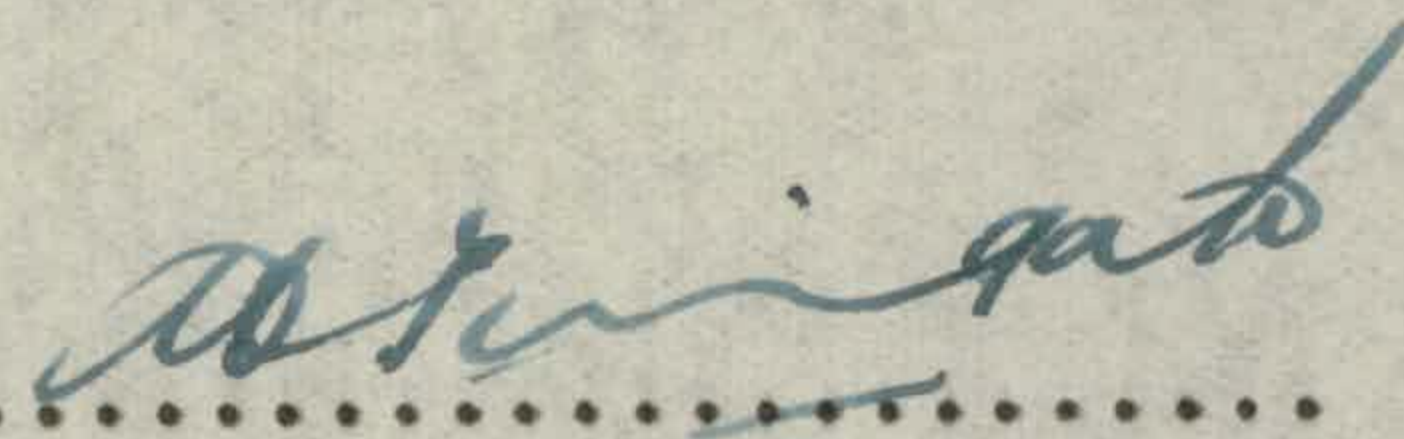


GILBERT JAMES HALSALL, on his oath saith:

My name is Gilbert James Halsall and I am a Detective-Sergeant of Police stationed at Russell Street, Melbourne. I have been present in Court this morning and heard the whole of the evidence given by Detective Sub-Inspector Davis. I was not present all the time in Howlong Road. I did not hear the whole of that conversation. I was present with him here in Melbourne all the time. I have heard his evidence relating to the incidents in Melbourne. His evidence is true and correct. There is nothing I can usefully add.

(SIGNED) G.J. HALSALL.

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


.....

CORONER.

RP/EC/16.

HALSALL.

ALEXANDER JOHN WHITE, on his oath saith:

My name is Alexander John White and I am a Detective stationed at Prahran. I have been in Court this morning and heard the whole of the evidence of Detective Sub-Inspector Davis. I was present with Inspector Davis during all the incidents that were described by him. I have heard his evidence. It is true and correct. There is nothing I can usefully add.

(SIGNED) A.J. WHITE.

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


.....

CORONER.

RP/EC/17.

WHITE.

JOHN JAMES MORGAN, on his oath saith:

My name is John James Morgan and I am Council employee in the employ of the Drommoyne Council and I reside at 250 Lyons Road, Five Dock, Sydney. In about 1908 whilst I was living in Johannesburg, South Africa, I met a woman named Anna Brittz. She was a lady of Dutch parentage. After meeting Mrs. Brittz we came to New South Wales. Mrs. Brittz ^{and I} then married at a church *in* Botany Road, Waterloo. At that time my wife, Mrs. Brittz, had a daughter named Johanna. She is the lady who is now known as Mrs. Routledge. She was the daughter of my wife. In about 1910 the girl known as Johanna was keeping company with a man named Sydney Tiplady. His people kept a grocer's shop in Elswick Street, Leichardt. Some time after she commenced to keep company with Sydney Tiplady she gave birth to a female child in Leichardt. I would not like to say what year that was. After the birth of the child she returned to my home with the child and lived with me and my wife with that child for some years. Shortly after the birth of the child I believe there was an agreement drawn up between Johanna and this man Tiplady as regards the obligations of maintaining that child, but I never saw the agreement. From that time onwards that child was known as Phil. I never heard a surname given to her. About the beginning of 1913 my wife and I removed our home to the corner of Great North Road and Lyons Road West, Five Dock. This child, who was known as Phil, continued to live with me and my wife for some time there. Sometimes her mother would come along and take her away and she might be away for 3 or 4 months at a time. My step-daughter Johanna then married a man named De Pere. My step-daughter visited my home from time to

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time until the year 1929. Up till that period of 1929 I saw the child Phil from time to time. The last time I saw that child I should say she would be about 14 or 15. I saw her on several occasions at that time, but I could not say the date I saw her last. She lived in my home a good deal. I have not seen the child for some years. This morning when the Court adjourned I inspected the body of the deceased lying at the City Morgue. I should swear, and I know that girl better than anybody not excluding her mother, and I should swear that that body in there is not the "Pyjama Girl". I will swear that she is not Phil, that is that she is not my step-daughter's child that I have been referring to as Phil.

