

a lot of time. As a result of examining those articles by scientific means I arrived at certain conclusions. As a result of those conclusions I did not proceed at that stage to examine the question of the identity of the victim. As a result of examining the culvert material and the lagoon material I was prepared to go to Albury for further investigations. I gathered certain information there, and my various investigations led me to investigate not so much the question of the identity of the victim, as I was looking more for the scene of the crime. I did not get the identity until very late in the day. I did not bother about it. I expected if I got the murder facts the police would do the rest and the identity would follow as a matter of course. I would prefer to go on with the identity along the lines that I ultimately did it. I would rather give my evidence chronologically because the Court has been going in that direction.

TO THE CORONER: The whole of this inquiry so far has been taken up with the identity, and I would rather add my small quota <sup>to</sup> ~~in~~ the identity.

TO MR. BARRY: In the course of my investigations I did not have access to police files. I scrupulously refrained from ever looking at anything that might be about. I felt I was a privileged guest, and I did not want their files in any case; I was starting afresh. I have formed an opinion in this case that the body which is lying at the Morgue here and which I have seen since it is lying at the Morgue is the body of Anne Philomena Morgan. It is not in as good condition as it was when I examined it first. I know now that it is Anne Philomena Morgan from other investigations. As a result of my investigations, the knowledge which I have obtained from photographs of Philomena Morgan and descriptions of her, I have come to the conclusion

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positively that the body is her body. I have seen a photograph of Philomena Morgan, Exhibit No. 20. I have examined a similar photograph to that in connection with the body and in connection with photographs of the body. I have examined a photograph from the same negative as this. I first saw a photograph taken from the same negative as this when Mrs. Routledge about 1940 viewed the body at the University and I went down to Nowra some time after and she gave me a facsimile of this. I find it is from the same negative. I have prepared certain transparencies in connection with this photograph and in connection with photographs of the body. I produce an enlarged photograph of Philomena Morgan and a transparency on the same scale of that photograph.

EXHIBIT "NN" ..... Photograph of Philomena Morgan and transparency.

I produce also a photograph of the face of the corpse after being in formalin from 1934 to about 1941. I took this between 1940 and 1941. That is a photograph of the face of the body of the Pyjama Girl. I produce a photograph and a transparency of that.

EXHIBIT "OO" ..... Photograph and transparency of face of body.

I produce also a photograph and a transparency of the photograph taken at the Albury Morgue immediately after the removal of the body of the Pyjama Girl to the Morgue.

EXHIBIT "PP" ..... Photograph and transparency of body at Albury Morgue.

Those three photographs and the transparencies from them are all on the same scale as close as it is possible to make them, and that scale is life size. I want to modify that. Anne Philomena Morgan is an unknown person, but the cadaver is put to life scale. If the other turns out to be identical, then of course it is life ~~size~~ scale.

To explain these, this transparency is a transparency of the corpse when it has been discovered and it is only about

a day old. This is a known picture of Anne Philomena Morgan. This picture is introduced for a special purpose. Anne Philomena Morgan has a very square head and a rounded cheek, a pointed chin, smooth oval face. By a strange chance this particular picture was posed in almost that identical position. This of course I could not change. It was taken in 1927. By a strange chance they were <sup>positioned</sup> sufficiently close ~~apposition~~ to make them valuable or rather this one valuable. The tilt is a little bit forward; there is the ear and there is the nose; here is the ear and here is the nose. This is horizontal and this is about an inch up. That does not affect the plane of the face, and it is for that purpose I am putting these together, and the chin and the general length of the face. When they are put together carefully there is complete coincidence of the side of the head, the round of the cheek, and the chin and the length. The nose is further down because it is a forward portion and the parallax takes it further down. It is in the foreground and it is tilted lower down. There is complete coincidence of the features that I put it together for.

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AT THIS STAGE THE COURT ADJOURNED  
UNTIL 10 A.M. ON MONDAY, 3rd APRIL, 1944.  
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GOVERNMENT SHORTHAND WRITER'S OFFICE

Melbourne, ..... 4 ..... / ..... 5 ..... / 19 44

WE, the undersigned Licensed Shorthand Writers, certify that the foregoing typewritten pages, numbered as under, are a correct transcript of the Shorthand Notes of Depositions of—

Page P

JEANETTE CONSTANCE ROUTLEDGE ... 314 - 324

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THOMAS ALEXANDER PALMER-BENBOW ... 343 - 351.

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*R. G. Place*

Licensed Shorthand Writer.

JEANETTE CONSTANCE ROUTLEDGE ... 325 - 342A

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*J. H. ...*

Licensed Shorthand Writer.

