

It was so sad about the lady losing her little girl; she said it was her daughter. When they produced a photograph they never mentioned anything about teeth. They had this coloured picture (Exhibit "B"). I do not remember Dr. Benbow showing me the other picture at any time. That is the other picture with the gap in the teeth. I do not remember saying, "That is not right, she did not have a gap in her teeth". I look at that coloured picture. I do not know who it is. The little girl who came along to Quinn's shack did not have any gap in her teeth. I do not remember that girl in the coloured photograph. I am certain of that. Asked if I remember comparing these two pictures with Dr. Benbow and saying that the coloured one was the right one, that that was the little girl and not the one with the gap in the teeth, I say I never said anything about the teeth as far as I am aware. I cried the day the mother of that little girl was there because she broke down and said that was her little daughter. I did not cry just to keep her company. I cried because she upset me. She cried and I cried because I could not stand it any longer. I did not say to her, "This is dreadful; I thought all this was dead and buried. For God's sake, deary, don't mention it any more, it happened so long ago". I never said such a thing at all. That is a lie. I never said, "It is no use trying to do anything about it now". I never said that I wanted to try and forget it, that it was all too horrible; I never said anything like that. I did not tell her to take care of Dr. Benbow. I did not tell her that I had heard of something that might happen to him. I never gave anybody any photographs or this picture (Exhibit "FF"). If I gave her that little card (Exhibit "FF"), I do not remember giving it to her. That is my name and address written on the back of it. I do not know whose writing it is. I do not remember seeing the

lady write it down; I do not remember giving it to the lady. I do not remember that hand-bag (Exhibit "EE") at all. If it is suggested that I had a collection of ~~keys~~ things that I had got from different people, I say nobody ever gave me a handbag. I do not remember the police coming along later on and going through all my things. I do not remember them burning a lot of things. As far as I know, they never burned anything. I do not remember them going through a lot of my things and asking where they had come from. In those times I did not have a lot of things there that different people had given me from time to time. I look at that handbag again. I do not remember where I got that bag. Asked if this girl who came along to Quinn's shack had any lipstick, I say I never knew of lipstick then. When she came in out of the wet she did not have any powder on her face or any lipstick. I am quite certain of that. I did not put any on my face. I never used such a thing. I did not put it on just for fun. I never used lipstick in my life until lately; in fact, I do not use it now. I did not use it just for fun while the girl was there. I did not just do my face up for fun. If it is proved that there is lipstick on that nursery rhyme card, I do not know how it got there. I do not remember one day doing a lot of burning off at my present place. I did not ever tell Dr. Benbow about a man who gave me a hand the day I was burning a lot of rubbish. I never had such a thing as an incinerator or a few bricks where I burned off away from the hut so that it would not catch fire. I had a fireplace inside. I would not burn off inside. When I am burning off a lot of rubbish I would go outside. I would not get a few bricks and build a fire outside. I do not remember burning off a lot of rubbish one day. I do not remember throwing that bag (Exhibit "EE") into the fire.

I do not remember the girl leaving it behind her at Quinn's shack. I am positive about that.

TO MR. READ: I do not remember the morning when this strange girl came to my shack, to Quinn's shack. I remember the girl coming to my shack. It is such a long time ago that I really could not tell you how that girl was dressed. I do not remember how she was dressed. It was early in the morning when she came to the shack. It was about 6 o'clock. It was early in the morning; it was pouring rain. I left straight away after she came because I was yarding up the cows from that property. I did not see the girl for very long. When I came <sup>back</sup> ~~up~~ to the shack at about half past nine she had gone.

TO THE CORONER: I remember saying something about leaving Tom Quinn and some girl sitting on the bed when I walked out. That was the same girl. When I went to bring the cows in he had come; he always used to come down. I left the two of them sitting on the bed and I said, "Wait until I come back and I will give you a drink of hot milk". I said, "I won't be long". But when I came back she had gone. Tom Quinn had gone too. I do not know where he went. They were both gone. I remember that coat I had. It never had any trimmings on it like the trimmings around the coat ~~at~~ I am wearing now. It was just a plain coat.

