

# **James CLARE**

26/03/2014

**James CLARE**

**Victoria Police Force**

**Constable**

**Born: 1 November 1900 in Liverpool,  
Merseyside, England**

**Murdered – stabbed**

**North Melbourne**

**24 December 1925**

**Buried: 28 December 1925 – Fawkner  
Cemetery, North Melbourne**

**Monument erected 29 August 1926**



Inscription:

A TRIBUTE TO THE MEMORY

– OF –

CONSTABLE JAMES CLARE

WHO LOST HIS LIFE

IN THE EXECUTION OF HIS DUTY

AT NORTH MELBOURNE

ON 24TH DECEMBER 1925  
AGED 25 YEARS.  
LOVED SON OF Mr & Mrs JAMES CLARE  
LIVERPOOL, ENGLAND  
ERECTED BY THE VICTORIAN POLICE FORCE  
UNION JACK CLUB AND CITIZENS OF  
NORTH MELBOURNE.

“Duty nobly done”.



Birth:	Nov. 1, 1900 Liverpool Merseyside, England
Death:	Dec. 24, 1925 Melbourne Victoria, Australia



Just before 9 p.m., Thursday, December 24, 1925, Constable James Clare who was off duty at the time was walking along Victoria Street in North Melbourne. He was with Constable Henry Schenke and William Whitehead who had been detailed for a special plain clothes patrol of the area. As the three men approached Chetwynd Street, Clare became involved in an altercation with some young Italian men walking in the opposite direction. In the resulting fracas Clare was fatally stabbed by Domenico Condello who then ran from the scene with Schenke and Whitehead in pursuit. Condello was finally apprehended in Roslyn Street in North Melbourne after two warning shots were fired by the policemen. At a later interview he denied stabbing Clare and claimed that the policeman had attacked him after which he had fought in self defence. Later he was tried for murder and he and his friends repeated their allegation that Constable Clare had been the aggressor in the incident. Condello still denied the stabbing but volunteered the theory that during the fight the policeman may have impaled himself on a knife Condello had previously been using to clean his pipe. After deliberating for a little over an hour the jury returned a verdict of "Not Guilty."—



This is a picture of the knife that killed Constable James Clare from the Victoria Police Museum's collection.

Constable James Clare died by the knife displayed above on Christmas Eve, 1925. Whether he impaled himself, or was fatally stabbed, is open to conjecture.

What is known, is that about 8:30pm in North Melbourne, the off-duty Constable Clare was walking down Victoria Street with three friends, including two police on a special plain-clothes patrol, when approached by a dozen young and rowdy Italian men.

The police claim 25-year-old Constable Clare was walking ahead of them, when, as he passed the group, one of them bumped him. They exchanged words before 33-year-old Dominic Condello punched him on the chin.

In the ensuing struggle, Mr. Condello allegedly pulled a knife from his pocket and fatally jabbed at Constable Clare, who cried out: "He's stabbed me."

He then fled through the crowd, hotly pursued by the two police who caught him only after drawing their revolvers and firing two shots.

Not so, according to the group of men, who claimed Constable Clare had used indecent language when he brushed past and then attacked them. They said Mr. Condello stepped in as peacemaker, raising the ire of Constable Clare who attacked him.

All the while the other two police stood with weapons drawn, threatening to shoot Mr. Condello, prompting him and his companions to flee. Defence later claimed they did not realise Constable Clare's friends were plain-clothes police.

In court, Mr. Condello admitted holding the knife, but said he normally only used it to clean his pipe, and was unaware Constable Clare had been stabbed, until police questioned him after his arrest.

Evidence was produced suggesting the policeman fell on the knife, though it was a pathologist's opinion that the fatal wounds – a punctured heart and a pierced aorta, could not have been caused by such a scenario.

After a two-day trial in February 1928, Mr. Condello was acquitted of murder, on grounds of reasonable self-defence. His knife/pipe cleaner, is in the Victoria Police Museum's collection.

– Police Life, December 2006

Burial:

Fawkner Memorial Park

Fawkner

Victoria, Australia

Plot: Fawkner Memorial Park wishes to advise that the location of the buried remains of the late James Clare aged 25 are located at Church Of England: Compartment M Grave 1627.

Created by: graver

Record added: May 08, 2012

Find A Grave Memorial# 89770712<http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=89770712>MEMORIAL TO CONSTABLE.

UNVEILED BY DR. ARGYLE.

Spirit of Police Force.

In memory of Constable James Clare, who was killed at North Melbourne on Christmas Eve monument has been erected in the Fawcner Cemetery, and yesterday the unveiling ceremony was performed by the Chief Secretary ( Dr. Argyle ).

Constable Clare, when off duty, and in plain clothes, had remonstrated with a group of men for jostling passersby in Victoria Street, North Melbourne, when he was fatally stabbed. The ceremony yesterday was witnessed by some hundreds of people. The monument, which takes the form of a broken column, was draped with the Union Jack.

The chief commissioner of police ( Brigadier-General Blarney ) said that he desired to pay his tribute to the fine devotion to duty possessed by Constable Clare, a devotion which led him to take upon himself a task which he need not have performed. While there existed the spirit which had prompted Constable Clare to perform the action in which he had laid down his life there was nothing wrong with the police force of Victoria and citizens might rest assured that the peace would be well cared for. The monument was a mark of the esteem in which Constable Clare was held by his comrades. Members of the Union Jack Club, of which Constable Clare was a member, and citizens at North Melbourne, had joined with members of the police force in erecting a memorial in memory of a worthy and noble deed. The spirit which had led Constable Clare to give his life was frequently and freely manifested by members of the force.

Dr. Argyle said that as Minister responsible for the administration of Police department, he was very greatly honoured in being permitted to perform the ceremony. He would direct the attention of the people of Victoria to the fact that a Policeman, whether in uniform or in plain clothes, was always on duty. Constable Clare realised this, and when an occasion arose for him to interfere, although not on duty, he unhesitatingly did so. Dr. Argyle continued that he would like people to realise, perhaps better than they did, how much they owed to the strict attention to duty of members of the Victorian Police Force. It was sad to think that a young ? full of promise should so suddenly be cut down. On behalf of the Government of Victoria he extended to the friends and relatives of Constable Clare his heartfelt sympathy. It was a matter for gratification to find that his comrades had thought fit to perpetuate his memory by the establishment of the memorial.

The Rev. C. M. Long dedicated the Police Band played several hymns.

<http://trove.nla.gov.au/ndp/del/article/3805868?searchTerm=argyle%20police&searchLimits=#pstart450354>  
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