

There is a date on one of the key pictures.

..... EXHIBIT L2..... Enlargement of Linda Agostini.

Asked to deal with the evidence given by Dr. Magnus in relation to the tooth, I say I would like to have a look at the tooth again. If it is so desired, I am prepared to arrange the necessary apparatus to enable His Worship to look at the tooth and see whether there is any undercutting. It was not so much the undercutting for which I wished to look. With a high powered microscope I wished to look for traces of amalgam, porcelain or any kind of debris. Apparently, there is no kind of debris in that tooth at all. I endeavoured to find it when I examined it with Mr. Bell. I should like to have a higher power and use my big microscope. During Easter I did indulge in some reading of forensic literature - I refreshed my memory. As to my view on the subject of whether or not one can tell from a body whether a person was 25 rather than 23, in early life one can approximate fairly closely but, when ~~with~~ the consolidation of the skeleton occurs at 22 to 23 or at the most 25, one can only approximate within two or three years at the very most. As the age progresses to 30, the approximation lengthens appreciably. After 30, no one can approximate more than within ten years. There has been a lot of talk about determining age from examination, but that is what the authorities say. Another factor is the growth factor - the relationship between the consolidation of the structure and growth in the individual has to be remembered. One has to remember a precocious or retarding<sup>ed</sup> development. The following statement found in a book written by Dr. Mollison "As a general rule, unless in a young person, it is not easy to fix the age with any great degree of accuracy", summarises in a few words the opinions of all the other authorities of the day. I read that and he is giving the experience of years

and a knowledge of all the world's authorities in the matter. (At this stage Mr. Read tendered, as an Exhibit, the complete file of the New South Wales Supreme Court, only portion of which had been previously been put in as Exhibit UU).

I produce a photograph which I showed to Lucy Collins and which bears her handwriting on the back.

..... EXHIBIT M/2..... Photograph of B2 with handwriting on back.

I showed her the tinted photograph which is part of Exhibit UU. I showed these to Mrs. Collins. Mrs. Collins at no time knew I had the implement until 1942, on the date which is written on that picture. At the time when I saw Mrs. Collins and showed her a photograph of Philomena Morgan, I showed her this coloured picture which is marked "B" and is part of Exhibit UU. Mrs. Collins looked at this picture for a solid minute and she said "That is the girl that came to my etc. shack." Then, she wailed and wept and wailed and wept. Lucy Collins was very distressed. She said "That is the girl that came to my shack." I waited for a while and, when she had recovered, I showed her this picture, but there was no writing on it then, She took one look at it, she hesitated, and then said "But that is not her etc., teeth, she had beautiful teeth." She was indignant about the gap in the teeth. In a sense, I did not find any difficulty in obtaining the birth certificate of Philomena Morgan. I contacted a gentleman, put my cards on the table, and he said he would see what he could do for me and he gave me a memo. The original certificate was not easy to get. Mrs. Routledge tried and she ultimately got it. As to whether there was a suggestion that no such birth was ever registered, that was in Carroll's file, where Constable Williams went to the registrar in 1936. If you have not got that file I can let you have a copy. Before coming to Melbourne, &

I last saw the body a very long time ago. I wrote letters to the Crown Solicitor of the State of New South Wales on the 22nd February 1944, and on the 15th November 1943. (Letter dated 22nd Feby. 1944 read by Mr. Barry).

..... EXHIBIT N.2.....File, including letters dated 15th November 1943 and 22nd Feby 1944 to the N.S.W.Crown Solicitor.)

LUNCHEON ADJOURNMENT.

UPON RESUMING:

TO MR. BARRY: Prior to seeing the body in Melbourne, I last saw it some considerable time ago, a matter of a couple of years at least. Apparently, the body was removed from the Sydney University. Outside of seeing it here, I last saw it at the University. Before coming to Melbourne and seeing it, the last occasion I saw the body was at the Sydney University. When I saw the body at the Sydney University, it was in a zinc-lined coffin, to keep the fluid in. That was raised up on trestles. After the body was removed from the Sydney University, I did, on behalf of Dr. Bell, endeavour to see it. That was about half a year after I located Dr. Bell. The body was removed shortly after those photographs were made and I think Mr. Read more or less elicited that date. I am speaking of the series of photographs His Worship has seen, - when the cadaver was photographed by Mr. Dene and we did a complete job.

TO THE CORONER: I am not referring to the tinted photograph, I am referring to this picture (Exhibit 00).

