Statement - Volume 66
Duncan Francis Gould,
In relation to Virginia Marshall & Mary Ann Gould

Statement gathered by Alana Lee & Daria Boyarchuk

Coast Reporting Services Inc.
II

TABLE OF CONTENTS

Statement Volume 66
October 30, 2017

Witness: Elaine Barbara Durocher

Testimony of Duncan Francis Gould ............ 1
Reporter’s certification .................. .38
Statement gatherers: Alana Lee & Daria Boyarchuk

List of documents provided by witness:

2. Document titled “timeline” from July 1927 to April 2017 (7 pages)
3. Certificate of Baptism dated January 12, 2009 (1 page)
4. Pages 2 and 3 of email correspondence between Statement Provider and Library and Archives Canada (2 pages)
5. Access to Information request form; blank (1 page)
6. Stapled document; top page addressed to Lois and dated Mar11/10 (4 pages)
7. Letter from Minister of Public Safety dated July 3, 2014 (1 page)
8. Letter from Nova Scotia Public Prosecution Service dated March 17, 2014 (1 page)
9. Letter from Nova Scotia Department of Justice dated March 14, 2014 (1 page)
10. Letter from Nova Scotia Department of Justice Legal Services Division dated March 13, 2014 (1 page)
11. Letter from Nova Scotia Department of Justice dated April 11, 2014 (2 pages)


[OCTOBER 30, 2017, 5:48 P.M.]

ALANA LEE: Here we go. I'm just going to set that right
there.

DUNCAN GOULD: Okay.

ALANA LEE: So --

DUNCAN GOULD: It records pretty good.

ALANA LEE: Yeah, it definitely does.

DUNCAN GOULD: All right. It's very cool.

ALANA LEE: So this is Alana Lee with the National Inquiry
into Missing, Murdered Indigenous Women and Girls
speaking on the record with you said Dunc?

DUNCAN GOULD: Duncan.

ALANA LEE: Yeah, Duncas (sic) -- Duncan --

DUNCAN GOULD: Duncan Gould.

ALANA LEE: -- Francis Gould. Okay. And so Duncan is from
Membertou?

DUNCAN GOULD: Yes, I am.

ALANA LEE: And you currently reside in Membertou as well?

DUNCAN GOULD: Yeah. Next door.

ALANA LEE: All right. Membertou 3?

DUNCAN GOULD: Member 3.

ALANA LEE: Member 3, to be exact?

DUNCAN GOULD: Member 3.

ALANA LEE: So we're here at the Hampton Inn in Membertou
First Nation, Cape Breton, Nova Scotia. It is
October 30th, 2017 and it is 5:48 p.m.

So, Duncan, you're here on a voluntary basis to

give your statement?

DUNCAN GOULD: Yes, I am.

ALANA LEE: And do you give consent on the record to have

it video and audio recorded?

DUNCAN GOULD: Yes, I do.

ALANA LEE: Perfect. Okay. So, Duncan, I understand that

you're here to speak about your -- your late mother?

DUNCAN GOULD: Mm-hm.

ALANA LEE: Yeah. What would you like the commissioners to

know about her? Her name was Victor --

DUNCAN GOULD: Virginia.

ALANA LEE: Virginia.

DUNCAN GOULD: Yeah. My late mother and my two late

uncles --

ALANA LEE: Okay.

DUNCAN GOULD: -- because this is a -- instances of

institutional abuse.

ALANA LEE: Mm-hm.

DUNCAN GOULD: Hospitals to be exact, and the justice

system.

I'll begin with my late mother. I never met --

got to meet my mother. I'll be 60 in December. She

passed away when I was three months old. I was born
in December '57. She passed away in March '58. The circumstances, I'll get to that right away. My brother, when he shared the story with me, he went to visit her the night before she died. She had an infection. She was admitted to St. Rita's Hospital on Kings Road here in Sydney just down the hill from Membertou.

ALANA LEE: Okay.

DUNCAN GOULD: There's a big empty lot there, in case you've seen it, across from Access Nova Scotia. You know where the sign is, right on Kings Road?

ALANA LEE: Yes, yeah.

DUNCAN GOULD: There's a big empty lot you see right there?

ALANA LEE: Yes.

DUNCAN GOULD: That's the place of the old St. Rita's Hospital.

ALANA LEE: Okay.

DUNCAN GOULD: That's how close it was to Membertou. Anyway, she was admitted, and when my late brother died, Roy, Clarence shared the story of when she passed. And I've heard this enough times -- and I'll get to my late uncles as well.

ALANA LEE: Mm-hm.

DUNCAN GOULD: As the story goes, he went to go visit her the night before. He was on his way to the hockey
game in Sydney Forum and the bus came and dropped people off and picked them up at the hospital. That was the route. So after visiting my mother he said I'm going to the hockey game, I'll see you tomorrow, do you need anything, and she said just bring my hairbrush. She was sitting up in bed, she was fine, nothing -- so the next morning about 7 o'clock the late Donald Marshall senior came running over to our house. We only lived about 50 yards away from there. We didn't have a phone, I take it. And he came running and he said St. Rita's have been calling all night. They were calling Eskasoni, they thought she was from Eskasoni, but you need to get to the hospital. So my grandfather -- we lived -- you know where the police station is in Membertou now?

