

AUG 24 1987

Cape Breton Hospital

P. O. BOX 515

PHONE 539-3370

SYDNEY, NOVA SCOTIA

B1P 6H4

August 21, 1987

W. Wylie Spicer
Commission Counsel
Royal Commission on the Donald Marshall, Jr.,
Prosecution
Maritime Centre, Suite 1026
Halifax, Nova Scotia

Dear Mr. Spicer:

Enclosed please find a complete Cumulative Therapeutic Record
on John Pratico as compiled by staff of the Cape Breton Hospital.

I trust this information is satisfactory.

Yours truly,



Ann MacLeod

Director

Medical Record Department

aml

Encl.

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
DARREL I. PINK
JACK A. INNES, Q.C.
DIANNE POTHIER
JANET M. CHISHOLM
PETER M. ROGERS

DONALD J. MACDONALD, Q.C.
PAUL M. MURPHY, Q.C.
RICHARD N. RAFUSE, Q.C.
J. RONALD CREIGHTON
J. RONALD CULLEY
NANCY J. BATEMAN
R. MALCOLM MACLEOD
ALAN C. MACLEAN
DENNIS ASHWORTH
WENDY J. JOHNSTON
ROBERT K. DICKSON

FRED J. DICKSON, Q.C.
DAVID R. HUBLEY, Q.C.
GERALD J. MCCONNELL, Q.C.
RONALD A. PINK
LOGAN E. BARNHILL
JOEL E. FICHAUD
J. MARK MCCREA
D. SUZAN FRAZER
BRUCE A. MARCHAND
RODNEY F. BURGAR
JANICE A. STAIRS

JAMES C. LEEFE, Q.C.
FRANK J. POWELL, Q.C.
CLARENCE A. BECKETT, Q.C.
GEORGE L. WHITE
DAVID R. FEINDEL
A. DOUGLAS TUPPER
DARA L. GORDON
LORNE E. ROZOVSKY, Q.C.
WYMAN W. WEBB
GORDON N. FORSYTH
KIMBERLEY H.W. TURNER

BANK OF MONTREAL TOWER
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P.O. BOX 247
HALIFAX, NOVA SCOTIA B3J 2N9
TELEPHONE (902) 429-5050
TELECOPIER (902) 429-5215
TELEX 019-22893

ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

August 24, 1987

BY HAND

Mr. W. Wylie Spicer
Royal Commission
on the Donald Marshall, Jr. Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S.

Dear Mr. Spicer:

Our File No. 9201/1

I have received word from Mr. Coles that he regretably will have to adjourn the session scheduled for tomorrow. Unfortunately, he has been seconded to assist in preparations for the First Ministers meeting which is taking place this week and he is unable to keep the earlier appointment.

With regard to rescheduling this, please advise if you wish to make those arrangements prior to commencement of hearings in September or whether it can wait until some time later.

Yours truly,



Darrel I. Pink

DIP/jl

c.c. Mr. R. Gerald Conrad, Q.C.
Mr. Gordon Coles, Q.C.
Deputy Attorney General

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
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August 24, 1987

BY HAND

Mr. W. Wylie Spicer
Royal Commission
on the Donald Marshall, Jr. Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S.

Dear Mr. Spicer:

Our File No. 9201/1

Enclosed herewith is my signed acknowledgement of receipt of the subpoena ducas tecum directed to Gordon Coles, Deputy Attorney General.

Yours truly,



Darrel I. Pink

DIP/jl

c.c. Mr. R. Gerald Conrad, Q.C.
Mr. Gordon Coles, Q.C.
Deputy Attorney General

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

August 24, 1987

Mr. Darrel I. Pink
Patterson, Kitz
Barristers & Solicitors
Bank of Montreal Tower
Suite 1600, 5151 George Street
P.O. Box 247
Halifax, Nova Scotia B3J 2N9

Dear Mr. Pink:

As you know, the Commission expected to hear from the Government last Friday whether or not they were prepared to produce files concerning Roland Thornhill and Billy Joe MacLean. No response whatsoever was forthcoming from Government on Friday.

Accordingly, I enclose a subpoena directed to Gordon Coles and returnable September 9th in Sydney. I understand from our conversation on Friday that you are authorized to accept service of this subpoena and further that there is no need to provide Mr. Coles with conduct money.

I would appreciate if you would acknowledge receipt of this subpoena by so indicating on the copy of this letter which I have enclosed and by returning the copy to me.

Yours very truly,

W. Wylie Spicer
Commission Counsel

WWS:jrc

encl.

Receipt acknowledged of subpoena directed to Gordon Coles:

Darrel I Pink

AUG 24 1987

DAVID L. DELANEY

Barrister & Solicitor

P.O. BOX 847
235 CHARLOTTE STREET
SYDNEY, NOVA SCOTIA
B1P 1G4
PHONE (902) 562-3222

August 19, 1987

Royal Commission on the
Donald Marshall Jr. Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

**ATTENTION: George W. MacDonald
Commission Counsel**

Dear Mr. MacDonald,

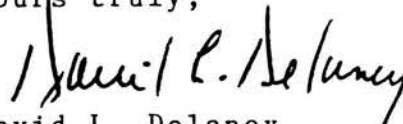
RE: Greg Walsh, Donna Ebsary and Mary P. Ebsary

Further to our previous telephone conversations, this is to confirm the following:

- 1) Greg Walsh and Mary P. Ebsary shall testify in Sydney at an in camera hearing.
- 2) Donna Ebsary shall testify from Boston, Mass. via video screen, allowing for full and complete cross-examination.
- 3) Greg Walsh, Mary P. Ebsary and Donna Ebsary shall make themselves available for pre-hearing examinations at times mutually convenient to themselves and your office.

Thank you for your helpful and considerate efforts in resolving this matter. Should you have any questions or if I can be of any assistance do not hesitate to contact me.

Yours truly,


David L. Delaney

DLD/ras
cc: Greg Walsh

AUG 20 1987

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

FRANK M. COVERT, O.C.
JOHN D. MOORE, O.C.
DAVID A. STEWART, O.C.
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COUNSEL
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PURDY'S WHARF TOWER ONE
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HALIFAX, CANADA B3J 2X2

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TELECOPIER (902) 429-3631
TELEX 019-22593

DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

HAND DELIVERED

August 20, 1987

W. Wylie Spicer
Commission Counsel
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Mr. Spicer:

Thank you for your letter of August 18th. I was not present at the meeting when the order of witness examination was discussed, but I am advised by Don Murray that this arrangement occurred prior to the time that the funding application was made, and prior to the time that this firm was acting on behalf of Mr. MacIntyre. I am advised by Angus MacIntyre, who appeared on behalf of his father at the meeting, that he advised Commission Counsel that he could not agree to anything on the part of his father as steps were still being made to retain counsel. I would suggest, therefore, that no agreement was reached by counsel concerning the order of examination.

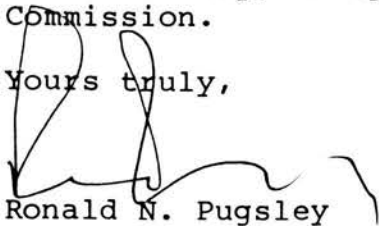
Mr. MacIntyre is placed in an extreme disadvantage if my examination of witnesses is followed by cross-examination of the same witnesses by other counsel whose interests could well be adverse to that of Mr. MacIntyre.

The matter is an extremely important one as far as my client is concerned and I would ask for your reconsideration, or

W. Wylie Spicer
August 19, 1987
Page 2

alternatively, an opportunity to present my views to the
Commission.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ronald N. Pugsley'. The signature is written in a cursive style with a large initial 'R' and a long horizontal stroke extending to the right.

Ronald N. Pugsley

RNP/ps
cc: Donald C. Murray
N0180284

'AUG 20 1987



OFFICE OF THE
CITY ADMINISTRATOR

City of Dartmouth

P.O. BOX 817
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3

August 19, 1987

HAND DELIVERED

Royal Commission on the Donald Marshall Jr. Prosecution
Maritime Centre, Suite 1026,
1505 Barrington Street,
Halifax, N. S
B3J 3K5

Dear Sirs:

As requested, I enclose a copy of the DARTMOUTH POLICE STUDY which was done by Professor Alan Grant for the City of Dartmouth in August, 1981.

Yours very truly,

A handwritten signature in cursive script that reads "J.S. Burke (mgm)".

J. S. Burke,
City Administrator

JSB:mgm
enc.

Received by

Date

AUG 20 1987



The Speaker

House of Assembly
Nova Scotia

PO Box 1617
Halifax, Nova Scotia
B3J 2Y3

902 424-5707

August 19, 1987

Honourable George Moody
Chairman of the Management Board
4th Floor
One Government Place

Dear Mr. Minister:

Enclosed is a letter I have received from M. Lois Dyer, Executive Secretary to the Royal Commission on the Donald Marshall, Jr. Prosecution, the contents of which are self-explanatory. Since the request contained in the letter involves a substantial expenditure, I am forwarding the matter to you and ask that it be considered by Management Board and Cabinet. When Government has made a decision, I will be pleased to convey it to the Royal Commission.

Yours very truly,

Arthur R. Donahoe
Speaker

ARD:nk

cc: Hon. John M. Buchanan
Hon. Terence R. B. Donahoe
Ms. M. Lois Dyer ✓

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

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CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

BY COURIER

August 18, 1987

The Honourable Arthur R. Donahoe
Speaker
House of Assembly
P.O. Box 1617
Halifax, N.S. B3J 2Y3

Dear Mr. Speaker,

Several months ago Halifax Cablevision prepared a proposal for a media pool plan for live daily coverage of the Hearings of the Royal Commission. The concept was that Halifax Cable and the National Film Board would share daily operating costs with a media pool. Technical services would be available from two fixed position cameras switched in parliamentary coverage fashion.

The Commission considered the proposal and approved it. The Commission believes that there are great educational opportunities for Nova Scotians in having a permanent video record of the Commission at work. As well, live coverage would provide daily access to many in the province who may not be able to attend because of infirmities or other problems. The Commission favoured the pool approach because of the importance of a respectful atmosphere at the Hearings; in this way, intimidation of witnesses can be kept to a minimum and the Inquiry proceedings may proceed with little interference from the electronic media.

The Commission was advised last week that the plan outlined above would be suspended as the National Film Board had decided not to participate in order to follow an independent plan. Halifax Cable and the others cannot afford to proceed without the NFB funds.

Hon. Arthur Donahoe

-2-

August 18, 1987

The Commission wishes to advise you of these developments in the hope that the Government of Nova Scotia might be interested in sponsoring what was the NFB share. The best information at my disposal today indicates that this commitment would be in the range of thirty to forty thousand dollars. As you know, the Commission has no budget for this type of expense.

The Commission is hopeful that a solution may be found to this latest turn of events so that Nova Scotians may have the opportunity to witness first hand the Hearings of the Royal Commission on the Donald Marshall, Jr., Prosecution.

Sincerely yours,



M. Lois Dyer
Commission Executive
Secretary

MLD/jm

AUG 19 1987

STEWART MacKEEN & COVERT

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FRANK M. COVERT, O.C.
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TELECOPIER (902) 429-3631
TELEX 019-22593

DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

DELIVERED

August 19, 1987

Ms. Lois Dyer,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Suite 1026, Maritime Centre,
1505 Barrington Street,
Halifax, Nova Scotia.

Dear Ms. Dyer:

RE: MacIntyre Account

Further to our telephone conversation of Tuesday afternoon, August 18, 1987, I wish to confirm the following points of discussion and explanations of charges indicated on the accounts submitted to you.

With respect to the accounts for services between February 7, 1987 and June 8, 1987, the expense of \$1,034.06 was primarily incurred in making application to the Commission for funding, and, at the Commission's request, providing ten copies for the Commission's own use. In addition, these materials were provided voluntarily to counsel on behalf of Donald Marshall, Jr.

With respect to the time and disbursement charges for travel to Sydney and returning to Halifax on July 15 and 16, 1987, the purpose of this trip was to meet with John F. MacIntyre in Sydney with access to many of the file materials in order to review evidence which he should be familiar with at the time of being interviewed by Commission Counsel. Having met with John MacIntyre in Sydney on the Wednesday and Thursday morning, I then met briefly with Mike Whalley who resides approximately 20 kilometers outside of Sydney, and then returned to Halifax via West Bay where William Urquhart resides. West Bay is approximately 30 kilometers from the Causeway and not particularly accessible by plane. The Travel disbursement

Ms. Lois Dyer
August 19, 1987
2

charged is based upon a kilometer rate of \$.30/km. or \$.50/mi. The Travel amount also includes hotel charges, details of which are available upon request.

With respect to the meeting among counsel at Stewart, MacKeen & Covert in reference to the firm's general position, and consideration of requests to represent others, no charge is attributable to the time invested by either Joel Pink or William L. Ryan. Ron Pugsley was involved in the meeting for .3 hours (\$52.50) while I was involved in the same meeting for .5 hours (\$50.00). The remainder of the description - "study of Urquhart Discovery" - involves the other one hour of time spent that day.

Trusting that this is the information you require and that this correspondence is in confirmation of our discussion and will not go beyond the files of the Commission.

Yours very truly,
STEWART, MACKEN & COVERT
Per:



Donald C. Murray

DCM/dmb
N2060452
c.c. R.N. Pugsley, Q.C.

AUG 18 1987

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
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HALIFAX, CANADA

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OUR FILE REFERENCE:

August 18, 1987

Ms. Lois Dyer,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Suite 1026, 1505 Barrington St.,
Halifax, Nova Scotia,
B3J 3K5

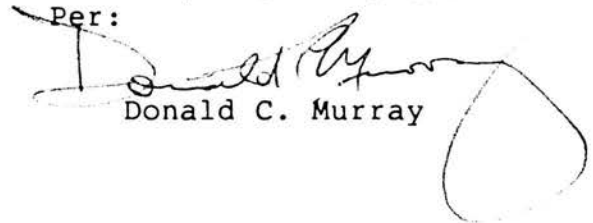
Dear Ms. Dyer:

RE: MacIntyre Accounts

Please find enclosed the Summary Sheets which you requested in our telephone conversation of Monday, August 17, 1987. The first is for the accounts dated June 1, 1987 and June 19, 1987. The second is for the account dated August 14, 1987 which should be finding its way to you shortly. I trust that these are in order.

Yours very truly,
STEWART, MACKEEEN & COVERT

Per:



Donald C. Murray

DCM/dmb
N2060443
c.c. R.N. Pugsley, Q.C.

AUG 18 1987

STEWART MacKEEN & COVERT
BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
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August 18, 1987

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Donald Marshall, Jr. Prosecution,
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B3J 3K5

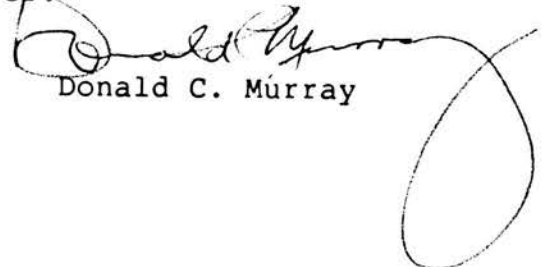
Dear Ms. Dyer:

RE: Urquhart Accounts

Further to our telephone conversation of August 17, 1987, please find enclosed a Summary Sheet for the William Urquhart account which was previously sent to you. I trust everything is in order.

Yours very truly,
STEWART, MACKEN & COVERT

Per:


Donald C. Murray

DCM/dmb
N2060446

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
1959 UPPER WATER STREET
HALIFAX, CANADA

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DONALD H. McDOUGALL, O.C.
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OUR FILE REFERENCE:

HAND DELIVERED

August 18, 1987

W. Wylie Spicer
Commission Counsel
Royal Commission on the
Donald Marshall Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
B3J 3K5

Dear Mr. Spicer:

Thank you for your letter of August 17th.

On examining the material that has been developed on this file since May, I have spoken with Mr. Murray and am advised that a discussion took place at a meeting of counsel wherein a determination was made with respect to the order in which counsel would examine the witnesses. I note that counsel for Mr. MacIntyre and Mr. Urquhart are slated to conduct their cross-examination immediately after counsel for Mr. Marshall Jr. but before counsel for the Attorney General's Department and several other counsel.

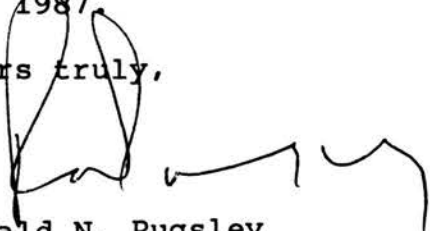
I would ask for a reconsideration of this order. It seems to me in view of the position occupied by Mr. MacIntyre and Mr. Urquhart, that it would be reasonable for their counsel to conduct the last examination of all witnesses except, of course, for the re-examination to be conducted by Commission Counsel.

The unique position occupied by Messrs. MacIntyre and Urquhart has, I believe, been acknowledged by the Commission in permitting us to call these two individuals as the last witnesses at the Sydney phase of the inquiry.

W. Wylie Spicer
August 18, 1987
Page 2

I would appreciate your response as soon as possible with respect to the foregoing request and I look forward to receiving copies of the additional material referred to in your letter of August 17, 1987.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ronald N. Pugsley'. The signature is written in a cursive style with a large, looped initial 'R'.

Ronald N. Pugsley

RNP/ps
cc: Donald C. Murray
N0180278

AUG 18 1987

STEWART MacKEN & COVERT
BARRISTERS AND SOLICITORS

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OUR FILE REFERENCE:

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August 14, 1987

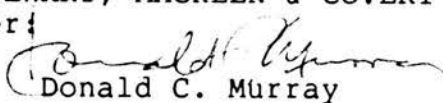
Mr. George MacDonald,
Commission Counsel,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Maritime Centre, Suite 1026,
1505 Barrington St.,
Halifax, Nova Scotia.

Dear Mr. MacDonald:

RE: June/July Accounts

Please find enclosed our account for services rendered with respect to John F. MacIntyre's representation at the Royal Commission between our previous account (up to June 14, 1987) to August 14, 1987. The reason that this account is rendered with respect to two months as opposed to the regular single month is that all lawyers in this office with a relationship to this file were out of the office at the time when it would have been appropriate to prepare the June billing. We trust that this does not cause difficulty.

We still look forward to receiving payment with respect to our previous accounts. I was advised by Lois Dyer during the first week of August that we would be expected to receive payment that week. However, this does not appear to have been borne out. If there are difficulties, please do not hesitate to contact us so that they may be resolved.

Yours very truly,
STEWART, MACKEN & COVERT
Per: 
Donald C. Murray

DCM/dmb
N2060438

AUG 17 1987

INTER - OFFICE MEMO

To: George MacDonald and David Orsborn

From: Wylie Spicer

Date: August 13, 1987

Re: DONALD MARSHALL INQUIRY

File No.:

I was speaking with Jim Bissell on August 10.

We are hoping to arrange to interview the Correctional Service people who are involved with the community assessments during the week of September 28th in Sydney. We would not be calling these people until the Halifax portion of the hearing so that week would seem to be okay.

As to the other portion of the Parole Board and Correctional Service involvement; i.e. the question of the position of the Parole Board in the absence of an admission of guilt, Bissell is still seeking instructions but my sense of it is that they are going to refuse to produce witnesses on those issues. We may be able to get much of this stuff out of Junior Marshall anyway.

