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MEDIA POOL COPY

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 139

AGE	SUBJECT	CASE No.

C O P Y

1970

April 8th
11:30 P.M.

Rec. a call from Mrs. Ebsary, R.126 Argyle St. wanting the police to pick up her husband if they see him. He is supposed to be quite drunk and carrying a knife and is going looking for a Mr. Gratnik at 34 Charlotte St. who he had a falling out with today at work. Gave call to car # 1 & 3.

Signed: Cpl. J.MacKay

Re above call:
Searched the area and spotted Mr. Roy Ebsary at the corner of Charlotte & Townsend St. Stopped him & searched him & found a 12" butcher knife under his belt. Arrested him - Sec. 85 L.C.A. and Sec. 89 B C.C.

With him at this time was one Michael LeBlanc, 83 Townsend St. age 17. This boy works with Ebsary at the ~~Exxxxx~~ Isle Royal Hotel He said Ebsary had just called for him and they were going to see their boss, Tony Gratnick at 34 Charlotte St. They had an argument with him at work earlier. LeBlanc was allowed to go home - Knife tagged and left at desk.

Signed: P.C.'s Ed. McNeill and F.LeMoine

~~xxxx

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 107

PAGE	SUBJECT	CASE No.

COPY

1971
May 29th
12:10 A.M.

Mr. M.D. Mattson, 103 Byng Ave.,called the Police Station and reported that he heard some men talking on the street outside his house and from their conversation, it seems someone has been assaulted in Wentworth Park and in need of medical attention.

Cars 1 - 3 and 4 responded.

Further to the above Cpl. Martin MacDonald reported two men had been stabbed - one in serious condition and required an ambulance. T.W.Curry's were notified and responded; also Det. M.R.MacDonald who took over the investigation.

On arrival, noticed Sandy Seale of Westmount on the ground; after apparently being felled by stab wounds-inflicted apparently from a person or persons who had fled the scene. Seale's intestines were visible and a considerable amount of blood had been lost as a result of the stabbing. The family were notified. A companion, Donald Marshall also treated and released.

Signed: Csts. L.Mroz; Dean;
walsh and M.McDonald

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CRIME REPORT

RCMP'S 125.

1971	RE.	DISPOSITION
May 29 12 Noon	Mr. M. D. Matheson #123 Byng Ave. called the police station and reported that he heard some men talking on the street outside his home and from this conversation it seems someone has been assaulted in Westmount Park and in need of medical attention. Cars 1-3 and 4 responded. Further to the above Cpl. Martin MacDonald reported two men had been stabbed one in serious condition and required an ambulance. Tow Guys were notified and responded also Dr. M. D. MacDonald who took over the investigation. Sgt. L. MacPhillips.	On arrival noticed Sandy Scale of Westmount on the ground after being felled by three stab wounds inflicted apparently from a person or persons who had fled the scene. Scales intestines were visible and a considerable amount of blood had been lost as a result of this stabbing. The family were notified. A companion named Marshall also treated & released. Ont. to M.D. Bleeding. Water
May 29/71 5.25 pm	Received a call from Lee Moy that he found a B&E at Simpsons-Sears Ltd. Notified Kirk Grant Manager of the back Cpl M MacDonald Several good prints can be obtained at the warehouse. Piece of plywood bearing footprints at Police station. Tagged. Cpl. L. Moy	Mr. Grant had arrived at the scene shortly afterwards but could not make any accurate assement of any possible shortages until such time that the stock clerk at the warehouse made a further check. Entry gained in an opening of 24x20 ins. B&E in the same area of Bldg. which had been broken on Feb 17 and 24th. See occurrence report Cpl. McDonald. Cpl. Lee Moy

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CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 123

AGE	SUBJECT	CASE No.

COPY

1971
May ~~29th~~ 30th
12:10 A.M.

Received a call from Sgt. MacGillivray that Mr. Mattson, 106 Byng Ave., called and said he thought someone was stabbed in the park. At this time, I was on the parking lot at St. Joseph's Hall where a dance was taking place.

We proceeded to Byng Ave. at a fast speed and not seeing anyone around at 106 kept going towards the Esplanade and at this time, received a call from the Station that they went over behind the Drug Store, Polletts, Corner of George and Argyle St. I turned around at Byng and Charlotte and sped towards the Drug Store and went in behind the building but could not see anyone around this area.

We, Cpl. M. McDonald, then turned of Argyle unto Crescent St. and checking along the grass and at this time up ahead of me, I could see someone standing in the middle of the road waving his hands to come on. On arrival Jr. Marshall was standing on the road waving his hands and a fellow laying on the pavement. I jumped out of the car and Marshall said he and his buddy, Sandy Seale were stabbed.

I checked Seale briefly and then called for an ambulance at which time Const. Walsh and Mros in Car # 3 came in off Bentinck St. Marshall told me it was a tall fellow with white hair and a short fellow. He showed me the knife wound on his left arm so I said to Const. Walsh, I will take Marshall to the hospital and I left immediately for the City Hospital.

Signed: P.C. Howard Dean.

FORM NO. 2

OCCURRENCE REPORT

RCMP2 110

1971

DISPOSI

May 29 2:00 AM

Received a call from Sgt. Mac Gillivary that Mr. ~~Matt~~ Mattison 106 Byng Ave. called and said he thought someone was stabbed in the Park. At this time I was on the parking lot at St. Joseph's Hall where a dance was taking place. We proceeded to Byng Ave. at a fast speed and not seeing anyone around at 1/6 kept going towards the Esplanade and at this time received a call from the station that they went over behind the Drug Store (Collett's) corner of George + Argyle. I turned around at Byng + Charlotte and sped towards the Drug Store and went in behind the building but could not see anyone around this area. We then turned of Argyle onto Crescent St. and checking along the grafs and at this time up ahead of me I could see someone standing in the middle of the road waving his hands to come on. On arrival Cpl. Marshall was standing on the road waving his hands and a fellow laying on the pavement. I jumped out of the car and Marshall said he and his buddy Sandy Seale were stabbed. I checked Seale briefly and then called for an ambulance at which time Const. Walsh + Mary in Car #3 came in of Bentinck St. Marshall told me it was a tall fellow with white hair and a short fellow. He showed me the knife wound on his left arm so I said to Const. Walsh I will take Marshall to the Hospital and left immediately for the City Hospital.

Cpl. M. Mac Donald

CITY OF SYDNEY POLICE DEPARTMENT

RCMP 13

CONTINUATION REPORT

RCMP2 132

E	SUBJECT	CASE No.

COPY

1971
May 29th - 1:00 A.M.

Maynard Chant, Main St., Louisburg, 15 yrs.

Car # 4 was on stand-by while cars # 1 and 3 were attending call to Wentworth Park. We were on George St. near Shandwick St. when we seen this boy who seemed nervous and was carrying shirt in his hand. When we stopped the car he came over and asked for a drive to Louisburg. We asked him what was wrong and he in turn asked if we knew of a stabbing in the park and he stated he had seen what happened. The shirt he was carrying had blood on it and he was wearing only his jacket. He was put in the police car and taken to Det. M.R.MacDonald who was at City Hospital. After being questioned, by Det. M.R.MacDonald, he was taken to station where he called his father to come to Sydney to pick him up.

Signed: P.C. John Johnston and
Frank McKenzie

With reference to Maynard Chant, he was at the scene and took off his shirt and placed it on Sandy Seale's wound.

Signed: Cst. Walsh.

CRIME REPORT

RCMP 2: 121

1971	RE- Maynard Elliot, Main st. Louisburg, 15 yrs.	DISPOSITION
May 29th 1:00 A.M.	Car # 4 was on stand-by while cars # 1 + 3 were attending call to Wentworth Park. We were on George st. near Sherbrooke st. when we saw this boy who seemed nervous and was carrying a shirt in his hand. When we stopped the car he came over and asked for a drive to Louisburg. We asked him what was wrong and he in turn asked if we knew of a stabbing in the park and he stated he had seen what happened. The shirt he was carrying had blood on it and he was wearing only his jacket. He was put in police car and taken to Det. M. R. McDonald who was at City hospital. After being questioned by Det. M. R. McDonald he was taken to station where he called his father to come to Sydney to pick him up. R.C. John Johnston + Frank McKenzie	21st reference to Maynard Elliot he was at the game and took off his shirt and placed it on his left arm wound. Cat 21 Abl

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 109

AGE	SUBJECT	CASE No.

COPY

1971
May 29
2:15 A.m. While patrolling Esplanade, was informed by P.C.'s Walsh and Mroz in Car # 3 of incident in Wentworth Park. Proceeded to Government Wharf in Car # 3 but found no ships at berth. We then conducted a search of the restaurants in the area to no avail. I was then dropped off on my beat by Car # 3 and continued on with my regular patrol duties and checked restaurants periodically throughout the shift.

Signed: P.C.Ambrose MacDonald.

POLICE FORM NO. 2

OCCURRENCE REPORT

RCMP2 111

1971		
May 19 2:15 PM		While patrolling Esplanade was informed by P.C.'s Webb & Mag in Car #3, of incident in Westminster Park. Proceeded to Government Wharf in Car #3 but found no ships at berth. We then conducted a search of the restaurants in the area & fed mail. I was then dropped off on my beat by Car #3 and continued on with my regular patrol duties and checked restaurants periodically throughout the shift. P.C. Andrew McDonald

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 108

PAGE	SUBJECT	CASE No.

C O P Y

1971
May 29th

Re: Sandy Seal - stabbing

Donald Marshall had sustained a would on his left arm and had been released after a short treatment period at City Hospital out patients.

According to Marshall, the responsible parties described as a man in his mid 40(s, very tall and having white hair. The second man had been described as having been much shorter and younger - according to the description offered by Marshall.

At last report, Seale's condition is described as critical.

An intensive search had resulted by all our patrols in a hope to locate the two described persons.

Cst. L.Mroz.

CRIME REPORT

RCMP 120

	1971	RE. Sandy Seale stabbing	DISPOSITION
	May. 29	Donald Marshall had sustained a wound on his left arm and had been released after a short treatment period at City Hospital out patients. According to Marshall the responsible parties described as a man in his mid 40's very tall and having white hair. The second man had been described as having been much shorter and younger according to the description offered by Marshall. At last report Seales condition is described as critical. Cpl Mroz, Dean, Walsh and M. McDonald	An intensive search had resulted by all our patrols in a hope to locate the two described persons. Cpl Mroz

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CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP 126

AGE	SUBJECT	CASE No.

COPY

1971
May 30
12:10 A.M.

At this time as a result of a Police Call to the vicinity of 103 Byng Ave. re a stabbing, all cars on the town side were dispatched to the area. Cars 1 - 4 - 3. I was in Car # 3 and picked up Cst. Leo Mroz and went to the Wentworth Park area.

Cst. Howard Dean and Cpl. Martin MacDonald arrived first at the scene and Cst. Dean radioed that the incident happened on Crescent St. We immediately were on the scene.

Cst. Dean had one Donald Junior Marshall, who had been stabbed in the left arm and told me he would take Marshall to the hospital, and I and Mroz would stand by to wait for an ambulance to convey one Sandy Seale to hospital.

Seale at this time was lying on his left side on the pavement on Crescent St. I approached the youth on the ground and moved his jacket to see the extent of his injury and on moving his shirt, I observed his intestines protruding from the opening in his abdomen. Curry's ambulance responded to the scene and Seale was removed to City Hospital where he wastaken to surgery immediately by Doctor Maavi. The only remark made by Seale other than moans of pain was in the hospital on the table in the outpatient room when he said "I can't breathe" After we left the hospital, Cst. Mroz and I went to all open restaurants to check for two suspects described by Donald Marshall, I checked the Wandlyn Motel; Cape Bretoner Motel and the Isle Royal Motel re any parties checking in through the night but to no avail.

Also checked some of the taxis as to whether two men had been taken anywhere. At the scene on Crescent St., I was unable to come up with an eye witness as to what had taken place. Sandy Seale had been at the dance at St. Joseph's and observed there by Cst. John Mullowney.

There were several people on Crescent St. who live where this incident took place who might be able to give something further. At this time we could not leave the street to question these people.

Signed: Cst. Walsh and Mroz.

POLICE FORM NO. 2

OCCURRENCE REPORT

RCMP 2 114

May 30 12:00 AM		At this time as a result of a Police Call to the vicinity of 103 Byng re a stabbing, all cars on the town side were dispatched to the area, Cars 1 4 3. I was in Car # 3 and picked up Cst Leo Mroz and went to the Glentworth Park area. Cst Howard Dean & CPL Master MacDonald arrived first at the scene and Cst Dean radioed that the incident happened on Crescent Street. We immediately were on the scene. Cst Dean had one Donald "Junior" Marshall, who had been stabbed in the left arm and told me he would take Marshall to the hospital, and I and Mroz would stand by to wait for an ambulance to convey one Sandy Seal to hospital. Seal at this time was lying on his left side on the pavement on Crescent Street. I approached the youth on the ground and moved his jacket to see the extent of his injury and on moving his shirt I observed his intestines protruding from the opening in his abdomen. Curry's ambulance responded to the scene and Seal was removed to Ctr Hospital where he was taken to surgery immediately by Doctor Nagvi. The only remark made by Seal other than moans of pain was in the hospital on the table in the operating room when he said "I can't breathe". After we left the hospital Cst Mroz and I went to all open restaurants to check for the suspects described by Donald Marshall. I checked the Wandlyn Hotel, Cape Breton Motel and the Isle Royal Motel re any parties

1

ORM NO. 2

OCCURRENCE REPORT

RCMP2 114

DISPOSI

checking up through the night but to no avail. Also checked some of the taxis as to what the two men had been taken anywhere. At the scene on Crescent Street I was unable to come up with an eye witness as to what had taken place. Sandy Scales had been at the dance at St Joseph's and observed there by Cpl John McSweeney. There were several people on Crescent Street who live where the incident took place, who might be able to give something further. At this time we could not leave the street to question these people.

Cpl Walsh + Mrg

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

Rcmpz 140

GE	SUBJECT	Stabbing-Sandy Seale	CASE No.

Interviewed the following boys on May 30th - at the Dixon Home - Westmount:

Donald Noseworthy, age 15, 110 Fairhaven Drive and Gave Dixon, age 16, 1155 Westmount Road, Westmount:

Left dance at 11:45 P.M. - the two of us got the bus for Westmount on the Esplanade. G.Dixon stated he drew a fake stamp on Sandy Seale's hand and on his own; and also on D. Noseworthy -Lester drew his own, or got ~~somebody~~ somebody else to do it. Sandy was turned away by the Police. Elaine, my sister, got the bus down the road from us. She was alone.

June 1-1971 - Interviewed James Cotie, address - 220 George St. Sydney, N.S., as a report received from P.C. John Mullowney was that Cotie was in Wentworth Park and was also stabbed. Examined Cotie's body and found burn marks on his back. He indicated to us that he had fallen down the stairs at his home with the baby carriage at 220 George St. and this is what happened to his back. A story which could be true. They were definitely not stab marks on his back as reported.

May 31, 1971 - Interviewed Keith Beaver in regard to Alanna Dixon's story and the only change that I found in his story was that they were talking with Sandy Seale leaving the dance and that he walked down George St. with them - that Sandy did not enter the Park at that time. He kept on down George by himself. The Dixon girl stated that Sandy walked through the Park in her statement but went over the bank to the railway track.

POLICE FORM NO. 2

OCCURRENCE REPORT

RCMP2 115

Folio RCMP2 112

		DISPOSITION
1971 June 10th 8.15 P.M.	Call from Mrs Pratico, 201 Bentinck street, requesting to see police. Gave call to car #1. Sgt Nash	June 10th/71 8.20 P.M. Responded on this call to Pratico's, 201 Bentinck street and on our arrival we were informed by a Dennis Berrette, a guest from 187 Bungalow Road Coxheath, that he overheard six teenage indians this morning, talking about seeing John Pratico soon, if possible. Mr. Berrette didnt know any of these indians at all Csts R. Armstrong & D. MacSween
1971 June 7th 3:15 P.M.	RCMP2 113 Mrs. Pratico requested to see police at the Joy Market on George Street. Consts. C.MacDonald and F. Gillis attending. Signed: Sget.Snow Mrs. Pratico claimed to have a slight argument with a Mrs. Christmas (mother of Tom Christmas) and that this woman also threatened her son. Signed: P.C. C. MacDonald	

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CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP 2-58

SUBJECT	CASE No.

COPY

1971
May 30 - 4:50 P.M.

Statement of Donald John Marshall, age 17 yrs., residing at 38 MicMac St.,Sydney -

About 12 P.M., Friday night, I came through the park from the direction of George St. near the tracks. I met Sandy Seale in the park coming towards me. We walked together. We met Bob Patterson. He was drunk. We asked him if he knew us and he called us by name. We told him to sit down. We started to walk to the bridge. We stood there for a few seconds; 2 men whom we did not know called us up from Crescent St. They asked us for 2 cigarettes. I gave them to them; also a book of matches. The old guy started to talk to me about women. I said lots of them in the park; also they wanted to know where a bootlegger was.

I asked them where they were from and they said Manitoba. I asked then if you guys are priests and the tall fellow said we are. One fellow had a long blue coat on. They told us we don't like colored people and Indians. The old guy turned to Sandy and said there is one for you black boy and he put the knife in his stomach. He then took the knife out of Sandy and swung at me and put it in my left arm. He told me there is one for you to Indian.

I stood for 2 seconds and then I ran for help.

They both ran away up back of a green house. I circled around and got help. The police were called and the ambulance.

Q. Did you know these fellows
A. No
Q. Did you ever see them before
A. No
Q. Describe these fellows to me
A. 1 fellow - the small fellow was 5-9-10 - 190 lbs. hair - grey combed back. wore glasses (black rimmed) age 50 yrs.Long wide face. long blue coat; dark blue sweater; black shoes-rounded toes.

The other fellow - brown cordroy short coat - 5-11 - 150 - hair-black. short hair - age 35 yrs -he was wearing a blue sweater too - V neck sweater with buttons - both of them - thin faces.

Signed: Donald Marshall

May 30th-5:12 P.M.
Sergt. Det. J.F.MacIntyre

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP 29

"ATTACHMENT # 10"

GE	SUBJECT	CASE No.

COPY

May 30, 1971 - 5:15 P.M.

Statement of Maynard Vincent Chant - age 15 yrs., residing at Main St. Louisburg, C.B.

Friday night I was in town and I left the Bus Terminal on Bentinck St. about 11:40 P.M. I walked down Bentinck St. I came over Byng Ave. and started to cross the tracks. I got half way across the tracks - first I seen 2 fellows walking and 2 more were walking kind of slow talking. The 2 fellows who stabbed Donald Marshall and Sandy Seale - they talked for a few minutes over on Crescent St. One fellow hauled a knife from his pocket and he stabbed one of the fellow - so I took off back across the tracks to Byng Ave. and started to walk towards the bus terminal. Then I seen Donald Marshall coming down. I turned around and started to walk the other way. Donald caught up to me and said look what they did to me. He showed me a long cut on his left arm. Then he said help me - my Buddy is over on the other sid of the park with a knife in his stomach. Then we started to look for more help. We met some boys and girls - one of the girls gave Donald a handkerchief - we got a car to take us over to where Seale was lying on the pavement. I took my shirt and put it around his waist and Donald went to a grey house and asked the man if he would call an ambulance.

About ten minutes later, I went up and asked the man in the house t call again and I knelt down beside Sandy Seale and he said it was hot. I unbuttoned his jacket. I then discovered his stomach was cut. I took my shirt and put it where the cut was and made him comfortable. Then the police arrived. They called for the ambulance. He was taken to the hospital.

Q. Did you know those other 2 men
A. No
Q. Did you know Donald Marshall
A. I knew him to see him
Q. Did you know Sandy Seale
A. no
Q. Could you give me a description of these other men
A. one man about 6'2 - light brown hair;dark pants; suit coat - over 200 lbs. the other fellow 6' tall - dark pants; dark hair 165 lbs.

Q. Did you see their faces
A. No

Q. Would they be young or old
A. I was not that handy

continued - page 2---

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

SUBJECT	CASE No.

page 2 - continued - statement of Maynard Vincent Chant -----

Q. Was there just 4 men there
A. Yes

Q. Did you see any knife
A. Yes it was a figure of a knife

Q. How far away would you be
A. 45 ft. or more down the tracks

Q. Could you tell if Marshall was drinking
A. I would not say he was

Signed: Maynard Chant

time 5:35 P.M.

Sergt. Det.J.F.MacIntyre

CITY OF SYDNEY POLICE DEPT.

STATEMENT RCMP2 9

May 30th 1971 5:15 PM

Statement of Maynard Vincent Chant age 15 yrs residing at ~~[illegible]~~ Main St Louisburg C.B.

Friday night I was to Sydney and I left the Bus terminal on National St at about 11.40 PM I walked down National St to Crescent Boys avenue and started to cross the tracks. I got halfway across the tracks first I seen 2 fellows walking and 2 more was walking kind of slow talking the 2 fellows who stabbed Donald Marshall a tall dark fellow they talked for a few minutes over on Crescent St one fellow hauled a knife from his pocket and he stabbed one of the fellows so I took off back across the tracks to Boys avenue and started to walk toward the Bus terminal then I seen Donald Marshall Coming down I turned around and started to walk the other way Donald Caught up to me and said look what they did to me. He showed me a long cut on his left arm. then he said help me my buddy is over on the other side of the track with a knife in his stomach then we started to look for some help we meet some Boys & Girls one of the girls gave Donald a hankie we got a car to take us over to where Leslie was laying on the Pavement I took my shirt and put it around his waist and Donald went to a house and asked the man if he would call an ambulance

Witness _____

Date _____ Time 5.35 P.M. Signed Maynard Chant

Sgt at Det

CITY OF SYDNEY POLICE DEPT.

STATEMENT

RCMP2 9

about 10 minutes before I went up and asked the man in the house to call again and I heard down beside Sandy Seale and he said it was hot I unbuttoned his jacket & then discovered his stomach was cut. I took my shirt and put it where the cut was and made him comfortable then the police arrived. They called for the ambulance. He was taken to the Hospital.

Q Did you know those other 2 men
A no.
Q Did you know Ronald Marshall
A I knew him to see him
Q Did you know Sandy Seale
A no
Q Could you give me a description of those other men
A one man about 6 ft 2" light brown hair dark pants. Suit coat on 2 colls. Another fellow 6 ft. tall dark pants dark hair 165 lbs.
Q Did you see their faces
A no.
Q would they be young or old
I think it's that Sandy.
Q was there just 4 men there
A. yes
Q Did you see any knife
A yes I saw a figure of a knife
Q How far away would you be
A 45 ft or more down the tracks.
Q Could you tell if Marshall was drinking
A. I would not say he was

Witness

Date Time 5.35 PM Signed Maynard Blair

Sergt Det

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 74

PAGE	SUBJECT	CASE No.

COPY

May 30, 1971

Statement of John Pratico, age 16 yrs.,residing at 201 Bentinck St.,Sydney

Friday night I was at St. Joseph's Dance. I left there around 12 P.M. I seen Junior Marshall and Sandy Seale between the store and dance hall. I was talking to them. They wanted me to walk through with them. I said no. I went down Argyle St. and went over Crescent St. I was over by the Court house when I heard a scream. I looked. I seen 8 fellows running from the direction of the screaming. They jumped into a white volkswagon; blue lic. and white no. on it. One had a brown cordroy jacket - 5'5 dark complexion; heavy set. The other grey suit about 6 ft. tall; husky; red sweater -like a pullover. I started to run home.

Q. Did you see the Volkswagon since
A. No. I saw the 2 fellows twice last night walking near the park.

Q. Did you see them at the dance
A. Yes. I seen them walking around. Bobbie Robert Patterson said they are from Toronto Saints Choice ~~xxx~~ Bike Gang.

Signed: John Pratico

May 30th - 6 P.M.
Sergt.Det. J.F.MacIntyre

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CITY OF SYDNEY POLICE DEPT.

STATEMENT

May 30th 1971 RCMP2 74

Statement of John Peatico age 16 residing at 201 Rentoul St Sydney

Friday night I was at St Joseph Dance I left there around 1 p.m. I seen Jamie Marshall a lady Sade Between the store & Dance Hall I was talking to them. They wanted me to walk through with them. I said no I met some against and went over Orange St I was nearly the Court house when I heard a scream. I looked I seen 2 fellows running from the direction of the screaming they jumped into a white Volkswagon blue tie on the roof. one had a Brown Cordroy Jacket K-S Dark Corduroy Jeans Set. The other Grey Suit about 6 ft tall Husky Red sweater like a Policeman. I started to Run home.

Q Did you see the Volkswagon since
A. No. I seen the 2 fellows twice last night. Walking. Near the Park.
Q Did you see them at the Dance
A. yes I seen them walking around. Bobbie Robert Patterson said they are from Wentworth Saint Clair Bike Gang.

John Peatico

Witness

Date May 30th Time 6 P.M. Signed

Sgt [illegible]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 13

AGE	SUBJECT	CASE No.

COPY

May 30, 1971

Statement of Alanna Dixon, age 15 yrs; residing at 1155 Westmount Road, C.B.

I went to the dance Friday Night at St. Joseph's Hall, George St., Sydney with Karen McDonald, Trinity Ave.

We left St. Joseph's - myself, Karen and Keith Beaver about 11:40 P.M. we were walking down toward the Park (Wentworth) and Sandy Seale came behind. The four of us cut down into the park. I was going to catch the bus on the other end. Karen, I and Beaver cut across the bridge to Crescent St. and over by the Court House where I stayed on the Main Rd. waiting for the bus to come. Beaver went home. Karen stayed with me until the bus came.

Q. Where did Sandy Seale go
A. Sandy did not go over the bridge. He went up over the bank to the tracks - that is the last I saw of him

Q. Why did Sandy go by himself at this point.
A. He told us he was going up town to get a bus

Q. Did you see anybody else in the park
A. Just one man wearing something light sitting on a bench with his head down. He was tall. we passed by him.

Q. Was Sandy with you then
A. Yes

Q. Did they speak
A. No

Signed: Alanna Dixon

May 30th 1971 RCMP 2 13

Statement of Alanna Dixon age 15. residing at 1155 Wentworth Rd. C.B.

I went to the Dance Friday night at St Joseph Hall Sunnyside. with Karen McDonald Ninety one.

We left St Joseph respect, Karen, and Keith Beaver about 11.40 PM we were walking down towards the Park Waterside) and Sandy Steele came behind the four of us Cut down to the Park. I was going to Catch the Bus on the other end Karen, Jt and Beaver Cut across the Bridge to Crescent St and over by the Court house then I stayed on the Road Rd waiting for the Bus to Come. Beaver and Karen stayed with me until the Bus Came

Q Where did Sandy Steele go

A Sandy did not go over the Bridge he went up over the Road to the tracks that is the last I saw of him

Q Why did Sandy go by himself at this point

A He told us he was going up town to get a Bus

Q Did you see anybody else in the Park

A Just one man wearing something light sitting on a Bench with his head down He was tall. we passed by him

Q was Sandy with you then

A yes

Q Did they speak

A no

Alanna Dixon

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 47

PAGE	SUBJECT	CASE No.

C O P Y

1971
May 31st, 6:30 P.M.

Statement of George Wallace McNeil, 18 yrs., 91 Bungalow Road and Roderick Alexander McNeil, 17 yrs., 84 Bungalow Road, Coxheath.

We left the dance at St. Joseph's Hall, Friday hight, 11:40 P.M. We walked through the park and seen 2 men hanging around. Description as follows:

1 man - grey haired; grey or white top coat - 5-9 - W. 180 lbs. hair flat on his head no wave - straight back - round fat face trampish looking - late 50's

2nd man - tall 6 ft. or better, thin average size - dark hair - late 30 or early 40 yrs - thin face. brown jacket - short.

They spoke to a fellow and girl sitting on a bench closest to the railroad tracks as you came over the hill. They asked them for a cigarette. The grey haired fellow said he had ~~just~~ a dollar. We kept on home. We called at Fatima at a school dance on the way home.

Q. Did you know Sandy Seale
A. Yes, to see him

Q. You seen him at the dance hall that night
A. yes

Q. He was there when you left
A. Yes. He was outside of the hall - all the tickets were sold early.

Q. Would you know them again
A. We don't know.

Signed: George McNeil
Sandy McNeil

RCMP 2 47

No of 3 1/20 6.30 PM

Statement of George Wallace McNeil 18 yr/ 91 Bayfield Rd on Robert Alexander McNeil & Bayfield Rd Carpenter
we left the Dance at St Joseph Hall Friday night 11.40 PM. we walked through the Park and seen 2 men hanging around Description as follows
1 man Grey Haired, Grey suit, Grey Coat 5-9 W. 180 lbs. Hair flat on his head go Wave straight back round pot face Complexion Looking Late 50.
2nd man tall 6 ft or better Thin average age Dark Hair Late 30 with long Thin face. Brown Jacket. short.
They spoke to a fellow & Girl sitting on a Bench Closer to the Railroad tracks as you Cross over the hill. They asked them for a cigarette. The Grey Haired fellow said he had that a Dollar. we Left on home we Called at Petunia at a school Dance on the way home.