ALANA LEE: Mm-hm.

DUNCAN GOULD: He ran all the way to St. Rita's but she was already dead, and they explained to him well, we thought she was from Eskasoni. That's one thing. However, two years prior my late mother was on the front pages of the news here in Sydney. In 1954 her, her late husband, and another gentleman by the name of Jabine (phonetic) -- her late husband's name was John Marshall, my late mother's name was Virginia Gould Marshall. They were drinking Sunday morning, John and
this Jabine. So they had left the house. My late brother Clarence was an eyewitness to this because he grew up with this story. It's romanticized, right. And it's the first time that I did see articles related to it because after my brother Roy died I was going through his affairs and these were the newspaper articles.

Anyway, he said they were -- the first guy left, Jabine, he had a bottle of wine. The second guy that left was John Marshall, a tall, lanky fellow. Third person to leave the house was your mother Virginia. Clarence was a stepbrother. And she was getting mad at him saying get back in the house, you're not going drinking, right.

ALANA LEE: Yeah.

DUNCAN GOULD: Jabine had a bottle of wine. She was picking up little pebbles like, you know, get the banno (phonetic) back in the house. It's a gesture you see, you know, old ladies do back in the day. And as he crossed Membertou Street he dropped dead, boom. Well, before you know it the cops were there. The guy's brother was on his way to shoot my late mother, as told to me by my late brother, Roy, and -- but he was -- she was already inside the paddy wagon.

So in the newspaper articles that I got to read
that have been misplaced but I have photocopies of
others it had the testimony of one of the doctors, I
believe it was a Dr. Devereau (phonetic) who did the
autopsy, and he had a bruise on the back of his head
the size of a softball. So I'm speculating, well, you
know -- I told my brother, I said it never crossed
anybody's mind that she did not do this whatever it
was that they're -- that they blamed her for, and his
was we knew then all along but what do you do when
you're -- this was a case of being railroaded.

ALANA LEE: Yeah.

DUNCAN GOULD: Now, the first process that she went through
was what's called a Fatalities Inquiries Act which
found her guilty in five or 15 minutes, I'm not sure
which one, which set her up for the murder trial. She
was convicted of manslaughter which found her guilty
in five or 15 minutes. This is in the record.

ALANA LEE: Mm-hm.

DUNCAN GOULD: Which is pretty fast when you talk about
southern justice. She served six months in the
warden's residence at the Cape Breton county jail and
she was released. She was a widow. She met my -- she
knew my father early '57. I was conceived, December
'57 I was born, and then '58 she died. However,
because this John Marshall involved people who -- you
Duncan Francis Gould
(Virginia Marshall & Mary Ann Gould)

may not appreciate this -- people who were in power,
the legacy still affects you to this day.

ALANA LEE: Mm-hm, absolutely.

DUNCAN GOULD: Affects you job-wise, it affects you
housing-wise.

ALANA LEE: Mm-hm.

DUNCAN GOULD: And people aren't -- so my opinion is she
was totally innocent. I went on a quest to find the
documents. Came out butt-kissing everywhere I turned.
The last place they referred me to was Indian Affairs
Amherst office, regional office, which was a joke.
Nobody has a record of it anywhere. I asked a friend
who's a -- who heads the Beaton Institute at CBU and
they can only go find so much newspaper article that's
not there. My friend who's the chief librarian, she
said there's a certain point that the records -- the
post is missing. When I went to go look for the court
records here they refer to a fire in '59 at the local
whatever that burned everything they said, burned
everything, so there's no record of it or anything.
But everything is sent to Halifax by photocopy -- not
-- however you copy it at the time.

ALANA LEE: So would have that been the -- what -- where
the records were held, do you mean the hospital
records or the --
DUNCAN GOULD: The only record I can find --

ALANA LEE: -- court records?

DUNCAN GOULD: -- through the archives, because I was a commissioner with the archives so I knew people there. There's an e-mail in here. The only record they ever had of her was her death certificate, kind of in -- illegible, right, but that's about it. I went to correctional services federal, solicitor general, my MPs, provincial, solicitor general, there was not one record of it anywhere.

Then when you talk about institutional, what I'm referring to -- nevermind the injustice with my mother and what led her, because somewhere along the line there would have been through the justice system this -- not an excuse to end up dead. There are serial killers out there, right. But here's one example of where she entered the justice system. And I told my brother [unintelligible] she didn't do this. This was something of a freak something, and it's easy to say as I'm sure it's happened before in our communities yeah, he did it, and how many people are in jail or prison because of it. Wrongful conviction. Doesn't have to do with race sometimes, sometimes it's your own people.

So when you talk about institutional at St.
Rita's Hospital, I'll go on from there. I have documents relating to my mother here. My late grandmother, in 1979 she went in for anaemia, a check-up. She only had a bruise on her arm. She fell drunk. Went to visit her the day before she died. She's sitting up in bed, I'm coming home tomorrow, you know. She's this, that, and next day she was dead.