WWS/fm

AUG 17 1987



OFFICE OF THE PRESIDENT, NOVA SCOTIA BRANCH
CABINET DU PRÉSIDENT, DIVISION PROVINCIALE DE LA NOUVELLE-ÉCOSSE

P. O. Box 876
Dartmouth, N.S.
B2Y 3Z5

(902) 469-9500

August 13, 1987

M. Lois Dyer
Commission Executive Secretary
Royal Commission on the Donald
Marshal, Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
HALIFAX, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

Congratulations on your new appointment.

There are a few questions I have which I hope you can help me with.

1. Can you provide me with a copy of the rules of procedure for the inquiry?
2. Could you broach with Commission Counsel, or whoever is appropriate, as to when the Canadian Bar will make their submission?
3. I trust that we will be able to obtain copies of the transcripts with sufficient notice that we may prepare our paper referencing evidence if we feel it appropriate to do so?

I look forward to hearing from you.

Yours sincerely,



Gordon F. Proudfoot

GFP/mf

AGG 14 1987

STEWART MacKEEN & COVERT

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OUR FILE REFERENCE:

August 14, 1987

Mr. Wylie Spicer,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Maritime Centre, Suite 1026,
1505 Barrington St.,
Halifax, Nova Scotia,
B3J 3K5

Dear Mr. Spicer:

RE: Document Disclosure

In response to your letter of August 12, 1987, please find enclosed the following, the first of which is an original, and the rest of which are copies:

1. Document list referring to the documents turned over by MacIntyre to Wheaton;
2. John MacIntyre reputation material;
3. Stewart, MacKeen & Covert witness interview with Sheriff Wayne Magee;
4. Stewart, MacKeen & Covert witness interview with Beudah Chant;
5. Raymond Dollimont statement and drawing dated April 25, 1984;
6. Leo Mroz memorandum;
7. Statement of Corporal Arthur Woodburn dated February 6, 1983;
8. Statement of Bernie Francis (undated);

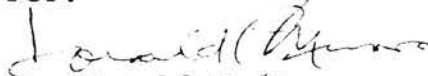
Mr. Wylie Spicer
August 14, 1987
2

9. Broadcast from Fifth Estate;
10. Broadcast from Inquiry;
11. Five cassette tapes.

You requested a copy of the photocopy we have of Heather Matheson's notebook about her research with respect to the Marshall and Ebsary cases. We do not feel that this is our property to release, nor do we see that it is public since it was never filed as an exhibit with the Court in the action between John MacIntyre and the Canadian Broadcasting Corporation.

We are providing the materials above without restriction as to the use which the Royal Commission may wish to make of them. However, we would request that at such time as you have had an opportunity to review the various tape broadcasts that you would return to us the five cassette tapes.

Yours very truly,
STEWART, MACKEN & COVERT
Per:


Donald C. Murray

DCM/dmb
N2060437

AUG 14 1987

STEWART MacKEEN & COVERT
BARRISTERS AND SOLICITORS

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OUR FILE REFERENCE:

COUNSEL
DONALD A. KERR, O.C.

August 14, 1987

Mr. George MacDonald,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
1505 Barrington St.,
Halifax, Nova Scotia,
B3J 3K5

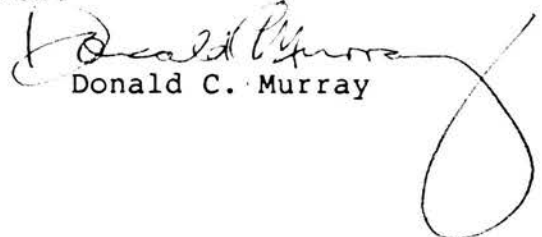
Dear Mr. MacDonald:

RE: Urquhart Account

Please find enclosed the first monthly account on behalf of William Urquhart commencing with services performed July 10, 1987. I trust that you will find the account satisfactory.

Yours very truly,
STEWART, MACKEEEN & COVERT

Per:


Donald C. Murray

DCM/dmb
N2060435

AUG 14 1987

STEWART MacKEEN & COVERT

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OUR FILE REFERENCE:

August 12, 1987

George MacDonald, Esq., Q.C.
Royal Commission on the
Donald Marshall Jr. Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Mr. MacDonald:

Thank you for your letter of August 10th. I appreciate the accomodation you have made to provide for the calling of Messrs. Urquhart and MacIntyre as the last two witnesses to give evidence in Sydney.

I am disappointed concerning your unwillingness to provide for me to travel to British Columbia to examine Ms. Clemens in person. I take it from the outline you presented on Monday that she will be giving evidence adverse to the interest of my client. I would ask you to reconsider your decision in this regard. In addition, I would appreciate if you would forward to me copies of any statements you have taken from Ms. Clemens and Donna Ebsary so that I will have an outline of the evidence they will be presenting.

I understand that all documents which Commission Counsel proposes to introduce at the Sydney phase of the hearing, will be given to us within the next short while.

I request that any documents you propose introducing through Halifax witnesses that could affect the position of my client, be forwarded to me as well within the next week.

I further understand that we will be given a copy of the interview you held last week with Messrs. Urquhart and MacIntyre

George W. MacDonald, Esq., Q.C.
August 12, 1987
Page 2

that no other counsel will be given copies, that Messrs. Urquhart and MacIntyre did not give evidence under oath and that the interview material will not be used by any person contrary to their interest at the hearings.

I understand that during the interview of Mr. Urquhart, reference was made to certain entries in books maintained at the Nova Scotian Hospital relating to delivery or pickup of John Pratico. I would request copies of those records.

Yours truly,


Ronald N. Pugsley

RNP/ps
N0180258



Department of Justice
Canada

Ministère de la Justice
Canada

AUG 14 1987

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Halifax, Nova Scotia
B3J 1M7

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4ième étage
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Our file
Notre dossier AR-21,613

Your file
Votre dossier

Mr. George MacDonald, Q.C.
Royal Commission on the
Donald Marshall, Jr. Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

August 11, 1987

Dear Mr. MacDonald:

Re: Donald Marshall Inquiry

I acknowledge receipt of your letter dated August 6, 1987.

With respect to the matter of R.C.M. Police members' notebooks we have written to all the lawyers acting for individual members to advise them of your request. While it is considered that the notebooks are the property of the R.C.M. Police force the members obviously have considerable personal interest in each notebook.

We hope that we will be in a position to discuss a method to provide all relevant portions of the notebooks within the near future.

Yours very truly,

James D. Bissell
General Counsel
Director, Atlantic Region

JDB:mm

Canada

AUG 14 1987



Department of Justice
Canada

Ministère de la Justice
Canada

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B3J 1M7

Our file / Notre dossier AR 21,613

Your file / Votre dossier

August 11, 1987

Mr. George MacDonald, Q.C.
Commission Counsel
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Mr. MacDonald:

Re: Donald Marshall Inquiry

Further to our earlier correspondence concerning the exhibits from the Ebsary trial, I enclose a copy of the memorandum from Corporal Grant Shaw which details the various exhibits and their present location. As you can see the actual trial exhibits are held by the Prothonotary in Sydney.

Yours very truly,


James D. Bissell
General Counsel
Director, Atlantic Region

JDB:wm

Enclosure

cc: Inspector H. E. Murphy
R.C.M.P. "H" Division

Canada

AUG 13 1987

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
DARREL I. PINK
JACK A. INNES, Q.C.
DIANNE POTHIER
JANET M. CHISHOLM
PETER M. ROGERS

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RICHARD N. RAFUSE, Q.C.
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ALAN C. MACLEAN
DENNIS ASHWORTH
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D. SUZAN FRAZER
BRUCE A. MARCHAND
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GEORGE L. WHITE
DAVID R. FEINDEL
A. DOUGLAS TUPPER
DARA L. GORDON
LORNE E. ROZOVSKY, Q.C.
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ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

August 12, 1987

BY HAND

Mr. George W. MacDonald, Q.C.
Royal Commission on the
Donald Marshall, Jr. Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S.

Dear Mr. MacDonald:

Our File No. 9201/1

This is further to the meeting of counsel on Monday, August 10, 1987.

When you were asked about compilation of additional material, you indicated decisions would be made by Commission counsel regarding what material from the Attorney General's Department's files would be included.

In order to keep on top of this, we would ask to be advised in advance, if any material from these files is to be included in the Sydney booklets. We would also like an opportunity to review this material prior to its inclusion in these booklets.

We would also appreciate receiving from you, confirmed dates for the testimony of Judges Matheson and Anderson. As you can appreciate, they have trial dockets which will have to be adjusted and as much lead time as possible is required in order for them to deal with this.

We look forward to hearing from you.

Yours truly,



Darrel I. Pink

DIP/jl

c.c. Mr. Reinhold M. Endres

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

AUG 12 1987

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J. WILLIAM E. MINGO, O.C.
RONALD N. PUGSLEY, O.C.
GEORGE A. CAINES, O.C.
G. DAVID N. COVERT, O.C.
J. GERALD GODSOE, O.C.
JOHN S. McFARLANE, O.C.
CARMAN G. McCORMICK
JOHN D. MURPHY
ROBERT P. DEXTER
KARIN A. McCASKILL
R. CAMILLE CAMERON
GLEN V. DEXTER
ELIZABETH M. HALDANE
ERIC L. BURTON
LAWRENCE J. STORDY

DAVID R. CHIPMAN, O.C.
J. THOMAS MacQUARRIE, O.C.
BRIAN FLEMMING, O.C.
JAMES S. COWAN, O.C.
HUGH K. SMITH, O.C.
WILLIAM L. RYAN
DAVID MILLER
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TIMOTHY C. MATTHEWS
ROBERT G. GRANT
MICHAEL T. PUGSLEY
NANCY I. MURRAY
T. ARTHUR BARRY
JOHN MacL. ROGERS
RICHARD A. HIRSCH

COUNSEL
DONALD A. KERR, O.C.

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TELEX 019-22593

DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

August 12, 1987

DELIVERED BY HAND FROM OFFICES
OF STEWART, MACKEN & COVERT

Mr. Wylie Spicer,
Commission Counsel,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Suite 1026, Maritime Centre,
Halifax, Nova Scotia

Dear Mr. Spicer:

RE: Disclosure of Documents

Further to the request of the Commission and arrangements made with yourself to meet today to review materials in the possession of Stewart, MacKeen & Covert in relation to the above-noted matter, we wish to confirm that:

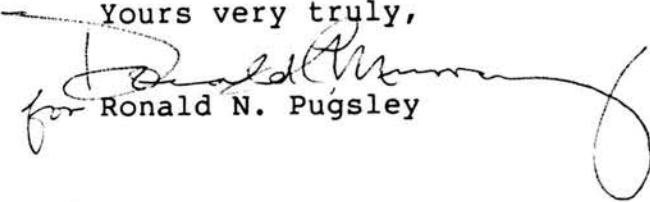
1. In the interests of demonstrating the most open and co-operative attitude to the investigations of the Royal Commission, we will make available all 15 transfer cases and the materials contained therein except as listed below.
2. All materials which we regard as matters of solicitor/client privilege, including interviews with William Urquhart prior to being retained by him in respect of the Commission hearings, have been removed from the transfer cases to be made available to you.
3. In the course of representing John F. MacIntyre in relation to the CBC, correspondence was had with Judge Louis Dubinsky which, in our professional judgment,

Mr. Wylie Spicer
August 12, 1987
2

is not relevant to the issues to be dealt with by the Inquiry, and this correspondence will not be disclosed with the other materials.

We will provide you with photocopying facilities, to be charged to the Commission, as you require them for materials disclosed. Should you wish to carry away with you any materials which appear to be original materials, we would ask that you note their description and location, and follow this up with a formal written request for release of those documents.

Yours very truly,


for Ronald N. Pugsley

DCM/dmb
c.c. Mr. John F. MacIntyre
Mr. William Urquhart

N2060414

AUG 10 1987

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
DARREL I. PINK
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DONALD J. McDONALD, Q.C.
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RICHARD N. RAFUSE, Q.C.
J. RONALD CREIGHTON
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J. MARK McCREA
D. SUZAN FRAZER
BRUCE A. MARCHAND
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CLARENCE A. BECKETT, Q.C.
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DARA L. GORDON
LORNE E. ROZOVSKY, Q.C.
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GORDON N. FORSYTH
KIMBERLEY H.W. TURNER

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ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

August 10, 1987

BY HAND

Ms. M. Lois Dyer
Commission Executive
Secretary
Royal Commission on the
Donald Marshall, Jr. Prosecution
Martime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S.

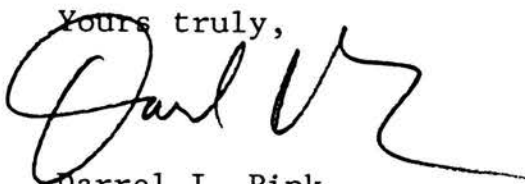
Dear Ms. Dyer:

Our File No. 9201/1

I have been advised that the Government of Nova Scotia has accepted the Royal Commission's recommendation regarding payment of legal fees for Mr. William Urquhart. Mr. Urquhart will have his fees for legal counsel paid on the same basis as other parties under the criteria which the Commission is applying to accounts.

I would ask you confirm receipt of this letter and that you will advise Mr. Urquhart's counsel of the Government's decision.

Yours truly,



Darrel I. Pink

DIP/jl

c.c. Mr. Gerald Conrad, Q.C.

AUG 10 1987

BLOIS, NICKERSON, PALMETER & BRYSON
BARRISTERS AND SOLICITORS

S. DAVID BRYSON, Q.C.
ALAN J. STERN, Q.C.
S. BRUCE OUTHOUSE, Q.C.
JANE E. HOLMES
MICHAEL B. SHERAR
THOMAS M. MACDONALD
PAMELA J. MACKEIGAN

FRANKLYN W. CORDON, Q.C.
WILLARD STRUG, Q.C.
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ROBERTA J. CLARKE
GORDON R. KELLY
COLIN D. BRYSON
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Halifax, Nova Scotia

CORRESPONDENCE:
P.O. Box 2147
Halifax, Nova Scotia
B3J 3B7

OUR FILE REFERENCE:
SB0/31907-001

August 7, 1987

George W. MacDonald, Q.C.,
Commission Counsel,
Royal Commission on the
Donald Marshall, Jr., Prosecution,
Maritime Centre,
Suite 1026,
1505 Barrington Street,
Halifax, Nova Scotia
B3J 3K5

Dear Mr. MacDonald:

Re: Staff Sergeant H. F. Wheaton
and Inspector D. B. Scott

This is to acknowledge receipt of your letter dated August 6th and to advise that Mr. Outhouse is away on vacation until August 17th. I will bring your letter to his attention immediately upon his return to the office.

Yours very truly,

BLOIS, NICKERSON, PALMETER & BRYSON



Sandy White (Mrs.)
Secretary to S. Bruce Outhouse

/SW

SMITH, GAY, EVANS & ROSS
BARRISTERS & SOLICITORS

'AUG 7 1987

BRUCE W. EVANS
(Also of the Alberta bar)
JEREMY GAY
E. ANTHONY ROSS, M.Eng., P.Eng.
W. BRIAN SMITH

604 QUEEN SQUARE
P.O. BOX 852
DARTMOUTH, NOVA SCOTIA
B2Y-3Z5
Telephone
(902) 463-8100

August 7, 1987

File #1077-01
1085-01

VIA COURIER
jb

ROYAL COMMISSION ON DONALD MARSHALL, JR.
-PROSECUTION
Suite 1026 Maritime Centre
1505 Barrington Street
Halifax, NS

Attention: M. Lois Dyer (Ms) - Executive Secretary

Dear Ms Dyer:

Re: Seale/BUF - Inquiry

Enclosed herewith please find my interim account Number One for the period, March 5, 1987 to and including July 31, 1987.

It is my understanding that this account will be reviewed, and if appropriate, approved for payment and forwarded to the Government of the Province of Nova Scotia.

Please be good enough to send me a photocopy of the cover sheet with whatever comments are written or endorsed thereon prior to it being forwarded to the Province.

Yours very respectfully,

SMITH, GAY, EVANS & ROSS

PER:


E. ANTHONY ROSS

EAR/lms
Encl.

AUG 7 1987

HUGH D. MACINTOSH, LL.B., LL.M.

BARRISTER AND SOLICITOR
OF THE P.E.I. & N.S. BARS

TELEPHONE (902) 892-9594
P.O. BOX 2257
83 QUEEN STREET
CHARLOTTETOWN, P.E.I.
CANADA C1A 8B9

FILE No. 84-100

YOUR FILE No.

August 4, 1987

Royal Commission, D. Marshall, Jr.
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, NS
B3J 3K5

Attention: W. Wylie Spicer, Esq.

Dear Mr. Spicer:

Re: Meeting August 11, 1987, 10:30 a.m.
Judge Campbell's Chambers
2nd floor, Davies Courthouse
42 Water Street, Charlottetown, P.E.I.

Thank you for your July 27, 1987 letter that I received July 28, 1987.

The content of your letter indicates some overlap with our telephone conversation of that day.

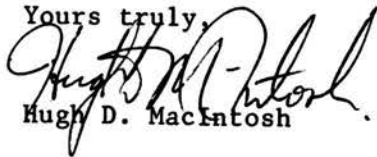
I confirm that Judge Campbell will listen to your "petition" for information in his Chambers on the second floor of the Sir Louis Henry Davies Law Courts building, 42 Water Street, Charlottetown (892-9131) on August 11, 1987 at 10:30 a.m. I will not be free to meet you at the airport. A cab from the airport to the courthouse for two is \$7.00 plus gratuity.

The seating accommodation in the secretarial-waiting area on the second floor suggests that the judiciary discourages counsel waiting there too long or too comfortably. I recommend that you ask the receptionist on the first floor to determine whether Judge Campbell is ready to see you and, if not, to leave word that you will wait in the first floor Barristers Lounge.

Mr. Pink's role in the meeting, if any, will depend on the judicial discretion, but I have had no indication that his presence will be objectionable.

I understand that your Commission has decided not to notify Mr. Marshall of this meeting in advance even to the extent that the meeting will take place. Is this wise when the Attorney General is not only notified but seeks to participate?

Yours truly,

A handwritten signature in cursive script, appearing to read "Hugh D. MacIntosh".

Hugh D. MacIntosh

HDM/sd

AUG 7 1987

STEWART MacKEEN & COVERT
BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
1959 UPPER WATER STREET
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JONATHAN C. K. STOBIE
BARBARA S. PENICK
MARK E. MacDONALD
DAWN A. RUSSELL
CHARLES S. REACH
D. GEOFFREY MACHUM
DONALD C. MURRAY
JAMES B. WOODER

J. WILLIAM E. MINGO, O.C.
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DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

COUNSEL
DONALD A. KERR, O.C.

August 4, 1987

George W. MacDonald
Commission Counsel
Royal Commission on the Donald
Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear George:

Re: Donald Marshall Inquiry

I thank you for your letter of July 7, 1987 and enclosure therewith.

It would appear from your list that Adolphus Evers is the only one of my clients (which include McAlpine and Green) whom you expect to be called during the Sydney part of the proceedings.

I thank you for your assistance and cooperation.

Yours very truly,

Mich per L.C.

William L. Ryan

WLR:lc

N0540721

STEWART MacK EN & COVERT
BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
1959 UPPER WATER STREET
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FRANK M. COVERT, O.C.
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CHARLES S. REAGH
D. GEOFFREY MACHUM
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JAMES B. WOODER

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JOHN MacL. ROGERS
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DIRECT DIAL (902) 420-

COUNSEL
DONALD A. KERR, O.C.

