

over from the container in the mixer I was watching. It is not that I do not want to say that Quinn started the fight; if I knew I would say it. I could not say who it was that I first saw in the fight. I cannot say how many were fighting at first; they were all around the table. There would not be at least six people fighting at they start. At the start Bert Ridgway and someone else were arguing; one was on one side of the table and one was on the other. When the fight started I would not say there were at least six or seven in it, fighting. They were rushing around, and that, in the crowd. They were scuffling around. As to whether there would be at least six or seven scuffling, all the people were scuffling out of the shop at the time, trying to get out of the shop. Apart from those who were trying to get out of the shop I would say that there were five or six in the actual melee. There were some punches being thrown then. Someone threw me to the ground. I would not say that it was someone in the fight, but I was thrown to the ground. One of the spectators could have thrown me down, for all I know. I was just in front of the milk bar when I was thrown to the ground. Mr. Hewitt was beside me then. He was in front of me when I first went round there to try and break it up. He was not right on the spot when the fight started. When it first started he was round at the grill, and then he came round to try and break it up. I do not remember Walter Ridgway being on the ground at some stage. I could not tell you who the man on the ground was. It could have been Walter Ridgway. I do not know the Trinder boys. I have been talking to them outside the Court. I do not know Charlie Trinder. As to saying that I do not know that one of those men's name was Trinder, he could have been a Trinder but I did not know him. I do not know which of the men outside are the Trinders. As to seeing one of the Trinders with the man Quinn, I would not say it was a Trinder because I do not know him. There were two chaps came in with Quinn. As to whether I saw those

two companions of Quinn's in the middle of the fight, I could not tell you who it was actually in the middle of the fight. I know that I was in Bentleigh that night. I know that there was a fight on. As to not knowing about anything else, I know there was a fight on; I could not tell you all the names of the men who were in it or who was in the shop.

TO THE CORONER: I could not say if I could pick out the men who were in the fight if they were all lined up.

TO MR. DUNN: As to being able to pick any of them apart from the Ridgways, I would not say they were fighting; they were at the table with them. I could not pick out who was fighting. I know that Ridgway was in the fight, I do not know who else. As to not wanting to know who was in the fight, if I knew I would tell you. When I came to the doorway Mr. Hewitt was not at the doorway, he was behind. He had taken the stool off Bert Ridgway who had it up over his head as if to strike someone, and then they got against the door. Mr. Hewitt took the stool off the man in the shop. I remember Mr. Hewitt putting Bert Ridgway out of the shop - I would not say it was Bert Ridgway, I saw him putting someone out. I suppose that would be roughly five minutes after the main crowd got out, I would not swear to it. During that five minutes during which Mr. Hewitt was putting Bert Ridgway out of the shop I was at the front door. There was someone fighting at the front door and I got them away from the front door. If it is put to me that it was not Bert Ridgway who was fighting then because he was still in the shop, I say he must have been. As to how many men were fighting out at the door, there were two fighting against the door and I got them out, and they were then fighting against the window. As to noticing other men scuffling apart from those two men who were fighting against the window, there was a crowd there. I would not say that other men were scuffling. As to whether I did not see any, I was more interested in getting them off the window at the time. As to

agreeing that the crowd was all round whoever was fighting, they were round about; there were some over the road. There were not some right up against the men who were fighting. When I got them away from the window they went in front of the car. They were near the paddock. They were not right in front of the shop door, the car was there. I suppose that they were only about five or ten yards from the shop door. They were fighting in front of the car in the roadway for a while. They were only a few feet from the gutter when they were fighting in the road. That was near the car. I could not tell you how they got from there to where the man dropped. I suppose I was watching. The crowd was not too thick for me to see. I do not know what would stop me from seeing how they got from the car to where he dropped. As to it being because there was a crowd of 30 or 40 around, there was a crowd around, but they were all over the place. Some of them were over the other side of the road, and some were near the shops. Some of them were within about three or four feet of them. There could have been more than two men fighting at this time; there might have been two or three. I did not notice what happened to Bert Ridgway after he came out five minutes later. As to whether all I could see was a man going in close when I say this man was kicked, I saw a boot like that (indicated) go into his head. I know that it connected. His head was facing more up towards the ~~sixth~~ station. It was in the roadway, about three feet out from the gutter. I am sure that I saw that. He was right out in the roadway. I am not just making this up. His feet were out on the roadway pointing towards the shop, or in that direction, and his face was pointing up ~~towards the~~ towards the railway line. He was round about three feet out from the gutter. I could not say if the light in the eastern window of the shop was out on that night. As to it being usual for it to be out late at night, it has been

HOVELL.