ALANA LEE: And this was your --

DUNCAN GOULD: Next day she's dead. So -- and of course you get the excuse anaemia, what's that, well, that's low blood, whatever, you know, your white blood cells, okay. You take that, right. And you're wondering all right, she was fine the night before. I seen her, right. She's dead the next day.

Late '80s, let's fast forward late '80s. My late uncle Frank [unintelligible] they'd call him, he had cancer. He had a tumour here. He was in St. Rita's. Myself and my late brother Roy were doing shifts staying with him, right, you know, as was our tradition. He was in no great danger. He was resting well. It was my turn to take the shift. It was 11:00 p.m. at night I got there. Roy was -- just said okay, I'll catch you later. This is how fast it was. My uncle is sleeping comfortably. I sit down, start reading. Nurse comes in. I distinctly remember it.
You get up and leave, let the nurse do their business. I'm out in the hallway. She comes out, I go back in, continue reading. Not within 30 seconds, a minute, that fast, you just know the breathing changed. Within 10 seconds, that's it, he just died. So he -- nurse, nurse. There's phones in the hallway. I'm on the phone calling my brother. He had just gotten in the door because that's how fast you could get from St. Rita's to Membertou, right, and he just got in the door, picked up the phone and I said Roy, Roy, he just died. What? He's just incredulous. He goes you're fucking kidding. I said no, he's dead, man, he just died. You're not thinking of what -- you're just not thinking.

Then you fast forward to the early '90s. I had another uncle Charlie, cancer, stomach cancer, taking treatment. He was doing fine. He was living in Westmount with his wife. They admitted him. We're all there. He was sitting up in bed. He was fine. His wife was in the waiting room down at the end. I stood by the door. Being a young, you know, warrior I'm going to stand vigil at my uncle's room, and just tell them you've got a family, you're going home, you're going to look after your family. And he was fine. He was alert, you know. He was sitting up in
bed. And I'm going yeah, yeah, okay, I'll go, I'm
going home. So I leave and there was a curtain around
him but I stay outside his door, and I'm there not
even a minute and the nurse goes in, and it's okay,
she does her business, right. Fine, she leaves. I go
back in, just to -- I wait for about not even a
minute, 30 seconds maybe. I go in to check on him. I
lift the curtain and his jaw is going like this and
his eyes are like -- he's already dead, and I --
because I'm talking to him, you know, so I'm thinking
he's answering me, right. It takes me a second to
catch on and -- that he's dead. So this couple come
in, Allan and Dolly, and they said go get Meg, she's
at the end of the hallway, and then she came running
up and -- on the button, right, nurse, nurse, and I
wonder holy fuck -- excuse my language.

ALANA LEE: No, it's okay, it's okay.

DUNCAN GOULD: Taken altogether right, now, end up between
'95 and '97 I had the privilege of serving in an
elected role, Union of Nova Scotia Indians Vice
President for Cape Breton. There was this
African-Canadian man who I knew from the pier, he was
a few years older than me, he was an orderly, and he
approached me more than one occasion and he distinctly
said -- he said there's people killing your people in
the hospital. First time -- it's kind of generalized comment that at first it doesn't -- what? He said no, man, he said there's people literally murdering your people in the -- and he was -- and he was adamant in that f-ing hospital. So I took this to our executive and people who were with the Union of Nova Scotia Indians, our president Toby Marshall (phonetic), our secretary Carla Gould (phonetic), our senior adviser Dan Christmas, who's now a senator. There was no written -- anything to do with it, I just brought it to their attention, and this is really something we should look at, not to mention all of the other -- a lot of other things we should be looking at, right. But I did share the story with a counsellor here whose brother passed away. So when I explained this -- all of them to him he said well, when so and so died, he shouldn't have died when he did. I said well, there's a black widow in -- or angel of death if that's what you want to call them and they're everywhere. There's serial killers in Thunder Bay hunting their kids, right. Who's to say that some racist nurse wouldn't come in and ... I'm of the opinion that I witnessed two murders of my uncles, Frank Gould and Charlie Gould. I truly believe that my late grandmother was murdered and I truly believe that my late mother was
murdered.

ALANA LEE: And when you told us -- when you -- when you were talking about your late mother you had said that she was fine, she was in the hospital, and she had asked for a hairbrush?

DUNCAN GOULD: My brother Clarence said she was up, she was fine, all she asked for, a hair brush. Next day she was dead. There's no way she should have died. She was not -- there was nothing. She was up. Same with my grandmother Mary ann Gould. She was sitting up in bed, she had her hair done and everything, and she was coming home the next day. Next day the phone calls are going and the next day she's dead.

ALANA LEE: Have you ever received a coroner's report, a cause of death?

DUNCAN GOULD: No.

ALANA LEE: So other than -- you had mentioned infection. That's kind of the only information that you ever heard, of a possible infection?

DUNCAN GOULD: My late brother died in '04, December '04. He was found dead in his home. Automatically the law says you get an autopsy. That's unexplained death, right. Very next day -- and this is what happens a lot to our people -- they're automatically labeled as OD or drunk. Well, how do you determine that unless
you do a proper toxicology autopsy. You don't. You cannot tell if a person is inebriated, but to come to that conclusion, that happens so often -- and I forgot your question. I'm sorry, I'm just ranting here.

