

CANADA

PROVINCE OF NOVA SCOTIA

IN THE MATTER OF THE  
*FATALITY INVESTIGATIONS ACT*

S.N.S. 2001, c. 31

**THE DESMOND FATALITY INQUIRY**

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**TRANSCRIPT**

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**HEARD BEFORE:** The Honourable Judge Warren K. Zimmer

**PLACE HEARD:** Port Hawkesbury, Nova Scotia

**DATE HEARD:** March 25, 2021

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1 **March 25, 2021**

2 **COURT OPENED (09:36 HRS)**

3

4 **THE COURT:** Thank you. Good morning.

5 **COUNSEL:** Good morning, Your Honour.

6 **THE COURT:** Mr. Murray, I understand we have Mr.  
7 Greencorn? Is Mr. Greencorn's evidence going to be led by Mr.  
8 Rodgers?

9 **MR. RODGERS:** That is my intention, yes, Your Honour.

10 **THE COURT:** All right, thank you. So, Mr. Rodgers, what  
11 I'm going to do is, now, you have a couple of choices, I guess,  
12 but if you're going to use the podium, the podium has to be  
13 moved back a little bit so that the microphone is directly in  
14 front of it. It's just because ... that would be just fine just  
15 like that. Perfect. All right, thank you.

16 Mr. Greencorn? Good morning.

17 **A.** Morning.

18 **THE COURT:** Could you come forward, please? We'll just  
19 have you come forward and then you can just cross behind that  
20 row of chairs and come around over here if you could, please?

21 So I'd just ask you to stand for a second because you're  
22 going to be given an option with regard to an oath before you're

1 sworn. If Mr. Rodgers didn't mention it to you, I can tell you  
2 that this Court has been audited by Public Health officials.  
3 It's been determined that, with you sitting there, me sitting  
4 here, and everyone else where they are, that we're all COVID  
5 compliant. Now, you're wearing a mask and the rule that we have  
6 in the courtroom is that when you move about the courtroom, you  
7 have to wear a mask, but once you're in place, and you are  
8 effectively in place, you can remove your mask if you're  
9 comfortable doing that.

10 **A.** Yes, sir.

11 **THE COURT:** All right, but it's entirely up to you, but  
12 let's deal with the oath first.

13

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1           **KENNY GREENCORN, affirmed, testified:**

2

3           **A.**    No wheels on this.

4           **THE COURT:**       No.  That's a chair that doesn't have wheels  
5 because we like to keep people close to the microphone, and if  
6 you have wheels, you move away from the microphone.  All right,  
7 thank you very much.

8           I can tell you that the microphones there are there to  
9 record and we have some technology in the courtroom that allows  
10 for your voice to be raised, but I suspect ... you look like  
11 you'd be a good, hearty voice, so if you speak up, it avoids  
12 people having to ask you to repeat or ask the question a second  
13 time.

14          **A.**    Yes.

15          **THE COURT:**       All right.  Mr. Rodgers is going to begin  
16 the questioning and then counsel will be given an opportunity to  
17 ask any questions, if they have any follow-up questions, and I  
18 can ask questions as well.  If you're asked a question and you  
19 don't quite understand what the question is, just ask to have it  
20 repeated.  It'll be no problem.  And there's a fresh bottle of  
21 water right there in front of you.  That's for you if you choose  
22 to have a drink during your evidence.

1           **A.**    Yes.

2           **THE COURT:**       All right, thank you.  Mr. Rodgers?

3

4

**DIRECT EXAMINATION**

5

6           **MR. RODGERS:**    Thank you, Your Honour, and thank you, Mr.  
7 Greencorn.  Thanks for coming in today.

8                 Maybe we can just get you, first of all, Mr. Greencorn, to  
9 give us your full name and maybe spell your last name.

10          **A.**    Kenneth J. Greencorn.  Middle initial "J".

11       **(09:40)**

12          **Q.**    And, Greencorn, how do we spell that?

13          **A.**    Green as in, how do you say ... G-R-E-E-N-C-O-R-N.

14          **Q.**    Great.  And where do you live, Mr. Greencorn?

15          **A.**    Route 16, Upper Manchester.

16          **Q.**    And perhaps you can just give us a little background,  
17 Mr. Greencorn, and just describe to us your connection to Cpl.  
18 Lionel Desmond.

19          **A.**    He was my ... part of our family.  He was our nephew.

20          **Q.**    Can you tell us ... maybe describe that relation.  Can  
21 you maybe tell us who is in your immediate family and how you're  
22 related to Lionel Desmond?



**KENNETH GREENCORN, Direct Examination**

1           **A.**    My wife is Lionel's aunt.

2           **Q.**    And do you have children yourself?

3           **A.**    I do.

4           **Q.**    Okay.  How many children?

5           **A.**    One.

6           **Q.**    Okay.  Mr. Greencorn, can you tell us where you're  
7 employed?

8           **A.**    Elmsdale.

9           **Q.**    Okay.  And what kind of work do you do?

10          **A.**    I do all sorts of work.  I do mechanic work, drive  
11 machinery.

12          **Q.**    Yes.

13          **A.**    Yeah.

14          **Q.**    Heavy equipment, you mean, and ...

15          **A.**    Heavy equipment.

16          **Q.**    Okay.

17          **THE COURT:**    Is that the business?  Elmsdale?

18          **A.**    Yeah, yes.

19          **THE COURT:**    Elmsdale Lumber, is it?

20          **A.**    No.  I work for Asplundh Tree Service.

21          **THE COURT:**    Asplundh?  Okay.

22          **A.**    Yeah.

**KENNETH GREENCORN, Direct Examination**

1       **THE COURT:**       Oh, I see. And you work out of Elmsdale?

2       **A.**       Yeah.

3       **THE COURT:**       All right, thank you.

4       **A.**       Our shop is in Elmsdale.

5       **THE COURT:**       Perfect, thank you.

6       **MR. RODGERS:**       Does your work carry you around the province  
7 occasionally or are you mostly around Elmsdale?

8       **A.**       I'm all over the province. If we're called for a  
9 storm in the States, we go. If not, I usually do a lot of work  
10 in Nova Scotia. In Labrador, right now.

11       **Q.**       Okay. That's your current employment. Was that also  
12 the case in 2016/2017?

13       **A.**       Correct.

14       **Q.**       Okay. You've been working for them for a while?

15       **A.**       Eighteen years, going on.

16       **Q.**       Okay. Mr. Greencorn, I'm going to go through some  
17 questions with you. First of all, just talk about how you knew  
18 Cpl. Desmond and maybe talk about him growing up, before the  
19 military, and then what you knew of him during his time in the  
20 military, and then we'll get on later to the events of January  
21 3rd, 2017.

22       So maybe let's start back as far as you'd like to go with

**KENNETH GREENCORN, Direct Examination**

1 Cpl. Lionel Desmond. And you knew him maybe as a kid growing up  
2 around the community?

3 **A.** Exactly. In the fall of the year, before I ever  
4 started with Asplundh, when I was home working in the woods and  
5 that and doing Christmas trees, I used to take Lionel and give  
6 him some work in the fall with me. So he always, like, you  
7 know, he was a worker.

8 **Q.** How young might he have been when you first started  
9 doing that?

10 **A.** 15, 16, around there. Maybe a little older.

11 **Q.** Yeah. Was he a decent worker? Was he able to keep  
12 up?

13 **A.** He was a hard worker.

14 **Q.** Yeah.

15 **A.** I seen one morning go to pick him up, he wasn't up out  
16 of bed and I picked up the other fellow. Of course, we got to  
17 the tree lot. Next ... 20 minutes, half hour later, he biked  
18 from home up the Interval with a bicycle and he was there to go  
19 to work, so ...

20 **Q.** That's a pretty good bike ride from your place.

21 **A.** Up in, what's the name, on top of the hill there, the  
22 big house, Adam?

**KENNETH GREENCORN, Direct Examination**

1           **Q.**    Pedro's?

2           **A.**    Pedro's, yeah.

3           **THE COURT:**    What kind of a distance would that be, Mr.  
4   Rodgers?

5           **MR. RODGERS:**    Yeah, let's try to describe that, Mr.  
6   Greencorn.  How many kilometers or miles would you say?

7           **A.**    I'd say at least 20 to 24 kilometers, Adam?

8           **Q.**    I'd say so.

9           **A.**    From home.

10          **Q.**    Interesting.  Well, so this is ... so you'd get to,  
11   you'd be working together.  You may not be talking the whole  
12   time, but you'd ...

13          **A.**    No.

14          **Q.**    ... get to know each other a little bit that way.  
15   That would be one sort of interaction with him or type of  
16   interaction.  Did you work often with him in Christmas trees and  
17   other things?

18          **A.**    Mostly in the fall of the year before, like, I was in  
19   the woods cutting pulp and doing trees and that.

20          **Q.**    Firewood too?

21          **A.**    Not so ... he'd do the firewood on the road for his  
22   grandparents, like, he'd be ... keep the wood in the house all

**KENNETH GREENCORN, Direct Examination**

1 winter and shovel off the step and he was a worker.

2 Q. Yeah.

3 A. Yeah.

4 Q. And what about just family events, dinners, special  
5 occasions, day-to-day? Would you see him very often otherwise?

6 A. Oh yeah. We'd see him, like, when he was younger a  
7 lot, yeah.

8 Q. And personality-wise, I mean we've heard some but I'd  
9 be interested to hear from you what you saw. There's a bit of  
10 age difference there between yourself ...

11 A. Yeah.

12 Q. ... and Lionel, but what would you observe as far as  
13 his personality?

14 A. Oh, him and I got along great, yeah. He had a good  
15 personality. Got along with people.

16 Q. In his time before joining the military, did you ever  
17 speak to him about that choice, about what he might do out of  
18 high school afterwards, what kind of work he might be interested  
19 in pursuing?

20 A. He wanted to turn wrenches, do mechanic work.

21 Q. Yeah.

22 A. Yeah. He was, you know ...

**KENNETH GREENCORN, Direct Examination**

1           **Q.** Well, that's something certainly you would've been  
2 able to tell him about.

3           **A.** Oh yeah.

4           **Q.** Or work with him some. Did you ever show him a few  
5 things?

6           **A.** Oh yeah.

7           **Q.** Yeah.

8           **A.** Yeah. We did a little bit around.

9           **Q.** What would you say about his aptitude? Was he  
10 mechanically inclined?

11          **A.** He was a learner.

12          **Q.** Yeah.

13          **A.** He was telling me about some of the jobs he did at the  
14 base, like, working on the trucks and that and he liked it,  
15 yeah.

16          **Q.** I'm jumping way ahead here, Mr. Greencorn, but had  
17 things turned out all differently, would you have seen maybe a  
18 post-military career as a mechanic for Lionel?

19          **A.** After he was done retired, you mean?

20          **Q.** Yeah.

21          **A.** Oh yeah, yeah. Yeah.

22          **Q.** You know, other than talking about wrenching and being

**KENNETH GREENCORN, Direct Examination**

1 a mechanic, what about the military? What do you remember about  
2 those days when he was thinking about joining the military?

3 **A.** I never really talked to him about that, you know,  
4 like when he was going to join.

5 **Q.** All right.

6 **A.** Yeah.

7 **Q.** After he joined, of course, he was training and then  
8 he was deployed over to Afghanistan. We've heard some evidence  
9 that he had a trip home during that time and then, of course,  
10 after his deployment was over. What do you remember about those  
11 days back? I mean, it's a while ago, it's 2007/2008, but what  
12 do you remember about those times and his demeanour or anything  
13 he might've talked about after coming back?

14 **A.** He just never really talked about it a lot, about  
15 being over there, you know, when he was over in Afghanistan.

16 **Q.** And would you say you just didn't see him or you  
17 didn't have a chance to talk about anything, or you were still  
18 working together and doing things and spending time together,  
19 but he just didn't talk about it?

20 **A.** He didn't talk about it, like, much.

21 **Q.** You still did spend time with him afterwards?

22 **A.** Oh yes, yes.

**KENNETH GREENCORN, Direct Examination**

1           **Q.** Did he ever talk to you about injuries that he  
2 suffered? We've heard some evidence about head injuries. Did  
3 he ever mention anything about that to you?

4           **A.** He talked about the one about the wall, when he fell  
5 on the backpack.

6           **Q.** Oh yeah.

7           **A.** Yeah.

8           **Q.** What was that?

9           **A.** About his training or that time.

10          **Q.** What did he say about that?

11          **A.** Well, he hurt his back that time.

12          **Q.** Oh yeah.

13          **A.** When he, you know, had the gear on.

14          **Q.** Was it making it hard for him to do work, to do any  
15 heavy work, or helping you with the wood or anything?

16          **A.** No. It never stopped him but, you know, he had the  
17 challenge. He wanted to work, like, he was go, go, go. He was,  
18 like, and he wasn't lazy or nothing like, you know, he wanted to  
19 get out there and work around.

20          **Q.** Okay. So if he was going through anything, he was  
21 fighting through it.

22          **A.** Yes.



**KENNETH GREENCORN, Direct Examination**

1           **Q.**    Sore back or whatever.

2           **A.**    Mm-hmm.

3           **Q.**    Now can you give us a sense, Mr. Greencorn, I want to  
4 ask you about, you know, what kind of things you guys would have  
5 a chance to talk about when, you know, if you were piling wood  
6 or, you know, dragging Christmas trees, or working anywhere.  
7 Taking breaks, like, you know, what kind of things would you be  
8 talking about? Would you get into life questions and deep stuff  
9 or what was it like?

10          **A.**    Just, not really about life. We'd just, joking and  
11 carry on and, you know what I mean, like, talk about the woods  
12 and stuff, right?

13          **Q.**    Yeah. Did, you know, even after ... and I'm talking  
14 about the timeframe now after Afghanistan. Of course,  
15 certainly, this is a time when Lionel was living in New  
16 Brunswick a lot.

17          **A.**    Mm-hmm.

18    **(09:50)**

19          **Q.**    But would you still get to see him much during those  
20 times?

21          **A.**    Not really, no. When he'd come home, we'd see him.

22          **Q.**    Could you give us a sense of how often that might be

**KENNETH GREENCORN, Direct Examination**

1 over the course of a year?

2       **A.** Maybe two, three times a year or something.

3       **Q.** All right. When he would come home from New  
4 Brunswick, you know, whether it was for a weekend or a week, or  
5 how often might it be?

6       **A.** It'd be for a weekend or something.

7       **Q.** Okay.

8       **A.** Mm-hmm.

9       **Q.** And would you get to see him during those times if he  
10 was home?

11       **A.** Oh, he'd be up to visit his grandparents and we'd be,  
12 like, if I was in the road, we're talking and that so ...

13       **Q.** Okay. And you live pretty close to his grandparents.

14       **A.** Yes, exactly.

15       **Q.** About how far maybe, would you say?

16       **A.** Half a kilometer, three-quarters of a kilometer.

17       **Q.** Okay. When he was living in New Brunswick, Shanna and  
18 Aaliyah were living pretty close ... well, they were living here  
19 in Nova Scotia, close by you, just a few kilometers away down  
20 the road.

21       **A.** Exactly.

22       **Q.** Can you give us ... talk a little bit about that, Mr.

**KENNETH GREENCORN, Direct Examination**

1 Greencorn, your observations of how they were getting along?  
2 How Shanna and Aaliyah were doing with Lionel being up in New  
3 Brunswick? Would you get to see them very often?

4 **A.** Once or twice, I would drop down and see the family or  
5 something like that and, you know, talk to Ricky.

