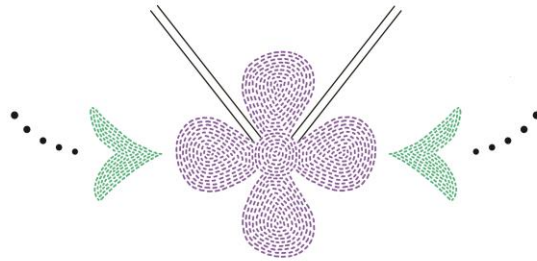


National Inquiry into  
Missing and Murdered  
Indigenous Women and Girls



Enquête nationale  
sur les femmes et les filles  
autochtones disparues et assassinées

**National Inquiry into Missing and Murdered  
Indigenous Women and Girls  
Truth-Gathering Process  
Part I Statement Gathering  
Membertou First Nation  
Unama'ki (Cape Breton Island), Nova Scotia**



**PUBLIC**

**October 30, 2017**

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

**Statement gathered by Alana Lee  
& Daria Boyarchuk**

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**Coast Reporting Services Inc.**

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**List of documents provided by witness:**

1. Photocopies of 4 pages from the Post Record: dated June 21, 1954, June 22, 1954, July 6, 1954, and July 7, 1954
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)
12. Letter from Hon. Geoff Regan to Honourable Bernard Valcourt dated March 7, 2014 (1 page)
13. Letter from Hon. Geoff Regan to Honourable Peter MacKay dated March 7, 2014 (1 page)
14. Letter from Nova Scotia Public Prosecution Service dated April 10, 2014 (2 pages)

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

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

3 there.

4 DUNCAN GOULD: Okay.

5 ALANA LEE: So --

6 DUNCAN GOULD: It records pretty good.

7 ALANA LEE: Yeah, it definitely does.

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

9 ALANA LEE: So this is Alana Lee with the National Inquiry

10 into Missing, Murdered Indigenous Women and Girls

11 speaking on the record with you said Dunc?

12 DUNCAN GOULD: Duncan.

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

14 DUNCAN GOULD: Duncan Gould.

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

16 Membertou?

17 DUNCAN GOULD: Yes, I am.

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

19 DUNCAN GOULD: Yeah. Next door.

20 ALANA LEE: All right. Membertou 3?

21 DUNCAN GOULD: Member 3.

22 ALANA LEE: Member 3, to be exact?

23 DUNCAN GOULD: Member 3.

24 ALANA LEE: So we're here at the Hampton Inn in Membertou

25 First Nation, Cape Breton, Nova Scotia. It is

1           October 30th, 2017 and it is 5:48 p.m.

2                       So, Duncan, you're here on a voluntary basis to  
3           give your statement?

4           DUNCAN GOULD: Yes, I am.

5           ALANA LEE: And do you give consent on the record to have  
6           it video and audio recorded?

7           DUNCAN GOULD: Yes, I do.

8           ALANA LEE: Perfect. Okay. So, Duncan, I understand that  
9           you're here to speak about your -- your late mother?

10          DUNCAN GOULD: Mm-hm.

11          ALANA LEE: Yeah. What would you like the commissioners to  
12          know about her? Her name was Victor --

13          DUNCAN GOULD: Virginia.

14          ALANA LEE: Virginia.

15          DUNCAN GOULD: Yeah. My late mother and my two late  
16          uncles --

17          ALANA LEE: Okay.

18          DUNCAN GOULD: -- because this is a -- instances of  
19          institutional abuse.

20          ALANA LEE: Mm-hm.

21          DUNCAN GOULD: Hospitals to be exact, and the justice  
22          system.

23                       I'll begin with my late mother. I never met --  
24           got to meet my mother. I'll be 60 in December. She  
25           passed away when I was three months old. I was born

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

8           ALANA LEE: Okay.

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

12          ALANA LEE: Yes, yeah.

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

14          ALANA LEE: Yes.

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

17          ALANA LEE: Okay.

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

23          ALANA LEE: Mm-hm.

24          DUNCAN GOULD: As the story goes, he went to go visit her  
25          the night before. He was on his way to the hockey

