

**DID AXE HURTLE THROUGH DOOR?**

# **INJURED MAN**

**Tells Story Of Alleged Happenings  
When Court Meets In Hospital**

## **ACCUSED YET TO GIVE EVIDENCE**

**W**HITE-FACED and trembling, his tall, spare frame wrapped in a long dressing-gown, John Grzybala, a middle-aged Polish seaman, sat with a blanket pulled tightly about his shoulders in the medical superintendent's room at the Brisbane General Hospital one morning last week, and, at a specially constituted court, told a remarkable story to the magistrate. Speaking broken English in a deep, halting voice, he alleged that a vicious attack was made on him in a city flat one night recently, and claimed that an axe, a tomahawk, and a long-bladed carving knife were prominent in the sensational fracas. Only a few feet from where he sat were the defendants in this action Vera Moore and George Bray—and the police claimed that they were responsible for the Pole's serious injuries. Grzybala paused frequently while giving his testimony, trying, desperately, it seemed.

testimony, trying, desperately, it seemed,  
to maintain his composure.



Vera Moore, one of the accused,  
who was present at the hospital  
when John Grzybala told his story.

**H**IS story completed, the injured seaman was assisted back to his bed by a detective and a nurse. He seemed relieved that the ordeal of the witness-box was over, and smiled weakly

box was over, and smiled weakly on his way back to the ward.

For more than five weeks—ever since the night of April 28—Grzybala has been an inmate at the hospital and the police had to ask for several other members of the

hospital and the police had to ask for remand after remand at the City Police Court because, the prosecutor explained, the Pole was too ill to give evidence.

**W**HEN one of these adjournments was opposed by the defence, the prosecutor stated that it would "be a miracle" if Grzybala lived, and eventually it was decided, in order that the case would not be unduly prolonged, to hear the complainant's evidence at the hospital.

So it came about that on Thursday morning, Mr. A. W. P. Treagear, P.M., accompanied by his clerk, the prosecutor, and the defence solicitor, Mr. Jack Gilbert, went to the Brisbane General Hospital to hear the Pole testify in support of the Crown case against the defendants.

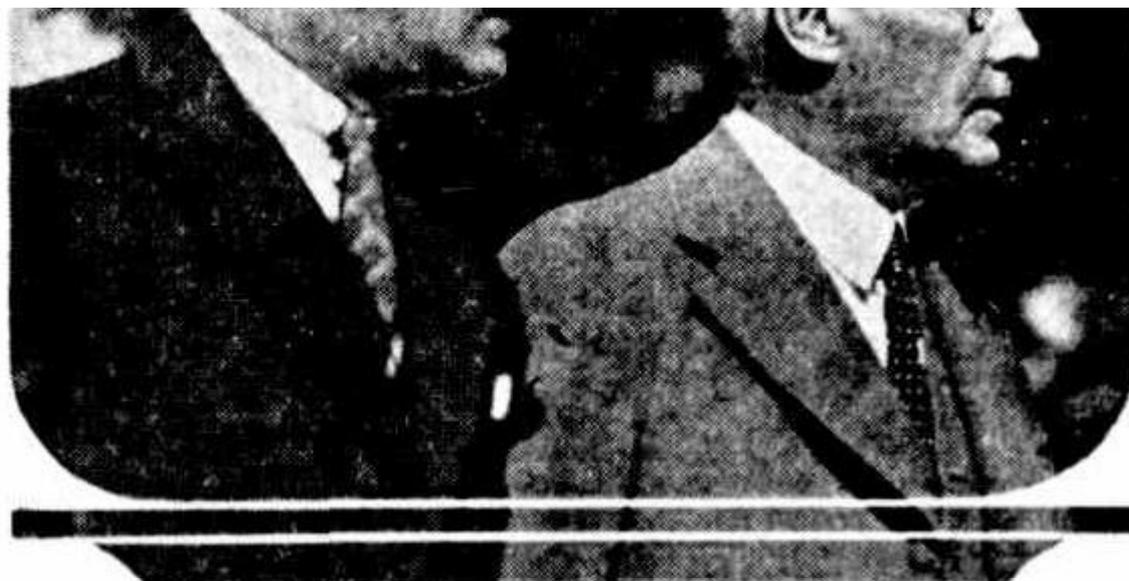
The charge against Vera Moore and Bray was that, on the night of April 28, they unlawfully did grievous bodily harm to John Grzybala.

