

SUBMISSION

Prior to May 28, 1971, Sandy Seale and Junior Marshall merely knew each other.

On Friday, May 28, 1971, Marshall was in the Halifax/Dartmouth area with Roy Gould. They left for Cape Breton and according to the evidence of Roy Gould, he dropped Marshall off at the Reserve 8:30 to 9:00 p.m., and he went to his own house. Marshall went to visit some friends (the Tobbins), and sometime later, went down through Sydney to the Keltic Tavern where it appeared as though he stayed until something of the order of 11:15 to 11:30 p.m.

He came back in the direction of the dance and the Reserve by way of George Street and for some reason cut through the Park.

While Marshall was en route from Keltic tavern to the Park, Seale who had left the dance approximately 11:40 p.m. according to Mallowney, Sandra Cote and others, had walked with Keith Beaver, Alanna Dixon, and Karen MacDonald down George Street towards the Park. From all reports, they parted company around the corner of the Park at Pollet's Drugstore. Keith Beaver would have Sandy Seale going down George Street and Alanna Dixon or Karen MacDonald would have him going through the Park. In any event, as they parted company, Seale indicated to them that he was going

to catch the last bus heading for Westmount.

Around this time, Marshall was in the proximate vicinity of Roy Ebsary and MacNeil, and in fact, there was an exchange of either a cigarette or matches between these people. The evidence of Patricia Harriss and Terry Gushue would put Marshall in the general vicinity of Ebsary and MacNeil. Nobody can put Sandy in the company of Marshall, Ebsary MacNeil, Patricia Harriss or Terry Gushue.

Shortly thereafter, Sandy Seale was stabbed. The only other people in the area at this time were Roy Ebsary, Jimmie McNeil and Donald Marshall, Jr. The next thing that is known for sure is that Scott MacKay and Debbie MacPherson who had left the dance early and had gone down to the Park, walked up toward Crescent Street at which time they both saw a body lying on the street. On close examination, Debbie MacPherson recognized it to be Sandy Seale. Scott MacKay recalls Sandy Seale indicating that he was hurt and needed help. Debbie MacPherson did not hear this. Debbie MacPherson recalls Sandy Seale saying the words "no cops". Scott MacKay did not hear this. Both Debbie MacPherson and Scott MacKay agree that having seen Sandy wounded and on the road, Debbie MacPherson left to get her bus and Scott MacKay went off to get help.

Around this time, Marshall had been met by Maynard Chant around the Bing and South Bentic area and had proceeded on Bing toward George Street. When outside of the house of Marvel Mattson, Marshall was speaking to Chant and two other people about himself being stabbed and his buddy lying wounded on the other side of the Park.

Marvel Mattson who overheard this discussion puts the time at ten minutes before twelve midnight. At that time, he telephoned the police department to indicate what he had heard. Walsh and other officers who were supposed to take over the midnight shift were still at the police station when this call came in. Shortly after making this call, Marvel Mattson noticed a car approaching on Bing from George towards South Bentic and that somebody had come out into the street to flag the car down and that the two individuals who were apparently talking under his window had gotten into this car which turned around moving back on Bing toward George Street and then up George Street and around Argyle to Crescent, and at this time, Mattson again phoned the police to indicate what he had seen.

When the car arrived on Crescent Street, MacKay and Livingstone (of East Bay) were in the area and saw Marshall and Chant get out of the car. Although this car would have been seen by Chant, Marshall, Mattson, Livingstone and MacKay, nobody was ever able

to give the police a description so that the driver of the car could be identified. Having come out of this car, Marshall and MacKay went to the house of Brian Doucette, supposedly to call an ambulance.

Brian Doucette telephoned Sergeant McGillvray suggesting that the latter call an ambulance. By the time Doucette was hanging up the telephone, the first police car was arriving on the scene. It would appear (according to Howard Dean) that McGillvray made radio contact with him and Corporal M. MacDonald, who were at that time, in a police car in the St. Joseph's parking lot by radio and relayed the information received from Doucette.

MacDonald and Howard Dean headed for the area of the stabbing and were in fact the first police on the scene. Marshall was taken to the Dean/MacDonald police vehicle and was later taken to the hospital. When an ambulance came, Seale was also taken to the hospital.