TO MR. BARRY: After those had been made, there was an interval of a little while and the body was removed very late one night. After that, its whereabouts was a complete mystery to everybody. I agree, I did not know where the body had gone. After its removal, my efforts to view the body were not successful. I am under the impression that I called up the C.I.B. I got in touch with some police official and I had

no satisfaction. They said they would have to see about it. I had a conversation on the telephone, I did not put anything in writing. I am not at all certain that it was not with Mr. Ramus who is now appearing in this case. I am not altogether sure with whom I had the conversation. Other people also attempted on my behalf, but it was of no use. I did observe something about post mortem lividity upon this body. In my first report I had an impression that the post mortem lividity was greater in the head <sup>and</sup> than in the neck, and it indicated the body had been carried head downwards. I have since viewed the body and I am only confirmed in that decision. There is also the swelling of the soft tissues in the head and neck. I am of the opinion that body was carried in an upturned position for, at a guess, two and a quarter to three miles. Post mortem lividity is an appearance which takes place after death. It is due to gravity and extruded serum coming to the surface along the most dependant part. If there is any pressure on the part at all, it does not appear there. If a body were lying on a slab, one might find it down the face perhaps but not along the back. If a body had a tight girdle on it, there would be no post mortem lividity under that girdle. There is some swelling in the neck, the face, the chest and the back. On the other hand, if one looks at the abdomen carefully one finds it is not as well marked there. It reappears again on the calves of the legs. Although the body is burnt one can see flesh and it has that colour. I am convinced the body was carried head downwards. That is why the post mortem lividity takes the form it does; in ordinary cases there would be none on the face.

TO MR. READ: As to whether I can give you a copy of Carroll's file, I can give you a copy of those items. I cannot give you a copy of the police file. I can give you a copy of what is called Carroll's file, but Counsel is explaining that is

made up of quotations, with the numbers of certain police files, and his own comments as well. Asked where I get copies of these police files, I say that is purely in Carroll's file. I got it from a paper. The file has apparently been through a good many hands. I got it from a newspaper. That file had been in several newspaper offices, several times, years ago, before I ever became interested in this matter. If I were asked whether I got this copy of the police file from a newspaper office, I would say it is not a copy of a police file, it is a copy of Carroll's file. I did not say it had an official number on it. I can supply a copy. I have a copy somewhere. I think I said this morning I could give you a copy of it. I have a copy of that file that Counsel has mentioned, which is a compilation of Carroll's own work and includes mention of police files. I did not get it from Mr. Carroll. That has been current in several places and I finally got it from a paper. The photograph, Exhibit L2, is an enlargement from a newspaper. I think I got that from the Sydney "Truth" just before I came down. I did not have that photograph taken from a picture that appeared in "Truth". I do not know what this has come from in "Truth", but it was supplied to me as it is now, - just as it is now. This is the one on which I said I could not see spots. I did not say I had been reading over Easter, and that the authorities said, after a certain stage of development, it was impossible to determine the age of a person. Glaister was the authority to whom I referred. As to whether I referred to any others, that was quite sufficient because Glaister, himself, quoted other authorities in the same matter. It is correct to say that I consulted Glaister and I consulted Mollison. I think it was a 1938 Edition of Glaister. The object in writing this letter of the 22nd February 1944 to the Crown Solicitor was a very simple one. I wished the Crown Solicitor to support a fresh application to re-open the inquest. We had

already had the certiorari action, and the Judge had ruled that the papers should be sent to the Crown Solicitor. He did that on the basis that, although our evidence pointed to the fact it was Mrs Routledge's daughter, the identity itself would not be sufficiently important to re-open the inquest unless there was some indication of the crime or some clues. The Crown Solicitor was taking no action so I wrote and requested that he would get on with the business. I agree that alone prompted me to make the statements contained in that letter, because I wished to show the Crown solicitor how unreliable the police had been.

TO MR. BARRY: I did not know anything about the significance of the spots alleged to be on the arm of Linda Agostini until I got to Melbourne. You were the first person who mentioned the matter to me. Prior to that, I had no notion of importance attached to those spots. The enlargement (Exhibit L2) was in my possession before I knew there was any question about the spots. I knew nothing at all about the spots until I came here.

..... EXHIBIT 02..... The Carroll file.

(Page 535 follows).

*T.A. Palmer Benbow*  
.....

TAKEN AND SWORN BEFORE ME AT MELBOURNE ON THE 31ST DAY OF MARCH AND AND 3rd, 4th, 5th and 12th DAYS OF APRIL, 1944.

THE

*W. J. ...*  
.....  
CORONER.

*TAP*

(At the conclusion of Dr. Benbow's evidence Mr. Barry announced that he had no further evidence to call regarding identification.)

MR. READ tenders certified copy of Marriage Certificate, Linda Platt and Antonio Agostini.

EXHIBIT 71: ... Certified copy of Marriage Certificate.

