

98-20

RICHARD HOUNJET, in the witness box:

THE COURT:

Q Sit down a minute, will you, Richard?

What do they call you - Dick or Richard?

A Richard.

Q Will you sit down a minute, son?

Do you go to school, Richard?

A Yes.

Q What grade are you in?

A Three.

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Q How old are you?

A Eight.

Q When were you eight - when is your birthday?

A September the 2nd.

Q And where do you live?

A 227 Avenue "N" South, Saskatoon, Saskatchewan.

Q 227 Avenue . . ?

A "N".

Q How do you get along in school?

A Fine.

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Q You pass your year every time, do you?

A Yes.

Q What kind of grades do you get?

A Pardon?

Q Does the teacher mark your papers and give you grades on your report card with like A's and B's and C's?

A No, not that much.

Q Not that much; well, how do you know whether you're doing well or you're not doing well in school? How do you find that out?

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A By report card.

Q Report card, I see; and what does the teacher put on your report card? What did she put on your report card at Christmas time for example?

A Sometimes N's and sometimes things like that.

Q Sometimes N's and sometimes what other things?

A D's.

Q I see; do you go to Sunday School?

A Yes I did.

Q You used to go, did you? When did you stop?

A I don't know. 10

Q I see; you haven't been to Sunday School for a long time then I suppose?

A No.

Q Maybe some of the rest of us haven't either. Do you know whether you should tell the truth when you're asked questions or not?

A Yes.

Q And if you don't tell the truth what do they call that?

A Lying. 20

Q I see; and what do you think about lying - do you think that's bad or good?

A Bad.

Q Why is it bad, do you know?

A Because you don't tell the truth.

Q And what happens to you if you don't tell the truth at home?

A Get a licking.

Q Do you understand, Richard, that you're going to be asked some questions here? 30

A Yes.

Q And do you understand also that you must tell

the truth?

A Yes.

Q And will you answer the questions truthfully?

A Yes.

THE COURT: Thank you.

I don't think I should have this witness sworn
but I think I'll allow the questions to be
asked on the basis that the child is
intelligent enough to know the meaning of the
word truth and the word lie; the child knows 10
that he should tell the truth.

MR. CALDWELL: Thank you, My Lord.

RICHARD HOUNJET, not sworn, states:

MR. CALDWELL, examining:

Q Now, Richard, you told His Lordship that you
live at 227 Avenue "N" South?

A Yes.

Q And your parents live there too?

A Yes.

Q And I believe you have a back yard at that 20
address and that there is a lane runs along by
your back yard?

A Yes.

Q Both beside it and another one behind it, is
that right?

A Yes.

Q I believe you located an item - found an item
in your back yard once in 1969?

A Yes.

Q And do you remember the exact date of that or 30
not?

A Yes.

Q What date was it?

A March the 2nd.

Q And at that time was there still snow in your back yard, Richard?

A Yes.

Q And whereabouts did you find the item - what part of your yard?

A Well, it was near the back, like the very back.

Q Near the back; and what were you doing when you found the item?

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A I was just walking along and I kicked it in the air.

Q And what was it that you kicked in the air?

A The handle of a knife.

Q What's that?

A The handle of a knife.

Q And had you ever seen that one before?

A Yes.

Q That particular knife handle - had you ever seen it before?

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A Yes.

Q When did you see it before?

A When I found it and when the police came to my house and the last time I was here.

Q I see; but when you kicked it out of the snow would be the first time you saw it?

A Yes.

Q And when you found the knife handle what did you do with it?

A I gave it to my Mum.

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Q And did someone call the police?

A Yes.

Q Did they come up there?

A Yes.

Q Was it the same day, Richard, or another day?

A The same day.

Q And did you give the police the knife handle you had found?

A Yes.

Q And did you mark it while the policeman was there and before he left with it?

A I marked it.

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Q By what means? What did you put on it?

A An X.

Q I show you P.19 for identification. First of all how does that look compared to the one you found?

A It looks the same.

Q And can you find the X you put on there, Richard?

A Yes.

Q Where is it?

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A There. (indicating)

Q Alright, could you hold that up in the air with your thumb on the spot to show the jury and His Lordship where the X is please? Hold it up.
THE WITNESS SO INDICATES TO THE JURORS AND HIS LORDSHIP.

Q And that's on one of the sides of the handle, is it?

A Yes.

Q And that's the mark you put on it, is it?

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A Yes.

THE COURT:

Let me see it please -

Q You just step down out of that witness box and take it over to the jury and show it to them, will you, son? Just take it right over to that lady and those gentlemen over there - go right down, that's the boy - just go right over close to the front of them; that's it; now show them where that X is, will you?

A Okay.

THE WITNESS SO INDICATES TO THE JURORS.

THE COURT: You can come back now, 10
Richard, if you like and Mr. Caldwell will get the handle.

MR. CALDWELL:

Q Now, just one more thing, Richard. I show you P.1 and there has been evidence that this is a sketch of the whole block in which your house as I understand it is located at 227 "N" South. Now, is there anything there that would indicate approximately where in your yard you found the knife handle? 20

A It would be about there.

Q Speak up now please good and loud?

A It would be about right where that dot is.

Q About right where that dot is?

A Yes.

MR. CALDWELL: My Lord, could I have the witness mark an H for handle at that point?

THE COURT: Very well.

MR. CALDWELL:

Q Would you mark that please, Richard - put an H 30
on there for handle?

THE WITNESS SO MARKS ON EXHIBIT P.1.

MR. CALDWELL: Alright, thank you; your
 witness.

MR. TALLIS: No questions.

THE COURT: Thank you, Richard; you may
 go now.

MR. CALDWELL: I call Gerald Roland
 McCorriston, My Lord.

THE COURT: I think we'll adjourn for
 ten minutes.

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