OUR FILE REFERENCE:

July 31, 1987

M. Lois Dyer
Commission Executive Secretary
Royal Commission on the Donald Marshall,
Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

Re: Gary Green, Adolphus Evers and Richard McAlpine

I acknowledge receipt of your letter of July 23, 1987. I will be in attendance on August 10.

Yours very truly,

W.L. Ryan per L.L.
William L. Ryan

WLR:lc
c.c. Gary Green
Adolphus Evers
Richard McAlpine
N0540695



Department of Justice
Canada

Ministère de la Justice
Canada

AUG 6 1987

4th Floor
Royal Bank Building
5161 George Street
Halifax, Nova Scotia
B3J 1M7

4ième étage
Immeuble Banque Royale
5161 rue George
Halifax, Nouvelle-Écosse
B3J 1M7

Our file
Notre dossier AR-21,613

Your file
Votre dossier

Mr. N. Lois Dyer
Commission Executive
Secretary
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

August 4, 1987

Dear Mr. Dyer:

Re: Donald Marshall Inquiry

I acknowledge receipt of your letter dated July 23, 1987.

Jim Bissell and I expect to be in attendance on August 10, 1987.

Yours very truly,

A. R. Pringle
Senior Counsel
Atlantic Region

ARP:mm

AUG 6 1987

McINNES COOPER & ROBERTSON

BARRISTERS & SOLICITORS

Donald McInnes, Q.C.
Reginald A. Cluney, Q.C.
Lawrence J. Hayes, Q.C.
John G. Cooper, Q.C.
James E. Gould, Q.C.
Eric Durnford, Q.C.
Peter McLellan
Linda Lee Oland
Harvey L. Morrison
Brian G. Johnston
K. Sara Filbee
John G. Robinson
Maureen E. Reid
Ian C. Holloway

Lewis A. Bell, Q.C.
Hector McInnes, Q.C.
Joseph A. F. Macdonald, Q.C.
David B. Ritcey, Q.C.
David H. Reardon, Q.C.
Robert G. Belliveau
W. Wylie Spicer
John D. Stringer
Gregory J. Arsenault
David A. Graves
Marcia L. Ruitenber
Deborah K. Smith
Karen P. Oldfield

Harold F. Jackson, Q.C.
Harry E. Wrathall, Q.C.
George T. H. Cooper, Q.C.
Peter J. E. McDonough, Q.C.
George W. MacDonald, Q.C.
Michael I. King
F. V. W. Penick
Christopher C. Robinson
Thomas E. Hart
Peter M. S. Bryson
Scott C. Norton
Fae J. Shaw
Stephen J. Kingston

COUNSEL:
John H. Dickey, Q.C.
George B. Robertson, Q.C.

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TELEX 019-21859
CABLE ADDRESS "McInnes"

OUR FILE: I-1816

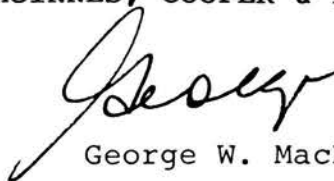
July 31, 1987

Dear Lois:

I am enclosing our account for services for the month of July which I trust you will find to be in order.

Yours very truly,

McINNES, COOPER & ROBERTSON



George W. MacDonald

Ms. Lois Dyer
Royal Commission on the Donald
Marshall, Jr., Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

GWMacD/fm
Encl.

J. CARL MACDONALD N.S.L.S.

NOVA SCOTIA LAND SURVEYOR

AUG 5 1987

30 July 1987

Messrs. David B. Orsborn &
George MacDonald
Royal Commission on the Donald
Marshall Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Gentlemen:


Please find enclosed one large copy of Wentworth Park plan.

If there are any changes or additions necessary, please indicate same on plan or contact us concerning revisions.

If the plan is satisfactory, contact us immediately as we are sending the original away to be photographed and reduced to legal size.

We would also appreciate knowing the number of copies, both large and legal size required if our survey and plan are completed to your satisfaction.

Yours very truly,


J. Carl MacDonald, N.S.L.S.
Nova Scotia Land Surveyor

AUG 4 1987

Post Office Box 1557
Halifax
Nova Scotia
B3J 2Y3

Executive Director
J.W. (Joe) Ross
1154 Rockcliffe Street
Halifax
Nova Scotia
Office: 902 423-7477
Home: 902 429-0343

President
Cst. James Griffin
Halifax

First Vice-President
Sgt. Harold Thurrott
Truro

Second Vice-President
Cpl. Bob Kennedy
Dartmouth

Secretary/Treasurer
Cst. Roy Landry
Halifax

Solicitor
David Fisher

Member:
Canadian Police
Association and the
International Union
of Police Associations



July 30, 1987

Ms. M. Lois Dyer
Commission Executive
Secretary

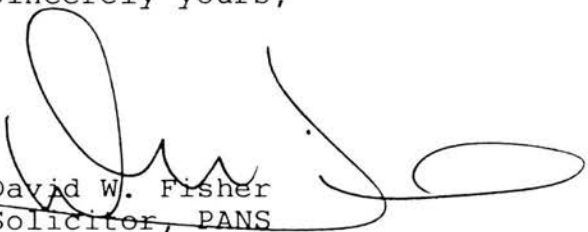
Royal Commission on the Donald Marshall, Jr. Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

RE: POLICE ASSOCIATION OF NOVA SCOTIA

I will not be in attendance at the meeting scheduled for
Monday, August 10, 1987.

Sincerely yours,


David W. Fisher
Solicitor, PANS

DWF/brb
pc: Mr. Joseph Ross

SMITH, GAY, EVANS & ROSS

BARRISTERS & SOLICITORS

AUG 4 1987

BRUCE W. EVANS
(Also of the Alberta bar)
JEREMY GAY
E. ANTHONY ROSS, M.Eng., P.Eng.
W. BRIAN SMITH

604 QUEEN SQUARE
P.O. BOX 852
DARTMOUTH, NOVA SCOTIA
B2Y 3Z5
Telephone
(902) 463-8100

July 31, 1987

File #1077-01

ROYAL COMMISSION ON DONALD MARSHALL, JR.
-PROSECUTION

Suite 1026 - Maritime Centre
1505 Barrington Street
Halifax, NS
B3J 3K5

Attention: M. Lois Dyer (Ms) - Executive Secretary

Dear Ms Dyer:

Re: Seale/B.U.F.F. - Inquiry

As I review the information on file, I notice that I do not have any statements at all from Donald Marshall, Jr., and I ask that if such statements (and testimony) are available, that a set be forwarded to me at your very earliest convenience.

Yours very truly,

SMITH, GAY, EVANS & ROSS

PER:


E. ANTHONY ROSS

EAR/lmb
cc: O. Seale

JUL 30 1987

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
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DENNIS ASHWORTH
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FROM HALIFAX 429-7741
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ALSO OFFICES AT
HALIFAX, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

July 27, 1987

Royal Commission on the
Donald Marshall Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

ATTENTION: Lois Dyer
Commission Executive Secretary

Dear Ms. Dyer,

Attorney General of Nova Scotia
and Department of Attorney General

Thank you for your letter dated July 23, 1987.

I expect that Darrel Pink and I will both be in attendance
at the meeting of counsel on Monday, August 10 at 10 am.

Yours very truly,



Jamie W. S. Saunders

JWSS/caf

c.c. Darrel I. Pink

JUL 30 1987



CITY OF SYDNEY
P.O. BOX 730
SYDNEY, NOVA SCOTIA
B1P 6H7

July 27, 1987

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
1505 Barrington Street
Suite 1026
Halifax, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

I acknowledge your letter of July 23 and to advise that I shall be in attendance at the meeting scheduled for Monday, August 10.

Yours truly,

~~M.G. Whalley, Q.C.~~
City Solicitor

Sydney Discovery Services
Official Court Reporters

JUL 30 1987

185 Charlotte Street P. O. Box 542
Sydney, Nova Scotia, B1P 6H4
Telephone: (902) 539-7591

July 27, 1987

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

It was indeed a pleasure to speak with you this morning and may I say "best wishes" in your new life, both as a married lady and in your new career.

Thank you for your recent letter as well, enclosing the tentative time schedule for Sydney. It has helped a great deal in the scheduling of staff and their duties.

As I mentioned today and previously, in my letter to you of March 25, 1987, we would request a retainer/advance, to cover extra expenses which will be incurred initially such as material, supplies, wages, printer, etcetera. We are a small firm, and we do not have a large operating overhead. Therefore the attendance fee as set is


Attendance fee, fixed at	\$ 135.00
Number - estimated sitting time	<u>20</u> days
	<u>\$2,700.00</u>

and we request this amount to be forwarded to us by September 1, 1987. Otherwise our invoicing will be done on a weekly basis with regard to transcripts.

If you have any further questions regarding our request, please call.

Sincerely,

Sydney Discovery Services


Judith M. Robson, OCR, RPR
Managing Owner

JMR/jgr



PATTERSON & KITZ
BARRISTERS & SOLICITORS

FORMERLY PATTERSON SMITH MATTHEWS & GRANT AND KITZ MATHESON

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
DARREL I. PINK
JACK A. INNES, Q.C.
DIANNE POTHIER
JANET M. CHISHOLM
PETER M. ROGERS

DONALD J. MACDONALD, Q.C.
PAUL M. MURPHY, Q.C.
RICHARD N. RAFUSE, Q.C.
J. RONALD CREIGHTON
J. RONALD CULLEY
NANCY J. BATEMAN
R. MALCOLM MACLEOD
ALAN C. MACLEAN
DENNIS ASHWORTH
WENDY J. JOHNSTON
ROBERT K. DICKSON

FRED J. DICKSON, Q.C.
DAVID R. HUBLEY, Q.C.
GERALD J. MCCONNELL, Q.C.
RONALD A. PINK
LOGAN E. BARNHILL
JOEL E. FICHAUD
J. MARK MCCREA
D. SUZAN FRAZER
BRUCE A. MARCHAND
RODNEY F. BURGAR
JANICE A. STAIRS

JAMES C. LEEFE, Q.C.
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GEORGE L. WHITE
DAVID R. FEINDEL
A. DOUGLAS TUPPER
DARA L. GORDON
LORNE E. ROZOVSKY, Q.C.
WYMAN W. WEBB
GORDON N. FORSYTH
KIMBERLEY H.W. TURNER

BANK OF MONTREAL TOWER
SUITE 1600, 5151 GEORGE STREET
P.O. BOX 247
HALIFAX, NOVA SCOTIA B3J 2N9
TELEPHONE (902) 429-5050
TELECOPIER (902) 429-5215
TELEX 019-22893

ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

July 28, 1987

BY HAND

Mr. Wylie Spicer
Royal Commission on the
Donald Marshall, Jr. Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S.

Dear Mr. Spicer:

Our File No. 9201/1

John Feehan is on vacation until August 10, 1987. I will endeavour to arrange an interview with him after his return from holidays.

Yours truly,



Darrel I. Pink

DIP/jl

c.c. Mr. Martin Herschorn

JUL 29 1987



OFFICE OF THE PRESIDENT, NOVA SCOTIA BRANCH
CABINET DU PRÉSIDENT, DIVISION PROVINCIALE DE LA NOUVELLE-ÉCOSSE

P. O. Box 876
Dartmouth, N.S.
B2Y 3Z5

(902) 469-9500

July 27, 1987

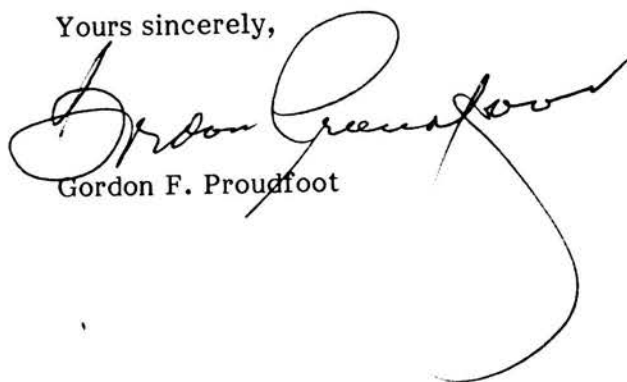
M. Lois Dyer
Commission Executive Secretary
Royal Commission on the Donald
Marshall, Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
HALIFAX, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

Thank you for your letter of July 23, 1987.

Please be advised that I will be in attendance at the meeting on Monday, August 10, 1987 at 10:00 a.m. I have no matters at this time which I wish to be included on the agenda.

Yours sincerely,



Gordon F. Proudfoot

GFP/mf

cc M. Meisner
cc P. Griffin

JUL 27 1987

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MacISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
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TELEX 019-22893

ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

July 24, 1987

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S

Dear Ms. Dyer:

Our File No. 9201/1

Thank you for yours of July 23, 1987. Mr. Saunders and I will be in attendance at the meeting of counsel.

We would appreciate receiving an agenda in advance of that meeting.

Yours truly,



Darrel I. Pink

DIP/jl

c.c. Mr. Gerald Conrad, Q.C.
Mr. Jamie Saunders

JUL 27 1987

Margaret E. Graham Discovery Service

298 PORTLAND STREET, DARTMOUTH, N.S. B2Y 1K4
PHONE: 469-5734

July 24, 1987

HAND DELIVERED

Ms. Lois Dyer
Suite 1026, Maritime Ctr.
1505 Barrington St.
Halifax, N.S.
B3J 3K5

Dear Ms. Dyer:

Re: Marshall - Royal Commission

We hereby agree to supply 17 copies of the transcript for the Halifax portion of the Marshall hearing within 24 hours at the previously agreed price of \$4/original \$.25/copy, Attendance fee \$125/day (max. 5 hrs.) \$37.50 overtime. (Terms acknowledged in your July 21 letter.)

The price quoted by us took into account that lawyers would be ordering copies on their own. The fact that the Board is ordering these copies for the lawyers instead of the lawyers ordering it themselves does not materially affect our price.

As previously requested, we would like to have confirmation in writing from you on the following points:

- (1) The above price structure is accepted.
- (2) MGDS will control extra copies beyond in-house copies made specifically for use by the board.
- (3) MGDS requests to be paid every two weeks during the course of the hearing.

We would appreciate a written reply at your earliest convenience.

Yours very truly,



Margaret E. Graham

Sydney Discovery Services

JUL 24 1987

Official Court Reporters

185 Charlotte Street P. O. Box 542
Sydney, Nova Scotia, B1P 6H4
Telephone: (902) 539-7591

July 20, 1987

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

Re: Court Reporting Services - Marshall Inquiry, Sydney

I was very disappointed we were unable to meet during my visit to Halifax earlier this month.

I must have some information from your offices. I do understand there is a time schedule of some sort indicating the days and number of them scheduled for the hearing in Sydney. Again, as I mentioned, I realize these are estimates but it is most necessary for us to receive them as I must schedule staff and duties.

Bookings are coming in from counsel for other matters during this proposed time period so it is vital that I make arrangements regarding staff in order to fulfill the requirements as set out in your letter of March 17, 1987 and my letter to you of March 25, 1987.

May I please hear from you in this regard. As well, would you please advise if there are any other matters which should be brought to our attention regarding the Inquiry? Are you scheduled to come to Sydney again before September? Etcetera??

Sincerely,

Sydney Discovery Services


Judith M. Robson, OCR, RPR
Managing Owner

JMR/lem





Chateau Halifax

1990 Barrington Street, Scotia Square
Halifax, Nova Scotia B3J 1P2
Telephone (902) 425-6700 • Telex 019-22661

JUL 24 1987

July 23, 1987

Ms. Lois Dyer
Royal Commission on the
Donald Marshall Prosecution
Suite 1026, 1505 Barrington St.
Halifax, N.S. B3J 3K5

Dear Lois:

Further to your booking for Monday, August 10, 1987, I am pleased to enclose Contract #703 which outlines the space being held for your upcoming function.

I trust the enclosed is in order and ask that you sign and return the white copy of the contract to my office.

All details pertaining to your function should be finalized at least one week prior to your arrival.

Please do not hesitate to contact me personally if I may be of any further assistance to you.

Sincerely yours,

Lo. MacPherson

for Goldie Cranston
Catering Manager
CHATEAU HALIFAX

GC/cm
enc.

JUL 23 1987



DALHOUSIE LAW SCHOOL HALIFAX CANADA B3H 4H9

July 17, 1987

Ms. Lois Dyer
Commission Secretary
Royal Commission on
Donald Marshall Jr. Prosecution
Suite 1026, Maritime Centre
1501 Barrington St.
Halifax, N.S.
B3J 3K5

Dear Lois:

Attached are my expenses to date for time spent with the Commission.
I hope that you can fill in the relevant blanks without too much
difficulty. Would you please send the cheque to my home address -
6202 South Street, B3H 1T8.

Thank you.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Susan Ashley'.

Susan Ashley

/glv
enclosure

JUL 22 1987

LEONARD A. KITZ, Q.C., D.C.I.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
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BANK OF MONTREAL TOWER
SUITE 1600, 5151 GEORGE STREET
P.O. BOX 247
HALIFAX, NOVA SCOTIA B3J 2N9
TELEPHONE (902) 429-5050
TELECOPIER (902) 429-5215
TELEX 019-22893

ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

July 22, 1987

BY HAND

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S.

Dear Lois:

Donald Marshall
Our File No. 9201/1

I acknowledge yours of July 21, 1987, with enclosures.

Yours truly,



Darrel I. Pink

/jl

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
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ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

July 20, 1987

BY HAND

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
Suite 1026
Maritime Centre
1505 Barrington Street
Halifax, N.S

Dear Lois:

Donald Marshall
Our File No. 9201/1

Further to your letter of July 16, 1987, to Mr. Donahoe, the letter attached was a July 14, 1987, letter from Don Murray George MacDonald, but it made no reference to Mr. Urquhart. Could you kindly forward to me a copy of the letter in which the request regarding Mr. Urquhart was contained.

Yours truly,



Darrel I. Pink


DIP/jl

c.c. Mr. Gerald Conrad, Q.C.

JUL 20 1987

LE SERVICE DE TRADUCTION SIMULTANÉE
INTERNATIONAL
SIMULTANEOUS TRANSLATION SERVICE

90 MONTÉE DE LIESSE, MONTRÉAL, QUÉBEC, CANADA H4T 1N4
TÉL.: (514) 340-1821 • TÉLEX: 05-824655 • FACSIMILE: (514) 340-1639


I.S.T.S. July 8, 1987

Our File: 1626

HEAD OFFICE:

MONTREAL

BRANCH OFFICES:

HALIFAX

SAINT JOHN

QUEBEC CITY

OTTAWA

TORONTO

EDMONTON

VANCOUVER

Ms. Lois Dyer
The Royal Commission on the
Donald Marshall Jr. Prosecution
Suite 1026, Maritime Center
Halifax, N.S.
B3J 3K5


Dear Ms. Dyer:

Please find enclosed our Invoice No. 22321 regarding our technical services rendered on May 13 and 14, 1987, in Halifax, N.S.