TO MR. MONAHAN: I never saw a coat made of that material (Exhibit "CC"). If that was found where a lot of stuff was burnt a few yards away from Quinn's shack on a dump, I do not know anything about it. It is not a coat I ever had; it is old rags. I never in my life had anything that was dyed black. When you asked me about this man who came I persisted that it was not Ginger Quinn, but Tom Quinn. If it is suggested that at the time this girl came to my place at Quinn's shack Tom was away shearing at Yanco and that that may alter my belief that it was Tom, I say

that I know Tom and his brother Bill were shearers. If it turns out that they were away shearing at Yanco, I agree it might have been Ginger and not Tom who came over, for all I know. They are all ginger. As far as I know, Tom is not fully related to one of the others; he is a half-brother. If it is suggested that it may have been Tom's half-brother that came over, I say there is a difference between Tom and Ginger. In fact, I remember Ginger going to school. I do not know what his name was then. They only called him Ginger Quinn. I never heard him called any other surname; I never heard him called his real father's name.

TO THE CORONER: I remember when the girl came in the early morning in the wet and so on. I could not say exactly how long after that I stayed in Quinn's shack. It must have been twelve months, nearly twelve months. When I was leaving I had this clear-up when I burnt up the stuff. I burnt that mattress as soon as I got there. I cleared up when I shifted into it. When I shifted in, this mattress was there and I burnt it; I burnt all the rubbish. I said earlier that blood from my nose was on this mattress, but I was talking about my own mattress then. Where they saw the bit of blood was on my own mattress, the bed I brought from home. When I went to Quinn's shack there was an old mattress there and an old bed. That is the mattress that I burnt. Later on my own mattress had blood on it. That is the position. When I went into the shack the bedstead ~~bedstead~~ was inside. It was ready made up; it was a three-quarter bed. There was a mattress on it. It had these, I do not know what you call them, that they put across this ~~and~~ way and across that way. It had no spring mattress on it. I burnt the mattress. I threw the bed out. I then put my own bed in that room. We put the bedstead outside, at the back. There was no yard; it was just put

at the back of the shack, on that side of the shack (indicating). We just stood it up there. We pulled it to pieces and threw it out.

TO MRL. MONAHAN: Asked if I remember you asking me this morning whether I would be afraid to admit that I burnt a mattress which had blood on it, I say that bit of blood was on my own mattress and I never burnt my own mattress. I remember this morning when you were asking me whether I would be afraid to admit I burnt the mattress with blood on it that I said it was my own blood. It was my own blood. I ~~have~~ had nothing to be afraid of. I did burn an old mattress, but it was not mine. When this girl came along I had a bed there, my own bed and my own mattress that I brought from home. It belonged to my son. There was an old mattress that somebody else had had before me at Quinn's shack. The old bed was not standing up against the wall outside; it was inside. To put up that old bed I do not know that you have got to put bricks under the ends to make it level. I do not remember having trouble to get the bricks to fit under it to make it steady. I did not put up the old bed with the old mattress there for the girl. She did not stay with me for three nights. It is not that old mattress with the blood on it that I burnt afterwards. That is not the old bit off the bed that I threw under the tank. That is not what I told Dr. Benbow. I did not tell him anything of the sort. *Lucy Emma Collins,*

~~(PAGE 609 FOLLOWS)~~ .....

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

*John G. Collins*  
.....  
CORONER.