## BOTTLES THROWN

After detailing his movements following his arrival in Brisbane by train on the afternoon of April 28, Grzybala declared that a few hours later, in a city street, he met Vera Moore, who made a certain suggestion to him. Afterwards when he went to the flat where he was staying, in St. Paul's Terrace, he was introduced to the girl by his landlady as her daughter.

Telling of the actual fracas, the Pole alleged that while he was preparing to get into bed at Mrs. Moore's place he received a "very hard" crack on the back of the head and was rendered dizzy . . .





Dr. A. Pye, superintendent of the hospital (left), and the Police Magistrate, Mr. A. P. W. Tregear.

the lights went out . . . he rushed to the door . . . somebody called out that a "police sergeant" was there . . . he opened the door and a tomahawk and an axe came flying through at him.

The Pole alleged that after he put the lights on again he saw Bray and Vera Moore standing outside the door, and Bray, he said, had a "long-bladed" knife in his hand.

He further alleged that during the brawl he broke the bottom of a wine bottle and held it by the neck because he "wanted to mark the man" who had attacked him, but he could not see anybody.

"About a dozen bottles were thrown into the room," he said, "and there was broken glass everywhere."

He claimed that, shortly after opening the door, he received a heavy blow which rendered him unconscious. When

he recovered his senses he was in the hospital, and has been there ever since.

The hearing began first in the City Police Court, when preliminary evidence was given by one of the principal investigators into the affair, Plainclothes Constable Jack Doherty.

stable Jack Doherty.

The task of tendering for identification the many exhibits that will be referred to throughout the hearing fell to the lot of this C.I.B. man, and, as his testimony continued, the collection of stained clothing, knives, tomahawks, and other articles continued to grow round the witness-box, until only Doherty's head showed above the pile of exhibits.

Doherty declared that at 11.28 p.m. on Sunday, April 28, word was received of the affray at the C.I.B. headquarters, and he was instructed to proceed to a block of flats in St. Paul's Terrace. He went there, accompanied by Plainclothes Constable Harty.

"First of all," said Doherty, "I saw John Grzybala in one of the rooms at the flat. He was bleeding freely from a wound in the head, and it appeared to me that he was in a serious condition.

"I went to the ambulance station in Ann-street, and there I found Vera Moore and George Bray. I had a talk with them, after which I conveyed them to the Brisbane General Hospital."

Doherty stated that at the institution he saw Plainclothes Constable O'Callaghan, who handed him an axe, a tomahawk handle, and three table knives.

During the subsequent investigations, Doherty declared he took possession of the following: A suit of clothes, a grey overcoat, a hat,

clothes, a grey overcoat, a hat, boots, a pair of shoes, a quilt, a tomahawk and a carving knife, and the clothes both defendants were wearing, including a pair of women's pyjamas, a slip, jumper, and pair of slippers.

At the flat where the assault allegedly occurred he found a tomahawk head and took possession of a bed post. Most of these articles, he said, were handed to the Government Bacteriologist for examination.

When Doherty had completed his chronicle of the exhibits the court was told that he would be recalled at a later date to continue his evidence.

Mr. J. R. Gilbert (who appeared for both defendants): Very well, if that is the case, I will not ask any questions at this stage.

Then the words of the orderly rang out: "The police court is now adjourned to the Brisbane General Hospital."

Vera Moore and Bray were taken to the institution by two police officers, and the party was met at the hospital gates by the Medical Superintendent (Dr. A. Pye).

"The police court is now resumed"—with those words Dr. Pye's office was constituted into a court of justice, and the presiding magistrate, Mr. A. P. W. Tregear, took his seat at a table in the centre of the room.

About the court there swirled the life of the great hospital. Neat nurses walked briskly along the cement path-





The collection of exhibits, including an axe, a tomahawk and table knives mentioned in evidence by Plainclothes Constable Jack Doherty.



