

UPON RESUMING :

I cannot remember whether or not I saw, at ^{the} one time, all those articles that Dr. Benbow showed me. I think he showed me the suitcase first (Exhibit DD). That was on one of my many visits to Dr. Benbow's flat. The suitcase was shown to me within the last 12 months. It was in that condition when he showed it to me. If I were asked to show you anything about that suitcase which made me think that it resembled a suitcase my daughter had, I would say, where I had pasted the photographs belonging to myself and her little brother, it seemed to me it might be just there (indicating lid). I definitely did post two photographs there. I suggest it does look as though something has been pasted on this suitcase. One was a photograph with white paper at the back of it. That was a photograph of myself. I think the photographer who took that photograph was Howard Harris. I cannot remember when that photograph was taken. I think it was when I was living at Parramatta. That was when I was living with Mr. Routledge. It was not soon after; it was a good while after. I am certain that I had a portrait taken at Howard Harris's. I think I gave that portrait to my daughter, Philomena, when we were at Maroubra. I think it was about the same time I gave her the little case. I pasted it in her case. I did not think she would put it on the dressing table. She said "If you paste it in the lid of the case, I won't lose it." I have heard of someone pasting a portrait under a lid of an attache case before. There is another reason why I think that case is similar to a case I gave my daughter. The corner ^{on} of the left hand side is very much more knocked about than the others and I remarked to her at the time that perhaps she would like a better one, and she said "No." That hole (indicating) was very much bigger than the others. The hole I indicate was covered over when I last saw the case but the other side was very much bigger. I did give her some money about that time. I do not know how much that case would have been worth new

about ten years ago. I think they were about 2/11 or 3/11. She was going away at the time. I could not really tell you as to where she was going at that time. I cannot remember where she was going at that time. She was not going to Queensland; she has never been in Queensland. She did not say she was going to Queensland. I do not remember where she said she was going. I do remember seeing a hole in the case at the time because "I thought it was rather shabby. I gave her the case on that occasion, it was one of my own. It was a school case previously. She wanted one and I said "Perhaps you had better have your own schoolcase." I agree a case like that was her school case. I could not tell you whether each print of that portrait I pasted in would be worth half a guinea. I thought it was worth while pasting a portrait in a case costing about 2/11. It was only because the size of the case was convenient. I do not agree that it is a very ordinary, common type of suit case, of which one will see hundreds in any city in Australia. Asked to show you anything about it that is unusual, I say I think it was a Star brand case that I had two or three of at the time, although I would not be certain. Dr. Palmer Benbow showed me this piece of crystal (Exhibit AA) in the same year that I had a look at the suitcase. He showed me these various things on different occasions when I went to the flat. I do not agree that on each visit he would show me something different. It was just that we had a look at them at various times. At various times, he would show me various articles. I do not think he showed them to me all at one time. As to whether he ever showed me more than two of the articles at the one time, I think he did. I cannot remember any two articles that he showed me at one time. It might have been a year ago when he showed me the handbag (Exhibit EE). I cannot remember. I first saw that handbag after I asked Dr Benbow if he knew of anything belonging to Philomena, or did anyone have anything

belonging to her that I might be able to recognise. I think it was during the time between that and the time we went to the University. He asked me if I had seen anything belonging to her, and I said "No." He did not show me anything then. Prior to going to Albury in 1941, I had seen Dr. Benbow quite a few times. I could not tell you the number of times. It was more than ten times. There were frequent visits. From the first time I viewed the body at the University, up to the present time, sometimes I would see Dr Benbow on an average of once or twice a week. Most of the interviews would not take place at Dr. Benbow's flat. They would take place at his place when I could get down there and, if I could not, he would come down to Bomaderry. I could not tell you how far Bomaderry is from Sydney; I do not know. I suppose Bomaderry would be 98 miles from Sydney, although I have never bothered about it. I think he came to Bomaderry more often than I went to Sydney. I used to pay my fares to Sydney to see him. As to the amount of a return fare from Bomaderry to Sydney, I have a car of my own and I used to go in that. I have had enough petrol to go 200 miles there and back frequently since 1940. I have not a special licence for the purpose of visiting Dr. Benbow, but I have special petrol. Frequently, I used to drive up to see Dr Benbow in my car and Dr. Benbow used to take his car up and bring me down with my husband. I agree, that occurred over a period of four years. When I went to Sydney I used to interview Dr Benbow at his rooms at Gowrie Gate. They are his professional rooms. He had his laboratory at the back of his surgery. I did not go to his private house. I did not know he had a private house. As to whether I believed he lived at the rooms where I used to visit him, I did not question him where he lived. I do not know where Dr. Benbow lived during those bi-weekly interviews over a period of four years.

OBJECTION by Mr. Barry;
OBJECTION upheld.

M/ECL.

J.C.R. *[initials]*

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ROUTLEDGE.

