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RAE JOHN MURDOCK

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

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MR. CALDWELL: I call Rae Murdock. Your Honor, there are two witnesses that were phoned should be here, I suspect they may have been either in the wrong part of the building or two minutes away, now I don't know if you wish to adjourn but I can go out and make inquiries.

COURT: I think we will have you go out and make inquiries.

MR. CALDWELL: They're the next ones who I would like to call.

COURT: Very well.

MR. CALDWELL: Thanks, Your Honor. Yes, Your Honor, I just reached those witnesses and I don't know why but they are just leaving now and they will be five minutes getting down, I apologise for this. We try to arrange it such that witnesses don't sit and sit and sit and it's on the understanding that they will be here when you call. Now they may have been in some sort of emergency. I wonder if I can ask the court to rise for ten minutes and I think they can both be heard before noon easily.

COURT: Alright.

Court is adjourned.

Court is resumed.

RAE JOHN MURDOCK (SWORN) TESTIFIETH:

EXAMINED BY MR. CALDWELL:

- 1 Q. Mr. Murdock, I believe that you are the manager of Westwood Funeral Chapel that's on 20th Street in Saskatoon?
- A. Yes.
- 2 Q. On what avenue is it located?

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- A. Corner of Avenue N and 20th.
- 3 Q. On which corner are you on there?
- A. The northwest.
- 4 Q. The northwest?
- A. The northwest.
- 5 Q. And I believe you have living quarters at the Funeral Home?
- A. Right. Yes.
- 6 Q. Now, are there two apartments?
- A. There are, yes.
- 7 Q. And you occupy one, do you?
- A. Right.
- 8 Q. And who's in the other one?
- A. Mrs. Marjorie Johnson.
- 9 Q. I see. Now, does Mr. Michayliuk live at the Funeral Home?
- A. He does. He lives downstairs on the lower floor.
- 10 Q. This is in addition to the two apartments you mentioned?
- A. Right, he sleeps there.
- 11 Q. Alright. Now, I believe you were at the Funeral Home on the morning of Friday, January 31st, 1969, early in the morning?
- A. I was in my apartment .
- 12 Q. I believe you had a person arrive there and advise you of a body in the lane?
- A. Yes. She didn't say a body, she said there was a lady laying in the lane.
- 13 Q. Did you know this person who arrived?
- A. Not really, no. She was one of the young school children from that neighborhood. I had seen her but I

wouldn't have know her ...

14 Q. You had seen her around?

A. Yes.

15 Q. Was it you she spoke to?

A. Actually when she came to the door of our apartment, it was my wife that answered the door then she called me and she explained this.

16 Q. And you got the girl's story, so to speak?

A. Oh yes, yah.

17 Q. And what did you do then?

A. I buzzed Mr. Michayliuk on my intercom to go and investigate this because he was a little bit closer to it than I was and because it was forty-two below, I thought it would be better if he went outside than me.

18 Q. And then?

A. I told him about this and I said I'll be out there in a couple of minutes ...

19 Q. I see.

A. But at the time, as I say, we didn't know what was out there and we thought we might be of some help.

20 Q. Alright. Did you in a few minutes get out there yourself?

A. Yes.

21 Q. The situation of the block on which your premises are located - I believe, I'll show you P. 1. This is a sketch of that block showing 20th, Avenue N, Avenue O, 21st Street.

A. Mhm.

22 Q. I believe this is the Funeral Home?

A. Right. Right.

23 Q. 1402 and this is what has been called a T intersection.
A. Mhm.

24 Q. And that's how you know it?
A. Yes, that's right, that's right.

25 Q. Where did you go when you went out?
A. I went out the back door of our premises which enters on to the lane that runs parallel to 20th Street, and then I went west down that lane and just as I would be, oh, maybe almost to the corner of that T ...

26 Q. Yes.
A. When Terry Michayliuk, he had already reached that point where the body was and seen it and he was on his way back ...

27 Q. Yes.
A. And we met there and I asked him, you know, what was the situation.

28 Q. Right.
A. Whether we needed an ambulance or not and he said that we did and we also needed the police, that he was pretty sure that the person was dead.

29 Q. And did you go on up?
A. Then I went - he went back to telephone and I went on up to where the body was laying.

30 Q. What was the situation when you got up there?
A. Well, this body was lying face down and I didn't examine it closely at all, because I knew that the police would be coming and so forth and they would do this and I just moreless stood there, kindof - there were children going to school down that lane and I just kindof kept them moving along sort of, just for a few

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moments and when Terry come back therefrom calling the police, we thought perhaps we should cover it with something so that, you know, as I say, these children were kindof gathering around there and this is what we did. He went, he came back from calling and then we decided to cover it and he went back and got a blanket from my Funeral Home and we covered it and then that's all we did and then we just kind of waited there at that corner sort of until the police arrived.