6 **Q.** Yeah.

7 **A.** Everything seemed okay down there. I mean it's ...

8 **Q.** Did you ever need to help them out with plowing or  
9 anything with the house or anything like that?

10 **A.** No.

11 **Q.** Would they come up to visit either at your place or up  
12 at Lionel's grandparents?

13 **A.** Now and then, Lionel and Shanna and Aaliyah would drop  
14 up.

15 **Q.** Okay.

16 **A.** Sometimes he's home, like, on occasions or something,  
17 they'd drop up.

18 **Q.** Could you get a sense of how they were doing, the two  
19 of them, Lionel and Shanna, during those times? Difficult being  
20 apart from one another.

21 **A.** They seemed fine, you know, they seemed fine to me,  
22 like, they always got along when I was around them. There was

**KENNETH GREENCORN, Direct Examination**

1 no arguments or nothing. I seen them one night there, they had  
2 a little bonfire outside. He was feeling pretty good, I tell  
3 you, and Shanna come up. She was up for a couple of hours. And  
4 when he left, he left all his liquor and just went home, you  
5 know.

6 Q. Yeah.

7 A. He said, I'll see you tomorrow, Uncle Kenny, so he  
8 just ...

9 Q. So either from your observations - and I'm thinking  
10 moreso from conversations with Lionel - did you get a sense of  
11 how his marriage was going, if he was having troubles? We'll  
12 come to the fall of 2016 and 2017 but I'm asking, more broadly,  
13 during the years, say, between 2008 when he came back from  
14 Afghanistan and, you know, the time he was living in New  
15 Brunswick and traveling back and forth, what would you say about  
16 their relationship during those years?

17 A. It seemed pretty good to me. I mean, like I said,  
18 every time I seen them apart or together like, you know, there  
19 was nothing talked about bad about one another or nothing.

20 Q. Would you feel like Lionel would be comfortable  
21 talking to you about those kinds of things, relationship issues,  
22 if he was having them? That you were somebody that he could

**KENNETH GREENCORN, Direct Examination**

1 talk to?

2 **A.** Oh exactly, yeah, mmm.

3 **Q.** Is it, you know, is it something where, if he brought  
4 that up, you'd listen to him or would you be more inclined to  
5 try to change the subject?

6 **A.** I would listen to him a bit then, yeah.

7 **Q.** Yeah. Well, did you ... I guess the question, the  
8 next question flowing from that is did you have to make that  
9 choice? Did he ask ... did he, you know, talk about  
10 relationship issues or the struggles he may have been having  
11 with the distance and this sort of thing?

12 **A.** No.

13 **Q.** And what about with Aaliyah? What would you be able  
14 to say about Lionel and Aaliyah and their relationship?

15 **A.** They were very close, him and his daughter.

16 **Q.** You know, you're a father, you're a little older than  
17 Lionel. You ever give him advice or talk to him about being a  
18 dad and what's involved in this?

19 **A.** Not really, no. No.

20 **Q.** You didn't feel you had any advice to give or didn't  
21 think he needed it?

22 **A.** Oh, I mean, it looked good to me, like, she was

**KENNETH GREENCORN, Direct Examination**

1 healthy and everything she wanted, pretty much, like, you know,  
2 most kids.

3       **Q.** Yeah. And how would you describe Lionel as a father?  
4 What was he like when he was around Aaliyah?

5       **A.** He was a good dad to her, yeah.

6       **Q.** Mr. Greencorn, I'm going to bring us ahead for a  
7 little while to 2015/2016. There was a time in 2016 when Lionel  
8 was gone off to Montreal to a residential program. I guess,  
9 first of all, did you know he was going to be going to, you  
10 know, a residential treatment program?

11       **A.** Yeah, he kind of talked about going.

12       **Q.** Did you get a sense of whether he was looking forward  
13 to it or was hopeful or discouraged about it or what was his  
14 attitude?

15       **A.** He was pretty levelheaded with it, like, you know. He  
16 didn't talk a whole lot about it.

17       **Q.** Had he ever told you about the treatment that he was  
18 getting before that? You know, seeing a psychologist and  
19 counsellor up in New Brunswick?

20       **A.** No.

21       **Q.** Didn't talk to you about the sessions or whatever he  
22 was trying to accomplish through his counselling?

**KENNETH GREENCORN, Direct Examination**

1           **A.**    No.

2           **Q.**    Okay.  So what would you have known about his trip to  
3 Montreal and going to Ste. Anne's?

4           **A.**    Not a whole lot about it.

5           **Q.**    Okay.  Do you remember that time and what the hope or  
6 expectation was, either yourself or within the family, in terms  
7 of what was going to happen at that treatment program?

8           **A.**    No, not really.

9           **Q.**    Okay.  Was it something that was just uncertain or  
10 just wasn't discussed?

11          **A.**    It wasn't discussed.

12          **Q.**    Now I want to ask you then, Mr. Greencorn, about the  
13 fall of 2016.  At this time, Lionel has left Montreal, sold his  
14 house in New Brunswick, and come back to Nova Scotia.

15          **A.**    Right.

16          **Q.**    Do you remember him making that move?  It was in the  
17 summer of 2016.  Late summer.

18          **A.**    I wasn't ... was I home at the time or was I in  
19 Labrador when he moved home?  I'm not really sure.

20          **Q.**    Sorry, Mr. Greencorn, what was that?

21          **THE COURT:**    He said he may have been in Labrador at the  
22 time that Cpl. Desmond moved home.

**KENNETH GREENCORN, Direct Examination**

1           **MR. RODGERS:**    Oh.

2           **A.**    I believe I was at the time.

3           **Q.**    Okay.  Do you remember that time very well in terms of  
4 him being back in Nova Scotia?  I mean, that's quite a change in  
5 his life, at least.

6           **A.**    Yeah.  He was back home again, like, you know.

7           **Q.**    Did you have any impression as to how the  
8 reintegration was going?  How the household was doing?

9           **A.**    Seemed pretty good to me, like, you know.

10          **Q.**    Okay.  With you being in Labrador some ... when you  
11 were in Labrador, what was your rotation like, or were you there  
12 for months at a time or weeks at a time?

13          **A.**    Usually until the ... when it was spray season, we'd  
14 stay right there until the job was done.  Could be anywhere from  
15 four weeks to seven to eight weeks.

16          **Q.**    Okay.  Spray season.  And when would spray season be?

17          **A.**    In June.

18          **Q.**    So during the summer then, you'd be there for longer  
19 stretches of time.  What about into the fall?  Would you have  
20 had reason to stay there for extended stretches?

21          **A.**    Well, we had another job.  Road building.

22          **Q.**    Okay.



**KENNETH GREENCORN, Direct Examination**

1           **A.**    And sometimes I'd stay up in the fall till the snow  
2 came.

3           **Q.**    Yes.  Do you remember that fall of 2016, after Lionel  
4 came back from New Brunswick, and whether you were around very  
5 much at all or if you were away?

6           **A.**    I was batting around a bit then, yeah.

7           **Q.**    Okay.  And so you did have some opportunities to see  
8 Lionel and to see the family a little bit.

9           **A.**    Oh yes, yeah.

10          **Q.**    Now during that time, were you able to observe, or do  
11 you know, whether Lionel was able to keep himself busy that fall  
12 when he was home?  Did he have something to do?

13          **A.**    Oh yeah.

14          **Q.**    What kind of things would he have?

15          **A.**    Oh, he'd do the wood and that down the road, right?  
16 Cut and split the wood up every fall.

17          **(10:00)**

18          **Q.**    You mean at his own place or, well, Ricky and Thelma's  
19 place, I guess.

20          **A.**    Ricky and Thelma's and that.  He'd be ...

21          **Q.**    And then at his grandparents?

22          **A.**    Yeah, he'd be up the road and like down the road and

**KENNETH GREENCORN, Direct Examination**

1 ... like he'd be always looking to do something, right? Yeah.

2 **THE COURT:** Ricky and Thelma's is down the road and his  
3 grandparents are up the road?

4 **A.** Yeah. Well, I call it "up the road" and "in the  
5 road". It's just an old saying, right?

6 **THE COURT:** I've heard the expressions before. I just  
7 wanted to make sure that I continued to ...

8 **A.** I live up ...

9 **THE COURT:** You live ...

10 **A.** ... away, like, up the road from Monastery.

11 **THE COURT:** From Ricky and Thelma's.

12 **A.** Yeah, from Ricky and Thelma's, I call it. It's from  
13 Monastery towards Guysborough.

14 **THE COURT:** Yeah. Well, that's fine, thank you.

15 **MR. RODGERS:** Yeah. We have to make sure we keep our  
16 terms consistent. Up the road and down the road.

17 **A.** And in the road, yeah.

18 **Q.** In the road.

19 **THE COURT:** Thank you.

20 **A.** Yeah.

21 **MR. RODGERS:** Well, let's just do that quickly. "Up the  
22 road" would be around your place. "In the road" would be where?

**KENNETH GREENCORN, Direct Examination**

1           **A.**    In the grandparents ... I mean ... not the  
2 grandparents.

3           **Q.**    The Loop?

4           **A.**    Yes, in The Loop.

5           **Q.**    Lincolnville Loop, and down the road would be more  
6 towards Upper Tracadie.

7           **A.**    Monastery.

8           **Q.**    Monastery, okay.

9           Now, I'm just going to ask you, Mr. Greencorn, did you ever  
10 go hunting with Lionel?

11          **A.**    No, I haven't.

12          **Q.**    Are you not a hunter?

13          **A.**    I hunt rabbits, that's all.

14          **Q.**    Okay.

15          **A.**    I do a little rabbit hunting.

16          **Q.**    Did you know Lionel to be a deer hunter or a hunter of  
17 any kind?

18          **A.**    He talked about it a little bit, yeah, about going  
19 hunting.

20          **Q.**    He may have gone on his own or with other people?

21          **A.**    Yeah. I think him and Greg MacEachern used to do a  
22 bit of hunting together.

**KENNETH GREENCORN, Direct Examination**

1           **Q.** All right. Were you aware of whether he had firearms  
2 - Lionel had firearms?

3           **A.** Well, I heard him and Greg talking about it one time  
4 but I never, ever seen the man with a firearm.

5           **Q.** Okay.

6           **A.** I can tell you, that's an honest truth. I never seen  
7 Lionel Desmond with a firearm or ammunition of no sort.

8           **Q.** I mean we've heard other evidence on that and when he  
9 had firearms and when they removed from, or taken from him, so  
10 I'm just wondering about your observations on that, so that's  
11 interesting.

12           Now during this time, it seemed, from some other evidence  
13 we've heard, that the relationship wasn't always smooth,  
14 particularly during that fall when they were back together in  
15 the household. Was this something that you saw? Is there  
16 anything you can tell us about the relationship between Lionel  
17 and Shanna during those months in late 2016?

18           **A.** We'd go down the road or they'd come up the road and,  
19 like, once in awhile, and everything seemed all right with us.  
20 We never, ever seen no issues or fighting between them or ...

21           **Q.** You mean the three of them would come up to your  
22 place?

**KENNETH GREENCORN, Direct Examination**

1           **A.**    Yes.

2           **Q.**    All right.

3           **A.**    Yeah.

4           **Q.**    Was that often?  Would they stay for a while?  What  
5 was that like?

6           **A.**    Oh yeah.  They'd come up, they'd sit down and talk and  
7 ...

8           **Q.**    So we've heard some evidence - and I want to ask you  
9 about this next - that Lionel would come up himself sometimes  
10 and stay over for a night or a couple of nights.

11          **A.**    Yes.

12          **Q.**    But it was not ... that wasn't the only time he would  
13 come up.

14          **A.**    No, no.

15          **Q.**    He would come up with the family.

16          **A.**    And his daughter sometimes would be, like, be at the  
17 grandparents or with my daughter, right, and he'd come up and  
18 pick her up after a while or something.  She'd get off the bus  
19 and, you know?  She'd stay up and go to the CAP site.

20          **Q.**    So sometimes Aaliyah would get off the bus at your  
21 place?

22          **A.**    Once in a while, yeah.

**KENNETH GREENCORN, Direct Examination**

1           **Q.**   And the CAP site, that's the community center that's  
2   ...

3           **A.**   Yeah.

4           **Q.**   ... nextdoor to, or two houses over from his  
5 grandparents?

6           **A.**   It's in The Loop, yeah.

7           **Q.**   So they could go there and do activities or go online  
8 or do whatever they needed to do there?

9           **A.**   Mm-hmm.

10          **Q.**   Hang out?

11          **A.**   Because Aaliyah never had no ... like, all of, or most  
12 of ... there was no kids around her where she was at, like up  
13 the road, there was, like, there was a few scattered kids  
14 running around, right, and the grandparents' house would be  
15 (inaudible) you know. They were all welcome there and ...

16          **Q.**   Yes.

17          **A.**   Yeah.

18          **Q.**   So, yes, if she went home, she was going to be on her  
19 own. If she got off at your place or the grandparents, she  
20 might have a few other around to play with.

21          **A.**   Yeah.

22          **Q.**   All right. So with that, Mr. Greencorn, I mean, it's

**KENNETH GREENCORN, Direct Examination**

1 sometimes hard to tell with kids but what was your impression of  
2 Aaliyah and how she was doing in terms of school and how she was  
3 doing with her parents both being back in the same house?

4 **A.** Well, Aaliyah was Aaliyah. She never changed, like,  
5 my daughter, like she loves younger kids, she loves being with  
6 kids, and, you know, like Aaliyah come to the house and they'd  
7 be together.

8 **Q.** Your daughter is a few years older than Aaliyah was.  
9 Is that right?

10 **A.** Yes, yeah.

11 **Q.** Four or five years older or how old?

12 **A.** Four or five or ... how old would Aaliyah be now?

13 **Q.** No, that's fine, but they would ...

14 **THE COURT:** Ten?

15 **A.** Yeah, ten. She was ten, yeah.

16 **THE COURT:** Your daughter is 15, 16?

17 **A.** My daughter is 21 now.

18 **THE COURT:** Oh, your daughter is 21. Oh. But at the  
19 time.

20 **A.** Oh, at the time, yeah. 16?

21 **THE COURT:** But they rode the same school bus, did they  
22 not?

**KENNETH GREENCORN, Direct Examination**

1           **A.**    Yes.

2           **THE COURT:**    Yeah.  Sorry, Mr. Rodgers, go ahead.

3           **MR. RODGERS:**    No, no, that's helpful.  So they would be  
4   about five years apart, but they'd still, they were cousins,  
5   they'd spend time together?

6           **A.**    Oh yeah.

7           **Q.**    So it must've been, well, pretty hard on your  
8   daughter, I would imagine.

9           **A.**    It was very hard ... very hard.  She's not over it  
10   yet.  She never will be.

11          **Q.**    No.  Mr. Greencorn, in your observations and time  
12   spent, would you have ever observed or suspected any violence in  
13   the relationship between Lionel and Shanna?

14          **A.**    No.

15          **Q.**    Sorry?

16          **A.**    No.  No.

17          **Q.**    You're certain of that.

18          **A.**    I'm certain, yeah.

19          **Q.**    I want to ask you, Mr. Greencorn, about the events of  
20   January 2nd and 3rd, 2017.  I know you'd given a statement on  
21   this to Cpl. Byard at the time, a few days later, which is ...  
22   I'm not going to bring it up right now, but that's Exhibit 164.



