

JAMES HECTOR ROGERS, on his oath saith:

My name is James Hector Rogers and I am a detective sergeant of police attached to the Scientific Bureau, Criminal Investigation Branch, Sydney. During recent years I have had the custody of the body of the deceased. On the 24th February 1944, I produced that body for examination by Dr. Magnus, an oral surgeon of Sydney, and Mr. O'Brien. Dr Magnus made an examination of the teeth in the body and of a plaster model of the teeth of the deceased, exhibit No. 12. That plaster model contained teeth which had been removed from the body of the deceased some time earlier. On the 3rd ~~March~~ March 1944 I was present when Special Constable Hopkins, of the New South Wales Women's Police Force, dressed the face of the body. She patched a wound in the forehead with sticking plaster. She smeared the face with cream and applied face powder over the cream. She filled some of the cuts in the face with cream and applied powder over the cream. She applied some rouge to the lips and also some to the cheeks. Also on that date, the hair of the body was dressed. On the following day, 4th March 1944, I was present at police headquarters, Sydney, when a number of people came to view the body. I did not have some conversation with each of those persons before viewing the body. When they were brought into the room, I was present with Miss Hopkins and I said to each "You have been asked to come here this morning to view the body of a woman found near Albury on the 1st. September 1944 and commonly referred to as the Pyjama girl. You might study the body and see whether or not it is the body of any person whom you knew." On that morning various witnesses viewed the body. Those persons who viewed the body were Mr. and Mrs. King, Mrs. Dunn, Mr. Kempfe, Mrs Shaw, Mrs Bland and Miss Crawford. Subsequently, I conveyed the body of the deceased to Melbourne where I delivered it to His Worship the City Coroner at Melbourne on the 6th March, 1944. I produce

M/ECL.

ROGERS.

photographs of the face of the deceased taken both before and after the face was dressed by Special Constable Hopkins. I produce a book containing those photographs. The first photograph shows the position of the body in a room at Police Headquarters, Sydney, when viewed by the witnesses who have given evidence here. The second and third photographs show the condition of the face before it was dressed by Miss Hopkins. The remaining four photographs are views of the face after it was dressed by Miss Hopkins and show the exact ~~and~~ condition of the face when it was viewed by witnesses who have given evidence here.

..... EXHIBIT 28 Book containing photograph of deceased both ~~and~~ before after face was dressed.

I also produce a photograph of the hands of the deceased. The photograph is a photograph of the hands reproduced to actual size. That is the actual size of the hands.

..... EXHIBIT 29..... Photograph of the hands of deceased reproduced to actual size.

TO MR. MONAHAN; In addition to the persons whom I have named who viewed the body on that day at Sydney, it was also viewed by a Mrs McPherson. As far as I know she is not in Court. At the time when Special Constable Hopkins made up the face on the first occasion I can say she did not then have with her a photograph of Linda Agostini. As to whether she had seen a photograph of Linda Agostini before hand, assuming she told me the truth, she had not seen one previously. Someone else did the hair. It was done by a professional hairdresser named McCreadie, who was in business in the State Shopping Block, Sydney. McCreadie did not have a photograph of Linda Agostini on which to set the hair of this corpse. I have seen the photograph of Linda Agostini and the set of the hair as done by McCreadie on the corpse. I agree, there is a remarkable similarity, but I expected there would be. It is not remarkable that he set the hair and it happened to resemble Linda Agostini's. Asked whether I should think the set which McCreadie did in 1944 would be any different

from the natural set in 1934, I would say he would not set the hair according to the time, but according to the hair of the body. I should think the hair of the body suggested to Mr. McCreadie how it should be dressed. As to whether I said to Mr. McCreadie "I want you to set this according to the natural way the hair of this body should be done, irrespective of changing fashions", I said "Mr. McCreadie, this is the body of the woman that you have no doubt read about as ~~the~~ being referred to as the Pyjama girl. We propose to have it viewed by a number of persons who we think may be in a position to identify the body. We desire the body to be made as presentable as possible, and less objectionable than what it is at present. Could you, from your professional knowledge, have any idea **of** the manner in which this girl's hair was dressed in life." He said "Yes." I said "Would you dress the hair to the best of your ability in accordance with the style suggested by the hair itself." He said to me "Have you any photographs of this woman." I said "We have photographs of the woman we suspect it to be." He said "Can I see the photographs." I said "No, obviously if you saw the photographs they would have some bearing on your setting of the hair. When he had done the work on the hair, I did not then show him a photograph. As to whether he had ever seen a photograph of Linda Agostini as far as I know, it could only be through my agency if I knew. He never saw one through my agency. Asked whether I know if anyone else had possession of those photographs at the time that McCreadie was about the premises, I do not know, but I know that no one showed McCreadie a photograph of Mrs Agostini until he left police headquarters on the 3rd March. Asked if that is my belief, I say I know that. As soon as he had done the set of the hair, I did not compare the result with the photograph of Linda Agostini. I have never compared the two, as a matter of fact, I just recollect the resemblance. McCreadie parted the hair slightly to the right of the centre. If it were suggested I know that

