

I demonstrate to you in this way - this is my hand, it is still my hand but it is a different angle (indicating). I do not agree that in connection with the photograph of the hands it depends on whether or not one gets an exact photographic ~~represent~~ reproduction of the two hands being compared. One can take these lines and, allowing for the angle, one can match them in turn, but one cannot put it down like that (indicating), it is not meant to be that way. I look at the hand of "Y". I superimpose on that hand the transparency of the lines shown on the hands of the corpse. The lines on the transparency fit the lines on the hand. I agree they do not cover the same anatomical points. In the upper area of the hand, at the base of the thumb - it is the thumb that is hidden on the other side - I notice that the area is not the same as the area in the corpse. There seems to be ^{much} more showing than there is in the corpse. I demonstrated to His Worship. It does not seem to be the same as in my picture. It is a totally different ~~angle~~ compared to the cadaver. In the cadaver it will be noticed there is the forefinger, there is where it ends, and there is a small amount of tissue showing to the base of the thumb. In this picture, although it is superimposed, it does not cover the same anatomical area. (Witness indicated)

In the picture of the hand of the corpse, in Exhibit "Z", the edge of the hand, at the ulnar edge of the hand, at the base of the thumb is flush with the line of the diagram. In this specimen hand that edge is quite noticeably outside the line ~~on~~ the hand that is drawn. When I say ulnar, I meant the radial side. I am referring to the radial side and I say the line of the figure co-incides right along the edge. That is the line you are now indicating. It coincides with the sharp edge of the corpse's hand. On the other one, when one looks closely, one finds the hand is quite considerably outside that line. We are still comparing the hands of the cadaver. The line of flesh at

the base of this forefinger up to the angle of the thumb is, just on inspection, very noticeably different to the same appearance in this test picture. There is a great difference in the amount of tissue which is showing. Taking the middle of the left hand line, joining the transverse line right across, the width of the hand joining to the base of the first finger is about a quarter of an inch, but it is quite a different story in this test hand. At the same point, it is more like half an inch. It is about double the width. A close inspection shows that the radial line of this hand is all the way outside the upper line. It is very indistinct. It would be better to have this picture printed again, so as to make that edge more distinct. I agree one of the features I pointed out previously was that the lines drawn on those two hands, from that central point, led to the cuticle of the nails on both hands. Asked to show you any cuticle on the hands of Anna Philomena Morgan, I will draw your attention to this picture and say that is where I designate the nail, as near as possible. It is a difficult picture to see. It is not clear, but it is where one would expect the cuticle of the nail, as near as possible. Looking at the photograph of the hand of "Y", those lines do not go exactly to the cuticle of the nail. This line which goes to the cuticle of the forefinger is not as accurate as mine on the cadaver. If you will look, you will find there is a space of at least a millimeter. That forefinger does not curve inwards as much as this, so the point of the cuticle does not come so much to the centre of the nail as this. As to the other points of similarity seen by me on the lines drawn on the hands of the two photographs on Exhibit "Z", the width of the wrist in the cadaver's hand, in Exhibit "Z" represented by the base line here, is to me at least, as nearly as possible the same width on both pictures. In this picture, it is only fair to say, that at the corner here because of the shadow of the hand, it is extremely difficult to see the edge, but under a lens one

would prolong that line as you see it now. To make that statement, I am not altogether making an assumption as regards the width of the wrist. One is merely making a statement that there are certain limits on the accuracy, but they are limits of about half a millimetre that is all. Looking at the width of the wrist of the hand of "Y" and asked to say whether it is identical with the width of the hand of the corpse, according to the lines shown on it, I say most definitely, that particular line is about the same.

EXHIBIT 68..... (for identification) Photo of hand of Police Constable.

You will remember I said it is possible to put anything to scale on one line. The wrist is to scale but the fingers are all out.

EXHIBIT 69..... Transparency of photo, Exhibit 68.

I agree, I made two affidavits in support of an application for letters of administration for the estate of Anna Philomena Morgan. The statements contained in those affidavits are as true as a person can make a statement. I do not know of any inaccuracies in those affidavits. I should say my account of the conversations that I had with Lucy Collins are to the best of my belief truthfully set out in these affidavits.