ALANA LEE: You're answering it. You're answering it as you go. So in terms that -- you've never gotten an autopsy or a coroner's report for --

DUNCAN GOULD: I -- oh, getting back to Roy, I went to the Mounties, Dana Joe (phonetic), the very next day and I said where's the coroner, because when he was found dead I was called and I lived in town. His best friend was there who found him and the Mountie. The Mountie wouldn't leave the room where the body was. I asked for an autopsy because I knew that this is an unexplained death. My brother shouldn't have died. This is what I know, he should not be dead. But the Mountie, Dana Joe, came up to me the next -- he stopped me in my car, he said the coroner -- the county coroner said there was no reason for an autopsy. I said how did he die. Natural causes. This is what you're told, right. I still don't know how he died. So this is part of the institutional abuse problem. They don't even list their people how -- now they don't even list their race. They list white, Caucasian, black, Asian, Muslim, Indo, right.
They don't register Native people anymore, statistics, so they're really wrong here. But, anyway, that's the story in a nutshell.

ALANA LEE: Mm-hm.

DUNCAN GOULD: Yeah, just -- not your typical -- you know, everybody thinks that you end up -- you enter a certain door and that's going to lead you to your ultimate, your death, right, whether it's the street, whether it's abuse, whether it's -- in there one time or another, but there's other ways.

ALANA LEE: Sometimes it's the institutions that we're putting trust in that -- those are the doors.

DUNCAN GOULD: Just like people will -- will crap on the Catholic church, some people will praise it. Just like some people will say this about the medical establishment, right, you will have some people that swear by it. That shouldn't mean anything. That shouldn't discount what other people are saying. And you hear that a lot. You're easily discounted. Well, I didn't have that problem, or when you mention racism, oh my god, it's like how dare you. Well, it's very real, you know. This is what affects you. This is why you get fourth-world healthcare and angels of death. My belief.

ALANA LEE: Yeah.
DUNCAN GOULD: So --

ALANA LEE: Did -- did your mother or grandmother attend residential schools?

DUNCAN GOULD: I don't even know that. I'm trying to find that out, if my -- if I look around I said well, where -- who can I find out, because we never had those discussions, and Roy passed in '04 and he never talked about it if he did. But I'd like to know if my late mother went. If there's a registry, right.

ALANA LEE: Mm-hm. So what was life like growing up for you without your mother? Did you grow up with your father then?

DUNCAN GOULD: No. My father was from Eskasoni and I never met him until I was 20 and he came home to basically pass away. He had cancer. He lived in Toronto most of his life, Toronto and Boston. I was raised by my grandmother and grandfather. He passed when I was five. My grandmother passed when I was 20 or 21. '79 she passed away and I was raised by older brother -- two older brothers and two uncles. Three uncles, really. And that's the story. I have lots of questions for the right people, but I was ambivalent about where do I go after all of this and then you guys came to town and, well, maybe this is a way to -- I wanted the story recorded as well, too, because
there was no other avenue. And this is not something you talk about -- I shared this with only about two other people, one Native and one non-Native, because when you share a story like that and it involves in your own community and you're talking about what you think is murder, right, people look at you like -- they don't really take you serious unless it happens to them.

ALANA LEE: Yeah.

DUNCAN GOULD: Or dependant on where you're -- what family you're from. And that's the parochial stuff you find in our communities, you're either believed because you're connected or you're -- you're on the fringes and you're not believed, right.

ALANA LEE: Mm-hm.

DUNCAN GOULD: That happens.

ALANA LEE: Mm-hm. Absolutely.

DUNCAN GOULD: And it's part of the institutional abuse.

ALANA LEE: So you mentioned you have lots of questions and I see you have documents in front of you.

DUNCAN GOULD: Well, this is what my friend did at the library. She did a chronological of what I was doing, right. And it sets out pretty well, and that's mine. Her name is Faye McDougall (phonetic) and that's that. I would invite you to make a photocopy of that.
ALANA LEE: Okay.

DUNCAN GOULD: This is newspaper articles.

ALANA LEE: Okay.

DUNCAN GOULD: And what I have circled is articles that are pertinent.

ALANA LEE: Is it all right if we just kind of -- we kind of just want to hold -- if you want to hold them up and kind of just show the camera --

DUNCAN GOULD: Okay.

ALANA LEE: -- so as you explained, yeah, so that the commissioners have a chance to see what you're talking about.

DUNCAN GOULD: All right. These are newspaper articles from 1954 that outline the case against my mother, Virginia Marshall. These are other articles as well. These are photocopies that were dug up by Catherine Arseneau of the Beaton Institute. I had original copies and there was a photo album and I loaned them to one of my late brothers and they got lost. There were much bigger articles. They were more in depth that had to do with at the time of the trial. But within these articles it outlines what happened. And in the bigger article -- and there was a copy somewheres -- it outlines about the Fatality Inquiries Act which led to the murder charge.
ALANA LEE: Mm-hm. And do -- you have those -- do you have that? Yeah, right there.