MARJORY JEAN FARR: sworn and examined:

TO MR. READ: My full name is Marjory Jean Farr. I am a single woman residing at 208 Glenmore Road, Paddington, Sydney. I also am known by the name of Marjory Johnson, Johnson being the surname of my mother by her second marriage. I knew a girl named Phyllis Depere also known as Phyllis Franki. I first met Phyllis Depere when she was three or four years old. My mother knew her mother. I knew her mother. The person whom I now know as Mrs. Routledge was known to me as Madame Depere, when I first met this little girl Phyllis. Phyllis Depere was a few years younger than I. At that time she was living at Kensington, Sydney. I identify the lady in Court as Madame Depere and the mother of the child Phyllis of whom I am speaking. My mother and Madame Depere were friendly at that time. I visited Madame Depere's home. I did not see her again for a number of years until Phyllis Depere was then 12 or 13 years of age, she was then living with her mother at Double Bay, Sydney, and she was then living under the name of Phyllis Routledge and her mother was known as Mrs. Routledge. I saw Phyllis at Christmas time in 1930 when Mrs. Routledge came to Sydney with my mother from Dundas. At that time Mrs. Routledge had a car. Phyllis then, in 1930, would be about 19 or 20 years of age. I accompanied Mrs. Routledge and Phyllis to a place at Dundas where Mrs. Routledge was looking after an invalid lady. Phyllis and I stayed at a property of a young man up there named Donald Waite, and Mrs. Routledge stayed at that time with the lady that she was looking after. I was staying on Mr. Waite's property with Phyllis Routledge for

about 6 weeks, during that time Phyllis became friendly with another man up there. Shortly afterwards Mrs. Routledge took me and Phyllis in her car to Sydney and ~~ixx~~ left us at the corner of Hunter and Elizabeth streets. Phyllis and I took a room together at Victoria street, Darlinghurst, and I lived with Phyllis Routledge for some 6 or 9 months. This girl I am calling Phyllis Routledge was the daughter of Mrs. Routledge, and she was sometimes spoken of as Philomena and Philomena Anne, but Philomena not very often. When she was living with me she was known as Philomena Franki. The photograph Ex.20 is a photograph of the girl who I have been describing as Phyllis Depere and Phyllis Franki. I lived with Phyllis at Victoria street for from 6 to 9 months, we were sharing a room there. I knew her very well. I know the man named Cecil McGrior; he had a shop in Hunter street, Sydney. The shop was at the corner of Hunter and Elizabeth streets. I introduced Phyllis to Mr. McGrior. During the 6 to 9 months when I was living with Phyllis she was never employed by McGrior. We both went to his shop together to buy things. I would not say that Phyllis had many men friends but I know she had two particular ones. She used to bring them to the room where Phyllis and I lived, sharing the room. That led to differences between Phyllis and myself. I told her I would be giving up the flat. We separated soon after that. That would be at the beginning of 1931 or the end of 1930. I have not seen Phyllis from that day till this. While I was sharing a room with Phyllis I saw her in the nude. I noticed a small scar on her stomach, on the right hand side of the abdomen. That scar would be situated on the abdomen practically parallel with the line of her navel. I knew her as Phyllis Franki at that time. A general description of Phyllis Franki, as best I can describe her, would be

that she was a very attractive girl, she had very dark blue-grey eyes; I would not say they were grey but I would say they were blue. They were dark blue eyes; they were not brown eyes. She was of very slight build. She had a very dark skin. Her hair was a very dark brown. She wore her hair with a fringe. As to her teeth, she did not have a full set of teeth at the top; it appeared as if she had one tooth out but actually that tooth was not out, but it was the way it was growing that gave it that appearance. As to her ears, she had perfect ears when I knew her. Her nose was slightly upturned, and it came to a point. Looking at the helix of her ears, as indicated by Counsel, I did not notice anything peculiar about them. She had small hands but very long fingers. From what I can remember she had rather nice feet taking a size four shoe. I have viewed the body of the deceased lying dead at the morgue, Melbourne. I did that yesterday. I say that is not the body of the girl whom I knew as Phyllis Franki. I look at the photograph annexure C to Ex.UU. and I say that is a good photographic representation of Phyllis as I knew her. I look at the photograph annexure B to Ex.UU, the tinted photograph, and I say that is not a photograph of Phyllis Franki. As to the points of difference I say her teeth are different. The eyebrows are different, as Phyllis had very bushy eyebrows. About two years ago Dr. Benbow called to see me. I was at that time living at an address in Paddington. Dr. Benbow told me he was a detective and he showed me two photographs. I look at Ex.UU and I say that the two photographs marked B and C of Ex.UU are the two photographs Dr. Benbow showed me. To the best of my memory Dr. Benbow showed me the photographs and said "The one with the full set of teeth is Phyllis" and I said "No, that is not Phyllis". To the best of my memory he said

did I know there was a reward being offered for the identification of the Pyjama Girl. I do not remember what I said but I felt that the one that appeared as if the tooth was missing was Phyllis. He said "You could do with some money". I do not remember what I said, but I think he said "A sum of money". I would not say now exactly what he said but I remember he said I could do with some money. I did not say anything to that and the man went. I have never seen Dr. Benbow from that day to this. I look at the photograph now produced; to the best of my knowledge it appears very much like Phyllis Depere as I knew her.

