

Robert S. DAVIS

Robert S. DAVIS

New South Wales Police Force

Regd. # ?

Rank: Constable

Stations: ?, Lock Up Keeper at Wingham

Service: From ? to Monday 21 January
1867

Awards: ?

Born: ?

Died on: ?

Cause: Drowned

Event location: Manning River

Body found: Wednesday 23 January 1867

Age: 32

Funeral date: ?

Funeral location: ?

Buried at: ?

[alert_yellow]**ROBERT** is NOT mentioned on the Police Wall of Remembrance[/alert_yellow] ***NEED MORE INFO**

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Funeral location: ?

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We Remember...

Constable Robert DAVIS

Drowned

Wingham

21 January, 1867

This recently unearthed police death on duty is now the subject of research. The following newspaper articles tell part of the constable's story.

The Maitland Mercury and Hunter River General Advertiser **31 January, 1867:**

“Robert Davis, police constable and lock-up keeper at Wingham, while out collecting the electoral roll, was drowned in the Manning, near Wingham, on the 21st January. He was seen riding near the river on that day, and was not seen afterwards alive; but no one appears to have seen him crossing the river. Not returning home in the evening, his wife sent out messengers in search of him. Next day his horse was found near the river, and it was then surmised that he had been drowned. The police and others dragged the river, and found the body a short

distance above the crossing place. 'The deceased has left a **wife** and **several children** unprovided for; the inhabitants of the locality are **raising subscriptions** for them."

The Empire – **31 January 1867:**

"A sad affair, which cost the life of a **very decent man**, occurred at Wingham on Monday last. It seems that **Robert Davis**, who was one of the police-constables, and lockup-keeper at Wingham, was recently appointed to assist in collecting the electoral roll of the Manning, and that in the **discharge of his duty** he crossed over **to the Bight** on Monday last. He was absent but a very short time when he was seen returning home but he failed to arrive. His wife, alarmed as the evening wore on at his non-appearance, sent out messengers in search of her missing husband, but it was only on the following morning that certain tidings were heard of him. Then the horse on which he had been mounted was found riderless in a paddock on the opposite side of the river; the saddle – covered with mud, and one of the stirrups missing. It was then conjectured that he must have been drowned, and the river was dragged for the body. It was found on **Wednesday**; and after a **magisterial inquiry**, all that remained of poor Davis was **buried on the same day**. How he became unhorsed will probably never be known; and the matter is all the more mysterious from the fact that he knew the ford well, had crossed it before on the same day, and was riding an animal to which he had been accustomed. The man thus **lost in the discharge of his duty** has left a wife and a number of small children. He had resided in the district **several years**, and was universally regarded as a sober, unassuming, kind hearted, and efficient public servant. Great sympathy is felt for his wife, who is said to be near her confinement. – Manning River News."

The Armidale Express and New England General Advertiser 9 February, 1867:

“The ‘Manning River News’ of 26th says:—**Robert Davis**, who was **one of the police constables** and the **lock-up keeper** at **Wingham**, was recently appointed to assist collecting the electoral roll of the Manning, and in the **discharge of his duty** he crossed over to **the Bight** on Monday last. Subsequently his horse was found, on the opposite side of the river, the saddle being covered with mud and one of the **stirrups missing**. A search resulted in the discovery of Davis’s body **in the river**. He had been drowned by some mischance in crossing the ford. He leaves a wife and number of small children.”

At the time of his death the constable was aged **32 years** and was stationed at Wingham, where he was the lockup keeper.

https://www.facebook.com/groups/514697128544865/1135440536470518/?notif_t=group_comment_follow

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<i>Surname</i>	<i>Given Names</i>	<i>Notice Type</i>	<i>Date</i>	<i>Type</i>	<i>Age</i>	<i>Other Details</i>	<i>Publication</i>	<i>Published</i>
DAVIS	Robert S	Death notice	21JAN1867	Death	32	at Wingham, Manning River	Sydney Morning Herald	07MAR1867
DAVIS	Robert S	Death notice	21JAN1867	Death	32	at Wingham, Manning River	Sydney Morning Herald	23MAR1867

DAVIS	Robert S	Death notice	21JAN1867	Death	32	late of Wingham, Manning River	The Empire	08MAR1867
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<http://ryersonindex.net/search.php>

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Clarence and Richmond Examiner & New England Advertiser (NSW
) **Tuesday 12 February 1867** page 3 of 8

A police constable named **Robert Davis** stationed at Wingham, on the Manning River, was drowned on Monday, when attempting to ford the Bight. He was assisting to collect the names for the electoral roll. He was a man much respected in the district, and has left a widow and a number of small children.