much of the resemblance between the photograph of Linda Agnostini, and the part of McCreadie, I would say it is hardly peculiar for a woman to part it on the right. I do not think it is equally likely to part it on the left. Most women part their hair on the right. I agree, in the long instruction that I gave him, I confined him to doing the hair according to what he, after looking at that gruesome object thought would be the natural way for that person to do her hair. As to whether I told him to have regard one way or the other to changing fashions, I told him nothing beyond what I have said here today.

(Signed) J.H. ROGERS.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 28th day of MARCH 1944.

W. J. King
.....
CORONER.

M/ECL. ↗

ROGERS.

ARTHUR CLIFFORD DE LA RUE, on his oath saith:

My name is Arthur Clifford De La Rue and I am a Constable of Police stationed at Russell Street and an official police photographer. On the 10th March, 1944 in company with Detective-Sergeant Halsall and other police officers I went to premises situate at 589 Swanston Street, Carlton, and I there took ten photographs of various portions of the premises. I produce a photograph of the front of the premises situate at 589 Swanston Street, Carlton.

EXHIBIT NO.30.....Photograph.

I produce a photograph taken of the second bedroom from the street on the first floor upstairs.

EXHIBIT NO.31.....Photograph.

I also produce another photograph of the same room.

EXHIBIT NO.32.....Photograph.

I also produce a photograph taken of the passageway and steps leading from that bedroom.

EXHIBIT NO.33.....Photograph.

That photograph faces towards the front of the house showing where the stairways lead to the ground floor. It also shows the doorway leading from the front and second bedrooms. I also produce a photograph of the passageway taken from the opposite direction. from Exhibit No.33. That again shows the landing at the head of the stairway.

EXHIBIT NO.34.....Photograph.

I also produce a photograph taken from the foot of the stairway.

EXHIBIT NO.35.....Photograph.

I also produce a photograph taken from the back yard showing the passage from the back yard leading to the foot of the stairway and showing the window of the second

bedroom shown in Exhibit No.32.

EXHIBIT NO.36.....Photograph.

I also produce a photograph taken in the back yard showing
the yard ^{and} ~~xx~~ the gateway leading into the back lane.

EXHIBIT NO.37.....Photograph.

I also produce a photograph taken looking down into the
back yard.

EXHIBIT NO.38.....Photograph.

I also produce a photograph taken from Queensberry Street
facing south showing the lane at the rear of 589 Swanston
Street.

EXHIBIT NO.39.....Photograph.

The gateway where the detective is standing in the
photograph is the gateway leading into the premises at
589 Swanston Street.

TO MR. FAZIO: In photograph No.36 no stairs are shown. The stairs
come in at the right hand side.

TO MR. READ: I also produce another photograph of the stairs at
the premises. This is taken from the landing at the top
of the stairs facing down.

EXHIBIT NO.40.....Photograph.

(SIGNED) A.C. DE LA RUE.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 28th DAY OF MARCH, 1944.


.....
CORONER.

HERBERT WILLIAM LATROBE, on his oath saith:

My name is Herbert William Latrobe and I am a Detective-Sergeant of Police stationed at Sydney. About 7.30 p.m. on the 4th March, 1944, with Detective-Sergeant Ramus I saw Antonio Agostini with Mr. Mackay, the Chief Commissioner of Police, at Police Headquarters, Sydney. Constable Linkenbagh was also present. Mr. Mackay said to Agostini, "These men are two detectives, Detective-Sergeants Latrobe and Ramus", He said to us, "This man has made a statement concerning the death of his wife, Linda Agostini". Handing us a statement, Mr. Mackay said, "I want you men to read that statement and if you consider there is any ambiguity in it I want you to tell me and I will ask him to clarify it". Ramus and I read the statement and I said, "There does not appear to be anything that needs clarifying in that statement". Ramus ~~conferred~~ concurred. I said to Agostini, "Is there anything further you wish to add to that statement". He said, "There is a lot I want to tell you, but I can't think of it now, but I will tell you later. But what I have said in that statement is true". Mr. Mackay then handed the last page of the statement to Linkenbagh and at his dictation he typed a number of questions on the bottom of it. Mr. Mackay then took the statement and handing it to Agostini said, "I want you to read those questions carefully and if you consider they are right you can sign it." Agostini read the questions aloud and wrote in the replies. He then signed the statement which was witnessed by Constable Linkenbagh and was also initialled by Detective-Sergeants Ramus and myself. The statement produced, Exhibit No.22, is the statement I witnessed. The Commissioner, Sergeant Ramus and myself then had a conference, after which Mr. Mackay said to

RP/EC/7.

