

MOVEMENTS OF ROY EBSARY,
28/29 May 71 STATEMENTS ATTACHED

- (a) EBSARY residing at 126 Rear Argyle St. approx. 2½ blocks from scene.
- (b) Goes to the State Tavern, George St. with James MacNEIL. STATEMENTS EBSARY and MACNEIL taken 15 Nov 71.
- (c) Leaves Tavern at closing time and goes to Wentworth Park with James McNEIL. Statement George Wallace McNEIL and Roderick A. McNEIL.
- (d) EBSARY and MacNEIL proceed through Park and encounter SEALE and MARSHALL. STATEMENT OF JAMES MCNEIL.
- (e) EBSARY stabs SEALE in stomach and MARSHALL in the left arm.
- (f) EBSARY and McNEIL proceed to the EBSARY home less than 5 minutes walk away.
- (g) On entering home, McNEIL comments to Mrs. EBSARY, "You saved my life" or words to that effect followed by Roy telling him to "shut up".
- (h) EBSARY remains home and tells McNEIL to cut through the field going home, not through the Park. STATEMENT: Mary EBSARY.
- (i) Donna EBSARY recalls Roy saying to Jimmie, "you did a good job", followed by "shut up". She saw her father washing a knife off in the sink. STATEMENT ATTACHED.
- (j) 15 Nov 71, James McNEIL contacts police with brothers John and David and advise EBSARY responsible for Murder.
- (k) Insp. E.A. MARSHALL, RCMP arrives Sydney 17 Nov. 71 reviews file and Polygraphs McNEIL and EBSARY. EBSARY indications of truthfulness, McNEIL indefinite due to low I.Q.
- (l) EBSARY goes home and literally stays in house for 7 years.
- (m) EBSARY resumes activities in 1979 and is charged with Assault Occasioning with a Knife.
- (n) Between 1971 and 1982, the EBSARY's had moved from Rear Argyle to Mechanic St. Gregory EBSARY moved his father's knives to Mechanic Street and turned same over to S/Sgt. WHEATON.

PAGE

SUBJECT

CASE No.

COPY

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

Q. 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.

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CITY OF SYDNEY POLICE DEPARTMENT
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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.

RE-OBJET:

Statement of: Roy Newman EBSARY (B: 2 JUNE 12)-
16 Falmouth St., Sydney, N.S.

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Taken: 23 FEB 82 at Sydney, N.S.

Q. What can you tell me about the SEALE murder.

A. As far as I was concerned it was an ordinary night. We were robbed and had to defend ourselves.

Q. How did you defend yourself?

A. We were held up by two muggers, who demanded all our money or whatever the hell we had in our pockets, I shelled out everything I had in my pockets but the other fellow was fighting with MARSHALL, do you see the point? MARSHALL was giving him a hard time, he had a reputation for that, all Sydney knows that. MacNEIL told me before this happened MARSHALL had robbed him before, beaten him up on Hardwood Hill. You arrange for an interview with Mrs. MARSHALL and I'll tell her the truth, I was a witness to the stabbing.

Q. Are you going to implicate yourself?

A. If necessary, yes.

Q. Do you know what that means?

A. Yes, it means that I'm willing to go all out to prove MARSHALL did not stab SEALE.

Q. Are you prepared to say or admit you know who did stab SEALE?

A. Yes, I'll tell his mother.

Q. Are you saying you are responsible?

A. No, I'm not saying I'm responsible, I'll convince her, her son didn't. Before I could make a statement like that I should see a lawyer.

R.N. EBSARY

Witness: Cpl. J.E. CARROLL

12:16 PM

Verbal Statement of:
Donald MARSHALL, Jr.
Non-Capital Murder, Sec. 206(2) C.C.C.

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Taken: By S/Sgt. WHEATON over telephone on 82-02-22

Introduction:

EBSARY: All our talking today was not in vain.

WHEATON: What do you mean by that.

EBSARY: Well you know I am a British Officer and a gentleman.

WHEATON: Yes.

EBSARY: You called me a homosexual.

