

TWELFTH DAY

RESUMED INQUEST

held at

THE CITY MORGUE - MELBOURNE

on

THURSDAY, 13TH APRIL, 1944.

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

Thurs 13th April

MARJORY JEAN FARR recalled on her oath saith:

TO THE CORONER: I remember that yesterday I said I had not seen Mrs. Routledge since I parted with her. That is right. I never rang her up about the matter. If she said "I saw her (that is Philomena) in 1933. I fix the year because I took some money and clothes to her. From Marjory Farr, I heard that she was in need of money and clothes," I do not know why she should say that. That is not true. I have not seen Mrs. Routledge since Christmas of 1930. If she said "I did not make inquiries from Marjory Farr to see where she was at that time, because I had a letter sent to me with no name on it but giving the address 'Marjory Farr', and living at Darlington, that was after the advertisement," I say, No, she never came to see me there. I did not see the advertisement. If she said "I went to Marjory Farr and she took me to the flat where Philomena was, and I saw her" I say that is not correct.

(Signed) M. FARR.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL 1944.

W. J. G. G. G.
CORONER.

ARTHUR JOSEPH BARBER on his oath saith:

My full name is Arthur Joseph Barber and I am a detective sergeant of police stationed at Newcastle in the State of New South Wales. In the year 1929 I was engaged on Criminal Investigation work attached to No.2 Police Station, Regent Street, Sydney. I remember an inquiry ~~was~~ I was engaged upon with Det. Daniel Gallivan in connection with an alleged carnal knowledge of a girl named Philomena Franki, by one Robert George Seeney. During the course of my investigations and during the course of the hearings I saw Philomena Franki frequently. I first saw Philomena Franki at 7 o'clock on the evening after the arrest of Seeney, with her mother, at Regent Street, Police station, and she was there until 9 o'clock or later that night. I obtained a statement after having a conversation with that girl and following that I saw the mother and I had a conversation with her. The mother and I had some words over that. I saw the girl again at the Children's Court in Parramatta when the preliminary hearing took place some ten days afterwards. I was there practically the whole of the day and that girl was in my company during that time. Subsequently Seeney was committed to take his trial at the Court of Quarter Sessions to be held at Parramatta, but as the Sessions there are quarterly, the change of venue was to Sydney. I was present during the first hearing of the Court of Quarter Sessions at Sydney when he stood his trial. I was there all day. I saw Mrs. Routledge and Philomena Franki there. I heard them give evidence. On that occasion the jury disagreed. I was present at the Court of Quarter Sessions on the second occasion. There was no hearing. The jury was empannelled, the case was outlined, and His Honour, Judge Curlewis directed the jury to acquit. As to whether I again saw Philomena Franki that day, she was not there on the second occasion. I saw her on a couple of occasions after that, around the

streets in Sydney, and then I went from there to the country for three months on an industrial matter. When I came back I went to North Sydney. Subsequently I took charge of Chatswood district, and later I went to Newcastle. I never saw Philomena Morgan or Philomena Franki again after that. I was in Court yesterday, I saw Mrs Routledge in Court. That is the person whom I knew~~as~~ as Mrs Routledge. I did not know her as Mrs. Morgan. That is the person who said she was the mother of this child. As to whether I viewed the body in this case at the Sydney University for the purpose of determining whether or not I had ~~re~~ ever seen that person in life, I went to the University to see whether or not the body was that of Philomena Franki, the girl who was our witness against a man named Seeney. Wilks asked me at the detective office whether I would know her. I said "I would know her all right", and I went to the University and I saw the body there. I told him that beyond any shadow of doubt the body was not that of Philomena Franki. As to whether that was in 1934 shortly after the body was taken from Albury to Sydney, I am not sure of the year, It was shortly after the body was taken to Sydney from Albury. As to whether in the year 1939 I was again asked to view the body with a view of ascertaining whether the body bore any resemblance to Philomena Morgan or Philomena Franki, only the one time while the body was in the formalin bath at the University of Sydney. That is only the once. I have again viewed the body at the City Morgue Melbourne. As to being able to say whether or not that body is the body of Philomena Franki or Philomena Morgan, beyond any shadow of doubt the body is not that of Philomena Franki or Morgan. Looking at the photograph produced (Exhibit 72) I am able to tell His Worship who the person in that photograph is; it is Philomena Franki.