1 game in Sydney Forum and the bus came and dropped  
2 people off and picked them up at the hospital. That  
3 was the route. So after visiting my mother he said  
4 I'm going to the hockey game, I'll see you tomorrow,  
5 do you need anything, and she said just bring my  
6 hairbrush. She was sitting up in bed, she was fine,  
7 nothing -- so the next morning about 7 o'clock the  
8 late Donald Marshall senior came running over to our  
9 house. We only lived about 50 yards away from there.  
10 We didn't have a phone, I take it. And he came  
11 running and he said St. Rita's have been calling all  
12 night. They were calling Eskasoni, they thought she  
13 was from Eskasoni, but you need to get to the  
14 hospital. So my grandfather -- we lived -- you know  
15 where the police station is in Membertou now?

16 ALANA LEE: Mm-hm.

17 DUNCAN GOULD: He ran all the way to St. Rita's but she was  
18 already dead, and they explained to him well, we  
19 thought she was from Eskasoni. That's one thing.  
20 However, two years prior my late mother was on the  
21 front pages of the news here in Sydney. In 1954 her,  
22 her late husband, and another gentleman by the name of  
23 Jabine (phonetic) -- her late husband's name was John  
24 Marshall, my late mother's name was Virginia Gould  
25 Marshall. They were drinking Sunday morning, John and

1           this Jabine. So they had left the house. My late  
2           brother Clarence was an eyewitness to this because he  
3           grew up with this story. It's romanticized, right.  
4           And it's the first time that I did see articles  
5           related to it because after my brother Roy died I was  
6           going through his affairs and these were the newspaper  
7           articles.

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

15          ALANA LEE: Yeah.

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

25                     So in the newspaper articles that I got to read



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

11         ALANA LEE: Yeah.

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

18         ALANA LEE: Mm-hm.

19         DUNCAN GOULD: Which is pretty fast when you talk about  
20           southern justice. She served six months in the  
21           warden's residence at the Cape Breton county jail and  
22           she was released. She was a widow. She met my -- she  
23           knew my father early '57. I was conceived, December  
24           '57 I was born, and then '58 she died. However,  
25           because this John Marshall involved people who -- you

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

3           ALANA LEE: Mm-hm, absolutely.

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

6           ALANA LEE: Mm-hm.

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

23          ALANA LEE: So would have that been the -- what -- where  
24          the records were held, do you mean the hospital  
25          records or the --

1 DUNCAN GOULD: The only record I can find --

2 ALANA LEE: -- court records?

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

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

25 So when you talk about institutional at St.

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

8 ALANA LEE: And this was your --

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

15 Late '80s, let's fast forward late '80s. My late  
16 uncle Frank [unintelligible] they'd call him, he had  
17 cancer. He had a tumour here. He was in St. Rita's.  
18 Myself and my late brother Roy were doing shifts  
19 staying with him, right, you know, as was our  
20 tradition. He was in no great danger. He was resting  
21 well. It was my turn to take the shift. It was  
22 11:00 p.m. at night I got there. Roy was -- just said  
23 okay, I'll catch you later. This is how fast it was.  
24 My uncle is sleeping comfortably. I sit down, start  
25 reading. Nurse comes in. I distinctly remember it.

1           You get up and leave, let the nurse do their business.  
2           I'm out in the hallway. She comes out, I go back in,  
3           continue reading. Not within 30 seconds, a minute,  
4           that fast, you just know the breathing changed.  
5           Within 10 seconds, that's it, he just died. So he --  
6           nurse, nurse. There's phones in the hallway. I'm on  
7           the phone calling my brother. He had just gotten in  
8           the door because that's how fast you could get from  
9           St. Rita's to Membertou, right, and he just got in the  
10          door, picked up the phone and I said Roy, Roy, he just  
11          died. What? He's just incredulous. He goes you're  
12          fucking kidding. I said no, he's dead, man, he just  
13          died. You're not thinking of what -- you're just not  
14          thinking.

