

"SMASHED TO SMITHER- EENS"

MALTESE AND LIGHTED LAMP.

WILD SCENE IN CANE BARRACKS.

**INMATE RECEIVES KNIFE-
WOUNDS.**

INNISFAIL, May 2

The story of a wild scene in a cane barracks at Japeen, the smashing of a lamp, the grabbing of a knife and an attack on one of the inmates of the barracks, were the chief elements of evidence in a case which came before Messrs. J. H. Moore and F. Bergin, J.J.P., in the Police Court this morning, when a Maltese named Andrew Donnici was charged, on remand, with having on 20th ult., occasioned grievous bodily harm to a Pole named Stanley Stwczynski.

Senior-sergeant Hegarty prosecuted, and Mr. F. Beckey appeared for the defence.

POLICE EVIDENCE.

Acting-sergeant E. M. James, officer-in-charge of the South Johnstone Police Station, stated that about 8 p.m. on 20th ult., he and Constable Moran, accompanied by Ambulance-bearer F. McConachie, of South Johnstone, called at the residence of a

stone, called at the residence of a
cane farmer named Mende, at Japoon.
Witness there saw a man named Stan-
ley Siwczynski, who was the complain-
ant in this case, lying on a bed. He
was dressed in dark trousers and grey
flannel shirt. With the assistance of
the ambulance bearer witness removed
the shirt, and took possession of it.
On examining complainant witness
saw that he was suffering from what
appeared to be a stab wound, about
three-quarters of an inch long, low
down on the right hand side of the
chest. There was a similar type of
wound on the inside of the left fore-
arm, and a further similar wound on
the outside of the left upper forearm.
There was a cut across the knuckle
of the left index finger. Whilst the
ambulance bearer was attending to
complainant's injuries witness exam-
ined the grey flannel shirt, and saw a
small cut on the front. This cut cor-
responded with the wound on com-
plainant's chest. The shirt was blood-
stained around this cut. Witness saw
another small cut on the right sleeve,
and this cut corresponded to the
wound on the complainant's right
arm. There were also blood stains
around this cut. After having a
conversation with complainant, witness
and Constable Moran went to the farm
kept by Otto Maletz, about a quarter
of a mile away. On approaching
Maletz's residence witness saw de-
fendant standing in the front door-
way.

**“PUNCHED LAMP GLASS WITH
YOUR FIST.”**

Proceeding with witness (D. 11)

Proceeding, witness said: "Defendant came down to meet us at the front gate. I said to him, 'There has been some trouble here to-night,' and he replied, 'Yes.' Witness said, 'Come on over to the barracks' and defendant answered, 'All right.' The barracks were about 60 yards away. Whilst crossing over to the barracks witness noticed defendant had blood-stains on the fingers of one hand, and he asked Bonnici what was wrong. He answered, 'I cut it on the lamp glass.' On reaching the barracks we entered the kitchen and dining room by a side door. I there said to defendant, 'Do you know Stanley Siwezynski?' He replied, 'Yes.' I said, 'He is down at Mende's place. I saw him just a while ago, and he is stabbed on the chest, left arm, right arm, and has a cut on the left finger. He tells me that about 6.30 to-night he and three other men were sitting at the end of this table near the side door playing a game of bridge, and shortly after they started playing you picked up a lighted lamp and went around looking for a tin opener. Because you could not find the tin opener you got into a temper, used some bad language, and punched the lamp glass with your fist. The glass then fell on to the floor and broke. You walked over close to where Siwezynski was sitting, and you looked at him and said, 'Yes, you ——.' Defendant replied, 'No, I never said that.' I said, 'He then got up and hit you a blow on the jaw. You continued to talk, and he asked you if you wanted some more, and you replied, 'No.' Siwezynski then says that he turned around

ski then says that he turned around to take his seat at the table, and as he did so you picked up a knife from the table, rushed at him and stabbed him.' Defendant replied, 'Yes, Sergeant, I used the knife.' I asked, 'How many times did you use the knife?' and he replied, 'Twice; might be three times.' I asked, 'Where is the knife?' He glanced at the table; then looked into a cutlery box which was tacked on to the wall. From that box he took a knife and handed it to me. I asked, 'Is that the knife you say you used on Siwczynski?' and he answered, 'Yes.' I remarked, 'You say you never called Siwczynski a —; why did he strike you?' Accused replied, 'I don't know. I am frightened of that man. I think he will kill me.' I said, 'Siwczynski states that after you stabbed him he got hold of the knife; you let it go, and you ran through the back door. He ran after you.' Defendant replied, 'No. I threw the knife down and ran through the back door. He chased me and called out, 'I will kill you.' I then said to defendant, 'I want you to come to Innisfail' and he answered 'All right,' and changed his clothes. Then he accompanied Constable Moran and I down to Mende's residence. Complainant was still there, and I showed him the knife handed to me by defendant, and he told me something. Shortly afterwards complainant, defendant and I left Mende's place by ambulance motor trolley. There were several other persons on the trolley and we came to South Johnstone. On arrival at South Johnstone complainant was transferred

Complainant was transferred from the trolley to a motor ambulance and I accompanied him to Innisfail, where he was examined by Dr. Craig. Complainant was then admitted to the hospital. Constable Moran conveyed defendant from South Johnstone to the Innisfail Police Station, where I subsequently arrested defendant and charged him with the present charge."