FATAL ACCIDENT AT THE MANNING RIVER. – A sad affair, which cost the life of a very decent man, occurred at Wingham, on Monday, 21st instant. It seems that Robert Davis, lock up keeper at Wingham, was collecting the electoral roll of the Manning, and that in the discharge of his duty he crossed over to the Bight on Monday last. He was absent but a very short time when he was seen returning home – but did not arrive. His wife, alarmed as the evening wore on at his non-appearance, sent out messengers in search of her missing husband, but it was only on the following morning that certain tidings were heard of him. Then, the horse on which he had been mounted was found riderless in a paddock on the opposite side of the river the saddle was covered with mud, and one of the stirrups missing. It was conjectured that he must have been drowned and the river was dragged for the body. It was found on Wednesday ; and after a magisterial inquiry, was buried on the same day. How he became unhorsed will probably never be known, and the matter is all the more mysterious from the fact that he knew

the ford well and had crossed it before on the same day, and was riding an animal to which he had been accustomed. The man thus lost in the discharge of his duty has left a wife and a number of small children – News

<http://trove.nla.gov.au/ndp/del/article/63665154>

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Empire (Sydney)
1867

Friday 8 March
page 1 of 8

DEATHS.

DAVIS – On the 21st January, at Wingham, Manning River, constable Robert S. Davis, aged 32 years.

<http://trove.nla.gov.au/ndp/del/article/60837325>

<http://trove.nla.gov.au/ndp/del/article/166802297> – same wording as above. Sydney Mail Saturday 9 March 1867 page 9 of 12

<http://trove.nla.gov.au/ndp/del/article/13140774> – same wording as above. The Sydney Morning Herald Saturday 23 March 1867 page 7 of 16

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Thomas MADDEN

Thomas MADDEN

New South Wales Police Force

Regd. # ?????

Rank: Constable

Stations: ? , Bathurst

Service: From 20 January 1864 to 30
April 1867 = 3+ years Service

Awards: ?

Born: ? ? 1836 – 1837, County Mayo,
Ireland

Died on: 30 April 1867

Cause: Accidentally Shot – " Friendly
fire "

Event location: Pulpit Hill (near
Katoomba)

Age: 30

Funeral date:

Funeral location:

**Buried at: Hartley Cemetery, Great
Western Hwy, Hartley, NSW**

Location of Grave: a/a

Memorial location:



*Sivonne
Photography ©*

T.M.
Dedicated
TO
THE MEMORY
OF
THOMAS MADDISON
CONSTABLE,
WHO WAS ACCIDENTALLY
SHOT
THE 30th APRIL 1867
WHILE IN THE DISCHARGE
OF HIS DUTY AT
PULPIT HILL,
A NATIVE OF COUNTY MAYO
IRELAND,
AGED 30 YEARS.
May his soul rest in peace
Erected by the members
of the



photo courtesy of:

<http://livonne.com.au/2013/03/02/in-the-line-of-duty/>



Sacred to the memory of Thomas Madden Constable. Who was accidentally shot 13th

April 1867 while in the discharge of his duty at Pulpit Hill. A native of County Mayo Ireland. Aged 30 years. May his soul rest in peace. Erected by the members of the Police force in the Western District.

[alert_green]THOMAS IS mentioned on the Police Wall of Remembrance[/alert_green]

On the 29 April, 1867 a party of eight police led by **Sergeant Walter Casey** camped at **Pulpit Hill** (near present day **Katoomba**) with fifteen or sixteen 'heavily ironed' prisoners they were escorting from **Bathurst Court** to **Darlinghurst Gaol**.