*R. G. Place*

Licensed Shorthand Writer.

taken at Melbourne on the Thirty-first day of March 19 44

at an Inquest { upon the body of a woman found near Albury on 1/9/34.  
into a fire at

EIGHTH DAY

RESUMED INQUEST

held at

THE CITY MORGUE - MELBOURNE

on

MONDAY, 3RD APRIL, 1944.

-----  
UPON THE BODY OF A WOMAN FOUND NEAR ALBURY ON 1/9/34.  
-----

*Original*  
*London*  
*3rd April*

OLIVE BERESFORD, recalled: on her oath saith:  
I have already been sworn.

TO MR. READ: I gave evidence in this inquest and at the conclusion of my evidence in chief, I said "About 11 a.m. on the 16 th March 1944 I came to the City Morgue and viewed the body of the deceased." I now say that body was definitely Linda Agostini's.

MR TO MR. BARRY: When I went along to see the body I was accompanied by Miss Hopkins, the policewoman. I was not accompanied by a Mrs De Marco or a Miss Castellano. I have not seen them at all. I did know Mrs De Marco but I did not see her anywhere round the Morgue. I do not know Miss Castellano at all, that I know of. I was in Court when Miss Dunn and other witnesses gave evidence as to the colour of her eyes. I said they were hazel eyes.

(Signed) OLIVE BERESFORD.

TAKEN AND SWORN BEFORE ME THIS 3RD DAY OF APRIL 1944 AT MELBOURNE.

*Atkinson*  
CORONER.

THOMAS ALEXANDER PALMER-BENBOW, Recalled:

TO MR. BARRY: On Friday when the Court rose I had produced certain transparencies and I was about to demonstrate anatomically coincidences when these transparencies were placed in apposition. Exhibit "NN" is a transparency of the likeness shown in Exhibit No. 20. Exhibit "PP" is a transparency made from a photograph of the cadaver when it <sup>was</sup> ~~has~~ just ~~been~~ picked up. This was introduced into my transparencies for a special reason, the reason being that it shows very ~~distinctly~~ distinctly the square side of the forehead and head, the contour, and the rounded cheek and the rounded pointed chin and also the rounded cheek here. The photograph is tilted slightly forward. As I explained it last day, the nose being the most prominent point has dipped further than the ear. That tilt does not affect this line for two reasons, it is well back in the plane of the photograph. The tip of the nose will be lower than the tip of the nose in this picture. Exhibit "NN" is a transparency of a known photograph of Anne Philomena Morgan. I might remark these are all as nearly as possible to life size scale. That has been done in this way. Here is the corpse itself; it is put to its own size as nearly as it can be done. It has been put very accurately by measuring the teeth and other points. It follows if this is the same it will be her own life size. As it is, it is only the corpse life size. We will put these two (Exhibits "NN" and "PP") together for the purpose of seeing whether that square forehead, the straight effect and the round cheek and the chin and the general length correspond to this picture. It will be seen that this whole contour coincides perfectly. That is the right side. There are several things to note in this picture. As I told you, the point of the nose will come down further because of the <sup>effect</sup> ~~effect~~

in the foreground of the parallax, and the ear will rise; no one can expect the lobe of the ear to coincide. The eye being further back in the plane, there is not very much difference, but I do not put forward this photograph to show the exact coincidence of the eye. The mouth is not quite the same, but it is not very far off, for the same reason that it is further back in the plane. However, this is what I introduced it for (indicating). Another way of assembling these is to put the transparency Exhibit "PP" over the print Exhibit "NN" and the contrast is so marked you might see it better. Another thing to be noted here is the actual length of the hair-line. In the transparency of the corpse the hair has gone back, but the natural hair-line is shown at the root of the hair. In the photograph of Philomena Morgan her hair is done across and that point can be determined. It is practically the same just where the roots start, so that the length from the point of the chin to where the hair obscures the side of the forehead on the right hand side is for practical purposes identical. You will observe that in spite of the pose being slightly different, being tilted down, the whole of the orbit, the outline of the orbit with the eye, is practically coincidental with this transparency, although they are not put forward for that purpose. There is another reason why I introduce these. This transparency Exhibit "OO" is a transparency of the corpse after being in the formalin bath for approximately six years, because I remember I made this in, I think, 1940 or 1941. The body was put in the formalin a few weeks after being found. I did the hair on this subject, Exhibit "OO", in this position not essentially because the hair was in this position in this Photograph Exhibit "NN". I was curious to establish the natural parting of the hair. I found

