

Statement of Dennis ELLIOTT (B: 4/6/JAN/29) - 3371 33rd
St West - Saskatoon. (384-0318)
Taken 92/03/31 1:00 P/m

Approx one week before Gail MITTERS' murder I had met her at a party at my house on 1308 Temperance street, Saskatoon. At that time Gail was with a fellow by the name of Duaine or Dwight, I don't recall his last name. This fellow was a friend of Bruce ODEGARD, who had a light house keeping room in the basement. Duaine/Dwight was a dirty blond fellow, who was short and stalky. This party was actually the first time I met Gail. Approx one week later I phoned her up and invited her to a party at our place again. I cannot recall exactly whether I picked her up or if she came to my place with others. Gail stayed at the party and I drove her home around 5-5:30 in the morning. I was driving a 1965 Plymouth, Fury II, maroon. I gave a complete statement to police shortly after Gail's death - I can state that I did not have sexual contact with Gail MITTERS and any seminal fluid or stains found on her clothing or near the scene of the crime are not mine. I walked her to the door on the Ave 'O' entrance to her residence. I made a date to pick her up at 8:00 P/m that night. I kissed her good night then left. This was the only date that I ever had with Gail MITTERS. If necessary, I am willing to provide a blood sample for whatever testing you believe necessary.

wit: ~~AT~~ Elliott Sd

REMP
92/3/31

Dennis Elliott

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Statement of Thomas David Roberts CAD DWELL

Address: 855 University Drive, Saskatoon (ph 653-1793)

Taken 9/26/89 10:15 AM

Q: I have been requested by the Fed. Justice Dept. to ask you certain questions pertaining to your involvement, as prosecutor, in the MURKIN case. I am showing you a copy of a handwritten sheet of paper which is identified as Appendix 'A'. Do you know anything about this?

A: At the Preliminary Enquiry one of the witnesses, among MARCOUX, or Albert CADRAW, or both of them, advised me that that they, plus Mrs. MURKIN, Gail MURKIN's mother, who was present at the hearings, all heard Michel JOHN say, (quote) "I don't know why he didn't kill me too - I was right there, and saw it all, but I'm not going to say nothing" (end quote). I copied this down immediately and incorporated it in a list of things to be followed up after the Preliminary Hearing. The note 'App A' to this statement was made in my handwriting from the entry on that list, which is still on ~~the~~ ^{AP} ~~the~~ ^{AP} original prosecution file, which remained with Sask Justice and is currently in Regina, Sask.

Q: When did you write out ~~the~~ ^{AP} ~~the~~ ^{AP} 'App A'?

A: ~~It~~ ^{9/1} was ~~located~~ ^{located} in 1989 as a result of my going through the prosecution file on the request of Eugene WILLIAMS, to forward to him various

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items from that file. App 'A' was written in my handwriting at an earlier date.

Q: Are the comments which are attributed to Michel JOHN on App 'A' word for word from ~~your~~^{the} original prosecution file.

A: Yes they are.

Q: What did you do with the information provided to you as noted on App 'A'?

A: I was unable to envision a way this statement of Michel JOHN could be used in court. She was not the accused and any attempt to lead that evidence from one of those witnesses would be regarded as ~~hearsay~~^{hearsay} evidence. In interviews with Michel JOHN, she repeated to me what was in her final statement, but in neither the Preliminary Hearings or trial did she describe fully the encounter between MILCAARD and Carl MILLER. I inferred that the ~~terminology~~, quote, "I don't know why he didn't kill me too - I was with them + saw it all, but I'm not going to say nothing" (end quote) may have indicated that Michel JOHN witnessed more of the confrontation between MILCAARD and Carl MILLER than was in the final statement Michel JOHN gave to police.

Q: Again referring to App 'A', the bottom half begins with "JOHN told WILSON ---; what is this regarding?"

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A: They are notes of mine from information on the prosecutor's file, that appeared to relate to what Michel JOHN told Wilson about this same part of the confrontation between MIDCOARD and Gail MILLER.