out for restrictions, but is usually on. I could not say whether it was on or off on this night. The street lights were on. I am sure of that. They were not out for the restrictions. I was first interviewed by the police after the patrol came first. As to whether I told the police anything about it at first, I was talking about it and then the detectives came later on, at a later stage. I did not make a statement that I know of; I made a statement on the Monday, I think it was. I told the police that night all I have told the Court today. I did not try to keep out of it by telling them a few stories at first. I made a written statement on the Monday. That set out everything I saw, the whole truth. The statement produced is the statement I made to the police. That was the whole truth. I still say that I do not know the Trinders. As to why I said in my statement "About 12.30 a.m. on Sunday the 20th April, the two Ridgways and one of the Trinders and another man came into the shop", if I did not know which were the Trinders, I have been told that it was a Trinder. As to being prepared to sign anything just because somebody tells me that it was a Trinder, when he gave his statement he said his name was Trinder. I was there when he gave his name as Trinder. As to what I mean by saying a while ago that I did not know which was Trinder outside the Court today, I would not know his name now if I saw him. I would not know his name was Trinder unless he told me his name. As to saying in my statement that a Trinder came into the shop, I could recognize him then. I say that I saw two men fighting at the door. If you say that in my statement, referring to Mr. Hewitt, I say "He then caught hold of Bert Ridgway and pushed him out the shop in the meantime some of the men were fighting near the front door" and ask me what I mean by "some of the men", I say that there were two fighting when I got out to the door - there might have been more before I got there. The following statement is true - "They got on to the roadway during the fight, there was about 30 men about watching and I could not see two clearly

because of them what was going on."

~~XXXXXX~~ EXHIBIT "2"STATEMENT OF ROBERT HAROLD HOVELL.

TO SENIOR DET? DONNELLY: During the whole time the argument was going on in the shop I was serving customers. I came out a couple of times - more than twice - and spoke to them. I do not know how many Trinder brothers were there that night. It would surprise me to know that there were at least three; it would not actually surprise me because I did not know how many ~~there~~ were there. On that night when the police called I did hear one of the chaps who was there give his name as Trinder.

TO THE CORONER: That man was one of the men who came into the shop with the two Ridgways. I did not know whether two were Ridgways, I knew one was a Ridgway and three other chaps came in with him.

(Signed) R.H. Hovell.

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

.....
CORONER.

ERNEST DAVID DALTON, on his oath saith:

My full name is Ernest David Dalton and I am a Gas employee residing at Prince Street, Moorabbin. I am also known as Roger Dalton. I knew deceased Vincent Patrick Quinn. On the night of the 19th. April of this year I was in company with Jack Trinder and Quinn. I had been with them during the afternoon. In the evening Jack Trinder returned with me and was with me and Quinn. At about 12.30 a.m. on Sunday, the 20th. of April of this year the three of us went to 309 Centre Road, a hamburger shop. I had had a few drinks. As to my condition, I suppose I was not bad, I was a bit under the influence. As to being in good enough condition to observe how Jack Trinder and Quinn were, I suppose I was; they had a few in - a bit under the influence. On entering the hamburger shop there appeared to me to be a large crowd in the shop. Shortly after my entrance I saw the two Ridgway boys and Charlie and Allan Trinder. Charley and Allan Trinder are brothers of Jack Trinder. At the time I saw them Allan was sitting and Charlie was standing, with his back to the wall. At the time the two Ridgway brothers were sitting down at the table. The table would be on the right-hand side in the cafe, down near the milk bar counter. Quinn and the smallest Ridgway started arguing the point shortly after I entered. Bert Ridgway is the smallest Ridgway, I point him out in Court. The argument started over a knife, Vic Quinn said to the smallest Ridgway "What do you want to carry a knife for. Ain't your ^{hands} fists good enough for you". At that time I had seen the handle of a knife, it appeared to be a brown leather handle. At that time I could see the handle just through his coat, as I indicate. I could not see any other thing there at all, not until he had taken off his coat. The handle appeared to be about six to seven inches long. As to its width and thickness, I never took much notice of it. It was thicker than a pencil, when I

first saw it I thought it was like a baton. After Quinn had spoken to Ridgway the biggest Ridgway chipped in, that is, Walter Ridgway, the man sitting in Court. I think he told Quinn to mind his own business, or something to that effect. Then they both made to go outside to have a fight. Just before that, the smallest Ridgway, Bert Ridgway, removed his coat. When he removed his coat I saw a sheath. I see the sheath produced, the sheath I saw did not appear to be like this one produced, to appeared to be darker. As to its size and direction, I should think it would come down to about three-quarters of the length of the sheath produced. I should say from the bottom to the top it appeared to be a foot. I did not see anything of a knife at that stage. After Bert Ridgway took his coat off, the big Ridgway passed me and ^{I was} ~~the smallest Ridgway~~ knocked me to the floor, with his fists, I suppose. I do not know how it happened, I was just standing there, I got a blow and went to the floor. I received that blow on the side of the face. Afterwards I had cuts on both sides of my face, a cut at the back of my ear and one eye was bloodshot. I went to the floor. Nothing happened to the table at that time to my knowledge. I then picked myself up off the floor, walked to the doorway, picked up my cap, walked to the doorway and I saw two figures running up the road. At the stage I received this blow I could not say whether I was wearing my cap or not. I picked my cap up from the floor right near the doorway. At the stage I saw Bert Ridgway take his coat off and I saw the knife sheath. I grabbed hold of Quinn's arm and said "Come on, we'll get out." Vin Quinn said "Let me go". He did not do anything then, he just pulled away from me. I said I saw Walter Ridgway and Quinn making towards the door. Going towards the door they were pretty close together. When I went outside Vin. Quinn was lying on the roadway, about 10 to 20 yards away from the doorway of the shop. I see Photograph No. 1 produced. I

Said he would
take me outside.