WHEATON: Yes.

EBSARY: All our talking was not in vain you know.

WHEATON: Why is that.

EBSARY: Well I did it.

WHEATON: Are you admitting to stabbing SEALE.

EBSARY: Yes.

WHEATON: Would you like to speak to me.

EBSARY: No the other fellow.

WHEATON: Okay, I'll send Jim down.

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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.

CONTINUATION REPORT

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 night, 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 ~~in~~ 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

CONTINUATION REPORT

SUBJECT

CASE No.

C O P Y

1970

April 8th
11:30 P.M.

Rec. a call from Mrs. Ebsary, R.126 Argele 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. MacKav

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 ~~Isle~~ Royal Hotel Isle. 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~~XXXXXXXXXXXXXXXXXXXX~~Appeared in Court - Judge Gunn - April 9-70-
Sec. 83 C.C. - \$100.00

Statement of: Greg Allen EBSARY (B: 16 DEC 53)
46 Mechanic Street, Sydney, N.S.
19 April 1982

Tonight Harry WHEATON of the R.C.M.P. has shown me a statement which I gave to the Sydney City Police back in November 1971. I remember being down at the Police Station, and it looks reasonably accurate as far as it goes.

I was at the Sydney City Police that night for approximately three hours. I talked with John MacINTYRE a great deal more than what is in the statement. One thing being what happened that night in the Park. He accused me of this, and I denied it as I had not. I was truthful and honest and told him of my father's violence, carrying knives and manner of dress. I do remember that I was very frightened, and it seemed to me that he was trying to intimidate me.

I do remember Jimmie McNEIL being at the house the day after the murder. During the period of the murder, Roy always carried knives. We moved from Rear Argyle Street about two years after the murder. I collected up Roy's knives and moved them to 46 Mechanic Street. The knives sat for approximately nine years in a drawer and then was placed by me in a basket which I put in the cellar. I turned these knives over to Harry WHEATON. To further clarify moving the knives, Roy packed them and I moved them to our present home.

H.F. WHEATON

Greg EBSARY

Statement of: Mary Patricia EBSARY (B: 17 March 21)
46 Mechanic Street, Sydney, N.S.
19 April 1982

On the night of the SEALE murder, I was at our home at that time 126 Rear Argyle Street, Sydney. I was watching T.V. in the living-room, and I recall Roy and Jimmie McNEIL coming home. Jimmie stopped in the doorway of the livingroom and said "something like you saved my life" to Roy. Roy said "shut up". I recall Roy telling Jimmie to cut across the field going home not through the Park. He said something about they won't catch you.

I didn't pay much attention to Roy as he was always bringing someone home with him. Roy drank heavily and was violent so I never said anything to him. He always carried a knife and when he got angry that was his favourite weapon. I recall one night he took an axe and completely chopped up the furniture downstairs. This would have been during this period in 1971.

I recall I called the Sydney City Police on numerous occasions when Roy was in one of his destructive violent rages and nothing was done. The Sydney City Police were well aware of Roy as I turned him in in 1970 for carrying a knife as he was going to stab the chef at the Isle Royale Hotel. His exact words referring to Toni the chef were "when he opens the door, I'll gut him".

I have read the statement shown to me tonight by Harry WHEATON. I was only at the Station once and this must have been it. I notice the time on this satement is from 8:45 P.M. to 9:07 P.M. or twenty-two minutes. This is not so. I was interviewed for at least two hours. I also notice Sergt. URQUHART was supposed to be present. There was a man there for about five minutes, and he left. I don't recal exactly what the specific questions were but I do know I answered truthfully and honestly. I can not say I saw Roy stab the SEALE boy as I was not in the Park that night. I certainly would not hide anything from John MacINTYRE any more than I would hide anything from you.

H.F. WHEATON

Mary EBSARY

Sydney, N.S. 17 April 82

STATEMENT OF: DONNA ELAINE EBSARY,
B: 16 June 57, 287 Washington,
NEWTON, U.S.A.