NORMAN ELLIOTT WHITE McCALLUM, on his oath saith:

My full name is Norman Elliott White McCallum, and I am a detective at Melbourne attached to the Police Laboratory. For the past three years I have been attached to the Police Laboratory exclusively engaged on microscopic work, ballistics, chemistry and photography. In addition to being a detective stationed at Melbourne I am also an under-graduate of the Melbourne University doing my Bachelor of Science course. In doing my Science Course I have made a study of mathematics. I have been present in Court, and I heard the whole of Dr. Benbow's evidence. I heard the evidence that Dr. Benbow gave as regards the superimposition of transparencies, and his evidence as regards the lines that were drawn across the photographs of the face of Philomena Morgan and the lines drawn on the face of the body of the deceased. As to what I say as regards the lines drawn in the plane of a photograph of a curved object, such as a face, in regard to the actual distances of the actual subject that is being photographed, a line in the plane of a photograph which represents a distance or a line of a curved object, such as a face, the actual distance on the photograph bears no relation to the distance on the curve. As the curvature of the object increases the distance along the curve will increase; but the distance represented in the plane of the photograph need not increase, it may remain the same. I have seen the lines drawn on the photographs pasted on the ~~at~~ cardboard on Exhibit ~~SS~~ XX. As to what I say as regards any guide that can be obtained from drawing lines on photographs like that, as to whether or not they represent the actual distance on the curved face of the subject being photographed, they need not represent the same distances in a third dimensional object at all. I can give His Worship a simple demonstration of that. I produce here in this diagram two circles here (indicated) which are not of equal

radius. Those circles are to represent a section or a plane taken through a body such as a sphere or cylinder. These lines (indicated) represent the lens of the camera, and these the photographic plate. ~~The distances~~ The light passing through a plate produces in these two circles in that plane an image in each case the same length on the plate. The distances, however, around those arcs are not the same, as the circles are not of equal radius. That indicates that distance can be represented on the photographic plate by the same length, whereas actually on the curved surface the distance between those two points (indicated) and those two points (indicated) is entirely unrelated. On the plate they show as the same length. What I have illustrated is that taking a photograph of a curved object in that way when you get it on to a flat surface, namely a negative, you do not get the true length of the curved object.

E..... EXHIBIT 73 ..... Diagram representing the photographing of two circles of different radii.

I can tell His Worship about comparisons by measurement on one perspective photograph of the actual shape of objects concerned. A photograph giving one perspective of a curved surface does not necessarily give any information at all regarding the actual curvature of that object. To illustrate that I produce two ellipsoids which I have photographed. Those two ellipsoids photographed in the perspective I indicate produce photographs which in themselves give no indication whatsoever of the actual shape of those two figures. When photographed they appear to be the same object. What I am stressing there is that one perspective is not sufficient to define the shape of a curve. I similarly produce these transparencies of the photographs of the two objects.

..... EXHIBIT 74 ..... The two photographs and transparencies of ellipsoids.

Because of the inability of the lens of a camera to faithfully reproduce curved surfaces as to what I say with regard

to the method of employing a single perspective photograph for the purpose of measurement, to my knowledge for the purpose of measurement or comparison the only methods available are, (1) by actual physical measurements of the subjects themselves, or by photographing that object in the front elevation, the side elevation and the plane; but the second method does not necessarily completely prove identity. In my opinion the method of employing a single perspective photograph is of no value whatsoever for the purposes of determining accuracy of measurement of curved surfaces. I have told His Worship that the only way it can be done accurately at all is by actual measurement, and then I said approximately accurately by the other method of photographing the front elevation, the side elevation and the plane. I have prepared a diagram to illustrate that simply to His Worship. Again, I have attempted here to indicate by the black figure and the red figure two figures of somewhat the same shape but differing slightly, and to represent a plane which approximately passes through the head underneath the ears in the horizontal plane. I have indicated here the possibility of photographing yet again these two figures from the front elevation and getting coincidence. By a rotation of the camera through 90 <sup>degrees</sup> ~~per cent~~, and the photographing of this then in the side elevation - I have assumed that in the taking of these two photographs no movement has taken place whatsoever so far as the camera is concerned, and that the lines and distances are both similar - the recording on the two photographic plates indicates that those two figures are not identical. That can only be proved by another photograph from yet another plane than this one. This may be represented by horizontal planes which are somewhere in this vicinity, and these may cross (indicated.) The outlines of the two of them may cross and recross, and still give this coincidence along this tangent, along this side to produce a similar image in each case. The actual curvature

here plays no part whatsoever in the recording of the photograph.