15                 Then you fast forward to the early '90s. I had  
16          Another uncle Charlie, cancer, stomach cancer, taking  
17          treatment. He was doing fine. He was living in  
18          Westmount with his wife. They admitted him. We're  
19          all there. He was sitting up in bed. He was fine.  
20          His wife was in the waiting room down at the end. I  
21          stood by the door. Being a young, you know, warrior  
22          I'm going to stand vigil at my uncle's room, and just  
23          tell them you've got a family, you're going home,  
24          you're going to look after your family. And he was  
25          fine. He was alert, you know. He was sitting up in

1           bed. And I'm going yeah, yeah, okay, I'll go, I'm  
2           going home. So I leave and there was a curtain around  
3           him but I stay outside his door, and I'm there not  
4           even a minute and the nurse goes in, and it's okay,  
5           she does her business, right. Fine, she leaves. I go  
6           back in, just to -- I wait for about not even a  
7           minute, 30 seconds maybe. I go in to check on him. I  
8           lift the curtain and his jaw is going like this and  
9           his eyes are like -- he's already dead, and I --  
10          because I'm talking to him, you know, so I'm thinking  
11          he's answering me, right. It takes me a second to  
12          catch on and -- that he's dead. So this couple come  
13          in, Allan and Dolly, and they said go get Meg, she's  
14          at the end of the hallway, and then she came running  
15          up and -- on the button, right, nurse, nurse, and I  
16          wonder holy fuck -- excuse my language.

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

18          DUNCAN GOULD: Taken altogether right, now, end up between  
19          '95 and '97 I had the privilege of serving in an  
20          elected role, Union of Nova Scotia Indians Vice  
21          President for Cape Breton. There was this  
22          African-Canadian man who I knew from the pier, he was  
23          a few years older than me, he was an orderly, and he  
24          approached me more than one occasion and he distinctly  
25          said -- he said there's people killing your people in

1           the hospital. First time -- it's kind of generalized  
2           comment that at first it doesn't -- what? He said no,  
3           man, he said there's people literally murdering your  
4           people in the -- and he was -- and he was adamant in  
5           that f-ing hospital. So I took this to our executive  
6           and people who were with the Union of Nova Scotia  
7           Indians, our president Toby Marshall (phonetic), our  
8           secretary Carla Gould (phonetic), our senior adviser  
9           Dan Christmas, who's now a senator. There was no  
10          written -- anything to do with it, I just brought it  
11          to their attention, and this is really something we  
12          should look at, not to mention all of the other -- a  
13          lot of other things we should be looking at, right.  
14          But I did share the story with a counsellor here whose  
15          brother passed away. So when I explained this -- all  
16          of them to him he said well, when so and so died, he  
17          shouldn't have died when he did. I said well, there's  
18          a black widow in -- or angel of death if that's what  
19          you want to call them and they're everywhere. There's  
20          serial killers in Thunder Bay hunting their kids,  
21          right. Who's to say that some racist nurse wouldn't  
22          come in and ... I'm of the opinion that I witnessed  
23          two murders of my uncles, Frank Gould and Charlie  
24          Gould. I truly believe that my late grandmother was  
25          murdered and I truly believe that my late mother was

1 murdered.

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

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

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

16 DUNCAN GOULD: No.

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

20 DUNCAN GOULD: My late brother died in '04, December '04.  
21 He was found dead in his home. Automatically the law  
22 says you get an autopsy. That's unexplained death,  
23 right. Very next day -- and this is what happens a  
24 lot to our people -- they're automatically labeled as  
25 OD or drunk. Well, how do you determine that unless



1           you do a proper toxicology autopsy. You don't. You  
2           cannot tell if a person is inebriated, but to come to  
3           that conclusion, that happens so often -- and I forgot  
4           your question. I'm sorry, I'm just ranting here.

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

8           DUNCAN GOULD: I -- oh, getting back to Roy, I went to the  
9           Mounties, Dana Joe (phonetic), the very next day and I  
10          said where's the coroner, because when he was found  
11          dead I was called and I lived in town. His best  
12          friend was there who found him and the Mountie. The  
13          Mountie wouldn't leave the room where the body was. I  
14          asked for an autopsy because I knew that this is an  
15          unexplained death. My brother shouldn't have died.  
16          This is what I know, he should not be dead. But the  
17          Mountie, Dana Joe, came up to me the next -- he  
18          stopped me in my car, he said the coroner -- the  
19          county coroner said there was no reason for an  
20          autopsy. I said how did he die. Natural causes.  
21          This is what you're told, right. I still don't know  
22          how he died. So this is part of the institutional  
23          abuse problem. They don't even list their people how  
24          -- now they don't even list their race. They list  
25          white, Caucasian, black, Asian, Muslim, Indo, right.