I am the daughter of Roy EBSARY, and presently reside in Boston. I was born in Sydney and we lived at 126 Rear Argyle Street until I was 15 or 16 years old at which time we moved to 46 Mechanic St. Sydney. In 1971, I would have been 13 years of age and I remember the night of the SEALE Murder, vividly, as it made such an impression on me.

I was home when father and Jimmie McNEIL arrived home, and I can recall them facing me in the living room. My mother was there and we were watching T.V. Jimmie said to Roy, "you did good, or you did a good job", words to that effect: he was excited. He turned like he was going to tell us and father, said, "Shut up, don't say anything" They went down the hall to the kitchen and I followed along. Father was at the sink washing off something.

I know it was a knife and as I remember, it had a brown handle. He took it upstairs and it always bothered me and I used to hunt for it. At school everyone talked about the Murder, and I know they were looking for an old man with a goatee, white hair and a cape. Outwardly, to other kids, I pretended it was not my father, but inwardly I knew it was.

I feared my father and he disrupted the household. I always felt that if I could get the knife he would be put away. I remember going to the Police station with father, Greg, and myself. I stayed out in the car with the dog and was never spoken to by the Police. I can remember Detectives coming to my home during this time.

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STATEMENT OF DONNA ELAINE EBSARY - CONT'd

The next thing I can recall, around 1974 I told Dave RATCHFORD that I knew my father did the stabbing in the park. We got a hold of the Sydney City Police and apparently they would do nothing. We also got a hold of Cst. Gary GREEN of the R.C.M.P. and they apparently got nowhere with the City Police either. I also talked to Diane LEWIS, who was with a group of people that was trying to get MARSHALL paroled. I didn't tell her I saw the knife, just that I knew MARSHALL was innocent. I also mentioned it to Debbie COUTOURE that father did it. She was with National Parks.

I felt totally frustrated to think MARSHALL was in jail and my father had committed this crime, and there was nothing I could do about it. While going to the College of Cape Breton, I mentioned it to one of my professors, Liz BOARDMORE.

Around 1975, Uncle Bob EBSARY was over from Newfoundland. Father and Uncle Bob were drinking and I heard father tell Bob about the attempted Robbery. He said, "they asked me for my money, and I said, I'll give you what I have". Father then made an underhanded stabbing motion as if he had a knife in his hand. As he was telling Uncle Bob this, he was acting it out as if he put his hand in his coat pocket, pulled out a knife and stabbed forward with it. He also said you should have seen the look on the other fellow's face, meaning the person accompanying the person he stabbed. He explained that people had tried to roll him before in the park, and he always carried a knife.

During the period between 1971, at the time of the Murder, until I left home in late 1978 or early 1979, Father stayed completely in the house and mainly in his room. He wrote, read

STATEMENT OF DONNA ELAINE EBSARY - CONT'd

...and generally acted eccentric. He still had knives around all the time and still had an extremely violent side. He rambled on about killing during the war and the present like killing a neighbour. I don't think killing anything bothers father, human or animal. I know he killed a budgie of mine when I was a kid. He literally ripped its head off.

Father dressed like a Five-Star General with his coat over his shoulders. He read a lot and would act out the lives of the people.

(Sgd) Donna E. EBSARY

WITNESS:

H.F. WHEATON, S/Sgt.

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C O P Y

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
we

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 his 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 Jimmie go

A. He went to my place for a few minutes and then he went home to Hardwood Hill

Q. When did you see Jimmie again

A. The next day - him and his father

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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.

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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 of 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

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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

CONTINUATION REPORT

SUBJECT

CASE No.

C O P Y

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

Statement of Mrs. Mary Patricia 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 Wandlown Motel

Q. When was this

A. On or about 6 weeks ago

Q. What talk 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 him making 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 was he 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.

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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: Marv P. Ebsary

Witness: Sergt. Wm. Urquhart

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

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

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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 Row 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. ~~XXXXXXXXXXXXXXXXXXXX~~ Marshall asked Seale to search James' father. Seale went to search him and Row 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 Row's house 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 Row Ebsary

A. Yes he was up at our house before this happened. He told me he was sailing on boats.

Signed: David W. MacNeil

MITCHELL BAIN SARSEN,
PICTOU, N.S.

