember talking about it, you know, because we had
14 other people in our house sitting around the table with us,
15 so we don't talk too much family business around our dinner
16 table because we have boarders. I have old people that are
17 there so we try to keep as much as our -- of our personal
18 life out of their ears as possible.

19 Q. Do you recall anybody saying to Maynard at any time during
20 these three or four months before the trial that he -- "Hey,
21 Maynard, did you really see what was going on"? Any
22 conversation like that?

23 A. I don't remember. It's possible but I don't remember.

24 Q. Do you recall getting any sense from Maynard that he either
25 had testified or was going to testify to something that was not

- 1 the truth?
- 2 A. No, I don't remember him saying anything like that.
- 3 Q. Do you recall whether or not he appeared to be under any
4 pressure with respect to his testimony from any sources at
5 all?
- 6 A. I don't remember.
- 7 Q. Did he ever mention the -- the matters that had been raised
8 in the -- in the Louisbourg Town Hall about perjury and his
9 being on probation?
- 10 A. I don't remember that either.
- 11 Q. How long did Maynard live at home after the trial in 1971?
- 12 A. I don't know. He was in and out and back and forth and --
- 13 Q. Did he stay home -- Did he live at home until he got married?
- 14 A. Off and on.
- 15 Q. When did he get married?
- 16 A. Oh, I don't know. I can't remember (It's so long --) when
17 that was. In 19 -- I think it's been six years ago.
- 18 Q. Okay. So around 1980, '81?
- 19 A. Yeh, six years.
- 20 Q. Up until that time when Maynard was in and out of the house,
21 was the matter of the -- of the trial and the stabbing ever
22 raised?
- 23 A. I don't remember.
- 24 Q. When did you first become aware that Maynard had given an
25 untrue story at the trial or when did he first say that he had

1 | given an untrue story at the trial?

2 | A. I believe it was when there was two men who came from Halifax and
3 | said that Mr. Marshall was up for parole. I believe it was
4 | then. I'm not sure, but I believe it was then that he said that
5 | it was not true.

6 | Q. This is the two R.C.M.P. officers?

7 | A. Yes.

8 | Q. Just to refresh your memory a little bit, Mrs. Chant --

9 | MR. ORSBORN:

10 | There is a statement, My Lord, given to the R.C.M.P. in 1982. It's
11 | found in Volume 14 at pages one and two.

12 | BY MR. ORSBORN:

13 | Q. There's a typewritten version of that in front of you I think,
14 | Mrs. Chant. Do you recall yourself giving a statement to these
15 | R.C.M.P. officers?

16 | A. Yes.

17 | Q. If I can just direct your attention to the second page of that
18 | statement and it is about in the middle of that second page,
19 | and you're speaking now in 1982 in April and you say:

20 | About two years ago Maynard told me
21 | he had given false evidence at the
22 | trial and that he had not seen anything
 of the murder.

23 | A. That would probably be when he came back to the Lord. He got
24 | saved.

25 | Q. Yes.

BEUDAH E. CHANT, by Mr. Orsborn

- 1 A. He converted. He probably mentioned it then.
- 2 Q. Right.
- 3 A. Yes.
- 4 Q. So that would have been around 1980?
- 5 A. That would -- Yes.
- 6 Q. When he told you back in 1980 or thereabouts that he had given--
- 7 that he had given false evidence, did that surprise you?
- 8 A. Yes. Yes.
- 9 Q. Did you ask him why he had given false evidence?
- 10 A. Yes.
- 11 Q. And what did he tell you?
- 12 A. He said because he was afraid and scared.
- 13 Q. Did he say what-- what he was scared of?
- 14 A. He just said he was scared that he might be implicated in
- 15 something he didn't do.
- 16 Q. Yeh. From your recollection of your involvement with the -- the
- 17 interviews that Maynard had -- had given, do you recall any
- 18 grounds for his -- his being that scared?
- 19 A. Well, no, there was just so much talk. There was a lot of things
- 20 going on and there was supposed to be people out to get him.
- 21 Now where he got this from, I don't know.
- 22 Q. People out to get him when?
- 23 A. When he was supposed to go in for -- to witness, you know.
- 24 Q. Yes.
- 25 A. And there had been stories told about people being beat up and

BEUDAH E. CHANT, by Mr. Orsborn

1 | that and that made him nervous. He was afraid to go into
2 | Sydney or anywheres.