I got drunk
at Quinn's
I got out
I let me alone
I left shop

after Bert R.
probably lost out

Did not
know Quinn
call Bert R.

a dagger
was stuck
Walter's nose

Ridgway
called Quinn
a bastard
D.

Walter R. in. to Quinn - "Come outside I'll have a go at you"
DALTON.
31

indicate on that where he was when I came out, he was near the drive-way I indicate on the photograph. There was blood all over his face. I did not notice the front of his chest until afterwards. At that stage the two Ridgways were running up towards the Bentleigh Station. I have no idea what gait they were going, but I know they were going fast. Quinn did not say a word to me while he was lying there. There was not much blood flowing from him. He was not endeavouring to vomit. Walter Ridgway did not strike me or interfere with me ~~xxxxxx~~ ~~xxx~~ at any time. In regard to the condition of the two Ridgway brothers, to me they did not appear to be drunk. They appeared as if they had been drinking. I did not give Bert Ridgway any reason whatsoever to strike me. I recall an introduction at that time, I think it was Jacky Trinder who did the introducing. He introduced me to the two Ridgways. I think Vin Quinn was also introduced.

TO MR. DUNN: During the afternoon I had been to the Caulfield races with the Quinns. I suppose we had about 10 to 15 drinks there. During the evening we went up to the McKinnon football ground, to a McKinnon social. There were two 18-gallons there. Quinn and I, I suppose, would have had between 10 and 12 drinks there. Before that, during the day, we had had a few at Moorabbiah before we went to the races - about four or five. That would be all we had. It was a fairly good issue for the day. As to my getting a little argumentative in drink, that is not so to my knowledge; I do not. As to looking as if I had been in a few fights myself, it is only trying to be a peace-maker. I have been in about three fights while doing that. There have not been a lot more than that. As to how many I have been in this year, there is only the one. That was at a party down at Highett, I got a few smacks, that is all. I did not retaliate. In the three fights I had been acting as peace-maker. I have only lifted my hand to ward off blows. I would not take any part in a fight myself, I do not

D.

I did not hold Bert R. outside the cafe

DALTON.

believe in it. As to where I got the injury to my nose, where is the injury. I have not a broken nose. I have been before a court; for playing two-up. I have not been before a court for being drunk, or offensive behaviour. I once attended an inquest, an accident case when I was walking home from Mordialloc. I have never been charged with offensive behaviour. As to the only conviction I have before a court being for playing two-up, it is not, there was another case, I was up for offensive behaviour. As to why I did not admit that before, I forgot all about it. I think it was about 1930. I was in a bit of a fight then. As to having any other convictions, those are the only ones, for the two-up and the offensive behaviour. I got fined £5 for the offensive behaviour.. I was acting as a peace-maker at that time. In regard to the Police picking the wrong man, four or five of us were picked. It was a fight outside a hotel. This night I was not in an argumentative mood. Quinn was not, either. I do not remember Quinn referring to Ridgway's long nose. I do not remember it being mentioned. I walked away towards the counter when they started arguing. They were arguing over carrying a knife. Nothing led up to that. I have told the court all I have heard. As to why I was trying to pull Quinn away, I did not want him to get into trouble. I thought when the argument started someone would ring the police, that they would come and he would get arrested, for arguing. I heard a few words about carrying a knife. It was not more than that. I do not remember hearing Quinn referring to someone as a Dago. I cannot say who struck the first blow, because I was lying on the floor of the shop. To my knowledge they had started well before that. At the time the argument was started both the Ridgways were sitting down. Quinn was standing up. When the first blow was struck I never saw it. I do not know if both Ridgways were sitting down. I was hit from sideways.

As to saying ^{it} was Bert Ridgway that hit me, he was the only one left in the shop out of the two. I think the other people in the shop had gone outside. I would not swear to that, but I think they all went outside. I never saw Ridgway there after I got off the ground. I saw him running towards the railway station afterwards. After I was struck I did not see him till later. I saw him just before I was struck, he was sitting at the table. As to when the police first saw me, there were two Patrol men saw me, the two now in court. They asked me what I had seen. I told them exactly what I have told the court. I told them the whole truth, and nothing but the truth. I put that into writing, I suppose, half an hour later. I made a statement to some constable or detective. I have seen Sen. Det. Donnelly, I did not make it to him. I did not make it to Det. Currer. (Mr. Dunn requested the production of the first statement. He was informed it was not available. A statement made to Sen. Det. Donnelly was produced).