- (a) Can state that he lived with Roy EBSARY during 1979 and he admitted stabbing SEALE to him.

Statement of: Mitchell Bayne SARSON (B: 24 JUN 62)
11 Twining St., Pictou, N.S. 485-6977

Taken: 82-02-09 @ 2:30 P.M.

"ATTACHMENT # 17"

In the winter of 1979 I think I was taking a drywall course at the Adult Vocational School. Cpt. SWEENEY here in Pictou arranged for me to stay at Roy EBSARY's place in Sydney. He knew him from the war.

My brother John is in Springhill for armed robbery, I think maybe attempted murder. I used to visit him and get to know Junior MARSHALL. My sister Shelly was also visiting and got to know Junior. Junior escaped jail and came to Pictou and lived with Shelly for a couple of days.

I think this was in the summer it could have been that winter that I went to Sydney. We lived on Mechanic Street, Roy, Mary and I. Mary worked at night and Roy and I used to talk a lot. One night right out of the blue he told me he stabbed a colored fellow in the Park. I asked him what happened and he said, "He was walking through the Park and got held up by a nigger and an Indian. The Nigger said he wanted all his money. EBSARY said, "all my money" the nigger said yes, so he hauled his knife out and stabbed the nigger once. He showed me how he pulled it out with his left hand and jabbed him once. He mentioned he gauged the right arm between the wrist and elbow on the inner arm of the Indian. I am kind of fogged up on which arm he said.

The words used were gimme all you got, so Roy said you want all I got. The nigger said Yes, so then he stabbed him. He said there were several knife wounds on the nigger, the Indian must have went back and did him in. I felt the Indian had killed the coon and EBSARY is the biggest bullshitter I ever saw so I didn't think to much more of it. He told me he carried a knife back and forth from the Isla Royal Hotel and that was the knife he used. I got the impression that it was a knife used for cutting meat.

I thought this was just another one of Roy's stories but I mentioned it to Junior MARSHALL just before Christmas of 1981, and he was quite interested and we discussed it and he asked me to talk

.../2

Statement of: Mitchell Bayne SARSON (B: 24 JUN 62)

cont'd

to one of his lawyers which I did. I was surprised to hear EBSARY had stabbed a guy in Sydney recently. EBSARY is a queer and weird that's why I got out of Sydney and came back to Pictou. EBSARY told me he was alone when it happened. Junior never admitted to me that he was trying to roll EBSARY. He did tell me that he was with the nigger that night.

Mitchell SARSON 3:25 P.M.

H.F. WHEATON, S/Sgt.

J.E. CARROLL, Cpl.

- (a) Exhibits one yellow jacket and one brown jacket turned over by Sgt. M.R. MacDONALD on 16 Jun 71 to C/M A.J. EVERS at Sackville Crime Lab.
- (b) Yellow jacket had a 1" cut and an 8" separation indicative of being cut and turn.
- (c) The brown jacket had a 2 3/4" cut in the lower front. This jacket was composed of a wool exterior and a random pile synthetic lining.
- (d) Ten knives were received in one envelope from S/Sgt. WHEATON.
- (e) A total of 20 fibers were found on the knives from the pile lining of the SEALE jacket.
- (f) Three (3) fibers from the wool exterior.
- (g) Three fibers from the MARSHALL jacket.
- (h) Four fibers from the lining of the SEALE jacket were found in the basket containing the knives.
- (i) The majority of the fibers were found on a knife sharpened on two sides and pointed sharply on the end. This knife was identified by Mrs. EBSARY as the knife normally carried by EBSARY in 1971.