Q Did you know Sandy Seale
A yes. to see him
Q you seen him at the Dance Hall that night
A yes
Q He was there when you left
A yes. He was outside of the Hall all the tickets were sold Early.
Q would you know them again
A we don't know

George McNeil
Sandy MacNeil

COPY

June 2 - 71 time 3:55 P.M.

Statement of Francis Joseph French, 24 Cross St.,Sydney, N.S. B. Feb. 28th, 1954.

On Friday night, May 28, 1971, we went down in a car - 63 Ford. We were sitting around talking. Mr. Gary Tobin, Junior Marshall and Ardy Paul, then some one said lets go to the dance.--At St. Joseph's, Gary had to go in to Keltic Tavern to get someone. He went in to get him. He was in for quite awhile. So I asked Jr. if he would go in and get Gary. Jr. came out and said Gary was not in the Tavern.

Jr. went back in again and Gary came out. I said Junior was still in. Gary looked in the Tavern for Jr. again and couldn't find him. Me and Moose went up to the dance. We did not go in the dance as it was packed. We stood outside talking. And this car went by and hollered at us. We said drop dead. The car stopped - a fellow -white-got out of the car;broke a glass and said come on. Moose said drop the glass and I will fight you. The police came over and hollered. The guy got in the car and left. It was a Ford Station Wagon.

At around 12 P.M. we left the dance - walked down George St. Saw the police car with Jr. Marshall in the back and saw another police car and ambulance go up to the hospital. Then I went home.

Q. Did you see Jr. Marshall around the dance
A. No
Q. Did you see Sandy Seale around the dance
A. No
Q. How many people were in the Station wagon
A. Three
Q. Did you have anything to drink at Bobin's
A. No
Q. Did any one else leave anything to drink
A. Yes. Moose;Ardy Paul and Jr.Marshall split a pint of rum.

e 2-71 Sergt.Wm.Urquhart-4:30 P.M.- Signed: Frankie French

RCMP 2 29

June 2-71 Time 1.55 PM
Statement of Francis Joseph
French, 24 Cross St. Sydney N.
B. Feb 28th 1954.

On Friday night May 28-71
We went down in a car
63 Ford We were sitting around
talking. Mr. Gary Zobin.
Johnson Marshall and Andy
Paul. Then Johnson said let's
go to the dance at St Joseph's
Gary went to go in to Kelly
Tavern to get some one he went
in to get him he was in for
quite a while. So I asked Jr
if he would go in and get
Gary, Jr came out and said
Gary wan't in the tavern
Jr went back in again
and Gary came out. I said
Johnson was there in.
Gary looked in the tavern
for Jr again and he couldn't
find him. We and Moose
went up to the dance. We
did not go in the dance
as it was sold out. We stood
outside talking. And this car
went by and hollered at
us. We said drop dead the
car stopped a fellow white
got out of the car broke
a glass and said come
on. Moose said drop the
glass and I will fight you
the police came out and hollered
the guy got in the car and
left. it was a Ford Pilton
Wagon

Franklin French

At around 12 P.M. we left the dance walked down Grove St. saw the police car with Jr. Marshall in the back, and saw another police car and ambulance go up to the hospital, then I went home.

Q Did you see Jr. Marshall around the dance?

A No.

Q Did you see Sandy Seale around the dance?

A No.

Q How many people were in the Station Wagon.

A. three.

Q Did you have anything to drink at Robins?

A. No.

Q Did any one else have anything to drink?

A Yes. Moose, Andy Paul, and Jr. Marshall. Split a pint of Rum.

X Frankie French

Sgt Jim McFalcalt

4:30 P.M. May Jun 2-71

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 43

RCMP2 43

SUBJECT	CASE No.

COPY

June 2, 1971 - 6:30 P.M.

Statement of Robert Scott MacKay, age 16 yrs., residing at 225 Fulton Avenue, Westmount, C.B.

I was at St. Joseph's Dance Hall last Friday night. I was with Debbie McPherson, Keltic Drive and left the hall about 11:45 P.M. because she wanted to get the North Sydney bus home. We walked down to Wentworth Park. We were there for 5 to 10 minutes; so we walked up on to Crescent St. She noticed Sandy Seale lying down on the roadside. I went over. I noticed it was Sandy and I asked him what was the matter. He told me he was stabbed and he needed help. I told her to go get a bus and I ran and tried to find a person to help me. I ran across the park up to Polletts and I found a boy named Livingston from East Bay. He was with a girl at the time. So we ran back down through the pa rk and up to Crescent St., but by the time we were getting up to him a car slowed down and a Marshall boy got out. Junior said I was with him and he showed me his arm and so I told him we should go to a house and call the police. He said No. So I talked to hi and both of us went to a house there and I said "Call the Police. Jr. Marshall showed this man his arm. When we got back from th house, 2 police cars arrived.

So the Police questioned me and told me to leave. I went home with Bruce Butt from Westmount. I met him at Harris' corner after I left the scene.

Q. Did you ask Junior Marshall who stabbedthem.
A. Yes, he said a man with glasses and a younger man with him. Jr. said the man with theglasses stabbed Sandy and said that is for you Buddy and then Jr. said he tried to get away and he stabbed him in the arm.

Signed: Scott MacKay

By: Sergt.Det. J.F.MacIntyre

RCMPS 43

June 2nd 1971 6.30 PM

Statement of Robert Scott MacKay age 16 yrs residing at 225 Preston ave Westmount Qc.

I was at St Joseph Dance Hall Last Friday night I danced with Debbie Lu Pherson 7 Pettie Drive we left the hall about 11.45 PM. Because she wanted to get the 3 with by day Bus home we walked down to Westmount Park we were there for 5 to 10 minute so we walked up up to Crescent St she noticed Sandy Scott Lying down on the Road side I went over I noticed it was Sandy and I asked him what was the matter He told me he was stabbed and he needed help. I told her to go get a Bus and I ran and tried to find a person to help me I ran across the Park up to Collette and I found a boy named Livingston from East Bay St was with a girl at the time. So we ran back down through the Park and up to Crescent St East By the time we were getting up to him a Car slowed down and a Marshall Boy got out Jamie said I was not hurt and he slowed me his arm and so I told him we should go to a house and Call the Police He said No so I talked it to him and he said I was next to a house there and I said Call the Police. Jim Marshall slowed this man his arm. when we got back from the house 2 Police Cars arrived.

Scott MacKay

RCMP 12 43

So the Police questioned me and tried me to leave, I met some with Driver Butts for Westmont I met him at Harris Corners after I left the Scene

Q Did you ask David Marshall who stabbed Hung

A yes he said a man with glasses and a younger man with him. He said the man with the glasses stabbed Sandy and said that for you buddy. and then he said he tried to get away and he stabbed him in the arm.

Scott MacKay

[illegible]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 69

PAGE	SUBJECT	CASE No.

COPY

June 2, 1971 - 7:30 P.M.

Statement of Lawrence Gerard Paul, age 14 yrs.,residing at 93 Membertou, St.,Sydney,

Friday night I was at the dance at St.Joseph's Hall, George St. with Maria Sophocleous. We left the dance about 11 P.M. or after that. First we took a ~~mkk~~ walk up Mira Rd. then we turned back- and went to Wentworth Park and sat there for a-bout 20 minutes and then went back to the hall. She went in ahead of me. I was talking with Sandy Seale just outside of the hall. He said he was going down the street - taking a walk.

Q. Did you have a knife on you that night
A. No

Q. Did you see Jr. Marshall that night
A. No. Pius said he was in Halifax

Q. What happened then. I came back to the hall and Eddie Dicks and a big blond guy were there. Eddie and Kababy got into a fight. Then Geno Smith and Terry Gushue were arguing. The Police broke it up.

Q. How did you go home that night
A. We walked up Argyle St. to Dairy; then we got a drive by Gordon Christmas.

Q.Did you go to the Park again that night
A. No

Q. What time did you see Sandy Seale outside
A. Just before 12 A.M.

Signed: Lawrence Paul

By: Sergt.Det.J.F.MacIntyre.

*Maria Sophocleous - Harry's Daughter-27 Newlands Ave.

June 2nd 1971 7.30 P.M.

Statement of Lawrence Gerrard Paul age 14 yrs residing at 93 Newbourne St Sydney.

Friday night I was at the Dance at St Joseph's Hall Gerry et with Maria Sophokous we left the Dance about 11 P.M. after that first we took a walk up Main Rd then we turned back & went to the Waterworks Park we sat there for about 20 minutes and then we went back to the hall she went home ahead of me. I was talking to Sandy Seale just outside of the hall He said he was going down the street taking a walk.

Herry's Daughter 2nd witness

Q Did you have a knife on you that night
A No.
Q Did you see Jo Marshall that night
A No. I was said he was in Halifax.
Q What happened then
I came back to the hall and Eddie Dukes and a big Black boy were there Eddie & Nately got into a fight then two twins & Gerry Burke were arguing the Police broke it up
Q How did you go home that night
A We walked up angle St to Helen Davis then we got a Drive by Gordon Christmas.
Q Did you go to the Park anywhere that night
A No.
Q What time did you see Sandy Seale outside
A Just before 12 A.M. Lawrence Paul

Sgt Det [illegible]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2: 68

AGE	SUBJECT	CASE No.

C O P Y

1971
June2 - 8 P.M.

Statement of Arthur James Paul, 20 yrs. old, 33 Gallagher St., Sydney:

Last Friday night, I was going to my girlfriend's, Tobins (Kaye) Intercolonial St. Donald, Jr. Marshall asked me where I was going. I told him we just got out of Roy Gould's car about 8:45 P.M. The two of us went to Tobin's. We got there around 10 P.M. Junior, Moose Tobin, Frank French, left for the dance. Jr. asked me if I was coming and I said No. Moose and French came back. I asked them where Junior was and they said we lost ~~them~~ him.

Q. When did you see Junior again
A. Saturday morning about 2 to 2:30 A.M.

Q. Did he tell you what happened
A. Yes. He told me him and Sandy met on the bridge in the Park. There was 2 guys upon the hill. They were asking for a match and those 2 fellows were asking Junior if he was colored and Junior said I am an Indian and this fellow said I hate niggers. He said the short fellow with the white hair stabbed Sandy and then the short fellow stabbed him in the arm.

Q. Did Jr. ever see them before
A. I don't think. They also asked Jr. where there were bootleggers and women. They also asked them to meet them in the park tomorrow night.

Signed: Arthur Paul

By: Det.Sergt.J.F.MacIntyre

RCMP2 68

June 2nd 1971 8 PM

Statement of Arthur James Paul 20 yrs old 33 Gallagher rd Sydney.

Last Friday night I was going to my girlfriends house (Faye) Stevenson rd I met Jerome Marshall asked me where I was going I told him. We just got out of Roy Brown's car about 8.45 PM. The two Fox want to where we got there around 10 PM. Jerome, Moose White Frank Dennis left for the dance he asked me if I was coming and I said no. Moose and Frank came back I asked them where Jerome was and they said we lost him.

Q When did you see Jerome again

A Saturday morning about ~~1 AM~~ 2 to 2.30 AM

Q Did he tell you what happened

A yes.

He told me he's a sandy nett on the bridge in the Park there was 2 boys up on the hill they were asking for a matches and those 2 fellows were asking Jerome if he was colored and Jerome said I am a Negro and this fellow said I hate niggers. he said the short fellow with the matches had stabbed Sandy and then the short fellow stabbed him in the arm.

Q Did he ever see them before

A I don't think

They also asked Jerome where their were but boggers or owners. They also asked them to meet them in the Park tomorrow night.

Arthur Paul

Det. [signature]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

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RCMP2.

RCMP2 79

AGE	SUBJECT	CASE No.

COPY

June 3rd, 1971 - 11:50 A.M.

Statement of Gary Vincent Tobin, age 18 yrs.,residing at 76 Intercolonial St.,Sydney -

Last Friday night, Jr. Marshall came to my house with Ardie Paul about 9 to 10 PM. I was sitting with him. Frankie French and Ardie Paul in my car in the backyard. After Ardie Paul came to my door and X got me out of the house. My car is not working because of the motor. we were there for a while. I could say till about 10:45 P.M. Then me, Jr. and Frank went to the Keltic Tavern,Dorchester St. Jr. and Frank stayed outside as I went inside for my brother Blair. I came out and looked for Jr. Marshall and Frank stated he ~~xxxx~~ went inside looking for me. I went back in 3 ti es looking for Jr. Marshall and I could not locate him. Myself and Frank went to St. Joseph's Dance. I tried to get inside but I could not. Frank waited outside to see if I was going to get. I wanted to see a girl by the name of Theresa McNeil from Cross St. She was with a fellow from the Mira Rd.,Tom Bennet & Steve? Mary O'Reilly from Cross St. was also with these boys. P.C. Young told me to leave and at the intersection of Geo. & Cottage Rd. I seen Jr. Marshall in the Police car. I also saw another police car and ambulance behind. Frank was with me. We walked home from there to Cross St.first;then home. I did not hear until the next morning about the knifing.

Q. Did you know Sandy Seale
A. I did not know him
Q. Did you go near the park that night
A. Just walked up George St. Curry's side to the dance with Frank French
Q. Did you see Jr. since. A. Yes - Tuesday evening
Q. Did you ask him anything
A. No.
Q. Was Jr. Marshall drinking
A. 1 drink of rum from me in my car.

~~Signed: Mr. Gary Tobin~~

Sergt.Det.J.F.MacIntyre.

Remp 12 99

June 3rd 1971 11:50 AM

Statement of Gary Vincent Tobin age 18 yrs residing at 76 Sterling St Sydney.

Last Friday night Joe Marshall came to my house with Archie Paul about 9:30/10 PM. I was sitting with him, Frankie Pink and Archie Paul in my car in the backyard. after Joe Archie Paul came to my door and got me out of the house my car was not working because of the motor we were there for a while I was going till about 10:45 PM then we left Frank went to the Celtic Town Pendrite St. Joe Frank stayed outside I went inside for my brother Alan Joe came out and told Joe Marshall and Frank stated he went inside looking for me. I went back 3 times looking for Joe Marshall and I could not locate him, myself and Frank went to St Joseph's Place we tried to get inside but I could not Frank waited outside to see if I was going to get in. I walked to see a girl by the name of Theresa O'Neil from Crescent. she was with a fellow from the main Rd Tom Bennett or Steve? Mary O'Reilly from Crescent was also with these Boys. P.C. Young told me to leave and at the intersection of Geo. & Cottage Rd I seen Joe Marshall in the Police Car. I also saw another Police Car & ambulance behind

Sgt Det Tobin

M. Gary Tobin

RCMP2 79

Frank was with me. we walked home from there to Crossst first then home I did not hear until the next morning about the knifing

Q Did you know Sandy Seale

A I did not know him

Q Did you go near the Park that night

A Just walked up George st Crump's side to the Dance with Frank Hearty

Q Did you see Jim Smith the Sunday morning

Q. Did you ask him anything

A No.

Q was he Marshall Drinking

A I think I Run from me to my Car.

Mr. Gary Tobin

Sgt. Det

COPY

June 4, 1971
10:45 A.M.

Statement of John Louis Pratico, age 16 yrs.,residing at 201 Bentinck St.,Sydney.

Last Friday night I went to the dance at St. Joseph's Hall, George St.,Sydney. I went with Bobbie Christmas; Donald Gordon and I met Bob Janes from Alexander St. there. He gave me money to get in. This was about 9:30 P.M. I was at the dance till about 10 or 5 to 12. Then I walked out by myself.

I met Donald Marshall and Sandy Seale. We walked to the corner of Argyle St. Donald said John come down to the Park in a rough voice. I said No. I went down Argyle St. and over Crescent St. I was walking on the park side. I seen Sandy and Donald on the other side of the bridge stopped. I did not pay much attention to them. I kept walking for the tracks. On the tracks, I stopped where I showed you. Then Donald Marshall and Sandy Seale were up where the incident happened. I heard Sandy say to Junior, you crazy Indian and then Junior called him a black bastard. They were standing at this time where the incident happened. They were still arguing. They were talking low. I could not make out what they were saying.

Q. Which way was Sandy Seale facing
A. Facing the tracks
Q. Which way was Donald Marshall facing
A. The street
Q. ~~xxxxxxx~~ How close were they
A. Arms length
Q. What did you see or hear next
A. I did not hear. I just seen Doald Marshall's hand going towards the left hand side of Seale's stomach. He drove his hand in -turned it and pulled it back.
Q. What happened then
A. I seen Sandy fall to the ground and Donald Marshall running up Crescent St. towards Argyle St.

continued - page 2----

C O P Y

---continued - page 2

Q. What did you do
A. I run home up Bentinck St.
Q. Were you standing on the track at the time Sandy Seale fell to the ground
A. Yes. I was.
Q. Why were you standing there
A. I was drinking a pt. of beer
Q. Was there anybody else around the scene
A. Nobody - not a soul
Q. Did Seale scream when Donald Marshall struck him in the stomach
A. He screamed - aah
Q. How long did you know Sandy Seale
A. 4 or 5 years
Q. How long did you know Donald Jr. Marshall
A. Since last summer
Q. Did you ever quarrell with either boy
A. No
Q. Were you talking to Sandy Seale at the dance
A. Yes outside about 10:30 P.M.
Q. How far away would you be from Sandy Seale and Donald Marshall when they were on Crescent St.
A. 30 to 40 ft.
Q. How long were they standing there
A. About 10 minutes. They were arguing over something
Q. How is it you did not come down where they were at
A. I was scared
Q. Did they notice you on the tracks
A. I don't know
Q. Would ~~there~~ there be any obstruction between you and Sandy Seale and Donald Marshall when you were on the tracks from them seeing you
A. Bushes between them and me - blocking the view on them. It was easier for me to see them.
Q. Did you see Donald Marshall since
A. Yes, Saturday or Sunday.

Signed: John Pratico

By:Sergt.Det.J.F.MacIntyre 11:30 A.M. - Sgt.Det.wm.Urquhart.

KEMPA 73

June 4th 1971 10.45 AM

Statement of John Louis Patrick age 16 yrs residing at 201 Bartlett St Syracuse
Last Friday night I went to the Dance at Wright Hall Group at Sidney. I went with Bobbie Overton Donald Gardner and I met Bob Jones from Alexander St Rev He gave me money to get in. This was about 9.30 PM I was at the Dance till about 10 or 5 to 12. Then I walked out by myself I met Donald Marshall & Sandy Seale we walked to the Corner of Argyle St Donald said let's Come down to the Park in a loud voice I said no I went down Argyle St and we kept on walking on the Park side I seen Sandy & Donald on the other side of the Bridge stopped I did not pay much attention to them I kept walking for the tracks on the tracks I stopped where I showed you then Donald Marshall and Sandy Seale was up where the incident happened. I heard Sandy say to Donald you Nigger Listen and then Donald called him a black Bastard. They were standing at this time when the incident happened. They were still arguing they were talking loud I could not make out what they were saying.

Q Which way was Sandy Seale facing
A facing the tracks
Q Which way was Donald Marshall facing
A. the street
Q How close were they John Patrick
A arms length
Sgt. Rev. 11.30 AM Sgt Wm Neukhart

Pcnp2 73

Q What did you see or hear next?
A. I did not hear I just seen Donald Marshall's hand go towards the left hand side of Sandy's stomach. He drove his hand in turned it and pulled it back.
Q What happened then
A I seen Sandy fall to the ground and Donald Marshall running up Crescent St towards Argyle St.
Q What did you do
A I run home up Benton St.
Q Were you standing on the Track at the time Sandy Seale fell to the ground
A yes I was.
Q Why were you standing there
A I was drinking a pint of Beer
Q Was there anybody else around the scene
A Nobody but a soul.
Q Did Seale scream when Donald Marshall struck him in the stomach
A He screamed (ooh)
Q If you say Did you know Sandy Seale
A Has yes
Q How long Did you know Donald Jr Marshall
A Since last Summer
Q Did you ever quarrell with Either of Boys
A No.
Q Were you talking to Sandy Seale at the Dance
A yes outside about 10 30 PM.
Q How far away were you be from Sandy Seale Donald Marshall when they were on Crescent St
A 2 to 4 ft
Q. How long were they standing there
A about 10 minute they were arguing over something

John Prat

[illegible] 11.30 AM [illegible] Marshall

RCMP2 73

Q. How far did you get when they were at
A. It was scared.
Q. Did they notice you on the tracks
A. I don't know.
Q. Would there be any obstruction between you and Lady Duke or Donald Marshall when you were on the tracks from them seeing you
A. Bushes between them & me blocking the view on them It was easier for me to see them
Q. Did you see Donald Marshall since
A. yes saturday or Sunday.

John Pratico

Sgt Det John Pratico 1130 AM.

Sgt Det W Mefuhart

COPY

June 4, 1971 - 2:55 P.M.

Statement of Maynard Vincent Chant, age 14 yrs.,residing at Main St.,Louisburg, C.B.

Last Friday night after 11:30 P.M., I left the Acadian Lines on Bentinck St. and walked down Bentinck St. to the tracks. Then I started down the tracks towards George St. I noticed a dark haired fellow sort of hiding in the bushes about opp. the second house on Crescent St.

Q. Did you know him.
A. No. I did not know his name but I seen him before out at the dances in Louisburg

Q. Did you see him since
A. Sunday afternoon at the Police Office in Sydney. I walked by this fellow on the track. I looked back to see what he was looking at. Then I saw 2 fellows standing about 1½ ft. from each other on Crescent St. near the house with the railing up the middle of the steps. The same house which I called the police from. An old man with grey hair & glasses answered the door

Q. Were they the same size
A. One was taller than the other

Q. Which one was facing you
A. Short dark fellow was facing the tracks

Q. The taller man was facing the houses
Q. At this pt. did you recognize either of these men
A. The only man I recognized was Marshall
Q. What was he wearing
A. Dark pants and I think a yellow shirt with the sleeves up to the elbows. I wish to say that when he was arguing I mean Donald Marshall with the other men his sleeves were down to his wrist at that time.

continued - page 2-

continued - page 2-----

Q. How long were you on the tracks watching them
A. About 5 minutes

Q. Could you hear what they were talking about
A. No. I just heard a mumbling of swearing. I think Marshall was the one who was doing most of the swearing. Then I seen Marshall haul a knife from his pocket and jab the other fellow with it in the side of the stomach.

Q. What side
A The right side - I seen him jab it in and slit it down

Q. How could you tell it was a knife
A. By the figure of it - it was shiny and long

Q. What happened then.
A. When Marshall drove the knife in, Seale, he bent over. Then I ran toward George St. down the ~~xx~~ tracks. I went into the Park, through the Park; then up to George St.; crossed the tracks and then on to Byng Ave.-about 3 houses over I met Donald Marshall and he said look at my arm. It was his left arm; his sleeve was up. The cut was on the inside of his arm - it was not a deep cut and it was not bleeding at that time-until we caught up to 2 boys & 2 girls who were walking. Donald said could you help us. One of the fellows said what is wrong. Then he said look what they done to me.

Then the other guy said "who" and Donald Marshall said the 2 fellows. He said my buddy is on the other side of the Park with a knife in his stomach. They ~~they~~said they would try and help us . At the time a car came along and Donald stopped it and we asked for help. They picked us up and drove to the other side of the Park and we stopped about 6 ft. away from Seale. At this time, Seale was lying on the opp.side of the street. Donald Marshall got out; came over near the body of Seale andstood there. There was another man came along and knelt by Seale and then went over to a house and called an ambulance. Then he came back and knelt along side of me about 5 minutes. I asked this dark haired fellow to look

continued - page 3

continued - page 3------

after Seale while I went up and called again. I forgot to state that the minute I got to Seale, I put my white shirt on his stomach. I said hold it and he mumbled. Police and ambulance arrived and he was taken to hospital.

Q. Did Donald Marshall call the police or ambulance at any time
A. No

Q. Did you
A. Yes, first at the house with the railing coming down the center of the steps

Q. Who was with you
A. Marshall stayed on the sidewalk

Q. Was there any other conversation between you and Marshall at that time
A. He said - there were 2 men - tall one had brown hair done the stabbing.

Q. This of course is not true
A. No

Q. Did he know you were over the tracks
A. No - he did not.

Signed: Maynard Chant

3:45 P.M.

By: Sergt.Det. John McIntyre

Sergt.Det.Wm.Urquhart.

Mrs. Beulah Chant - mother

Lawrence Burke - Probation Officer
Juvenile Court

Chief Wayne R. McGee

Urquhart and myself.

Kemp 2 8

June 4th 1971 2.55 PM

Statement of Maynard Vincent Chart age 14 yrs residing at Main St Fowlerville Co.:

Last Friday night after 11.30 P.M. I left the Accident Lines on Bartlett St and walked down Bentish St to the tracks. Then I started down the tracks towards Grand St I noticed a Dark Haired fellow sort of Hiding in the Bushes about opp. the Grand Trunk Crescent St.

Q Did you know him

A No I did not know his name but I see him before out at the Dances in Fowlerville

Q Did you see his face

A Sunday afternoon at the Police Office I got I walked by this fellow on the track I looked back to see what he was looking at then I saw 2 fellows standing about 1½ ft from each other on Crescent St near the house with the Railing up the middle of the steps. The same time that I called the Police from a old man with big Horn Glasses Raised the Door

Q where they the same size

A one was taller than the other

Q which one was facing you

A Short Dark fellow was facing the tracks

Q the taller man was facing the houses

Q. at this pt did you recognize either of these men

A The only man I recognized was Marshall

Q what was he wearing

A Dark Pants and I think a yellow shirt with the sleeves up to the Elbows

Maynard Chart

3.45 P.M. Sgt Det ~~[illegible]~~ Sgt Mr Wefulhart

I wish to say that when he was
arguing I mean Donald Marshall
with the other man his sleeves were
down to his wrists at that time.
Q How long were you on the tracks watching
them
A about 5 minutes
Q Could you hear what they were talking about
A No. I just heard a mumbling of swearing
I think Marshall was the one
who was doing most of the swearing.
Then I seen Marshall hand a knife
from his pocket and jab the other fellow
with it in the side of the stomach.
Q what side
The Right side I seen him jab him
in it and slit it down
Q How could you tell it was a knife
A By the flash of it It was shiny and
long.
Q. what happened then
after Marshall done the job he
peale he ran over then I saw
Howard Sargent down the tracks
I went to the Park through the Park
then up to Sargent Crossed the tracks and
then in the Bryn area about 3 houses over
I meet Donald Marshall and he said
look at my arm It was his left arm
his sleeve was up. The Cut was on
the side of his arm it was not a deep
Cut and it was not bleeding at that time
until we Caught up to 2 Boys & 2 Girls
who were walking. Donald said Could you
help us. One of the fellows said what the
hell. Then he said look what they
done to me

Maynard Chant — Sylvan McPherson
3:45 PM

KCMP 2 8

Man The other boy said his and Donald Marshall said the 2 fellows. He said my buddy down the other side of the Park with a knife in his stomach. Then they said they would try and help us at the time a Car came along, and Donald stopped it and we asked for Help
they pushed us up and down to the other side of the Park and we stopped about 6 ft away from Seale. at this time Seale was lying on the opp side of the street. Donald Marshall got out Car over near the Body of Seale and stood there there was another man came along and knelt by Seale and then went over to a house and Called an ambulance then he came back and knelt along side of me about 5 minutes I asked this Dark Haired fellow to look after Seale while I went up and Called again, I forget to state that the minute I got to Seale I put my white shirt on his stomach. I said Hold it and he mumbled. Police and ambulance arrived and he was taken to Hospital.

Q Did Donald Marshall Call the Police at anytime

A No

Q Did you

A yes first at the house with the Bailey Conjdem the Center of the steps

Q who was with you

A Marshall stayed on the sidewalk

Q Was there any other Conversation between you & Marshall at that time

A He said there were 2 men told me had been Here done the stabbing

Q This of Course is not true

A No

Signature illegible

Magnetic Court 3.45 P.M. Sept 20 1971

RCMP2 8

Q Did he know you were on the tracks.

A No He did not.

Maynard Chatt

3.45 PM

Sgt Det John Phillips

John McFarlane.

RCMP28

Mrs ~~[illegible]~~
Beverly Chantler Mother.
Lawrence Burke - Probation Officer
Juvenile Court
Chief Wayne R. Lucker
Vignhart O'Hypself.

COPY

June 7th, 1971
3:55 P.M.

Statement of Roy A. Gould, age 25 yrs.,residing at 124 Membertou St.,Sydney:

Q. I show you a jacket - is this your jacket
A. Yes

Q.Did you give this jacket to anybody last week
A. Yes, I gave it to Donald Marshall Jr. on the night of the 27th of May 1971 at Bedford, N.S. and he continued to wear it from there on.