In that statement I made first I told the truth. When I first got up on my feet Quinn and Walter Ridgway were not still in the shop; I never noticed them there then. The first time I noticed them after I was knocked down was running up towards the station. I did not see them in the shop at all after I was hit. Around the table at which I was standing there were about 7 or 8 standing around. I did not see any of those people involved in the melee before I was struck. I see the statement produced, that is my signature on that statement.

EXHIBIT No. 3.

Statement of Ernest David Dalton.

TO SENIOR DET. DONNELLY: In connection with the charge for playing two-up, I appeared before the Brighton Court and was fined £1. I have been with the Gas Company with which I am employed for 6 years next July. At that place I have had no trouble

D.

DALTON.

at all and I have done my work all right. I could not say how long I was down on the floor after this knock. I would not know if I was knocked out - I suppose I must have been. As a matter of fact, I waited for the police that night and then told the detective who came along first just what I had seen. Following on that I saw you (Sen. Det. Donnelly) and made a written statement. I see the knife handle produced. As to whether the point of the handle of the knife I saw at Bert Ridgway's side is similar, it appeared to be a bit reddish-brown. It would be about the same sized handle.

(Signed) E.D. Dalton.

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

.....
CORONER.

THOMAS DESMOND GRAHAM, on his oath saith:

My full name is Thomas Desmond Graham and I am a painter residing at 13 Primrose Crescent, East Brighton. On ~~Saturday~~ ^{Sunday} the 20th of April this year, with Lawrie and Antonie, Clive Spencer and Reg. Morrison, I went to the Hamburgers at 309 Centre Road, Bentleigh. I arrived there at about 12.15 a.m. I had supper. Between about 12.30 a.m. and 12.45 a.m. I saw someone who is present in Court come into the cafe. They were the two men who are behind you - the two Ridgway brothers. There were two other men with them when they came in. I think one of those men is outside the Court today. I do not know his name, I could not say his name. When they entered the shop the two Ridgways and the other two men went to one of the tables at the end of the shop. They went to the table nearest the eastern wall, near the milk counter down the far end. Shortly after they got to the table there was a little noise going on, loud voices and so on. I saw liquor on the table; there was not anything on the table, I think they had liquor in their hands. I think it was gin. They were drinking it there. They were using cups to drink it from. They were cups that had apparently been left on the table by the previous customers. After they had been there for about five minutes I saw something of Vincent Quinn. He then came in. He came in with another man. As to how that man was dressed, I know he had a cap on. As to knowing Mr. Dalton, who gave evidence this morning, I did not see him. After Quinn and the man in the cap came in they were talking at the table where the Ridgway brothers and the other men were. The next thing that happened was that there was a bit of an argument there. I heard an introduction. The gentleman standing up in Court (Mr. Dalton) is the man who came in with the deceased. I think Quinn was introduced to the Ridgway brothers. There was a bit of talking in a loud voice, but I was not taking much notice. I forget now what was said by anyone.

GRAHAM.

GC/GB.

There was a bit of bad language used in the case. I do not know who was using it. I do not know for sure, it was from the table. I think Quinn did say, "If you want to swear go outside", or something like that. At that stage I saw someone with his coat off; I think Mr. Ridgway then took his coat off. That is the one in the blue coat, Bert Ridgway. He put his coat on again practically straight away. I could not say the reason why he took his coat off. When he took his coat off I noticed that he was carrying a knife in his belt. ^{on right side} The knife was not hanging out in the open, it was in a sheath. ^{of some kind} I could not say if the sheath I saw was similar to the one produced; I did not take much notice, I just saw it and that was all. For size and colour the one I saw was something like the one produced. } The knife was something like the one that is on the table, by the look of it. } I cannot exactly say what the colour of it was; it was something like the one produced. *Am not sure if anyone spoke of the knife*

TO THE CORONER: It was somewhere about the same size.

TO SENIOR DETECTIVE DONNELLY: I did not see the blade of the knife at that stage, I just saw the handle. After Bert Ridgway put his coat on they started talking or something, and just afterwards the fight started. I could not say who was talking or what the tone of the voice was; I did not see them. As the fight started one of the tables was knocked over. There were about half a dozen all told in the fight, I think. There were the two Ridgways and Quinn, and Mr. Dalton was trying to stop it. At that time there was a big crowd in the shop. There were quite a few there. When the argument took place I was sitting at the next table up from theirs. I was towards the door. When the table was upset Mr. Quinn went to the floor. As to knowing what caused him to go to the floor, I think he was knocked over by the table. While he was on the floor something happened to him. There was fighting. I could not say who was fighting him when he

