

may have referred to it in the other proceedings. It may be in the Probate proceedings or it may be in the second application. I fancy it is in the Probate application. You may take it for granted that it was the knowledge that gall-stones were found in the cadaver that led me to ask Mrs. Routledge did her daughter ever have any bilious attacks. The answer I got was that she used to have bilious attacks and she had a yellow appearance at times. It was rather stronger than that. The mother had to get up on one occasion and call a doctor who diagnosed appendicitis, which he would, and she put a hot-water bag over the ~~part~~ <sup>gall bladder region.</sup> I should not say that bilious attacks and a yellow appearance are perfectly common with most children. On the other hand, the condition that the mother described is a condition that could easily be a prelude to or even associated with gall-stones. You will find that they are very rare indeed in anyone under 25. They have been found in a new-born child. If it is suggested that the condition described by the mother could be equally consistent with the bilious attacks that children get, I say I understood she was between 16 and 17 then. When she used to get this care from her mother she was living with her mother. In this photograph she was about 16 or 17. I understood she was living with her mother then. I do not know if Mrs. Routledge told me her daughter was living with her in 1928; I cannot put words into Mrs. Routledge's mouth. I would not swear to that. I recollect fairly well it was not until I saw a copy of the autopsy report that I knew that the cadaver had ever had gall-stones and I am fairly certain that that information came to me after the Probate action and then I asked the mother "Did your daughter ever have any such illness at all". I apparently did not see the autopsy report until after the

5th November, 1942. I had asked for it but never been allowed to see it. When I was working with the Police I did not first of all ask to see the autopsy report. You do not understand the isolated harmony I was working in. I was given access to no papers of any kind. I have said that after the Probate action I did see the autopsy report. I cannot swear whether I did or did not in 1940 see the autopsy report made on the deceased or a copy thereof. I cannot answer that question Yes or No. My answer is, I do not know. I do not know whether in 1940 I had seen a copy of the autopsy report. I ask whether 1940 was after the Probate proceedings. (At this stage Mr. Read stated that in the Letters of Administration proceedings the date on one affidavit was 5th November, 1942). I do not know whether in 1940 I saw the original autopsy report made on the body of the deceased or a copy thereof. I have told you that repeatedly. I can tell you that I used it when I found it, and I could not have used it before it was found. I told you I did not see a copy of the autopsy report when I was working with the Police on this matter. I was not working with the Police at the time. That is the fallacy of your cross-examination. I am not associated with the police. I severed my connection with the Police long before this. I have told you repeatedly that I do not know whether I saw a copy of the autopsy report in the year 1940. I have told you that I did not know of that fact of gall-stones until I saw the copy and I am of the impression that it was after the Probate action. But I did not see it at the C.I.B. I was not there in 1940. I will modify slightly my statement that I was not with the C.I.B. in 1940. I was with the C.I.B. until I went away with Detective-Sergeant Thompson. After going away with Detective-Sergeant Thompson and interviewing

Mr. Mackay I severed my connection with the C.I.B., but in the period I was at the C.I.B. I never saw anything. My first interview with the Chief Commissioner of Police when I started my diagnosis in this matter was somewhere about the 5th February, 1940. My last meeting with the Chief Commissioner and those associated with him was on the 19th March, 1940. During those five weeks while I was seeking a diagnosis it did not occur to me to ask "Will you please show me the autopsy report of what was found in the body". I had asked in one of my reports and never got it. I was interested to know what was found in the post-mortem examination. I requested that information in my second report, I think, to the C.I.B. where I note certain other things about the corpse. No papers or information was furnished me regarding this crime at the C.I.B. at any time, nor did I request it, as a matter of fact, except in that letter regarding the protocol of the autopsy. Asked whether it is still my belief that I did not see a copy of the post-mortem report until after I swore those two affidavits in support of my application for Letters of Administration, I say it is not my belief, it is my absolute certainty that until I saw a copy of the autopsy report up at the office of the Minister of Justice I never knew what had happened at all. It is a deliberate misrepresentation to say that I pursued my diagnosis from February 1940 until December 1942 without ever even seeing what the post-mortem report was on this body. It is not correct to put it that way. I have said repeatedly that at the C.I.B. I had no knowledge of the autopsy report. In one of my reports, the second one, I think, I stated that I would be glad to know what the autopsy report contained for another purpose altogether. Later on after I had left the C.I.B. I had the Probate action and I think