TO MR. BARRY: My step-daughter is Mrs. Routledge. I have seen her about the Court here today. I have seen that body before today. When you ask me "Have you ever seen that body before", that is a funny question. I have never seen that body before. In 1936 I went to the University of Sydney and saw a body which was there preserved. In September 1936 I was shown some photographs at the Five Dock Police Station by Detectives ~~Harold~~ ^{Carroll} and Thompson. I said to Detectives Carroll and Thompson that I thought those photographs were photographs of Philomena Morgan. The following day I was taken by Detective Wilks to view the body of a girl at the University. I expressed the belief then that that was the body of Philomena Morgan. I did not say to Mr. Wilks that it was the body of the "Pyjama Girl". When I had seen the body Wilks asked me what I thought. I said, "It is a dead ring of her", that is a dead ring of my step-grandchild, of Philomena Morgan. He said, "Would you say that it is her". I said, "No, I would not say it was her. It is a big order to say that it is her". I do not say that the body that I saw

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this morning is in my belief not the body that I saw in 1936 at the Sydney University. I swore a moment ago that I had never seen that body before. I withdraw that. I agree I was not hustled into the answer I gave when I said that I had not seen the body that is now at the Morgue before. What I meant was that the body I saw at the University looked quite different from that body I saw this morning. It is on my inspection of the body as it now looks that I say it is not Philomena Morgan. I do not feel that the differences between the body that I saw this morning and the body that I saw in 1936 are so great that it gives rise to a doubt in my mind that that body seen this morning is the same body as I saw in 1936. I put it down that I have made a mistake. In 1936 I made a mistake in thinking the body was the body of Anne Philomena Morgan. This statement produced bears my signature. The statement reads:

" Five Dock Police Station.
11th March, 1937.

"John James Morgan,

states. I am a Council employee in the employ of the Drummoyne Council and I reside at 250 Lyons Road, Five Dock. About 1908 whilst I was in Johannesburg, South Africa I met a woman named Anna Brittz, she was of Dutch parentage, some time after meeting her we came on the same boat the "Wilcannia" to New South Wales. Some little time after we arrived in New South Wales I married her in a Church near the Cauliflower Hotel, Botany Road, Waterloo. After we were married we settled in Five Dock and I sent money to South Africa and brought my then wives three children two boys and a girl named Johanna Brittz to N.S. Wales. Before they arrived in

"N.S. Wales we had shifted to MacCauley Street, Leichhardt and they took up their residence there with us.

About 1910 the girl Johanna was keeping company with a man named Sidney Tiplady whose people kept a grocers shop in Elswick Street, Leichhardt. Some time after she began to keep company with Tiplady she gave birth to a female child at a home somewhere in Leichhardt. She returned to my home after her confinement with the child. Some time after she returned home to my place an agreement was arrived at between Tiplady and Johanna and he paid her a lump sum to free him of further obligations. The child was named Philomena Morgan and I do not know whether her birth was registered or not. Some time near the end of 1912 or the beginning of 1913 we removed to the corner of Greath North and Lyons Road West, Five Dock, where the girl grew up until she was about 11 or 12 years of age when she left with her mother who had become married to a man named De Pierre, but she frequently visited my home from then on till 1929, that year was the last that I saw the girl. In September, 1936 I was shown some photos at the Five Dock Police Station by Detectives Carroll and Thompson and I thought that those photos were photos of Philomena Morgan. The following day I met Detective Wilks at the Detective Office, Sydney, and I went with him to the Sydney University where I viewed a body of a girl and in my opinion that is the body of the girl Philomena Morgan. I base that opinion on the fact that from the time that she was a few weeks old to the time that she was about 19 years of age I was as a father to her and not only supplied her with money but

"her mother also. A thing that was particularly noticeable about the girl was her large hands, the girl was definitely of slim build, but well formed and had small breasts, her hair was between an auburn and a brown, and her age were she alive would now be definitely 26 or 27 yrs.

(Signed) J.J. MORGAN.

Witness

Walter W. Thompson."

EXHIBIT "G" Statement of J.J. Morgan.

