

**RICHARD HOUNJET, SWORN, TESTIFIES AS FOLLOWS:**

MR. JOHNSTON:

EXAMINATION-IN-CHIEF:

- 1 Q Your name is Richard Hounjet?
- A Yes.
- 2 Q Am I pronouncing it properly, Richard?
- A Yeah.
- 3 Q What's your date of birth?
- A September 2nd, '61.
- 4 Q 1961?
- A Yeah.
- 5 Q So I understand you were seven years old back on  
March the 2nd, 1969, Mr. Hounjet?
- A Yeah.
- 6 Q And as a matter of fact you testified at a trial  
concerning this same issue of David Milgaard back  
in January of 1970?
- A Right.
- 7 Q So you were I guess back then nine years old when  
you testified?
- A Eight, yeah. Eight or nine, yeah.
- 8 Q Eight or nine, yeah. We call you again today, Mr.  
Hounjet because I understand you found something  
that may be of some interest to this Court on  
March the 2nd, 1969; is that right?
- A Yes, I did.
- 9 Q Where were you living at the time?

R. HOUNJET  
Ex Johnston

- A 227 Avenue N South.
- 10 Q And is that where you found this item?
- A Yeah.
- 11 Q In your yard?
- A Yes, in the back yard.
- 12 Q How did you come to find it, Richard?
- A I was just walking in the snow and I kicked it up.
- 13 Q What was it?
- A The handle of a knife.
- 14 Q Do you remember, just the handle?
- A Yeah.
- 15 Q Where was the blade?
- A I don't know.
- 16 Q You don't know. So were you able to tell if the blade -- was it totally missing? Was it just the handle, or?
- A No, there was, there was a little bit of blade.
- 17 Q A little bit of blade left?
- A Yes, it was broken off.
- 18 Q Can you describe the handle?
- A From what I can remember, probably three, four inches long, beet coloured, kind of a reddish, beet colour, plastic handle.
- 19 Q Plastic handle. What did you do with it when you found it?
- A Gave it to my mom.

20 Q Do you know what happened to it after that?

A What she did with it then I don't know.

21 Q Did the police eventually speak to you about it?

A Yes, they did.

22 Q And did you testify at the trial about finding  
that handle?

A Yeah.

23 Q Did they show it to you at the trial?

A Yes.

24 Q Had you marked it in any way?

A Yes, I did.

25 Q In what way?

A I marked it with an X, with a needle I put an X on  
it.

26 Q So you actually scratched an X into it?

A Yes.

27 Q Okay. How come you did that?

A I have no idea.

28 Q Did somebody ask you to do it?

A Yeah.

MR. JOHNSTON: I suppose all the exhibits are  
gone. I was just going to look at the  
photographs. Your Honour, unless my learned  
friend minds if --

THE COURT: Yes. Go right ahead and show  
your copies.

MR. JOHNSTON: If we could use our copies?

THE COURT: Yes, sure. Go right ahead and  
use the copies.

MR. JOHNSTON: Thank you.

29 Q There's a diagram here at the back of a booklet of  
photos and things, Mr. Hounjet, that's been  
tendered as an exhibit. If I can just refer you  
to it and maybe give you a chance to get your  
bearings straight on it?

A Okay.

30 Q We've been told the street running left -- or at  
the bottom from left to right is Avenue O?

A Right.

31 Q And Avenue N, you'll see it running from left to  
right near the top of that plan?

A Oh. Okay.

32 Q Can you point to your house?

A It's right here.

33 Q So that's the lot here marked 227?

A Yeah.

34 Q And it was, you say, in the back yard?

A Mhmm.

35 Q Can you give us any sense at all on that plan  
drawing of approximately where you found it in  
relation?

A I would say right in here.

36 Q There appears -- was it right in your yard?

A Yeah.

37 Q Under that 227 there appears to be kind of a dot?

A Mhmm.

38 Q Can you use that dot and give us any indication of  
where it was?

A Close to it.

39 Q Close to it?

A Yeah.

40 Q Right in, around that area?

A Yeah.

41 Q Had you seen the knife handle before you kicked it  
up?

A No.

42 Q So it was the fact that you kicked it that brought  
it to your attention at all?

A Yeah.

MR. JOHNSTON: Thank you, Richard. I have no  
further questions. My learned friend may.

MR. BERESH:

CROSS-EXAMINATION:

43 Q Just a few, Richard. What do you do for a living,  
please?

A I'm a arborist.