**KENNETH GREENCORN, Direct Examination**

1 It's been made an exhibit already. You remember giving the  
2 statement, though, I suppose?

3 **A.** Yes. It was a while ago but I remember briefly of it.

4 **Q.** Well, how is your memory of the events of those few  
5 days?

6 **A.** Well, he come up home and him and I was out the night  
7 before it never happened what happened. We were in the shed, we  
8 were sitting down talking and this and that, and, you know, we  
9 didn't ... it was just like normal. We're just talking and I  
10 said ... we were talking about the weekend was ... like the next  
11 weekend when I got home, him and I was going to look at a  
12 building to tear down and we were going to build a shop. That  
13 was my plan, like I was building a shop, but ... And so,  
14 anyway, I said, Lionel, I've got to go to bed. I've got to get  
15 up in the morning and go to work. We were out in the shed,  
16 right, and talking. I said, If you want to, like, you know,  
17 stay for a day or two. Like, you know, sometimes he would stay  
18 and go back home, right? I just thought it was just one of  
19 those times, right?

20 **Q.** Yeah.

21 **A.** And ...

22 **Q.** That was the night before.

**KENNETH GREENCORN, Direct Examination**

1           **A.**    Yes.

2           **Q.**    That was the night of January 2nd, 2017 ...

3           **A.**    Yes.

4           **Q.**    ... that you had that conversation with him.

5           **A.**    Yeah.  So the next day, I got the ... I was on my way  
6 back home to do storm work because it was ... because we had  
7 storm work ... a bunch of storm work that ... that day because  
8 of the wind and the rain.

9           **Q.**    Oh yes.

10          **A.**    Do you remember that?

11          **Q.**    Yes.

12          **A.**    Yeah, because I had to come back.  I was on my way  
13 home.  I work with Dominic Benoit in Ohio.  He works for us.  
14 And I was on my way down the highway and got the phone call from  
15 my wife and my daughter and I said, What?  I couldn't believe  
16 it, like, you know, just ... it was a big shock and something  
17 that I never ever would've seen it happen, right?  Never.  It  
18 just - bang - wherever it came from.

19          **(10:10)**

20          **Q.**    Mr. Greencorn, you were in the unique position of  
21 having spoken to Cpl. Desmond for some time just the day before  
22 this, January 2nd, 2017, so I just want to ask you a little bit

**KENNETH GREENCORN, Direct Examination**

1 about that. From your statement, you said that Lionel called  
2 you on the 2nd and he called you in the afternoon. And maybe  
3 we'll bring that up. This is Exhibit 99B. So, Mr. Greencorn,  
4 you see the screen there in front of you.

5 **A.** Not really.

6 **Q.** No? Okay.

7 **A.** I do wear glasses and I haven't got them. There we  
8 go.

9 **Q.** That's quite all right. So I'm going to ...

10 **THE COURT:** We'll enlarge it as we go.

11 **A.** I can see it now so ...

12 **MR. RODGERS:** So if we go down to number 12, the number 12  
13 phone call, so this is ... the number one is the last phone call  
14 made, and then down is in descending order. So number 12 says,  
15 "To Kenny". The number is 902-870-4583. That's your number?  
16 Or it was at the time?

17 **A.** 4583? Yeah.

18 **Q.** So the date is the 2nd of January 2017, 13:20, so 1:20  
19 in the afternoon. It looks like you talked for just under two  
20 minutes.

21 Yes, Your Honour?

22 **THE COURT:** Just wait a second. We just lost it, so ...

**KENNETH GREENCORN, Direct Examination**

1           **MR. RODGERS:**     Okay.

2           **THE COURT:**     Do we have it back up? We're looking at  
3 number ...

4           **MR. RODGERS:**     Oh, sorry. I'm looking at ... maybe I've  
5 got them labelled differently. I was looking at Exhibit 99B and  
6 it's page 12.

7           **THE CLERK:**     Page 12.

8           **MR. RODGERS:**     Yes, correct.

9           **THE COURT:**     99B, page 12?

10          **MR. RODGERS:**     Perfect, yes. All right. So near the  
11 bottom of that screen - yes, right there - number 12 is a phone  
12 call at, yeah, 1:20 in the afternoon, a minute and 49 seconds,  
13 to you from Lionel. So do you remember ... you indicated in  
14 your statement what he had talked about then but do you remember  
15 that conversation or that call from him?

16          **A.**     Not right offhand. Sometimes he'll call me to see if  
17 I'm home, right?

18          **Q.**     Yeah. Well, in your statement, that's what you said.  
19 I mean, we could go to it but he said ...

20          **A.**     Yeah.

21          **Q.**     You said he called you and said he got out of the  
22 hospital that morning and was wondering where you were.

**KENNETH GREENCORN, Direct Examination**

1           **A.**    Mm-hmm.

2           **Q.**    And I think you had been in Antigonish or been  
3 somewhere but you said to come on up.

4           **A.**    Mm-hmm.

5           **Q.**    So is that what happened?

6           **A.**    Later on in the afternoon, yeah.

7           **Q.**    In the afternoon, he came up. And what ...

8           **A.**    Come on evening that he came up.

9           **Q.**    Okay. What did you guys do?

10          **A.**    Just sat around and talked.

11          **Q.**    There was some ... in your statement, I think you  
12 mentioned about putting some wood in the shed or ...

13          **A.**    Yeah.

14          **Q.**    ... so might've been outside?

15          **A.**    Mm-hmm.

16          **Q.**    Do you remember how long he stayed, roughly?

17          **A.**    On the 2nd?

18          **Q.**    Yes. That first ... I think he made ... well, you  
19 tell me, Mr. Greencorn, but I think he made two visits; a visit,  
20 and then he came back later on in the evening.

21          **A.**    Right.

22          **Q.**    Is that right?

**KENNETH GREENCORN, Direct Examination**

1           **A.**    Mm-hmm.

2           **Q.**    Okay.  So this first visit in the afternoon or early  
3 evening, do you remember how long he stayed?

4           **A.**    In the afternoon?

5           **Q.**    Yes.

6           **A.**    He stayed an hour or two.

7           **Q.**    Okay.

8           **A.**    Hung out with me.

9           **Q.**    And you guys put some wood in the shed or piled some  
10 wood?

11          **A.**    Yeah, exactly, yes, in ... yeah.

12          **Q.**    Did ...

13          **A.**    I think he even had ... didn't he have dinner with us?

14          **Q.**    Pardon?

15          **A.**    I believe he had dinner with us.

16          **Q.**    Okay.  Did he bring anything with him that day?

17          **A.**    No.

18          **Q.**    Did you guys have a beer or any ...  There was ...

19          **A.**    No.

20          **Q.**    I want ... I skipped ...

21          **A.**    Not ...

22          **Q.**    I skipped one thing I wanted to talk about earlier,

**KENNETH GREENCORN, Direct Examination**

1 Mr. Greencorn. We've heard some evidence that Cpl. Desmond had  
2 a medical marijuana certificate or license/prescription and that  
3 this was something he did sometimes.

4 **A.** Exactly.

5 **Q.** And we've heard different evidence on it. So I wanted  
6 to ask you, broadly speaking, what your observations were of him  
7 when he was smoking, if you had any opportunity to see that?

8 **A.** I seen a lot of it.

9 **Q.** Yeah. So what can you tell us about that?

10 **A.** He was happy, you know, when he smoked his marijuana,  
11 he was calm, loved to carry on and joke, you know. I seen him  
12 nervous at times, like, I said, Have a little puff. You know  
13 what I mean? It would be there. He was scared to drive down  
14 the road. I said, Well, we'll drive you down the road if you  
15 have to, right, or call Shanna to come get him. He was funny,  
16 right? He had a little puff of weed and, you know, he was happy  
17 and, yeah.

18 **Q.** More like the old Lionel?

19 **A.** Yes, yeah. I found, like, a little change into him  
20 when he come back from Montreal and he was on the pills, like,  
21 whatever, like, when he changed from marijuana to whatever,  
22 yeah.

**KENNETH GREENCORN, Direct Examination**

1           **Q.**    They forbid him from smoking marijuana up there.

2           **A.**    Did they?

3           **Q.**    Yeah.  He wasn't ... he had to be off marijuana before  
4 he was allowed in and he wasn't allowed any while he was there.

5           **A.**    Oh, he never said nothing to me.

6           **Q.**    All right.

7           **A.**    Mentioned that to me about that there.

8           **Q.**    But do you know what kind he had?  Whether it was more  
9 CBD or THC or what it was?

10          **A.**    I think it was more THC.

11          **Q.**    Okay.

12          **A.**    Yeah.

13          **Q.**    And from your observations, it seemed to do him some  
14 good or it seemed to do something?

15          **A.**    Oh yeah.  Didn't ... kept him calm and, you know, like  
16 he's hyper and ready to go, like, you know.  When he smoked his  
17 marijuana, like anybody, either it makes you mellow and calms  
18 you down or sometimes it gives people energy, right?

19          **Q.**    Yeah.

20          **A.**    Depends how it works on their system, but he was calm  
21 and ... carry on, like, you know, he was just a great guy, like,  
22 I found him, with or without the marijuana, like, you know.



**KENNETH GREENCORN, Direct Examination**

1           **Q.**    Yes.  So on the 2nd, that afternoon, could you tell or  
2 did he have any marijuana with him that afternoon?

3           **A.**    No.

4           **Q.**    Okay.  So he stays for a little while in the  
5 afternoon.  You pile some wood.  He may or may not have stayed  
6 for dinner.  He may have stayed for dinner.  Then it seems as  
7 though he went back to his place?

8           **A.**    Yes.

9           **Q.**    If we go ...

10          **A.**    Then he come back ... back up in the evening so ...

11          **Q.**    Yes.  We see some other phone calls that day and  
12 you're listed again at 20:27, so 8:30, he calls you up.  In your  
13 statement, Mr. Greencorn, you said he called you to come get the  
14 snowblower.

15          **A.**    Mm-hmm.

16          **Q.**    Did you go down and get the snowblower?

17          **A.**    I did.

18          **Q.**    Okay.  Was that unusual?  Was he looking for you to do  
19 something with the snowblower or did he just think you might  
20 need it or what was with the snowblower, do you think?

21          **A.**    I think he wanted me to service it for him.

22          **Q.**    Okay.

**KENNETH GREENCORN, Direct Examination**

1           **A.**    Change the oil and that because he gave me the oil and  
2 everything for it, right?

3           **Q.**    All right.

4           **A.**    Yeah.  More or less service it and him and I ...

5           **Q.**    And you got down there and who was there?

6           **A.**    It was just him.

7           **Q.**    Just him.  The other two were gone.  And what did he  
8 ...

9           **A.**    And his mother.  They were gone somewhere so ...

10          **Q.**    In your statement, it sounded like he might've been  
11 surprised that they were gone.  Do you remember that  
12 conversation with him?

13          **A.**    Not offhand.

**EXHIBIT 164 - TRANSCRIPT OF AUDIO STATEMENT OF KENNY GREENCORN**

15          **Q.**    If we could just find the reference in the  
16 statement here.  This is Exhibit 164.  On  
17 page three, down towards the bottom, I'll  
18 just read this out.  This is on line 19 and  
19 you're talking, Mr. Greencorn, about the  
20 night of January 2nd.  You say:                    So,  
21 anyway, he went down the road, and that  
22 evening, he called me around, say half past

**KENNETH GREENCORN, Direct Examination**

1           eight, quarter to nine, to come down and get  
2           his snowblower. Went down to get his  
3           snowblower. I said ... he went in the  
4           shower to have a shower and he came out they  
5           were gone. He said they took off on him and  
6           left him, so he said he was getting out of  
7           there.

8           So do you remember that and him coming back with you to  
9   your place?

10   **(10:20)**

11           **A.**   Now it's coming back, yeah.

12           **Q.**   Yeah, all right.

13           **THE COURT:**   So when he says, "He went down the road", he  
14   went home.

15           **A.**   Mm-hmm.

16           **THE COURT:**   And you were going to go down ... he was  
17   going down to get his snowblower?

18           **A.**   He had called me to come down and pick it up.

19           **THE COURT:**   Pick it up.

20           **A.**   Mm-hmm.

21           **THE COURT:**   All right. And when he says that when he  
22   got there, that they left him, do you know who the "they"

**KENNETH GREENCORN, Direct Examination**

1 would've been?

2       **A.** His mother and wife and daughter.

3       **THE COURT:** Okay, all three of them.

4       **A.** Mm-hmm.

5       **THE COURT:** All three of them, okay. Thank you.

6       **MR. RODGERS:** Thank you. And earlier ... actually, just  
7 above that, and also on page three, is ... just confirming some  
8 of the stuff you said before, Mr. Greencorn, on line 14. You  
9 said, "And I said, You going to be around on the weekend when I  
10 get home?"

11       **A.** Yes.

12       **Q.** You were talking about the shed there.

13       **A.** Yeah, okay.

14       **Q.** And he thought ... well, he said he was going to be  
15 around, did he?

16       **A.** Well, like, yeah, he said, I'll see you. Like, we  
17 spoke to one another. He said, Likely see you ... he said, I'll  
18 see you when I get home, and I said, Yeah. We'll go look at the  
19 building, I said, when I get home. And he was all game for it,  
20 right, you know?

21       **Q.** And that was only going to be a few days from then.

22       **A.** Mm-hmm.

**KENNETH GREENCORN, Direct Examination**

1           **Q.**    So, Mr. Greencorn, you went up to get ... sorry, you  
2 went down the road to get the snowblower, back to your place,  
3 and Lionel came up to the house as well to ...

4           **A.**    We unloaded it, yeah.

5           **Q.**    ... stay over. And ...

6           **A.**    We were in the shed.

7           **Q.**    ... you mentioned this, I think, already, but that  
8 wasn't terribly unusual for him. He was welcome and did  
9 sometimes come up?

10          **A.**    Oh yeah, he was welcome any time , like, you know.  
11 They all were welcome.

12          **Q.**    Did he come to that place and stay overnight often?

13          **A.**    Not really, no. Once in a while, he'd come up and  
14 stay, stay overnight or something.

15          **Q.**    All right. Now this was 8:30/9:00, we're talking  
16 about now, in the evening. Did you guys spend much time  
17 together after that, after you got back to your place?

18          **A.**    We just ... I was outside in the shed. We were  
19 talking, you know, what we were going to do the following  
20 weekend.

21          **Q.**    So you've just left his place. His wife and child had  
22 left, it seems like unexpectedly or something with him. Did he

**KENNETH GREENCORN, Direct Examination**

1 mention anything about that or how he was feeling or what was  
2 your impression of him at that point?

3 **A.** Oh, I just ... I said, You know what? They might've  
4 went to the store or something, right?

5 **Q.** Yeah.

6 **A.** You know ... or somewhere.

7 **Q.** But he didn't know where they were.

8 **A.** No.

9 **Q.** When you were talking to him, in your statement, Mr.  
10 Greencorn, you say that he talked about going to see a  
11 counsellor the next day?

12 **A.** No.

13 **Q.** Let me ... here, I'll just bring you to that.

14 **A.** No.

15 **Q.** This would be on page five of the statement at Exhibit  
16 164. So this is the first full paragraph and this is what  
17 you're ... you're describing here what ... the first part is  
18 your phone call with Sandra and then, towards the bottom, you  
19 say: "Because everything ... he told me that he was going to  
20 see a counsellor Tuesday as well, which I don't know if he did  
21 or not. He was going to and he was talking about something  
22 about a divorce and going to see a counsellor." And you say,

**KENNETH GREENCORN, Direct Examination**

1 "That's all I know about the poor fellow."