TO MR. BARRY: As to whether it was in 1939 that I inspected the body at the University and not 1934, I could not be definite. I went

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to Newcastle in 1929 and it was before I went to Newcastle. As to whether I saw the body in 1939 and not in 1934, I could not be definite. I cannot be definite as to five years, not on that. If you say I have given details about seeing someone at 7 o'clock until 9 o'clock, and ask if I mean to tell His Worship that I cannot be definite within five years as to when I saw the body, I have given details and I have very good reasons for being able to remember giving those details. I could not be definite whether I saw the body in 1934 or in 1939. I have no reasons to remember that. It was just simply routine duty. As to it being routine duty to go and view the body of the Pyjama girl at the University, to view not only the Pyjama girl but hundreds of other bodies that I have viewed. I have never viewed any other body in a zinc-lined coffin in formalin at the Sydney University. As to agreeing that it is hardly a correct description to say that viewing the body in the University was routine duty, as far as I was concerned, it was simply routine duty. I could not tell you more closely than five years when it was that I saw the body. It was after the body was brought down, but I could not tell you exactly. I remember when the Pyjama girl was found. As to whether as a diligent police officer it attracted my attention, only to this degree that I had many files of papers suggesting that it might be somebody, and I was sent along for an inquiry, and those people were traced and so forth. As to whether I took an interest in it, I was not working specially on the case, but I took this interest, if I had found any information or had been able to assist the men deputed to investigate that crime, I certainly would have taken it along and given all the assistance I could. As to whether under those circumstances I will now try and remember when it was I saw the body at the University, I could not be definite. I remember that the war broke out in 1939. It was before the outbreak of war. I remember that

in 1938 there was the Munich affair. I should think it was before the Munich affair. As to whether it was 12 months before, I could not tell you. I could not tell you how many years there were between the last time I saw Philomena Morgan and the time I saw the body of the Pyjama girl; but time would make no difference to me and my memory of Philomena Morgan. As to the time that did elapse, if I could tell you I would tell you, but I am not going to say something that I am not positive of. As to whether I did say here today that it was in 1934, you will pardon me, I said I could not tell the year, but it was after the body was brought down and placed in the bath at the University and that is the best I can fix it. If you say that you might suggest to the Coroner at a later stage that I am not quite candid, I say I cannot help that, that is your business. I tell the truth, and it will stand the test. If you say that you want to give me one more opportunity of saying whether I can recall any circumstance associated with my visit to the University that will enable me to place the year, all I can tell you is this, I was at the detective office in Sydney one morning when Wilks said to me "You remember a girl named Philomena Franki. You and Dan Gallivan had her in a case against a fellow named Seeney." I said "Yes, I remember that girl very well and I remember the case." I said "She was born in South Africa." If you say you want to know the year that this happened, I am telling you that if I was to try and tell you the year it would only be guessing. I am not guessing; I am here to speak of facts and the truth, and that is ~~xxx~~ all I am doing. I am not here to guess. I have not made a statement before I came here. I did not write out a statement. I did not make a report of what I could say. I knew that I was coming here to give evidence at 1.50 p.m. on the 6th April of this year. I knew the purpose for which I was to come here, as a witness in the Pyjama girl inquest. I did not know what I was to say. I was

just told I was here as a witness in the Pyjama girl case. As to whether it occurred to me that perhaps I might be here to give evidence that this body was not the body of Philomena Morgan, that is all I could give evidence on. It did occur to me that that was so. After receipt of that document I did not put in writing anything that I could say in regard to this inquest. As to whether anyone else made a note of anything I could say, I never told anybody else anything. As to whether I mean that, I am swearing it on my oath. It is the truth. If you say that your friend seemed to be reading from some document when he was examining me and asked if I do not know how that came into existence I say I never saw your friend until he examined me. As to not knowing how any record of my evidence came into existence, if such a record exists, because I did not tell anyone, I made no record of anything. I did not tell anybody what I could say. As to whether my observation of Philomena Franki consisted of seeing her on not more than half a dozen occasions in all, it was not seeing her on half a dozen occasions, when she came there in 1929 I had at least an hour's conversation with her before endeavouring to take any statement from her. The number of occasions on which I saw her would not exceed half a dozen. I would not see the girl Franki after 1929, not after the 17th December, 1929. She was about 18 1/2 years of age; she was about 5ft. 2 inches high, slim build, dark complexion, brown eyes, brown hair. She had a turned up nose, she had a tooth missing here (indicating) from the left side upper jaw; she was rather good looking, too. That is an accurate description of her. I have no doubt about it whatever. As to whether I have no doubt about any item in it, I have none. I have no doubt about any item in it.

