

MARY ALICE MARCOUX, IN THE WITNESS BOX.

THE COURT:

Q What is your name?

A Mary Marcoux.

Q How old are you?

A Twelve.

Q Are you going to school?

A Yes.

Q What school are you going to?

A St. Mary's. 10

Q St. Mary's?

A Yes.

Q And that's the Roman Catholic school on 20th
Street?

A No, it's on - yes.

Q Just off 20th?

A Yes.

Q Do you live at home with your family?

A Yes.

Q Your father and mother? 20

A Yes.

Q And have you brothers and sisters?

A Yes.

Q Are you the eldest in the family?

A No.

Q Where do you come in the family?

A Fourth.

Q You're the fourth; and how many children are
there altogether?

A Seven. 30

Q Seven altogether; and what grade are you in?

A Seven.

Q Grade seven; I assume you went into grade seven

last fall, did you?

A No, I was in grade six last fall.

Q Well, when were you put into grade seven?

A September.

Q Well, that's what I mean - you started up into grade seven in September then?

A Yes.

Q I see; and how do you get along in school?

A Fine.

Q What kind of grades do you get? 10

A B's.

Q B's; have you always passed your year?

A Mhm.

Q Do you go to church?

A Yes.

Q That's the Roman Catholic church, I take it?

A Yes.

Q Do you go regularly?

A Yes.

Q That's every Sunday? 20

A Yes.

Q And does that include just church or is that also Sunday School?

A No, we don't have Sunday School.

Q You don't have Sunday School?

A No.

Q How long have you been going to church?

A Oh, I don't know; since I was old enough.

Q Ever since you can remember I suppose?

A Yes. 30

Q Have you received religious instruction from the priests, that is religious instruction with

respect to what religion means?

A Yes.

Q And what the bible means?

A Yes.

Q And Jesus Christ?

A Yes.

Q And have you received the same type of religious instruction from your parents?

A Yes.

Q When you're at home are there ever any prayers 10
said or any invocations, you know, blessings
asked for and that sort of thing?

A We ask grace for meals and we used to say the
rosary.

Q I see; do you know what it means to tell a lie?

A Yes.

Q Is that a good or a bad thing?

A Bad.

Q Do you believe that God will reward people who
do good things and punish people who do bad 20
things?

A Oh yes.

Q Do you know what it means to take an oath on
the bible?

A Yes I do.

Q What does that mean?

A To tell the truth.

Q And what would happen if you don't tell the
truth?

A Well, you would go to hell. 30

THE COURT: I see; thank you.

This witness may be sworn.

MARY ALICE MARCOUX, sworn, states:

MR. CALDWELL, examining:

Q Mary, how old are you again?

A Twelve.

Q And would you please speak up so everyone can hear you?

MR. TALLIS: You can lead on many of these things, Mr. Caldwell.

MR. CALDWELL:

Q And you're in school and grade I believe if I can remember what you said . . ? 10

A . . grade seven.

Q Now, what is your home address?

A 105 Avenue "N" South.

Q And I believe that generally you walk to school daily during the school week to St. Mary's?

A Yes.

Q And I believe that you did so Friday January the 31st 1969 or at least started out to school that morning? 20

A Yes.

Q And do you know your directions up around your home and school there?

A Yes, I guess you could say that.

Q Alright. Well, I'd like to show you P.1, Mary, and there has been evidence - maybe you could just stand for this - that this is a sketch of the block that includes 20th Street, 21st Street, Avenue "N" and Avenue "O"; and north is at the top? 30

A Mhm.

Q And that this 1402 I believe there's been

evidence is Westwood Funeral Home?

A Yes.

Q Do you know where it is?

A Yes I do.

Q Where would your home be?

A It would be over here.

THE COURT:

Q A little louder please?

A It would be over here some place.

MR. CALDWELL:

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Q And you're pointing off the right hand top of the drawing as we're looking at it, aren't you?

A Mhm.

Q Now, on that morning what route did you follow to school?

A Well, I went down Avenue "N" until I got to 19th Street - that would be right here (indicating).

Q Now, just a minute - what street?

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MR. TALLIS: You can lead her on those matters, Mr. Caldwell.

A It would be 19th Street; and I would go down and walk down the back alley.

Q Alright, let me suggest then that you came south on "N" and west on 21st Street?

A Mhm.

Q Is that right?

A Yes.

Q And you got to a back alley?

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A Yes.

Q And were you aware, Mary, that there had been

an apartment block being built there that time?

A Yes I was.

Q Would it correspond with this rectangle shown
"Apartment Block" here?

A Yes.

Q And did you go south down this alley?

A Mhm.

Q And were you by yourself?

A Yes I was.

Q And what time did you leave home?

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A About twenty-five after eight.

Q And was that your normal route?

A No, it wasn't.

Q Alright; and as you went south down the alley
was it darkness, daylight or what?

A It was foggy.

Q How about the light - could you see at all?

A Well, it was pretty light but it was still
foggy.

Q Foggy; and as you went on south in that alley
did you come across something?

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A Yes I did.