2 So he mentioned a counsellor and a divorce. This is a  
3 difficult question, I guess, Mr. Greencorn, but how certain, how  
4 firm, did that decision seem to be to him that he might be  
5 getting a divorce or separated? Do you remember if that was  
6 just a fight that might resolve, or an argument, or if it was  
7 permanent? Something serious.

8 **A.** Well, I couldn't really say.

9 **Q.** Okay. He just said he was going to go see somebody.

10 **A.** (Nods "yes".)

11 **Q.** Well, did you view that as, potentially, a good thing  
12 or something that he could use?

13 **A.** Well, yes, probably, yeah.

14 **Q.** And you may or may not be aware of this or not, Mr.  
15 Greencorn, but during the fall, were you aware of Lionel trying  
16 to get treatment or trying to get help or making visits to the  
17 hospital? Was that something that you knew of at the time?

18 **A.** No.

19 **Q.** No. And he ...

20 **A.** Oh, in Antigonish, you're talking about?

21 **Q.** Yeah. Well, I think he mentioned to you, of course,  
22 that he'd come out of the hospital the night before that.

**KENNETH GREENCORN, Direct Examination**

1           **A.**    Yeah.

2           **Q.**    But I'm talking more back before, say, before  
3 Christmas and sort of through November and December, would you  
4 have known that he was seeking help at that time or whether he  
5 was?

6           **A.**    No. No.

7           **Q.**    But he mentioned that he'd been in and stayed  
8 overnight at the hospital?

9           **A.**    Yes, and something about they didn't have a place for  
10 him to stay or something?

11          **Q.**    Again ... well, I'll find the spot here. It was just  
12 on page three of your statement and you said: "I got home. I  
13 gave him ... He come up to see me. He said, 'I was in the ...  
14 last night in the hospital. I spent the night in the hospital.'  
15 He got released today, he said, at 11, around 11:30. I believe  
16 that's what he said." And then you said after that: "And so,  
17 anyway, we're talking, we're outside here and joking around. He  
18 looked pretty good to me. He was feeling pretty good and, you  
19 know, he was calm, looked all right."

20          **A.**    Mm-hmm.

21          **Q.**    "Put some wood in the shed and we were talking and so  
22 we went. I told him I'd see him later on."



**KENNETH GREENCORN, Direct Examination**

1           So did his demeanour and presentation appear to be somebody  
2 who had spent the night in the hospital? I mean, what was your  
3 sense of him that day when you saw him? Was it alarming to you  
4 that he'd been in the hospital the night before, or what was  
5 your sense of him, or did you have one?

6           **A.** About being ... No, he seemed normal to me, like, you  
7 know. When he was around me, he just ... him and I got along  
8 great, like I said.

9           **Q.** There's ... if we could bring the ... sorry, Exhibit  
10 99B back just for a moment. The first few calls, I just want to  
11 ask you about these, Mr. Greencorn.

12           **THE COURT:** Which page?

13           **MR. RODGERS:** Oh, sorry, page three. Or, sorry, page 12,  
14 page 12.

15           **THE COURT:** Thank you.

16           **MR. RODGERS:** That's correct, yes.

17           So, Mr. Greencorn, number seven is the phone call to you to  
18 come down and get the snowblower. The next day, on the 3rd, we  
19 see a number of phone calls. Number four there at 9:48 in the  
20 morning, that's to Shanna. At 9:50, that phone number is the  
21 school in Guysborough. 11:22, this phone number is registered  
22 to Sun Life Financial in Antigonish. But the first one, number

**KENNETH GREENCORN, Direct Examination**

1 one - 863-2358 - that's Antigonish Family Services. Antigonish  
2 Family Services does some family counselling and emergency  
3 interventions, anger management training, that sort of thing.  
4 Did you know that Lionel was going to be calling there? Did he  
5 talk about calling somewhere to get help?

6 **A.** No.

7 **Q.** That phone call is a minute and five seconds. And if  
8 we go back, and I don't know if this is the same exhibit, but  
9 it's 99A, page five.

10 **(10:30)**

11 So that phone call we ... that phone call that he made was  
12 at 12:47 and then he receives a phone call at 13:54 from an  
13 unknown number, which we don't know who that's from but that may  
14 have been them calling back, who knows. But did you know  
15 whether he was going to be reaching out to anybody like that?

16 **A.** No, sir.

17 **Q.** Okay. He didn't mention ... okay.

18 **A.** I just thought he was still at my place, you know.  
19 Then I left ... I left Monday morning to go to work and, you  
20 know.

21 **Q.** Now was there anything else about his demeanour there  
22 in the evening before bed or where anything was ... well, was

**KENNETH GREENCORN, Direct Examination**

1 that last time you saw him was when you went to bed?

2 **A.** Mm-hmm. Exactly.

3 **Q.** You didn't ... what time would you have gotten up in  
4 the morning to get going?

5 **A.** I'm usually up around between 5 and 6.

6 **Q.** Okay.

7 **A.** I'm on the road ... sometimes I'm on the road before 6  
8 or 6 o'clock.

9 **Q.** Okay, so you're up earlier than most people in the  
10 household perhaps?

11 **A.** Yes.

12 **Q.** All right. So that conversation the night before then  
13 when he came back after with the snowblower, is there anything  
14 else that ... you know, you're one of the last people to have a  
15 conversation with him. Did anything stick out to you when you  
16 think back on it? Or like what was ... what do you think when  
17 you think about those talks?

18 **A.** Well, I think, you know, like after he came off the  
19 marijuana he was like ... like when he was there, like he was  
20 talking, there's a big change into him, like I found, right.  
21 He's on the medication instead of like, you know, he could smoke  
22 his marijuana anytime, like, you know. Pills is different, you

**KENNETH GREENCORN, Direct Examination**

1 only can take so many a day, right, or before they can give you  
2 a bad effect or hurt you, right. Like the marijuana, like, I  
3 found like there was a big difference into him because the  
4 medication he was on.

5 Q. Did he have his own room in your place to sleep? Did  
6 he have his own space?

7 A. Yes.

8 Q. You've told us, Mr. Greencorn, about your getting a  
9 phone call from your wife and daughter to come home ...

10 A. Yes.

11 Q. ... the next day on January 3rd, and your initial  
12 reaction to that was obviously one of surprise?

13 A. Oh, it blew me away, like, I said no, this can't be  
14 true, like. If I had known he needed help or anything, like I  
15 told him, anything you need just let me know, you know, I was  
16 there to help him I said.

17 Q. When you left ... like when you went to bed the night  
18 before, you know, did he seem restless, agitated? Like what was  
19 your sense of that? You know, if you're not seeing anything  
20 coming, of course, it's hard to see things coming.

21 A. Yes. Just normal to me, like, you know, just ...

22 Q. You were around then, of course, when the family

**KENNETH GREENCORN, Direct Examination**

1 discovered all of this and they were reacting, of course, as  
2 well.

3 **A.** Mm-hmm.

4 **Q.** Is there anything you can ... what can you say about  
5 that, Mr. Greencorn, just the family and the community reaction  
6 in the hours and days immediately after?

7 **A.** Well, some long days. I mean, they're a large family;  
8 you know, I saw a lot of sad people.

9 **Q.** You had a further role in this, Mr. Greencorn, you had  
10 ... I want to talk about the vehicles. Cpl. Desmond, Lionel, he  
11 had some different vehicles that he drove and sometimes he would  
12 drive the car but sometimes he'd drive the Jeep.

13 **A.** Yes.

14 **Q.** And at some point you figured out or somebody figured  
15 out that the Jeep was missing. Can you tell us about that?  
16 Walk us through that and how you found out or what you did.

17 **A.** About the ... about the Jeep?

18 **Q.** Yes, the Jeep. So first of all, I guess maybe can you  
19 tell us when or how you figured out that it was missing?

20 **A.** Well, they were ... everybody was talking about the  
21 vehicle and they were looking for it and they couldn't find it  
22 so ...

**KENNETH GREENCORN, Direct Examination**

1           **Q.**    You figured you might ... and so you decided that  
2    you'd go look for it.  And who went ... who was with you when  
3    you went to look for it?

4           **A.**    Junior MacLellan.

5           **Q.**    Junior, okay.  And we've heard from Junior here, he's  
6    testified earlier.  So what did you guys do?

7           **A.**    Just turned around before it, never touched it.

8           **Q.**    No, I mean ... I guess before we get to discovering  
9    the vehicle, I guess, can you tell us why you looked where you  
10   looked?

11          **A.**    I just suspected when there was ... close by because  
12   there's a road close by.

13          **Q.**    Yes.  And is that a regular road, a woods road?  What  
14   kind of ...

15          **A.**    It was a woods road but now it's got a home onto it.

16          **Q.**    But at the time in 2017 that was ...

17          **A.**    It was just a woods road, yeah.

18          **Q.**    Okay.

19          **A.**    A gravelled road.

20          **Q.**    And who, if anybody, would have normally used that  
21   woods road at the time?

22          **A.**    It wasn't a ... it was lots of land there, like that

**KENNETH GREENCORN, Direct Examination**

1 was for sale.

2 Q. Okay.

3 A. It was an older road that was kind of fixed up.

4 Q. So the road in a way kind of circles behind Ricky and  
5 Thelma's trailer there, right? Is that your ... well, you ...  
6 maybe you tell us. Where does the road go and tell us about  
7 discovering the Jeep.

8 A. It's past MacEacherns' on the other side of Ricky's  
9 coming towards my place ...

10 Q. Okay.

11 A. ... and it's kind of the ... there's two roads there  
12 you can go in to, there's actually three but one's growed up,  
13 so, and one loops right around. So I said ... me and Junior  
14 was, I think, down for a coffee or the store or something and  
15 come back. I said, I'm going to take a drive up here, right,  
16 see if the truck is around. Because I know the woods pretty  
17 good down around home.

18 Q. Yes.

19 A. So I drove in there and spotted the vehicle. Backed  
20 up, turned around, never went near it, never touched nothing and  
21 I called the RCMP.

22 Q. You knew it was important or it might be important not

**KENNETH GREENCORN, Direct Examination**

1 to go near it for evidentiary purposes.

2 **A.** That's right. Exactly. But ...

3 **Q.** What do you think ...

4 **A.** ... there's ... I don't think anybody knows, besides  
5 the RCMP and you fellows in this courtroom, that I found that  
6 vehicle, and Junior.

7 **Q.** Was that ... I mean people I think were looking for  
8 it. You knew the woods a little bit so you knew to look there?

9 **A.** Yeah, I just ... you know, I'm going to take a drive  
10 around and see if ... see where the vehicle was because they  
11 haven't found it.

12 **Q.** Yes.

13 **A.** Mm-hmm.

14 **Q.** Now what did you think about that, Mr. Greencorn?

15 Like, you know, that's certainly an unusual place to be driving.

16 **A.** Mm-hmm.

17 **Q.** When you found it there what did you think?

18 **A.** What did I think? I just didn't ... because they were  
19 talking about him walking through the woods or something. Like  
20 there was talks about it before I ever found the vehicle that  
21 ... when this happened.

22 **Q.** Did you ...



**KENNETH GREENCORN, Direct Examination**

1           **A.**    Because the ...

2           **Q.**    ... have any thought... oh, sorry.

3           **A.**    ... the vehicle ... nobody had seen the vehicle around  
4 so ... And I said to myself that vehicle has got to be close by  
5 or somewhere. You know, I kind of searched for the vehicle ...

6    **(10:40)**

7           **Q.**    Yes.

8           **A.**    ... just ... not for myself but for like the RCMP too,  
9 right, and the vehicle. Because I think if somebody else might  
10 have found it ... nobody mightn't have seen the vehicle and then  
11 again they might have seen the vehicle, right?

12          **Q.**    Yes.

13          **A.**    You don't know that stuff. But my buddy has got a  
14 camp across the road and across the highway there so I checked  
15 in there because ... then I checked ... and I just checked  
16 around places that would be close by.

17          **Q.**    Yeah.

18          **A.**    The old gravel pit, just drove around.

19          **Q.**    When you'd heard that he had gone through the woods,  
20 that he ... I don't know if you knew that he was wearing camo,  
21 had you ... what did you think about that?

22          **A.**    Did he have flashbacks of, you know ...

**KENNETH GREENCORN, Direct Examination**

1           **Q.**    Had ever talked about flashbacks? Nightmares?

2           **A.**    Not really, just about the ... just talked about his  
3 training and that when he ... you know, he fell hurt his back  
4 and ... that time. He never talked about nothing being over  
5 like Afghanistan. A lot of soldiers come back and they don't  
6 ... you know, they don't talk about that stuff. My dad was in  
7 the army, he never ... like he never talked about that. He was  
8 overseas and that.

9           **Q.**    He was?

10          **A.**    Yeah.

11          **Q.**    Where did he serve?

12          **A.**    In Germany.

13          **Q.**    Okay.

14          **A.**    And my Uncle Walter, my wife's uncle, he was in the  
15 army as well and he seen a lot of stuff but he ... like, you  
16 know, them old people and the younger people they don't talk  
17 about that stuff, right.

18          **Q.**    And because of your own experience and knowing  
19 Lionel's, so that's where you just didn't ask either until ...  
20 unless he brought it up or didn't feel you should ask ...

21          **A.**    That's right.

22          **Q.**    ... until he brought it up?

**KENNETH GREENCORN, Direct Examination**

1           **A.**    I feel I shouldn't .. didn't ask, you know.  If he  
2 wanted to tell me I think he would have told me, you know.

3           **Q.**    Mr. Greencorn, I imagine that the last number of years  
4 have been difficult for you.

5           **A.**    Mm-hmm.

6           **Q.**    Lionel was your nephew but also a friend it sounds  
7 like.

8           **A.**    A good friend, yeah.

9           **Q.**    How have you been managing?

10          **A.**    When I drive by there I think of it all the time, you  
11 know, why did this ever have to happen.  Like, you know, why  
12 didn't he come seek help from one of us to help him.  You know,  
13 I mean, or me, because ... you know what I mean.

14          **Q.**    Well, you were ... I mean, you were definitely there  
15 for him and ...

16          **A.**    Oh yeah.

17          **Q.**    ... you were a friend when he needed one it sounds  
18 like.

19          **A.**    If I needed him, I'd call him he'd come, you know,  
20 I'll be up in a bit.  I said, Take your time, man, you know,  
21 when you get here you get here.  Or he would call me sometimes  
22 and we do ... you know, run around a little bit, do stuff.

**KENNETH GREENCORN, Direct Examination**

1           **Q.** Mr. Greencorn, is there anything else that you wanted  
2 to make sure you said about Lionel or about the situation before  
3 I wrap up here?

4           **A.** Not offhand, no.

5           **Q.** All right. Well, those are the topics that I wanted  
6 to cover with you and I know it's not easy to come in and answer  
7 these questions, Mr. Greencorn, but it's important and I thank  
8 you for doing so and thank you for coming in today.

9           **A.** You're welcome.

10          **Q.** Like as His Honour said, other lawyers will have  
11 questions for ... may have questions for you, so again, thank  
12 you.

13          **A.** Mm-hmm.

14          **Q.** Thank you, Your Honour.

15          **THE COURT:** Mr. Anderson?

16          **MR. ANDERSON:** I have no questions. Thank you, Your  
17 Honour.

18          **THE COURT:** Ms. Ward?

19          **MS. WARD:** No questions, Your Honour.

20          **THE COURT:** Thank you. Mr. Macdonald?