LATROBE.

Agostini, "Are you prepared to accompany these two Detective-Sergeants to Melbourne as according to your statement your wife met her death in the State of Victoria. I want you to understand that you are not under arrest, but if you desire you can accompany them voluntarily to that State." Agostini replied, "Yes, I will go. I want to tell the truth and get this matter over". Detective-Sergeant Ramus said to Agostini, "According to your statement the body was placed near Albury. Are you prepared to show us where you placed the body?" He said, "Yes". Ramus also said, "You speak of a revolver or a pistol in your statement. What did you do with it?" He said, "I threw it off a bridge into the Yarra. I think it was Punt Road Bridge at South Yarra". A document was later prepared and signed by Agostini in the presence of Mr. Halpin, a Justice of the Peace in the State of New South Wales. About 6 p.m. on the 5th March, 1944, in Albury we were met by Detective Sub-Inspector Davis of Victoria. Seageant Ramus said to Agostini, "You told us in Sydney yesterday that you were prepared to show us where you left the body. This is the City of Albury." He said, "It is a long time ago. If you take me out there I might be able to tell you". We then drove along the Howlong Road about $4\frac{1}{2}$ miles and stopped the car. Leaving the car, Detective-Sergeant Ramus said, "The road has been re-formed here since 1934." He said, "I want you to clearly understand that before you indicate anything or reply to any question you need not do so unless you desire, as anything you say may be used in evidence". Agostini replied, "I understand, Mr. Ramus". Indicating a brick coping on the northern side of the road, Ramus said, "That coping was on the northern side of the culvert where the body was found". Agostini said, at the same time

pointing towards Albury, "I came in that way. I stopped the car about 2 yards from the culvert. I took the body out and placed it in the culvert. I then took a tin of petrol. I always carried two tins of petrol that I may require when I am travelling to and from Sydney at night. I poured portion of the petrol on the bag and struck a match and there was a glow. I put the remainder of the petrol into the car and then turned around and drove towards home. In so doing I saw the bricks above where I had placed the body". Ramus said, "Can you tell me what route you took coming out here"? He said, "Take me to the bridge across the Murray and I will be able to tell you". I said, "Before we leave here, there are several matters that I want to ask you about, but I want you to understand that the caution administered by Detective-Sergeant Ramus still applies". I said, "When the body was found a towel was wrapped around the head. Can you tell me anything about that?" He said, "Yes, it was one of my towels taken from my home from my cupboard". I said, "Can you tell me what initials were on that towel?" He said, "They would be my initials. It would be either A.G.O. or A.G. I sent my laundry to many laundries at that time. I moved to many places in Melbourne". I said, "A bag was also found on the body. Can you tell me anything about that". He said, "Yes, I got that from Castellano. I had many bags from Castellano as I was going to fix them so as to keep the rain off my car". I said, "What kind of a bag was it". He said, "It was just a heavy bag". I said, "Can you tell me how you put the body into the bag, feet first or head first?" He said, "I can't tell you. I know I was struggling to get the body into the bag. It was not big enough". I said, "If there was any part of the body protruding from the bag, can you tell me whether it was the head or the feet?" He said, "I can't tell you".

I said, "Portion of pyjamas were found on the body. Can you tell me what wearing apparel your wife had on when you placed her in the bag?" He replied, "Only pyjamas". I said, "Can you tell me the colour of them?" He said, "They were a greenish colour". I said, "Can you tell me whether there was any design on them?" He said, "Yes, it was a kind of freakish affair, what you call ~~embroidered~~ ^{embroidery}". I said, "Did that design take any particular form or shape?" He said, "Yes, I would be able to recognise them if I saw them". I said, "When we get to Melbourne I will show you the articles I have referred to". We then drove to the bridge over the Murray from Victoria to New South Wales. Agostini then indicated various streets. When at the corner of Smollet Street and Townsend Street he said, "I turned here", indicating the corner, "I remember the hotel there on the corner", indicating the Criterion Hotel. We then proceeded to Melbourne. About 11 a.m. on the 6th March with Detective-Inspector Davis, Detective-Sergeant Halsall and other detectives at Agostini's directions we drove to premises at 589 Swanston Street, Carlton. On entering the shop Inspector Davis cautioned Agostini he was not obliged to answer any question unless he desired as anything he said may be used as evidence. I was present during a conversation between Mr. Davis and Agostini. Later in the yard at the rear of the same premises I said to him, "Yesterday at Albury I had a conversation with you concerning certain articles that were found on the body". He said, "Yes". I then showed him the bag, Exhibit No.3. I said, "This is the bag I referred to yesterday". He said, "Yes, it is just a heavy bag". I then showed him the towel Exhibit No.4, and said, "That is the towel I referred to when I was speaking to you at Albury yesterday". He said, "It is similar", and ~~i~~ indicating the laundry marks on it he said, "That means

