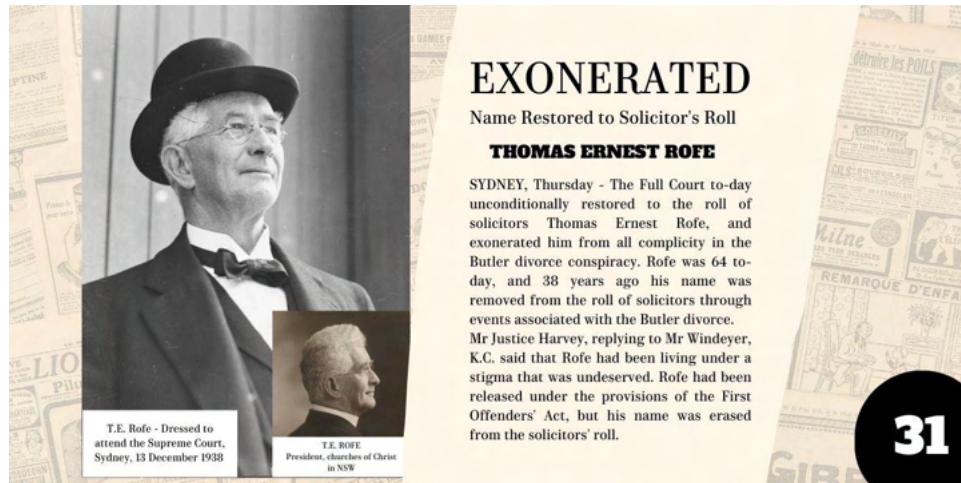


CHURCHES OF CHRIST NSW

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THOMAS ERNEST ROFE

STRIVE TO DO WELL: THE LIFE AND LEGACY OF T.E. ROFE

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The Churches of Christ in NSW will consider for publication short papers on historical and theological topics relevant to the development of Churches of Christ. The publication of a paper does not constitute an official endorsement of the views expressed therein.

Thomas Ernest Rofe (1869-1945)

Many within Churches of Christ will have cause to be grateful to the legacy of Thomas Ernest Rofe. Little remembered today, Rofe is one of the few members of churches of Christ in NSW & ACT whose story is in the *Australian Dictionary of Biography*.

But his story is probably there for all the wrong reasons.

Family Background

Rofe's paternal grandparents, James Rofe (1817–1870) and Charlotte Bailey (1823–1866), both emigrated from Sussex on board the *Neptune* arriving in Sydney on 26 September 1839, and were married on 18 February 1840 in Scots Church, Jamison Street, Sydney. They had four sons and two daughters. Alfred, their eldest son (1841–1902), married Sarah Fulton (1841–1908) and they had five sons and seven daughters. Thomas Ernest Rofe, the fifth child and fourth son, first saw the light of day in George Street, Brickfield Hill, Sydney on 15 June 1869. Known to his friends as 'Tom', he attended Cleveland Street Public School and Cope College for boys, which is now Sydney Grammar School. Tom passed his junior matriculation examination with honours, studied law and was admitted as a solicitor on 17 March 1893, aged 24.



Letter from Alfred Rofe & Sons to the Sydney Town Clerk 1893

Alfred Rofe started out as a leather cutter, but later studied law and became a solicitor. He was well known in the city as principal of the firm of Alfred Rofe and Sons, Solicitors, which included three of his sons — Arthur Cameron, Thomas Ernest, and Percy George.

Highly respected, Arthur specialised in bankruptcy, insolvency, probate and company law, representing many members of the working class: a wood carver, stonemason, quarryman, horse dealer, carpenter among others received his attention. As a businessman, Arthur made shrewd investments, at one time holding 590 £1 shares (\$95,000 in today's figures) in seven goldmining companies for which he acted as solicitor. He held 200 shares (\$30,000) in a tin mine and a further number in a coal mine.

In the second half of the nineteenth century, if you were male, and not Roman Catholic, you were most likely a Freemason. Thomas Rofe's father, Alfred, was a prominent Freemason being at one time Grand Master of the Masonic fraternity. He was a prominent citizen in many other respects, representing the West Kingston Ward of the Petersham municipality for five years, during four of which he occupied the mayoral chair (1894–1897), where he took a prominent part in the consolidation of the borough loans. He was one of the petitioners for the incorporation of the Kogarah council; one of the founders of the Petersham Bowling Club, and a member of the City and Ashfield Bowling Clubs; president of the Australian Union Benefit Society, and while ill, revised the rules of that body, and director of the

Equitable, the Industrial, and the Excelsior Building Societies. Alfred took a keen interest in the business affairs of the city, and his work and indulgence in sport were always characterised by zeal and thoroughness. He was auditor for the Borough of Redfern for a short time (1875–1878), and Rofe Street Leichhardt was named after him in 1891.

The Police Gazette of Wednesday 9 May 1877 reports that from one of his properties, Percy House, Cleveland Street, between the hours of 10 p.m. on the 3rd and 7 a.m. on 4th May 1877, eleven common teaspoons, one silver teaspoon engraved 'PS,' and a pair of boy's elastic side boots to the value of £1 were stolen. There is no record of their ever being recovered and the culprit apprehended.

Alfred Rofe died on 9 July 1902 leaving a widow, four sons, and five daughters. His estate of £187,000 (over \$24 million in today's figures) was divided equally between Arthur, Thomas and Percy. Why the fourth son, John Fulton, was not included is unknown. Rofe received £50,000 (\$7.6 million).

The travails of Thomas

As a young man, Tom Rofe showed a willingness to tilt at windmills. A fortnight prior to his twenty-sixth birthday, he stood for election as alderman in the Belmore Ward of the Redfern Municipal Council. He lost and at the declaration of the ballot addressed the assemblage. During his remarks, amid considerable interruption and hostile demonstrations, he made several charges of corruption against the mayor and aldermen, in support of which he read copies of various contracts. This was his reason, he said, for seeking election. There had been corruption proven in the Council at a trial before the Supreme Court.