We sincerely hope that our services were carried out to the entire satisfaction of all parties concerned. We hope that we can be of service to you once again in the near future, and remain,

Yours truly,

I. S. T. S.


Peter Falardeau
Director of Sales

PF/ca

Enclosure

COMPRENDRE TOUTES LES LANGUES GRÂCE AUX TECHNIQUES D'INTERPRÉTATION SONORE

ELIMINATING LANGUAGE BARRIERS THROUGH SOUND TECHNICAL INTERPRETATION

JUL 20 1987



CHARLES BRODERICK B.A., LL.B.
BARRISTER & SOLICITOR

P.O. BOX 151
3316 PLUMMER AVE.
NEW WATERFORD N.S.
B1H - 4K4
TELEPHONE 862-6471

July 15, 1987

Royal Commission on the
Donald Marshall, Jr.
Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street,
Halifax, N.S. B3J 3K5

ATTENTION: George W. MacDonald

Dear Sir:

RE: Donald Marshall Inquiry

I would appreciate it if you could forward to me at your earliest convenience copies of all statements of every nature taken from Mr. Maynard Chant, John Partico, James MacNeil and Roy Newman Ebsary.

I thank you for your anticipated cooperation in this matter.

Yours very truly,

A handwritten signature in cursive script that reads "C Broderick".

Charles Broderick

CB/jla

JUL 20 1987



Department of Justice
Canada

Ministère de la Justice
Canada

4th Floor
Royal Bank Building
5161 George Street
Halifax, Nova Scotia
B3J 1M7

4ième étage
Immeuble Banque Royale
5161 rue George
Halifax, Nouvelle-Écosse
B3J 1M7

(902) 426-7592

Our file
Notre dossier

AR 21,613

Your file
Votre dossier

July 15, 1987

Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Attention: Mr. Wylie Spicer

Dear Wylie:

Re: Interview - R.C.M.P. Officers

I acknowledge receipt of your letter of July 8, 1987, in which you seek to schedule interviews with appropriate R.C.M.P. officers who could advise you on the laying of charges by the R.C.M.P. It seems to me this question has already been fully canvassed in the interviews you have conducted to date with the R.C.M.P. Since members and officers of all ranks from Constable to Chief Superintendent were interviewed on this topic, I don't see what more we can do. I also provided George MacDonald with the relevant excerpts from the R.C.M.P. manual.

If there is something in particular you wish, please advise and I will see what I can do.

Yours very truly,

James D. Bissell
General Counsel
Director, Atlantic Region

JDB:wm

cc: Inspector H. Murphy
"H" Division, R.C.M.P.
P. O. Box 2286
Halifax, Nova Scotia

Canada



Department of Justice
Canada

Ministère de la Justice
Canada

JUL 20 1987

4th Floor
Royal Bank Building
5161 George Street
Halifax, Nova Scotia
B3J 1M7

4ième étage
Immeuble Banque Royale
5161 rue George
Halifax, Nouvelle-Écosse
B3J 1M7

426-7592

July 15, 1987

Our file: AR-21,613
Notre dossier:

Your file:
Votre dossier:

Mr. George W. MacDonald, Q.C.
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
Halifax, Nova Scotia
B3J 3K5

Dear Mr. MacDonald:

Re: Donald Marshall Inquiry

I acknowledge receipt of your various letters on this matter.

With respect to the notebooks it is unlikely that there is anything in any member's personal notebook which is not already produced in the statements and reports provided. In the event that any member uses his notebook to refresh his memory then that portion of the notebook would be subject to review at the discretion of the tribunal in accordance with the majority of the decisions we have perused.

With respect to the exhibits from the Ebsary trial, I have contacted Inspector Murphy who is making inquiries as to their whereabouts. When I have heard from him, I will advise.

As for Mr. Marshall's record, Inspector Murphy has ordered a copy of his criminal record from the fingerprint section. However, I am instructed that I can only make that information available with Mr. Marshall's consent. Therefore, if you can obtain this consent from his counsel, I will be pleased to forward it to you.

.../2

Mr. George W. MacDonald, Q.C.

July 15 ,1987

You have also asked to inspect the index to the R.C.M.P. manual to satisfy yourself that there is no other section dealing with the laying of information aside from what I have given you. If you will advise me when you would like to come to our office, I will arrange to have the index here for your perusal.

Yours very truly,



James D. Bissell
General Counsel
Director, Atlantic Region

JDB:wm

cc: Inspector H. Murphy
"H" Division, R.C.M.P.
P. O. Box 2286
Halifax, Nova Scotia

SMITH, GAY, EVANS & ROSS
BARRISTERS & SOLICITORS

BRUCE W. EVANS
(Also of the Alberta bar)
JEREMY GAY
E. ANTHONY ROSS, M.Eng., P.Eng.
W. BRIAN SMITH

604 QUEEN SQUARE
P.O. BOX 852
DARTMOUTH, NOVA SCOTIA
B2Y 3Z5
Telephone
(902) 463-8100

July 17, 1987

File #1077-01

VIA COURIER
jb

ROYAL COMMISSION ON THE DONALD MARSHALL, JR.
-PROSECUTION
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, NS

Attention: George W. MacDonald - Commission Counsel

Dear Mr. MacDonald:

Re: Donald Marshall Inquiry

I acknowledge receipt of your letter of July 16, 1987.

Mr. Ross is out of town until Wednesday, July 22, 1987.

Having reviewed the file, I have put together a partial list of witnesses (enclosed) who Oscar Seale would like to have interviewed. Unfortunately, I could not obtain very much information with regard to addresses and telephone numbers.

Tony will address this matter when he gets back to town.

Yours very truly,

SMITH, GAY, EVANS & ROSS

PER:

Lynn Saulnier

Lynn Saulnier

secretary to E. Anthony Ross

Encl.

PARTIAL LIST OF WITNESSES

Keith Beaver

Joe Burke Charlie Joe's Furniture, Sydney - 539-4832

Gaye Dixon Sydney

Reverend Gunn

William Lucas Sydney

Karen MacDonald

Paul MacEwen

William Maxwell

William Mullens

Constable Ryan



JUL 20 1987

The Speaker

House of Assembly
Nova Scotia

PO Box 1617
Halifax, Nova Scotia
B3J 2Y3

902 424-5707

July 17, 1987

Ms. M. Lois Dyer
Executive Secretary
Royal Commission on the Donald
Marshall, Jr. Prosecution
Suite 1026
Maritime Centre

Dear ^{Lois:} ~~Ms. Dyer:~~

Enclosed please find a copy of a letter dated July 15, 1987 which I have received from Honourable George C. Moody, to which is attached a Statement of Principles to be applied in taxing accounts of counsel for funded participants before the Marshall Inquiry Commission.

I would be grateful if you would acknowledge receipt of this documentation.

Yours very truly,

Arthur R. Donahoe
Speaker

ARD:nk

Enclosure

cc: Honourable George C. Moody
Mr. Myles Rector



Nova Scotia

Management Board

Office of the Minister

PO Box 1619
Halifax, Nova Scotia
B3J 2Y3

Our file no:

July 15, 1987

The Honourable Arthur R. Donahoe, Q.C.
Speaker of the House of Assembly
Office of the Speaker
7th Floor
One Government Place
Halifax, Nova Scotia

Dear Mr. Speaker:

The Executive Council agrees with the principles of taxing accounts of counsel for funded participants before the Royal Commission on the Donald Marshall, Jr., Prosecution recommended by the Commission in a letter from their Executive Secretary, Ms. Lois Dyer, on May 25, 1987, and attached hereto.

We are in agreement with the recommendations and request that they be applied to all counsel representing persons or organizations granted standing before the Royal Commission. Where conflict exists between the principles and previous directives, with respect to the payment of legal fees and expenses, the attached principles shall prevail.

I would appreciate it if you would be kind enough to confirm the above with the Executive Secretary of the Commission.

Yours sincerely,

A handwritten signature in cursive script that reads "George C. Moody".

George C. Moody

Attach.

THE FOLLOWING ARE THE PRINCIPLES TO BE APPLIED IN
TAXING ACCOUNTS OF COUNSEL FOR FUNDED PARTICIPANTS BEFORE
THE ROYAL COMMISSION ON THE DONALD MARSHALL, JR. PROSECUTION:

1. Reasonable costs incurred are to be paid as taxed and none of the funded participants before the Royal Commission can reasonably take the position that either the public interest or their own interest requires the presence of legal counsel on their behalf throughout the Hearings.

2. Depending upon the normal hourly rates charged by the lawyer, a maximum rate of \$175.00 per hour will be allowed. A maximum of two counsel per party will be permitted, if the requirement for two counsel can be demonstrated.

3. Reasonable expenses for travel and accommodation of counsel will be allowed. Participants may be requested to provide receipts for any expenditures claimed.

4. Reasonable time for preparation for the Hearings at which counsel are to be in attendance and other necessary preparation, including review of documents, review of transcripts and meetings with clients, will be allowed.

5. Accounts should be rendered to the Commission on a monthly basis for taxation.

6. Accounts will be taxed by the Executive Secretary to the Commission. Any dispute concerning the accounts will be referred to one of the Commissioners for final determination.

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

FRANK M. COVERT, O.C.
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COUNSEL
DONALD A. KERR, O.C.

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DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

July 17, 1987

Mr. George MacDonald,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Maritime Centre,
Suite 1026, 1505 Barrington St.,
Halifax, Nova Scotia,
B3J 3K5

Dear Mr. MacDonald:

RE: William Urquhart

Thank you for the prompt response from the Commissioners with respect to the recommendation involving the funding of legal counsel for the above-noted individual.

I met with Mr. Urquhart yesterday and will be meeting with him again on August 5, 1987. He is aware that you would like to spend a day interviewing him which you and I tentatively arranged for August 6, 1987. Mr. Urquhart will make himself available on that day.

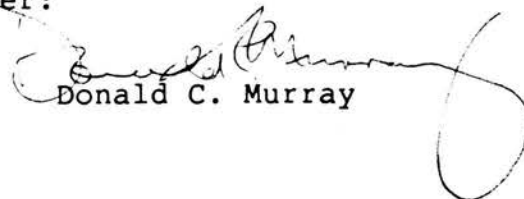
I trust that, as with John MacIntyre, Mr. Urquhart will be reimbursed his reasonable expenses of travelling to Halifax in order to be interviewed by Commission counsel.

I would also respectfully request that the Commission forward to me a further set of the Witness Books. It will not, so far as we are able to determine at present, be necessary to request a set of the Transcripts from the Donald Marshall, Jr. and Roy Ebsary trials, in order to properly represent Mr. Urquhart.

I appreciate the full co-operation received on behalf of Mr. Urquhart from you and on behalf of both myself and Mr. Urquhart. Thank you for that.

Mr. George MacDonald
July 17, 1987
2

Yours very truly,
STEWART, MACKEN & COVERT
-Per:



Donald C. Murray

DCM/dmb
N2060343
c.c. Mr. William Urquhart

JUL 14 1987
JUL 14 1987

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OUR FILE REFERENCE:

COUNSEL
DONALD A. KERR, O.C.

DELIVERED

July 14, 1987

Mr. George W. MacDonald,
Commission Counsel,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Maritime Centre, Suite 1026,
1505 Barrington Street,
Halifax, Nova Scotia,
B3J 3K5

Dear Mr. MacDonald:

RE: Donald Marshall Inquiry

Thank you for your letter of June 19, 1987. The confirmation you request appears in our letter of June 1, 1987. In that letter no reference is made to Mr. Pugsley's actual regular hourly rate, but further to your request I wish to confirm that it is \$185.00 per hour, and that you advised that he would only be reimbursed to the extent of \$175.00 per hour.

In connection with reimbursement of fees and expenses I expect that you have seen Lois Dyer's letter to us of June 12, 1987, in which she stated that an additional set of Witness Books could not be provided for our client to have a set to study in advance of the hearings, and that the cost of duplicating a set for Mr. MacIntyre would not be an approved taxable cost. We would ask that you reconsider this request for Mr. MacIntyre. As is consistent with the position we took on the funding issue, we do not agree that simply because certain expenses are permissible for one individual with standing before the Commission does not mean that all must receive the same treatment. The individuals and groups before the Commission have significantly different and varying levels of interest in the proceeding. It is our submission that because of John MacIntyre's involvement on a

Mr. George W. Macdonald

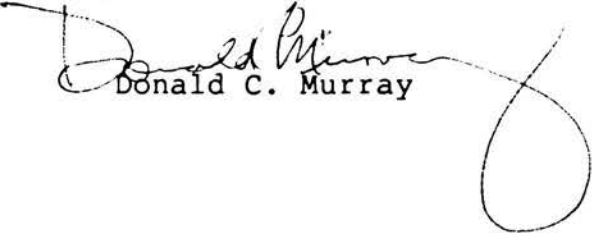
July 14, 1987

2

continuing basis in the "Marshall case", he has a larger and significant interest deserving of treatment commensurate with that position. We look forward to your response.

Yours very truly,
STEWART, MACKEN & COVERT

Per:


Donald C. Murray

DCM/dmb

N2060201

c.c. Mr. Angus MacIntyre

SMITH, GAY, EVANS & ROSS
BARRISTERS & SOLICITORS

JUL 13 1987

BRUCE W. EVANS
(Also of the Alberta bar)
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July 13, 1987

File #1077-01

VIA COURIER

jb

ROYAL COMMISSION ON DONALD MARSHALL, JR.
-PROSECUTION

Suite 1026 Maritime Centre
1505 Barrington Street
Halifax, NS

Attention: M. Lois Dyer (Ms) - Commission Executive Secretary

Dear Ms Dyer:

Re: Oscar Seale - Commission Involvement

Reference is made to Mr. MacDonald's letters of June 19 and July 7, 1987.

On behalf of Oscar Seale, I reconfirm his concerns as expressed in his application for a standing dated February 25, 1987, and further, in his letter of February 12, 1985, addressed to the Honourable Ron Giffin and which was enclosed with his application for standing.

Mr. Seale is concerned that the limitations placed on an accused and counsel when operating in the usual adversarial system as it relates to the administration of criminal justice could very well be satisfactory to respond to specific charges against an accused, but he sees this inquiry as an opportunity to unearth all of the facts, positive and negative, as opposed to, what is sufficient to make out a case against an accused on the one hand and on the other hand, what is sufficient to respond to the charges as made out.

In this regard, Mr. Seale proposes to try to ensure that there is a full and complete investigation of the facts of any alleged

.../2

M. Lois Dyer
Page 2
July 13, 1987
File #1077-01

relationship between Sandy Seale and Donald Marshall Jr. prior to May 28, 1971, and in so doing, Mr. Seale proposes that there be a full and complete investigation and identification of the friends of Sandy Seale and the circle in which he moved and operated, at school, in athletics, and socially.

Further, with the hard facts that Sandy Seale was alive and well and in the basement of his father's house at or around 8 p.m. on May 28, 1971, and can be placed alive and well and in the company of three other teenagers up to approximately 11:45 p.m., and leaving these people for the expressed purpose of catching a bus to get home, and the fact that by approximately seven minutes before midnight he had already been very seriously wounded, Mr. Seale believes that it is absolutely important to attempt to determine exactly what happened in the time lapse between his leaving his other teenage friends and the time of the wounding.

Mr. Seale is also concerned about the investigatory facts (or lack of same) between the time of the wounding and the time of the death of his son.

Recognizing that some ten years later his son is to be accused of being an accomplice in an attempted robbery, which story has been changed and rechanged from time to time, Mr. Seale believes that it is absolutely imperative that all such statements and allegations be fully investigated and tested.

To accomplish the objectives of Mr. Seale, and as a preliminary requirement, I am specifically instructed by Mr. Seale to ask that a copy of his statements to Commission Counsel and Commission investigators which were recorded by Commission Counsel and Commission investigators be transcribed and made available to him as soon as possible.

Further, Mr. Seale proposes that having reviewed the statement, to compile for the assistance of the Commission and for inquiry purposes, as comprehensive a list as is possible which will shed light on the personality and as much as possible, the behaviour of Sandy Seale.

Mr. Seale is not asking for any special consideration with respect to the memory of his son, but at the same time, he is seeking a full and thorough investigation of the facts, so that in the final analysis, if he is disappointed in any way with respect to Sandy Seale, he will at least have a factual basis upon which full understanding can be developed.

M. Lois Dyer
Page 3
July 13, 1987
File #1077-01


Until such time as Mr. Seale has a copy of his statements to Commission counsel and Commission investigators and his list of persons are interviewed and the results of the interviews properly cross-checked, I find it impossible to even give the broadest outline of the proposed scope of involvement in the inquiry hearings, sufficient to say that having been granted full standing, I cannot see that I would rest easy, and that it would be in the best interests of my client to have the full standing whittled away because of funding consideration.

I look forward to receiving a copy of Mr. Seale's statement at your very earliest convenience.

Yours verys truly,

SMITH, GAY, EVANS & ROSS

PER:


E. ANTHONY ROSS

EAR/lms
cc O. Seale

JUL 13 1987

SMITH, GAY, EVANS & ROSS
BARRISTERS & SOLICITORS

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July 13, 1987

File #1085-01

DELIVERED BY COURIER

M. Lois Dyer
Commission Executive Secretary
Royal Commission on the Donald
Marshall Jr. Prosecution
Maritime Centre
1505 Barrington Street
Suite 1026
Halifax, N.S.
B3J 3K5

Dear Ms. Dyer:

Re: Royal Commission on Donald Marshall Jr. Prosecution

You have asked us for a written statement detailing the interest and proposed involvement of the Black United Front in the Marshall inquiry. We have considered these matters in consultation with the Black United Front. I am now taking the opportunity to respond to your request. I would add that this overview should not be considered to be inflexible or unchangeable.

The primary interest of the Black United Front is in the issue of race based differential treatment of blacks in the administration of criminal justice.

The Black United Front proposes to address this issue through the following means:

1. Identification of and communication with experts to provide a bibliography of present sociological studies on this issue and to give evidence on this issue to the Commission;
2. Obtaining and evaluating existing data on blacks in the criminal justice system in Nova Scotia in consultation with the experts;
3. Reviewing the existing record of complaints of blacks with the criminal justice system in Nova Scotia, including, without restricting the generality of the foregoing, the files

of the Black United Front, the files of various police departments dealing with complaints whether formally presented under the complaint procedure of the Police Act, S.N.S., 1974, c. 9, as amended and Regulations or otherwise and the files of the Nova Scotia Police Commission involving complaints, in consultation with the experts;

4. Review of the relevant legislation in Nova Scotia dealing with the administration of criminal justice, including, without restricting the generality of the foregoing, the Police Act, (supra) as amended and Regulations, the proposed new Police Act and the study and report of the late Judge Nathan Green on the Police Act;
5. Review of all of the volumes of the Witness Books for the Sydney Phase of the Inquiry;
6. Full participation in the inquiry hearings for evidence concerning the events leading to the death of Sandy Seale, the investigation of the death of Sandy Seale, the conduct of the prosecution, trial and appeal of Donald Marshall Jr. and the presentation of opinion evidence on the differential treatment of minorities in the administration of criminal justice;
7. Meeting in advance of their Inquiry appearance with those witnesses that are blacks or who have evidence bearing on the issue of differential treatment of blacks in the administration of justice in Nova Scotia;
8. Meeting in advance of their Inquiry appearance with the experts offering opinion evidence on differential treatment of blacks; and
9. Presentation of submission on the issue of differential treatment and proposed reforms.

I look forward to your comments in due course.

