

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Wednesday, 26 February 2020

(10.00 am)

LADY SMITH: Good morning.

MR MacAULAY: Good morning, my Lady. The first witness this morning is Patricia Delaney Dishon.

LADY SMITH: Thank you.

PATRICIA DELANEY DISHON (sworn)

LADY SMITH: Please sit down and make yourself comfortable.

It looks as though the microphone is in the right position for you. If I could just ask you to make sure you are speaking through the microphone, that's really helpful to us.

A. Thank you.

LADY SMITH: You're all ready with the red file, so I'll hand over to Mr MacAulay and he'll explain to you what happens next.

Questions from MR MacAULAY

MR MacAULAY: Good morning, Patricia.

A. Good morning.

Q. You have the red folder in front of you and you'll find your statement in the folder. If I could ask you to turn to the final page of the statement. In the meantime I'll provide the reference for the transcript and that's at WIT.001.002.5377.

On the final page at 5409, can you confirm you have

1 signed the statement?

2 A. I have.

3 Q. Do you say in the final paragraph that you have no
4 objection to your witness statement being published as
5 part of the evidence to the inquiry?

6 A. That's correct.

7 Q. And do you also go on to say that you believe the facts
8 stated in this witness statement are true?

9 A. Yes.

10 Q. Can you confirm for me, Patricia, that your date of
11 birth is [REDACTED] 1944?

12 A. Correct, yes.

13 Q. You begin by telling us a little bit about your
14 professional background and, in particular, your
15 interest in history.

16 A. Yes.

17 Q. Perhaps you can just fill us in on that. Where does the
18 interest come from?

19 A. Yes. Well, I think it actually came from my
20 grandfather, Patrick Delaney, because he had a great
21 love -- he was an Old Town man and he had been born and
22 brought up there. When I was a teenager, he would
23 usually take me around for walks, point out the various
24 places where he used to live, tell me about the life
25 lived in his day in the Old Town of Edinburgh. And

1 I think that fired my interest.

2 Then later I became, first of all, a volunteer
3 guide, taking guided tours on the Royal Mile, and later
4 I qualified as a professional guide, and then later on
5 I lectured at university in Scottish history.

6 Q. And you tell us a little bit about your experience as
7 a Blue Badge guide in paragraphs 3 and 4 of your
8 statement. Is having a Blue Badge an indication that
9 you're qualified as a tour guide?

10 A. Yes, that's the top qualification for tourist guiding
11 in the UK, but I obviously have the Scottish Blue Badge.

12 Q. You tell us in your statement at paragraph 5 that your
13 grandfather Patrick died in July 1979.

14 A. Yes.

15 Q. Thereafter, you developed an interest in the background
16 of the Delaney family?

17 A. Yes, that's correct.

18 Q. How did that come about?

19 A. It really came about after my grandfather died. Later,
20 my aunts, his daughters, they were moving house and they
21 cleaned out an old bureau that had been my
22 grandfather's, and in there they found just a small
23 section of the documents from the Court of Session case,
24 which my great-grandfather, Arthur Delaney, had actually
25 brought to have his children returned to him. Though it

1 was only a fragment, it raised our interest and
2 gradually we began to build up more information on that
3 and on the wider family.

4 But back in those days, there was no laptop, no
5 Internet, all the research had to be done at
6 Register House in Edinburgh and through old newspaper
7 copies. And it was not until much later that we managed
8 to fill in some of the rest of the pieces of the case.

9 Q. And by "those days" you're talking about the 1980s in
10 particular?

11 A. Yes.

12 Q. I think the culmination, at least in part, of this
13 research that you carried out into the Delaney family
14 was the publication of a book by you; is that right?

15 A. Yes, that's correct.

16 Q. That's a book with the title "The Delaneys of
17 Edinburgh"?

18 A. Yes.

19 Q. I have the book here in front of me. We have
20 invested --

21 A. Good, I'll have a few more royalties!

22 Q. And I'm just reading on the cover here, the title is:

23 "The Delaneys of Edinburgh -- Based on a True
24 Story."

25 A. Yes.

1 Q. And although the book reads as a work of fiction, if you
2 like --

3 A. Yes.

4 Q. -- it has a core to it that is based on fact; is that
5 right?

6 A. That's correct. The reason for doing it in novel form,
7 I suppose you could call it, is the research I did with
8 my late mother and my late brother Michael. That
9 involved a great deal of plodding through court
10 documents and newspapers and I knew that the rest of the
11 family would not be prepared to do that. So I wanted to
12 produce the story of the family, and particularly of the
13 children, the lost children, in an accessible form.

14 But I was also very conscious when I wrote the book
15 that this book was going to go forward and would be
16 evidence based for future Delaney generations. I wanted
17 it to be as accurate as possible, so I had to write it
18 with that accuracy in mind, but I still had to do a work
19 of imagination to fill in because I didn't know what
20 conversations they had. I knew the outcomes of the
21 conversations, so it is very factually based, but
22 written in an imaginative form.

23 Q. And the version I have in front of me was published in
24 2012?

25 A. Yes.

1 Q. Was that the first and final version?

2 A. That's the first and final, yes.

3 Q. While I have the book in front of me, you tell us under
4 the heading "Author" that you are the great
5 granddaughter of Arthur and Cecilia Delaney?

6 A. Yes.

7 Q. You have a BA honours degree and you've also lectured in
8 Scottish studies at the Centre of Continuing Education
9 of the University of Edinburgh?

10 A. Yes.

11 Q. And you're a member of the Scottish Tourist Guides
12 Association?

13 A. Yes.

14 Q. As I look at the cover page, there are photographs of
15 two people, a man and a woman; can you tell me who they
16 are?

17 A. That's Arthur, who lost the children --

18 Q. The great-grandfather?

19 A. My great-grandfather, who lost his children in Canada,
20 and his second wife, Cecilia Clifford, who is my
21 great-grandmother.

22 Q. As you've just mentioned, that was his second wife?

23 A. Yes.

24 Q. He was married before that to a lady by the name of
25 Mary?

1 A. Mary, yes.

2 Q. So we can understand the family set-up, Arthur Delaney,
3 your great-grandfather, and Mary, his then wife, they
4 had three children that survived?

5 A. The three that survived, yes.

6 Q. At a point in time Mary died, I think when the children
7 were very young, is that right?

8 A. Yes. The fourth child was George Delaney and he died
9 five hours after being born, and a week later his
10 mother, Mary Mowatt Delaney, she died of septicaemia,
11 and that left my great-grandfather Arthur Delaney with
12 three children under five.

13 Q. Just to try and get some dates for that, I think we can
14 work out from the material you provided to us that Mary
15 died in 1882.

16 A. Yes.

17 Q. So far as the children were concerned, the three
18 children that we're going to focus on, James, he was
19 born in 1877?

20 A. Yes.

21 Q. Annie, she was born in [REDACTED] 1878?

22 A. Yes.

23 Q. And Robina, the youngest that we're looking at, was born
24 in 1880?

25 A. Yes.

1 Q. And you have mentioned the child who died essentially at
2 birth --

3 A. Yes.

4 Q. -- in 1882.

5 A. 1882.

6 Q. I think the picture we understand now is to be one where
7 Arthur, your great-grandfather, has been left with three
8 very young children to care for on his own; is that
9 right?

10 A. That's right, yes.

11 Q. Can you tell us what happened after that?

12 A. Well, according to the court documents and the
13 testimonies, he looked after the children by himself for
14 six months with the help of neighbours. I assume that
15 he must have paid them to look after the children while
16 he worked. He was a glass cutter at a glass and crystal
17 works in the Old Town of Edinburgh and then, in the
18 November of 1882, that company made 200 men redundant
19 all at once because a new sandblasting technique had
20 been brought in, which meant that they didn't need any
21 skilled cutting and blasting. So Arthur was made
22 unemployed along with 200 other men at a time when there
23 was already high unemployment in Scotland.

24 Q. If I can just digress a little bit for a moment, so
25 we can get an understanding of the family set-up, Arthur

1 remarried and I think that was in July 1886.

2 A. Yes.

3 Q. And he married your grandmother --

4 A. That's right, yes.

5 Q. -- Cecilia?

6 A. Cecilia.

7 Q. And Arthur himself thereafter had a number of other
8 children?

9 A. Yes.

10 Q. Including Patrick, your grandfather?

11 A. My grandfather.

12 Q. That's our understanding of the family tree.

13 A. That's right, yes.

14 Q. If I can just focus then on Arthur's first family, the
15 three children we've talked about, I think we know from
16 the documentation you provided us with that they were
17 put into a home or homes in about 15 December 1882.

18 A. Yes.

19 Q. Can you tell me about that? Where were they placed?

20 A. According to the testimonies given, Arthur had been
21 caring for the children on his own and a missionary lady
22 had realised the situation he was in. I've read up
23 about the missionary movement in the Old Town where
24 people went round, evangelical Christians went round the
25 Old Town seeking to help people. When one of these

1 missionary ladies saw the situation that Arthur was in,
2 and that he was now unemployed and she suggested that he
3 place his three children in the care of Emma Maitland
4 Stirling, who had homes in Edinburgh, and that is what
5 Arthur did.

6 He took the children first of all to the home in
7 MacKenzie Place and that home at 10-11 MacKenzie Place
8 still stands and the present owner very kindly allowed
9 me to go inside the house and see where it was that the
10 children had lived.

11 It's a comparatively small house. It's a nice-sized
12 family house, but she was surprised to think this would
13 be an institution, so to speak. Emma Maitland Stirling
14 said she didn't want institutional kind of living, so
15 they were small homes. That home was only for young
16 children and girls at MacKenzie Place. The boy, James,
17 therefore had to be separated from his two young sisters
18 and he was put in the home that Emma Stirling had in
19 Beaton Terrace in Granton in Edinburgh and that was
20 a home for eight boys. So that's how they were placed
21 originally.

22 Q. You've mentioned those two homes; do you know if
23 Miss Stirling had any other homes in Edinburgh?

24 A. A lot of the information I have on Emma Stirling comes
25 from her own book, "Our Children in Old Scotland and

1 Nova Scotia", two editions of which she produced. She
2 speaks there of other homes and it would appear that she
3 also had what you could call summer homes in Burntisland
4 in Fife, two of them, where the children went during the
5 summer months.

6 She also had a house in Joppa in the Portobello area
7 and I think that was probably another summer-type house.
8 Later, she actually had a farm down in the Moffat area
9 which she took to teach the boys farming. She also had
10 a system of what was called boarding out, where
11 individual children were placed with -- it was like
12 a foster situation, except the people were paid to have
13 them.

14 Q. Indeed, was one of the children that we're dealing with
15 boarded out at a point in time?

16 A. Yes. Two of them ended up boarding out at one stage,
17 yes.

18 Q. Let's just focus a little bit on what you've discovered
19 about Emma Maitland Stirling. What can you tell us
20 about her from your research?

21 A. Well, again, most of it actually came from her books and
22 also from her statements in the Court of Session and the
23 Supreme Court in Canada in Nova Scotia. So again, we're
24 looking at what Emma Stirling thought about herself.

25 But I have back-up to support where I believe her

1 and where I don't believe her, honestly. But basically,
2 she was a very wealthy woman and she had been left
3 partially disabled and when her mother died. She
4 decided she wanted to take on good works. She had been
5 living in St Andrews, she came to live in Edinburgh,
6 where some of her siblings were living, and she was
7 looking for something to do, to do good.

8 She was an extremely fervent Protestant, she was
9 extremely anti-Catholic, and the books are full of
10 sectarianism from that time.

11 She therefore came into Edinburgh and that is when
12 she started the homes. She started off first with
13 a nursery, which was in 1877. The nursery is also at
14 MacKenzie Place, again very small, a small nursery where
15 working parents, poor parents, could leave children,
16 very small children, to be cared for during the day and
17 then pick them up and take them home at night.

18 She then realised that some children needed further
19 accommodation and that's when she opened
20 11 MacKenzie Place and then subsequently the other
21 homes. And she continued in that work in Edinburgh
22 until 1886.

23 Q. We'll come to that shortly. You tell us in your
24 statement that in her own writing she describes herself
25 as "a philanthropic lady".

1 A. Yes.

2 Q. Just to be clear, she was born, I think you tell us, in
3 1839.

4 A. Yes.

5 Q. You also go on to talk about the Edinburgh and Leith
6 Children's Aid and Refuge Society. Can you tell us
7 a little bit about that, how that comes into the
8 picture?

9 A. Yes. Emma Stirling started the homes off as her own
10 private enterprise, but as they grew, she agreed to have
11 directors as advisers -- although she made clear that
12 she was in charge, but they were there to advise her.
13 So a number of gentlemen -- they were mainly gentlemen
14 in the committee -- they were local businessmen,
15 lawyers, doctors, and they were her advisers. But it
16 was made very clear that it was her society. But they
17 backed her up and helped wherever they could and gave
18 advice wherever they could.

19 Q. Do we see in the court case that some tension did
20 develop between the directors and Emma Stirling's
21 wishes?

22 A. Yes. Well, when evidence was given by various directors
23 in the court at the subsequent court case, they said
24 that Emma Stirling was a very autocratic lady and that
25 in actual fact the directors were a bit in awe of her

1 and didn't want to cross her because of course she was
2 providing most of the funding. But also, funding was
3 given from the town council of Edinburgh and various
4 other charitable bodies actually made a contribution as
5 well, but basically Emma was in charge.

6 Q. At a point in time in fact did that change and was
7 Emma Stirling essentially phased out?

8 A. Yes.

9 Q. And the Edinburgh and Leith Children and Refuge Society
10 became in itself a self-fulfilling --

11 A. Yes, that happened after the scandal of the migrant
12 children. Before that, she had been part of the society
13 and then, when she decided to take the children to
14 Canada, then the directors continued with the work on
15 their own in Edinburgh, but she had nothing to do with
16 that after she went to Canada.

17 Q. And you say in your statement that this society was the
18 forerunner of the Royal Scottish Society for the
19 Prevention of Cruelty to Children?

20 A. Yes.

21 Q. When did that change take place?

22 A. Early on -- Emma says in her book that there was
23 a suggestion from people -- as she refers to them
24 "friends in Glasgow" -- to start the Society for the
25 Prevention of Cruelty to Children, but they were

1 persuaded by her that since her organisation was already
2 doing the work they should postpone that. So they
3 agreed to do that, but then after the migration of
4 children system kicked in and she went to Canada, it
5 later became the RSPCC.

6 LADY SMITH: It was originally, if I remember rightly, the
7 NSPCC. It was only well into the 20th century, I think,
8 it got royal patronage. Indeed, I have heard evidence
9 of the prosecution of a mother that must have taken
10 place around the turn of the century at the instance of
11 complaints having been made by the NSPCC about a child,
12 the mother ending up in prison as a result. So they
13 were certainly active by the turn of the century.

14 A. Yes.

15 MR MacAULAY: You've made the point, I think quite firmly in
16 your statement, Patricia, that Arthur Delaney's children
17 were placed voluntarily --

18 A. Yes.

19 Q. -- into Emma Stirling's care; is that right?

20 A. Yes. I was very clear about that because after the
21 children had been placed, Emma Stirling later opened
22 another shelter in the High Street in Edinburgh and that
23 was actually for child cruelty. So that was children
24 who were being brought from difficult situations or from
25 the street and they were looked after in the house

1 in the High Street. That was the Cruelty Shelter, as it
2 was called, but that was quite separate from children
3 like the Delaney children, who had been placed
4 previously because of fathers or mothers being dead and
5 the other parent not being able to cope.

6 So there's two quite distinctive works and
7 Emma Stirling did a great deal of very good work with
8 the prevention of cruelty to children or trying to
9 protect children and was very involved in bringing in
10 laws to protect children. But that was a quite
11 different enterprise from the one she then embarked
12 upon, which was the migrant children situation.

13 Q. And insofar as the voluntary placement of children side
14 of the coin is concerned, were those who placed the
15 children expected to make a contribution?

16 A. Yes. They were expected to pay 2 shillings and sixpence
17 a week per child, but since Robina, the youngest child
18 was still just not quite 2, it was decided that Arthur
19 would pay 5 shillings a week for his two children.

20 Q. Just to focus on the ages of the children when they went
21 into the care of Emma Stirling, James would be about 5.
22 He was born in 1877 --

23 A. Yes.

24 Q. Annie would be about 4?

25 A. 4.

1 Q. And --

2 A. And Robina was almost 2.

3 Q. Can I then move on to look at how the Canadian
4 connection developed. Can you help me with that?

5 A. Yes. As I say, Emma Stirling started her work in 1877
6 in Edinburgh and she continued that until, she said,
7 about 1885. She heard that the Canadian Government was
8 prepared to give liberal grants to child savers, as they
9 were called, to take children to Canada to work as farm
10 labourers and domestic servants.

11 She told the directors that since it was becoming
12 increasingly expensive to run her homes in Edinburgh,
13 she was mindful to explore the possibility. So she went
14 out to Nova Scotia and investigated, came back and
15 decided that she was going to take the children to
16 Nova Scotia and place them with farmers to work as
17 servants.

18 Q. Did she herself purchase a property?

19 A. Yes.

20 Q. And was that Hillfoot Farm in Nova Scotia?

21 A. That's right. She purchased Hillfoot Farm and in her
22 book she said the reason she did that was that it would
23 be worse than useless to take these children out to
24 Nova Scotia unless there was a home for them to return
25 to, to tell how they were getting on and any worries and

1 so she would purchase Hillfoot Farm. All the publicity
2 thereafter, including when she asked for extra money to
3 continue that work, was given on that basis.

4 Most people therefore came to the conclusion that
5 those children would live within the area of
6 Hillfoot Farm, but in the event the point of the
7 Canadian Government requiring children was that the
8 children were to be placed all over Canada. In the
9 event, only James was placed in a farm near to
10 Hillfoot Farm.

11 Both of the girls -- one was placed in the Quebec
12 area and one was placed in New Brunswick, which was
13 actually about -- over 500 miles away from Hillfoot.

14 Q. And I think what you're saying is that clearly there
15 were logistical difficulties --

16 A. Very much so, yes.

17 Q. -- in keeping tabs on any of the children placed out --

18 A. Or even inspecting where they had gone to.

19 Q. But just focusing on Hillfoot Farm itself for a moment
20 or two, were you able to work out from the material what
21 sort of establishment it was?

22 A. Yes. Emma tells us a lot about it and it was a farm
23 with many acres and woodland and orchards and farmland
24 in a very attractive part of Nova Scotia, a very fertile
25 part of Nova Scotia --

1 LADY SMITH: What part of Nova Scotia was it in?

2 A. What part? It's Aylesford, and I think in the court
3 documents they refer to it as something like "Queen's
4 County". It was 100 miles from Halifax.

5 LADY SMITH: So that's not up into Cape Breton, but --

6 A. No, actually on the mainland, I suppose you'd call it.
7 Halifax was the nearest big town and that was 100 miles
8 away.