Q: I wish to have you examine what is noted as App 'B' and tell me if it is something which you ~~can identify~~ ^{as authored by} App 'B' is made up of five typed pages.

A: I was not the author of this document. To my knowledge this document was never part of the prosecution file.

Q: Do you have any knowledge of who may have authored this document?

A: No

Q: When did you first see the document referred to as App B?

A: I first saw a copy of it in the possession of Insp. QUINN, Saskatoon City Police, ~~on March 2nd~~ ^{AP} ~~during the~~ ^{AP} ~~week of~~ ^{AP} March 2nd, 1992. I believe the copy that Insp QUINN was showing me had ~~just~~ ^{AP} been received by him ~~from~~ ^{AP} shortly before March 2nd. Also, on March 10th, 1992, I received a copy of App 'B' from Mrs NEUFFELD in Ottawa, via fax to Saskatoon

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jointly interviewed Insp ROBERTS concerning his part in questioning the witnesses. (App I).

On Jan 12, 1970 I wrote Mr TALLIS ~~XXXXXX~~ ^{AP}.

noting that I had given Mr. DISBURY, Mr TALLIS'S associate, a copy of the indictment which I had filed on that day, Jan 9, 1970 and a copy of the new sketch which showed the layout of the neighbourhood and various addresses and places mentioned at the Preliminary Enquiry. I also advised Mr. TALLIS that I intended to call one new witness Gary Hector McLEOD of the Toxicology Section of the Crown Detection Laboratory only as to the continuity of blood samples taken from the deceased and noted that I believe I had earlier forwarded Mr McLEOD'S report dated April 21, 1969 to Mr TALLIS. I advised Mr TALLIS that my intention was not to call one witness at the trial who had been called at the Preliminary Hearing, Annie INDYK and advised that somehow that all but the final page of her statement had been mis-placed and could not be located either in my material or at the police department. I advised that Miss INDYK had been Subpoenaed and would be available should Mr TALLIS wish her to be called. I also advised that Miss Shirley Wilson had been Subpoenaed and ^{was} standing by and said I was not sure whether I would call her, but that Mr TALLIS could discuss this before, or at the trial. I confirmed that I had sent Mr TALLIS the two PARCZUK statements on Sept 19, 1969. I also advised him that during the Preliminary Hearing, Mrs CADRAIN, Albert's mother, **056941**

I advised Mrs TARRIS that I had asked Col MURCHANKO and S/Sgt PAYNTER to examine the pants for rips or tears or traces of blood (the pants having been dry-cleaned and washed since) and that I would advise him of the results as soon as they were known to me. I said further that depending on the results of the examination and ~~after~~^{from} my interview with CERATO I may call CERATO as a Crown witness at the trial.

I also confirmed earlier verbal advice to Mrs TARRIS that to save having to call one or two additional witnesses from Regina, I proposed to have Dr Emson take a blood sample from Wilson and to personally group the blood and to testify to that at the trial, and reminded Mrs TARRIS evidence at the Preliminary Enquiry was that Wilson's blood was group 'B'. I advised Mrs TARRIS I believed I had given him all laboratory reports I had received, except one, and enclosed a copy of that report which I received Nov of 1969 covering the examination of samples taken from the pants or coat supposedly worn by Michel JOHN on the trip to Saskatoon and comparison of those samples with other like samples previously received by Col McDONALD in connection with this case. (App K')

On Jan 19, 1970 I wrote Mrs TARRIS indicating that as requested by him, I was enclosing copies of statements by the following witnesses:

Vicky Lynn FONTAINE
Mary Alice MARCOUX
Matthew MNATIUK
Mrs Hattie MNATIUK

Rae Joan MURDOCK
Terry MICHAELIUK
Robert James RASMUSSEN
Dave ANDERSON

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William Alexander CAMPBELL

George DAVIS

Ciles BEAUCHAMP

I also enclosed statements from George Willicon PRATT of Aylesbury, SK and Dennis ELLIOTT (who saw two statements, stating that I did not intend to call either of these witnesses.