after that at the Office of the Minister for Justice in Sydney I was allowed to see the autopsy report and I noted instantly the only pathological condition in the autopsy was gall-stones. I look at the four photographs Exhibits 16, 17, 18 and 19, of Linda Agostini. Your note which reads "The width of the face of the cadaver is quite different to the width of the face shown in Exhibits 16, 17, 18 and 19" is accurate. In my opinion, the width of the cadaver's face would not tally with the width of this person's. I did not make any measurement of the face of the cadaver. One does not measure a rounded surface compared with photographs. Asked if I did not measure the width of the face of the cadaver how ~~can~~<sup>I</sup> possibly say that the width of the face of the cadaver is quite different from the width of the face in these photographs Exhibits 16, 17, 18 and 19, I say you have a photograph in front of you, compare it to this photograph and give this to one of your experts to bring it up to the same scale and I think you will find this is a wider face. Asked what scientific basis I have for asserting that the face of the cadaver is a different width to the face shown in these photographs, I say my opinion is that that face is wider. That is purely an opinion. I base my opinion just from looking at proportions. I base it on my observation of the photograph by my eye. I said on Monday, dealing with Exhibit "XX", in substance that the faces were identical in length and this was proved because of the length of the line drawn from the end of the hair-line to the end of the chin. I would modify "identical". I perhaps have used that word rather too positively. I would say that the measurements are approximately identical, because one could not say "identical"; it is a wrong word. There is no such thing scientifically as "identically".

That is my considered opinion, that scientifically there are no such things as identical ~~human~~ objects; they are only approximate. I say that there is nothing in this universe that man has been able to measure to an absolute accuracy. I say these faces are approximately identical in length and I come to that conclusion because of the line which is marked No. 1 on each of the two photographs. I do not altogether agree that I measured that line at the top end by placing the end of the line on each face at the end of the hair-line. If it is suggested I agreed a moment ago that I said "This is proved because of the length of the line drawn from the end of the hair-line", I say the end of the hair-line is tied in on these pictures a little more definitely than that. That is anatomically. I can tell you in my own way the anatomical point that fixes the end of the hair-line on the body of the deceased. There is a horizontal line from the eye, there is the hair-line (indicating). As you see it in the photograph, one notes it is not accurate. Over here it is further up. I must find some point that is reasonably accurate, so I take to the hair-line here, then I go across here and go on the same horizontal plane to the hair-line. That is approximately the same height above the transverse line through the eye as the other one. That gives me a reasonable point of approximation. If it is suggested what I am really doing is measuring from the chin to the end of the eye line plus an equal distance in each case, I say I measure from the end of the chin up past the eye to a point further on to get as long a span as possible on the side of the face. I do not measure from the point of the chin to the ~~end~~ common eye-line because I can get a longer line still by going up higher. Asked what is the value of going up to an imaginary point and calling it the end

of the hair-line, I draw attention to the fact that it is not an imaginary point now. In Philomena Morgan's photograph I have taken it to the hair-line, which is obvious, and I have taken it approximately ~~up~~ on the side of the cadaver's head and it is not the hair-line in a sense at all, but it is still the hair-line of the cadaver's head and it gives me more scope to look at this square sided head and also gives me an approximate length from there to the chin which I wanted to determine. I did not say that this line here on the photograph of Philomena Morgan was the end of her hair-line; I said that is where the photograph shows her hair, and it is no use going up beyond it. It shows her hair both above and below it, but that is the end of the hair-line as visible in the picture. As counsel has explained, the top end of line one is not the end of her hair-line anatomically. That is only the hair-line of the picture. I cannot go up beyond it. I have never said that it was the end of her anatomical hair-line. It is an accurate summary of my evidence yesterday to say I pointed out how important this line number one was because the line drawn from the end of the hair-line to the point of the chin corresponds in both photographs. When I mention "hair-line" I am mentioning the point that one can see the hair as traced in a picture. It is obviously not her anatomical hair-line and I did not intend it. On the other hand, I do want as much of the forehead of Philomena Morgan as possible to compare with as much as possible of the first picture of the corpse as I can use. But I can only use as much of that forehead of the corpse as will extend from a fixed point somewhere in the neighbourhood of Anne Philomena Morgan's eye and the other eye, otherwise there would be a discrepancy in the length of the two lines. I wish to determine approximately what is the length of the

face on the longest line I can get through the side of the face to the chin. The importance of this line number one is this, that that early photograph of the cadaver happens to be taken before any autopsy was done, and the line of the head is very distinct, and it is the one photograph which really gives an opportunity to compare over a fairly large span the length of the two faces. Having done it, I find that in the originals - not in these which are stretched and the line can be shortened or lengthened - I find that those two faces from that fixed point which is fixed by the line going horizontally through the eye are approximately the same length. The kind of thing I am objecting to is your suggestion that it would be as much use if I had drawn a line from the bottom of the chin on each face and said "We will draw them up here until they are equal length and say 'That is the end of the hair-line and therefore they are the same faces'". I should never be guilty of such an extraordinarily haphazard method of doing things.

TO THE CORONER: A line drawn in that way would be quite useless.