9 LADY SMITH: Travelling 100 miles in Nova Scotia in those
10 days wouldn't have been an easy journey.

11 A. No.

12 LADY SMITH: It's not that easy now.

13 A. But they actually did have a railway, originally, and
14 then a horse and cart journey after that to the farm.

15 LADY SMITH: Right, thank you.

16 MR MacAULAY: But I think what you tell us in your statement
17 is that she herself paints a rather idyllic picture of
18 the farm --

19 A. Yes.

20 Q. -- and life at the farm.

21 A. Yes.

22 Q. Have you carried out some research into seeing how
23 sustainable that picture is?

24 A. Yes. I think it's pretty sustainable in its geographic
25 location and in its fertility. She certainly produced

1 a very prosperous farm and also a wood mill.

2 A gentleman who contacted me after the story had
3 been in The Scotsman, he actually lived quite near to
4 where Hillfoot Farm had been and it was still a farm.
5 The house wasn't there anymore, but it was still a very
6 nice farm.

7 She ran it, of course, with the free labour of the
8 children she took out, she didn't have to pay those
9 children, so it would obviously be quite a lucrative
10 business for her. But it was very successful.

11 The point, of course, was the children didn't really
12 benefit from that because they weren't there long
13 enough. They were moved on, as soon as she could, to
14 these farms, which was what the agreement was with the
15 Canadian Government. So only babies and toddlers were
16 kept at Hillfoot Farm for any length of time and only
17 until they -- she said she didn't put any children out
18 to farms until they were 8 or 9 years old, so the
19 toddlers and babies would be kept until that age. But
20 all the other children were moved on, almost as soon as
21 they arrived from Edinburgh in the various parties.

22 Q. But even 8 or 9 is very young age to be to another
23 place --

24 A. Very young. They were really child trafficked, as
25 we would call it today, and they were slaves. They were

1 sold, I think myself, exactly the same way and they were
2 not paid and they basically suffered grievously by this
3 scheme, which she claimed was favourable to keeping them
4 in Edinburgh.

5 Q. What about education?

6 A. She educated all the children. That was one thing in
7 Edinburgh -- she said in her statement, when they were
8 in the homes in Edinburgh, that all the children were
9 sent to what she described as public schools and she
10 paid the fees for that so that the children would all be
11 able to read and write before they went to Canada.

12 James, the oldest boy, when he was in Canada, the
13 detective found that he did attend a small local school
14 for part of the time.

15 Q. We'll look at that later in your evidence.

16 There's a section in your statement where you look
17 at James, Annie and Robina's time in care in Scotland
18 and much of that, I think, is gleaned from the material
19 that you were able to obtain from the court papers.

20 A. Yes.

21 Q. We'll come to look at that in a moment. Could you
22 describe what your understanding is as to what the
23 position was for them in Scotland?

24 A. Yes. In Scotland, they were kept in what we would
25 describe as a children's home situation. They were not

1 employed in any way and they did go to school. It was
2 unfortunate that James was separated from his sisters
3 because there was separation between the children.

4 They spent their time in the houses in Edinburgh or
5 during the summer they spent their time in Burntisland
6 or Joppa. Then towards the end, 1886, when she took the
7 farm down in the Moffat area, the boys went to the farm
8 and James would go there, presumably with the others,
9 and the girls were also there, but they were still in
10 fostered out care situations in the same area.

11 So Emma Stirling claimed that Arthur had abandoned
12 the children, but actually in the court case in the
13 Court of Session in Edinburgh, when he gave testimony,
14 as did his mother and his uncle, it became obvious that
15 he had not, that he had visited the children when he was
16 able. But of course, he could not visit the children
17 when they were in the Moffat area or when they indeed
18 were taken away for holiday. So there were times when
19 he turned up at the homes and the children had actually
20 been sent away.

21 Q. But the point you're making is he did visit and he made
22 efforts to visit?

23 A. Yes.

24 Q. Was there some dispute as to what extent Arthur financed
25 the children being in care?

1 A. Yes. The directors claimed that he was in arrears of
2 his payment. In the testimony in the court, Arthur said
3 that he had paid when he could, but when he became
4 unemployed he couldn't pay and he had receipts for some
5 money but that he had paid more but didn't have receipts
6 for that. But the directors were very much of the view
7 that he was in arrears of payment of the children.

8 Q. You've already told us that he was unemployed --

9 A. Yes.

10 Q. -- at least for part of the time.

11 Could I then look at how it came to be that the
12 children were migrated to Canada. You begin telling us
13 about this from paragraph 39 onwards. What you've done,
14 I think, in your research, you've looked at passenger
15 manifests to find names and dates.

16 A. Yes.

17 Q. If we then look at James and Robina, because I think
18 we can look at them separately from Annie; is that
19 right?

20 A. Yes, that's right.

21 Q. Can you tell me about them?

22 A. Well, Arthur discovered first that James had been
23 removed to Canada without his knowledge or indeed
24 permission and that is when he set about trying to
25 reclaim him. What he didn't know at that time was that

1 his daughter Robina had previously been taken to Canada
2 and she went in May 1886. So by the time that Arthur
3 brought the case, she was already in Canada and she went
4 out with the first group of children, about 26 of them,
5 that Emma Stirling took out to Hillfoot Farm.

6 Then she writes, Emma Stirling, in her book, that
7 having cleared the space in the home, Hillfoot Farm, she
8 was able to bring out the next lot of children, and
9 James went out in that group, and there were 36 of them.

10 Q. If I can put dates on these trips, Robina, I think you
11 tell us, was shipped out on a ship called the Caspian.

12 A. Yes.

13 Q. And that was in May 1886?

14 A. Yes.

15 Q. And so she'd be about 6 at that time?

16 A. She was 6 years old.

17 Q. And then James, he is shipped out on the Carthaginian?

18 A. Yes.

19 Q. And that was --

20 A. August.

21 Q. -- 1886, when he'd be about 9?

22 A. Yes, 9.

23 Q. Annie was still in Scotland?

24 A. Annie was still in the boarded-out home, as they called
25 it, in the fostering system in Moffat, the Moffat area.

1 Q. Perhaps I should have taken this from you earlier, but
2 is it your understanding, particularly from the court
3 papers, that Hillfoot Farm was probably acquired by
4 Emma Stirling in about 1885 or 1886?

5 A. It was 1886, I think, she acquired it because when the
6 children first went out, they were in temporary
7 accommodation and then when she had finalised the sale
8 by buying Hillfoot Farm it wasn't going to be big enough
9 for the number of children she planned to bring out, so
10 the children lived temporarily in the small farm while
11 it was being extended and the boys lived in a cottage
12 in the grounds, I understand, at that time.

13 Between May and August, enough of the first
14 26 children had actually been moved out of Hillfoot,
15 which is why I say they weren't there for any length of
16 time, apart from the very littlest. So they'd been
17 moved out and there was therefore enough room for the
18 next 36, which included James Delaney in the August of
19 1886.

20 Q. And when do you say that Arthur discovered that James
21 had been migrated to Canada?

22 A. Yes, it was my -- Arthur Delaney married for a second
23 time, to my great-grandmother, Cecilia Clifford, and he
24 married in July 1886. At that time the children had
25 been -- it was his understanding that the children were

1 in homes in the country and that's why he hadn't seen
2 them at that stage. I know from later documents that
3 indeed the children were in the Moffat area at that
4 time, originally at that time.

5 Then he heard from a girl who worked beside his
6 sister that his son, James Delaney, had been actually
7 taken away to Nova Scotia without his knowledge.

8 Q. That would be after August 1886?

9 A. Yes.

10 Q. Was that after he got married then?

11 A. Yes, the month after he got married, which is when
12 of course he intended taking the children to live with
13 him because he now had a home and a wife to go to.

14 Q. And that's quite an important point you want to make,
15 isn't it?

16 A. Yes.

17 Q. This was quite a turning point for him in that he got
18 married and he wanted the three children back?

19 A. Yes.

20 LADY SMITH: Patricia, I notice that at paragraph 35 of your
21 statement, you seem to have picked up from the court
22 papers that one line of defence put forward, both by the
23 directors and by Emma Stirling, was that generally, as
24 you've said, the children had been abandoned, but
25 separately that meant that Emma Stirling owned the

1 children.

2 A. Yes.

3 LADY SMITH: Was that language actually used, can you
4 remember?

5 A. That was the language really used in court and I think
6 that was one of the things that the court found
7 shocking, that the implication was that since the
8 children were abandoned, which they weren't, but that
9 also the fact that Arthur was in arrears, which they
10 claimed he was and I can't tell if that's true or not,
11 that therefore she owned the children and was therefore
12 free to dispose of them as she chose.

13 LADY SMITH: Do you remember whether there was any reference
14 to an earlier Court of Session case called Joseph Knight
15 v Wedderburn?

16 A. Is that the black slave, was it?

17 LADY SMITH: Yes.

18 A. I know that story.

19 LADY SMITH: You don't remember whether it was referred to?

20 A. I don't see it in any of the court papers that I found.

21 LADY SMITH: The answer was it had been determined that
22 slavery did not exist in Scotland --

23 A. Mm. Yes.

24 LADY SMITH: -- and no man could own another.

25 A. Yes, I think it comes through in the court discussions

1 that this was obviously something they found abhorrent.

2 LADY SMITH: Good, thank you.

3 MR MacAULAY: Once Arthur then discovered that the children
4 were in Canada, two of the children were in Canada, how
5 did he discover that? Did he go and speak to any of the
6 directors to find out what the position was?

7 A. Yes, after he found out that James had been sent to
8 Canada, he went immediately to the homes, first of all.
9 No one there could tell him anything about it and they
10 said they didn't know where James was or where Robina
11 was.

12 But he went then to the secretary of the Edinburgh
13 and Leith Children's Aid and Refuge Society,
14 a Mr McDonald, he went to his office and demanded to
15 know why his son had been sent to Canada. It was when
16 he went there that he later -- first of all the director
17 said he didn't know anything about it, then he said to
18 come back, and he told him that Robina had previously
19 been sent, but what he didn't tell him was that Annie
20 was still in the boarding-out situation in Moffat at
21 that first meeting, so Arthur didn't know that Annie was
22 still there.

23 Q. And you make a comment about that in your statement?

24 A. Yes.

25 Q. What's your view on that?

1 A. Well, I felt it was really quite vindictive because,
2 okay, the other two children had gone to Canada and
3 he was obviously going to have to battle to get them
4 back, but he could have had Annie, Annie was there. She
5 was a delicate child anyway, which is why she hadn't
6 been sent with the original children. And even Annie,
7 they wouldn't give him. Later, when he discovered Annie
8 was still there, they wouldn't give him the address of
9 where she was.

10 Q. So what then was Arthur's response to this information
11 that his children were in Canada?

12 A. Well, he went with his wife Cecilia to Father Hannan at
13 St Patrick's Church in the Cowgate, which was part of
14 the Little Ireland community, where lots of Irish
15 migrants had settled and Father Hannan said he would try
16 to help Arthur get his children back.

17 But it was made clear by the secretary that Arthur
18 would have to go to law. Of course, he was a poor man,
19 he was only a working-class man, and so Father Hannan
20 said he would try and raise funds from the congregation.

21 The congregation of Father Hannan in St Patrick's
22 was not exactly a wealthy congregation itself. But he
23 managed to raise enough money and he arranged for Arthur
24 to see a lawyer called Mr Considine and he told
25 Mr Considine to take on Arthur's case and he would try

1 and raise enough funds to proceed with a custody case to
2 bring the children back from Canada.

3 Q. And he did raise such a case?

4 A. He did raise such a case. It was taken to the point of
5 petition, but to proceed further would have cost £25,
6 and Father Hannan didn't have any more money to proceed
7 with the case, so Mr Considine was unable to take the
8 case forward at that point.

9 Q. But I think you tell us that Arthur was advised to get
10 on to the poor roll and proceed on that basis?

11 A. Yes. Mr Considine, after it was obviously -- wasn't
12 going to be able to proceed with the case suggested he
13 go on to the poor relief. In that instance, you had
14 a system of, I suppose, very early Legal Aid, where
15 lawyers would work purely on a win basis, so if they
16 didn't win the case they didn't get paid.

17 Q. Is that what happened here?

18 A. And that's what happened, yes, but that took some time.

19 Q. We are going to look at some of the court materials in
20 a moment, but can you just give us an overview as to
21 Emma Stirling and indeed the directors' responses to the
22 court proceedings?

23 A. Yes. Emma -- of course, she was by this time in
24 Nova Scotia herself, so we have a number of letters
25 which appear in the court documents between Emma and the

1 directors because they are pressing her to return the
2 children and she is saying that she's refusing to do so
3 and she said she can't see how the directors could be
4 blamed for something that was nothing to do with them
5 because she had taken them out and she wasn't bringing
6 them back in the initial cases.

7 So there's a number of -- quite a large amount of
8 correspondence between the two in which she's very
9 dismissive and suggesting there is no way that he could
10 legally get his children back.

11 Q. The way you put it in your statement is that the
12 directors seem to have got into a bit of a panic over
13 the situation because they were anxious for the children
14 to come back --

15 A. Yes.

16 Q. -- and to be handed over to the father; is that right?

17 A. Yes, the directors constantly say that they have no
18 objections to Arthur getting his children back, that
19 they would do everything they could to have the children
20 returned because the court was coming to the conclusion
21 that they also were responsible because since they were
22 directors now of the organisation, they bore
23 responsibility to look after those children until they
24 were of an age to look after themselves. Of course, the
25 children were very young, so they were not of an age.

1 So they were being leant on eventually by the court
2 and there was much correspondence back and forwards
3 between Emma and the directors. I think it's because
4 they realised that they could prove very costly for them
5 because they were going to have to defend an action
6 in the Court of Session and Emma, of course, was in
7 Canada. So it looked like she was going to get off with
8 it, but in the event they persuaded her to bring the two
9 children back.

10 Q. And did that happen?

11 A. That happened, yes.

12 Q. What then happened?

13 A. What happened was that she brought James and Robina back
14 and the directors -- one of the directors met her at
15 Liverpool and came up with her to the Caledonian station
16 in Edinburgh. When they got to the station,
17 Emma Stirling told the director, Mr McDonald, that she
18 was taking the children away, and she had a carriage
19 waiting, and she refused to tell the director where she
20 was taking the children and he allowed her to do that.

21 That is why, later in the court action, the
22 directors were found also liable because they had the
23 children in hand and they let them go, and Emma hid them
24 over the winter of 1886/1887, and also collected Annie
25 from Moffat and kept her as well. So again, I think

1 that was a very vindictive thing to actually do.

2 Q. You've given us the time frame. Clearly Emma Stirling
3 takes the two children back in late 1886.

4 A. Yes.

5 Q. I think your statement on page 13 says it was late 1887
6 but it was late 1886?

7 A. Late 1886 that she brought them back.

8 Q. And she's in Scotland until early 1887?

9 A. Yes, that's right, until March.

10 Q. In March, she and the three children go to Canada?

11 A. They do, yes. But she changes their name when she takes
12 them to Canada.

13 Q. Can you tell me about that?

14 A. Obviously, because Arthur was not able to pursue the
15 case and she makes claims that he made no attempt to do
16 so, but of course it's proved in later documentation
17 that he was trying at that time to get on to the poor
18 relief system, once the money had run out from
19 Mr Considine, and had no intention of giving up the case
20 against his children. So she claimed then that she had
21 brought them back and that he hadn't tried to get them
22 back again, so that was her defence.

23 Then she just took them away and she took the three
24 of them, but she took them back with 56 other children
25 from Edinburgh.

1 Q. Later on, I'll look at what she herself says about how
2 many children she actually took from Scotland.

3 Can I now start looking at some of the court
4 materials that you've alluded to. This'll come on the
5 screen in front of you and you can perhaps guide us
6 through it.

7 The first document is at WIT.003.001.9850. We can
8 see that this is -- the date at the top is 8 March 1889
9 in the First Division and it's a proof and appendix
10 in the petition:

11 "Poor: Arthur Delaney for custody of children."

12 Do we see that?

13 A. Yes.

14 Q. I think the previous interlocutor signed by the
15 Lord President of the day on 23 November 1888 had
16 allowed the parties a proof of their averments and he
17 had ordered the respondents, namely the directors,
18 effectively, to lead in the proof; is that right?

19 A. Yes.

20 Q. And that that should proceed before a judge in the Court
21 of Session.

22 A. Mm-hm.

23 Q. These are papers that you've gone through with, I think,
24 a fine-toothed comb --

25 A. Yes.

1 Q. -- to see what the position was. If we turn to
2 page 9852, we're here looking at evidence that has been
3 noted to have been taken from John McDonald? Do you see
4 that as part of the respondent's proof?

5 A. Yes.

6 Q. Can we see he says he's an accountant and the secretary
7 of the Edinburgh and Leith Children's Aid and Refuge and
8 that he had become so in December 1885; do you see that?

9 A. Yes.

10 Q. Then we have a number of pages of his evidence.

11 If we turn to page 9854, towards the top --
12 unfortunately, the names that we have been using, like
13 Delaney and so on, have been blanked out in what's on
14 the screen, but just before that, he's been giving
15 evidence about entries in the records and he's made
16 reference to James Delaney, Annie Delaney and
17 Robina Mowatt Delaney. Then he goes on to say:

18 "These are the children of the petitioner."

19 That's Arthur?

20 A. Yes.

21 Q. He goes on to say then:

22 "I do not know anything of their admission beyond
23 what I see in the books."

24 And he goes on to talk about that. Then he says at
25 the end of that writing:

1 "Sailed for NS [Nova Scotia] 1 September 1886."

2 That's in relation to James, isn't it?

3 A. Yes.

4 Q. He goes on to say -- that is in the handwriting of one
5 of the clerks. He then talks about an entry in
6 connection with Robina and she sailed for Nova Scotia on
7 25 May 1886, and again that's a date you've given us.

8 A. Yes.

9 Q. He goes on to say:

10 "There is no entry as to when Annie Delaney went to
11 Nova Scotia and as a matter of fact I do not know.
12 Miss Stirling acquired the property in Nova Scotia in
13 1886. The board of directors have no connection with
14 that property nor any interest in it whatever. The
15 homes here are now entirely supported by public
16 subscription."

17 So can we see there that he's distancing himself
18 from Emma Stirling?

19 A. Yes.

20 Q. He goes on to say that the directors give their services
21 gratuitously. And he says:

22 "I first saw the petitioner, I think, in 1886. He
23 came to ask for his children, to ask where they were,
24 and I told them they had gone with Miss Stirling to
25 Nova Scotia."

1 Was that absolutely accurate, had the three children
2 gone by this time?

3 A. No -- sorry, which date was that, April?

4 Q. "The petitioner called in September 1886. He came to
5 ask for his children, to ask where they were, and I told
6 him they had gone with Miss Stirling to Nova Scotia."

7 I think you told us Annie went in March 1887.

8 A. That was not correct; it was only the two children.

9 Q. "He called on me more than once."

10 And he goes on to say:

11 "During the time I have been secretary, the
12 petitioner has never paid any money for the support of
13 his children in the home."

14 So that's part of the dispute about what had been
15 paid and what had not been paid.

16 A. Yes, maintenance.

17 Q. If I move on then to other evidence and go to page 9863.
18 That's where we are now. If we scroll down, we see that
19 evidence is still on behalf of the respondents. This is
20 a James Colston, and does he tell us at the beginning:

21 "I am a printer in Edinburgh and a justice of the
22 peace and a deputy lieutenant of the county. I am one
23 of the directors of the Edinburgh and Leith Children's
24 Aid and Refuge Society"?