When I made that statement I believed it to be true. I made it to the police in the course of their investigations to establish the identity of the "Pyjama Girl". I said this morning that I never heard a surname given to the girl. I come to say in my statement that she was known as Philomena Morgan because she was called that, but I never heard her called that name. It is very easy, as a matter of fact, to give anybody a name. The girl was given the name of Philomena Morgan. To tell you the truth, I never heard her called Philomena Morgan. I never heard her called that in ordinary life. If it is suggested to me that I heard the girl during the time she lived with me always referred to as Phil Morgan, I say I did not. I state in my statement that the child was named Philomena Morgan. I do not know who gave her the name of Philomena Morgan. I resent the idea that she should be known as Philomena Morgan. I did resent the publicity which is attached to this case in connection with Philomena Morgan, and I still do. If it is suggested it is a matter of perturbation to me personally that my name, Morgan, should be associated with the "Pyjama Girl" case, I say I came into it voluntarily. I do not like being referred to as the grandfather of the child and it is

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not true that I am her grandfather. It hurts me to be referred to as the girl Philomena Morgan's grandfather. I also feel perturbed that my name of Morgan should be given publicity in this somewhat distasteful case. If it is suggested that in 1937 I had no doubt that the girl was then known as Philomena Morgan, I say that is wrong. She was referred to as the "Pyjama Girl". If it is suggested that in 1937 I had no doubt that during the life-time of Philomena Morgan she was known as Philomena Morgan, I say that is not correct. I cannot say that I knew she was known as Philomena Morgan. She was never referred to by her surname; she was always called Phil as far as I can remember. I swear that every word I am saying I think I am telling the truth. I can swear that during my association with the girl from the time of her birth until she was 19 I never knew her to be called Philomena Morgan. I cannot say how I came to say in the statement that she was named Philomena Morgan, unless people put it down themselves. With regard to the statement "The child was named Philomena Morgan and I do not know whether her birth was registered or not", in the face of that I say I did not know any surname that the girl was known by. I think she went to school when she was living with me. As far as I knew, she was known as Phil. I never went to school with her. I did not see her report cards. I do not know whether she went to church. She played with children about the locality. As far as I know, she was just Phil to them. She lived in my house and my name was Morgan. I still say she was not known to me as Phil Morgan. Asked by what name she was referred to in the community, I say I only heard her referred to as Phil. I never saw any letters written to her. I know Mr. Griffith. I learned that Mr. Griffith had seen the

body and had identified it as Philomena Morgan. I do not think I discussed with Mr. Griffith that I had also seen the body and had identified it as Philomena Morgan. I did not tell Mr. Griffith that the body at the University was the dead spit. I said "the dead ring". I did not tell Mr. Griffith that the body I had seen at the University was the dead ring of Philomena Morgan. I told him it was the dead ring of Phil. Of course he knew who Phil was. I could not say if Griffith knew my step-granddaughter as Philomena Morgan. I do not think Griffith told me that he identified the body at the University as the body of Philomena Morgan. I say that Griffith said to me "I identified the body at the University as the body of Phil". He might have said Morgan. When I made this statement to the police in 1937 I was not hustled or bullied or coerced. With regard to the passage in the statement "where I viewed the body of a girl and in my opinion that is the body of the girl Philomena Morgan", I do not know how that name Philomena Morgan comes into the statement. Earlier in my statement I say "In September 1936 I was shown some photos by Carroll and Thompson and I thought that those photos were photos of Philomena Morgan". I do not know how I come to state that name "Philomena Morgan". I never knew that the birth of that child was registered and that she was registered as Philomena Morgan. I heard that this morning. Mr. Read told me that this morning. That made me resentful, that the child should be registered in the name of Morgan. If it is suggested I did in fact last see the child in 1929, I say I cannot remember the dates. I would not say she was nineteen when I last saw her. I was shown a photograph of Philomena Morgan similar to that (Exhibit No.20). I do not know that I wrote on that photograph that it was a

photograph of Philomena Morgan, but that she did not have that kind of a gap in her teeth. I do not remember signing a photograph like that. I do not remember Probate proceedings in the Court in Sydney in which application was made to have Philomena Morgan presumed dead. I remember being approached by Dr. Benbow who showed me a photograph similar to that. I would say this is a photograph of Philomena Morgan. If it is suggested that I told Dr. Benbow that a photograph similar to that was a photograph of Philomena Morgan with the exception of the discrepancy in the teeth, I say I said nothing about the teeth. If Dr. Benbow says I wrote on the photograph that she had no such tooth missing, I am prepared to contradict him. I agree that that photograph Exhibit No. 20 of my step-granddaughter Phil commonly known now as Philomena Morgan is a photograph very much like her as she was at about sixteen. As I remember her at the age of sixteen, I could not say whether she had or had not a gap in her teeth. When Phil was about sixteen years of age I do not remember her as having a gap in her teeth. I never remember seeing a gap in Phil's teeth like that. I remember Dr. Palmer Benbow coming to see me about four years ago, but I could not say what date. I might have told him I was well acquainted with the girl Philomena who was my step-daughter's daughter. I do not remember telling him that. If he says I did, I say I do not remember telling him. I do not think it is unlikely that I told him that. Benbow did come to see me about Phil. As a fact I was well acquainted with Phil. There was no reason why I should not tell him I was well acquainted with Phil. I might have told him that Phil lived at my home as a child with her mother. It was true that Phil had lived at my home as a child with her mother.