1           They don't register Native people anymore, statistics,  
2           so they're really wrong here. But, anyway, that's the  
3           story in a nutshell.

4           ALANA LEE: Mm-hm.

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

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

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

25          ALANA LEE: Yeah.

1           DUNCAN GOULD:  So --

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

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

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

13          DUNCAN GOULD:  No.  My father was from Eskasoni and I never  
14                    met him until I was 20 and he came home to basically  
15                    pass away.  He had cancer.  He lived in Toronto most  
16                    of his life, Toronto and Boston.  I was raised by my  
17                    grandmother and grandfather.  He passed when I was  
18                    five.  My grandmother passed when I was 20 or 21.  '79  
19                    she passed away and I was raised by older brother --  
20                    two older brothers and two uncles.  Three uncles,  
21                    really.  And that's the story.  I have lots of  
22                    questions for the right people, but I was ambivalent  
23                    about where do I go after all of this and then you  
24                    guys came to town and, well, maybe this is a way to --  
25                    I wanted the story recorded as well, too, because

1           there was no other avenue. And this is not something  
2           you talk about -- I shared this with only about two  
3           other people, one Native and one non-Native, because  
4           when you share a story like that and it involves in  
5           your own community and you're talking about what you  
6           think is murder, right, people look at you like --  
7           they don't really take you serious unless it happens  
8           to them.

9           ALANA LEE: Yeah.

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

15          ALANA LEE: Mm-hm.

16          DUNCAN GOULD: That happens.

17          ALANA LEE: Mm-hm. Absolutely.

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

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

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

1 ALANA LEE: Okay.

2 DUNCAN GOULD: This is newspaper articles.

3 ALANA LEE: Okay.

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

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

9 DUNCAN GOULD: Okay.

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

13 DUNCAN GOULD: All right. These are newspaper articles  
14 from 1954 that outline the case against my mother,  
15 Virginia Marshall. These are other articles as well.  
16 These are photocopies that were dug up by Catherine  
17 Arseneau of the Beaton Institute. I had original  
18 copies and there was a photo album and I loaned them  
19 to one of my late brothers and they got lost. There  
20 were much bigger articles. They were more in depth  
21 that had to do with at the time of the trial. But  
22 within these articles it outlines what happened. And  
23 in the bigger article -- and there was a copy  
24 somewheres -- it outlines about the Fatality Inquiries  
25 Act which led to the murder charge.

1 ALANA LEE: Mm-hm. And do -- you have those -- do you have  
2 that? Yeah, right there.

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

6 ALANA LEE: We'll make copies of that.

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

1                   because she was convicted, right.

2           ALANA LEE:   Mm-hm.

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

5           ALANA LEE:   Wow.

6           DUNCAN GOULD:  Parole Board does not have any records.  
7                   Somebody has the records somewhere, and this is  
8                   just -- this was one of the guys with the public  
9                   archives in Nova Scotia that was trying to find  
10                  information on John Marshall, the man my late mother  
11                  was convicted of killing, and they can't even really  
12                  find anything in there.  And this is the -- this is  
13                  what I sent to the premier one day.  Never got an  
14                  answer back from him.  I was just going about -- I  
15                  just started work at Community Services in Sydney and  
16                  the story came out on -- what's her name -- Viola  
17                  Desmond and they got me all interested again --

18          ALANA LEE:   Yeah.

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

23          ALANA LEE:   Yeah, read it out loud.

24          DUNCAN GOULD:  "Good morning, Lois.  Here is what I can  
25                  gather from the articles.  The story appears on

1           June 21st issue National Aboriginal Day of the Cape  
2           Breton Post 1954 as well as through October '54. I  
3           think for the coroner's inquest there was a Justice  
4           W.L. Hall and assistant crown prosecutor McGilvary  
5           (phonetic). The names prosecutor Donald Finlayson  
6           (phonetic), coroner A.D. Mugga (phonetic), and police  
7           officers George McNeil and Mickey McDonald also appear  
8           along with Dr. Art Ormiston (phonetic) and Reverend  
9           R.J. Laffin (phonetic)." I remember Father Laffin,  
10          he was our parish priest. "As well the Detective  
11          Sergeant Norman McCaskell (phonetic), investigating  
12          officer Jordy Foreman (phonetic), William McKinley  
13          (phonetic) and Judge John F. McDonald figure in the  
14          manslaughter trial which brought the verdict back in  
15          five minutes."