Q. Where were you going
A. We stayed in Bedford that night. We were going to a meeting in Shubenacadie the next morning

Q. When did you return to Sydney
A. Friday night 9:30 P.M. ~~xxxxxx~~ arrived home on the 28th of May

Q. Where did you let Donald off at
A. From my residence - then to his own

Q. Did he have your jacket at that time
A. Yes

Q. Did you see him after that - that night
A. No. Not that night I did not see him till either Saturday afternoon or evening
Q. Where did you get the jacket from later
A. I got his father to bring it to me on June 2nd and I gave it to Det. M.R.McDonald
Q. Was the jacket in good shape when you gave it to him
A. Yes it was
Q. Was it ripped or cut on the sleeve
A. No

continued - page 2------

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT RCMP2 30

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DE	SUBJECT	CASE No.

continued - page 2------

Q. No blood on it
A. No - under the right arm pit was tore

Q. Was Donald drinking that evening in your presence
A. About an ounce of rum that afternoon at Stewiacke about 4 P.M.

Q. Is there anything else you wish to tell me
A. No. nothing of any value.

Signed: Roy Gould

June 7th - 4:10 P.M.

Sergt. Det. J.F.MacIntyre

5 CITY OF SYDNEY POLICE DEPT.

STATEMENT

Kimpe 30

June 7th 1971 3.55 PM

Statement of Roy A. Jewell age 25 residing at 124 Manchester St Sydney.

Q. I show you a jacket do this your jacket.

A. yes

Q. Did you give this jacket to anybody last week

A. yes I gave it to Donald Mandell on the night of the 27th of May 1971 at Bedford St. and he returned to wear it from there on

Q. where were you going

A. we stayed in Bedford that night we were going to a meeting in Waterworks the next morning.

Q. when did you return to Sydney.

A. Friday night 9.30 PM arrived home on the 28th of May

Q. when did you get Donald off at.

A. From my residence Nth to his own.

Q. Did he have your jacket at that time

A. yes

Q. Did you see him after that that night

A. no that that night I did not see him till Either Saturday afternoon or Evening.

Q. when did you get the jacket from Peter

A. I got his father to bring it to me on June 2nd and I gave it to Det. N.R. for Donald

Roy Jewell

Witness

Date June 7th Time 4.10 PM Signed

Seargt. Det. [illegible]

CITY OF SYDNEY POLICE DEPT.

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STATEMENT

R.M.P.L. 30

Q. was the jacket in good shape when you gave it to him

A. yes it was.

Q. Wasn't Ripped or Cut on the sleeve

A. No.

Q. No blood on it

A. No. under the right armpit maybe

Q. Was anything that evening in your presence

A. about an hour after Rene that afternoon at Stewarts about 4.PM.

Q. Did you Say anything else you want to tell me.

A. No nothing of any Value.

Witness

Date January 7th Time 4.10 PM Signed

Sgt + Det. [illegible]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

59 RCMP 2 59

E	SUBJECT	CASE No.

C O P Y

Sydney, Nova Scotia
8 June 1971

Statement of Marvel Dwight Mattson, 103 Byng Ave.,Sydney,N.S.

I reside at 103 Byng Ave.,Sydney, Nova Scotia

About ten minutes before midnight of May 28, 1971, I went upstairs to go to bed. The bedroom is on thewentworth Park side of the house. I was in the bedroom a matter of a few minutes when I heard talking coming from the street; the window was open. I paid little attention until I heard someone say, "there's someone bleeding in the park". I went to the window, but couldn't see anyone. They were below the verandah and also I had turned off the outside light before going upstairs.

I immediately called the City of Sydney City Police from the upstairs telephone to report what I had heard. I continued to watch from the window in the upstairs hall - next to the telephone. There was more conversation, but I couldn't make it out. Then a car came along and a man stopped it in the middle of the street. He had walked out from the sidewalk in front of my house. He showed the driver his arm and it was again said, "there's someone bleeding in the park" and with that he got in the car and it drove off towards George St. I kept an eye on it and believe it went down George towards Argyle. I again called the police to report further on what I had seen.

In a matter of a minute or so of the first telephone call I saw a car with flashing lights on Cresent St. and very shortly afterwards another vehicle showed up which I took to be an ambulance.

Signed: M.R.Mattson.

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 14

PAGE	SUBJECT	60	CASE No.

C O P Y

June 14th, 1971 - time 7:55 P.M.

Statement of Brian Doucet, 120 Crescent St.,Sydney, N.S.

On May 28th, 1971, around 12 P.M. I was watching TV, the late show. I heard people come up the front steps. I went to the door. I opened the door - two fellows were there. Both said call an ambulance.

Q. Did you know any of the people that came to the door.
A. No.
I went to the phone and called the police. Sgt. Len MacGillivary was on duty and told him to call an ambulance. As I was hanging up the phone, the police car came. I put my shoes and jacket on and another police car came. The first car that came took a fellow with a yellow jacket - one of the fellows that was at my door - who showed me a cut on his left arm - from which there was no blood.

I helped Leo Curry help put a body in the ambulance- which was lying on Crescent St. on the track side near the residence of Dan Campbell, Crescent St. almost in line with the double driveway that services the Campbell residence and Crescent ~~xxxxxxxxxxx~~ Apartments.
Detective ~~MR~~ MacDonald
Came to the City Hospital and the Dr. would not let him in the room.

Signed: Brian Doucet

Time 8:20 P.M.
June 14th,1971
Sergt. Wm. Urquhart

RCMP2 14

June 14th 1971 Time: 7.55 PM.
Statement of Brian Doucet. 120
Crescent St. Sydney. N.S.
On May 28th 1971 around 12 PM
I was watching T.V. the late
show. I heard people come
up the front steps. I went
to the door I opened the
door two fellows were
there, both said Duncan
Ambulance.

Q Did you know any of the
people that came to the door
A. No.

I went to the phone and
called the Police, Sgt Ben
MacGillivray was on duty.
And told him to Duncan
Ambulance. As I was hanging
up the phone the Police car
came, I put my shoes and
jacket on and another Police
car came. the first car that
came took a fellow with a
yellow jacket out. the fellow that
was at my door. Who showed
me a cut on his left arm. from
which there was much blood.
I helped Leo Curry help put a
body in the Ambulance. White
was lying on Crescent St. on the
front side near the residence
of Ken Campbell. Crescent St
almost in line with the double
driveway that serves the
Campbell residence and and
Crescent St apartments.
Detective M.R. MacDonald
witness Sgt Gillhaus Brian Doucet

RCMP2 14

Came to City Hospital. And the Dr would not let him in the Room.

+ Brian Doucet

Time. 8.20 PM.
June, 14th 1971
Sgt. M. Mefelbert.

RCMP 2 37

RCMP 2.3

JUNE 17, 1971 - 8:15 P.M.

STATEMENT OF PATRICIA HARRIS, 5 KINGS ROAD,
BORN: 1957-Nov-15

On the night of the dance at St. Joseph's, May 28, 1971, my boyfriend Terry GUSHUE, 2 Tulip Terrace, left the dance at 11:45 P.M. We sat on a bench near the Bandstand. We sat on a bench. Robert PATTERSON was on the grass sick, throwing up. We smoked a cigarette. Terry and I left, walked back of the Band Shell on to Crescent Street in front of the big green building. We saw and talked to Junior MARSHALL. With MARSHALL was two other men.

Q. Describe the other men to me?

A. One man was short with a long coat. Gray or white hair, with a long coat. I was talking to Junior. Terry got a match from Junior and Junior said they are crazy. They were asking him, Junior, for a cigarette.

Q. Did you see Sandy SEALE in the Park?

A. No.

Q. Was there anyone else in the Park?

A. Yes, boys and girls walking through the Park. Gussie DOBBIN and Kenny BARROW, they left while we were still on the bench.

CITY OF SYDNEY POLICE DEPT.

STATEMENT

June 17-71 - 8 15 PM. RCMP 2 37

Statement of Patricia Harriss
5 Kings Rd. Born. Nov 15-1957
On the Night of the dance at St Joseph
May 28-71 My boyfriend Terry
Yushus, 2 Tulip Terrace left
the dance at 11.45 PM. We Sat
on a bench near the Grandstand
We Sat on a bench. Robert Patterson
Was on the Grass Sick, throwing up
We Smoked a cigarette, Terry and I
left. Walked back of the Stands
up to Crescent St in front of the
big Green building We Saw and
talked to Jr Marshall. With
Marshall was two other men
Q Describe the other men to me?
A. One man was short with a long
Coat, Gray or White hair, with a
long Coat. I was talking to Jr
Terry got a match from Jr
And Jr said they are crazy,
they were asking him Jr for a
cigarette
Q Did You See Sandy Seale in
the Park?
A. No.
Q Was there any one else in the
Park?
A. Yes, boys and girls walking
through the Park. Yussie
Doffin. And Kenny Barrow
they left while We were still
on the bench.

Witness.....

Date..... Time..... Signed.....

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

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RCMP2 36

AGE	SUBJECT	CASE No.

C O P Y

June 18th - 1:20 A.M.

Statement of Patricia Ann Harris, age 14 yrs.,residing at 5 Kings Road,Sydney

On May 28th, 1971, I went to St. Joseph's Dance Hall. I met Terry Gushue there. We danced for awhile and then a fight started. Terry got mixed up in it and he was asked to leave. So I went with him. I got mad at him for drinking & fighting. We went to the Park and sat on a bench and started arguing. Robert Patterson came to the Park with us. After a while, we crossed the park back of the bandshell. Then we went up to Crescent St. and by the green apt. building, we met Jr. Marshall. Terry got a match of him.

Q. Was there anybody with Jr. Marshall
A. Yes
Q. Who was it
A. He had a dark jacket on
Q. Was it Sandy Seale. Do you know him
A. Yes, I know Sandy and it looked like him
Q. Did he speak to you
A. No
Q. Did Jr. Marshall say anything else
A. He was drinking
Q. How was he dressed
A. He had a light jacket on
Q. Were they standing or walking when you met them
A. Standing facing one another but when we came closer, they sort of parted and Sandy Seale moved back. We talked to Jr. got a match and left for home.
Q. Did you see anybody else in the area
A. No. Not on Crescent St.
Q. Did you notice anybody on the railroad tracks
A. No
Q. Where did you learn about the stabbing
A. My mother told me.

continued - page 2------

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP 2 36

AGE	SUBJECT	CASE No.

C O P Y

continued - page 2 - Patricia Harris

Q. Did you see any weapons on either Jr. Marshall or Sandy Seale
A. No

Q. How were they facing
A. Sandy was facing the houses and Jr. Marshall was facing the Park
Q. What time would this be
A. I would say about 12 P.M. ~~xx~~ We left the dance about 11:30P.M.

Signed: Patrician Harris

June 18th - 12:25 A.M.

Sergt.Det. J.F.MacIntyre Sergt. W. Urquhart.

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CITY OF SYDNEY POLICE DEPT.

STATEMENT

RCMP2 36

June 18th 1207 AM.

Statement of Patricia Ann Harris age 14yrs residing at 52 Kings Rd Sydney.

On May 28th 1971 I went to St Joseph's Dance Hall. I met Jerry Glushenko there. We danced for awhile and then a fight started Terry got mixed up in it and he was asked to leave so I went with him. I got mad at him for drinking & fighting we went to the Park and sat on a bench and started arguing. Robert Patterson came to the Park with us after a while we crossed the Park back of the Bandshell then we went up to Crescent St and by the Green Apt. Building we met Jo Marshall Jerry got a match of him

Q was there anybody with Jo Marshall

A yes

Q who was it

A He had a dark jacket on

Q wasn't Sandy Seale Do you know him

A yes I know Sandy he didn't look like him

Q Did he speak to you

A No

Q Did Jo Marshall say anything else

A He was drinking.

Q How was he dressed

A he had a light jacket on

Witness .....

Date June 18 Time 1225 AM Signed Patricia Harris

Sgt Det

CITY OF SYDNEY POLICE DEPT.

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STATEMENT

RCMP2 36

Q Were they standing or walking when you meet them

A Standing facing one another but when we came closer they sort of parted and Sandy Steele moved back we tacked to go get a motor and left for home.

Q Did you see anybody else in the area

A No not on Crescent St.

Q Did you notice anybody on the Railroad tracks

A No.

Q When did you learn about the stabbing

A My mother told me

Q Did you see any weapons on Esther Jo Marshall or Sandy Steele

A No.

Q How were they facing

A Sandy was facing the houses and Jo Marshall was facing the Park.

Q What time would this be

A I would say about 12 PM we left the Dance about 11.30 PM.

Patricia Morris

Witness.....

Date June 18th Time 1225 PM Signed.....

Sgt Det

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 33

PAGE	SUBJECT	CASE No.

COPY

June 17, 1971 - 11:40 P.M.

Statement of Terrance Patrick Gushue, age 20 yrs.,residing at 2 Tulip Terrace St.,Sydney:

On May 28th, I went to the dance at St. Joseph's Hall,George St.,Sydney

Q. Who did you go with
A. With Eddie Dicks
Q. How long did you stay there
A. Well I seen a fight starting about 10:30 P.M. I was trying to break it up and as a result, I was asked to leave by the Police, which I did. When I was getting my jacket, I seen Patricia Harris there. I said they kicked me out and asked her to come along with me - she did. We went to the store and from there to the Park. We stopped there for a while- we were talking to Robert Patterson. He came down from the dance with us. We walked behind the bandshell and started to walk up to Crescent St. I remember seeing Donald, Jr. Marshall on Crescent St. with another man.

Q. Did you speak to Jr. Marshall
A. Yes, I asked him for a match
Q. Did you receive it
A. Yes
Q. Did you have any other conversation with him
A. No
Q. Did you know the other man
A. No
Q. Did you know Sandy Seale, the deceased
A. No
Q. How long have you known Jr. Marshall
A. 1 yr. or so
Q. Which way were you walking on Crescent St.
A. towards Kings Rd.
Q. What time was this
A. Between 11:30 P.M. and 12 P.M.

continued - page 2-----

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

Rcmp2 33

SUBJECT	CASE No.

continued - page 2---Terrance Patrick Cushue

Q. What was the weather like
A. It was nice out
Q. When you met Jr. Marshall, xxxxxxxxx and the other man, were they standing or walking
Q. Standing
Q. On the Street or sidewalk
A. On the left hand side of street going towards Kings Rd.
Q. Were you drinking that night
A. 2 qts. of beer & some wine.

Signed: Terry Cushue

Sergt. Det. J.F.MacIntyre
June 17th - 12:03 A.M.

Signed: Det.W.Urquhart

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STATEMENT

June 17th 1971 11.40PM

Statement of Terrance Patrick Bushee age 20yrs residing at 2 Tulip Terrace St Sydney.

On May 28th I went to the Dance at St Joseph's Hall George St. Sydney.

Q who did you go with.

A. With Edith Dicks.

Q How long did you stay there

A Well I seen a fight starting about 10.30PM I was trying to break it up and as a result I was asked to leave by the Police which I did. When I was getting my jacket I seen Patricia Harris there I said they kicked me out and asked her to ~~go~~ come along with me she did. We went to the stand and from there to the Park. We stayed there for a while we were talking to Kevin Patterson He came down from the Dance with us we walked behind the Bandshell and started to walk up to Crescent St I remember seeing Ronald Joe Marshall on Crescent St with another man.

Q Did you speak to Joe Marshall

A yes I asked him for a match

Q Did you receive it

A yes.

Q Did you have any other conversation with him

A No

Witness [signature]

Date June 17th Time 12.03AM Signed [signature]

CITY OF SYDNEY POLICE DEPT.

STATEMENT

RCMPL 33

Q Did you know the other man
A No.
Q Did you know Sandy Seale, the Deceased
A No
Q How long have you known Jas. Marshall
A Yes or so
Q which way were you walking on Crown St
A towards Kings Rd
Q What time was this.
A Between 11.30 P.M. and 12 P.M.
Q what was the Weather like
A It was nice out.
Q When you meet Jas Marshall and the other man were they standing or walking
A standing.
Q on the street or sidewalk
A on the left hand side of street going towards Kings Rd.
Q were you drinking that night
A 2 qts of beer & some wine.

Jimmy Hughes

Witness Sgt Det J. Stapp

Date June 17th Time 12.03 A.M. Signed

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

Rcm/2266

OB	SUBJECT	CASE No.

COPY

June 18, 1971 - 9:30 A.M.

Statement of Mary Patricia O'Reilley, age 14, residing at 23 Cross St.,Sydney:

On May 28th, 1971, I was at St. Joseph's Dance Hall,George St.,Sydney. I was with Theresa McNeil, 43 Cross St.,Sydney. I left there about 11:45 P.M. with Steve Chernick, Mira Rd. We went to the Park. We came back around 11:55 P.M. to the dance. We were just outside talking - Frank French and Moose Tobin about 12:25 A.M. we seen the ambulance go bye. We got a drive home.

Q. Did you know the late Sandy Seale
A. No
Q. Do you know Donald, Jr. Marshall
A. Yes
Q. How long
A. 1 yr.
Q. Did you see him that evening
A. No
Q. When did you see him
A. He called Saturday morning. He was looking for Kate, my sister. He talked to me & her.
Q. What was the conversation
A. About what happened down at the Park - the stabbing
Q. What did he say
A. He said there was a grey haired man down there. He said 2 men. One man asked him for a cigarette. Then Sandy Seale Didn't have a cigarette. when Jr. said that, one fellow said O.K. Blackie and he stabbed him
Q. Did you ask him what they looked like
A. One had grey hair. He said he was 30 to 40 yrs. old and when it happened he said he tried to call from a woman's house and he said he called
Q. Did Jr. know those fellows
A. He said they were pretty nice first
Q. Did he call any more

continued page 2

CITY OF ~~SYDNEY~~ POLICE DEPARTMENT

CONTINUATION REPORT

RCMP 266

OR	SUBJECT	CASE No.

continued page 2----Mary O'Reilley

A. He called again - my sister Kate
Q. How did he get your phone no. It is unlisted
A. When I was going with Pius Marshall, Jr.'s brother, I gave it to Pius
Q. Did you discuss this matter with Patricia Harriss
A. Yes
Q. Did you tell her about the grey haired man
A. I told her there was supposed to be a grey haired man there. I told her if she was questioned by the police, she should tell about the grey haired man that Jr. told me about

Q. Did he - Jr. - say anything about his own injury
A. He said the guy with the grey hair stabbed him in the arm.

Signed:Mary O'Reilley

June 18th - 9:50 A.M.

Sergt. Det. J.F.MacIntyre

Witness:Det.W.Urquhart

CITY OF SYDNEY POLICE DEPT.

76 STATEMENT

RCMP2 66

June 18th 1971 9.30 AM

Statement of J. Mary Patricia O'Rilley age 14 yrs residing at 23 Cross st Sydney

on May 28th 1971 I was at St Joseph Parish Hall Surry Hills by dance I then met Steven Neil 43 Cross st Sydney. I left there about 11.45 PM with Steve Chadwick Main Rd. we went to the Park. we came Back around 11.55 P.M to the Dance we were just outside talking Frank French and Moore Tobin about 12.25 AM we saw the Ambulance go Bye. we got a Drive home.

Q Did you know the Tate family Neale
A No
Q Do you know Donald Jr Marshall
A yes
Q Drinking.
A I yes
Q Did you see him that Evening
A No.
Q When did you see him
A He called Saturday morning He was looking for Peter my brother He Talked to me a. Hrd
Q what was the Conversation
A about what happened down at the Park the stabbing
Q what did he say
A He said there was a grey Haired man

Witness.....

Date June 18th Time 9.50 AM Signed Mary O'Rilley

Sgt Det [illegible]

CITY OF SYDNEY POLICE DEPT.

STATEMENT

RCMP2 66

down there. He paid 2 men, one man asked him for a Cigarette. Then lady beside didn't have a Cigarette then he said that one fellow said to Mr. Mackie and he stabbed him

Q Did you ask Peter what they looked like

A one had grey Hair He said he was 30 to 40 years old and when it happened he said he tried to Call from a messenger house and he said he Called

Q Did he know the fellows

A He said they were pretty nice first

Q Did he Call anyone

A. He Called again my sister Peter

Q How did he get your phone No If he enlisted.

A When I was going with Pris Marshall he. Brother phone it to Pris

Q Did you Discuss this matter with Patrick Harris

A yes

Q Did you tell him about the Grey Haired man

A I told him there was supposed to be a Grey Haired man there I told him if strangers questioned by the Police that should tell about the Grey Haired man that he told me about.

Q Did he he say anything about his own injury

A. He said the guy with the Grey Hair stabbed him in the arm

Witness.....

Date June 18th Time 9.50 A.M. Signed Mary O'Reilley

Sgt Det McLatchy

C O P Y

June 19th , 1971 - 10:15 A.M.

Statement of Catherine Ann O'Reilley, age 16 yrs.,residing at 23 Cross St.,Sydney

Q. Do you know Donald Jr. Marshall
A. Yes.

Q. How long
A. Since last Summer
Q. Do you keep co. with him
A. Several times this year. The last time about 1 week before the stabbing took place
Q. were you talking to him since the stabbing
A. Yes
Q. Where
A. On the phone -almost every day, until he went to Jail. He got his telephone no. changed
Q. What was the conversation.
A. He told me he was down at the Park with Sandy Seale and 2 guys came over and asked him for a cigarette and when they said no, the men started to call them Blackie & that. He said one man was old & grey. He said he got stabbed in the arm. He said he ran to get help. He went to a house to use a phone. The man did not want him to use it but then he let him use it.
Q. Did he know these fellows
A. No
Q. Did you ever see Jr. Marshall with a knife
A. Yes last year down at the Park
Q. Was it a large one
A. About 5½" blade
Q. What was he doing with it
A. Sticking it in the trees
Q. Did you see Jr. Marshall the night of May 28
A. Yes, I was sitting in a car in Tobin's yard, Intercolonial St. with Frankie French, Moose Tobin, Margie O'Reilley, my sister, Jr. Marshall, Ardie Paul, Dave McDonald.

continued - page 2----

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

79 RCMP2 65

SUBJECT	CASE No.

COPY

continued - page 2---Catherine O'Reilley

Q. What time was this
A. Everyone was there till 12:45 A.M. except Moose Tobin, Frank French & Jr. Marshall. They left about 10:30 P.M.

Q. Where did they go
A. They said they were going to St. Joseph's Dance
A. Did you or anybody else have anything to drink that night in the car
A. I never saw it
Q. Did Tobin, French and Marshall come back to the car
A. Tobin and French
Q. Where did they part from Marshall
A. They said they lost him and never found him
Q. Why did Jr. Marshall leave you and go to the dance by himself
A. Because I was with Ardie Paul
Q. Did anybody have anything to drink in your presence that night
A. Yes Ardy Paul, Moose Tobin and Jr. Marshall - 1 pt. of liquor

Q. Did you see Jr. Marshall fighting at any time
A. Yes with his brother Pius and another fight down the Park. The guys were from Westmount. This was last Summer.

Signed: Catherine O'Reilley

Witness: Sgt. Wm.Urquhart

By: Sergt.Det. J.F.MacIntyre
June 19th-10:50 A.M.

CITY OF SYDNEY. POLICE DEPT.

STATEMENT

80

Remrz 65

June 18th 1971 10.15 AM.

Statement of Catherine Ann O'Reilly age 14yrs residing at 23 Crosset Sydney.

Q Do you know Donald Joe Marshall
A yes
Q How long
A Since last summer
Q Do you keep Co with him
A Around June this year. The last time about 1 week before the stabbing took place
Q Were you talking to him since the stabbing
A yes
Q Where
A on the Phone almost every day until he went to Jail. He got his telephone no. changed.
Q what was the Conversation
A He told me he was down the Park with Lindy Leek and 2 boys came over and asked him for a Cigarette and when they said no. The men started to call them Sharkie & that. He said the man was a bad boy. He said he got stabbed in the arm. He said he ran to get help. He went to a house to use a Phone the man did not want him to use it but then he let him use it.
Q Did he know these fellows
A no.
Q Did you ever see Joe Marshall with a knife
A yes last year down at the Park

Witness Sgt M Mitchell

Date June 18th Time 10.15 AM Signed Catherine O'Reilly

Sgt. Det. [illegible]

CITY OF SYDNEY POLICE DEPT.

81 STATEMENT

RCMP2 65

Q wasn't a large one
A about 5 ½ inch Blade
Q what was he doing with it.
A Striking at the trees.
Q Did you see Joe Marshall the night of May 28
A yes I was sitting in a Car in Tobin's yard
Charlotte St. with Frankie French
Bruce Tobin, Maggie O'Reilly my sister
Joe Marshall, Andie Paul, Ed Emerson Donald
Q what time was this
A Everyone was there till 1245 A.M. except
Bruce Tobin, Frank French & Joe Marshall
they left about 1030 P.M.
Q where did they go
A they said they were going to St Joseph's Dance
Q Did you or anybody else have anything
to drink that night in the Car
A I never saw it.
Q Did Tobin, French and Marshall come Back
to the Car
A Tobin and French
Q where did they part from Marshall
A They said they left him at Seven further
Q why did Joe Marshall leave you and go
to the Dance by himself
A Because I was with Andie Paul.
Q Did anybody have anything to drink in your
Presence that night
A yes Andy Paul, Bruce Tobin and Joe Marshall
had a Liquor
Q Did you see Joe Marshall fighting at any time
A yes with his Brother Dick. another fight
down the Park the boys were from Waterford
this was Last Summer

Witness [signature]

Date June 18th Time 10.50 A.M. Signed Catherine O'Reilly

Sgt Det [signature]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

82 Rimes 80

PAGE	SUBJECT	CASE No.

C O P Y

June 23, 1971 - Time 10:40 A.M.

Statement of Barbara Ellen, Vigneau, 115 Vulcan Ave., Sydney, N.S. Born March 10, 1955:

On May 28, 1971, about 11 P.M. I went to the dance at St. Joseph's Hall, George St. It was sold out but I got in. I was talking to Maria Sophocoleus and her boy friend, Lawrence Paul, Jr. I was talking to my brother Joe. I left the dance around 12:30 A.M. with my brother Joe, Diana, Maria and Lawrence. We walked up to Diana's place 354 Newlands Ave. We watched the movie and then my brother and I went home.

Q. Did you see Sandy Seale at the dance
A. No
Q. was there any fight at the dance that night
A. No
Q. when you left the dance how did you go to Newlands Ave
A. we walked up Argyle St. cut up on to Alexander St. as far as Leslie's Store. We, Lawrence Paul, Maria and my self waited for Diana and my brother Joe. when they came, we walked to Newlands Ave - all but Lawrence Paul he went home.

Q. Did you see Donald Marshall, Jr. at the dance
A. No I didn't see him. His brother Paul Marshall and Lawrence Paul told me he was at the dance but he couldn't get in.

Signed: Barbara E. Vigneau

By: Sergt. Wm. Urquhart
June 23-71 - 11:02 A.M.

Witness: Sgt. M.R.MacDonald

CITY OF SYDNEY POLICE DEPT.

STATEMENT

Kempp 50

June 23 - 71 Time - 1040 AM

Statement of Barbara Ellen Vigneau, 115 Vulcan Ave, Sydney
Born March 10th 1955.
On May 28 - 1971 about 11.15 pm I went to the dance at St Barth Hall, Glebe St. it was sold out but I got in. I was talking to Maria Stephoulous another boy friend Lawrence Paul, Joe. I was talking to my brother Joe. I left the dance around 12.30 AM with my brother Joe, Diana Maria and Lawrence. We walked up to Diana's flat 357 New Lands Ave. We watched the movie and then my brother and I went home.

Q Did you see Sandy Seale at the dance.

A. No.

Q Was there any fight at the dance that night.?

A. No.

Q When you left the dance how did you go to New lands Ave.?

A. We walked up Argyle St but up past to Alexander St. As far as Leslies Store. We, Lawrence Paul Maria and my self waited for Diana and my brother Joe. When they came. We walked to New lands No. All but Lawrence Paul. He went home.

Q Did you see Donald Marshall Jr at the dance.

A. No I didnt see him. his brothe

Witness Sgt M R MacDonald

Date June 23-71 Time 1102 AM Signed Barbara E. Vigneau

Sgt M Mefehart

CITY OF SYDNEY POLICE DEPT.

STATEMENT

84 2 RCMP 2 80

Pius Marshall, Andrew Lawrence Paul, told me he was at the dance but he couldn't get in.

X

Barbara L. Vigneau

Witness Sgt. M. R. MacDonald

June 23-71 Time 11.02 Am

Ann Hepehart

Signed

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP 2 90

AGE	SUBJECT	CASE No.

COPY

July 2nd, 1971 - 10:10 A.M.

Statement of Raymond Rudolph Poirier, age 20 yrs.,residing at 209 Bentinck St., Sydney:

Sunday after the stabbing at the park, I was sitting on John Pratico's steps on Bentinck St. with Glen Lamson and John Pratico. Jr. Marshall came along walking; he stopped and talked to us. He asked for a smoke. He said he was nervous. He appeared to be. Somebody asked him what happened. He showed us his arm (left). He pushed the bandage down and showed us the ten stitches.