In those affidavits, I did not refer to the fact that Lucy Collins had told me a girl named Nellie O'Callagher was identical with the victim of the Albury murder. I did ^{not} in the Probate or the Certiorari. If it were suggested I did not, in any of my affidavits disclose the first part of my conversation concerning Lucy Collins telling me the girl's name was Nellie O'Callagher, I would say I do not think I put that in the affidavits because the episode was closed.

If it were suggested I did not think it desirable to disclose the fact that Lucy Collins had, first of all, identified this body as the body of a person named Nellie O'Callagher, I would say she never identified this body at any time. She never described the girl as being Nellie O'Callagher,

only in general terms, when she described Nellie O'Callagher, I thought she meant the Pyjama girl, but I was wrong; she did not. I did not, in any of my affidavits, disclose the fact that I had first formed the opinion that the girl's name was Nellie O'Calliger. I did not think it was desirable, it was a closed episode. When I left the C.I.B., it was a closed episode. Mrs. Collins told me the truth but I did not think she had. My first conclusion was that Nellie O'Callager might be the girl, but it was necessary to confirm that. My next conclusion, a very long time after, was that the body was the body of Philomena Morgan. Having heard the evidence at this inquest of witnesses who deposed to a statement alleged to have been made by Antonio Agostini that he put the body of his wife under that culvert, as to whether it changes my views at all, it does not change my mind.

(At this stage it was decided to call Mr. Wilks and to re-examine Dr. Benbow at a later stage.)

207

T. Benbow

ALFRED AMOS WILKS, on his oath saith:

My name is Alfred Amos Wilks and I am a Detective-Sergeant of New South Wales Police stationed at Police Headquarters, Sydney.

TO MR. MONAHAN: I was put on this investigation in New South Wales on the 2nd September, 1934. Detective-Sergeant Allmond and Detective McDermott went to Albury when the body was found. I was assigned to look after the city inquiries, whatever they might be, in accordance with the usual routine. When the body came to Sydney I had to do with it in conjunction with the detectives named. It can be accepted that I played the major part in investigating information received which might lead to the identification of the body. I saw the body. I did not see it until it was brought to Sydney. That would be about October. I saw it from then on frequently until 1939. I accompanied a great number of potential witnesses to examine the body at the University. I examined it myself. I knew of the official description of that body as circulated in the crime circulars. I had no quarrel with that description. That description was prepared by professional gentlemen - Professor Burkett of Sydney University, Professor of Anatomy, Mr. Jackson, a dentist, who attended to the teeth side, and to a lesser degree Dr. Woods of Albury. In looking at the body as a layman and having in mind the description, I saw nothing to query in the description. I accepted the description. I saw that the body in those days had blue eyes - really only one eye. I am not afflicted with colour blindness. No one has ever suggested that I do not know blue when I see it. I continued my investigation into this case for some years until about April 1939 when I was assigned to the Commonwealth for special duties. That was on the 14th

April, 1939. I did not then cease to be a member of the New South Wales Police. I was on loan. I described myself as attached to Headquarters. I have not ceased to be on loan to the Commonwealth. My description at this moment is attached to the Police Headquarters on loan to the Commonwealth. I am attached to Sydney Police Headquarters for the purposes of pay and discipline. I am actually doing full-time Commonwealth work. I have dropped right out of Sydney State Police work in a routine fashion for some years now. My pay is sent to me at what is known as "Security Service". I am now merely technically attached to Sydney Police Headquarters. In the course of the investigation that I made I think I took Mr. Morgan to the University. I think Detective McRae mainly handled Morgan. I think I had something to do with Mr. Morgan only on one occasion. I would not say as a result of my interview with Morgan and what I had gleaned from the files I had a definite belief that the girl was identical with one Philomena Morgan. I would have to refresh my memory from the files. Asked if I am seriously saying that I cannot say whether or not I ever had a belief that this might be Philomena Morgan, I say there was a possibility until the time I had interviewed Mrs. Routledge and Mr. Barrett, the dentist. Prior to the interview with Mrs. Routledge I did not believe it was Philomena Morgan any more than I might have believed it was anybody else. It is quite possible that I said it appeared to me the girl was Philomena Morgan. The information I got from Morgan had nothing to do with my coming to that state of mind. I am serious. It is not correct that Morgan told me emphatically that this was his grand-daughter and Mrs. Routledge said it was not. I did not know Morgan's association with Philomena Morgan.