I might have told him that I was very fond of Phil. I cannot say that it is true, but I might have said it. I do not remember saying it. It is a fact that I was fond of Phil. I told him that after Phil ceased to reside at my home Phil frequently visited me at intervals. It was a fact that Phil frequently visited me. If it is suggested she visited me frequently up to about 1929, I say I cannot fix any dates. She would not be 18 or 19 when she visited me. I would not like to say that she was 18 when she last visited me. I would not like to say she was 18 the last time I saw her. She might have been 17 or she might have been 16. She would be more than 14. In 1929 I got married to my present wife. It was a long time before that marriage that there ceased to be any close association between Phil and me. I should say 4 or 5 years before that. That means I did not see her after 1925. She would be 14 in 1925. I should say she would be more than 14 the last time I saw her. If it is suggested that from the time she was a few weeks old until the time she was about 19 years of age I was as a father to her, and if it ~~six~~ is suggested that is in what I signed, I say she would not be 19. Looking at my statement, I see that passage. If I have said it there, I do not know, but I would not have thought the last time I saw her she was 19. What I have said in the statement must be true. I am trying to tell the truth. I had no motive to tell lies then. When I made that statement I must have believed everything in it was true. Believing that it was true, I then expressed the opinion that the body which I had seen at the University was the body of Phil. I said it was the dead ring of her and I signed a statement in which I said "I am of opinion", but when the police at the time asked me if it was her I said I would not

swear that it was her, that it was a big order. I signed the statement after I left the University. When I signed that statement I meant to tell the truth, and what was in the statement was to the best of my belief true; it must have been. I signed that statement to help the police, believing the statements in it were true. I do not remember in 1940 telling Dr. Benbow that I had in September 1936 at the request of the police gone to the University of Sydney where I looked at the body of a girl known as the "Pyjama Girl". It is no use asking me what I said to Dr. Benbow in 1940; it is such a long time ago and I have got no memory. I cannot remember what I talked to Dr. Benbow about in 1940. It must have been about the "Pyjama Girl" case. I think I then told him that I had seen the body of the "Pyjama Girl" at the Sydney University. I must have told him that. I did not tell him that I had positively identified that body as that of Phil. I might have told him that the body at the University was the dead ring of Phil. That represented my belief in 1940. I do not remember telling Dr. Benbow that one of the points about the body I noticed was the large hands. If he says I did tell him that, I won't contradict him. I might have told him. I might have told him that I noticed as a point about the body the small breasts. I might have told him that I noticed her slim but well-formed figure. I might have told him that I noticed the colour of her hair. I do not remember telling him that the victim whose body I saw appeared to be of the same age as Phil would have been in 1934. I might have told him that.

TO MR. READ: I have been asked a lot of questions about a previous view of the body and things that I told Dr. Benbow. When I saw the body in 1936 or 1937 the body was then in the Sydney University. It was in a formalin liquid bath.

The body was pulled up out of the bath for me to inspect. It was upon the inspection of that body that I made certain statements to Dr. Benbow. I had never until this morning seen the body dry and in the condition in which it now is. Having seen that body at this Morgue I have no doubt about the body; I am sure that the body that I saw this morning is not Phil.

(SIGNED) J. J. MORGAN.

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



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CORONER.

LEONARD BELL, on his oath saith:

TO MR. MONAHAN: My name is Leonard Bell and I am a dental surgeon practising at 108 Great North Rd, Five Dock, New South Wales. I reside at the same address. I have been practising at that address for 26 years. I remember in the year 1923 a girl came to live in that district with a personal friend of my family, a Mrs Corrie. The girl who came to me came in the name of Philomena Morgan. She was residing with the Corrie's roughly about 12 to 15 months, in the first instance. In the early part of 1923 she was brought to me by Mrs Corrie as a patient suffering from bad toothache. The girl at that time appeared to me, as a dentist, to be round about 11 or 12. At the request of Mrs Corrie I examined the patient known to me as Philomena Morgan. The result of the examination was that the right upper 6-year permanent molar and the right lower 6-year permanent molar were in such a bad state of decay that I advised the removal of both. On the left lower jaw, the 6-year permanent molar was in a bad state of decay and also had an abscess at the apex. The teeth I advised to be removed were the right upper 6-year permanent molar - that is called the first permanent molar - and the right lower 6-year permanent molar. After examination on the left side, I found the left lower 6-year permanent molar was in a state of advanced decay and also exhibited, at the apices, abscess condition. I advised the procedure of extraction of the upper right 6-year permanent and the lower 6-year permanent molars, which I did on that visit. I then advised the draining of the ~~the~~ left lower permanent 6-year molar owing to abscess conditions, which could not be extracted without danger to the patient. I then advised Mrs Corrie that I should drain the apex of the tooth and then extract. About 14 days after that procedure I found it necessary then to extract the lower left 6-year molar, as there was then no evidence of an abscess condition. I advised the extraction of the molars on the