Yours very truly,

SMITH, GAY, EVANS & ROSS


PER: E. ANTHONY ROSS

JG/cd
pc: G. Taylor - BUF
B. H. Wildsmith - UNSI

SMITH, GAY, EVANS & ROSS
BARRISTERS & SOLICITORS

JUL 13 1987

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July 13, 1987

File #1077-01
File #1085-01

VIA COURIER
jb

ROYAL COMMISSION ON DONALD MARSHALL, JR.
-PROSECUTION
Suite 1026 Maritime Centre
1505 Barrington Street
Halifax, NS

Attention: M. Lois Dyer (Ms) - Commission Executive Secretary

Dear Ms Dyer:

Re: Oscar Seale/Commission of Inquiry - 1077-01
Black United Front/Commission of Inquiry - 1085-01

Delivered herewith this letter are separate letters outlining the proposed scope of involvement (as can currently be determined) of this firm with respect to the above-captioned matters.

As far as accounts are concerned, it is my expectation that services will be provided by Kevin Drolet, an associate due to be admitted to the Bar in August 1987, and his charge out rate shall be maintained at \$65.00 per hour.

Also involved will be Jeremy Gay, a graduate of the class of 1974, and his charge out rate is \$120.00 per hour.

Finally, my charge out rate is \$150.00 per hour. I am a graduate of the class of 1973.

As far as legal services are concerned, it is our hope and intention to involve the above-named individuals in an effort to produce the most efficient and cost conscience end results. In this regard, every effort will be made to avoid duplication of services and to deal with this inquiry in a serious and professional manner consistent with our calling, with full and complete accounting of time, expenses and disbursements.

M. Lois Dyer

Page 2

July 13, 1987

File #1077-01 & File #1085-01

This firm remains conscience of the message sent generally to the media public by the cartoon which appeared in the Halifax Herald on Thursday, May 21, 1987, (copy enclosed) and will definitely be conducting ourselves as responsible professionals under constant public scrutiny.

Please advise at your earliest convenience when you have received a copy of the cabinet minute relating to accounts so that an interim account can be advanced for your review, taxation, recommendation and payment.

Yours very respectfully,

SMITH, GAY, EVANS & ROSS

PER:



E. ANTHONY ROSS

EAR/lms

JUL 10 1987

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

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OUR FILE REFERENCE:

July 10, 1987

The Commissioners,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
c/o Mr. George W. MacDonald,
Commission Counsel,
Maritime Center, Suite 1026,
1505 Barrington Street,
Halifax, Nova Scotia,
B3J 3K5

Dear Honourable Commissioners:

RE: William Urquhart

We have been asked by Mr. William Urquhart to make application on his behalf for funding of legal representation during the Commission Hearings to commence in September, 1987. Mr. Urquhart had expected that an application would be made on his behalf at the hearings on May 13 and 14, 1987, and has only recently learned that an application was not made on his behalf at that time by Mr. Michael Whalley, City Solicitor for the City of Sydney. Further inquiries by him since to Ms. Lois Dyer and the Attorney General's Office have not been successful in resolving this issue, and he has now requested us to make application on his behalf.

William Urquhart is 68 years old, and lives in West Bay, Cape Breton. His income is solely provided by Canada Pension, a City of Sydney Pension, and a small Department of Veterans Affairs Pension, altogether totalling approximately \$1,800.00 per month. On this income he supports himself and his wife. Mr. Urquhart has a 22 year old daughter who is currently undergoing a lengthy medical treatment in Toronto for a jaw and tooth problem, which is costing him approximately \$200.00 per month, and this is expected to continue for another two years.

The Commissioners

July 10, 1987

2

Mr. Urquhart was taken on strength of the Sydney City Police in 1949 after completing grade ten. He has no other formal education. He was promoted to the Detective Department of the Sydney City Police in 1965, and was made Sergeant of Detectives in 1973, a position he held until he retired on June 30, 1983. Other than John F. MacIntyre himself, no other police officer has had a longer or more intimate association with the Donald Marshall, Jr. Prosecution. Indeed, William Urquhart was present and involved in a major way in obtaining statements from Maynard Chant and Patricia Harriss - statements which formed the basis of many of the allegations of coercion and the giving of false testimony which will no doubt be a central focus of the Commission's inquiry into the specific questions of why and how Donald Marshall, Jr. was convicted in the first place. Thus, it is respectfully suggested that William Urquhart's position before this Inquiry will be no different from that of John F. MacIntyre. It is respectfully submitted that if it can be said that he has the same interests to protect that he is as entitled, in the public interest, to a recommendation that funding for legal counsel be provided to him on the same terms that it has been recommended (and granted) to John F. MacIntyre. Mr. Urquhart is not otherwise in a position to be represented by counsel.

It is anticipated that should funding be granted to Mr. William Urquhart that he would retain Stewart, MacKeen & Covert to represent him before the Commission Hearings. To the extent that this happens, it is anticipated that possible duplication of expense will be avoided.

As it is now mid-July with hearings anticipated to begin in early September we anticipate that the Honourable Commissioners will give prompt attention to this application and Mr. Urquhart can make the arrangements he chooses with respect to counsel. Replies may be directed to the undersigned with respect to this matter.

ALL OF WHICH IS RESPECTFULLY SUBMITTED,


Donald C. Murray

DCM/dmb
N2060306

c.c. Mr. William Urquhart
Mr. Jamie Saunders,
Patterson, Kitz

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OUR FILE REFERENCE:

July 6, 1987

M. Lois Dyer
Royal Commission on the Donald
Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Lois:

I thank you for your letter of June 1, 1987 and enclosure therewith.

Yours very truly,

Mick per L.C.

William L. Ryan

WLR:lc

N0540405

JUN 29 1987

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OUR FILE: I-1816

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Michael I. King
F. V. W. Panick
Christopher C. Robinson
Thomas E. Hart
Peter M. S. Bryson
Scott C. Norton
Fae J. Shaw
Stephen J. Kingston

COUNSEL:
John H. Dickey, Q.C.
George B. Robertson, Q.C.

June 29, 1987

Dear Lois:

I am enclosing our account for services for the month of June which I trust you will find to be in order.

Yours very truly,

McINNES, COOPER & ROBERTSON

George W. MacDonald

Ms. Lois Dyer
Royal Commission on the Donald
Marshall, Jr., Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

GWMacD/fm
Encl.

JUN 29 1987



FACULTY OF LAW,
UNIVERSITY OF TORONTO

78 Queen's Park
Toronto, Canada M5S 2C5

June 24, 1987

Chief Justice T. Alexander Hickman
Chairman
Royal Commission on the Donald Marshall Jr. Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Chief Justice Hickman,

Further to our telephone conversation earlier today, I am now enclosing a "Tentative Schedule of Research Projects and Project Responsibilities" for discussion within the Commission. It enlarges on "The Research Agenda" which was prepared following my meeting with Commission Counsel on May 19th and 20th, 1987.

You kindly undertook to distribute copies of the enclosed document to your fellow Commissioners, counsel and the executive secretary. This will accelerate matters. In the meantime I shall be happy to travel to Halifax on Thursday, July 2nd for 1 or 2 days consultations regarding the enclosed draft programme and other related matters. Perhaps Lois Dyer will call me to confirm the necessary arrangements as soon as possible.

With kindest regards,

Sincerely,

A handwritten signature in cursive script that reads "John Edwards".

J.L.J. Edwards

/dw

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
DARREL I. PINK
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RICHARD N. RAFUSE, Q.C.
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D. SUZAN FRAZER
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LORNE E. ROZOVSKY, Q.C.
WYMAN W. WEBB
GORDON N. FORSYTH
KIMBERLEY H.W. TURNER

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TELEX 019-22893

ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 26, 1987

BY HAND

Mr. W. Wylie Spicer
Commission Counsel
Royal Commission on the Donald Marshall, Jr.
Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia

Dear Mr. Spicer:

Donald Marshall Inquiry

This will confirm the dates for the interviews that I have set up on behalf of the Attorney General's office.

<u>Date</u>	<u>Time</u>	<u>Interviewee</u>
July 6	10:00a.m.	Art Theurkauf
July 7	10:00a.m.	David Thomas
July 9	11:00 a.m.	Innis MacLeod
July 10	10:00a.m.	Gary Holt
July 21	10:00a.m.	John Wade
	11:00a.m.	Chris Morris
August 5	11:00a.m.	Susan Potts

Mr. W. Wylie Spicer
June 26, 1987
Page 2

August 5 10:00a.m.

Bernadette MacDonald

August 19 10:00a.m.

Marc Chisholm

Yours truly,

Catherine M. Hicks

Catherine M. Hicks,
Legal Assistant to
Darrel I. Pink

CMH/cg

c.c. Mr. Jamie Saunders

JUN 26

McINNES, COOPER & ROBERTSON

INTER - OFFICE MEMO

To: George MacDonald and David Orsborn

From: Wylie Spicer

Date: June 26, 1987

Re: DONALD MARSHALL INQUIRY

File No.:

The AG's Department has set up the following interviews to take place at our offices:

July 6	10:00 a.m.	Art Theuerkauf
July 7	10:00 a.m.	Dave Thomas
July 9	11:00 a.m.	Innis MacLeod
July 10	10:00 a.m.	Gary Holt
July 21	10:00 a.m.	John Wade
July 21	11:00 a.m.	Chris Morris
August 3	10:00 a.m.	Susan Potts
August 5	10:00 a.m.	Bernadette MacDonald
August 19	10:00 a.m.	Mark Chisholm

WWS/mm

SMITH, GAY, EVANS & ROSS
BARRISTERS & SOLICITORS

JUN 26 1987

BRUCE W. EVANS
(Also of the Alberta bar)
JEREMY GAY
E. ANTHONY ROSS, M.Eng., P.Eng.
W. BRIAN SMITH

604 QUEEN SQUARE
P.O. BOX 852
DARTMOUTH, NOVA SCOTIA
B2Y 3Z5
Telephone
(902) 463-8100

June 25, 1987

File #1077-01

VIA COURIER
jb

ROYAL COMMISSION ON DONALD MARSHALL, JR.
-PROSECUTION
1505 Barrington Street
Suite 1026
Halifax, NS

Attention: M. Lois Dyer (Ms) - Commission Executive Secretary

Dear Ms Dyer:

Re: Donald Marshall Inquiry

I am still working with my clients in an effort to determine the full scope of involvement.

Mr. Seale tells me that there is a statement by Keith Beaver which is quite relevant to these proceedings, and I am further advised that the statement was in the control of Mr. Horne, and accordingly, I ask that you send me a copy of that statement at your very earliest convenience so that I can discuss it with Mr. Seale, hopefully next week.

Yours very truly,

SMITH, GAY, EVANS & ROSS

PER:

E. Anthony Ross
E. ANTHONY ROSS (lms)

EAR/lmb
cc: O. Seale

PATTERSON .ITZ
BARRISTERS & SOLICITORS

FORMERLY PATTERSON SMITH MATTHEWS & GRANT AND KITZ MATHESON

JUN 25 1987

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
RAYMOND F. LARKIN
S. RAYMOND MORSE
DARREL I. PINK
D. SUZAN FRAZER
WENDY J. JOHNSON
ROBERT K. DICKSON
PETER M. ROGERS

DONALD J. McDONALD, Q.C.
PAUL M. MURPHY, Q.C.
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TRURO, NOVA SCOTIA B2N 5B9
TELEPHONE (902) 895-1631
FROM HALIFAX 429-7741
TELECOPIER (902) 893-3071

REPLY TO HALIFAX OFFICE

June 24, 1987

BY HAND

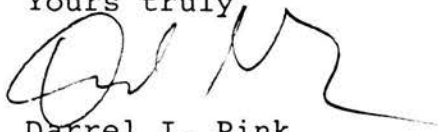
Chief Justice T. Alexander Hickman
Chairman
Royal Commission on the Donald Marshall, Jr.
Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia

Dear Sir:

Donald Marshall Inquiry

I acknowledge receipt of yours of June 22, 1987 with
enclosures.

Yours truly



Darrel I. Pink

DIP/cg
c.c. Mr. Jamie Saunders

JUN 25 1987



THE UNIVERSITY OF BRITISH COLUMBIA

FACULTY OF LAW

(604) 228-3151

1822 EAST MALL
VANCOUVER, CANADA V6T 1Y1

June 18, 1987

The Right Hon. R.G. Brian Dickson, P.C., Q.C.
Chief Justice
The Supreme Court of Canada
Ottawa, Ontario
K1A 0J1

COPY

Dear Mr. Chief Justice,

Thanks to your hospitality, and that of your colleagues, our Board of Directors had a most constructive meeting. So we can confidently claim that The Supreme Court of Canada Historical Society is now launched. By September the strategy for membership will be in place and we should be officially incorporated (or, at least, the filing will be completed).

I have asked Lois Dyer to send you a copy of our meeting's minutes but that may be slightly delayed, since she is getting married this weekend!

Everyone on our Board thoroughly enjoyed the lunch and we remain most grateful for your Court's generosity in all matters.

Yours cordially,

DeLloyd J. Guth, Ph.D.
Associate Professor of Legal History
(Acting President, The Supreme Court of
Canada Historical Society)

DJG:sr



THE UNIVERSITY OF BRITISH COLUMBIA

FACULTY OF LAW

(604) 228-3151

1822 EAST MALL
VANCOUVER, CANADA V6T 1Y1

June 18, 1987

Professor Nicole Duplé
Faculté de droit
Université Laval
Ste. Foy, Québec
G1K 7P4

Dear Professor Duplé,

We missed you at our first meeting for the Board of Directors in The Supreme Court of Canada Historical Society. We had a pleasant dinner at the Roxborough Hotel on the 7th and then a most productive day in The Supreme Court's building. At our long luncheon with members of the Court, only Justices Heureux-Dubé and Estey were away (both for personal reasons).

I will be in England for the next month, returning 18 July, so perhaps we can speak then. The Board will meet again in late August in Ottawa, so we all hope that you can be there then. Our Secretary, Lois Dyer, will send you a copy of our meeting's minutes but that may be slightly delayed because she is getting married this weekend!

Your colleague, Patrice Garant, has volunteered to help the Society, especially in reading manuscripts submitted for our annual volume. We had a good chat about this at the Learned's meeting in Hamilton.

Please write to me at your earliest convenience, upon your return from France.

Yours cordially,

DeLloyd J. Guth, Ph.D.
Associate Professor of Legal History

DJG:sr

HUGH D. MACINTOSH, LL.B., LL.M.

BARRISTER AND SOLICITOR
OF THE P.E.I. & N.S. BARS

TELEPHONE (902) 892-9594
P. O. BOX 2257
83 QUEEN STREET
CHARLOTTETOWN, P.E.I.
CANADA C1A 8B9

FILE No. 84-100

YOUR FILE No.

June 17, 1987

Confidential

Royal Commission, D. Marshall, Jr.
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, NS
B3J 3K5

Attention: W. Wylie Spicer, Esq.
Commission Counsel

Dear Mr. Spicer:

Your letter of June 9, 1987 referring to our brief telephone conversation of that date was received June 15, 1987.

I appreciated your personal approach by telephone and your understanding that I could not comment to anyone about the previous inquiry without the express authorization of the Hon. Mr. Justice A.B. Campbell.

Judge Campbell is based in Summerside but also has chambers in Charlottetown. It is not easy to contact him directly, particularly now that both cottage season and the letter carriers' strike are upon us. Accordingly, between our telephone call and your letter, I spoke to Judge Campbell's secretary here. I told her of your call, that as a result I anticipated a letter from you that would outline the particulars of the matters that you wanted to discuss and that I would deliver it to her upon receipt.

Your letter does not provide the particulars that I have indicated to Judge Campbell's secretary would be forthcoming. Perhaps this represents my misunderstanding of your references to "scope" and letters to the Attorney General's Department in our telephone conversation? In any event, my inability now to forward a letter containing such particulars puts me in an awkward spot. Will you rescue me with such a letter? The degree to which you are prepared to provide such

details would help the determination of how much judicial and legal time will be required to respond to your inquiries and to prepare for them. The earlier such details are received the more likely is your intended trip to complete your needs.

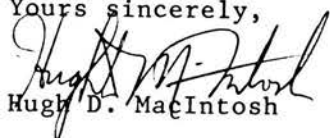
Judge Campbell is a man used to making difficult decisions promptly. The previous inquiry amply demonstrates that. One of his decisions in the previous inquiry that was not universally accepted without skepticism was to retain me as his then legal counsel and to take the further risk of incorporating my thoughts into his decision making process. In my estimation, you will have no problem securing Judge Campbell's full and free cooperation with the present inquiry. You will also appreciate that Judge Campbell is a member of a court before which I appear and that Judge Campbell now has no public source out of which to pay travel, legal or other disbursements. Whether in those circumstances he will seek or rely on any advice from me is not for me to say. If you felt sufficient confidence in him to reveal confidentially at least to him the particulars you seek and the specific purpose which you anticipate will be the function of the replies in the present inquiry, I know that that would influence me in any advice I might be called upon to provide. As to your questions or requests to me, whatever Judge Campbell directs me to reveal will be done.

I am assuming that you practice in the same firm as Mr. Eric B. Durnsford, Q.C. who will know me of old. Nevertheless, I fully appreciate the delicate nature of your task and that membership at the same Bar does not make strangers into confidential acquaintances. I will feel no injury if you prefer to bypass me and write directly to Judge Campbell prominently marking your envelope "Confidential".

Hon. Mr. Justice A.B. Campbell
Supreme Court of Prince Edward Island
Law Courts
42 Water Street
P.O. Box 2200
CHARLOTTETOWN, P.E.I.
C1A 8B9

For myself, I expect to be on vacation from June 26, 1987 to July 6, 1987. I am also counsel to the Clerk of the Legislative Assembly in a proceeding under the Conflict of Interest Act now set for trial on July 27, 1987 and wish to avoid any matters of substance appearing on my calendar after July 15, 1987 until August 3, 1987. I understand that Judge Campbell is Chambers Judge during July and so will be in P.E.I. Chambers in Charlottetown occurs on Tuesday and Thursday and in Summerside on Wednesday. In July, Chambers usually occurs in the mornings and is often cancelled, particularly on Thursdays, for want of docket.

Yours sincerely,


Hugh D. MacIntosh

JUN 22 1987

Nova Scotia



**Nova Scotia
Police Commission**

PO Box 1573
Halifax, N.S.
B3J 2Y3

902 424-3246

17 June 1987

Our File # 04-86-0017-02.2

David B. Orsborn
Commission Counsel
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026,
1505 Barrington Street,
Halifax, Nova Scotia.
B3J 3K5

Dear Mr. Orsborn:

I refer to your letter of June 16, 1987. Your Commission has already been provided with a copy of the feasibility study by this Commission on the establishment of a regional police force in the County of Cape Breton. This study together with copies of our annual reports to the Attorney General were provided in response to a verbal request.

In regards to the other materials requested, I am seeking instruction from the Department of the Attorney General.

Yours truly,

Murray J. Ritch,
Acting Chairman.

GAS/smb

JUN 22 1987



Department of Justice
Canada

Ministère de la Justice
Canada

4th Floor
Royal Bank Building
5161 George Street
Halifax, Nova Scotia
B3J 1M7

4ième étage
Immeuble Banque Royale
5161 rue George
Halifax, Nouvelle-Écosse
B3J 1M7

AR-21,613

Our file:
Notre dossier:

Your file:
Votre dossier:

426-7594

June 18, 1987

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the Donald
Marshall, Jr. Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

RE: Royal Commission on the Donald
Marshall, Jr. Inquiry

We acknowledge receipt of your memorandum of June 1, 1987.

We would appreciate receiving copies of all the witness books referred to in the list provided.

Thank you for your assistance.