was on the floor. Just before the deceased, Quinn, went down to the floor I noticed Bobby Hovell, the lad who worked there. He was trying to stop the fight and I thought he slipped over on the floor. He got up straight away. He was not knocked down, he only just slipped. At about that stage, because of the fight going on, some of my mates and I went out into the street. We were not out there in the street very long before someone came out - a couple of seconds I should think. As to how the artificial lighting was in the street when I walked out, it was pretty dark. It was fairly dark then. I think there were just the lights in the shop window, that is all. I cannot remember whether there was a street light. I could not say who was first of the persons taking part in the fight to come out, because they all more or less came out together. I cannot say how the two Ridgways came out. As to whether I saw anyone ejected from the cafe, the fellow behind the counter was pushing them out. He was pushing the whole bunch out. Shortly afterwards I saw some men fighting on the roadway near the gutter. There was Vincent Quinn - I think he was there - and Walter Ridgway, and a couple of others. I just cannot think who the others were. I do not know the others. It is correct that the deceased, Quinn, Walter Ridgway, and a couple of others I do not know were fighting on the roadway. As to being able to say if one of them was one of the Trinders, I do not know the Trinders so I could not say. As to there being some fighting taking place near the window of the shop at the same time, Mr. Dalton was trying to stop Bert Ridgway. He was not actually fighting, he was just trying to stop him going into the fight. During the time Mr. Dalton was trying to hold him back I saw Bert do something. He was fighting, trying to get over to the fight, and he was knocked down on the ground. He was knocked down by Mr. Dalton. I am not saying he was punched to the ground; he might have fallen over as far as I could see. He went down on the footpath.

Quinn saw something about carrying knife

I went outside before the fighter come out

I saw Bert R. come out with the mob.

TO THE CORONER: Dalton and Bert Ridgway were not actually throwing punches at each other in the doorway of the shop; they were more or less wrestling, to stop Bert going to the fight. It appeared as though Dalton was trying to stop him from joining in the fight. As a result of that wrestle Bert Ridgway fell to the ground.

TO SENIOR DETECTIVE DONNELLY: As Bert was on the ground or as he was getting up I saw him do something. He grabbed the knife out of his belt and seemed to rush into the bunch of them. At that stage I saw the other brother Ridgway fighting on the roadway. There were about four or so in that fight. While Bert Ridgway was on the ground he seemed to look over at his brother, and he immediately rushed over there. From what I could see of the fight that Walter Ridgway was in Vincent Quinn, in my opinion, was holding his own.

TO THE CORONER: Vincent Quinn was fighting two or three at that stage. I could not exactly see who they were. He appeared to be fighting two or three men and he was holding his own.

TO SENIOR DETECTIVE DONNELLY: Walter Ridgway was one of those who was fighting in that group. He was fighting with Quinn. I indicate where Bert Ridgway pulled the knife out from his belt. I am pointing to the right side about waist high. I think he used the right hand to pull the knife out. I indicate about how long that knife appeared to me to be. I agree that is about 10 inches or a foot. After he pulled the knife out he went over to where his brother was fighting. They just started fighting then; that is all I remember. As to seeing anything occur with the knife, I just cannot think. He seemed to rush into where they were fighting. There were about four fighting there and he just seemed to rush into it, that is all. When he got over there he seemed to take a swing into the fighting. I agree that I am indicating a swing with my right hand. He swung in that manner into the fight. When he took that swing I think Vincent Quinn would

GC/GB.

GRAHAM.

I have not yet a very good memory

Pulled knife out with right hand.

be the nearest to him. He seemed to take a swing with the knife towards him - that is, towards Vincent Quinn. Quinn's chest would be about the closest part of his body to the knife that was being swung. There was then a bit of a cry. It was just an agonised cry of pain. Someone cried out. Quinn just seemed to stagger towards the ground. They still kept on fighting. Walter Ridgway and Bert seemed to keep on fighting. While Quinn was staggering they were still fighting him. It is hard to say whether Quinn was fighting anyone as he was staggering. I just cannot remember whether he was fighting or not. I indicate on photograph No. 1 produced where the fighting was taking place on the roadway when I noticed it. I will mark that point with a small cross. Vincent Quinn finally staggered/^{about} to the point where the paper is shown on photograph No. 1 before he finally fell down on the last occasion. As Vincent Quinn fell in that position immediately Wally Ridgway ran over and started kicking him. I could not say for sure how many times he kicked Quinn, it might have been two or three times. The kicks landed on Quinn round about the head. When I saw Quinn on the ground I saw two other men interfere. The other two immediately pulled Wally off, they both pulled him away from Quinn. As to what became of the two Ridgways when those two men pulled Wally off, there were another two fellows there, and one got Bert and one got Wally, and they both went up the road. A couple of seconds later one came back. I could not say what happened to the Ridgways after they got some little distance away. I just ~~cannot~~^{cannot} remember now whether I heard anyone call out at about the time Vincent Quinn was staggering to where he finally dropped. I think just before he was hit someone called out "Stop it" in a pretty loud voice. I do not know who called that out. I could not say who it was, it might have been anybody. When Vincent Quinn was lying on the road his face was cut about a bit. As to what I mean by "cut about", it was cut and there was blood on it. I did see a wound on the right side

on his chest. Dalton, the man I have referred to as the man in the cap, then went over to Quinn's assistance and held him up. When I first saw Bert Ridgway and Dalton having a scuffle they were just about where the bicycle is shown in photograph No. 1.