EXHIBIT 72

...

Photograph of Philomena Anne Morgan  
(for identification).

CROSS-EXAMINED:

TO MR. BARRY: I first knew I was coming to Melbourne on Saturday last. Some member of the detective force in Sydney did not ask me to go to Melbourne but told me I had to go. I do not know who it was told me to go to Melbourne but I understood it was detective Barnes. I only met him a couple of times. I do not know Det. Wilkes at all; I believe I met him once but I do not remember it. I work at Woolworth's in Sydney. There is no trouble whatever about my telling you what I do for a living. My reason for hesitating to mention it was that I thought it might be published in the papers. I have never acted as a police agent. I have never conveyed information to the police. I do not know any policemen at all; only those connected with this case. I have known them, Det. Barnes, for the last couple of days, that is all. I do not know any members of the detective force, only the ones connected with this case. Up till last week I did not know any member of the detective force. I met detectives who asked me had I known Phyllis, and those are the only ones I was acquainted with. The first detective that ever asked me for a statement about

Phyllis was Det.Morgan with Det.Wilkes, but I did not know it was Det.Wilkes at the time. Det.Morgan with Det. Wilkes asked me did I know Phyllis, that was over 2 years ago. I said I did know Phyllis but I did not make any statement at the time. I did not sign anything that they wrote down. I did not go and see the body at the University. The first time I saw the body was yesterday. The first time I was shown photographs of the person who was alleged to be Philomena Anne Morgan or the Pyjama Girl was when Madame Routledge, that is the woman I knew as Madame Depere, opened the case the second time. The photographs were shown to me when the case was opened the <sup>second</sup> time, I think by Det.Morgan. He showed me photographs of the Pyjama Girl and of Phyllis and I said they were not the same person. I think I would know the photograph of Phyllis. I look at Ex.20 and say that is the photograph I was shown of Phyllis. A photograph was shown to me as indicating what the Pyjama Girl looked like. I look at the photograph Ex.E and say that is the one that he showed me; but I think it was much more gruesome, the one that he showed me. I fold up Ex.E. I was shown another photograph, I think, I was shown these two photographs only, and on looking at Ex.45 I say I never did see the photograph Ex.45. I look at the other photograph handed to me, Ex.7. I am positive that is not a photograph of Philomena Anne Morgan. I say that is not a photograph of her. I ask for it to be removed. The reason I do so is because I do not like looking at it. I never expressed the belief before the inquest that the Pyjama Girl was Philomena Morgan, as I always thought it was not. I suggest that the man who asked me about it was Det.Morgan who came to see me about it. The Pyjama Girl's body was found in September 1934. I did not see the photos until 1940 when Madame Depere

reopened the case. It was first suggested to me that it might be Philomena Morgan in 1940. I remember it now. Between 1934 and 1940 it was never present to my mind that the Pyjama Girl might be Philomena Morgan. I never gave it a thought. I was very friendly with Phyllis during the time she was with me. She lived with me for from 6 to 9 months and during that period I was very friendly with her. I had known her since I was about 10 years of age. I was not friendly with her family. My mother knew her mother. I last saw Phyllis at the end of 1930 or the beginning of 1931; November 1930, I should say. I then had no further interest in her fate. I never enquired of any source after the beginning of 1931 what had become of the girl who had shared a flat with me for 9 months; why should I? I do not know; she went her way and I went my way. I have no half-brother. I have a full brother. I have no brother known as Overend nor Young Overend. I never heard that name in my life before. My brother is known as Boy Johnson; he is not known as Ginger Quinn. I suppose my brother did know Philomena Morgan. He was not friendly with her at the time we were living on the property of a man named Waite. He was living in Sydney. The position was not that Waite wanted to marry Philomena and my brother cut him out. Such a suggestion is untrue; it is definitely untrue. My brother is still living in Sydney. My brother has red hair. I never told Dr. Benbow that he had dark hair. Dr. Benbow came and showed me photographs. I said it was about two years ago. I know where I was living then. I know this is the 12th April 1944. I do not know whether Dr. Benbow's visit was about April 1942. It was before the war with Japan. I do not recognise the word "saiki" .

(At this stage witness was overcome).