Alleged victim of an attack, John Grzybala (in centre), with Acting-Sergeant "Nobby" Clark.

doctors in white overalls walked about the corridors.

### "MY CHAIR"

There was a tense hush in the little room as the alleged victim of the assault, assisted by a white-capped nurse and Acting Sergeant Clark, sat in

ways, ambulance bells clanged, and doctors in white overalls walked about

sault, assisted by a white-capped nurse and Acting-Sergeant Clark, hobbled into the room. He slowly took a seat near the door, and all eyes were focussed upon him.

His head was swathed in bandages, his face was pale and thin, and his hands nervously grasped his dressing gown.

**"He had better have my chair," said the deposition clerk, Mr. James Fazel, springing to his feet. "No, he should have mine," said Vera Moore, pushing her chair towards the alleged assault victim. Finally the injured man moved to the clerk's chair and drew a blanket tightly about his shoulders.**

He gave his evidence in broken English that, at times, the magistrate found difficult to translate, and portion of his testimony had to be repeated two or three times before being taken into the records.

Speaking in a deep voice he explained that he is a native of Poland, a seaman by occupation, last employed on the coastal steamer, Canberra.

He declared that he was paid of in Sydney in February, and left by train for Brisbane on the night of April 27, arriving in Brisbane on the following afternoon.

"When I got here," he said, "I left some of my suitcases at the railway station, and then went to the Church of England Hostel at North Quay, where I saw a friend of mine, a Mr. Williams.

"As we had not seen each other for some time," the Pole continued, in answer to questions by the prosecutor, "we went to an hotel and had some beer. Then we went to the home of this girl—Moore's mother. I had never stayed at Mrs. Moore's place before, but I used to visit there sometimes, when I was working on the ships."

After leaving the suitcase at the flat, said Grzybala he and Williams left again for the city.

Senior-Sergeant Brannelly: How much money did you have, John, when you arrived in Brisbane?

Grzybala: I had three £1 notes and one 10/- note.

Where did you keep it?—Some in a cigarette box, and some in a trousers pocket.

What time did you leave your friend, Williams, that night?—About eight o'clock, after we had had some more glasses of beer.

Where did you go when Williams left

glasses of beer.

Where did you go when Williams left you?—I walked along the street.

Did you meet anybody?—Only that (pointing to Vera Moore in court).

Where did you meet her, was it in Barry Parade?—It was near the brick wall close to the railway tunnel.

How was she dressed?—She had on a dark dress and hat.

Grzybala alleged that Vera Moore said "Hullo" to him and then made a certain suggestion, after which he walked away and went back to her mother's place. "I was going to sleep there," he said.

## BEER AND WINE

He said he arrived at the flats with a garlic sausage, a bottle of wine and a bottle of beer. In the kitchen at the home of Mrs. Moore, he alleged, he first met the defendant, Bray, who "shook hands nicely" with him.

Senior-Sergeant Brannelly: Did you have anything to drink in the kitchen? I had a glass of beer, and Mrs. Moore had wine.

Later, did you see Vera Moore in the house?—Yes, she walked into the kitchen and Mrs. Moore said: "This is my daughter."

You shook hands with her?—Yes. Did you recognise her as the woman you had met in the street earlier in the night?—Yes.

Did Vera say anything to you?—Yes, she asked me if she could get some more drink, and I gave her £1. She went away for a time and came back with a bottle of beer and a bottle of wine. She gave me 10/- back.

What did you do with that 10/-?—I gave it to Mrs. Moore for my board.

What happened next?—They opened a bottle of wine, but it was "not too good."

It was then, alleged Grzybala, that Vera Moore, for the second time that night, made a certain suggestion, and later she took him to her room, where he got undressed.

In the female defendant's room some time afterwards, Grzybala claimed, while Vera Moore was standing beside him, he tried to bolt the door, but found that the catch was missing.

"I then turned to the bed," he continued, "I wanted to go to turn in, as I

tinued, "I wanted to go to turn in, as I had had no sleep for 27 hours. Then, suddenly I got a very heavy crack on the back of the head."

Senior-Sergeant Brannelly: Did you see who hit you?—No, I didn't know what happened for a while.

Where was the woman when you received that heavy blow?—She was in the room beside me.