44 Q A what?

A An arborist

45 Q And what do you -- what does that involve?

R.  
# 0524 W  
Beresh

- A Tree surgeon.
- 46 Q I appreciate that. And you have been for how many years?
- A Two years now.
- 47 Q Okay. And do you remember this?
- A Yes.
- 48 Q I mean sometimes we're told things because they happened a long time ago. But my question is, do you actually remember this or do you have to look back at some documents and refresh your memory?
- A No. No, I -- I remember it, most of it, you know.
- 49 Q Okay. Now why do you remember it?
- A Well it was a big deal.
- 50 Q Okay.
- A You know, I was a little kid. It was quite a big deal.
- 51 Q Okay. I take it we're talking about the death being a big deal?
- A No, the whole thing, you know.
- 52 Q Sure.
- A It was, the police were in my back yard a lot. It was a big deal for me.
- 53 Q Okay. I understand.
- A Yeah.
- 54 Q I agree. So it wasn't finding the knife that was a big deal, it was the fact of this death?

A Yeah.

55 Q Okay. Now I'm going to ask you, if I can, because I went to that area yesterday, is the house still -- your house still there or is it gone?

A No, it's gone.

56 Q It's now an apartment block?

A No.

57 Q What is it?

A It's a parking lot.

58 Q Oh. Exact where the house is a parking lot?

A Yeah, it's a parking lot for Western Funeral Chapel.

59 Q Okay. And when was the house pulled down?

A I have no idea. I can't remember.

60 Q How long did you live there?

A I lived there till I was 11.

61 Q Eleven?

A Yeah.

62 Q So about two, three years after this?

A Yeah.

63 Q Approximately?

A Approximately, yeah.

64 Q Okay. At the time you lived there, around the time you found the knife, who else lived at the house?

A The whole family did.

- 65 Q And how many members would that be?
- A Two brothers -- two older brothers, two younger sisters, and my mom and dad.
- 66 Q So seven of you?
- A Yeah.
- 67 Q And I take it you were school age. Everyone was school age then?
- A I'm not too sure about my younger sister. The one -- yeah.
- 68 Q Fair enough. Where did you go to school?
- A St. Mary's.
- 69 Q So how would you go to school? What route?
- A Down the back alley towards St. Mary's Church, and then straight down Avenue O, south down Avenue O.
- 70 Q Okay. So would you go through your back yard to get to the alley?
- A There was a little driveway when you left the house. There was a driveway between the house and the back yard.
- 71 Q Okay. Photograph #1, I don't know if this has ever been shown to you, but just to orient you. This is we're told the back alley?
- A Right.
- 72 Q And I'm not sure, if we look in the photograph, can we see your back yard at all?
- A These bushes.



73 Q So that bush --

A Our back yard would've been on, like, right over here about.

74 Q We see a telephone pole?

A Mhmm.

75 Q On the right-hand side. Would your yard be straight across from that?

A Yeah. Like this, this alley here --

THE COURT: Do we happen to have an extra one.

MR. JOHNSTON: Oh, certainly, Your Honour.

MR. BERESH: I have my red copy there.

THE COURT: Is it the same?

THE WITNESS: This alley would be bordering my back yard.

76 Q Right.

A But the very back yard, not, not along the side of the house.

77 Q No.

A But the back yard.

78 Q Back yard?

A Yeah.

79 Q Okay. And did you ever see the location of the body?

A I seen, seen the location of it, yeah.

80 Q Right. The body wasn't there obviously?

- A No.
- 81 Q Now just so we know, the location where you believe the body to have been, was that across from your neighbour's back yard not yours?
- A No, it was behind our back yard.
- 82 Q It was still behind yours?
- A Yeah.
- 83 Q Okay. Photograph #3 shows a picket fence?
- A Mhmm.
- 84 Q Pickets of different sizes. Is that your back yard we're looking at?
- A No.
- 85 Q That's your neighbours?
- A Yeah.
- 86 Q Okay. And who were the neighbours at that time?
- A Bentleys I think.
- 87 Q Bentley?
- A Yeah.
- 88 Q And was it a family that lived there?
- A Yes.
- 89 Q Okay. Any boarders in your house?
- A Not at the time, no.
- 90 Q Any boarders in the Bentley's house?
- A I don't think so.
- 91 Q Okay. Now if we look then at photograph #4, does that then show us the beginning of your back yard?