21          **MR. MACDONALD:** I do, Your Honour. Thank you.

22          **THE COURT:** Certainly.

KENNETH GREENCORN, Cross-Examination by Mr. Macdonald

CROSS-EXAMINATION BY MR. MACDONALD

1  
2 (10:45)

3 MR. MACDONALD: Good morning, Mr. Greencorn. My name is  
4 Thomas Macdonald and I'm the lawyer for the Borden family, so,  
5 mother, father and Sheldon, the brother.

6 A. Yes.

7 Q. I just wanted to ... and if we need to bring it up we  
8 can, at the moment I don't feel the need to but if you need it  
9 we can, and that's Exhibit 164, that's for Your Honour and other  
10 counsel to know. And that's the audio statement you gave to the  
11 RCMP on January 5th, 2017.

12 Do you remember giving that statement?

13 A. I remember giving it.

14 Q. It was audio. It was a taped statement, wasn't it?

15 A. Yes.

16 Q. And you were in the police car when you gave it?

17 A. Yes.

18 Q. Where were you located? Was it Monastery?

19 A. No, Upper Manchester.

20 Q. Okay.

21 A. Guysborough County.

22 Q. Yes.

**KENNETH GREENCORN, Cross-Examination by Mr. Macdonald**

1           **A.**    Yeah.

2           **Q.**    So that was ... was it outside your house or in your  
3 driveway?

4           **A.**    Yes.  Outside my house.

5           **Q.**    Yes, okay.  And it was Cst. Byard that took the  
6 statement?

7           **A.**    Yes.

8           **Q.**    And did you know him before?

9           **A.**    Yes, I have.

10          **Q.**    Right.

11          **A.**    Know him for years ...

12          **Q.**    Yes, okay.

13          **A.**    Calvin.

14          **Q.**    In the statement you mention that Lionel told you that  
15 he had a dream of cutting her head off, Shanna's head off.  Do  
16 you remember telling the RCMP that?

17          **A.**    No.

18          **Q.**    No?  Maybe we could have the statement, please, Your  
19 Honour.  It's Exhibit 164, and we're looking at page 10, line 2.

20          **THE COURT:**        Just before Mr. Macdonald asks the question.  
21 So you were in a police car with Cpl. Byard?

22          **A.**    Yes.

**KENNETH GREENCORN, Cross-Examination by Mr. Macdonald**

1       **THE COURT:**       And he recorded a statement for you ...

2       **A.**     Yes.

3       **THE COURT:**       ... at that time? And I know he asked you  
4 some questions as well. Since that time ... so that was January  
5 the 5th, 2017, since that time have you had an opportunity to  
6 listen to the tape?

7       **A.**     No, I haven't.

8       **THE COURT:**       Have you ever listened to the ... did you  
9 ever listen to the tape of your statement?

10      **A.**     No, I haven't.

11      **THE COURT:**       Okay. Did you ever get to read a copy of  
12 the transcript of the statement?

13      **A.**     No, I haven't. No.

14      **THE COURT:**       Okay. So I'll let you proceed, I just  
15 wanted to ask those questions because now the questions really  
16 you were asking that are being asked of Mr. Greencorn are really  
17 from his recollection of January the 5th without it having been  
18 refreshed in any meaningful way from either having heard the  
19 actual statement that he gave the police or having read a  
20 transcript or reviewed a transcript with somebody.

21      **MR. MACDONALD:** Sure, I understand. Yeah, thanks.

22      **THE COURT:**       I just wanted to clarify that for myself as

**KENNETH GREENCORN, Cross-Examination by Mr. Macdonald**

1 well. Thank you.

2 **MR. MACDONALD**: Appreciate it.

3 Mr. Greencorn, your audio statement that day you were  
4 telling the RCMP the truth that day, weren't you?

5 **A.** Yeah. Yes, yes.

6 **Q.** So if you could look at the exhibit, Mr. Greencorn, at  
7 page 10, line 2 and there's ... I'll read it. There's a capital  
8 A ... well, we'll go back up just to the bottom of page 9 first,  
9 line 25.

10 **Q.** Kenny, anything else that you can tell  
11 us that ...

12 And then it trails off and goes to page 10 and capital A  
13 for "answer." Your answer was:

14 He told me one time that he had a dream of  
15 cutting her head off and he told this to  
16 somebody else too. He told it to people  
17 like ... (and then it trails off).

18 Then line 5.

19 **Q.** How long ago was that, Ken?

20 Line 6.

21 **A.** It was a while ago. A couple ... two,  
22 three months ago or maybe longer, just



**KENNETH GREENCORN, Cross-Examination by Mr. Macdonald**

1           guessing.

2           So do you remember telling that to Cst. Byard?

3           **A.** Not that I know. Now I can't say I did but I don't  
4 remember telling him that.

5           **Q.** Okay. But you don't ...

6           **A.** I don't want to tell a lie but ...

7           **Q.** Right.

8           **A.** ... I don't. It's been ... I don't remember telling  
9 him ... hearing of that or telling of that.

10          **Q.** Sure. And we realize you didn't read the statement  
11 since, the typed version.

12          **A.** No.

13          **Q.** But as you said, you were telling the truth to the  
14 RCMP that day?

15          **A.** Yes. Now I could have told him ...

16          **Q.** Right.

17          **A.** ... but I don't remember ...

18          **Q.** You don't have a reason this morning to suggest why  
19 Cpl. Byard would put that in that statement if you hadn't told  
20 him, do you?

21          **A.** That's right.

22          **Q.** Pardon?

**KENNETH GREENCORN, Cross-Examination by Mr. Macdonald**

1           **A.**    No, I could have spoke about it but I don't remember  
2 talking about it, so ...

3           **Q.**    That's my only question.  Thanks very much, Mr.  
4 Greencorn.

5           **A.**    You're welcome.

6           **THE COURT:**     Thank you.

7           **MR. MACDONALD:** Thank you, Your Honour.

8           **THE COURT:**     Ms. Miller?

9    **(10:50)**

10          **MS. MILLER:**     No questions.  Thank you, Your Honour.

11          **THE COURT:**     Mr. MacKenzie?

12          **MR. MACKENZIE:** No questions, Your Honour.  Thank you.

13          **THE COURT:**     Thank you.  I see there's no one behind you  
14 today.  All right, so apparently there's no other questions  
15 coming from anyone except perhaps Mr. Murray or Mr. Russell.

16          **MR. MURRAY:**     Yes, Your Honour.

17          **THE COURT:**     Go ahead.

18

19                                   **CROSS-EXAMINATION BY MR. MURRAY**

20    **(10:51)**

21          **MR. MURRAY:**     Thank you.

22          Mr. Greencorn, thank you for coming in today.  A few

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1 questions just about your recollections if you don't mind.

2 **A.** Mm-hmm.

3 **Q.** You had said that you spent time with Lionel Desmond  
4 when he was younger ...

5 **A.** Yes.

6 **Q.** And that was when you'd work ... you'd take him to the  
7 woods to work and things like that?

8 **A.** Yes.

9 **Q.** Okay. And was this when he was a teenager or ...

10 **A.** Yes. Yeah.

11 **Q.** Okay. And he would ... so this was before he entered  
12 the military ... before he entered the Canadian Armed Forces?

13 **A.** Yes.

14 **Q.** Okay. Did you know or did you spend time with Shanna  
15 then? Did you know her family as well?

16 **A.** I knew the family, yes.

17 **Q.** Okay. So Shanna, I take it you got to know her when  
18 she started dating Lionel ...

19 **A.** Yes.

20 **Q.** So early on, were they together or would you see them  
21 together, say, before he entered the military?

22 **A.** Yes.

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1           **Q.**   And their relationship then, how did you find it then?  
2 What did you observe of them?

3           **A.**   Oh, that they were happy. Yeah.

4           **Q.**   Okay.

5           **A.**   Like we had ... he had a party before he went off to  
6 Afghanistan and Aaliyah was born, like she was an infant when he  
7 left.

8           **Q.**   Right.

9           **A.**   She was quite ...

10          **Q.**   And you said that you didn't really talk to him about  
11 his choice to go into the military?

12          **A.**   No.

13          **Q.**   Okay. Did he talk to you at all about it? Did he say  
14 anything about why he wanted to do it or why he thought it was a  
15 good idea?

16          **A.**   Before that like he just ... he ... I think he wanted  
17 to be an RCMP officer before.

18          **Q.**   Yes.

19          **A.**   I don't ... I don't know. Like he wanted ... he was  
20 talking about being a police officer, right, talking about it.  
21 He didn't talk about going into the army, like ... But I guess  
22 he couldn't ... he tried to get into the RCMP and he couldn't

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1 get in as far as I know.

2 Q. And you had mentioned Albert "Junior" MacLellan and  
3 he's a relative of Lionel's?

4 A. Yes.

5 Q. And he was in the military. We've heard from him.

6 A. Yes.

7 Q. Did that have an influence on Lionel do you think or  
8 do you know?

9 A. I don't really know. I don't think so.

10 Q. And just so I understand the family relationship, your  
11 wife is Sandra?

12 A. Yes.

13 Q. And Sandra is Lionel's aunt?

14 A. Yes.

15 Q. And she is Brenda's sister, is that correct?

16 A. Exactly.

17 Q. So would he spend time at your house prior to the time  
18 that he went into the military?

19 A. Yes.

20 Q. So you had a ... I guess you and your wife had kind of  
21 an open door for Lionel?

22 A. Oh yeah. Yes.

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1           **Q.**    And we've heard from his family members about his  
2 personality, I guess, that he didn't mind telling a joke, that  
3 he was kind of a (inaudible) fellow ...

4           **A.**    Oh yeah ... yeah.

5           **Q.**    When he was younger. Is that the way you found him?

6           **A.**    Yeah, he was comical, yeah.

7           **Q.**    Okay. So he joined the Canadian Armed Forces and, as  
8 we've heard, he was deployed to Afghanistan. Do you remember if  
9 he said anything to you about his deployment to Afghanistan or  
10 about going over there? Before he went, I mean.

11          **A.**    No.

12          **Q.**    Okay. And we've also heard that he came home in the  
13 midst of his deployment for a short visit.

14          **A.**    Yes.

15          **Q.**    And, I'm sorry, did you say you saw him then?

16          **A.**    Yes.

17          **Q.**    Okay. And was that at a get-together for everyone  
18 when he was home?

19          **A.**    Like I said, he was always ... like when he was home  
20 or when he was living down the road, he'd be up to visit his  
21 grandmother and grandfather, like, you know, doing stuff for  
22 them.

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1           **Q.**    Okay.

2           **A.**    Yeah.

3           **Q.**    And so I'm just thinking about that period of time  
4 when he came home during his Afghanistan deployment, you saw him  
5 then?

6           **A.**    Yes.  Yeah.

7           **Q.**    Okay.  And did you make any observations of him then  
8 as compared to when he ... prior to him leaving?

9           **A.**    No.

10          **Q.**    How did he seem to you then?

11          **A.**    Seemed pretty good, yeah.

12          **Q.**    And then after his Afghanistan deployment he was  
13 living in Oromocto.

14          **A.**    Right.

15          **Q.**    And you said that he'd come home and you'd see him  
16 periodically when he was home?

17          **A.**    Yeah.  Yes, sir.

18          **Q.**    What types of things would you do with him when he'd  
19 come home?  Would you do anything with him?

20          **A.**    He'd sit down and talk and chat, you know.

21          **Q.**    What types of things would you talk about or chat  
22 about?

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1           **A.**    He'd tell me stories when he was up in ... when he  
2    come back home. Like he was working on the base in the shop up  
3    there and he was telling me about working on trucks and machines  
4    and that and he liked that. And I said, well, you might as well  
5    go get a mechanic's course. Get them to put you through it,  
6    like, you know, see if we can get into a course. I said, You  
7    like doing that kind of work and just said that, you know.

8           **Q.**    He was doing some of that work up there. We also  
9    heard that he was in the pipe and drum band. Did he talk to you  
10   about that at all?

11          **A.**    Maybe once. Once or twice. He never really talked  
12   about that a lot, so ...

13          **Q.**    Okay. So over the years that he was living in  
14   Oromocto after his Afghanistan deployment, I know you said this  
15   to Mr. Rodgers but just so I'm clear, how often would you see  
16   him? How often would he be home?

17          **A.**    Every couple of months or something he ... when he was  
18   in Oromocto you mean?

19          **Q.**    Yes.

20          **A.**    Yeah, probably every month or two, like, you know.

21          **Q.**    And when he'd come home to Nova Scotia would you see  
22   him every time he'd come home?



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1           **A.**    Not every time.

2           **Q.**    Okay.

3           **A.**    I seen him ...

4           **Q.**    All right.  So I guess I just wonder, do you remember  
5 ... we've heard about his personality and his demeanour before  
6 he went overseas, did you see changes in him?

7           **A.**    Lionel was Lionel to me, right, like, you know.

8           **Q.**    When you say Lionel was Lionel to you ...

9           **A.**    He was ...

10          **Q.**    ... what do you mean?

11          **A.**    No ... there was no big changes into him.  Like he  
12 never talked about what happened over there, like in  
13 Afghanistan, to me or nothing like that.

14          **Q.**    Okay.  Did you see any changes in the way that he  
15 interacted with his family?  His ...

16          **A.**    No.

17          **Q.**    No?  Okay.  And you said he didn't talk to you about  
18 what happened in Afghanistan.

19          **A.**    No.

20          **Q.**    And you didn't ask him?

21          **A.**    No, I never asked him.

22          **Q.**    Did he talk about any of his fellow soldiers, any of

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1 his buddies in the army? Did he mention any of those names?

2 **A.** Well, he had a buddy ... a good friend in New  
3 Brunswick there somewhere.

4 **Q.** Do you remember that person's name?

5 **A.** No, I don't.

6 **Q.** One of his friends testified here, an Orlando Trotter,  
7 do you remember that name?

8 **A.** No.

9 **Q.** No? Okay. Apart from his deployment in Afghanistan,  
10 did he talk about any other experiences he had in the army? You  
11 talked about working as a mechanic then. Anything else that you  
12 remember?

13 **A.** Not offhand, no. We just, you know, talked about that  
14 stuff more like, you know, about him up there. He liked doing  
15 that stuff and ...

16 **Q.** Okay. All right. Now you mentioned to Mr. Rodgers  
17 that he did talk about having had a fall with his backpack I  
18 think you said.

19 **A.** Mm-hmm.

20 **Q.** Do you remember what he said about that in any more  
21 detail?

22 **A.** Well when he fell, took ... like he ... it took the

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1 wind out of him and that and he was sore for a while he said.

2 Q. Where did he say that happened?

3 A. I think it was in training. He was training, climbing  
4 the walls.

5 Q. Right. And what did he say, if anything, about  
6 injuries that he suffered from that fall?

7 A. I think he was saying that ... like his back bothered  
8 him once in a while, like, but it never stopped him from doing  
9 stuff.

10 Q. Right. And did he talk about his head at all? Having  
11 hit his head or having head injuries?

12 A. No.

13 Q. You don't remember that at all?

14 A. I was told later on afterwards about him having hit  
15 his head.

16 **(11:00)**

17 Q. Right, but he didn't mention that to you.

18 A. No.

19 Q. All right. So we know that he got a diagnosis of  
20 post- traumatic stress disorder. Did he ever say that to you?  
21 Did he ever use that term?

22 A. No, sir.

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1           **Q.** Did ever talk about depression or being depressed?

2           **A.** No.

