

2

The said Keith Kitchen Hull
on oath stated that both
accused ~~called~~ ^{came} to his
room at 2 Feby St Kilda
at about 3 pm on Sunday
27th July 1947 + Barnett asked
~~Hull~~ if he would drive
them both to Pentridge
Hull finally agreed to
do so. Mrs Hull was
present and when ^{H.B. was} leaving
the room Martin said to Mrs Hull
"Seeing that Keith is going
away who is going to be
your husband for tonight."
He won't be coming back
Barnett, Martin and Hull

then left the 3 room &
got in the truck and Martin
suggested going to Neptune
Lane to see a man
and get £3 or £4 off him
They proceeded to Neptune
Lane and Martin said
"Pull up here. I'll go
over and get this money
if I can. Martin &
Barrett got out of the
truck. Martin
crossed Neptune Lane at
an angle & went to a post
on the corner of Neptune
Lane & Neptune Street

Barrett then ⁴called out to
Martin "Have you got the
opener? Martin returned
to the truck and ~~got~~ ^{opened}
a bottle of beer from
the back of the truck
with his teeth. Martin
handed the bottle to Barrett.
Hull was still sitting in
the driver's seat and Barrett
passed the bottle ~~into~~ ^{upside}
the truck and said to Hull
"Have a drink" Hull
said "I don't want one."
Barrett had a drink &
then gave the bottle to
Martin who had a drink

Hull then ⁵said to Martin
you'd better go and get
that money Charlie.

Hull stated he did not
feel too well ~~as he had~~
~~been drunk~~ all the
~~night before~~. Barrett

then turned round and
said "No. Well cop this"

Barrett had a gun in
his hand and fired

two shots at Hull
after the first shot Hull
felt a stinging in his
chest and put his

hand up and got the
second shot through
his wrist.

~~Both the~~⁶ ~~accessed~~ then

Hull leaned against
the door of the truck and
it opened and he fell
out on to the roadway
and called out Help.
Hull then got up ran
towards Robt Street.
He did not see what
happened to Martin or
Barrett. Hull was
later taken to the
Alfred Hospital.
Hull stated he did not
have any firearm in his
possession on that day

Martin prior to the 27th
 July last was residing
 at 55 Fawcner Street
 St Kilda with a prostitute
 named Dulcie Markham
 who has a long criminal
 record and has on
 a number of occasions
 been concerned in
 underworld shootings.
 Following on the shooting
 Martin left Melbourne
 and went to Mt Evelyn.
 On 31st July 1947 Dulcie
 Markham and one
 Ernie Martin a brother
 of the ~~appet~~ Charles
 William Martin

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went to the home of Hull
seeking the whereabouts
of Mrs Hull. ~~and~~

On the 20th August 1947
Dulcie Martsham Graham
killed Thompson and a
man named Bradshaw
intercepted Hull outside
his residence and
attacked him inflicting
serious injuries to Hull

I have been informed ^{by S. S. Petty} ~~every~~
believe that should the
said Charles William Marton
be released on bail

further shootings may
occur and lives of
members of the Community
may be endangered.

SUPREME COURT

Melbourne

The King

v.

*Barnett
&
Martin*

ORIGINAL SUBPŒNA

For

This Writ was issued by

FRANK G. MENZIES,

Crown Solicitor,

461 Lonsdale Street,

Melbourne.

SERVED a true copy of this Subpoena on the within-named

Dr R.A. Rolleston.

&

Dr W. J. Hamilton

on the *28th* day of *August* 194 *7*

by personally delivering the same to each of them, and at the same time I showed to each of them this original subpoena,

Endorsed on the *1st.* day of *Sept.* 194 *7*

W. W. Donnelly
Si. W. Donnelly 7740

GEORGE VI., by the Grace of God of Great
Britain, Ireland and the British Dominions
beyond the Seas, King, Defender of the Faith,
Emperor of India.