**"THREATENED MAN WITH
SHOT GUN."**

Mr. Beckey: When you first saw defendant did he appear to be excited?
—A little.

You would not say he was quite himself?—He certainly seemed a little excited. That is all I noticed.

How long have you known defendant?—About two years.

Have you found him a peaceful citizen?—From information I have gathered I cannot say that. I know he has been bound over in the sum of £15 to keep the peace and be of good behaviour for a certain period.

How long ago was that?—I understand it was more than three years ago.

Since you have been at South Johnstone he has been a peaceable-living citizen?—He has been peaceable since I have been there. He was charged with the unlawful use of a firearm. I have received information that he has threatened a man with a shot gun, and that it had to be taken from him.

MEDICAL VERSION.

Evidence was given by Dr. R. Fulton Craig, superintendent of the Innisfail District Hospital, as to Siwczynski being admitted to that institution suffering from various wounds. These could have been caused by the knife produced in court.

EXCITING STORY.

An exciting story was told by Stanley Siwczynski (the prosecuting witness), who stated that he was a mechanic by occupation, but for the last 12 months had been employed as a laborer by O. Maletz, on a cane farm at Japoon. Witness lived in barracks on that farm. Defendant was also employed by Maletz as a laborer during the period that witness was there. Witness was previously friendly with defendant, but a few weeks before April 20 he had ceased speaking to Bonnici. Witness owed defendant £15 for five months. He had borrowed this from defendant.

Senior Sergeant Hegarty: Did you ever intend to pay it back?—Yes; as soon as I could. One time when I offered him money, he said: "If you want it for a while you can pay me later." I had another conversation afterwards with him, and he asked me for the money. I said: "I have not got it now, and I cannot pay you." Then he said: "I suppose you do not want to pay me." I replied, "No such thing. I will pay." Defendant said, "I want the money right now." I did not answer him. From that time defendant and I did not speak to each other. On April 20 I was in Maletz's

other. On April 20 I was in Maletz's cane barracks. I had tea there, and after that four of us sat down to have a game of bridge. Defendant was present. There was a lighted kerosene lamp in the room where we played bridge. A man named Mick Zara was having a look for a tin opener, and somebody said, "Have a look in the box." As it could not be found, defendant got up from the table and said, "Come on, Skinny, we will find it." He held the lamp in one hand and smashed it to smithereens with the other, saying, "I am frightened of no — here. I can fix any — here." Defendant ran around the table to me and said, "You —." Just as he got alongside of me I jumped up and hit him under the jaw with my fist.

"A KNIFE."

Senior Sergeant Hegarty: Was it a hard blow?—No, it was when I was rising off the seat. The blow did not knock him down. He stepped a couple of paces back and dropped his hands to his side. Then he put one hand to his lips, where there seemed to be blood, and said to me, "What did you do that for?" After that defendant stepped back a couple of paces, and I asked him if he wanted some more. He replied, "No." I was going to sit down when I noticed him grab a knife and come straight at me. He got the knife from a small table.

Senior Sergeant Hegarty: What happened then?—I made a rush and tried to grab the knife, and he kept stabbing towards me with it. He stabbed me once in the left arm and once on the right hand, and then on the right upper arm and in the chest. Just

right upper arm and in the chest. Just as he stabbed me in the chest I succeeded in grabbing the knife. Then he released his hold on the knife and ran outside. I went after him, but he disappeared from my sight, going in the direction of Otto Maletz's house. I returned to the barracks and examined my wounds. Later I went to Mende's place, from which the police and ambulance were called by telephone. Later I was taken to hospital.

EXAMINATION.

Mr. Beckey (in cross-examination):
What nationality are you?—A Pole.

How long have you been in this country?—Twenty years.

Where did you come from to Australia?—From Germany.

Were you ever in the United States?—I was there for five years after the war.

When did you leave America?—In 1924.

Were you convicted three times in the United States for selling liquor?—No.

Were you ever convicted?—No.

You were engaged in that trade, were you not?—No.

You are a man of fairly violent temper?—No, I am not.

Do you deny that you knocked your wife down in an Innisfail street?—I do deny it.

You say that you intended to pay defendant back his money. Did not

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"SMASHED TO SMITHER- EENS"

(Continued from Page Six.)

you buy a motor car recently for £30?
—Yes.

Yet you could not pay £15 to defendant?—I did not pay cash for the car.

When you hit defendant did not you say, "You have fooled me long enough; take that?"—No.

Did you say to him, "Get out of my sight, or I will kill you?"—No.

Is not it a fact that you rushed at defendant before he picked up the knife?—No.

Did you chase him as far as the railway line after he had stabbed you?
—No.

Did not you call out, "Catch the — and I will kill him?"—No.

Have you ever called him a dago or a dago —?"—Never in my life.

Did you tell a man named Veneski that you were going to give Bonnici a thing and half kill him?—No.

You have a little girl living with you at the barracks. Have you ever told her to spit in defendant's face?—Nothing of the kind.

You have been previously warned against perjury in this court, have you not?—No.

In reply to Senior Sergeant Hegarty witness said he had had four years' service with the A.I.F. and had served overseas. He came here from Mt. Isa to take his child away.

CONFIDENTIAL

COMMITTAL.

Other witnesses also gave evidence, **after which** defendant was committed **for trial** at the next sittings of the Circuit Court at Cairns.

Bail was allowed self in £50, and two sureties in £25 each.