I also enclosed the statement from Marie INDYK reminding Mr TALLIS we were to discuss calling her as the trial progressed. I also confirmed earlier verbal advice to Mr TALLIS the statement of Adelaide NYCZAI had been lost. I further advised him that no statements had been taken from the following witnesses,

Henry George DIEWARD
Cecily Leslie McQUHAE
Peter SHAWCHUK

Richard HOUNSET
Helen GERSE
Victor PYRA

A note on my copy of this letter indicates that, in fact, Richard HOUNSET, had given a statement, #68. I concluded the letter by pointing out Mrs INDYK's enclosed statement was, to my knowledge, was only part of the statement she gave and I had been unable to find the remaining pages, which I believe to have existed. (App 2')

On Jan 21, 1970 I wrote ^{at} Mr TALLIS ~~advising him~~ ^{advising him} stating that he would recall me on Sunday, Jan 18th, 1970, that I had learned that day of an alleged incident in Regina in which MURGARD was supposed to have stated, in front of witnesses, that he had stabbed or killed the nurse in Saskatoon. In this letter I noted that I had had KABST go to Regina on Jan 19, 1970 to

Crown Prosecutors office. On March 16 10th I attended at the Prosecutor office in the Regina Court House in the company of Sgt PARSON of the Saskatoon RCMP. The purpose was to review the file to provide answers to questions which were being posed to me by Federal Justice. The bulk of the asexual prosecution file from Saskatoon was there with some items moved into different folders and some material which I believe to be in Ottawa with Crown Counsel on the Application. For instance, file folder #5, which was "Witness Statements Not Used" was not there and I understand to be in Ottawa.

I did not locate a copy of App 'B' on the asexual prosecution file which was stored in the second drawer of a legal size filing cabinet. While attempting to match statement numbers to numbers shown on App 'B' I observed file folders which were new to me, set up by names of witnesses, ~~some of~~ some of which were not called at trial. In a file entitled "MUGGARD - witness ROBERTS - Ant. Polygraph Operator" I located a copy of App 'B'.

Q: Can you speculate as to where App 'B' may have originated

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A: I understand the Saskatoon Police Dept. have a large investigation file on the Paul MURPHY murder, which I believe contains much more material than was ever forwarded to the Saskatoon Crown Prosecutors

office for use in the court case. It is my understanding that a copy of this entire police file was supplied to Sask. Justice in Regina, SK. It is possible this document could have come from the police file.

Q: Is there anything further you wish to add about App B before we move on

A: Under the final ~~part~~^{part} heading "SUGGESTIONS" of App B where it states "Michael JOHN WILSON and CADRAW brought to Saskatoon where with all present the true story can be obtained even if hypnosis a polygraph are necessary", suggests to me the police investigation was still ongoing when this document was compiled.

I believe Wilson gave his final statements on May 23 and 24, 1969 after the polygraph examination was complete and the file was forwarded to the Prosecutors office on July 8, 1969.

Q: Can you please provide me with details of the extent of disclosure provided to Mr. TALLIS regarding the MILCAARD prosecution.

A: On June 16, 1969 Mr TALLIS wrote me requesting copies of any witness statements and ~~related~~ reports on this matter and copies of any psychiatric reports that have been obtained (App C)

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On June 23, 1969 I wrote to Mr TALLIS advising I had not as yet received any statements or reports in

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a written form, however, when the file arrived at this office I would be in touch with him with respect to the question of supplying him with ^{PP} ~~witness~~ ^{PP} copies of witness statements etc (App D)

~~On August 15, 1968 I wrote Mr TALLIS, enclosing~~

On August 15, 1968 I wrote Mr TALLIS, enclosing copies of the following statements (App E)

- Ⓐ A. H CADRAIN - ~~1968~~ ^{PP} Mar 2, 1965
- Ⓑ R. D WILSON - Mar 3, 1965
- Ⓒ R. D WILSON May 23 + 24, 1965 (put together as one statement)
- Ⓓ N. JOHN - Mar 11, 1965
- Ⓔ N. JOHN May 24, 1965 (
- Ⓕ plus a copy of the Autopsy Report on Miss Gail MILLER prepared by Dr H FENSON.