that it fell into place quite readily. In other words, the parting on this subject seemed to have been on the left hand side and it fell readily into position. I made the mistake of doing the hair too far forward, so I destroyed slightly the contour of the forehead. You might think at first glance that that forehead sloped inwards, but this is introduced to show that it does not, because that is the subject itself. That is the real value of this transparency Exhibit "PP". The hair effect in the centre of the forehead in Exhibit "PP" was reported as a "Widow's Peak". Whatever that is I am afraid I do not know, but I presume it was this arrangement. That is purely artificial due to the fact that her head had been dragged about from place to place, in various places, and it had no effect at all on the true parting of the hair. That fell into line obviously as the place where it should fall into line. This appearance is quite artificial. I put transparencies Exhibits "OO" and "NN" together for various features. It is impossible just to put one on top of the other because with the greatest care I found that my photographer had got this slightly off tilt. You will observe that the lobe of the ear is about a quarter of an inch higher over the base line here, and in this one the lobe of the ear is about a quarter of an inch lower. That prevents putting one on top of the other just like that (indicating). Another thing to consider is that this face also is very much swollen. The true line of the cheek is down here, and there is the chin. The rest of it is parotid swelling. That understood, and the effect of bringing the hair too far forward being understood to have destroyed the contour slightly, I will now put these two together to outline the orbit. I must remark the bridge of the nose was broken and having been

*Handwritten signature*

broken it destroyed the slight retrousse effect ~~in the~~  
~~bridge~~ of this subject's nose. It has caused swelling;  
she has lived long enough for swelling to occur and to  
give a slight hump. It shows very well in a side view of  
the corpse which I will give you. I have now pretty  
accurately superimposed these two. This is the eyebrow  
of Philomena Morgan. The orbital ridge is slightly  
above the eyebrow; the eyebrow comes along and slightly  
below. The eyebrow in the corpse has been burnt off.  
I really do not know whether it has been plucked or not.  
Unless I examined the skin with a microscope carefully I  
would not say. I know it has disappeared practically.  
In Philomena's Morgan's picture the upper edge of the  
eyebrow should correspond practically with the bare orbital  
ridge, and it does very perfectly. The lower lid here  
because of thickening and swelling and because it is a bow  
naturally becomes shortened, so it rises slightly. Here  
in this picture Exhibit "NN" the lower lid, being in health  
and having a full eye in ~~life~~ health, is slightly lower.  
That is more noticeable when I show you the measurements.  
For visual purposes here the lower lid of Philomena Morgan  
and the lower lid of the corpse coincide with almost  
mathematical exactitude; I mean they just coincide.  
Down here, because of the slight difference in tilt, the  
teeth do not coincide. I will demonstrate the nose and  
nostrils. As a matter of fact, they are now in apposition  
when I move them slightly. There is also a slight  
difference in the rotation of the two heads, and that  
means you must move these about. I have put the nostrils  
as nearly as possible into the corpse, that is the nostrils  
of Anne Philomena Morgan, Exhibit "NN", superimposed on  
the nostrils of the corpse shown in Exhibit "OO". There  
is an important landmark here which shows very clearly,

and that is the inner canthus of the eye, the inner angle on the transparency of the corpse which is labelled "OO". There is another difference in these transparencies. This is an art picture of Philomena Morgan and because of various things which will come out later it is not a clear original. Consequently it is very difficult to find sharp points. On the other hand, in the case of the corpse here, the very best plates were used and a very strong light and a very flat light, ~~not~~ no attempt at all at anything but mere recording; consequently it is very easy to find a sharp edge. It is not easy to find a sharp edge in any feature of Exhibit "NN". That will be referred to later in measurements. In an affidavit some time ago I mentioned these various sources of error. They are very slight, but I like to mention them. This now is a most particular and precise, in fact an extraordinary precise demonstration which I wish to make now. There are shown here two small nicks in this tooth shown in Exhibit "NN". In this photograph Exhibit "H", which is an enlargement of Anne Philomena Morgan's mouth, there are many points of interest in the teeth, but at this moment I wish to demonstrate these two shadows on the end there. I point out the two shadows in Exhibit "NN". It is the same as in Exhibit "H", only smaller. In Exhibit "NN" there are two shadows on the cutting edge of the right hand central incisor. In the transparency Exhibit "OO" there are two nicks in the cutting edge of the right hand central incisor. I now proceed to superimpose Exhibit "OO" upon Exhibit "NN" and show that those nicks coincide exactly with the shadows. The shadows are not quite as <sup>clear as</sup> ~~high~~ as the nicks because the cutting edge of the tooth is slightly obscured by the lower lip, but they are very definite. Because of the light in which