Yours very truly,

A. R. Pringle
Senior Counsel
Atlantic Region

ARP/vpc

Sydney Discovery Services

Official Court Reporters

JUN 22 1987

185 Charlotte Street P. O. Box 542
Sydney, Nova Scotia, B1P 6H4
Telephone: (902) 539-7591

June 15, 1987

Ms. M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Ms. Dyer:

Re: Court Reporting Services - Marshall Inquiry

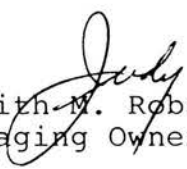
Further to our telephone conversations regarding the above, I wish to confirm your advising us that the recording services for the Sydney portion of the Inquiry is to be handled by our firm which will now commence in September of 1987.

Could you please forward a proposed time schedule indicating the days and number of them to be set aside? I realize these are only estimates but it is necessary for us to schedule staff and duties.

Since I will be in Halifax on July 6, 1987, if it is possible could we meet? May I suggest noon lunch; if not then, perhaps early in the afternoon?

Sincerely,

Sydney Discovery Services


Judith M. Robson, OCR, RPR
Managing Owner

JMR/lem



PATTERSON ITZ
BARRISTERS & SOLICITORS

FORMERLY PATTERSON SMITH MATTHEWS & GRANT AND KITZ MATHESON

JUN 22 1987

LEONARD A. KITZ, Q.C.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
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WYMAN W. WEBB
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KIMBERLEY H.W. TURNER

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FROM HALIFAX 429-7741
TELECOPIER (902) 893-3071

ALSO OFFICES AT
HALIFAX, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 18, 1987

Mr. W. Wylie Spicer
ROYAL COMMISSION ON THE DONALD MARSHALL, JR.
PROSECUTION
Maritime Centre - Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Mr. Spicer:

ROYAL COMMISSION - DONALD MARSHALL INQUIRY
Our File No.: 9201/1

Thank you for your letter dated June 11 which was received in this office on June 15.

I have sought instructions and will be responding to you in more detail as soon as I am in a position to do so.

Yours very truly,



Jamie W.S. Saunders

JWSS/plb

JUN 22 1987

Minister of Justice
and Attorney General of Canada



Ministre de la Justice
et Procureur général du Canada

The Honourable L'honorable
Ray Hnatyshyn, P.C., Q.C., M.P./C.P., C.R., Député

June 18, 1987

The Honourable Chief Justice
T. Alexander Hickman
Chairman
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre
1026 - 1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Chief Justice Hickman:

Thank you for your letter of April 15, 1987, concerning the Donald Marshall Inquiry and confirming the advice which you received from my Deputy Minister, Mr. Frank Iacobucci, Q.C., that my Department will co-operate with your Commission of Inquiry in every appropriate way.

Mr. James D. Bissell, Regional Director of the Halifax Regional Office of my Department, was assigned responsibility last fall to undertake, on my behalf, the necessary preparations and to consult with Commission counsel in order to properly assist the Commission and to represent the interests of the Government of Canada in the proceedings. I understand that there has already been substantial collaboration between Mr. Bissell and Commission counsel with a view to identifying information in the hands of federal authorities which might be relevant to the terms of reference of the Inquiry. Since the investigation into the death of Sandy Seale and the subsequent charging, prosecution, conviction and sentencing of Donald Marshall, Jr. involved agencies and institutions largely within provincial jurisdiction, it would seem unlikely that difficulty should be encountered in assembling the relevant information. I understand that the R.C.M.P. investigation materials, which ultimately led to the reference of the case back to the Nova Scotia Court of Appeal, were first made available to the Attorney General of Nova Scotia, whose Department is in possession of, or has access to, virtually all of the information relating to the case.


.../2

My counsel has noted that in the opening statement you made in the Commission proceedings held on May 13, 1987 to consider the question of funding of parties, you indicated that the inquiry would examine, among other aspects of the case, Marshall's years in prison. In addition, counsel for Marshall and for the Commission have indicated an interest in examining the process by which my predecessor in this office referred the case back to the Nova Scotia Court of Appeal. While the practices and policies of the Correctional Service of Canada, the National Parole Board or the Department of Justice could not properly be the object of an Inquiry under provincial jurisdiction, both the Department of Justice and the Department of the Solicitor General will cooperate in endeavouring to determine, at an early stage, whether there exists information within the Departments which could be relevant to the terms of reference of your Inquiry. I am advised that I may convey this assurance as well on behalf of my colleague, the Honourable James Kelleher, Solicitor General of Canada. I understand that arrangements are being made for Commission Counsel to discuss this matter further with officials in my Department.

I trust that these arrangements will facilitate the effective pursuit by your Commission of Inquiry of the matters specified in the Order in Council dated October 28, 1986 under the Public Inquiries Act of Nova Scotia.

With kindest regards, I remain,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ray Hnatyshyn', written in a cursive style.

Ray Hnatyshyn

JUN 18 1987

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
1959 UPPER WATER STREET
HALIFAX, CANADA

FRANK M. COVERT, O.C.
JOHN D. MOORE, O.C.
DAVID A. STEWART, O.C.
DONALD H. OLIVER
DONALD H. McDOUGALL, O.C.
JOEL E. PINK, O.C.
RICHARD K. JONES
DOUGLAS J. MATHEWS
JONATHAN C. K. STOBIE
BARBARA S. PENICK
MARK E. MacDONALD
DAWN A. RUSSELL
CHARLES S. REAGH
D. GEOFFREY MACHUM
DONALD C. MURRAY
JAMES B. WOODER

J. WILLIAM E. MINGO, O.C.
RONALD N. PUGSLEY, O.C.
GEORGE A. CAINES, O.C.
G. DAVID N. COVERT, O.C.
J. GERALD GODSOE, O.C.
JOHN S. McFARLANE, O.C.
GARMAN G. McCORMICK
JOHN D. MURPHY
ROBERT P. DEXTER
KARIN A. McCASKILL
R. CAMILLE CAMERON
GLEN V. DEXTER
ELIZABETH M. HALDANE
ERIC L. BURTON
LAWRENCE J. STORDY

DAVID R. CHIPMAN, O.C.
J. THOMAS MacQUARRIE, O.C.
BRIAN FLEMMING, O.C.
JAMES S. COWAN, O.C.
HUGH K. SMITH, O.C.
WILLIAM L. RYAN
DAVID MILLER
JOHN D. FLOWMAN
TIMOTHY C. MATTHEWS
ROBERT G. GRANT
MICHAEL T. PUGSLEY
NANCY I. MURRAY
T. ARTHUR BARRY
JOHN MacL. ROGERS
RICHARD A. HIRSCH

COUNSEL
DONALD A. KERR, O.C.

CORRESPONDENCE
P. O. BOX 997
HALIFAX, CANADA B3J 2X2

TELEPHONE (902) 420-3200
TELECOPIER (902) 429-3631
TELEX 019-22593

DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

June 19, 1987

DELIVERED

Mr. George W. MacDonald,
Royal Commission on the
Donald Marshall, Jr., Prosecution,
Maritime Centre, Suite 1026,
1505 Barrington Street,
Halifax, Nova Scotia,
B3J 3K5

Dear Mr. MacDonald:

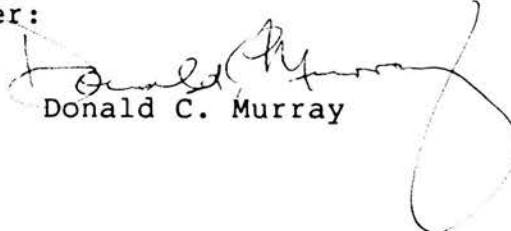
RE: Monthly Billing Cycle - Second Account
(May 15-June 14, 1987)

Please find enclosed our account which we submit with respect to services which we have performed on behalf of John F. MacIntyre during the time period indicated.

I also wish to confirm that yesterday discussions were held between yourself and Joel E. Pink of this office with respect to Mr. Pink stepping into Mr. Pugsley's shoes during Mr. Pugsley's absence. Mr. Pink's regular hourly rate is \$155.00 per hour and this is the amount which we will put forward in any account containing time with respect to Mr. Pink.

I trust that you will find the account in order.

Yours very truly,
STEWART, MACKEEN & COVERT
Per:


Donald C. Murray

DCM/dmb
N2060192

P. O. Box 997
B3J 2X2

Purdy's Wharf 1, er One
Halifax, Canada

Royal Commission on the
Donald Marshall, Jr. Prosecution,
1505 Barrington St.,
Halifax, N.S., B3J 3K5

June 19, 1987

In account with

Stewart, MacKeen & Covert

Barristers, Solicitors, Etc.

File No. DCM/RNP/2076-002

RE: Marshall Inquiry

TO: PROFESSIONAL SERVICES RENDERED,
including:

May 15, 1987

Telephone call - client
(RNP - .1) 17.50

May 25, 1987

Response to Lois Dyer's
letter of May 22, 1987 and
study of file
DCM - .5) 50.00

May 27, 1987

Meeting with George
MacDonald, Wylie Spice and
Lois Dyer; correspondence to
Commission regarding topics of
meeting
(RNP - .4) 70.00
(DCM - 1.0) 100.00

May 28, 1987

Receipt of instructions from
Angus MacIntyre and discussion
of same
(DCM - .6) 60.00

June 1, 1987

Correspondence from Commission
re: Sydney witnesses
(DCM - .1) 10.00

June 2, 1987

Meeting of DCM and RNP regarding
strategy meeting with Angus
MacIntyre; arranging meeting with
Angus MacIntyre; correspondence
to Lois Dyer; correspondence from
George MacDonald dated May 27th and
discussion of response with Angus
MacIntyre
(RNP - .5) 87.50
(DCM - 1.1) 110.00

June 4, 1987

Meeting of RNP, DCM, JEP and
WLR with respect to firm's
general position, and
consideration of requests to
represent others; study of
Urquhart Discovery
(RNP - .3) 52.50
(DCM - 1.5) 150.00

June 8, 1987
Letter from Commission
concerning Witness Books and
response
(DCM - .2) 20.00

OUR FEE: \$727.50

DISBURSEMENTS:
Photocopies 53.06
Courier 13.03
66.63

BALANCE DUE AND OWING: \$794.13

DCM/dmb



June 15, 1987.

Royal Commission on the
Donald Marshall, Jr., Prosecution,
Maritime Centre,
Suite 1026,
1505 Barrington Street,
HALIFAX, Nova Scotia.
B3J 3K5

Attention: Mr. Wiley Spicer

Dear Sirs:

Enclosed is copy of letter from Mr. Justice Estey to his lordship, dated June 3rd, dealing with compensation of counsel. I have today sent copies to Chief Justice Hickman in St. John's and Chief Justice Poitras in Montreal.

Yours truly,

A handwritten signature in cursive script that reads "Barbara Hogg".

Barbara Hogg
secty.

encl.

THE SUPREME COURT OF ONTARIO

THE HONOURABLE MR. JUSTICE G. T. EVANS



OSGOODE HALL
TORONTO, ONTARIO M5H 2N5

June 15, 1987.

file
in funding
corresp. file

Royal Commission on the
Donald Marshall, Jr., Prosecution,
Maritime Centre,
Suite 1026,
1505 Barrington Street,
HALIFAX, Nova Scotia.
B3J 3K5

Attention: Mr. Wiley Spicer

Dear Sirs:

Enclosed is copy of letter from Mr. Justice Estey to his lordship, dated June 3rd, dealing with compensation of counsel. I have today sent copies to Chief Justice Hickman in St. John's and Chief Justice Poitras in Montreal.

Yours truly,

Barbara Hogg

Barbara Hogg
secty.

encl.

Supreme Court of Canada



Cour suprême du Canada

Mr. Justice Willard Z. Estey

Ottawa, Ontario K1A 0J1
(613) 995-4330

3 June 1987

The Honourable Mr. Justice G.T. Evans
The Supreme Court of Ontario
Osgoode Hall
Toronto, Ontario
M5H 2N5

Dear Gregoire:

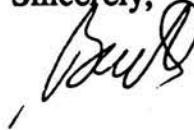
I have read your report which is vastly more articulate than any decision I made with respect to the compensation of counsel. The practice we followed was simple. We listened to the application and determined firstly whether or not the presence of the client was essential to the conduct of the hearing and secondly whether counsel had been reasonably retained, considering the circumstances, by the witness. If the answer to both was in the affirmative then we tried to determine the number of days we would consider appropriate for the retention of counsel, and if that weren't possible we endeavoured to outline the extent to which counsel participation would be subsidized.

We did not establish rates per diem or otherwise, but advised all concerned that the bills when rendered would be taxed by the Department of Justice of Canada. I never heard what happened, but all accounts were sent on by the Commission to the Department including accounts from Commission counsel.

I think the practice of bringing counsel to Commission hearings has been seriously overdone in the last few years but this is the age of litigation and what I think is shocking is taken by the new practitioners as an everyday occurrence. Because the rates of counsel fees are so high there should be some provision in the statutes to regulate the payment of legal expenses on

behalf of witnesses by the state. We also should rethink the entire mechanics of a Commission and the conduct of its hearings, but that is another matter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'W.Z.E.', written in black ink.

P.S. I am back in court now and things are considerably better than at the time of your visit.

W.Z.E.

JUN 18 1987

L: 477-2182 (RESIDENCE)
424-3531 (DALHOUSIE LAW SCHOOL)

BRUCE H. WILDSMITH, B.Sc., L.I.B., L.I.M. (HARV.)
BARRISTER & SOLICITOR

33 WALTON DRIVE
HALIFAX, NOVA SCOTIA
B3N 1X6

June 16, 1987

M. Lois Dyer
Commission Executive Secretary
Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Lois:

In our recent telephone conference you clarified that the Commission would like from me a written statement of what I propose to do on behalf of the Union of Nova Scotia Indians on the discrimination issue. This I now do in the present letter. As I am sure the Commission can appreciate, one's thinking and understanding on such issues may deepen, develop and change as events unfold. Thus the present outline should not be taken as necessarily fixed and complete but rather as fluid and subject to adaptation and evolution.

I conceive of the UNSI's participation as falling into three broad categories, as follows:

1. Literature review and the presentation of existing social science information on Indians in the criminal justice system. I see this as having two general components:

- (a) Preparation of a bibliography of existing information, a resource book (several bound volumes) of the major studies, reports, articles, etc., and a review and analysis essay on the social science literature from the UNSI's perspective;
- (b) Identification of and communication with experts to provide opinion evidence to the Commission.

This work would include studies assisting in understanding discrimination against Indians and information reflecting on institutional arrangements in other jurisdictions as possible reforms in N.S.

2. Original studies on Indians in the criminal justice system in Nova Scotia. I also see this having two general components:

- (a) Gathering and analyzing existing data on Indians in Nova Scotia. This would be done by a social scientist using accepted techniques. A problem with this approach is that information on the ethnicity of an accused apparently is not kept in N.S. until after conviction and the offender enters the corrections system.
- (b) Investigating whether other Indians in N.S. have had problems with the justice system that might be attributable to race. This is intended to combat any suggestion that Donald Marshall, Jr.'s case is an aberration or anomaly and not sufficiently representative to allow meaningful conclusions to be drawn. It might also suggest other failings in the justice system a little different than those directly experienced by Mr. Marshall, such as sentencing disparities.

3. An examination of the events surrounding Donald Marshall, Jr. for evidence of failings in the criminal justice system that might be connected to race. I see this as requiring the UNSI to be alert and vigilant to the evidence presented and generally to the work of the Commission, and therefore requiring fairly complete participation in the Commission's Hearings. I would also anticipate meeting in advance with those witnesses who are Indians to help them understand the Commission's process and their role as witness, to determine any need for a Micmac interpreter and generally, without formally representing them, to assist with their inquiries.

I have already employed a student (actually a graduate from the law class of '87) to help with the social science literature. I hope around the end of June or early July to propose experts for item 1(b) and an original study and experts for 2(a).

I have already approached you on item 2(b) and suggested using Jim Maloney to search out other cases in the Micmac community. Since your telephone response on behalf of the Commission was not a categorical "no", I continue to press the case for retaining Mr. Maloney now to do this work. As I understand your preliminary objections, they fall into three points. First, you were not sure whether this was a good idea in principle and wished to see how it fits in with all the other work the UNSI proposes. I trust this letter serves to allow this now to be done. You can see that the general intent of this component is to bring out other possible examples of the mistreatment of Indians, at least as perceived by them. Obviously the evidence if it exists would be largely anecdotal and probably one-sided since it would likely be

inappropriate to engage in a dozen or so mini-Donald Marshall Inquiries. But this ought to be helpful to the Commission because it will help bring out the Indian situation in N.S. and get at matters that cannot be adequately treated through formal statistics under 2(a). The second objection you expressed was over whether an investigator like Mr. Maloney rather than a social scientist would be appropriate for this. I agree that a social scientist may be appropriate to develop case histories or present the cases to the Commission. However, someone has to search out these other cases and the surrounding circumstances, and this, initially at least, seems to be a task for a professional investigator.

The third objection, if I understand it correctly, is to our use of Mr. Maloney as the person to do this job because he has already been used by the Commission in its work and you propose using him again in the fall. I believe you see this as a possible problem because he has access to information confidential, or sensitive, or "inside" to the Commission. You of course appreciate the value of Mr. Maloney to the UNSI for the particular work we propose because he is a Micmac himself widely known and highly regarded in the Indian community of Nova Scotia. He knows who to contact and should be able to break down language barriers and any distrust an individual Indian may have for the purpose of inquiring about them. If Mr. Maloney's qualifications are not unique, he is certainly at least the best qualified person in Nova Scotia for this job. On the point of confidential, sensitive or insider information, we strongly object to any suggestion that the work of the Commission is not a matter of public record and that anything the Commission knows or does should not be disclosed to the parties given standing. Perhaps a case can be made out for a particular, specific matter to be held in confidence, but we say as a matter of principle your general stance is wrong. The services of Mr. Maloney should not be denied to us on this general basis. Furthermore, we find it offensive that the Commission expects full candor, cooperation and trust from us (which we are fully prepared to give) but apparently does not feel under such an obligation in its treatment of the UNSI.

I look forward to your written response to these issues.

Yours faithfully,



Bruce H. Wildsmith
Counsel, Union of Nova Scotia
Indians

cc: Alex Christmas, Pres. UNSI
Anthony E. Ross, Counsel, BUF

P.S. I am now also at the stage where I wish to retain a professional sociologist/anthropologist to advise and assist me in my preparation. I propose to retain Dr. Faye Cohen, who is at Dalhousie University.

PATTERSON KITZ
BARRISTERS & SOLICITORS

FORMERLY PATTERSON SMITH MATTHEWS & GRANT AND KITZ MATHESON

JUN 18 1987

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
JAMIE W.S. SAUNDERS
ROBERT M. PURDY
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P.O. BOX 247
HALIFAX, NOVA SCOTIA B3J 2N9
TELEPHONE (902) 429-5050
TELECOPIER (902) 429-5215
TELEX 019-22893

ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 18, 1987

BY HAND

Mr. George MacDonald
Commission Counsel
Royal Commission on the Donald Marshall, Jr.
Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia

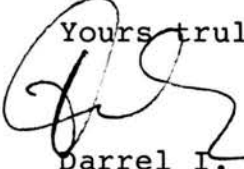
Dear Mr. MacDonald:

Donald Marshall Inquiry

We have been advised that the principles of taxation prepared by the Commission have been approved by the Government.

We are further advised that these principles will apply to all parties being funded by the Province of Nova Scotia. It is anticipated that correspondence will shortly be directed to Mr. Ruby to advise him of the taxation principles which are intended to apply to him as counsel for Donald Marshall, Jr. As you requested, I am asking that you be advised when this communication has been directed to Mr. Ruby.