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C.D. Laboratory - Lab. jud Sackville, N.B.	Lab. File No. - Dossier du lab. no 71S588	Date 82-04-05
Section Hair & Fibre - 82-04-05	Code No. - No de code C.N. 33	Lab. Report No. - Rapport du lab. no Third

Your File No. - Votre dossier no

82-77

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The N.C.O. 1/c Sydney Sub/Div. G.I.S.,
R.C.M. Police,
SYDNEY, N.S. ATT: S/Sgt. H.F. Wheaton

Reference - Référence

Donald MARSHALL Jr.
Non-Capital Murder
Sydney, N.S. 71-05-28/29

COPIES TO - COPIES À

1. GENERAL: The following exhibit was received personally from Sgt. Guy Arsenault at this laboratory on 82-03-26:

Exhibit 11: one cardboard basket.
2. PURPOSE: To examine exhibit 11 for the presence of any fibres consistent with fibres composing exhibits A and B as described in Laboratory Report 71S588 dated 29 June 1971.
3. DATA: Exhibit 11 was examined microscopically for the presence of any significant fibres.
4. CONCLUSIONS: Four synthetic fibres removed from exhibit 11 are consistent with synthetic fibres composing the brown coat, exhibit B.
5. REMARKS: Exhibit 11 is returned herewith via registered mail to the P.C. Co-ordinator Sydney Sub/Div. G.I.S. att'n S/Sgt. H.F. Wheaton.

Submitted by:  C/M.,
A.J. Evers, B.A.
1/c Hair & Fibre Section.

AJE'kgt

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C.D. Laboratory - Lab. jud. Sackville, N.B.	Lab. File No. - Dossier du lab. no 71S588	Date 82-04-01
Section Hair & Fibre - 82-04-01	Code No. - No de code C.N. 33	Lab. Report No. - Rapport du lab. no Second

Your File No. - Votre dossier no

82-77

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The N.C.O. i/c Sydney Sub/Div. G.I.S.,
R.C.M. Police,
SYDNEY, N.S.

Reference - Référence
Donald MARSHALL Jr.
Non-Capital Murder
Sydney, N.S. 71-05-28/29

COPIES TO - COPIES A

1. GENERAL: The following exhibits were received personally from C/M R.A. MacAlpine of the Halifax Serology Section on 82-03-17.
- Exhibit 1: one copper handled knife.
 - Exhibit 2: one copper handled knife.
 - Exhibit 3: one copper handled knife.
 - Exhibit 4: one copper handled knife.
 - Exhibit 5: one bread knife.
 - Exhibit 6: one bread knife.
 - Exhibit 7: one green handled knife.
 - Exhibit 8: one green handled knife with tape.
 - Exhibit 9: one butcher knife with broken blade.
 - Exhibit 10: one butcher knife.
2. PURPOSE: To examine exhibits 1 to 10 inclusive for the presence of any fibres consistent with the fibres composing exhibits A and/or B, a yellow jacket and a brown coat, as described in Laboratory Report 71S588 dated 29 June 1971.
3. DATA: Exhibits 1 to 10 inclusive were examined microscopically for the presence of any fibres consistent with the fibres composing exhibits A or B.
4. CONCLUSIONS:
- (1) One synthetic fibre from exhibit 1, one synthetic fibre from exhibit 2, four synthetic fibres from exhibit 6, eight synthetic fibres from exhibit 8, two synthetic fibres from exhibit 9, two synthetic fibres from exhibit 10 and two synthetic fibres from the piece of tape present in the envelope are consistent with synthetic fibres composing the coat, exhibit B.
 - (2) One light brown wool fibre from exhibit 8 and two light brown wool fibres from inside the envelope are consistent with light brown wool fibres composing the coat, exhibit B.
 - (3) Three synthetic fibres removed from exhibit 8 are consistent with synthetic fibres composing the jacket, exhibit A.



Reference - Référence

Lab. File No. - Dossier du lab. n°

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RE: Donald Marshall Jr.
Non-Capital Murder
Sydney, N.S. 71-05-28/29

71S588

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5. REMARKS: (1) Exhibits 1 to 10 inclusive were returned to C/M
R.A. MacAlpine of the Halifax Serology Section on
82-03-18. *MA*

Submitted by: *AJE* C/M.
A. J. Evers, B.A.
i/c Hair and Fibre Section.

AJE/mgl