this photograph Exhibit "OO" was taken, the actual edges of the teeth are very distinct and it would make them seem as though they were closer together than they actually are as shown by a cast. The cast shows that the teeth of the corpse are quite well separated. In this Photograph Exhibit "NN", because of certain things connected with this photograph, these central divisions appear to be slightly wider than they actually are. I say that in this photograph there is an appearance of the teeth being somewhat wider than they really are. That is because they have been retouched. This shadow here where the central gap between the teeth comes is not anatomically correct even. That mark has actually no place in the lighting effect of the teeth; it extends down into the lip. I mention this to show when these are superimposed these teeth seem at first to be slightly narrower than these teeth, but I will show you by measurement in another way that they are not actually. Superimposing Exhibits "OO" and "NN", may I remark that the upper lip of Anne Philomena Morgan and the lip of the corpse are very distinctive lips. They are lips that from a medical point of view, in my opinion, could not be confused at all because they are so distinctive. I point out the right hand upper lip as it curves to the angle of that mouth. On the left hand side one has to come, in order to get coincidence, slightly lower. The corpse had an injury to this upper lip here and so caused a certain amount of drooping. That does not apply in this particular part, so it is very easy to get exact apposition here, but in order to follow the curve down it is necessary to slope the transparency or one loses the contour in the other part. There is Anne Philomena Morgan's natural curve on the left hand side (indicating); here is the drooped corpse upper

lip on that side, so to get apposition we simply slope this slightly and there is apposition. The distortion only comes to the centre, so when we require apposition of the central piece it is quite simple. You will not get the registration of the teeth exactly as I did it before, not when doing the lips alone. That is because of slight differences in tilt and slight differences of rotation which in such an accurate measurement as that will show up, but will not in the other. Those lips have certain peculiarities. You will notice that the right hand lip is somewhat thicker than the left. You will notice that in this transparency Exhibit "NN". The shadow of the photograph indicates that lip is slightly thicker on the right side than on the left side. I have already remarked the curve of this lip and the thickness of that lip. One sees that very clearly in the corpse - the curve and the thickness. The lower lip has been injured in the angle of the mouth here and the lower lip has drooped on the right hand angle. A close observation of a photograph of Anne Philomena Morgan, an ordinary print, shows there is a little high light on the lip here and the lip is a short one. There is the centre and it is well rolled down; it is a full lower lip. In the corpse here, especially if one examines the actual corpse, it is easily noted that the left hand side of the lower lip as shown in Exhibit "OO" is practically identical with the photograph, as much as one can possibly make such a thing with thickening and distortion. That also applies to the right hand lower lip. This is an interesting fact too: there is the central division of the lower lip, because of the pose, ~~and~~ the lower lip there from the centre to the side is not as long, it is shorter than on the left side. The same thing applies to the corpse; it is

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shorter <sup>Consider</sup> the whole mouth, on the right hand. Everyone having a certain expression which is quite indigenous and peculiar to them, that expression is set in death, as far as a thing of that sort is concerned, and it is not at all surprising to discover that the corpse should have exactly the same expression as Philomena Morgan. That is what one would expect. Here is a picture of Philomena Morgan taken in life. She is smiling and it is an art picture, so her mouth is presumably in the most usual position. In the corpse it is not at all surprising to find it is set in the same position. When one compares the two, one finds them exact, and the anatomical expression is there also fixed in death. There is a dimple below the nose here that is of importance for me to discuss. I point out the dimple below the nose here. Every one of these dimples in different people has its own peculiarity. In this picture of Anne Philomena Morgan one observes the same characteristics as regards that dimple. It is a rounded dimple with a broad base, and both have a comparatively broad apex. I would say they are identical dimples. I draw attention to the nostrils in Exhibit "OO" and the nostrils in Exhibit "NN". I would like to draw attention to the chin. In Exhibit "NN" this chin is the definitely rounded pointed type of chin with a slight dimple just enough to cast a shadow. The corpse ~~has~~ has exactly the same type of rounded pointed chin. With regard to the left hand ear of Anne Philomena Morgan in Exhibit "NN", in this position one can see that it has a small lobe and it is fairly adherent to the cheek. In the corpse it is easy to see that. This photograph Exhibit "NN" demonstrates that lobe to be a small lobe and close to the head, and it is only a photograph in that position which will demonstrate that effect. A photograph like