Q. Did he say what happened
A. He told all of us that him & Sandy were walking together in the park. 2 guys came up and asked Sandy for a cigarette and a match. Sandy said he did not smoke. The guy had the knife up his sleeve and stabbed Sandy in the stomach.
Q. Did he say what this guy looked like
A. He said one guy was about 50 yrs. old with grey hair and he said that was the fellow that stabbed Sandy. He said the other fellow tried to stab him - he was about 35 yrs. old. He said that he Jr. when he seen Sandy being stabbed he turned around and said what is going on here. He said the other fellow 35 yrs. old came at him with a knife. Jr. said he got his arm in the way of the knife and was stabbed in the arm.

He said then the two men took off and jumped in a white Volkswagon. He said he did not recognize them at all. He said he was at the Police Station talking to the Police.

Signed: Rudy Poirier

July 2nd - 10:12 A.M.
Sergt. Det.John F.MacIntyre.

86 CITY OF SYDNEY POLICE DEPT.

STATEMENT

July 2nd 1971 10.10 AM

Statement of Raymond Rudolph Poirier age 20 yrs residing at 209 Burton St Sydney:-

Sunday after the stabbing at the Park I was sitting on John Prates's step on Burton St with Glen Lawson and John Prates. Jr. Marshall came along walking he stopped and talked to us. He asked for a smoke. He said he was nervous. It he appeared to be somebody asked him what happened. He showed us his arm (left). He pushed the Bandage down and showed us the two stitches.

Q Did he say what happened

A He told all of us that him & Sandy were walking together in the Park 2 boys came up and asked Sandy for a Cigarette and a match. Sandy said he did not smoke. The boy had the knife up his sleeve and stabbed Sandy in the stomach

Q Did he say what this boy looked like

A He said the boy was about 5 ft 8 yrs old with grey Hat and he said that was the fellow that stabbed Sandy. He said the other fellow tried to stab him. He was about 35 yrs old. He said that he just was to see Sandy being stabbed he turned around and said what the fuck going on here. He said the other fellow 35 yrs old came at him with a Knife

Witness

Date July 2nd Time 10.12 AM

Signed Rudy Poirier

Sgt. Det. [illegible]

CITY OF SYDNEY POLICE DEPT.

87 STATEMENT

RCMP2 70

He said he got his arm by the hog of the knife and was stabbed in the arm.
He said then the two men took off and jumped in a white Volkswagon.
He said he did not recognize them at all. He said he was at the Police station talking to the Police.

Rudy Poirier

Witness

Date July 2nd Time 10/12 PM

Signed

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 11

PAGE	SUBJECT	CASE No.

C O P Y

July 8, 1971 - 11:20 A.M.

Statement of Mrs. Merle Davis, R.N., 25 Alexander St.,Sydney:-

On May 28th, 1971, I was on 11 - 7 A.M. shift at City Hospital in charge as Night Supervisor.

About 12:15 A.M., The Sydney Police brought a patient into the hospital, namely, Donald Marshall. He had a laceration on the left forearm about 2½ to 3" long.

Q. was it bleeding
A. No
Q. was it deep
A. No. I would not say
Q. What could you tell me about the cut
A. It was on the inner part of the arm and not considered serious by me for immediate ~~xxxx~~ attention.
Q. Did he have a jacket on
A. He was wearing seomthing light but the sleeve was up
Q. Did you cut the sleeve of the jacket on the arm which was cut
A. No
Q. Did he have any conversation with you
A. Just Hospital questions
Q. Did you call a Doctor for him
A. Dr. Verick-~~p~~ I called- because he said he was his Doctor. I left then and was only in the room again to give the Doctor gloves and Sutcher material.

Signed: Mrs. Merle Davis R.N.

By. Sergt.J.F.MacIntyre
July 8th - 11:40 A.M.

89

CITY OF SYDNEY POLICE DEPT.

STATEMENT

Kemp 11

July 8th 1971 1.20 AM

Statement of Lois Merle Davis R.N.
35 Alexandra St Sydney:-

On May 28th 1971 I was on 11-7 AM shift at City Hospital I was charge nurse night supervisor.
About 1215 AM the duty Police brought a patient to the Hospital named Donald Marshall. He had a laceration on the left forearm about 2½ to 3" long.

Q was it bleeding
A no.
Q wasn't deep
A no. I wouldn't say.
Q what could you tell me about the cut
A It was on the top of the arm and not considered serious so no immediate attention
Q Did he have a jacket on
A. He was wearing something light but the sleeve was up.
Q Did you cut the sleeve of the jacket or the arm which was cut.
A. no.
Q Did he have any conversation with you
A Just Hospital questions.
Q Did you call a Doctor for him
A Dr. Veniot I called. Because he said he was his Doctor
I left them and was only in the Room again to give the Doctor gloves & he was moved
Q

Witness [signature]
Date July 8th Time 1140AM Signed Mrs. Merle Davis R.N.

90 RCMP 2 377 010 - 6.

(3)

RCMP 2 377

Blotter

MAY 30 3 11 AM '71

T

RCMP HFX

1 ROUTINE SYD MAY30 UNCLAS

H DIV HFX MCIS

INFO SYDNEY S/DIV

B.F file. also Carol marshall please.

MURDER

82 ALEXANDER SEALE (NEGRO) AGE 17 YRS OF WESTMOUNT C.B. CO DIED APPROX 8PM 29-5-71 AT SYDNEY CITY HOSPITAL AS RESULT OF ABDOMINAL STAB WOUNDS. SEALE LOCATED AT WENTWORTH PARK SYDNEY 12.15AM 29-5-71 IN AN UNCONSCIOUS STATE AND ADMITTED TO HOSPITAL IN CRITICAL CONDITION. DONALD MARSHALL JR INDIAN AGE 17 YRS GALLAGHER STREET MEMBERTOU, SYDNEY ALSO LOCATED SAME AREA IN PARK. AND ALSO ADMITTED TO HOSPITAL WITH SEVERE LACERATION TO RIGHT ARM CONDITION SATISFACTORY CIRCUMSTANCES PRESENTLY BEING INVESTIGATED BY SYDNEY PD INVESTIGATION TO DATE REVEALS MARSHALL POSSIBLY THE PERSON RESPONSIBLE HOWEVER MARSHALL STATES HE AND DECEASED WERE ASSAULTED BY AN UNKNOWN MALE APPROX 5'8 TO 6' TALL GREY HAIR APPROX 50 YRS WHO STATED HE DID NOT LIKE INDIANS OR NEGROES AND ASSAULTED BOTH PERSONS WITH A LARGE KNIFE. SEARCH OF THE AREA FAILED TO PRODUCE THE WEAPON INVOLVED. MAY RECORDS BE CHECKED FOR PERSON(S) IN SYDNEY MET AREA USING SIMILAR TYPE MO WITH PHOTOS ETC FWD TO NCO I/C SYDNEY DET

SYDNEY DET

CIB Crim. 31st.

RCMP HFX

JUN 5 12 56 PM '71

RCMP HFX

2/4 ROUTINE DEFERRED SYD JUN5 UNCLAS

RCMP2 286

B DIV NFLD

INFO H DIV + CORNERBROOK S/DIV

S1051/2 REUR CBC 174 AND GIS 2103 SUSPECT IN CUSTODY THIS POINT NOW FORMERLY CHARGED WITH MURDER

SYDNEY S/DIV

Seal Murder Case.

RCMP HFX

92

RCMP2.116

RCMP2 116

C-430*
REV. 1-4-66

ROYAL CANADIAN MOUNTED POLICE — GENDARMERIE ROYALE DU CANADA

CRIME DETECTION LABORATORY REPORT – RAPPORT DES LABORATOIRES JUDICIAIRES

THIS REPORT OR ANY RELATED PHOTOGRAPHIC OR OTHER MATERIAL MAY NOT BE PUBLISHED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN CONSENT OF THE COMMISSIONER OF THE ROYAL CANADIAN MOUNTED POLICE.

IL EST INTERDIT DE PUBLIER EN TOUT OU EN PARTIE CE RAPPORT OU TOUTE DOCUMENTATION PHOTOGRAPHIQUE OU AUTRE S'Y RAPPORTANT SANS LE CONSENTEMENT PAR ÉCRIT DU COMMISSAIRE DE LA GENDARMERIE ROYALE DU CANADA.

"HQ" FILE NO. – DOSSIER "QG" Nº	LAB. FILE NO. – DOSSIER DU LAB. Nº	DATE
	71S588	June 29, 1971
YOUR REF. NO. – VOTRE RÉF. Nº	ENCLOSURES – PIÈCES JOINTES	PLACE – LIEU: Sackville, N.B.
	LABORATORY REPORT NO. / RAPPORT DU LABORATOIRE Nº	First
SECTION: Hair & Fibre Section	CLASSIFICATION	C.N. 33

FOR – DESTINATAIRE
The Chief of Police, Sydney City Police, Sydney, Nova Scotia

REFERENCE – RÉFÉRENCE
Sandford Seale, Fatal Stabbing, Sydney, N. S. 18 May 71

COPIES TO – COPIES À
C.O. Crime Detection Laboratories, R.C.M. Police, Ottawa, Ont.

1. GENERAL: The following exhibits were received personally from Sgt. M. R. MacDonald on June 16, 1971:

   Exhibit A: - One yellow jacket.
   Exhibit B: - One brown coat.

2. PURPOSE: To examine exhibits A and B for the presence of any "fresh" appearing cuts or tears.

3. DATA: Exhibits A and B were examined visually and microscopically.

4. CONCLUSIONS:
   (1) The yellow jacket, exhibit A, has two seperations in the material. The first is approximately 1" in length and is indicative of being a cut, "fresh" in appearance. The second seperation is approximately 8" in length and is indicative of being cut and torn and being "fresh" in appearance.
   (2) The brown coat, Exhibit B, has a "fresh" appearing cut approximately 2 3/4" in length present on the lower front area.

5. REMARKS: Exhibits A and B were given to C/M S.K. Mrazek of the Serology Section on June 28, 1971.

Submitted by: Sc. 8.
C/M (A.J. Evers) B.A.
i/c Hair & Fibre Section.

Approved by: ~~S/Sgt~~ ~~Forr~~
J. Hoday, B.A. (Hons Biochem) Insp.
Officer i/c Sackville Laboratory.

AJE/es

RCMP2, 167

RCMP2 167

C-430*
REV. 1-4-66

ROYAL CANADIAN MOUNTED POLICE GENDARMERIE ROYALE DU CANADA

CRIME DETECTION LABORATORY REPORT – RAPPORT DES LABORATOIRES JUDICIAIRES

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IL EST INTERDIT DE PUBLIER EN TOUT OU EN PARTIE CE RAPPORT OU TOUTE DOCUMENTATION PHOTOGRAPHIQUE OU AUTRE S'Y RAPPORTANT SANS LE CONSENTEMENT PAR ÉCRIT DU COMMISSAIRE DE LA GENDARMERIE ROYALE DU CANADA.

"HQ" FILE NO. – DOSSIER "QG" N°	LAB. FILE NO. – DOSSIER DU LAB. N°	DATE
	71S588	7 July 71
YOUR REF. NO. – VOTRE RÉF. N°	ENCLOSURES – PIÈCES JOINTES	PLACE – LIEU: Sackville, N.B.
	LABORATORY REPORT NO. RAPPORT DU LABORATOIRE N°	First
SECTION: Serology	CLASSIFICATION	C.N. 27

FOR – DESTINATAIRE: Chief of Police, Sydney City Police Dept., Sydney, N.S.

REFERENCE – RÉFÉRENCE: Sandford SEALE Fatal Stabbing May 28/71
Sydney, N.S.

COPIES TO – COPIES À: C.O. Crime Detection Laboratories, R.C.M. Police, Ottawa, Ont.

1. GENERAL: 1. The following exhibits were received personally from Sgt. M.R. MacDonald of the Sydney City Police Dept., Sydney, N.S. at the Crime Detection Laboratory, Sackville, N.B. on June 16, 1971:

   Exhibit C - one pair of men's blue jeans with blue belt
   Exhibit D - one facial tissue

   2. The following exhibits were received personally from C/M A.J. Evers of the Hair and Fibre Section at the Crime Detection Laboratory, Sackville, N.B. on June 28, 1971:

   Exhibit A - one yellow jacket
   Exhibit B - one brown jacket

2. PURPOSE: 1. To conduct a serological examination on Exhibits A,B, C and D.

3. DATA: 1. Exhibits A, B, C and D were examined for the presence of human blood.

4. CONCLUSIONS: 1. Human blood of Group O was found to be present on:

   Exhibit B - one brown jacket
   Exhibit C - one pair of men's blue jeans with blue belt
   Exhibit D - one facial tissue

....2/

e Chief of Police,
dney City Police Dept.,
dney, N.S.

CONCLUSIONS: 2. Human blood of an Indeterminate blood group was found to be present on:

Exhibit A - one yellow jacket

REMARKS: 1. The exhibits are being retained pending advice as to disposition. Form C.422 is enclosed. SM

bmitted by: S Mrazek Sc. 8, B.A.
C/M (S.K. Mrazek) R.T.
i/c Serology Section.

Approved by: [illegible] 17 Sept 1980
J. Hoday, B.A. (Hons Biochem) Insp.
Officer i/c Sackville Laboratory.

M'sar

C-422*
REV. 1-4-66

ROYAL CANADIAN MOUNTED POLICE
DISPOSITION OF LABORATORY EXHIBITS

GENDARMERIE ROYALE DU CANADA
DISPOSITION DES PIÈCES DE LABORATOIRE

To: Officer i/c,
Crime Detection Laboratory,
R.C.M. Police,
Sackville, N.B.

DIV. FILE – DOSSIER DE LA DIV.	SUB-DIV. FILE – DOSSIER DE LA SOUS-DIV.
DET. FILE – DOSSIER DU DÉT.	LAB. FILE – DOSSIER DU LAB. 71S588
PLACE – LIEU Sydney, N.S.	DATE

NOTE:

i) PLEASE RETURN ONE COMPLETED COPY OF THIS FORM DIRECT TO THE LABORATORY TO MEET THE DIARY DATE BELOW.
ii) R.C.M. POLICE ONLY – RETURN TWO (2) ADDITIONAL COMPLETED COPIES TO YOUR SUB-DIVISION HEADQUARTERS.
i) VEUILLEZ REMPLIR ET RETOURNER DIRECTEMENT UNE COPIE DE LA PRÉSENTE FORMULE AU LABORATOIRE AFIN DE SATISFAIRE À LA DATE D'ÉCHÉANCE CI-DESSUS.
ii) À L'USAGE DE LA GRC SEULEMENT – RETOURNEZ DEUX (2) COPIES SUPPLÉMENTAIRES DÛMENT REMPLIES À VOS QUARTIERS-GÉNÉRAUX SOUS-DIVISIONNAIRES.

REPORT DATED – RAPPORT EN DATE DU	FOR – DESTINATAIRE
7 July 71	Chief of Police, Sydney City Police Dept., Sydney, N.S.

CAPTION – SUJET
Sandford SEALE Fatal Stabbing May 28/71
Sydney, N.S.

SUBMITTED BY – TRANSMIS PAR
C/M (S.K. Mrazek) Sc. 8, B.A., R.T., i/c Serology Section.

THE EXHIBITS, LISTED HEREUNDER, MAY BE DISPOSED OF AS FOLLOWS:
ON PEUT DISPOSER DES PIÈCES À CONVICTION ÉNUMÉRÉES CI-DESSOUS, DE LA FAÇON SUIVANTE:

LAB. EXHIBIT NUMBER – N° DE LA PIÈCE DE LAB.	DISPOSITION
C	
D	
A	
B	

DIARY DATE – DATE D'ÉCHÉANCE
7 September 71

NAME & RANK – NOM ET GRADE .....
POSITION – DÉSIGNATION ..... SIGNATURE .....

TO: 96
À:

COPIES TO: CHIEF OF POLICE
COPIES À: SYDNEY, N.S.

MAIL TO.

RCMP2.117

FROM DE	POLICE DEPARTMENT SERVICE POLICIER		ADDRESS ADRESSE	DATE
	RCMP GRC	DIVISION "H"	SUB-DIVISION SOUS-DIVISION SYDNEY	IDENTIFICATION SECTION SERVICE DE L'IDENTITÉ JUDICIAIRE SYDNEY, N.S.

ORIGINATOR'S FILE NO.
Nº DU DOSSIER DU CONTRIBUTEUR

IDENT. BR. NO.
Nº DU SERV. DE L'IDENTITÉ
71/280

RE:
OBJET: Donald John MARSHALL -
Murder - 206 CCC
Wentworth Park, Sydney, Nova Scotia.
(ASSISTANCE TO SYDNEY CITY POLICE)

1. EXHIBITS
PIÈCES À CONVICTION

(a) Photo negatives.

DISPOSITION: Exhibit (a) held by Sydney Identification Section.

2. RESULT OF EXAMINATION
RÉSULTAT DE L'EXAMEN

PHOTOGRAPHS TAKEN OF WENTWORTH PARK AREA.

3. ELIMINATIONS AND/OR SUSPECTS
ÉLIMINATIONS ET/OU SUSPECTS

N/A

4. REMARKS
OBSERVATIONS

Copies of photographs turned over to Crown Pros. D.C. McNEIL, for information purposes.

May this section be kept posted as to the disposition of this file.

STILL UNDER INVESTIGATION:

Invest. Det. McINTYRE

(J.H.A. Ryan) Cpl.
I/C Sydney Ident. Sec.

SUBMITTED BY
TRANSMIS PAR

SIGNATURE

RANK
GRADE

RCMP2 154

May 30/71

John -:
This is the fellow I was talking to you about on the Tel. this AM

Jack McPherson
106 George St
Works at the Acadian Lounge.
Will be at the Archibald Park Playground Today at 530 to 6 Pm
His tel # home 564 5342

Lynn

Tim Lynch from Bay Ste was in the station and said he picked up a man who said he lived in Louisburg. and he appeared to be very much upset about the stabbing. He was with Wayne Nichols — He assumed Nichol knew this fellow from Louisburg —
I think you should check with Lynch — He's Louis son.
From what Lynch told me it seems this Louisburg man witnessed the stabbing.

Black United Front
of Nova Scotia

Suite 430 Trade Mart
Scotia Square
Halifax, Nova Scotia
902 423 7136

98 RCMP2.159

June 1, 1971

Chief Police Department
City Hall, Bentinck Street
Sydney, Nova Scotia

Dear Chief:

I am writing this letter in regards to a stabbing and eventual death of Sanford William Seale one of our constituent.

We at the Black United Front and the Black residents of Sydney are deeply concerned over this matter and are watching the progress of this case with the greatest of interest.

We would like to be assured that everything possible is being done to insure against any further incidents. We are hoping for a quick and speedy apprehension of the assailant or assailants. As I mentioned the community is concerned of what progress is being made and lack of information is creating further frustrations.

I would appreciate as much information on the case as you can release without hindering your investigation.

Sincerely yours

P.A. Winn
Supervisor

PAW/b

RCMP2.163

SYDNEY CITY HOSPITAL
SYDNEY, NOVA SCOTIA

Department of Pathology
105 St. Peter's Road
June 4, 1971

Sgt. John F. MacIntyre
Sgt. of Detectives
City Hall
Bentinck Street, City

Dear Sgt. MacIntyre:

Please find attached a photostat copy of the Haematology report dated May 28, 1971, on the late Sandford Seale which will confirm a blood Group O RH Positive.

Yours very truly,

Dr. R. Mathieson
Pathologist

Encls.

LABORATORY REPORTS

RCMP2 163

FAMILY NAME	FIRST NAME	ATTENDING PHYSICIAN	ROOM NO.	HOSP. NO.
Seale, Mr	Sandford	Naqvi	305	02481

SYDNEY CITY HOSPITAL

NO. 71-6510 DATE RECEIVED May 28 1971

HOSP. NO. 02481 ROOM NO. I

NAME Sandford Seale

ADDRESS 985 Westmount Road

DOCTOR Naqvi AGE 17 yrs.

SEX Male

HOSPITAL SCH

DATE May 28/71 TOTAL UNITS 26+1

IN PATIENT ☐ OUT PATIENT ☑ REFERRED IN ☐

TESTS REQUESTED CBC group Rh ABS XM-4

HB 14.6 GS	SED RATE	BLOOD GROUP O RH pos	W.B.C. 6,700 PER CU.M.M.
P.C.V. 41 %	COAG. TIME	BLEEDING TIME MINS. SECS.	DIFFERENTIAL
M.C.H.C. 35 %	PROTH ACTIVITY	COAG. TIME MINS. SECS.	NEUT 50 % EOSIN 3 %
	CONTROL SECS.	PLATELET COUNT PER CU.M.M.	LYMPH 47 % BASO %
	PROTH TIME SECS.	P.T.T. CONTROL SECS.	MONOS %
R.B.C. PER CU.M.M.		PATIENT SECS	ANISOCYTOSIS
W.B.C. % EOSIN COUNT PER CU.M.M.		NORMAL 35-50 SECS	POIKILOCYTOSIS
			HYPOCHROMIA
			POLYCHROMASIA

XM-4 to follow

DATE RECEIVED May 28/71 TECHNOLOGIST Pearl MacMillan R.T.

HAEMATOLOGY

HAEMATOLOGY

SPEEDISET MOORE BUSINESS FORMS LTD.

Sgt. John F. MacIntyre
Sgt. of Detectives
City Hall
Bentinck Street, City

101

RCMP 2 163

RCMP 252
RCMP 252
102
BYNG
WENTWORTH
CREEK
CNR TRACKS
CHANT WALKING DOWN
RR. TRACKS WITNESS
KILLING
PRACTICE IN BUSHES WITNESSES
KILLING
MARSHALL
SEALE
CRESCENT
ARGYLE
24

RCMP2 288

MARSHALL'S JACKET

RCMP2 142

104

LEGEND

PLAN

SHOWING WENTWORTH PARK
SYDNEY, NOVA SCOTIA

SCALE 1" = 40' DATE JUNE 15/71

RCMP 2 169

NAME EBSARY ROY ADDRESS R.126 Argyle St. June 2, 1912 AGE

MARRIED ✓ SINGLE DIVORCED | WEIGHT 150 | HEIGHT 5'2 | COMPLEXION Fair | RELIGION Nil

NATIONALITY | HAIR Grey | EYES Blue | FACE | OCCUPATION Cook

DATE	CHARGE	GOODS	VALUE	DISPOSITION	BOOK NO.	MAGISTRATE
April 8, 1970	Sec. 85 L.C.A.		$10.00 and costs			
April 8, 1970	Sec. 83 C.C.		$100.00 or two months		#52782	J.F.McDonald
also:						
7-2-58	Sec. 85 L.C.A.		Admonished			
7-2-58	~~Sec. 231(1) C.C.~~		~~Probation 6 months~~		~~#49439~~	~~Whalley~~
May 6, 1970	Sec. 76(2) L.C.A.		$10.00 and costs or 10 days		#11129	R.R.MacIntyre
Nov 5, 1982	Sec 87 CC		Nov 8- 6 mos. C. B. Corr Centre		#61929	O'Connell

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RCMP2 162

RB 410491A

LAST NAME	MARSHALL	DONALD JOHN	ADDRESS	123 Membertou	AGE	Sept. 13, 1953

MARRIED / SINGLE / DIVORCED	WEIGHT	HEIGHT	COMPLEXION	RELIGION
SINGLE V	170	6'	Fair	R.C.

NATIONALITY	HAIR	EYES	FACE	OCCUPATION
	Black	Brown		Unemp.

DATE	CHARGE	GOODS	VALUE	DISPOSITION	BOOK NO.	MAGIS
June 12, 1970	Sec. 280 B C.C. Theft of Licence			One day in jail	#52873	J.F.McDonal
Nov. 10, 1970	Sec. 85 L.C.A.			$10.00 and costs or 10 days	#11722	
Nov. 17, 1970	Sec. 87(2) LCA			One Month Co. Jail-Nov.17	#11743	Judge R.J.M
Nov.17, 1970	Sec.87(2) L.C.A.			Four months Co. Jail to run consec.	#11744	"
March 19, 197	Sec. 85 L.C.A.			$10.00 and costs or 10 days	#12058	R.R.Mc
May 1, 1971	Sec. 85 L.C.A.			$10.00 and costs or 7 days	#12169	R.R.Mac
May 1, 1971	Sec. 373 (a) C.C. - two charges - findings: Not Guilty				#55346	Judge J.F.Mcl
June 4, 1971	Sec 206-2 C.C.C. Preliminary July 28/71 Supreme Court: Convicted Nov 5-1971 S to Life Imprisonment				#55408	Judge Dubi

C-216
REV. 1-3-69

SEX	* CONTRIBUTOR'S NO.	F.P.S. NO.	THIS SPACE FOR IDENTIFICATION BRANCH USE ONLY
☒ M ☐ F		410491M	RCMP2 358

NAME MARSHALL DONALD JOHN, Jr.
SURNAME GIVEN NAMES
FORMER NAMES, ALIASES, NICKNAMES, MAIDEN NAME, ETC.

123 Westwrtou St., Sydney, N.S.

Donald Marshall, Father, same address

	THUMB	INDEX	MIDDLE	RING	LITTLE
RIGHT					

(IF ANY FINGERPRINT IS NOT RECORDED, GIVE REASON FOR OMISSION – IF AMPUTATED, GIVE DATE)

Four Fingers Taken Together — Left Hand — Right Hand — Four Fingers Taken Together

SIGNATURE OF OFFICIAL TAKING PRINTS	DATE	* NAME AND ADDRESS OF CONTRIBUTOR
	12-6-70	Sydney Police Dept.

SIGNATURE OF PERSON FINGERPRINTED (FULL NAME AND ADDRESS) Donald John Marshall

Canadian	* RACE Indian	* OCCUPATION Labor	* EMPLOYER	* APPARENT AGE
Sept. 15, 1953	PLACE OF BIRTH Sydney, N.S.		IF FOREIGN BORN, ARRIVAL DATE IN CANADA	
HEIGHT 6'	WEIGHT 170	BUILD Med.	EYES Brown	HAIR Black

COMPLEXION Dark

PECULIARITIES, MARKS, SCARS, TATTOOS, DEFORMITIES, ETC.

Tattoos - left arm "I HATE COPS"-right arm C.J. and NDM

DATE June 12, 1970	DATE FROM June 29 TO	☐ ON BAIL	☒ IN CUSTODY	* COURT Police
DATE CONVICTED	DATE SENTENCED	PLACE Sydney, N.S.		* CASE NAME Sydney P.D.

OFFENCE(S) AND DISPOSITION(S)

Sec. 28C B C.C. - theft under $50.00

SEE "INSTRUCTIONS" OTHER SIDE

REV. 1-2-68

SEX	* CONTRIBUTOR'S NO.	F.P.S. NO.	THIS SPACE FOR IDENTIFICATION BRANCH USE ONLY
M		410491 B	RCMP2 357 108

NAME: MARSHALL (SURNAME) DONALD JOHN, Jr. (GIVEN NAMES)

FORMER NAMES, ALIASES, NICKNAMES, MAIDEN NAME, ETC.

RESIDENT ADDRESS: Lombertou, Sydney, N.S.

NAME AND ADDRESS OF NEXT OF KIN: Donald, father, same address

THUMB	INDEX	MIDDLE	RING	LITTLE

(IF ANY FINGERPRINT IS NOT RECORDED, GIVE REASON FOR OMISSION – IF AMPUTATED, GIVE DATE)

Four Fingers Taken Together — Left Thumb — Right Thumb — Four Fingers Taken Together

SIGNATURE OF OFFICIAL TAKING PRINTS	DATE	* NAME AND ADDRESS OF CONTRIBUTOR
[illegible]	17-11-70	Sydney Police Dept.

SIGNATURE OF PERSON FINGERPRINTED (FULL NAME AND ADDRESS): Donald Marshall 25 [illegible] St.

NATIONALITY	* RACIAL ORIGIN	* OCCUPATION	* EMPLOYER	APPARENT AGE
Canadian	Indian	Student		

DATE OF BIRTH	PLACE OF BIRTH	IF FOREIGN BORN, ARRIVAL DATE IN CANADA
Sept. 13, 1953	Sydney, N.S.	

HEIGHT	WEIGHT	BUILD	EYES	HAIR	COMPLEXION
6'1	170	Med.	Brown	Black	Sallow

PECULIARITIES, MARKS, SCARS, TATTOOS, DEFORMITIES, ETC.

Tattoos-left arm "I Hate Cops"-right arm "NOW"

DATE ARRESTED	DATE REMANDED TO	☐ ON BAIL	☐ IN CUSTODY	* COURT
Nov. 17, 1970				Police

DATE CONVICTED	DATE SENTENCED	PLACE	* CASE HANDLED BY
Nov.17/70	Nov.17/70	Sydney, N.S.	Sydney P.D.

OFFENCE(S) AND DISPOSITION(S)

1. Sec. 87(2) I.C.A. - giving liquor to a person under 21 yrs.
2. Sec. 87(2) I.C.A. - giving liquor to a person under 21 yrs.