At midnight **Constable Madden** took his turn to watch over the lockup in which the prisoners were housed. When he was relieved at 2am by **Constable Hitchcox**, **Constable Madden** went to check the prisoners. When he opened the door of the lockup, the prisoners, who had apparently been waiting for their chance to escape, rushed the constable. **Sergeant Casey**, who realised what was occurring, began firing at the prisoners. Unfortunately, **of the five shots** fired by the **sergeant**, **three accidentally** struck **Constable Madden**, inflicting **fatal wounds**. Two prisoners were also wounded.

The *Sydney Morning Herald* of **14 May, 1867, page 3** gave news of the inquest into the death of Constable Madden.

INQUEST ON THE BODY OF CONSTABLE MADDEN.

*At the inquest held by the District Coroner, at **Hartley**, on view of the body of the unfortunate deceased **Constable Thomas Madden**, who was **accidentally shot** by **Sergeant Casey** while*

*resisting the attempt of prisoners to escape from the lockup at **Pulpit Hill**, depositions were taken.*

Walter Cassels Casey, sergeant of police, stationed at **Sofala**, on oath saith

On the 29th April I was in charge of an escort of **fifteen prisoners** en route from Bathurst to Sydney ; that night the escort stopped at **Pulpit Hill lock-up**, I was on guard over the prisoners from 7 to 10 p m ; and was relieved by **constable Duggan**, who was on guard from 10 to 12, when he was relieved by the deceased, who remained on guard from 12 to 2a.m. of the 30th instant, **Constable Hitchcox** had to relieve him then.

After I was relieved from guard by **constable Duggan**, I laid down on the sofa (marked A in the plan), and had my revolver loaded on the window sill at hand ; **anxiety kept me from sleeping**, and I conversed with every sentry ; at twelve minutes past 2 a.m, **deceased** called **Constable Hitchcox** from an adjoining room ; deceased then said, " I will look to see that they are all right," immediately after this, the **prisoners**, led by **Rutherford, Holmes, Moran, Smith, Southgate**, and **Kerr** burst into the front room, out of the cell (C), and through the door (B), I jumped up, seized my revolver, and **fired at the prisoner Moran** ; he appeared to fall, I then **fired at Kerr**, who sang out, I fired at **Kerr**, who was rushing at **deceased** ; **Kerr** fell, I then **fired at Southgate**, who had hold of **deceased** ; the pistol hung fire , **Southgate** was not hit ; I fired again at one I supposed to be prisoner **Holmes**, I believe that something was put over the lamps very soon after the rush ; I found a blanket and a prisoner's jacket on the table after all was over ; as the room seemed to get very dark after the two first shots ; it may have been caused by the smoke ; after I had **fired five shots**, the prisoners **all but two** ran into the cell, these two, who were **Holmes** and **Rutherford**, ran out of the **front door** (D), taking the direction of G and F ; I followed **Holmes**, and snapped the pistol at him ; it did not go off ; I then ran in and shut the door on the prisoners, who

were in the cell at the time **senior-constables McArthur** and **McNanamy** and other police ran up from the barracks ; **McArthur** told me that **Madden** was shot in three places, and that the prisoners must have a revolver, I said, " Than they got **Madden's,**" I said three or four of the prisoners are shot. I then looked at **Hitchcox's** revolver, it was not discharged, nor was any other of the police revolvers but my own, which had been fired five times, I then said, "Oh, my God! I must have shot poor **Madden,**"

I went up to the **barracks**, and saw deceased ; he complained of pain in his bowels ; I said, " Oh, **Madden** it was I shot you," he said, " No, it was the prisoners," I said, ' No, it was me, as no other revolver was discharged," he said then, "If it was, I forgive you ; I know you did not do it on purpose," and shook hands with me. **I was so overcome at the thought of shooting my comrade,** I do not know what I did, I believe I fainted.

I saw in the afternoon that prisoner **Moran** and **Kerr** were each wounded in two places – **Moran** on the breast and in the thigh, and **Kerr** having a graze on his head and a severe wound through his right arm.

When I went in, **Moran** said:, "You b— butcher, if I had a revolver I would have got away ; I would as it was but for the sergeant."