She was known as Philomena Morgan. A report came from Detective Carroll at Five Dock Police Station with regard to the body being Philomena Morgan. I discussed the matter with Carroll on many occasions. It is beyond any doubt that Carroll had a very fixed view that this was Philomena Morgan. Carroll was not taken off this investigation, to my knowledge. He ceased to have anything to do with this investigation. I could not tell you what year without reading the files. To the best of my knowledge, Carroll from time to time submitted reports in connection with Philomena Morgan and although he was ~~still~~ in the country still identified himself with the inquiry. Carroll was sent to some country station on other duties. I would see Morgan's statement. It would be attached to the file. That is Constable Thompson's signature on that statement produced. Constable Thompson purports to be the witness to Morgan's signature. If the statement reads: "The following day I met Detective Wilks at the Detective Office, Sydney, and I went with him to the Sydney University where I viewed the body of a girl and in my opinion that is the body of the girl Philomena Morgan", that is true. I agree that is a correct statement of fact, that this man went with me and definitely identified the body as that of Philomena Morgan. I saw the mother of Philomena Morgan, Mrs. Jeanette Constance Routledge, in 1937, I think. From her I got a description of the girl which in no way fitted the body of the girl at the University. I also got photographs. I received from her a photograph and on that photograph appeared the words "Ron will remember taking these at Folkestone". It is my impression that this is the photograph produced. I do not suggest now that that (indicating) has any connection with that photograph produced. I had before me a photograph of a young girl of eleven or twelve years of age. I also had statements

which took me to different witnesses in Sydney whom I believe to have been friends of Philomena Morgan's. As a result of what I learned from my handling of this photograph and my interviews with those men I was forced to the view that the photograph she had given me was not that of her child. I do not agree that was of some other member of the family to put me off the track. I did not agree with you that I was forced to the belief that the photograph she had given me was not of her child Philomena Morgan. (Shorthand notes read). I agree now that I said it. I was satisfied that Philomena Morgan was not identical with the victim of the Albury tragedy. As a result of my handling of that photograph plus all the other knowledge I had, I did not believe that the mother had given me a wrong photograph. I believe I so said a moment ago because either I did not understand your question or you did not make it as clear as you have now. I had no belief that she was trying to put me off the track. I am definite about that. I have not lately seen a file known as Carroll's file in this case. I do not know of any file known as Carroll's file. Carroll was a detective at Five Dock. I know of the Philomena Morgan file which he handled on many occasions. I would make reports on the file that Carroll was handling at the time. I do not remember any suggestion that was made in that file by me or anybody else that this photograph was in effect a "ring-in". The first I heard of that was when Mrs. Routledge was in the box here this afternoon. I do not remember anything in the file to the effect that the photograph supplied was not that of Philomena Morgan but of some other person taken in England. There is no familiar ring about the words: "This would appear to be another attempt by Mrs. Routledge to mislead the police".

I did not at about the same time interview a man named Griffiths who was living in Morgan's home. Detective-Sergeant McRae took over the investigation and interviewed those people whom you are talking about now. I could not say when that was; this is a long time ago. Detective-Sergeant McRae had charge of the case, but I had charge of the inquiries to establish identity, but when they were taken to a point they were handed over to McRae for a decision. In other words, I was doing the spade work. I look at page 7 at the passage indicated in the file (15105/7) produced which reads : "Another matter which I noticed while perusing the file referred and if so would be another attempt by Mrs. Routledge to mislead the police". I do not think I was handling this file in those days. In this file there is a report from me to the Superintendent of Police, Criminal Investigation Branch, in these terms: "Albury murder, inquiries regarding Philomena Morgan. Reference attached letter. I beg to report having noted the contents of the attached letter concerning Philomena Morgan should not be disclosed". That is my signature on that report and I would furnish that report. I say I do not remember having to do with that file and learning that the mother had deliberately given a wrong picture to mislead the police. I still say I do not remember anything about that. With regard to this report addressed to Inspector Sheedy of No. 8 Division, dated 20th January, 1937, I accept that as a report by Detectives Carroll and Thompson. If it is suggested there came a stage in the investigation, because of misleading information by the mother, when Morgan was seen again and pressed about the matter and stuck to it and said "There is no doubt that is Philomena Morgan, whatever her mother says", I agree that