1. One Month in the County Gaol
2. Four Months in the County Gaol to run consecutive

SEE "INSTRUCTIONS" OTHER SIDE

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REV. 1-2-65

SEX	* CONTRIBUTOR'S NO.	F.P.S. NO.	THIS SPACE FOR IDENTIFICATION BRANCH USE ONLY
☒ M ☐ F		410491A	RCMP2 359

NAME
SURNAME: MARSHALL — GIVEN NAMES: DONALD JOHN, Jr.

FORMER NAMES, ALIASES, NICKNAMES, MAIDEN NAME, ETC.: JUNIOR

RESIDENT ADDRESS: 38 MicMac St., Sydney, N.S.

NAME AND ADDRESS OF NEXT OF KIN: Donald Marshall, father, same address

	THUMB	INDEX	MIDDLE	RING	LITTLE
RIGHT					
LEFT					

(IF ANY FINGERPRINT IS NOT RECORDED, GIVE REASON FOR OMISSION – IF AMPUTATED, GIVE DATE)

Left Thumb — Four Fingers Taken Together

Right Thumb — Four Fingers Taken Together

SIGNATURE OF OFFICIAL TAKING PRINTS	DATE	* NAME AND ADDRESS OF CONTRIBUTOR
[illegible]	9-6-71	Sydney Police Dept.

SIGNATURE OF PERSON FINGERPRINTED (FULL NAME AND ADDRESS): Donald Marshall

NATIONALITY	* RACIAL ORIGIN	* OCCUPATION – EMPLOYER	* APPARENT AGE
Canadian	Indian	Laborer	

DATE OF BIRTH	PLACE OF BIRTH	IF FOREIGN BORN, ARRIVAL DATE IN CANADA
Sept.13, 1953	Sydney, N.S.	

HEIGHT	WEIGHT	BUILD	EYES	HAIR	COMPLEXION
6'	175	Med.	Brown	Black	Dark

PECULIARITIES, MARKS, SCARS, TATTOOS, DEFORMITIES, ETC.
Fresh scar on left arm
Several tattoos on both arms-including I HATE COPS-on left arm

DATE ARRESTED	DATE REMANDED	☐ ON BAIL	☒ IN CUSTODY	* COURT
June 4, 1971	TO June 14			Police

DATE CONVICTED	DATE SENTENCED	PLACE	* CASE HANDLED BY
		Sydney, N.S.	Sydney P.D.

OFFENCE(S) AND DISPOSITION(S)

Sec. 206 (2) C.C. – Non-capital Murder

(over)

SEE "INSTRUCTIONS" OTHER SIDE

RCMP2 359

DETAILS OF CRIME

(MODUS OPERANDI FOR CRIME INDEX RECORDS)

The Crime Index Section is a registry of crime and criminals, which provides a possible means of tracing unsolved crimes to known criminals. This Section indexes modus operandi details from information submitted in the space below, and the information thus received provides the material against which unsolved crimes may be checked. Give concise story of offence(s), and describe events in proper sequence. Petty offences and those not otherwise suitable for modus operandi records need not be reported.

This subject, Donald John Marshall, Jr. was arrested on June 4, 1971 at 10:20 P.M. at Whycocomagh, C.B. - as a result of an investigation in the murder of Sandy Seale(a colored boy, age 17,), Seale was stabbed in the stomach and after undergoing two major operations, passed away the following day. Date of stabbing was May 28, 1971. There was no plea taken in this case as yet and if the Crown is prepared to go ahead with the case, the Preliminary Hearing will be on Monday, June 14th, 1971.

(IF INSUFFICIENT SPACE ATTACH ADDITIONAL SHEET)

VERY IMPORTANT

The Criminal Record and other data compiled in the Identification Branch on the subject of this Fingerprint Form can only be as complete and accurate as the information submitted. It is imperative, therefore, that this form be completed accurately in every applicable detail.

INSTRUCTIONS

CONTRIBUTOR'S NO.	The photo, prisoner, docket, ledger or identification number assigned to the subject of this fingerprint form by the submitting department, police force or institution. This number must correspond to that on subject's photograph which may be subsequently submitted in connection with this offence.
RESIDENT ADDRESS:	Current or last known resident address – avoid use of N.F.A. (no fixed abode).
NAME AND ADDRESS OF CONTRIBUTOR:	The name and address of the police force, department, agency, detachment or branch handling the investigation in connection with which the submission of these fingerprints has originated and to whom this form will be acknowledged. In the case of penal institutions, the name and address of institution submitting the fingerprints.
SIGNATURE OF PERSON FINGERPRINTED:	The full name and address, as shown at the top of the form, to be handwritten by subject in its entirety.
NATIONALITY:	Current citizenship or country of allegiance (e.g. Canadian, American, German, Mexican, etc.).
RACIAL ORIGIN:	Paternal background (e.g. Scottish, Ukrainian, Negro, etc.).
OCCUPATION:	Current or last held profession or trade (e.g. accountant, chauffeur, labourer, etc.). Show employer (the department of government with which employed) only if person is in federal civil service.
APPARENT AGE:	To be shown only if person presents unusual appearance of youth or that of advanced age in relation to his (or her) actual age.
PECULIARITIES, ETC.	Include only those that are obvious, prominent or easily visible as well as any physical abnormalities, mannerisms and known habits.
COURT:	Specify whether family court, magistrate's, juvenile, city police, provincial police, county, superior court, etc.
CASE HANDLED BY:	Show name of investigating police department if "Contributor" is a penal institution or a police department or agency not connected with the investigation in this case. Leave blank if "Contributor" shown handled the investigation.
OFFENCE(S) AND DISPOSITION(S)	Show complete offence (e.g. theft of auto), section number of Statute and Statute, with corresponding disposition in each case. In multiple offences, enumerate, and specify whether sentence(s) concurrent or consecutive. In dispositions, avoid use of abbreviations and terms open to various interpretations. If fine is imposed with an alternative of a jail term, show whether fine paid or person committed. If time allowed for payment of fine, submit report by letter upon payment thereof or upon committal. If charge is reduced, specify. If appeal entered, indicate, and report results showing date and place of appeal.

THIS SPACE FOR BUREAU USE ONLY

CLASSIFIER	CHECKER	SEARCHER
SIGNATURE	SIGNATURE	SIGNATURE
DATE CLASSIFIED	DATE CHECKED	DATE SEARCHED

OTTAWA, CANADA
IDENTIFICATION BRANCH

P.S. NO. 110491A

111

IDENTIFICATION BRANCH
- A NATIONAL POLICE SERVICE -

W. M. Harasym

W.M. HARASYM, SUPT.
ASST. DIRECTOR-IDENTIFICA

RCMP2 165

1) PD. SYDNEY, N.S. ..... DONALD JOHN MARSHALL JR.
DONALD MARSHALL JR.

2. RCMP "H" DIV., HALIFAX, N.S.

TION: IDENTIFICATION SERVICES

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IDENTIFICATION
- A NATIONAL POLICE SERVICE -

W.M. Harasym

W.M. HARASYM, SUPT.
ASST. DIRECTOR-IDENTIFICA

/.P.S. NO. 410491A

RCMP2 165

DATE OF SENTENCE PLACE OF CONVICTION	CHARGES	DISPOSITION	NAME AND NUMBE
1970 - JUNE 26 SYDNEY, N.S.	THEFT UNDER $50. SEC. 280(B) CC	1 DAY	DONALD JOHN MARSHALL, JR.
1970 - NOV. 17 SYDNEY, N.S.	(1) SUPPLY LIQUOR TO A MINOR SEC. 87 (2) L.C. ACT. (2) SUPPLY LIQUOR TO A MINOR SEC. 87 (2) L.C. ACT.	(1) 1 MO. (2) 4 MOS. CONSEC.	
1971 - MAY 14 SYDNEY, N.S.	DAMAGE TO PROPERTY UNDER $50., SEC. 373 (1) CC (2 CHGS.)	DISMISSED N.	

This is a summary of information submitted by law enforcement agencies. All entries are supported by fingerprints except those indicated by the asterisk (*).

Cape Breton Hospital

P. O. BOX 515 PHONE 539-3370

SYDNEY, NOVA SCOTIA

B1P 6H4

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AG 33

March 23rd, 1982

Judge Charles O'Connell
Court House
Crescent Street
Sydney, N.S.

RE: Mr. Roy Ebsary
68 Falmouth Street
Sydney, N.S.

Dear Judge O'Connell:

I saw the above mentioned, Mr. Roy Ebsary, at the request of the court on Monday, March 22nd, 1982. I had a rather long conversation with Mr. Ebsary, who in many ways is a rather charming old gentleman.

However, the offense with which he is charged is serious indeed and so I should concern myself with his fitness to plead and question of diminished criminal responsibility in this case. In view of the seriousness of the charge, I feel under a strong obligation to recommend to the court that Mr. Ebsary be referred to the Nova Scotia Hospital on a 30-day Warrant of Remand to establish not only his fitness to plead but also the question of diminished criminal responsibility.

Obviously, Mr. Ebsary is eccentric. I have no way of really knowing whether, in fact, most of the story he tells me about his past are true or untrue; whether, in fact, he was a "gun captain" in the British Navy or Royal Navy or whether, in fact, he is the possessor of a distinguished service medal, which he said was given to him personally by the late Sir Winston Churchill, or the Croix de Guerre apparently given by the late General DeGaulle. He also tells me that he was present at the sinking of the Bismark and so on.

Amongst other things, Mr. Ebsary claims to have written eight books, all on bibical matters, and tells me one is now in its third printing.

. . . . . 2/

AG 33

In general, I find his story quite bizzare but I also found him vague, somewhat deficient in recent memory, rather unsteady on his feet and with a tendency to fainting when he bends down.

For several years he has been under the close medical supervision of Dr. Peter Cardew, who is, unfortunately, no longer a resident in this area.

I would therefore suggest, your Honor, that a copy of this letter be sent to the Psychiatric Forensic Unit, Nova Scotia Hospital so that certain tests could be done on Mr. Ebsary particularly, I think, a EEG under revealing conditions and a CAT Scan, if they feel this necessary.

Sincerely,

C. Donovan, M.D.
Psychiatrist

CD/ew
c.c. Mr. Frank Edwards
Crown Prosecutor

Mr. Al Nicholson
Lawyer, Legal Aid

NOVA SCOTIA HOSPITAL

RECEIVED
APR 27 1982
Nova Scotia

DRAWER 1004
DARTMOUTH, N.S. B2Y 3Z9

April 26, 1982

RCMP2 318

Mr. Gordon S. Gale
Director, Criminal Section
Attorney General's Department
Provincial Building
Halifax, Nova Scotia

Dear Mr. Gale:

RE: EBSARY, Roy Newman

The above-named individual was remanded to this Hospital by order of Magistrate Charles O'Connell of Sydney, N.S., dated the 30th day of March, 1982, for a 30 day period of observation pursuant to Section 543.2 1 of the Criminal Code of Canada.

We have examined this individual and conducted the necessary investigations.

Roy is a 70 year old separated male who was born and brought up at St. John's Newfoundland as the oldest of 12 children in the family (three boys and nine girls). His father was a seaman and a chief steward on a passenger liner. The mother was a housewife. Roy states that he was reared by his maternal grandmother. The grandmother's own son (Roy's uncle Samuel) had been killed in World War I and she adopted Roy as a substitute. Roy states that she gave him everything that he needed or wanted and he had a very happy childhood. About two years ago Roy's 'father' Albert called him and told him that he, Roy, was actually fathered by his uncle, Samuel. Albert died shortly after telling Roy about this. The mother had died a year before that.

Roy has a high school education. After completing high school he worked as a machine operator with a lumber company for eight years. Then he joined the Merchant Marine. He was in the Merchant Navy for approximately 20 years. He claims that he started as an apprentice seaman and achieved the position of captain or chief engineer. He also claims that during the war years he was in the Royal Navy and that he saw

.../2

RCMP2 318

RE: EBSARY, Roy Newman

action in the Atlantic as well as the Pacific Ocean. Many of these claims reflect a streak of grandiosity and are contradicted by objective accounts available to us. According to his wife he was never more than an assistant cook in the Navy. Following his marine career Roy worked as a cook at the Isle Royal Hotel. He has not been employed since 1959. He claims that he has spent most of his time since 1959 writing books. Again there is no objective evidence to support this claim which appears to be a figment of his grandiose mind.

Roy lived with his wife in a common-law relationship for many years before finally marrying her. Mrs. Ebsary had four children from a previous union and had two more children from Roy, a boy 27 and a girl, 22. The girl resides in Boston and the boy is living in the Sydney area.

Roy's wife describes him as a self-centered grandiose person who had a serious drinking problem since his teenage years. He was violent towards her as well as the children especially when he was drunk. She states that after the birth of their daughter their relationship deteriorated markedly. He started bringing home younger men and was angry when she questioned him about his relationship with them. She caught him in bed with these young men on a number of occasions but was afraid to confront him because of fear of reprisals. She eventually separated from him two years ago. Roy claims that even after their separation he maintained a friendly relationship with his wife but this assertion is disputed by the latter.

After the separation from his wife Roy moved to an apartment where he apparently indulged in his fondness for drinking and entertained similiarly inclined friends.

Roy is known as an eccentric old man in the community. He is said to have decorated his room like a ship. He tells everybody that he was a gunnery captain in the Royal Navy and was present at the sinking of "Bismark". He also claims that he was decorated personally by Winston Churchill and Charles De Gaulle and he has a number of war medals to support this claims. It is believed that these medals were bought in a pawn shop.

On examination, Roy presented as a white-haired male with a triangular, grey beard and a mustache. He wore black rimmed glasses which were patched up with adhesive tape. His hair was dishevelled. At the time of admission he was in considerable physical distress complaining of pain in

RCMP2 310

RE: EBSARY, Roy Newman

his stomach and other parts of his body. He was slow in answering questions and sometimes groped in his memory for long periods before answering them. His speech was coherent and well organized. However, as mentioned above, it was full of references to his accomplishments in the Royal Navy and in his writing career

Roy was able to give a reasonably detailed account of the circumstances leading to the alleged offence. He asserted his innocense and stated that he had had a couple of drinks of wine and was sleepy throughout the episode in question.

On being questioned Roy described "metaphysical" experiences in which he saw people that he had known in his past. These were not hallucinatory experiences as Roy believed that other people were capable of experiencing the same or similiar parapsychological phenomena.

Subsequent investigations showed that Roy was suffering from chronic heart disease, chronic obstructive lung disease as well as stomach ulcers. Because of his age and the history of excessive drinking, special attention was paid to his neurological status. A neurological examination was within normal limits An F E.G. showed minor abnormalities which were consistent with but not diagnostic of Organic Brain Disease. A C.T. scan was done at the Victoria General Hospital on March 31,1982 and this was reported as normal.

Although the above mentioned neurological investigations did not show substantial pathology, clinical observation during the 30 day period showed Roy's sensorium to be intermittently clouded There were periods when he was lucid but on other occasions he showed disorientation to time as well as place and his memory of very recent events seemed to be grossly impaired. For example, one afternoon he did not remember that he had had a series of X-ray in the morning. His account of the happenings of recent past also varied from day to day. After careful analysis of these observations we came to the conclusion that Roy suffered from significant impairment of his brain functions. This conclusion was supported by psychological test results

In summary, Roy Ebsary is an elderly male who has presented a picture of Chronic Organic Brain Syndrome due

 RCMP2 310

RE: EBSARY, Roy Newman

to alcoholism, senile brain disease, the cerebral effects of heart and lung disease or a combination of all these factors. Although Roy has many days when he is completely lucid, his sensorium cannot be reliably predicted to be clear on any given day. His grandiose stories, many of which are probably confabulated, add to the unreliability of his account. We believe that this instability of his mental state renders Roy incapable of giving a consistent account to his Defence Counsel and of following the court proceedings in a rational manner. We, therefore, consider him unfit to stand his trial.

The prognosis for restoration to fitness is not clear at this stage. It may be that much of the brain impairment is still reversible and after several months of being away from alcohol his sensorium will improve. On the other hand, it is quite possible that the combination of factors mentioned above will lead to further deterioration in his mental state. In view of the uncertainty of this prognosis as well as of the seriousness of the charges against Roy, we recommend that he should be returned to court for a judicial determination of the fitness issue.

His remand expires on April 29, 1982 and we recommend that he be removed from the hospital prior to that date.

Very sincerely yours,

Syed Naveed Akhtar, M.D F.R.C.P.(C
Director, Forensic Service

SNA/mdh

#148

NOVA SCOTIA HOSPITAL
DARTMOUTH, N.S.

PG 124

DISCHARGE REPORT

CASE NUMBER: 82-02959

NAME: EBSARY, Roy Newman

AGE: 71

HUSBAND'S NAME: Married

ADDRESS: 63 Fairmount St.
Sydney, N.S.

SERVICE: In-patient

DATE OF ADMISSION: March 30, 1982

DATE OF DISCHARGE: April 29, 1982

TRIAL PERIOD EXPIRES:

ADMISSION STATUS: 30-Day Remand

DISCHARGE STATUS: 30-Day Remand

The above-named individual was remanded to this Hospital by order of Magistrate Charles O'Connell of Sydney, N.S., dated the 30th day of March, 1982 for a 30 day period of observation pursuant to Section 543.2 (1) of the Criminal Code of Canada.

A report was submitted to the Attorney General's Department on April 26, 1982 which contained the following summary.

"Roy Ebsary is an elderly male who has presented a picture of Chronic Organic Brain Syndrome due to alcoholism, senile brain disease, the cerebral effects of heart and lung disease or a combination of all these factors. Although Roy has many days when he is completely lucid, his sensorium cannot be reliably predicted to be clear on any given day. His grandiose stories, many of which are probably confabulated, add to the unreliability of his account. We believe that this instability of his mental state renders Roy incapable of giving a consistent account to his Defence Counsel and of following the court proceedings in a rational manner. We, therefore, consider him unfit to stand his trial."

"The prognosis for restoration to fitness i not clear at this time. It may be that much of the brain impairment is still reversible and after several months of being away from alcohol his sensorium will improve. On the other hand, it is quite possible that the combination of factors mentioned above will lead to further deterioration in his menta state. In view of the uncertainty of this prognosis as well as of the seriousness of the charges against Roy, we recommend that he should be returned to court for a judicial determination of the fitness issue."

"His remand expires on April 29, 1982 and we recommend that he be removed from the hospital prior to that date."

Syed Naveed Akhtar, M.D., F.R.C.P.(C)

/mdh
DT - May 11, 1982

CANADA
MAGISTERIAL DISTRICT OF THE PROVINCE OF NOVA SCOTIA

This is the information and complaint of Sergt. Det. J.F.MacIntyre

of Sydney in the County of Cape Breton

for and on behalf of Her Majesty the Queen,

hereinafter called the Informant.

The Informant says that he has reasonable and probable grounds to believe and does believe that

Donald Marshall, Jr.

of Membertou, Sydney

in the County of Cape Breton at or near Sydney

in the County of CapeBreton, Nova Scotia, on or about the

28th day of May 1971

Sandford William (Sandy)

Did murder ~~Alexander~~ Seale, contrary to Section 206 (2) of the Criminal Code of Canada.

2-times

Sworn before me this

4th day of June

1971 at Sydney in

the County of Cape Breton.

John MacDonald

a Judge of the Provincial Magistrates Court

Sergt. Det. J.F. MacIntyre
Informant

Birth:

Number:

tion No.

ation:

tal Status:

rosecutor:

efence Counsel:

Court Reporter

No. A.901

DATE: June 4 19 71

THE QUEEN

vs

Horace Mirshall (p.)

SECTION 206(2)(c)

INFORMATION

Date of Cert .....

Date Fine Paid .....

Date of W/C .....

Date Committed .....

July 28/71 Committed for trial before Supreme Court and Jury

Date Summoned ..... Adjournments .....

Place of Trial Sydney. June 14 at 10 A.M.

Date of Trial July 27 1971 July 5th at 10 A.M.

Plea .....

Grade in School ..... Date .....

Found .....

WITNESSES:	DISPOSITION
Name	Sentence .....
Address	Fine .....
Name	Court Costs .....
Address	Police Costs .....
Name	Penalty .....
Address	Witness Fees .....
Name	Restitution .....
Address	TOTAL .....
	In Default .....
	Pay on/before .....
	Liquor Seized .....

Nonpublication order 1+2 at 10

RCMP2 105

RCMP2 105

CANADA
Province of Nova Scotia
Magisterial District of the
Province of Nova Scotia

To the Peace Officers in the said Magisterial District of the Province of Nova Scotia:

WHEREAS Donald Marshall, Jr.

of Membertou, Sydney in the county of Cape Breton, hereinafter called the accused, has been charged that he at Sydney in the County of Cape Breton in the Magisterial District of the Province of Nova Scotia, on or about the 28th day of May

A. D. 19 71 Did murder Alexander Seale, contrary to Section 206(2) of the Criminal Code of Canada.

THIS IS, THEREFORE, TO COMMAND YOU in Her Majesty's name forthwith to arrest the accused, Donald Marshall, Jr.

and to bring him before me,

or any justice for the said Magisterial District, to answer to the said charge, and to be dealt with according to law.

Dated this 4th day of June,

A. D. 19 71 at Sydney in the County of Cape Breton and Magisterial District aforesaid.

John F. McDonald
a Judge of the Provincial Magistrates Court.

RCMP2 381

David Nosworthy 15
10 Fairhaven Drive
Westmount

Page Dixon 16
1155 Westmount Rd.
Left Dawn at 1145 PM the 2 of us got Bus for Westmount on the Esplanade
Page says he drew a faked stamp on Sandy's hand, his own, Lester's hand and Nosworthy's hand. Lester Drew his own or got somebody else to do it
Sandy was trained away by the Police
Claire my sister got the Bus down the Road from us she was alone.

KCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.
	June 5th 1971	

Kerry Best age 17. Says a girl questioned
57 Jupp St.

Glen Joseph Morrison age 17
12 William St

Herbert Thomas Desmond 18
53 Jupp St.

Lester Harris
Tower St

Allister Coward.

Bill (Wally) Lucas
18 Grant St

Billy Mullins
Mt Pleasant St.

Hazel Desmond
Lorraine "
Karen Best
Betty Carter
Elsa Williams.

Margaret Hamond
10 Z mentioned
witness of Sunday Lunch

Patricia Hall
3rd house down
Gray House on Vent
Called from Diner
Called to nearby Thos Sq St.
Harris witness

RCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.

Glen McDonald
33 Trinity ave
Parents of Karen.
Seen

Keith Beaves 15yr
36 Richardson ave
Seen

Brian McRegan
staying at home McRegan Edgewood Drive
5624809
Seen

Norman McDougall
Lawrence Town
atlantic st
5393941
Seen

Sandra Morrison Seen
Dot Richardson Daughter Marie Phone 460 93
Girlfriend Ruth Seen

RCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.

Exhibit A.1 Mans yellow Jacket.

1/ Examine Exhibit A for Cuts. Marshalls Jacket

2/ type of Blood.

Exhibit B. Brown Jacket.

type of Blood

Examine exhibit B for Cuts. Seals Jacket

Exhibit C.

type of blood, Seals Pants.

Exhibit D.

Fleece. type of blood.

KCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

	SUBJECT	CASE No.

Rudy Porrier seen by Marshall at his residence Sunday morning after stopping re story to tele.

Delta Dixon
Delta Dixon re-sworn Ray statement.

Dr. Verich M.D.
Examined Davis 11-7 shift May 28
RN on duty 35 alexandria.
did not cut marshall's throat.

Const. Stanley George Clark KCMP. Beddek
855 PM Beddek refer Marshall arrest Friday night.
Set 20 6 - 2 CCC

Mrs Joan Adamson Blood / Phil
Ex Duff Ever. Patrol. Lab

RCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.

Kleenex

Blood on Kleenex.

what type.

Does it Compare to exhibit on Jr Marshall Jacket. or deceased Coat. (Beales)

Blood on Jacket sleeve & front of Exhibit Broad Marshalls Jacket does it Compare with this Jacket or Beales Jacket.

Fabrics

re Left sleeve of Marshalls Jacket re stab wound & Blood Content.

If weapon was first used on Beales.

RCMP2 381

Mary O'Reilly said to
Miss Harris that Sandy Steele
came up to the Corner where Pollett
was to tell his girlfriend that he
was going with Jennie. Mary
is Margaret O'Reilly's sister

The Reilly twins too young
to tell. The story of the
guy Haines name
for a good friend of Harris they
hang around with the Indians
Mary told me that Sunday
last Sunday she went with
Miss Marshall where she goes
with Steve ?

RCMP2 381

✓

Eddie Dicks

Jerry Bushue.

Winky Lucas
Kitchener Sills Boy.

Peter Harris

Dick Griffin
with Diamond Handles
also Knuckles Robertson
Eddy Knight
Bruno Knight
Frank Curtis.

Dennis Lynch
Jim Son

May 30 00

Sandy & Neil Townsend St

Barbara Bloyd
Inglis St

Island Hand Kobatty Kilfoyle

Joan Clement
49 Dacre

Janet Reid.
age 14.

RCMP2 381

Sent in Mail.

Al Marshall.

Inspector Halpai

Scotty Gardener.

Nov 23 1971.

Polygraph taken

Al Marshall.

Gene Smith

Nov 23 1971

RCMP.

Supt.

Doug Christian Halpay

1-426-3789

RCMP2 301

James William McNeil
25.
1007 Kings St

Roy Ebsary.
age 59.
126 Rear Argyle St

Nov 15 - 1971

May 28th - 1971.

426-3789

Gene Coles. Pictou
RCMP.

Joseph Mike Sunio
operator
426 [illegible] - 7832

RCMP2 381

✓

Const Stanley Clark RCMP.
855 PH 2 Paddock

RCMP2 381

White Baby
Blue Jeans
Blue Jacket
Orange Cap

11:50 AM
Monday night
Bartlett
~~Bassett~~
Michael ~~West~~ Bartlett
Campbell & Murray
Simon Miranda
Driveway

54 ~~Loyola~~ Loyola St.
argyle to Herbert
539-3193
DOB.
June 16 - 45
White Hair

[illegible]
[illegible]
[illegible]

RCMP2 387

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE | SUBJECT "Patterson Wanted" | CASE No.

(1) Margaret Mac Donald. Tel # 5395558
1012 Westmount Rd. - 7.30 PM.
Girlfriend Sandy Seals

(2) Patricia Wade, Greyhouse their
house down via Rd from Disco Dan
side a service station, she was
talking to Sandy that night hester
Harris's girlfriend for 7.30 PM.
5393399

(3) Maria Sophocleous. (29242) Harvey's Bargain
27 New lane ave. (46679) home (for 7 PM)
re - Lorraine Paul's Statement

(4) Debbie McPherson Kultic Drive
re - Scott Mac Kay Statement.

RCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.

(5) Donald, Crescent St re Ambulance, Burrie, 44724 745PM

(6) Karran Mac Donald 539 #554 33 Trinity Ave re Alarm Dit on Statement, Westmount (8.P.M.)

(7) Kelly Talerico Jr Marshall May 28-71 going in re Statement of French, Cross St

(8) Rudolf Porier, he saw Jr Marshall at Pratico Sunday morning after stabbing re Marshall Story.

RCMPA 301

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.

Dr Verrick, MD treated
Marshall May 28-71
City Hospital. Stab wound
left inner fore arm. Not
deep, Same depth all along
Contusions but not bleeding
ten Stitches. type of cut that
does not bleed (Did not cut
jacket sleeve.)

Mrs Margie Davis, 35 Alexander St
11-7 pm shift
Dr duty out patients. claims
she did not cut the jacket
sleeve of Jr Marshall.

RCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.

spouse Wallace MacNeil (9 pm)
Roderick Alexander MacNeil
Bowenga Rd Coxheath.
(91-84)
(add of house)

Police Statement of 3 Stat Wounds.

RCMP2 381

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT	CASE No.

Joe Volandé, — Brother 2U#5624307
"Academy." 100 Lingan Rd.
Sunset Wentworth Park about 3 mo
ago, "Jerry Paul" friend of Joe
found out story in school today
(2) Carolanne Gentile, girlfriend said
she saw Jr marshal, Sandy and a man
at the park. 324 Rosemount Drive Phone 564 9070
Got name of girlfriend. inf to Lawrence
Paul. Sr.

Lawrence Paul. Lance Wilch Jr.
marshall from Jobins, about 5 min
before incident at Park info
from arthur Paul.

Det
William
Detective
Div

RCMP2 30

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

PAGE	SUBJECT June 14-71 · 715 Pm Maria	CASE No.

Buddy MacIntyre Jerry Cushee,
Prime Brooks Patrick Harris,
Valery Hewitt, Lawrence Paul Jr
Comment. And I went to Park for
about 20 minutes
dilant see Slake,
Walked home, Was in Park and
Setting on bench about 11.50 Pm and Saw
Nothing

(Pier)
Billy Mullins and Sandy did
not get along very Well,
Skippy King, Dennis Best,

RCMP2 321

Kate O' Reilley
23 cross St
Boy friend, Arlie Paul.

Mary O' Reilley Phone (5622789)
goes with Pius Marshall.
Brother of Jr Marshall

Margie O. Reilley
goes with, Pius Marshall

RCMP2 381

Barbra Wizneau,
Grand Lake Rd
16 years old.
Staying with
Kolcheski,
White Girl family
R-Donna Marshall.