I could not really tell you how many times a week I saw Dr. Henbow during the last four years. I am not clear on that point at all. I think there has been a week when I have not seen Dr. Benbow. There have been quite a few weeks, thank Heavens! I think I went to Albury in 1941. I remember that. I remember going there with Dr. Benbow and Mr. Bartlett, I think his name was. I do not know who he was. As to whether I have any belief concerning who Mr. Bartlett was, I think he was a friend of Dr. Benbow's. I think he was attached to the staff of one of the newspapers, or something. I travelled down from Sydney to Albury with ~~Dr. Bartlett~~ and Dr. Benbow. I do seriously say I did not well know that he was a reporter from the Daily Telegraph. I knew he was a reporter from some paper. I only thought he was by the way he spoke. I did not bother to say to Dr. Benbow "What is the reporter coming for." I thought he was going to be company for Dr. Benbow and I. I thought it was just for company. I did not discuss the case with the reporter on the way to Albury. He spoke about his own private affairs. He did that all the way from Sydney to Albury. I did not, at the time, believe that he was going for the purpose of reporting an interview I was to have with Lucy Collins. I knew I was going to see Lucy Collins; I knew I was going down. Mr. Bartlett did not tell me he was writing a history of the Pyjama girl for his paper. I do not think he ever mentioned about a history or a story or anything. It did not strike me as curious that this man was coming just for a trip with Dr. Benbow and me. I have never travelled with reporters before; there has been no occasion for me to go out with reporters. This is the only occasion I have travelled around with Press reporters. As to what Dr. Benbow said to me concerning why he wanted me to go to Albury, he told me he thought if I cared to come that Lucy might be able to help me with regard to why Philomena might have gone down there to her place. That is all he told

M/ECL.

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M

ROUTLEDGE

me. He did not tell me anything very definite. As to whether he said to me "I have already seen Lucy Collins and she knows all about it"; yes, he said something to that effect. He never told me that Lucy Collins had told him it was a girl named Nellie O'Callagher who had been murdered. Lucy Collins did not tell me that O'Callagher had been murdered. Dr. Benbow, in all these talks, did not tell me that Lucy Collins told him the girl's name who was murdered was Nellie O'Callagher. That is an accurate recollection. As to whether I swear he never told me that Lucy Collins had assured him the girl who was murdered was a girl named Nellie O'Callagher or Nellie Callagher, I don't remember, she thought the girl's name was Nellie, she called her Nell. Dr. Benbow said she called her that. As to Dr. Benbow telling me that before I went to Albury, I don't remember him saying anything about that. When we were at Albury, I asked him what name this woman called the girl and he said it was Nellie or Nell. He told me that at Albury. Before I went to see Lucy Collins, as to what Dr. Benbow told me at Albury concerning what Lucy Collins had told him, he told me that she told him a girl had called at her shack and asked for something to eat and could she stay there. She said she let her stay there for a while. She said that the girl had been there for a while, then she had had a quarrel with somebody. In the quarrel there was an accident and the girl was taken away by someone. That is all I can remember. As to whether he went further and said that the girl's name was Nellie O'Callagher, I do not remember the name. I do not remember him telling me that Nellie came from Horsham. I will not deny it, but I do not remember him saying that. He did not say she ran away from home and had been associated with a man; he never mentioned that. He did not say that Lucy Collins had given a description of the girl which exactly tallied with the body of the Pyjama girl; he did

not say that at all. He told me he was quite convinced that the woman, Lucy Collins, was present at the time of the tragedy to the girl. As to whether he told me that the woman, Lucy Collins, was a most unreliable woman, I do not think she is unreliable. Dr. Benbow did not say "We will have to be careful with this woman, though, she is a most unreliable woman." He did not say "She is a confirmed inebriate."; I do not remember him saying that. He said "She lives in a very horrible kind of place" and he apologised for it; he did not like it. I do not remember him saying anything about her drinking habits. As to whether he said "Before this woman would be of any use as a witness, she will have to be rehabilitated and looked after and we will have to gradually wean her away from the drink," ~~he~~ He said she was very ill-kept and starving herself to a certain extent, and would have to be nursed and looked after. As to his telling me that, on some of his visits to her, he could not get any sense out of her because she was intoxicated, I do not remember him saying anything like that. I could not possibly swear to a thing like that when I do not remember him running her down. When I went out to see Lucy Collins on this first day at Albury, I did not know I was going to see a woman who was known as a confirmed drunkard. He did not tell me she was in and out of gaol from time to time. He did not tell me her nickname or what she was known as around Albury. I was going out to see about a girl who Lucy Collins described as Nellie; she called her Nellie. As to whether Dr. Benbow told me that, after the body had been positively identified as the body of Nellie O'Callagher, the police found Nellie O'Callagher well and alive, I never heard the name of Nellie O'Callagher. I heard the word "Nellie." If I were asked whether Dr. Benbow told me, before I went to Albury, "The girl is not Nell, because the girl I thought it was has been found by the police, she is alive and quite well and just had a baby," I do not remember any such conversation. I cannot deny anything I do