(Signed) A.J. BARBER.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL 1944

GC/ECL.

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CORONER.

BARBER

ROBERT GEORGE SEENEY on his oath saith:

My full name is Robert George Seeney, and I formerly resided at Paddington. In the year 1929 I met a Mrs. Routledge at a house in Dundas Road Parramatta. I also met a person I believed to be her daughter, named Philomena Franki. I got to know Philomena Franki quite well, and also Mrs. Routledge quite well. Eventually, on one occasion, I had carnal knowledge of that girl Philomena Franki. As a ~~result~~ result of something that Mrs. Routledge said to me I left the house. I was arrested that night. I was charged with carnally knowing this girl, being a girl under the age of 16. I was committed for trial. The jury disagreed on the first occasion. I was not able to get bail. Whilst I was in Long Bay gaol waiting my second trial Mrs. Routledge and Philomena Franki came to see me. They had a conversation with me about the charge that was then pending against me. As to what it was - - -

MR BARRY objected - -

TO MR. READ: Whilst I was in the Long Bay gaol awaiting my second trial Mrs. Routledge and her daughter, Philomena Franki, came to the gaol and had a conversation with me. They left. I was again presented for trial. I was acquitted by direction of His Honour Judge Curlewis. After my acquittal I subsequently saw Philomena Franki in Sydney near the hospital. That was outside the Sydney General Hospital. I had a conversation with her there. As to whether she told me what she was doing there, she told me that she was under treatment at the Sydney General Hospital, and that she humbly apologised to me regarding the previous trouble. She told me that she was living in a street off Farrell Avenue, Kings Cross. I did not say much, I was in a hurry going to the hospital myself, and that is all that transpired. She told me what she was being treated for, Venereal disease. That was early in 1930, I think January, maybe either

January or February. I have never seen Philomena Franki from that day to this. I have seen the body of the deceased lying dead at this Morgue. I am able to tell His Worship whether that body is the body of Philomena Franki or Philomena Morgan. It is not the body of Philomena Franki that I know.

TO MR. BARRY: I last saw Philomena Franki in 1936. As to when I first knew that I would be expected to give evidence in this case, I was having dinner at 6 p.m. last Saturday evening. As to whether I knew then that I would be required to come to Melbourne to give evidence, I have been waiting for that to come. I read my name; naturally I was waiting. Two police officers came along. I ~~ga~~ had seen the body of the Pyjama girl before I came to Melbourne; I saw her previously. Detective Wilks came ~~xxxxxx~~ to my business in about 1938 - I think September 1938 - and asked me if I would go to the University and have a look at the pyjama girl. I said "What is all this about." He said "Well, you know you had some trouble with a girl named Philomena Franki. I would like you to come with me down to the University and see if you can recognise her." I said "Yes, I will oblige." I did go down to the University, and I saw the body. I carefully looked it over and I said "Definitely that is not the body of Philomena Franki that I know." I did sign a statement.

~~at~~ (At this stage the statement of Robert George Seenev, dated ~~at~~ 8th September 1938, was produced.) ~~xxxxxxx~~

That portion of my statement which reads "I have every reason to remember this girl because I had been intimate with her on many occasions, consequently her features and build are still retained in my memory" is correct - one occasion.

As to which it is, whether I had been intimate with her on one occasion or many occasions, I can swear to one occasion, but as regarding that statement I did not bother ~~ix~~ about looking into it because I thought it would be a waste of time; but I could swear one occasion. I am here to swear.

As to what would be a waste of time, looking into ~~what~~,

I read that and I drew Sergeant Latrobe's attention to it, that it was down there as many occasions. I said "No, that should be reduced to one occasion." I do not know what went on afterwards. I cannot remember what Serg.Latrobe said. Serg.Latrobe never answered my question. It is correct that I then signed a statement which contained an assertion that I had been intimate with a girl on many occasions although in fact I had only been intimate once; I signed it because I did not think it would make any material alteration. I thought that there would be no material alteration, not when it was admitted as carnal knowledge. I made a remark about one occasion, but I then never bothered about the other. I pointed out to Serg.Latrobe that this statement contained an error. He did not correct it and I signed it with the error in it. That is true. If you say that the statement you are reading from is dated 8th September 1938, and Mr.Latrobe was not in it then, and in that statement I said "I frequently visited the home at weekends until the following September when I was charged with the carnal knowledge of Philomena whose age was supposed to be 15 years and 9 months at that time. I was acquitted of this charge. At the time this offence occurred, Philomena had told me that she was over the age of 18 years. I have every reason to remember this girl because I had been intimate with her on many occasions, consequently her features and build are still retained in my memory". I say the reason I allowed that to pass -- As to whether it is true that I had been intimate with her on many occasions, on one occasion. It is true that I had not been intimate with her on many occasions. That passage in my statement is untrue in part. As to whether that portion of my statement which reads "I have every reason to remember this girl because I had been intimate with her on many occasions" is true or false, it is false to me because I can only refer to one occasion. I do not think it is possible that it might have been more than once. As to whether it is