would be so, but that was done by McRae and Inspector
Bowie. I will accept this reported produced dated 11th
March, 1937, (Exhibit "G"), as the statement that was
obtained from Morgan. In this same report I find that
Benjamin Griffiths of three Heath Street, Five Dock, was
interviewed. I know Sergeant King of Redfern. I knew
him as Constable, First Class, King of No. 2 Police Station.
I cannot remember offhand what I would term an official
visit from him in about 1938. I have a recollection I saw
him somewhere and he told me that he had seen Agostini.
Asked if I said to him "I have already interrogated
Agostini. The body is definitely not that of Linda. I
have seen the dentist who did Linda's teeth and the teeth
as described are definitely not those of hers", I say some
of that is correct and some incorrect. It would be
correct to say I had made inquiries in connection with the
teeth. I said that I told King some of that and some I
did not tell him. I discussed the matter with King
concerning the teeth. I did not say to King "I have
already interrogated Agostini and the body is definitely
not that of Linda". I did tell him "I have seen the
dentist who did Linda's teeth and the teeth as described
are definitely not those of hers". I cannot remember that
he said "I have made a report and I believe it is the body
of Linda Agostini". I cannot remember he said it as
emphatically as that. He had submitted a report that he
had seen the body and from the report I believed that King
had a positive belief that it was Linda Agostini. I do
not know where that file is. That report was addressed to
me from the Department. I cannot remember individually
where I put it. The normal procedure would be to submit
a report and point out that Linda Agostini was not identical
with the Albury murder victim in my opinion as she had

fillings different from those in the corpse". If it is suggested that here was a man officially reporting that he knew that the "Pyjama Girl" was Linda Agostini, I say I would submit my report on that report and send it back for his information. I cannot tell you where I put that report any more than I have said. I would submit my report, it would be placed in the filing trays, and what became of it I would not know other than it should be included in the Albury file dealing with Linda Agostini. There was nothing in the matter of that report which was different from thousands of others at the time. King was a constable at the time. If a Constable of Police says officially "I know the 'Pyjama Girl', it is Linda Agostini", that does not sink into my memory any more than reports from hundreds of other people who said the same thing. I had to do with the case still at the time of the Inquest. I did not have to do with the preparation of the Coroner's brief. Detective-Sergeant McRae attended exclusively to the brief. I disown it. By that I mean I was not associated with the preparation of the brief for the Coroner's Court at all. Before the Albury inquest was held I never knew that Constable King had made this report which then should have been on an official file. I did not ever suggest to McRae that it was a matter that should have been in the brief. If the date of the report is the 24th July, 1938, it follows that it was after the date of the Inquest. When I met King the "Pyjama Girl" case was still a matter with which I was officially concerned. I have no knowledge of Griffiths's statement other than that I would accept this (indicating) as being Detective Carroll's signature. I cannot remember seeing this report before, but I do know of Griffiths's connection with it. Possibly I have seen this report of Griffiths's. I still maintain

this was a matter that Detective-Sergeant McRae was handling most of the time and dealing with these people. I never saw Griffiths, if I remember rightly. I will not deny that I have seen that statement of Griffiths's. In 1938 the Police Department of New South Wales gave its approval to the preparation of a motion picture called the "Pyjama Girl". I believe that the stated purpose was that it might bring forward somebody who could throw some light upon this crime. I was still on this investigation. I had a specimen of the running dialogue that was to accompany this film submitted to me. I saw a private screening of the film. Mr. Mackay was the Commissioner at that time, 1938. Mr. Mackay gave approval to run the film after a conference with McRae and me. I remember in the picture that I saw there was a representation of a great big pyjamas coat with a big Chinese dragon worked all over it. I do not remember that the running dialogue stated "This is the actual coat found on the body of the girl in the culvert". I would have to hear that again before I could state. To the best of my belief the dialogue was "This is a sample of the pyjamas worn". I am quite serious. I believe it was a fair sample of the pyjamas worn. I have seen the little ragged piece of pyjamas that ~~have~~^{has} been produced. Asked if I think the representation of the big coat with the great big dragon all over it was a fair sample of that coat, I say I have no doubt it was almost a replica of what the original garment was. I am not prepared to deny the running dialogue said "This is the actual coat". I told you before I would have to hear the dialogue again. That photograph produced is a photograph of a garment obtained by me from the Eastern Industries for the purpose of publication and the garment was then handed back to the owners. I know nothing about whatever was used in the