DUNCAN GOULD: Yeah, those are the photocopies. These are just -- photocopies are from responses from the Provincial Public Prosecution Service.

ALANA LEE: We'll make copies of that.

DUNCAN GOULD: Oh yeah, you can make photocopies. My members of parliament, Geoff Regan and Bernard Valcourt, who was the Minister of Indian Affairs, they're telling me we've got nothing, go back to Amherst regional office for -- and this is where it says Nova Scotia Archives have not been able to locate any records, and here it is in the newspapers. And gee, they can find records, you know, when they really want to, and then somebody was telling me that no, we can't find these records. So Department of Justice, Province of Nova Scotia, bupkis again. Department of Justice, Legal Services Division, Public Prosecution Service, the Freedom of Information and Protection and Privacy Act where I submitted, and I got answers from Linda Laskin (phonetic), Crystal McGraw (phonetic), administrators, that they cannot locate anything. This is a copy sent by Minister of Public Safety and Emergency Preparedness sent to Honourable Geoff Regan regarding correspondence Parole Board of Canada
because she was convicted, right.

ALANA LEE: Mm-hm.

DUNCAN GOULD: Parole Board of Canada doesn't have any records. Right here.

ALANA LEE: Wow.

DUNCAN GOULD: Parole Board does not have any records.

Somebody has the records somewheres, and this is just -- this was one of the guys with the public archives in Nova Scotia that was trying to find information on John Marshall, the man my late mother was convicted of killing, and they can't even really find anything in there. And this is the -- this is what I sent to the premier one day. Never got an answer back from him. I was just going about -- I just started work at Community Services in Sydney and the story came out on -- what's her name -- Viola Desmond and they got me all interested again --

ALANA LEE: Yeah.

DUNCAN GOULD: -- this was in 2010 -- so I wrote an e-mail to the premier. This is another part of it. These are the names of the investigating officers and the judge who -- here it is.

ALANA LEE: Yeah, read it out loud.

DUNCAN GOULD: "Good morning, Lois. Here is what I can gather from the articles. The story appears on
June 21st issue National Aboriginal Day of the Cape Breton Post 1954 as well as through October '54. I think for the coroner's inquest there was a Justice W.L. Hall and assistant crown prosecutor McGilvary (phonetic). The names prosecutor Donald Finlayson (phonetic), coroner A.D. Mugga (phonetic), and police officers George McNeil and Mickey McDonald also appear along with Dr. Art Ormiston (phonetic) and Reverend R.J. Laffin (phonetic)." I remember Father Laffin, he was our parish priest. "As well the Detective Sergeant Norman McCaskell (phonetic), investigating officer Jordy Foreman (phonetic), William McKinley (phonetic) and Judge John F. McDonald figure in the manslaughter trial which brought the verdict back in five minutes."

ALANA LEE: Wow.

DUNCAN GOULD: Five minutes. No wonder they took it out of the papers and --

ALANA LEE: Mm-hm.

DUNCAN GOULD: There were nine witnesses including my late grandmother, Mrs. Mary ann Gould, neighbour Leah Joe (phonetic), and these are the only names of witnesses in the newspaper. This is when I had the original newspaper article.

ALANA LEE: Mm-hm.
DUNCAN GOULD: Yeah. I wrote this. And it's a copy of the birth certificate. In the end they referred me to this Lorena Fredette (phonetic) of the National Archives Atlantic region, and I swear all she could do was send these coded numbers to me and ask me if any of them made sense to me, and I'm going what the hell, I'm giving them exactly what I'm looking for and these people are sending me back gibberish. Just goes to show you, right.

ALANA LEE: Yeah.

DUNCAN GOULD: I'm not stupid. I'm explaining it to them quite clearly. I'm giving them names, I'm giving them dates, and she's coming back at me with codes that I'm supposed to figure out.

ALANA LEE: Hmm. And it sounds like you have done a lot of research into this on --

DUNCAN GOULD: I've tried.

ALANA LEE: -- your own. Well, that's quite a bit and you're meeting roadblocks almost at every step of the way but still pulling more pieces out and gathering that. And this time line here --

DUNCAN GOULD: My friend Faye did -- like, the documents, what I had given her, she just made this timeline of what I'm trying to do. And the last -- you'll see it on the very last page she was in touch with a
librarian in Cumberland County and she got in touch
with a person right in Indian Affairs Amherst and
asked them the question, you know, is there any way
you can find -- she hasn't heard back from them. I
said they'll never tell you. They're trained to --
locked in the vault.

ALANA LEE: So you -- and you would like to share this
information with the commissioner.

DUNCAN GOULD: It's all I have. I'd be more than happy
to -- and this is her birth certificate -- I'm
sorry -- her birth certificate.

ALANA LEE: Your mother's, your late mother's?

DUNCAN GOULD: Yes. Baptism certificate, sorry.

[unintelligible] When the only thing you have is a
purse that your late uncle bought in Mexico for her.
It's a really neat purse. It's a baby crocodile on a
-- I mean, if you're an animal lover I guess not,
but ...