3           **Q.** Did he ever talk to you about having seen doctors in  
4 the Canadian Armed Forces, psychiatrists or psychologists?

5           **A.** No.

6           **Q.** No?

7           **A.** No, sir.

8           **Q.** That never came up.

9           **A.** No.

10          **Q.** Never, okay. Did you ever notice when he returned and  
11 when he was visiting you from Oromocto that ... did you notice  
12 anything about his drinking? Did he drink more or less or did  
13 you make any observations?

14          **A.** He drank ... he didn't drink a whole lot. Sometimes  
15 he'd have his puff of weed and have a few beer, you know what I  
16 mean, yeah.

17          **Q.** So there was no change in his drinking or ...

18          **A.** I found no change. Like I seen them together, she'd  
19 be ... like he'd be up my place, we'd be outside with a bonfire  
20 going. She'd be there, he'd be there, he'd be drinking, you  
21 know what I mean. Like I said, one night he just got home that  
22 night, he left all of his liquor there for me, like you know,

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1 and I called. I called him up the next day, I said, Come and  
2 get your beer. He said, No, you can drink that, he said so ...  
3 That was Lionel.

4 **Q.** When was that bonfire?

5 **A.** It's a while ago. Like, geesh, it's probably one of  
6 his visits when he was home like from Oromocto.

7 **Q.** Do you remember when he started using the marijuana  
8 medically?

9 **A.** Not right offhand but I'd say a year and ... a year  
10 and a half, roughly, before (it ever happened?).

11 **Q.** Before he died?

12 **A.** Yes.

13 **Q.** Did he talk to you about seeing a doctor about that?

14 **A.** No.

15 **Q.** Did you understand that it was through a doctor that  
16 he started this marijuana?

17 **A.** Oh, yes, medical marijuana, I mean that's what he was  
18 on. He told me that he never ... you know.

19 **Q.** Okay. And do you recall how he was using marijuana?  
20 Was he smoking it or vaping it?

21 **A.** He had a vape. He smoked it.

22 **Q.** Did he tell you anything else about it, about how much

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1 he was using? Did he say anything about the effect it was  
2 having on him?

3 **A.** He had the vape. He told me how much marijuana it  
4 would hold and how it worked, like, you know. And all the  
5 different marijuanas he had.

6 **Q.** Different strains?

7 **A.** Yes, different brands of marijuana.

8 **Q.** All right. So apart from the medical marijuana, did  
9 you know if he was taking any other medications?

10 **A.** No.

11 **Q.** You didn't know one way or the other if he was taking  
12 medications?

13 **A.** No.

14 **Q.** Okay. And you had mentioned in your evidence about  
15 pills.

16 **A.** Afterwards, after he stopped taking marijuana.

17 **Q.** I see. Okay, so this was after Montreal.

18 **A.** Yeah.

19 **Q.** Okay. Prior to that, really throughout the time that  
20 he was coming home from Oromocto for visits, did you ever notice  
21 him taking medication or mentioning a prescription or anything  
22 like that?

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1           **A.**    Yeah, I said one day, Why don't you have a good puff  
2 of weed, right? He said, I can't, he said, I'm on medication.  
3 I said, That's dumb, I said. (Showing him?) pills, like, you  
4 know, just joking, carrying on. I said, Throw them pills away  
5 and have a puff of weed, I said to him, right, because he was  
6 happy and down to earth and, you know, comical and carrying on.

7           **Q.**    Right. And what did he say to that, do you remember?

8           **A.**    He said, No, no, he says, I can't, I'm on the pill ...  
9 medication, right?

10          **Q.**    Okay. Did he say anything else about what medication  
11 was for, what the pills were for?

12          **A.**    No.

13          **Q.**    Did you have a sense of what the were for?

14          **A.**    Yeah.

15          **Q.**    What did you understand they were for?

16          **A.**    Oh, it was for his nerves.

17          **Q.**    Nerves.

18          **A.**    From being over Afghanistan.

19          **Q.**    Okay, all right. And did he say anything about the  
20 effect that those were having, the pills he was on for the  
21 nerves?

22          **A.**    No. No.

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1           **Q.**    Okay.  You said he didn't say anything about his  
2  treatment in the Canadian Armed Forces.  And apart from knowing  
3  that he was on medical marijuana, did he talk to you about any  
4  other treatment or anything else that he was dealing with in  
5  Oromocto, any doctors, psychologists, psychiatrists he was  
6  seeing?

7           **A.**    No, sir.

8           **Q.**    And, again, did you ask about that?

9           **A.**    No.

10          **Q.**    Or was it just a topic you wouldn't kind of go with.

11          **A.**    No, no talk.

12          **Q.**    Did you know that he was taken to hospital once when  
13  he was in Oromocto and that the police had to come and take him  
14  to hospital, did you know about that?

15          **A.**    No.

16          **Q.**    That never came up in the conversation?

17          **A.**    No.

18          **Q.**    Would Shanna ... when Lionel was in Oromocto and  
19  Shanna and Aaliyah were home, would you ever have a chance to  
20  talk to her alone?

21          **A.**    I would have had a chance, yeah, but never ...

22          **Q.**    Did you ever ... Go ahead.



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1           **A.**    I never ever, no, I didn't, like we would go down  
2 there, me and the wife, sometimes I'd drop by there and, you  
3 know, it was family there.

4           **Q.**    And so any of those times that you may have had a  
5 chance to talk to Shanna, do you remember if she ever said  
6 anything to you about how Lionel was doing?

7           **A.**    No.

8           **Q.**    Did she ever express concerns about him or how he was  
9 feeling?

10          **A.**    No, not offhand.

11          **Q.**    So you knew he was going to Montreal. This is in  
12 2016.

13          **A.**    Yes.

14          **Q.**    Did you know that ...

15          **A.**    Afterwards, yeah.

16          **Q.**    So once he was there, you mean you found he had ...

17          **A.**    More or less, yes. Because he never talked to me  
18 about it.

19          **Q.**    Right, okay. And what did you understand Montreal was  
20 about?

21          **A.**    I thought just, when he said where he was going, going  
22 to stay at a hospital, it was to help his ... well his nerves or

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1 something, right, from being overseas.

2 Q. Right. Did that surprise you that he was going to  
3 Montreal for a while for treatment?

4 A. I did, yeah.

5 Q. Did you think that was something that he might have  
6 needed?

7 A. It's hard to say, right. I can't make a decision on  
8 that.

9 Q. No, I understand that but I guess, if you know  
10 somebody is hurting and going for treatment, it may not surprise  
11 you, but if you think somebody is doing great and then you hear  
12 they're going for treatment, it may be a bit of a surprise. And  
13 I'm just trying to get a sense from you, did you see his  
14 condition maybe deteriorate a bit where you thought a treatment  
15 plan like that might be good or ...

16 A. No, I mean he seemed fine to me. Like he had his  
17 marijuana, you know, he smoked, you know, he was pretty cool  
18 about it.

19 Q. Did he ever talk to you, well, let's say after  
20 Montreal, he comes home to Nova Scotia, did he ever talk to you  
21 about seeking treatment in Nova Scotia?

22 A. No.

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1           **Q.** We've heard about the counsellor he was going to see  
2 close to the time of the event but apart from that did he talk  
3 to you about Veterans Affairs?

4           **A.** In Nova Scotia, no.

5           **Q.** Okay. Did he ever talk to you about any frustration  
6 or difficulty he had in seeing doctors or getting treatment?

7           **A.** No.

8           **Q.** No. Now you said that you didn't hunt with Lionel  
9 because you hunt rabbits.

10          **A.** No.

11          **Q.** And you said, I think, you never saw him with a gun.

12          **A.** No, I haven't. Never seen him with a gun or  
13 ammunition.

14          **Q.** Do you know whether he had guns?

15          **A.** I heard him and Greg talking about it one day, like,  
16 but I never ...

17          **Q.** About hunting or ...

18          **A.** Yeah.

19          **Q.** Did he ever talk to you about his license, about  
20 possession acquisition license, like his firearms license?

21          **A.** No.

22          **Q.** No.

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1           **A.**    No.

2           **Q.**    Did he ever talk to you about applying for that or the  
3 application process, any of that?

4           **A.**    No, sir.

5    **(11:10)**

6           **Q.**    No.  So you said the relationship, as you saw it,  
7 between Lionel and Shanna, it seemed okay to you?

8           **A.**    Yes.

9           **Q.**    When he would stay with you, he would stay with you on  
10 occasion when he came back and was living in Nova Scotia?

11          **A.**    Yes.

12          **Q.**    And was that ... And you may have said this, but how  
13 often would he stay with you once he's living back in Nova  
14 Scotia?

15          **A.**    Like once in a while, he would come up the road and he  
16 would stay with us.

17          **Q.**    And what's "once in a while", how often is that?

18          **A.**    Every couple months or something.

19          **Q.**    Did he have to ask or could he just show up and stay  
20 at your place?

21          **A.**    Oh, sometimes he would ask and we'd let ... you know.

22          **Q.**    I guess ...

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1           **A.**    And sometimes he would come and just, you know, he  
2 would stay with us.

3           **Q.**    He was welcome at your place.

4           **A.**    Yes, exactly.

5           **Q.**    Okay.  And so would he stay there if ... I guess I'm  
6 wondering what would cause that.  Is it if he was having some  
7 problems with Shanna or if there was some tension in the house?

8           **A.**    Well, we never ever talked about it, right?  Never  
9 asked him, he'd just, you know, he'd come up.  Sometimes, you  
10 know, he'd ask us if he could stay here.

11          **Q.**    Did you get a sense that he just needed to get away or  
12 that he was stressed out or what ...

13          **A.**    I think maybe just to get away.

14          **Q.**    I'm going to refer you back to the statement and I'll  
15 just read a portion and this may help.  So it's 164 again.  
16 We'll just have a look at page eight, about halfway down.  And  
17 this is again, I think when you were speaking to the officer,  
18 actually when you found the vehicle and you were giving a  
19 statement and you were talking about it.  And the officer asked  
20 you:

21                   Where is vehicle normally kept?

22                   With Lionel.

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1           Okay.

2   And then you said:

3           You know, he had left it here last month  
4           there for a couple of days when he was  
5           staying here.

6           So did he stay with you, like would he stay with you more  
7   than a day?   Like would he stay a couple of days on occasion?

8           **A.**   Sometimes he'd stay a couple of days.

9           **Q.**   Okay, all right.   And the officer said, "And what  
10   reason would he come stay here?"   And you said, "Oh, they ...  
11   he'd come here to relax, you know, when he was having problems  
12   down the road?   He'd come here to, you know, stay here and the  
13   last time he drove down to Cape Breton in a snowstorm to meet  
14   his ... what is it they have there, people to help them."   So  
15   you said, "He'd come here to relax, you know, when he was having  
16   problems down the road."   Down the road is Ricky and Thelma's,  
17   where he was staying with Shanna?

18           **A.**   Yeah.

19           **Q.**   Right.   So I wondered what you meant by when he was  
20   having problems.   Is that tension with Shanna or was it  
21   something else?   Do you know what ...

22           **A.**   I never asked what else.   It could have been with, you

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1 know, the family or somebody, you know what I mean.

2 Q. Did you understand that to be problems in his  
3 marriage?

4 A. No.

5 Q. I mean it's just, you know, if he was having a fight  
6 with Shanna or if ...

7 A. It could be a little argument, right. Everybody has  
8 arguments.

9 Q. Sure.

10 A. I mean it's different when you're not living  
11 underneath your own roof, you know what I mean.

12 Q. Sure.

13 A. Maybe ... So he'd just come up and relax and in a day  
14 or so, or a couple of days, he'd go back home.

15 Q. Right.

16 A. I never asked him, you know, what really went on.

17 Q. So when he would come and stay for a couple of days,  
18 you didn't pry into what was doing on.

19 A. No.

20 Q. That he felt he might have to leave for a few days.

21 A. Mm-hmm.

22 Q. Did it seem unusual to you that he would have to leave

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1 his family for a few days and stay with you?

2 **A.** No, I never asked.

3 **Q.** That's fine if you didn't ask.

4 **A.** He'd just come and stay with us, right? His  
5 grandparents were on the road but like he just found, that's  
6 where he grew up at was in with his grandparents and that. His  
7 Aunt Sandra was one of his best aunts, right.

8 **Q.** Right.

9 **A.** And he looked at Sandra as his second mum more or  
10 less. So that's why he would come and stay with us. I got along  
11 with him great when he was younger and ... you know.

12 **Q.** Do you know if he would talk to Sandra about what  
13 happened when he would come to stay with you?

14 **A.** I don't really know that one.

15 **Q.** And the officer, I'm just going to read one little  
16 other portion. This one is on page nine of the statement. And,  
17 again, it's about halfway down the page. The officer asks you,  
18 he said:

19 Has he ever (right there actually) ... has  
20 he ever talked to you about the problems he  
21 was having down the road?

22 And you said:



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1           Yeah, a few times. Like he mentioned he was  
2           having some ... like the last time he was up  
3           here he said to me, like when he stayed.  
4           They had a little argument over a piece of  
5           yarn on the floor and he said she went ...  
6           was going crazy over it and was hollering  
7           and was going on. So he said he had to get  
8           out of there.

9   And the officer said:

10           When was that?

11   And you said:

12           About a month ago or so, or a month and a  
13           half ago, the last time he stayed with us.

14           Do you remember anything about that discussion or about  
15           that argument?

16           **A.** I think she might have been knitting or something. I  
17           don't know if he threw it in the garbage or what he done with  
18           the yarn, piece of yarn.

19           **Q.** Do you remember anything else about it?

20           **A.** No, not really.

21           **Q.** No, okay. You said that he didn't talk to you about  
22           flashbacks or dreams.

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1           **A.**    No.

2           **Q.**    Did he ever mention having flashbacks?

3           **A.**    No.

4           **Q.**    Okay.  Or Mr. Macdonald asked you about the one dream  
5 but did he talk to you about nightmares or having trouble  
6 sleeping or any of that?

7           **A.**    No, not really.

8           **Q.**    Not really?

9           **A.**    No, he never talked about having nightmares and that,  
10 and sleep, no.

11          **Q.**    Do you know if he talked to anyone else about that?

12          **A.**    That?  No, I don't.

13          **Q.**    Were you aware that he was having nightmares with  
14 flashbacks?

15          **A.**    No, and I never asked him about anything over ... when  
16 he was ... from Afghanistan.  I never asked nothing about that.  
17 What he saw and what he seen or what he done over there.

18          **Q.**    No, I understand that.  The passage, I know it's a  
19 difficult one, but the one that Mr. Macdonald referenced you to  
20 in the statement.  "He said he told me one time he had a dream  
21 of cutting her head off and he told this to somebody else, too.  
22 He told the people like ..."  And the officer asked you when it

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1 was and you said, "Two or three months ago, maybe longer, just  
2 guessing." I appreciate you're having trouble remembering that  
3 particular conversation but, to the best of your recollection,  
4 was that something he said to you or was it to other people and  
5 you heard about it?

6 **A.** Not ... no, not that I know.

7 **Q.** So, first of all, do you have any memory of that  
8 particular conversation?

9 **A.** No, not that I remember. Now I could have.

10 **Q.** All right. And do you remember if anyone else talked  
11 about that?

12 **A.** Not that I know of.

13 **Q.** Not that you know of?

14 **A.** No.

