

TRIAL TESTIMONY

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Exam of R.J. Murdoch

RAE JOHN MURDOCH, sworn, states:

MR. CALDWELL, examining:

Q Mr. Murdoch, I believe that you are the manager of Westwood Funeral Chapel and that it's at 1402 20th Street West in Saskatoon?

A That's correct, yes.

Q And that is at Avenue "N" and on the northwest corner, as I understand it?

A Yes, that's right.

Q And I believe that Terry Michayliuk is an assistant of yours there? 10

A That's correct, yes.

Q And I believe on Friday January the 31st of 1969 that you were present in the place and in fact you and your wife actually lived in quarters above the funeral home?

A That's right, yes.

Q Did Michayliuk live there - or did he then?

A He did and he still does on the lower floor.

Q Right; now, I believe that morning that you had a girl arrive at your premises there; were you the first one to see her or deal with her? 20

A No; she came to the door of my apartment and my wife answered the door.

Q And did you learn something from your wife about what she had in mind?

A Yes. She called me to the door to say that this girl was there.

Q Did you speak to this girl?

A Yes. 30

Q Do you know her to see her or anything?

A Not at that time; I wouldn't have known what her

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name was; I've seen her since and of course I know what her name is now.

Q But you would know her as a child around the neighborhood?

A That's right.

Q And that's Mary Alice Marcoux?

A Correct, yes.

Q And initially who went out with her as a result of her going there?

A From my place Mr. Michayliuk went out ahead of me. 10

Q Mr. Michayliuk?

A Yes.

Q And did he return back shortly to the funeral home?

A Before I - I went out there before he had completely returned to the funeral home. I met him out in the lane.

Q And did you talk to him there - Michayliuk?

A Yes. 20

Q You found out approximately what was going on, did you?

A What the situation was.

Q And as a result of talking to him where did you go?

A I went on to where he had said that this body was and he went back into the funeral home to call the police.

Q Did he go back with you to where the body was or did you go there and he came on back to the funeral home? 30

A That's right.

Q The latter?

A The latter is correct.

Q I'd like to show you P.1 briefly; there's been evidence this is a scale drawing of the block in which I believe your funeral home is located and that it is the thing shown as 1402?

A Yes.

Q And that this is Avenue "N", this "O", this 20th, this 21st Street?

A Mhm.

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Q Now, can you indicate - just point out on this thing if you would where approximately you feel the body was when you got there?

A Right there (indicating).

Q Speak up please?

A It would be in this area here.

Q And that's in the north-south alley, is it?

A Yes.

THE COURT: This area doesn't mean much unless you . . .

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MR. TALLEY: . . . My Lord, I have no objection to my learned friend leading on this.

THE COURT: Refer to the designations on there.

MR. CAMPBELL: Yes, My Lord -

Q How about those letters on there, Mr. Murdoch?

THE COURT: A, B, C, D and E.

A Yes, in that area.

MR. CAMPBELL:

Q And when you got there you located the body at that place, did you?

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A Yes.

- Q And did you check it for life?
- A No, I didn't really; I didn't go that close to it; I didn't touch it.
- Q When you got there was there anyone else in the vicinity of the body?
- A Well, the Marcoux girl had gone back. She would be standing at the point where these lanes intersect, but there was no one else in the immediate area. There were people at the other end of that lane and coming south in that lane. 10
- Q What people were these?
- A Children.
- Q Did you more or less direct traffic past the scene then?
- A Yes, yes.
- Q By that I mean pedestrian traffic?
- A Correct.
- Q And this was mainly school kids?
- A Entirely school kids that I saw.
- Q Now, once you got to the place where the body 20 was did you stay there for some while?
- A Just until the police arrived.
- Q And do you know the names of the first policemen who arrived?
- A No, I don't.
- Q Do you know them to see them?
- THE COURT: It really doesn't make much difference.
- A I can't say that I would remember them.
- MR. CALDWELL: 30
- Q Were they uniformed or plain clothes officers?
- A Plain clothes.