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Exhibit No. 48 would be utterly fallacious. A photograph such as Exhibit No. 48 with regard to the ear because of the lighting effect can not give one a true impression of the attachment of the lobe or otherwise to the cheek. One cannot tell from this photograph whether the lobe of the ear is attached to the cheek or is well separated from the cheek. It would appear to be well separated. That is due to the lighting effects and it happens only in that position. Exhibit No. 47, a photograph of Anne Philomena Morgan looking downwards, is of value because it gives the same view-point of the right ear lobe as Exhibit ~~Max~~ "NN" gives of the left ear lobe, and in Exhibit No. 47 it will be observed the pose is in the correct position to demonstrate beyond question that the right ear lobe is small and is closely adherent to the cheek and not as it would appear to be in Exhibit No. 48 well separate from the cheek and jaw. I refer again to the nostrils in Exhibits "OO" and "NN". Regarding the nostrils of Exhibit "OO" and bearing in mind that the nose is sharpened in death and is scorched, and having regard to the nostrils of Exhibit "NN", which are the nostrils of the girl alive and well, one notes that the nostrils in both cases are of the rounded ovoid type in contra-distinction to the long slit-like nostril type, that the nose itself even in this position is of the up tilted sanguine type in contra-distinction to the downward pointed pessimistic type. The width across the nostrils on careful measurement will be found in Exhibits "OO" and "NN" to be as nearly as practicable identical. There are many other measurements but I will come to the measurements afterwards. I would like to mention an observation about the width of the eye fissure in Exhibit "OO" and the width in Exhibit "NN". Exhibit "NN" is a picture of a girl in health with a large

full healthy eye, and the external angle or canthus of the eye is obscured by the fold over of the upper lid which is normal. That is not the angle of the eye appearing to be the angle of the eye. The external angle of the eye, the canthus that I am speaking about, goes up underneath it. In this picture Exhibit "OO" of the corpse all of the folds and wrinkles peculiar to the eye-lids are naturally smoothed out and have disappeared, so that one looks at the palpable fissure in Exhibit "OO" with nothing to hide it, so that it gives the appearance of being much shorter than in Exhibit "NN". This is not in fact so when it is understood that the true external angle of that fissure is up underneath the overhanging upper lid. You cannot see it; it is underneath. If you lift the lid you see it. I draw attention to that because actually when we come to the measurements it will be discovered that the width of that fissure is for practical purposes identical with that of the photograph, but one has to remember that in the photograph Exhibit "NN" the external angle is somewhat obscured. It is anatomical knowledge that tells me where it goes to. As we have this side face Exhibit No.48, if I can find a side face of the corpse I can demonstrate what injury did to the nose. This is an enlargement of a side face of the corpse taken about the same period, as a matter of fact about three days afterwards, I understand. The autopsy had not then been done, so it was taken perhaps at the same time as this photograph Exhibit "PP".

EXHIBIT "QQ".....Enlargment of side face of body.

This photographic Exhibit "QQ" is an enlargement from one of the early negatives made by the police and shown in Exhibit No.45. You will observe that that nose might be described, with the slight bridge defect, as a Roman nose.

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One of the blows which struck this girl broke her nose, badly fractured the bridge of the nose. The X-ray pictures of the skull show that. She lived for a considerable time after having her head battered. That is a matter of expert observation of the corpse. That means that swelling took place. As a result of my observations, I say that the girl was alive for some time after the blow which caused the fracture of the nose. I say that the violence which fractured the nose occurred before death and was followed by the usual physiological changes resulting after violence of that kind. Another effect to be considered is this, that this girl was placed in a bag head downwards, she was carried head downwards, consequently remembering the position as shown in the culvert I would expect a certain amount of pressure on the bag this way (indicating) tending to bevel the nose slightly. The bone being broken, the cartilage would rise and she would have a slight increase in the convexity of the bridge of the nose. I mention it because in the side photograph of Anne Philomena Morgan, Exhibit No.48, we see very clearly the contour of Anne Philomena Morgan's nose which is of the slightly concave type, giving the slightly retrousse effect. It is quite sufficient to state that in this Exhibit "QQ" that slight concavity because of injury has been changed into a slight convexity. At the same time, there is something else to note about these two noses and it is this; the curve of the nose to the upper lip in both Exhibits "QQ" and 48 for practical purposes is identical, showing that in Exhibit "QQ", in spite of the slight convexity due to injury, the nose is actually of the sanguine retrousse~~d~~ uplifted type. There is no question from my medical point of view of that, and I contrast these two photographs for that purpose.

EXHIBIT "RR".....Photograph of death mask taken by Police.

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PALMER-BENBOW.