TO MR. READ: You are welcome to try and prove your contention that this self-invented method of drawing lines on photographs is worthless. I do not agree that when I have examined my own evidence as regards the value of line No. 1 it is useless. I claim those lines are distorted. Line No. 2 purports to be a line drawn from the edge of the face, the line of the face, to the edge of the line of the nose, subject to the limitations of vision and draftsmanship. It is approximately correct. Asked if I can show you anything on the photograph of the deceased that indicates a line of the nose to where I have drawn it, I say only the shadow that is thrown in that picture and the shadows thrown in the other. That measurement is very approximate. I am

not considering it dead accurate. What it comes to is that I am drawing it to a shadow which I think would probably be the line of the nose, but it does serve to show that that face is approximately the same width at that point as the other. That is provided that the shadow there happens to be the line of the nose. I have not said that I place, and I do not place a great deal of reliance on line No. 3. I said it was a line that corresponded approximately, with a reasonable degree of accuracy, after making allowance for all the errors of photography, draftsmanship, vision and so on, and more especially paper shrinkage. Line No. 3 does not purport to be drawn from the line of the nose to the edge of the line of the cheek. That line is determined through a small background of swelling where the hand is pressing, and to me it is approximately the curve of the cheek at that point. Asked if I have made allowance for the ~~anti-~~<sup>ana-</sup>astigmatic lens as used in both photographs, I say the lens makes no difference in this respect, that these pictures are drawn originally and they have been reduced. There is some distortion in the reduction and there is also some distortion in putting them together again. In the original drawings that line is placed across, the line is the same length as the other line and it does indicate those faces at that point are more or less the same length. On the face of the corpse the line does not go to the edge of the face. The line goes to what I consider to be the edge of the face. There is swelling behind it. This head is being supported by a hand. There is a certain amount of pressure. To my eye I see what I take to be a slight bulge or swelling. I also, to my eye, see the curve of the cheek coming down and I have put that external line where with the limits of my vision I think the edge of the

cheek comes. That is all one can do. The net result is not that I am guessing how much of that face is pushed out by the pressure of the hand holding the cheek. I am not doing so much guessing. I am having a close look at that line and where I have the external edge is in my opinion where the true line of the cheek comes. Asked to state any anatomical fact or scientific fact I have for making the statement that I think that is the outline where the edge of the face would be, I say anatomically to my eye that is the cheek of the girl. Scientifically, as close observation as I can possibly make and a reasonable deduction and the implementation of it, and that is scientific. Asked to state the commencing and ending points of line No. 4, I say they are a millimetre approximately off the centre of the teeth which they are supposed to go to, and the same distance off the cheek where it was not supposed to go to. That line was not correctly etched in over the pencil. That is not so on both photographs. In the one of Anne Philomena Morgan that line is correctly to the centre of the teeth and to the edge of the ~~thing~~<sup>cheek</sup>. You will find that line has been an error of draftsmanship which lopped off a fraction of a millimetre. In describing that line the day before yesterday I said "This is a line drawn to the mid-line of the teeth" and I also drew His Worship's attention to the very thing I am telling you now.

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I look at line 4 on the photograph of Philomena Morgan on Exhibit XX. ~~That~~ As to whether the right hand end of that line ends at the midline of the teeth of Philomena Morgan, the right hand end comes right to the centre line of the teeth. You will find those lines practically the same length. Looking at Exhibit XX again, all of those lines on those four photographs radiate out from a central point. As to whether I suggest that the central point on the photo NN, and the photo OO, of exhibit XX is the same point, I consider it is as near as it was possible to determine. They are distorted in this picture. These centres are not actually in the same place. They are peculiar to each subject because there is a slight difference in the angle of rotation. If the subjects were in exactly the same position, both canted and inclination, we could have exactly the same centre, but they are not. I have found, as near as possible, the plane on which the rocking and rotation takes place. Then, I have taken the centre of each face on that plane and that is the centre that the lines are run from and that centre is peculiar to each face. If I were asked whether I really thought those lines had any value for comparison unless I started the lines from the same anatomical point, I would say the pragmatic test is the answer. If the line were drawn the same length and the same angle and reached approximately the same anatomical points, I would be ~~incorrect~~, <sup>and</sup> but here they do, ~~not~~. As to whether I would agree if I took a transparency of the lines I have drawn on Philomena Morgan, I could take that over on to any face and put the central point down somewhere and make the lines end on the edge of the face, I would say that is just why <sup>the comparison face</sup> ~~it~~ is introduced, because you cannot. None of these lines will fit that face but they do fit each other.