TO MR. DUNN: I did not know Quinn before. I know his relations. I know them well, I used to go to school with them. They have not discussed this question with me since then. I have not seen any of them since then. I might have seen his brothers today, but I do not know them to talk to. I ~~have~~ ^{had} been to the pictures on this particular night. I am 19 years of age. I had not been drinking, I do not drink. I had not been drinking on that night. I went to the cafe with three of my cobbles. One of them is here today. His name is Lawrence Antonie. The other two were Clive Spencer and Reginald Morrison. I went to the Hamburgers at about 12.15. I saw the Ridgways come in. As to whether I know them, I have seen them about at dances and that. They have been dances I have been to at different times. The two Ridgways and the two other men sat down at a table. It is correct that they were drinking and were not interfering with anybody at that time. I did not see the man Quinn come up to them. I saw Mr. Dalton first. I did not know Mr. Dalton then. I know him by the cap. He went across to the counter and brought Quinn over and introduced him. The Ridgways were quite friendly at that time. As to knowing who started picking on the Ridgways, I do not think there was any picking on the Ridgways. There was a bit of swearing, and I think Mr. Quinn said, "If you want to swear, go outside", and the argument started. I did not hear Quinn say to one of the Ridgways something about his nose. I have not heard that mentioned since. I have not heard that it was an argument about his nose. I did not hear Quinn refer to one of the Ridgways as a Dago. I did not hear what the argument was about, apart from one of the men saying "There is no need to swear". As to whether I was just next to

them and did not hear it, I was not exactly next to them, I was at the ~~end~~ next table. I suppose that would be only about four feet or so away. I was sitting on the side of the table nearest to the front door. It is correct that I would be facing the table. I did not see Quinn strike a blow at one of the Ridgways. As to what would prevent me from seeing it, I was not looking all the time. I was not necessarily interested in what looked like a bit of a brawl starting. I was not. I was not interested at all. I do not know why I would not be interested in a brawl that was going to start in a cafe. As to whether I was not interested at all, I had my supper. I had not had my supper, I was having it then. I did see a blow struck by somebody, by Bert Ridgway. If you suggest it was Walter Ridgway and Quinn who were first mixed up in something, I say I think it was Bert Ridgway and Quinn. Bert was sitting at the table. As to whether Quinn was standing up over him, he was on the other side of the table. One was on one side of the table and the other was on the other side. It is correct that they started fighting across the table. They did not start fighting while Bert Ridgway was still sitting at the table; Bert was standing up at that time. I am sure of that. As to being ~~xxxx~~ prepared to swear that when I saw Quinn fighting with Bert Ridgway Ridgway was standing up, when I saw them fighting Bert Ridgway was standing up, and he was fighting Quinn. They were exchanging blows over the table. I agree that I then became a bit interested. I immediately got up and went outside into the street. I did not wait a while to see how it developed, I went straight away. I did not finish my supper, I left it on the table. I could not say if there were three lots of two when I saw the six men fighting; I do not know how they were mixed up at that particular time. As to it being a sort of all-in fight, everybody was scattered everywhere - I could not say. I would not say that fists were flying everywhere, they were not. As to what the six men who

were fighting were doing, I did not say that six men were fighting. I said there were six men there, but they were not all fighting at that particular time. As to how many I say were fighting, what I am saying is that there were two men fighting - Bert Ridgway and Mr. Quinn. I do not know where the others were at that particular time. They were there. I am not saying now that I did not see any other people mixed up in the fight in the shop. I saw other men mixed up in the fight in the cafe. They were all there. It is hard to say whether they were all mixed up in the fight. I could not say that they were mixed up in the fight, but they were there. I do not know what they were doing at the time. I would know if they were mixed up in the fight. I would certainly know if six men were fighting in the cafe. Six men were not fighting in the cafe. As to what the other four men were doing, I think Mr. Dalton was trying to stop the fight. As to whether he was punching somebody, I think he was just pushing them away more or less. I do not know who he was pushing at that particular time. I think it was one of the Ridgways, and it might have been one of the other men - I do not know. As to what the other two of the six were doing, they were with Mr. Ridgway and his brother. There were not three in Quinn's group, there were only two when I saw them. As to being there when the waiter was ~~knocked~~^{pushed} to the ground, he slipped to the ground, he was not exactly pushed. He was pushed away and then he slipped. As to whether he was pushed in any way, he was just moved, I do not know by whom. I was not still sitting down at my table at that time, I was out at the door. I agree that I was at the door looking back at the fight I was not interested in before. I did not remain at the door the whole time. When Mr. Hovell slipped on the floor the other men behind the counter - I think there were two there - started pushing them all out in the street. I naturally moved out of the way of the door. There was a parked car there and I moved in behind that. I was on the

