

An Adelaide Gaol Execution

John Balaban

Executed 26 August 1953

John Balaban was drinking at the Royal Admiral Hotel, Hindley Street, Adelaide during the afternoon of 5 December 1952 when he struck up a conversation with 29 year old Yugoslav immigrant, Zora Kusic. They later took a taxi to Torrensville where Kusic lived in a shed at the rear of a house. When Kusic announced that she wanted £5, Balaban became enraged, stabbed her to death and mutilated her body in a frenzied knife attack.

John Balaban, a 28 year old Rumanian industrial chemist, was soon arrested and charged with murder. He admitted to being with Kusic but denied the charge of murder. The initial hearing lasted five days but Balaban was discharged because in the magistrate's opinion no jury would be likely to convict on the prosecution's evidence, which was insufficient to put the defendant on trial for murder. Balaban wept as he left the dock.

John Balaban had married Thelma Cadd in September 1952 and lived with her and her son at the Sunshine Café on the south-east corner of Gouger and Morphett Streets, Adelaide. They separated two days before Kusic's murder and Balaban had gone to live in Gover Street, North Adelaide, but he moved back in with his wife during February 1953.

After a drinking spree on April 11 1953 Balaban attacked a girl in the woman's toilet near the Torrens Lake. He then found an iron bar near the University Footbridge and used it to attack several people, fracturing the skull of one of them. When he returned to the Sunshine Café, dirty and bloodstained, he brutally attacked his wife and her mother, Susan Ackland, and Thelma's 6 year old son, Phillip. The two women died at the scene. Phillip, who had been repeatedly struck across the face and forehead with a hammer, died in hospital a week later. Verna Marnie, a waitress who lived at the café, survived by jumping from the balcony when Balaban attempted to attack her.

Police were called to the Sunshine Café after receiving reports of a badly injured woman lying on the footpath. They found Balaban crouching behind a car in a lane at the rear of the premises. After a long interview at CIB headquarters he was charged with the murders of his wife and Zora Kusic. He explained his actions by saying that they all 'deserved to die'.

During the course of his trial, it was apparent that Balaban had a disturbed mental condition which had existed over a long period. In an unsworn statement he told the court his story. His father was an excessive drinker who had hanged himself. After a fight with some communists in 1946 he had spent time in a mental hospital. He obtained degrees in metallurgy and physics but after nine months in the Rumanian Army managed to escape to France. He had migrated to Australia from Paris, arriving in July 1952 but during the voyage he had a fight with a migration official and was locked up in the cells of the ship for the remainder of the journey.

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The defence called a psychiatrist, Dr Southwood, who told the court that Balaban was a paranoid schizophrenic who was certifiable as a mental defective and he would not expect a recovery. This was rebutted by Dr Birch, superintendent of Mental Institutions who explained that under the Mental Defectives Act he would not certify Balaban.

The jury took an hour to return a guilty verdict and Balaban was sentenced to death. He displayed no emotion at the verdict. While in the condemned cell at Adelaide Gaol he made a written confession to the murder of a Polish woman, Riva Kwas, during a sexual attack while he was in Paris in 1948.

Balaban's appeal was dismissed and he was hanged 26 August 1953 – the first of four executions in the Hanging Tower. "

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