~~XXXXXXXX~~ I agree exhibit 62 is simply a reproduction of the lines drawn on the face of Philomena Morgan. I have imposed that transparency on the face of the corpse. It does not agree, not perfectly for the reasons I told you. It is an

accurate representation of the lines drawn on Philomena's face. When they are superimposed, the lines do agree with a fair degree of accuracy, although not below. This does not agree too well with this. There are some lines that are slightly off, and there are some you can put straight. There are these lines that I would say coincided fairly well and there are other lines that do not coincide so well. That can be explained because of the tremendous difficulty of these pictures shrinking. If it were suggested the length of the lines I have drawn on Philomena Morgan's face do not agree in fact with the length of the lines or the angle of the lines drawn on the face of the body, I would say that is not so in the originals. In my re-examination, Counsel has a preparation which I made last night. The photos you hand me are the originals which we had in the Probate application.

..... EXHIBIT 62..... Photographs marked A, B, C, D.  
on application for Letters of  
Administration.

These are the originals and are as accurate as possible. If it were suggested it would be sworn a transparency was the only way one could judge the accuracy of any geometrical construction like that, I would say it would have been exceptionally easy for me to have made the first line, taken a transparency and transferred the lines holus bolus to the other picture and they would have covered the anatomical area. I did not do that, I drew them all independently. These are the photographs that were put in in connection with the Probate action. The paper may have shrunk and you might still have trouble. If it were suggested if I was going to invent a new method of identifying bodies by drawing lines on photos of faces I would have to have some precision in it, I would say I agree and I explained that degree of precision has been acquired here. - all that is sufficient, a working precision. As to whether I mean sufficient for my own purpose, I say no and ask you whether you appreciate the fact, as far as anatomy is concerned, it is hard to find a point to measure from.

You are perfectly correct in suggesting there are not as many lines on those as there are on exhibits OO and PP. When "Pix" was done, I thought "I will outline the outline of the cheek " and I did that. I remember you showed me the model of the teeth, Exhibit 12 yesterday. When you asked me whether I could say that was a first molar or not, I explained that I was not a dentist but I thought it was a second molar. I agree, as a foundation for making that statement I quoted Morris on anatomy. He said "They are so much alike that they can be described together." Asked to show you any passage in Morris on Anatomy that says anything like that, I say I am quoting from my own copy. If I am given time I will find those particular pages which I brought down for the purpose of showing Counsel. It is an old copy of Morris. I would agree that Morris on Anatomy is a well known standard work on anatomy. I remember being asked by my Counsel regarding the second upper right bicuspid. I agree I was asked whether I, in the company or in the presence of Mr. Bell, had inspected the cavity in that tooth to see whether there was any undercut. I should say from the examination we made I would have seen any undercut if it had been there. It was a very good view in this tooth. I used my small microscope set up on a stand and a special lamp. That was when Mr. Bell was looking into the tooth. He had a very beautiful binocular ~~vision~~ vision with the light shining into it. Microscopes are of two sorts, binocular and monocular. It is very much better with binocular, because one has perspective and depth. It is a very valuable instrument for the purpose. This is a pair of Zeiss opera glasses with the special lens attached to the objectives (produced). I have a stand and it is necessary to clip these in the stand, the tooth was jammed in a match box, so the end was sticking up. With this attached and with direct illumination from a very small lamp, a very special~~ly~~ optically ground lamp, it was possible to look into that cavity and that magnification enabled one to see <sup>well</sup> in all directions. As to whether that is

the instrument with which Mr. Bell made the examination, he seems to have found it adequate. As to whether I made an examination of the cavity in that bicuspid with that binocular microscope, I had a look largely from interest, but I am not really qualified to express an opinion, except that I saw no undercutting. I could see that. Asked to put the two transparencies, Exhibits PP and NN together and show whether they agree, I say that is exhibit NN, Anna Philomena Morgan and this is exhibit PP, the cadaver, as near as possible when it was picked up. The object is to see this straight line of the face. In that position, I should say the line of the edge of the face corresponds very accurately. The chins correspond very accurately, too. At that time, the cadaver had comparatively little swelling to what occurred later. I was informed that the cadaver commenced to go to pieces on the third or fourth day. They had no formalin and it was kept on ice. I say there is no difference in the round of the chin, to speak of. There is the chin of Anna Philomena Morgan and there is the chin of the cadaver; they are approximately the same. When I superimpose one on the other the lines of the chins are approximately correct. There is the angle I indicate. If I were asked to put them together with the line of the face corresponding I would ask if I might use, in conjunction with these transparencies, a photograph which sometimes shows a little better. I do not suggest that the ears of Philomena Morgan in any way correspond with the ear of the cadaver; I would not expect it. Keeping this common line, I do not suggest that the mouths or the lips correspond in these pictures; certainly not. Asked to tell you anything else that corresponds, I say it is only for the line down the edge of the face.

..... EXHIBIT 64..... (for identification) Transparency of Miss X.