moving picture show. If it is suggested it had no more to do with the case at Albury than the flowers in Spring, I say it was something exhibited in the picture to give an indication of the pyjamas. I am told by experts who examined this garment that this photograph shows how it would appear in its original state. If it is suggested that is a picture of a yellow and white pyjamas coat, I say it might be a picture of any colours.

EXHIBIT "E2" Photograph of pyjamas.

I cannot take responsibility for naming this case "The Pyjama Girl case". If I remember rightly, the newspapers classified it as that within a week of the finding of the body. Asked if I was prepared to help the producers to give a fillip to the picture by getting a coat and saying "This is the coat", I say I did not obtain a coat for the producers at all. I got the coat very early in this investigation for the purpose of publication to demonstrate to the public what the garments looked like that were found on the girl. At the time the film was produced in 1938 I had handed back the coat years before. I do not know that they were able to get the same coat and portray it on the film in 1938. I saw the coat in the screening. It was a similar type of coat. I did not get it for them and I do not know where they got it. Asked if I supplied them with information as to what sort of coat they could put in with the Department's approval, I say any connection I had with production was under instructions of my Commissioner and part of the material handed to those people would be a photograph similar to that to indicate the type of pyjamas, so necessary for the publicity. I cannot remember that King said "I want you to make further inquiries about this because I believe it is Linda Agostini". He may have said that. If he swore he said "I expect you to make further

inquiries about the matter" and that I said "I am already dealing with the matter; I have interviewed Miss Crawford and others", that is possibly true. I interviewed a Mrs. Blay, a Mr. Kempfy and several dentists. I do not remember interviewing a Miss Doreen Dunn or a Mrs. McPherson. I told him I had interviewed Miss Crawford and certain others, and that I was dealing with the matter. I told him it was my belief at that time that it was not Linda Agostini. I have no clear recollection of what happened on that occasion of my interview with King because it was just another interview as far as I am personally concerned. If I remember correctly, it was more a sort of passing conversation in the Courts. It is not fair to say I have no recollection. I have a recollection but not of the actual conversation. Since my arrival in Melbourne about this matter and before entering the witness box my attention has been directed to a report furnished by me in May, 1948, dealing with the fillings in the teeth of Linda Agostini. That is the report produced. I asked for the official file in connection with Linda Agostini so that I could read it to refresh my memory and that would be part of the file. I asked somebody. No one mentioned it to me until I asked. In this report I notice I have said that the victim of the Albury murder has no porcelain fillings in her bicuspid and has the lower right third molar intact.

EXHIBIT "F2" Report of witness dated 7th May, 1938.

When I was writing a report like this in 1938 I had learned to talk of teeth by their right names. I agree this is a mould made at the time in 1934 correctly depicting the teeth in the mouth of the victim. The lower right third molar is not present here. I had interviewed Mr. O'Brien, a dentist, who had to do with Linda Agostini's teeth. He was the only dentist whom I interviewed who had actually

filled any teeth for Mrs. Agostini. He was the only one I could find who had any information for me remotely resembling Linda Agostini's teeth. With regard to this passage "The victim of the Albury murder has the lower right third molar intact", I say you will see that that molar has been removed from the mould. That was done by a dentist, Allan, who had checked the mouth of the victim of the Albury murder to see if any other fillings were there apart from those which had been extracted. He said to me that this (indicating) was a third molar. I have reason to believe that he is incorrect and that it is a second molar. Mr. Allan is in Sydney. Allan had access to this mould. He saw this mould. He removed this tooth here, without permission, I might add. That is the one I am pointing ^{ing} to now which I now say I believe to be a second molar. He did not remove a third. There is the mould (indicating) and it speaks for itself. I did not compile the official description. Mr. Jackson, the dentist, compiled that. The system is this, that the detectives at the scene of the crime, who would be Allmond and McDermott, from reports submitted to them by Jackson would compile a circular which would be sent to an officer in Sydney who handles those matters exclusively and he would arrange for the printing and distribution, and I would have nothing to do with it other than to refer to it from time to time. When I referred to it I noticed that in the official description of the person whom I was seeking the wisdom tooth was said to be missing. That is what is called a third molar. Four years later in 1938 I did not still believe the third molar was intact. I say I was misled. We are often misled by professional people. I say Allan misled me and I took his word for it and disregarded the official report at that time. Proceeding