nothing to me". I said, "Can you tell me where you bought that towel". He said, "Yes, in Sydney or in Melbourne". I then showed him the pyjamas, Exhibit No.5, and said, "This is the portion of the pyjamas I referred to". After he examined them he said, "Yes, those are the pyjamas she was wearing". Detective-Sergeant Ramus then showed Agostini the bullet, Exhibit No.21, and said, "This is the bullet that was taken from the head of the Albury victim. You referred in your statement to a pistol. Would that be the size of the bullet that would be fired from the pistol referred to?" He said, "I did not know there was a bullet in it; It was a 6.25". Ramus said, "Can you tell me what kind of a grip was on the pistol?" He replied, "I did not know there was a bullet in it". Ramus repeated the question, "Can you tell me what kind of a grip was on it". He said, "It was one of those automatics", and he was indicating on the palm of his hand the shape of a pistol when he was handed a note book by Inspector Davis and drew what appeared to be a pistol on it. I produce that drawing made by Agostini.

EXHIBIT NO.41.....Drawing of pistol.

Ramus said, "Where did you get the pistol?" He said, "It was given to me by some of my relatives in Italy in 1927 when I was coming to Australia". Ramus said, "Was that pistol registered?" He said, "No..I called in at the Central Liverpool Street Police Station to register it when I was told I could not register it and to throw it in the Harbour". We then accompanied Agostini to a bridge across the Yarra, The Morrell Bridge at Anderson Street, where we left the car and walking along the side on the foot walk he stopped about midway across the river and said, "This is where I threw it. If I had gone to the police in the first place when the accident happened it would have

been all right, but when a person is a fool he remains a fool". We then returned to Police Headquarters at Melbourne and Agostini was later on that day arrested and charged with murder. When the effects of Agostini were searched at the City Watchhouse I found four proofs of some portraits of someone in his belongings. From those four proofs I ascertained the name of a photographer in Sydney. As a result of enquiries made, I then received the negatives of four photographs of a woman who I believe to be Linda Agostini (Exhibits 16, 17, 18 and 19). The original negatives of those photographs are in the possession of the Victorian Police. I said that I found four proofs of photographs. I really found only two proofs and I produce those two proofs. I produce a proof which I found in his kit

EXHIBIT NO.42.....Proof of photograph.

and also the other one which I found.

EXHIBIT NO.43.....Proof of photograph.

TO MR. BARRY: At the time of the inquest in January, 1938, which was held at Albury I was not connected with the investigation into the "Pyjama Girl" case. I have come into the investigation since then. I understand Detective-Sergeant McRae was then in charge of the investigation. If McRae said about the bag "The portions of the bag found around the body of the deceased were taken by me to Melbourne and there photographed by means of infra-red photography by Detective Hobley. The letters DALM in capital letters over "First grade" were clearly decipherable. From my enquiries there appears to be little doubt that the burnt portion of this bag had the missing letters ORE upon it and that the bag was a potato bag and originally came from the Dalmore District, Gippsland, Victoria, where there is a large potato growing industry. These bags are very

RP/EC/12.


LATROBE.

common not only in the State of Victoria but also in the neighbouring district of Riverina and the State of New South Wales", I cannot say that I agree with that from my own personal knowledge. I do not know of any reason to disagree with that. With regard to the pyjamas, there were no marking on these pyjamas which would assist in the identification of their owner. If Mr. McRae said, "The two portions of the towel around the head of the deceased I also had examined. This towel is of Japanese manufacture and a large number were imported into Sydney and Melbourne in the year 1933. The portions of the towel were also photographed by infra-red photography by Detective Hobley and in one corner of the towel there appears to be three initials which may be R.C.O., but they are not clearly decipherable and it cannot be said with any degree of certainty what initials they are or letters they represent", I agree with that. If Mr. McRae said, "Photographs were taken of the initials on this towel. The Secretaries of the Laundry Owners' Association of New South Wales and Victoria were communicated with and each circulated every one of its Association members, but no information could be obtained from any member which would establish who owned the towel", I take it that McRae would be referring to the State of New South Wales. If he said "the Laundry Owners' Association of New South Wales and Victoria", I take it that would be correct. I look at the piece of towel with the initials. I am inclined to think that is a laundry mark. I am not in a position to say what it is. Looking at the ^{towel} ~~towel~~ again, asked whether I agree the way in which I am now holding is normally the method by which anybody would hold it for the purpose of putting an identifying mark upon it, I say it would depend upon circumstances. I have never marked any laundry myself. I have not

LATROBE.