Father Joseph Sr
Phone. 5394508

RCMP2 381

19

Bemko Paul
Schlimowitz
Dave Leola
Annwd Thunder

RCMP2 3d1

Stabbing there in Park.

Left hundred good friends on Tobin until 11 o'clock. No drinks at Tobins.

No people in park except Sandy Beach.

Patterson came up

Two men said Jim Mainwaka & looked like

Any women in beds in Park.

We don't like nigger or indians.

Stitches.

Why not a Lance.

RCMP2 3

3:27 Jury.

Disadvantage have to anticipate

Duty on Crown
thank you for attention.

Not an intentional revellation.

Long list of witnesses.

2 witnesses for Crown.
Patrick Ghant.

Corroboration by other witnesses.

Position of Witnesses.

Boy has a good set of lungs
eyes. Men were no PB's in
the office.

1 Ghant was running away from
Marshall.

Standing — Scared.

Ghant didn't say he lied to
the police.

Drunk the 27th not or 28th

Plan given to Marshall
Houses on Plan.

Bandura = Marshall

RCMP 2 381

Jury Points.

Mazek Blood type "O" on pants
Blood on yellow jacket

Depends upon when the stitches were taken out.

Q May 27th Mary Marie Paul.
Thomas Christmas – threatened to

Donald Joe
Before police talk with Marshall

Talking with me & Sheriff
"Marshall distrio state Seal

Under oath
Conversation with accused on
May 29, 1971.

RCMP 2 301

Carl McDonald P.L.S.

Roy Gould – owner of jacket – got it from Gerald Marshall Sr.

Gerald Marshall Sr. -- jacket.

Det. Michael McDonald get jacket & take it to Sackville.

Patricia Ann Hennessy

Lorraine Patrick Hughes 2 Tulip Terrace St.
Conversation with Mary Patricia O'Reilly.
Holding Lands.

John Prattico

Maynard Vincent Grant.

Sgt Fred Matteson Bypy ave

Sgt Robert McKay.

Brian Doucet 120 Crescent St.

Leo Currie Civing Dental Home

Dr. M. R. Nzeqvi 38 St. Peters Rd.
Blood type of Seale. Room 305

Pearl McMillan Seal's blood type.

Dr. David Fraser identify Sandy Seale.

Dr. M. L. Verick 336 Kings Road.
Any Det. Blood type

RCMP2 381

Mr. James A. Ferguson
Harbourview Hospital
Sydney Mines, N.S.

Cause of death
Dr. Gavin.
Stab wounds.
When did he expire.
Who conducted the operation.
Blood type.

Walking or standing.
Second time anyone present.
Next day after the dance.
How many times did you see
him on Crescent St.

RCMP2 381

Doug Matheson objected

Martin 3 - OK.

Lund 6 - OK

White objected

MacPherson objected

Libbey objected

Gillis · OK

Joint King OK

Leyton OK

MacNeil OK

O'Handley OK

Murphy — objected

MacRae OK

Harrison S A

1 Thompson S A

7 # W. S. Morrison objected

Hannan objected

Miles objection

~~Matchett Hart - OK~~ - excused

Fred Dean OK Checked

Nickson

John L Neck

RCMP2 381

Dr. Verick

Dr. Naqui –

Carl MacDonald

/

May 28
~~Sept 9~~
June 15

Simon asked distance from house to cart.

Roy Gould: Thursday – Bedford & Schubenacadie
loan a jacket (yellow) Ex 3 to Marshall
its condition good
differs today – no tear on sleeve
no blood stains either
Friday evening – returned to Membertou at 8:30
Marshall went home – with jacket.
obtained from Don Marshall Sr. in presence ~~for state~~
gave it to ~~detective~~ Mac Donald.

Donald Marshall – gave coat in its present condi
to Roy Gould

Det. Nickerson Received – Exhibits and took them to Sackville.

Didn't
didn't the stabbing

Pearl MacMillan - Blood type "O" - May 29th

Constable Mallborney -
tissue on the tower
blood group "O"
direction from the ~~sea~~ event in
which Marshall was seen to have gone.

4 - 20
Pros - Def.

Donald Marshall

Nov. 2, 1971
3:20 p.m. Grand Jury returned. True Bill
Comments: on penetration see emmission of seed
Grand Jury given Lamont Case

Petit Jury Polled 3 27 p.m.

MRAZEK, Sandara Catherine, serologist.

B.H. Cl. Lab Tech U of Sask 1967 - Cert. 1968 - R.C.M.P.

~~Exhibits~~

Exhibits

1 - Blue Jeans & Belt.
Human Blood Group 'O' on Jeans & Belt
2 - facial Tissue
Human Blood - 'O'
3 - Yellow Jacket
Human Blood - Group? no concentrated material no antigen
4 - Brown Jacket
Human Blood - Group 'O'
5 - Plan of Park

EVERS - Adolph James Evers -

Exhibit 3. Fresh cuts or tears.
1 in cut, on left arm, fresh
6 in cut 1 hr tear -

4 - / 2 3/4 x 1 Bottom front - fresh

RCMP2 38

Calling of Marshall Petit Jury

14	S. Hart	SA
30	O'H	★
13	Mick MacPhee	★
15	Hale MacNeil.	D
31	J.L. MacPhee	D
37	MacCabe	D
41	Fred Deen	D
18	Jim Harris	SA
43	James Nicholson	D
10	Townsend	★
11	J.H.E. MacLeod	SA
40	Tucker	★
6	Lund	★
52	Clarke	SA
45	Cash Brother	D
42	Johnston	★
36	Libbey	D
53	A. MacPherson	D
32	Murphy	★
33	N. Johnson	D
26	Cahill	SA
27	White	D
23	King	★
44	Marsh	SA.
34	Leach	D
16	E. MacNeil	★
21	Gillis	★
2	Doug Matheson	D
29	Hugh Layton	★
41	Chas Thomson	SA
46	J.L. MacPhee	★

10. Jas. J. Townsend - Foreman
30. Albert O'Handley
13. Mick MacPhee
40 Lloyd Tucker
6. Earl Lund
42. Murdock Johnson
32 Harold A. Murphy
23 Cornelius King
16 Earl M. MacNeil
21 Lawrence J. Gillis
29 Hugh Layton
46 ~~John~~ Jos. Leonard MacPhee

Held to Foreman hung over for 2 days

(2) Dr. David Gaum - Knew Sandy Seale 29 May 1971 - Did not see original wound. Attended on second - Laceration of main artery - th

(3) John Carl MacDonald - P.L.S. 15 year. - made survey Wentworth Park - Marked Exhibit No. 1

Names boundaries by of area by Street Name

South side Crescent - West of Bentinck - Houses

North side Crescent - West of Bentinck - tracks, trees,

Circles north of tracks are bushes varying in

height 3-6 mostly 4½' to 5'

Tracks to D.W. Campbell house 37 feet

N. side Byng Ave. - #103 Red House M. Mattson

2 poles - Light standards: 1 N.A. MacQueen / 1 Crescent St. - 164 feet betw

* Daytime Survey - Rosie's question

(4) Roy Smith - Yellow windbreak - yellow stripes
May 29/1971 - no rips or tears
Lorne & Don Marshall at Waverly - no blood
wore it. Got home 9:30. Still wearing.

RCMP2 38

(5) Donald Joseph Marshall Sr. - Gave him yellow with white stripes. Got it from his home one of the closets in one of the bed rooms. Saw it on Gull lot on his son.

(6) Det. Michael MacDonald - Rec'd from Roy Gull 1 yellow jacket with white stripes. Forwarded to the Crime Lab. in Sackville to Mr. Saff.

~~Good~~ Witness today - Sam

(7) Patricia Anne Harris: Age 14 - Completed Grade 7
Perjury - Go to a Home. - SWORN.

Res. at 5 King's Road.

May 25th - Dance at St. Joseph's with Terry Gushue a 10:30 or 11. went to Band Shell. Smoked. Passed over walkway to Crescent Street walked along Crescent by to Green Crescent Apts. Met Don Marshall JR. - Accuse Another person present but can't identify. Terry asked for a match. Rec'd it from Donald Jerk Marshall held her hand. Continued on the street to the Duck House then home.

Cross: Jacket Light in Color
Hanging outside trousers

* Never saw him there before i.e. in park or on Crescent

(8) Terry Pet. Gushue: same as above Light Jacket & Dark

(9) M. Vchent - Lowsburg 14

Walked from bus terminal to park. Crossed bridge to the the RR tracks - Back along tracks toward George. — Saw man hunched in the bushes - Didn't him as Partap - Looking toward Crescent St. - Checked - Saw two guys talking. Profane language - ~~Death~~ -
Donald - hauled knife from pocket - drove it into stomach of other fellow. Saw him keel over. Witness Ran.

(10) - Partap

(10) MacKay - acc. to script.

(12) Doucet - Heard voices - Went to door. - Marshall & another. - Called police - Went out attended Ambulance arrived - P.

RCMP2 3a

The Queen
vs.
Marshall

Preliminary Inquiry
Judge John T. MacDonald - Court House, Sy
Cornwall.
Don. C. MacNeil, D. Lewis Matthews } Prosecution
C. M. Rosenblum, S. J. Khattar } Defence
July 5, 1971 — 10 A.M.
Reporters: Irene MacMullin - Maria Nichol

Charge read as from information

MacNeil informs court that Exhibits are in Sackville. Will inform defence of result of tests.
Ground rules re: witnesses who establish continuity of possession of exhibits
Publication - Court orders no publication

Dr. Naguir - M.D. - Duly Qualified - Admitted

May 29, 1971 - Attended Sandy Seale -
shock
no blood pressure - no pulse - pale - unresponsive

Given blood
Oper Room I in tear into small bowel
heavy bleeding { stomach, small bowel, entire gastro-intestinal tract
sig. bowel brought out as colostomy
No improvement. - Critical
Returned to OR: Wound opened top to bottom
Dr. D. Comm. present
Location of parents
27 pts blood.
Pronounced dead at - 8 o'clock 29 May 1971
BLOOD TYPE - O POSITIVE

RCUP2 3

Small bowel hanging out. wound into

Any sharp object
Cause Massive Trauma caused by stab
wound caused by any sharp object.

RCMP2 374.

REPORT OF OPERATION:

159

SEALE, Mr. Sandford
985 Westmount Rd., Westmount
02481
Dr. M.Naqvi/Dr.A.Gaum RCMP2 394

May 29,1971

Pre-Operative Diagnosis: Stab Wound of the abdomen with evisceration of the small bowel and colon.

Post Operative Diagnosis: Stab wound of the abdomen with perforation of colon, tear into the midc colic artery, tear into superior mesenteric vein, huge retroperitoneal hematoma with possible tear into the abdominal aorta.

NAME OF OPERATION:

SURGEON: Dr. M.A.Naqvi ASSISTANT: Dr. B. Pujari ANESTHESTIST: Dr. G.Simpson

FINDINGS: (including condition of all organs examined) and PROCEDURES (Including incisions, ligatures, sutures, drainage, sponge count and closure):-

NAME OF OPERATION: Laparotomy, Repair of the superior mesenteric vein and ligation of the branch of the middle colic artery and a transverse colostomy.

Patient was brought in from the emergency room in a state of shock with no blood pressure, no pulse and with rapid respirations who was pale. Patient was prepared after giving three IV's and giving four units of O positive blood in order to bring pressure, however, with no luck, was best felt to do a laparotomy in spite of the critical situation and he was brought in from the emergency room directly to the operating room. He was prepared in the operating room and under general anesthetic an incision above and below the stab wound was made and this was converted into a paramedian incision. No tear into the small bowel was encountered but there was a tear into the midtransverse colon and there was free spillage of fecal material into the peritoneal cavity. Huge retroperitoneal hematoma extending from the level under the esophagus right down to the iliac crest on the left side. Although the aorta was palpated and as it appears pulsatile but this probably was secondary to a stab wound into the aorta which was sealed off into the retroperitoneal space. This was not touched with a fear of a bright bleeding already present into the peritoneal cavity. Large sized opening was seen to the superior mesenteric vein with a free bleeding of this area. This opening closed with 5 0 vascular suture and the superior mesenteric vein was repaired after dissecting proximal end. Then branch of the middle colic vessel which was bleeding, having passed the knife through the area, was ligated. The colon was exteriorized and there was a large amount of blood into the stomach, small bowel and the colon. The patient had brisk bleeding although the site could probably be a stress ulceration. However, the stomach was not opened due to the critical nature and there was no obvious laceration or tear seen into the stomach. The bowel was placed into the peritoneal cavity which again could not be placed because of this huge hematoma occupying the entire abdominal cavity. There was some free bleeding. Again it was all from the retroperitoneum space and a through and through

REVERSE

Signature of Surgeon

REPORT OF OPERATION

RCMP2 374

REPORT OF OPERATION CONTINUED

NAME OF PATIENT SEALE, MR. SANDFORD UNIT NO. 71-02481

5 0 mersilene sutures were applied to close the abdomen after exteriorizing the perforated colonic part. This was the midtransverse colon and at the site where the vessel was injured. The patient, in spite of this, has not had any urine output and he was transported to Recovery Room on the respirator, having received over 12 pints of blood to combat hypovolemia and 4 pints of lactate ringer solution.

Taken from microfilmed records
April 21,1982 ag

Dr. M.Naqvi
Signature of Surgeon

NURSES OPERATING ROOM NOTES:

Nurses: _____ Needle Count: _____

Sponge Count: _____ Drainage: _____

Instrument Count: _____ Packs, etc: _____

Ligatures: _____ REMARKS: _____

Signature of Circulating Nurse

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REPORT OF OPERATION:

RCMP2 375 305

SEALE, Mr. Sandford
985 Westmount Rd., Westmount, N.S.
71-02481
Dr. M.Naqvi/Dr.A.Gaum

May 29,1971

Pre-operative Diagnosis: Aortic Laceration, Abdominal Aorta.

Post-operative Diagnosis:

OPERATION: Laparotomy, Closure of Thoracotomy for Aortic proximal control and closure of aortic laceration.

SURGEON: Dr. M.A.Naqvi ASSISTANT: ANESTHESTIST:

FINDINGS: (including condition of all organs examined) and PROCEDURES (Including incisions, ligatures, sutures, drainage, sponge count and closure):-

Patient who has been in a critical condition since operation, was brought in the O.R. with pressu ranging from 40 to 50 of a systolic and the wound was opened from the xiphoid to the pubis. The small bowel was violaceous. The colon was already violaceous. The bowel was retracted and the hematoma in the retroperitoneal space was extended considerably since last night at first exploration. Because of this, Dr. Dave put a pressure on the aorta behind the esophagus and with ti. pressure behind the esophagus, the aorta was dissected. With this dissection, there was a gush of bleeding and we lost the control of the aorta at this point. Because of losing control, an immediate thoracotomy was done through a left thoracic incision cutting the two costal cartilages and going between the 6th rib intercostal space. The aorta was clamped in the chest with a Satinsky clamp. Then opening was seen into the aorta distally which was just below the level of the renal vein. This opening was quite large and was closed with 4 0 silk suture. Once the hemostasis was achieved and the opening was closed, the pressure packs were applied and the aorta clamps were slowly released. After releasing the clamps, there was some increase in the blood pressure and attention was drawn to close the thoracotomy wound. The thoracotomy wound was closed with an interrupted chromic suture. Hemostasis was achieved. Continuous sutures were applied into the muscles and the fascia. Skin closed with black silk sutures and a chest tube was inserted for thoracic drainage. Following this, attention was drawn to the abdominal incision and there was some oozing and bright bleeding from the retroperitoneal space which was not from the aortic opening. However, we were unable to visualize this area but the posterior peritoneum was closed with continuous sutures to achieve hemostasis posteriorly. Then the small bowel was violaceous although there was no frank gangrene but there was extensive color change into the small bowel which involved almost the small bowel, two feet f the ligament of Treitz all the way to the terminal ilium of the transverse colon was also gangrenous where the previous perforation was encountered and this was exteriorized in the

REVERSE

Signature of Surgeon

NAME OF PATIENT SEALE, Mr. Sandford UNIT NO. 71-02481

original surgery. With this in mind keeping for an extensive resection, it was best felt at this point to drop all the bowel and this could have been due to the tear into the superior mesenteric vein which was sutured and this could be thrombosed and no attempt was made to resuture or dissect the superior mesenteric vein and it was felt if the patient's condition continued to improve, probably a second operation will be required on this basis but no attempt was made and t wound closed leaving all the small bowel inside the abdominal cavity. There was an extensive hematoma on the wall of the fourth portion of the duodenum and the proximal jejunum and massive bleeding still present from the Levine tube through stomach and the small bowel. This was evacuated through the Levine tube some of the blood clot and with great difficulty the bowel was placed into the peritoneal cavity however, and # 5 mersilene sutures were applied to close the abdomen. This was closed with great difficulty. Patient was transferred to Recovery Room again with a pressure of 40-50. There was no urine output in spite of patient being put on Osmitol intravenous drip and was given all supportive measures and including the massive antibiotics in the form of Ceporam, Chloromycetin. Aramine drip was started with no improvement and central venous pressure was placed. The patient was profused to the maximum up to the level of 12-13 central venous pressure requiring over a total of 27 pints of blood since the arrival through the emergency room with no essential change.

Taken from microfilmed records
April 21,1982 ag

M.A.Naqvi
Signature of Surgeon

NURSES OPERATING ROOM NOTES:

Nurses: _____ Needle Count: _____

Sponge Count: _____ Drainage: _____

Instrument Count: _____ Packs, etc: _____

Sutures: _____ REMARKS: _____

Signature of Circulating Nurse

SYDNEY CITY HOSPITAL

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RCMP2 372

Room 305

RCMP2 372

SEALE, MR. SANDFORD
71-02481
Dr. Naqvi

PROGRESS NOTES

DATE	NOTES
	Follow-up note on May 29,1971 at 7:00 a.m. Patient has had a very fluctuant blood pressure. Now his blood pressure dropped to 60 again, has tachycardia and responsive. Patient has had a drop in the hematocrit and I feel that he still continues to bleed into the retroperitoneal space by virtue of a sharp object; the possibility of a leaking opening in the aorta is great and the only solution I can think of is to re-operate and close the opening into the aorta. Patient will be taken back to the operating room at the earliest. Dr. M.A.Naqvi Follow-up note on May 29,1971 at 7:00 p.m. Patient's condition remains critical. There has not been response since surgery and patient has been on the respirator with an endotracheal tube and has had no urine output. Has been given Edecrin in conjunction with the Osmitol to induce diuresis but there is no improvement. The chest tube is draining. Blood pressure is markedly fluctuant and is only 20-30 mm. of mercury. Patient's condition remains critical and it is hopeless. Family has been advised about his condition. Dr. M.A.Naqvi Follow-up note at 8:05 p.m. Unable to obtain blood pressure. Patient's condition is critical. No blood pressure obtained. No pulses obtained. Heart beat was absent. Patient was pronounced dead. Dr. M.A.Naqvi Taken from microfilmed records April 21,1982 ag

SYDNEY CITY HOSPITAL

164

RCMP2 372

SEALE, MR. SANDFORD
71-02481

PROGRESS NOTES

DATE	NOTES
	Follow-up note in Recovery Room.
	7:30 a.m.
	Patient did regain some consciousness. There is free bleeding through the Levine tube. The dressing was saturated with blood which again was no alternative because this was bleeding from the retroperitoneal space. There has not been any urine output and the patient's condition remains critical. There is large amount of bleeding through the Levine tube. Last hemoglobin showed a Hgb. of 11 grams.
	Taken from microfilmed records Dr. M.Naqvi
	April 21,1982 ag

OVER

RCMP2.161

CANADA
SUPREME COURT OF NOVA SCOTIA - TRIAL DIVISION
PROVINCE OF NOVA SCOTIA

THE QUEEN on the information of
SGT.-DET. JOHN F. MacINTYRE

- VS -

DONALD MARSHALL, JUNIOR

CHARGE:

DONALD MARSHALL, JR. did at Sydney, in the County of Cape Breton, Province of Nova Scotia, on or about the 28th day of May, 1971, murder Sanford William (Sandy) Seale, contrary to Section 218(2) of the Criminal Code of Canada." 206

WITNESSES:

Dr. Mahomad Ali Naqvi
Dr. David Gaum
Carl MacDonald
Roy Gould
Donald Marshall, Senior
Sgt. Michael R. MacDonald
Patricia Ann Harriss
Terrance Gushue
Maynard Vincent Chant
John Pratico
Robert MacKay
Brian Doucette
Leo Curry
Pearl MacMillan
Dr. Mohan S. Virick
Mrs. Merle Faye Davis
Aldophus James Evers
Sandra Catherine Mrazek
Cst. John Mullowney
Det.-Sgt. John F. McIntyre

STATEMENT OF FACTS

On the 27th May, 1971 (a Saturday night) a dance was being held at a local hall (St. Joseph's Parish Hall) with a number of the witnesses in attendance. Near midnight the participants at the dance began to leave.

A Mr. John Pratico met the accused and the deceased, Sandy Seale, at the corner of Argyle and George Streets in Sydney, and was invited by the accused to go into Wentworth Park with them by the accused. Mr. Pratico did not like the way the invitation was extended so he declined and proceeded alone up Argyle St. to Crescent Street which skirts the edge of Wentworth Park. He proceeded along Crescent Street until he neared the intersection of Crescent Street and Bentinck Street. There he stepped behind a shrub in Wentworth Park in order to consume a pint bottle of beer. While behind this shrub he saw the accused and the late Mr. Seale walk along Crescent Street and engage in an argument, or at least a loud discussion. As he watched he saw the accused remove a knife from his right hand pocket and plunge it into the stomach of the deceased. He then panicked and ran from the scene to his home.

Meanwhile one Maynard Vincent Chant will testify that he missed his bus to his home at Louisbourg and that he proceeded down Bentinck Street, and coming to the railroad tracks that run through Wentworth Park he proceeded along these railroad tracks as a short-cut to George Street where he intended to hitch-hike a drive home. As he walked along the tracks he noticed, and can identity, Mr. John Pratico sitting behind a shrub watching two men in an argument on Crescent Street. He proceeded about thirty feet beyond Mr. Pratico and stopped to observe what was going on. He knew both the accused and Mr. Seale and he saw Mr. Marshall, the accused, draw a knife from his pocket and plunge it into the abdomen of Mr. Seale, the deceased.

He panicked and ran down the tracks and cut over a path to Byng Avenue, another street skirting Wentworth Park on the opposite side from Crescent Street.

While on Byng Avenue he saw the accused running down Bentinck Street and turn into Byng Avenue towards him. Mr. Chant turned to walk in the opposite direction when the accused caught up to him and told him that he and his friend, Mr. Seale, had been attacked by two man, one stabbed his friend, Mr. Seale, in the abdomen and he received a cut in the arm defending himself. This conversation took place in front of a house occupied by a Mr. Mattson, a former R.C.M.P. officer, who is expected to testify.

The accused showed Mr. Chant his forearm that was injured but no blood was in appearance. These two men stopped a passing automobile, the operator unknown, and were taken back to the scene where Mr. Seale was still alive, but beyond reasonable senses. Help was then summoned. Mr. Chant at first related to the police the story the accused gave him but later advised that he related the false story because of fear of the accused. He knew and can identify both men involved in the offence.

DR. M. A. NAQVI & DR. D. GAUM will testify as to the identification of the deceased and the efforts put forth to save his life and the cause of death.

CARL MacDONALD will introduce the plans of Wentworth Park and the surrounding streets and area.

ROY GOULD will testify that he loaned the jacket in question to the accused on the night in question, that it was in good condition on the evening in question and its condition on recovery from the father of the accused. It was blood stained and torn.

DONALD MARSHALL, SENIOR, who is the father of the accused, will testify that he returned the jacket to its owner, Mr. Roy Gould.

DET. MICHAEL R. MacDONALD, a member of the City of Sydney Police Force, took the exhibit jacket from Mr. Gould and took it to the R.C.M.P. Crime Laboratory in Sackville, N.B.

PATRICIA ANN HARRIS, who is fourteen years of age, will testify that she left the dance with Terry Gushue at approximately 11 P.M. They went into Wentworth Park to the bandshell where they spent some time. Then they proceeded along Crescent Street at approximately 11:45 P.M. where they met the accused, and another man who she cannot identify. A conversation took place and they continued along to her home. Miss Harris had known the accused before.

TERRANCE PATRICK GUSHUE will give the same evidence as Miss Harris.

MAYNARD VINCENT CHANT, who is fourteen years of age and lives in Louisbourg, will testify that he missed the bus that was going to Louisbourg and that he walked down Bentinck Street to the railway tracks that run through Wentworth Park. As he walked along the tracks he noticed John Pratico hunched behind a bush watching something on Crescent Street. Mr. Chant stopped to see what Mr. Pratico was observing and saw two men talking to each other. Mr. Chant saw the accused haul a knife out of his pocket and drive it into the stomach of the other man. This other man keeled over and Mr. Chant ran away towards George Street. He cut off into a path to Byng Avenue. As he proceeded along Byng Avenue he saw the accused running down Bentinck Street and turn into Byng Avenue. Mr. Chant turned around but the accused caught up to him in front of a house occupied by Mr. M. Mattson. Here the accused showed his arm and said "Look what they did to me". The accused told him that two men attacked he and his buddy and that the buddy was over at the park with a knife in his stomach. The accused stopped a passing car and he and Mr. Chant were driven over to Crescent Street where Mr. Chant placed his shirt on the stomach of Mr. Seale. Mr. Chant remained there until Mr. Seale was taken away in the ambulance.

JOHN PRATICO will testify that he knew the accused and met him near the corner of George Street and Argyle Street. He declined an invitation by the accused to go into Wentworth Park. He then went down Argyle Street to Crescent, which he walked along until he came to a bush which he went behind in order to have a pint of beer. As he was there he saw the accused and the deceased talking or arguing, he saw the accused haul something from his pocket and stab Seale. Seale dropped and Mr. Pratico ran away from the scene. Mr. Pratico knew both Mr. Marshall and Mr. Seale before the night in question.

ROBERT MacKAY, who was attending the dance, left with Miss Debbie MacPherson around 11:40 P.M. They sat at the bandshell in Wentworth Park for a few minutes, then proceeded along Crescent Street. As they walked along they saw Sandy Seale lying on the street. He asked for help because he was stabbed. Mr. MacKay sent Miss MacPherson on her way and ran for help. He returned just as the automobile with the accused returned to the scene. Mr. MacKay and the accused went to a house to ask for an ambulance to be called.

BRIAN DOUCETTE will testify that he was asked by the accused and another man to call an ambulance. When the ambulance arrived Mr. Doucette accompanied the ambulance to the hospital . The accused showed Mr. Doucette his injured arm and there was no blood.

LEO CURRY will testify that he was the ambulance driver that took Mr. Seale to the hospital and stayed with the deceased until the doctor arrived.

PEARL MacMILLAN, a lab technician at the Sydney City Hospital, will testify that she typed the blood of Sandy Seale and found it to be "O" positive.

DR. MOHAN S. VIRICK will testify that he examined Donald Marshall and found that he had a laceration on the left arm which he sutured. There was no bleeding from this cut. It was a superficial laceration.

MRS. MERLE FAYE DAVIS will testify that she is a nurse at the Sydney City Hospital and that she examined Donald Marshall on his arrival at the Hospital. She will describe the condition of Mr. Marshall's arm and that there was no blood on the arm when he entered the hospital.

MR. ALDOPHUS JAMES EVERS will testify that he is with the R.C.M.P. Crime Laboratory in Sackville. He will testify that he received the Exhibits from Sgt. Michael MacDonald on June 16th, 1971. These exhibits were a light brown jacket and a bright yellow jacket. He passed these exhibits on to Miss Mrazek. He will then describe the conditions of the exhibits.

MISS SANDRA MRAZEK, from the R.C.M.P. Crime Laboratory, will explain her examination of the two exhibits and also of a piece of Kleenex given to her as an exhibit.

CONSTABLE JOHN MULLOWNEY, a member of the Sydney Police Force, will testify that he searched the Crescent Street area after the alleged offence and found the blood soaked piece of Kleenex in the area.

SGT. JOHN MacINTYRE, a member of the Sydney Police Force, may be called regarding statements made by the accused.

LAW INVOLVED: Section 206(2)
Section 203.

DATED AT Sydney, Nova Scotia, this 12th day of October, A.D., 1971.

Donald C. MacNeil
Prosecuting Officer
Cape Breton County

CITY OF SYDNEY POLICE DEPARTMENT "ATTACHMENT # 16"

CONTINUATION REPORT

RCMP 2.52

SUBJECT	CASE No.

C O P Y

Nov. 15, 1971 - time 6:25 P.M.

Statement of John Joseph MacNeil, 187 King St.,East Toronto, Ontario.

I arrived home from Toronto, Ont. this morning Nov. 15th, 1971 at about 2:30 A.M. I got off the train and walked home to 1007 Rear George St.