On August 20, 1968 I wrote Mr TALLIS, enclosing a copy of the second statement of Albert CADRAIN, dated 5 Mar 1969 plus copies of the Crime Detection Laboratory Reports concerning the examination of the exhibits of this case. I did not list these individually. (App E)

In the August 15th letter to Mr TALLIS the Albert CADRAIN statement dated Mar 2, 1965 was sent. This statement was numbered #74 and a note on my copy of that letter says "send #75".

On August 20th, 1968 the March 5, 1965 Albert CADRAIN statement #75 was sent to Mr. TALLIS.

On August 21st, 1968 Mr TALLIS wrote me concerning the topic of witness statements asking me to check to see whether or not there were any witnesses whom I did not propose

appeared in my office with a pair of Trousers apparently eaten by acid which I believed to be worn by Wilson when the group left Resene and changed by him at CADROUS house on Jan 31, 1969. I did ^{not} currently intend to lend the trousers as an exhibit but that they were available to Mr. TALLIS at any time should he wish them for any purpose. I advised Mr TALLIS I had no further new witnesses whom I intended to call at the trial except as mentioned above, but that I would notify him if any such witness or witnesses were discovered and advise him of what I expected them to say. (App J)

On Jan 15, 1970 I wrote Mr TALLIS confirming my phone call to him the previous evening stating that Nichol JOHN'S father called Det KARST Monday night, Jan 12, 1970 telling him that a youth in Resene approached him as to having evidently received a pair of pants with blood on them from NIAGAARD sometime ago. I related that when KARST advised me of this on Tuesday, Jan 13, 1970, I had him go to Resene on Wednesday, Jan 14, 1970, where he located this youth, MAURICE CERATO, ~~or~~ ^{or} ~~who~~ ^{from him and} got these pants ~~from him~~ ^{from him and} took them to Sgt McDONALD at the Police Laboratory in Resene. I enclosed both a photostatic and typed copy of the statement KARST obtained from CERATO concerning this matter. I advised Mr TALLIS that KARST had subpoenaed CERATO and I intended to have him up and interview him perhaps around Jan 20, 1970

to call, who may be able to give evidence of assistance to the defence, asking me if the City Police had not turned over all their material to me in this connection to look into this prior to the completion of the Preliminary Hearings and problems and a case called "Dallison vs Caffery. (App G.)"

On Sept 9, 1969, I wrote Mr TALLIS saying that since receiving his letter App G; I had obtained all the statements ~~to be~~ obtained from the civilian witnesses in relation to this investigation, totaling ~~10~~ ¹⁰ minutes plus and had read these statements over to see whether any of these witnesses would, in my opinion "... be able to give evidence of assistance to the defence ..." as suggested in App G. ~~APP~~ ^{APP}

I quoted the paragraph from ~~APP~~ ^{APP} case mentioned.

I ~~mentioned~~ ^{mentioned} the names of Res SPENCE, Orlie LENNE and Nicholas CANTON and Dennis FILLIOTT and set out briefly their ~~statements~~ ^{observations} concerning Gail MULLER.

I sent two statements taken from a taxi driver named MacRAE FRASER. I also sent copies of statements of Sandra DANCHUK and Walter Joseph DANCHUK, both Crown witnesses at the Preliminary Hearings. I also enclosed copies of the two statements taken from the Accused, one taken in Winnipeg on Jan 3, 1969 and the other taken in Saskatoon on April 18, 1969 and confirmed my verbal advice to Mr TALLIS that I may or may not attempt to have either or both of these statements ruled voluntary either for the purposes of putting them in as confessions or holding them for cross/examination purposes,

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at the trial herein. I emphasized to Mr Taddis that if he had any specific enquiries concerning specific persons who he may learn of who supposedly could shed any light on the case, I would be pleased to track these down for him to the best of my abilities, in the file or through the investigations and asked him to contact me if he had any such requests.

