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WILLIAM CAMPBELL

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WILLIAM ALEXANDER CAMPBELL

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

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COURT: I think it probably would and I think it would require ten minutes anyhow, maybe more. Fifteen probably.

MR. CALDWELL: Fifteen probably, if Your Honor pleases.

COURT: Yes.

Court is adjourned.

Court is resumed.

WILLIAM ALEXANDER CAMPBELL (SWORN) TESTIFYETH:

EXAMINED BY MR. CALDWELL:

- 1 Q. Mr, Campbell, I understand and I believe that's still the situation, that you operate Belmont Texaco Service Station in Saskatoon?
- A. That's correct.
- 2 Q. And that's at 22nd and Avenue W, is it?
- A. 22nd Street and Avenue W, right,
- 3 Q. Add just as a matter of interest, is there another Texaco Station to either side of you on 22nd at, let's say V or X I suppose, is it?
- A. No, sir.
- 4 Q. You're the only one, atleast on those three corners?
- A. There's one on P and 22nd and one of W and 20.
- 5 Q. And those are Texaco?
- A. This is right.
- 6 Q. I see. And you're the lessees, are you there?
- A. That is right.
- 7 Q. I believe you were at work on Friday, January 31st of 1969 in the morning?
- A. That is correct.
- 8 Q. And that you went on a service call that morning?
- A. That is correct.
- 9 Q. How did the request reach you to go, Mr. Campbell?

- A. I got a telephone call to come and pull a car out because he had tried to apparently back out is the way I understood it and there was another car stuck in the lane which he couldn't get around it and he got stuck.
- 10 Q. Now, what time did you get the call?
- A. The first call would be approximately I would say about 8:30, I would think in that neighborhood.
- 11 Q. I see. And do you have, by the way, in case it's necessary, records of that somewhere?
- A. No, we haven't.
- 12 Q. You don't have a log book?
- A. No, we don't.
- COURT: That's you mean a.m., in the morning?
- A. A.m., right, between eight and eight-thirty, it would be in there for sure.
- MR. CALDWELL: Could you attend immediately on the call?
- A. (Yes, I did.
- 13 Q. Where did you go?
- A. To the back lane between T and U on the one block south.
- 14 Q. One hundred block south, eh?
- A. Right. About halfway, roughly halfway down the back lane.
- 15 Q. Did you have a name in connection with the call?
- A. No, I did not.
- 16 Q. I see. And what time would you estimate you went there?
- A. I'd say about eight-thirty. If my memory serves me correct, we left pretty well immediately after the

call came in.

- 17 Q. Did you go alone?
- A. Yes, I went alone.
- 18 Q. And with a tow truck?
- A. Yes.
- 19 Q. And when you got to that area, what did you find?
- A. I found a - two cars, or one car at first that I knew was stuck and then when I pulled that car out the people in the car behind me asked me to pull them out, they were stuck too.
- 20 Q. What was the first car?
- A. At the time I thought it was -- it was a red and white car and at the time I thought it was roughly a '63 Ford. I didn't pay that much attention to it for the simple reason that I wasn't interested in it.
- 21 Q. In connection with the red and white car, did someone identify themselves as the owner of it and pay you and so forth?
- A. Of the red and white car?
- 22 Q. Yes.
- A. Yes.
- 23 Q. Do you remember who that person was?
- A. I -- Just the gentleman that was driving it, that was all.
- 24 Q. I see. You don't today remember the name?
- A. No, I don't.
- 25 Q. I see.
- A. I was never gave the name in the first place.
- 26 Q. Okay. And so that you were successful in getting it moved, what was it, a matter of towing it or ...

- A. He was just stuck, that's right.
- 27 Q. And you just ...
- A. We just hooked the cable on him and lifted him out, that was all.
- 28 Q. Then you said another car was behind it?
- A. This is correct.
- 29 Q. Now that lane, as I understand it, runs north and south?
- A. That is correct.
- 30 Q. And which way would the second car
- A. They were both pointing south.
- 31 Q. Pointing south, and it would be
- A. The red car was further south than the gray one.
- 32 Q. Yah. And they would be, I presume, essentially in the laneway when you saw them?
- A. Right in the lane.
- 33 Q. Now, when you got the first car free, you became aware of this second car?
- A. This is correct.
- 34 Q. What sort of a car was it?
- A. It was a '58 Pontiac. It had a darker coloured hood, which was gray, than the rest of the car.
- 35 Q. I see.
- A. Other than the colour and the body and the rest of the car, I wouldn't be sure. I know the hood was gray and it was a different coloured hood than the balance of the car.
- 36 Q. Were there people in the second one?
- A. Yes, there was.
- 37 Q. How many?