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EXHIBIT "SS".....Photograph of reconstruction of face by expert in Police Department.

EXHIBIT "TT".....Drawing made by artist indeavouring to reconstruct features of deceased.

In my opinion it is quite impossible to contrast the face of the corpse to any photograph except by means of a photograph of the face of the corpse, the reason being that one is looking at a flat surface in the case of one photograph and it is necessary to match it by a similar flat surface in the other. I will refer to that in a few moments when I come to the teeth. One cannot compare a rounded surface to a photograph; one must photograph that. Dealing with the lobes of the ears of Philomena Morgan as shown in Exhibit "NN", on the cadaver it is very noticeable that they are small lobes. As I remarked in my evidence before, they are not unsightly. I have seen numbers of ears with no lobes at all. The lobes are adherent to the cheek, but not so very markedly. I look at Exhibits "T" and "U". Exhibit "U" is a photograph of the left ear and Exhibit "T" of the right ear of the corpse. The lobe as shown in Exhibit "U" is slightly smaller than the lobe of the right ear as shown in Exhibit "T". The lobe of the left ear as shown in Exhibit "U" is slightly more adherent than the lobe of the right ear as shown in Exhibit "T". The helix of the left ear as shown in Exhibit "U" in profile has a very marked, about three-quarters of an inch at least in life size, scalloped portion which is very distinctive. The helix of the right ear as shown in Exhibit "T" has a corresponding abnormality, being practically identical both sides. This abnormality is a very important one because it is not due to injury and it is not due to surgery, but it is a familial defect meaning that it will run in various members in various degrees of the same family ~~for the same strain~~. As regards Philomena Morgan and the reported similar defect in her

ears which I have naturally never seen, Mrs. Routledge shows herself in some degree this same defect. I have examined her ears and I can say that. Her present children show also in some degree this defect. I have examined them and I can say so. This condition is purely a congenital, familial thing. Referring to the right ear, I wish to contrast Exhibit No.48 and Exhibit "T". As regards the interior of the ear in Exhibit "T", what is called the external auditory meatus or the entrance to the ear, it is quite useless to contrast Exhibit No.48 and Exhibit "T" as regards the shadow thrown by the contour of the external auditory meatus in Exhibit No.48 and the shadow as thrown in a photograph of the ear, or even to compare Exhibit No.48 as a photograph to visual examination of the external auditory meatus as shown in Exhibit "T", for this reason, that this ear in Exhibit "T" was plugged with cotton wool which had distorted considerably the natural folds of the ~~exer~~ external meatus, and in Exhibit No.48 because of the lighting effect the representation of the external auditory meatus cannot be regarded <sup>as</sup> of any reliability, from an anatomical point of view. The lighting effect makes the whole thing erroneous. It is one of those accidental things. In other words, this ear in Exhibit No.48 must not be compared with that ear in Exhibit "T" as regards that marking.

EXHIBIT "UU".....File of New South Wales Supreme Court containing photograph of Philomena Morgan marked by J.J. Morgan.

(PAGE 367 FOLLOWS).

*ad*

*W. J. Morgan*

Reverting to exhibits OO and NN, I point to the right frontal eminence of NN, I also observe on NN, on the left hand side, the distinct line of the forehead. In my opinion, on Exhibit OO, one can observe an exactly similar frontal eminence area on the right side and an exactly similar frontal eminence area on the left hand side. The photograph in my hand is Exhibit Z and depicts an enlargement of the hand of Philomena Morgan and a photograph of the hand of the corpse. I point out one hand is Anna Philomena Morgan's and the other is a photograph of the hand of the corpse. They are both shown on Exhibit Z. There is a geometrical figure on both of those hands. It is the same geometrical figure, as near as it is possible to draw. I did it under a lens and it is as exact as I can possibly make it. There are certain factors making for inaccuracies though, one factor being the difficulty of getting a sharp edge on a rather indistinct photograph. The other difficulty is very real - the paper has a tendency to shrink, and shrink unequally, or even to expand. If one were to measure it, one might find a photograph a little different tomorrow to what it is today. Another slight cause of error is that, for the sake of convenience, these <sup>originals</sup> ~~photographs~~ were put on the wall and photographed so as to make one block, then they were enlarged. There is always a certain amount of spherical aberration of the lens. I have found that there has been, at times, a possibility of a line being slightly foreshortened or slightly lengthened, purely for optical reasons, in the camera and in the enlarging. I mention these things, not because they are of any great practical importance, but because if one works scientifically one has to take cognisance of them. Actually, in fact, the discrepancies are so slight they do not matter. The identity of these two hands is so obvious one can ignore any slight discrepancy. From a purely artistic point of view I point out to Your Worship this hand of Anna Philomena Morgan, as represented in Exhibit Z, The curve of the wrist is extraordinarily delicate. Most

