

(2)

I N Q U I S I T I O N

held at

T H E C I T Y M O R G U E - M E L B O U R N E .

on

Tuesday, 13th. May, 1947.

BEFORE:

J. W. MARWICK, ESQ., P.M., City Coroner.

UPON the body of VINCENT PATRICK QUINN.

SEN. DET. DONNELLY appeared to assist the Coroner.

MR. R. DUNN appeared on behalf of Walter Thomas Ridgway
and Esbert Robin Ridgway.

LAWRENCE JAMES QUINN, on his oath saith:

My full name is Lawrence James Quinn and I am a builder residing at 8 Bendigo Avenue, Bentlyigh. On the 20th. April, 1947, at the City Morgue, Melbourne, I identified the body of my brother Vincent Patrick Quinn, who late resided at 8 Bendigo Avenue, Bentlyigh and was aged 28 years. By occupation he was a builder. On the 19th. April, 1947, I last saw my brother at about a quarter to one. He left home then and went to the races. He was sober then, he had never had a drink up till then.

TO MR. DUNN: Deceased lived with me. On a Saturday afternoon it was his habit to partake of a few drinks. As to it being a fact that he became rather argumentative in drink, to my knowledge that was not so. I had never seen him in any arguments. I did not ever know him to be in any arguments. I do not know that he had been in quite a few fights. I have never been told anything about that. As a rule he used to have his meal at home on a Saturday night, except when he went to visit some friends at Mooneek Ponds. This night I had my meal at my mother-in-law's place at Moorabbin. My brother did not come home for tea that night, I do not know where he had his meal. As to it being unusual for him ~~ever~~ to be away from home for tea on a Saturday night, as I said before, he sometimes used to visit friends at Moonee Ponds. Most Saturday nights he had tea at home. He was a fairly strong man. He was a bricklayer by occupation. He had not had any pugilistic experience. He was not a man of extraordinary strength, he was an ordinary strongly built man.

(Signed) L.J. Quinn.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th. DAY OF MAY, 1947.

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CORONER.

HARRY THOMAS WALKER on his oath saith:

My full name is Harry Thomas Walker, and I am a constable and official police photographer at Melbourne. On the 20th of April, 1947, I went to Bentleigh with Senior Det. Donnelly and other police, where I took two photographs of a grill room in Centre road, Bentleigh. I produce enlarged copies of these photographs. They are numbered one and two. EXHIBIT "A".....TWO PHOTOGRAPHS TAKEN ON 20TH APRIL. I should say that photograph No. 1. is taken looking approximately west, looking towards Brighton. I took it from the east side of the building. There are two pieces of paper shown on the roadway in front of the door. They were placed there to mark stains on the roadway. They were stains similar to blood stains. In the driveway further east along Centre road there is a sheet of paper shown in the photograph. That also marks a very large stain which was also similar in appearance to a blood stain. They are all to be seen in photograph No. 1. No. 2. is a closeup of the doorway and front of the grill room at 309 Centre road, Bentleigh. The following day, the 21st of April, at the City Morgue, I took two photographs of the deceased, Quinn. No. 3 is a photograph of the deceased and it shows a wound in his chest. That photograph was taken when he was fully clothes. He was later undressed and I took another photograph of him. That is photograph No. 4. That photograph shows two wounds, one in his forehead and one in his chest.

Exhibit "B" - - - - - Two photographs taken on 21st April.
TO MR. DUNN: With regard to photograph No. 4, the hair was deliberately parted to expose the wound in the scalp.

(Signed) Harry Walker.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF MAY, 1947.

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CORONER.

WILLIAM SYDENHAM SNEDDEN, on his oath saith:

My full name is William Sydenham Snedden and I am a Licensed Surveyor attached to the Office of Titles, Queen Street, Melbourne. On the 21st. April, 1947, I ~~examined~~ accompanied Det. Det. Donnelly and Detective Carrer to Centre Road, Bentleigh. I there made a survey of the front portion of premises situated at 309 Centre Road, Bentleigh, also Centre Road in the vicinity of that address and the relationship of 21 Bruce Street to 309 Centre Road. I also made a plan of the shop and set-up of the interior at 309 Centre Road. The larger plan, the locality plan, is drawn to a scale of 300 feet to an inch. The interior of the shop plan is drawn to a scale of 10 feet to an inch. The general street plan, in the top right-hand corner of the plan, is the one I referred to as the locality plan. The main plan, the one at the bottom, showing the interior of the shop or grill room, is on the ^escale of 10 feet to an inch. The distance from the eastern side of the doorway of No. 309 to the centre of the pitcher crossing marked on the plan is 35 feet. In the main plan I have shown the lights in the vicinity of the shop No. 309, also the lights existing in the two front windows of that shop. In the most eastern window there was a globe on the light. Taking an eastward course from that shop, along Centre Road, the last street on the right before reaching the railway line is Burgess Street. That runs practically against the railway line, one side of that street is actually bounded by the railway fence, that is, on the eastern side. I cannot recall the type of fence around the railway.