X..... EXHIBIT 75..... Diagram representing the photographing of the object in the front of an object and the side elevation.

Asked with that foundation scientifically what I say as regards this theory that Dr. Benbow propounds of hoping to get identification by superimposition of transparencies of figures I say that to make the method acceptable scientifically in the figures as have been produced showing the one perspective the front elevation, we must have the same inclination of the head to the camera; we must have the same orientation of the head to the camera; and being given those two and presupposing that the subjects are the same the method may then be applied. I agree that first of all you would have to presuppose that the subjects were the same, as illustrated by the two differently shaped spheroids that I produced. There can be no accuracy in superimposition of photographs unless you have those three necessary prerequisites.

TO MR. MONAHAN: If I sat and had my photograph taken with a camera in a sitting position as one exposure, and, without my moving or the camera moving, there was a second exposure, No. 2 photograph would come into existence. As to whether I will agree that on the flat plane, known as the photograph, the measurements of the different anatomical points in my face ought to ~~consider~~ coincide, disregarding all camera factors, they should. That being so I will not be forced to agree that if you could have a photo of the head of the cadaver taken in exactly the same plane of inclination and orientation as the photo of Philomena Morgan, and then the lines to the different anatomical points all exactly agreed that one would be safe in saying the cadaver was Philomena Morgan. I insist on introducing the third element that first of all one must be sure that it is Philomena Morgan because the peculiar shape of her face - I mean it is peculiar to her - as to anybody else and the

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distances represented in the plane of the picture may not be the same, and the two lines in the plane of the picture may represent totally different distances in actual measurement. Asked whether it comes to this, that it may conceivably be that ~~p~~ Philomena - whom we have not here unless she is the cadaver - might have had a nose that came out 6 inches and might look in a photo to exactly resemble the cadaver's nose in a photo taken at the same inclination and on the same plane of orientation, I say that as the nose would not necessarily look six inches, I think, satisfactorily indicates that there can be no question about that. It is true that I insist to have any comfort in this method one must know for a certainty before one starts that they are one and the same person. Photography is not necessarily useless. In applying Dr. Benbow's method, that a photo of Philomena taken in the same plane of inclination and orientation as a photo of the cadaver, and therefore to the unskilled eye exactly resembling the cadaver - just as those two ellipsoids resembled each other in the photographs - I agree that the real danger is that Philomena might in an extreme case have had a nose that poked out six inches - the third dimension. I agree that it boils down to the third dimension. That is the danger I feel. Taking an X-Ray photograph of the skull of a person and imagining the transparency of a photograph of a person claimed to be that same person superimposed upon the X-Ray transparency, in my view that would not be an entirely fallacious way of going about identifying a person by means of photography. Different circumstances arise in the case of an X-Ray photograph. In an ordinary photograph the light can be imagined to pass from the object through the lens back into the camera. The source of X-Ray is different from the plate. If a transparency of the photograph of a person whom you were seeking to identify was placed upon a transparency of the photograph of the skull of the corpse it would be subject to certain possible errors.

If we assumed that

these are the same person I think there would be a certain general coincidence there. As to thinking it would be safe to assume that the lines measured with the anatomical points superimposed would coincide, I do not know sufficient about a photograph of the skull to say anything on that point. As to there being something different between photographing a skull and a fleshy body, there are fleshy contours. I do not know the depth of flesh on the various portions of the face. There is no flesh on the ellipsoids. I agree that they have conveyed a wrong impression to His Worship. I say that I feel a difficulty because you asked me to imagine a transparency of a photograph of the skull being superimposed on the other transparency of a photograph of a person with flesh. I feel a difficulty. If I did not know they were one and the same person I would not place reliance to a great extent on it to prove identity. I have heard of the Ruxton case. That is not exactly what they did in that case. If I have read it correctly, I understand that there were two women concerned in it, and that the scientific men working on that problem were able to say that one face could be of one woman to the exclusion of the other, and the opposite applied. I do not believe that there was identity given in those cases. If two photographs were taken of me while I and the camera were both in precisely the same position, I would expect the lines to the different anatomical points to coincide. If the second photo were taken in a slightly different plane of inclination, I would not agree that the lines above a certain point would coincide when superimposed; I can only give an opinion on that point. Assuming that there was the same plane of orientation but a different tilt, I would not agree that the lines should coincide above at one time, and below at another. I would expect that if the inclination of the head had changed there would be a regular discrepancy right throughout all the lines. I would expect that there would be a regular discrepancy in the lines both above and below. I would