ALANA LEE: Mm-hm.

DUNCAN GOULD: So I'm looking for answers. I really don't
know where to look anymore. This is for me a perfect
element of institutional abuse. I have no doubt I
witnessed murder, I'll say that.

ALANA LEE: And that was the murder of your uncle?

DUNCAN GOULD: My two uncles.
Duncan Francis Gould  
(Virginia Marshall & Mary Ann Gould)

1. ALANA LEE: Uncles, yeah.

2. DUNCAN GOULD: And judging from what I know of my grandmother and my mother, I have no doubt that there was angels of death involved in that -- in that one hospital, St. Rita's. And if you broach this subject with others, because everybody's thinking no, it's just violence, it's, you know, sign of the road, you know, anonymous grave, something -- no, it's just -- it's more than that.

3. ALANA LEE: That's really -- so just -- so out of this you would -- you are -- I seen in the file you are requesting an autopsy or a coroner's report if at all possible?

4. DUNCAN GOULD: For who?

5. ALANA LEE: For your late mother.

6. DUNCAN GOULD: Autopsy? That's a good question. Here's the thing --

7. ALANA LEE: Or the --

8. DUNCAN GOULD: She's buried -- all right, when you talk about institutional, I didn't notice but I learned it later on, there's -- in the far corner of St. Anthony Daniel, our old parish -- you'll appreciate this -- you know that big church right down at the corner?

9. ALANA LEE: Mm-hm.

10. DUNCAN GOULD: You can see it when you're going down
Alexander Street, you make the turn to go downtown.
That was our old parish -- parish besides the one
here, the little -- this is what you call -- not quite
a church. So St. Anthony Daniel opened in the mid
'50s. My late mother was buried there. I only
thought only a handful of people were there, buried
there, because there's -- at the very bottom there's
some graves you can find, but it turns out that
there's a -- I counted them, 69 or 70 people, maybe
more, buried -- that were buried there, but whoever
was in charge came and ploughed all those graves over
to make room for the non-Native people and there's a
ball field there. Yeah, so it was only not that very
long ago within the last 10 years, we had a big
ceremony down there, there's a big monument, and
that's the first time I learned how many people were
actually buried there from -- from Membertou, but when
you go down there there's only about half a dozen that
you'll notice but you realize that they were just all
ploughed over.

ALANA LEE: Wow.

DUNCAN GOULD: So we have these little ceremonies, yes,
where we forgive you and that's how I'm okay, right.
That's the other part of the problem. You know, a
year ago, maybe two, the family of these -- you'll
hear the story, there was five people from Eskasoni

who crossed the Bras d'Or on a boat to sell their
crafts in Big Pond. Did you hear the story? They

disappeared.

ALANA LEE: I heard that story.

DUNCAN GOULD: I think it was last year, family members,

they have an idea where they're buried, so they had a
ceremony there and it was in the paper, and one of the
relatives said well, now I can rest, I know where she
is. We forgive a lot. We forgive too much, right,

and sometimes we need to say well, maybe I can't bring
her or him home, but I sure as hell would like to know
what happened. I would like to know who is

responsible. Somebody killed them, somebody murdered

them and they buried them. You know, end up in a

barrel or buried by yourself. This is part of the

problem. This is part of the problem with the police,

the prosecutor's office, right, the authorities. We
can ceremonial smudge all we want but we'll still

hurt. We need answers. We need somebody to stand up

and say you know what, we had enough of this racism,

and that's all it is. It has to stop. Imagine the

parents sending their kid to Thunder Bay to go to high

school, is my kid going to come home for Christmas, is

my child going to be home. I'm ranting now. So any
UNIDENTIFIED SPEAKER: Well, you asked if -- you requested an autopsy of your mother. Is it --

DUNCAN GOULD: My late brother -- my late brother there was no autopsy done. Too late for my late mother if we could ever locate her grave, you know. It's not far from here. My late brother, he's still buried out. I'd love to know how he died. And here's the thing, we're just always picked up, sent off to the coroner, yeah, dead Indian, send to the funeral home.

ALANA LEE: Mm-hm. Is there anything else you would like the commissioners to know?

DUNCAN GOULD: No, that's about it. I had to think about this all night and this morning, and I came up with [unintelligible] nosy and wasn't even totally convinced that this was what I was wanted to do until I spoke with Denise for, like, a minute and that was that.

ALANA LEE: Yeah. We thank you.

DUNCAN GOULD: Hmm?

ALANA LEE: We thank you. On behalf of the Inquiry, thank you for sharing.

DUNCAN GOULD: Oh, I want to thank you just for -- I wanted it recorded, and if it sheds light on this serious, serious problem we have in Canada, well, then we have
a serious, serious problem. And if I can point it in a direction that will hopefully get me some answers, because I have no doubt my mother was innocent, I have no doubt my relatives were murdered in St. Rita's Hospital, but some people will believe you, some people won't.

ALANA LEE: Mm-hm, yeah. Kind of in closing is there any -- what do you think would make it better for future generations?