3 | Q. Do you recall where these stories were coming from?

4 | A. No.

5 | Q. Did anybody relate these stories to you?

6 | A. Maynard told us.

7 | Q. Maynard told you?

8 | A. Yes.

9 | Q. And did Maynard indicate to you why he was being threatened
10 | and why he was -- Why he thought he might be beat up?

11 | A. I suppose because he was the one that had said he seen it.

12 | Q. Yes. Why would somebody want to beat him up for that?

13 | A. I don't know.

14 | Q. So when you -- I think you make reference in this statement --
15 | You said:

16 | He said he tried to tell the truth
17 | but they had him so scared he
18 | couldn't say anything different.

18 | A. Yes.

19 | Q. Who is the "they" that you refer to?

20 | A. The policemen.

21 | Q. Well, it was that -- that the police had him scared?

22 | A. Yes.

23 | Q. I'm getting a little confused now whether the police had him
24 | scared or these people that said they were going to beat him

25 | up --

- 1 | A. Because he couldn't say any different. I thought you meant
2 | was he nervous like during -- while he was at home.
- 3 | Q. Yes, I did ask you that but I'm interested right now in why
4 | Maynard felt that he could not say anything different? What
5 | was he scared of that he couldn't tell the truth?
- 6 | A. Just that they had frightened him into saying that if
7 | he didn't -- that they believed that he wasn't telling the
8 | truth and that if he didn't tell it that he could be charged
9 | with perjury.
- 10 | Q. And the "they" that you refer to now is the Police Department?
- 11 | A. The Police Department, yes.
- 12 | Q. Any one or more individuals that you are referring to?
- 13 | A. Well, they were all there. There was three of them there.
- 14 | Q. Three of them?
- 15 | A. At the -- Down at the Town Hall.
- 16 | Q. Is the three being the two gentlemen from the Sydney Police
17 | Department and Mr. Magee?
- 18 | A. Yes.
- 19 | Q. And while you were present in that interview at the Town Hall
20 | was there anything that would make you believe that they were
21 | scaring Maynard into telling a story he didn't want to tell?
22 | Did you see any of it?
- 23 | A. I don't remember.
- 24 | Q. If you had seen that would you have left?
- 25 | A. Not likely.

- 1 Q. So --
- 2 A. I don't really remember.
- 3 Q. But is it possible to draw a conclusion from the fact that you--
- 4 that you did, in fact, believe that this scaring if you want
- 5 to call it that, didn't take place while you were there?
- 6 A. You can say that.
- 7 Q. When you became aware that Maynard had given false evidence did
- 8 it cross your mind that Mr. Marshall may not, in fact, be
- 9 guilty of the murder?
- 10 A. No.
- 11 Q. Why not?
- 12 A. I just thought he was. I thought they had evidence and I
- 13 thought they had proof that he was guilty and I just figured he
- 14 was.
- 15 Q. Even though one eyewitness said that -- your son said -- he
- 16 gave false evidence?
- 17 A. Yes, like I didn't feel that they would convict somebody on
- 18 a fifteen year old boy's testimony if they didn't have more
- 19 evidence than just him.
- 20 Q. Were you aware of what other evidence had been given to support
- 21 the conviction?
- 22 A. I must have read some of it in the news. I don't remember, but
- 23 at that time--like that's been a long ways back.
- 24 Q. After Maynard told you this did you make any further inquiries
- 25 as to what evidence was given at the trial? Did you go back

BEUDAH E. CHANT, by Mr. Orsborn

1 and look at newspaper clippings or ask anybody that was
2 involved in it or any --

3 A. No.

4 Q. Did you know Mr. Marshall was an Indian?

5 A. Yes.

6 Q. Did you give any thought to raising an alarm with anybody,
7 going to the police or going to a lawyer or anything like that?