I talked to my brothers;my sister and my mother. Then I went to bed about 5:05 A.M. I got up about seven A.M. I came down stairs. My brother James (Jim) started talking about incident in the park. He said he was there and a fellow got life for it and he had nothing to do with it. So I asked him how he didn't go to the police. He said he was scared. He said the guy said for him to forget about it. He said he saw the fellow stab the fellow in the Park. He said the Indian guy had his hand behind his back.

Q. Did he tell you the name of the man that stabbed the man in the Park.

A. Yes, but I can't remember the name. It sounded French. Jim went and laid down. I asked my sister Florence about it and my brother David. They said he should go to the police. As he is not sleeping and he is scared of this man that did it - also of the police because he left it so long. We talked it over and then came to the police.

Signed: John J. MacNeil

Witness: Det.Sgt. M.J.McDonald

BY: Sergt. Wm. Urquhart

Nov. 15-71 - 6:40 P.M.

CITY OF SYDNEY POLICE DEPT.

STATEMENT RCMP2 52

Nov 15th 1971. Time. 6.25 PM.

Statement of John Joseph Mac Neil. 187 King St. East Toronto Ontario.

I arrived home from Toronto but this morning Nov 15th 1971 at about 2.30 AM. I got off the train and walked home to 1007. River-side Drive. I talked to my brothers my sister and my Mother. then I went to bed about 5.05 AM. I got up about Seven A.M. I came down stairs. my Brother James. (Jim) Started talking about incident in the Park. he said he was there and a fellow got lifted for it and he had nothing to do with it. So I asked him how he didn't go to the Police. he said he was scared. he said the guy said for him to forget about it. he said he saw the fellow stay the fellow in the Park. he said the Italian guy had his hand behind his back.

Q Did he tell you the name of the man that stabbed the man in the Park.

A. Yes. but I don't remember the name. it sounded like Jim Went and laid down

Witness [illegible]

Date Nov 15-71 Time 6.40 PM.

Signed John J Mac Neil

[illegible]

CITY OF SYDNEY POLICE DEPT.

STATEMENT

2 Rcmp2 52

I asked my sister Flower
about it and my Brother
David, they said he should
go to the Police, as he is
not sleeping and he is
scared of the man that did
it also of the Police because
he left it so long. We
talked it over and then
went to the Police.

John J MacNeil

Witness [illegible]

Date Nov 15-71 Time 6 40 PM

Signed [illegible]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 46

PAGE	SUBJECT	CASE No.

C O P Y

Monday, Nov. 15th , 1971 - 7:10 P.M.

Statement of David William McNeil, age 19 yrs.,residing at 1007 George St.,Sydney.

About 2 weeks ago, my brother James told me that himself and Roy Ebsary were walking through the Wentworth Park. He said Donald Marshall and Sandy Seale were on Crescent St. Donald Marshall grabbed my brother. He put his arm up behind his back. Marshall & Seale asked them for money. ~~xMarshallxxSeaxxxxxxxx~~ Marshall asked Seale to search James' father. Seale went to search him and Roy Ebsary said wait I have something and he pulled out a knife and stabbed Seale in the stomach. Then he stabbed Marshall in the arm. My brother went to Roy's homse on Argyle St. and he washed the knife under the tap

Q. Did he know them by name
A. No. He did not know them. He read the names in the paper.

Q. When he told you about it was there anybody else around
A. I was in my house. There could of being other people around.

Q. Did you tell this story to anybody
A. No

Q. Do you know Roy Ebsary
A. Yes he was up at our house before this happened. He told me he was sailing on boats.

Signed: David W. MacNeil

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CITY OF SYDNEY POLICE DEPT.

STATEMENT Rumpo 46

Monday Nov 15th 1971 7.10 PM.

Statement of David William McNeil age 19 yrs residing at 1007 Bourke Street Sydney.

About 2 weeks ago my brother James told me that himself and Roy Elsbury were walking through the Botanical Park. He said Ernest Marshall and Sandy Leake were on Crown St. Ernest Marshall grabbed my brother he put his arm up behind his back. Marshall & Leake asked him for money. Marshall asked Leake to search James for a knife. Leake went to search James for a knife and Roy Elsbury said wait I have something and he pulled out a knife and stabbed Leake in the stomach then he stabbed Marshall in the arm. My brother went to Roy home in Margaret St and he washed the knife under the tap.

Q Did he know Roy by name

A No he did not know Roy he read the names in the papers.

Q When he told you about it was there any other arrests

A. I was long time this Ernest left being with people around

Q Did you tell this story to anybody

A No

Q Do you know Roy Elsbury

A yes he was up at our house before this happened he told me he was sailing on Bronte.

Witness _____

Date _____ Time _____

Signed David W. McNeil

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 51

AGE	SUBJECT	CASE No.

C O P Y

Nov. 15th, 1971 - 7:25 P.M.

Statement of James William McNeil, age 25 yrs.,residing at 1007 Rear George St.,Sydney:

Myself and Roy Ebsary were at the State Tavern, George St.,Sydney, late in the evening in May of this year. We were there about an hr. or so. We left. We walked down George St. and took the short cut through the Park (Wentworth). We came up to Crescent St. and while walking along Crescent St. we were approached by an Indian & a colored fellow from behind. The Indian put my right hand up behind my back. The colored fellow said dig man dig. Then Roy Ebsary said I got something for you. He put his hand in his right pocket and took out a knife and drove it into the colored fellow's side

Q. What side
A. The left hand side of the colored fellow. I seen Roy's hand & knife full ob blood

Q. Did you see the Indian being stabbed
A. No. I did not

Q. What happened then
A. Roy went home and I was with him. He washed the knife under the tap and washed his hands off. Then he told me not to say anything about it.

Q. Did you ask him why he done it
A. Yes, he said it was self defence

Q. What time did you get home that night
A. About 12 P.M.

Q. How long were you at Roy's house that night
A. About 1 hr. after that

Q. When did you see Roy again
A. The next day I went to his house. He was laying in bed. I told him that fellow died

Q. What did he say
A. He said it was self-defence. I told him he did not have to kill him. He told me he had 2 children - a girl and boy and not to say anything to the police. I left then.

Q. Who seen you at the house besides Roy
A. His wife, daughter & son.

Q. Did they say anything to you then continued - page 2---

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP251

AGE	SUBJECT	CASE No.

continued - page 2-----

A. No. Not that day. About 2 days after than his son, about 18 or 19 yrs old came to my house with his car. He drove me out to the Wandlyn Motel - He went in the motel and his mother came out to the car. She got in the back seat. He got in and she said don't go to their house any more because of what Roy done. The young fellow told me if I mentioned what happened to the police all your family will be in trouble. They will have to go to Court

Q. Was his mother present when he said that
A. No

Q. What were you wearing that night
A. I was wearing a college coat - blue with 2 white marks on the sleeve

Q. What was Roy wearing
A. A black shawl over his shoulders - something like a priest wears over his shoulders

Q. When did you tell somebody about this
A. The first one I told was my mother. She noticed I was not sleeping; and walking around since the trial. She asked me and I told her about the stabbing and Indian man was in jail for something he did not do. It isn't fair. Then I told my brother Johnnie last night. He told me to go to the police

Q. Did you know Marshall or Seale that night
A. No.

Signed: James MacNeil

Witness: Cpl.G.A.Taylor

Nov. 14th - 8 P.M.

By: Sergt. Det. J.F.MacIntyre

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CITY OF SYDNEY POLICE DEPT.

STATEMENT

REMIPS 61

Nov 15th 1911 7.25 P.M.

Statement of James William McNeil age 25 years residing at 100 Rosebery Ave Bondi

Myself and Roy Elsasser were at the State Tavern, George St, Sydney on the evening of May 4th of this year and we were about to leave the hotel. We left we walked down George St and took the short cut through the Park (Wentworth) we came up to Crescent St and while walking along Crescent St we were approached by an Indian & a Colored fellow from behind. The Indian put my right hand up behind my back. The ~~[illegible]~~ Colored fellow said Rip man Rip. Then Roy Elsasser said I'll get something for you. He put his hand in his right pocket and took out a knife and drove it to the Colored fellows side

Q What side

A The left hand side of the Colored fellow I seen Roy had a knife full of blood

Q Did you see the colored boy stabbed

A No I did not

Q What happened then

A Roy and I ran with him he washed the knife under the tap and washed his hands off. Then he told me not to say anything about it to

Q Did you ask him why he done it

A yes he said it was in self defence.

Q What time did you get home that night

Witness Sgt [illegible]

Date Nov 15th Time 8 P.M.

Signed James McNeil

Det [illegible]

CITY OF SYDNEY POLICE DEPT.

179 STATEMENT

RCMP2 51

A about 12 P.M.

Q How long were you at Roy's house that night

A about 1 hr after that.

Q when did you see Roy again

A The next day I went to his house he was lying in Bed I told him that fellow died

Q what did he say.

A He said it was self defence I told him he did not have to kill him He told me he had 2 children a girl & a Boy and not to say anything to the Police I left that.

Q who else was at the house besides Roy.

A His wife, Daughter & boy.

Q Did they say anything to you then

A No. not that day.

about 2 days after that his brother about 18 or 19 yrs old came to my house with his Car he drove me out to the Wandyn Motel. He went in the motel and his mother came out to the Car she got in the Back seat. he got in and she said don't go to Winchester Cashore because of what Roy done. the young fellow told me I mentioned what happened to the Police all your family will be in trouble they will have to go to Court

Q was his mother present when he said that

A no.

Q what were you wearing that night

A I was wearing a College Coat Blue with

Witness Cpl H A Seyler

Date 23-1-15th Time 8 PM

Signed James Wm Neil

CITY OF SYDNEY POLICE DEPT.

180 STATEMENT

RCMP2 51

2 white marks on the sleeve

Q What was King wearing

A a Black shawl over his shoulders somewhat like a priest wears over his shoulders.

Q When did you tell somebody about this

A The first one I told was my mother she noticed I was not sleeping and walking around in the hall she asked me and I told her about. The stabbing of an Indian man was hung for something he didn't do. It doesn't pay. Then I told my Brother ~~[illegible]~~ Last night he told me to go to the Police

Q Did you know Marshall or Seals that night

A No.

Witness Cpl H A Layh

Date 3-11-15th Time 8 P M

Signed James McNeil

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 22

	SUBJECT	CASE No.

COPY

Nov. 15th, 1971 - 8:45 P.M.

Statement of Mrs. Mary Pratica Ebsary residing at 126 Rear Argyle St. Sydney - Warned:

Q. Did you have a conversation with anybody in regard to the Sandy Seale case

A. Yes I did

Q. With whom
A. A boy called Jim. I don't know his second name

Q. Where does he live
A. He lives off George near the cemetery down over the hill

Q. Where did this conversation take place
A. It took place in my car on Kings Rd

Q. Where on Kings Rd.
A. At the front of the Wandlyn Motel

Q. When was this
A. On or about 6 weeks ago

Q. What took place in the car

A. The conversation was about this boy Jim and my husband being attacked that night coming home by the park. Jim thought that it may be the same two. The Marshall boy and the Seale boy. I told himmaking statements like that - I would prefer he stay away from my house after that

Q. Was anybody else present
A. Yes
Q. Who
A. MY son.

Q. Did you see Jimmie before that night
A. Quite frequently

Q. Where
A. at my house

Q. What washe doing there
A. Drinking with my husband

Q. Do you remember the night that Seale was stabbed
A. Not particularly. I remember reading of it in the Paper.

continued - page 2----

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

Rcmp2 22

PAGE	SUBJECT	CASE No.

continued - page 2-----

Q. Was Jimmie back and forth to your house at that time
A. Not after. He came about 15 times over a period of a couple of months.

Q. How did Jimmie happen to meet you near the Wandlyn Motel
A. I sent for him

Q. Why
A. My husband had not been drinking and Jimmie came to my house on Sunday . I was getting ready to go out and he told my husband he would return on the weekend and I did not want my husband on the booze again. I sent for him and told him to stay away from my house and it was at this time the conversation about the Seale boy came up. I don't think Jim or my husband would have anything to do with that. Roy only weighs about 115 lbs.

Q. Was there any discussion about this affair by Jimmie or your husband

A. No

Q. When Jimmie came with your son to the Motel were you working
A. I was

Q. What time of the day was this
A. About 6:30 P.M.

Signed: Mary P. Ebsary

Witness: Sergt.Wm.Urquhart

Nov. 15th - 9:07 P.M.

By: Sergt. Det. J.F.MacIntyre.

183

CITY OF SYDNEY POLICE DEPT. RCMP 22

STATEMENT

Nov 1st 1971 8.45 P.M.

Statement of Mrs Mary Catherine Elsbary residing at 126 Bear Street [illegible] Nickey Mcfarland:-

Q Did you have a conversation with anybody in regard to the Sandystraits Case

A yes I did

Q Tell when

A on Boy Collect [illegible] about three his second hand

Q where was the line

A The line offering near the Cemetery

Q when did this conversation take place

A It took place in my Car in Bright Rd

Q where was Nick

A at the front of the house talking to Nick

Q who was Nick

A an invalid boarder

Q what time was the Car

A The Conversation was about Nick Boy and my husband being attacked that night Coming home by the Park I thought that it may be the same men the Invalid Boy and the dead Boy had been arguing & telling Nick not to have anything to do with them & warned him to stay away from my house after that.

Q was anybody else present

A yes.

Q who

A my son

Sgt [illegible]

Nov 1st Time 9.0 7 P.M.

Signed Mary P. Elsbary

184 STATEMENT

RCMP2 22

Q Did you see Jim in before that night?
A yes he frequently
Q when
A at my home
Q What was he doing there
A visiting with my husband.
Q Do you remember the night that Leslie was shot?
A not particularly, I remember reading of it in the Papers
Q was Jim Nichie there to your house at that time.
A not after the Coroner's Inquest 15 times over a period of a couple of months.
Q How did Jim happen to meet your near the Indian Hatchery
A I don't know.
Q why
A my husband was not being Drinking and Jim came to my house with Van Dyck getting ready to go out and he told my husband he would return on the weekend and I did not want my husband on the Range again I met Jim and told him to stay away from my house and it was at this time the Coroner's Inquest the Leslie Berg case was pending which Jim was my husband would have gotten to do with that. My only weight was 115 lbs.

Witness Sgt McMichael
Date Nov 1st Time 9.00 PM
Sgt Fort Saskatchewan

Signed Mary P. Elsasy

CITY OF SYDNEY POLICE DEPT.

185 STATEMENT

RCMP2 22

Q. Was there any discussion about the affair by Jimmie in your hearing?

A. No.

Q. When Jimmie came with you to the hotel was you working?

A. I was.

Q. What time of the day was this?

A. About 6.30 P.M.

Mary P. Ellery

Witness [illegible]

Date [illegible] Time 9.0 P.M.

Sergt Det [illegible]

Signed

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 26

PAGE	SUBJECT	CASE No.

COPY

Nov. 15th, 1971 - 9:15 P.M.

Statement of Roy Ebsary, age 59 yrs.,residing at 126 Rear Argyle St. Sydney - Warned:

I remember one night myself and Jimmie McNeil were at the State Tavern. We were going home down George St. across the bridge in Wentworth Park up to Crescent St.

Q. What happened
A. When we were almost over to the corner of South Bentinck St. 2 chaps who were behind us came around the sides of us and asked us if we had cigarettes and if we had any money. We told them we didn't. They asked us to turn out our pockets so we turned out our pockets. The short fellow tried to take my ring off my finger while the tall fellow had his arm around the other fellows throat (Jimmies) and had him on the ground. When he tried to get my ring I was not well. I tried to wrestle him. He slung me onto the ground. I made a kick at him and he got up and ran off. I went over to see how Jim was getting along with the other fellow and he dropped Jim and ran off with the other fellow.

Q. Did you stab the man you were wrestling with
A. Hell no. Why would I stab him

Q. How old were these fellows
A. Young men - one fellow was tall. I had to look up at him
Q. What were they wearing
A. I would not be able to tell you
Q. What nationality were they
A. I believe Canadian. I asked them where they were from when they asked us for the money and they said Truro

Q. Were they white or colored
A. Well the tall fellow I seen him face - I thought he was white

Q. What about the short fellow
A. I would say he was white too

Q. Where did you go then
A. I went home

Q. Where did Jimmy go
A. He went to my place for a few minutes and then he went home to Hardwood Hill

Q. When did you see Himmy again
A. The next day - him and his father

continued - page 2----

continued - page 2---

Q. Did he tell you the Seale Boy had died
A. No. I can't recall

Q. Do you carry a knife
A. No

Q. Does Jimmy still come to your house
A. No. I have not seen him for a long time. He was not a regular caller at my house

Q. Have you being to his house
A. Once

Q. Can you tell me when this disturbance took place on Crescent St.
A. After 11 P.M.

Q. What month
A. In May, the same night this boy was stabbed

Q. What were you wearing that night
A. A reversible top coat - blue.

Signed: Roy N. Ebsary

Witness: Det. Sgt. M.J.McDonald

Nov. 15th - 10:10 P.M.

By: Sergt. Det. John F.MacIntyre.

188 CITY OF SYDNEY POLICE DEPT.

STATEMENT

Nov 15th 1971 9.15 PM

Statement of Roy Ebsary age 59 residing at 121 Beaconsfield St Epsom, Named:

I remember one night myself and Jimmy Neil were at the State Cinema we were going home down George St across the Bridge in the Tunnel Park up to Crescent St.

Q What happened

A Why we were almost over to the Corner of Stanmore Rd that near Robertson on Crescent St 2 chaps came behind us Came around the sides of us and asked us for a Cigarette and I had no money. I told them we didn't. They asked us to turn out our pockets so we turned out our Pockets. The short fellow tried to take my Ring off my finger while the tall fellow kept his arm around the other fellows throat (Jimmie) and had him on the ground. When he tried to get my Ring I was not well. I tried to wrestle him he slung me onto the ground I made an kick at him and he got up and ran off I went to see how Jimmie was getting along with the other fellow and he dropped him and ran off with the other fellow.

Q Did you state the time you were in company with

A I felt no. why would I state the time

Witness [illegible]

Date Nov 15th Time 10.11 PM

Signed Roy W Ebsary

CITY OF SYDNEY POLICE DEPT.

189 STATEMENT

Q How old were these fellows?
A Young men one fellow I would think too.
Q What were they wearing
A I would not be able to tell you.
Q What nationality were they.
A I believe Canadian I asked them where they were from when they asked me for the time and they said Sydney
Q Were they white or Colored
A Well the tall fellow I seen before I thought he was white
Q What about the short fellow.
A I would say he was white too.
Q When did you go there
A I went home
Q When did Jim go
A He went to my place for a few minutes and then he went to Hardwood Hill
Q When did you see Jim again
A The next day he and his father
Q For what reason
A They just dropped in I was the first time I actually met his father. For I was not the first time.
Q Were you in Bed that day.
A Yes I believe I was
Q What was Jim talking about
A They asked me to take a drink of wine Jim and his father.
Q Did he tell you the Scale Boy had died
A No. I Can't recall

Witness [illegible]

Date Nov 15th Time 1.15 PM

Signed Roy N. Epsary.

Q Do you Carry a Knife.
A No.
Q Does Jim still Come to your house
A No. I have not seen him for a long time
He was not a regular Caller at my house
Q Have you been to his house
A once
Q Can you tell me when this Disturbance took place on Crescent St
A. after 12 P.M.
Q what month
A May. the same night this Party was stabbed
Q What were you wearing that night
A a Reversible Top Coat. Blue.
Ray. N. Ebsary.

Witness [illegible]
Date 21-11-15th Time 10.10 P.M. Signed
[illegible]

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 18

PAGE	SUBJECT	CASE No.

COPY

Nov. 15, 1971 - 9:55 P.M.

M. Statement of Greg Allan Ebsary, age 17 yrs. residing at 126 Rear Argyle St.,Sydney - Warned:

Q. Do you know James McNeil
A. Yes

Q. Where does he live
A. Off Hardwood Hill near the cemetery

Q. Were you ever at his house
A. Yes, once

Q. What for
A. I had to go up and get him for my mother

Q. Where did you take him
A. To the Wandlyn Motel

Q. What took place there
A. My mother and him talked. She told him not to come back any more. He does a bit of drinking

Q. He goes to your house quite often
A. He has not been there for a long while

Q. When did you pick him up at his house
A. About 2 months ago. I am not definite

Q. What was the conversation about in the car
A. She just said it would be better if Jim did not come back any more

Q. Was there any conversation about a disturbance at the Park
A. No

Q. Did you tell Jimmie McNeil if he told the police what happened he would have to go to Court

A. I can't remember saying that
Q. Was there any talk in the car what Roy done
A. I said there would be trouble (Court). I meant if he, Jimmie would go back to our house anymore

Q. Did you see Jimmie when he came to your house the following day after the Seale stabbing
A. Yes.

continued - page 2-----

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 18

SUBJECT	CASE No.

page 2 - continued ------

Q. Did he talk to your father
A. Yes

Q. Did he tell him Seale was dead
A. I don't know what they talked about

A. I don't know what they talked about
Q. Did you know your father and Jimmie were attacked that night on Crescent St. - the same night as the Seale stabbing

A. I found out about a week after

Q. Who told you
A. My mother said they were attacked

Q. By whom
A. 2 fellow were going to beat them up for cigarettes or something

Q. Did you ask your father
A. No I never said anything about it.

Signed: Greg A. Ebsary

Witness: Cpl.G.A.Taylor

Nov.15th - 10:20 P.M.

By: Sergt.Det. J.F.MacIntyre.

CITY OF SYDNEY POLICE DEPT.

193 STATEMENT RCMP2 18

[illegible] 1st 1971 [illegible] P.M.

A My name is Greg Allan Elsey age 17 years residing at 136 Bear Crescent City of Sydney N.S.

Q Do you know [illegible] Neil

A yes.

Q When was the last time

A [illegible] Hardwood hill near the Casting

Q near your house at his house

A yes sir

Q what for

A I had to go up and get bread for my mother

Q where did you take him

A to the [illegible]

Q what did he do there

A my mother and his father started fighting I had to come back my mother has a habit of drinking

Q He quite your house quite often

A He has not been there for a long while

Q when did you pick him up at his house

A about 2 months ago. [illegible]

Q what was the conversation about in the car

A he just said it would be better if we did not come back any more

Q was there any conversation about a disturbance at the park

A No.

Q Did you tell Detective Neil that he told the police what happened he would have to go to court

I cant remember saying that

Witness [illegible]

Date [illegible] Time 10:30 AM

Signed Greg Allan Elsey

CITY OF SYDNEY POLICE DEPT.

194 STATEMENT

RCMP2 18

Q Was this any talk to the Car which I say alone

A I said this would be terrible (Court) I mean if the Jennings would go back to their home Country

Q Did you see Jennings when he came to your house the following Day after the Beale shooting

A yes.

Q Did he talk to your father

A yes.

Q Did he tell him that was Dead

A I don't know what they talked about.

Q Did you hear your father and Jennings were attacked that night on Crown St at the same night as the Beale shooting

A I found out about a week after

Q who told you

A my Mother said they were attacked

Q By who

A 2 Yellows were going to Be at Then up for Cigarettes or Something

Q Did you ask your father

A No I never said anything about it

Thos A Ebsary.

Witness Geo A A Foyle

Date 21-10-15 Time 10.0 AM

Signed

Sergt Det Detective

RCMP – 73

195

ROYAL CANADIAN MOUNTED POLICE

T-329
REV. 1-12-65

OUTGOING MESSAGE FORM

RCMP2 287

TIME OF RECEIPT	FILE NUMBER	DRAFTER'S NAME	TIME OF DISPATCH
		DLB	
	BRANCH, SECTION, ETC.	ROOM NO. / TEL. NO.	
	CIB READERS		

PRECEDENCE FOR ACTION ADDRESSES	PRECEDENCE FOR INFORMATION ADDRESSES	DATE	SECURITY CLASSIFICATION
PRIORITY	ROUTINE	17-11-71	UNCLAS

FROM H DIV

TO F DIV

INFO SYDNEY SUB DIV

ORIGINATOR'S REFERENCE NUMBER CIB4529/3 REQUEST SERVICES OF POLYGRAPH EXAMINER IN SYDNEY, N.S. ASAP IN CONNECTION WITH MURDER INVESTIGATION. DONALD MARSHAL RECENTLY CONVICTED OF THIS MURDER HOWEVER JAMES WILLIAM MACNEIL CLAIMS TO BE EYEWITNESS TO THE MURDER WHICH WAS COMMITTED BY ROY WILLIAM EBSARY WHO DENIES ALL KNOWLEDGE. EXAMINATION REQUESTED FOR MACNEIL WHO HAS GIVEN WRITTEN CONSENT. IF EXAMINATION OF MACNEIL REVEALS HE IS TELLING TRUTH POSSIBLY 3 FURTHER EXAMINATIONS WILL BE REQUIRED. ADVISE IF EXAMINER AVAILABLE & ETA SYDNEY.

SIGNATURE OF PERSON RELEASING MESSAGE	TIME RELEASED (TIME OF SIGNATURE)
D.J. WARDROP SUPT. OFFICER I*C CIB	

INSTRUCTIONS

1. **FILE NUMBER, BRANCH or SECTION, DRAFTER'S NAME, etc.** – To be filled in by the originator to facilitate prompt handling of a reply or query regarding the message. This information is not transmitted.
2. **PRECEDENCE** – Indicates to COMCENTRE the relative order in which messages are to be transmitted.
   (a) FOR ACTION ADDRESSES – Enter precedence assigned to all action addressees, i.e., DEFERRED, ROUTINE, PRIORITY, OPERATIONAL IMMEDIATE or EMERGENCY.
   (b) FOR INFORMATION ADDRESSES – Enter precedence assigned to all information addressees – usually DEFERRED.
3. **TO** – Enter all action addresses. Local abbreviations are not to be used if addressee is outside the Force.
4. **INFO** – Enter all information addresses. In multiple address messages (same message to more than one addressee), addressees to be designated either ACTION or INFORMATION.
5. **ORIGINATOR'S REFERENCE NUMBER** –
   (a) Enter originator's reference number. It will be transmitted as first word of text of message.
   (b) A message sent in reply to an incoming message MUST whenever available, contain a reference to and quote the Originator's number of that incoming message, i.e. HQ 127 Re Your K62 Text

RCMP – 7310

T-329
REV. 1-12-65

.OYAL CANADIAN MOUNTED POLIC

OUTGOING MESSAGE FORM

RCMP 2 281

TIME OF RECEIPT	FILE NUMBER	DRAFTER'S NAME	TIME OF DISPATCH
		DLB	
	BRANCH, SECTION, ETC. CIB READERS	ROOM NO. TEL. NO.	

PRECEDENCE FOR ACTION ADDRESSES	PRECEDENCE FOR INFORMATION ADD	DATE	SECURITY CLASSIFICATION
PRIORITY	PRIORITY	17-11-71	UNCLAS

FROM H DIV

TO F DIV

INFO SYDNEY SUB-DIV.

ORIGINATOR'S REFERENCE NUMBER 4532/3 REUR CIB2481 PSE HAVE POLYGRAPH EXAMINER CONTACT INSP.E.A. MARSHALL AT AREA CODE 902, PHONE # 539-5710.

SIGNATURE OF PERSON RELEASING MESSAGE	TIME RELEASED (TIME OF SIGNATURE)
D.J. WARDROP SUPT. OFFICER I*C CIB	

INSTRUCTIONS

1. **FILE NUMBER, BRANCH or SECTION, DRAFTER'S NAME, etc.** – To be filled in by the originator to facilitate prompt handling of a reply or query regarding the message. This information is not transmitted.
2. **PRECEDENCE** – Indicates to COMCENTRE the relative order in which messages are to be transmitted.
   (a) FOR ACTION ADDRESSES – Enter precedence assigned to all action addressees, i.e., DEFERRED, ROUTINE, PRIORITY, OPERATIONAL IMMEDIATE or EMERGENCY.
   (b) FOR INFORMATION ADDRESSES – Enter precedence assigned to all information addressees – usually DEFERRED.
3. **TO** – Enter all action addresses. Local abbreviations are not to be used if addressee is outside the Force.
4. **INFO** – Enter all information addresses. In multiple address messages (same message to more than one addressee), addressees to be designated either ACTION or INFORMATION.
5. **ORIGINATOR'S REFERENCE NUMBER** –
   (a) Enter originator's reference number. It will be transmitted as first word of text of message.
   (b) A message sent in reply to an incoming message MUST whenever available, contain a reference to and

RCMP2 369

Nov 17 4 00 PM '71

O

RCMP HFX

EEE/89 PRIORITY PRIORITY REG NOV17 UNCLAS

H DIV HFX

INFO SYDNEY S/DIV

CIB2461 REUR CIB4529/3, POLYGRAPH EXAMINER ADVISED AND WILL PHONE SYDNEY S/DIV LATE PM THIS DATE. PLSE ADVISE NAME OF MEMBER TO BE CONTACTED AND TELEPHONE NUMBER.