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right side to which I have referred. On the first visit I extracted the upper and lower 6-year permanent molars on the right. During the time of her residence in the district, she attended at my surgery for treatment round about six or seven times. That was spread over 14 days. In the course of my examination, after extraction of the 6-year permanent molar, I noticed that the mesio occlusal cusp was showing evidence of eruption through the gum tissue which was, perhaps, due to the fact that I had already extracted the 6-year molar. I saw this girl so many times in somany days as a patient. Apart from that I just knew her as Philomena Morgan ^{who was a friend} and resided practically with Mrs Corrie of Kings Road, Five Dock, N.S.W. I recognise the photograph in my hand, Exhibit 20; it is a photograph of Philomena Morgan who was brought to me by Mrs Corrie in 1923. That is the girl. I would say that was a very fair resemblance. In the photograph Exhibit 20 I noticed that the left lateral incisor is missing. I cannot understand that that tooth should be missing because, on her presentation to me as a patient by Mrs Corrie, he r mouth was regular in formation, all the anterior teeth from central to Canine had erupted and presented themselves perfectly. They were a rather good, thick, solid class of teeth for a healthy girl. Apart from that missing left lateral incisor, the photograph in all other ways resembles the girl. The face resembles the girl I knew in 1923 as Philomena Morgan. As to what would be likely to be the effect on the lower left portion of her jaw in the region of the molars of the abcess at the apices of the left 6-year lower molar, after the infection of the apices of any permanent teeth, there is usually a decided absorption of the alveolar casing, brought about by the presence of puss in the area of the apices of the tooth. Looking at the model in the region of the left lower molars, I observed behind the extraction of the second left lower bicuspid there is a distinct absorption of bone -

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that is a ridge lying lower than the original ridge of an ordinary healthy tooth. I would say the extraction of a bicuspid would indicate to a professional man that there must have been a decided absorption at the apex of the 6-year permanent lower left molar owing to an abscessed condition being present. If it is a true model of the deceased, I should say it is consistent with the statement I have already made in reference to the absorption of the alveolar casing owing to the abscess in that area. Looking at the other side of that model, I see the molar that is nearest to the bicuspid tooth. In my view, that must be a second molar because it is indicative in this particular case, due to the extraction of the first 6-year permanent molar and the absorption that has taken place. The angle of the mesio occlusal cusp on this particular tooth has vered and lost considerable articulation with its antagonising tooth in the lower jaw. That interprets in my mind, or the mind of the ordinary layman, that there must have been an extraction of the 6-year molar to give the absorption of that tooth that peculiar position. Had the 12-year molar been extracted in preference to the 6-year molar, then this tooth would have slanted back into the area of the 12-year molar that has been extracted. However, in this case, it proves conclusively the 6-year molar must have been extracted first because ~~of a~~ distinct leaning towards the distal side of the bucco occlusal second bicuspid shows that there must have been an extraction of the first permanent 6-year molar. As proof of that, I put it to you the third molar - or, as we sometimes call it, the wisdom tooth - has come down slightly towards the displacement of the 6-year permanent molar. In case that the 6-year molar was still standing and the 12 year molar, for instance, we will say, had been extracted, then the space that would occur would be that the 6th year molar would lean distally towards the Wisdom tooth and the wisdom tooth would also lean mesially towards the distal side of the

