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** Altered story, Marshall testifies **

SYDNEY, N.S. (CP) - *Donald*Marshall*changed his account yesterday of what happened the night his friend was stabbed after encountering Roy*Ebsary*in a Sydney park.

Mr. Marshall, cleared in the 1971 slaying of Sandy Seale after spending 11 years in prison because of it, testified he and Mr. Seale had not intended to rob Mr.*Ebsary*after all.

He said he had admitted an intent to rob only because no one believed his original story - that Mr.*Ebsary*stabbed Mr. Seale and then lunged at him after they had stopped the man in the park to ask for a cigaret.

But the original story was true, Mr. Marshall testified yesterday in Mr.*Ebsary's*third trial on manslaughter charges in Mr. Seale's death.

New RCMP evidence in 1982 led to the release of Mr. Marshall from Dorchester prison, the subsequent quashing of his murder conviction and the laying of manslaughter charges against Mr.*Ebsary,*72.

Mr.*Ebsary's*first trial ended in a hung jury and the second in a conviction that was later overturned.

Mr. Marshall first talked about an intended robbery in a 1982 statement to the RCMP which was later used as evidence in his acquittal and the *Ebsary*case.

'I stuck to my story for eight or nine years and nobody believed me,' said Mr. Marshall, who returns to the stand on Monday. 'I had to twist it around to get people to believe it.'

Chronicle - Herald

Giffin mum on Marshall inquiry

By ALAN JEFFERS
Provincial Reporter

Attorney General Ron Giffin is keeping silent on an inquiry into the events surrounding the wrongful murder conviction of Donald Marshall

A spokesman in the attorney general's office said Friday she was instructed to tell reporters that Mr. Giffin will not comment on the issue until the matter is no longer before the courts.

A Supreme Court jury Thursday found 73-year-old Rdy Newman Ebsary guilty of manslaughter in connection with the stabbing death of Sandy Seale in a Sydney park

in 1971. Mr. Ebsary will be sentenced Jan. 30.

Mr. Marshall was convicted and imprisoned for 11 years in connection with Seale's death, but was later acquitted of any wrongdoing after a 1981 RCMP investigation turned up new evidence in the case.

Mr. Marshall was paroled the next year and was acquitted of murder in 1983 by the appeal division of the Nova Scotia Supreme Court.

At a press conference to announce the Nov. 6 provincial election, Premier Buchanan told reporters his government had not ruled out an inquiry into the events sur-

rounding the Marshall case.

During last year's session of the legislature, the provincial govern-

ment reacted to pressure to compensate Mr. Marshall and appointed Prince Edward Island Supreme Court Justice

Alex Campbell to inquire only into compensation and not the events surrounding the wrongful conviction.

Ottawa paying half of Marshall compensation

OTTAWA (Staff) — The federal government has agreed to pay a half of the \$270,000 compensation granted Donald Marshall Jr. by the provincial government last fall, federal Justice Minister John Crosbie announced Tuesday.

Mr. Crosbie said in a statement issued here that the federal cabinet has authorized "an ex gratia payment of \$135,000" to the provincial government.

The minister said the federal contribution comes "as part of the federal involvement vis-a-vis financial compensation of Donald Marshall Jr."

Mr. Marshall was wrongfully convicted in 1971 of the murder of Sandy Seale and had subsequently served 11 years of a life sentence when he was retried and acquitted in 1983.

The Buchanan government announced the \$270,000 compensation to Mr. Marshall last fall two days before the provincial election call.

Seale says inquiry into son's death was promised by Giffin

SYDNEY — The father of Sandy Seale, the 17-year-old Westmount youth who died of stab wounds following an incident in a park here in 1971, said Wednesday that he received a commitment from Attorney-General Ron Giffin that an inquiry would be held into the circumstances surrounding his son's death and the subsequent police and legal actions.

Oscar Seale said he would like to see "a full inquiry," adding that he has been promised by Giffin that a six-member board, comprising three officials from both the provincial and federal justice departments, will be appointed to "get to the bottom of this."

Mr. Giffin did not want to comment on Mr. Seale's assertions until after the 30-day appeal period following Roy Ebsary's manslaughter conviction has lapsed. He said the province's position would be made known at that time.

Seale made the statement while reacting to the three-year sentence

imposed here Wednesday by Mr. Justice Merlin Nunn on Roy Ebsary, who was found guilty two weeks ago of manslaughter in connection with the Seale death.

He said the matter has "damned my son's and our name, and that's the thing that hurts the most..."

He described the impact the lengthy case has had on the family, saying it's like living in a vacuum... we don't know what to do. Our friends don't know what to say and don't know how to console us when they talk to us."

He is also upset over what he calls the inconsideration shown by the legal authorities toward his family. He said the Crown did not talk to him about his son. "There was never any word about Sandy..."

He described Sandy as a well-behaved, obedient boy who was never in any kind of trouble. He said he was a good athlete and a strong youth.

Chronicle - Herald

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