RP/EC/13.

subjected that to examination under a magnifying glass. I am not in a position to offer any view of what those letters are. I could not say for instance they look like QIN. In Agostini's possession we found two proofs showing in different poses a person identified to be Linda Agostini. Presumably those were proofs of a kind issued by photographers for the purpose of enabling the client to make a selection. I would not say they were photographs treated in such a way as to resist light. I know that the photographers in the good old days used to give you a series of photographs from which to make a selection. Those proofs were printed in such a fashion that they faded with the impact of light. These two proofs were not then sent to Sydney. No photograph has been taken off those proofs to my knowledge. I would not say I have opportunity of knowing. To the best of my knowledge and belief, no photograph has been taken off those proofs. As a matter of fact, I do not think it is possible. That is my own personal view. I was able to determine from the proofs where they had been taken, that is by a photographer in Sydney. I supplied the number or numbers, I think it was a number, and the name that appears on the back of the proofs to Police Headquarters in Sydney and in reply I received the negatives, or the negatives were received in Melbourne. I think they came to the Commissioner of Police in Melbourne. Some negatives came to Melbourne. I would say those negatives are the negatives that have been used to produce the photographs ~~which~~ which have been tendered in evidence as Nos. 16, 17, 18 and 19. I believe that to be so. I am not in any position to identify the negatives which were used for the production^{tion} of those photographs


RP/EC/14.

LATROBE.

as the negatives which were obtained from the photographer in Sydney. I can only say they are similar.

TO MR. READ : I produce the document I referred to in my evidence-in-chief which I said was signed by Agostini in the presence of Mr. Halpin, a Justice of the Peace for the State of New South Wales. The document reads:

" Police Headquarters,
SYDNEY, 4th March, 1944.

" I, Antonio Agostini, do declare that I have this day made a statement in connection with the death of Linda Agostini, my wife. I wish to have the matter finalised as quickly as possible. It is my desire that I be conveyed to where I placed the body near Albury and I desire to indicate the road I arrived and left by and I also desire to indicate to the Victoria Police where I disposed of the weapon in Victoria. I realise that I am not under arrest at the present time and I wish to go voluntarily on the mission. I hereby waive any formalities in connection with extradition proceedings from New South Wales to Victoria.

Signed before me and witnessed by me on the date abovementioned.

(Signed) ANT. AGOSTINI.

F.P. HALPIN. J.P.

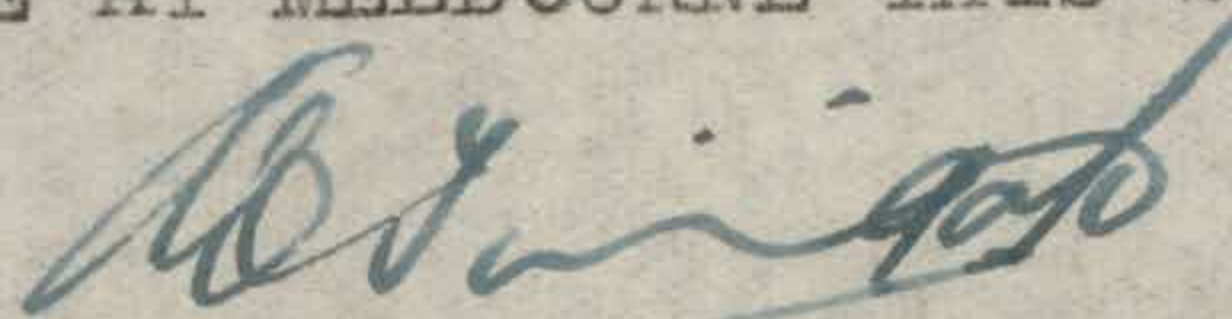
Justice of the Peace

for ~~the~~ New South Wales."

EXHIBIT NO.44.....Document signed by Agostini.

(SIGNED) H.W. LATROBE.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 28th DAY OF MARCH, 1944.



.....
CORONER.

LATROBE.

RP/EC/15.

JOSEPH VICTOR RAMUS on his oath saith:

My name is Joseph Victor Ramus and I am a detective sergeant of police, attached to the Criminal Investigation Branch, Sydney. I have been in Court during the whole of the evidence given by the last witness, Detective Sergeant Latrobe. I was in his company during every incident about which he has spoken in evidence today with the exception of the finding of the two proofs in the effects of Agnostini. I have heard his evidence. It is true and correct. There is nothing that I can usefully add at all on any of it.

(Signed) J.V. RAMUS.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 28th DAY OF MARCH 1944.


.....
CORONER.