Yours truly,


Darrel I. Pink

DIP/cg
c.c. Mr. Jamie Saunders
Mr. Gerald Conrad

PATTERSON 'ITZ

BARRISTERS & SOLICITORS

FORMERLY PATTERSON SMITH MATTHEWS & GRANT AND KITZ MATHESON

JUN 17 1987

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TELEX 019-22893

ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 16, 1987

BY HAND

Commission Counsel
Royal Commission on the Donald Marshall, Jr.
Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia

Gentlemen:

Cabinet Documents

Further to our discussion on Thursday, June 11th I enclose three envelopes, each of which contains an identical set of Cabinet documents relating to Donald Marshall, Jr. These envelopes are to be delivered to each of the Commissioners for their determination if any of the documents therein are required to the present Inquiry.

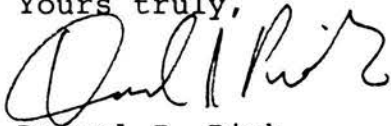
In the event any of the documents are to be used by Commission Counsel we reserve the right to argue relevance at some future date but will not raise any claim of privilege.

In the event some documents are not required for the purpose of the Commission we would request that they be returned to us without copies being made.

Commission Counsel
June 16, 1987
Page 2

We are instructed that Policy Board has no documents relating to Donald Marshall, Jr. and that Management Board only has documents relating to the administration of the present Inquiry, and which are therefore not relevant.

Yours truly,

A handwritten signature in cursive script, appearing to read "Darrel I. Pink".

Darrel I. Pink

DIP/cg

encl:

c.c. Mr. Jamie Saunders
Mr. Gerald Conrad

JUN 16 1987

LEONARD A. KITZ, Q.C., D.C.L.
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TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 16, 1987

BY HAND

Mr. W. Wylie Spicer
Commission Counsel
Royal Commission on the Donald Marshall, Jr.
Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia

Dear Mr. Spicer:


Donald Marshall Inquiry

I have your letter of June 11, 1987.

I am currently making arrangements for interviews though I note that we would not be involved with any interview with former Chief Justice MacKeigan as he would not fit into our retainer.

I shall be in touch with you by phone to discuss logistics and timing.

Yours truly,



Darrel I. Pink

DIP/cg
c.c. Mr. Gerald Conrad
Mr. Jamie Saunders

JUN 16 1987

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
DOUGLAS A. CALDWELL, Q.C.
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ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 16, 1987

BY HAND

Mr. W. Wylie Spicer
Commission Counsel
Royal Commission on the Donald Marshall, Jr.
Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia

Dear Mr. Spicer:

Donald Marshall Inquiry

Further to the interview with Martin Herschorn on Monday, June 8th, I advise that Mr. Herschorn held the following positions at the following times:

<u>Position</u>	<u>Date of Appointment</u>
Solicitor	January, 1972
Senior Solicitor	January, 1978
Assistant Director (Criminal)	September, 1980
Director (Prosecutions)	March, 1986

I am also enclosing the following documents which are referred to in the interview:

1. Policy Statement - negotiations with defence counsel concerning plea and sentence;
2. Government of Nova Scotia Performance Appraisal form;
3. Recommendation for Appeal form;

Mr. W. Wylie Spicer
June 16, 1987
Page 2

4. Results Indicator including:

- (a) weekly summary of results indicator
- (b) summary of results indicator for month
- (c) summary of court/office/travel hours.

We are considering the relevance of the other material requested by you in light of our subsequent discussions later in the week and your letter of June 11th to Mr. Saunders. We shall be in touch with you further regarding these matters.

I look forward to receiving a copy of the transcribed notes from the interview with Mr. Herschorn as well as the notes from the others interviewed last week.

Yours truly,



Darrel I. Pink

DIP/cg
encl:
c.c. Mr. Jamie Saunders

JUN 12 1987

JUN 15 1987

KHATTAR & KHATTAR
Barristers and Solicitors

AREA CODE 902
TELEPHONE 539-9696

S. J. KHATTAR, Q.C.
G. S. KHATTAR, Q.C.
E. N. COLBORNE, Q.C.
L. A. MacPHEE
M. C. MacLELLAN
D. A. MacRURY

P. O. BOX 387
378 CHARLOTTE ST.
SYDNEY, NOVA SCOTIA
B1P 6H2

June 9, 1987

Mr. George W. MacDonald, Q.C.,
Maritime Centre,
Suite 1026,
1505 Barrington Street,
Halifax, Nova Scotia.
B3J 3K5

Dear George:

Re: Donald Marshall Inquiry. K & K File No. 2940.

Your letter to Simon J. Khattar, Q.C., dated May 27, 1987, has been received by me and I am pleased to reply on behalf of my father.

My father has undergone surgery and is presently confined to the Sydney City Hospital. It will be at least ten (10) days before he will have his doctor's advice and know whether he will be at the office and available for work or meetings of any kind.

I therefore recommend that we speak during the week of June 14th to confirm the meeting time and date.

Yours very truly,

KHATTAR & KHATTAR


G.S. Khattar, Q.C.

GSK/sf

JUN 12 1987

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

FRANK M. COVERT, Q.C.
JOHN D. MOORE, Q.C.
DAVID A. STEWART, Q.C.
DONALD H. OLIVER
DONALD H. McDOUGALL, Q.C.
JOEL E. PINK, Q.C.
RICHARD K. JONES
DOUGLAS J. MATHEWS
JONATHAN C. K. STOBIE
BARBARA S. PENICK
MARK E. MacDONALD
DAWN A. RUSSELL
CHARLES S. REAGH
D. GEOFFREY MACHUM
DONALD C. MURRAY
JAMES B. WOODER

J. WILLIAM E. MINGO, Q.C.
RONALD N. PUGSLEY, Q.C.
GEORGE A. CAINES, Q.C.
G. DAVID N. COVERT, Q.C.
J. GERALD GODSOE, Q.C.
JOHN S. McFARLANE, Q.C.
CARMAN G. McCORMICK
JOHN D. MURPHY
ROBERT P. DEXTER
KARIN A. McCASKILL
R. CAMILLE CAMERON
GLEN V. DEXTER
ELIZABETH M. HALDANE
ERIC L. BURTON
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3316

OUR FILE REFERENCE:

WLR

June 10, 1987

Royal Commission on the Donald
Marshall, Jr., Prosecution
Suite 1026 Maritime Centre
1505 Barrington Street
Halifax, N.S.
B3J 3K5

Attention: George W. MacDonald, Q.C.

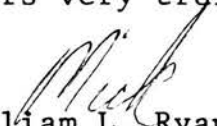
Dear George:

Thank you for your letter of June 8, 1987. Would you please let me know as soon as possible whether you will require the evidence of Constable MacAlpine during the Sydney phase. If not, could you please indicate whether you will require him during the evidence which will be taken in Halifax.

I have noted your comments with respect to the evidence of Constable Green and I look forward to receipt of his witness book once the same has been prepared.

As always your assistance and co-operation has been greatly appreciated.

Yours very truly,


William L. Ryan

WLR/dlw

THE SUPREME COURT OF ONTARIO

THE HONOURABLE MR. JUSTICE G. T. EVANS



JUN 11 1987

OSGOODE HALL
TORONTO, ONTARIO M5H 2N5

June 5, 1987.

Royal Commission on the
Donald Marshall Jr. Prosecution,
Maritime Centre,
Suite 1026,
1505 Barrington Street,
HALIFAX, N.S.
B3J 3K5

Attention: Mr. Wiley Spicer

Dear Mr. Spicer:

I enclose copies of letter from Mrs. Edwardh to his lordship and his response.

Also enclosed is copy of memorandum from Mr. Justice Grange to his lordship regarding taxing of accounts.

Yours truly,

A handwritten signature in cursive script that reads "Barbara Hogg".

Barbara Hogg
secty.

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 11, 1987

Puddester/Orsborn
Barristers & Solicitors
Suite 900, Atlantic Place
Water Street
St. John's, Newfoundland
A1C 5N8

Attention: Katherine

Dear Katherine:

Would you please ensure that the enclosed material is delivered to
Chief Justice T. Alexander Hickman as soon as possible.

Thank you.

WHD for DBO.

David B. Orsborn
Commission Counsel

DBO:jrc

*Sent by FAX
from Mr Jones,
June 11/87*

May 28, 1987.

Ruby & Edwardh,
Barristers,
11 Prince Arthur Avenue,
TORONTO, Ontario
M5R 1B2

Attention: Mrs. Marlys Edwardh

Re: Marshall Inquiry

Dear Mrs. Edwardh:

In reply to the matter raised in your letter of May 21st, I would doubt that it is applicable to Mr. Marshall. At present I cannot conceive of a situation where Mr. Marshall would not wish to have counsel present.

Yours very truly,

:kbh

Ruby & Edwardh
barristers

11 Prince Arthur Avenue
Toronto, Ontario
M5R 1B2
Telephone (416) 964-9664

May 21, 1987

Mr. Justice Gregory Evans
Supreme Court of Ontario
145 Queen Street West
Toronto, Ontario
M5H 2N9

Dear Mr. Justice Evans:

Re: Marshall Inquiry

Let me thank you for kindly forwarding to our office the tentative schedule of events and also the decision of the Commission in relation to the issues of funding. We have now had the opportunity of reading the decision and both feel strongly that a fair and reasonable result was reached. There is, however, one paragraph in the decision which raises the question of whether the Commission was expressing views that went beyond those of the parties seeking funding to a comment on the position of our client:

"The Commission is of the opinion that, with the exception of the Attorney-General for Nova Scotia, none of the parties granted standing can reasonably take the position that either the public interest or their own interest requires the presence of legal counsel on their behalf throughout the hearing."

In reading this, it struck both Clayton and I that it was highly improbable that this comment was intended to apply to Mr. Marshall, but wanted to raise this matter with you to ensure that our interpretation was correct.

Both Clayton and I have been made generally aware of the issues and the scope of the Commission of the Inquiry but we have not yet identified an area where we would not wish to be present to represent our client's interest. In the light of this we were in a small way concerned that the government of Nova Scotia might see this as an invitation to endeavour to control those portions of the Inquiry where Mr. Marshall's voice could be heard.

Clayton Ruby, B.A., LL.B., LL.M.
Ms. Marlys Edwardh, B.A., LL.B., LL.M.
Michael Code, B.A., LL.B.
Melvyn Green, B.A., LL.B.

Ruby & Edwardh

Could I ask you to clarify this matter for us?

Sincerely yours,

A handwritten signature in cursive script that reads "Marlys Edwardh".

Marlys Edwardh
Counsel for Donald Marshall, Jr.

ME:jp

JUN 11 1987



SERVICES AUDIO-VISUELS
AUDIO VISUAL SERVICES

June 10, 1987

The Royal Commission on the
Donald Marshall Jr., Prosecution
Suite 1026, Maritime Center
Halifax, Nova Scotia
B3J 3K5

ATTN: MS. LOIS DYER

Dear Lois:

Enclosed are the Estimate and Reservation Agreements we discussed.

I have taken the liberty of quoting both our regular Microphone System, as well as the Digimic System which was used by the Commission on May 13th and 14th.

As you can see, I have broken these down into rates for both Sydney and Halifax due to the additional charges in Sydney.

It is I.S.T.S. policy for Commission Hearings, that given 24 hour advance notification of cancelled Hearing days, the equipment charge will not apply. However, out of our base city of Halifax; per diem, accommodation and technician charges would still apply.

With regards to your request for a Lavalier (Neck) Mic. A Wired Mic can be supplied at an additional \$10.00 per day, or a Wireless Mic can be supplied at a cost of \$225.00 per week.

Our bookings for the month of October are extremely heavy. Therefore, if the Commission would like the Digimic System that was used in Halifax; I must know as soon as possible, since we would have to purchase additional of that particular equipment.

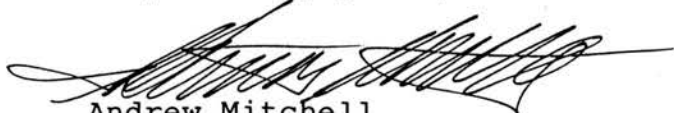
. . . /2

Ms. Lois Dyer
Page 2
June 10, 1987

In order to reserve the necessary equipment and personnel, I would ask that you sign the original copy of the agreements and return them to our Halifax Office.

If you have any questions regarding the above, please do not hesitate to call.

Respectively yours,



Andrew Mitchell
Regional Manager
I.S.T.S./TELAV

Encl.

AM/ss

N 1 1 1987

STEWART MacKEEN & COVERT

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DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

June 9, 1987

George W. MacDonald, Esq., Q.C.
Commission Counsel
Royal Commission on the Donald
Marshall Jr. Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear George:

Thank you for your letter of June 8th.

Subject to your convenience, I suggest that Mr. MacIntyre meet with you on August 4th and 5th in Halifax. I would want to be in attendance at the meeting. In view of your request to have them meet with you, do you not consider it appropriate that the Commission fund his travel expenses with respect to this meeting.

Yours truly,



Ronald N. Pugsley

RNP/ps
N0180188

PATTERSON ' 'TZ
BARRISTERS & SOLICITORS

FORMERLY PATTERSON SMITH MATTHEWS & GRANT AND KITZ MATHESON

JUN 09 1987

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ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 8, 1987

BY HAND

Mr. W. Wylie Spicer
Commission Counsel
Royal Commission on the Donald Marshall, Jr.
Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia

Dear Mr. Spicer:

Marshall Inquiry

You have asked me to look for a copy of a letter from Gordon Gale to Mr. R.G. Chester of the Ministry of the Attorney General in Ontario to which Mr. Chester responded on March 2, 1984. I have reviewed the file and cannot locate a copy of Mr. Gale's originating letter.

I had spoke with Mr. Gale about this and he advises that there was some understanding that in Ontario they had done some research regarding compensation for people wrongfully imprisoned and thus he wrote to Mr. Chester to see what there was available. You might want to follow up on this in your interview with Mr. Gale.

Yours truly,


Darrel I. Pink

DIP/cg

c.c. Mr. Gerald Conrad
Mr. Gordon Gale
Mr. Jamie Saunders

JUN 08 1987

McINNES, COOPER & ROBERTSON

INTER - OFFICE MEMO

To: David Orsborn
From: George MacDonald
Date: June 8, 1987
Re: **DONALD MARSHALL INQUIRY**

File No.:

I spoke with Mike Whalley concerning the meeting with Sydney policemen on June 23 and 24. He advises that of the list of names I had provided to him, Constable Mallowney and Chief Walsh would be on holidays during that time. Carl MacDonald is deceased. The other policemen will be available to meet with us at the requested time and we can do Mallowney and Walsh at a later date.

GWMacD/fm

JUN 08 1987

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OUR FILE REFERENCE: 8748-001

COUNSEL
DONALD A. KERR, O.C.

June 4, 1987

Royal Commission on the Donald
Marshall, Jr., Prosecution
Suite 1026, Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5


Attention: M. Lois Dryer
Commission Executive Secretary

Dear Lois:

I thank you for your note dated June 1, 1987 and enclosure therewith. I acknowledge receipt of Mr. Evers Witness Booklet, and I was wondering whether you have booklets for Corporal Green and Mr. McAlpine.

I look forward to hearing from you.

Yours very truly,


William L. Ryan

WLR/adc

JUN 08 1987

BOUDREAU, BEATON & LaFOSSE

Barristers & Solicitors

J. Bernard Boudreau, Q.C. G. Wayne Beaton
Guy LaFosse A. Peter Ross
J. Michael MacDonald Patrick J. Murray

P.O. Box 755
50 Dorchester Street
Sydney, Nova Scotia
Canada B1P 6J1

Telephone (902) 539-5135

Our File Ref.:

June 3, 1987

Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Attention: Ms. M. Lois Dyer

Dear Ms. Dyer:

**Re: Royal Commission on the Donald
Marshall, Jr., Prosecution
Our File No. GLF/16,208**

Thank you for your memorandum of June 1, 1987.

On behalf of Sergeant Herb Davies, I would appreciate it if you would forward to me the witness book for John F. MacIntyre.

Yours truly,

BOUDREAU, BEATON & LaFOSSE



Per: **Guy LaFosse**

GLF/sm
c.c.

Sergeant Herb Davies

Disregard this
letter - already
received at
office - June 3
S.

PATTERSON KITZ

BARRISTERS & SOLICITORS

FORMERLY PATTERSON SMITH MATTHEWS & GRANT AND KITZ MATHESON

LEONARD A. KITZ, Q.C., D.C.L.
JOHN D. MACISAAC, Q.C.
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ALSO OFFICES AT
TRURO, NOVA SCOTIA
BEDFORD, NOVA SCOTIA

June 5, 1987

BY HAND

Mr. W. Wylie Spicer
Commission Counsel
Royal Commission on the Donald Marshall, Jr.
Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, Nova Scotia

Dear Wylie:

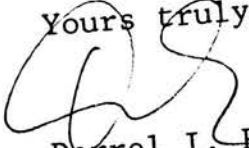
Donald Marshall Inquiry

I tried to get a hold of you on Thursday and am writing to you as I am not sure I'll be able to speak with you on Friday.

I would like to change the time for the June 10th interview with Gordon Coles. Something has come up and Mr. Coles has a briefing scheduled for 11:15, therefore I would like to move his appointment with you back to 9:00. If we can't finish in the time scheduled we can continue at another time.

If I don't hear from you to the contrary I will assume these arrangements are satisfactory.

Yours truly,


Darrel I. Pink

DIP/cg
c.c.

Mr. Gordon Coles
Mr. Jamie Saunders

IN 05 1987

JUN 05 1987

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
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OUR FILE REFERENCE:

June 3, 1987

George W. MacDonald, Esq., Q.C.
Commission Counsel
Maritime Centre, Suite 1026
1505 Barrington Street
B3J 3K5

Dear George:

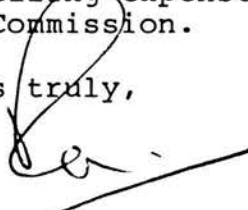
RE: Donald Marshall Inquiry

I thank you for your letter of May 27th. I would prefer that the meeting between Mr. MacIntyre and Commission Counsel occur in the latter part of August, in particular, I would suggest the 27th. My suggestion would be that the meeting take place in Halifax. I would want to be in attendance at the interview.

I will speak to Mr. MacIntyre concerning any additional documentation he has and get back to you.

Mr. MacIntyre will be coming to Halifax to meet with me (rather than having me go to Sydney to meet with him) and I would appreciate your advice as to whether or not his reasonable travelling expenses to Halifax for those meetings will be paid by the Commission.

Yours truly,



Ronald N. Pugsley

RNP/ps
N0180158 -

JUN 05 1987

11 Prince Arthur Avenue
Toronto, Ontario
M5R 1B2
Telephone (416) 964-9664

June 1, 1987

Mr. George W. MacDonald
Commission Counsel
Royal Commission on the Donald
Marshall, Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, N.S.
A3J 3K5

Dear Mr. MacDonald:

I am in receipt of your memorandum dated May 22, 1987, and on behalf of Mr. Marshall would request that you forward to us witness books in relation to all of those witnesses for whom such books have been prepared. I am sure you appreciate why given Mr. Marshall's interest we require this extensive disclosure.

I look forward to receiving the same in the near future.