Thomas Rofe's notability – or notoriety – stems from a charge of conspiracy to pervert the course of justice in 1895 when acting as a solicitor.

He had been practising only a year when he undertook his first divorce case. Thomas Richard Butler, of Glebe, sought to divorce his wife on the ground of her adultery with a man named George Williams. Butler claimed he and a friend surprised the couple in a 'compromising position.' Butler told Rofe he had had a private detective named Charles Davis watching his wife. The divorce suit came before Sir William Windeyer in November 1894. Mary Butler denied adultery, charged her husband and Williams with collusion, and cross-petitioned her husband for divorce on the grounds of his adultery. Butler took the role of the much-injured husband. He said he had since been unable to find Williams, but the evidence of his friend, who was with him when he surprised his wife, convinced the judge.

Sir William Windeyer dismissed Mary Butler's cross-petition, brushed aside her allegations that Butler and Williams had planned the 'raid,' and granted Butler a *decree nisi*. Six weeks later, Rofe accidentally discovered to his amazement that the private detective Davis, and Williams were one and the same person. Mary Butler also discovered the impersonation. She immediately instituted proceedings to stop her husband getting a *decree absolute* – the finalisation of the divorce.

Meanwhile, Rofe was suspicious of Butler's part in the affair, but did not have any evidence of wrongdoing by Butler, only by Davis. So, when Butler asked him to prepare the papers for the *decree absolute*, Rofe made out an affidavit which he now knew contained an untruth. He told his close friend and legal mentor, Dr C.A. Coghlan, QC, that he planned to give the affidavit to Butler. If Butler signed it as being true, he would have evidence that Butler was involved in the conspiracy. He would then 'wash his hands' of the case and report the matter to the Judge in Divorce. Rofe's plan went awry when Butler refused to sign the affidavit. This was one tilt that had an horrendous outcome. Rofe decided to drop the case anyway, because of his suspicions. Butler went off to get a Justice of the Peace to complete the papers for him. Rofe then went to the Judge in Divorce and told of his suspicions. The judge advised him to have nothing more to do with the matter.

In the meantime, the police had acted on Mary Butler's information and arrested Butler, Davis, and a woman friend of Davis, Elizabeth Susannah Peake. All were charged with conspiracy. At the trial, the Crown alleged the trio had 'faked' the divorce case evidence for Butler. Davis, Butler and Peake were found guilty and sentenced to gaol terms. The jury questioned the part Rofe had played in the matter. That afternoon, Rofe was arrested as he was about to board a tram in Elizabeth Street on the way back to his office. He was charged on three counts of conspiring to defeat the course of justice and arraigned at the Water Police Court. When the charge was read Rofe said, 'Before God and man I am innocent of such a charge.' Bail was refused. Subsequently, Rofe was granted bail of £500 and two sureties of £300 each, on the application of Richard D. Meagher (later first Labor Lord Mayor of Sydney) before the Chief Justice in Chambers, and left Darlinghurst gaol shortly after 2 o'clock.

The divorce case was notorious, so Rofe's arrest and Committal hearing in the Summons Division of the same court was widely reported. He was committed for trial on September 30, and the bail of £500 and two sureties of £300 each was extended.

His trial began in Central Criminal Court on 21 October 1895. For three days, Rofe's senior counsel, Mr (later Sir Edmund) Barton QC, shortly to become Australia's first Prime Minister, protested the young solicitor's innocence. Rofe, he said, might have acted unwisely in not reporting his submission immediately he discovered Davis was 'Williams,' but he had not deliberately conspired with the other three.

The image shows a 'Rofe Charge Sheet' from 1895. At the top, it says 'No. 1234' and 'Name Thomas Ernest Rofe'. Below this is a mugshot of Rofe, showing a man with a beard and mustache. To the right of the mugshot is a small portrait of a woman, likely Elizabeth Susannah Peake. Below the mugshot is a table with two columns: 'When and Where' and 'Charges'. The 'Charges' column contains two entries: 'Conspiracy to defraud the Government of New South Wales by obtaining a divorce from Elizabeth Susannah Peake on false evidence' and 'Conspiracy to defraud the Government of New South Wales by obtaining a divorce from Elizabeth Susannah Peake on false evidence'. The document is signed by the District Attorney, J. H. B. (John Henry Bland).

One of the most damaging pieces of evidence against Rofe was the false affidavit with which he had tried to 'trap' Butler. Though the affidavit was never used in the divorce case, the fact that Rofe had even made it outweighed heavily against him.

Barton tried to explain Rofe's reasons for preparing the affidavit but did not let Coghlan go into the witness box to give evidence of how Rofe had told him of his plan. Coghlan was also appearing for Rofe. Barton probably thought the jury would attach little value to the evidence of defence counsel. Barton and his colleague also blundered in not calling Butler and Davis, the two convicted men to give evidence.

Again, they thought the jury would take little notice of the evidence of convicted men. The Crown Prosecutor played heavily on the absence of these two witnesses. A juror said many years later that this had been a great influence on the jury.

On Thursday, 24 October 1895, the jury retired at 11.10 a.m. On their return at 4.40 p.m., they announced that they had found Rofe 'guilty' of all three charges. The jury foreman made a recommendation for mercy on account of Rofe's youth and previous good character.

Rofe bitterly protested his innocence saying that 'before the gentlemen of the jury, before your Honour, and before Almighty God, I am innocent of any such charge. If God strikes me dead now, I declare that I am innocent of any such charge. I am not a conspirator'.