(Continuing to Mr. Barry): I broke down because of the lies that are being told about my brother. My tears have

nothing to do with the question about Japan. If the war with Japan ~~was~~ began on December 7th 1941 then Dr. Benbow saw me before the beginning of the war with Japan. I cannot say how long before; honestly I do not know. I remember that because <sup>I was</sup> living at 263 Glenmore road for just on 18 months. I am not aware that at the time Dr. Benbow came to see me the offer of a reward had been withdrawn. He did mention about a reward. He said a sum of money. He offered to give me some money. He said "You could do with some money". I did not say that he said "You could do with a sum of money". He did not mention the sum. He did not mention a sum at all. I suppose we all could do with some money, but under those circumstances I did not ask how much. Dr. Benbow showed me two photographs and he wanted me to say that one was Phyllis; he said "That is the one with the full set of teeth" and I said "No", and I supposed he did want me to say that it was Phyllis. As to the reason why he mentioned some money, that is what he came about, is not it? I swear he mentioned some money to me but he did not say the amount. He never said to me what I would have to do to get the money. He showed me the photographs. I do not remember him saying "You will get some money if you say that this Photo. with the full set of teeth is Phyllis". I first signed a statement for the police on Thursday last. Det. Barnes got the statement from me. It was taken in my home. He asked me to repeat the statement where I worked, and I signed it. I had never ~~see~~ signed a statement previously. I do not know John Morgan. I only know what I read in the papers. I have read about this case in the papers. My mother does not live next door to the Police Headquarters in Sydney but she lives with <sup>in</sup> a stonethrow of the Police Headquarters. She is a tenant of the City Council, not of the Police Department.

I lived there with my mother a few years ago. I still tell His Worship that I am not acquainted with the members of the Criminal Investigation Branch other than by meeting them in this case, and I say that definitely. I have never met Mr. Mackay the Chief Commissioner of Police, Sydney, in my life. I look at Annexure C to Ex.UU, that is a photograph of Phyllis. I look at the tinted photograph, Annexure B to Ex.UU, and I say I do not know of whom that is a photograph. I tell His Worship honestly that I do not know it. I look at it again and I tell His Worship that I do not know of whom that is a photograph. It is not a photograph of Phyllis. I say that for the simple reason that her teeth are different and her eyebrows are different. Apart from the differences of the teeth and the eyebrows it looks like a likeness of Phyllis. I look at both photographs side by ~~side~~<sup>side</sup>, Annexures B and C to Ex.UU, and I say that the tinted photograph is a likeness of her likeness; with the exception of the eyebrows and the teeth there is a likeness to Phyllis. I know that the photo. marked C is one of Phyllis but I could not say that about the photo B. I know the first one is of Phyllis. I really mean to assure His Worship that I had a doubt of the likeness to Phyllis with the teeth and eyebrows altered from what they are shown to me in the photograph Annexure B. Phyllis did not have a tooth out in front but it appeared as if she did. I still say, although a number of witnesses have come here and said that is a good likeness of Phyllis except that she did not have a gap there, she did have a gap. She had a gap like that shown on Annexure C to Ex.UU; it was a large gap; it was as large as that shown. Although Mr. ~~Mackay~~<sup>McGrior</sup> told us she visited his shop frequently, I say she did not. I think he might have seen her occasionally, as Phyllis and I lived in the same

flat and he did see us at that flat on a few occasions. She and I were not in and out of his shop. I went in there quite a lot because he was a friend of mine. He could not have known Phyllis from when she was 17. I say definitely he is not telling the truth about that. I am telling the truth. He knew Phyllis when I introduced him to her at Christmas in 1930. He never saw Phyllis after the last time I saw her. I do not know "Tanga" in Victoria Street. I lived in Victoria street with Phyllis, but not in 1933. Looking at the photograph Ex.72 I think it has a look of Phyllis about it; it has the same look as her, but I am not prepared to swear that this is Phyllis. I have seen that photograph previously. I think Det. Morgan showed it to me and I said that was nothing like Phyllis. I have never told anybody until recently that Dr. Benbow <sup>offered me</sup> money for some specified purpose, only my mother. Det. Barnes when he came to see me did not know that I had been offered money by Dr. Benbow. I did not volunteer the statement. He ~~They~~ asked me if I ever spoke to him and I told him that I did not know that was Dr. Benbow till I saw his photo in the papers lately. It was not within the last month; it was before then, I did not refer to Pix. I do not read Pix. Dr. Benbow told me he was a detective. I therefore understood that some detective was offering me money to say that a photograph was a photograph of Phyllis, when I knew in truth that it was nothing of the sort. That did not strike me as strange. I did not think it was desirable to communicate with the Chief Commissioner of Police and say "One of your detectives has been along". I told you before that I do not know Mr. Mackay. I have never met him. I have no doubt about that at all. I never knew this girl as Phyllis Morgan. I did not know it was Morgan until I saw it in the paper. I cannot say that I noticed that Phyllis had small firm breasts. I