8 A. No, I never thought of getting a lawyer. We had never been
9 through anything like that and never even had thought of it.

10 Q. Did you suggest that Maynard should do anything about it?

11 A. I asked him if he thought he should and he said he had talked
12 to his pastor.

13 Q. Yes.

14 A. And I don't even remember what he told him -- the pastor had
15 told him.

16 Q. Was his pastor the William Legge that's referred to in your
17 statement?

18 A. Yes.

19 Q. So I gather from what you're telling us that Maynard had told
20 you this a couple of years before he eventually spoke to the
21 R.C.M.P. but it was your belief that Mr. Marshall was guilty
22 anyway, that they must have had other evidence other than
23 Maynard?

24 A. Yes.

25 Q. And is that why you didn't pursue it?

BEUDAH E. CHANT, by Mr. Orsborn, by Mr. Ruby

1 A. Probably. I don't remember why I didn't pursue it.

2 Q. Did it even enter your mind that gee, here we've got an
3 eyewitness who says he wasn't even there and we've got a
4 guy in gaol for a murder. Did it even occur to you that
5 maybe Mr. Marshall didn't do it?

6 A. No. I figured Maynard -- I didn't know that-- Maynard was the
7 only one at the time that had said he hadn't told the truth
8 so I didn't know that anybody else wasn't telling the truth.

9 MR. ORSBORN:

10 Those are my questions, Mr. Chairman. Thank you.

11 BY MR. RUBY:

12 Q. Mrs. Chant, I'm Counsel for Donald Marshall, Jr., and there's
13 two areas I want to ask you about. The first is, in your
14 statement -- Have you got that in front of you in the book,
15 in the book?

16 A. This one?

17 Q. Yeh.

18 A. Yes.

19 Q. You say in the fifth line:

20 I remember one of the two policemen
21 telling Maynard at some stage that
22 he couldn't say he saw a knife, only
what looked like a knife...

23 Do you remember when that would have occurred? Can you help
24 me on that?

25 A. No, I don't.

BEUDAH E. CHANT, by Mr. Ruby

- 1 Q. This is something you personally remember and not just Maynard
2 telling you, but you actually remembering it?
- 3 A. I remember one of them telling him that but I don't know exactly
4 where it was, whether it was at my home or down at the Town
5 Hall.
- 6 Q. Didn't it alarm -- Didn't it alarm you when you see that that
7 the policemen seem to be coaching the young man as to what he
8 could say and couldn't say. Didn't that seem peculiar at
9 the time?
- 10 Q. Well, no, I figured that he was only young and he had never
11 done anything like that before and they would just -- were just
12 telling him the proper procedure?
- 13 A. Fine.
- 14 Q. The other area I have is this, at some point, and I suppose at
15 the very latest when you read the newspaper accounts of your
16 son's testimony at the trial you must have realized that he had
17 sworn that he saw the actual murder and saw Marshall do it,
18 correct?
- 19 A. Yes, he must have. Yes.
- 20 Q. So at the very latest at that point which was during the
21 trial you -- you have that knowledge that he's told a story
22 under oath which is completely different from what he'd told
23 you for many, many days and weeks prior to that --
- 24 A. Yes.
- 25 Q. --in the early stages? Yes?

BEUDAH E. CHANT, by Mr. Ruby, by Mr. J. Pink

1 A. Yes.

2 Q. I don't understand why you would not have at that point at
3 the latest, said to him, "Look, why did you lie in the beginning
4 if what you're saying now is the truth?" "Can you explain that
5 to me as your mother?"

6 A. I probably did but I don't remember, you know. I probably
7 asked him why he lied, but I don't remember, and I don't
8 remember, you know, what he said.

9 MR. RUBY:

10 Thank you Ma'am.

11 BY MR. J. PINK:

12 Q. Knowing your son as you do, would it be fair to say that he is
13 a much different boy after 1970 once he became a Born Again
14 Christian?

15 A. Yes.

16 Q. And would you agree with me that prior to 1979 he was a selfish
17 person who rebelled against his parents, the church, and the
18 police?