TO MR. DUNN: The outer windows of the grill room, except for a small portion, are covered with some kind of paint, with the exception that as one goes into the entrance to the grill room, as one stands in the entrance, there is a portion of the window on the left side which is unfrosted or unpainted.

D.

SNEDDEN.

It is a sort of frosted glass in the window, that would be on the western side. To the full extent of the cantilever verandah from premises No. 301 to 309 there was only one light globe at the date I made my inspection, that was outside No. 305. The ones outside Nos. 307 and 309 had no globes at all. I did not view the scene at night.

EXHIBIT "C".

~~13x~~

PLAN.

(Signed) W.S. Snedden.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th. DAY OF MAY, 1947.

.....
CORONER.

KEITH MACRAE BOWDEN on his oath saith:

My full name is Keith Macrae Bowden, and I am a legally qualified medical practitioner residing at 28 First Avenue, Kew. On 21/4/47 at the City Morgue, Melbourne, I made a post mortem examination on the body of a man whom I believed to be Vincent Quinn. The body was five feet 11 inches in height and was clothed. Rigor mortis was beginning to pass off post mortem staining was marked. There was some froth at the mouth. There was dried blood on the face and the backs of both hands. There were abrasions on the right side of the face. There was bruising on the lower portion of the right ear and a small bruise on the front of the right armpit. There were three wounds on the body. There was a wound on the right side of the scalp in front at the hair line, it was one and a quarter inches in length. The underlying portion of the skull was fractured and the wound penetrated the brain. There was a wound one and three eighths inches long on the right side of the chest between the first and second ribs close to the breast bone. It was three inches in depth penetrating the chest wall and the underlying lung. The upper edge of the second rib had been fractured. There was a wound on the outer side of the right leg about the junction of the middle and lower thirds, it was superficial and was one and three eighths inches in length, one quarter of an inch in width and one eighth of an inch in depth. The heart was normal. The right lung was partly collapsed, there was blood and blood clot in the right side of the chest. The windpipe and the bronchi contained blood and froth, there were small hæmorrhages on the surfaces of the lungs. The remaining organs were normal. Death was due to the injuries received.

TO SENIOR DET. DONNELLY: The wound on the head that I have described is apparent in photograph No. 4. To obtain the clarity of that photograph the hair had been brushed back from the wound. As to a description of the type of penetration of the skull,

there was a long linear fracture of the skull; it ran from this vicinity (indicated) obliquely downwards across the midline and swung back again to the right, right across the base of the skull. Immediately under this wound, which can be seen in the photograph produced, there was a penetrating wound in the skull; it was an inch and a quarter in length and one sixteenth of an inch in width and was lying exactly in a line with the fracture except at its upper end where it deviated very slightly out of line with the fracture in the frontal bone. Asked if in my opinion the deviation at one end could be caused by a thickened edge of an instrument, I say that it could be caused by either edge of the instrument that penetrated the skull - either side. Asked to look at the knife produced - - - -

MR. DUNN OBJECTED.

OBJECTION OVER RULED.

TO SENIOR DETECTIVE DONNELLY: I see the knife produced. As to whether in my opinion a similar type of knife to that produced, with a slightly wider blade, could have caused the injury that I saw in the deceased's head, I am not prepared to say that the injury was made with a knife which was sharpened on both sides, such as the knife produced. The knife produced is sharpened at the points on both sides. It is correct that from about half way up to the handle it has a thickened edge. I am not able to say that the injury to the head which I saw was caused by an instrument with two sharpened edges. One side of the instrument that penetrated the head had a sharpened edge; both sides of it might have, but I could not say that. The deceased had a normal skull. Assuming that a knife of similar weight and design to the one produced was used to inflict the wound to the head it would have needed a good deal of force to penetrate the skull. It would not require any great degree of force to cause the wound in the chest, with a knife similar to the one produced. Apart from the rib that I have mentioned there was no other bony structure struck by

the knife. If the deceased had been wearing a shirt and singlet at the time the wound in the chest was inflicted that would not alter my opinion as to the degree of force ~~force~~ that would be required to inflict the wound in the chest. The wound in the leg was not a penetrating wound; it was a superficial wound.