Mr Acting Justice Backhouse sentenced Rofe to a suspended five years with hard labour. As Rofe was being removed, he asked if he might hand over his personal effects to his relatives, particularly his ring

to give to his wife. The judge believed Rofe had been carried away with 'over swerving conceit and belief in his own ability'. He escaped incarceration because of the recently legislated First Offenders Act.

The next day, a fierce controversy developed in the Press and spread to Parliament. Some people said that Rofe had been treated leniently because he was a legal man. They claimed pressure had been brought to bear on Mr Acting Justice Backhouse. The judge silenced criticism when his official correspondence to the Attorney-General was published in the Press. In it, the judge said he believed Rofe innocent. His belief did not save Rofe, and he spent much of the remainder of his life protesting his innocence and seeking reinstatement. Despite several large petitions by fellow solicitors, it eluded him for decades.

The young man, suddenly shaken in his ideals, found his profession taken from him. Immediately after his conviction he was struck from the roll of solicitors. He also suffered because there was no Court of Criminal Appeal. Leading jurists said in later years that such a court would have been certain to free him, as the evidence against him was at best flimsy.

His distress at the disbarment was aggravated by an article in *Smith's Weekly* in 1923 which attributed his philanthropy to a desire to restore his credibility in order to secure reinstatement as a solicitor. Despite some lapses into literary merit, *Smith's Weekly* was essentially a sensationalist broadsheet with a reputation for digging up scandal. Co-founded by Clyde Packer, the grandfather of Kerry Packer, it ceased publication in 1950.

In 1924, Rofe sued *Smith's Newspapers Ltd* for £25,000 damages for libel when it was stated that in an act of philanthropy, he had donated £6,000 to various hospitals and another £6,000 to the Church of Christ, with what was alleged to be worthless shares. He briefed William A. Holman, KC, (one-time premier of New South Wales) to appear for him. His defence was led by Reginald Heath Long Innes, KC, and Dr Herbert V. ('Doc') Evatt, KC, later Federal Labor leader. The newspaper claimed the content of its article was true and that its publication had been for the public benefit.

On 1 July 1924, under relentless cross examination by barristers for the *Smith's Weekly* Rofe broke down sobbing, 'This is cruel, this is cruel' and had to be led from the dock. The defamation case was dismissed by a jury. He appealed to the full bench of the Supreme Court and was again rebuffed. Acting on his belief that justice had not been served, he appealed to the Privy Council in England. He was again represented in these proceedings by Holman. The Privy Council granted him a new trial with costs. The protracted litigation ended in December 1927 when *Smith's Newspapers Ltd* settled out of court and agreed to make a public apology and pay costs in the vicinity of £4,092.

Rofe and the church

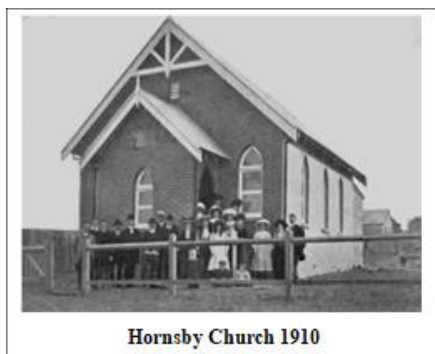


Image (L-R): Thomas Rofe, Cecil Hall, Henry Harward, William Hall and Joseph Whelan.

There is a story that sometime in the early 1900s Rofe was persuaded to attend Hornsby Church of Christ, a small group which met not far from his home in the (then) sparsely populated suburb of Wahroonga on Sydney's North Shore. Rofe was upset when the gold sovereign he dropped into the offering plate was returned by earnest deacons. In those days, Churches of Christ were fussy about who were to be admitted to Communion, and about receiving offerings from non-members. According to the story, this episode set Rofe thinking about his spiritual well-being.

Irrespective of the truth of the story, Rofe subsequently gave back that sovereign many times over to the churches of Christ in NSW & ACT through gifts and bequests. But there is more to it than that.

Whatever the triggering events in Rofe's life, it is likely that a strong influence was exercised on him through his wife and her family. At the Redfern Congregational Church on 27 December 1893, Rofe married Minnie Edith Hilder, only daughter of Hananiah and Margaret Hilder, of Great Buckingham Street, Redfern, Sydney. The officiating minister was the Rev. Fred. Binns, minister of the Redfern church. Minnie Hilder was the sister of Edwin John ('Jack') Hilder, later a 'patriarch' at the church of Christ in Enmore, New South Wales. There were six bridesmaids, two of whom, the Misses Hodgson, as well as the bride, were members of the Enmore church. In addition, Rofe was distantly related to Charles A. Rofe, a deacon at Enmore and a member of the State Home Mission Committee around the turn of the century. The wedding breakfast was held at the residence of the bride's parents, and among the guests was Dr Joseph Kingsbury, the guiding light of the Enmore church at the time, whose professional services Rofe called upon in his trial. Thomas and Minnie Rofe honeymooned at Moss Vale. They had five children, Dulcie Victoria Eleanor Fulton Rofe (1897-1981), Ernest Fulton Gladstone Rofe (1899-1920), Minnie Edith Fulton Rofe Andrews (1894-1922), Jessie Margaret Fulton Rofe (1906-1968), and Noel Lancelot Rofe (1917-1966).



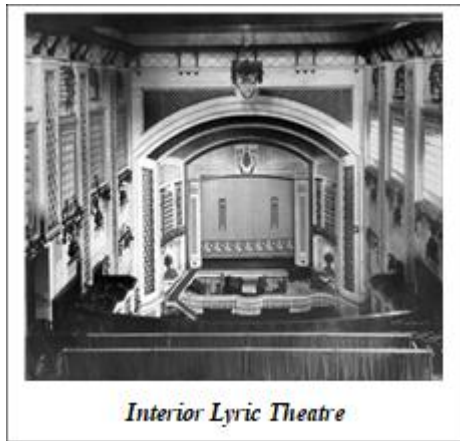
Rofe's formal links with Churches of Christ date from 1910 - when he and his wife joined the Hornsby church after a mission conducted by evangelist Thomas (Tommy) Hagger at the time its new chapel was opened. He served the church for many years as deacon and treasurer.

