

INNISFAIL UPROAR

RUSSIANS DISAGREE.

SENSATIONAL EVIDENCE.

INNISFAIL, Dec. 6.

A row between two Russians at Innisfail in which "thumps," bites, etc., are alleged to have occurred, had its sequel in the Innisfail Summons Court this morning, before Mr. A. E. Aitkin, P.M., when Stanley Siwczynski proceeded against Peter Bogolof, charging him with unlawful assault.

Mr. J. T. McNamee appeared for complainant, and Mr. F. Beckey for the defendant.

Complainant deposed that he was employed by Otto Maletz, cane farmer, as a motor mechanic. About 1.45 p.m. on November 28 witness was at the corner of Owen and Edith streets, with Andrew Bonnici. Witness heard Bonnici say "Look out, Stan." He turned around and saw defendant making a rush at him (witness) with his fist closed. Witness let him strike and then hit back and threw him into the road. Witness got defendant down on the road, and called out to Bonnici to get the police. The struggle went on till one policeman arrived about five minutes

police. The struggle went on till one policeman arrived about five minutes later. Witness said, "Take this, and I will follow behind." Defendant was taken to the police station, and witness went there too. Witness saw his solicitor, laid a complaint, and a summons was taken out. He did not give defendant any provocation to rush at him.

CROSS-EXAMINATION.

Mr. Beckey. Didn't you rush at defendant?—I did not. I knocked him down, and fell down with him at the same time.

Isn't it a fact that you did not push defendant over on the road, but Bonnici came and helped you pull him over?—Nothing of the sort. He is the biggest liar I ever saw if he says that.

Did you try to punch defendant when you had him down?—Yes, when he got hold of me.

You bit him on the right cheek and wrist?—I did not.

You bit him on the hand?—Yes, when he stuck a thumb in my eye.

You are quite sure you did not bite him on the nose?—I did not.

If anyone else says they saw you bite defendant on the face would they be telling lies?—Yes, they would.

Did defendant try to throw you off?—Yes.

Did you call out to Bonnici, "sink

Did you call out to Bonnici, "sink the boot"?—No.

Did you hear someone in the crowd call out "Get up, and give him a fair go?"—Yes, and I said I would not get up till the police came.

Did you tell a man named Saratoff that the next time you saw defendant you would give him a hiding?—I don't know him.

Corroborative evidence was given for complainant by Andrew Bonnice and Patrick Green.

DEFENDANT'S STORY.

The defendant, Peter Bogolof, said: At 1.45 p.m. on Noember 28 he came from the Post Office and walked along Edith-street, when he met complainant and another man whom he did not know. Complainant rushed at witness, who tried to punch him in his own defence. Witness failed to hit him. Complainant grabbed him by the arm, and pushed him on to the street. Witness struggled with him, and complainant made a grab at him underneath the knee of the right leg. Witness fell back, and complainant fell on top of him saying, "I'll show you, you —." Then he started to punch witness when the latter was on the ground.

TEETH ON NOSE.

"I tried to throw him off me," con-

"I tried to throw him off me," continued the defendant. "He got his hands on the ground, and then bit me on the nose. I tried to push him off and put my hands in his face. Had I not done that he would have bitten my nose off. He bit me on the right side of the chest, and was too strong for me to throw off. Then he started to choke me, and I heard somebody in the crowd call out, "Give him a fair go." I heard complainant, while he was trying to choke me, ask somebody to go for the police, and I also heard him say to his mate, "Kick him, put the boot into him." Complainant bit me on the cheek and made my face bleed. He also bit me on one hand, and I still have the marks. The police came and we both went to the police station. No charge was laid there. I gave complainant no provocation in any way. I took no notice of complainant until he rushed at me."

Mr. McNamee (cross-examining): You have appeared in the ring as a professional boxer?—No.

You are living with complainant's wife?—Yes.

Mr. Beckey: I object.

Mr. McNamee: You put your client in the box, and took the risk.

Mr. Beckey: The evidence is irrelevant.

Mr. McNamee (to witness): Did you steal complainant's wife from him when he was in the Northern Terri-

you steal complainant's wife from him when he was in the Northern Territory?—She is not a thing that she can be stolen.

Did you give her money to clear away from her husband?—No.

Mr. McNamee: Did you write her a letter in March, 1928, and say "I sent you money to escape the clutches of this human bird?"

Mr. Beckey: I object.

Mr. McNamee: Did you write that letter?—No.

Did you get anyone to write it for you?—No.

Did you write to her and say, "No doubt there are better fish in the sea than ever you caught?"—No.

Did you say, "Tell the big savage the world is small, and we might meet again?"—No. I didn't write it.

Mr. McNamee: You picked up with the woman after that.

Mr. Aitkin: Don't you think it is sufficient to say he was living with plaintiff's wife?

Mr. McNamee (to defendant): Were you living at Mt. Isa with plaintiff's wife, as Mr. and Mrs. Bogolof?—No.

When plaintiff went to Mt. Isa to get possession of his child did you try to prevent him?—I don't want to answer that question.

Did you ever hear of the position of "chucker-out" at a gaming school?—No.

It has been suggested that...

—No.

It has been suggested you occupied that job since you came to Innisfail?

—No.

Also at Mt. Isa?—No.

You heard the witness Green say you are a paid thug?—I am not.

Constable Zeller also gave evidence.

Defendant was convicted and fined 5/-, with 6/- costs of court, £2/2/- professional costs, £1/10/- witnesses' expenses, in default one month's imprisonment.