TO THE CORONER: The wound on the leg was made with a sharp instrument; it was an incised wound.

TO MR. DUNN: In my examination of the deceased's stomach I could not detect any trace of alcohol by smell, so I sent the contents for analysis. I cannot recollect having seen the result of the examination. As to approximately how long after death I made my post mortem examination, I estimated that he had been dead in the vicinity of 36 hours. Having regard to that period, if only a small amount of liquor had been consumed I would have expected most signs of alcohol to have disappeared. That would apply even if it was a small amount of spirits. The penetration into the skull was a distance of one inch. After the instrument had penetrated the bony structure of the skull there was nothing hard to prevent it going further. That was an oblique wound. I can indicate the direction of it on the diagram I made at the time; it runs obliquely down towards the midline and to the left - that is describing it from above, downwards. I do not think it is possible to say from where that blow was delivered. It could have been delivered from the front. As to whether it could have been delivered by an instrument other than a knife, it would have to be a very narrow instrument - about the length and the width of the wound in the skull. It could not have been caused by some part of a broken glass bottle. It could not have been caused in that manner even if the broken glass was in the shape of a knife. As to why not, it would not penetrate the skull. I can say that. No glass instrument would penetrate the skull to that degree. I say that

because I think the thickness of the skull at that particular part would break the glass rather than the glass would penetrate the skull in that fashion. As to whether I am saying that dogmatically, that is my opinion. As to it being my opinion that if it was a knife that caused the scalp wound it was a double edged knife, the wound was typical of that made by a single edged knife, but it does not necessarily mean that it could not have been a double edged knife. It is more likely to have been a single edged knife; it is more consistent with that. I would not say that the wound in the chest was obviously delivered from the front; it probably was. That wound was an oblique one running downwards and to the right, away from the midline. As to that indicating that it was delivered from a side position, it would appear to have been more from the side, from the right side. As to there being anything about that wound to indicate the type of weapon that caused it, apart from the fact that it would be a sharp edge, it was a similar wound to the one on the scalp - an incised wound about the same length - but it was a more gaping wound. It was made with a sharpened instrument. It would not require the same degree of force as the scalp wound. I am able to say that a particular wound caused death; the wound in the chest caused death. As to being able to give any indication of how long a man would live after receiving that wound, the mode of this man's death was asphyxia as a result of blood getting into his windpipe and bronchi and obstructing the airway; in my opinion, death would take place in a matter of minutes after the penetrating wound in the chest. When I say minutes I would say that the maximum time would be approximately five minutes. I am not able to say which wound was received first, the scalp wound or the chest wound. The skull wound ~~ca~~ would not have caused death immediately.

TO THE CORONER: It is a possibility that it could have caused death.

GC.BH.

BOWDEN.

TO MR. DUNN: It is correct that it did not cause this man's death.

As to the other injuries there were to the man's body, there were abrasions on his face. There was a small abrasion approximately there (indicated) on the right forehead. That could have been caused by a punch. There was an abrasion on the right side of the cheek just below and extending over this area (indicated) below the right eye. That could have been caused by a punch. There was a small abrasion in the angle between the nose and the lip in that situation (indicated.) That could have been caused by a punch. There was a small abrasion on the right side of the chin in that situation (indicated.) That could have been caused by a punch. There was a bruise on this part of the right ear (indicated.) That is, on the lower portion of the lobe. That did not extend at all, that was confined to the ear. That could be consistent with a punch. There was a bruise here (indicated) on the front of the right arm pit. That was not a severe bruise, it was a small bruise. That was consistent with a punch. I do not remember any others; there were no others. As to there being no signs of any ~~part~~ part of the body having received a kick, this bruise on the front of the right arm pit could have been caused by a kick. There is a possibility that the wound on the ear could have been caused by a kick. I would not say that they would have to be very mild kicks in both instances. I think there would have to be a fairly heavy kick through the clothing to produce the one on the shoulder. If you say that the wound on the ear obviously could not have been the result of a very heavy blow otherwise it would have hit something else, I say yes, but it could push it against soft tissues. If you suggest that I would have to stretch my theory a little to make the injury to the ear the result of a kick, I am not saying it was caused by a kick, I am saying that it is possible it could have been caused by a kick. As to the

ear one being fairly improbable, I would say it was possible, just possible. In my opinion these injuries were caused before death. All the injuries I discovered on the body were caused before death.