would have thought they were a little bit larger than the breasts on the body. I saw the breasts on the body. My inspection was not confined to the face. I inspected the whole of the body. Phyllis had small hands but long fingers. She did not have wide knuckles but small long fingers. She did not have brown eyes. I remember her eyes as very dark blue-grey eyes. There is no possibility of their being brown that I can remember. I noticed the color of the eyes on the body; they were blue, similar in color to Phyllis's eyes. I do not know if Phyllis was in any way connected with a cafe in Brougham Street; I do not know it at all. My real name is Marjory Jean Farr; it is not Johnson. When I lived with my mother at Hunter street, as her name was Johnson they naturally called me Marjory Johnson. My mother was married a second time to a Mr. Johnson. My <sup>brother</sup> ~~stepfather~~ is younger than I am. He is known as Johnson. He has always lived with my mother. He was not known as Farr. He knew Phyllis more or less like I did when I first knew her. He knew her when I knew her. My <sup>brother</sup> ~~stepfather~~ is about 33 now, I think he was about the same age as Phyllis. As to her teeth, she had a full complement of teeth in front, she had not lost any teeth; it seemed that she had but it was the way the tooth was growing. I see the two middle teeth, the central incisors, as shown in Annexure B of Ex.UU and I see the tooth next to the left central incisor, and I would ~~say~~ not say that Phyllis's tooth was worn away at the corner. At your request I make a sketch of what her front teeth looked like (Witness draws rough sketch of teeth).

EXHIBIT P-2. ... Sketch of teeth drawn by witness.

It definitely looked as if the tooth was missing, as though she had had a tooth out. It was not broken away at the corner as in Ex.12 (cast of jaws from cadaver). It was a

good tooth but it seemed to grow slanting. It had not twisted right round. It was a perfectly good tooth except that it showed a gap between the teeth. I have no relatives in Albury. I have no relatives named Overend. The name Overend is unknown to me; neither Overend nor Overand are known to me at all. I have never heard of them. I have not got a sister. I have only one brother, who is known as Johnston.

RE-EXAMINED:

TO MR. READ: There is no foundation for anyone suggesting that I have ever acted as a police agent in my life; there is no truth in that suggestion. I am not known to the detectives and I am not known to the police. I have never been in any trouble with the police. I have followed a lawful occupation for many years. My proper name is Marjory Jean Farr. Farr is my father's name. During the period when I was living with my mother I was known as Marjory Johnson. As to the suggestion that I have a brother known as Overend or Overand, my brother has never been known by either of those names to my knowledge. He has never lived at Albury. He has never been known as Ginger Quinn or Bluey Quinn; I have never heard such a suggestion before. There is no foundation whatever for the suggestion that my brother has ever been known as Overend. I have never heard the suggestion that my brother was known as Overend or Quinn. I have <sup>never</sup> heard the suggestion that my brother wanted to marry Phyllis. My brother is married and has been married for 12 years. As regards the Chief Commissioner, Mr. Mackay, to the best of my recollection I have never seen him in my life; I have never had any correspondence with him or any association with him in any shape or form. I cannot imagine anything that would justify those questions being put to me. I do not know Mr. Mackay. As regards my attendance at this inquest, a detective came to see me last Thursday in Sydney

and told me that my attendance was required by the Coroner in Melbourne. They made arrangements for my travelling. I told the detective what I knew about the case and he brought back to me a statement of what evidence I could give, and I attended here.

*Mr. Law* TO THE CORONER: In 1933 I lived in William street, <sup>Darlinghurst</sup> ~~Surry Hills~~, where I had a flat. I had not seen very much of Mrs. Routledge over the last few years. I did not see Mrs. Routledge after 1930; that was the last time I saw her. I have not seen Mrs. Routledge since 1930 when Phyllis and I took this place.

THE WITNESS WITHDREW.

*Marjorie J. Law*  
.....

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

*Alfred J. Gato*  
.....

Coroner.

DANIEL GALLIVAN: SWORN AND EXAMINED:

TO

MR. READ: My name is Daniel Gallivan. I am a first-class Commonwealth

Peace Officer stationed at present in Sydney. I reside at 113 Brighton street, Petersham. I was formerly a member of the New South Wales Police Force, and in the year 1929 I worked on Criminal Investigation work with Det. Barber. In 1929 with Det. Barber I arrested a man named Robert George Seeney. I made that arrest on an information laid by Mrs. Routledge. I see Mrs. Routledge in Court today and I recognise her; that is the same lady that I refer to. She gave me certain information as regards her daughter. That information was that she told us her daughter had gone away and lived with Seeney and she believed they were living together, or something to that effect. She said her daughter's name was Philomena Franki, and when it came to the question of getting the girl's age Det. Barber told her that that was most important. Then she said that the girl was born in South Africa. We realised then that if we could not get the girl's birth certificate we would be relying on the mother for the girl's age, and her mother said she was about 15 years of age. The case was dealt with in the

*A.G.* Lower Court and in the <sup>Quarter</sup> ~~Court of~~ Sessions. Seeney was <sup>acquitted</sup> ~~sentenced~~.