false that I had been intimate with her on many occasions, it sounds false to me. I noticed that passage in the statement before I signed it. I came to sign a statement with a false passage in it because I read the same lines as you are reading to me in the papers after I was acquitted from this charge; similar was in the newspaper afterwards. The "Many occasions" was brought out after I was acquitted. I tell His Worship that after I was acquitted a newspaper published some material, although I had been acquitted of carnally knowing Philomena Morgan, that I had been intimate with her on many occasions; that is what I read in the paper. That paper was the "Truth" newspaper. It was an account of the case; it was before the case had finished, if I remember rightly. As to how I allowed an untrue passage to remain in a statement that I signed on the 8th September 1938, ten years or so after the event, that I had been intimate with her on many occasions, I just took it because it was in print after the case in the paper, and I did not think it would be collateral with the one occasion. I thought they would both comply. I thought there would be no material alteration regarding that. As to how it was that I signed a statement in 1938 which contained an untrue passage that I had been intimate with Philomena Franki on many occasions, it might be hard to answer; as I just explained I did not think there would be any material alteration. Asked any material alteration of what, I say the one occasion and many occasions. I now think there is material difference between one act of intercourse and being intimate on many occasions; at the time I signed the statement I did not, I did not look at it in that light. I signed a statement with a false statement in it; it looks like it there. As to whether I have no doubt about it, it is pointed out to me, I did, although, as I say, I did not think there would be any

material alteration on the "one occasion" and the "many occasions." Asked whether I am sure I mean "Alteration" when I say "alteration", I say no, I mean that I do not think there would be any difference. It is right that I did not think there would be any material difference between "many occasions" and "one occasion". That is what I tell His Worship. That is my signature on the bottom of the statement.

..... EXHIBIT ~~Q1~~ Q2..... Statement of Robert George Seeney dated 8th Sept, 1938.

I was very anxious that the past should be buried as far as this carnal knowledge business was concerned. I realised that if it were Philomena Morgan whose body it was at the University, and there had been an inquest relating to it, and I had been called as a witness, all the circumstances under which I knew her would have come out. When I went along to the University to see the body I never had in mind that I hoped it would not turn out to be Philomena Morgan. As to whether, as an ordinary human being anxious to bury the past when going up to the University I did have a hope that the body would not turn out to be that of Philomena Morgan, I never had that in mind. That never crossed my mind at all. It never crossed my mind "I hope this is not Philomena's body"; I could not say that was in my mind. I assure His Worship of that.

(Signed) ROBERT GEORGE SEENEY.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL 1944.


.....
CORONER.

HENRY CHARLES STOREY, on his oath saith:

My name is Henry Charles Storey and I am a Solicitor of the Supreme Court of New South Wales and I was practising my profession in Sydney prior to becoming a member of the Australian Military Forces. In the year 1929 I was not employed as Managing Clerk in the office of Mr. E.R. Abigail. I was articled to Ernest Robert Abigail at that time. During the time I was an articulated clerk I understand Mr. Abigail was engaged to look after the interests of Philomena Franki at the trial at the lower Court and on committal of Mr. Seeney. That was Mr. E.R. Abigail, Senior. During the course of my duties there I became friendly with Philomena Franki, as I knew her. I was in close contact with her for some time and I knew her very well. I knew Philomena Franki for approximately twelve months. During that time I saw her several times a week. I last saw her some time in 1930. I was then still on friendly terms with her. Mr. Abigail, Junior, also knew Miss Franki quite well. He has since been killed. In the year 1937 or 1938 I went to the Sydney University and viewed the body of the deceased there lying in a formalin bath. The body that I saw was not the body of Philomena Franki. I have seen the body of the deceased lying dead at this morgue. That is not the body of Philomena Franki. I look at Exhibit No. 20. This is a good photograph of Philomena Franki.

