

: David Edgar MILGAARD,  
 Charge - Non-capital murder - 202A(3) and 206(2) C.C.  
 Prel. - Aug. 18/69 at 9:30 a.m., court house  
 Occ.#641-69

SUMMARY - On Jan. 31/69 approx. 1:00 a.m. David Edgar MILGAARD, Ronald Dale WILSON and Nichol JOHN, started from Regina in Wilson's 1958 Pontiac for Saskatoon.

At Aylesbury, Sask. they stopped. Milgaard broke into the UGG grain elevator office and stole a flashlight.

They intended to met Albert Henry CADRAIN in Saskatoon and then continue to the west coast.

Enroute to Saskatoon they talked of committing a break-in or snatching a purse. Milgaard was observed to have possession of a paring knife which Wilson and John now state appears to have been similar to the murder weapon.

They arrived in Saskatoon approx. 6:30 a.m. This appears accurate in that John states she asked the time as they arrived in the city.

They are alleged to have been looking for Cadrain's address. This does not seem altogether true as Milgaard is reportedly to have been staying with Cadrain at 334 - Ave. O south for approx. 4 days during the fall of 1968. This is approx. 2 blocks from where the murder occurred.

They are also alleged to have met a female walking on a street from whom Milgaard asked directions and offered her a ride which she refused. They allegedly continued to the entrance to a east-west lane where they allegedly became stuck. The police have not been able to determine the truthfulness of this.

When the body of Gail Olens Miller was found the top of her nurse's uniform was pulled down to her waist. There was no holes in this part of her clothing. She was wearing a top coat with holes in it. Her right overboot and sweater were found buried in the lane. The sweater had no holes in it. This would suggest that the uniform top and sweater were removed and the top coat put back on.

Wilson and John in their statements to the police were not definite as to exact locations at all times. It would appear that if they were looking for Cadrain's address they were driving about in the general area of the murder scene and Cadrain's. They appear to have been proceeding south in the 200 blk. Ave. N south when they observed Miller approx. 7:00 a.m. walking south on the west sidewalk. Wilson who was driving pulled to the curb. John sat in centre front, while Milgaard sat in right front. Milgaard opened his door and allegedly asked Miller for directions and offered her a ride. Miller refused the ride. Miller apparently was catching a Pleasant Hill bus at Ave. N - 20th. St. to City Hospital where she was employed as a nursing assistant. The three then continued south on Ave. N to where a east-west lane is. Here they allegedly attempted to make a U-turn and became stuck. When Milgaard and Wilson could not push the car free, Milgaard went toward where they had just spoken with Miller. Wilson states he went toward 20th. St. John states she observed Milgaard leading Miller into the east-west lane, jabbing at her with the knife and disappear around a corner in the lane. The east-west lane is T-intersected by a north-south lane. John states she ran, but is not sure where. Marie Indyk, who was at the north-west corner at Ave. O - 20th. St. observed a female, believed to be John, run toward her, stop and just look at her, then walk north on Ave. O. At this same time she observed a male walking north on Ave. O. She described this male as being like a ghost, as she could not hear his foot steps, while the female's steps sounded crisp in the cold snow. It is possible Milgaard was without shoes, as he was sometime later at the Trav-a-leer Motel.

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This area is further corroborated by Henry Diewald who observed the headlights of an auto in the lane to the rear of the Westwood Funeral Chapel approx. 7:00 a.m. The lights were still there at approx 7:10 a.m. He also observed Mrs. Indyk.

John states she does not remember clearly what occurred at this point but seems to recall seeing Milgaard put a ladies purse into a garbage can. The purse was found in one of two garbage cans at the rear of 1414 - 20th. St. west which is near where the murdered victim was found. John also sometime later showed Det/Sgt. Mackie the area in which this took place.

Wilson states when he returned to the car he found John in a hysterical state. Wilson got into the car and Milgaard returns. When Milgaard got into the car John moved away from him and Milgaard said something about, "I got her," or "I fixed her."