*B.G.* Mrs. Routledge the mother of the girl gave evidence in both the Lower Court and at the trial at the <sup>Quarter</sup> ~~Court of~~ Sessions.

She swore her name then as Routledge. She said that this child was her daughter. She again said she was 15 years of age and born in South Africa. During the course of the case I frequently saw the girl Philomena Franki; that was the girl whom Mrs. Routledge described as her daughter. My recollection <sup>is</sup> that up till the beginning of 1930 I saw her and that then she disappeared and I have not seen her since. Up till 1930 I had seen her in connection with the case, and during the case I saw her several times, and some few times after

*D.G.* the case. I went abroad during the greater part of <sup>the</sup> year 1934

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GALLIVAN XN.

*D.G.*

being in Ireland for that time and I returned to Australia at the middle of October, and it was then that I heard about the Pyjama Girl, and, being a sergeant of police, I was interested. I went to the Sydney University and saw the body. I examined it thoroughly and I failed to identify it. Later, I think it was in 1935, I was seen by either Det. Wilkes or Det. McRae and they asked me if I knew a girl named Franki, and I said "Yes". I was asked "Have you been up to the University?" I said "Yes". I was asked "Do you think the body up there was anything like her?" I said "I could not identify her at all; I do not think it is." Later on in that year, 1935, or 1936, I took several people to the University in the police car for the purpose of having the body identified, and I had a good opportunity of seeing the body and I can definitely say now that that body was not the body of Philomena Franki. I have since seen the body lying at this morgue and I say that is the same body and it is not Philomena Franki. If Mrs. Routledge swears that in 1933 or 1934 she had a conversation with me in Sydney and that I told her that I had seen her daughter two or three weeks before that, she is making a mistake because I left that district in 1932. I had been promoted to Sergeant at Petersham and I would not see her. I do not remember telling Mrs. Routledge in 1933 or 1934 that I had seen her daughter two or three weeks before that, because the last time I saw her was in 1930.

CROSS-EXAMINED:

TO MR. BARRY: I would not say that the possibility of the body being that of Philomena Morgan was being canvassed in 1934, but very soon it was, but I do not know where it came from, and it may have been in 1935. It was regarded as quite likely at that stage that it was the body of Philomena Morgan. There was some suggestion that it was the body of

Philomena Morgan and I immediately became very interested because I remembered the Court proceedings and that a girl at one time lived with Mrs. Morgan and was known as Philomena Morgan. My ability to recall her was dependent on my recollection of her face, mostly. I do recollect her teeth very well. She had very large teeth in the upper jaw but not protruding, and there was a noticeable gap in the left side. It was not the space of a full tooth but there was a gap. I would not say that it appeared that she had lost her tooth but there was a gap. I would say that she was a striking girl. I look at Ex.20 - it is visible in that photograph, which looks as if she had a tooth missing; it was something like that. I agree that it was probably not as marked as that, but that is how it was. It appears now to be a little larger here than I thought it was - (referring to Ex.20). That is an identical photograph of her. I would not go so far as to say that the discrepancy in the teeth was by no means as marked in life as it appears in that photograph, taking into consideration the difference between an actual photograph and the human being. I would not say the photograph exaggerates the discrepancy but it is pretty clear that that is the space, and that is identical with the space between the teeth on the left side. The space looked as if part of the corner of the left lateral upper incisor had slipped, but there was no overlapping with the others. I have been present in this Court during the Coronial Inquiry. As to the photograph containing the signatures of a number of people, I did not know Griffiths who made the statement identifying the body as that of Philomena Morgan. If Griffiths, Blackett and Mrs. Routledge all say that Annexure C to Ex.UU is quite a good photograph, I agree ~~with~~ that it is a good photograph; it is a good outline of what Philomena Morgan was like; if they say the likeness is destroyed by