TO SENR. DET. DONNELLY: There was no indication of glass in any of the wounds I saw. As to how the wounds on the chest and head compared with one another, the length of the wound on the scalp was one and a quarter inches in length and the wound ~~xxx~~ on the chest was one and a quarter inches in length; the wound on the leg was one and three eighths inches. I would not expect to find wounds of the nature of those I saw on the head and the chest of the deceased caused from glass. As to the abrasions on the face and the bruise to the right ear being consistent with the deceased receiving a glancing blow from the boot, in my opinion they were more consistent with a punch than a kick from a boot. As to whether the wounds on the face and the bruise on the right ear could have been caused by a kick from a boot, I think the wounds on the face were caused by a fist or something more in the nature of a fist than an object like a boot; I say that the one on the ear could possibly have been caused by a kick. The ~~wound~~^{bruise} on the right shoulder could have been caused by a kick.

(Signed) K. W. Bowden.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF MAY, 1947.

.....
CORONER.

JOHN FRED RICK HEWITT, on his oath saith:

My full name is John Frederick Hewitt and I am a Cafe Proprietor at 309 Centre Road, Bentleigh and I reside on the premises. My cafe there is known as "The Hamburger". Photograph No. 2 produced is a picture of the front of my shop. Photograph No. 1 produced shows the front of my shop, and the roadway. At about 12.30 a.m. on Sunday, the 20th. April of this year I was cooking in my shop near the front window, that is the window on the left as one enters the front door. About that time the two Ridgway brothers came into my shop, there were four in the party. As they came through they did not place an order with me; but they did with the boy, Robert Hovell. I should say at that particular time there were 30 to 40 people in my shop. Following the placing of that order the two Ridgways and the other two men went to the bottom table on the right, the last table on the right. I point out on the plan the situation of that table. That is the table nearest to the wall where the Milk Bar counter is shown on the plan. Just before they went to this table two young chaps and a girl were seated at it. As the Ridgways came in they went out, they had just finished their supper. The others took their table. Some sat down at that table, there were only three chairs at that particular table. Some minutes later my attention was drawn to this particular table where the Ridgways had sat down by a bit of noise going on over there, they were arguing a little. I never did anything at the time, the lad Hovell remonstrated with them; I heard him ask them to be quiet. I still went on cooking for their order and just as I got their order ready there was a commotion, arguing, and I went over. Then a scuffle started. In that scuffle there was Mr. Esbert Ridgway and Mr. Quinn. That was the start, then it became all in. I could not say who joined in then, I would not say, it was several men who joined in. I tried

D.

HEWITT.

my best to get them out, and we did get them out. I took a stool out of Bert Ridgway's hands, that is the one in the blue suit in Court. I could not say where that stool had been, there were generally two by the milk bar and three over the other side at the counter. It was one of the stools used by the people to sit at the counter. The stools would be 3ft.6 in., or 2ft. 9 in., in height, I would not say which for sure. They are of steel, with a wooden seat. It is not tubular steel, it is solid steel. There is no padded top, the top is just plain board, a round board top. Bert Ridgway had a stool in his hands, ready to strike, when I took it from him. I could not say who he was ready to strike, there was too much of a scuffle. At that particular time there was somebody on the floor, but I do not know who --- it was, in the general melee. After I took the stool off him I grabbed him by the back and pushed him straight out. As to what had become of the rest of the men in the melee at this particular stage, they all went scuffling out, ~~xxx~~ in the melee. Bert Ridgway was the last one I got out. During the process of this fight all the tables were turned over, that is, the three tables near the milk bar. Before I let Bert Ridgway go I took him only just to the door, because I stopped then to straighten up inside - the tables and so forth. I next went outside as soon as I had straightened up. I saw them scuffling up the road. I could not say who was scuffling, I could see the two Ridgways and the other man, Quinn, I think that is who they were. I am pretty sure about that. When I came out there was no one else in that fight outside. The next thing that happened after I saw the two Ridgways and Quinn fighting was that I saw Quinn on the ground. He went to the ground in a staggering attitude; he staggered and went down. When he commenced to stagger I should say he was approximately 5 feet off the gutter. Then he staggered into the gutter and lay there. That is the gutter on the northern side of Centre Road. At that particular