Photograph Exhibit No. 20. I have never discussed Philomena Morgan with Dr. Benbow at any time. He never asked me for the negative of that photograph at Headquarters in Phillip Street. I never told him that I had the negative which was handed over by Howard Harris. I do not remember when Dr. Benbow saw this photograph with this gap. I do not remember any discussion with him when he was endeavouring to track down the original negative. I officially have had no conversation in any way with Dr. Benbow in connection with Philomena Morgan or anything about the Albury murder other than in the later part of 1939 he came to Police Headquarters and asked my permission to go to the University and make a thorough examination of the body as he was interested in the crime. I referred him to either the Chief of Detectives or the Commissioner. The second time I saw Dr. Benbow at Police Headquarters was after some disagreement I had with the Commissioner of Police about Police Association affairs and Dr. Benbow invited me to come over to the other side of the fence and I promptly told him what I thought. I have said that in April 1939 I went off on different business, Commonwealth business. I conducted one further inquiry after that in regard to the Albury murder. That was one further inquiry relating to Philomena Morgan. I have done that since 1939. We instituted inquiries to ascertain whether or not Philomena Morgan was identical with Jean Morris murdered in Queensland. I do not know that that was after Mrs. Routledge had instituted proceedings in the Supreme Court in New South Wales. I would say it was somewhere in August or September of 1939; it might have been 1940. If her proceedings in the Supreme Court were in 1942, it was before then. It was after the outbreak of war because a man came with me on the inquiry with whom I have been associated only

on those lines, I did not then dismiss King, Miss Crawford and everybody else. The two porcelain fillings was the thing which was most predominant in connection with the elimination of Linda Agostini, and an examination of the mouth had been made by Professor Arnott also to see if the porcelain fillings existed. In my report I say "has no porcelain fillings and has the lower right third molar intact". Asked if when I specifically referred to this third molar being intact I was not misled in that regard, I say at that time I was not, but the two porcelain fillings would be the predominating feature which at that time eliminated Linda Agostini. The second and third molars, I understand, in the dental profession are a matter of debate. I do not remember that in January 1937 I went with Mrs. Routledge to the studio of Howard Harris. I saw her in Bomaderry in 1937. I think it was 1939 I went with her to Howard Harris. I am sure it was January of the year I went over to the Commonwealth that I went to Howard Harris's studio. I interviewed Mrs. Routledge on the 10th February, 1937. That is when she gave me the photograph. I do not remember that about that time I went with her to Howard Harris. On that occasion she gave me two or three photographs - that brown one with the young girl profile view and the one of the baby one or two years of age. She gave me two or three photographs at that time. That visit in February 1937 was my first interview with Mrs. Routledge. I think the photograph I cannot find was included amongst those. Subsequently I went with her to Howard Harris. That was in January 1939. I there interviewed a young woman and obtained photographs of Philomena Morgan taken at about the age of 16 or 17. I received from Howard Harris four proofs. I am positive I did not receive any negatives. I never told Dr. Benbow that I had the negative of that



Linda Agostini.

TO MR. MONAHAN: I look at Exhibits 20, 47 and 48. The basis of photograph Exhibit 20 was a proof copy obtained by me from Howard Harris studio. The proof copy should be here. I say there was a proof copy in my possession. I say that was in its turn photographed. I might say all proofs fade and they have been carefully retained by me and they must not be submitted to any strong light, otherwise they are lost. I remember Exhibits 47 and 48. The same procedure was adopted in regard to those. They are what they call unfixed proofs. I have the original proofs of those and they were photographed and further negatives came into existence.

EXHIBIT "G2" Original proofs of photographs Nos. 20, 47 & 48.

(SIGNED) ALFRED A. WILKS.