people show some sort of <sup>bony eminence</sup> markings on the wrist, either on the ulnar or the radial side, usually the radial. This hand does not show it at all. That is an extraordinarily neat wrist. That is her arm (indicating) and that is the other hand behind; the girl was lying on the ground. The upper and the lower curves in the enlargement of Anna Philomena's hands (Exhibit Z) are extraordinarily neat. I placed the lower hand, which is the hand of the cadaver, in as near as possible the same position as the upper hand, which is the hand of Philomena Morgan. I did not get the hand of the corpse in exactly the same angle. Had I been able to do so, I have no doubt that a transparency of those two hands would have coincided with extraordinary accuracy. I contented myself with drawing a geometrical figure, which is as near as possible identical on each hand. I proceeded to measure across the wrist. I may mention all of these lines are, as near as possible, of the same length. One observes the anatomical area that the lines embrace. When that is observed, it is seen that the same area on both hands is <sup>encl</sup> imposed within extraordinarily fine limits. This forefinger of Anna Philomena Morgan's hand which is <sup>abducted</sup> ~~abducted~~ away from the hand, I have been able to measure its length and compare it with the forefinger of the hand of the corpse, and it is found to ~~be~~ the same length. It is done by prolonging a line from the wrist right through straight to the quick, showing in Anna Philomena Morgan's forefinger, and prolonging the same line in the geometrical figure on the hand of the corpse and making it exactly the same length from this point here as from there to there. (illustrating). One only has to go round in a circle, if this is the centre, and one finds that cuts the quick of the finger of the corpse, showing they are the same length. In appearances, one notices that the forefinger of Anna Philomena Morgan is curved slightly, so is the finger of the corpse - curved to the same degree. One can make a measurement of the second finger on both hands from the same baseline. It is the same length in both cases, within very fine

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limits. His Worship will always realise that I recognise  
the <sup>2.</sup>exactitude of limitations. There are other things-in this  
photograph # one can see that the knuckles are of a fleshy  
nobbly type, and in the photograph of Anna Philomena Morgan one  
can see the corrugations and the shadows. After being in the  
formalin bath for approximately six years, it is not surprising  
to find that the hand of the corpse had now assumed the  
appearance of what is called "the washerwoman's hand." In the  
photograph of Anna Philomena Morgan there is the basis of  
this corrugation that is now found in the hand of the corpse.  
In addition, the ulnar edge of the hand in the photograph of  
Anna Philomena Morgan is of the fleshy type. One observes  
in the hand of the corpse, an exactly similar ulnar edge, and  
measurement embraces it with great accuracy. One observes  
also in the little finger that the base of the little finger  
is the wide flesy type of finger. Examination of the finger  
of the corpse shows the same characteristic, making an allow-  
ance for the "washer-woman" effect - the wrinkles - due to  
immersion in formalin over such a period of years. The skin  
of the back of the hand is extraordinarily fine in texture in  
the corpse, and, having regard to the length of time it ~~is~~  
has been immersed, it is amazing how fine it is. I would not  
say one could make that observation on this hand in the photo-  
graph, but that was a feature by which Mrs. Poole was able to  
identify Anna Philomena Morgan - from the backs of the hands.  
In my opinion, it is utterly impossible to have that repre-  
sentation and not have the hands of the same person. It is  
well known that hands are very distinctive in people; they  
are more distinctive than faces in many cases. I agree,  
we have heard from Dr. Wood that the only condition of note  
found by him on the post mortem was the presence of gall stones  
in the gall bladder of this cadaver. I have heard the  
evidence of Mrs. Routledge about Anna Philomena Morgan, as a  
child suffering from billious attacks, accompanied by a yellow