6-year permanent molar. I know Dr. Magnus. If I were told that Dr. Magnus had expressed the view, for reasons that appealed to him, that that tooth to which you are referring was a first and not a second molar and if I were asked whether that would alter my opinion, I would say, no. I have proved conclusively before you this afternoon. In reading Dr. Magnus's evidence I understand his statement is that this tooth was the 6-year molar and the 12-year molar had been extracted. I proved conclusively, from my point of view, that had the 12-year molar been extracted, why did the 6-year molar veer towards the space I indicate and lose its reticulation upon the antagonising tooth of the lower jaw. A distinct angle now shows it is on that tooth. Whereas it should remain upright, it veers distally. If I were told Dr. Magnus had given two other reasons, and clarified them by saying if the same proposition were put to 100 men, 60 ^{may} say one thing and 40 another, I would say I read that part of his evidence. The bifurcation of the linguo occlusal and the mesio occlusal to which he referred do not shake my opinion in any way at all. I have noticed bifurcations even in bicuspid teeth, also 6-year molars and also evidence in 12-year molars, and even a third molar. That does not in any way shake my view that what I am looking at is a 12-year molar. I saw a 12-year molar beginning to erupt in Philomena when I was treating her. After extraction of the 6-year, I saw an impinging of the 12-year molar through the gum tissue. Coming to the next tooth in the model, the upper right second bicuspid tooth, I have scanned the evidence of Mr. O'Brien and Dr. Magnus. I appreciate that Mr. O'Brien says, in Linda Agostini he put a porcelain filling in the mesial side of her upper right bicuspid tooth, in the region of where that drill mark appears in that model. That is the medio occlusal. I agree he said he put a porcelain filling in the mouth of Linda Agostini in 1930. No such filling is found in the body that is present here at the

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morgue. With the permission of His Worship, I have this morning removed that tooth from the body. I have subjected it to microscopic examination this morning, with the aid of Dr. Benbow, who loaned me his microscope. As a result of my examination I would say there is nothing to warrant the statement that that cavity in that natural tooth has ever held a porcelain filling. In my examination I could see no burr marks that would be necessary to make deep ^{under-}cuts for the retention of a porcelain filling. In the case of a porcelain filling, instead of cement, ^{under-}cuts are used. I can see no evidence of any burr marks indicating any ^{under-}cuts. On the examination of the teeth this morning, I found no evidence of burr marks or chisel marks to indicate that there had been made any retentive cavity for the insertion of a porcelain filling. It would be very hard to say whether that tooth has ever had a porcelain filling. From my observation, I cannot say that there has been one and I cannot say there has not been one. There is no evidence, at the present time, that there has been one. There is nothing to warrant the statement that there has been one. If I were told the view had been put that the fact of the body being submerged in a formalin bath may have loosened the porcelain so that the filling dropped out in some accidental way during the last ten years, I would say formaldehyde, or formalin as we know it, has no dissolving properties - it is rather more of a mummifier, and preservative, and would harden a subject more than soften it. The proof of that is that in the extirpation of the pulp where it is necessary to fill these canals, most root fillings contain formaldehyde for the purpose of mummification of the apices of the teeth. Formaldehyde is commonly used in dental surgery in root fillings, on the footing that it is not a dissolvent of any kind. I have read the portion of Dr. Magnus's evidence where he expresses the view that what is now apparent to the naked eye may be sandrac varnish. That is used as an insulator - either

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that or another compound. The idea of the insulation is so that the mechanical action of a porcelain filling will not irritate or destroy the pulp which at that time would be alive in the tooth. I examined that under the microscope this morning and I found that, where it appeared to be Sandrac varnish, in my opinion the action of formaldehyde on the soft pulp or dentine which was visible in the cavity at the time of examination was caused by the action of formalin on the dentine, which dries and hardens and, after being in the atmosphere for some time, it shows a shiny surface owing to the rapid absorption of atmospheric conditions. If I were asked whether I could mistake the condition, as I saw it, for traces of Sandrac varnish, I would say it would be quite possible to mistake the condition now for Sandrac varnish because the action of the formalin on the dentine has given it that light, glossy glow, which is evident after the administration of Sandrac varnish being dried into a cavity to act as an insulator. Still speaking of the same tooth, as to whether there is anything in my examination which shows that the cavity which is in the tooth removed this morning is not a natural cavity which was undergoing some decay at the time of the person's death, I would say it is quite possible that is a natural cavity and owing to attrition if there had been a filling, or the antagonising tooth coming into occlusion with the corresponding cusp below, the cavity could be extended by attrition. However, to me, it appeared more like a natural cavity. Looking at the left lateral incisor, in the body I examined I made a note of the condition of that tooth. On the first day I examined the body, on Monday morning, I observed a missing portion of the mesio occlusal position of the left upper lateral tooth. Possibly, some years ago, a chip may have taken place, but, in my opinion, since then a certain amount of erosion ^{has} ~~may have~~ taken place during the interval. It was not very clear to me that erosion had