5 or 6
through hands

Quinn in gutter
Accord & brother
picked him

stage he would be about 20 feet from my shop. I should estimate that to be the distance. Looking at the plan produced, I mark on that plan just about where the men were fighting, and where I saw Quinn staggering. He was near the stone or run-way into the vacant block next door to my place. When he got to the gutter the scuffling was still going on- Quinn staggered and fell to the ground. I then saw Quinn being kicked. I could not say who kicked him; it was in the dark, or semi-dark, and I could not say who did the kicking. I would not like to say how many times he was kicked, but he was kicked. I could not say where the kicks landed on him, it being in a dim part light. Whilst they were fighting outside, when I came out, I should say there were 30 or 40 persons out there, they were scattered everywhere. After the kicking two of the men went further up the street. When they were running away, I would not be positive, but I think it was the two Ridgways. They were the two chaps who were doing the business and who ran away; but there were that many about I had enough to do to look after my own affairs. After Quinn went down near the gutter he did not rise again. I did not go over to him then; I asked the lad Hovell to go for the police. I have lights in both my front windows at 309 Centre Road. They were alight this night. I could not say what candle power the lights are, I never looked. The window on the east side going towards the railway is frosted at the top of the glass, not at the bottom; there is just an open oval window. The other window is frosted in the front and has a small portion to see outside. The light in each window is hung from the ~~xxx~~ ceiling of the windows. There is no light under my verandah. Looking at the plan produced, I would agree there is a light west from my shop, suspended in the road, as shown on the plan, I think it is at Mayho Street; I think it would be burning on that particular night.

HEWITT.

After I saw the two men whom I believed to be the Ridgways running away, I do not know where they went. During the period these men were in the shop I never saw anything like the knife sheath produced. I did not see anything of it when I was outside the shop, nor did I see a knife; I never saw anything at all.

TO MR. DUNN: When I got out of the shop, the whole of the events I saw occurred fairly close to where Quinn fell. Quinn fell only a ~~few~~ few minutes after I had come out of the shop - it did not take long to straighten up ~~again~~ and then I went out again. After I got out the second time the fight would not have lasted more than a minute, it was that quick, it would be a space of seconds. At that time I was standing in the doorway of the shop. I did not go and take any part in the melee, I remained in the doorway of the shop until Quinn fell. As to approximately how many men were in a circle around the fighters, I do not know any were around the fighters. They were not scattered around close up. I would not be prepared to swear there was not another person engaged in the fight at that time. I only saw the two Ridgways and Quinn, they were the only three. I did not see somebody else strike one of the Ridgway's just before the man fell. There were only three fighting there then, the Ridgways and Quinn. As to being sure they were fighting, then, it looked like fighting, in the half dim light. I could see the punches going everywhere, but I could not see who was collecting them. There was not a number of men right close to the Ridgways, not close up.

TO THE CORONER: I should estimate that the nearest man to them would be four or five feet away.

TO MR. DUNN: There was a number of men within six feet or so of them. I apparently came out at the finish. I could not say how many men within 6 feet had previously attacked the Ridgways. The light is not extra bright up at that spot, and it would be worse looking from the light into the dark,

as I was. The street lights were on that night. I do not think they stop at midnight. I am sure they were on; they were all on. I am prepared to swear that they were on. I had never seen Quinn before in my life. I could not say if he came into the cafe before or after the Ridgway party, but I have been told he came in after them - I was busy cooking. When I saw the Ridgway party there were only three chairs, they were singing out for another chair. I knew there were three sitting at the table; one chair was taken to seat five at another table. The first sign of the melee broke out at the Ridgways table. Whoever came up to start it must have come up to their table. Quinn was not at that table before. When I looked down there was no fight, they were only arguing the point. It was when I got there they started to fight. Two were fighting then. Ridgway and Quinn started to fight, and then they all got in. It was not mere more of a scuffle than a fight; they were all in it. Altogether there were seven of them in it, four in the Ridgway party and three others in the other party. They were all throwing punches. The only one I put out was Bert Ridgway; the lad ordered the others out. They all went out. I could not say who was on the floor. I did not know Walter Ridgway at that time. I do not know how they went out, I only know I put Bert out. I could not say when Quinn went out, he must have gone out in amongst the scuffle, because everybody had to get out at once. Bert was on the end of them. I would not say it was Quinn that Bert had the chair up to. I was not the only one left when Bert had the chair up, there were others in the cafe, all trying to get out at once. I saw Bert with the chair and I took it off him. He did not use it on anybody, I took it off him. That was not just as I put him out, it was a few seconds prior to that; that melee was down near the table. I had no trouble in taking the chair off Bert. He did not give it to me. I took it from him without any struggle at

