

COURT OF QUEENSLAND

REGISTRY:

NUMBER: OF 2003

PLAINTIFF:

AND

DEFENDANT:

AFFIDAVIT

I, **Kenneth KEEGAN**, of Blackall in the State of Queensland, on the First day of September 2003, make Oath and say as follows:

1. I am a carpenter by occupation, born of the 18th November 1938 and I reside at the Historical Village at Ram Park at Blackall where I am the Caretaker.
2. My duties there consist of general maintenance and restoration of the historical buildings which have been placed at Ram Park Blackall. The buildings located in the park are the original old Blackall Railway Station, the Railway Station from Yalleroi and the former Yalleroi School House and Toilet block.
3. I was present where Warren Smithers took a number of photographs which paid particular attention to the interior at the back wall of the main class room and the rear enclosed verandah.
4. I recall that some time prior mid 1998 my boss, the Deputy Mayor Bill Hannay came and told me that the Police would be coming to inspect the old Yalleroi School House to look for a hole in the wall.

AFFIDAVIT OF

KENNETH KEEGAN

(Filed on behalf of)

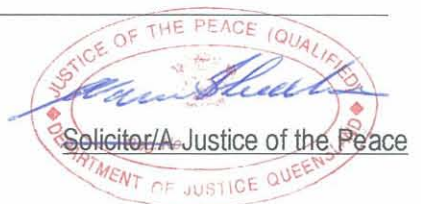
(Sworn this day of 2003)

Tel:
Fax:

SHEET 1

Kenneth Keegan

Deponent

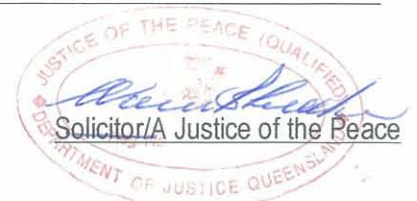


5. We had just cleaned the building down at that time but it had not been painted. We had cleaned all the old dirt and cobwebs off.
6. The Police came in about the middle of 1998. They introduced themselves and asked me if they could inspect the building.
7. They said they were investigating some allegations against someone involved in the Yalleroi State School when it was out at Yalleroi, and they wanted to see if there was any physical evidence of anything.
8. At the time of their visit the wall had been cleaned down ready for painting. I had not at that stage puttied up any holes because there were none to putty up. The Police paid particular attention to the rear interior wall of the main classroom and the back enclosed verandah. This is a coloured print showing the rear wall in the main classroom which I have just referred to. Marked KAK.1 and annexed hereto.
9. This is a further coloured print depicting the same wall inside the classroom and the cover strip which I put there as there was no cover strip in place when I commenced to renovate the building and prepare it for painting. Marked KAK 2. and annexed hereto.
10. This is a further black and white print depicting a close up view of the same wall and the cover strip I nailed to the wall inside the classroom because the original D mould was missing. The original D mould strip was a wider one because it was imperial measure and the replacement was metric. There is a buildup of old paint showing the outlines of the original D mould and this is shown in this print. I can clearly say that the VJ wall here is the original timber when constructed and the VJ boards are the original ones and have not been replaced or repaired at any stage since.
11. I had the building painted just before Christmas 1998 and it was done by Carolan, who is the local Painter.

D. A. Thompson

Deponent

SHEET 2

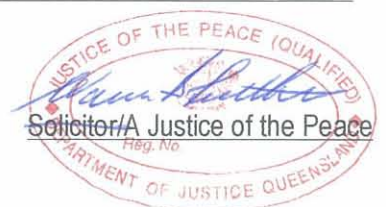


12. There might have been a few nail holes and the like but there were definitely no holes you could look through.
13. I can say that there is no hole in that wall through which a nail can be pushed right through the wall. That was the case when the police inspected the wall and is still the case.
14. The building material was VJ, the old white pine, perhaps three quarters of an inch thick.
15. Mid 1998 a male and female Police Officers came to the Park and introduced themselves to me. They were plainclothes :Police Officers and asked me they could inspect the interior to the main classroom and the rear verandah. They told me they were investigating a complaint against Bill Darcy, the politician and asked me if I knew of a hole in the wall between the main class room and the back verandah which they told me had been Bill Darcy's office.
16. They asked me where were the holes in the wall and I told them that there was no holes in the wall that I knew of. I told them that the indentations in the wall on inside the classroom were thumbtack holes or like and I knew of no hole that you could see through from either the main classroom or the office section.
17. The Police had asked me where was the hole in the wall which could be looked through and had I repaired it. They also said that their must be a hole in the wall but I told them that there was no hole anywhere in the wall which you could see through.
18. The became agitated and kept on asking me where was the hole and had I repaired it. I become sick of this and told them that I did not care whether there was a hole in the wall that you could see through but I definitely had not repaired any hole other than the indentations caused by thumbtacks and like.

SHEET 3

H.A. Shing

Deponent



- 19. They continued to examine closely both sides of the wall and I got sick of it and went home.
- 20. The Police were there for a couple of hours on their own. I did not see any other person in their company on that occasion.
- 21. I can say that there were no holes in the rear interior wall where the police looked.
- 22. I did not see the Police draw a ring around any particular part of the wall nor have I ever seen any traces on the wall itself which indicated someone had drawn a circle thereon..

All the facts and circumstances herein deposed to are within my own knowledge save where same are deposed to from information only and my means of knowledge and sources of information appear on the face of this Affidavit.

rd. C. Thayer
 SWORN by the abovenamed)
 Deponent at Blackall)
 This First day of September 2003)
 before me)

David Stubbs
 Solicitor/A Justice of the Peace
 DEPARTMENT OF JUSTICE QUEENSLAND

rd. C. Thayer
 Deponent

SHEET 4

David Stubbs
 Solicitor/A Justice of the Peace
 Reg. No.
 DEPARTMENT OF JUSTICE QUEENSLAND