DUNCAN GOULD: Recently two cops were charged for murdering one of our young girls, 14-year-old in Thunder Bay, I believe, eh. That's a start. We -- here's part of the problem, we're -- when it comes to defending our land and defending our people, it's always the women. None of the men do it and none of the leaders do it. I've not seen one chief stand up, right. I have not seen one grand chief stand up. Even when it comes to the pipelines, right, who's there, the warriors, you know, the marginalized ones, right, and the women. They get attacked and nobody says nothing, and there's no chief, regional chiefs, community chiefs, right. Where's the outrage? We have how many unsolved murders of Mi'kmaq women in Sydney alone, woman found dead in a burned house, right, in the last couple years. Woman found floating in Sydney harbour. At
the time she died -- this was what got me -- the
Deputy Chief of Police Dave Wilson said -- was stated
right in the paper the reason her clothes were removed
was because of the wave action of Sydney harbour. If
you look at the wave action of Sydney harbour, right,
that's ...

ALANA LEE: What was her name?
DUNCAN GOULD: I can't even remember her name. She was --
this was witnessed as she got in an altercation with
some white men. There was Cape Breton Regional Police
on duty as -- not bouncers, but security. They
witnessed it, right. They witnessed this encounter,
this altercation. Next morning she's found floating
[unintelligible] says here, across Esplanade, you will
cross a parking lot, there's the boardwalk, you walk
around here and the police -- no, the fire station was
here -- you'll see it on the Esplanade. She was found
behind the police station floating in that harbour. I
know her -- I know her father, and we had that march
last year here and I was talking to him and I said I
hope you get your answers.

ALANA LEE: Yeah. When you mentioned they said about the
waves, and he said if you know, like, the waves in the
harbour, so can you say a little bit more about that
just for people who aren't from around here.
DUNCAN GOULD: Sydney harbour is on a quiet windless day like glass. On a windy day like today maybe a little choppy, right. But the wave action that night, ripples. There's absolutely no way wave action could remove the young lady's clothes. For that matter, wave action, I'm not sure if it does remove clothes. But whatever wave action is in Sydney harbour, not nearly enough.

ALANA LEE: Okay.

DUNCAN GOULD: But Dave Wilson, he was the deputy police chief at the time said yeah, that's the reason. A young lady found in a burned house, when I read about it I was wondering I wonder if she's Ilno (phonetic). I was living in Dartmouth and then I seen where her daughter had a one-year anniversary thing in the paper just to keep the thing alive, right, and that's when I learned that she was from Restigouche. No fire marshal's investigation. Like, when a person dies there's always this big bro-ho-ha (phonetic). Arson, whatever the case, right, nothing. Just whoever she was living with was non-Native, he walks away, nothing ever --

ALANA LEE: Just to confirm, that's a community in New Brunswick.

DUNCAN GOULD: What's that?
ALANA LEE: The community that she was from.

DUNCAN GOULD: No. Restigouche -- in the paper I learned she was from Restigouche.

ALANA LEE: Yeah.

DUNCAN GOULD: But the home she got burned in was in the pier.

ALANA LEE: Yeah.

DUNCAN GOULD: Here in Sydney. I believe it was on Lingan Road she was found dead in the burned house, and there was nothing wrong with him. That happens a little too often because they don't do autopsies. Sacky Sack (phonetic), my -- I just remember, James Sack (phonetic), nobody mentions him. He was from -- he was my ex-wife's cousin. Harmless guy. He liked to drink. They found him, you know, in Wentworth Park. Are you familiar with -- there's this nice little park downtown, you'll see it as you go back to the hotels downtown. It's called Wentworth Park. You'll see a gazebo there but it didn't happen there. Happened on the other side where there's a fountain. But they had a big wooden gazebo there. Anyway, they found him floating in the water, this man who was walking his son. So in the paper the very next day they showed the scene, the cops at the gazebo, but they showed this cop with this big laugh on his face, and here's...
the scene that they were recovering the body, right.
So I had a good talk with the police -- chief of
police, Edgar MacLeod. He's at the Maritime Police
Academy now. I said even at that time they'd never
captured -- he was beaten and thrown in Wentworth Park.
Case closed, right. Another dead Indian. But even
the insensitivity of the photographer, the post who
printed the picture the next day of this, it was like
they were having a good laugh, right. So it was meant
to send a message, you know, we don't care about you.
So I -- I had to straighten that out with the chief of
police. I had to complain.

UNIDENTIFIED SPEAKER: What kind of response did you get?
DUNCAN GOULD: He was apologetic. He was -- he was -- he
returned my call. I took a course with him so I knew
him. And he was saying I'm sorry, that shouldn't have
happened, Duncan, we had no power over that, that was
the photographer. Of course I had to call them, too,
and said what are you guys doing. But they never --
that's the bias in the reporting, right.

ALANA LEE: So just for clarity, your uncles that you spoke
about, if I could just get their names and correct
spelling on --

DUNCAN GOULD: I could not even -- I can't remember who
was -- the young ladies I was speaking of, but the one
they found in Sydney harbour, she was the daughter of
Gerard Johnson (phonetic) of Eskasoni.

ALANA LEE: Okay.