25 So that gives us an idea as to the standing of the

1 directors?

2 A. That's correct, yes.

3 Q. If we move on to the following page, 9864, about halfway
4 down, just after the letter C he says:

5 "Miss Stirling started a house and closed it when
6 she chose. Now we have just two establishments, one in
7 the High Street and one in Stockbridge. The directors
8 have never had anything to do with the management of the
9 Nova Scotia farm, nor with the sending out of children
10 to it."

11 A. Yes.

12 Q. Just in relation to that, from what you've read, there
13 were other children sent?

14 A. Yes.

15 Q. Would the directors have had anything to do with that
16 migration?

17 A. Yes. Yes, I've investigated that and in the early days,
18 even though Emma was out of Scotland and in Nova Scotia,
19 the directors did continue to send some children.

20 Q. I think we'll see later that some 300 children
21 altogether --

22 A. Yes.

23 Q. -- were sent from Scotland to Nova Scotia.

24 A. Yes. I know that this is very much my personal story of
25 the three children, but my witness is for all those

1 children who were lost. I know now what happened to our
2 three children, but there were all those other children.
3 There were 300 at least from Edinburgh that she took and
4 it has been estimated that over 100,000 children went to
5 Canada under this migrant scheme.

6 Q. As we'll see going through your evidence, Patricia, the
7 Delaney children were lost, but essentially have been
8 found?

9 A. Yes.

10 Q. But as you point out towards the end of your statement,
11 there are many, many children who were lost and never
12 found?

13 A. Yes. That's why I was anxious to give testimony today
14 because there are all those other children whose names
15 never came out. The British Homes Children Society in
16 Canada have done great work. There are many testimonies
17 in their archive of what happened to the many children
18 who went out and the suffering that they endured, and
19 sometimes even death. So yes, it was a much bigger
20 scheme of things than just three children, important
21 though they are to me.

22 Q. If we read on just above D what he goes on to say,
23 according to the note here is:

24 "We knew that Miss Stirling was occasionally taking
25 young people out but we had nothing to do with selecting

1 them. When children are sent abroad now it is under the
2 directors' charge."

3 So can we see that even now children were being
4 selected?

5 A. Yes.

6 Q. "I first heard about Delaney when Mr Considine [and he
7 was the solicitor, of course] threatened us with an
8 action towards the end of 1886. I had an interview with
9 Mr Considine along with Mr Gray and I stated that I had
10 not the slightest objection to giving the children
11 back."

12 I think that did reflect the attitude of the
13 directors, that they wanted to hand the children back?

14 A. Yes, they did throughout.

15 Q. "In pursuance of that view, a cable message was sent to
16 Miss Stirling. I promised to Mr Considine that I would
17 urge Miss Stirling to bring the children back to
18 Scotland. In November of the same year I heard from the
19 secretary that the children had been brought back and
20 Mr Considine was informed of that fact."

21 And I think you have told us about that:

22 "Miss Stirling refused to give up the children. She
23 thought they were her property ..."

24 This is the point I think her Ladyship was raising
25 with you.

1 A. Yes.

2 Q. "... and refused to give them up unless the law
3 compelled her. The directors did not concur in her
4 view."

5 A. Mm-hm.

6 Q. "She refused to tell us where they were. The directors
7 did everything they could to get Miss Stirling to give
8 up the children except bringing an action against her.
9 The children were in Nova Scotia under Miss Stirling's
10 care and we induced her to bring them back. Having
11 communicated to Mr Considine the fact that they were
12 back, we expected he would look after them. They did
13 not return to her home and were not under our care."

14 A. That's correct.

15 Q. So that's where I think the notion that Miss Stirling
16 considered the children to be her property --

17 A. Yes.

18 Q. -- came out?

19 A. Yes.

20 LADY SMITH: Did you uncover any documentation of how she
21 actually got them out of Scotland and got them admitted
22 into Canada?

23 A. Well, she went with Robina and -- well, the party went
24 from Edinburgh to Liverpool, I believe, and sailed to
25 Halifax.

1 LADY SMITH: What representation was she making about how
2 she was in a position to take these children out of one
3 country and into another?

4 A. She obviously never even gave it a thought because she
5 had the attitude that these were her property to be
6 disposed of as she chose. Even later on when the case
7 is brought, there is no indication that she is aware of
8 the enormity of what she's done or the illegality of
9 it -- because of course it was an illegal action, which
10 is what the Court of Session ruled.

11 Again, going back to -- it's not just
12 three children, I think a lot of her battle was not just
13 out of vindictiveness towards Arthur Delaney, but
14 it would have set a precedent. I think my own feeling
15 is if the court had ruled that this was an illegal
16 action she would have had a great number of children to
17 bring back if that had been followed up. But of course
18 it wasn't followed up, even though the court declared
19 that it was an illegal action to remove them from this
20 country.

21 LADY SMITH: Yes, thank you.

22 A. I think then would have been an opportunity, tragically
23 lost, to protect all the children that went out under
24 the migrant scheme without parental permission, which
25 was the vast majority of them. Nobody felt, like

1 Emma Stirling, that these children had any human rights
2 or had any need for representation and they could be
3 moved at will and put wherever she chose. She thought
4 this was a benevolent thing to do and I don't think that
5 moving such little children out of the country and
6 placing them in quite isolated farmhouses around Canada,
7 with no one to look after their interests -- and there
8 were obviously cases of abuse -- how she could possibly
9 think that that was the right thing to do, but she
10 obviously did.

11 MR MacAULAY: Perhaps while we have this in front of us,
12 we can look at evidence that Arthur Delaney gave in
13 connection with his own case. We turn now to page 9868.
14 If we move down towards the bottom, can we see a heading
15 "Petitioner's proof"?

16 The bit blanked out is "Arthur Delaney". He says:
17 "I am the petitioner in this case. After my wife's
18 death I went to reside with my mother and I lived with
19 her for some time. About the same time I gave my
20 children into the custody of the Edinburgh and Leith
21 Children's Aid and Refuge, the agreement being that
22 I was to pay 5 shillings a week for their board."

23 And you've told us about that?

24 A. Yes.

25 Q. "I paid for them regularly so far as I could. I fell

1 out of work and when I was not working I discontinued
2 paying."

3 So he accepted that that had happened?

4 A. Yes.

5 Q. "I went to visit my children in the homes, mostly every
6 Saturday. I continued to visit them more or less
7 regularly for a length of time after their admission,
8 I might say for about two years. My mother and sister
9 also visited them. After the lapse of about two years
10 when I went to visit them, I did not find them in the
11 home and I was told they had been taken to Moffat."

12 I think you have explained how that became a
13 difficulty for him in keeping in contact.

14 A. Yes.

15 Q. While we have some of the court papers in front of us,
16 and this is jumping ahead a little bit, if we could have
17 page 9875 in front of us. Can we see that this is
18 a different court action? The date at the top is
19 23 December 1892 and it's the closed record. It's
20 a case by Arthur Delaney v Miss Emma Stirling. Is it
21 the case that Arthur Delaney sued Emma Stirling for what
22 we call defamation or for libel?

23 A. Yes.

24 Q. And this is the court pleadings relating to that
25 particular case. As we can see, we have now moved on

1 a few years.

2 A. Mm-hm.

3 Q. If we look at page 9879, we're seeing here that the case
4 being made by Arthur against Miss Stirling is that:

5 "In the issue of the Christian Newspaper published
6 on 14 April 1892, there appeared the following letter
7 written by the defender [that's Emma Stirling]. The
8 letter begins by Emma Stirling talking about shocking
9 and fearful stories in connection with the ill-usage of
10 young children."

11 You've already touched upon that. But if we look
12 towards the bottom of the page, can we read:

13 "Under these circumstances, with 300 children to
14 provide for, I was forced to see what I could do in
15 a new country."

16 This is Miss Stirling speaking:

17 "So I came to Nova Scotia in 1885 where I found
18 I could provide food more cheaply and get openings for
19 our children more easily than in Scotland. I had just
20 money enough to take us across the sea and buy a farm
21 here, so we came in June 1886 and settled with the first
22 party of 25 on Hillfoot Farm, Aylesford, in the
23 Annapolis Valley. That autumn, 36 more children were
24 sent by the directors and parties followed until I had
25 brought about 300 children and young people, including

1 a few young men and women who had grown up with me and
2 were most useful in carrying on the work for our
3 children."

4 So that gives us a sense of the numbers that were
5 involved.

6 A. Yes.

7 Q. Then she goes on to say -- and this I think was at the
8 heart of the defamation action:

9 "No sooner were we located here than my troubles
10 began in another direction. A man of notoriously bad
11 character had brought his three children to my care in
12 1882 and deserted them immediately afterwards."

13 And was it in connection with that that
14 Arthur Delaney raised this case to say that that was not
15 right --

16 A. Yes.

17 Q. -- and that was a libel?

18 A. Yes.

19 Q. Perhaps jumping ahead, although the case was defended,
20 is it your understanding that there was a settlement at
21 some point in time?

22 A. Yes. As I understand it, he had sued for £500, and all
23 I have been able to find in court documents is that it
24 was settled out of court, that Emma settled out of
25 court. I don't know how much she settled to avoid

1 bringing the full case.

2 LADY SMITH: The court probably wouldn't know, there'd be no
3 record of that.

4 A. Right, thank you, my Lady.

5 MR MacAULAY: The description of Arthur Delaney that she
6 provides in that letter, looking to your information, is
7 clearly not --

8 A. No. In relation to both the fact of his treatment of
9 the children, there was never any suggestion that the
10 children were taken from him. He voluntarily put them
11 into care because of his circumstances. So these were
12 not ill-treated or neglected children. She goes on to
13 talk about the fact that there was some kind of leak in
14 Nova Scotia among Catholics to discredit her Protestant
15 colony, as she called the children she had taken there,
16 although a lot of them were Catholics. This idea they
17 went rooting around to find anybody, just anybody, in
18 Edinburgh is just frankly ludicrous. She knew that
19 Arthur had brought this case because of losing his
20 children and this was not this conspiracy that she likes
21 to make out, you know.

22 Q. Let's look at what happened in Arthur's case for the
23 custody of his children. I think first of all you tell
24 us that the court did take exception to the notion that
25 children could be owned --

1 A. Yes.

2 Q. -- by anybody, is that right --

3 A. Yes.

4 Q. -- irrespective of whether maintenance was being paid?

5 A. Exactly.

6 Q. I think the court also took exception to the notion that
7 children could be moved without the consent or
8 permission of the parents.

9 A. Yes.

10 Q. Did the court essentially decide that the children had
11 been abducted by Emma Stirling?

12 A. Yes, that was the understanding of the court.

13 Q. You've already touched upon this, but was it also the
14 view of the court that not only was Emma Stirling
15 responsible but so were the directors?

16 A. Yes.

17 Q. Once the court had made its decision, what then in
18 particular did the directors do?

19 A. Well, the court had told the directors that they had
20 responsibility to find the children and so the first
21 thing they did was the secretary, Mr McDonald, was
22 despatched to Hillfoot Farm, to Nova Scotia, and when he
23 got there Emma refused to see him.

24 Q. I think you tell us that was in about June 1889?

25 A. Yes.

1 Q. So time is marching on?

2 A. Yes. I think the problem with the court case is things
3 are constantly adjourned for three months, so to me it
4 looks like the court case moved so slowly, but a lot was
5 because we've only got the fact that there's
6 three months, six months between the court things. So
7 yes, that was then.

8 So he went out, Mr McDonald, to see Emma and she
9 refused to see him five times, and then on the sixth
10 time she told him that she didn't have the children
11 anymore, that they had been placed long ago in excellent
12 homes in Canada and she could not return them to the old
13 country.

14 Q. Did she give any information as to where the children
15 were?

16 A. No, not at that time. Then the secretary went into
17 Halifax and presented the petition for the return of the
18 children to the Supreme Court of Nova Scotia in Halifax.
19 He was told then that he didn't have the authority to
20 bring this, it had to be done by the children's father.
21 So he had to return to Edinburgh and report to his
22 board, which in turn then was to report to the court.

23 Q. And what happened after that?

24 A. After that, the next thing that happened was that the
25 court in Nova Scotia became involved and again

1 Emma Stirling was required to find the children or tell
2 the court where the children were. Again, she refused
3 to send anyone -- it was suggested she should send
4 someone, give them the addresses and send a detective or
5 law agent, as she calls it, to find the children. The
6 people that were suggested were her farm manager,
7 because he knew the children, and she said she couldn't
8 spare him. The second was a law agent who she said she
9 couldn't employ because he was a Catholic.

10 So the court also asked her to advertise in the
11 newspapers for these children and, again, that she
12 refused to do. She was then, of course, charged with
13 contempt of court.

14 Q. And this, of course, is in the Halifax court?

15 A. In the Halifax court in Nova Scotia. They also find
16 that she's acted illegally and she should return the
17 children. So eventually, she agrees that she will hire
18 a law agent at her expense, a Mr Cogswell, and he is
19 given the addresses that Emma Stirling said the children
20 were last located at in her opinion.

21 He goes to look for the children all over these
22 places in Nova Scotia, in Quebec and in New Brunswick,
23 and he finds no evidence of the children in any of the
24 addresses she has given. So again, we're at stalemate
25 again.

1 Q. Because she had done what she had done, did the court
2 consider that she had purged her contempt?

3 A. Yes, because she had sent someone and that she had given
4 the addresses, that they couldn't see what else she
5 could do. So it wasn't a unanimous verdict, it was two
6 to one. One of the justices said that she hadn't purged
7 her contempt because it seemed a strange thing that
8 a benevolent lady who was supposed to be very interested
9 in these children could have caused them to come and to
10 be lost in Canada without her knowing where they were.

11 Q. And you've provided that quote for us in paragraph 65 of
12 your statement, where you say:

13 "One of the judges in those papers says something
14 along the lines of:

15 "'It seems strange to me that this benevolent lady
16 who has dedicated her life to helping children should
17 let three underage children disappear to somewhere and
18 someone whom she didn't know anything about.'"

19 A. Yes.

20 LADY SMITH: And so far as ages were concerned, by this time
21 they must have been about 12, 11 and 9?

22 A. That's right, yes. 12, 11 and 9, yes.

23 MR MacAULAY: After these proceedings had come to an end,
24 effectively, in Nova Scotia, did the case return to the
25 Court of Session?

1 A. Yes.

2 Q. What was the purpose behind this?

3 A. Again, it returned and again the Court of Session in
4 Edinburgh ruled that they thought the directors were
5 still liable and that they should arrange to have
6 a detective sent to look for the children at the expense
7 of the directors.

8 Therefore the directors employed a Canadian lawyer,
9 who later became a very eminent lawman in Canada, and
10 he was Mr Mellish. He was furnished with the addresses
11 that Emma Stirling had given as the last addresses that
12 she had for the children.

13 Q. Were these the addresses that the Canadian investigator
14 had been given?

15 A. Yes.

16 Q. If we can look at the court documentation to provide
17 some assistance at WIT.003.001.9884.

18 We're now looking at the front page of the court
19 pleadings. We're now in 15 October 1891, so time is
20 moving on. Can we see this is again part of
21 Arthur Delaney's petition for custody of the children;
22 is that right?

23 A. Yes.

24 Q. Can we see there's what we would call an interlocutor by
25 the court, a court order, dated 17 July signed by the

1 Lord President of the day, saying:

2 "The Lords having considered the minute for the
3 comparing respondents [that's the directors] and heard
4 counsel for the petitioner interpose authority to said
5 minute and in terms thereof ordain the said respondents
6 to consult with their solicitor in Halifax and employ
7 one or more detectives and put said detective or
8 detectives in communication with a person who can
9 identify the petitioner's children and send said
10 detective or detectives to America to follow up the
11 information as to the last known residence of the
12 children contained in the affidavits produced in the
13 proceedings in Halifax and search for, and if possible
14 find, the said children. The respondents to report to
15 the court by the first sederunt day in October and
16 ordain the petitioner to furnish said respondents with
17 mandates containing his authority for bringing the
18 children to this country, that the said mandates may be
19 used if necessary."

20 A. Yes.

21 Q. Can we see that the court was absolutely clear that
22 these children were to be returned to Scotland --

23 A. Yes.

24 Q. -- and indeed to Arthur Delaney and that's why these
25 mandates were considered to be necessary?

1 A. Absolutely, yes. Just to clarify, though they refer to
2 it as America, I think they're meaning North America,
3 because it's still Canada, but the court documents refer
4 to it as "America".

5 Q. Can we then move on to Mr Mellish's report. That's on
6 the following page because I think, as you indicated,
7 Mr Mellish did carry out an investigation.

8 A. Yes.

9 Q. And the first page of that is at 9885. He begins by
10 telling us in the first main paragraph:

11 "About 1 August 1891, I went to Little Shemogue in
12 the county of Westmoreland in the province of
13 New Brunswick, a farming district about 3 miles from the
14 nearest station, and found that Robina Delaney had been
15 living there at the house of Smith Blacklock, under the
16 name of Bessie Whitehead ..."

17 And I think you've explained to us the change of
18 name.

19 A. Yes.

20 Q. "... up to about the month of April in the spring of
21 1890, when she was taken away by a man who came for her
22 in company with her brother (James Delaney, I suppose).
23 I could find no clue as to the name of the party who
24 came for her nor as to the place he went or even the
25 direction he took on going away with the child."

1 So he is able at least to find the child had been
2 there?

3 A. Yes, which is more than the previous detective had
4 reported.

5 Q. What do you make of this reference to a man who came
6 in the company of her brother?

7 A. Well, of course, years ago, when I first did this,
8 I thought that was absolute nonsense because her brother
9 was also lost and it wasn't until we actually found what
10 had happened to the children that that actually rings
11 true, that James, her brother, was there when the
12 gentleman who we now know is Mr Sutherland went to pick
13 the child up.

14 Q. In 1890, the spring of 1890, James, who was born in
15 1877, would be perhaps coming up for 13?

16 A. Yes.

17 Q. He'd be 12?

18 A. He was 12, yes.

19 Q. Then if we look at the next main paragraph Mr Mellish
20 goes on to tell us where he went next and he goes on to
21 say:

22 "... and found that a child who gave her name as
23 Whitehead (presumably Annie Delaney) had been living
24 with Joseph, a married man with no family, up to the end
25 of September 1890 when she was taken away by a man [and

1 we have a little bit of French] du moyen grandeur et
2 blond."

3 Do you know what that means?

4 A. I presume it's a fair-haired man. My French is not too
5 good.

6 Q. "... whom the little girl recognised when he came for
7 her. Mr and Mrs Jones, who were much attached to the
8 child, at first refused to give her up and the child
9 herself was very unwilling to go away, but the man to
10 came for her is said to have represented himself as the
11 child's uncle and threatened to compel Mr Jones to give
12 her up and so the latter was forced to give way."

13 So again we have evidence there, first of all, of
14 the child being found and also being taken away in
15 September 1890.

16 A. Yes. I was quite upset about this when I read this
17 because it sounded like at least where she had been
18 placed, she was with people who she liked and that they
19 didn't want to lose her. But she was taken away and
20 didn't know who the man was, of course. It just seemed
21 ridiculous that a little girl could be taken away by
22 just any man. On whose authority?

