

# CUT CHEST AND BROKEN RIB.

## SCARS OF BATTLE IN RUSSIAN ROW.

### WITNESS'S CHANGED ATTITUDE.

Stephen Orloff, chief Crown witness in the trial of Aken Petroff, a Russian, charged with unlawful assault, occasioning bodily harm, stated in the Criminal Court this morning that he did not want to go on with the case. He said that when he gave evidence in the Police Court he was not clear of the actual happening when he was stabbed. Since then he had submitted himself to a severe self cross-examination, and had failed to prove to himself that the statement he made was correct.

"Haven't you changed your mind because you do not want to prosecute?" the Crown Prosecutor (Mr. F. W. Dickson) asked.

Orloff replied that he was not a man who would send anyone to gaol when he is not sure of the facts. "I have to consider what might be called my moral obligation," he added.

### CROWN CASE.

In his opening to the jury, the Crown Prosecutor said that Orloff, who recently came from Gayndah, stayed at a house in Montague-road, West End, occupied by another Russian. On the afternoon of August 5, Orloff went to an hotel in South Brisbane, where he met Petroff. They had drinks and afterwards dined together in the city. Subsequently Orloff purchased some liquor, and food, and they went to where Orloff was

Orloff purchased some liquor, and food, and they went to where Orloff was staying, "to have a good time."

After drinking and discussing for some time the pair quarrelled. The discussion then appeared to be about their muscles, and strength which brought about a hostile feeling afterwards when talking about policemen Petroff assumed a fighting attitude. Orloff said: "I did not invite you here to have a row." As Orloff was filling a glass with beer, Petroff came at him with a knife, and struck him on the chest, inflicting a wound about 26in long. Orloff called out, "What! Are you going mad!" He called the occupier of the house. A bloodstained knife was found on the floor. Orloff left the house, and reported the happening to a policeman.

### WAS ORLOFF HOSTILE ?

After Orloff had been cross-examined by Mr. D. J. R. Watson (instructed by Mr. L. Macnaughton), who defended Petroff) the Crown Prosecutor asked the witness if he did not want to proceed with the case. He replied "No."

Mr. Watson objected to cross-examination by the Crown Prosecutor. He said Orloff had not been declared "hostile."

The Prosecutor: He showed himself to be hostile.

Mr. Justice Webb pointed out that application was not made during examination in chief to have the witness treated as hostile.

The Prosecutor said Orloff showed hostility during examination-in-chief. He submitted that the questions arose out of Mr. Watson's cross-examination.

The Prosecutor's questions were allowed.

Orloff admitted having said in the Police Court: "I was filling a glass of beer when Petroff struck me on the chest with a knife." He added: "Afterwards I started to think and I failed to prove whether that statement was

prove whether that statement was right or wrong."

### NOT THE CAUSE OF ROW.

George Lomenogo, occupier of the house, also gave evidence.

Cross-examined by Mr. Watson he said he was not the cause of the row. No one tried to rob Petroff of a ring or take money from him.

Mr. Watson: You know Petroff has some money.

Witness: Petroff won £1000 in the Golden Casket, but I did not know where he put it.

Were you trying to find out?—Witness: No. (Laughter).

This concluded the Crown case. The Judge decided to let the matter go to the jury.

Petroff said he was a returned soldier minus his light leg, which he lost in France. He was in receipt of a pension. He won some money in the Golden Casket. On the night in question they had a good few drinks. He remembered being struck on the head with a chair. He picked up the knife in self-defence, but did not remember what he did with it. He was found to have a broken rib, and was taken to hospital. That night he lost a £5 note.

(Proceeding.)