19 A. Yes.

20 Q. Now the first knowledge that you had about your son's possible
21 involvement in this case was when you received a call early
22 one morning from the Sydney City Police. Is that correct?

23 A. Yes.

24 Q. Did you know at that time that it was a stabbing that
25 he was in having discussions with the police about?

1 A. No.

2 Q. Now the police came to Louisbourg on Sunday and this is the
3 first time that you saw Sergeant MacIntyre. Is that correct?

4 A. To my knowledge, yes.

5 Q. And at that time did the two police officers come into your
6 home?

7 A. Yes.

8 Q. And there they had discussions with you and at that time they
9 told you that they felt that your son was not telling them the
10 truth?

11 A. Right.

12 Q. And isn't it also at that time that you told your son on more
13 than one occasion that he should co-operate with the police
14 and be truthful with them?

15 A. Yes.

16 Q. You recognized the importance of the police getting the truth
17 from your son Maynard. Is that correct?

18 A. Yes.

19 Q. Now did you feel that by you as his mother urging Maynard to
20 tell the police the truth that he would do so?

21 A. I hoped he would.

22 Q. Do you know whether or not your son knew a person by the name
23 of Donald Marshall, Jr.?

24 A. Before this incident?

25 Q. Yes.

1 A. I don't really know.
2 Q. From the time of this incident to the present day has your son
3 ever expressed fear for Donald Marshall, Jr.?
4 A. Yes, he -- he feared him getting out of prison. I don't know
5 what he thought that was going to be done but he kind of feared
6 that.

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J.P.P.

BEUDAH E. CHANT, by Mr. J. Pink

1 Q. And prior to your son giving evidence at Donald Marshall,
2 Junior's trial, did he not in fact express fear of him at
3 that time?

4 A. He could have.

5 Q. At any time did he express fear to you about the Indian
6 youths?

7 A. Yes.

8 Q. And was that prior to him giving evidence at Donald Marshall's
9 trial?

10 A. Yes.

11 Q. The police then come back in the middle of the week, is that
12 correct?

13 A. Yes.

14 Q. And this -- and this is the third contact they had with your
15 son?

16 A. Yes.

17 Q. Now according to your evidence you say that they came to
18 your house, they took both your son and yourself to the
19 Town Hall in Louisbourg?

20 A. Yes.

21 Q. Could you be mistaken about that?

22 A. I don't know how we would get down there.

23 Q. Could it have been that Chief Magee picked you up and drove
24 you and Maynard to the Town Hall?

25 A. It's possible but I don't remember.

1 Q. Could it have been also that Chief Magee told you that the
2 Sydney Police were at the Town Hall and they wanted to ask
3 your son some more questions?

4 A. No, I don't remember that. They were at our house.

5 Q. As I understand your evidence, Mrs. Chant, as to what took
6 place in the room on this particular day during the middle of
7 the week, you do not have a great deal of memory for, is
8 that correct?

9 A. No.

10 Q. And I appreciate it that it is many years ago that you're
11 now trying to recollect what took place. When you entered
12 that room with your son, could it have been that the Chief
13 of Police -- or Sergeant MacIntyre was there. Another
14 police officer, Detective Urquhart, Wayne Magee and a fellow
15 by the name of Burke could have been there?

16 A. The only way he could have been there is if they brought him
17 out or had let him know because we hadn't contacted him.

18 Q. Could it have been that Burke could have been in the room?

19 A. If he was I don't remember seeing him.

20 Q. Once again if I may refer you to page 1 of your statement
21 that you gave to Corporal Carroll. You go back to page 1.

22 A. Yes.

23 Q. If you look at the bottom of the first paragraph you say

24 I believe Wayne Magee was present at
25 that time and a Burke fellow.

1 A. I think. I had "I think" there but they had it joined in
2 with the other --

3 Q. That's fine.

4 A. Yes.

5 Q. So therefore is it possible then that the Burke fellow could
6 have been present at the time that Sergeant MacIntyre was in
7 fact interviewing your son?

8 A. It's possible but I don't remember him.

9 Q. Would you agree with me that during this interview with your
10 son at the Town Hall in Louisbourg, the police continued to
11 ask your son and urged your son to tell the truth?