complexion. From Mrs. Routledge's description in evidence, I should say it is quite descriptive of the child having some gall bladder condition; ~~an actual~~ a gall bladder condition that could quite easily lead to stone formation. Taking photographs of Linda Agostini's (Exhibits 16, 17, 18 and 19) I desire to contrast feature by feature with the corpse. I take exhibits 16, 17, 18 and 19 and I direct the attention of Your Worship to the side of the head in Exhibit PP. I direct your attention to the fact it is perfectly straight and square, and I direct your attention to Exhibits 16, 17, 18 and 19. Taking exhibit 18, that is nothing like the representation of the same side of the face - the right side on exhibit PP. Anatomically it is all wrong. Exhibit 16 shows it at a different angle and it merely confirms the shape of Exhibit 18, showing that it is not to be compared at all with exhibit PP - a different configuration altogether. Exhibit 19 is a slightly different pose, but it shows the same proposition. Exhibit 18 which is a full face, cannot be compared with Exhibit PP. It is useless to compare it; there are so many things - Exhibit PP is the face of a young girl. Exhibit 18 is a thinner face. Actually, in fact, I remarked that the corpse to my mind was not more than 22 or 23; this girl, in Exhibit 18, is a mature woman - quite a different story. The face is very much wider. In actual fact, I worked out the ratio of the width and it was quite different, whereas it should be the same if they are both the same person. The nose in this case is actually of the pessimistic type, utterly different to the nose in Exhibit OO. One cannot compare them. Anatomically, there is no comparison. The nose shown in Exhibit 16 is a longer nose, it is a fleshy nose, it is a pessimistic nose, it dips down towards the lip and it has a long slit-like nostril, utterly different to the ovoid, rounded nostril in Exhibit OO. I should not compare them; it is waste of time. When I say that, I mean they are not comparable. I remarked

on the apparent difference in age between the exhibit<sup>which</sup> PP and anyone of these photographs, /where taken on the same day (Exhibits 16, 17, 18 and 19.) There is an obvious discrepancy in the apparent age in the two exhibits. The chin in all these exhibits 16, 17, 18 and 19, whichever angle one cares to look at, is utterly different from exhibit 00. If Your Worship cares, I will produce a series of pictures of the corpse, taken in 1939 showing many different angles and there is no comparison at all.

MR. BARRY tendered a group of 7 photographs of the corpse taken at various angles.

..... EXHIBIT VV..... Group of 7 photographs of the corpse taken at various angles and marked VV1, VV2, VV3, VV4, VV5, VV6, VV7.

In Exhibit VV5, I draw your attention to the uptilted nose, the angle from the nose to the lip and the whole general contour, remembering it is slightly swollen. None of these exhibits, 16, 17, 18 and 19 are quite so far around but I draw attention to the fact that the nose in Exhibit 17 is pointing down to her feet. The other nose, in VV5, is pointing upwards - utterly different. A profile of Exhibit 17, if it is available at all, would be very useful, more useful than the ones I have. I draw attention to the ovoid nostril in VV5, and I draw attention to the long slit-like nostril in Exhibit 17. I draw attention to the dimple of the upper lip in Exhibit 17 and the dimple of the upper lip in VV5. On close examination, they are quite different, although, superficially, they may appear to be somewhat the same. VV5 shows a more rounded dimple, whereas Exhibit 17 is more triangular and a narrower dimple. In regard to the lips I compare exhibit VV5 with Exhibit 18. In Exhibit VV5, in the demonstration on the larger pictures, I drew attention to the fact that the upper lip of the corpse had a very gradual rounded curve; it does not come to a V, not like exhibit 18. That is not make-up on the lips in exhibit 18. The actual

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contour of that lip is far more pronounced and an acute V. It is far different from the corpse and not to be confused with it for a moment. I compare VV2 with exhibit 18, they are both full faces, and I draw attention to the fact that the mouth in 18, is a wide, even, angled mouth. When this girl smiles, as shown in exhibit 19, she smiles with an even movement of her lips. She has a wide mouth and smiles with both sides symmetrical. That is decidedly not so in exhibit VV2. This girl represented in VV2 could not smile symmetrically, she had a little twisty smile. She had a smile which tended to raise her right lip more than the left lip. That is the reason it has that effect in Exhibit 20, not because her face is turned away, because it actually is not. It is actually facing the camera. She has a little twisted smile on one side. In the corpse, this expression, this little twisty smile is the thing that has set in death in that corner of her mouth, and it has not set on the other side of the mouth. The lip goes away to the same sort of long angle that one observes in Exhibit 20.

..... EXHIBIT WW..... Juxtaposition of four photographs, being 3 photographs of the corpse and one of Philomena Morgan.

This exhibit comprises four pictures, including Exhibits OO, PP, and NN. These were put together for a purpose. I have eliminated the injured side as much as possible. I just wished to show the conformity of the side of the face, and the general expression of the healthier side of the face. This little sneary smile in this picture is very evident now in OO, which is the corpse after having been in the formalin for six years. They are all to the same scale, a line through the eyes, shows, for practical purposes, it is all the same distance, and for practical purposes, the chin is the same way. After they were taken off they were practically superimposed. I now place a straight edge across them to show they do come to the same length. The