23 Q. Then if I turn on to the next page, 9886, and look
24 towards the bottom of the page, what Mr Mellish says is:

25 "Lastly, I visited Middleton in this province in

1 search of James Delaney. I found that he attended
2 a little school about 3 miles from Middleton railway
3 station some time previous to 14 January 1890, at which
4 date his attendance, according to the school register,
5 ceases."

6 And you have mentioned already there was some
7 evidence that he had attended school.

8 A. Yes.

9 Q. "He is registered as James Delaney, aged 12 years. At
10 that time he was living at Rufus DeWolfe's, 2 miles from
11 Middleton station. In March 1890, he ran away from
12 DeWolfe's, but was back there again in September of the
13 same year when he again ran away one day when Mr DeWolfe
14 was not at home and since that date his whereabouts are
15 unknown."

16 Mr Mellish goes on to say:

17 "Mr DeWolfe made no enquiry in search for him and
18 never sent any person to look for him nor did he ever
19 search for him himself [this is on to the next page]
20 after that date. As he himself, Mr DeWolfe admitted,
21 Mr DeWolfe also stated that he had heard nor seen
22 nothing of the boy since that date, that the boy was not
23 much use on the farm and was constantly running away."

24 A. Yes.

25 Q. So that's the picture that was presented?

1 A. Yes. And that again was very worrying because this is
2 a 12-year-old boy and he's keeping running away and
3 there has to be a reason for that. But where would he
4 run to in such a situation? He had no money. But the
5 sad thing of course about it was he was the one that was
6 living nearest to Hillfoot Farm.

7 If he was suffering some kind of abuse, which sounds
8 like if he kept running away at that age into the
9 wilderness of Canada, why did he not go back to
10 Hillfoot, which was supposed to be this home from home
11 for him? But he didn't and he kept running away and
12 finally this statement that he finally ran away -- well,
13 we now know that's not true, but that's what was stated
14 by Mr DeWolfe giving the evidence to Mr Mellish.

15 Q. When you say you know that's not true that he finally
16 ran away, why do you say that?

17 A. Because we now know that he was also picked up by
18 Mr Sutherland and taken to America with the two girls.

19 Q. And I think you're suggesting that Mr Sutherland was the
20 man who pretended to be the uncle --

21 A. Yes.

22 Q. -- and indeed had also gone to pick up Robina?

23 A. Yes, and Annie later.

24 Q. If we look at the second last paragraph what Mr Mellish
25 goes on to say is:

1 "I have no reason to believe that in any case,
2 except that of the boy, any of the parties interested
3 knew of a search being made for the children ..."

4 So he qualifies his conclusion there. Do you know
5 why he thinks that Mr DeWolfe might have been aware that
6 a search was being made?

7 A. Yes, Mr Mellish, I think, must have obviously sensed
8 that James -- whatever happened to James, he didn't run
9 away finally, he didn't run away. Reading between the
10 lines, he knew that he must have been removed in some
11 other way, given that he made it quite clear,
12 Mr DeWolfe, that James was not anywhere in the province.
13 It would be a sparsely populated province, so he would
14 know and he was a small boy with bright red hair, so
15 I would imagine he knew he wasn't there and Mr Mellish,
16 I'm assuming, must have guessed as much, but obviously
17 has to stick to what he was told.

18 Q. Then if we look at the final paragraph, what Mr Mellish
19 has recorded is this:

20 "I am convinced that the several changes effected in
21 their respective residences of late were made with the
22 deliberate intention of avoiding location in case of
23 enquiry. I know of nothing further I can do except
24 grope somewhat aimlessly without anything to work upon."

25 And he signed this on 9 September 1891. What do you

1 take from that comment?

2 A. He obviously has realised that these children have been
3 taken away deliberately. Their names were changed.
4 Apart from the addresses that he refers to, Emma also
5 gave other addresses that the children were supposed to
6 be at. Mr Mellish finds that these are fictitious,
7 there's no such people of that name, these names, in the
8 area, nor any address, nor any evidence of any of the
9 children being there. So the information he was given
10 was also full of errors. Some of the people just didn't
11 exist that were supposed to have had the children. But
12 also when he did find the homes, the farms where the
13 children were, it was obvious that the children had been
14 moved around, so this idea of the children being placed
15 in one excellent home somewhere, these girls were moved
16 from pillar to post to just anybody.

17 Q. The notion that a man came to take -- and this is
18 Mr Sutherland that's referenced -- the children away,
19 do you in any way associate that with Emma Stirling?

20 A. Yes, because only Emma had any reason. She was the one
21 who was threatened with contempt of court and also with
22 jail if that had been found. She was the one who had to
23 fear the whole migrant system being blown wide open.
24 She was the only one who had an interest in it. You
25 can't expect it's credible that one man should go to

1 three separate children living in -- three random
2 separate children living in three different parts of
3 Canada and take them away. It had to be directed and
4 she is the only one who had any interest in doing that.
5 She was the only one who had anything to lose by these
6 children being found.

7 Q. Remind me in relation to the time frame, the Canadian
8 inspector, or whoever it may have been, investigator,
9 what was the time frame for him when he was to carry out
10 his investigation? That was in 1890, wasn't it?

11 A. Mr Mellish or Mr Cogswell? Yes. I don't know the exact
12 time, all I can take is that she was called in August
13 and threatened with imprisonment for contempt of court
14 if she didn't deliver up the addresses and send
15 Mr Cogswell ... But my view is, since she had reached
16 that point, she very quickly had the children removed
17 from the addresses that they were at before she gave the
18 addresses. That's the only conclusion you can reach.

19 MR MacAULAY: My Lady, I see we're beyond the usual break
20 time.

21 LADY SMITH: I think we'll take a break now. We usually
22 stop for 15 minutes at this stage, Patricia, and then
23 we'll carry on with your evidence after that.

24 (11.32 am)

25 (A short break)

1 (11.52 am)

2 LADY SMITH: Patricia, are you ready for us to carry on?

3 A. Yes, thank you.

4 LADY SMITH: Mr MacAulay.

5 MR MacAULAY: Can I take you to essentially what was the
6 final hearing in connection with Arthur Delaney's court
7 case. I think it appears to be the case that, following
8 upon the Mellish report, Arthur Delaney realised that
9 that was the end of his search for the children at that
10 time.

11 A. Yes.

12 Q. But he was awarded damages by the court --

13 A. Yes, he was.

14 Q. -- of, you tell us, £100 from the directors.

15 A. Yes.

16 Q. According to inflation information that one can check
17 out on the Internet, the purchasing power of that is
18 about £12,700 in today's money. But he put that money
19 to some use, did he?

20 A. Yes.

21 Q. What did he do?

22 A. Yes, when he received the damages, he and his law agent
23 went to Canada to look for his children. I find that
24 amazing that this man, who had never been out of
25 Edinburgh, set off for a huge country like Canada to

1 search for his children. Obviously we don't know about
2 that search, there's no documentation, but presumably he
3 must have gone to the same addresses that Mr Mellish had
4 been given and to the home, but of course he never found
5 his children.

6 Q. You tell us that he left to do that on the Nova Scotian,
7 on 24 May 1892.

8 A. Yes.

9 Q. And he returned about a month later?

10 A. Yes.

11 Q. We have already looked at the defamation action and we
12 know it was settled but we don't know how much it may
13 have been settled for.

14 A. No.

15 Q. So what it comes to is that Arthur Delaney never saw his
16 children again --

17 A. Yes.

18 Q. -- from about 1885/1886, is that correct?

19 A. That's right.

20 Q. And you tell us he died at the age of 47?

21 A. Yes.

22 Q. What year was that, can you tell me?

23 A. 1907. But he was in ill-health from the time of the
24 case and it is stated in the court that he had ruined
25 his own health seeking his children had gone to Canada

1 with his law agent and because of course he still had --
2 because of the fact he got the damages, of course the
3 lawyers still had to be paid because they had worked on
4 the no win, no fee basis. So it seems like a lot of
5 money, but he obviously needed it to settle that and to
6 go to Canada and search for his children.

7 But it did mean that because he died relatively
8 young and had been in poor health that my
9 great-grandmother Cecilia was actually left with
10 six children of her own to bring up and with no
11 breadwinner.

12 Q. Including your own grandfather, who you have told us
13 about, Patrick?

14 A. Yes.

15 Q. Your investigations, of course, do not stop at that
16 point --

17 A. No.

18 Q. -- because you have also carried out some investigations
19 to see if you could find out what happened to the
20 children.

21 A. Yes.

22 Q. And you have got some answers?

23 A. Yes.

24 Q. Can you just give me the background to how you came to
25 get these answers?

1 A. Yes. Because I had been researching this over many,
2 many years and then with finally writing the book,
3 I have friends who were with me during all that time and
4 had followed the story. But when The Scotsman newspaper
5 became interested in the migrant children situation,
6 I was interviewed for that and there were two articles
7 which appeared in The Scotsman newspaper.

8 In the New Year, 2017, I had lunch with two of those
9 friends who'd been with me all the way through and they
10 hadn't seen the articles. So I mentioned to them and
11 one of them, my friend Rosalind, went back and she
12 thought, now that we have the Internet, which we didn't
13 have when I researched the story originally, she thought
14 she would go online. She went online and almost
15 immediately she picked up someone, James Delaney, who
16 she thought fitted the profile of our James, but it
17 wasn't in Canada, it was in America, it was in New York
18 state in America.

19 Things moved very quickly after that. She enlisted
20 the help of a cousin and another friend of mine and they
21 proceeded to trawl the Internet for as much information
22 as possible. As a result of that, they were able to
23 trace what had happened to James and to Annie and Robina
24 afterwards.

25 Q. So can we then look at them individually? Did you

1 discover through your friends that James went to a home
2 in Cayuga in New York state?

3 A. Yes.

4 Q. Was that in September of 1890?

5 A. 1890.

6 Q. Does that coincide with the Mellish investigation?

7 A. Yes. And also with the fact that they must have been
8 moved when the case came in Nova Scotia. The contempt
9 case was in the August and I think it all ties in with
10 the fact that in September the children were removed
11 from the addresses that had been actually given.

12 Q. And the person who placed James, and I think also the
13 girls in the home, was this man named James Sutherland?

14 A. Yes.

15 Q. Did you ever find out anything else about him?

16 A. He was a Scot and we don't know if he had any connection
17 with Emma Stirling or how -- I'm sure she used him, but
18 I don't know what relationship there was. One of the
19 children is said to have recognised him, so I do wonder
20 if he had a connection before with Emma Stirling in
21 Nova Scotia.

22 But by this time, he was a freight agent on the
23 railways in the United States and he went -- and the
24 girls, we certainly know that he took them by train, and
25 James as well. But he took James and Robina first and

1 placed them in the Cayuga home on the same day, and then
2 at the end of September he went and got Annie and took
3 her and placed her in the home as well.

4 That was not a home for migrant children, that was
5 a home for orphan children that had been set up by some
6 ladies previously to look after orphan children from
7 their own area.

8 Q. So if we look at the dates then, I think James is
9 admitted to the home in September 1890 when he would be
10 13, is that right --

11 A. Yes.

12 Q. -- or thereabouts? And Robina at that time would be
13 about 10?

14 A. Yes.

15 Q. And Annie, who was admitted on 25 September 1890, she
16 would be 12?

17 A. Yes. And they were all admitted under the name of
18 Whitehead. But when Kim Dungy, who very kindly,
19 searched the records of the home for me, she discovered
20 there was handwritten addition to James Whitehead's
21 entry, which said that:

22 "James Whitehead is really James Delaney."

23 So that's how I knew we had the right person.

24 Q. Are we to understand then that at least for, I think it
25 was, probably a short period of time, the three children

1 were in the home together?

2 A. Together.

3 Q. You tell us that thereafter James was indentured to
4 a farmer in New York State?

5 A. Yes.

6 Q. How long had he stayed in the home before that happened?

7 A. The home system was to actually put out, as they called
8 it, children to work on farms. But as far as I could
9 see from the various dates, they were perhaps sent out
10 to help with the harvest and then returned to the home.
11 So it wasn't quite the same system as Emma Stirling's
12 system, though there were aspects of it. So there are
13 several dates where James was put on a farm to help and
14 then came back to the home and that went on a few times.

15 Robina was in the home for only a very short time
16 before she was put out as a domestic servant.

17 Q. I'll come and look at them individually.

18 A. So James was back and forwards and eventually he was
19 indentured to one farmer who kept him and then by the
20 age that he was 15, he got a job that was paid. That's
21 the first time in his life that he had received any pay
22 for his labours.

23 Q. We'll come back to James shortly.

24 Let's look at Annie, first of all. What were you
25 able to discover about Annie and what happened to her?

1 A. Well, Annie, who had been delicate always, she had been
2 placed in the home and she seems to have been in the
3 home for quite a few months before she also was placed
4 out as a domestic servant with a family. She remained
5 with that family for three years and then Kim Dungy
6 found in the records that the family had returned her to
7 the home to say they did not wish the care of an
8 invalid; it was discovered that Annie was suffering from
9 tuberculosis.

10 By this time Annie was 17 and she was too old to be
11 in the home, but Cayuga sounds like it was quite
12 a decent place. They took her on and allowed her to do
13 light tasks, and in the documents we've discovered that
14 Annie said that she had come home to Cayuga to die. So
15 Annie knew she was dying and that broke my heart that
16 she thought that home was Cayuga Home instead of with
17 her father, who wanted her to be with him. She died of
18 tuberculosis aged 17 and she's buried in the home, in
19 the graveyard set aside for the home children.

20 Q. Have you, I think, obtained a photograph of --

21 A. Yes, we have a photograph. Kim Dungy kindly went out
22 and took a photograph of Annie's grave slab.
23 Unfortunately, of course, it's in the name
24 Annie Whitehead, so Emma Stirling even robbed her of her
25 name on her gravestone.

1 Q. What about Robina?

2 A. Robina was taken out within a few weeks of arriving
3 there, a couple of weeks, and she was placed with
4 a family called the Tisdales, also in New York state.
5 We discovered that Mr and Mrs Tisdale had lost
6 a daughter, their young daughter, who was the same age
7 as Robina.

8 Q. That would be about 10?

9 A. About 10, just before Robina went there. So we don't
10 know if they were taking Robina as a servant or if they
11 were taking her almost to replace their daughter. They
12 were also looking after another relative in their home,
13 an older woman, and she was a teacher.

14 As it unfolded through newspaper cuttings, etc, it
15 looks as if Robina was very well cared for by the
16 Tisdales and that she was actually brought up more as
17 a daughter. She was obviously very well educated,
18 probably because the older girl was a tutor to her.

19 Then we discovered Mr Tisdale's will. He died just
20 a couple of years after Robina went there and he left
21 her in the will -- he tells his wife that she's to look
22 after Robina until Robina and 18 and when Robina is 18,
23 she is to give Robina \$100 in cash and \$100 worth of
24 clothes to set her up, and after that his wife does not
25 have any further responsibility to Robina, but if Robina

1 is not obedient to his wife before that time, then she
2 doesn't get that inheritance.

3 But after Mr Tisdale died, Robina was then sent to
4 a very exclusive boarding school in New York state and
5 it's always been said she was a bright girl and she
6 obviously was very well educated. We have descriptions
7 in the local newspaper of her returning from college, as
8 they called it back home, and that continued and she
9 attended parties and she was a beautiful singer, so she
10 sang in the choir. She had been converted by the
11 Tisdales as a baptist and was baptised as a baptist and
12 she sang in the baptist choir and she also sang at the
13 local opera house.

14 So she looked like she had a very successful life
15 with the family. The last mention we have of her is
16 when Mrs Tisdale dies and there's a note in the paper to
17 say that her stepdaughter, Bessie as they called her,
18 Robina, had returned for the funeral and that she lived
19 in Fort Knox. But by then, we have no further
20 information about what happened to Robina, but she was
21 actually 38 by then, so we speculate that, it was First
22 World War time, perhaps she had become a nurse or
23 a baptist missionary, because we can't find any evidence
24 of her death anywhere.

25 Q. I think what you're telling us is that during this

1 period that Robina appeared to have had a happy life?

2 A. Yes.

3 Q. Then that brings us back to James then. What did you
4 discover about James Delaney after he'd been placed in
5 the home?

6 A. We had the information from Kim Dungy about his
7 situation. Then eventually, he went into the job that
8 he was able to be paid for.

9 Then Rosalind found through the censuses the other
10 jobs that he had. We discovered that he had married an
11 Austrian lady and that they had had children. Then we
12 discovered through [REDACTED] that James Delaney's
13 great-grandson was seeking information about him. So
14 we were able to make contact with [REDACTED] in
15 Florida.

16 [REDACTED] in Florida added to the story by
17 saying that his family story was that James Delaney had
18 told his family that he had been kidnapped from Scotland
19 by a lady who lost interest in him and his sister and
20 put them into Cayuga Home.

21 Q. In a way, there's at least some truth in that?

22 A. Yes, that's just what was done: he was kidnapped, as
23 were the other children, taken illegally, abducted,
24 kidnapped.

25 Q. I think you've been provided with photographs of

1 James Delaney --

2 A. Yes.

3 Q. -- in his later life; is that correct?

4 A. Yes, that's right.

5 Q. What do you take from these photographs?

6 A. The photographs -- [REDACTED] managed to contact an aunt
7 who he didn't actually know about, but she very kindly
8 took photographs that were in frames and took
9 photographs and sent them to me and they show
10 James Delaney with his large family of children and
11 grandchildren. He looks a contented man in spite of the
12 trauma of his life. He looks like he won through and
13 did have a family of his own in his life.

14 Q. I think you tell us he died in 1958 at the age of 81.

15 A. 81, yes.

16 Q. Just perhaps picking up one particular point, which
17 perhaps corroborates who he is: had he named his
18 daughter, one of his daughters, Annie Robina?

19 A. Yes.

20 Q. By way of a postscript then, can we see how matters went
21 for Emma Stirling after she had moved --

22 A. The other thing I might mention is that he also called
23 his son Arthur and he called his son Arthur. That
24 brought me some consolation because I thought he
25 obviously remembered his father fondly when he used his

1 name and that name came down the family. That brought
2 me a lot of consolation.

3 Q. Thank you for that.

4 Can we just go back to Emma Stirling? And in
5 particular something that happened that involved a girl
6 by the name of [REDACTED].

7 A. Yes.

8 Q. What happened here?

9 A. I think [REDACTED] was a little girl who went out with
10 Robina on that first sailing.

11 Q. She was Scottish?

12 A. She was Scottish. I do actually have a census of when
13 she was living with her parents in Edinburgh. I don't
14 know any other details of how she came to be in Emma's
15 care, but she went out on that first sailing and at some
16 point in her life, she was placed with a farmer and
17 I haven't been able to find the timings. I don't know
18 what age she was when she was placed with this farmer,
19 but it was at a time when -- it was an age when she was
20 old enough to become pregnant and she was actually
21 assaulted by the farmer and became pregnant and he
22 attempted to obtain an illicit abortion for her, a
23 clandestine abortion, and this was carried out on young
24 [REDACTED] and she nearly died.