DUNCAN GOULD: And you'll probably hear -- hopefully you'll
hear from a family member.

UNIDENTIFIED SPEAKER: Well, we can do a search and look it
up.

ALANA LEE: Yeah. And your uncles, just correct spelling?
DUNCAN GOULD: Frank Gould.

ALANA LEE: Okay.

DUNCAN GOULD: Charles Gould. Mother's name was Virginia
Marshall, and my grandmother's name was Mary ann
Gould.

ALANA LEE: Go ahead?

DUNCAN GOULD: No, I was just going to say thank you very
much. This is a long day for you guys. I was willing
to wait until tomorrow when I came back but they said
you guys were waiting so I said okay, let's go.

ALANA LEE: No, no need to thank us. We thank you. I
mean, this is -- this is what we're here to do and we
thank you for your story and coming in and sharing
this and sharing this with the commissioners and the
Inquiry. You know, all too often, like you were
saying, what are the forms of the violence, what are
the forms of abuse, and you know, institutional abuse
and violence --

DUNCAN GOULD: And nobody -- and nobody questions the
institutions, whether it's the church, right -- nobody
questioned them for years -- and if it's prisons or
psychiatric hospitals, right. I mean, one time it
was -- they shipped lots of our people off to what you
call those TB hospitals only to not return, like the
residential school. And TB is not a -- you know, but
it seems to have been a -- only an Indian affliction
that afforded these special hospitals to be built so
that they would take you, you know, just like a
residential school. We can't get them in residential
school, we're going to get them in this TB hospital,
one way or the other.

ALANA LEE: Yeah. And just one kind of point I want to go
back to, when you mentioned that your mother,
Virginia, when she -- when she was sentenced you
mentioned -- you said that she was -- she served six
months --

DUNCAN GOULD: Six months.

ALANA LEE: -- in the warden's chambers?

DUNCAN GOULD: The warden's residence.

ALANA LEE: In the warden's residence.

DUNCAN GOULD: She wasn't in the population. She was in
the warden's residence, I'll speculate as a domestic.
That's a story in itself.

ALANA LEE: Mm-hm. Yeah, absolutely.

DUNCAN GOULD: There was a change in her appearance I notice from before and after.

ALANA LEE: Tell me a little bit more about that change in her appearance.

DUNCAN GOULD: One picture is of a vibrant, beautiful woman and another picture taken sometime after, it's -- whatever joy there was, it wasn't there anymore in that picture.

ALANA LEE: Mm-hm.

DUNCAN GOULD: So you can see what -- what change was effected.

ALANA LEE: Yeah.

DUNCAN GOULD: Yeah. So even though you don't experience it directly, eh, it's just -- and this is what happens in our communities is that you're exposed to it years later, decades later, generations later, and nothing to do with you, right, but because of the other families involved, right, it very well does still affect you.

ALANA LEE: The --

DUNCAN GOULD: Sorry?

ALANA LEE: No, go ahead.

DUNCAN GOULD: No, no, I wanted to say this story before,
right, I just didn't know where and I just didn't know
when I would be able to share it, because there's --
there was people in power here in Membertou who just
really would not appreciate this story, but I don't
care anymore. We get abused so much, we say oh,
that's okay, you know, when a lot of times we should
say you know what, I need to assert my voice and my
right a little more here instead of saying well,
that's okay, I forgive you.

ALANA LEE: Absolutely.

DUNCAN GOULD: Yammering. Any other questions? There's
really not much I can offer. I just wanted to get
this damn recorded. I just wanted to share this with
somebody. Just begs a lot more questions. And I know
there's records someplace.

ALANA LEE: Mm-hm.

DUNCAN GOULD: Just nobody wants to share them.

ALANA LEE: Mm-hm. Absolutely.

DUNCAN GOULD: If there's a process that this process can
expose me to, then that would be -- yeah, it was worth
it.

ALANA LEE: Mm-hm. Okay. Well, if there's nothing else
that you'd like to add we can --

DUNCAN GOULD: Other than my own testimony, what I've just
said, what the admin from the pier said, the former
Duncan Francis Gould
(Virginia Marshall
& Mary Ann Gould)

orderly, and what I experienced on my own, yeah, I'll
stick by what I said, as God is my witness.

ALANA LEE: Thank you.

UNIDENTIFIED SPEAKER: Thank you very much.

ALANA LEE: Thank you for sharing.

DUNCAN GOULD: Thank you very much.

ALANA LEE: It's ...

UNIDENTIFIED SPEAKER: What are you looking for?

ALANA LEE: The time. It's 6:45 p.m. and we're going to
conclude the interview for today, the statements.

[PROCEEDINGS ADJOURNED AT 6:45 P.M.]
Statement - Public

Duncan Francis Gould
(Virginia Marshall & Mary Ann Gould)

CERTIFICATION

I, Cathy McCandless, Official Reporter in the Province of British Columbia, Canada, do hereby certify: That this is a true and accurate transcript of these proceedings recorded on sound-recording apparatus, transcribed to the best of my skill and ability in accordance with applicable standards.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 18th day of April, 2018.

______________________________

Cathy McCandless
Official Reporter