15 **Q.** Okay. And a little further down you said, when the  
16 officer said, "Anything else you can ..." "He said that him and  
17 her went to the people that's helping them with his problems and  
18 they ... I think they told them about it, too, I believe. He  
19 said I believe." Do you remember who it was that he was seeing  
20 help with those problems?

21 **(11:20)**

22 **A.** No, sir.

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1           **Q.**    Is that something that you understood that he and  
2 Shanna were doing together or that it was just him?

3           **A.**    Not that I remember.

4           **Q.**    You don't remember who they were seeing or who he was  
5 seeing?

6           **A.**    No.

7           **Q.**    Did he ever talk about, or even in a joking way, did  
8 he ever talk about harming himself or suicide, anything like  
9 that? Did you ever get any of those senses from him?

10          **A.**    No. No. He never ever mentioned that. That wasn't  
11 it, no. He never, you know, because if they did, you'd try to  
12 help them people, right? Especially family and that. I mean  
13 you'd try to help them. Even some other people, if they need  
14 help. Sometimes they come to you as ... you know.

15          **Q.**    Just one moment. If he had commented to you about  
16 suicide or made comments about that, what would you have done?

17          **A.**    I would have went further. I would have took steps to  
18 try to help him or get him help.

19          **Q.**    Okay. And if he had done that, do you feel like you  
20 would have been able to maybe ask more questions and engage a  
21 little more with him?

22          **A.**    Yes. If I had known that the night before, I would

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1 have definitely, you know.

2 Q. Do you think that the conversation about the dream  
3 that he had, if you had had that conversation with him, and I  
4 understand you're having difficulty remembering it, would that  
5 have been something that maybe you might have asked him more  
6 questions about, do you think?

7 A. No, I wouldn't. I wouldn't ... like if he told me  
8 that dream, I just, you know.

9 Q. How do you think you would have seen that? What would  
10 you have made of it?

11 A. I just think it might be a dream, like, you would  
12 have.

13 Q. Just a dream?

14 A. Yeah, because what happened from over Afghanistan and  
15 that stuff, whatever, you know what I mean, he might have saw  
16 something like that and then you have a bad dream about it or  
17 something.

18 Q. Yeah. That's the way you might have thought that's  
19 the explanation for it.

20 A. I would think, you know, it could have been something  
21 like that. He might have had a bad dream about it.

22 Q. Were you with Lionel and Shanna on New Year's Eve?

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1           **A.**    No, I wasn't.

2           **Q.**    Was Sandra with them that night?

3           **A.**    No.

4           **Q.**    And we've heard about Lionel putting the truck in the  
5 ditch.

6           **A.**    Yes.

7           **Q.**    You've heard about that after the fact, have you?

8           **A.**    Yes.

9           **Q.**    Okay. But you weren't there, didn't see that or know  
10 about that.

11          **A.**    No, but he mentioned it to me.

12          **Q.**    When did he mention it to you?

13          **A.**    On that day, like on the 2nd.

14          **Q.**    On the 2nd?

15          **A.**    Yeah.

16          **Q.**    What did he say about it?

17          **A.**    They got stuck with the truck and he said she was  
18 hollering at me and he said, well, he got Roy and got hauled the  
19 truck out of the ditch for him, with the tractor.

20          **Q.**    Sorry, I didn't hear that.

21          **A.**    I think he hauled the truck out of the ditch for him  
22 when he got stuck. It was a slippery road up there.

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1           **Q.**    Right.  Did that seem to bother him?

2           **A.**    A little.

3           **Q.**    Obviously, putting the truck in the ditch is going to  
4 bother anyone to some extent ...

5           **A.**    Yeah.

6           **Q.**    But I don't think ... was the truck damaged as far as  
7 you know?

8           **A.**    No.

9           **Q.**    Okay.  Did it seem to bother him more than it might  
10 bother somebody normally if they got their truck pulled out, it  
11 wasn't damaged, it's not that big a deal.  Did it seem to weigh  
12 on him more?

13          **A.**    They probably had a little argument over it, they  
14 might have, like with him putting the truck off the road.

15          **Q.**    Why do you say they had an argument over it?

16          **A.**    I said they may have had an argument over it, right.

17          **Q.**    Why do you say that?

18          **A.**    Because he put the truck in the ditch and they might  
19 have, you know, had a little squabble or something.  Because it  
20 was her truck and she just bought the truck a little while ago  
21 before that.

22          **Q.**    But I guess did you know that they did have an

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1 argument or you're just speculating that they may have.

2       **A.** I'm kind of speculating.

3       **Q.** Did anyone mention that they had a little argument  
4 over it or did he mention that?

5       **A.** No, she said she hollered at him. Well, of course,  
6 she would holler at him because putting her vehicle off the  
7 road. My wife would definitely do it to me if she was with me.  
8 I know that.

9       **Q.** Mine, too.

10       **A.** Oh, yeah.

11       **Q.** But your understanding was there may have been a few  
12 words exchanged between them about it.

13       **A.** Yes.

14       **Q.** Okay. And that was from Lionel that you got that?

15       **A.** Yeah.

16       **Q.** Okay.

17       **A.** He said it's only an old truck, he said.

18       **Q.** Okay. Do you remember how long you talked about the  
19 truck and about ...

20       **A.** Well, we were talking about Dodges and Fords and  
21 Chevs. He liked the Chev better than the Dodge. I don't know  
22 what she bought that for, you know, because he's ...



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1           **Q.** Did you have any sense that the truck, well apart from  
2 the accident, that that was a source of frustration, the fact  
3 that she bought a truck?

4           **A.** I think he wanted a Chev more than a Dodge, yeah.

5           **Q.** Did he ever talk to you about money issues or spending  
6 money, anything like that?

7           **A.** No.

8           **Q.** No. Did he talk about his wife's career as a nurse  
9 much?

10          **A.** Not really. I think he was pretty happy for her,  
11 yeah.

12          **Q.** So I don't know if you remember if you saw Lionel at  
13 all on the 1st of January prior to him going into St. Martha's  
14 for the night?

15          **A.** No.

16          **Q.** You don't remember or you didn't see him.

17          **A.** I never seen him.

18          **Q.** Did you know he was going into St. Martha's that  
19 night?

20          **A.** No.

21          **Q.** Did you know if he had gone to St. Martha's at any  
22 time in the months before that?

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1           **A.**    No, I haven't, no.

2           **Q.**    And so on the 2nd, you found out afterwards that he  
3 had been to St. Martha's the night before?

4           **A.**    After that, yes.

5           **Q.**    After that. And did he bring that up with you?

6           **A.**    No.

7           **Q.**    How did you find out?

8           **A.**    People talking about it.

9           **Q.**    Okay, but on the 2nd, did you know?

10          **A.**    He had ... I believe he had mentioned to me but they  
11 didn't have a place for him to stay or something.

12          **Q.**    That was your understanding of it.

13          **A.**    Mmm.

14          **Q.**    Yes?

15          **A.**    Yes.

16          **Q.**    Okay. Did you get that from Lionel?

17          **A.**    I believe he mentioned it to me, yeah.

18          **Q.**    On the 2nd?

19          **A.**    Yeah.

20          **Q.**    Did you ask why he was at St. Martha's?

21          **A.**    No.

22          **Q.**    So, for example, somebody is in the hospital, they

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1 could be in for their back.

2 **A.** Yeah.

3 **Q.** They could be in for their nerves. They could be in  
4 for a whole lot of reasons. Did he give you any indication why?

5 **A.** No, he didn't, no.

6 **Q.** Maybe without even talking about it, did you have a  
7 sense why he was there?

8 **A.** I had a little bit about it, yeah.

9 **Q.** What did you think he was there for?

10 **A.** His nerves and that.

11 **Q.** Why did you think he was there for his nerves?

12 **A.** It might have been the medication that he was on.  
13 Taking the medication he was taking.

14 **Q.** So he had told you that he went to St. Martha's, that  
15 there wasn't room. Did you say how are you feeling today or is  
16 everything okay, any questions like that?

17 **A.** I don't know. Not that I remember, no.

18 **(11:30)**

19 **Q.** Might you have asked him questions like that?

20 **A.** What's that?

21 **Q.** Is it possible you asked questions?

22 **A.** It's possible, yes.

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1 Q. But you don't recall if you did or what he said?

2 A. No. We just talked and, you know, other stuff and  
3 that.

4 Q. I'm sorry?

5 A. We just spoke about other stuff and he was talking  
6 about the truck and that and laughing.

7 Q. Okay. About the truck going in the ditch?

8 A. Yeah, a little bit, yeah.

9 Q. Okay. And anything else you remember talking about on  
10 the 2nd, the first time that he was at your house in the  
11 afternoon?

12 A. Not that I know, no.

13 Q. And you said he was there for a couple of hours?

14 A. Yeah, an hour and a half, two hours, yeah, him helping  
15 me and I was doing stuff around the yard and that.

16 Q. So you were with him in the yard?

17 A. Yeah.

18 Q. And you said you weren't sure whether he stayed for  
19 supper or not. He may have. And then he went home.

20 A. I think he might've ate dinner with us.

21 Q. Okay. At that point, did you think that he was going  
22 to be staying the night with you at the house?

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1           **A.**    No, not offhand.

2           **Q.**    Like had it been discussed at all or ...

3           **A.**    No. No. He said he might be back, right?

4           **Q.**    Right.

5           **A.**    So ...

6           **Q.**    Okay. But there was no specific conversation that he  
7 was going to spend the night with you?

8           **A.**    No.

9           **Q.**    Okay.

10          **A.**    And then he called me up to come down later on in the  
11 evening, come down and get the snowblower, like, and bring it  
12 up, so I went down and got it and brought it up.

13          **Q.**    All right.

14          **A.**    Then he wanted to ... then he went in the house and he  
15 come out and in and he said, I'm going to stay, so I said, Well  
16 ... you know what I mean? He knows where ... I said, You know  
17 where the bed's at, like, you know, he could have stayed ...

18          **Q.**    Okay. When he called about the snowblower, had you  
19 talked about the snowblower before?

20          **A.**    Yeah, he was talking about it that day.

21          **Q.**    Okay, all right. And he called and asked you to come  
22 and get the snowblower?

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1           **A.**    Yeah.

2           **Q.**    Because you had a truck, I assume, or something, is  
3 that it?

4           **A.**    Mm-hmm, yes.

5           **Q.**    Okay. And you said it was for him to do some  
6 servicing on it. Change the oil.

7           **A.**    Yeah, him and I or something was probably going to ...  
8 planning on working ... servicing it and that, change the oil.

9           **Q.**    All right. So ...

10          **A.**    Because when I went up the road, he gave me the oil  
11 and that and, later, a few minutes later, he ... 10, 20 minutes  
12 later, he showed up.

13          **Q.**    This is earlier.

14          **A.**    No, in the evening.

15          **Q.**    Okay. So just so I'm clear, you come down to get the  
16 snowblower?

17          **A.**    Yeah, he called me to come down.

18          **Q.**    Right. So you came down and this is when he tells you  
19 that they've gone?

20          **A.**    Yes.

21          **Q.**    When did he give you the oil?

22          **A.**    When I took the snowblower.

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1           **Q.**   He handed you some oil then.

2           **A.**   Yes.

3           **Q.**   All right.  So the comment in the statement, the way  
4 you described it - and I think Mr. Rodgers brought it up  
5 previously.

6                    So, anyway, went down the road.  That  
7                    evening, he called me, say, half past eight,  
8                    quarter to nine, to come down and get his  
9                    snowblower.  I went down, got his  
10                   snowblower.  I said he went in the shower to  
11                   have a shower and he came out.  They were  
12                   gone.  He said they took off on him and left  
13                   him, so he said he was getting out of there.  
14 That's the way you said it to the police.

15           So did you understand from that that Shanna and Aaliyah had  
16 been there when he went down and they left while he was in the  
17 shower?

18           **A.**   Yes.

19           **Q.**   Okay.  And they were gone when you went down?

20           **A.**   Yes.

21           **Q.**   Okay.  So what did you make of that?

22           **A.**   I just ... I spoke to him, I said, Maybe they're gone

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1 to the store or something. Maybe they went for a drive.

2 Q. Right. So you gave him a possible explanation.

3 A. Yeah, yeah.

4 Q. An innocent one. They went to the store.

5 A. I said, They probably went down the road or went in  
6 the store somewhere or ...

7 Q. Did you say that to him to calm him down? Was he  
8 upset about the fact that they had left?

9 A. Kind of a little upset because, you know, he come out  
10 of the shower and there's nobody there but him so ...

11 Q. Right. Did it seem like a surprise to him that they  
12 had left when he was in the shower?

13 A. Mm-hmm, yes.

14 Q. Yes. And the way you phrased it, "He said they took  
15 off on him and left him." Were those the words that he used?

16 A. No, not exactly. He said, I went in the shower and  
17 they were gone.

18 Q. Mm-hmm. Right. So maybe we can just bring it up as  
19 opposed to me reading it. It's just at the bottom of page  
20 three. That paragraph, in the middle of the paragraph, "I said  
21 he went in the shower to have a shower and he came out. They  
22 were gone. He said they took off on him and left him." Is that



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1 your description of what he said?

2 **A.** That's my description, right? You know.

3 **Q.** So just ... and, again, I don't mean to spend too much  
4 time just on the words. I appreciate it was a difficult time  
5 when you were giving a statement, but it just seems to me, when  
6 I read it, "He said they took off on him and left him" ...

7 **A.** Mmm.

8 **Q.** And I'm just wondering, you know, did he give you the  
9 sense that he felt they had left? Like, not just gone to the  
10 store, but left?

11 **A.** It's hard to say at the time, yes.

12 **Q.** Is that a possibility, that he maybe had - right or  
13 wrong - he may have had the idea that Shanna left him?

14 **A.** He might've thought something like that, right?

15 **Q.** Right. And you said he was at least a little upset by  
16 that.

17 **A.** Yeah, a little bit.

18 **Q.** Okay, all right. And then the last line, "So he said  
19 he was getting out of there." And did it seem to you that he  
20 had just decided then that he might come and stay with you and  
21 that ...

22 **A.** Yeah.

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1           **Q.**    Okay.  And that was because Shanna and Aaliyah were  
2 gone?

3           **A.**    A little, yeah.

4           **Q.**    Did he come back up to your house with you or ...

5           **A.**    No, he come after.

6           **Q.**    Okay.  So you left then with the snowblower?

7           **A.**    Yeah.

8           **Q.**    Okay.  So do you remember how long you were there?  
9 When you came down to get the snowblower and he tells you about  
10 them leaving and, eventually, you leave with it.  How long were  
11 you there?

12          **A.**    Five, ten minutes.

13          **Q.**    And did he help you with the snowblower or was ...

14          **A.**    Yes.

15          **Q.**    He did?  Okay.  All right.  And so you invited him or  
16 you said, You're welcome to come up to our house?

17          **A.**    Well, he said, I'll be up and ... to help me unload  
18 it.  Like he'd be up and about 15, 20 minutes after I got home,  
19 he showed up, so ...

20          **Q.**    How did he get to your place, do you remember?

21          **A.**    With his ... he was driving a car.  I believe he was  
22 driving his car or the SUV.  His SUV or his car.

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1 Q. All right.