not remember. Dr. Benbow never told me that the first person he identified as the murdered girl had been found alive. He never spoke to me about that. He never told me that. To my knowledge I had never heard of it. I never heard before that Dr. Benbow reported to the police that the identity of this body had been established, and established as Nellie O'Callagher or Nellie Callagher, I say that Dr. Benbow, in all these talks, never at any time told me he had positively identified this body as the body of a woman named Nellie O'Callagher. I never spoke of anybody else but my own daughter. He never told me that. He never told me that person had been found alive by the police. I never spoke to Dr. Benbow about anybody else but my own daughter. If it were suggested, that, in 1941, he still referred to the woman speaking of her as Nellie, I would say he spoke of a girl. As to his speaking of the girl described as murdered as Nell I never said "Described as murdered." I said this girl's name was Nellie - the girl who had stayed with Mrs Collins. He told me that the girl had been called Nellie by Mrs Collins. As to Dr. Benbow, in 1941, telling me that Lucy Collins was going to describe this girl as a person named Nellie, he never told me he was going to describe a girl at all. As to my understanding that Lucy Collins was going to describe this girl as a person named Nellie, a girl that she called Nellie, I had no idea of any description being given to me. When I went to Albury, in 1941 he said that she called the girl Nellie. As to whether we walked out to the Albury Common when going to see Mrs. Collins, we drove out, although one could not drive right in. We drove part of the way. Dr. Benbow, Mr. Bartlett and I went. Mr. Bartlett did not have a camera with him. I did not see him taking any photographs that day, to my knowledge. I do not remember taking any presents out to Lucy. I do not remember taking her any food or nourishment of any kind. I am positive of that. If I were asked whether I had any trouble in finding her humpy, I would

describe it as her home. The photograph you show me is a photograph of the home of Lucy Collins, where I interviewed Lucy Collins.

..... EXHIBIT 56.. Photograph of home of Lucy Collins.

She was not in when I arrived. I waited outside. The three of us stayed outside and she came home after a while. I think it was in the afternoon that I saw her. I was with her about an hour or so on that occasion. I agree, Dr. Benbow produced a photograph like Exhibit 20. He said to her "Have you ever seen that face before." Lucy Collins said "Take it away". She appeared to me to be sober that day. She appeared to be sober that day. She said "Take that away, I have had enough of that, I thought that was dead and buried long ago. Don't bring it up again." She said she thought she knew me. I asked her if she thought she had met me before. She said "No, I do not think so, but you look like the little girl." I presume she saw a likeness between this girl and me. I said "The little girl who stayed here with you, is she like the girl in the photograph." She said "Oh, yes, it is only too true." I said "Do you think she looks like me." She said "Yes, she is like you." ~~I said~~ I did not call her Nellie. I said to Mrs Collins "Did she have a name." She said "She would not tell me her name. I only called her Nellie, or Sweet Nell." She said she came along very tired one day and asked her to give her somewhere to stay or tell her where she could find a place, or could she put her up there. She said she would. She did not say before that "She was living with me for a while and she was a well known horse woman." She never spoke about horses to me. She did not say anything about her having riding boots. I think I must have been with Mrs Collins quite an hour. As to whether Dr. Benbow had any conversation with her, I do not think he had much to say except to ask her how she was. I do not think the Press/reporter spoke to her. He was not taking notes.

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I did not see him with a shorthand book or any little pieces of paper. I did not see any camera. I did not see him making any notes at any time. I said "Goodbye" to Mrs. Collins, and the three of us went. Before I went I said "Could you tell me if the little girl who was with you here left anything with you." I said "What happened to all her clothes and things she had." She said "Oh, they were all thrown out and burnt, but there is a little card here. She ~~lugged~~ loved that little card very much and said her mother had given it to her." As to whether she said anything about a photograph in the front of a suitcase, no, I do not think the suitcase was ever in the possession of Lucy Collins. She said she had a small case with her when she arrived and she said she was wearing a pair of worn white shoes. As to the internal dimensions of the hut, I think she had a big double bed in it. As to whether she told me whether the hut, shown in Exhibit 56, was the hut where she and Nell were living, she said "This is not the place where I used to live. I had to leave the other place." AI said "Where did you live before." She said "Over the other side, there, near the orchard." The hut shown in Exhibit 56 is not the one she and Nell were living in. She pointed to it and told me where it was. I went near it. From the distance, it seemed to be a bit bigger. It was not a similar structure - corrugated iron and bags - it was a place like a shed with a chimney to it and it was much bigger than that. I said "How did you manage to get over here; where has your stuff gone." She said "I have not now got any of the stuff I had. This was loaned to me." As to her telling me Nellie's stuff had been thrown out and burned, she said most of the clothing and the stuff and all she kept was the tin trunk and a few blankets and articles. She had a tin trunk there. That was her own.