Q What was it?

A A body.

Q And what was the first you knew that there was
a body there, Mary?

A Well, there was just a coat at first.

THE COURT:

Q Just a what? Just a coat?

A Yes.

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MR. CALDWELL:

Q You saw a coat; and did you come closer?

- A Yes.
- Q And when you got closer did you see that it was a female body?
- A Yes I did.
- Q I show you P.4, photo #6. With the exception of the van and the people at the end of that alley does that scene look reminiscent of what you saw?
- A Yes, it does.
- Q Any difference particularly? 10
- A Well, that (indicating).
- Q I think that's just a flaw in the photograph - but about the body?
- A Yes.
- Q How does that compare?
- A That was right.
- Q That was right, eh?
- A Yes it was.
- Q And when you got up closer, Mary - I show you number 4 and again with the exception of the 20 van and that piece of surveyor's rod, how does that compare with the situation you found?
- A Yes, it was.
- Q Yes it was like that, was it?
- A Yes it was.
- Q When you saw that much were you still alone?
- A Yes sir.
- Q Now, did some other people show up there, Mary?
- A Yes.
- Q Who were they? 30
- A It was a Hnatiuk boy.
- Q A Hnatiuk boy and you would know him from before,

would you?

A Yes.

Q And when he showed up did you and he do something?

A I told him to go tell his mother.

Q Alright; and did he leave then?

A Yes.

Q And did you go and see his mother too?

A Well, yes I did.

Q At the same time he did?

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A No, after; a little after.

Q And was Hnatiuk's house somewhere near the body?

A Yes, one house away.

Q Pardon?

A One house away.

Q One house away; and did you go to see Mrs. Hnatiuk?

A Yes I did.

Q Did you tell her what you had found?

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A Yes.

Q Did she send you somewhere?

A Yes, to the Westwood Funeral Home.

Q To the Westwood Funeral Home and did you go along there by yourself?

A Yes.

Q And did you see somebody there?

A At the funeral home?

Q Yes.

A Yes, like there's two apartments for the family and I told the mother Mrs. Murdoch.

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Q Mrs. Murdoch - about what you had found?

- A Yes.
- Q And as a result of that did somebody come out?
- A Yes - the assistant.
- Q Speak up a little louder please?
- A The assistant came out.
- Q The assistant; did you know his name?
- A No.
- Q And what did he do?
- A Well, he went - well I showed him where the
body was and he went there and he lifted up 10
her shoulder and he said "Well, you were right",
or something like that I think. And then by
that time Mr. Murdoch had come out and he said
something to Mr. Murdoch and then went and got
a blanket.
- Q Well, you took him back to where it was, eh?
- A Yes I did.
- Q Now, I want to show you P.4 photograph #4 again
please and I think that there is an area around
the body that seems to be so to speak trampled 20
down in the snow?
- A Yes.
- Q Now, was any of that done by you or your friend
the Hnatiuk boy?
- A No.
- Q How did the area look compared - like, when you
arrived there how did it look compared to the
photograph as far as the snow trampling
condition?
- A It was something like that. 30
- Q Something like this, eh?
- A Yes, as far as I can remember.

Q As far as you can remember?

A Yes.

Q And while you were there when you and this boy and the assistant were there did anyone else go right up to the body?

A No.

Q Did you interfere or touch it in any way?

A No.

Q I think you said the assistant covered the body with a blanket?

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A Yes.

Q Where did you go after that?

A Well, Mr. Murdoch told me to go back to the apartment because the police wanted to question me.

Q Did you go back to Westwood Funeral Home?

A Yes.

Q And up into an apartment or living quarters over it?

A Yes.

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Q And did the police eventually come and see you there?

A Yes.

Q And you told them what you knew, did you?

A Yes.

MR. CALDWELL: Thank you, your witness.

MR. TALLIS, cross-examining:

Q Mary Alice, what time did you leave for school that morning?

A Twenty-five after eight.

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Q Twenty-five after eight?

A Yes.

Q And as you went down this alley where you came upon the body I take it you didn't see anybody else in the alley?

A No.

Q Around the apartment block I gather that there were already a bunch of men at work?

A Yes, there was.

Q And you estimated to the police and I believe at the preliminary about fifty persons?

A Well, maybe not that many.

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Q That may be a little bit on the high side?

A Yes.

Q Thinking about it since then would it be more like twenty or thirty?

A Yes.

Q Something like that; and I gather that apart from this gentleman from the funeral home just lifting up the shoulder a little, the body was left in the same position . . . ?

A Yes.

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Q . . . as when you came upon it - is that correct?

A Yes.

Q And you didn't see anyone else move it or anything like that?

A No.

Q And it was a gentleman from the funeral home that put the blanket over the body?

A Yes.

Q And I take it after you went to the funeral home you didn't go out there at all to the alley?

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A No.

Q Pardon?

A No, I didn't.

MR. TALLIS:
Lord.

No further questions, My

THE COURT:

Thank you; you may go.

MR. CALDWELL:
Lord.

I call Rae John Murdoch, My