expect the lines to shorten in one half while they would lengthen in another. I know that Dr. Benbow claims that taking this base line on Exhibit NN as compared with Exhibit OO you will find that the lines above it will coincide with each other or those below will coincide with each other according to the tilt; I understand that is his claim. As to agreeing it is a matter of photographic knowledge that that should be so, I do not hold myself to be a photographic expert; I would not expect that to be so. The reason I have for saying that these lines would not coincide in one half of the picture while not coinciding in the other half, is that on the inclination there is a change in the third dimension again. It means that would alter the distances represented in the plane of the picture, and I would expect that to cause a sort of slight continuous discrepancy. I agree that the way in which Dr. Benbow seeks to use this is that he is taking half only of roughly a sphere at a time. That is not the whole answer to "what I have been seeking to put, whether you take the whole of an ellipsoid or a sphere; I understood he was using that to show that the distances were the same on the length of face - that oblique line. As to whether by using a half sphere to allow for that difference in the plane of inclination he is scientifically right, in view of the fact that there are compound curves I would say it is a very difficult thing, if possible at all, to allow for that inclination.

ADJOURNED TO FRIDAY, 14th APRIL 1944.

Government Shorthand Writer's Office

Melbourne, 4 / 5 / 1944

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taken by me at Melbourne on the 13th day of April 1944.

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

*Geo. E. Clarke*

Licensed Shorthand Writer.

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into a fire at \_\_\_\_\_

*R. J. Place*  
Licensed Shorthand Writer.

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THIRTEENTH DAY

RESUMED INQUEST

held at

THE CITY MORGUE - MELBOURNE

on

FRIDAY, 14TH APRIL, 1944

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UPON THE BODY OF A WOMAN FOUND NEAR ALBURY ON 1/9/34.  
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J. W. M. 14/15

NORMAN ELLIOTT WHITE McCALLUM recalled on his oath saith:

TO MR. MONAHAN: In substance, photography is the result of the effect of light rays striking on to a plate which is coated with some substance, silver nitrate or something of that sort. The effect of the light striking upon the plate is to put on to a flat plane the object in front of the lens when exposed to the light; I remember the diagram that I prepared where I showed the light rays coming from two differently sized objects. As to whether it is clear in regard to that class of photography that the only ~~ray~~<sup>ray</sup> which is significant when produced on the plate is the one single ray which passes by the tangent of the two lights, I do not see that it is the only significant one. I agree that for the rest all you get on the photograph is a vacant sphere; I see what you mean. That is so. I agree it is the same old thing as putting a marble up to the size of a billiard ball, that in each case you simply have a vacant sphere. As to whether if you are not careful to watch for the little trick of having a circle instead of a sphere which contains some identifying object within the circle it is likely to convey a wrong impression of the value of the test, I have not been using a circle in the vertical plane; I have represented it in the diagram in the horizontal plane. I represented the same planes which Dr. Benbow has referred to. I have not produced on the ~~sphere~~ plate a vacant sphere on which there are no identifying marks. I have produced two circles by photographing two different objects, the ellipsoids. Asked whether I photographed the objects, produced two circles, and then show the objects and say they are not circles at all therefore beware of photography, I say I have not represented them as circles. In aspect they appear as circles. I agree that in my theory when you photograph a curved surface you get a misleading view of the object photographed when it comes on to a flat plane. I would certainly not describe a face as a flat plane. It is not a triangular