To

Mr Robert Anstie Rollason - Alfred Hospital

Mr Nicholas Talbot Hamilton - Alfred Hospital

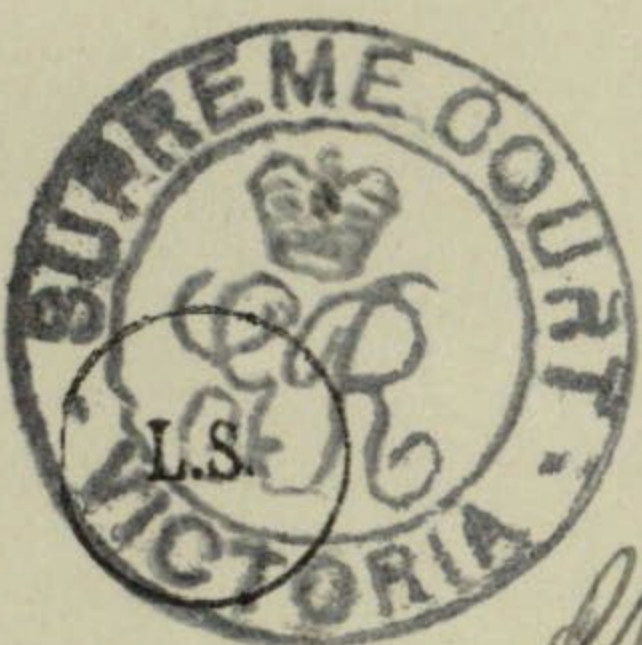
Greeting:—We command you and each of you firmly enjoining you that
laying aside all pretences and excuses whatsoever you and each of you be and
appear in your proper persons before our Justice assigned to hold pleas at the
Sittings of the Supreme Court for the hearing of Criminal trials to be holden at
Melbourne in our State of Victoria on *Tuesday*
the *15th* day of *September* One thousand nine
hundred and *forty seven* by Ten of the clock in the forenoon there to
testify the truth and give evidence on the part of the King before our said Justice
touching a certain presentment to be filed against

George Barrett and Charles William Martin

for *attempted murder*

and that you and each of you appear from day to day until the case be tried;
and this you or any of you are not to omit under the penalty of One Hundred
pounds to be levied upon your or any of your goods and chattels lands and
tenements if you or any of you shall fail in the premises.

WITNESS the Honorable Sir EDMUND FRANCIS HERRING,
K.B.E., Chief Justice of our Supreme Court of the
State of Victoria, at Melbourne, the *27th* day
of *August* One thousand nine hundred and *forty seven*



Nancey
Prothonotary of the Supreme Court.

Witnesses must report themselves each day, and any witness absent from the Court when called will thereby
forfeit all claim for expenses. Applications for expenses must be made immediately after the trial to the Crown
Solicitor.

THIS SUBPENA MUST BE PRODUCED WHEN APPLYING FOR EXPENSES

VICTORIA POLICE.—57A.

POLICE DEPARTMENT,

CRIMINAL INVESTIGATION BRANCH,

No.1. Division.

Melbourne, 22nd August 1947

SUBJECT .. { P.G.

O

Re application for bail by Charles William Martin, committed for trial to the Melbourne Supreme Court, 15th September 1947, on a charge of Wounding with intent to murder.

Superintendent,
C. I. Branch.

1. I have to report that on the 27th day of July 1947, Keith Kitchener Hull, was wounded twice while seated in a truck in Neptune Street, St. Kilda.
2. Investigations were made, and on the 3rd August 1947, Charles William Martin and George Barrett were arrested and charged with Wounding Hull. Both were committed for trial by the St. Kilda Court of Petty Sessions, on the 15th instant.
3. I understand that Martin proposes to make an application to the Supreme Court, for bail and the Police object strongly to the granting of bail because of the reasons set out hereinafter.
4. Hull was lured by Martin and Barrett from his Boarding house to Neptune Street, St. Kilda, where he was shot, the allegations being that the shooting was the outcome of Hull having shot a man named Donald Day in Sydney some two years previously. Following on the shooting, Martin left Melbourne, and went into hiding at Mt. Evelyn. Barrett has a very bad criminal record.
5. Prior to the shooting of Hull, Martin had been residing at 55 Fawkner Street, St. Kilda, with a prostitute named Dulcie Markham, who also has a long criminal record, and has on a number of occasions been concerned in underworld shootings. On the 31st July 1947, Dulcie Markham and Ernie Martin (Brother of Charles Martin) went to the home of Hull, seeking the whereabouts of Mrs. Hull, and mentioned that they intended killing her. They were arrested for Conspiracy to murder on that charge.
6. On the 20th August 1947, Dulcie Markham, Graham Miles Thompson and a man named Bradshaw, intercepted Hull outside his residence and attacked him inflicting very serious injuries, and it is alleged that he was struck in the face with the butt of a gun.
7. It is the opinion of the Police, that should Martin be freed on bail, no doubt further shootings will occur and the lives of members of the community will be at stake.
8. I respectfully ask that this report be forwarded to the Crown Law Department, for their information.