If I were asked to transpose the transparency of Philomena Morgan on the transparency of Miss X <sup>and</sup> by getting the faceline

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to correspond, I would say they do not correspond. They are two totally different types of faces; they are not coincidental at all. At the present time, that face line is not corresponding precisely with the face line of Philomena Morgan. None of it is corresponding. It comes in like this and goes out (indicating) and this is a perfectly straight line. They are quite different. It is impossible to put them on and to show it is impossible I will have to put them sideways/ (Mr. Read demonstrated to His Worship). There is the edge of Philomena Morgan's head, about one-eighth of an inch beyond this impression. In the transparencies, there is that depression, but in this there is none, it is quite a straight line. This is not a straight line but it has been arranged so closely that unless one looks very carefully one will not see the edge sticking out. That is not the same contour as this. You must look at it the way I indicate. Asked to show you anywhere where those edges differ, I say they do not coincide with the straight line at all. Asked to impose those two transparencies together again, down the faceline as accurately as I can do it, I say I just disagree with the experts and I am afraid we will have to leave it at that. As to the ears of Miss X and Philomena Morgan, they are not in apposition either. They can be moved around and got in position. I do not know whether she is a living subject or not. As to whether I can see any other points where those two transparencies coincide, these are not done to scale, although they may be <sup>like</sup> the same girl. They could be <sup>like</sup> the same girl, but they are not done to scale. It is possible that <sup>like</sup> is a picture of Anna Philomena Morgan, taken at some time. If I were assured that was a photo of a living person, taken only a day or two ago, I would say it is not to scale. If I were told a scientific photographer would swear it was taken to the same scale and with the same focal length, I would say then, the pupilliary distances are

quite different. I look at the left arm on the photo of Linda Agostini (Exhibit 18) . On that photograph, I see three spots in a line on the left arm. I have examined the body lying dead at this morgue to see whether there are three spots on the arm. There are three spots on the arm. They are very definitely not in a position corresponding with the spots shown on the portrait of Linda Agostini. As to whether I will differ with experts who will say that those spots do agree, that is what experts are for, to differ. As to my basis for saying those spots are not in the same position on the photo of Linda Agostini as they are on the body... ..

OBJECTION by Mr. Fazio.

Objection upheld.

Those spots on Linda Agostini's arm are rather interesting. They have moved their axis about. The three photographs Exhibits 16, 17 and 18 constitute two front views, with the shoulder slightly further forward in Exhibit 17 than in Exhibit 18, ~~and~~ Exhibit 16 is a side view with the lady looking towards the point of her left shoulder. Drawing a line as carefully as possible through the centres of the spots, I say the line in Exhibit 16 has a totally different angle to the line in Exhibit 18 and that has a totally different angle to the line in Exhibit 17. To my eye, the spots on one photograph are higher on the shoulder and in a different position to the other photographs. The spots in Exhibit 16 appear to be very close to the point of the shoulder. The similar spots in Exhibit 17 appear to be lower from the point of the shoulder. The similar spots in Exhibit 18 also appear to be lower from the point of the shoulder. The spots themselves are unequal in these photographs, somewhat different in size, arrangement and shape. The axis is completely different in all three when the axis should be ~~the same~~ <sup>similar</sup>. These spots on Exhibit 16 are three spots in line and they correspond in a sense with the three spots on Exhibit 18. A close examination

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of those spots shows they are actually different in shape and different in size. I would say that, within very, very, slight limits, they are different in size. If you told me you were talking about the three spots you point out to me, I would say those are the spots that are on the cadaver. The ~~xxxx~~ three spots on the arm of the body are different to these, they are more circular than these. These are more oval and they are not the same in each photograph, and their axis is utterly different, which is an optical marvel. As to it being a curious thing that there are three spots in one of these photographs in the identical position to be seen on the body lying at the morgue, that may be, but I have not seen them. These spots are utterly different. I have a photograph on which those spots are not shown at all. I found those spots on the arm. As to whether I inspected those spots on the arm in the presence of Prof. Sunderland and Sub-Inspector Hobley, I do not know Prof. Sunderland by sight. I certainly inspected the spots and it may have been in the presence of Prof. Sunderland and Sub-Inspector Hobley. As to whether I remember if I inspected the spots in their presence, I was examining the spots, not Prof. Sunderland. I have always had some attendant there and I do recollect he has been there at times, and it may have been when I was examining the spots. As to whether I have a clear memory of things further back, I have a clear memory of things that matter; I discount anything else. I should think I would regard as important the conversation I had with Mrs Routledge at Bomaderry, As to whether I have a clear recollection of something that happened four years ago, not necessarily at all. I agree I said to her "My search is over, you did not hurt your child." It was not necessarily a very tense and dramatic moment for us both, but I certainly felt it would ~~relieve~~ <sup>relieve</sup> this lady whose husband I had been talking to most of the afternoon and to whom I had explained I could at least relieve her anxiety in that respect, by proving with the material in my