plane with excrescences and depressions upon it. It is a curved object which curves from a vertical plane about here (indicated) around to somewhere about here (indicated) according to the aspect. If you put to me that virtually the eye-brows and the chin are in the plane, the nose being an excrescence, and the eyes being a depression, I say that in some people they may be approximately in the same vertical plane. I have never heard the face of a person described as a flat plane. I have never heard of artists speaking of the facial plane. I do agree that if I get my own face on to two different photographic plates that we know three things, that it is I, that we have to allow for some difference in the plane of inclination and orientation. I agree that those are the three tests. If camera factors do not come into it and it is the same camera taking two pictures within an instant of each other as to whether I would agree that relatively you will get lines of constant length and angles of degree to come from the centre of the photographic face in each case to the anatomical points shown in the face, I say that if I had the same object with a different inclination and a different orientation I know of no way in which I can correct in the plane of the photograph <sup>for</sup> the difference in inclination or orientation of the subject. I know of no way by which I can determine what is the centre of each photographic face. As to whether I would agree with the proposition you are putting to me if I was aware of a method by which I could properly determine the centre of each photographic face, I still know of no method of correcting faults so I could not agree to that. I agree that if you photograph a face which has features to be transferred on to the photographic plate you will get a vastly different result from photographing a plain body such as one of the ellipsoids, or a billiard ball, that you get different parts within the sphere. I have heard the evidence of Dr Benbow. I have completed five subjects

in my Science course at the University. As to what that means in years, it is half way through the second year. I have heard Dr. Benbow reiterate from time to time that law of nature. I agree with that. As to whether I would agree with the proposition that when you get a subject with half a dozen points of similarity, it is of some assistance in saying that is one and the same person, that one point would not be safe, that two would not be at all convincing, that three would be rather convincing and that any number beyond three would be rather conclusive, I think it is proved in the photograph of Miss X that that is not so, by the approximately identical position in which the face line and the features fall. I am comparing the photograph of Miss X with the one in Exhibit XX. I think it was compared with Philomena Morgan. From my knowledge I will agree that teeth do not alter after death; I think that is so. I will agree that measurements on teeth are likely to be very much more safe than measurements upon flesh. I heard Dr. Benbow assert that from a particular point in the teeth of the cadaver - that is the point he speaks of as the inclusion lacuna - and from a similar point where such an abnormality shows on the photograph of Philomena Morgan he can point to 21 other points of similarity in the teeth visible in the photo; I understand he did say that. As to agreeing that Dr. Benbow while in the box was not asked to demonstrate those points in the teeth, I do not remember. Asked to assume that is correct and that he could point to those peculiarities, and harking back to the law of nature I am afraid that does not strike me as being at all of any evidentiary value in proving identity in this case. That is my serious considered answer. If there are twenty points of similarity in the teeth that are shown both in the cadaver and in the photo of Philomena it would not in my view be of the slightest evidentiary value here in assisting in identification,

because I understand he used that as his standard of enlargement - the teeth. I understand that he used the teeth as the standard of enlargement to produce the alleged life size. I would expect the teeth in that case to be very similar, to be fairly similar in a case like that. I agree that on his photograph he brought the central incisors up to the same size as the teeth in the cadaver. As to whether the rest all happened to coincide in twenty other directions, if the photographs had been brought up to life size independently of each other - by that I mean some other object in the photograph had been used - and then they were compared, I would be prepared to go further in that case. According to Dr. Benbow they have been enlarged to life size dependently, one photo depending on the other, not independently as I would prefer to see them. As to how you are going to do that when you do not know the size, that is the point I raise. As to how you are going to bring that photo up otherwise, you brought up the matter of the Ruxton case; it was used independently in that case, the enlargements were independent of the subjects themselves. In the Ruxton case the enlargements were done on an object on the photo of Mrs. Ruxton, a tiara or some such object; that is an independent object. It was an independent object fixed on to the body. That is different from a tooth, because two teeth of different size can be enlarged to the same size; but a brooch or a tiara can only be enlarged to the one size. The position is that two teeth can be enlarged to the same size. If in the subject with which you are dealing there are only two teeth, the test is worthless. If two teeth are used for the purpose of bringing up the subject to the same size and if on teeth other than those two teeth there are some twenty similar points, they do not impress me to prove identity. They do not impress me. As to whether I must admit that applying the law of nature they would be of evidentiary value, as I raised in the first instance in my evidence, it would be of assistance with other aspect photographs. As to