25 Q. Did this prompt some sort of reaction from

1 Emma Stirling?

2 A. Yes. When she heard about this, Emma Stirling
3 immediately went to see [REDACTED] By this time [REDACTED] was
4 believed to be on her deathbed, so [REDACTED] made
5 a statement about what had happened to her and Emma
6 herself says in her book that she saw the marks of
7 cruelty that had been inflicted upon [REDACTED] by the farmer
8 she had been placed with and that she was at death's
9 door.

10 Emma said she could not believe that anyone could
11 have treated a young girl in that way, so I think
12 perhaps she was more than a little naive to think you
13 could send young girls into the wilderness with farmers
14 and not check up on them, which of course she didn't do,
15 and have whatever happened to them be a surprise. We
16 wouldn't be so surprised now, would we?

17 Q. I think you thought by this time [REDACTED] was possibly
18 17 years of age.

19 A. Yes.

20 Q. And you tell us that Emma Stirling actually raised court
21 proceedings against the farmer?

22 A. To great credit she did. She raised proceedings against
23 the farmer and against the doctor, and both the doctor
24 was -- the doctor himself had not carried out the
25 abortion, but he had persuaded another doctor to carry

1 out the abortion, so he was charged also with having
2 brought it about.

3 Q. What happened to that case?

4 A. Well, the case was basically thrown out of court. There
5 was a token gesture -- there was a suggestion in Emma
6 speaking afterwards to the local sheriff, as it was,
7 about the case and the opinion of the court was really
8 that the local law officer had packed the jury with
9 people sympathetic to the farmer and the doctor and that
10 they had overturned the case against the farmer. But
11 the doctor, I think, was fined, probably, for obtaining
12 the abortion. But [REDACTED] survived.

13 Q. Thereafter, I think there is a fire at Hillfoot Farm.

14 A. Yes.

15 Q. Was the farm effectively destroyed --

16 A. Yes.

17 Q. -- the farmhouse?

18 A. Emma testifies in her book that she was aware that
19 having brought this case against the farmer and the
20 doctor, in that area, if you got into the bad books with
21 such people, you were liable to have your barn burned
22 down. So she returned with her lawyer and she went back
23 to Hillfoot where she still had a party of children
24 living with her and in the early hours of the morning,
25 someone set the farmhouse on fire and Emma and the

1 children only just managed to escape with their lives.
2 The farmhouse burned to the ground because it was
3 wooden, of course, a wooden structure. It was obviously
4 deliberate because there was a strong smell of paraffin.

5 They had also a mill, a wooden mill nearby, and it
6 also was set on fire and it was some distance from the
7 house itself, so it was obviously arson. She was told
8 that the talk in the area was that she'd better not try
9 and rebuild because they would burn her out again.

10 Then Emma decided that Canada, Nova Scotia, wasn't
11 this idyllic paradise that she had made out in her book.
12 She heard of other cases of girls that were in the
13 graveyard as a result of abortions carried out on them.
14 She said that she didn't feel that the Dominion of
15 Canada could protect her and so she said that she
16 disposed of the remaining children as quickly as
17 possible, so I shouldn't imagine it took her very
18 long -- I wouldn't imagine she inspected where they
19 went -- and with one remaining child from Hillfoot she
20 went to live with the Quakers in Philadelphia.

21 Q. You have mentioned this in paragraph 111. You say she
22 talks about her writings of --

23 A. Yes.

24 Q. -- "disposing of the remaining children"; do you know
25 how many children were involved?

1 A. I think during the fire there was something like about
2 23 children in the house as well as helpers.

3 Q. I think thereafter, she became involved with animal
4 welfare; is that right?

5 A. Yes. She moved to Philadelphia and then she decided
6 that with the boy that she had taken with her, she
7 bought an old rundown house and she intended to do it up
8 with the idea of bringing more migrant children out to
9 Philadelphia this time, but as far as I can make out
10 that didn't happen, though she did have two young girls
11 living with her as well as the boy in the house in
12 Philadelphia.

13 She then seems to lose interest in migrant children
14 and she starts to get involved in animal welfare and
15 that seems to be her latest cause and she became very
16 involved in that.

17 She spent -- even when she had Hillfoot, she didn't
18 spend the winters there because they were too severe,
19 the snow was foot-high. The children spent the winters
20 there but she went to the South of France or came back
21 to Edinburgh. Then she went from Philadelphia and she
22 brought an orange grove in the Florida area, I think it
23 was, and she went there for the winters.

24 She then took up the cause of poor sponge fishermen
25 and opened a church and a reading room for them, so that

1 became her latest cause.

2 The three children were teenagers by then, they
3 remained back in the house in Philadelphia, and then the
4 next thing we learn is that she died in 1907, like my
5 great-grandfather. Just recently there's been some
6 research done, and as I understand it, they've
7 discovered the will, and I think that Emma left
8 something like £75,000.

9 Q. In 1907?

10 A. In 1907. So the reason for leaving Edinburgh was she
11 was running out of funds and that's why she had to
12 migrate the children.

13 Q. You've touched on this already, the book itself, "The
14 Delaneys of Edinburgh -- Based on a True Story".
15 Of course, the story only went up to the time of
16 publication, which is 2012, and since then you've
17 discovered more information, as you've told us today.

18 A. Yes.

19 Q. If we look at the final thoughts in that section of your
20 statement at page 5408. You begin by talking a little
21 bit about Emma Stirling and that she may not have
22 understood the enormity of what she'd taken on in
23 connection with the whole migration project.

24 A. Yes.

25 Q. In particular, a point you've made already, that if

1 you're placing children in a country like Canada,
2 different parts of Canada, logistically it's virtually
3 impossible to keep tabs on them.

4 A. Yes, that's right. A lot of this information came from
5 a university study that was carried out into the fate of
6 migrant children and Emma is mentioned in that. She is
7 not the only one, of course, there are other
8 child-savers involved, but they took these children out
9 and we don't know how Emma did it, but we know that some
10 of the child-savers actually just advertised in
11 newspapers to say that they had children available for
12 farmers to come and collect. Very few of them, given
13 the spread, actually had any followup of inspections of
14 the homes they went to.

15 Emma says she asked for references from the people
16 that the children were being placed with, but of course
17 she didn't go herself, she didn't send any of her staff
18 to see where the children were being placed. They were
19 totally at the mercy of whoever they were placed with,
20 for better or for worse.

21 Q. You talk a little bit about the motivation to learn
22 about Arthur Delaney and the children and why it
23 mattered so much to you. Can you just describe why it
24 was important to you?

25 A. Yes. I think from discovering that first fragment of

1 court papers -- we are a very large, close family in
2 Edinburgh, descended from the second wife, and we were
3 very much aware right from the beginning that these were
4 our children. We have had lots of children in the
5 family and lots of family gatherings and all through the
6 years those children and their descendants, if they'd
7 continued in Edinburgh, would have been part of that
8 family, and the fact that they were lost to us always
9 felt very personal and very emotional.

10 Of course, that was the driving force, right from
11 the beginning, to find out, to tell their story and find
12 out if possible what had happened, though at the time it
13 seemed impossible that we would ever find out what had
14 happened to them.

15 Q. As you've pointed out already this morning, Patricia,
16 and you touch upon this in the final paragraph of your
17 statement, there were children who were placed in places
18 in Canada and went on to have good lives.

19 A. Yes.

20 Q. And you certainly say that, ultimately, Robina seems to
21 have had a good life.

22 A. Yes.

23 Q. And James ultimately too seems to have been contented,
24 at least, as you put it.

25 A. Yes.

1 Q. But you also say that there are children who might not
2 have been so successful.

3 A. Yes.

4 Q. You describe those as "the hidden ones"; is that right?

5 A. Yes, there were many, many children who suffered abuse
6 and great harm, and that is well-documented from
7 investigations that were carried out afterwards, in
8 particular the investigation by a man called
9 Andrew Doyle, who was sent out to investigate the
10 Canadian situation with regard to migrant children, and
11 reading his report is quite horrendous.

12 The British Home Children Society in Canada started
13 by Lori -- her mother had been a migrant child and
14 that's the other aspect of it. The Home Children
15 suffered lives of great stigma, they were not welcome in
16 Canada. They were stigmatised, nobody would want their
17 child to marry a Home Child. So a lot of these
18 children, as they grew up, kept it secret that they had
19 been Home Children and Lori's mother kept it secret
20 until she was in her 80s, before she told her children
21 the shame of being a Home Child. And we know from
22 further reports that was the norm.

23 Eventually, as Canada had its own children, it began
24 to fear for the purity of Canadian stock being affected
25 by these guttersnipe children, as they were described,

1 dragged out from the gutters of Britain, and that they
2 might somehow infect the pure stock of Canada. So the
3 children were not even welcomed as a society after their
4 enforced labour was no longer useful, which is a great
5 scandal.

6 Q. You've been able to tell the story of the Delaney
7 children and you seem to have run it pretty well to
8 ground and the point you made is there are other
9 children whose stories have not been told and therefore
10 these are lost.

11 A. Yes.

12 Q. You end up by saying:

13 "Hopefully, one day their stories will be told as
14 well and I hope the inquiry will help in telling those
15 stories."

16 A. Yes.

17 MR MacAULAY: Well, thank you for these thoughts,

18 Patricia --

19 A. Thank you.

20 MR MacAULAY: -- and for coming to give your evidence to the
21 inquiry.

22 A. Thank you for the opportunity to represent not just the
23 Delaney children but all the lost children and hopefully
24 it will never happen again. Hopefully these children,
25 or at least their descendants, will get some sense of

1 justice. Thank you.

2 MR MacAULAY: I can confirm, my Lady, that no questions have
3 been submitted to me for Patricia.

4 LADY SMITH: Are there any outstanding applications for
5 questions?

6 Patricia, it only remains for me to extend my thanks
7 and gratitude to you for engaging with the inquiry
8 in the way you have done, both with your detailed
9 statement, the summary you wrote of your statement for
10 us, and in coming here today to talk about what, if
11 I may say, has been a remarkable achievement on your
12 part.

13 A. Thank you.

14 LADY SMITH: How long has it taken you from start to now?

15 A. I was just saying this to [REDACTED]. In actual fact, trying
16 to recall the dates is difficult because I really
17 started 25 years ago researching and that led to the
18 book in 2012. And then of course with the new
19 information it's like it never ends, you know?

20 LADY SMITH: I can see it probably never will end for you.

21 A. That's right. But I do feel -- I hope that I've done my
22 great-grandfather some justice by bringing the story
23 out.

24 LADY SMITH: Can I say you certainly have. Your remarks
25 about the importance of your evidence not just for your

1 family but for other children that you've referred to as
2 being migrated over the same period, according to the
3 evidence you've uncovered, are certainly not lost on me
4 and I'm very grateful to you for that.

5 A. Thank you.

6 LADY SMITH: I'm now able to let you go.

7 (The witness withdrew)

8 MR MacAULAY: My Lady, it's earlier than usual, but perhaps
9 we can adjourn a little bit earlier today. We have
10 video evidence this afternoon and probably a read-in as
11 well.

12 LADY SMITH: Very well. We'll adjourn. It will be
13 2 o'clock for the video, will it?

14 MR MacAULAY: Yes.

15 (12.30 pm)

16 (The lunch adjournment)

17 (2.00 pm)

18 LADY SMITH: Good afternoon. I see we have a video link up
19 and running, is that right?

20 MS MACLEOD: We do, my Lady. The next witness is
21 Judy Neville and she joins us from Florida where she is
22 on holiday at the moment.

23 LADY SMITH: This is Lady Smith speaking: is it all right if
24 I call you "Judy"?

25 THE WITNESS: Yes, that will be fine.

1 LADY SMITH: Thank you for joining us today from what
2 I gather is a rather warmer place than we have here in
3 Edinburgh at the moment; we're very envious of you.

4 I'm going to hand back to Ms MacLeod in a moment for
5 her to start leading your evidence, but before we do
6 that, I'd like to put you on oath, please.

7 JUDY NEVILLE (sworn) (via video link)

8 LADY SMITH: Judy, it seems that the video link is working
9 really well at this end. I can see you clearly and
10 I can hear you clearly. Please let us know if you have
11 any problems at that end because it's really important,
12 obviously, that I can hear everything that you want to
13 tell us. Don't hesitate if you have any problems.

14 I'll hand back to Ms MacLeod and she'll take it from
15 there.

16 Questions from MS MacLEOD

17 MS MACLEOD: Hello, Judy.

18 A. Hello, Ceit-Anna.

19 Q. Are you Judy Neville?

20 A. Yes, I am.

21 Q. And were you born on [REDACTED] 1959?

22 A. Correct.

23 Q. And are you now 60 years old?

24 A. Correct.

25 Q. You provided a statement to the inquiry; do you have

1 a copy of that in front of you?

2 A. Yes, I do.

3 Q. I'll give the reference of that for our transcript here.

4 It's WIT-1-000000053. Could you turn to the final page
5 of the statement, please?

6 A. Yes.

7 Q. Have you signed it?

8 A. I did.

9 Q. In the very last paragraph do you tell us that you have
10 no objection to the statement being published as part of
11 the evidence to the inquiry?

12 A. That's correct.

13 Q. And do you go on to say that you believe the facts
14 stated in the witness statement are true?

15 A. Absolutely, yes.

16 Q. You're here today, Judy, to tell us about your
17 grandmother; is that right?

18 A. My grandmother and over 100,000 British Home Children in
19 whole.

20 Q. Yes. I think you tell us that your grandmother's name
21 was Mary Scott Pearson Brownell.

22 A. Yes.

23 Q. We'll look at that more closely in a moment. You begin
24 by telling us a little bit about yourself and you tell
25 us that you live in Ontario in Canada, is that right?

1 A. That's correct.

2 Q. And I think you now are retired, but you worked in
3 a museum?

4 A. It's a Living History Museum: many buildings over many
5 acres.

6 Q. What's it called?

7 A. Upper Canada Village.

8 Q. And that's --

9 A. It's set in -- sorry, I just wanted to add that it is
10 set in the 1866 time period.

11 Q. I see. I think you tell us that in that environment,
12 you were working and living in a time period when
13 Britain and the British colonies were discussing the
14 British Home Children programme.

15 A. That's correct.

16 Q. What was your role, Judy, when you held that position
17 at the museum?

18 A. It was varied. My main one was a domestic interpreter.
19 I would demonstrate what women did in the 1860s in
20 various buildings and I would interpret what life was
21 like and where we would get our knowledge from the
22 greater world at the time. We were British subjects, so
23 a lot of our information came from Britain.

24 Q. And although you're now retired I think you still do
25 some work with the museum; is that right?

1 A. That's correct.

2 Q. You go on to tell us that there came a time, Judy, when
3 you found out information about your grandmother that
4 you hadn't known before, and I think you say that was
5 around 17 years ago; is that right?

6 A. Correct.

7 Q. Before that time, can I ask you, what did you know about
8 your grandmother?

9 A. Really nothing except for the fact that in school
10 we would be asked what our nationality was, basically
11 more so around St Patrick's Day because we all
12 celebrated St Patrick's Day no matter what nationality
13 we came from, and we always knew on my mother's and
14 father's side it was predominantly Scottish. So I knew
15 that grandmother, Mary Scott Pearson, was of British
16 descent. That's all I knew.

17 Q. Then 17 years ago or so, Judy, how did it come about
18 that you found out some more information about your
19 grandmother?

20 A. My brother, Jim Brownell, he's the second oldest of our
21 family of 12 children; I'm the tenth. It's not that we
22 don't talk when we get together, but at that time Jim
23 was an MPP, a member of provincial politics, in Ontario,
24 and he had just found out, within the last four or
25 five years at that time, when speaking with our only

1 living aunt, who would have been Mary Scott Pearson's
2 daughter-in-law, he found out that Mary Scott Pearson
3 was an orphan from Scotland. I didn't know that
4 information at the time.

5 Jim was making a private member's bill in the House
6 of Legislature and he had contacted my mother by phone
7 and told her that she would want to watch the
8 parliamentary channel as his bill that day would be
9 family related.

10 So my mother called me to see if I was busy and, if
11 not, do you want to come out. So I drove about a half
12 hour to get to her and I thought I was going for tea or
13 maybe some relatives were coming. She didn't tell me
14 what I was going to be doing.

15 When she put the television on, I was floored
16 because that wouldn't be something she would normally do
17 when she had anybody visiting. She put it on the
18 parliamentary channel and I thought, oh no, I'm not
19 really into politics, that's Jim's baby, not mine.

20 Well, Jim got up and spoke and all I remember
21 hearing from what he said was that he was presenting
22 a private member's bill and he said a title and he said
23 that his grandmother was an orphan from Scotland.
24 I thought, if your grandmother is then my grandmother
25 is, why don't I know this? So that's where it all

1 exploded.

2 Q. That was the first time that you had heard that
3 information?

4 A. Absolutely. I emailed him that night and said, "What is
5 this about?"

6 Q. And the bill that your brother was seeking to introduce,
7 what was that intended to achieve?

8 A. Well, once Jim found out -- he went home after visiting
9 my aunt, thinking that she maybe was having some
10 problems with her memory or dementia, and he did his
11 homework and he found out that, yes indeed,
12 Grandmother Mary was an orphan from Scotland. She was
13 one among over 100,000 children sent to Canada, all over
14 about eight decades, to be indentured or contracted out
15 to work on farms, and he could not believe that we did
16 not know this around our kitchen table and that
17 Canadians as a whole did not learn about this in our
18 history lessons at school.

19 So he wanted to bring more awareness to that and
20 he was in the position where he could give a voice to
21 this topic and to those children, so that's what he did.

22 Q. And specifically, was he seeking to have a day put aside
23 to recognise British Home Children?

24 A. Oh yes, that was what the bill was for. In Ontario he
25 wanted to have a day to recognise these children, at

1 least to educate the government and then hopefully
2 people would go forward on that date and remember these
3 children. So he did put the bill forward that Ontario
4 would see 28 September as British Home Child Day that
5 year and every year going forward.

6 Q. I think you tell us that you think he initially
7 presented the bill in around 2006 and that it was
8 introduced three times before it was passed unanimously
9 in 2011.

10 A. Let me see ... I'm not exactly sure when he presented
11 the first bill.

12 Q. That's okay.

13 A. That's not coming to me right now. Sorry, say that
14 again?

15 Q. That's fine. You mention in your statement you think it
16 was passed ultimately in 2011.

17 A. It absolutely was passed unanimously in the House of
18 Legislature in 2011, yes.

19 Q. And since then, in Ontario, has that day, 28 September,
20 been used to mark British Home Children?

21 A. Absolutely. Several groups have formed in Ontario and
22 to date -- actually across Canada, but in Ontario when
23 that bill passed in June and it had the royal assent,
24 the signature, then I went forward and organised a group
25 in the riding that Jim Brownell represented because

1 I felt that we should do something that year. That was
2 a significant undertaking and to think that the House of
3 Legislature unanimously voted to give these children
4 a voice, I didn't want to see that just printed on
5 a laptop somewhere and stored on disc, I wanted to do
6 something.

7 So we did and that year we planted our first
8 memorial tree on British Home Child Day, 28 September.

9 Q. Just taking you back to the first time that you learned
10 this information about your grandmother when you were
11 watching your brother on television, I think you go on
12 to tell us that as a result of that, you started to
13 carry out some research of your own.