2 A. A vehicle anyhow. I think he was driving the car that  
3 night.

4 Q. Okay, all right. So he seemed a little upset at the  
5 house when he was telling you about them leaving.

6 A. Yeah.

7 Q. And you said, you know, Maybe they went to the store.

8 A. Yeah.

9 Q. Yeah.

10 A. Yeah.

11 Q. And how did he respond to "maybe they went to the  
12 store"?

13 A. I kind of forget right now.

14 Q. Did you offer any other explanations or give him any  
15 other guidance then? Did you talk about it anymore?

16 A. No.

17 Q. No.

18 A. Not really.

19 Q. Okay, all right. So he comes up 15 minutes later.  
20 Did he still seem a little upset about Shanna leaving?

21 A. Not really, no.

22 Q. Did you talk about it some more?

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1           **A.**    He just ... no, no, we didn't. We were just in the  
2 shed talking and he was talking about the truck and New Year's  
3 Eve when he got stuck with it and coming from the camp. And  
4 then we talked about something else after that, like ...

5           **Q.**    What else did you talk about?

6           **A.**    Well we were talking about what we're going to do,  
7 like ... Just like you and I sitting down having a  
8 conversation. That's what we were doing. And I said ... there  
9 talking and I said, Well, I've got to go to work tomorrow. And  
10 he said ... he thought I was going to be home the next day,  
11 right? The way he acted to me. Reaction.

12   **(11:40)**

13           **Q.**    Right.

14           **A.**    He said ... he said, You're going to work? I said,  
15 Yeah. I said, I've got to go to work tomorrow. Then I said,  
16 We'll go look at the building when I get home next week. And  
17 he, you know, he was all gung-ho for it and I told him where it  
18 was at and I said, You go have a look at it through the week, I  
19 said, I'll be ... you know, so ...

20           **Q.**    So the building ... the shop you were going to build?

21           **A.**    Yeah.

22           **Q.**    Okay.

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1           **A.**    I was going to tear down this barn and he was going to  
2 help me and ...

3           **Q.**    Okay. Did he seem to expect that you'd be home the  
4 next day?

5           **A.**    At first, yes.

6           **Q.**    Okay. All right.

7           **A.**    Because it was just after, more or less, he thought I  
8 was probably going to be on more holidays because it was after  
9 Christmas and New Year's, right?

10          **Q.**    Right. And so when you got back to your place, you  
11 talked also about New Year's Eve and the truck in the ditch.

12          **A.**    Yeah, he talked about that for a few minutes and he  
13 was talking about the vehicles, what kind he liked and ...

14          **Q.**    So he talked to you about the truck on the second  
15 visit and the first time on the afternoon he was there?

16          **A.**    No, this is the second time.

17          **Q.**    This is the second time.

18          **A.**    Yeah.

19          **Q.**    Okay. So apart from discussion of the truck in the  
20 ditch and her buying the truck, was there any other discussion  
21 of Shanna that you can remember?

22          **A.**    No.

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1           **Q.**    Okay.  And just so I understand, was he ... did you  
2 get any sense of frustration about the truck ... about the  
3 purchase, I mean, beyond just joking around about, Why did she  
4 buy a Dodge versus a Chev?

5           **A.**    Yeah, yeah.

6           **Q.**    Was there any more to that or ...

7           **A.**    No.  No.

8           **Q.**    Okay.  And you've been asked about when you found out  
9 and about what had happened after the fact, and I just want to  
10 see maybe when this conversation happened.  On page 5 of the  
11 statement, just down just a bit in that paragraph, it says,  
12 basically ... this is you talking to your wife and she said:

13                   'I need you home.'  And I said, 'I'm on my  
14 way.'  She said, 'Drive carefully.'  And I  
15 said, 'Guess it's true', which I couldn't  
16 really believe because everything ... he  
17 told me that he was going to see a  
18 counsellor Tuesday as well, which I don't  
19 know if he did or not.  He was going to.

20                   And he was talking about something about a  
21 divorce and going to see a counsellor so ...

22                   So that conversation about the counsellor on Tuesday and

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1 the divorce, was that when he was with you on the evening of the  
2 2nd or the afternoon of the 2nd?

3 **A.** I can't remember.

4 **Q.** Is it possible that was on the 2nd?

5 **A.** I'm ... not right offhand. Not sure.

6 **Q.** I understand you're not sure when it happened, but I'm  
7 just wondering, is it possible it was on the 2nd, or was it  
8 definitely at another time, or can you say at all?

9 **A.** It could've been another time or something.

10 **Q.** Okay. And do you remember if the conversation about a  
11 divorce and seeing a counsellor, was that all in one  
12 conversation or was that two different conversations?

13 **A.** I forget now so ...

14 **Q.** Okay. And the counsellor that he said he was seeing,  
15 was that something he told you, that he was going to see a  
16 counsellor? If you remember.

17 **A.** No, not that I remember if he was going to see a  
18 counsellor.

19 **Q.** But you heard that ... just so I understand, did you  
20 hear it from him, or from someone else, or do you remember?

21 **A.** I think I heard this from somebody else.

22 **Q.** Okay. And did you know anything about who the

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1 counsellor was?

2       **A.** Because he never ... he already talked about me about  
3 the counsellor.

4       **Q.** Okay. Now in your statement you said, "He told me  
5 that he was going to see a counsellor." But you're not sure if  
6 you heard that from him or not?

7       **A.** No.

8       **Q.** Okay, all right. And you had said to the officer, "He  
9 was talking about something about a divorce." Do you remember  
10 anything about that, what he was saying about a divorce?

11       **A.** No. Not offhand, no.

12       **Q.** Anything at all? For example, was it something he  
13 said that Shanna brought up with him or that he brought up with  
14 her?

15       **A.** I don't know, right? I forget.

16       **Q.** Okay. Do you remember if he seemed upset about the  
17 divorce talk?

18       **A.** Umm ...

19       **Q.** Sorry, I don't know if you had a chance to answer. Do  
20 you remember anything about that ...

21       **A.** Talking about divorce?

22       **Q.** ... conversation about divorce?



**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1           **A.**   Not that I know, no.

2           **Q.**   Okay.

3           **A.**   That's a little ...

4           **Q.**   Is that something that, to your knowledge, they had  
5 ever talked about, he and Shanna?

6           **A.**   No. No.

7           **Q.**   Okay, all right. So you don't have any other memory  
8 about the issue of divorce ...

9           **A.**   No.

10          **Q.**   ... that you mentioned to the police? And in the  
11 paragraph just below that, actually, you said, "That's all I  
12 know about the poor fellow. So he stayed here before, like I  
13 said, and he came. There was no problem with him. He'd stay  
14 here three or four days. He was (inaudible) in the house." So  
15 sometimes he'd actually stay three or four days?

16          **A.**   Yeah, he'd stay a few days.

17          **Q.**   And is that when he was having problems down the road?

18          **A.**   Sometimes he'd just come and stay, like, you know,  
19 just to relax and get away and, you know.

20          **Q.**   Yeah, okay, all right. So you said that you and  
21 Junior MacLellan had gone looking for the Escape.

22          **A.**   Well, I just went down the store that time to get a

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1 coffee and on the way back, I just drove in the road and just  
2 looked at a few roads just to check and see if the vehicle was  
3 around because it hadn't been found so ...

4 Q. Okay. And was it just because this road was behind  
5 Ricky and Thelma's?

6 A. Yeah, it was close by, yeah.

7 Q. Right.

8 A. Up the road a little ways.

9 Q. Did you know of him ever using that road before?

10 A. No.

11 Q. Okay. And ...

12 A. I think him ... well, it's behind Greg MacEachern's so  
13 ...

14 Q. It was more behind Greg's, was it?

15 A. Yeah.

16 Q. Okay.

17 A. Him and Greg used to be probably up around there in  
18 the woods and that. Whatever.

19 Q. I'm sorry, he and Greg what?

20 A. Probably up around there cutting wood and stuff.

21 Q. Is it the type of road, or was it the type of road,  
22 that you would drive your vehicle, like an Escape, up that road?

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1 I don't know how rough it was at the time. You said there's a  
2 house on it now but ...

3 **A.** Yeah, there's a house above the hill now there.

4 **Q.** Right. Is it the type of road that you'd drive an  
5 Escape up?

6 **A.** Oh yeah. It was a gravel road, like ...

7 **Q.** Oh, okay, all right.

8 **A.** The road was ... it was a woods road, but it was all  
9 gravel. Good road. Because you could make a loop right around  
10 and come out the other end down below up further.

11 **Q.** Right. But did you know of him being up that road  
12 before?

13 **A.** No.

14 **Q.** Had you gone other places looking for the Escape?

15 **A.** I checked a couple of other spots in that area.

16 **Q.** Right.

17 **A.** Like I said, my buddy's got a camp across the road  
18 over there.

19 **(11:50)**

20 **Q.** Did it seem like a strange place for the Escape to be  
21 parked?

22 **A.** On ... yes.

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1           **Q.**    Was it ... where was it, as you recall it, in relation  
2 to the road?

3           **A.**    It was parked to one side of the road and pointing  
4 away from the highway.

5           **Q.**    Was it out of sight?

6           **A.**    Yeah. It was up over ... up over the road and in the  
7 road a ways.

8           **Q.**    In other words, if you were on the road, would you  
9 have been able to see it?

10          **A.**    Off the highway?

11          **Q.**    No, off the woods road.

12          **A.**    Oh yeah, it was parked right on the road.

13          **Q.**    Right on the road, okay.

14          **A.**    Yeah, in the side of the road.

15          **Q.**    So, Mr. Greencorn, I know this was difficult for you.  
16 This is obviously part of your family that you lost. We've  
17 referred to a few parts of your statement and some of the things  
18 in the conversations that, at the time, you said you had with  
19 Lionel, and you may be having some difficulty now remembering  
20 those conversations. Do you feel like maybe you're having a  
21 little difficulty remembering some of the conversations you had  
22 with him?

**KENNETH GREENCORN, Cross-Examination by Mr. Murray**

1           **A.**    Yes.

2           **Q.**    Okay.  Do you have any sense why that might be?

3           **A.**    Just lots of stuff, like, I forget from over the years  
4 and stuff, right?

5           **Q.**    Right.  Some of this is pretty significant stuff,  
6 though, and would stick out in your memory.

7           **A.**    Well, I had an accident a while back.  I had a bad  
8 concussion, broken chest bone, so ...

9           **Q.**    Are you feeling okay from that?

10          **A.**    I still got some problems from it.  I got a shoulder  
11 injury, yeah.  So ...

12          **Q.**    Okay.  All right, thank you, Mr. Greencorn.

13          **A.**    You're welcome.

14          **MR. MACKENZIE:** Your Honour, I do have a couple of questions  
15 just arising - if you'll permit me of course - arising from Mr.  
16 Murray's questions.

17          **THE COURT:**     All right.  Come forward.

18

19                               **CROSS-EXAMINATION BY MR. MACKENZIE**

20    **(11:53)**

21          **MR. MACKENZIE:** Good morning, Mr. Greencorn.  My name is  
22 Daniel MacKenzie and I'm here on behalf of the Nova Scotia

**KENNETH GREENCORN, Cross-Examination by Mr. MacKenzie**

1 Health Authority. I just have a couple of quick questions for  
2 you, okay?

3 **A.** Yes, sir.

4 **Q.** So you'd mentioned, when Mr. Murray was asking you  
5 questions, that Mr. Desmond had said that there might not have  
6 been a place for him to stay at St. Martha's. Is that correct?

7 **A.** Yes.

8 **Q.** Okay. And so what, specifically, do you recall about  
9 him saying that?

10 **A.** That his ... something. I heard that he had to sleep  
11 on a stretcher or something out in the hallway ...

12 **Q.** Pardon me?

13 **A.** Something about staying in another room or sleeping in  
14 the hallway.

15 **Q.** Okay.

16 **A.** Yeah.

17 **Q.** Is it fair to say you never had a chance to review his  
18 medical records?

19 **A.** No.

20 **Q.** Okay. Did he tell you that he was admitted to the  
21 hospital that night on January 1st and stayed the night until  
22 January 2nd?

**KENNETH GREENCORN, Examination by the Court**

1           **A.**    No.

2           **Q.**    Okay. Did he tell you that he saw a physician that  
3 night named Dr. Clark?

4           **A.**    No, sir.

5           **Q.**    Did he tell you that he saw a psychiatrist that night  
6 named Dr. Rahman?

7           **A.**    No, sir.

8           **Q.**    Okay. So the statement that he said to you with  
9 respect to he wasn't ... they didn't have room for him, that's  
10 just based on what he told you, right? It's not based on the  
11 documents or anything like that.

12          **A.**    No.

13          **Q.**    Okay. Thank you very much. Those are my questions.

14

15

**EXAMINATION BY THE COURT**

16   **(11:55)**

17          **THE COURT:**    Mr. Greencorn, in the context of them not  
18 having room for him. Not having room for him, did he mean,  
19 like, he had to sleep on a stretcher or some place that didn't  
20 have like a ...

21          **A.**    In the area ...

22          **Q.**    ... physical room for him to go and stay in?

**KENNETH GREENCORN, Examination by the Court**

1           **A.**    Oh ...

2           **Q.**    Or they didn't have any place for him at all anywhere?

3           **A.**    Oh no, no.  In the area where he was going to.  In the  
4 area, he said ... yeah.

5           **Q.**    So, again, I'm just a little confused.

6           **A.**    He ... like, he never got much sleep neither, he said,  
7 and the next day ... like, that day.

8           **Q.**    So it was in the area ... the spot or the area that he  
9 was in in the hospital, he didn't have his own room.

10          **A.**    No.

11          **Q.**    That's right?

12          **A.**    Yeah.

13          **Q.**    Is that correct?  But he did stay overnight in the  
14 hospital.

15          **A.**    Yeah.

16          **Q.**    You were aware that he did that.

17          **A.**    Mm-hmm.

18          **Q.**    And he told you he just didn't get a lot of sleep  
19 because of where ...

20          **A.**    Yes, the area.  He didn't have a room.

21          **Q.**    Because of the area they gave him to stay in.

22          **A.**    Yes.



**KENNETH GREENCORN, Examination by the Court**

1           **Q.**    Okay.  It wasn't like they told him to get out, there  
2 was ...

3           **A.**    No, no.

4           **Q.**    ... no room in the inn, so to speak.

5           **A.**    No.

6           **Q.**    All right, thank you.  No other questions?

7           Mr. Greencorn, thank you for coming today.

8           **A.**    Thank you.

9           **Q.**    I know that it's not an easy topic.

10          **A.**    No.

11          **Q.**    And it's not easy to go back and revisit it,  
12 particularly with the passage of time, but we do appreciate you  
13 finding some time to come in and talk to us today.

14          **A.**    Mm-hmm.

15          **Q.**    Appreciate it.

16          **A.**    Yeah.

17          **Q.**    All right, thank you.  So you're free to go.  I'll  
18 just ask you to put your mask back on and then if you could go  
19 down the same way you came in.

20          **A.**    Right.

21          **Q.**    And the sheriff will see you out there.  Thank you.

22          **A.**    Okay.

KENNETH GREENCORN, Examination by the Court

1 WITNESS WITHDREW (11:56 HRS)

2 THE COURT: We're going to adjourn until re-call.

3 COURT RECESSED (11:56 HRS)

4 COURT RESUMED (12:20 HRS)

5

6 COURT CLOSED (12:20 HRS.)

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**CERTIFICATE OF COURT TRANSCRIBER**

I, Margaret Livingstone, Court Transcriber, hereby certify that the foregoing is a true and accurate transcript of the evidence given in this matter, **re Desmond Fatality Inquiry**, taken by way of electronic digital recording.



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Margaret Livingstone

(Registration No. 2006-16)

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**DARTMOUTH, NOVA SCOTIA**

**April 12, 2021**