hearing Dr. Benbow say that he measured the side plane photograph, the profile of Philomena Morgan, for the angle of the tilt of the nose, and that he measured the cadaver and that they were both precisely the same, namely, 110 degrees, I did hear the 110 degrees. On the photographs that you hand to me of the profile of Philomena and the profile of the cadaver (Exhibit A2) which are two photographs entirely dissimilar in size, I notice where the measurements have been taken. Asked if I find that the <sup>angle of</sup> inclination is the same, despite the fact that they are photographs dissimilar in size, namely 110 degrees in each case, I say that the aspect of the photographs is not the same. I do not agree that they are approximately the same. Assuming there might be a very slight difference in the angle of inclination and that the person who measured the degrees might not have measured them exactly correctly I do not see any assistance there in the fact that there is that approximate inclination in both cases; I see no assistance there at all. That is not one of the things that would help me in those cases. I am not familiar with Patterson, Hayes and Webster's Text Book on Legal Medicine and Toxicology. As to whether I do not know if authorities on this subject pay any attention to the matter of the inclination of the nose, my objection to that was not about that, it was the different inclination of the pictures. As to whether my serious answer is that the inclination in the picture is so marked as to make it worthless, there is the fact that there is a broken nose. I do ~~not~~ not agree that the two subjects apparently have the same angle of inclination from the lip to the tip of the nose. Asked whether in my view that would preclude the danger of Philomena having had a nose that protruded out to some ridiculous extent like 6 inches, I say no, I do not see the point in that. The general shape of the nose in that picture of Philomena Morgan and the corpse are nothing the same. As to whether in saying that I am

making allowance for the fact that the corpse had a broken nose, I cannot make allowance for that, I do not know what the effect would be. I know that the corpse has a broken nose, yes. As to whether if you are going to use photographs for the purposes of comparison you must have the front elevation, the side elevation and the plane photograph, I did not say that they were conclusive. They are still not conclusive. As to whether in addition to that you have to have the comforting assurance that they are one and the same person, that was to establish identity. I then put an alternative method of establishing identity by actual measurements. The general method I have seen employed for measuring curved surfaces is to use a flexible steel ruler. You measure the distance over the arc with that flexible steel ruler. You compare that with the other object with which you are dealing. It could be anything. You might be comparing any curved surface. It is not a lot of rubbish. I agree you could not have two corpses of the same person. As to how you can use actual measurements, I said in a case where you are comparing distances or measuring distances. I agree that after my demonstration with the ellipsoids I said in answer to Mr. Read that one perspective only would not give the truth about the object's shape, therefore for the purposes of measurement and comparison you must photograph the front elevation, the side elevation and the plane, but even that is not conclusive, and that the only other way you can do it is by actual measurement. Asked when I measure the corpse with the flexible steel tape what I compare the measurements with, as I said there I am comparing two objects. It is not at all silly. I was not referring essentially to corpses, I was referring to curved surfaces. As to what I am going to compare the curved surface of the corpse with after I have measured it, I did not say I was measuring the curved surface of a corpse. When you come