As to the effects of the girl, Nellie, she said "The clothes, I threw out and burned and threw them away." She said she burned some of the things that were stained and the others she threw out. The things that were stained she burned and the others she threw out. She did not tell me where she threw them; she just said she got rid of them. During this conversation at the house that day, I did not ask her if she saw a photograph of someone in the front of the suitcase. I asked her, if she had anything else belonging to the little girl would she give it to me. She said "No, I have got rid of everything about the place." She kept this little card about "Ride a cock horse." As to whether she said how she transported that from the other premises, she took it out of a tin trunk. It was in a tin trunk. I remember giving that to my daughter quite a long time ago. I gave her that when she was a little girl. It is a nursery rhyme. As to what is cut off the bottom of that card, it finishes up the same as this red. I could not tell you who cut that off. That bottom piece of the card was cut off when I received it from Lucy Collins. I am sure of that. I see there is a red edging and, obviously, quite a lot has been cut off. I remember that card. I did not ask her if she had cut the bottom off. I did not make any mention of that at all. When I gave that card to Philomena, I never wrote on it. It is not customary to do that with little nursery rhymes. I do not know who cut the bottom off that card. It would not be 30 years ago when I gave that card to Philomena. She had little cards like that quite late in life. She used to like them. As to whether I am suggesting Philomena, who was not a good girl from 15 to 16 onwards, liked getting cards about "Ride a cock horse", I did not give it to her late in life, but she would always keep them. She used to like them. I like them still. She would be about 10 or 11 when I gave her that. I have other children. I have three children. I profess to remember a little card which I gave to my daughter 22 years

ago. I did not give her one about "Dr. Gloster goes to Foster". We used to have a lot of those nursery rhymes. We used to have all the nursery rhymes. She liked them tacked up on the wall, even when she was eleven. When she was quite grown up, she used to like her dolls and things tacked about. I did not go to see Lucy Collins again after that visit in ¹⁹⁴¹~~1941~~. She never came to see me. I have never seen her except on that one occasion. As to whether Dr. Benbow ever told me whether he had seen her since then, I have never asked him. He never told me that he had been to see her. Up to the time I went to see Lucy Collins, in 1941, I had seen some of the exhibits. I did not have some conversation with Lucy Collins about them. I just asked her if she had anything belonging to the little girl. I never took those exhibits down to Albury. Dr. Benbow never took those exhibits down to Albury. I did not show them to Lucy Collins when I went down. As to whether I asked her if she had a handbag, I asked her if she had left anything there and that is all she produced, the little card. I did not ask Lucy Collins about those articles. I told you before I only asked her if she had anything belonging to the little girl. She just produced the card and said she had thrown the rest away. She never told me they had been found. As to whether I remember showing some articles to Lucy Collins during that visit, I never showed Lucy Collins anything, myself. I do not remember saying anything to Lucy Collins about a white belt. I never spoke to Lucy about any materials. I have no recollection of speaking to Mrs. Collins about a white belt on that occasion. I do not ~~remember~~ ^{remember} having any conversation about a white belt with Lucy Collins. I had no conversation with her about any of those other articles. Having left Mrs. Collins, I think we went straight back home. I agree that was in 1941. Towards the end of 1942 I made an application to the Supreme Court of New South Wales, Probate Jurisdiction, asking for Letters of

Administration for the estate of my daughter. I do believe she had some estate; she had personal belongings. If it were suggested I had been told her personal belongings had been thrown out or burnt, I would say she left some materials with me. She left a ring and a pendant with me. I did not think I could keep on using those without making an application to the Court for letters of administration of her estate. As to who suggested that I should make that application, it was legal advice I had from barristers in Sydney. I cannot remember the names of the barristers and solicitors. I think Mr. W. O. Curry was one of the advisers; there were two of them. He advised me to make this application. In support of that application I made an affidavit. I remember swearing, in that affidavit, "The said Anna Philomena Morgan lived with me ^{under} in my care and guardianship until the year 1930." To my way of thinking, that is true. If it were suggested she had not lived with me in my home except for a fortnight for quite a few years prior to 1930, I would say that does not say I have not given her care. She did live in my home. She lived in my home on and off. From 1927 to 1930 she lived in my home quite a number of times. She lived there for longer than a day or two days at a time. If it were suggested at that time, she was living with various other men, I would say I cannot help that. She could still come home for a few days or a week. That was what I meant when I said "Lived under my care and guardianship until 1930, in which year, in the month of March, she left my home without my consent and against my wishes." I think that truly expresses the relationship existing between Philomena and I for a few years prior to 1930. As to my believing my daughter was married to a man named Victor Cacialli, no, I was never told she was. I was told she had been keeping company with an Italian. That was told by Marjorie Farr, and I did not

