

## **CAIRNS WHARF MURDER.**

**Jury Find Morga Guilty  
of the Crime.**

**SENTENCE TO-DAY.**

**Prisoner's Calm Demeanour  
Throughout the Proceedings.**

A large gathering was present at the Cairns Court House on Monday morning when, at the opening of the Circuit Court Sittings, the Russian Stefan Morga, was found guilty of the wilful murder of a fellow countryman, Zaharey Beznosuk.

The Cairns sittings of the Circuit Court commenced on Monday morning, in its criminal jurisdiction. Mr. Justice Jameson presiding. Mr. B. A. Ross prosecuted for the Crown.

The proceedings opened by Mr. Ross presenting an indictment against Stefan Morga, who was charged with the wilful murder of Zaharey Beznosuk at the Cairns wharves on January 21st, 1922.

Mr. H. McLaughlin appeared for accused.

The evidence given in the lower Court will be remembered to have disclosed that the accused and Beznosuk were known to each other prior to the shooting, having worked together at Tarzali. In Cairns, they were both staying at the Darwin boarding house. Beznosuk bought a revolver from accused. On Saturday, January 21, Beznosuk and another Russian named Arthur Sazanoff, who had planned to go to Melbourne together by the s.s. Cooma, took their luggage to the wharf, but had to

luggage to the wharf, but had to return with it owing to the boat not taking passengers on that trip. They returned to the wharf at about half-past six that night, and whilst they were standing in conversation, accused approached them. He is said to have called on Beznosuk and said to him: "Do you say I broke your portmanteau up?" Beznosuk replying: "I don't know, I think so." Accused then is alleged to have drawn a revolver from his pocket and with the remark, "I'll shoot you straight away," fired at Morga. A revolver chase then ensued through the sheds on the wharves and after the men closed, Morga is stated to have fired again at Beznosuk, who, at length, fell motionless to the ground in the wharf yard. Accused retreated to the wharves, and when Constables Anderson and Richardson arrived, he put the revolver to his own temple and fired, blowing out his left eye. Beznosuk died in the Cairns District Hospital on the following day.

Arthur Sazanoff was called, and gave an account of the happenings up till when Morga is alleged to have fired the first shot and when he (witness) ran away, full details of which have been published in our columns before.

Cross-examined by Mr. McLaughlin, witness stated that accused pointed the revolver straight at Beznosuk before firing the first shot.

Lauritz Jeppesen, journalist, who was an eye-witness to the shooting, said that he was attracted by two shots. On reaching the scene of the wharf yards he saw two men locked together. He saw something shining in the hands of one of the men, and discerned smoke issuing from between the men. The man who was on his feet staggered back,

was on his feet staggered back, eventually falling motionless to the ground. The man who was on the ground then rose and, approaching the other, reached his hand, in which was a shining object, down to within a foot or so of the fallen man's head, and a report and the issue of smoke followed.

By Mr. McLaughlin: I know nothing of the conduct of the men prior to the shooting.

Constable Alfred Ronald Anderson said that on January 21 he was on duty in Wharf Street, with Constable Richardson. As they started to run to the scene, having been attracted by a crowd, they heard two shots fired. They found Beznosuk lying on the ground, and Morgia standing on the wharf. Morgia halted, saying: "Don't touch me or I'll blow your — brains out." He turned the revolver on to his own temple and blew his left eye out. Witness took possession of the revolver whilst Constable Richardson took charge of accused. Witness went to the police station and informed Senior Sergeant Tasker of the occurrence.

Mr. McLaughlin: You state in evidence that accused said when he halted you, "Don't touch me, or I'll blow your — brains out." The other constable stated in the lower Court that the words he used were, "Stand back, you two policemen." Are you not constructing your statement?

Witness: That is what I heard.

Constable Noel Carseldine gave evidence regarding a conversation he had had at the hospital, with accused. Witness stated that accused admitted shooting deceased, and then stated that he shot himself, adding that he knew the law stated that "if

that he knew the law stated that "if he kill, he be killed, too."