I advised Mr TADDIS, ^{that} at his request, I had added the names of Insp. ROBERTS, Calgary Police Department and Mrs Shirley WILSON, of Regina, Sk., to the list of Crown witnesses, as required by the legal aid plan and advised that I hoped these two would be in Saskatoon Wednesday, Sept 10, 1965.

I advised Mr TADDIS that the various police officers, ^{who} were to check their notes for further information would be attending at my office at 12 noon on Sept 10 at which time we will be able to interview them and ~~also~~ should be able to recall any of them ^{he} ~~she~~ wishes on the afternoon of that date.

I conclude this letter to Mr TADDIS with the sentence "that I believe that the above answered all requests made by him of myself to date in connection with the Preliminary Enquiry. (App H)

A letter dated Oct 2, 1965 from myself to Mr A. S. BOYD of the Dept of the Attorney General, Regina. in which I forwarded an expense statement re: Insp. ROBERTS, for payment, sets out that myself and Mr TADDIS

interview the people supposedly involved in this incident, and on Jan 20th I had received three statements taken by Det KAGST from these people, Craig Alton MERNYK, George Nick DAPCHUK and UTE Marie FRANK and I enclosed copies of each of these statements for Mr ^{PP} TALLIS' file. I noted that I intended to arrange to interview these witnesses in the very near future and that depended on the results of these interviews, as I had mentioned to Mr TALLIS earlier. I might well attempt to lead evidence in the present trial from one or more of these three witnesses as to the admissions allegedly made by MILGABAD in their presence. I also enclosed the statement from Richard MOUNSET, which by this time had come to light. (as mentioned in App 2) (App M)

Q: Earlier in this statement you indicated that 95 statements obtained from ~~the~~ ^{PP} civilian witnesses by the police during ~~of~~ ^{their} investigation into the Miller murder were turned over to you. Did you turn these over to Mr TALLIS.

A: No, not all of them. As a result of Mr TALLIS letter, App G' I obtained all the statements that had been obtained from civilian witnesses in relation to this investigation totalling 95 and read them all over as set out in App H'. Both giving Mr TALLIS information as set out in App H' and also forwarding

four civilian witness statements and two statements taken from the accused

Q: It is believed that during the time period prior to and after the MURDER murder, there were several reports from women, to the Saskatoon City Police, that they had been sexually assaulted. Can you recall if there was ever an association made between these reports and the MURDER investigation

A: At this time I have no recollection of other reports of sexual assaults over this time period. On 25 OCT, 1989 I wrote Mr Eugene WILLIAMS, Federal Justice, forwarding him several items from the Saskatoon Provincial Crown Prosecutor file. Under the heading, quote 'other attacks on nurses or other women by knife wielding assailants.' I recalled that Mr WILLIAMS had advised me by phone on 26 Sept, 1989, that Mr WOODEN had suggested that on the Provincial file there were either news clippings, a police report to the above effect and asked me to check and see if this was so. I replied that there were no news clippings of this description on the file. I also enclosed a copy of a Feb/4 1965 police report by Det/Sgt R MACKIE which in the final paragraph dealt with an apparently unrelated sexual assault. I enclosed copies of statements #38, 39, 40, 63 and #67 from among the 95 civilian witness statements

saying these were the only statements I could find relating to other supposed sexual offences or attempts on the Provincial file and that none of these episodes involved a knife or other weapon

Q: On 31/JAN/1969, Inconsuel YANICKI complained to the Saskatoon City Police that at 7:07 AM on 31/JAN/69 she had been sexually assaulted while enroute to a bus stop. Do you have any recollection of this incident being associated to the MILLER investigation

A: At this time I do not recall the name Inconsuel YANICKI, but without having access to a copy of the index of the 95 civilian witness statements which were on the Provincial Crown Prosecutor file, in Saskatoon, I cannot say whether I ever received a statement by this person. I also do not recall her name in any police reports which came to that office, but I have never searched the file material looking for the name YANICKI.

T. J. J. [Signature]

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3:30 PM

R.P. [Signature]