possession that a certain place was the scene of the crime. When I said "My search is over" I meant this - I had been looking for a Routledge, I think I scared up every Routledge in the country, and at last I found the right one and said "At last, my search is over." As to my meaning that I recognised a likeness between the photograph of Philomena Morgan and the mother, Mrs Routledge, I did not recognise her likeness to Philomena Morgan, whom I had never seen, but I recognised her likeness to the cadaver. I agree, I saw a likeness between the face of Mrs Routledge and the battered face lying at the morgue; other people have seen that. I am quite serious. Two things prompted me to say "My search is over." I had found the right Routledge - I had been with the husband all the afternoon and I saw a slight resemblance <sup>in Mrs. Routledge</sup> I agree it was because of a very faint likeness that I saw in that face of the corpse and the face of Mrs. Routledge, together with another thing. I am not weakening but I do not want Mrs. Routledge to have an idea she is walking around looking like the cadaver. It was just an impression from my remembrance of the cadaver. If it were suggested I talked late into the night and learned everything I could learn about Philomena Morgan, I would ask did I say "Late into the night"; we certainly talked that night. During the conversation that night I did not get from Mrs Routledge the history of her daughter's life. I was not interested in the history of the daughter's life. I asked was there anything peculiar about the daughter's ears and she took a pencil and sketched them. These things take time. Mrs Routledge talked about many things. I am trying to remember those things for you. The mother talked to me about the long slim back of her daughter and took me in to see her present daughter and described Philomena as having a back very like this youngster, and she demonstrated the long, slim back. As to whether, having seen the long slim back I took measurements to see if I could compare it, I do not think I would undertake to measure a

child at about 10 o'clock. The answer is No. As to why I did not take some measurements that night, I would not take measurements at any time. I had never measured the cadaver. I cannot measure the cadaver and then measure a child, in 1940 who was 11 years of age. I would not have had any assistance from the mother if I had proposed it. I think she would think it a rather strange thing. It is impossible to make a measurement - I do not know of any measurement I could make of that child's back to compare with the cadaver. I was not looking for a familiar likeness. The mother said the daughters' backs were very alike, and I found that to be so. As to whether I preferred appearances to measurements, when a measurement is possible, I would prefer it. When it is not possible, or when I know nothing about doing it, I cannot do it. I leave those things to professors. As to why I had difficulty in making measurements of the body, I did not have any inclination to make it; there was no thought of making it. There was nothing to be gained by attempting it. After the conversation with Mrs. Routledge, I went into Nowra, I left Mrs. Routledge about 10 or 11, that night, after talking about these things, I stayed the night at Nowra, I picked her up next morning, took her to the University and brought her home that night. I heard Mrs. Routledge say in evidence she saw me frequently thereafter, on an average of about twice a week. As a medical man, I say Mrs. Routledge, at that moment, was in no shape to say anything. She was completely exhausted. I have not found Mrs. Routledge untruthful in my dealings with her. I was in Court when she was cross-examined. As to whether I heard certain admissions about being willing to commit perjury, I heard Mrs. Routledge give evidence. It is correct to say I have not found her untruthful with me. She did not tell me the child's age. I do not believe we even mentioned the age; I do not remember discussing the age. At that moment, I did not ask Mrs. Routledge how old her daughter was. It did not interest me to know how old Philomena Morgan was - there <sup>were</sup> many things

which might be desirable, but not at that moment. As to whether at that stage, or any stage, I desired to know the age of her child during the course of interviews, I desired to know and I then got a birth certificate. Mrs. Routledge was not altogether clear as to the <sup>date</sup> age of the birth of her child. As far as I remember, Mrs. Routledge informed me that she did not register the child, that the information was given ~~by~~ by her mother, who registered her, and she did not have too clear a recollection of the age of the child. We later got a birth certificate. She did not tell me where the child was born; I knew those things before I met the mother. I did not obtain a birth certificate before I met Mrs. Routledge. As to how I knew when the child was born, I had obtained a memo. to that effect. I do not think it is quite fair to say from whom I obtained that. I obtained it from the Registrar General's office, but it is not quite fair to say from whom. I got it from the Registrar General's office a long time before I saw Mrs. Routledge. It was because of that that I was able to find Mrs. Routledge. As to the purpose of asking Mrs. Routledge the age of the child, I told you I did not, not that I am aware and certainly not at that time. The conversation about the birth certificate was a very long while subsequent to my meeting with Mrs. Routledge. In these first few minutes of meeting Mrs. Routledge, you are trying to bring in my whole life's history, - I mean it seems a life history. I did not have so very many meetings with Mrs. Routledge, certainly not the numbers mentioned which were absolutely fantastical - bi-weekly during four years. I have known her three and a half years. In my opinion, she was so confused when she made those statements, I am not surprised she made a mistake. The opinion that she was so confused is based on my opinion as a doctor observing a patient becoming thoroughly exhausted and unable to appreciate just what Counsel, was saying at various times. I have not seen any witnesses cross-examined previously, but I have seen many