I was standing on the sofa when I fired, and the deceased was struggling with the prisoners ; my revolver has six chambers ; one chamber had **two round bullets** in it, one of which struck **Moran** on the left breast ; it is usual to see if the prisoners are all safe when changing guard ; the whole affair did not last more than five minutes ; I have been about **eleven years** in the police, I think **Kerr** had hold of deceased by the throat ; **Kerr** was shot through the right arm, and deceased on the left side ; I believe **deceased** was trying to keep prisoner from me and the door ; the property found on deceased

consisted of £7 16s 3d and a silver watch and chain.

Thomas Hitchcox sworn: " I am a **constable** stationed at **Pulpit Hill**, on the morning of the 30th April I was called shortly after 2 a m to relieve the deceased **constable Madden**, who was on duty guarding fifteen prisoners in the **Pulpit Hill watch-house**. When I came out of my own room **sergeant Casey** was lying on a sofa, after I had been out of my room a few moments, **constable Madden** said, "I'll see if the prisoners are all right "

He took the padlock off and drew the bolt, immediately, the prisoners rushed the door open and I believe knocked **deceased** down ; at least I lost sight of him ; prisoner **Rutherford** sprang at my throat, with, I believe the intention to get at **Sergeant Casey**'s revolver, which was lying on the window ; I got away from him ; he followed me, and got hold of me a second time ; I then got away ; **sergeant Casey** jumped up and commenced to fire his revolver at the prisoners. **Rutherford** again caught me by the throat ; I had great difficulty in getting away from him ; I rushed into my bedroom ; got out of the window ; and went to the **barracks** to call the escort, who were sleeping in the **barrack room**, and to get arms, as the prisoners were between myself and my own ; I believe had not **sergeant Casey** fired as promptly as he did we should have been disarmed ; and the prisoners would have escaped ; my revolver was hanging behind the cell door ; the place where I generally keep it,

Sergeant Casey was standing on the sofa when he fired.

Daniel Murray O'Hara being duly sworn said I am a duly qualified **medical practitioner** residing at **Hassan's Walls**, I have this day made a **post mortem** examination on the body of **Thomas Madden** ; there were no external marks of violence on the body, except **three punctured wounds** ; one on the left jaw in front of the ear, one on the left shoulder blade, and one on the left side, between the ninth and tenth ribs ; these

three wounds are gunshot ; where the ball entered I found the ball that caused the wound on the jaw had passed through the lower jaw blade fracturing it and wounding parts inside the jaw, viz muscles etc, and passing through the roof of the tongue in which I found the ball lodged in its substance ; on the right side the bone had split the ball, and one small portion was found immediately inside the left jaw bone, and the principal portion on the place stated, with a small portion of bone adhering to it ; this wound would not necessarily have proved fatal ; I found that the wound on the left side was more serious ; and on opening the chest and abdomen, I found that the ball had passed through the chest and abdomen, from the left to the right side, wounding in its course the pleura, peritoneum, and spleen, liver, and stomach, I found the ball under the skin on the right side ; there had been a great deal of internal haemorrhage along the course of this ball ; I believe it was from the causes of this wound that death took place ; I was not able to discover the ball that had entered the shoulder blade but as it had not entered the chest I did not consider it necessary to make any further search for it. The round hallmarked "X" is the one which had entered the side, and was the cause of death ; the ball marked "T" I found in the substance of the tongue.

*The jury returned the following verdict – "That on the **30th day of April** last, at **Pulpit Hill**, the said **Thomas Madden** died from pistol shot wounds, fired by **Sergeant Casey** while in the execution of his duty, and not by any other violent means whatever to the knowledge of the said jurors, did die."* The jury also added that they consider **no blame attached to Sergeant Casey**.

<http://trove.nla.gov.au/newspaper/article/13138796>

The constable was born in Ireland and joined the New South Wales Police Force on **20 January, 1864** at the age of **28 years**. He had previously served in the **Royal Irish Constabulary**. At the time of his death he was a **mounted trooper** in the **New**

South Wales Police Force and was stationed at Bathurst.

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NSW BDM – Death 5356/1867

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I visited this grave today, **Saturday 29 October 2016** and it is still in great shape.