14 A. Correct.

15 Q. Can you tell me about that? What research did you carry
16 out at that time?

17 A. Okay, so I'm not a researcher, but I knew that if
18 we were going to organise an event for the first
19 28 September British Home Child Day, I had to get some
20 knowledge, I needed to know what is this all about and
21 I reached out to Dave Lorente, who with his wife -- no,
22 he started Home Child Canada and that would have been
23 in the 1990s. He has been my mentor through all of this
24 and he was actually -- a couple of busloads of people
25 went to the legislature for the third and final reading,

1 to witness the passing of that bill and Dave was there
2 and he was so, so appreciative that these children's
3 voices were going to be heard.

4 So through Dave Lorente I was then able to reach out
5 and contact other people who were descendants of British
6 Home Children. I was being directed to Library and
7 Archives Canada, where there's a database of the
8 children, the ships' records have been transcribed, and
9 I could see all these children and then I continued and
10 it has just snowballed from there.

11 Q. In terms of family members that you may have been able
12 to ask, but didn't have the opportunity, you tell us
13 that your grandmother, she died before your parents were
14 married, so she died before you were born.

15 A. Yes, I didn't have any grandparents and my father, one
16 of her sons, he passed away when I was 13, so again
17 I didn't have time to pick his brain as to any family
18 history.

19 Q. When you started doing your research then, you tell us
20 in particular in paragraph 14 of your statement what you
21 found out at that time about your grandmother.

22 A. Yes.

23 Q. Was this information a combination of your own research
24 and research your brother did also?

25 A. Correct. That's correct. In 2008 ... Let me just

1 think here. In 2008, Fred Wardle, who was one of the
2 group of Home Child Canada people, so dating back to the
3 1990s, he had an organisation called Quarrier Canada,
4 and that year I was battling cancer and I had never
5 flown before and I knew that Jim was going to Scotland,
6 but I didn't really understand why because I didn't know
7 the story yet.

8 Anyway, Jim was able to go to Quarrier's Village at
9 Bridge of Weir and he was able to get documentation,
10 limited, on our grandmother, more extensive on our
11 great-aunt, her sister, and that's when I started to
12 piece together my family, my grandmother's family. Very
13 difficult to do, but I pieced it together as best I can
14 thus far.

15 Q. I think you tell us that you found out your grandmother
16 was born in Glasgow.

17 A. Yes. I don't know how you would call it, if it's
18 parishes or communities, but it would have been in the
19 Glasgow area, yes.

20 Q. And you were able to find out her parents' names and
21 I think you tell us that mother was [REDACTED]
22 and her father was [REDACTED].

23 A. That's correct and they were married in 1877.

24 Q. Indeed, I think you tell us that photographs of their
25 wedding have been found; is that right?

1 A. It's a wedding picture, not a big ceremony like you and
2 I would know as a wedding picture today, but it is the
3 bride and groom at a photograph session. It's
4 absolutely beautiful, a treasure.

5 Q. You tell us that about two years after they married,
6 your grandmother was born.

7 A. Grandmother Mary was born in 1878, so about a year,
8 a little more than a year maybe. I don't have the date
9 in front of me. I just know the year.

10 Q. And then there was another girl born who was known as
11 Maggie?

12 A. Correct, Maggie Scott Pearson and she was born in 1879.

13 Q. You tell us that you also learned that shortly after
14 Maggie was born, you think perhaps within two weeks,
15 their father passed away.

16 A. That's correct. I can confirm that it was less than
17 a week after Maggie Scott Pearson was born. It was
18 within one week that [REDACTED] passed away, the dad.

19 Q. And did that leave a situation of his widow, your
20 grandmother's mother, with two young girls?

21 A. She would have been left a widow with two little girls.
22 All we know thus far is the census records for 1881
23 indicate that [REDACTED] is living with her two little
24 girls, Mary Scott and Maggie Scott Pearson. That comes
25 from the census records.

1 Q. I think you tell us from the photograph you've been able
2 to see of the wedding, the marriage of your
3 great-grandparents, you think that from viewing the
4 photographs you believe the family was of a middle-class
5 status.

6 A. Yes, for that time period, absolutely. By their body
7 language in the photo, by their clothing, by their
8 jewellery, their hair, that would indicate to me that
9 they were at least middle class, yes.

10 Q. After your great-grandfather passed away, what did you
11 learn happened next in relation to your grandmother and
12 her sister and their mother?

13 A. I don't have a date, but we do know that between 1881
14 and 1887, [REDACTED] married [REDACTED],
15 giving the two little girls a stepfather.

16 Q. You tell us that a few years thereafter -- I think you
17 mention perhaps two or three years after -- the little
18 girls' mother passed away herself.

19 A. That's right. So I just put that timeline, 1881
20 because, we know that on the sense us she's living with
21 her two little girls, and I put the end date of 1887,
22 that some time within that period she and [REDACTED]
23 were married, 1887 being the year that [REDACTED]
24 [REDACTED] has died. So that leaves the two
25 little girls with their stepfather, 1887.

1 Q. I see. Some time after that, I think you tell us, that
2 it appears to you that the stepfather remarried.

3 A. That's correct, he did remarry. I don't have a date for
4 that marriage. I'm still working on that. I have
5 actually just found a granddaughter of [REDACTED]
6 so I'm piecing a little bit more together.

7 Q. So there was then the two girls with their stepfather
8 and their new stepmother?

9 A. That's correct.

10 Q. Did there come a time thereafter when it appears your
11 grandmother was put into Maryhill Industrial School?

12 A. Correct. I can't get all the information from Maryhill
13 Industrial School. Since I gave this testimony, or
14 since I gave the first bit of this testimony, I was
15 under the understanding that Mary Scott Pearson was put
16 into Maryhill Industrial School for Girls, but we do
17 know, or I do know now, that [REDACTED], his new
18 wife and Little Maggie, they're living in Maryhill. So
19 was Mary Scott Pearson going home at night or was she
20 actually boarded in there? That is a new question
21 I have.

22 So from what I understand Mary Scott Pearson is
23 boarding at Maryhill Industrial School for Girls.
24 Little Maggie is living with the step-parents. That
25 would have been between her mother's death and 1891.

1 Q. So this would have possibly been in the late 1880s or
2 thereabouts? I think you estimate perhaps 1886 or 1887.

3 A. Okay, so the mother, Mary Scott Pearson's mother, dies
4 in 1887. So some time between 1887 and 1891, we know
5 that Mary Pearson is at the Maryhill Industrial School
6 for Girls.

7 Q. So she may have been around 10 or 11 at that time?

8 A. Yes. And in 1891 she was 13, going to be turning 14,
9 and that was the end of the education system in Scotland
10 at that time.

11 Q. In terms of your research, did this information come in
12 part from documentation your brother was able to obtain
13 from Quarriers?

14 A. Yes. When he was at Quarriers, all they had on Mary,
15 our grandmother, was that in 1891 Mary was sent with
16 a group of Quarriers girls to Canada and she had come
17 from the Maryhill Industrial School for Girls, which
18 wasn't uncommon that some of the children from various
19 institutions would join one of the parties going to
20 Canada.

21 So that's how we found out for sure that Mary Scott
22 Pearson did not live at Quarrier's Village, but we do
23 know that Quarrier's Village assisted her to Canada and
24 then we do know that Little Maggie does become
25 a resident at Quarrier's Village.

1 Q. So do I understand it --

2 A. Little Maggie is actually admitted to Quarriers on
3 3 October 1892.

4 Q. In terms of records from the Maryhill Industrial School,
5 I think you made some effort to try and recover those
6 from the Mitchell Library in Glasgow; is that right?

7 A. That's correct. But the Mitchell Library holds whatever
8 they have for Maryhill. The dates -- the time period
9 that my grandmother would have been there are not there,
10 they don't know where they are.

11 Q. Did they confirm that they do hold some records for the
12 school?

13 A. Absolutely.

14 Q. But not for the period that you're interested in?

15 A. That's correct.

16 Q. So as a result of that, you tell us, you don't have
17 information about your grandmother's experience or
18 anything about her stay at that school?

19 A. That's correct.

20 Q. You do mention that your brother at one time published
21 an article that included information about a matron from
22 that school.

23 A. Yes, Mrs Cameron, I believe it was. It wasn't really an
24 article, he would have just mentioned the fact -- and
25 I often mention the fact -- we now have a museum,

1 a small museum in our local community, and my brother
2 has made this big storyboard with original material and
3 some copies of secondary documents. We have a small
4 card, a greetings card, that the matron had sent to
5 Mary. About two or three years after Mary was sent to
6 Canada, the matron from Maryhill Industrial School is
7 still remembering Little Mary and sending her
8 a New Year's greeting or a season's greeting at
9 Christmastime. So that's pretty special.

10 Q. Indeed, as I think you tell us in your statement:

11 "This shows me that there was some compassion there
12 and that not all children were abused or neglected."

13 A. Yes, I believe that's correct. That statement is
14 absolutely what I believe.

15 Q. You go on to offer the comment that you wonder how your
16 grandmother must have felt receiving that card once
17 she'd arrived in Canada, knowing that someone back in
18 her home country was thinking of her in that way.

19 A. Absolutely, absolutely. When I see things like this,
20 and we in 2020, we know about the effects that
21 separation, anxiety, depression, we know now what that
22 does to a child, what it does to an adult. These people
23 back in this time period didn't understand about the
24 effects that would have on these children. So when
25 I see a card like that, a couple of years, even one year

1 later, I'm thrilled to think that somebody took the time
2 to reach out, just to say, "You're not alone in the
3 great big world."

4 I have to share something: yesterday, a local
5 Facebook group back home just started for memories of
6 our little home community, and somebody -- they've been
7 posting all kinds of pictures. Yesterday, someone found
8 a scrapbook of their mother's and they started posting
9 military pictures, and there was a small thank-you note
10 from [REDACTED] and I looked at this -- it was
11 a great big bunch of paper clippings and the only one
12 that really I was drawn to was his.

13 I said, "[REDACTED], you're on the cenotaph in our
14 community", and here it was. He was thanking the
15 Women's Institute for sending him a little care package
16 and thanking them for the cigarettes. He died on the
17 Home Front, the battlefield. I never knew anything that
18 this boy had ever said, I just knew he was a Home Child,
19 and his name is on the cenotaph.

20 That tells me he appreciated somebody remembering
21 him. I think about those people who went off to war and
22 had nobody. Part of why I'm here is to give a voice to
23 the voiceless and to hear his voice yesterday, it tells
24 me I'm doing the right thing.

25 Okay, I went on to another topic.

1 Q. Thank you for sharing that, Judy.

2 We've touched on this already, but I think your
3 understanding is that your grandmother never lived at
4 Quarriers herself but that she joined a party from
5 Quarriers to travel to Canada.

6 A. That's correct.

7 Q. I think you've seen a copy of shipping records which
8 confirm the date your grandmother migrated; is that
9 right?

10 A. Absolutely, yes.

11 Q. And you speak about this in paragraph 28 of your
12 statement. You tell us that you know that she was in
13 a party of 21 female domestics who left Glasgow and
14 arrived in Halifax, Nova Scotia, on 28 September 1891.

15 A. That's correct.

16 MS MACLEOD: My Lady, I can give the reference -- we don't
17 need it on the screen -- for that shipping record. It's
18 at INQ71 and 72.

19 In terms of information you have, Judy, relating to
20 when your grandmother first arrived at that time,
21 I think you say you're a bit sketchy on that, but you've
22 tried to get information about that.

23 A. That's correct. On the ship's record her destination
24 was to go to Saint John, New Brunswick, but we don't
25 know if she spent any time at all off the train at

1 Saint John. We do know that she was forwarded -- we
2 don't know if she travelled alone or with all of the
3 girls that were on that ship's manifest.

4 We don't know that, but we do know that
5 Mary Scott Pearson arrived in Brockville, Ontario,
6 at the Quarriers house there, which is called the
7 Fairknowe Receiving Home. So on that record, the ship's
8 record, it states that her destination was Saint John.
9 So again, if Jim hadn't gone to Quarrier's Village and
10 gotten that information, we wouldn't have been able to
11 piece together the connection to Quarriers.

12 Q. So it was from the Quarriers records that you saw that
13 she ended up in Fairknowe Receiving and Distribution
14 Home?

15 A. Correct.

16 Q. And tying the dates together, she would have been 14 at
17 that time?

18 A. She was 13, she was just shy -- I think maybe 40 days
19 shy of turning 14.

20 Q. She would have been 14 in the [REDACTED] after she
21 arrived?

22 A. Yes, that's right.

23 Q. You tell us, Judy, that you've got some information
24 about Fairknowe Home, you say it was a property
25 William Quarrier had purchased.

1 A. Correct.

2 Q. I don't think you've been able to establish how long
3 your grandmother spent there before she went out to her
4 first placement.

5 A. Yes, that's the case for any of the children that would
6 have come to the Fairknowe Home. There are no records.
7 The records here in Canada, what they did --
8 Quarrier's Village had their house here in Ontario and
9 they would keep records.

10 The indenture contract, I believe, was kept in
11 a three copy. One would have been sent back to
12 Quarrier's Village, the other one would have been kept
13 at Fairknowe Home, and the person taking in the child
14 would have the other copy.

15 We have to remember that back in the 1800s, even
16 50 years ago, we were still using file cabinets. So all
17 of these records and documents and correspondence here
18 at Fairknowe, they decided they were going to start
19 cleaning house, getting rid of some of these files, and
20 they had sent the originals back over to Scotland, so
21 they destroyed files.

22 At the time in Scotland, Quarrier's Village at one
23 point decided to clean house as well and they ended up
24 destroying their files. So we don't have any files from
25 Fairknowe Home unless we find them, like I did, at

1 a farmer's sale. I found three boys, their copy, the
2 copy that the farmer had for the contract on three
3 Quarriers boys. So unless these things surface from
4 attics or barns, there's nowhere to go and research.

5 Q. In terms of your grandmother's first placement, you
6 provide some information, I think your understanding
7 is that she was placed as a domestic in a household in
8 Prescott, Ontario.

9 A. Correct.

10 Q. Where did you find that information?

11 A. My brother Jim found that information and I'm not 100%
12 sure if that came ... I don't know where it came from.

13 Q. From there, did she move on to another placement in the
14 Glen Walter area?

15 A. That's correct; that's just east of Cornwall.

16 Q. I think you tell us that that was with a prominent
17 family who were renowned for making cheese.

18 A. Yes, a renowned cheese-making family, the Chaffey(?)
19 family.

20 Q. And do you have any information to tell you how these
21 experiences in those placements were for your
22 grandmother?

23 A. No, I have no documentation or primary resources. We do
24 know one of -- Mary Scott Pearson Brownell had two boys,
25 my father and his brother, [REDACTED]. One of my cousins did

1 tell me that Mary had confided in her mother and told
2 her something about having been raped. But when
3 I questioned, where did this information come from, when
4 did it happen, how old was she, we have no information
5 on that. So I can't assume that it was here, there or
6 anywhere. So that's the only other information that we
7 do have that came through orally.

8 Q. From there, I think you tell us that at some point your
9 grandmother moved on to working as a housekeeper at the
10 Saint John's Presbyterian manse in Cornwall, Ontario.

11 A. Correct.

12 Q. Whilst she was working there, she met your grandfather?

13 A. That's right. My grandfather would have been a widower.

14 Q. Did he have two little boys?

15 A. Yes, he did. He was a young man with two little boys,
16 a recent widower, and a neighbour, a farmer man, knew
17 Mary was a young lady working at the Presbyterian manse
18 in the community next door and introduced them. We
19 don't know if she fell in love with my grandfather or if
20 she fell in love with those two little boys, knowing
21 a little bit about what they probably felt, not having
22 a mum, as she had been through that.

23 Q. And indeed, they went on to marry and had two further
24 children of their own together?

25 A. That's right. Yes, she continued to raise the other two

1 boys, not just considering them stepchildren but they
2 were her children. She raised them very lovingly. That
3 information we get from the grandchildren of those two
4 boys.

5 Q. You've mentioned this already, but fairly shortly after
6 your grandmother moved to Canada, migrated to Canada,
7 her sister Maggie was also migrated.

8 A. Mary came to Canada in 1891. In 1892, she was admitted
9 into the Quarrier's Village. I just found out within
10 the last two weeks, doing a little bit more homework,
11 that she had been offered to an innkeeper in Scotland --

12 Q. Maggie?

13 A. -- who decided that for some reason, he wasn't going to
14 keep her as a domestic or whatever, and it was after
15 that that she was then admitted into Quarrier's Village.
16 She's in Quarrier's Village in 1892, and in 1894 she's
17 then sent to Canada with a party of girls, to
18 Brockville.

19 Q. So three years after your grandmother?

20 A. Yes, that's right.

21 Q. I think you've been able to find out that Maggie also
22 was placed in Fairknowe to begin with, and then was put
23 out on placement?

24 A. That's correct.

25 Q. And that she was indentured out in Eastern Ontario in

1 the area where your grandmother was?

2 A. That's correct.

3 Q. And you tell us that at the moment you don't have much
4 more information about Maggie's experiences after that.

5 A. Well, we don't have much information about her
6 experiences as a domestic, as an indentured child. We
7 do know who she married. We know that after she
8 married, her and her husband went out to the prairies in
9 Canada and homesteaded. Again, that was something that
10 the government was trying to populate and work more of
11 our land and they offered homesteading to the people.
12 So it was a great opportunity for a young couple if they
13 were willing to endure very, very extreme hardships. So
14 we do know that Maggie and her husband went west, we
15 know that they had -- I believe it was three children --
16 and we know that they did come back to Eastern Ontario.

17 Maggie died young -- I don't even think she got into
18 her 30s -- and she is buried in a local cemetery with
19 her name on the tombstone.

20 Q. Do you know if your grandmother and Maggie had contact
21 with one another at the time Maggie came out to Canada?

22 A. We don't know if they had contact while either of the
23 girls were indentured. We know in their adult life they
24 were able to communicate. They did know that each other
25 were in the same area of Canada. I don't know how much

1 time they were able to spend together though.

2 Q. Do you know if either Mary, your grandmother, or Maggie
3 had contact with family back in Scotland?

4 A. No. As far as we know, neither of the girls had any
5 contact back in Scotland. We do know that this comes
6 from the files that are held at Quarrier's Village when
7 Jim went over.

8 In 1902, a maternal aunt, Mrs [REDACTED], at [REDACTED]
9 [REDACTED] Cheshire, checked at Quarriers about
10 Maggie. That's all we have. So I haven't found out
11 anything more about who this Mrs [REDACTED] was. That's
12 still some more research that's got to be done. So we
13 do know that at least somebody in Scotland, a family
14 member, would have gone physically to Quarrier's Village
15 asking about Little Maggie. That's documented.

16 Q. Can I move now to ask you about your own involvement in
17 various initiatives relating to the British Home
18 Children and in particular raising the profile in
19 Canada, where you are. You give us a number of examples
20 in your statement and I'd just like to look at some of
21 these with you.

22 At paragraph 47 you tell us that at the Living
23 History Museum where you worked, you were asked to put
24 on an event there. Can you tell me about that was and
25 what it entailed?