C. H. Petty
Senior Detective 8358.

(1) Div. C.I.Branch.
22nd August 1947.

Crown Solicitor.
Law Department.

Forwarded for information.

A. G. Samahill.
Detective Sergt. 7663.

IN THE SUPREME COURT,)
STATE OF VICTORIA.)

IN THE MATTER of the Crimes Act 1928

-and-

IN THE MATTER of an Application for bail
by CHARLES WILLIAM MARTIN.

I FRANCIS PATRICK MORTIMER, Clerk in the Crown Solicitor's Office,
make oath and say :-

- 1. That at the Court of Petty Sessions at St. Kilda on the 15th day
of August 1947 before J.F. Meehan Esquire, Police Magistrate, one
GEORGE BARRETT and one CHARLES WILLIAM MARTIN were committed for
trial to the 15th September sittings of the Criminal Court in its
Criminal Jurisdiction on a charge for that they at St. Kilda on the
27th day of July 1947 wounded KEITH KITCHENER HULL with intent to
commit murder.
2. Attached herewith and marked with the letter "A" is a copy of
the depositions of the witnesses who gave evidence at the Court of
Petty Sessions at St. Kilda on the 15th day of August 1947.
3. I have been informed by Senior Detective Petty and verily believe
(a) that the said KEITH KITCHENER HULL was charged in Sydney in
1945 with the murder of one DONALD DAY and was found not guilty;
(b) that the said DONALD DAY was a friend of GEORGE BARRETT.
(c) that the said CHARLES WILLIAM MARTIN prior to the 27th July
last was residing at 55 Fawkner-street, St. Kilda with a
prostitute named DULCIE MARKHAM who has a long criminal
record and has on a number of occasions been concerned in
underworld shootings.
(d) Following on the shooting on the 27th July last the said
CHARLES WILLIAM MARTIN left his address at 55 Fawkner-street, St.
Kilda and went to Mt. Evelyn.
(e) On 31st July 1947 DULCIE MARKHAM and one ERNEST MARTIN a
brother of the said CHARLES WILLIAM MARTIN went to the home of
HULL seeking the whereabouts of MRS. HULL and mentioned they

intended killing her.

(f) On the 20th August 1947 DULCIE MARKHAM, GRAHAM MILES THOMPSON and a man named BRADSHAW intercepted HULL outside his residence and attacked him inflicting serious injuries and it is alleged that he was struck in the face with a butt of a gun.

(g) Should CHARLES WILLIAM MARTIN be released on bail it is feared that further shootings may occur and lives of the community may be endangered.

4. The trial of the said GEORGE BARRETT and CHARLES WILLIAM MARTIN will be listed for hearing at the Supreme Court sitting on Monday 15th September 1947.

SWORN at Melbourne this
day of August 1947.

)
)
)

Before me,

A Commissioner of the Supreme Court of Victoria for taking Affidavits.

I Francis Patrick Martner
Clerk Crown Solicitors Office
make oath and say

1 That at the Court of Petty Sessions
at Skilda on 15th day of August
1947 before J F Meehan Esquire
Police Magistrate one George
Barnett & one Charles
William Martin were
committed for trial to the
15th September Sessions of the
Supreme Court on the Criminal
Jurisdiction on a charge
~~of wounding~~ Keith for that
they at Skilda on the
27th July 1947 wounded
Keith Kitchenner Hall
with intent to commit
murder

and marked with the letter A
(2) attached herewith ~~is a copy of the~~
~~marked with the letter A~~ copy of the
depositions, of the witnesses who
gave evidence at the Court of Petty Sessions
at St Kilda on 15th day of August 1947

(3) I have been informed by Senior Detachment
Petty and verily believe

(a) That the said Keith Kitchen Hull
was charged at Sydney in 1945 with
the murder of one Donald Day and
was found not guilty.