the gap in the teeth but that otherwise it is a good likeness, I say there is a gap there. If they say there was no gap there, I still persist in saying that there was a gap, definitely. In 1937 I became aware that the body had been recognised as Philomena Morgan. I do not know that Morgan and Griffiths had both identified the body as that of Philomena Morgan. I do not know Mrs. Pressly at all. I did not meet her during the case connected with her granddaughter. In 1933 I was stationed at Lewisham. I came into town from time to time, I assume; Lewisham is about 3 miles from Sydney, but I would come in to the city very seldom. It would be not an unusual event for me to be in the neighborhood of the Sydney Central Station; I would be only there when I was off duty. If Mrs. Routledge says that that was where she met me, that she met me at the Central Station, I have no knowledge of it at all; but if she swears she did I would contradict her and suggest that she is making a mistake. I never met her on any occasion and said to her that I saw Phyllis a fortnight ago. I have no recollection of that at all. If she swears that she met Gallivan in 1933 or 1934 and that he told her that he had seen Phyllis a fortnight or a few weeks before and that she was well, I say that I never had any such conversation with her, or any conversation of that sort, either in 1933 or in 1934. I cannot recall it at all. My position is that I am not prepared to say that that is the body of Philomena Morgan. I was never prepared to say that. I am prepared definitely to say that it is not the body of Philomena Morgan. I <sup>said</sup> ~~swore~~ that in Sydney. What enables me to say that it is not the body of Philomena Morgan is based mostly on the facial appearance and the hair. As to the facial appearance that enables me to say it is not Philomena Morgan I would say that the face of Philomena Morgan was more square, shorter, and the nose was slightly

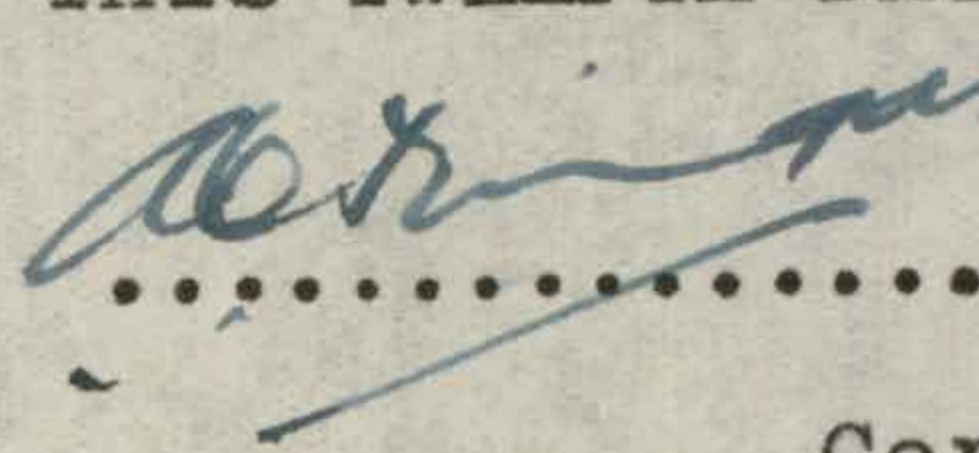
turned up; and she had large brown eyes, quite dark, and her hair was not black but very dark brown cut short usually, and the <sup>bottom half</sup> ~~top~~ of the ears generally exposed, like that (indicating). I say that she had brownish-grey eyes; I would describe them as in-between colors, that is what they call hazel. I deny that I had forgotten that from all accounts Philomena Morgan had blue eyes and that, having blundered into saying brown eyes I am now endeavoring to correct that by saying brownish-grey eyes; I am not doing so. I say that is what it appears to me to be. I have often heard people's eyes described as brownish-grey eyes; I do not remember seeing it on a police circular. I cannot say I have never seen it in print. I cannot tell you the name of any person whose eyes have been referred to as brownish-grey eyes but I know it is a common description of eyes; I have heard it often. At the present time I know of a number of such cases. At the time I examined the body the skull cap was in place; it was about mid October, and the skull cap was either tacked on - I do not know whether it was stitched on. If Dr. Benbow says that it was he who repaired the skull cap and sutured it on in 1939, I say it was on when I saw it. I look at the photograph Ex. RR, that is similar to the body when I saw it. I am not able to tell you whether the skull cap was in the bottom of the bath, and had been placed back. I would be surprised if it was suggested that Philomena Morgan had blueish-grey eyes. I have stated what they appeared to me. I could notice a bluish tint in the eyes of the cadaver. It is hard to say whether it is a bluish-grey but it had a blue tint. It is hard to say that it is not anything like Philomena Morgan. As far as her hands were concerned, I am not able to remember anything about them; there were no peculiarities that I can remember. I do not remember any peculiarities about the feet, in fact, I do not think I noticed her feet. I do not remember any

peculiarities about the girl excepting her mouth, the large teeth and this gap ; those are the only peculiarities that I really remember about the girl. In regard to her nose, if I was told that the bone of the nose had been fractured, that would be fresh information to me.

THE WITNESS WITHDREW.

A handwritten signature in blue ink, appearing to read "D. G. Galloway", with a long horizontal flourish underneath.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS TWELFTH DAY OF APRIL 1944

A handwritten signature in blue ink, possibly reading "A. G. Galloway", positioned above a dotted line.

Coroner.

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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—

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*Arthur J. Ren*

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taken at Melbourne on the 12<sup>th</sup> day of April 19 44

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