By 1913, Rofe was fully engaged in the cooperative work of the churches of Christ in NSW & ACT. Along with Hon. David R. Hall (later, Labor Party Attorney-

General of New South Wales) he provided legal advice to the Conference on the establishment of the Church Extension Building Fund, was a member of the State Overseas Missions Committee and funded the cost of sending out copies of Alexander Main's monograph, *Baptism: Our Lord's Command*, to every Church of Christ in Australia.

With Dr Ernest Bardsley, of Enmore, Rofe made possible the establishment of a library for evangelist and lay preachers. By 1916, he was participating in Federal Conferences where he passionately advocated missions and evangelism.

Rofe became one of the leading laymen of the churches of Christ in NSW & ACT between 1906 and his death in 1945, at both State and Federal level. He was twice Conference President in New South Wales (1923-1924 and 1935-1936). He established the Preachers' Provident Fund with a seed donation of £100. Along with John Ashwood, Thomas Bagley, James Hunter, Arthur Illingworth, Leo Rossell and George Walden he formed the first Committee. He served on the committee from its inception to the day of his death: a period of thirty-three years. He was chairman for seven years; occupying this position at his death. In this capacity, he rendered splendid service; his exceptional business ability, sound legal knowledge, and many generous gifts were of great assistance in building up the Fund. As chairman, he was kindly, gracious and sympathetic.



When George Walden invited Charles Reign Scoville to conduct a mission in Sydney in 1912, one of the most profitable partnerships for Churches of Christ in Australia was forged - between Walden and Rofe.

The largest theatre in Sydney was the Lyric, and Rofe organised for it to be available for two Sunday nights free of charge for the Scoville mission. Walden left Enmore in 1912 and Rofe was among the businessmen and political leaders who bade him farewell. He was present again when the same group of people farewelled Walden on his way to Gallipoli as a chaplain in 1915.

Walden was in hospital in Florence when Gallipoli was evacuated and as a result lost his effects. He wrote to Rofe who, as Federal Treasurer, ensured that the Churches of Christ in Australia replaced them. Rofe's monetary contribution to projects in which Walden was involved was significant. He saved Walden embarrassment with a gift of several hundred coins for distribution among the successful young collectors on the last Children's Day when the Federal Foreign Missions Committee - Walden was Federal Secretary - had insufficient coins and lacked the funds to provide more. When the Federal Foreign Mission overdraft got out of hand in 1926, Rofe gave the committee £500. Walden was able to travel to India in 1930 through the good graces of Rofe, who met all the expenses. On Walden's retirement in 1934, Rofe proposed, and another of Walden's Sydney friends, Leo Rossell, seconded a motion at the Federal Conference that 'the conference express the highest appreciation of the services of G.T. Walden for his many years as Federal Foreign Missions secretary.'

Rofe's friendship with Walden was close. He paid for Walden to travel from Adelaide to Sydney to conduct the weddings of his daughters Dulcie and Jessie, and on a more sombre note to conduct the funerals of Rofe's first son Ernest (1920), and elder daughter Minnie (1922).

On one of his visits to Sydney after his retirement Walden was knocked down in George Street by a tram and taken by ambulance to Sydney Hospital with head injuries. Thomas and Minnie Rofe, informed of the accident, arrived at the hospital and took him to their Wahroonga home. For three weeks, he enjoyed the kindest and most efficient nursing of Minnie and listening humbly to Thomas's exhortations on 'look both ways before crossing.' On George and Alice Walden's Golden Wedding Anniversary, the entire Rofe family sent messages and Thomas Rofe, a cheque. At the *in-memoriam* service for Walden at Enmore on 11 August 1940, Rofe read the lesson.

At the Federal conference of the Churches of Christ in April 1912 it was mentioned, during a discussion on the College of the Bible (Glen Iris), that provision had to be made for increased accommodation at the college involving an expenditure of upwards of £2000, and at least £1000 in cash was required. The board had the offer of £250 from a South Australian member if others would make up the £750. Rofe expressed his willingness to donate £60 if ten others could be induced to do likewise.

It seems that Rofe hosted a church in his home, 'Neringla', in Woonona Avenue, Wahroonga (within the Hornsby Shire). On 26 November 1920, the social columns of the *Sydney Morning Herald* reported on the wedding of Rofe's daughter in 'the Church of Christ meeting at 'Neringla', Wahroonga'. A later news item from 1921 tells of the appointment of a Mr M. Wilson-Park to the ministry of the Wahroonga church and of his welcome by a 'largely-attended public meeting' presided over by Rofe. Later that year there is a report of a visit by chaplain Lieutenant-Colonel George Walden, who was a guest in Rofe's home. Rofe was then treasurer of the Foreign Missions Board.



Both Wilson-Park and the Wahroonga church remain somewhat enigmatic. The church calendar produced by Wilson-Park in March 1922 (No. 8) reveals a program that would be appropriate to a large church. It advertises three Sunday Services and contains notices about choir practice and the tennis club.

While this document reflects typical Churches of Christ slogans of the period – e.g. ‘No creed but Christ, no book but the Bible’ – it also has some curious aspects. Among the programs advertised are meetings of the ‘Graysonian’ Club and the ‘Graysonian’ Club Shakespearian Society. The Graysonian Club seems to have provided an outlet for Wilson-Park’s interests in ‘business efficiency’, psychology, art and science. It is not clear what Rofe thought about all this and it seems that Wilson-Park did not stay long at Wahroonga. He is later recorded as an inspirational speaker on business efficiency at various conferences and as a preacher in another religious tradition.