Marshall was treated at the hospital and released that night. On Saturday morning, May 29, 1971, Oscar Seale phoned Junior Marshall at his home on the Membertou Reserve quite early in the morning at which time Marshall indicated that he and Sandy Seale

were attacked by two men who fled the scene in a car bearing Manitoba licence plates. This sent Oscar Seale on a wild goose chase looking for this small car with Manitoba plates.

On May 30, 1971, Marshall gave a statement to MacIntyre and Urquhart, and a few days later, Marshall was arrested and charged with the murder of Sandy Seale.

He gave evidence at his own trial in November of 1971, and at this trial, he stuck with the story that had been given to MacIntyre to the effect that he and Sandy Seale were stabbed by two men who were dressed like priests and who fled the area in a small car.

Marshall was found guilty as charged and sentenced to life imprisonment.

His appeal to the Supreme Court of Nova Scotia, Appeal Division, was denied, and for all intents and purposes, from the viewpoint of the Seale family that Sandy Seale had been murdered and the murderer was convicted having been given a fair trial.

Between 1971 and 1982, a substantial number of coincidences began to align themselves in a manner sufficient to resurrect the

memory of Sandy Seale as a vehicle to transform Donald Marshall from a criminal, a murderer, to be the victim of the utmost incompetence, the object of careless indifference and reckless disregard as was studied by the Province of Nova Scotia and for that matter, Canada.

Donald Marshall was to be incarcerated and whilst doing his time, he met Sarson, and because of a friendship struck up in prison, Donald Marshall was to meet and develop an intimate relationship with his sister, Shelley Sarson.

Shelley Sarson's other brother, Mitchell Blaine Sarson was to leave home (Pictou) and to take up residence in Sydney, with one Roy Newman Ebsary.

In time, Roy Ebsary, a man with a gift of gab and an extreme capacity to embellish was to speak with Mitchell Sarson, and during the course of such conversation, to indicate to Sarson that he himself had stabbed somebody some ten years prior, and that another individual, an Indian, was serving time as a result of it.

This information was apparently relayed from Mitchell Blaine Sarson to Shelley Sarson and later on to Donald Marshall, Jr.

whilst he was still in prison. From all accounts, this communication could not have taken place before the winter of 1979.

It now appears, having read the submission of Commission Counsel, that it is important to learn exactly when Donald Marshall, Jr. first became aware of the story as allegedly told by Roy Newman Ebsary. However, as the record of Correction Services Canada will confirm, Donald Marshall must have heard of the identity of Roy Ebsary by September of 1981 at the very latest, and in all probability before.

A reading of the report compiled by Correction Services Canada pursuant to a two-hour interview with Donald Marshall, Jr. by T. Robichaud, Psychologist, makes reference in paragraph 2 to a scenario which, on close examination, appears to describe a situation consistent with what we understand to be the discussion between Roy Newman Ebsary and Mitchell Blaine Sarson.

The paragraph reads as follows:

He contains to maintain his innocence. He added that he had received information three months ago which he referred to as a "leak in the bucket" which will contain to grow and will eventually exonerate him from guilt. This information came about in the following manner. His sister's boyfriend was drinking with a Black individual in Halifax. As they were drinking, the Black individual told his sister's boyfriend of an incident in which he had himself stabbed an individual some ten years ago, and that another individual, an

Indian, had finished him off. He says that the fact that there were two wounds in this individual's story would exonerate him, since the pathology report indicated only one stab wound. This he interprets would be claimed that the individual who is telling the story was the one who actually stabbed the individual.

This scenario when re-written with the words "girlfriend's brother" substituted for the words "sister's boyfriend", and the word "White" substituted for the word "Black", and the word "Sydney" substituted for the word "Halifax", the paragraph would read as follows:

He contains to maintain his innocence. He added that he had received information three months ago which he referred to as a "leak in the bucket" which will contain to grow and will eventually exonerate him from guilt. This information came about in the following manner. His girlfriend's brother was drinking with a White individual in Sydney. As they were drinking, the White individual told his girlfriend's brother of an incident in which he had himself stabbed an individual some ten years ago, and that another individual, an Indian, had finished him off. He says that the fact that there were two wounds in this individual's story would exonerate him, since the pathology report indicated only one stab wound. This he interprets would be claimed that the individual who is telling the story was the one who actually stabbed the individual.

By February of 1982, John Pratico who had given evidence in the original Donald Marshall, Jr. was no longer living in Sydney but was residing in New Waterford with the grandmother of Sandy Seale.