It is not clear exactly what occurred here as Wilson and John state two men arrived and assisted in pushing the car free, however the police have failed to identify such persons. Police wonder if this part of Wilson's and John's story is not somewhat shaded to cover their part. One possibility is that Miller was picked up in the car instead of just spoken to on the first instant. Keeping in mind there was two males and one female in the car at the time and it was about 40 degrees below and very foggy she might have accepted an offer for a ride. It could be possible the assault started in the car, the uniform top and sweater pulled off, perhaps even one boot, then the top coat put on again. Miller could have fled the car at the lane or been forcibly made to leave. It is hard to believe Miller would have removed the top coat in the lane and been allowed to put it on again. If this is true, who buried the sweater and boot.

Miller's body was found in the lane, the top of the uniform dress pulled to the waist and her underclothing had been pulled down around her ankles. There was a shoe on the left foot, but none on her right foot. Her brassiere had been partly removed with one shoulder strap broken. There was a considerable amount of blood on the body and clothing. There was approx. 15 incisions to the neck area and 12 stab wounds to the body. It appeared there had been quite a struggle between the deceased and her assailant. The blade of a knife was found in the snow under the body. Her gloves were found a few feet away. As previously stated the purse was found in a garbage can and articles apparently thrown from the purse such as keys, a package of chicklets, comb, lipstick and a pair of scissors were found in back yards nearby.

The body was first observed by children going to school about 8:30 a.m. and police were called.

After the offence Milgaard, Wilson and John drove into the 100 blk. Ave. T south where they came upon Mr. and Mrs. Danchuk who were stuck, with their car, in the lane. In an attempt to push the Danchuk auto, Wilson stalled his car and later had it started with aid from a Service Station. The three spent some time at the Danchuk residence.

About 9:05 a.m. they arrived at the Cadrain residence, 334- Ave. O south. Milgaard was observed to have torn trousers. He brought a suitcase into the house from the car and changed clothes in front of the others. Wilson and Cadrain observed what appeared to be blood on Milgaard's clothing. The clothing have not been located.

Milgaard had the keys for the car and left stating he wanted to drive a couple blocks. It is not known exactly where he drove. A wallet containing identification in the name of Miller, 2 hospitalisation cards and a togue, possibly worn by Milgaard, was found

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TO INFORM THAT the car was stuck. Others noted he seemed excited. Between 10:00 - 11:00 a.m. a towing service arrived on 19th. St. between Avenues N and O and towed the car with Milgaard, Wilson, John and Cadrain to a service station where it was found an oil line had broken.

Shortly after 7:00 a.m. Milgaard had been in the Trav-a-leer Motel where he obtained a map. At this time he wore no shoes.

The car was not repaired until about 1:30 - 2:00 p.m. During the wait Cadrain with John left and obtained some money from Cadrain's account. Cadrain later paid the repair bill. Milgaard and another person, possibly Wilson, kept returning to the car while it was on the hoist attempting to clean the car out. Davis, employed at Hillcrest Service had to put one of them out of the service shop.

The four paid a visit to the residence of Woytowich, 218 - Ave. D south about 2:30 p.m. Woytowich is not listed as a witness.

The four then started for Calgary, Milgaard driving. A short distance out of Saskatoon John found a compact case in the car. When she asked whose it was, Milgaard took it and threw it out the window. This articles has not been recovered.

Between Saskatoon and Calgary Milgaard drove at speeds up to 100 MPH and at times on side roads. The road condition was icy.

At Calgary Milgaard told Wilson that while in Saskatoon he had hit a girl, grabbed her purse. When she fought he had jabbed her a few times with a knife. He had put her purse in a trash can and that he thought she would be alright.

Wilson told John and she replied she already knew. This does not seem to be the complete truth as police feel sure Wilson knew something, if not all, the story while still in Saskatoon.

In Calgary Milgaard approached Cadrain about obtaining a gun and getting rid of Wilson and John. Det. Karst has this information.

From Calgary, where they purchased some marijuana, the group continued on to Edmonton, to St Albert where Milgaard met a former girl friend, Sharon Williams. They then returned to Calgary, to Banff and then to Regina where Cadrain and John were dropped off.

Early in March Cadrain returned to Saskatoon at which time he officially learned of Miller's death. After some thought he came to the police with his story.

Cause of death was believed to be the stab wound on the right posterior chest which penetrated the pleural cavity. There was two small lacerations in the lower lobe of the right lung.

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