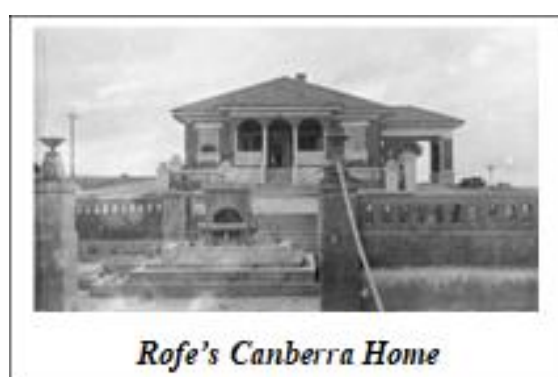
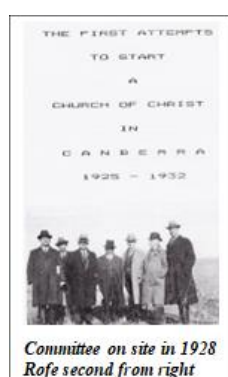
There is no living memory of the Wahroonga church despite the range of its programs. Conference records suggest it was in fellowship from 1919–1925 with a membership of 19–45. The nearest chapels in 1920 were at Hornsby, three kilometres away, and Chatswood, ten kilometres away. The church at North Turrumurra (est. 1965) now draws a few members from the Wahroonga area. Many homes near ‘Neringla’ were destroyed in the 1970s to make way for the F3 expressway. But Rofe’s grand home still stands, now subdivided into flats.

Following the interlude with Wilson-Park, the Wahroonga church seemed to be campaigning on familiar ground in 1924 when L. Anderson MA spoke on ‘The Good Confession’. Anderson told the church that no other confession or creed was necessary for church membership other than that found in Romans 10:13.

Rofe played an important part in the successful Chandler-Clay tent mission at Rockdale in 1919. The local paper, the *Rockdale Citizen*, reported enthusiastically about the mission,

The hundreds who throng inside and outside the tent each night demonstrated that religion has still an attraction. On Sunday night fully eight hundred heard the mission service, half of whom were without seating accommodation.

Unfortunately, two disasters befell the mission; a severe storm, which destroyed the tent, and the Spanish Influenza pandemic. For a while the mission continued in the open air until an embargo was placed on large meetings in order to contain the spread of the contagious disease. Once the pandemic passed, a gift of £75 from Rofe made possible the purchase of another tent and the resumption of the mission.



At the Federal Conference of 1922, the Federal Foreign Missions Committee and College Board were instructed to build a Ladies' Hostel, for the use of the female students at the College of the Bible. Rofe kindly promised £600 towards the money required.

At the same conference, there was discussion about establishing a church in Canberra. It so happened that Rofe owned a rather nice property in the city – ultimately the house was sold to become the Brazilian embassy – so it seemed natural that he should be a member of the committee chosen to investigate the possibility. The committee was made up of dignitaries from both the New South Wales and Federal Conferences.

He travelled to the 1930 World Convention in Washington, USA, aboard the *Makura* as a delegate for New South Wales Churches of Christ, the Federal Conference, and the Federal Committee of the Foreign Missions Board, where he delivered an address on 'The Beginnings in Australia.' During his trip he studied methods of sewage disposal and visited the Town Clerk of Los Angeles, California. Being a prohibitionist, he was given a drink of water and the Town Clerk said: 'The water you just drank is from the river so that you will see that our process of elimination is perfect'. 'What river?' Rofe inquired. 'The one we pump the sewage into' replied the official.



Rofe's second term as president of the New South Wales Conference was from April 1935 to May 1936: the first was 1923–1924. His status in the community added lustre to the role. Accompanied by the Conference secretary, William (Bill) Crossman, and representatives of committees, he paid a courtesy call upon the Lord Mayor of Sydney, on Friday morning, 3 May, and was received very graciously. Afterwards the party were received at Government House by his Excellency Sir Alexander Hore-Ruthven (later Earl Gowrie and Governor General) where Rofe delivered an address of loyalty to His Majesty King George V.

His intense passion for souls is seen in his plans for his presidential year:

- 1) That Conference Executive lead the Churches in a Passion for the souls of men.
- 2) That the Churches be educated to have a greater interest in Home Missions.
- 3) That we endeavour to return to the field all missionaries who are at home due to lack of funds.
- 4) That the Social Service Committee be helped to provide work for the youth of the churches, and it be requested to have as its aim the salvation of souls.
- 5) That the Young Peoples' Department be instructed to make preaching the Gospel to the youth more intensive.

Rofe had a busy year. He visited and spoke in every church of Christ in the State; convened a session of church officers and preachers to consider that hardy annual, roll revision; performed the official opening of the Boys' Home, Dunmore House, at Pendle Hill, and entertained the preachers at a luncheon in the YMCA on 14 May 1935. A friend of the preachers, he invited the New South Wales preachers to his beautiful home at Port Hacking for their annual retreat, from 8–11 February 1936. The kind offer was gratefully accepted, and a happy and profitable time was had. The Rofes were excellent hosts and continued the practice until 1942. Dan Wakeley, one of the beneficiaries of this largesse wrote:

The week preceding our holiday was spent at the Annual Preachers' Retreat, where seventeen of our preachers were once again the guests of Bro and Sister Rofe, whose kindness and consideration (and perfect understanding that the purpose of the retreat was not a holiday, or mere social fellowship, but an opportunity to get together to grapple with the big problems of our work in these difficult days) made them an ideal host and hostess. Their kind hospitality, year after year, in this delightfully suitable seclusion, is a real and valuable contribution to the work of the churches whose preachers were there, and our movement altogether.

Rofe's involvement with Churches of Christ at the Federal level was extensive. As Federal President in 1936–1938 he travelled the country; was officially received by the Governor General at Admiralty House, Sydney, at the beginning of his presidency; and sent a message to churches of Christ across Australia appealing for funds for Federal evangelism. He served the Federal Conference twice as Treasurer.