Doctor Langan stated that there were five bullet wounds found in Beznosuk's body on examination at the hospital. Either of the wounds on the chest was capable of causing death. Accused was quite rational when brought to the hospital.

By Mr. McLaughlin: Beznosuk was in a dying condition when he reached the hospital.

Witness: He was desperately ill, but as is known he did not die till next day.

The Bench: Could Morga hear these questions?

Witness: Yes.

The Bench: Was he capable of understanding the questions and answers?

Witness: Yes.

Constable Arthur Sidney Richardson, in the course of evidence, said that when Anderson and himself approached accused on the wharf, he said, "Stand back, you two policemen, or I'll shoot you, and then shoot myself."

Dr. Frank Garret Scholes, who conducted the post-mortem examination of the body of deceased (Beznosuk), said the post-mortem disclosed five punctured wounds on the body. One was on the left side of the face, one on each side of the breast, one in the middle of the chest, and one in the abdomen. Two of the five wounds would cause death.

By Mr. McLaughlin: I have examined the accused recently. Regarding the condition of his sight, he cannot distinguish objects above two feet high. At that distance a distinct blur appears. In my opinion there was no signs of any bullets

having entered Beznosuk's body from the back.

Alexander Robert McLean gave evidence regarding the alleged confession of the shooting made by accused to witness in the Hospital, and which was fully published in these columns during the hearing in the Lower Court.

This concluded the evidence for the prosecution.

#### MORGA IN THE BOX.

Stefan Morga, in defence, stated that, on the Saturday evening in question, he met Beznosuk and Sazanoff speaking together near the wharves. He said to Beznosuk: "Harry, did you say that I broke open your suit-case?" Beznosuk replied: "Somebody did." Witness then said: "It was not me."

Continuing, witness said that after a few further words, Beznosuk placed his hand in his pocket, and appeared to be going to rush witness. Witness jumped away to the right, drew a revolver, and fired in the air over Beznosuk to frighten him. The latter ran to the wharf and there accused witness of shooting him.

Witness said he did not remember what happened at the Hospital. The last he remembered was when he shot himself through the temple.

By Mr. Ross: I fired above Beznosuk's head, and never fired again.

Mr. Ross: Witnesses state that they found empty shells and saw you do this. They heard the shots.

After addresses by Counsel, His Honor, in summing up, said that the claim for defence, which stated that Beznosuk was bombarded from behind, was absolutely unsupported. Medical evidence disclosed that none of the five wounds was the result of a bombardment from the rear. There was evidence which stated that the

was evidence which stated that the accused, with a revolver in his hand, said: "I will shoot you straight away; good-bye." He then fired a shot. Four witnesses—two of whom witnessed the first part of the occurrence, and two the latter portion—confirmed the Crown's evidence. Accused evidently knew he had killed the man, and knew that his life would be required of him. He said to Constable Anderson: "The law say if I kill, I be killed." It was no justification for a man who is called a thief to take a revolver and shoot a man. There were other remedies.

#### **GUILTY OF WILFUL MURDER.**

The jury retired at 4.15 p.m. and returned at 4.40 p.m. with a verdict of guilty of wilful murder.

His Honor announced that he would reserve his judgment till 10 o'clock this (Tuesday) morning.

#### **SAYER'S APPEAL CASE.**

An appeal case was brought forward wherein Richard Sayers was granted a retrial on a charge of robbery with violence at Innisfail of a wallet, watch, and 10/-, the property of George Ward.

Mr. H. McLaughlin appeared for defendant.

Ward stated that whilst he was lying down on a form in a shed, a man whom he would swear to be defendant, came in, grabbed witness by the throat with his left hand, and took from his trousers pockets, the mentioned articles and money.

Sayers, in denying the charge said that he was not in Innisfail on the night in question.

The case will be resumed this (Tuesday) morning.