1 A. Okay, so in 2011 there were three or four busloads of
2 people who went to Queen's Park in Toronto to witness
3 the third and final reading of Jim's bill. It had
4 become at that point an all-party bill. So when I sat
5 in the -- actually, before, as I was going to catch the
6 bus in the community, I had to drive by the Living
7 History Museum. Just beside the history museum there's
8 another little building, it's the original train station
9 from one of the lost villages. I glanced in there and
10 I all I saw where all these little orphans or little
11 destitute children being dropped off at the train
12 station and I thought they were saying, "Go, go, tell
13 our story."

14 So when I sat in the gallery, looking down on the
15 floor, listening to the speeches and the vote,
16 I thought, "Something has to be done, something has to
17 be done more than just the House of Legislature passing
18 this bill." My head started working and I thought, I'm
19 going to ask the Living History Museum if we can host an
20 event over at that little train station, it's not used
21 for anything, can we use it, can we plant a memorial
22 tree.

23 So that night, I communicated with Jim again with
24 this idea, and he said, oh, don't do anything yet, it
25 hasn't received royal assent, as soon as I hear

1 anything, I'll let you know.

2 So I went home and I got all my paperwork ready for
3 a proposal to the St Morts(?) Parks Commission to use
4 the Oldsville(?) station and the property. And as soon
5 as Jim gave me the thumbs up, it's received royal
6 assent, I took it in to the manager.

7 It took a couple of weeks for them to really get on
8 board because they really -- they didn't know what all
9 this was about. They didn't want to have us organise
10 something and look bad. I think that's kind of what the
11 feeling was.

12 But they embraced it because I had said, I need an
13 answer by such-and-such a date, and after two weeks
14 I hadn't heard anything. If I'm going to organise
15 something and I've only got a short window of time,
16 I want this done well, these kids deserve it.

17 So I said to the powers that be, "I need an answer
18 by such-and-such a date, this will happen either here or
19 somewhere else in Jim Brownell's riding, this will
20 happen." So they believed and we had a huge event and
21 it was a huge success and we've had -- they've offered
22 us the use of the Oldsville station for six weekends
23 a year for a museum, a British Home Child museum, and
24 again, as just an individual person, I would never be
25 able to afford to put on a display or a museum display

1 if it wasn't for the generosity of the St Morts Park
2 allowing us to use that station. So I organised that
3 year, I organised a small group, they jumped on board
4 and we've just been growing ever since.

5 Q. And you tell us there are now a number of groups,
6 British Home Children groups, around Canada.

7 A. Yes. Whenever I said earlier about Dave Lorente and the
8 Home Child Canada, he started that in 1891 (sic) and he
9 had a representative in each province, like a go-to
10 person, and we have to remember that was before the
11 Internet, so they were all doing long-distance calls and
12 all that kind of thing.

13 So there was already interest in most of the
14 provinces, but to really feel that they could go out and
15 advocate and announce and promote -- everything really,
16 really started to kick off and once we started helping
17 each other, coaching in a way, how to put on an event,
18 even if it's a tea in the afternoon, get people together
19 and talk about it. So yes, there are many groups across
20 Canada now. It's amazing.

21 Q. We've discussed the British Home Child Day in Ontario,
22 but you tell us that you approached your Member of
23 Federal Parliament at a point in time.

24 A. Yes.

25 Q. When was that, Judy?

1 A. This is two thousand ... It would have been, I believe,
2 2016. Any time we had an event that I organised or
3 helped organise in my riding, I made sure that we
4 invited the MP, the MPP, the mayors, the wardens,
5 everybody that we thought, "You need to know about
6 this." And right from the very first British Home Child
7 Day in Ontario, our local MP, Guy Lauzon, was there,
8 always supporting us, appreciating what we were doing.

9 When this bill passed for Ontario, Facebook lit up
10 and people -- all these little groups got together and
11 they were making their new Facebook groups and they were
12 telling their stories. People across Canada were asking
13 or were sometimes criticising the fact that, well, how
14 come Ontario has a British Home Child Day and we don't?

15 So I tried -- through private messaging and email
16 and I tried to encourage those people to speak to their
17 legislation, so nobody did, and I kept seeing this: why
18 does only Ontario have it? I'm thinking, okay, I am
19 going to go to my MP, Lauzon, and I'm going to ask how
20 can we go about making this a national day. And I made
21 the appointment, I sat with him for about 20 minutes,
22 and he said, "Leave it with me."

23 First of all, he said, "Do you think there's enough
24 interest across Canada?" I said, "I know there's enough
25 interest across Canada. I could fill up your mailbox

1 tomorrow with notes asking you to work on this." He
2 said, "Leave it with me." And I left it with him and it
3 passed unanimously. So we now have -- 28 September is
4 now not only Ontario's British Home Child Day but is our
5 National British Home Child Day.

6 Q. In your statement, you do say that 28 September 2018 was
7 the first National British Home Child Day.

8 A. That's correct.

9 Q. Can you just give me a little bit of a flavour, Judy,
10 what happens on that day?

11 A. It depends on your community, it depends on you as the
12 person that's organising anything. On
13 28 September 2018, for our local area, that year we were
14 hosted at another museum site, so we had guest speakers.
15 Actually, we had Fred Wardle, the Canadian -- what we
16 call our Canadian representative for Quarrier's Village,
17 he's our go-to man here. He travelled about 3 hours to
18 come and be our guest speaker.

19 We had a tree planting ceremony, we had a dinner
20 that evening. It started at 10 o'clock in the morning
21 with a small parade, including the local legion with
22 their colours in memory of the children that died on the
23 battlefields, in memory of the descendants that continue
24 to serve our country. We had some old classic cars and
25 big signs out near the road encouraging people to come

1 in.

2 As a result of that, a lady came in and she went
3 into -- there's many buildings in this museum site that
4 we were at that year and she looked down and she saw
5 a trunk and it was one of my trunks that I'd collected
6 and when I went into the building to dismantle at the
7 end of the day, she was feverishly writing things down
8 on a little slip of paper from her purse. I asked her,
9 "Are you okay, is there anything I can help you with?"
10 and she said, "I have one of them, I have one of them",
11 and she's pointing out my trunk. I said, "Are you
12 a descendant?" and she said, "No, it was in the shed at
13 my father's estate -- grandfather's estate", and I said,
14 "And you have it?" and she said, "Yes", and she said the
15 name that's written on the front and she said, "It has
16 'Fairknowe' written on a label", and I said, "You've got
17 to be kidding."

18 I was able to take out my phone, go to Library and
19 Archives Canada, type in the child's name, we knew the
20 surname, we knew the first initial, and we knew that if
21 he was going to Fairknowe then he was a Quarriers child,
22 and within seconds I had his full name, the date he
23 arrived, where he was destined to.

24 That year, the next May, when we had our annual
25 meeting and dinner, that lady presented that trunk to

1 our organisation. She could have thrown it away, she
2 could have painted it pink, but that little boy now has
3 his voice heard through her trunk.

4 So we know that from coast to coast to coast in
5 Canada there were events, there were plaque unveilings
6 on the 28th, there were book launches, people are
7 writing their stories, some of them are historical
8 fictions, some of them are biographies. There were book
9 launches on that date. It's getting out there.

10 Q. You tell us also that the National History Museum of
11 Canada has now dedicated some space to British Home
12 Children.

13 A. That's right. We also have a ... There was an event
14 another lady and her group helped organise out in
15 Alberta at the Immigration, I believe it was, Museum of
16 Canada. So when we approached the -- unbeknownst to
17 each other, this other lady and I had approached our
18 National History Museum to ask them if the British Home
19 Children could be included in their display somewhere.

20 They got back to us and said that they were doing
21 major, major renovations and where can we get
22 information, where can we get artefacts, then we will
23 include this. So the other lady is from Barrie,
24 Ontario, about 5 hours away, and she travelled down to
25 (inaudible: distorted) and she donated, just on loan,

1 a trunk and some pictures and things that she had and
2 those are on a long term, permanent display at our
3 national museum here in Canada. So that's a big one.

4 MS MACLEOD: My Lady, it's 3 o'clock now, I see.

5 LADY SMITH: Yes.

6 Just let me explain, Judy, at this time in the
7 afternoon we usually take a short break. It won't be
8 very long, so don't go away.

9 A. Okay.

10 LADY SMITH: If we could get back to you in 5 or 10 minutes,
11 that'd be very helpful, thank you.

12 (3.00 pm)

13 (A short break)

14 (3.12 pm)

15 LADY SMITH: Judy, hello again. Are you all right for us to
16 carry on now?

17 A. Yes, Lady Smith, I'm ready, thank you.

18 LADY SMITH: Thank you very much because I'm aware of how
19 much we've been asking you to talk already, but if
20 you're ready, that's great.

21 I'll hand back to Ms MacLeod.

22 MS MACLEOD: Judy, in terms of the work that you do on this
23 issue and promoting British Home Children, you mention
24 that you try and limit that to around two months a year;
25 is that right?

1 A. I try. I'm happily married and it does cut into a lot
2 of our personal time, so I have asked my husband to
3 allow me to really delve into this and dedicate most of
4 August and September to the British Home Child movement,
5 and he's okay with that.

6 Q. As examples of the kinds of things that you do get
7 involved in, you tell us, for example, that you were at
8 a -- you attended an event at the Consul General of
9 Ontario.

10 A. That was an absolute honour. I was sent an invitation
11 to attend a private ceremony in recognition of our first
12 National British Home Child Day in Toronto for my
13 advocacy for the British Home Children. I thought, who
14 is this guy? How does he even know what I'm doing? I'm
15 not one to just jump on a train or a plane and go
16 somewhere, but I thought, you know what, if this
17 gentleman has contacted me because of my willingness to
18 give my time and my voice to these children, I am going.
19 I don't care what the cost is, I don't care how many
20 hours or minutes.

21 It was actually later -- he was away for
22 28 September, so he had the event the next month, and
23 I know when I got that email, I said to my husband,
24 "Uh-oh". Two emails came that day, one from the
25 Consular General and one from the church group at the

1 Presbyterian Church in Cornwall, where my grandmother
2 had worked at the manse, and I thought, grandmother must
3 have had her hand in that, and she wants me to bring her
4 story and the story of these children to that church
5 group. So I said yes to two other events last year.

6 Q. You tell us that when you go to events, you try and
7 bring references with you that relate to the local area
8 to bring it home to people; is that right?

9 A. That's right. Absolutely. If there is no other way,
10 I will then go to the census records for that community
11 or for that location and try to find one or two. If
12 I can bring a name and a face and have found the
13 location, it makes it more real. It's just not somebody
14 that's getting up there and reciting something from
15 a history book, it's real.

16 So I do carry this great big trunk and some primary
17 documents: the annual reports from Quarriers, the copies
18 that I have of annual reports from Barnardo's, and I'll
19 bring some of that with me. I think it's important that
20 they get to touch and feel.

21 Q. In paragraph 58 of your statement you tell us about
22 a child migrant who became involved himself in the
23 Canadian Government.

24 A. He didn't get involved because he was a British Home
25 Child, but he was one British Home Child that -- it

1 doesn't matter where I go in Canada or the US to talk
2 about this topic, I can relate to Ken Donovan and his
3 connection to our Canadian flag, and everyone knows the
4 Canadian maple leaf flag: you show it to people and they
5 know it.

6 With my displays, I always have a Canadian flag
7 there and a British flag, the Union flag, but I have
8 a picture of Ken Donovan's daughter. Ken Donovan was
9 with the Catholic Church emigration. He ended up
10 working for the government for our centennial year and
11 he was on the purchasing committee to purchase various
12 things for publicity and souvenirs and that kind of
13 thing.

14 Part of his organisation in the government was to be
15 involved in the selecting and producing of our new flag.
16 In 1867 (sic) we were going to no longer have the
17 British Union flag as our national flag and Ken Donovan
18 was on the committee. The night they had whittled down
19 the selection of ideas for a new Canadian flag and
20 Prime Minister Pearson had to make the final decision.
21 That organisation sent the pictures to
22 Prime Minister Pearson and he said, "I can't make
23 a decision on a flag on a piece of paper, I want to see
24 it on the flagpole tomorrow."

25 So they had to call in somebody to do the screen

1 printing, to get the fabric for it, and to sew the ends
2 of it and put the grommets on it so it could fly. It
3 was after hours and they didn't have time to do
4 a contract to have someone tender for it, so Ken said,
5 "Well, my daughter has a portable sewing machine, she's
6 a seamstress, she can sew it." So actually, our
7 Canadian flag, the very first three prototypes were sown
8 by the daughter of a British Home Child, Ken Donovan.

9 Q. And this was in the 1960s?

10 A. Correct.

11 Q. You go to tell us that on the 50th anniversary of that
12 flag you were invited to MC an event, is that right?

13 A. It was on the 50th anniversary of the sewing of the
14 flag. So it would be the year before the actual
15 anniversary of our flag. I had, through all my dealings
16 with the British Home Children and my mentor
17 Dave Lorente, he was very good friends with Ken Donovan,
18 so he was the one who first told me about Ken and his
19 daughter in connection with the flag. Then I met with
20 the daughter and, anyways, we became very interested in
21 getting this story out there.

22 She'd had -- she was living in the riding of the MP
23 near Ottawa and his office called her on the phone and
24 asked her if she would like to be presented with the
25 flag that will fly over the Peace Tower on the

1 50th anniversary of the night she sewed the first flag
2 and she was not to tell anybody. Who would you like
3 invited, a family member? So she gave her family
4 member. They said if you can think of anyone else, feel
5 free to call me back.

6 She couldn't keep it totally to herself because she
7 knew the importance of this. So she did bring me into
8 her confidence and I said to her, I said, "Joan" -- her
9 name is Joan O'Malley -- "if they will let you have
10 support people there, when is it going to happen, I will
11 get at least one or two coach buses of people to be at
12 that presentation", "Oh, I don't know if you can", and
13 I said, "Check."

14 So she checked. It was only going to be within
15 two weeks. I couldn't have organised anything that
16 fast. When she phoned back to the office to tell them
17 that she would like to invite me to come and why, they
18 had no idea what she was talking about. So she said,
19 "Could you phone, Judy?" So this gentleman phoned me
20 and he was absolutely gobsmacked when I told him about
21 the history of the Home Children and the connection to
22 our Canadian flag.

23 He said, "Mrs Neville, can I call you back?" and
24 I said absolutely. He went and spoke to his MP and
25 phoned me back and said that MP Poilievre would like me

1 to MC the event. I said, "I can't do that, it's on
2 Parliament Hill for goodness sake, I couldn't do that",
3 "Oh yes, you can." I said, "Well, I don't know French,
4 and everything has to be bilingual", and this gentleman
5 said, "Don't worry about the French, Pierre will pick
6 that part up, he's going to give you the liberty to talk
7 on this topic, you MC, we're moving it from the east
8 block to centre block under the Peace Tower", and
9 I couldn't say no. I went and it was an absolute
10 honour. Absolute honour.

11 So Ken Donovan, a boy from Britain, came to Canada
12 in 1929. He ran away from his first placement where
13 he was being stabbed with a pitchfork. Luckily, he made
14 his way back to the receiving house in Ottawa, the
15 distribution place that his organisation came to, and
16 they were able to place him on another farm and he had
17 a good experience there, thank God, and the sewing
18 machine that his daughter sewed that flag with is
19 actually in our national museum. As our MP
20 Pierre Poilievre said, that sewing machine is a national
21 treasure and the story that goes with it is a national
22 treasure.

23 Q. You've been on radio, Judy, you tell us, as well,
24 speaking about British Home Children, is that right?

25 A. Yes. Several times. CBC and one of our local -- CBC

1 out of Toronto contacted me a few years ago, but just
2 last year, coming up to the first national day, an
3 Ottawa broadcaster contacted me and he actually only
4 lives about 3 miles from me, so in the course of the --
5 he wanted me to talk on British Home Children. He
6 initially thought that we were talking about the child
7 evacuees during the war.

8 So once I clarified that, no, British Home Children
9 are not the child evacuees, these are children that were
10 sent to Canada over eight decades, I told the whole
11 story. We talked that evening on the phone for well
12 over an hour. He was absolutely shocked: why did we not
13 learn this?

14 The next morning, he usually has his guest speakers
15 on for 10 minutes; we were an hour. And he's just
16 absolutely, again, gobsmacked whenever I could bring
17 into the story the house that he lives in would have had
18 [REDACTED] from Quarrier's Village in that
19 house having dinner, visiting the neighbours. [REDACTED]
20 [REDACTED] was sent to Canada by Quarrier's Village.
21 He was sent to our village, to a farm. There his first
22 placement -- he was being brought out to the
23 Presbyterian church, he met a boy there, and over the,
24 I don't know how many weeks he was at that farm, but he
25 would go out to church, he knew this boy named Hugh, and

1 he came to church one day and he said to Hugh, "I only
2 came to church today to say goodbye", and at 14 years
3 old, Hugh looked at his little British buddy and he
4 said, "Where are you going?" and [REDACTED] said, "I'm
5 running away."

6 Hugh knew that where we live, out in the middle of
7 nowhere, there's forests, there's wolves, there's wild
8 animals, [REDACTED], you can't run away." So on the way
9 home from church, Hugh told his father what [REDACTED] was
10 going to do. Hugh's father dropped his family off at
11 the house, he went back to the farm and he spoke
12 privately with [REDACTED] told [REDACTED] not to
13 run away, he was going to contact Fairknowe Home and get
14 another placement. Mr McDougall knew another placement
15 where the farmer would appreciate [REDACTED].

16 So a couple of days later, the Fairknowe people
17 arrived, told [REDACTED] to go and get his trunk, he brought
18 his belongings out, they took him down the road, about
19 a mile and a half to another farmer, and that's the
20 house across from the radio interviewer where [REDACTED] had
21 a good life.

22 Q. I think you also tell us that in recent times you've met
23 up with a lady who turned out to be the wife of Hugh,
24 the boy [REDACTED] had spoken to?

25 A. Yes. Actually, at our very first event for our first

1 British Home Child Day, it got out that I was involved
2 with helping get an organisation -- an event started for
3 this 28 September. Hugh and his wife live in our
4 village and his wife phoned me and asked me to come by
5 for tea. I did, and she was a British Home bride, war
6 bride, and she and Hugh were good friends of [REDACTED].
7 Actually, I knew [REDACTED] myself, but at the time I didn't
8 know anything about Home Children. Anyway, Sheila told
9 me, we always call him [REDACTED] because he was quite
10 short and Hugh was a big man. Sheila told me that
11 [REDACTED] was one of those orphans. He was a Scotch
12 boy and she told me all about [REDACTED].

13 So I also knew at the time that -- I can't think of
14 her name now, she wrote a book.

15 Q. Anna Magnusson?

16 A. Yes. Anna had come to Finch to interview [REDACTED]
17 and I grabbed that book and I looked through it and
18 I found [REDACTED] interview with the author, and
19 I contacted the author and I told her my connection.
20 I said, "I would like to put a picture of [REDACTED]
21 and a copy of the page where you quote him in my
22 display", and she said, "Absolutely." So again, it's
23 nice to have their own words when we're talking about
24 these children.

25 Q. You mention another child migrant by the name of

1 [REDACTED] in your statement at paragraph 70. How did
2 you get certain information about [REDACTED]? What was the
3 source of that information?