people reach the verge of exhaustion from all sorts of causes. At that particular moment, Mrs Routledge was, to me, acting in a purely automatic fashion - she was given permission to leave the Court. I did not say yesterday that I found rabbit hairs inside that sack. I did not find any signs of rabbit hairs on that bag. I have a lot of slides, and when I looked on the labels I might, perhaps, see something, but I do not think so. I did say something about hairs being found on that sack. I think I will find in my box of slides certain slides labelled "fromjute bag" - dog's hair or cat's hair, some animal's hair but not rabbit hair. I said something about rabbit's hair in conjunction with something else. I do not think I said anything about it in regard to that sack. I agree I spoke of a rabbit hair when I curetted the body. I curetted the ear, just what part of the canal <sup>in depth</sup> of the ear one cannot say, but I curetted that ear and after examining I certainly identified the rabbit's hair. I also found a certain amount of wax. At that time the body had been immersed in formalin for about 5 years and the ears plugged with cotton wool. It was behind that cotton wool. I think I found it in the right ear, although I cannot remember correctly; I curetted both. I did not make any note of ~~which~~ the ear in which I found this rabbit hair, because that currettage was put into a small glass dish and I did not label from which ear - I did not expect any result. I agree, I said yesterday "I fitted these rubber boots on to the cadaver's feet and they fitted the feet very beautifully." I did not fit the boot on the right foot of the cadaver. I put it on the left foot; the feet are symmetrical. I think you might believe it to be an accidental mistake when I said "I fitted these rubber boots on to the cadaver's feet and they fitted the feet very beautifully." I should have said "foot". It is obvious I did not fit it on the feet - one could not do it. It was a mistake when I said that. It was a long time ago, I was aware I had fitted the

rubber boot on to the foot of the cadaver. Dr. Layton said it fitted like a glove, and the other man said so, too. I do not think it is fair to take the attitude that I was inaccurate. I was inaccurate through an accident, but I am not inaccurate in stating that the shoe fitted. I have already explained it was an accident, a pure accident, when I said yesterday "I fitted them on to the cadaver's feet and they fitted the feet very beautifully." I fitted one shoe on, but not the other. I say I fitted the left foot into that rubber boot. I have not the slightest idea whether, at the present time, the left foot is anything like its ante-mortem state. I have not bothered looking at the left foot. I have not recently examined the left foot of the body, but I have recently examined the right foot for a different purpose. I recently examined the right foot for a different purpose, but not the left foot. As to whether the left foot is the foot that is still attached, the right foot is detached. The left foot is still attached to the body. I say definitely that I have not bothered about that foot at all, but I have examined the right foot. I was interested in the right foot. As to whether the left foot appeared to be swollen when I fitted this boot, the foot was deformed and it was necessary to use pressure and strain it somewhat. After it was deformed and pressure had to be used, I was able to say, looking for certain points, it fitted very beautifully.

 LUNCHEON ADJOURNMENT.  
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JEANETTE CONSTANCE ROUTLEDGE, Recalled:

Where I say in my evidence on page 309 "I looked at the body. I never looked at the body" I mean I did not look at the body as distinct from the head. I looked only at the face. With regard to the passage on page 318 "I think I remember that he said he might cause me a great deal of pain and sorrow, but at least he would be able to lift a shadow of doubt in my mind that I had not done it", I cannot say there is anything in the English language to explain anything clearer than that, that I had not committed any crime. That is what I meant to say. I could not bring myself to say that I had not murdered my child.

TO MR. BARRY: I never believed that in fact I had done anything criminal to my child. The doctor told me he could lift the shadow of doubt from my mind that it could be made to appear by anybody that I had done anything criminal to my child.

TO MR. MONAHAN: At the time that I was in touch with the detectives, particularly Wilks and McRae, I have already stated that I was loath to give a correct description of my daughter. I may have supplied to them a photograph of some other member of my family saying it was Philomena. I remember being tested by them in regard to some other photograph which they said was not of Philomena but a young girl of twelve who turned out to be another girl of my family. I think it was my sister-in-law. I may at an early stage as part of the attempt to put them off the track have given them a photograph which was not that of Philomena. Ultimately I went with Detective Wilks to Howard Harris's studio. That was in January, 1937, I think. On that occasion Detective Wilks had a talk with the studio people.