TO MR. BARRY: I do not remember that she had a gap in her teeth like that. I know she had a good set of teeth, but whether she had a gap I do not remember. That is a very marked disfigurement. I do not remember that marked disfigurement. I do not remember her having a marked disfigurement in her mouth like that. I see a difference between the body as I viewed it here and the body as I saw it in

Sydney. It is going brown and portions of it are starting to crack. When I saw it it was not that colour. Asked if I agree it is much more difficult to identify it now than it would be in 1937 or 1938, I say it depends on what you mean by that. I would not say it is difficult to recognize human features about it. In 1937 or 1938 I saw the body at the University. I went there at the request of Mr. Wilks. Before I went up there I had no feelings either way as to whether I hoped it was not the body of Philomena Franki or otherwise. I did not wish to be connected with the Pyjama Girl case any more than I had been, but actually it did not worry me either way. I saw the body there. It was just fished out of the formalin. Detective-Sergeant Wilks took the body out of the formalin with a long rubber glove on his right arm. He lifted the body out and propped something behind it. It was out of the formalin for quite a little time and then he said "I had better put this back". At that stage the face had a hole in the forehead and there were marked injuries to the face generally. I cannot say whether or not it was a condition that did not render identification easy. I went there for a specific purpose, to see whether it was or was not Philomena Morgan or Philomena Franki, and I had no difficulty in saying it was not. I saw Philomena Franki several times a week, just passing through the office backwards and forwards. I saw her as a client. She came in to see E.R. Abigail, Junior. The case was finalised then. She was just an office acquaintance, a person who came to the office.

TO MR. READ: In addition to being an office acquaintance, I knew her personally. I did not go out with her a lot. I visited her home on one occasion and I took her out on one occasion. We lived quite a distance away from each other.

I saw her several times a week in the office over a long period. When I went and viewed that body at the University and when I viewed it here I have no doubt in my mind that that body is not the body of Philomena Morgan.

(SIGNED) H. C. STOREY.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL, 1944.

Acting

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CORONER.

ROBERT GEORGE SEENEY, Recalled:

TO MR. READ: Last Saturday when making a statement to Sergeant Latrobe and Sergeant Barnes I pointed out to Sergeant Latrobe that that prior statement of mine was inaccurate and that is what I meant when I said I said it to Sergeant Latrobe. I had never seen Sergeant Latrobe before.

(SIGNED) ROBERT GEORGE SEENEY.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL, 1944.

W. J. King
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CORONER.

BETTY SYBIL HOWLISON, on her oath saith:

My name is Betty Sybil Howlison and I am at present a member of the Australian Women's Auxiliary Services attached to the Ordnance Depot, Photographic Section, at the Bathurst Military Camp, New South Wales. Prior to joining the A.W.A.S. I was employed at the Howard Harris studios in Church Street, Parramatta. I was employed by that firm from the time I was fourteen years old until I joined the Services. That was a period of five years. I commenced my employment there in about the month of August, 1938. Shortly after that, in about the month of January 1939, there was a Miss Elliott who was employed at the Howard Harris studios. She was senior to me. She gave me certain instructions as regards the making of some proofs from a negative of the subject of a female taken previously. I took four proofs. I look at Exhibit "G2". The four proofs are numbered A 8102, B 8102, C 8102 and D 8102. The figures and letters on the back of those four proofs are in my handwriting. Those are the proofs that I made from negatives under instructions given to me by Miss Elliott. Those negatives had already been used for the purpose of preparing prints for portraits for some person who had ordered them. When I made those four proofs off the negatives I put them on the receptionist's desk to be checked. I put them in an envelope first of all. I wrote those words and figures on the envelope - "Routledge 8102 Tuesday". All of the writing in pencil on the envelope is mine. I put that envelope with the negatives on the receptionist's desk. I have never seen those negatives from that day until the time I left to join the Services. I remained with the Howard Harris Studios up to the time I joined the Services in 1943. I remember Dr. Palmer-Benbow coming to the Howard Harris Studios.

That was somewhere about the end of 1940 or the early part of 1941. It was either late in 1940 or early in 1941 that Dr. Palmer-Benbow came to the studio. I saw Dr. Palmer-Benbow giving evidence yesterday. That is the gentleman I refer to. I saw him in the front room of the studio where the ledgers are kept as well as down the side passage where the negatives were kept in their respective orders. The negatives in fact are filed away in numerical order in this passage-way. I saw Dr. Palmer-Benbow examining negatives in the passage-way. Mr. Wiley, the manager, was with him for a while and he had other things to attend to and he left Dr. Benbow to it.