The record will indicate that the services of S. Aronson were engaged as at August 27, 1981, and by September 3, 1981, Aronson was already meeting with Donald Marshall Junior.

By this time, Donald had commenced writing to Roy Newman Ebsary, and as a result of the correspondence as exchange having been forwarded to Stephen Aronson, then solicitor for Donald Marshall, Jr. new investigated steps were being taken by Sergeant Wheaton of the R.C.M.P.

Around the latter part of February of 1982, and as part of his investigation, Sergeant Wheaton visited John Pratico in New Waterford.

Because of the nature of the relationship between the Seale family, Oscar Seale became aware quite early that the matter of the guilt of Donald Marshall, Jr. was being reviewed. As would be expected, this was quite a revelation to Oscar.

In his eyes, as in the eyes of the citizens of Sydney (without exception) Sandy Seale was a well brought up young man who was quite involved in sport and was without record as far as the police department was concerned.

In fact, as will be noted from the evidence, he was, for all intents and purposes, not known to the police in Sydney.

By this time, not only was Wheaton interviewing the witnesses

from the 1971 trial and realizing that Marshall might very well have been convicted on perjured testimony, but further, Sgt. Wheaton had access to and was reviewing the Al Marshall report of November 1971 which concluded that not only had Donald Marshall, Jr. stabbed Sandy Seale, but further, that this was subsequent to an attempted robbery involving Marshall and Seale as the attempted robbers.

It is not necessary to analyze in detail the evidence of Al Marshall, sufficient to say that he himself recognized that he botched his investigation, absolutely, and that there was no basis whatsoever for his conclusions and finding as these relate to Sandy Seale and as these put him in the position of being a potential robber.

It must not be overlooked that John MacIntyre was aware of the allegations of Jimmy McNeil as these relate to the robbery, and having instigated the R.C.M.P. review himself, he was undoubtedly aware of the results of the polygraph tests and in all probability was aware of the conclusions even though he might not have seen the R.C.M.P. report himself. This information was never communicated to Oscar Seale, and as such, over the years, the Seale family relied on information disclosed at the Donald Marshall, Jr. trial of 1971.

Faced with new information in 1982 to the effect that Donald Marshall, Jr. was "innocent" of the murder of Sandy Seale, and further, that Sandy Seale was involved in a robbery, Oscar Seale, quite predictably, suspected that there was substantially more to this new information than was disclosed to him at anytime. He then attempted to take the offensive in the defence of his son's reputation, and in this regard, consulted from time to time with Frank Edwards, with Gordon Gale, with Gordon Cole, wrote to the Attorneys General How and Giffin and even to the Department of Justice, Ottawa, and in general, anybody who would read his letters or even listen to him.

It must be noted that Mr. Seale not only welcomed a full and complete inquiry but from time to time requested it, albeit that he wanted an inquiry into the circumstances surrounding the death of his son rather than an inquiry emphasizing the charging and trial of Donald Marshall, Jr.

In that an inquiry was commissioned and evidence heard, the question could then be asked: "What else could be said or done to or for Oscar Seale?"

In this regard, Oscar Seale desires to have worded his absolute criticism of the way information was released and exchanged as

between the office of the Attorney General, Prosecuting section, Sydney, the Solicitor for Donald Marhsall, Jr., the R.C.M.P., notably Wheaton and Carroll, and the Press resulting in the circus/soap opera reporting on a day-by-day basis in the local news media.

Recognizing the background of Sandy Seale, very understandably, Oscar Seale had serious difficulty in accepting the willingness and eagerness of the Press to embrace the robbery theory and to so couple this theory with the stabbing of his son as to build up in him the ultimate distrust for the office of the Attorney General and to even conclude that Frank Edwards was in cahoots with the media and the R.C.M.P. and Aronson in the creation of a "freedom plan" for Donald Marshall, Jr.

It is obvious that Oscar Seale did not know Roy Ebsary in 1971, and often expressed his concern as to whether in fact a 59 year old, 119 lb. man could succeed in sticking a knife in his young, strong, athletic son. It must be noted that all this was in the robbery scenario again, and as such, everybody would expect an attempted robber to be sufficiently on guard if a robbery was taking place and would not fall victim to an easy stabbing.

