

HELEN GERSE

Please return to the Agent of the Attorney General
at the trial.

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or would you know?
 A Oh, about 60 feet.
 17 Q About 60 feet. And I suppose on a morning like that,
 you wouldn't be sleeping with your window open?
 A No.
 18 Q I have no further questions.
 COURT: Thank you very much for your attendance here then, you
 are free to go.

HELEN GERCE (SWORN) TESTIFIETH:

EXAMINED BY MR. CALDWELL:

1 Q Now, it's Mrs. Gerce, is it?
 A Yes.
 2 Q And I believe you live at 330 Avenue O South?
 A Yes.
 3 Q And that you lived there earlier this year?
 A Yes.
 4 Q Are you familiar with Cadrain's house?
 A Yes.
 5 Q Where is it from yours?
 A Right beside us.

MR. TALLIS: I didn't hear?

MR. CALDWELL:

6 Q Right beside?
 A Yes.
 7 Q Which way from yours?
 A On the left, the last house.
 8 Q Left as you face out your front door?
 A On the right if I face my house.
 9 Q On the right if you face your house, okay?
 A Yes.
 10 Q And Cadrain's I think you said is the last house?
 A That's right.

11 Q I believe you noticed an item near, or in that vicinity earlier this year?

A Yes.

12 Q What was the item?

A It was a blue hat, a wool hat..

13 Q ..I'm sorry, you'll have to talk three times louder than that, it was what?

A A blue hat, of wool, I don't know how you call it.

14 Q Alright, a blue hat of wool did you say?

A Yes.

15 Q Alright, and do you remember when you first saw this item?

A Well it was either the 1st day of February, or the end of January some day, I don't know what day it was.

16 Q And where was the item when you first saw it?

A It was between the street and the sidewalk.

17 Q And where in relation to your house, or your lot?

A It was right in front of our house.

18 Q I see, and between the street and the sidewalk?

A Yes.

19 Q And did you pick the thing up when you first saw it, or anything?

A Yes.

20 Q What did you do with it?

A Well I picked it up I thought it was the neighbor's kids', I thought I was going to give it to them but I saw there was blood on it, so I mean I said I'm going to throw it in the back..

MR. TALLIS: I can't hear the witness, would you ask her to speak a little slower, and a little louder.

COURT: You'll have to speak a little louder, everybody has got

to hear you.

A We were coming home from downtown, and I was going to pick him up and put him on our yard and ask the kids, the neighbor's kids, maybe it belong to them, but when I picked them up I saw blood on it so I didn't know what to do with it, so I just threw it in the back yard, I didn't want to leave it in front of the house.

MR. CALDWELL:

- 21 Q You threw it in your back yard?
- A That's right.
- 22 Q Did it stay there for sometime?
- A Yes, till the first week of April.
- 23 Q And what happened then?
- A Detective come and ask if I found anything, and I told him, and he took it.
- 24 Q And had you handled the thing any more than to just move it into your back yard yourself?
- A No.
- 25 Q When he came and he took it, where was it in your yard, at that time?
- A Back of my garden, back alley.
- 26 Q Had it moved any from where you had put it as far as you could see?
- A Pardon?
- 27 Q Had it been moved from where you had put it, as far as you could see?
- A No, I just threw it at the back and the Detective come and get it, and took it, that's all.
- 28 Q And did you put your name or initials or anything on it?
- A No, I didn't.

29 Q I see. I show you P.29 for Identification. Now how does that look to you?

A That's the one.

30 Q Why do you say that?

A Cause it look all reddish.

31 Q Where?

A Well right there, except the blood was only one side, but it looked like that, like something was wiped out with it, somebody - that's why I thought it was the kids and maybe they throw it over there.

32 Q But you didn't mark it in any way?

A No, I didn't.

33 Q And once the Detective picked it up, did you have anything more to do with it?

A No.

34 Q Did it belong to anyone at your house?

A No.

35 Q Thank you. Your witness.

HELEN GERCE

CROSS-EXAMINED BY MR. TALLIS:

1 Q Are you able to recall what day it was that you first noticed this toque laying there?

A Well I couln't say exactly what day, it was either the last day of January, or the first couple of day of February.

2 Q I see. Do you recall what day of the week it was?

A I guess it would have to be on a weekend cause we were going, leaving downtown again that's why I come in the front yard.

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3 Q I see, it would have to be a weekend because you were ...
 A ...we were going shopping..

4 Q You were going shopping?
 A Yes, grocery shopping.

5 Q And you usually go grocery shopping on Saturday afternoon,
 I suppose?
 A That's right, and we coming home late in the afternoon
 sometime, and we going to leave again, that's how I
 found the hat.

6 Q And it was in the late afternoon then that you noticed
 it there?
 A That's right.

7 Q And was it sitting right on top of the snow?
 A Yes, that's right.

8 Q In other words, it was not buried with snow kicked over
 it, or anything like that?
 A No, it was fresh, cause the way I picked it up the hat,
 even the fur was all fresh frozen, you could tell it.

9 Q What I'm getting at is that it hadn't been covered over
 with snow, just a little bit of it sticking up?
 A No, no, no, it was right on top.

10 Q I see. And you said it was quite fresh?
 A Yes, it was just like when - you could tell the water
 when it's frozen if it's fresh, on clothes that's frozen -
 you know if it's wet..you can tell...

11 Q ...Yes, just like if you - I suppose you've hung your
 washing out on the line in the olden days?
 A Yes, that's how.

12 Q And I take it that it was sort of frozen together?
 A Yes.

13 Q Which would indicate to you that it had been quite damp?

A Well it was frozen complete, but it was - it look like fresh, you know.

14 Q I see. But was it frozen just where the red stuff was, or was it frozen in other spots too?

A It was just froze where the blood was, or what it was, when I look at the thing first, I think it was blood but when I pick it up, it look like something was wiped with it, some.

15 Q It was sitting outside of your yard, laying on top of the snow?

A Yes, and the blood stain was under, at the bottom.

16 Q I see. And then you just tossed it in the back yard?

A Yes.

17 Q In the garbage or..?

A No, I was going to throw it in the garbage but we were in a hurry so I just threw it in the back yard.

18 Q I see. On the snow, or..?

A Yes, on top of the snow.

19 Q On top of the snow?

A Yes, that's the Detective picked it up.

20 Q That's where the Detective picked it up?

A Yes.

21 Q It was sometime in April that he picked it up?

A April the 3rd or the 4th, something like that.

22 Q I see. I have no further questions.

COURT: Thank you.