know of any other Italian she might have known except that particular person. I mentioned that name for that reason. No one ever told me that my daughter was alive and married to one Victor Cacialli; that was my suggestion. As to whether I ever swore "About the month of August, 1941, I was informed by one Mrs. O'Connor of Kensington, that she knew my daughter and she was then alive and married to one Victor Cacialli and was living with him at 144 Doncaster rd, Kensington, in the State of New South Wales" I did not ever swear that. I suggested that to someone. I hear you direct my attention to an affidavit which, it is suggested was sworn by me on the 5th November 1942, at Nowra, before Ruben King, J.P., in support of an application for Letters of Administration in the State of New South Wales I remember swearing an affidavit applying for Letters of Administration of my daughter's estate. As to whether in that affidavit, I swore "In or about the month of August 1941, I was informed by one Mrs O'Connor, of Kensington, that she knew my daughter and that she was then alive and married to one Victor Cacialli and was living with him at 114 Doncaster road, Kensington, in the State of New South Wales... .."

OBJECTION by Mr. Barry:

OBJECTION upheld.

I have no independent recollection of that. I remember Mrs. O'Connor telling me, in a conversation, that she thought Philomena had been living at that address. I had been to see Mrs. O'Connor and made several inquiries, but no one seemed to think Philomena was there. As to whether I now say Mrs. O'Connor did not tell me that my daughter was married and was living with Victor Cacialli at 114 Doncaster road Kensington, I do not say she told me, she only heard she might be married to an Italian and I thought it might be Cacialli. She did not say definitely that she was married. She said she heard she had been married to an Italian.

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AI think that application for Letters of Administration of my daughter's estate in 1942 was heard by His Honour Mr. Justice Nicholas. As to whether I later decided to institute some further legal proceedings, yes, I did. Those further legal proceedings were any means at all to be able to get the case heard, if I possibly could. I do not think my case had been fully heard by Mr. Justice Nicholas. I was represented by learned Counsel. I cannot think of the name of the solicitor who appeared for me in that application. I had Counsel. Having had the matter fully investigated by Mr. Justice Nicholas, as to what were the further legal proceedings instituted - - -

OBJECTION by Mr. Barry.

OBJECTION DISALLOWED.

After the application for letters of administration had been disposed of, ^{as to} what were the next proceedings instituted by me in connection with my daughter's disappearance, I do not actually remember being able to do very much more about it. I remember an application being made in my name before the Full Court of New South Wales. I was not present during those proceedings, when a Mr. Wind^{over}, K.C., appeared for me. I knew there were such proceedings. I interviewed a solicitor. The solicitor told me that he would do his best for me and not to worry about it. That was my solicitor. I cannot remember the name of the solicitor. If it were suggested at the conclusion of those proceedings, I then did not do anything else until I wrote the letter to the Commissioner of Police on the 11th March 1944 (Exhibit 55) I would say I do not remember any further legal steps up till then. As to ~~whether~~ when I consulted my present solicitors, Messrs Lucas & Mumme, when I arrived in Melbourne - I was notified the day before the 23rd that the inquest was to be held on the 23rd., and I could not see myself getting here for the 23rd, so I sent a wire to the solicitors to act for me. I sent a wire to Mr.

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Lucas, in Melbourne. The police did not then invite me, and pay my expenses, to come to Melbourne. They did not do that at all. They did not pay my expenses to come to Melbourne. I had a rail warrant issued to me. I had a rail ticket issued to me. I have it myself.

TO THE CORONER: I got the permission to come.

TO MR READ: I paid for the ticket. I think I left Bomaderry on the 22nd. Up to the time I arrived in Melbourne, I had never heard at any time from anybody that Mr. Agostini alleged he placed the body of his wife under the culvert at Albury. I have not been in Court and heard evidence that Mr. Agostini is alleged to have said that to some people. I have not read about this case in any of the newspapers. I have not even read my own case. As to whether I suggest, to this day I have never heard it is alleged that Mr. Agostini said "I placed the body of my wife under that culvert", I cannot really say that anybody has spoken to me about it. No one has spoken to me about the case. I have refrained from speaking to anybody about it since being in Melbourne. As to whether Dr. Benbow has been to my hotel to see me since the inquest has been on, he came to see Miss Blacket. He did not speak to me and show me certain photographs with a magnifying glass attached to his head at the hotel where I am staying. He has not spoken to me about the case since I have been in Melbourne; not one word. He has not spoken to me about the case since I have been in Melbourne. He has never mentioned it to me. He has just asked after my health. He has never mentioned the case to me. As to whether it would be a surprise to me to know evidence has been given where it is alleged that Mr. Agostini said he placed the body of his wife under a culvert on the Albury-Howlong road, - I never heard of it. It would not affect me at all as to whose body it is if it is alleged that Mr. Agostini placed

the body of his wife under that culvert.