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taken place for some time because there was a certain amount of dusting powder over the eroded area. It could begin with the chipping of the enamel and it could begin with a natural erosion, owing to the occlusal surfaces of the lower anterior portions striking the teeth regularly. I have read the evidence of Dr. Magnus concerning that having been a chip, which, he ultimately said, must have occurred within a period of one month before death. I must disagree with him there. In my opinion that chip has taken place some number of years before death, because the eroded surface of that tooth would, in my opinion, take a number of years. I disagree with Dr. Magnus's view that that chip had even happened since the 24th February. On this same tooth, the left lateral incisor, there is some evidence of the existence of what is known in the profession as an inclusion lacuna. In the corpse, I noticed an inclusion which represents the eye at 11 o'clock. If one were looking for it, one would not have much trouble in finding it. Apart from what we have been discussing about teeth and the photograph of Philomena Morgan I have an independent recollection of this little girl at the time I was treating her. I would describe her as a very fine looking girl. She had brown hair, blue eyes, and an ovoid type of face. I would say she would be a very good looking girl. I have seen the body which is the subject matter of this inquest. After observation of the body, viewing the face, as it was my duty and practice to do from all angles, from the angle which I viewed it in the morgue, it presented to me the face of Philomena Morgan who was presented to me by Mrs. Corrie in 1923. As regards that inclusion lacuna, as to whether I had to require further light to be put on in the mortuary, no, I did ask for better light to be put on because I wanted to observe certain other things about the face. I have no doubt about it myself, from the evidence I have given, I feel there is no doubt that is the girl presented

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to me as Philomena Morgan by Mrs. Currie, in 1923.

TO MR. READ: When this child came to see me in 1923, it is hard to remember how tall she would be. I should say she would be round about 4' 6". She seemed to be that tall. If I were asked to concentrate on how tall she was, I would say one is seeing 30 or 40 patients a day. To the best of my belief, the height of the child of whom I have been giving a vivid description, was between 4'3" and 4'6". As to whether she had ~~plaxxerxaxplax~~ plaits or a plait, her hair, at that time, was loose and lying across the ears. It had been cut round about the length to the neck. I have a very distinct recollection of that, that her hair was cut about to the length of her neck. I do not remember a bow on her hair. I remember her hair was parted back and drawn across the back, across the ears and down the neck. On the average, I see about 20 or 25 patients a day, perhaps 30. I work six days a week. I have been practising continuously, at least since 1923, since I saw this child. (Objection by Mr. Barry to Mr. Read's cross-examination of the witness). I have been seeing patients at about the rate of 180 a week ever since then, off and on. I have a distinct recollection of this child of 11 or 12. I do not keep a record of the facial appearances of my patients, only in my eye. I do not keep a record in a book. I do keep a record in a book of the work I do for my patients, although not ordinary extractions. I made no record of the extractions on this child. It is not usual to make a record of extractions. I did not make any record of any work on this child's mouth. The only record I have is that in my mind. I agree, I have nothing at all, in the way of documentary evidence, with which I can refresh my memory as to what teeth were extracted or what work I did. I have no documentary evidence of ever having been paid for doing any work to a child named Philomena Morgan. I accepted no payment for the work done to Philomena Morgan. I am not dependent on

my memory for everything. I agree, I am dependent on my memory for everything relating to this child. I was first asked to remember what work I had done on this little child's mouth about two years ago. Dr. Benbow came to my surgery and I was very busy. I had never heard of him previously. He came to my surgery. I realise now that Dr. Benbow was making a search and he contacted me through a Mrs. Crawford who was a daughter of Mrs. Corrie who cared for the child in 1923. Mrs. Corrie was a personal friend of my family. Of my own knowledge, I know that this child, for whom I have a recollection of doing dental work, lived with a Mrs. Corrie for about 18 months. The child, for whom I did work, lived with Mrs. Corrie in 1923. I did not then gather she was living with a Mr. Morgan. I had no knowledge of that at all. I never heard that the child about whom I was speaking lived with a Mr. James Morgan, of Five Dock, at that time - not when she was 11 or 12 years old. I have heard of Mr. Morgan. I have heard of Mrs. Routledge, this child's mother, I have met her. She is in Court now. I have met her. I first met Mrs. Routledge on the day when I arrived in Melbourne on this occasion. That was last Sunday. I met her later in the afternoon, in, I think Collins Street, although I am not too sure of the streets. She was by herself when I met her. I did not meet her by appointment. I think Mrs. Routledge anticipated we people were coming across. The police were to have met us at the station, but, unfortunately, they did not meet us and we went to the Russell Street station. I met Mrs. Routledge that afternoon. That was the first time in Melbourne. I thought you were referring to the Melbourne trip. I had met Mrs. Routledge back in about 1924. Mrs. Routledge came to my surgery to thank me for the work I had done for her daughter. She did not offer any payment. Nothing was said about payment. I think she left that to Mrs. Corrie. I have no reason to say that she would be trying to do me out of the money, but Mrs. Corrie had the girl left in her