WILLIAM EDWARD DAVIS On his oath saith:

My name is William Edward Davis and I am a detective sub-inspector in charge of No.1 Area, Criminal Investigation Branch, Melbourne. On the 5th March 1944 I was present at the Howlong-Albury Road and at Albury township with Detective Sergeants Latrobe and Ramus when Agostini was questioned. I have been in Court and heard the whole of the evidence of Detective Sergeant Latrobe. That is correct. At about 10.20 a.m. on 6th March 1944 in company with Det.Serg.Halsall, Latrobe and Ramus and Det.White, I proceeded with Agostini to Carlton, to premises situated at 589 Swanston Street, Carlton. Detective Linkenbath was also present. I warned Mr.Agostini. I said to him "You have made a statement to Mr.MacKay, the Commissioner of Police in New South Wales, in which you described the manner of your wife's death. I would like you to point out the place where it occurred." He indicated the premises at 589 Swanston Street, Carlton. On entering the place I said to him "I want you to understand that you are not obliged to answer any questions or make any comment in regard to these premises unless you wish and anything that you may say may be given in evidence." He said "I understand that. I want to clear the matter up; I want to explain it to you." He pointed out different rooms which have little or no bearing on the present enquiry and went upstairs where I said to him "Which is the room where her death occurred." He indicated a room on the north side of the passage and second from the front of the building. He said "This is the room." I said "Where was the bed." He said "The head of it was behind the door." I said "Was the bed close to the wall," indicating the west wall, "or out from it." He said "It was a little bit out from the wall", indicating the west wall. I said "Was it a single or a double bed." He said "It was a double bed." I said "What other furniture was there in this room." He said "There was a wardrobe in that corner," pointing to the north-east, "and there was a dressing table under that window, across the window", pointing

M/ECL.

DAVIS.

to the north-west corner. I said "Will you go through the incident which resulted in the death of your wife." He said "I was awakened when the clock went off about 7 in the morning and found something hard pressed against behind my ear". I said "Which ear". He said "The left ear. I ^{caught} ~~got~~ it with my hand and tried to push it away, and I think the sight scratched me." I said "Which hand did you catch it with." He said "I think it was the left hand. She kept it hardly pressed and I then had to use both hands." I said "What happened then." He said "I struggled with her to get possession of the gun but she seemed to have more strength than I thought." I said "What did you do after that?" He said "After struggling on the cushion, I got possession of her arm." I said "Was there much light in the room." He said "There was not much light, the curtain was down and it was very early." I said "Which arm did you get possession of?" He said "I think it was the right arm, and, after I succeeded in catching hold of the arm, I endeavoured to disarm her. We continued struggling and the next thing I knew was a shot banged and I realised that she was shot." I said "What time did you go to bed on that night?" He said "It would be about midnight." I said "What time did she go to bed." He said "A little earlier than I." I said "What were you doing before you went to bed." He said "I was preparing some of my papers." I said "Did she assist you with them." He said "No, they were confidential." I said "Was she asleep when you went to bed." He said "No, and she was not very keen on allowing me to go to sleep either. I had experienced that sort of thing many times before." I said "On what side of the bed did she sleep." He indicated the west side of the bed and said "On this side." I said "And on which side of the bed did you sleep". He indicated the east side of the bed. I said "On what side did you lie, your left or your right side." He said "I started to lie on my left side but I cannot sleep in that

way and I always turn over." I said "Well, when you wakened, on what side were you." He said "I was on my back." I said "What time did you awaken." He said "About 7 o'clock". I said "How was the light". He said "There was not much light in the room, the curtain was down." I said "What did you do after the shot was fired?" He said "For a moment I was stunned. I just looked at her. I tried to do what I could for her, but I realised that she was beyond all help. She gasped and lay still." I said "Did she get out of the bed." He said "No, she just lay there." I said "Did she fall out of the bed." He said "No." He said "She gave a sort of a shiver and then she kind of stretched out and lay still and I realised that she was dead." I said "What next did you do after the shot was fired". He said "I just looked at her for a time. I thought of going to the police. I tried to find my clothes, and I could not find them. I was confused and I was at a loss." I said "Well, what did you do after that." He said "After one or two hours I lay down. I thought 'If I go to the police, will they believe it is an accident'. I had worked hard, I had many friends and built up a good name in the paper with which I was associated, my life had been just, and I could see everything crumbling down." I said "What time did you move the body from the bedroom." He said "It must have been about 12 o'clock." I said "When did you put it into the potato sack?" He said "Oh, that was later in the evening." I said "Well, about 12 o'clock, what did you do with the body." He said "I cannot remember if I took it downstairs then or if I left it until after I came back from town. I went into town, I came back, I intended to go to the police, I came back. I did not know what I was doing for hours and hours." I said "Where was the body during that time." He said "It was in the bed." I said "Well, what time did you put it in the sack." He said "I just can't remember the time." I said "Well, when did you remove it