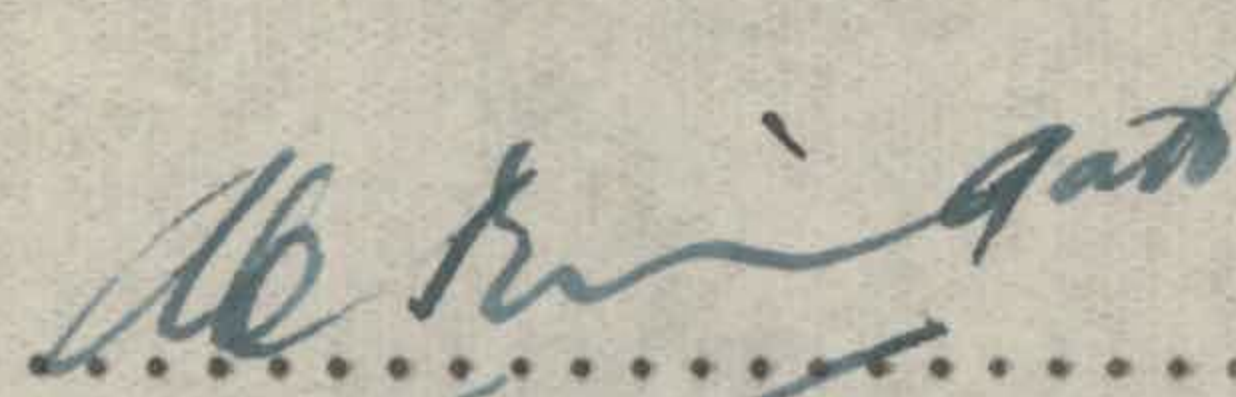
TO MR. BARRY: I do not suggest that Dr. Benbow stole any proofs there. I do not suggest anything. When a photograph is taken it is taken on a film. Then there are what are known as daylight proofs taken off. The customer is allowed to see the proofs and make his selection. I do not know whether or not Mrs. Routledge ever/ ordered any copies of these proofs (Exhibit "G2"). I have no particular recollection of this transaction; I was not employed in the reception room. Asked if I remember these out of all the prints that I developed, I say I did those sun proofs, but I did not print any photographs off them, although I also did that work. I would not say I have any particular recollection of these proofs rather than of any other proofs that I did. I developed dozens of proofs. The only thing that enables me to say anything about the transaction are the figures on the back. I know those figures on the back are mine. I recognize the writing on the envelope as mine. It is the writing and the figures which enables me to say anything about these. Apart from that, I remember exactly what I did with them. As a rule, people do not come in after ten years to order photographs. It was unusual on that ground. I never

heard any suggestion that this might be the "Pyjama Girl". The first time I heard that, I think, was when Dr. Benbow came with a picture. He came up after Mrs. Routledge had been there, about the end of 1940 or the beginning of 1941 as I told you, and it was not until then that I knew anything about the connection with the "Pyjama Girl". Mrs. Routledge was just an ordinary name to me up till then. The police had not been to the studio before. They did not come until about January 1943. The police may have been to the studio before 1941, but I was out in the back. I was not employed in the office and I had nothing to do with people who came in and ordered prints. Dr. Palmer-Benbow came to the studio ~~and~~ at the end of 1940 or the beginning of 1941 and I wrote "Routledge 8102 Tuesday" on that round about January 1939. I had not been there long and I was doing that sort of work in the early part. It was about January 1939. It is my unaided memory that tells me that. I have no ledger or anything of that kind to refer to. I have not referred to anything.

TO MR. READ: These proofs that I have in this envelope that I took off were taken from the negatives that were at the studio.

(SIGNED) B. HOWLISON.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL, 1944.