12 A. Yes.

13 Q. And you also mentioned at this meeting with Sergeant MacIntyre,
14 this other police officer in the presence of Chief Magee, that
15 Maynard "Please tell the truth"?

16 A. Yes.

17 Q. Is it not a fact that prior to them questioning your son
18 that John MacIntyre said to you

19 Mrs. Chant, we are here to get
20 the truth from your son. That
is not too much to ask.

21 A. It's possible he said that.

22 Q. And is it not a fact that at this time that you pointed your
23 finger at your son, Maynard, and told him

24 That if he knew anything, to tell
25 the officers.

- 1 A. I don't remember that.
- 2 Q. Now you've known Wayne Magee for how long, Mrs. Chant?
- 3 A. Up until now.
- 4 Q. Yes.
- 5 A. Well, Maynard was only fourteen or fifteen so that's -- from
6 the time that Maynard was fourteen. We knew he was the
7 Police Chief there in Louisbourg but like we had no dealings
8 with him until Maynard got into trouble.
- 9 Q. And would you agree with me that Wayne Magee is a fair and a
10 truthful person?
- 11 A. Yes.
- 12 Q. Now I think you've already told the Commission but I just
13 want to reiterate. When you left the room, as I understand
14 it, you would not have left the room if you felt at that time your
15 son was in any jeopardy from the police officers? Would
16 you agree with that?
- 17 A. Yes.
- 18 Q. So therefore up until the time that you left the room, there
19 was nothing that caused you any fear that the police officers
20 were going to do anything or badger your son in any way, is
21 that not correct?
- 22 A. That's right.
- 23 Q. While you were outside the room, you heard no banging of
24 tables?
- 25 A. No.

BEUDAH E. CHANT, by Mr. J. Pink

1 Q. You heard no raising of voices?

2 A. No.

3 Q. How long, in fact, was your son in there by himself without
4 your presence?

5 A. I'm not sure. It could be twenty minutes, half an hour --
6 twenty-five.

7 Q. Were you invited back into the room after that?

8 A. No, I didn't go back in.

9 Q. How was --

10 A. They came out.

11 Q. I'm sorry, they came out?

12 A. Yes.

13 Q. Who came out?

14 A. Sergeant MacIntyre and Maynard and the other policeman.

15 Q. And were they talking amongst themselves when they came out
16 of the room or did they just said

17 Mrs. Chant, Maynard can go home
18 now.

19 A. They just said we have -- we have a signed statement from
20 Maynard.

21 Q. Did you say anything to Maynard at that time?

22 A. I don't remember.

23 Q. So as I understand it then from your recollection, you don't
24 have any memory of what conversation you may have had with
25 Maynard from that day to the time he gave his evidence as to

BEUDAH E. CHANT, by Mr. J. Pink

- 1 what he was going to testify to?
- 2 A. He probably said something but I don't remember what it was.
- 3 Q. You don't remember any tears coming down the eyes of your
- 4 son after he left that room?
- 5 A. No, I don't remember.
- 6 Q. In fact when your son was taken into the Town Hall, Louisbourg,
- 7 during the middle of the week, did you know at that time that
- 8 the police were, in fact, investigating a murder?
- 9 A. Yes.
- 10 Q. When the police interviewed your son on Sunday, that's after
- 11 you came home from church and they were in the yard; as I
- 12 understand it you were not afraid to have your son go with
- 13 the police out to their car?
- 14 A. No.
- 15 Q. And as I understand it from your evidence, from your
- 16 recollection of the events, the car remained in your driveway
- 17 at all times, is that correct?
- 18 A. As far as I can remember.
- 19 Q. You used the expression in direct examination by Commission
- 20 Counsel, you used the words "seeing everything", do you
- 21 remember using those words?
- 22 A. Just now.
- 23 Q. Yes.
- 24 A. No.
- 25 Q. Do you remember your son, Maynard, telling you that, in fact,

BEUDAH E. CHANT, by Mr. J. Pink, by Mr. Murray

1 he did "see everything"?