from the bed." He said "It must have been after 12 o'clock in the afternoon." I said "Was it early afternoon or late in the afternoon." He said "It would be late in the afternoon." I said "About what time." He said "It may have been about 5 or 6 o'clock or, perhaps 7 o'clock." I said "About 5 or 6 o'clock." He said "Yes, it may have been about then." I said "You mentioned 7 o'clock." He said "It was 7 o'clock when I got ready to leave." I said "There were some marks of violence on the head and on the face." He said "Yes." I said "How did she get them." He said "She got them when I was taking her down to put her in the car." I said "How did she get them." He said "I fell when I was going down the stairs." I said "When you picked the body up from the bed in this room, was it still clad in sleeping dress." He said "Yes." I said "When you lifted the body out of the bed in this room, was it stiff or limp." He said "It was stiff." I said "When did you put the towel round her head." He said "I put that around as soon as I realised that she was dead." I said "How far where you went from here." He said "I carried her out into the passage, we went down two or three steps and then entered the main stairway. The stairway at that time was covered with carpet. I was standing in this position." He demonstrated with his back close to the east wall. He said "I was carrying her in my arms and my foot caught in the carpet and I fell down to the bottom of the stairs and she fell on to her face." I said "Where was her head when you were carrying her down these stairs." He said "I suppose it was in my left arm." I said "What is your belief in regard to the position of the head as you were carrying the body down these stairs?" He said "It was a little bit higher up on my left arm." I said "You then had your back close to the east wall." He said "Yes." I said "Well, now, will you indicate the step in which your heel caught." He said "It was the second or third step from the top; it was one of the first four. My heel caught in the carpet, when I went to lift it I lost

my balance and she fell down the stairs and I fell after her and there was something at the bottom." I said "What was at the bottom of the stairs." He said "It was a broken flower pot or a flat iron." I said "What time did you fall to the bottom of the stairs." He said "That was late in the afternoon, as I told you when I was upstairs." I said "When you were carrying the body down these steps was it still stiff or limp." He said "It was fairly limp. I had difficulty in carrying her, it was rather heavy." I said "Did she die with the legs stretched out stiff." He said "I can't remember but I think she was half turned." I said "Were the legs bent or straight." He said "I cannot truly say." I said "What was the condition of her head before you left the bedroom upstairs, were there any marks or blood on it?" He said "No." I said "Was there any mark of blood on the head after you finished struggling on the cushion on the bed?" He said "Not that I remember." I said "Did you see a bullet wound in the head." He said "There was some blood coming from the side of the head where the bullet entered." I said "Did you see any blood on the forehead or on the face or on the eye." He said "That would be all." I said "Was there any blood on the forehead." He said "I do not remember." I said "Why did you put the towel round the head of your wife." He said "Because she was losing blood from the ear." I said "Which ear?" He said "The right ear." I said "Will you indicate it on yourself." He pointed to his own right ear. I said "Did you see any blood on the ear?" He said "I can't remember seeing any." I said "After you landed at the bottom of the stairs, what did you do." He said "I then got her in the bag." I said "Where did you get the bag." He said "I had it outside where the car was in the shed." He then took me out to the back yard and he indicated the south side of the yard. He said "This was covered with a roof. I had my car in here and the bags were hanging on the side to protect the car from

the weather." He said "I got the bag from here."
We then returned to the foot of the stairs and I said to him "Well, now, what did you do from here." He said "I put the body in the bag." I said "How was the head when you put it in the bag." He said "It was very bad." I said "Which end did you put into the bag first." He said "As far as I know, it was the larger part, I had difficulty in getting it in because the bag was a bit small." I said "Was there any blood on the head when you put it in the bag." He said "No, there was not much blood. She was bleeding from the head where she fell down the stairs. I saw that her head was badly smashed." I said "You say that the head was badly smashed when you put it in the bag." He said "Yes." I said "How did you see it was smashed if you had bound a towel around the head before you left the bedroom upstairs." He said "I can't remember why I did this or that, it is so long ago." "But", he said "I took the towel off the head before I came down from the room." I said "Why did you take the towel off the head." He said "I cannot remember, it is so long ago, but I took it off." I said "If you were carrying a body down those stairs and you had the head in your left arm and your back close ^{to} the east wall, well, how do you account for her head striking that iron at the bottom of the stairs when her feet were pointing down?" He said "I cannot tell you; I really cannot tell you; it is so long ago - I was so damned," and then he hesitated and said "I was in an awful state of mind". I said "Having put the body into the bag, where did you get the towel which you say you took off the head when the body was upstairs and which the police say was still wrapped round the head when the body was recovered on the Howlong road Albury." He said "Those are things that you don't think of at the moment." I said "Well, show us where you went from there." He then indicated the passage from the rear of the house to the yard. He said "I brought the body down here, I placed it

M/ECL.