to apply that to this problem I agree that in this case there is nothing to measure. I heard Dr. Benbow tackled by Mr. Read as to why after all these years during which he has been scientifically interested in this problem he did not actually measure the cadaver's face. As to whether I would have got the slightest help from measuring the cadaver's face, that depends entirely on why it was being measured. I know of no reason why it should have been measured from this point of view. As to whether I know why it should have been measured from any point of view, it might help from a medical point of view of some description. Seeing there is only one body I agree it would be idle for the purpose of attempting to identify. Given the assurance that they are one and the same person, and taking a photograph with the same camera at the same distance with precisely the same plane both as to inclination and orientation I would expect on the flat photographic surface or plane that any lines drawn on to the photos to anatomical features from a common centre should coincide. As to believing that that would be the only safe way of relying upon photography in this problem we are endeavouring to solve, also the photographs from the three aspects which I mention. That is when I am assured it is one and the same person. Being handed the photographs of Linda Agostini (Exhibits 16, 17, 18 and 19). and asked to pick out the best of those for the purposes of identification, I think Exhibit 18 would be as good as any. I have picked one in which the teeth are not shown at all. There was no point in picking that photograph. I just took the full face. I think in this problem that the teeth are of some assistance. I would have no objection to taking Exhibit 19, which is a slightly different plane of orientation but showing her teeth very clearly. Asked if I take the cadaver now and pose the head with the lips parted so as to show the teeth, pose the head in that plane of inclination and orientation, and then draw lines from a

common centre on the photo of the cadaver with the photo Exhibit 19, and I have the assurance that they are one and the same person as to whether the lines must coincide even though it is a flat plane, I say that you are not producing the same aspect for me. The teeth do not alter after death. If the cadaver was posed in exactly that same plane with the pose of the photograph I would expect a reasonable degree of coincidence in the teeth of the cadaver and the teeth of the photograph. If it were done sufficiently carefully, and we had the same camera factors again, the same inclination and everything else I would expect to be able to superimpose the two transparencies. I have not done that. As to whether in my view as a scientific man that would solve the whole mystery, it might even do that, yes. I have not done that. I do not think I will do it, because of the fact that I do not know the camera factors concerned, the inclination with any degree of accuracy, nor could I get the orientation again. I heard Dr. Benbow say that even to the naked eye there appeared to be entirely dissimilar characteristics in Linda Agostini's teeth. That does not at all affect my decision not to try this test.

TO MR. READ: I know of no way in which anyone could say the axis of the camera, or the plane in which that photograph was taken so that I would expect to get a coincidence if I took a photograph of the very person in life. It is of no value in doing it unless you have the camera in the very exact position. That is the point I have been raising through my evidence.

*W. H. Callum*

RAKEN AND SWORN BEFORE ME AT MELBOURNE THESE 13th and 14th DAYS OF April 1944.

*W. J. ...*  
CORONER.

THOMAS MacFARLAND CHERRY, on his oath saith:

My name is Thomas MacFarland Cherry and I am a Professor of Mathematics at the University of Melbourne. I reside at Kew. I am a Bachelor of Arts of the Melbourne University and a Bachelor of Arts of the Cambridge University, and also a Doctor of Philosophy of Cambridge University. I have held the position of Professor of Mathematics at the Melbourne University since the year 1929. Geometry is a branch of mathematics and it is always included in the study. The essence of mathematics is that it is logical thought. I have made a study of both. I did not hear any of Dr. Benbow's evidence, but I have seen Exhibit "XX" and certain other Exhibits. I have been in Court during the whole of the time that Detective McCallum gave evidence. From that I have a hazy idea of this theory which Dr. Benbow is propounding as a possible method of identification by drawing lines on photographs of faces. I would say that if you are to make a reasonably certain identification as between a certain person and a corpse you must have similarity in sufficient number of features. Logically you would need similarity in every feature before you could be certain that they are identical, because if they differ in just one <sup>feature</sup> ~~picture~~, if they were proved to be different in just one feature that would prove that they could not be the same. Logically therefore you would need to prove similarity in every feature. In practice you would be content to examine a sufficient number of features. For instance, that is done in the examination of identification by means of finger-prints. You there make a very minute examination of a large number of very small features. You reckon if there is precise similarity there, there is such a very great chance that all other features would be similar that we regard it as proof. It seems to me such a minute comparison is not possible here.