all. I have no idea where Quinn was then, because everybody was trying to get out at once. I have no idea where Walter Ridgway was at that time; I would not have known Walter again if I had seen him. He might have been the man on the floor. I did not hear any of the words that led to the struggle, I did not hear a word. I was right up in the corner and they were all talking - you know what a Saturday night is, one cannot hear over everybody. I would be anxious to stop any fight in the shop. I heard the lad remonstrating with them. I looked down and there were three men seated. I could not say how many were standing around, because the shop was full. There were men standing around the Ridgways, who were seated. I would not say just how many. I have no idea how the fight started. My wife was serving in the cafe. She asked them to give her a go, to break it down - she asked the Ridgways. She asked the Ridgways, she did not ask Quinn. As to how I know that, she told me she asked the Ridgways. I did not see that myself. I would not say how many kicks were delivered, not any specified number. I could just see the boots going in. I would not be prepared to say who did it. I would be prepared to say there was more than one kick. I could see the boot going in, in that half light, and I would say there would have been more than one kick - there may have been three, there may have been half a dozen. Some might have missed and some connected. Nobody closed in around the men at that time. I did not go up and see it, I had enough to do to look after the shop, and it was so quick. Goodness knows where Quinn's mates were at that time. The men within 5 or 6 feet were just watching. There were men in front of the shop. As to their waiting to see the Ridgways hit the one man, as to their being all in it and my trying to make it a bit hot for the Ridgways, by gee, I have not. I do not know the Quinn family, I have never seen them before. Not one member of the Quinn family has been up to

Saw no punches outside of picking.

see me since. I am certain of that. All that came to see me was Ridgway's fiancée, and sister. None of the Quinn family came to see me. I will swear that a member of the Quinn family has not been to see me since that night - he may have been, but he never disclosed his name. Nobody disclosed their name, that they were a Quinn; nobody has come to me. Nobody has come to me and asked me certain questions on behalf of the Quinns'. Nobody has discussed with me the evidence I was going to give about the case, only Mr. Donnelly; he is the only one with whom I have discussed the case. That is the truth. As to never discussing it, customers coming into the shop would say "That is a bad blue that happened to you. What started it". I would say "I don't know". That is the only thing I have ever said. I have never discussed it with anybody else. As to whether Quinn showed signs of drink, I never had that much chance to look at him. It was only a quick glance I had. He had no sign of drink on him when I saw him. The Ridgways, when talking, appeared to have been drinking fairly heavily; but not by their looks.

TO SEN. DET. DONELLY: I made a statement in regard to this matter. I made it on the 21st. of April of this year. I then disclosed the evidence I have given here to-day.

(Mr. Dunn requested production of the statement. Statement produced).

TO MR. DUNN: The statement now produced is the statement referred to by Sen. Det. Donnelly. That is the statement I made to him on the following morning after the incident.

EXHIBIT No. 1

Statement of John Frederick Hewitt.

TO THE CORONER: I have said I have not discussed this case with anyone apart from Mr. Donnelly and some customers who mentioned the "blue" in the shop. That is correct. As to not including my wife and my employee in the shop, I do not include them; it has been a topic of conversation between

I think I saw both the accused & his brother Rick Quinn but I didn't see accused did

Ridgway were not staying. Just my drink & make them talkative.

To M^r Dunn:-

the three of us for some days. / Referring to my statement, where I say that before I went outside I picked up the tables and straightened up the cafe, that is true. That did not take much time. ^{As to it being} ~~It is~~ also true that instead of one man being on the floor there were two men lying on the floor, I could not say how many were lying on the floor in the scuffle. I saw somebody lying on the floor. If in my statement, which I have signed, I said there were two men lying on the floor, that apparently they had already been knocked to the floor, well, that would not be at the one time. They may have both went down, but at different times. I did not see who they were. I do not remember there were two men on the floor at one stage, there was so much of a scuffle there it is hard to say. I know there was one down, and one half down. As to already saying in my statement "I left my cooking and went to this table as I did so Bert Ridgway and Quinn rushed at each other knocking the table over"; they did not rush. They were one each side of the table. That part of my statement "I saw Bert Ridgway and Quinn rush at each other knocking the table over", is true. As to it being true there were 30 or 40 people congregated the Ridgways and Quinn when they went outside the shop, that is not so, they were around the shop and in the vicinity. The portion of my statement which reads "I saw one of the two men who were fighting Quinn kick him more than once. I could not see exactly whether he was kicked by the other person scuffling with him or not as the two of them were right against him and it all happened so quickly. About 30 or 40 people were congregated about them at the time..." is true.