charge and I assumed that Mrs. Routledge would leave all the expenses to Mrs. Corrie. In connection with the child, about whom I have spoken, I remember the blue eyes. I think the height was between 4'3" and 4'6". She had an oval type of face, the nose was a well shaped nose. It was a medium sized nose. I would not say it was inclined to be retruse. I remember that quite distinctly. As to whether I remember every child 21 years after doing free work for them, I object to the use of the phrase "free work." It was quite possible for me to send an account. I remember the faces of other children I attended 21 years ago. I think, 21 years after seeing a child, that I can say, when seeing a body, "That is that child grown up." That is my view. As to whether I quite disagree with Dr. Magnus in connection with the first upper left lateral incisor, I do disagree in the time that the chip has taken place. I mentioned, if a chip had taken place, there was a certain presence of erosion indicating that the chip must have been done some years ago on account of the erosion that has taken place since. As to the number of years during which that erosion has been going on, quite possibly for six or seven years. As to whether I think if a person had a tooth eroding to the extent that tooth has eroded that she would seek dental aid, not necessarily. Eroding teeth do not ache - not to the extent that has got to. It would not necessarily cause any inconvenience because nature recompenses with a second growth of dentine. If I had been examining a mouth and seen that tooth, and if the patient was willing, I could have put an inlay in it. Coming to the second upper right bicupid, I also disagree with Dr. Magnus in two distinct matters. First, the presence of the varnish, and second, the undercut of the cavity. I also disagree with the view of some witness that formalin may have an effect causing porcelain to come out of a tooth. I do not agree with any theory that formalin may have an

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effect on porcelain, which may cause it to shrink. As to the chemical formula of formalin, it is formaldehyde. I do not know its correct formula just from memory. I could not give you the chemical description of what formalin is, from ~~my~~ memory. I know it has no dissolving contents. As to whether ~~ex~~ I know that formalin will dissolve lead, it may dissolve lead. As to why I said I knew formalin had no dissolving habits, I meant in regard to porcelain. I am not sure that it will dissolve lead. I do not know whether it does or does not. I have no belief about that. I have never turned my mind to that before. I know of no other properties that formalin will dissolve. I have only given the matter scientific thought in my own profession. I say formalin may have the effect of giving the appearance of varnish in the cavity of that tooth. I did not notice the same thing in regard to other teeth. There is no evidence of decay in the other teeth. As to the first lateral incisor, that has an erosion on it. I did not notice any sign of varnish on that. It is not decayed. I do not think formalin would have a similar effect on an eroding surface. Asked whether I would agree that the question of whether a tooth was a second or third upper molar was purely an academic one, I would say do you mean a 12-year molar? I look at the mould. I say definitely that is a third molar. I do not think it is a second. If it were suggested whatever it was, it was filled with amalgam, I would say there is a spot inside it. (At this stage witness obtained a pen knife and scratched the surface of a tooth on the model.) It has been filled with amalgam. That is the right upper third molar. The first upper right molar that is now in the mould is filled with a gold inlay. The second left upper molar is filled with amalgam. The third upper left molar has one amalgam filling in it. There is no evidence here that the first right upper bicuspid has been filled with porcelain. One could not tell.

I examined the body and I am satisfied that the first right upper bicuspid in the body is filled with porcelain. I looked at the lower jaw of the deceased and I am satisfied that the second right lower molar has a gold inlay. As to my agreeing it would be a very unusual co-incidence for two people to have precisely the same fillings in their mouths, as those porcelain fillings, those two gold inlays and those amalgam fillings I have named, it would be a rare occurrence.

TO MR. BARRY: I extracted the upper first 6-year permanent molar; on that cast

There is no sign whatever of that molar that I extracted.

It is not here, it is gone. In answer to questions put by Mr. Read, I do not intend to retreat in any way from the statement I made to His Worship that I extracted the first right upper permanent molar. It is not customary for me to chart extractions, not unless we have restoration work following on. We do not chart ordinary extractions at all. I do not chart an extraction on a 12-year old child unless I have fillings - unless there is restoration work to follow. As to whether I can say whether or not it is usual in the profession to make charts of extractions, where extractions only are done, it would be very unusual, I should think. My failure to make a chart in connection with the extractions I did on this particular child was not in any way unusual in my practice. I hear you read a passage from Mr. Jackson's evidence on page 15 concerning the possibility of porcelain fillings becoming loosened after being in a formalin bath. I do not agree with that statement because, had there been two fillings in there at the time, why was not the first mesial bicuspid filling dissolved also? I hear you read a passage from Mr. O'Brien's evidence on page 24. In the case of a porcelain filling, if it is not properly covered over for 48 hours by either Sandrac varnish or wax, the contact or the oral fluids in the mouth would, in some way, disturb the setting of the porcelain, which, eventually, would not be quite so hard. Then, it would be quite possible for the