F DIV REGINA

539-5710

RCMP HFX

RCMP2 279

PRIORITY HFX NOV17 UNCLAS

COMMR OTT

MCIS4720/10 PLSE ADV FULL RECORD AND ANY WANTS FOR FPS 399634A
ROY NEWMAN EPSARY AND JAMES WILLIAM MACNEIL DB 25-6-46
MCIS HALIFAX

RCMP HQ HFX
PRIORITY HFX NOV17 UNCLAS

COMMR OTT

MCIS4720/10 PLSE ADV FULL RECORD AND ANY WANTS FOR FPS 399634A
ROY NEWMAN EPSARY AND JAMES WILLIAM MACNEIL DB 25-6-46
MCIS HALIFAX

MAKE EXIKA for Cpl Burgess
Sy Dup S/Sl ATTN Dup Marshall
TOR 2:52 PM 71-11-71 KOW

Sgt Burgess
CIB Regina
re Shaun Cann - William Cpl Burgess - Gum

RCMP2 354

7871

4725/10

RCMP MFY MCIS

62 HFY NOV17
214 PRIORITY OTT NOV17 UNCLAS

MCIS HALIFAX

NPSIC 42593/20 REUR MCLS 4720/10 ROY NEWMAN EPSARY FPS 399634A C/R 9/4/70 SYDNEY NS (1) BREACH OF LCA SEC 85 FINED 10 DLRS AND COSTS I/D 10 DAYS (2) POSS OF CONCEALED WEAPON 83CC FINED 100 DLRS I/D 2 MONTHS UNFELE TO ASSOC JAMES MACNEIL WITH FPS FILE NO O/S WANTS

COMMR

KCMP2 354

PRIORITY HFX NOV17 UNCLAS

SYDNEY S/DIV

MCIS4725/10 ATTN INSP MARSHALL RE PHONE CONVERSATION BETWEEN SGT BURGESS AND YOURSELF ROY NEWMAN EBSARY FPS 399634A C/R 9-4-70 SYDNEY NS (1) BREACH OF LCA SEC 85 FINED 10.00 DLRS AND COSTS I/D 10 DAYS (2) POSS OF CONCEALED WEAPON SEC 83 CC FINED 100.00 DLRS I/D 2 MOS UNABLE TO ASSOC JAMES MACNEIL WITH ANY FPS FILES THIS SECTION OR COMMR OTT NO O/S WANTS

MCIS HALIFAX

RCMP HQ HFX
PRIORITY HFX NOV17 UNCLAS

SYDNEY S/DIV

MCIS4725/10 ATTN INSP MARSHALL RE PHONE CONVERSATION BETWEEN SGT BURGESS AND YOURSELF ROY NEWMAN EBSARY FPS 399634A C/R 9-4-70 SYDNEY NS (1) BREACH OF LCA SEC 85 FINED 10.00 DLRS AND COSTS I/D 10 DAYS (2) POSS OF CONCEALED WEAPON SEC 83 CC FINED 100.00 DLRS I/D 2 MOS UNABLE TO ASSOC JAMES MACNEIL WITH ANY FPS FILES THIS SECTION OR COMMR OTT NO O/S WANTS

MCIS HALIFAX

[illegible] 17-11-71 [illegible]

TO – AU

THE COMMISSIONER
Commissaire

C.O. _____ DIV.
Commandant

O.C. _____ S/DIV.
Commandant

I/C _____ DET.
C/d

OIC "H" DIV CIB

FROM – DU

THE COMMISSIONER
Le Commissaire

C.O. _____ DIV.
Commandant

O.C. _____ S/DIV.
Commandant

I/C _____ DET.
C/d

"F" DIV Polygraph Sec

COPIES TO – COPIES À

201

30 Nov 71

HQ FILE NO. – Dossier de la "D.G."

DIV. FILE NO. – Dossier de la div.

S/DIV. FILE NO. – Dossier de la s/div.

DET. FILE NO. – Dossier du dét.

71 Poly 25

OTHER REASONS/REMARKS – Autres raisons ou remarques

RCMP2 282

CORRESPONDENCE DATED
Ci-joint le rapport en date du

30 Nov 71 ATTACHED

☑ INFORMATION – Renseignements
☐ ACTION – Suites
☐ ENCLOSURES – Pièces jointes

DIARY DATE REQUEST – DEMANDE DE LA DATE D'AGENDA

TO BE EXTENDED TO
Sera prolongée jusqu'au _____

FOR REASON INDICATED
Pour les raisons indiquées

☐ FINE & COSTS PAID – Amende et frais payés _____
☐ FURTHER ENQ. NEG. – Autres recherches nulles
☐ AWAITING INSTRUCTIONS – Dans l'attente de directives
☐ TRIAL DATE NOT SET – Date du procès non fixée
☐ ADJOURNED TO – Renvoyée au _____
☐ DISPOSITION OF EXHIBITS – Disposition des pièces à conviction
☐ UNABLE EXECUTE WARRANT (SUMMONS) – Impossibilité d'exécuter le mandat (sommations)
☐ AWAITING PAYMENT OF FINE & COSTS – Dans l'attente du paiement de l'amende et des frais
☐ REPORT OVERDUE – Rapport en retard

RCMP2 373 010-6
202

"F" Division
C.I.B.

RCMP2 373

UR NO.
TRE Nº

UR NO. 71 Poly 25
TRE Nº

Regina, Sask., 30 Nov 71.

CONFIDENTIAL

Officer i/c, C.I.B., Halifax, N.S.

Re: Donald MARSHALL - Non-Capital Murder
Sec. 218(2) C.C. - Sydney, Nova Scotia
28/29 May 71

GENERAL: On the authorization of the OIC C.I.B., "H" Division, a polygraph examination was administered to the following persons on 23 Nov 71 at Sydney, N.S.

1. James William MacNEIL
2. Roy Newman EBSARY

Before taking the examination both subjects signed forms stating that they were taking the test voluntarily. Particulars of this offence were provided by Insp. E.A. MARSHALL.

PURPOSE: The main issue under consideration in the polygraph examination was whether or not these subjects were telling the truth with reference to their knowledge of the above-noted offence.

DATA: (a) There were indications of truthfulness in EBSARY's polygraph recordings when he answered "No" to the following test questions:

1. Around the end of May this year do you know for sure who stabbed Sandy SEAL?

2. Around the end of May this year did you stab Sandy SEAL?

3. Around the end of May this year were you right there when Sandy SEAL was stabbed?

4. Around the end of May this year did you wash blood off a knife?

(b) Throughout MacNEIL's examination there were irregular and erratic reactions to the test questions. These variations are the type which prevent an analysis of the charts and I can render no opinion as to whether or not MacNEIL was telling the truth when he answered "Yes" to the following test questions:

71 Poly 25 30 Nov 71.

Re: Donald MARSHALL - Non-Capital Murder
Sec. 218(2) C.C. - Sydney, Nova Scotia
28/29 May 71

1. Around the end of May this year did Roy really stab Sandy?

2. Around the end of May this year did you see Roy stab Sandy?

3. Were you right there when Roy stabbed Sandy?

4. Around the end of May this year did you see Roy washing blood off his knife?

CONCLUSIONS:

It is my opinion, based on EBSARY's polygraph examination, that he was telling the truth to his questions.

REMARKS: It will be noted that I gave an indefinite opinion as to MacNEIL's polygraph examination, however, the following should be added. This subject was interviewed after the examination and on a number of occasions was quite ready to admit that he was lying and that he was only "joking" when he said that EBSARY had stabbed SEAL. He would then revert to his original story. I believe that his mind was open to anything that might be suggested to him. Under the circumstances I do not feel that he is mentally capable of responding to a polygraph examination and for that reason no other tests were administered. I do feel, however, that EBSARY was truthful with reference to his polygraph examination.

DISTRIBUTION:

Cpl.,
(E.C. Smith) #20894,
Polygraph Section.

RCMP GRC 6880

ROYAL CANADIAN MOUNTED POLICE - GENDARMERIE ROYALE DU CANADA

204 RCMP2 352

C 237 REV. 1-4-66

OTHER FILE REFERENCES: REF. AUTRES DOSSIERS:	DIVISION "H"	DATE 21 Dec. 71	RCMP FILE REFERENCES: REF. DOSSIERS GRC:
	SUB-DIVISION-SOUS-DIVISION C.I.B.		
	DETACHMENT-DÉTACHEMENT		RCMP2 352

RE: OBJET:

Donald MARSHALL, Jr.
Non-Capital Murder (Sec. 206(2)) C.C.,
Sydney, N. S.
(Sydney City Police Case)

MARSHALL was convicted in Sydney, N. S. for the non-capital murder of Sandford William @ 'Sandy' SEALE (Negro). He was sentenced to life imprisonment by Mr. Justice J. L. Dubinsky.

2. The offence took place around midnight of the 28/29 May 71 (Friday evening - Saturday morning) in Wentworth Park in the City of Sydney. SEALE was stabbed once in the abdomen with a rather large weapon (blade about 3/4" wide and at least 4" long). The deceased underwent an emergency operation, but, expired at 8:00 A.M. on Saturday, the 29 May 71. Although conscious a number of times after the assault, he did not name his assailant. MARSHALL denied being the murderer, both to the police when interrogated and later on the stand during the trial. The weapon has never been recovered. Intensive investigation by the Sydney City Police was commenced and MARSHALL arrested on the 4 June 71. His Counsel, C.M. Rosenblum, has applied for leave to appeal the conviction.

3. After sentence was passed, one James William McNEIL, age 25 years, came forward and said that he was with a man by the name of Roy EBSARY during the evening of the 29 May 71 and that he, EBSARY, had in fact murdered SEALE in Wentworth Park. McNEIL was interviewed by Sydney City Police and the Prosecuting Officer for Cape Breton County, Donald C. MacNEIL, Q.C., on Monday the 15 Nov. 71. Roy EBSARY was picked up and interviewed and he denied murdering SEALE, although he did say that McNEIL and himself were in the park, after visiting a tavern during the evening of the 28 May 71 and that he and McNEIL became involved in an altercation with two men (later determined through investigation to be MARSHALL and SEALE). According to McNEIL and EBSARY, MARSHALL and SEALE attempted to rob them in the park. This altercation, which obviously happened prior to the murder, was not known to the police until McNEIL came forward on the 15 Nov. 71. At this point the Force became involved and I went to Sydney on the 16 Nov. 71 where, together with Sgt. G.M. McKINLEY, i/c Sydney G.I.S., a thorough review of the case was conducted with the following results.

17 November 71

4. From the outset of our investigation it was apparent the use of the polygraph would be extremely useful. A request was therefore made for this equipment and the operator and the necessary authority received for Cpl. E. C. SMITH, "F" Division, to proceed to Sydney to assist with this investigation.

../2

5. Sgt. McKINLEY received McNEIL's written permission that he would undergo the polygraph test. We interviewed McNEIL and it was obvious by his demeanour and speech that he has sub-normal intelligence and is slightly mental. He was, nonetheless, convinced that EBSARY had stuck a knife into the deceased and that later they went to EBSARY's home where he, EBSARY, washed off the knife. Because we were certain that McNEIL's account of the altercation insofar as it concerned EBSARY allegedly stabbing MARSHALL was a figment of his imagination, we did not immediately question him or take any further action with respect to McNEIL at this time. Rather, a number of hours were spent by Sgt. McKINLEY and myself going over statements given by various witnesses to the police during the initial investigation and later and visiting the scene of the crime with Sergeant of Detectives John MacINTYRE, Sydney Police Department, and additionally perusing transcripts of evidence given at the preliminary hearing and some transcripts of evidence given in high court during the trial.

6. Without quoting all the evidence, the following are the salient points given by key witnesses of the events leading up to and following the stabbing. Kindly refer to the attached diagram which will illustrate and clarify much of the evidence given at the trial.

Maynard Vincent CHANT (Age 14 at time of murder - now Age 15)

Testified that he was walking down the railway tracks in Wentworth Park just prior to the stabbing. He first saw a person later identified as John Lawrence PRACTICO hiding in the bushes between the railway tracks and Crescent Street. He also saw two men, one of whom he recognized as Donald MARSHALL, standing close to each other on Crescent Street. He heard mumbling and swearing and he thought MARSHALL was doing most of the swearing. He then saw MARSHALL take out a knife from his pocket and jab it into the man he was with. CHANT became frightened at this point and ran down the railway tracks to Byng Avenue. During this time MARSHALL also walked over to Byng Avenue and met CHANT along with two other boys and two girls (these persons have never been located or identified). MARSHALL told the group that two men had attacked he and 'his Buddy' (SEALE). He also showed them a superficial cut on his arm, which was not bleeding, incidentally. He stated that his Buddy (SEALE) was on the other side of the Park with a knife in his stomach. A car then came along (neither the car or its driver were identified) and they (MARSHALL, CHANT and the occupants of the car) drove around to where SEALE was lying on the street. MARSHALL took care not to stand where SEALE could see him. CHANT took off his shirt and put it over SEALE's stomach while waiting for the ambulance.

John Lawrence PRACTICO (Age 16 Years)

PRACTICO attended the dance at St. Joseph's Hall, Sydney

../3

6. continued.

until shortly before midnight, when he left by himself. He met MARSHALL and SEALE and they walked to the corner of Argyle and George Streets. MARSHALL wanted PRACTICO to come down into the Park. (Although PRACTICO never admitted or suggested that MARSHALL and SEALE were going into the park to attempt to 'roll' someone, the inference is there and it is the concensus of opinion MARSHALL and SEALE were, at this time, bent on robbing someone). PRACTICO then proceeded into the Park on his own and sat down in the bushes to drink a pint of beer when he saw SEALE and MARSHALL on Crescent Street. He testified that he was about thirty or forty feet from them at this time and that he heard an argument take place between the two during which SEALE is alleged to call MARSHALL a 'crazy Indian' and MARSHALL called SEALE a 'black bastard'. PRACTICO saw MARSHALL plunge a weapon into SEALE's side, SEALE fall to the ground and then MARSHALL running up Crescent Street towards Argyle Street. PRACTICO then ran to his home on Bentinck Street.

Neither of the two aforementioned witnesses told the truth to the police when they were first interviewed. However, this can be put down to the fact they were both scared and that PRACTICO is not too bright. In the final analysis evidence, which was as outlined above is believed to be factual and, what is just as important, there was no collaboration between the two. In other words, what the court had were the same facts told by two quite independent witnesses.

Terrence GUSHUE (Age 20)

GUSHUE also attended the dance at St. Joseph's Hall, but, left about 10:30 P.M. with a young girl. They were in the Park for some time and in fact saw and had conversation with MARSHALL and SEALE, although they did not know SEALE at the time. They did not witness the murder, but, could put both MARSHALL and SEALE on Crescent Street prior to the stabbing.

7. Some of the exhibits, particularly the jacket MARSHALL was wearing the night of the murder was examined. This light-weight yellow jacket was found to have the left sleeve cut and ripped. There were also some light blood stains on the left front portion of the jacket (see attached diagram) in such a position as to strongly indicate MARSHALL wiped his forearm on it. There were no blood stains on the inside of the sleeve, although MARSHALL led investigators to believe he had also been knifed during the scuffle with two unidentified men just prior to SEALE being stabbed. There was an insufficient

../4

7. (continued)
quantity of blood on MARSHALL's jacket to have it typed. CHANT stated that the cut on MARSHALL's arm was not bleeding when he saw him on Byng Avenue. Although the cut was superficial, it was sutured at the hospital. While in gaol, MARSHALL removed the bandage from his arm and flushed it down the toilet and even removed the sutures himself, suggesting that he did not want to have anything around with his blood on that could be picked up by the police from which his blood type might be determined. There are on the jacket what appears to be hesitation marks caused by a knife, and I am firmly convinced MARSHALL inflicted the slight cut on his arm after he stabbed SEALE to add credence to his story.

23 NOV 71

8. Cpl. E.C. SMITH conducted the polygraph tests on both McNEIL and EBSARY. His report is attached and indicates EBSARY is telling the truth when he answered "no" to the question, "Did you stab SEALE?" With respect to McNEIL's test, please note Cpl. SMITH cannot give an opinion as to whether or not he is telling the truth. Post-examination questioning leaves no doubt in my mind McNEIL is not telling the truth when he said EBSARY stabbed SEALE.

9. In conclusion, the chronology of events surrounding this murder appears thusly to the investigators. SEALE and MARSHALL entered Wentworth Park shortly before midnight intent on "rolling" someone. EBSARY and McNEIL, somewhat intoxicated, happened to walk through the park and were accosted by SEALE and MARSHALL. Their attacks were not successful and following the altercation a violent argument ensued between the two attackers culminating with MARSHALL stabbing SEALE and then inflicting a superficial wound on his own forearm to divert suspicion from himself before he made the pretense of summoning aid for SEALE. Later McNEIL, because he had been drinking and because of his subnormal intelligence, formed the idea that EBSARY had in fact stabbed SEALE when they were set upon. This became a fixation in his mind which surfaced in the form of positive action after MARSHALL had been sentenced to life imprisonment.

10. Mr. Donald MacNEIL, Q.C. has been made aware of the results of this investigation.

11. CONCLUDED HERE

(E.A. Marshall) S/Insp.
"H" Division Detective Inspector

"ATTACHMENT # 4"

MARSHALL'S JACKET

FC 18

January 23, 1984

HAND DELIVERED

The Honourable Ronald Giffin
Attorney General
Province of Nova Scotia
P.O. Box 7
Halifax, Nova Scotia
B3J 2L6

Dear Mr. Giffin:

RE: DONALD MARSHALL, JR.

Please be advised that I have been instructed by my client to allow his action against the City of Sydney and John MacIntyre and William Urquhart, S.N. No. 02790, to lapse. Mr. Marshall does not want this action to act as an obstacle to the governments handling of the issue of compensation and a public inquiry in his case.

Mr. Marshall has instructed me not to commence and further proceedings against the City of Sydney but to reserve his right to commence an action against the police officers as individuals.

It is my client's hope that a just and speedy resolution of this matter can be forthcoming. A reply at your earliest convenience would be greatly appreciated.

Yours truly,

Felix A. Cacchione

FAC/oh

September 12, 1972.

Mr. J. P. Sullivan
District Representative
National Parole Service
Terminal Centre
4th Floor
1222 Main Street
Moncton, N.B.

Dear Sir:

Re: Marshall, Donald Jr.-1997
Dorchester Penitentiary

We are enclosing herewith a report re the above named as per your request of recent date.

Yours very truly,

G.K.MacLeod
Chief of Police

JMI:K
Encl.

CITY OF SYDNEY POLICE DEPARTMENT

CONTINUATION REPORT

RCMP2 164

AGE	SUBJECT	Re: Marshall, Donald, Jr.-1997	CASE No.

Re: Marshall, Donald, Jr. - 1997
Borchester Penitentiary

The charge read as follows: that Donald Marshall, Jr. did at Sydney, in the County of Cape Breton, Province of Nova Scotia, on or about the 28th day of May, 1971, murder Sanford (Sandy) Seale, contrary to Section 206(2) of the Criminal Code of Canada.

The accused was arrested in Whycocomagh on June 4th.,1972 and was remanded to the County Jail until June 7, 1972. There were other adjournments for various reasons and the Preliminary Hearing was taken on July 28th and Marshall was committed to stand Trial in Supreme Court and was found Guilty on November 5, 1971 and was sentenced to Life Imprisonment by Judge L. Dubinsky.

The evidence offered was that there was a dance at a local hall. Near midnight several young people at the dance left the dance hall. One witness stated that he had met the accused and the deceased and was invited by the accused to go into the Park with them; but he declined. The witness proceeding along the streets near the park, stopped behind a shrubbery in the park and observed Marshall and Seale walking along Crescent St. and involved in a loud discussion. As he watched, he saw Marshall remove a knife from his right hand pocket and plunge it into the stomach of the deceased. He, the witness, afraid, ran from the scene and to his home.

Another witness testified that he missed his bus and was proceeding along the tracks near the park, he observed the first witness sitting behind the shrubbery, watching the two men in the argument on Crescent St. He knew both the accused and the deceased. He also saw Marshall draw a knife from his pocket and plunge it into the abdomen of Mr. Seale, the deceased. Seale was alive when he was taken to the hospital but he died the following afternoon.

A comment from the Judge to the Jury was that the man who stabbed the late Sanford (Sandy) Seale intended to murder him because of the severe lacerations which were caused by the plunging of the weapon.

D Marshall Jr.
Drawer A&B.
Dorchester N;B.

RCMP2.156

Mr. Roy N Absary
68 Falmouth ST.
Sydney'N,S.

Dear Sir.

My name is Donald MarshallJr. And I,m Serving a life sentance For the Murder of the late Sandy Seale.

It was brought to my attention that you know the circumstances surrounding this important matter.
I have Maintained my innocences for 11 years and unfortunately could not get a retrial.

I know the facts. And that is why I,am asking you to come out with what information you may have.
Mr. Absary, I've been locked up for 11 years.
I'am still a young man so believe me when I tell you that I went throught hell dealing with this difficult case.

I suffered long enough my friend for somebodys mistake and knowing I;m an innocent man ' I,m asking you to be sinere and to help me concerning this very important matter.

I will pray that you;ll be honest about it and ask God to give me the strenght to forgive you and to forgive the people that were involed with my Trial.

Thank you for your time.

Sinerely Yours.
Donald Marshall Jr.
Donald Marshall Jr,

c/c. Detective J Mahooney.
UNSI. Mr.Roy Gould.
Mr. Steve Aronson BAS.

RCMP2 157

Roy Ebarsy - Age 62
68 Falmouth St
Sydney.

Re: Jr. Marshall

Interviewed to me Insp W A Urquhart Sydney Police Officer, By Don Paul, Aug 26-1981 Time 1:30 Pm. I Matfield C.P. Bill Wellston As Don Paul told me that Roy Ebarsy is the one that Stabbed Sand Sea in the Park. this information came from Jr Marshall, I told Paul that was not enough information he is going to try and get the name of the Person who gave the name of Ebersy to Jr Marshall.

Insp W A Urquhart.

27 Aug 81, Time 11:20 AM.
The above information given to Deputy Chief M. J. MacDonald, Grandchat and Time
Insp W A Urquhart.

RCMP 2.157

CITY OF SYDNEY
P. O. BOX 730
SYDNEY, NOVA SCOTIA
B1P 6H7

Chief John L. MacIntyre

~~Jul~~ April 26/82

Document containing the name of Roy C Isaac received from Dan Paul, Membertou
25 Aug 26/81 Insp W R Urquhart

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RCMP 2 157

COMMERCIAL INVESTIGATIONS & CONSULTANTS LTD.
P. O. Box 129-6 Rothesay, N. B., Canada, E0G 2W0, (506) 849-2509

RCMP2.10

February 2, 1982

Sydney Police Department
City Hall Building
Sydney, N.S. B1P 6H7

ATTENTION: Chief John McIntyre

Dear Sir;

RE: Donald Marshall
Murder, Sydney, N.S.

This will confirm our telephone conversation of this date with reference to the above murder.

In 1971 I was a member of the Royal Canadian Mounted Police and stationed on the Polygraph Section at Regina, Saskatchewan. During the month of November that year I received a call from Supt. E. A. Marshall of Halifax, N.S. to assist him with reference to the Marshall murder. Supt. Marshall is now stationed at R.C.M.P. Headquarters at Ottawa, Ontario.

As a result of that request I attended at Sydney, N.S. on 23 November 1971 and my personal ledger shows that I gave polygraph examination to two persons on that date in this regard. It indicates that I examined one J.W. MacNeil and rendered an indefinite opinion as to his truthfulness. It also shows that I examined one R.N. Ebsary and rendered a truthful opinion when he denied committing the murder in question.

I have no other records of my involvement in this matter and I would assume that the R.C.M. Police at Regina would have destroyed the file after a five year period as that was their policy at that time.

My memory of this particular file is quite clear because I use to be stationed in Nova Scotia prior to entering the polygraph program and I remember that the Sydney trip was the first time I returned to Nova Scotia after leaving in July of that same year.

Supt. Marshall advised that One Donald Marshall had been convicted earlier that year of murdering a Negro chap in the park at Sydney, Nova Scotia. The offence had been investigated by your Department and prosecuted by one Donald McNeil. Somtime after the conviction was handed down by the court, one J. W. McNeil came forth and advised that the wrong man had been convicted as he alledged that he saw one R. N. Ebsary commit this murder rather than Marshall. That information had been reported to the Nova Scotia Attorney's General Department and they asked the R.C.M.Police to look into the matter.

It was decided between Supt. Marshall, Supt. Gardiner (O.C. then of Sydney Sub-division of the R.C.M.Police) and myself that we should first examine MacNeil on the story he was giving to the police. I recall that I found him to be a very difficult polygraph subject and I was not able to obtain polygraph charts that I could properly interpret. I therefore had to render an indefinite opinion.

Following that examination, I examined Ebsary on his denial of the murder. I was satisfied that his charts were truthful when he denied involvement and so rendered that opinion.

The results of Ebsary's polygraph examination were given to Mr. Donald MacNeil and it is my understanding that he so advised Donald Marshall's lawyer and give him the opportunity to submit his client to the examination. It is also my understanding that Marshall, through his lawyer, declined the examination.

The foregoing concluded my involvement in this particular matter and I must confess that the subject never crossed my mind again until you called this date.

I trust that the information I have provided will be of some assistance to you. Should you have any further questions, please don't hesitate to contact me again at (506) 849-2049.

Yours truly,

COMMERCIAL INVESTIGATIONS &
CONSULTANTS LTD.

Eugene C. Smith

ECS:vs

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RCMP2.155

JOHN F. MacINTYRE
Chief of Police

Address All Communications To
Chief Of Police

OFFICE OF
CHIEF OF POLICE
SYDNEY, NOVA SCOTIA

February 15, 1982.

Mr. Stephen J. Aronson

Aronson & MacDonald, Barr.etc.
Dartmouth Professional Centre
Suite 305
277 Pleasant Street
Dartmouth, Nova Scotia
B2Y 4B7

Re: Donald Marshall, Jr.

Dear Mr. Aronson:

I wish to acknowledge your letter of January 26, 1982 re the above named and wish to advise you that the information contained therein has been duly noted.

Yours very truly,

John F. MacIntyre
Chief of Police

Rcmp2 160

Aronson, MacDonald Barristers & Solicitors

Stephen J. Aronson
Leo I. MacDonald

Dartmouth Professional Centre · Suite 305 · 277 Pleasant Street · Dartmouth, N.S. Canada B2Y 4B7 · (902) 463-9131

January 26, 1982

Chief
Sydney City Police
Sydney, Nova Scotia

Dear Sir:

Re: Donald Marshall, Jr.

I have been retained by Mr. Marshall to look into the circumstances surrounding his conviction for the murder of Sandy Seale in Sydney.

I have had several conversations with Mr. Marshall at Dorchester and he continues to declare his innocence. I have also spoken with several other individuals who are concerned with this matter.

One individual - Mitchell Bayne of 11 Twining Street, Pictou who in October of 1979 was living in Sydney with Roy Ebsary. Ebsary, according to Bayne, raised the matter of the Seale murder and told Bayne that it was in fact he (Ebsary) who committed the murder. I spoke with Bayne personally and he told me that Ebsary had indeed confessed to him.

Recently I was advised that Ebsary has been charged with an assault in the Sydney area. May I therefore ask that you look into Mr. Bayne's story to determine whether it warrants further action on your part.

I would appreciate hearing from you once you have looked into this information.

Yours sincerely,

Stephen J. Aronson

SJA:md
c.c. - Donald Marshall, Jr.

ATTORNEY GENERAL
NOVA SCOTIA

RCMP 2 310

Our File: 09-82-0236-08

P. O. Box 7
Halifax, Nova Scotia
B3J 2L6

April 20, 1982

Mr. John MacIntyre
Chief of Police
Civic Centre, Esplanade,
Sydney, Nova Scotia
B1P 6H7

Dear Mr. MacIntyre:

Pursuant to Section 31(2) of the Police Act I hereby request you to deliver to Staff Sergeant H. F. Wheaton of the Sydney Sub-Division of the R. C. M. Police all warrants, papers, exhibits, photographs and other information or records in your possession or under your control dealing with the Donald Marshall, Jr. case commencing with the initial investigation in 1971.

Yours very truly,

Harry W. How, Q.C.

RCMP2 311

ATTORNEY GENERAL
NOVA SCOTIA

Our File: 09-82-0236-08

P. O. Box 7
Halifax, Nova Scotia
B3J 2L6

April 20, 1982

Mr. Manning MacDonald
Mayor of Sydney
P. O. Box 730
Sydney, Nova Scotia
B1P 6H7

Your Worship Mayor MacDonald:

I am writing to you in your capacity as Chairman of the Sydney Board of Police Commissioners. Under Section 31 of the Police Act I wish to advise you that I am removing from the Sydney Police Department the investigation of the Donald Marshall, Jr. case and any matters arising therefrom and the R. C. M. Police will assume all matters connected with that investigation.

I am also writing to the Chief of Police requesting that he deliver to the R.C.M.P. all matters in his possession or under his control relating to the Donald Marshall, Jr. case.

Yours very truly,

Harry W. How, Q.C.