TO SEN. DEF. DONNELLY: When I say 30 or 40 people were congregated about at the time, I mean in the vicinity, outside the shop and within 30 or 40 yards. Some ran over to the other side

D.

HEWITT.

of the road. I mean in the vicinity of the happening, I should say there were 30 or 40 people there. I also said there was about five feet clear between the persons fighting and the persons nearest to them. That is correct.

(Signed) J.F. Hewitt.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th. DAY OF MAY, 1947.

.....
CORONER.

D.

HEWITT.

ROBERT HAROLD HOVELL on his oath saith:

My full name is Robert Harold Hovell, and I am a grocer residing at 291 Centre road, Bentleigh. ~~xxxxx~~ I would not say that I am employed by Mr. Hewitt, the last witness, of a Saturday night; I go to help him out and give him a hand out after the pictures. On Saturday night the 19th of April, this year, I was at the cafe at 309 Centre road, Bentleigh, with Mr. Hewitt assisting him. At about 12.30 on the Sunday morning, the 20th of April, this year, ~~thaxaxxxx~~ four men came into the cafe; the two Ridgway boys were amongst them. I could not say whether one of them was a Trinder. There were four altogether. I could not say who the fourth man was. As to whether they placed orders with me, they told me afterwards that they had given their orders. They were asking for another chair; there were only three chairs at the table. When they came into the shop they went up to the table near the milk bar. That is the table right near the corner, furthest from the door. There were only three chairs at that table. As to knowing who sat down, there was one standing up. I know that one of the Ridgway's was sitting down, I do not know who else. Bert Ridgway was sitting down. One of the men asked me for a fourth chair. I told them that they were all in use. He said "What about one from out the back," and I said we never had any. As to the conduct of the two Ridgway's and the other men, they were a bit rowdy, noisy. Shortly after they arrived I saw the deceased, Quinn, come in; three came in afterwards. I do not know now who came in with Quinn; I could not tell you their names. As to what happened when Quinn came in with the other two chaps, after a while there were some introductions at the table. Quinn and one of the men with him went over to Ridgways' table. I do not know who introduced who; I could not tell you that. Following that,

I went on taking orders from other customers. I spoke to them a few times about their noise. They had a bottle of drink with them. I spoke to them all, I did not speak to any one in particular. I told them to keep their noise down, that this was a cafe. The drink that they had was wine or something like that. I will not say it was wine, but it was not beer. It could have been gin. I think there was some drinking taking place, because they had cups from the table that had been used by the people before them. As to the next thing that drew my attention to them, they were still making a noise and were quarrelling. I spoke to them again. I spoke to them several times before the fight started. On one occasion when I spoke to them one of them had his coat off. I think it was one of the Ridgway's but I will not swear to it. They started as if they were going to have a fight and then they quietened down and the coat was put back on again. I went back again and started serving, and shortly afterwards the fight started. I do not know whether any one had taken his coat off again in the meantime. When I saw the fight start ^{Bert} Ridgway was in it - that was Bert - and I think it was Quinn. That is all, I think. There was a bit of a melee about there. The shop was packed out at the time. I did not see who struck the first blow. I did not hear anything said that led to blows being struck; they were arguing and that, but I never caught what they were saying, I was too busy serving. At that particular time there were a lot of people in the shop; we were practically packed out. There were some standing. There was not enough room to seat them and some were standing along the counter. All the tables were full. When I saw Bert Ridgway and Quinn fighting I went out to try and break them up a bit, to try and get them out of the shop, and I was thrown to the ground. I do not know who I was thrown to the ground by. I do not know if the man who threw me to the ground is present outside the

About 3 or 4
more fighting
I was pulled down
from behind. Fell
to ground.