16          ALANA LEE: Wow.

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

19          ALANA LEE: Mm-hm.

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

25          ALANA LEE: Mm-hm.



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

10          ALANA LEE: Yeah.

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

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

17          DUNCAN GOULD: I've tried.

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

22          DUNCAN GOULD: My friend Faye did -- like, the documents,  
23          what I had given her, she just made this timeline of  
24          what I'm trying to do. And the last -- you'll see it  
25          on the very last page she was in touch with a

1           librarian in Cumberland County and she got in touch  
2           with a person right in Indian Affairs Amherst and  
3           asked them the question, you know, is there any way  
4           you can find -- she hasn't heard back from them. I  
5           said they'll never tell you. They're trained to --  
6           locked in the vault.

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

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

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

13          DUNCAN GOULD: Yes. Baptism certificate, sorry.

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

19          ALANA LEE: Mm-hm.

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

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

25          DUNCAN GOULD: My two uncles.

1 ALANA LEE: Uncles, yeah.

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

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

14 DUNCAN GOULD: For who?

15 ALANA LEE: For your late mother.

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

18 ALANA LEE: Or the --

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

24 ALANA LEE: Mm-hm.

25 DUNCAN GOULD: You can see it when you're going down

1 Alexander Street, you make the turn to go downtown.  
2 That was our old parish -- parish besides the one  
3 here, the little -- this is what you call -- not quite  
4 a church. So St. Anthony Daniel opened in the mid  
5 '50s. My late mother was buried there. I only  
6 thought only a handful of people were there, buried  
7 there, because there's -- at the very bottom there's  
8 some graves you can find, but it turns out that  
9 there's a -- I counted them, 69 or 70 people, maybe  
10 more, buried -- that were buried there, but whoever  
11 was in charge came and ploughed all those graves over  
12 to make room for the non-Native people and there's a  
13 ball field there. Yeah, so it was only not that very  
14 long ago within the last 10 years, we had a big  
15 ceremony down there, there's a big monument, and  
16 that's the first time I learned how many people were  
17 actually buried there from -- from Membertou, but when  
18 you go down there there's only about half a dozen that  
19 you'll notice but you realize that they were just all  
20 ploughed over.

21 ALANA LEE: Wow.

22 DUNCAN GOULD: So we have these little ceremonies, yes,  
23 where we forgive you and that's how I'm okay, right.  
24 That's the other part of the problem. You know, a  
25 year ago, maybe two, the family of these -- you'll

1           hear the story, there was five people from Eskasoni  
2           who crossed the Bras d'Or on a boat to sell their  
3           crafts in Big Pond. Did you hear the story? They  
4           disappeared.

5           ALANA LEE: I heard that story.

6           DUNCAN GOULD: I think it was last year, family members,  
7           they have an idea where they're buried, so they had a  
8           ceremony there and it was in the paper, and one of the  
9           relatives said well, now I can rest, I know where she  
10          is. We forgive a lot. We forgive too much, right,  
11          and sometimes we need to say well, maybe I can't bring  
12          her or him home, but I sure as hell would like to know  
13          what happened. I would like to know who is  
14          responsible. Somebody killed them, somebody murdered  
15          them and they buried them. You know, end up in a  
16          barrel or buried by yourself. This is part of the  
17          problem. This is part of the problem with the police,  
18          the prosecutor's office, right, the authorities. We  
19          can ceremonial smudge all we want but we'll still  
20          hurt. We need answers. We need somebody to stand up  
21          and say you know what, we had enough of this racism,  
22          and that's all it is. It has to stop. Imagine the  
23          parents sending their kid to Thunder Bay to go to high  
24          school, is my kid going to come home for Christmas, is  
25          my child going to be home. I'm ranting now. So any

1           questions?