Cal

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**John CARROLL, Patrick
KENNAGH, Eneas McDONNELL,
John PHEGAN**

John CARROLL

Patrick KENNAGH

Eneas McDONNELL

John PHEGAN

New South Wales Police Force

Regd. # **????**

Rank: **ALL were Special Constables**

Stations: **?**

Service: **From** **???** **to** **9 January 1867**

Awards: **?**

Born: **see below**

Died on: **Wednesday 9 January 1867**

Event location: **Braidwood**

Cause: **Shot – Murdered**

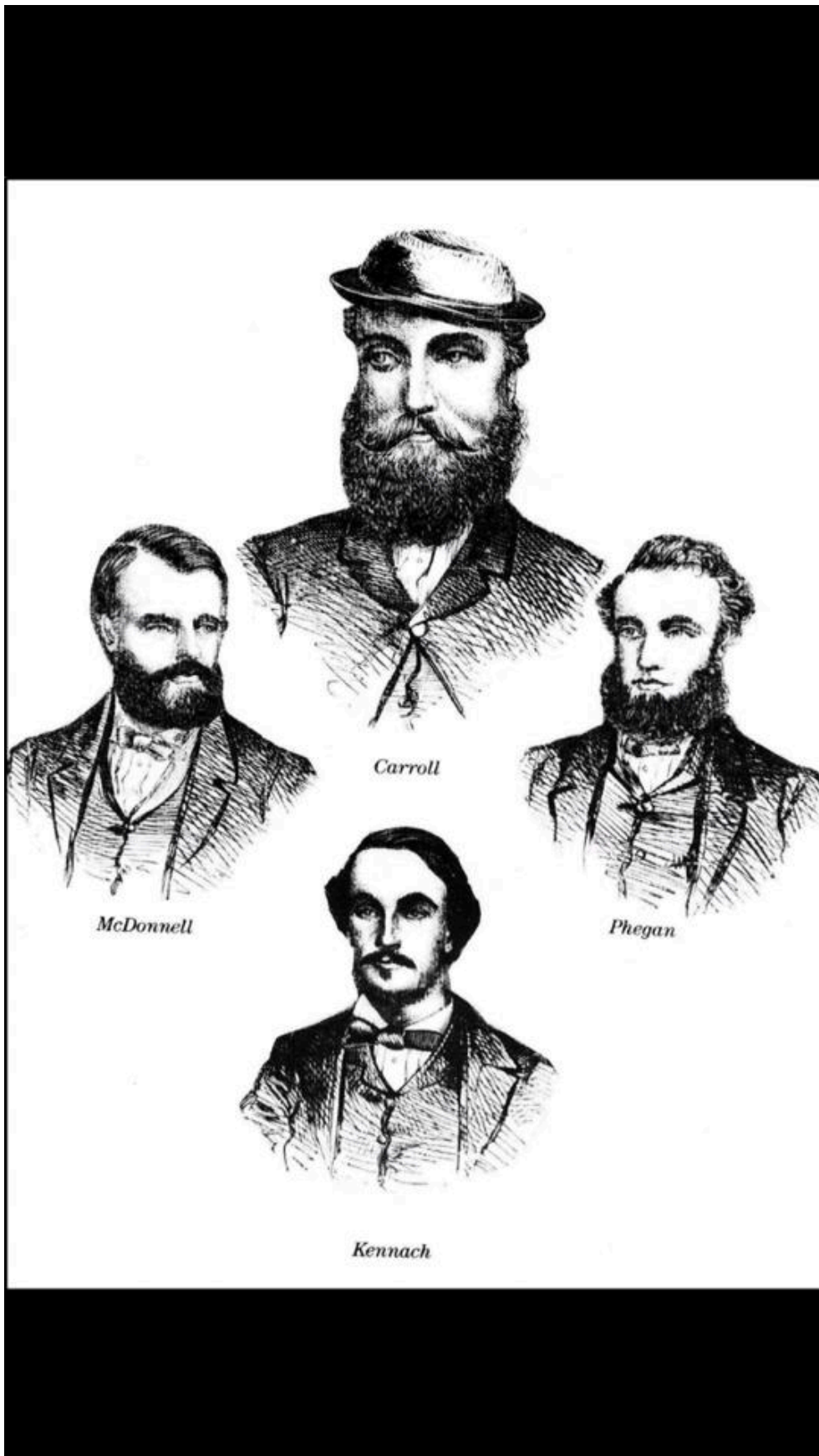
Age: **see below**

Funeral date: **?**

Funeral location: ?