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- A. This I couldn't be sure of. I think there were three but I wouldn't be sure of it.
- 38 Q. Do you remember the - male, females, age type of thing?
- A. The person that spoke to me about pulling the second car out, I estimated him at roughly nineteen years old.
- 39 Q. Right. And I presume a male from what you say?
- A. Yes.
- 40 Q. And can you tell the Court anything about the others, like the approximate ages or anything?
- A. No, at that time they were in the car and it was forty below out and it was cold and I was cold and my theory was to do the job and to move out as fast as possible. I wasn't looking for anything.
- 41 Q. It sounds like a sound theory. So then what did you do about the second car?
- A. Well, the person that came up to me from the second car asked me how much it was for the tow amount and if I remember correctly, I think it was three dollars, at that time he told me that he didn't have the money and in turn I left.
- 42 Q. Alright. And where did you go then?
- A. Back to the garage.
- 43 Q. Did you see anymore of any of the people involved with that Pontiac car?
- A. Well, this did appear again. Now, in myself in particular, the only thing that happened there was that they had came back to the garage approximately ten minutes later and said they had the money now

to pay for a tow job and which I sent my man out with the truck to do the tow job. When he got out there

44 Q. Well, don't

A. Okay, fine.

45 Q. Now, had you went right back to the garage?

A. I went directly back to the garage,

46 Q. And then who appeared there when you saw them?

A. Well, just this chap that had been at the car,

47 Q. I see. The fellow who had spoken to you at the car?

A. Right.

48 Q. And it was you he dealt with initially at the station?

A. This is right.

49 Q. How much later was this?

A. It would be about ten minutes, probably, later.

50 Q. About what time of morning would you estimate it would be getting to be then?

A. Well, when the tow truck left to go out to the call the second time, it would be approximately in the neighborhood of five minutes to nine, it was within the half hour from the time that I had left the first time.

51 Q. I see. Now, did you see anymore of that person whom you had talked to at the scene and talked to at the station, that is where the car was stuck?

A. No.

52 Q. Can you look around please and tell the court whether that person is in the courtroom here today? Take

your time.

A. Well, as far as that goes, I -- I mean, this is too long ago. We see hundreds of faces every day, especially on a morning where it's forty below, thirty-five below. We have something in the average of about thirty-five to forty, tow calls, I mean, you just can't remember every face you see.

53 Q. I understand.

A. I wouldn't even attempt to actually try and pick out a face, you know, the vehicles I know, the car, and it's like ---

54 Q. Yah.

A. And we gauge ourselves more by vehicles than we do people when it comes to this.

55 Q. Okay. And did you obtain a name from this chap at all?

A. No, we did not.

56 Q. Okay. Who was it you despatched on the call?

A. Gary McQuay.

57 Q. And that would be from the station, I presume, and shortly after this fellow showed up?

A. This is correct.

58 Q. Now, I'm sorry, did you say that anyone came with him or not?

A. No, I was in the station at the time that the -- just from memory, that it was the same person that had talked to me at the car came to the station, this is only half an hour apart at that point, I mean, you recognize, you know it is the same person.

59 Q. Yah. But he came into the station?

A. Right.

60 Q. Now, did you go out and see how he had arrived or anything?

A. No, I did not.

61 Q. So I take it all you saw was him?

A. Correct.

MR. CALDWELL: Yah. Thank you. Your witness.

WILLIAM ALEXANDER CAMPBELL:

CROSS-EXAMINED BY MR. TALLIS:

1 Q. Mr. Campbell, I just have a few questions. You told my learned friend, Mr. Caldwell, that you got this call around 8:30 in the morning?

A. Between 8:00 and 8:30.

2 Q. Between 8:00 and 8:30. Then you proceeded as quickly as you could under the circumstances to that particular point?

A. This is correct.

3 Q. Now, when you -- Dealing with the latter part of your evidence, you mentioned a man coming back and you despatching one of your employees to look after it?

A. This is correct.

4 Q. About what time would you estimate that to be, and here again, I'm not trying to pin you down.

A. I'd say roughly five to nine, because it would be within the half hour.

5 Q. In the vicinity of nine in the morning?

A. That is correct.

6 Q. Now, you spoke to this man in your garage, I take it?

A. This is right.

7 Q. And the lighting would be quite good in there?

A. This is right.

8 Q. And I take it that you noticed nothing unusual about him at that time?

A. No, we weren't looking for anything.

9 Q. No. I was going to say this. You weren't specifically looking for anything?

A. No.

10 Q. But there was nothing in particular that caught your eye?

A. This is right.

11 Q. And I assume that you were interviewed by the police shortly after?

A. This is right.

12 Q. And naturally your memory at that time would be better than today?

A. It is not. Not in this case, no.

13 Q. I see. What I'm getting at is if there had been anything unusual when the police interviewed you, that you had noticed, you would have told the police?

A. This is right, if you were looking for something, yes, this is right.

14 Q. And you simply indicated to them that you hadn't observed anything unusual?

A. Yah, I imagine.

15 Q. And that's really all you can say about this whole incident?

A. At this point, yah.

16 Q. There's nothing you can add to what you have told my learned friend or myself?

A. No.

MR. WALLIS: Yah. Thank you.

MR. CALDWELL: I just have one ...

COURT: One question?

MR. CALDWELL: I just want to have a moment.

MR. CAMPBELL: I'm sorry.

MR. CALDWELL: I'll just have a word with my learned friend. I have no re-examination.

COURT: That's all then for you. Thank you for your attendance. You can either go back to work or stay, whichever you wish.

GARY MCQUANE (SWORN) TESTIFIETH:

EXAMINED BY MR. CALDWELL:

COURT: How do you spell your name?

A. The last?

COURT: The last name.

A. M-c-Q-u-h-a-e.

COURT: Mc-Q-u-h-a-e. Capital Q?

A. Yah.

COURT: Alright. These Scotch names are sometimes spelled in rather a funny way.

MR. CALDWELL: Is it Mr. McQuane?

A. Yah.

1 Q. What are your first names?

A. Gary Leslie.

2 Q. Gary Leslie. Now, I believe that you did work or do now work at Belmont Texaco Service at 22nd Street and Avenue W in Saskatoon?

A. Right.