(At this stage Mr. Barry tendered a Missing Friend Report dated 12th September 1934).

..... EXHIBIT "GG". Missing Friend Report.

TO MR. BARRY: Looking at the shoetrees produced, I say they look to me like an odd pair of shoe trees that were my daughters. As to whether there is anything about either of those shoe trees which enables me to offer that opinion, they were painted in gold, as far as I can remember, and were done up with light red and black silk. I did them up with light red and black silk.

.... EXHIBIT HH..... Shoe trees.

Looking at the rubber boots produced and asked if I ever knew my daughter to be in possession of a pair of rubber boots similar to these, I would say "Yes, these could be hers". As to where she got them from - - -

OBJECTION by Mr. Read-----

OBJECTION upheld.

She did not have rubber boots herself and I gave her a pair of mine. They would be a size 4. I knew her to have rubber boots similar to those. I gave her a pair of my own, size 4. They are similar to the pair of my own which I gave to her.

..... EXHIBIT JJ..... Rubber boots.

I have a recollection of her having had teeth filled. They were filled with gold. Mr. Robbilar, a Macquarie street dentist, filled them. I do not know whether he is now living or dead. If I remember, I should think it was just a little after her 17th birthday when my daughter had those teeth filled. I remember which teeth they were. They were the second upper molar on the right side and the second lower molar. They were both decayed the one under the other. That was on the right side; they were wearing each other out. In connection with the proceedings in the Supreme Court of New South Wales, I think I made several affidavits

JCR

in support of the application. The application was taken with my full knowledge and approval. Subsequently, when action was taken in the Full Court of the Supreme Court - in which Mr. Windy appeared - to reopen the inquest, I swore some affidavits. That ~~app~~ action was taken with my full knowledge and approval. Before I came into the witness box, I was aware I would be cross-examined very closely. I was fully aware I would be liable to all kinds of, what I would call ~~excruciating~~ crucifixions. With the knowledge of that ordeal ahead of me, I came forward to give evidence. I steeled myself to the idea of having to face up to the public, the press, and my family when I went back. I came forward to give evidence so that I might have my child buried. I have no doubt whatever that the body which lies in this Morgue is the body of my daughter Anna Philomena Morgan.

TO THE CORONER: Looking at photographs Exhibits 47 and 48, I say they are photographs of my daughter. There is no doubt about that. I say the hair on the body here is the same as that of my daughter. As to whether I mean all the hair that is on it now or only different parts, it was just a little darker in the roots of the hair, it seemed to me, when I had a look yesterday and it seemed to be nearly all the same colour as it was before. The general colour is the same now as before. I have not seen the hair which was taken from the body. Looking at Exhibit No.9, I say that is the colour of Philomena's hair. That is the correct colour. As to whether that is lighter than the other, towards the ends it is a little lighter. I am quite satisfied it is the same hair. Looking at the ear ring, Exhibit AA, as to how that would be fixed on the ear, it must have been fixed on to a little loop through the hole which I noticed in it. It would be a little screw-on affair. She just screwed them on from the back. It is a clip and screws on from the back. I

M/ECL.

ROUTLEDGE

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pasted a photograph of her little brother and myself on the suitcase. I have a very clear recollection of that. I pasted them in. If it were suggested I told Mr. Barry that she pasted them in, I would say she asked to have them pasted in. She was assisting ~~me~~ me with the paste. She made a flour paste and she was assisting me. She made the paste and she pasted in mine and, I think, I pasted in Bobby's. If it were suggested I said yesterday she pasted them in, I would say I said she had them pasted in. Between the two of us we got them pasted in. She had a complexion like mine/ She did not have any blemishes on her complexion. She always had a very clear skin. I do not remember her having freckles when with me. I have never seen her with freckles, that I remember. She might have had a little sun-tan on her nose if she went bathing, but it was always covered with powder. I could not say whether she would have them around her head or forehead. Sometimes she would get a few sunspots, but they would go away again. If I were told, by freckles, you meant marks on the face, I would say No, she had no marks of any kind on the face.

TO MR READ: I agree I told Mr. Barry I remembered she had two teeth filled with gold a little after her 17th birthday. That is correct. That would be about 1928. When she had those teeth filled in 1928, we were living part of the time at Maroubra Bay and part at Parramatta, I should think. She was with me sometimes in 1928. About that time was the time when she was going about with a Mr. Seeny. She was not with me all the time. With me she was always known as Routledge. When she went to the dentist, she went just as my daughter. I went with her. I took her to Mr. Robillard. His address was 170-something, Macquarie street, Sydney, opposite the Conservatorium of Music. I was with her when she had these teeth filled. I took her in myself. I was working with Mr. Robillard at the time.