He asked me to get the copies of the photograph and I had to introduce him to the girl at the desk as a friend of mine. She wanted to know what I wanted them for. ~~In~~ I introduced him as a friend who had my authority to go and get what he wanted; that is all I meant. That photograph of my sister-in-law was of my sister-in-law when she was about twelve years old.

TO MR. READ: I do not think this photograph produced is the one I am talking about. The coat is familiar to me, that is all, but I cannot see the face. (Witness puts on spectacles). It looks to me like Philomena. I do not ever remember handing the police that photograph in my life. I still say I do not recognize the handwriting on the back of the photograph.

EXHIBIT NO. 65 ..... Photograph stated by witness to be like Philomena Morgan.

I recognize this photograph Exhibit "Y" showing a group. That is my daughter, my father-in-law, myself, mother-in-law and ~~baby~~ Bobby. I look at the hats in the two photographs. As a matter of fact, those two hats belonged to both the girls when they were living in my house at the one time. My daughter Philomena had that hat given to her from my sister-in-law from England. When this photograph Exhibit "Y" was taken Philomena was about thirteen or fourteen. I remember who took this picture. This snapshot was taken out at the Heads where you go out to the Gap. Bobby was about eighteen months then and that is the baby there. Bobby is now nineteen this month.

(SIGNED) J. C. ROUTLEDGE.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 5th DAY OF APRIL, 1944.

  
.....  
CORONER.

Wed. 5th Apr.

THOMAS ALEXANDER PALMER-BENBOW recalled on his oath saith:

(The witness produced page 88 of the second edition of Morris on Anatomy, 1898, in which the following statement appeared "The maxillary molars. the first and second, resemble each other so closely that one description will serve for the two.")

I remember in my evidence-in-chief I spoke of examining a trunk in the hut of Lucy Collins, and there finding a white belt, (Exhibit BB). I examined that tin trunk at the hut of Lucy Collins several times. I could not say the exact occasion when I found this white silk belt. I could not very well do that. As to the approximate date of that, I could tell from a list I made of visits to Albury. I have a note that in or about December 1939 I interviewed Lucy Collins and "Lucy Collins, silk belt and other articles." That was in or about December 1939. That note is not a note made at the time. In connection with the certiorari, action, Counsel found it necessary to try and get some coherency concerning various visits. I managed to piece things together from newspapers in which I wrapped things up, giving me dates. I should say December 1939 would be about the correct date. Examining the iron trunk, I should say that is the iron trunk I examined at the hut of Lucy Collins. I remember the bottom was out of it when I last saw it. That would seem to me to be the trunk that was in Lucy Collins' place. It was gradually disintegrating, it was already broken at the bottom and I should say that is the box I saw in the building. When I saw it the box had a bottom in it but it was disintegrating gradually. It was quite intact but it was on the earth floor. It was resting on an earth floor. This had been wet through and various things had amalgamated together with dye off, I think, a green book.

- EXHIBIT 66..... (for identification) Tin box.
- EXHIBIT 67 ..... Bed from shack of Lucy Collins.

M/ECL.

BENBOW

As to the approximate date that I reconstructed the bed in Quinn's shack, I should say roughly about October 1939, when Det. Serg. McRae got me in the shack. I remember reconstructing <sup>the</sup> bed in the shack. By reconstruction, I mean I set it up. I photographed the bed. I see that bed. I can see at a glance that is the bed I reconstructed. I detached the spring mattress from the cross-members. Looking at the large snapshot (Exhibit Y), and asked to say whether that is the photograph from which I took a photographic representation of Philomena Morgan's hand, I say that is an intermediate picture. This picture is just an intermediate enlargement of a small family group. It is that hand which I eventually reproduced on portion of Exhibit "Z". As to whether there is anything at all on the hand in that snapshot which indicates the ends of the fingers, I can see the nail on the forefinger clearly, the second finger, the third finger, and, the little finger, just part of it in the grass. On that photograph, I can see the end of the forefinger and a nail. It is very blurred, but I think I can see it. As to whether I can see a nail on that hand in exhibit "Z", I see where the nail should be. One holds an enlargement away and I consider I see the end of the finger. If it were suggested, for the comparison of these hands to be of any value, mathematical accuracy as regards the measurement of the lines would be necessary, I would say not altogether, an approximate accuracy is sufficient for this. It would be impossible to get mathematical accuracy. I take the transparency you hand me and superimpose that transparency on the hands of the corpse on the lower part of Exhibit "Z". I agree that is an accurate transparency of the lines drawn by me on the hands of the corpse. Putting the transparency on to the hand of Philomena Morgan and asked to say whether it fits, I say it does fit but one must ~~move~~ move it about for the purpose because the angle of the wrist is not the same. As to its value if it has to be moved about,

M/ECL.

479.

BENBOW