roadway just on the edge of the gutter. Besides Walter Ridgway and Quinn I saw two other men fighting outside. I do not know their names. I do not think I would know them again because I had never seen them before. If it is suggested that apparently some were fighting ~~xxx~~ ^{for} and some against the Ridgways, I ask what you mean. They were pushed out of the door by the men behind the counter. I do not know who was on whose side. There was Mr. Quinn and Mr. Dalton on one side. There were the two Ridgways and two other men on the other side. As to how many were fighting on the Ridgways' side, there were Wally and Bert Ridgway and there were two other men. I am not sure if they were fighting or not, but they were there. They were all pushed out of the shop. Bert Ridgway and Mr. Dalton remained on the footpath and they were moved out into the gutter in front of the car. As to who moved them out, they naturally went out there themselves. After they got outside the front of the shop they were scuffling there. Bert Ridgway was scuffling with Mr. Dalton on the footpath. I do not think that blows were exchanged by Dalton and Bert Ridgway. I think Mr. Dalton was just trying to stop Bert from going across. As to what he was doing, he was wrestling with him. Mr. Dalton was just trying to stop Bert Ridgway. Mr. Dalton was not punching Ridgway, nor did he have him round the neck; he just had hold of him by the arms. He had his arms around Bert Ridgway's arms. I think he was just trying to stop him. I cannot tell you the position of his arms. When Bert Ridgway's arms were imprisoned by the other man's he was trying to get away. As to whether he was pushed to the ground, I think he just fell to the ground. I know the difference between a man being knocked over, a man being pushed over, and a man falling to the ground. I think I made a statement to the police in this matter. I did make a statement. That statement contained the whole truth. The signature on the statement produced is my signature. If it

is said that a moment ago I was asked if I knew the difference between fighting, pushing, or dropping to the ground, or words to that effect, I say that they were not the words you said to me; you asked if I knew the difference between a man getting knocked down, being pushed, or falling to the ground, and I said "Yes". I know the difference between fighting and trying to stop another man from entering a struggle. As to whether Bert Ridgway was fighting with this man Dalton, you would call it fighting in a way. I call fighting standing up and exchanging blows. If it is said that my statement to the police contained the following passage - "Wally Ridgway and two other men were fighting Quinn near the gutter but Quinn appeared to be doing well and holding his own with them, at the same time Bert Ridgway was fighting the man with the cap (Dalton) near the window of the shop" - and I am asked if I said that, I just cannot remember whether I did or not. If that appears in my statement I must have said it. When I said "fighting", I did not mean exchanging blows. Just before Bert Ridgway got up to join his brother I think Wally was getting the worst of his fight with Quinn. I agree that I signed that in my statement.

EXHIBIT 4. Statement of Thomas Desmond Graham.

When the fight on the roadway was going on I did not remain behind the car. I came out on the footpath in front of the shop. As to how many men were surrounding the fighters, there were a lot behind me and a lot on the other side of the street. I could not say how many there were altogether. I suppose there would be at least 20 there. My view was not obscured every now and again by other people who came in between me and the contestants. My view was never obscured in any way. I think I was always closest to all the contestants in the fight. I did not see Dalton, after Bert Ridgway had run over to the fight, join in the fight again. I do not know what he did. As to whether I saw Quinn's

second companion join in the fighting, I did not know that he had a third man there. I was first spoken to by the police when Mr. Donnelly came down to my work. As to whether I saw the other two Mobile Traffic Police before that, they were there but I walked off then. Asked if I told the whole truth immediately, before Mr. Donnelly saw me, I say that I did not speak to the police at all before that. When Mr. Donnelly came I did not try and conceal the truth for a while. As to whether I said that I was not there for a start, it was not much good me saying that I was not there when he came down to see me. I did not at first say that I knew nothing about it. I never tried to conceal anything.

TO SENIOR DETECTIVE DONNELLY: It is correct that I made the statement to you immediately you saw me. I do not think I suggested at any time that I had not seen the fight. When I made my statement I did not know that I would be called on today for a definition of what a fight meant. When I spoke of Wally Ridgway and Quinn fighting and two other men fighting with them I could not say whether or not the other two men were actually fighting or endeavouring to prevent somebody from fighting. I was leaving the cafe before anyone was ejected. I left when the fight started. My reason for leaving was that I did not want to be mixed up in any fight in the cafe. I went out into the street. I went out into the street so that I would not be mixed up in it.

TO THE CORONER: There were a lot of other people with the same idea. ~~They~~ They all rushed out into the street.