2           UNIDENTIFIED SPEAKER: Well, you asked if -- you requested  
3           an autopsy of your mother. Is it --

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

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

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

19          ALANA LEE: Yeah. We thank you.

20          DUNCAN GOULD: Hmm?

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

23          DUNCAN GOULD: Oh, I want to thank you just for -- I wanted  
24          it recorded, and if it sheds light on this serious,  
25          serious problem we have in Canada, well, then we have

1           a serious, serious problem. And if I can point it in  
2           a direction that will hopefully get me some answers,  
3           because I have no doubt my mother was innocent, I have  
4           no doubt my relatives were murdered in St. Rita's  
5           Hospital, but some people will believe you, some  
6           people won't.

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

10          DUNCAN GOULD: Recently two cops were charged for murdering  
11          one of our young girls, 14-year-old in Thunder Bay, I  
12          believe, eh. That's a start. We -- here's part of  
13          the problem, we're -- when it comes to defending our  
14          land and defending our people, it's always the women.  
15          None of the men do it and none of the leaders do it.  
16          I've not seen one chief stand up, right. I have not  
17          seen one grand chief stand up. Even when it comes to  
18          the pipelines, right, who's there, the warriors, you  
19          know, the marginalized ones, right, and the women.  
20          They get attacked and nobody says nothing, and there's  
21          no chief, regional chiefs, community chiefs, right.  
22          Where's the outrage? We have how many unsolved  
23          murders of Mi'kmaq women in Sydney alone, woman found  
24          dead in a burned house, right, in the last couple  
25          years. Woman found floating in Sydney harbour. At

1           the time she died -- this was what got me -- the  
2           Deputy Chief of Police Dave Wilson said -- was stated  
3           right in the paper the reason her clothes were removed  
4           was because of the wave action of Sydney harbour. If  
5           you look at the wave action of Sydney harbour, right,  
6           that's ...

7           ALANA LEE: What was her name?

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

22          ALANA LEE: Yeah. When you mentioned they said about the  
23          waves, and he said if you know, like, the waves in the  
24          harbour, so can you say a little bit more about that  
25          just for people who aren't from around here.



1           DUNCAN GOULD: Sydney harbour is on a quiet windless day  
2           like glass. On a windy day like today maybe a little  
3           choppy, right. But the wave action that night,  
4           ripples. There's absolutely no way wave action could  
5           remove the young lady's clothes. For that matter,  
6           wave action, I'm not sure if it does remove clothes.  
7           But whatever wave action is in Sydney harbour, not  
8           nearly enough.

9           ALANA LEE: Okay.

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

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

25          DUNCAN GOULD: What's that?

1 ALANA LEE: The community that she was from.

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

4 ALANA LEE: Yeah.

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

7 ALANA LEE: Yeah.

8 DUNCAN GOULD: Here in Sydney. I believe it was on Lingan  
9 Road she was found dead in the burned house, and there  
10 was nothing wrong with him. That happens a little too  
11 often because they don't do autopsies. Sacky Sack  
12 (phonetic), my -- I just remember, James Sack  
13 (phonetic), nobody mentions him. He was from -- he  
14 was my ex-wife's cousin. Harmless guy. He liked to  
15 drink. They found him, you know, in Wentworth Park.  
16 Are you familiar with -- there's this nice little park  
17 downtown, you'll see it as you go back to the hotels  
18 downtown. It's called Wentworth Park. You'll see a  
19 gazebo there but it didn't happen there. Happened on  
20 the other side where there's a fountain. But they had  
21 a big wooden gazebo there. Anyway, they found him  
22 floating in the water, this man who was walking his  
23 son. So in the paper the very next day they showed  
24 the scene, the cops at the gazebo, but they showed  
25 this cop with this big laugh on his face, and here's

1           the scene that they were recovering the body, right.  
2           So I had a good talk with the police -- chief of  
3           police, Edgar MacLeod. He's at the Maritime Police  
4           Academy now. I said even at that time they'd never  
5           caught -- he was beaten and thrown in Wentworth Park.  
6           Case closed, right. Another dead Indian. But even  
7           the insensitivity of the photographer, the post who  
8           printed the picture the next day of this, it was like  
9           they were having a good laugh, right. So it was meant  
10          to send a message, you know, we don't care about you.  
11          So I -- I had to straighten that out with the chief of  
12          police. I had to complain.