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


.....
CORONER.

since the outbreak. If she swears the first time she ever heard the suggestion that her daughter's disappearance could be accounted for because she was identical with one Jean Morris who was murdered in Queensland in 1932 was after she had taken those proceedings which caused a lot of publicity, I say I commenced inquiries and then owing to my duties they were handed over to other officers to continue. I agree that the first time in the New South Wales Police Department there was the slightest whisper that Anne Philomena Morgan was identical with Jean Morris who had been murdered in Queensland in 1932 was after the outbreak of war. I cannot say whether it was in 1940, 1941 or 1942. The files would show when the inquiry started. Until my departure on Commonwealth affairs I had a very close connection with the whole of the investigation relating to what is called the "Pyjama Girl". I was not invited to assist in any way in any proceedings that occurred in Sydney in February, 1944. I think I was out of the State then. I had nothing to do with the bringing in of Mr. Magnus on the 24th February as an expert. I was not invited to come back and take up this case. I was tied up in other matters affecting the security of the Commonwealth. It is safe to say that up until the 4th March of this year I was still firmly of opinion that the Albury victim was not Linda Agostini. Until then I was firmly of opinion that Linda Agostini was not the "Pyjama Girl" on account of the two porcelain fillings in the teeth.

TO MR. READ: I have heard since that there has been evidence that the first upper right bicuspid has a porcelain filling and that the second upper right bicuspid had a filling in which is not there now. I have heard that now. Beyond any doubt, in my opinion, the "Pyjama Girl" is

act

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
THOMAS ALEXANDER PALMER-BENBOW	461 - 463	P

JEANETTE CONSTANCE ROUTLEDGE	476 - 477.	

ALFRED AMOS WILKS	... 484 - 498.	

R. J. Place

.....
Licensed Shorthand Writer.

THOMAS ALEXANDER PALMER-BENBOW 464 - 475.

THOMAS ALEXANDER PALMER-BENBOW 478 - 483.

J. Day

.....
Licensed Shorthand Writer.

R. J. Place

.....
Licensed Shorthand Writer.

taken at Melbourne on the Fifth day of April 19 44

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

ELEVENTH DAY

RESUMED INQUEST

held at

THE CITY MORGUE - MELBOURNE

on

WEDNESDAY, 12TH APRIL, 1944

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

Wed. 12-4-44

THOMAS ALEXANDER PALMER-BENBOW, re-called.

TO MR. READ: With regard to the date when I first heard of Philomena Morgan, I now say that date would be some time in 1940. I did not see any photograph of Philomena Morgan until after I had taken Mrs. Routledge to the University on the 12th September, 1940, or 1941. I think Mrs. Routledge's affidavit of having viewed the body with me would show the date. If the affidavit shows September, 1940, it would be some little while after that because I took Mrs. Routledge home the same day I brought her up and I did not go down to see her again for some time. It would be some months after September, 1940, that I first saw a photograph of Philomena Morgan. The first photograph I saw of Philomena Morgan was one similar to Exhibit 20. That is the picture. That is the only picture, with the exception of the side-face, that I have ever had of Philomena Morgan. I got that photograph from Mrs. Routledge. She gave me one like that and a side-face. It was not a fixed photograph; it was a police print sent to her. For all practical purposes it is identical with Exhibit No.20. I made an affidavit in support of the application for letters of administration in November, 1942 and in that affidavit in paragraph 16 I said, "During the month of December, 1941, I again visited Albany in the said State and I saw the said Lucy Collins and I produced and showed to her a photograph which is annexed hereto and marked with the letter 'B'". This is that photograph. This photograph is taken directly from Exhibit 20 with the tooth restored the way it should be. It is made by Hall, the Photographer, in Hunter Street, Sydney. The address "Hall's, Hunter Street, Sydney" will always find them because they are well-known. I took Exhibit No.20 along to Halls in Hunter Street. I there saw Mr.Hall, but