Rather than disclose information to Oscar Seale to the same

extent that information was being continually disclosed to Steve Aronson, Oscar Seale when demanding information was seen to be a bit of a nuisance, and rather than being up front and honest with him and advising him that he did not have standing in the matter of the Queen and Donald Marshall, Jr., the Attorney General as well as Frank Edwards suggested that he should retain independent counsel, and even the independent counsel, rather than taking the bull by the horns and clearly advising Oscar Seale that this matter involved the State and Donald Marshall, Jr., Oscar Seale was given every encouragement in private but no real assistance.

From the time of the Inquiry (with the associated press publicity) through the Marshall Reference Hearing and through three Ebsary trials and very substantially into this Inquiry, the Seale family had to endure the embarrassment associated with the criminal reputation now attributed to Sandy Seale. Further, and as confirmed by Harry Wheaton, the "innocence of Marshall for the stabbing of Sandy Seale was linked absolutely with the Seale and Marshall robbery of Roy Ebsary and to the same extent, the innocence of Donald Marshall, Jr. could only be complete with the associated guilt of Roy Ebsary".

The unfortunate truth is that the system was unwilling to permit Donald Marshall, Jr. to establish clear and clean innocence. As

stated from time to time, his innocence of the stabbing had to be made palatable, and in so doing, Donald Marshall, Jr. with the assistance of information leaked to the press used Sandy Seale as a vehicle, a real opportunity to satisfy society that it was not wrong that Marshall spend time in jail for something and although it was now ready to accept that it was not for the stabbing death of Sandy Seale. To the same extent that the investigation and the tactic of the persons involved with the reference hearing left the Supreme Court of Nova Scotia, Appeal Division, very little room to maneuver, the same system left Donald Marshall little if any opportunity to shed the reputation of a murderer without compromising the reputation of Sandy Seale. It is important to note that at no time did he unconditionally embrace the robbery theory.

Very understandably, Oscar Seale could not accept for one minute that his son was involved in a robbery, and by the system operating the way it did, it pretty well pit Oscar Seale on the one side against Donald Marshall, Jr., Harry Wheaton, Officer Carroll, Frank Edwards, Steve Aronson and not to discount a very active press on the other side who believed in and were pursuing the Marshall matter as a gross miscarriage of justice.

Oscar Seale does not condemn the actions of the press, but con-

demns the circumstances which led to such biased reporting of matters adverse to the memory of his son. Oscar Seale has been on record from very early in 1982 as wanting a full and complete inquiry into the circumstances of the death of Sandy Seale, and it must be recognized that directly or indirectly, this was a function of this Commission.

As the evidence unraveled, it became very obvious that Sandy Seale was a high-profiled individual in the sports and athletic circles, but as far as the police of Sydney is concerned, he could have very well been living in another Province. Quite rightly so, they had no interest in him.

The evidence clearly indicates that those who knew of Sandy Seale knew of him as an amateur athlete and those who actually knew him could say nothing ill of him.

A total review of the evidence of all witnesses who came in contact with Sandy Seale, directly or indirectly fails to establish anything which would be consistent with criminal behaviour (even to the slightest degree) which could be associated with Sandy Seale, and in fact, the evidence suggests that robbery would be unequivocally out of character for Sandy Seale.

The evidence of Donald Marshall, Jr. and his statements given while incarcerated (Exhibit 112) makes little meaningful reference to Sandy Seale, and as clearly stated by Donald Marshall, the reference to Sandy Seale and any altercation and any involvement with hockey, etc. had been fed to him and was regurgitated for the satisfaction of the powers within Corrections Canada and was instrumental only in getting Donald Marshall a transfer from Dorchester to Springhill.

In his testimony before this Inquiry, it became quite obvious that although Donald Marshall, Jr. knew of Sandy Seale and knew who he was, they were not friends and never did anything at all together.

Their meeting in Wentworth Park on June 28, 1971 was coincidental, absolutely.

This same meeting was extremely short-lived and did not involve any discussion or planning of a robbery.

On the evidence, it would appear that a rather unfortunate set of circumstances came together at the same time which resulted in the death of Sandy Seale, and in connection of which, there is not a scintilla of evidence to suggest let alone establish that

Sandy Seale and Donald Marshall were "up to no good" or in anyway set in motion the circumstances which eventually led to the death of Sandy Seale.