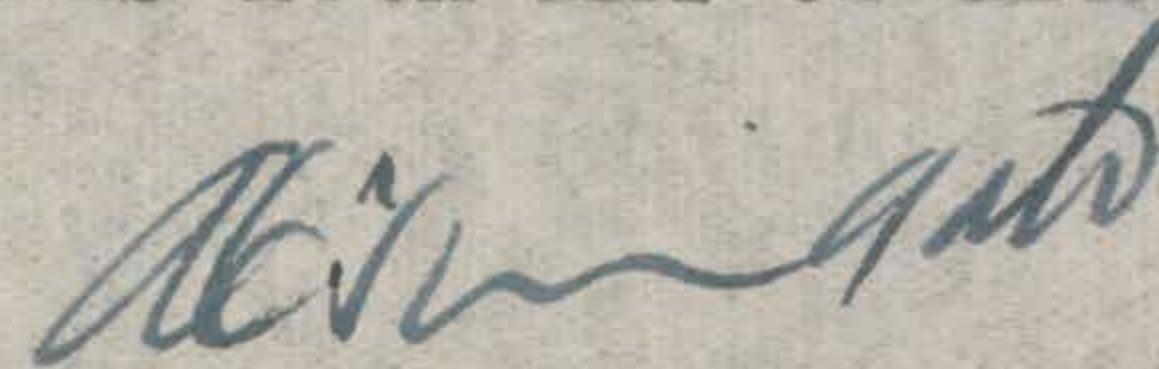

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CORONER.

WILLIAM HENRY KELLY, Recalled:

I have already been sworn. My name is William Henry Kelly and I am a Constable of Police stationed at West Maitland in New South Wales. I remember at the latter end of 1939 meeting Dr. Palmer-Benbow at Albury in New South Wales. I was engaged at that time as official car driver for the Police Department at Albury. I was driving the doctor to a shack which has been commonly referred to as Quinn's shack. This photograph marked "D" on Exhibit "UU" is a fair photographic representation of Quinn's shack. Whilst driving the doctor to Quinn's shack or on the return journey, I am not certain which it was, he asked me to stop the car in a lane leading to the gate at the entrance to the property. I stopped the car. The doctor and I alighted and we went to a place where some rubbish had been deposited. It was just an ordinary rubbish tip where anybody might deposit rubbish. Amongst that rubbish I saw a small attache case like a school kiddy's case. When I saw that attache case there on the rubbish tip the lid, I remember, was attached to it. That one produced (Exhibit "DD") is very similar to it. The doctor did not remove that attache case; he just picked it up and left it there. It is about 150 yards from the tip to the gateway and it is about 300 yards from there to the shack. It is approximately 450 yards from the rubbish heap to Quinn's shack.

(SIGNED) W. H. KELLY.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL, 1944.



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CORONER.

BETTY SYBIL HOWLISON, Recalled:

TO MR. BARRY: These figures were put on in January 1939. I look at the "2" on those. I say that "2" has been on since 1939. I look at it through a magnifying glass. If it is suggested it looks much fresher than the other figures and is different in colour, I agree it is darker. I put that "2" on in the first place; whoever has altered it I do not know. I do not know that it has been altered. If it had been, I think you would see some sort of a mark where it had been rubbed out previously. I look at the twos on the others. One of these twos here is a little darker. These twos are darker. Asked how I would come to write "C810" in one pencil and then put a "2" on with a different pencil, I say it would not necessarily be another pencil; I could easily have pressed heavily on the lead. Anyhow, it is so long ago it is possible I would not notice a thing like that at the time, not knowing that I would come into Court about it. I am sure that is my "2". I am a left-hander and I am not so good at writing. I was only 14 years of age then. As far as I know, that "2" has not been put on recently. I did not put it on recently. The side-face one is a smaller size than the rest because I was not much of a trimmer in those days and I was rather awkward. They call them trimmers. It is a special cutter that you have; some people call it a guillotine. We were trying to economise in proof paper, as a matter of fact, and I used to waste it a lot. Anyhow, we cut them down to improve the picture, as there was no need to have all this around here (indicating) as they were only looking at the subject. Asked why the small one "C", out of these four proofs, is smaller in size than the other three, I say we could more or less use our own discretion; in trimming the photograph I would give it the look of the photograph effect. They generally

like the length of it, but when it is a profile more or less they want the profile closer to the edge of the picture. I did not deliberately make that one smaller than the others. The size of the photograph dependent upon the shape of the face has something to do with the difference in size here. I agree "C" is smaller than any of the others. I would not say that the fact that "C" is a profile has anything to do with the size. The explanation of the smallness of the size could be that I was an inexpert operator and in operating the guillotine I cut a size smaller than the other three. I mean I just cut it off in a hurry, I suppose, not noticing what I did. I know I was in a hurry at that time because I had other proofs to do. I remember the actual making of these. It is not hard to remember a thing like that. At the time we were having dull weather and I was away behind in my proofs. The people used to come up to the studio and the receptionist used to tell them to come back later. It was dependent on the sun. My mother did not come up to the studio on the day I was developing these pictures. I remember that in connection with these proofs I had to postpone not the date they were wanted but the length of time. If I remember rightly, Mrs. Routledge came in and she wanted some more photographs, she was not sure of the position she wanted them, not having seen them for a long while. I did not see Mrs. Routledge, but I was told all ~~about~~ ^{this} about this. I remember what I did in ~~these~~ ^{this} precise transaction. If it is suggested that I said before all that enabled me to recall anything about these was the figures on them, I was not then talking about knowing the receptionist's work; I only know what I did with the proofs. I profess to remember all the details associated with the making of those proofs which are here in evidence.