As to whether I kept his ledgers or cards, no, I do not remember putting down Philomena's work. I did keep records for him the same as I did for the other dentist. I do not remember whether I kept any record of having had these fillings done to my daughter's teeth. I never put her work down at Robillard's because he used to do my work and hers. I first remembered about these gold fillings that were put in a long time ago. I have never spoken to Dr. Benbow about it. To my recollection, I never told him that my daughter had these two gold fillings. I was under the name of Routledge at that time. As far as the dentist went, she was my daughter. That would not be Jean Routledge; that would be Philomena ~~Ruttk~~ Routledge.

J. C. Routledge

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 31st. DAY OF MARCH 1944

W. H. G. King
CORONER.

M/ECL.

ROUTLEDGE

J.C.R.

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Original

THOMAS ALEXANDER PALMER-BENBOW, on his oath saith:

My name is Thomas Alexander Palmer-Benbow and I reside at Gowrie Gate, 115 Macleay Street, Sydney. I am a surgeon ^{and} physician but practise as a physician. I have certain evidence I desire to give in connection with the body of the deceased lying here.

TO MR. BARRY: I hold the degree of Doctor of Medicine and Doctor of Surgery, M.D. at the Jefferson Medical College and its hospital, Philadelphia, that I graduated from. I graduated before the last war, in about 1913-1914. I won the medical prize at that ^{Medical School,} ~~University~~. I graduated with Honors. The Jefferson Medical College and its ^{Hospital} ~~University~~ in Philadelphia is one of the most famous schools in the world. In about 1916 I became a member of the Royal College of Surgeons, ~~in London~~ London England, and a Licentiate of the Royal College of Physicians, London. In 1916 I was registered to practise by the General Medical Council of Great Britain. I served four years' active service in the last war and about two years at home here afterwards. In that service I was discharging professional duties as a doctor all the time. In about 1926 I obtained the Diploma of the National Board of the United States of America. When one graduates in America, every State has its own State Board and one has to pass that State Board before one can practise. The Diploma of the National Board was brought in at about the period of the last war and it is an over-riding examination over all the States, and if you take that examination you can practise anywhere within the United States. I was registered to practise in New South Wales in 1918, at the time when I had charge of the Quarantine Station at North Head during the very bad influenza epidemic in 1918. I am a member of the British Medical Association, the New South Wales Branch. I have

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practised my profession for some years at Macleay Street, Sydney, since 1939. I was in Macquarie Street from 1936 to 1939; I had rooms there although I was also at the Randwick Military Hospital. I moved to Macleay Street in 1939. I have been doing private work one way or another all my life. In 1918 I was in charge of a

Quarantine Station. After the quarantine was over I was ~~temporarily~~ *resumed my duties in the A. G. H. C. at Randwick.* ~~definitely demobilised, being a Captain in Reserve at the~~ *or take up duties at the Quarantine Station* ~~time.~~

I was temporarily demobilised and then went back and took up my position again at Randwick. I think in about a year's time I came home to Melbourne and went to Ararat, my home town, on leave. I went off to England and did special work in England and then I came back again. I did private practice in England, did a man's work for him for a while. I did special work at Oxford and later I made a trip to Australia, not being very well. I went back to England again. I commenced practice in Sydney in I should say 1936. Although I was working at Randwick I went in to Macquarie Street and saw private patients at my rooms there. In 1939 I became interested in the subject of the identity of the "Pyjama Girl" and the manner in which she met her death. In about September 1939 I visited the Medical School at the Sydney University and I there saw the body lying in a formalin bath. There was nothing other than scientific impulse which led me to investigate this matter. The urge to make a diagnosis was uppermost. I saw the body in the presence of Dr. Oliver Latham more than once. On the first occasion I went there Dr. Latham whom I know very well admitted me. I examined the body on that occasion in his presence. I made a careful examination. Dr. Latham would not be present all the time. I examined the body both while it was in the liquid and out. On the occasion of my first

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examination I think Mr. Stone, the attendant, was also there, and I think Dr. Latham had a pretty close look the first time. We raised the body from the fluid, the head and neck and shoulders, but it was not taken right out. I have seen the police description of the body set out in Exhibit "E". This is a substantially accurate description of that body as I saw it in 1939. There are things that are missed. The description reads: "22 to 27" - I thought much younger; she was obviously 22 to me. "Height not more than 5' 1" " - she seemed to be about that to me. "Slim to medium build" - slim and very neatly built should have been the words. She is remarkably neatly built. "Plucked eyebrows" - yes, if you were a little bit of a magician because the eyebrows were very badly burnt. To start again, the description reads: "The deceased is now further described by the University Authorities as being from 22 to 27 years of age" - my impression was "This is a girl who is much younger than 27", and I thought about 23. I made the observation before that I think she is much younger and would not be 27, might be 23. "Height not more than 5 feet 1 inch" - it is very difficult to tell; I thought that was probably about right. "Slim to medium build" - decidedly slim and very neatly built would finish that. "Body well formed and proportioned" - decidedly so. I noted her proportions though were of a certain type of proportion. I will amplify that later. "Light brown hair" - yes; it was obvious it had been peroxidized as soon as I glanced at it. "Blue-grey eyes" - I looked very carefully at the eyes and they were blue. I have no doubt that when I examined the eyes in 1939 they were blue-grey eyes. I was quite sure of that. There was only one eye. The body had only one eye, the right eye. If that eye were blue-grey, from my medical experience I would expect the colour of the other to be the same.