Reference must be made to the submission of Commission Counsel where at Page 6, it is noted that "...Sandy Seale attended the dance with several friends and on at least two occasions was ejected from the Hall because he had not paid the attendance fee." While the statement cannot be attacked as being untrue, it does leave the impression that Sandy Seale was attempting to "beat the system" with respect to entering the dance.

The evidence of Herbie Desmond is to the effect that when Sandy Seale arrived at the dance, the tickets were sold out, and although Sandy Seale had money to pay to enter the dance, the tickets remained soldout. His evidence was further to the effect that under such circumstances people would hang around the dance and not surprisingly, people would sneak in from time to time. It is submitted that this does not in anyway taint Sandy Seale.

That Sandy Seale had money to pay for the dance is further established by the evidence of his Mother, Leotra Seale who confirmed that on the night in question, Sandy Seale had no plans to go to the dance and was in fact in his basement shooting pool

when his friends called upon him to go to the dance at which time he asked her for \$3.00 and was in fact given \$3.00.

Reference is further made to the submission of Commission Counsel that it was up to Your Lordship to determine exactly what took place between Seale and Marshall meeting in the Park and Seale being stabbed. In its submission, Commission Counsel puts the time to the Mattson call at 12:10 a.m., when in fact, Mattson, a retired R.C.M.P. officer, a man who understands the importance of timing, and one who prepared his own statement for delivery to the police puts the time at 11:50 p.m.

This timing must, out of necessity, be cross-referenced with the evidence of Robert Scott MacKay who was with Debbie MacPerson. They both knew that the last bus for North Sydney was the 12:00 midnight bus, and although they had gone for a walk in the Park, they were enroute to catch this bus when they came upon the body of Sandy Seale on Crescent Street.

Reference must further be made to the evidence of Brian Doucette who states that it was around midnight when two came to his door requesting assistance. An examination of the evidence will confirm that these two people were Scott MacKay and Donald Marshall, Jr.

Unfortunately, there appears to have been some carelessness with respect to noting times of calls by the Sydney Police Department, but the evidence of Doucette is very clearly that he spoke with Sergeant McGillivary, and it was subsequent to this that Sergeant McGillivary called an ambulance and immediately thereafter sent out a police radio call resulting in Howard Dean and Corporal MacDonald travelling from the St. Joseph's High School parking lot to the scene of the stabbing.

It appears to be quite clear that the stabbing had to take place subsequent to 11:45 p.m. in that Sandy Seale was with Alanna Dixon, Karen MacDonald and Keith Beaver at that time. It is also important to note that Sandy Seale did not go to the house of Keith Beaver because as stated by him, he had to catch his 12:00 midnight bus for Westmount.

Those who would give any credence whatsoever to a robbery theory, must of necessity, ignore or at least attempt to alter the evidence of Mattson, Doucette, Mallowney who heard of the stabbing as the dance was breaking up and of Sandra Cote and Barbara Floyd who were walking down from the dance when they heard of the stabbing. These were the same persons who could establish why John Pratico could not possibly have witnessed a stabbing.

In this regard, it is a submission of Oscar Seale that this Inquiry accepts that it was unlikely to the extent of being impossible for Sandy Seale and Junior Marshall, two individuals connected only by the geography of Cape Breton Island would have had time to meet, transformed the relationship from being mere acquaintances to one of sufficient trust in each other to plan a robbery, and in the attempt to execute same, wind up being stabbed. Further, and again testing the credibility of this theory, it is submitted on behalf of Sandy Seale it would be ridiculous, absolutely, for Junior Marshall to suggest Ebsary and MacNeil as possible robbery victims when in fact, just shortly before, and perhaps with just enough time for Terrance Gushue and Patricia Harriss to be out of his sight to engineer this robbery with victim to whom he could only be connected again by Harriss and Gushue, but who had bummed cigarettes from Marshall shortly before.

Reference is further made by Commission Counsel to the fact that in Dorchester, in January, 1980, in discussion with Lawrence O'Neil, Marshall made reference to Flynn being afraid of being robbed. In this regard, it must also be noted that the discussions between Roy Ebsary and Mitchell Sarson took place prior to January 1980, and in fact, the relationship between Junior Marshall and Shelley Sarson had matured to the extent that in

in 1979, when he was unlawfully at large, he was actually staying with Shelley Sarson.