31 Q. Do you happen to recall any names of the police who arrived first there?

A. No, I don't.

32 Q. Okay.

A. I should know their names. I know them when I see them but I can't recall the names.

33 Q. That's fine. I show you P. 2., photo number one, do you recognize the sort of view there? I believe there's been evidence

A. Yes.

34 Q. That's facing north?

A. That's facing north, yah.

35 Q. Alright. How does that correspond with what you saw when you walked up there?

A. I would say it's exactly like that. I came around and walked up this lane here.

36 Q. And the cars, of course, would not be there when you were there?

A. No, no, no, no. The first police that did arrive came this way in that lane.

- 37 Q. Alright. Photo number two, how does that compare with the situation that you saw when you got up closer?
- A. Yes, yah, that's exactly.
- 38 Q. I think this photo, as you can see, I think it indicates a good deal of tramped and flattening of snow?
- A. Right, right, right, I did notice that too.
- 39 Q. Was it in that condition when you got there, would you say?
- A. Yes. Yah.
- 40 Q. While you were near the body, and I appreciate that you covered the body and I think Mr. Michaylink may have gone near it, but other than that, did anyone get up to the body, that is, within touching distance of it while you were there?
- A. No. No.
- 41 Q. And was any of that trampling of snow effected while you were there?
- A. No. No.
- 42 Q. And number three, with the exception of that yardstick, how does that compare with what you saw?
- A. Yes, that's exactly as it was when we came there.
- 43 Q. Do you include the position, like the manner in which the body is lying?
- A. Yes.
- 44 Q. I see. Now, you stayed until the police arrived there?
- A. Yes. I think we perhaps stayed a couple of minutes after they arrived, you know, just ...

45 Q. Yah.

A. And then we went back to the Funeral Home.

46 Q. And the only personnel from the Funeral Home were you and Mr. Michaylink who went there?

A. That's all, yah.

47 Q. Were you there at any time when the body was turned over or moved substantially to look at it?

A. No. No.

48 Q. That was not while you were there?

A. No. No.

49 Q. I see. On P. 1. again, would you possibly just point out for now where you would approximately say you saw the body?

A. Oh, I would say here,

50 Q. You're pointing right around the letter 'G' there, are you?

A. Yes.

51 Q. Okay. And aside from the temperature, what was the situation with visibility that morning?

A. Very foggy.

52 Q. Was that still so when you went out?

A. Pretty much, yes. In fact, it was really - it was heavier then, much heavier then than it was a half an hour later.

53 Q. And what time approximately did you go out to the body?

A. Oh, it would be 8:35.

54 Q. I see.

A. It would be 8:25 when the girl came to the door. I think 8:25 to 8:30.

55 Q. When you were there, from what you have said about the photographs, I take it the clothing was in that disarrangement?

A. It was. This is something I did notice.

56 Q. Was there anything of a foreign nature in the snow or the area around the body?

A. By foreign nature?

57 Q. Any stains of any kind?

A. Yes, a few blood stains but not an awful lot.

58 Q. But you could discern some, could you?

A. Yes.

59 Q. And as I understand you, you only took the one trip there and back?

A. At that time, yes. I was out there after the body had been removed, talking to the police.

60 Q. I see. But as far as when it was there, you just went out once, stayed and then went back?

A. That's right.

MR. CALDWELL: Thank you, your witness.

RAE JOHN MURDOCK:

CROSS-EXAMINED BY MR. TALLIS:

1 Q. Mr. Murdock, I gather that when you arrived there, it was obvious to you ofcourse that this girl had apparently been killed, or was dead? Perhaps I should put it that way.

A. Yah.

2 Q. And did you, even as a layman, look around to see if there were any tracks or anything of any significance as you approached the body?

A. I didn't really look around. I noticed the area particularly where the body was, the snow was quite trampled.

3 Q. Did you notice any foot marks or anything in your observations there?

A. Not No.

4 Q. I gather that this alley that runs north and south is one that was used by motor vehicle traffic?

A. Yes, it was impact,

5 Q. It was impact?

A. Yes,

6 Q. With the tire lines of travel?

A. Yes,

7 Q. And I suppose the same thing would apply to the east - west lane which runs really not far from your place?

A. I suppose.

8 Q. I mean, was it used by traffic quite frequently, or what was the situation?

A. It is used quite frequently, although it's not used as much at that time of year as it is -- but it's quite heavily travelled, yes.

MR. TALLIS: No further questions.

MR. CALDWELL: No re-examination.

COURT: Thank you.

TERRY MICHAJLIUK (SWORN) TESTIFIETH:

EXAMINED BY MR. CALDWELL:

1 Q. Mr. Michajliuk, I believe you work as an assistant manager at Westwood Funeral Chapel on 20th Street and Avenue N in Saskatoon?