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Maher's biggest mistake was refusing to let Coffin testify in his own defence, Greenspan says. "At the trial, all the jury wanted to hear was Wilbert Coffin say: 'I didn't do it.'"

Wilbert Coffin, convicted and sentenced to hang for the murder of a 17-year-old Boston hunter, escaped from the Quebec Jail early yesterday morning but surrendered voluntarily a few hours later.

— *Montreal Star*, Sept. 7, 1955

The day before his departure in the bright September sunshine for Bordeaux Jail's death row, Coffin talked his way out of prison with a fake gun and hailed a cab to freedom. But hours later he was back in custody, having heeded his lawyer's advice to put his confidence in the appeals process.

"When my brother broke out of prison, I stayed up all night and prayed, 'Bill, don't turn yourself in,' " Marie Stewart recalls. "If he was out in the woods, nobody on Earth would have found him."

"Have you ever seen a murderer go back to jail?" Rioux asks. "Coffin went back to prison like a good schoolboy."

Why did the appeal process in which Coffin placed his faith fail to free him? Simply, Greenspan explains, because the justice system was not set up to admit error. "The notion of wrongful conviction has only recently become part of our legal landscape in Canada," Greenspan says. "There was a belief that anyone who was convicted was rightly convicted and that the system never makes mistakes."

Greenspan adds that belief also prevailed at the 1964 Brossard Royal Commission into the Coffin case. The inquiry was sparked by the 1963 book *J'accuse les assassins de Coffin (I Accuse the Assassins of Coffin)* by Jacques Hebert, a crusading journalist and fierce opponent of the Duplessis administration.

However, to head the review of the police investigation, Judge Roger Brossard named none other than Captain Jean-Charles Van-Houtte, one of the three original police officers in the Coffin investigation whom the future senator Hebert named in his book as Coffin's assassins.

Hebert's two lawyers — one was his close friend Pierre Elliott Trudeau, future prime minister of Canada — objected to this conflict of interest but Brossard quashed the objection.

In his 719-page report, Brossard cleared police but vigorously denounced Hebert,

who was subsequently arrested for contempt of court for the book and sentenced to 30 days in jail and a \$3,000 fine.

"I was afraid at the Brossard inquiry," Rioux now admits. "If I had opened my mouth, I would have been condemned for contempt of court. When the authorities make a mistake, don't go ask them to retract."

Dale Boyle wrote a song, *The Wilbert Coffin Story*. The lyrics went in part.

Three years went by, and they sentenced him to hang / He swore "I ain't the one" and his hangman felt the same / With seven unlucky chimes, and a single death flag raised / Wilbert Coffin was sent to an early grave.

Hundreds gathered at Gaspé's train station when Wilbert Coffin's body came home, Marie Stewart recalls. "The day my mum brought his body home, it was unbelievable, the crowd at the station." On the simple headstone that marks where Wilbert Coffin was laid to rest is inscribed: "Judge not, that ye be not judged."

Once the funeral was over, family members shrouded their memories in silence. "The family never talked about it. We all felt a lot in our hearts but we never discussed it," says Stewart, one of four surviving sisters. "I said once to my brother Donny: 'Nothing in my life will ever hurt or affect me as much as this has.' And Donny said: 'Me, either.' "There's not a day goes by that I don't pray that some day this will be corrected."

Alton Price, who believes he knows the identity of the real killer, continues to lobby the federal government to reopen the case. "He was a little Gaspesian, a nobody in their minds," says Price, whose father worked for Noranda Mines and knew Coffin slightly. "I saw Coffin as coming from where I came from, the working class. That's why I wrote this book. I don't give a damn if it sells or not. I'll have peace of mind."

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## Convicted Murderer Released When "Dead" Woman Turns Up Alive

By JD Staff

Malkani Bibi's relatives tearfully buried her in 2003. Malik Taj Mohammad was arrested and charged with Bibi's kidnapping and murder by Pakistani prosecutors who claimed that his motive was to violently resolve an acrimonious property dispute.

Mohammad's defense was that he couldn't have murdered Bibi because she was alive. However, he didn't present any proof, and the court relied on the testimony of relatives who buried her in finding him guilty. He was sentenced to life in prison.

Three years later Mohammad's supporters were finally successful in proving that he was innocent: they discovered Bibi was imprisoned in the eastern Pakistan city of Gujarat. She had been there since a theft conviction in 2004.

After Mohammad filed a petition with Pakistan's Supreme Court for a new trial based on the new evidence, Bibi was transported to personally appear before the Court. Satisfied that Mohammad had been the victim of a miscarriage of justice, the Court quashed his conviction and ordered his immediate release. The chief justice also ordered a lower court to oversee an investigation of how Mohammad had been prosecuted and convicted of a crime that never happened, to affix responsibility for the grave error, and to determine appropriate compensation for Mohammad's ordeal.

### Sources:

Pakistani freed after murder victim found alive, Reuters News Service, *Scotsman*, July 25, 2006.  
The best grounds on which to free a convicted murderer, Reuters News Service, *Vancouver Sun*, July 28, 2006.



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