(b) That the said Donald Day was
a friend of George Barrett.

(c) That the said Charles William Martin
prior to the 27th July last was residing at
55 Yawknor Street St Kilda with a
prostitute named Dulcie Markham
who has a long criminal record
and has on a number of occasions
been concerned in underworld
shootings

(d) Following on the shooting on 27th July last
the said Charles William Martin

left his address at - 53 Farkner St
Skilda and went to W. Evelyn

(6) On 31st July 1947 Dulcie Markham
and one Ernest Martin a brother
of the said Charles William Martin
went to the home of Hull seek
the whereabouts of W. Hull and
mentioned they intended killing
her.

(7) On 20th August 1947 Dulcie
Markham Graham Miles Thompson
and a man named Bradshaw
intercepted Hull outside his
residence and attacked him
inflicting serious injuries and
it is alleged that he was struck
in the face with a butt of a gun

(8) Should Charles William Martin
be released on bail it is feared
that further shootings may occur
and lives of the community
may be endangered.

(4) ~~the~~ ^{off} the trial of the said George
Barrett & Charles William
Martin will be listed for
hearing at the Supreme Court-
Sitting on Monday 15th September
1947.

IN THE SUPREME COURT

MELBOURNE.

IN THE MATTER of the Crimes Act 1928

-and-

IN THE MATTER of an Application for
Bail after committal for Trial upon
a capital charge.

CHARLES WILLIAM MARTIN.

BRIEF ON BEHALF OF THE CROWN UPON
AN APPLICATION FOR BAIL PENDING TRIAL
UPON A CAPITAL OFFENCE.

Mr. W. S. Sproule KC

FRANK G. ~~MENZIES~~.

CROWN SOLICITOR.

IN THE MATTER of the Crimes Act
1928

AND

IN THE MATTER of CHARLES WILLIAM
MARTIN.

AFFIDAVIT

OF

CHARLES WILLIAM MARTIN.

Recd
21/8/47
GLH

JOHN W. GALBALLY LL.B.
Solicitor,
118 Queen Street,
MELBOURNE.

- AND -

IN THE MATTER of CHARLES WILLIAM
MARTIN.

I, the abovenamed CHARLES WILLIAM MARTIN, Dealer, at present of
His Majesty's Gaol Coburg, in the State of Victoria, MAKE OATH AND
SAY :-

1. I was arrested on the Third day of August 1947 on a
charge of wounding one Keith Kitchener Hull with intent to murder
I appeared before the Court of Petty Sessions at Melbourne on
Monday the Fourth day of August 1947 when I was remanded to the
Court of Petty Sessions at St. Kilda on the Fifteenth day of
August 1947. Application was made for bail but the said Court
of Petty Sessions refused to grant bail and remanded me in
custody.

2. I am at present detained in His Majesty's Gaol, Coburg
aforesaid on the said charge.

3. I appeared before the Court of Petty Sessions at St.
Kilda on Friday the Fifteenth day of August 1947 when I was
committed for trial for the Sittings of the Supreme Court at
Melbourne on the Fifteenth day of September 1947. My application
for bail was refused, the Magistrate intimating that in his
opinion the matter was one for consideration by this Honorable
Court.

4. I have pleaded Not Guilty to the charge herein and inter
so to plead upon my trial.

5. I have a good defence to the charge herein.

6. UNLESS I am granted bail by this Honorable Court the
preparation of my defence will be seriously hampered.

7. I respectfully request that this Honorable Court grant
me bail in respect of the charge herein.

SWORN at Coburg in the State of)
Victoria by the abovenamed)
CHARLES WILLIAM MARTIN this)
21st day of August, 1947.)

C. W. Martin

Before me :-

D. P. Hannia

A Commissioner of the Supreme Court of the State of Victoria
for taking Affidavits.