4 A. Initially, I learned about [REDACTED] through another one of
5 the groups across Canada, the British Home Child
6 Advocacy and Research Association. The association I'm
7 involved with is the Ontario East British Home Child
8 Family. So we have different Facebook groups and one
9 day, it was posted on the other wall, the other group's
10 wall about Little [REDACTED].

11 Q. Where was [REDACTED] migrated from?

12 A. I did discover that [REDACTED] came to Canada, arriving
13 1895, through Barnardo's. We know that through
14 newspaper reports, court reports, we know that he
15 arrived in 1895 and he died in 18 (inaudible: distorted)
16 and there's a case of manslaughter in the courts --

17 LADY SMITH: Can you just give us the date he died again?

18 We lost the connection for a minute. You have told us
19 he arrived in 1895. And he died in?

20 A. He died within about 9 months after that. He was dead
21 and on this -- on one statement it says:

22 "Ill-usage by the person that took him in."

23 The coroner's report says it was the worst case of
24 abuse ever seen. So this little boy --

25 LADY SMITH: Sorry, Judy. That was less than a year after

1 he had arrived in Canada; is that right?

2 A. He did not survive 9 months on Canadian soil.

3 LADY SMITH: Thank you.

4 A. And there's many cases of children that had been abused
5 to the point of death, either by death at the hands of
6 others or many did commit suicide.

7 MS MACLEOD: Was [REDACTED] migrated from Scotland?

8 A. No, he was a Barnardo's child from England. That
9 information you can get at Library and Archives Canada
10 on the emigration records for British Home Children.

11 Q. It is clear that you're in touch with a significant
12 number of former child migrants and their descendants.
13 Are you able to give me any indication of the number of
14 those people you're in touch with yourself?

15 A. Oh, I have no idea, it's going to be thousands: people
16 right in my own community, descendants, people across
17 Canada, people in the United States. Actually, one
18 gentleman, 80-some years old, found me before our first
19 national day, about 4 months prior to that. He lives in
20 Chicago, Illinois, in the United States.

21 Somehow he found me, contacted me. He thought
22 he had all the information he could find on his father,
23 who was a Home Child, and by the time we finished
24 talking, within 24 hours of calling back and forth,
25 I was able to give him access or show him how to access

1 his father's military record that he had never seen
2 before.

3 So people are reaching out from all over the world
4 and we're able to connect and piece little things
5 together.

6 Q. I think you're aware that in 2010, the Prime Minister of
7 the UK, Gordon Brown, made a formal apology in relation
8 to child migration.

9 A. Yes.

10 Q. What were your own thoughts on that?

11 A. At that time I wasn't aware, really, I was battling my
12 cancer, I was recovering. I was just starting to learn
13 a little bit about Home Children.

14 Dave Lorente, the founder of Home Child Canada,
15 he was invited to go to England and witness this
16 apology. He, along with -- I don't know how many other
17 people were invited, but he always does remind me that
18 it was on their own dime. But they definitely did go to
19 Britain to see this apology. What was her name? There
20 was a Home Child who went, she just passed away 3 years
21 ago, I can't think of her name right now, but she
22 actually was able to personally shake hands with the
23 Prime Minister and not only did he announce the apology
24 to the audience but he personally apologised to her for
25 what had happened and for having had her sent out of the

1 country.

2 Q. In relation to Canada itself, you tell us that there was
3 an apology, I think you say in 2017, but not from the
4 Prime Minister himself.

5 A. That's right. Since Ontario got their British Home
6 Child Day and other groups have been forming, some of
7 these groups want Canada to make an official apology.
8 Canada in 2010 opted not to make an apology. Britain
9 did and Australia did. Canada chose to make 2010 the
10 year of the British Home Child; they issued a stamp and
11 at that time that's all that was done.

12 So now, people -- and even still today there are
13 a lot of people in Canada who want an official apology.
14 One of the local groups, Sandra Joyce, she has passed
15 away, she was the president of the British Home Child
16 International Group and she and a couple of her
17 colleagues worked with MPs, a couple of MPs in the House
18 of Commons, to have the House of Commons make an
19 official apology. So unfortunately, there were only two
20 or three descendants or people even in the know that the
21 House of Commons was going to make this apology that
22 day. So for those who really do want an official
23 apology, that wasn't good enough and some of them are
24 still seeking that apology.

25 Q. In paragraph 77 of your statement, you say:

1 "I personally was not in favour of there being
2 a Canadian apology because there is nothing that our
3 federal leaders can say to make this any better. The
4 money that would be spent on someone writing up an
5 apology and setting up an event would be better spent
6 being given to people who are trying to get this written
7 into our history books."

8 I think you tell us that at various points in your
9 statement, Judy, that getting the story of British Home
10 Children written into the history books is what's
11 important to you. Why is that?

12 A. It's not just written into the history books, it has to
13 be taught, we have to learn it. This is part of our
14 British and Canadian history. These children -- many of
15 these children never, ever spoke about this. They
16 carried an awful shame within them just being labelled
17 one of these outcasts. Many of them were treated no
18 better than the slaves in the south, in the
19 United States during the Civil War.

20 I just feel that they deserve their place in our
21 history, in the fibres of our Canadian and British
22 make-up. These eight decades of children lost because
23 of no fault of their own ... Some of them were
24 literally children swept off the streets. You can see
25 that in the illustration in 1869 that George Cruikshank

1 did.

2 Some of these children were from loving families
3 like my own grandmother. Her mum and dad loved her
4 dearly. Dad didn't expect her to die when she was just
5 an infant or just a little toddler. Her mother didn't
6 expect to die when she was just a little teen.

7 [REDACTED] -- how can we not remember that boy?
8 How can we not remember the children buried at sea?
9 These children deserve nothing less than having somebody
10 recognise the fact that they were contributing people to
11 our society.

12 Q. You mention also that you have been asking for the boys
13 who died in the battlefields of the wars, the First
14 World War and the Second World War, to be recognised,
15 those who were British Home Children.

16 A. That's right. Again, we go to Remembrance Day services
17 across Canada and we see a whole list of names on
18 a cenotaph. Some of them have relatives, they can go
19 and say, "This is your great-grandfather, this was your
20 great-grandfather's brother", "Well, who's that?"
21 "I don't know, it doesn't matter." Yes, it does. That
22 little boy was a Home Child. He didn't have anyone who
23 could continue to tell his story, continue to remember
24 him.

25 So a few years after we got this British Home Child

1 thing in Ontario started, I thought: does anyone lay
2 a wreath at our national -- like at least at the
3 national level? In Britain and in Canada there should
4 be a wreath laid in memory of these Home Children.
5 I contacted our Legion Dominion and actually that was
6 with the assistance of my MP because I didn't know who
7 to contact. So I was able to contact and discover that
8 there's never been a wreath laid in memory of these
9 children and I thought, that's wrong, something has to
10 change.

11 So I said, "How do we go about getting that done?"
12 "Well, you pay \$113 and we'll put whatever you want on
13 the ribbon and you can have a wreath-bearer." So
14 I said, "Well, I don't have money to just use for this,
15 that and the other thing, but I'll certainly come up
16 with the \$113 and I will purchase a wreath." And so for
17 our first -- no, for ... I forget the year, sorry about
18 that.

19 We did lay our first wreath at the national
20 Remembrance Day service, I believe, six years ago, and
21 our organisation, the Ontario East British Home Child
22 Family, we have it in our minutes that we are going to
23 put money aside from donations or whatever to purchase
24 a wreath for the national Remembrance Day service each
25 year going forward as long as we have the funds to do

1 it. Again, that's something that the Government of
2 Canada should be doing. It shouldn't be coming out of
3 my pocket.

4 This was a national story, these children came to
5 Canada, populated it, worked our land, expanded Canada.
6 The least Canada could do is have a wreath laid in their
7 memory. And the least Britain can do at their
8 Remembrance Day services is have a wreath.

9 I don't want that apology. I want people to put
10 their money where their mouth is and I really want them
11 to, at least once a year, give these children a voice,
12 whether it be through all of the boys that died at the
13 Front or whether it be through a monument somewhere. To
14 me, that's more important. Many of these children have
15 died, they're buried in unmarked graves, some of them
16 ran away, we don't know whatever happened to them.

17 If I was a descendant, I can go to my grandmother's
18 tombstone -- I cannot go to her grave, it's out under
19 the St Lawrence River and that's another big story, but
20 I can at least go to the graveyard and I can see her
21 stone with her precious name on it and I can know that
22 somebody cared enough for that little orphan girl to
23 give her a stone with her name on.

24 Last summer, a lady from British Columbia in Canada
25 was hoping somebody in Ontario could go to a grave and

1 place a flower on her grandfather's grave. I contacted
2 her and I went. We drove out an hour and a half and
3 I found this little cemetery and I brought a flower.
4 I saw that boy's name and I reminded him that he was
5 loved and he will have his voice heard.

6 Q. Towards the end of your statement, Judy, you go back to
7 your brother's trip to Scotland in 2008 when you tell us
8 that he came over as part of a tour group coordinated by
9 Quarriers Canada; is that right?

10 A. That's correct, Fred Wardle.

11 Q. As part of that trip, he visited Quarrier's Village and
12 we've already touched on that.

13 A. That's correct.

14 Q. Before going to Quarrier's Village you tell us that the
15 members of the group had provided the names of the
16 children they were interested in so that Quarriers could
17 prepare for their visit.

18 A. That's correct.

19 Q. And you say that Quarriers dug up as much information as
20 they could for each person and somebody sat with your
21 brother and took him through the records to explain them
22 as much as possible, and it's your understanding that
23 that was done for everybody who was on the tour.

24 A. That's correct.

25 Q. What are your own views of the efforts made by Quarriers

1 to produce and give access to child migrants and their
2 descendants to records?

3 A. My own views -- I have been fortunate to have access to
4 whatever material was or is available at Quarriers.
5 They were always very open if I contacted them on behalf
6 of somebody else who -- some people don't have computers
7 and they'd ask me, can you help me find my father's
8 records, or whatever. Quarriers have always reached out
9 and helped.

10 When the tour group went over to Quarrier's Village,
11 they were even able to plant a memorial tree, a maple
12 leaf tree, there. So Quarriers have been as open and
13 forthright as I believe any of the people I've been
14 involved with have been.

15 The biggest complaint that I'm hearing is the fact
16 that it costs to get your relative's file, but again
17 nothing is cheap anymore. People need to be paid for
18 their time doing research, photocopying, printing,
19 whatever, mailing. So that's the biggest concern,
20 "I can't afford my information, I can't afford that
21 cost."

22 So other than that, I will also add that in our very
23 first National British Home Child Day, one of our local
24 groups in Ontario started -- they wanted to campaign for
25 our first national day by asking people to turn their

1 porch light on or put a red, white and blue light out.

2 I think they thought that maybe we'd get 100
3 individuals at their homes doing that. It went, within
4 a month or two, beyond national. On the night of
5 28 September, at Quarrier's Village, the head office was
6 lit up in red, white and blue to participate in the
7 beacon of lights for the Home Children and child
8 migrants. They didn't have to do that but they chose to
9 listen to the people over in Canada who wanted to give
10 a voice to these children and they put the lights up.
11 They didn't have to do that.

12 So again, we can't take away the hurt and the harm
13 that any of these children endured, but we can make sure
14 that we recognise each and every one of the children,
15 whether it's the children from back in the early days of
16 the Orphan Homes of Scotland or whether it's within the
17 last 10 years of what Quarriers are doing now. We need
18 to make sure we recognise.

19 Q. In paragraph 97 of your statement you say that you don't
20 want William Quarrier's name to be tarnished.

21 A. That's right. Again, through social media, people tend
22 to read something very quickly, assume something, and
23 respond in the minute. They don't take time to do the
24 research and to understand what that means. So many
25 people -- in fact, even another group ... I had to

1 personally remind them, they were saying that all of the
2 farmers who took these children in were abusers. And
3 I thought, "excuse me? Give me proof of that."

4 So I know that when Mary Scott Pearson stepped off
5 the ship in 1891, my grandfather's brother had another
6 boy from Quarrier's Village living and working with him.
7 And I know that that man would not have abused or harmed
8 that child. He was a farmer. My father was a farmer.
9 I'm a farmer. Don't paint everybody with the same
10 brush.

11 So if they heard that -- I'll give you the example
12 of Ken Donovan or [REDACTED], who was a Quarriers
13 boy. He was abused. He was a child sent to Canada and
14 he was abused. Do I blame Mr Quarrier for that or do
15 I blame that farmer that took him in and abused him? Do
16 I blame that lady farmer who didn't allow [REDACTED]
17 [REDACTED] more than 9 months of life in Canada? Do I blame
18 Barnardo's for that or do I blame that front-line
19 worker?

20 So I don't want to see somebody like
21 William Quarrier condemned for trying to do what was the
22 best at the time for these children. I do want to
23 recognise those children who were abused and I want
24 to -- I don't need the name of the abuser, but I do want
25 those children to be able to take away that abuse and be

1 given back the dignity and the respect and the love that
2 William Quarrier really did want these children to have
3 a better life. So that's just my take on it: blame the
4 front-line worker.

5 Q. Are you aware if there's been an apology in recent times
6 from Quarriers in relation to child migration?

7 A. Yes. Yes, there has been, yes.

8 Q. What did you make of that apology?

9 A. If it's what people need to go forward and to heal, then
10 that's okay, but I still feel that when we look back,
11 we have to stop blaming the institution and blame that
12 front-line worker. So if an apology helps somebody,
13 wonderful, as long as it's genuine.

14 But just like the bills that were passed in the
15 legislature and in our House of Commons here in Canada,
16 if it's just a signature on a piece of paper,
17 a five-second blurb, "We apologise and then we forget
18 it", it does no one any good.

19 Part of the apology needs to be ongoing recognition
20 and the ongoing hope that people will continue to do the
21 right thing by the innocent children and/or adults that
22 we are entrusted to care for.

23 Q. In paragraph 93 of your statement, Judy, you make the
24 point that many of the children didn't tell anybody
25 about their past.

1 A. Absolutely --

2 Q. And you go on --

3 A. -- many.

4 Q. -- to say that you believe that was because of the
5 burden they carried and what you say is:

6 "For being one of these guttersnipe street Arabs,
7 unwanted, tainted-blood people, as they were described."

8 A. That's right. That's right. I worked in the school
9 system, I've gone to school myself. I worked in the
10 school system with special needs children and families.
11 I know what bullying and being picked on is all about.
12 These children -- in 2020 we talk about if somebody's
13 bullying you, what to do, how to go for help, how to get
14 help, talk it out, don't keep it inside. We can send
15 you down to the counsellor for counselling if you're
16 dealing with anything.

17 Those children, they didn't know that it was wrong,
18 they didn't know that anybody really cared that they
19 were anything like a street Arab or a guttersnipe or --
20 even in our records, from court records, church records,
21 records in the Parliament back in the day, these
22 children were labelled such things as "the tainted
23 blood".

24 We had one politician who:

25 "... did not want Britain's trash to be inbreeding

1 our good Canadian breed."

2 Like, what? What? These are innocent children.
3 They don't carry tainted blood. But back in the day, it
4 was thought, like in the early 1800s, if you were
5 a thief, that was a hereditary condition, if you were
6 a liar, that's a hereditary condition. We know better
7 now.

8 So if those children -- and I often say the children
9 coming to Canada had to be morally, physically and
10 mentally sound. Not all of them could read perfectly,
11 but they certainly could read. There were articles
12 written in newspapers that these children would have had
13 access to. They would have seen possibly the picture
14 that George Cruikshank drew of (inaudible: distorted),
15 the philanthropist, having some gentleman scraping
16 little girls out of the gutters and throwing them into
17 a garbage truck to be shipped off to Canada. Do you
18 want to be one of those kids?

19 I'm going to make up any story I can if I'm even
20 going to open my mouth and tell anyone that I was an
21 orphan or I was a Home Child. Many of these children
22 embellished their lives, they made up a story they could
23 live with. I believe that knowing now the burden
24 that is inflicted on us through abuse and neglect,
25 I know that I'm going to side with the children who

1 didn't say anything because those children knew that
2 burden and they didn't want their offspring to carry
3 that burden. It was too much for them.

4 Q. Indeed, you go on to say, Judy, that:

5 "[You] want to work to take that burden away and
6 give them back their dignity and their place."

7 A. That's right, that's right.

8 Q. You talk in paragraph 98 of a theory that you have
9 in relation to the British Home Children programme and
10 you say:

11 "Although I have no factual evidence to support my
12 theory, I feel that the British Home Children programme
13 was people using other people for the betterment of
14 a hierarchy. These children worked to expand the
15 colonies. I believe the British Government knew that if
16 they didn't get the vast country that is Canada worked
17 and populated by white English-speaking people, there
18 was a huge risk of losing the territory."

19 A. I believe that. That's my take on it.

20 Q. Finally, Judy, you say:

21 "This story needs to take its place in our British
22 and our Canadian history going forward. I want it
23 written into our history books so that these people can
24 take their places forever."

25 A. That's right. I do firmly believe that. They deserve

1 nothing less.

2 Q. In the penultimate paragraph of your statement, 103, you
3 say:

4 "Whether those children that came to Canada were
5 abused or treated well, they deserve to be heard.
6 I hope that spiritually those little children who are
7 looking down on us now can feel good in their hearts and
8 in their souls."

9 A. Absolutely. And I said the same thing when I was MC-ing
10 in the Canadian -- under the Peace Tower, whenever
11 I MC-ed there. I had us all stop and listen because
12 I felt that the children were cheering, watching us give
13 their story, give them their dignity back, give them
14 their place in this world.

15 MS MACLEOD: Thank you very much, Judy. I don't have any
16 further questions at the moment.

17 My Lady, I think I've addressed all the questions
18 that were submitted for Judy.

19 LADY SMITH: Are there any outstanding applications for
20 questions?

21 Judy, that completes all the questions we have for
22 you. It just remains for me to thank you so much for
23 engaging with the inquiry. You have committed so much
24 time and effort to doing this and I'm very, very
25 grateful to you.

1 Can I just say how remarkable the work is that
2 you've been doing. I don't know how you found the
3 energy to do it, but it is tremendous. Thank you for
4 that.

5 A. Lady Smith, thank you. I'll tell you, the energy comes
6 from all of those spirits up above; they want their
7 voices heard.

8 LADY SMITH: Well, thank you. You are certainly helping.

9 A. Thank you.

10 LADY SMITH: I can now let you go and we'll switch off the
11 link. I hope you have a good day now. Thank you.

12 A. Yes, you as well. Bye now.

13 LADY SMITH: Bye.

14 (The video link was terminated)

15 LADY SMITH: Ms MacLeod, it's 4 o'clock.

16 MS MACLEOD: My Lady, that completes the evidence for today.

17 We have the next witness joining us by video link at
18 8.00 am tomorrow.

19 LADY SMITH: Yes. 8 o'clock tomorrow morning.

20 (4.00 pm)

21 (The inquiry adjourned until 8.00 am on

22 Thursday, 27 February 2020)

23

24

25

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PATRICIA DELANEY DISHON (sworn)1

 Questions from MR MacAULAY1

JUDY NEVILLE (sworn) (via video86
 link)

 Questions from MS MacLEOD86

1

2

3