- A Yes.
- 92 Q Where we see the sort of garbage, or?
- A Yeah, there that's the neighbour's fence and that's, the bush was in our back yard.
- 93 Q Okay. And was there a fence to your back yard at all?
- A In the back I think there was just some caragana and there might've been some wire going through it too. I'm not too sure.
- 94 Q Okay. But no, like, no wood fence?
- A No. No, there wasn't.
- 95 Q Okay. And then I take it from that point where your fence starts to where we see this van was the approximate distance of the lot, width of the lot?
- A Yeah. Yes.
- 96 Q And how far was the house from the back of the lot, your house?
- A Well quite a ways, it was a big lot. I, I don't know how many feet it was.
- 97 Q Okay. Now I had asked you when you were going to school whether you left the back, your back yard or whether you came into the alley. I don't see any space here to get out?
- A No, I would leave and I would go down the alley where this van is.
- 98 Q Yes. And --

THE COURT:

If we look at the diagram

maybe that will assist us.

99 Q Going back to the sketch, 227?

A This is the house here.

100 Q Right.

A I would leave the driveway and go down this alley.

101 Q So the driveway just below the middle two is where  
you'd come out?

A Yes.

102 Q And then you'd go west down the alley?

A That's right.

103 Q To Avenue O?

A Right.

104 Q And then I understand south?

A That's right.

105 Q To 20th Street?

A Mhmm.

106 Q And a block south I believe?

A Yeah.

107 Q So what time did you go to school? Would it be  
8:00, 8:30?

A Probably around 8:30.

108 Q By 8:30?

A Yeah.

109 Q And so you did that for a number of years?

A Yes.

110 Q In around the time you lived at that house and you were going to school, obviously when you're going to school you could see people out and about on the street?

A Yes.

111 Q I take it there were a lot of, there was a fair amount of traffic?

A Yeah.

112 Q Particular on 20th Street?

A Mhmm. Yes, there was.

113 Q Yes?

A Yeah.

114 Q And I take it there were lots of people who lived in the neighbourhood or seemed to live there?

A Yes.

115 Q And so you'd see lots of people walking on the street early in the morning?

A Yes.

116 Q Okay. And I take it that if there was any loud noises or sounds in the back alley you'd generally be able to hear those in the house?

A Yeah. No, like, it would have to be quite loud.

117 Q Sure. Now how did you learn that there had been a death? Did you hear it on the street? Did you see it in a newspaper or hear it on the radio?

A My auntie told me.

- 118 Q Pardon me.  
A My aunt told me?
- 119 Q Aunt?  
A Yeah.
- 120 Q And where did she live?  
A She was keeping care of us.
- 121 Q Oh.  
A My mom and dad were in Hawaii at the time.
- 122 Q Okay. You got to stay home?  
A Pardon me?
- 123 Q You got to stay home?  
A Yeah.
- 124 Q Okay. So did you see it in the newspapers or hear  
it on the radio?  
A No. My, my aunt told me.
- 125 Q I understand. But after that?  
A Oh, yeah. It was all over the school and, you  
know, the whole area.
- 126 Q And there were police around, I take it?  
A Yes, there was.
- 127 Q So in the next few days you could tell the police  
cars, police around looking, that sort of thing?  
A Yes.
- 128 Q Okay. So anyone in the neighbourhood would see  
these police cars or could see them I take it?  
A Oh, yeah.

- 129 Q Right. And the neighbourhood got to know it of course?
- A Yes.
- 130 Q I take it you didn't hear any screams or shouts that morning?
- A No, I didn't.
- 131 Q You didn't hear anyone shouting in the back alley or anything like that?
- A No, I didn't.
- 132 Q Okay. And no one reported to you that they had heard that?
- A No.
- 133 Q I want to be clear, what were you doing when you found that knife handle? Playing in the back yard, or?
- A Playing in the back yard, yeah.
- 134 Q And was there snow covering the back yard?
- A Yes, there was.
- 135 Q Or was it tramped down or do you remember what it was like?
- A There was snow, you know. I can't really remember if it was tramped down or not. I, I don't think it was.
- 136 Q Do you remember the day you found it?
- A March the 2nd.
- 137 Q And the police I understand, as you said, were

searching there. Did you see them searching in  
your yard?

A A little bit.

138 Q And by that I mean looking in the snow and that  
sort of thing?

A I can remember them looking along the fence line.

139 Q Inside the yard?

A Yeah, on both sides. Not too much into the yard  
though.

MR. BERESH: Those are my questions, sir.

Thank you very much.

THE COURT: All right. Any re-exam?

MR. JOHNSTON: No, Your Honour.

THE COURT: All right. You are excused,  
sir. Thank you very much.

MR. JOHNSTON: Thanks for coming. Giles  
Beauchamp, please, Your Honour.