Court today; I do not know who he was. I was thrown to the ~~ground~~ ground. That was by someone other than the two Ridgway boys. It was someone behind me. There was no-one else on the ground at about that time that I know of. There was someone later on. Mr. Hewitt intervened just after that. He was out there at the time talking to them and that, trying to break them and they got up the shop a bit and there was someone on the ground; a Ridgway, I think, picked up a stool and Mr. Hewitt took it off him. I cannot say which Ridgway that was. I think it was Bert, but I will not swear to it. I think the stool was taken from along the counter. It was not taken from in front of the milk bar, but the other counter - that is, near the coffee urn or the hot water urn. Mr. Hewitt then tried to get them out of the shop. I do not know what had become of Walter Ridgway and Quinn in the meantime; there was a lot of melee about and fighting. As to whether I then rushed out to the front, they were fighting near the windows and the door first and I got them out of there. I could not tell you who that was. There were two of them fighting near the window. As to whether I have seen the man Rodger Dalton outside the Court today, I would not know him. I do not know who one of those men was who was fighting outside the window. I got the two men who were fighting near the window away from the window; I was frightened the window would get broken. I pushed them away from the window. I did not see anyone else fighting at that particular time. I could not tell you who it was fighting. There was no-one fighting on the road at that particular time. As to what happened after I pushed these men away, the next thing they were out in the front of Mr. Hewitt's car which was parked in the front, and there was someone lying on the road. Then I saw a boot go in. I do not know who done it. Mr. Hewitt's car

*Long street
fighting in the road
(Bert R. ...)*

I was standing near back at Eastern end of shop

was out in front of the shop. When these men got out on to the roadway they were fighting towards the station, in relation to the door of the shop. As to how many were fighting, I could not say whether there were two or three. There was a crowd about outside. There could have been more than three. The chap who was on the ground was being kicked - Quinn, I presumed it to be. As to how many times he was kicked, I only saw the boot go in once. He was lying on the ground when the boot went into him. He got struck on the head. He was lying down when the boot went in. I do not know what caused him to lie down. As to whether anyone was fighting him just prior to him lying down, they were fighting; I do not know whether it was Quinn they were fighting, but they were fighting on the road just in front of the car. As to whether I went over after this man fell to the ground and had a look at him, I just saw him and I heard him ^{groaning} ~~geraning~~, and I asked Fred, would I go for the police. I went up and there was no-one at the Station and I went over to Will's confectionery shop. I did not know Quinn. I am satisfied now that the man I saw on the ground was the man known as Quinn - from what I have heard I would. I am satisfied that the man who was on the ground and who was injured is the man the inquest is about today.

TO THE CORONER: He was the same man who was involved in the fight with Ridgway in the cafe and I have been describing as ~~q~~ Quinn right through.

TO SENIOR DET. DONNELLY: I could not say whether he was striking the man who were fighting with him just prior to him falling to the ground. I never said that there were two men fighting Quinn. I said there was fighting. I do not know whether there were two men or more. As to saying I did not recognize them at that time, I recognized Bert Ridgway earlier in the piece. As to what happened to the

3-22
Bert R. is a man who
fighting & another man joined them
I saw the man (Quinn) go down
Quinn was hardly just before he was on the ground.

two men that were fighting Quinn after he fell to the ground, I saw Bert Ridgway and someone else - I do not know whether it was his brother or who it was - run up the road, and they stopped at Crook's and they started walking. That is when I was going up for the police. I could not tell you if one of those men had kicked Quinn. I do not know who it was who put the boot in, I just saw the boot go in. As to whether the two men I saw near Crook's the two men that were fighting Quinn, one of them was. I do not know who the other one was, I never saw him. The light was good when I passed under Crook's store verandah. He turned around as I was running up, and I saw his face. That was Bert Ridgway. I did not at any time see anything of a sheath similar to the one produced. I did not see anything of a knife at any time.

TO MR. DUNN: As to ~~xxxx~~ where Quinn was sitting or standing in the cafe before he joined the Ridgways, they walked in and they must have given their order and they went up to the table and there were some instructions. There were three in Quinn's party. They were standing about the table where the Ridgways were seated. I do not remember what the first argument was about. I do not remember Quinn saying something about one of the Ridgways nose. I am sure of that. As to remembering Quinn being in a pretty argumentative mood, they were arguing a bit at times. I would not say it was Quinn, they were all arguing. I was then serving at the milk bar right behind their table. As to whether I stood there until I came out to quieten them, I did not stand there; I was serving. I was moving around. I was standing, but I was not standing still. I was on my feet. I was watching ~~xxx~~ across the milk bar a couple of feet away. I did not see Quinn make a strike at one of the men; I could not say who struck first. I did not say that it was one of ~~x~~ the men who was standing up who struck; I could not say who it was that struck first. As to why I could not, I had to look after the milk bar. I had to keep an eye on the milk or it would have flowed