Buried at: Braidwood Cemetery

[alert_green] John CARROLL, Patrick KENNAGH, Eneas McDONNELL
& John PHEGAN are mentioned on the Police Wall of
Remembrance[/alert_green] *NEED MORE INFO



Carroll Kennagh McDonnell Phegan – Special Constables – NSWPF – Murdered – 9 Jan 1867 – Facial Drawings



Carroll Kennagh McDonnell Phegan – Special Constables – NSWPF – Murdered – 9 Jan 1867 – Grave stone

John Carroll (a senior warder at the Darlinghurst Gaol) was the leader of a group of four men sworn in as special constables to search for and capture the Clarke Gang of bushrangers. The patrol consisted of Carroll, Patrick Kennagh, Eneas McDonnell and John Phegan. They were well-armed and in January, 1867 had for some time been posing as surveyors in the Braidwood area in an attempt to discover the whereabouts of the bushrangers. On the afternoon of 9 January the four men were walking through an area of very dense bush on Jinden Station, having left their horses behind on that day for some reason, when they were ambushed.

Witnesses apparently twice heard shooting in the area at that time but did not investigate until the following day. In a clearing in the bush McDonnell and Phegan were found, shot to death, and about 800 metres away Carroll and Kennagh were found, also shot to death. Carroll was found lying on his back with a neatly folded handkerchief on his chest with a one-pound note pinned to it. A large sum of money he was carrying

in his pocket had not been touched. The wounds suffered by Carroll and Kennagh suggest that not only were they murdered, but that they were actually “executed”. It is generally thought (and also often disputed) that their attackers were members of the Clarke Gang, however this has never been proved.

The *Sydney Morning Herald* of **12 January, 1867** informed its readers of the following.

BRAIDWOOD – MURDER OF THE SPECIAL CONSTABLES.

Friday: The four special constables – Carroll, MacDonald, Fagan, and Kennagh – sent here to capture Clarke’s gang, were on a visit to a station at Jinden, when they heard that Clarke would be at a place two miles distant from there, the constables went on foot with the intention of endeavouring to capture him, and, it is presumed, were met by a lawless mob and shot dead. It is said that Carroll’s legs had been broken, and his feet turned to his head. The mournful news reached Braidwood last night, and caused universal indignation, and cast a gloom over the entire population. Mr. Griffin and Superintendent Orridge are now holding an inquiry.

Like Carroll, Kennagh and McDonnell were prison warders (McDonnell was also an ex-policeman), while Phegan had been chosen for the search because, as a former associate of the Clarkes, he knew the Braidwood area well. They had been authorised by Colonial Secretary Henry Parkes to undertake a “secret expedition for the capture of the bushranger Thomas Clarke and his associates.”□ They had been promised wages, reward money (if successful) and significant positions in the Public Service for their endeavours. This situation, of course, was not popular at the time with substantive New South

Wales police officers. A monument was later erected in the memory of these men at the Braidwood Cemetery (and inexplicably, McDonnell is referred to as Eneas 'McDonald'□).

These murders represent the highest number of police ever killed in a single incident of this type in Australian history. It is only surpassed by the spearing of patrols of Native Mounted Police in Queensland in the 1860's. (Ned Kelly killed three Victorian police officers in a single incident at Stringybark Creek in 1878).

Special Constable McDonnell was born in 1817,

Special Constable Carroll in 1829,

Special Constable Phegan in 1837, and

Special Constable Kennagh in 1841.

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Clarence and Richmond Examiner & New England Advertiser (NSW
) **Tuesday 12 February 1867** page 3 of 8

Meetings of sympathy with the families of the **special constables** recently murdered continue to be held, and much indignation is expressed at the rottenness and inefficiency of our expensive **military police force**. A commission, with a great preponderance of officialism in it, has been appointed, to inquire into the circumstances of the late murders of the special constables, and the state of the **Braidwood district**. The public have little confidence in the fitness of the commissioners.

<http://trove.nla.gov.au/ndp/del/article/63665154>

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Special constables **Carroll, Phegan, McDonald, and Kennagh**, shot dead at Jingera, by Clark's gang, January 9, 1867.