DAVIS

in the car." I said "Which way was your car facing."
He indicated the east. He said "I placed it in this side of
the car," indicating the north side of the car. I said
"What sort of car was it. He said "A Fiat, 508." I said
"What type." He said "A sedan." I said "Do you know the
present owner." He said "Mr. Thomas, manager of the Princess
Theatre." I said "What did you do after placing it in the
car." He said "I intended to go away to the country and I
made preparation." I said "Did you cover the body when you
put it in the car, or did you leave it in full view." He
said "I covered it." I said "What with". He said "It may
have been a bag or a blanket." I said "Did you have to get
any petrol." He said "No, I had two tins." I said "What
capacity were they." He said "Four gallons in each; I used
to travel to Sydney and I always kept some on hand because
the tank of the car did not hold very much." I said "When did
you bring the pistol down." He said "I got rid of that a few
days later." I said "Did you bring it down to the car." He
said "No." I said "Did you get rid of it after you came
back from Albury." He said "Yes." I said "Did you tell
anybody on that day of this incident to your wife." He said
"No." I said "Did anyone else occupy this house with you."
He said "No, only my wife and myself." I said "Was your wife's
mother living." He said "Yes." I said "Where." He said
"In England." I said "Did she have any relatives here." He
said "No." I said "Well, now, show us the way you went
out." He indicated the back ~~at~~ gate and said "We went out
through here." Before going into the lane, Detective Sergeant
Latrobe showed him the exhibits as described in the evidence,
and Detective Sergeant Ramus also questioned him in regard
to the pistol bullet. I then said to him "What did you do
with the bedclothes that were on the bed upstairs." He said
"I burnt them." I said "When." He said "On a few nights
after I came back from Albury." I said "Where." He said
"In that room that I told you was not furnished and which is

at the back of the shop." I said "Did you burn them in the fire place." He said "Yes." I said "What did you do with the personal clothing of your wife's." He said "I burnt that too." I said "Where." He said "In the same place." I said "When did you burn it." He said "On a few nights after I came back from Albury." I said "What did you do with the bag or blanket with which you covered the body." He said "I think I must have burnt that as well." I said "Did you bring it back from Albury." He said "No, I don't remember bringing the blanket back from Albury and I now think it must have been a bag that I placed over the body." We then ~~sa~~ went to the back lane. He said "I backed the car out into the lane." The gate, at that time, was about 3 ft. wide. I said "Was this gate the same then as it is now." He said "No, it was much larger." He then directed us from the lane into Queensberry street. He said "I went along here." He took us to Elizabeth Street, then to Sydney road. He said "I got some petrol on the way, but I am not sure whether I got it in Brunswick or Sydney road." I said "Who was the agent for the house where you were living at that time." He said "I don't know his name, he is in Lygon street." He then took us to Lygon street, Carlton and pointed out the estate agency of Mr. George Bruce. He said "That is the agent." I said "Will you take us to the place where you threw the pistol." He then took us to the Morell Bridge, which is commonly known as Anderson Street and he said "I threw the pistol in here." I said "When". He said "On a few nights after I came back from Albury." He then said "If I had gone to the police in the first place, it would be all right. When a man is a fool, he remains a fool." He then pointed out a number of places where he had lived, mostly in South Yarra or Toorak. On the journey, I said to him "Where did you buy that towel that was around your wife's head." He said "I bought it in a shop but I cannot tell you whether it was in Melbourne or Sydney." I said "How did the mark get on it."

he said "That was put on in the laundry. We used to send it to a laundry somewhere in Toorak." I said "Do you know what the mark was." He said "It would probably be ~~xxx~~AGO." I said "Do you know the laundry." He said "No, I have never been to it." He was then taken to the police depot, and after having his lunch, taken to the City Watchhouse and charged about 2 p.m.

TO MR. FAZIO: When I was questioning him in the house, he appeared, quite genuinely, to have some difficulty in remembering details.

TO MR. BARRY: The laundry in Toorak has not yet been located.

As to whether I have any reason to believe that, at this stage, that mark is capable of identification as "AGO", ~~xxx~~ my belief is that if we can find the person who marked it we can identify his marking. We have not had much opportunity, we have been very busy with the brief and some of the places have changed hands. The marks have been on the towel for ten years. All the laundries in Victoria were circulated. I have only looked at the mark superficially, I have not examined it under a microscope. I have not recently examined the police photographs of the mark. My recollection of those photographs is that it could be ~~xxx~~ AGO. As to whether it looks like AGO, I say it could be. As to whether it could be QIN, I do not think the last letter could be an "N". I think the second letter could be a "G". I think the early New South Wales circular said the middle letter could have been a "C". I think the original description was that the first letter could have been a Q. It could also have been an "A"; I am not saying it was, but it could have been. If it purports to be an "A", as to there being only one leg to the lower part of the A, I am not definitely saying that it is an A. As to whether it is plain there was never any right hand part of the A, I could not say that because I am not an expert on that.

(Signed) W. DAVIS.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 28th DAY OF MARCH 1944.

M/ECL.

W. Davis
.....

CORONER. DAVIS