The theme for Rofe's presidential term was 'Christ for Australia, Australia for Christ.' He urged the church to evangelise intensively and bring Australia to the feet of Christ. The Federal Executive had decided to invite Ernest Hinrichsen to conduct a mission at Albury in accordance with a resolution of the Federal Conference held in Melbourne the previous year. Rofe appealed to the members to make the mission the most successful ever held in Australia. He urged that it be the forerunner of a great revival for Christ in the Commonwealth, and be a soul-winning one, bringing many into the kingdom. He appealed to them to give the Federal Executive at least £350 to help make the mission in Albury the 'best ever', and personally matched that sum.

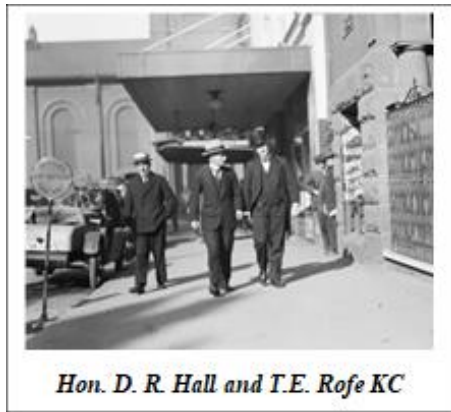
On the broader church scene, he was one of the founders of the New South Wales Council of Churches. Those who knew him best endorsed his candidature for the highest offices, one being that of President of the Council of Churches. He became the first layman to occupy the position. The December 1933 issue of *The Bible in the World* contains the following tribute from his pen as President of the Council:

The religious bodies owe a very great deal to the magnificent work done by the British & Foreign Bible Society. The society has been the means of millions receiving copies of the Holy Bible and the New Testament. The dark days of millions have been turned into days of joy and happiness. The society has spread throughout the world the way, the truth, and the light, and has been the means of the Scriptures being translated into almost every known tongue. God bless and speed on the good and invaluable work of the B&FBS.

The State secretary at the time was Herbert (Bert) Arrowsmith, a churches of Christ in NSW & ACT member.

In 1934, as President of the Council of Churches, along with two hundred men and women, at Camperdown Cemetery, Rofe crowded into the tomb of the one hundred and twenty-one victims of the *Dunbar* disaster that occurred in 1857. At the protest meeting, a resolution was passed against any move to convert the historic cemetery into a playground.

Education was important to Rofe. He endowed a scholarship (the T.E. Rofe Scholarship) for the College of the Bible in Melbourne (still offered by Stirling College). An interesting story surrounds it. The normal practice was to distribute the interest from a capital sum of £6,000 annually. For two years during the Depression this was not possible. Then Rofe sold a property in Sydney, and from the proceeds offered to each committee involved in the Settlement a share of half the capital amount to fulfil his obligations. The sum distributed amounted to £3,000. Many men would have considered that their altered circumstances automatically cancelled any promise made; not so Thomas Rofe.



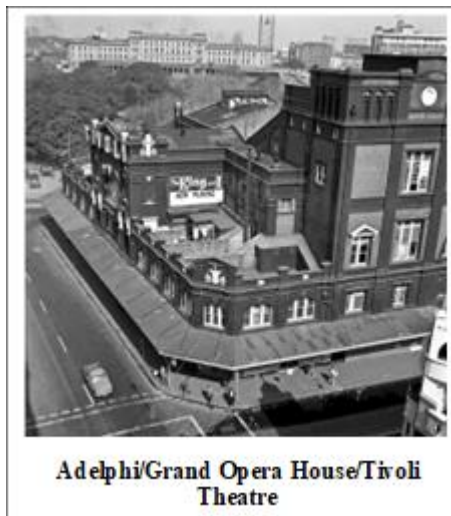
Furthermore, he played a significant role in the establishment of the Woolwich Bible College (now the Australian College of Ministries). In 1941, he was chair of the Investigation Committee, and remained on the committee until his death. With the Hon. David Hall, he loaned £4,250 to purchase the College site; after a year they retrenched the debt.

Rofe maintained his commitment to Churches of Christ long past the time it might have been necessary for him to be seen as 'respectable'.

Consistent with the dominant ethos in Churches of Christ at the time he was a strong temperance advocate and supporter. He reportedly used ginger beer to launch the *Spirit of Australia* – provoking one observer to quip that ginger beer 'never was, and never will be, the spirit of Australia'.

Rofe and commerce

Rofe reinvented himself as a financier and investor and prospered. He established his business as T. E. Rofe Ltd. and became a Director/Board Member of numerous companies and charitable organisations – too many to mention here. He did this while fighting legal battles for his reputation. The *Australian Dictionary of Biography* describes him as 'hyperactive', and indeed he must have been to maintain the connections he did.



Real estate became one of his principal business activities. He first came to commercial prominence in April 1910 when he purchased a fifty-year lease on part of the old Belmore Market site for £12,500 at an annual rental of £1,200. He said that when the proposal was made to him for the construction of a theatre, he took just half an hour to make up his mind.

The conditions he had laid down were that the prices should be reasonable, the exits should be ample to minimise danger in case of fire, and the seats should be as comfortable as possible. Through his architects, Messrs Eaton and Bates of Challis House, Rofe secured the lot for the purpose of creating what he said would be one of the largest theatres in Australasia.