(Signed) T.D.GRAHAM.

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

.....
CORONER.

GC/GB.

GRAHAM.

LAWRENCE ANTONIE, on his oath saith:

My full name is Lawrence Antonie and I am a Butcher residing at 5 Hamilton Street, Bentleigh. I know the last witness, Graham, quite well. About 12.15 a.m. on Sunday, the 20th. April of this year I was with Des. Graham, (Clive Spencer and Reg. Morrison) in the hamburger shop at 309 Centre Road, Bentleigh, where we had supper. About 12.30 a.m. I saw Bert Ridgway come into the cafe. There was nobody that I knew came in with him. He came in with some others, I could not tell exactly with how many he came in. I do not know the Trinder boys. There was not anybody else with Bert Ridgway that I knew, or that I can see here to-day. After Bert Ridgway entered the cafe he went to the table right next to the counter, that is, the milk counter, at the bottom end of the cafe. I do not know exactly how many were at the table when he went down there, but I suppose there would be about five or six. I did not know Vincent Quinn until after this happened. I saw Quinn come up to the table where Bert Ridgway and the other men were. He went up there after he came in, I think he was with another chap, but I do not know who it was. I was sitting at the next table at the time, towards the front of the shop. When I saw Quinn and this other man at the table where Bert Ridgway and the others were I did not see anything. I saw the Quinn fellow shaking hands with somebody, I do not know with whom he shook hands. Shortly after that there was some language going on there. I think Ridgway was using that language. I did not hear anyone say anything about the language, or pass any remark about it. At this stage I had my back towards these men. Whilst I was there with my back towards them I just heard a bit of swearing going on. It was not very loud. I did not hear any argument going on. Later I looked around at the table where I had seen Bert Ridgway and the other men and I saw them sitting there and talking. At a later

stage my attention was not drawn to them to make me look around. I did not see anything going on in the cafe at any stage. When I was walking out of the cafe on to the footpath I turned around and saw something. Before I went out of the cafe I heard them talking, but I did not hear what they were saying. I did not observe anything happening in the cafe before I went out. I finished my supper that night and I was just out through the door on to the footpath. I went out on to the footpath. I just turned around and I saw them all fighting in the cafe. As to who were fighting, the only one I knew there was Bert Ridgway and I saw him fighting. I saw the man I now know to be Quinn, he was in that fighting. I do not know exactly how many others were in that melee in the cafe. There were a few of them fighting, but I do not know how many; there were more than Bert Ridgway and Quinn. Whilst I was out on the footpath I saw them fighting out, they fought out through the door and on to the road. When I saw Bert Ridgway, Quinn and some others, I do not know who the others were. I could not say who was holding or handling Bert Ridgway when he came through the door. After they came out of the doorway on to the footpath, the next thing that happened was I saw them fight out on to the roadway. I do not know who was fighting at that particular stage. As to how many were fighting, I think there were three of them fighting then. Part of the time whilst this fight was going on I was behind the car and had a number of men between myself and the men who were fighting. That car was parked immediately in front of the door of the hamburger cafe. At a later stage of the fight on the roadway, just before Quinn fell to the roadway, I do not know who was fighting then, it was dark and I could not see exactly. As I walked around from the back of the car I saw Quinn on the ground. He was on the ground when I first observed him

Quinn &
2 Ridgways
were fighting
on roadway

after I walked around the back of the car. As to what happened then, he fell to the ground and crawled along a bit on his hands and knees and then stayed. He did not move again. I did not see anything occur to him while he was on the ground. I saw a few boots going in while he was on the ground. I could not say where those boots struck Quinn, I just saw them going in. I think it was the top part of his body where the boots were going in; but I am not sure.. Just as I was coming out from behind the car I ~~just~~ saw a knife flash. I think Bert Ridgway had the knife. I just saw it flash. I do not know where it flashed to. At that particular moment Quinn was on the ground. At that particular time Bert Ridgway was in front of Quinn, I thought he was bending over (near Quinn). In regard to how the man acted I saw bending over Quinn, I just saw him come around, he was coming around Quinn; there was another chap standing there and he was moving around this fellow standing there. I just saw a knife in his hand. I saw a flash. I do not know where it glashed to. I did not see Quinn try to get up an anyk time. Following the kicking I do not know what became of Bert Ridgway, I did not see where he went. I did not see any men run from the scene. At no time did I see any persons going hurriedly towards the railway gates in Centre Road. After I saw the ~~flash~~ flash of the knife in the hand of the man whom I thought was Bert Ridgway I do not know what became of it. I did not see the knife after that. I did not see a knife in the hand of anybody else leaving the scene. I just saw Quinn lying on the ground afterwards. He was bleeding, I saw blood on his clothes.

TO MR. DUN: I had been to the pictures that night with my three companions. The pictures came out at about 11 o'clock. After leaving the pictures, before we went to the hamburger, we came from Caulfield by tram. We were in the supper room