13          UNIDENTIFIED SPEAKER: What kind of response did you get?

14          DUNCAN GOULD: He was apologetic. He was -- he was -- he  
15          returned my call. I took a course with him so I knew  
16          him. And he was saying I'm sorry, that shouldn't have  
17          happened, Duncan, we had no power over that, that was  
18          the photographer. Of course I had to call them, too,  
19          and said what are you guys doing. But they never --  
20          that's the bias in the reporting, right.

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

24          DUNCAN GOULD: I could not even -- I can't remember who  
25          was -- the young ladies I was speaking of, but the one

1           they found in Sydney harbour, she was the daughter of  
2           Gerard Johnson (phonetic) of Eskasoni.

3           ALANA LEE: Okay.

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

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

8           ALANA LEE: Yeah. And your uncles, just correct spelling?

9           DUNCAN GOULD: Frank Gould.

10          ALANA LEE: Okay.

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

14          ALANA LEE: Go ahead?

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

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

1           and violence --

2           DUNCAN GOULD:  And nobody -- and nobody questions the

3           institutions, whether it's the church, right -- nobody

4           questioned them for years -- and if it's prisons or

5           psychiatric hospitals, right.  I mean, one time it

6           was -- they shipped lots of our people off to what you

7           call those TB hospitals only to not return, like the

8           residential school.  And TB is not a -- you know, but

9           it seems to have been a -- only an Indian affliction

10          that afforded these special hospitals to be built so

11          that they would take you, you know, just like a

12          residential school.  We can't get them in residential

13          school, we're going to get them in this TB hospital,

14          one way or the other.

15          ALANA LEE:  Yeah.  And just one kind of point I want to go

16          back to, when you mentioned that your mother,

17          Virginia, when she -- when she was sentenced you

18          mentioned -- you said that she was -- she served six

19          months --

20          DUNCAN GOULD:  Six months.

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

22          DUNCAN GOULD:  The warden's residence.

23          ALANA LEE:  In the warden's residence.

24          DUNCAN GOULD:  She wasn't in the population.  She was in

25          the warden's residence, I'll speculate as a domestic.

1           That's a story in itself.

2           ALANA LEE: Mm-hm. Yeah, absolutely.

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

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

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

11          ALANA LEE: Mm-hm.

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

14          ALANA LEE: Yeah.

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

22          ALANA LEE: The --

23          DUNCAN GOULD: Sorry?

24          ALANA LEE: No, go ahead.

25          DUNCAN GOULD: No, no, I wanted to say this story before,

1 right, I just didn't know where and I just didn't know  
2 when I would be able to share it, because there's --  
3 there was people in power here in Membertou who just  
4 really would not appreciate this story, but I don't  
5 care anymore. We get abused so much, we say oh,  
6 that's okay, you know, when a lot of times we should  
7 say you know what, I need to assert my voice and my  
8 right a little more here instead of saying well,  
9 that's okay, I forgive you.

10 ALANA LEE: Absolutely.

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

16 ALANA LEE: Mm-hm.

17 DUNCAN GOULD: Just nobody wants to share them.

18 ALANA LEE: Mm-hm. Absolutely.

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

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

24 DUNCAN GOULD: Other than my own testimony, what I've just  
25 said, what the admin from the pier said, the former

1                   orderly, and what I experienced on my own, yeah, I'll

2                   stick by what I said, as God is my witness.

3           ALANA LEE: Thank you.

4           UNIDENTIFIED SPEAKER: Thank you very much.

5           ALANA LEE: Thank you for sharing.

6           DUNCAN GOULD: Thank you very much.

7           ALANA LEE: It's ...

8           UNIDENTIFIED SPEAKER: What are you looking for?

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

11                   [PROCEEDINGS ADJOURNED AT 6:45 P.M.]

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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.

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Cathy McCandless  
Official Reporter