2 A. No.

3 Q. Do you remember your son telling you that he had told the
4 police early Sunday morning or it would be Saturday night
5 that he, in fact, had told the police of "seeing everything"?

6 A. I don't remember.

7 Q. Now you've used the word perjury this morning giving your
8 evidence. Do you remember that word being used or do you
9 remember the words

10 that he could be charged if he
11 did not tell the truth?

12 A. I don't remember. No, I don't remember.

13 Q. I have no further questions, thank you.

14 BY MR. MURRAY:

15 Q. Mrs. Chant, my name is Donald Murray. I will ask you
16 questions about one specific area on behalf of William
17 Urquhart. You mentioned in your evidence this morning
18 and correct me if my recollection is incorrect, that
19 the officers that came down in the middle of the week
20 were the same two police officers that had been at your
21 house on the Sunday?

22 A. Yes.

23 Q. On the Sunday you were in an out of the room in the house
24 where the police officers were interviewing Maynard?

25 A. Yes.

BEUDAH E. CHANT, by Mr. Murray, by Mr. Orsborn

1 Q. At that time it was John MacIntyre who was taking the lead
2 in the conversation in the house?

3 A. Yes.

4 Q. The other officer wasn't making his presence felt in any way?

5 A. No.

6 Q. And I take it you wouldn't have had as much of an impression
7 of him as you would have of John MacIntyre?

8 A. Right.

9 Q. Similarly in the middle of the week, John MacIntyre, the
10 other officer, you don't remember that clearly?

11 A. No.

12 Q. So whether, in fact, it was the same officer, you wouldn't
13 be able to state positively that it was?

14 A. No.

15 MR. MURRAY:

16 I have no further questions, my Lord.

17 MR. BARRETT:

18 No questions, my Lord.

19 MR. D. PINK:

20 No questions, my Lord.

21 MR. BISSELL:

22 No questions, my Lord.

23 BY MR. ORSBORN:

24 Q. Mrs. Chant, my friend Mr. Ruby spoke with you briefly about
25 this phrase in your statement about the

1 policeman telling Maynard that
2 he couldn't say that he saw a
knife just a figure of a knife.

3 And I think that you indicated that you weren't sure if this
4 was said at your house or at the Town Hall or wherever. Am
5 I correct that the policemen were on your house on two
6 occasions, the first on the -- the Sunday after the
7 stabbing and the next time when they came to take Maynard
8 to the Town Hall?

9 A. Yes.

10 Q. Now your earlier evidence, I think was to the effect, that on
11 both of these occasions the policeman indicated that they
12 didn't think they were getting the full story from Maynard?

13 A. Yes.

14 Q. Was there any other occasions when the police visited your
15 house?

16 A. About this incident.

17 Q. Yes?

18 A. Not that --

19 Q. In 1971?

20 A. -- I remember, no.

21 Q. And in the interview at Louisbourg until the time that you left
22 the room, is it your recollection that that Maynard was, in
23 fact, sticking to his story of not seeing anything?

24 A. Yes.

25 Q. Okay, now it seems that on those three occasions at least,

1 | if Maynard was sticking to his story about not seeing
2 | anything the possibility of a knife being discussed was
3 | perhaps unlikely?

4 | A. Yes.

5 | Q. Were there any other occasions in which you were present with
6 | Maynard with the police?

7 | A. I don't remember.

8 | Q. Were there any occasion in which you were present with
9 | Maynard and any lawyers that were involved, even around
10 | the time of the trial?

11 | A. No.

12 | Q. Is there any other occasion other than those three occasions
13 | the two in the house and the one at Louisbourg in which you
14 | might have heard the policeman say

15 | You can't say you saw a knife
16 | only a figure of a knife?

17 | A. I don't remember of being, you know, being seeing them any
18 | other time. It's possible that they -- I did; but I don't
19 | remember.

20 | Q. I see, thank you very much.

21 | MR. CHAIRMAN:

22 | Thank you very much, Mrs. Chant. Okay, a short recess.

23 | INQUIRY ADJOURNED: 10:43 a.m.
24 |
25 |