- Q And you were still there when the first police arrived, were you?
- A Yes.
- Q Now, I believe the situation is that a blanket was brought from the funeral home to where the body was?
- A That's true.
- Q Who did that?
- A Terry Michayliuk got the blanket.
- Q And what color blanket was this? 10
- A Blue.
- Q You worked there daily so to speak at the funeral home?
- A Yes.
- Q And did you have one or more than one blue blanket in use?
- A Only one in use.
- Q And is that the one?
- A That's the one.
- Q Did it return back afterwards? 20
- A It did.
- Q Now, Mr. Murdoch, in due course did a police officer get a sample of the blanket from you?
- A Yes, they did.
- Q And the sample they got, was it from that same blanket?
- A It was.
- Q I want to just briefly show you P.4, photograph A1; how does that compare with the view you would see when you started say north in the T-shaped alley? 30
- A That's the same except that automobile wasn't . .

- Q . . was not there; and how about the body
itself?
- A Oh yes, yes.
- Q And in number 2, a closer up view, would this
still be the way you would be approaching,
moving from south to north?
- A Correct, yes.
- Q Now, I show you what appears to be an area
trampling in the snow around the body - you
see that? 10
- A Yes.
- Q Now, was that like that or different when you
got there?
- A It was like that.
- Q Like it shows here, eh?
- A Yes.
- Q And as far as you were aware was any of that
done by you or the people looking at the body?
- A Not as far as I was concerned, no.
- Q At least not when you were there at any rate. 20
And aside from Mr. Michayliuk and the police
that arrived were there any adults around the
immediate scene from the time you came out and
started looking around?
- A Not that I recall, no.
- Q And while you were there was anyone but
yourself or Michayliuk right up to and touch
the body?
- A No.
- Q And you said you did not do that? 30
- A No, I didn't.
- Q Was there any discoloration in the snow area

surrounding the body?

A There was some blood spots.

Q Mr. Murdoch, I want to ask you as of January the 31st 1969, the day of this event, you're familiar with the funeral homes in this city, is that right?

A Yes.

Q Alright, would you just very briefly tell us the location of any other funeral homes in the city as of that time? 10

A There's one located at Third Avenue and 20th Street.

Q Which is that?

A McKague's Funeral Home. There's one at Fourth Avenue and 25th Street - Saskatoon Funeral Home. And there's one in the 300 block on Third Avenue North, which is Park Funeral Chapel.

Q And were those the only other funeral homes or chapels or what-have-you in Saskatoon at that time? 20

A Yes. The former location of Saskatoon Funeral Home was on Second Avenue but it wasn't operating; they hadn't operated in that location since their new building was built on Fourth Avenue.

Q As I understand that then, Westwood Funeral Chapel would be at any rate the only one say west of Idylwyld Drive in the city on that date at least?

A That's correct, yes. 30

Q And the lane that's shown in P.1 - that big sketch - is a T-shaped lane and the top of the T

so to speak runs right behind your premises?

A Yes.

Q And I take it of course that - showing you P.1 again - there's the usual driveway from the street or entrance into the lane from Avenue "N" and at the other end out on to "O"?

A Yes.

Q And at about that time around the 31st of January was that lane the top of the T open to vehicle traffic?

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A Yes.

Q And was it used to any extent to your knowledge?

A Quite an extent.

Q And was it passable - travelable by cars, trucks and so on?

A Yes.

Q And I presume likewise with the north-south part of the T?

A Yes.

Q And I may have asked you, sir, but in photograph 20 2 of P.4, from what you saw of the body would the arrangement of clothing that you saw appear to be as shown in photo 2 of P.4?

A Yes.

MR. CALDWELL: Thank you; your witness.

MR. LALLIS, cross-examining:

Q Mr. Murdoch, just a couple of questions. I take it first of all it's common ground between us that it was about forty-two below that morning?

A That's what I understand; it was awfully cold 30 anyway.

Q Well, you gave that evidence in the court below?

A Yes.

Q And that's your best recollection?

A Right.

Q And secondly, I gather that it's common ground between us that when you first saw the body it was laying face down?

A Yes.

Q And you did nothing whatsoever to disturb it?

A No, I didn't.

Q And as a matter of fact kept the kids moving by 10 it so that it would be as unmolested as possible for the police when they came?

A Yes, that's right.

MR. TALLIS: No further questions.

THE COURT: Thank you.

MR. CALDWELL: I call Terry Michayliuk.