I know what I did with them. I can remember that even though I had a great many proofs to make at that time. I can remember that a lot of children had proofs to be made on that day. I think there was a Mrs. Huxley about that time. I would not be sure it was on the same day. I remember the negatives were being developed up and they were a bit foggy and I had to get the best I could of them. There was nothing technically wrong with these proofs (Exhibit "G2"). I was told a fortnight ago last Friday to report to the Victoria Barracks, Sydney. Not knowing what I was wanted for, I reported there at nine o'clock on Friday and I was told I had to come down here, that I might be needed to prove that it was my figures on the back of the proofs. I stayed at home for a fortnight. I stayed there waiting to be called in case I had to come down here. Last Friday fortnight I was first told to report to Victoria Barracks in Sydney to hold myself available to give evidence at this inquest. I was told to stand by on the 24th March. I realise now the point of my evidence. I have been in Court while Dr. Benbow and Mr. Read have been discussing matters for some days. The point of my evidence is that I did those figures on the backs of the proofs and Mrs. Routledge received four proofs, not two, on the day they were picked up. Dr. Benbow said she only received two. I did four and there they are. Those are the four that Mrs. Routledge received. That is my view. That is my opinion, that those are the four that Mrs. Routledge received. I did not see them handed to Mrs. Routledge.

TO MR. READ: I was asked how I came to remember this particular transaction. I had never previously to that been asked to make proofs off negatives that were ten years old. Up till then that was the first occasion I had ever been

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RP/MC

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HOWLISON.

[Handwritten signature]

asked to do such a thing. To that extent it was an unusual task in my daily work. I was criticised for not being very even in my cutting of one of the photographs. The whole four are all different sizes. I was a bad trimmer in those days. Looking at the "2" at the end, the "2" that is a little darker than the other twos, I have no doubt that is my "2". If I made a mistake in the number I generally crossed it out because there is plenty of room on the back. Whatever the reason for that being darker, I have no doubt that is my "2" there. I have no doubt about the other figures - the "8", the "2", the "1" and the "0". They are my figures. I am a left-handed writer.

(SIGNED) B. HOWLISON.

TAKEN AND SWORN BEFORE ME AT MELBOURNE THIS 13th DAY OF APRIL, 1944.

Atkinson
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CORONER.

LUCY EMMA COLLINS on her oath saith:

My full name is Lucy Emma Collins and I am a married woman residing at Albury Common, Albury. I have lived in Albury and the districts near by since I was about six years old. I am now 54 years of age. I was married at a place called Lavington, near Albury. I lived there, and I had five children - one died. I and my husband lived on a 10-acre orchard block that we worked there for some years. I and my husband separated. About 12 years ago I left that orchard where my husband was and I camped in a tent near the orchard. I then shifted into a camp on a hill at Lavington. I cannot remember how many years ago I went to Lavington. I lived in that camp on the hill at Lavington for about 12 months. While I was there I had some misfortune, I got burnt out. My camp there got burnt out; I managed to save some of my belongings. I saved a tin trunk and a few things in it, but they were all ^{scorched.} squashed. All that I had left were the ^{L. E. C.} clothes I stood up in. I had some things that I saved that were out on a barbed wire fence which I used as my clothes line. I then moved into Quinn's shack - the place you are calling Quinn's shack. That was on Quinn's property near Lavington, the place where I had previously been. I lived in Quinn's shack for about two years and six months. It would be more than two years after I moved into Quinn's shack that a strange girl called at my shack one morning. This girl came along and she was sopping wet. She was freezing with the cold and she came up to me and she said she wanted to go to Sydney road to some other friends, and I said "Yes." I gave her some of my clothes, I had a big fire going, and I said "Sit by the fire and have a real good warm." "I am going away to help the girls with the cows." I went away and took the cows down and helped to milk them, and it was about half past nine - between 9 and 10 o'clock when I got back. Before I went I said "Don't go yet until I come back." I said "Have a good warm and have a hot cup of tea,

GC/ECL.

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COLLINS.

L E C