The building had seating accommodation for 2,500 people and all the necessary accessories for a modern playhouse. The entrances, vestibules and staircases were all constructed of marble and the decorations throughout were in harmony and on an elaborate scale. Special study was made of the acoustic properties and a new scheme of ventilation installed. A large sliding roof covered the auditorium which consisted of stalls, dress circle, and family circle. The stage was one of the largest in the Commonwealth, being 30.5m x 26m, suitable for the biggest productions and requirements for up-to-date spectacular and mechanical drama. The total cost on completion was upwards of £20,000, and it was opened on 5 April 1911 with a production of 'The Bad Girl of the Family.' Originally named the 'Adelphi', after renovations it was renamed in 1916 as the 'Grand Opera House.' In 1932, it was again renamed being called the 'Tivoli.' During World War I, appeals to raise money for war loans were held at the theatre. At one such function in April 1918, Rofe gave £10,000. Theatre attendance declined after the arrival of television and the 'Tivoli' was demolished in 1969.

Another area that caught his attention was music. In June 1910, he became a guarantor of the Sydney Symphony Orchestra and maintained an association with the orchestra to the day he died. He saw the orchestra through a difficult time when union members refused to play with their non-union compatriots, which caused several concerts to be abandoned. A meeting was called but did nothing to adjust the difficulty, and the guarantors had to face the music in the matter of the deficit of £256. The orchestra re-commenced in 1913 under reorganised conditions. At the time the outlook for a permanent professional orchestra in the city was not too promising. However, the musical community were thankful that, at any rate, the present symphony organisation had not been allowed to become defunct. A new committee of management was elected, and Rofe presented £100 towards the expenses of the season. He was a member of the new management committee.

The Australian Debenture Company, Limited, had a capital of £5,000 in £1 shares. It intended to acquire Berry's Chambers, Pitt Street, and other buildings, and either sublet or dispose of same. The first directors were T. E. Rofe, W. Simpson, and H. G. Davies.

With four other businessmen from the churches of Christ, Rofe registered the Wonder Heater Company, Ltd with a capital of £20,000 in £1 shares. The object was to acquire interests in any patents relating to improvements in heat-radiation and heat-absorbing elements, etc. The first directors were: Henry Aylwin, Thomas Rofe, James Shorter, Stephen Dingle, and Thomas Savage. As above examples show, Rofe's business interests were quite diverse. He and his brother, John, sold the Chambers in Castlereagh Street in March 1923 for a sum in excess of £40,000. It was a substantial building with four floors and a basement. He then travelled on business to England and after a short stay sailed for New York aboard the *Majestic* arriving there on 10 July 1923.

Triumph of Thomas

A roar of applause swept the austere courtroom of the New South Wales Full Court on June 15, 1933. As the court orderlies called for silence, an ageing man rose from his seat in the centre of the court and, bowing to the three judges, murmured simply 'Thank you, Your Honours.' Those few words ended 38 years of bitter fighting by a courageous man who refused to give in. His battle ceased that day when the court cleared the name of Thomas Ernest Rofe.

The public knew Rofe as one of Sydney's greatest public benefactors, who had given thousands of pounds to churches, hospitals, charitable organisations, cultural institutions and the community at large. Many had forgotten, and many never knew, that since 1895 he had been fighting through the highest courts of Australia and England to prove his innocence on three charges of conspiracy.

Rofe began his long battle to clear himself almost immediately after sentence. He begged the government to reopen his case, but his appeals were overlooked. Tramping from one end of the city to the other he sought justice. In 1898 the government appointed Judge Coffey to inquire into the case to see if there was any new evidence that would warrant a retrial. Again, Rofe's counsel failed to see the importance of Coghlan's evidence about the affidavit. They did not call Coghlan to give evidence, and the judge recommended the jury's finding be left unaltered.

Men of lesser determination and courage might have given up, but Rofe persevered. He drew up a petition asking the government to reopen the case and collected the signatures of 325 solicitors. In 1906, the Full Court agreed to hear his appeal for reinstatement to the roll of solicitors. The Chief Justice dismissed the appeal saying that 'the crime of which Rofe had been convicted was a most heinous one.' Still Rofe would not give up. He continued to plague the government and build up support among his friends.

In 1908, the Full Court again heard his appeal and once more rejected it. This time it seemed Rofe's hopes were shattered forever when the then Chief Justice (Sir Frederick Darley) said that Rofe should

never, under any circumstances, be readmitted to the roll. For years afterwards nobody listened to his pleas. Friends told him his best chance of gaining readmission was to express contrition for his 'crime.' 'I cannot feel contrition for a crime I did not commit,' he insisted through the years. By this time, he had established himself as a successful businessman, directing more than 20 companies. Rofe continued to send petitions to each succeeding government. He now had three children and determined to prove his innocence for their sake. 'I cannot have the stigma of my wrongful conviction hanging over them,' he told his wife, who helped him prepare evidence for his defence.

Finally, the government yielded under the pressure of strong public opinion and in 1921 set up a Parliamentary Select Committee to inquire and report on the Rofe case. Eminent jurists, including Judge Backhouse, who presided at Rofe's trial, told the committee they believed Rofe was innocent. Coghlan was at last able to give his evidence about the false affidavit. Rofe told the committee:

This has been like a nightmare to me. I have awakened at nights. I cannot tell the sufferings I have gone through. I thank you gentlemen for the time you have taken over this case, and I hope that the good name which I held in 1895 will be restored to me. I think I have shown by my life that I could not have been guilty of the offences charged against me. There has not been a day when I have not prayed God that he might remove this black cloud from my life.

On December 22, 1921, the Select Committee reported: 'It is our view that Mr Rofe is innocent of the conspiracy charges.' After the decision Rofe said:

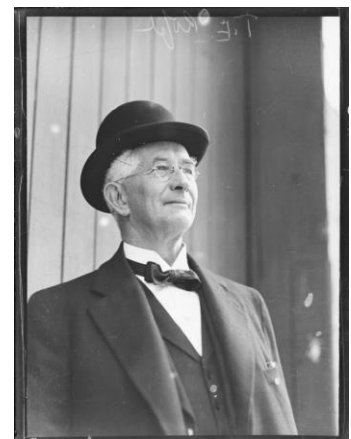
I feel like Pilgrim when he stood on the hill-top and felt his burden roll away. For over a quarter of a century now I have exhausted every means in my power to have a judge or other tribunal appointed to hear the evidence which convinced the Committee of Parliament, presided over by Mr Hickey, of my innocence...