<http://trove.nla.gov.au/newspaper/article/112710985>

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September 30 2015 – 7:16AM

Police and Bushranger descendants tour bushranger sites in district

Braidwood was overflowing with people during the weekend from visitors who had come to town for all sorts of events and celebrations.

The Police and Bushrangers Descendants who travelled from all over NSW and some from QLD came to enjoy the company of like-minded people and to learn more about the local Braidwood bushrangers and the policeman who were involved in their capture in April 1867.

The group was lucky to have many distinguished historians and authors who facilitated as commentators, guest speakers and experts. This was a well-run event.

The group would like to thank Paul and Annette Briggs and family who spent many long hours scheduling and organising the experience. As a result, all of the participants enjoyed their time in the Braidwood District. Paul Briggs is a descendant of Lionel Pottinger, one of the Special Police sent after the

Clarkes.

The group gathered at the Braidwood Services Club on Friday night for dinner followed by a briefing on the weekend and guest speakers from within the group before their early start the next morning.

About 80 people, including local guests, gathered at the Garan Vale Woolshed at 8.15am on Saturday morning ready to depart for their day tour of the significant sites of the Connell and Clarke bushrangers in the Ballallaba, Krawarree, Jinden and Kain areas of the district.

The first interesting site was the Clarke residence on the Cooma Rd adjacent to Brick Kiln Creek where Jack and Mary Clarke (parents of Tom and John Clarke) lived. Peter Smith and Paul Briggs spoke and recited information about this site. Along the way Paul Hart provided information about several curious sites along the road, including Mrs Appleby's store and house, the Willis homestead, Bendora and bridle tracks including the Rugby Track.

The group viewed the Nithsdale homestead and the surrounding property where the oldest of the Clarke children were born, during the 1840's. This was also the location of the local Ballallaba police Station. Along the road, the tour managers pointed out the Coles, the Church, the school, the Berriman and Connells family home sites.

The areas and locations of the Griffin brothers were also pointed out. These three brothers had substantial involvement in the Bushranging episode during the 1860s.

The site of a well known and notorious landmark, 'Michael O'Connell's Traveller's Home Hotel,' opposite Jim O'Connell's house was pointed out. A few stories were told and a visit to the Gundillion cemetery provided a few photo opportunities of Michael O'Connell's gravestone.

Morning tea was abundantly provided by the good hosts of the Deua Tin Huts. A few more stories were exchanged and were appreciated by all.

The group was eager to travel to Khan Yunis to locate the site of Berry's Hut where the Clarke bushrangers were finally taken by a small but dedicated group of troopers in 1867.

A substantial luncheon was provided by the Gundillion Progress ladies at the local hall. After a delicious lunch, the group travelled to Jinden to visit the property of Janette and John Hindmarsh where the temporary burial site and the site of the killing of the four unfortunate Special constables was pointed out to the large group.

On travelling back to Braidwood the tour travelled along the Jerrabatgulla Road visiting the house site of Michael Connell senior and 'Gilston', the family home of the Hart family. This is where Charlotte Hart, the wife of Tom Clarke grew up and lived. The group was bailed up by a couple of bushrangers who travelled on the bus to Braidwood ensuring that all travellers behaved themselves.

On arriving in Braidwood a quick stop at the local Braidwood Cemetery allowed the group to visit the final resting place of the Four Specials. The large memorial that was built to remember them was regarded with much interest.

On Saturday night a marvellous dinner and singalong was had at the Garan Vale Woolshed. Peter Smith led the vocals on several songs from the bushranging era to demonstrate how the community supported and even sympathised with the bushrangers during that chapter of Australia's history, like this verse from the Kelly's Byrne and Hart "...As high above the mountains so beautiful and grand, Our young Australian heroes in bold defiance stand, In bold defiance stand, my boys, the heroes of today, So let us stand together boys, and shout again, "Hurray!""

The weekend was topped off on Sunday with an interesting tour of the local Historical Museum and a tour of the Bedervale Homestead. Many thanks to Jill Clarke for her notes from the tour.

<https://www.braidwoodtimes.com.au/story/3391817/police-and-bushranger-descendants-tour-bushranger-sites-in-district/>

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[A bloody ambush. Clarkes to be retried. pdf](#)

http://www.bwdmag.com.au/BWD_11/%20BWD11_2223.pdf

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