Sincerely yours,


Marlys Edwardh

ME:jp

JUN 05 1987

C. M. ROSENBLUM, Q. C.
BARRISTER & SOLICITOR

TELEPHONE 564-8244

197 CHARLOTTE STREET
SYDNEY, NOVA SCOTIA
B1P 6H2

June 2, 1987

Royal Commission on the
Donald Marshall Jr. Prosecution,
Maritime Centre, Suite 1026,
1505 Barrington Street,
HALIFAX, N. S.
B3J 3K5

Attention: George W. MacDonald, Esq.

Dear Mr. MacDonald: Re: Donald Marshall Inquiry

Receipt is acknowledged of your letter of May
27th past.

I regret to inform you that Mr. Rosenblum is
presently in the Hospital and it may be some time before
he fully recovers, so that he will be unable to meet
with you and Mr. Orsborn on June 22nd next.

Yours very truly,

Carol MacIntyre

Carol MacIntyre
Secretary

/cmi



DALHOUSIE LAW SCHOOL HALIFAX CANADA B3H 4H9

June 2, 1987

Ms. Lois Dyer
Executive Director
Royal Commission Re The Donald
Marshall, Jr. Prosecution
Suite 1026
Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Lois:

Please find enclosed my statement of account in relation to the consultation with John Edwards.

Also find enclosed a curriculum vitae which you and other members of the Commission have requested on occasion.

Yours sincerely,

Bruce P. Archibald
Associate Professor of Law

BPA/m

encs.

JUN 02 1987 27

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
1959 UPPER WATER STREET
HALIFAX, CANADA

FRANK M. COVERT, O.C.
JOHN D. MOORE, O.C.
DAVID A. STEWART, O.C.
DONALD H. OLIVER
DONALD H. McDOUGALL, O.C.
JOEL E. PINK, O.C.
RICHARD K. JONES
DOUGLAS J. MATHEWS
JONATHAN C. K. STOBIE
BARBARA S. PENICK
MARK E. MacDONALD
DAWN A. RUSSELL
CHARLES S. REAGH
D. GEOFFREY MACHUM
DONALD C. MURRAY
JAMES B. WOODER

J. WILLIAM E. MINGO, O.C.
RONALD N. PUGSLEY, O.C.
GEORGE A. CAINES, O.C.
G. DAVID N. COVERT, O.C.
J. GERALD GODSOE, O.C.
JOHN S. McPARLANE, O.C.
CARMAN G. McCORMICK
JOHN D. MURPHY
ROBERT P. DEXTER
KARIN A. McCASKILL
R. CAMILLE CAMERON
GLEN V. DEXTER
ELIZABETH M. HALDANE
ERIC L. BURTON
LAWRENCE J. STORDY

DAVID R. CHIPMAN, O.C.
J. THOMAS MacQUARRIE, O.C.
BRIAN FLEMMING, O.C.
JAMES S. COWAN, O.C.
HUGH K. SMITH, O.C.
WILLIAM L. RYAN
DAVID MILLER
JOHN D. PLOWMAN
TIMOTHY C. MATTHEWS
ROBERT G. GRANT
MICHAEL T. PUGSLEY
NANCY I. MURRAY
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HALIFAX, CANADA B3J 2X2

TELEPHONE (902) 420-3200
TELECOPIER (902) 429-3631
TELEX 019-22593

DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

June 2, 1987

Ms. M. Lois Dyer,
Royal Commission on the Donald
Marshall, Jr. Prosecution,
Maritime Centre, Suite 1026,
1505 Barrington St.,
Halifax, Nova Scotia,
B3J 3K5

Dear Ms. Dyer:

RE: Memorandum of June 1, 1987

All of the witness books are of interest to our client as it appears that most of them had some personal contact with John F. MacIntyre through the course of time with which the Commission is concerned. In view of the fact that we will be required to prepare our client for an extensive examination and cross-examination we would ask you whether it is possible to have another full set of witness books so that our client will have a set to study in advance of the hearings. We look forward to receiving the witness books which you have listed.

Yours very truly,


Ronald N. Pugsley

/dmb
N2060084

JUN 02 1987

STEWART MacKEEN & COVERT

BARRISTERS AND SOLICITORS

PURDY'S WHARF TOWER ONE
1959 UPPER WATER STREET
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TELEX 019-22593

DIRECT DIAL (902) 420-

OUR FILE REFERENCE:

June 1, 1987

Mr. George W. MacDonald, Q.C.,
Commission Counsel,
Royal Commission on the
Donald Marshall, Jr. Prosecution,
Maritime Centre,
1505 Barrington St.,
Halifax, Nova Scotia,
B3J 3K5

Dear George:

RE: Account Up to and Including May 14, 1987

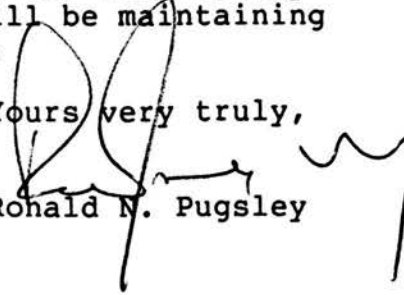
Further to our meeting with yourself, Mr. Spicer, and Ms. Dyer at our offices last Wednesday (May 27, 1987) please find enclosed our account for services rendered from the time of making the application for funding on behalf of John F. MacIntyre. We expect that you will be taxing this account and should you require a computer printout of these matters, please do not hesitate to request it.

We wish to confirm that senior counsel will be reimbursed at the rate of \$175.00 per hour and junior counsel will be reimbursed at his or her regular rate up to a maximum of \$100.00, which is Mr. Murray's rate. We understand that reasonable preparation time will be permitted, as will reasonable expenses (for which we will keep receipts). We appreciate that an 8 hour day on sitting days will be expected, but if further time is spent and can be justified you will consider this. We

Mr. George MacDonald P.C.
June 1, 1987
Page 2

appreciate that you do not wish accounts sent for unnecessary services. Finally, we appreciate that you will be maintaining the confidentiality of our detailed accounts.

Yours very truly,


Ronald N. Pugsley

/dmb
N2060075
c.c. Mr. Angus MacIntyre

Royal Commission on the
Donald Marshall, Jr. Prosecution,
1505 Barrington St.,
Halifax, N.S., B3J 3K5

June 1, 1987

In account with

Stewart, MacKeen & Covert

Barristers, Solicitors, Etc.

File No. DCM/RNP/2076-002

RE: Marshall Inquiry

TO: PROFESSIONAL SERVICES RENDERED,
including:

Feb. 7, 1987

Telephone call from Angus
MacIntyre
(RNP - .1)

17.50

Feb. 16, 1987

Telephone call from Darrel
Pink, meeting with RNP
(DCM - .2)

20.00

Feb. 17, 1987

Meeting with Angus
MacIntyre
(RNP - .5)

87.50

Feb. 20, 1987

Drafting of Documents,
Letter to Speaker, meeting
with RNP re: letter to
letter to Speaker
(DCM - 1.50)

150.00

Feb. 24, 1987

Telephone call from Angus
MacIntyre
(DCM - .2)

20.00

FEB. 27, 1987

Telephone call from Angus
MacIntyre
(DCM - .1)

10.00

March 8, 1987

Meeting with RNP
(DCM - .1)

10.00

March 9, 1987

Study of file
(RNP - .3)

52.50

March 16, 1987

Study of file
(RNP - .1)

17.50

March 26, 1987

Telephone call to DCM
(RNP - .1)

17.50

Telephone call from
RNP

(DCM - .1)

10.00

March 27, 1987.	
Review of Court documents (RNP - .2)	35.00
March 29, 1987	
Review of Court documents (RNP - .1)	17.50
March 30, 1987	
Review of Court documents (RNP - .2)	35.00
Meeting with RNP (DCM - .2)	20.00
March 31, 1987	
Review of Court documents (RNP - .6)	105.00
Research application for funding (DCM - 1.3)	130.00
Drafting of documents, Notice of Intended Proceeding (DCM - 1.0)	100.00
Memo to RNP (DCM - .2)	20.00
Research - Application for Funding (DCM - .7)	70.00
Drafting of Documents, Affidavit (DCM - 3.0)	300.00
April 1, 1987	
Perusal of Documents, Affidavit (DCM - .3)	30.00
Perusal of file, Affidavit, Exhibits (DCM - .8)	80.00
Drafting of Documents, preparation of Affidavit, Exhibits (DCM - 2.0)	200.00
Perusal of Documents, Affidavit, Notices (DCM - .3)	30.00
April 2, 1987	
Final review of Court application documents (RNP - .3)	52.50
Drafting of Documents, Affidavit (DCM - 1.7)	170.00
Telephone call to Angus MacIntyre (DCM - .2)	20.00
Letter to Darrel Pink, Gordon Coles (DCM - .5)	50.00
Perusal of Documents, Letters to Moody (DCM - .8)	80.00
April 3, 1987	
Meeting with DCM (RNP - .2)	35.00
Meeting with RNP (DCM - .1)	10.00
Perusal of file, Affidavit (DCM - .1)	10.00
Drafting of Documents, Affidavit (DCM - .1)	10.00
April 6, 1987	
Letter from Terry Donahoe (RNP - .2)	35.00
Letter from Terry Donahoe (DCM - .1)	10.00

Drafting of Documents, Affidavit Amendments (DCM - .2)	20.00
Letter to client, Angus MacIntyre (DCM - .1)	10.00
April 7, 1987 Correspondence (RNP - .3)	52.50
April 8, 1987 Letter from Reinhold Endres (RNP - .1)	17.50
Letter from Reinhold Endres (DCM - .1)	10.00
April 9, 1987 Meeting with DCM; Review of Commission documents (RNP - .4)	70.00
Letter to client (DCM - .2)	20.00
Meeting with RNP (DCM - .2)	20.00
Perusal of file, Hansard remarks (DCM - .2)	20.00
Telephone call from Angus MacIntyre (DCM - .7)	70.00
April 10, 1987 Telephone call from George MacDonald and Wylie Spicer (DCM - .1)	10.00
Research Susan Nelles Case (DCM - .3)	30.00
Letter from George MacDonald (DCM - .1)	10.00
Telephone call from Angus MacIntyre (DCM - .2)	20.00
April 13, 1987 Drafting of Documents, Application Notice (DCM - .6)	60.00
Research Grange Commission (DCM - .2)	20.00
Perusal of Documents, Application and Affidavit (DCM - .2)	20.00
Research Royal Commissions (DCM - 1.0)	100.00
Meeting with Gus MacIntyre (DCM - .5)	50.00
Meeting with Commission (DCM - 2.2)	220.00
Telephone call to Ann Derrick (2) (DCM - .1)	10.00
Memo to RNP (DCM - .1)	10.00
Drafting of Documents, Funding Submission (DCM - 1.0)	100.00
Drafting of Documents, Brief (DCM - 2.7)	270.00
April 14, 1987 Drafting of Documents, Brief (DCM - 5.8)	580.00
Telephone call to Bob Murrant (DCM - .2)	20.00
Research (DCM - .1)	10.00
Research, Legislative Library (DCM - .3)	30.00

Research, Brief (DCM - .7)	70.00
Research Charter (DCM - .7)	70.00
April 15, 1987	
Meeting with DCM, file review (RNP - .5)	87.50
Meeting with RNP (DCM - .2)	20.00
Drafting of Documents, Statement of Claim (DCM - 2.0)	200.00
Perusal of file, organizing materials (DCM - .6)	60.00
Telephone call to Lois Dyer (DCM - .2)	20.00
Telephone call from Angus MacIntyre (DCM - .5)	50.00
Perusal of Documents, Brief to Commission (DCM - .8)	80.00
Perusal of Documents, Statement of Claim (DCM - .1)	10.00
Drafting of Documents, Appendices (DCM - .2)	20.00
Letter to Angus MacIntyre (DCM - .2)	20.00
April 16, 1987	
Review of file (RNP - .1)	17.50
April 21, 1987	
Meeting with DCM (RNP - .2)	35.00
Meeting with RNP (DCM - .2)	20.00
Drafting of Documents, Brief Amendments (DCM - .4)	40.00
April 29, 1987	
Telephone call from Gus MacIntyre (DCM - .3)	30.00
April 30, 1987	
Letter to Commission (DCM - .2)	20.00
Perusal of Documents for Delivery (DCM - .2)	20.00
May 4, 1987	
Perusal of Documents (RNP - .1)	17.50
Telephone call from Lois Dyer (DCM - .1)	10.00
Telephone call from Tony Ross (DCM - .1)	10.00
Perusal of file, arrangements for case books (DCM - .1)	10.00
May 5, 1987	
Letter from Darrel Pink (DCM - .1)	10.00
Perusal of File, organizing files (DCM - .5)	50.00
Perusal of Documents, Other Applicants (DCM - .6)	60.00

May 7, 1987		
Preparation for hearing		
(RNP - 1.0)		175.00
Memo to RNP re: AG Brief		
(DCM - 1.4)		140.00
Meeting with RNP		
(DCM - .6)		60.00
May 8, 1987		
Preparation for hearing		
(RNP - 3.5)		612.50
Telephone call from RNP (4)		
(DCM - .2)		20.00
Meeting with RNP		
(DCM - .2)		20.00
Telephone call from Gus MacIntyre		
(DCM - .1)		10.00
May 11, 1987		
Perusal of Documents, Chant, Harriss, Pratico Evidence		
(DCM - 2.2)		220.00
May 12, 1987		
Telephone call from Gus MacIntyre		
(DCM - .2)		20.00
May 13, 1987		
Commission hearing attendance		
(RNP - 4.5)		787.50
Preparation for trial argument		
(DCM - 1.2)		120.00
Meeting with client		
(DCM - .8)		80.00
Court attendance, Commission hearing		
(DCM - 3.0)		300.00
Perusal of file, organizing material		
(DCM - .3)		30.00
May 14, 1987		
Commission hearing attendance		
(RNP - 1.3)		227.50
Court Attendance		
(DCM - 1.0)		100.00
Meeting with RNP		
(DCM - .1)		10.00
Telephone call from Gus MacIntyre		
(DCM - .1)		<u>10.00</u>
<u>OUR FEE:</u>		<u>\$7,947.50</u>
<u>DISBURSEMENTS:</u>		
Law Stamp	\$3.00	
Stationary	56.00	
Photocopies	925.00	
Long Distance	21.36	
Courier	37.01	
Q L Systems (Computer)	<u>85.35</u>	
		<u>1,127.72</u>
BALANCE DUE AND OWING:		\$9,075.22

DCM/dmb

JUN 01 1987

McINNES COOPER & ROBERTSON

BARRISTERS & SOLICITORS

Donald McInnes, Q.C.
Reginald A. Cluney, Q.C.
Lawrence J. Hayes, Q.C.
John G. Cooper, Q.C.
James E. Gould, Q.C.
Eric Dumford, Q.C.
Peter McLellan
Linda Lee Oland
Harvey L. Morrison
Brian G. Johnston
K. Sara Filbee
John G. Robinson
Maureen E. Reid
Ian C. Holloway

Lewis A. Bell, Q.C.
Hector McInnes, Q.C.
Joseph A. F. Macdonald, Q.C.
David B. Ritcey, Q.C.
David H. Reardon, Q.C.
Robert G. Belliveau
W. Wylie Spicer
John D. Stringer
Gregory J. Arsenauff
David A. Graves
Marcia L. Ruitenberg
Deborah K. Smith
Karen P. Oldfield

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Harry E. Wratnall, Q.C.
George T. H. Cooper, Q.C.
Peter J. E. McDonough, Q.C.
George W. MacDonald, Q.C.
Michael I. King
F. V. W. Penick
Christopher C. Robinson
Thomas E. Hart
Peter M. S. Bryson
Scott C. Norton
Fae J. Shaw
Stephen J. Kingston

COUNSEL:
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TELEX 019-21859
CABLE ADDRESS "McInnes"

OUR FILE: I-1816

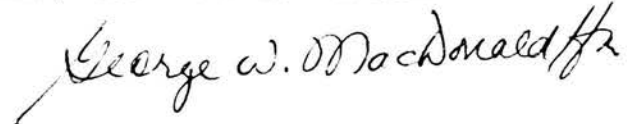
May 28, 1987

Dear Lois:

I am enclosing our account for services for the month of May which I trust you will find to be in order.

Yours very truly,

McINNES, COOPER & ROBERTSON



George W. MacDonald

Ms. Lois Dyer
Commission Secretary
Royal Commission on the Donald
Marshall, Jr., Prosecution
Suite 1026 - Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

GWMacD/fm
Encl.

JUN 01 1987

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TELECOPIERS (902) 425-6386
(902) 425-6350
TELEX 019-21859
CABLE ADDRESS "McInnes"

OUR FILE: I-1816

May 28, 1987

Dear Lois:

Re: Donald Marshall Inquiry

In reviewing our accounting records, it appears our first account in this matter which was submitted on January 14, 1987 to David Orsborn's office has never been paid. All subsequent accounts have been paid directly and this obviously is an oversight.

I am enclosing a copy of the account as submitted and would ask that you forward it to the Speaker's Office and ask him to arrange for payment to be made.

Yours very truly,

McINNES, COOPER & ROBERTSON

George W. MacDonald fm

George W. MacDonald

Ms. Lois Dyer
Commission Secretary
Royal Commission on the Donald
Marshall, Jr., Prosecution
Suite 1026 - Maritime Centre
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

GWMacD/fm
Encl.

JUN 01 1987

TELEPHONE 562-5577
AREA CODE 902

POST OFFICE BOX 43

Elman, Kuna & Hannem
Barristers & Solicitors

FRANK L. ELMAN, O.C.
J. MICHAEL KUNA, B.A., LL.B.
MURRAY F. HANNEM, B.A., LL.B.

321 Charlotte Street
Sydney, Nova Scotia
B1P 6G9

OUR FILE NO.: 11073

May 28, 1987

Royal Commission on the
Donald Marshall, Jr., Prosecution
Maritime Centre
Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

ATTENTION: Lois Dyre

Dear Ms. Dyre:

Pursuant to our conversation of Wednesday, May 27, may I please have the following transcripts:

- (a) Preliminary inquiry
- (b) Trial
- (c) Appeal
- (d) Roy Ebsary trial

May I also have provided the witness books for the following:

- 1. Maynard Vincent Chant
- 2. Patricia Ann Harris
- 3. John F. MacIntyre
- 4. James William MacNeil
- 5. Donald Marshall, Sr.
- 6. John Louis Practico
- 7. William Urquhart
- 8. Richard Joseph Walsh

Yours very truly,

Rhonda McKemie

for Frank L. Elman, O.C.

FLE/rmk

ROYAL COMMISSION ON THE DONALD MARSHALL, J. PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

JUN 01 1987

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

May 27, 1987

Ms. Lois Dyer
Secretary
Royal Commission on the Donald
Marshall, Jr., Prosecution
Maritime Centre, Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3K5

Dear Lois:

I enclose letter dated May 19, 1987, from J. Barry Hill, a Crown prosecutor with the Department of the Attorney General of Alberta together with enclosures.

Barry Hill was a Crown prosecutor with the Newfoundland Department of Justice when I was Minister.

The information contained in Mr. Hill's letter and enclosures may be of interest to Commission counsel, and I would appreciate your asking them to have a look at it.

I look forward to hearing from you after we have received advice from Professor Edwards with respect to the proposed agenda for research which we discussed during our meeting in Halifax last week. With kindest regards.

Yours sincerely,



T. ALEX HICKMAN
Chief Justice

TAH:sgb
Enclosures