It is submitted that if Commission Counsel is to rely now on the notes of Lawrence O'Neil, it would be appropriate to determine from Shelley Sarson the first time that she disclosed the Ebsary story to Donald Marshall, Jr., and further to determine whether or not at that time, the robbery theory was discussed.

The very unfortunate reality is that from time to time, people fall victim to violence and die. In a nutshell, this is what happened to Sandy Seale. However, Oscar Seale, along with the rest of our society, presumed that was a good basis for reliance on the safeguards and cheques and balances of the systems involved in the administration of justice to ensure, unequivocally, that the very fact that Sandy Seale had been stabbed and died within twenty-four hours, would have in motion proper police investigation, and a proper trial preserving unto the accused the presumption of innocence and requiring that the onus of proof be fully discharged by the State.

The attitude of Mr. Seale when he discussed this matter with Donald Marshall, Sr. and suggesting that he secure the services of a good lawyer for his son must not be overlooked. At the same time, no blame whatsoever should be laid at the feet of Oscar

Seale for recommending Mr. Rosenblum. The evidence of all of the witnesses who knew Mr. Rosenblum considered him as very senior and capable legal counsel.

As to the change in the attitude as exhibited by Oscar Seale, it is important to recognize that this was a reasonably predictable reaction of a father when faced with so radical change of circumstances as compared to information which he had received and upon which he had relied from 1971 through to 1982.

Of course Mr. Seale, in coming to the defence of his son's reputation, might very well have exhibited the kind of tunnel vision for which John MacIntyre and William Urquhart were so soundly condemned in the submission of Commission Counsel, and for which Wheaton and Carroll received the unlimit acclaim. However, whereas Oscar Seale does not have to justify are emotional and single-minded approach to his son's reputation, the same cannot be said to apply to MacIntyre, Urquhart, Wheaton and/or Carroll.

He sees the tarnishing of the name of Sandy Seale as very wrong and submits that this inquiry take note that there have been occasions in this Province when, in the interests of justice, judges have applied common sense and exercised their broad

discretion to review and remove from the record evidence which is obviously wrong.

Having determined that Patricia Harriss, John Pratico and Maynard Chant had lied at the trial of Donald Marshall, Jr., and having been in a position to establish unequivocally, that not only had these individuals lied, but also to show the reason for the lie, it would appear that at the reference hearing, Harriss, Gushue, Pratico and Chant could have been called as witnesses for Donald Marshall, Jr., and with proper cross-examination by Frank Edwards as Prosecutor, enough information could have been put before the Nova Scotia Supreme Court, Appeal Division, to unequivocally justify a finding that Marshall was convicted on perjured testimony, which, if struck from the record at the original trial would not have left enough to sustain the conviction of 1971.

As a citizen, Oscar Seale was entitled to as much respect and dignity as such a reinvestigation could offer. It is submitted on his behalf there was an obligation on the R.C.M.P. during the investigation, not only to address the interests of Donald Marshall, Jr., but there was further, a positive duty on them as investigators not, without good and proper cause and justification to desecrate the memory of a somebody who was not in a position to respond to such allegations.

Oscar Seale submits that the real damage was done between February and November 1982, with the emphasis on the February to June investigation.

This is supported by the evidence of Harry Wheaton who did not consider it as part of his terms of reference to look into the background and circumstances related to the death of Sandy Seale, a sentiment which was echoed by Steve Aronson (who quite understandably protected only the interests of his client) and had to rely on the robbery theory, the same theory advanced by Frank Edwards make it palatable for the Appeal Court. Not only did the reinvestigation not look into the background of Sandy Seale, but neither did the investigators properly analyze the statements of the various witnesses which would cast unquestionable doubt on the robbery theory. Even after all of the evidence to the contrary, Frank Edwards still preferred the robbery theory rather than looking at the facts about Ebsary, his uncontrollable temper, his extreme admiration for violence and his penchant for knives.

Oscar Seale is sufficiently practical to recognize that the done cannot be undone but seeks from this Commission a finding that there was no evidence whatsoever to link his son with any wrongdoing and that in the reinvestigation of 1982, there was a high

moral responsibility (if not a positive legal duty) on the investigator to reasonably protect the reputation of his deceased son whilst doing everything that they could to uncover any and all injustices endured by Donald Marshall, Jr.

Finally, Oscar Seale submits that the clearing of Donald Marshall, Jr. of murder did not require the desecration of the memory of his son.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 28th day of
October, 1988



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