Could she have hit you?—I couldn't see that.

She was actually beside you when you got cracked?—Yes.

## "OPENED THE DOOR"

"I became very, very giddy, but I did not fall down," went on Grzybala. "I had a bottle of beer and a bottle of wine with me, but I couldn't see anybody about. I was too dizzy.

"Then, I jumped to the door and closed it. The lights went out. I held the bottle of wine in my hand and the end broke. I held the bottle in my hand.

"Then a man's voice shouted, 'Open the door,' and when I asked who was there, he said, 'The police sergeant.' I opened the door and when I looked round a tomahawk and an axe came flying through at me.

"I looked to see who was there, but I could not see anybody. I expected to find a policeman, but I could see nobody. I was still giddy. I put the light on again.



Constable Doherty.

"I got the axe that had been thrown in, and then I looked out again. Then I saw these two people (pointing to the defendants). That was the first time I saw Bray since we met in the kitchen, and I said to him: 'What's the trouble?'

"That fellow Bray," continued Grzybala, "he had a long knife in his hand. I had a real good view of it. It had a long blade and a wooden handle. I said again, 'What's the trouble?'

"Bray was jumping all about with the knife in his hand and he say: 'Come on out, you dago —.'

"The woman, she was alongside him then, and I call out 'Police, police, take these — away.' I turned round then to close the door, and after that I remember no more till I wake up in the hospital.

Senior-sergeant Brannelly: While Bray was jumping about with the knife, where was the axe?—I had the axe in my hand, but I had no chance to hit anybody.

After you came to your senses were



After you came to your senses were the two defendants brought to you at the hospital?—Yes, the woman was brought in first, and I said, "That is her."

And the man?—Well, when he walk in he said, "It's not me," but I say to him, "Where you get the blood?"

You remembered his face?—Yes.

It was the same face as you saw in the kitchen at Mrs. Moore's place?—Yes.

And the face you saw with the knife? Yes.

Grzybala, when shown the axe and the tomahawk, said they were very like the articles that were thrown at him in the room.

He took the knife in his hand, and in answer to the prosecutor said: "That is very like the knife Bray had—a long blade like that."

When shown three table-knives he said he had never seen them before, but definitely identified a suit of clothes produced as the garments he was wearing at the time of the attack.

## GLASS EVERYWHERE

Senior-sergeant Brannelly: Did you give these two people cause to assault you, John?—No, I never said a word.

You have been in hospital ever since you woke up?—Yes.



One of the defendants in this remarkable case: George Bray, who has yet to give his version of what happened.

Mr. Gilbert (cross-examining): You were quite friendly with this woman right up to the time you were hit?—Yes, I had had no row with her.

Didn't you see any table-knives in the room?—No.

So, you wanted to go to bed because you had been in the train and hadn't had any sleep for 27 hours?—Yes.

Did you see any broken bottles in the room?—Yes, bottles were thrown in and broken glasses was everywhere.

Can you tell me when the female defendant left the room?—I don't know. After I got the hit I didn't see any more of her for a while.

You've stayed at that place before, haven't you?—Well, I've known Mrs. Moore for four or five months. I used to visit there when I was working on the ships.

How many times have you visited there altogether?—This would be the third time.

You didn't have a row with anybody?—No.

Did you hit anybody with a bottle?—No. The bottle broke, that's all. I wanted to hit at somebody, but I couldn't see them.

Did you break the bottle yourself?—Yes, I broke the bottom of the bottle and held it by the neck. I wanted to mark the man who hit me, but I couldn't see him.

You intended to stay at Mrs. Moore's place for a week, didn't you?—Yes.

What time did you go up to Vera's room?—It would be about 11 o'clock.

Weren't you fairly drunk?—Ah, no.

Did you see Vera at any time with blood on her face?—No.

Didn't you make a stab at her, and cut her on the cheek?—No, I didn't.

Didn't you make a stab at her, and cut her on the cheek?—No. I didn't have anything that would cut.

Didn't she put her hand up to protect herself and you cut her on the hand?—No.

That concluded Grzybala's evidence and he was taken back to his bed.

The two defendants were taken back to the city police court and remanded until next Tuesday