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There are cases of people having eyes of different colours. I have ~~seen~~ ^{heard of} such a case at Oxford; a tooth was extracted and they both became blue. It is very rare to see people with one eye of one colour and the other eye of another colour. "Plucked eyebrows" - her eyebrows might have been plucked, but actually they were very badly singed and not much eyebrow was left. "Finger-nails well manicured to a point" - that is correct. I took special notice of those finger-nails. "bearing traces of cutex tinting" - that might be; I am doubtful about that. I was one way and the other; I often looked, I was not quite sure. In subsequent examinations I looked for that. Sometimes I thought under the microscope I got bits of that and that accounted for certain things I saw; but I would not say definitely. "Very large hands" - they were obvious for a good many reasons. That was a correct statement. The hands were extraordinarily large hands actually. "Small superficial scar on back of right basal phalanx of right middle finger" - I do not remember that scar. I remember other things about that finger, but I do not remember that scar. "No operation scars or birthmarks" - on a most careful search I was unable to find anything of that description. "Believed to be of English or European rather than Australian extraction" - I made my own comment that I thought she looked Germanic in origin. "The ears are peculiar" - very definitely. This girl's ears had in an extreme form what is known as a familial defect, meaning that this condition is not surgical, not due to injury, not acquired in the girl's lifetime, but she is born with it and other members of the family will show in various degrees the same thing in kind only different in degree, and that was very important. "Very little, if any, lobe present, the whole giving a very distinctive and unpleasant

shape" - that is not correct. This girl's ear was not unpleasant, as long as the familial defect was hidden. In certain positions that would be unpleasant because it is very deeply scolloped, but as far as the lobe is concerned she had a pretty little ear, well formed, and the lobe small and neat. It is a little difficult to say whether I made other examinations before I went to the office of the Criminal Investigation Branch. I am unable to say that this first examination was followed by my visit to the C.I.B. and that the subsequent work was done after that. I am not quite certain. I saw Superintendent Matthews at the Criminal Investigation Branch. I there sought permission to inspect some of the exhibits collected by the police on the occasion of the discovery of the body of the woman concerned. At that stage my object was to attempt, if possible, to find enough material, examine it and get some idea of where the girl had been, to find out if possible then what had happened to her, and later on to get the identity. I was attempting to work in that manner because from what I had heard and the little I had read the identity had been apparently the thing that had been ~~obsessing~~ ^{obsessing} the ~~police~~ case. I felt that emphasis was being laid unnecessarily on the identity, and that I would go the other way about it. Superintendent Matthews gave me permission to inspect the exhibits. I was shown the pyjamas jacket and trousers which have been produced (Exhibit No. 5), the towel Exhibit No. 4, the bag in which the body of the woman was found, Exhibit No. 3, the lock of hair Exhibit No. 9, the model of the teeth Exhibit No. 12, a plaster cast of the face, various photographs and a Chinese silk coat with a dragon device. I have not seen the cast of the face in this Court yet. To my recollection, some of the photographs I was shown are amongst the

exhibits. The Chinese silk coat with the dragon device is not before the Court. It had nothing at all to do with this case. On the same occasion I was not shown what had been recovered as a result of the dragging of a lagoon in the vicinity of the spot where the body was found. I was some little time before I saw the lagoon material; I was working on the other. It was very definitely in 1939. I wrote a report and mentioned those objects. I was at the Criminal Investigation Branch examining exhibits for a very long time, September 1939 until after December 1939, perhaps a little longer. In addition to the various articles I have mentioned I was also shown a pair of rubber boots. Those are the rubber boots Exhibit "JJ". I was also shown a pair of very worn white open-work shoes. Those shoes are not in evidence. They have a great deal to do with this case. Those shoes were produced to me by the police as having been found in the lagoon.

EXHIBIT "KK" White open-work shoes.

I saw also a pair of faded red cozy slippers with pompons at the toes. Those are the slippers produced.

EXHIBIT "LL" Pair of red slippers.

I saw also a blouse. I saw several. I saw also this beige blouse produced. This beige blouse has become relevant.

EXHIBIT "MM" Beige blouse.

I saw two shoe trees, one large and one small (Exhibit "HH"). They were not a pair. I saw several ties. I do not think the ties are relevant. The brand of the tie matters. The only tie that is any use to me is the one with the brand on it and I cannot see it on the ties produced. I subjected those various articles, that is all the exhibits I have mentioned, to scientific examination over a period,