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Mr. Deane did that work, or it was sent out to be done. Mr. Hall is the proprietor and Mr. Deane is the technician. I had my conversation with Mr. Deane. I told Mr. Deane to restore the tooth the way it should be and colour the photograph as an art souvenir for Mrs. Routledge. I gave him a description of how the tooth should be. It is obvious that the corner came out as shown in the other. This tooth in Exhibit 20 is a retouched tooth which does not belong to the scheme of things at all. It was done in New South Wales, and with that knowledge this other picture was made for Mrs. Routledge as a souvenir for Mrs. Routledge and I had the corner of the tooth retouched back where it should be. Those are the instructions I gave Mr. Deane. At the time I think we had done the work on the cadaver, and the cadaver's teeth being the same as Philomena Morgan's showed how the corner would come. It is not quite correct to say that when I went to Hall's Studio I had a photograph of the teeth of the deceased. Mr. Deane had at that time, I am reasonably certain, all the pictures we had taken of the cadaver and all of the work we had done. It is not correct that what I was asking Mr. Deane to do in this artistic reproduction which I was using in support of my application for letters of administration was to make the teeth similar to the teeth of the body. It is in fact similar to the teeth in the body because it cannot help but be so. I did not say to Mr. Deane, "Please make the teeth similar to those teeth", indicating the teeth of the cadaver. If I am correct in my surmise, Mr. Deane and I had already done the work on the cadaver. It was not my ambition at that stage to get an artistic reproduction showing teeth similar to the teeth in the cadaver. That picture was

restored the way any photographer would restore it without knowing anything about the cadaver, but I think we had already done the work on the cadaver. However, it would not have made any difference in as much as ^{it was} the only way that tooth would be restored and this unsightly gap, which was originally a fraud, got rid of. I deny that the only purpose in doing this was to try and make this photograph look like the body of the deceased. I did it because that picture was a souvenir for the Mother. I knew scientifically that the gap in the teeth was a fraud and Mrs. Routledge knew it was a fraud because she knew her daughter, and I altered that so that the mother would not always have to look at a gap that did not exist. I knew scientifically that the gap in the teeth was wrong because Exhibit 20 is a fraud; I have to put it that way. When Detective-Sergeant Wilks was handed the original daylight proof by Mrs. Routledge it did not have that tooth that way with the gap. The daylight proof which purports to be the original handed by Mrs. Routledge to Detective-Sergeant Wilks which I examined at the C.I.B. here the other day is not the original daylight proof. I saw those four daylight proofs that were put in as evidence (Exhibit "G2") on Wednesday. I do not say they are all fakes. They all bear their own intrinsic evidence that they have not been handed by Howard Harris, the Photographer at Parramatta, to Mrs. Routledge to hand to Det.-Sergeant Wilks. To start with, Mrs. Routledge only gave Detective-Sergeant Wilks two daylight proofs - a side-face and a full-face with the teeth showing, that is the origin of Exhibit No.20. I am not suggesting that only two negatives were taken by the Howard Harris Studio. There were four negatives taken by the Howard Harris Studio

and there is every reason to believe that the Police Department in New South Wales recovered all four negatives. Having recovered those negatives, one negative, that is the origin of Exhibit 20, was retouched to make it appear as if there were a gap. I suspect, obviously, the New South Wales Police retouched the negatives. I suspect that the police in New South Wales retouched a negative, the original of Exhibit 20. I will state my reason for making such an accusation. There are two proofs, there is a scientific proof and there is a general proof. I will take the general proof first. Mrs. Routledge handed to Detective-Sergeant Wilks two proofs, one side-face and one full-face. The full-face is the one under discussion, Exhibit 20. That was in 1937 and not 1939. When the picture next shows up it has that gap in the teeth. When I say that was in 1937 I mean that the handing of the original daylight proofs to Detective-Sergeant Wilks by Mrs. Routledge took place in 1937 and not 1939. When the picture next shows up as far as we are concerned, Mrs. Routledge received by hand two prints from the Police at Nowra. One was this Exhibit 20 and the other was a side-face. Mrs. Routledge noted the gap in the teeth. Mrs. Routledge had herself given the motive or the inspiration for that gap years ago when she mentioned that she had a couple of teeth pulled in her child when she was attempting to hide her identity. That gap is to make it look as if a tooth was pulled. They overlooked that the teeth that were pulled in Mrs. Routledge's daughter were baby teeth at the age of four. They forgot that. I examined at the G.I.B. here at Headquarters four daylight proofs. One of the daylight proofs was Exhibit 20 and ^{another} ~~the other~~ was the side-face. The other two were the two missing poses