Even this public exoneration would not sway the legal authorities. They refused to readmit Rofe to the solicitors' roll.

Regrettably, however, the *Australian Dictionary of Biography* entry seems to repeat the slur against Rofe by suggesting that 'seared by his experiences, Rofe turned to religion and philanthropy to rehabilitate his character'. It is unlikely, however, that a strong commitment to the churches of Christ – a small, and not too well-known communion in New South Wales – would be the way to attract 'establishment' respectability. Missing from the *Australian Dictionary of Biography* account is any sense that Rofe may have had a life changing experience.

In May 1933, Rofe dramatically announced to the Council of Churches, to which he had been nominated as president, that he intended to make a final appeal for reinstatement on the Roll of Solicitors.

'For 38 years I have been fighting for my good name. A Parliamentary Committee gave it to me. The Privy Council has done the same,' he told the meeting, 'I am applying next Monday to my own court (the Full Supreme Court) to install me in the honourable position lost 38 years ago.' Describing his 1895 conviction as an 'injustice,' Rofe said he was now determined to take the matter of his non re-instatement to the Privy Council if need be.



When the case opened before the Full Court on 8 May 1933, Rofe's counsel, Mr Windeyer, KC, said:

‘When this case is analysed, it comes down to a tiny departure from professional probity – that my client (Rofe) listened to instructions from his client and did nothing for two days in any way of reporting to someone else. That is the highest it can be put.’

On Rofe’s 64th birthday (15 June 1933), the Full Court unanimously granted his appeal and restored him unconditionally to the roll of solicitors. The Chief Justice, Sir John Harvey, said:

‘It is due to Mr Rofe to say that he has been, in our opinion, exonerated from any suggestion that he was a party to the concoction of evidence to convict Mrs Butler of adultery. It is quite clear he was not a party to any such crime.’

Members of the churches of Christ rejoiced at the decision of the Full Court. A quaint ceremony took place at Redfern on 29 June 1933, two weeks after his innocence was established, and he was restored to the roll. Nearly forty years previously the name of a solicitor was taken down from a humble dwelling in that locality – that of T.E. Rofe. One of his first actions after he had begun to lay the foundations of his large fortune was to buy the house on the corner of Castlereagh and James Streets, which he had occupied at the time of the court charge, and he had kept it with a single objective in view. On that Thursday, the same man who originally took down the plate bearing the inscription ‘T.E. Rofe, Solicitor,’ put it up again, in the presence of several of his intimate friends, and several public figures. The function was characteristic of a man who possessed a blend of qualities which are not often found in conjunction. He had one of the shrewdest financial brains in Sydney; he had given away as much in charity as any dozen self-made men who could be named; he was profoundly religious, and he had a gift of showmanship which any theatrical entrepreneur might envy.

After a banquet in Sydney held in his honour, a very beautiful paragraph appeared in the *Argus* of 17 June 1933 under the heading ‘Sydney Day by Day.’ From it we cull the following sentences:

The poignant story of Mr Thomas E. Rofe, the solicitor who today again puts forth his brass plate after a lapse of 38 years, has evoked the sympathy of the community ... No living citizen of this State has been so generous in gifts to worthy objects. His benefactions cannot amount to much less than £100,000.

Once restored to the Roll of Solicitors, Rofe applied to take silk. After repeated adjournments of his application, the Chief Justice of the Supreme Court, Sir Frederick Jordan, admitted him to the Bar on 18 May 1939 as a KC, one month prior to his 70th birthday.

Rofe and the community



Rofe became famous as one of Sydney’s greatest philanthropists; he spread his benevolence widely. In addition to gifts to well-known charities and hospitals, Rofe paid for a stone arch to be erected in the Baptist section of the Gore hill Cemetery and endowed the coveted T.E. Rofe Trophy for church choirs in the City of Sydney Eisteddfod, as well as other competition prizes.

In 1928 he bought an aeroplane for £1000, the *Spirit of Australia*, to enable Frank Hurley, the explorer and photographer, to attempt the Sydney–London airspeed record.

Alas, the plane crashed at Athens en route to England and Hurley was injured. At the time he owned the beautiful heritage property, Burdekin House, in Macquarie Street Sydney where he made rooms available to the Royal Australian Historical Society. Rofe claimed that the resumption of his Macquarie Street property by the Sydney Council made possible the funds to purchase the *Spirit of Australia*. Its demolition in 1933 is said to be the origin of the heritage movement.



One interesting 'club' that he joined in 1912 was called the 'Millions Club'. It aimed to make Sydney the first Australian city to have a population of one million. Rofe sought to facilitate this in several ways; he established the Mr and Mrs T.E. Rofe Violin Scholarship (three-years at £25 a year); he established a scholarship of £25 to help art students study in Sydney; and endowed a £6 prize – open to NSW pupils who had passed the intermediate examination in history – for an essay competition on Australian history.

There was a strong sense of civic concern behind many of his actions the most notable of which was the extended period of service on the Hornsby Shire Council. A Wahroonga resident, Rofe served as Councillor for A Ward from 17 May 1927 to 1941. He was President in 1931–1932, and Deputy-President in 1935–1938. As a member of Council, his most noted contribution was the building of Hornsby Hospital. The journey began in October 1923 when the Shire President called a meeting to consider establishing a public hospital at Hornsby.



The government had gazetted land in 1919 in the north of the suburb, now known as Hornsby Heights, for a hospital, but Rofe persuaded the government to build it in a more central location.

He proposed to Council that on condition the gazetted site be vested and remain the property of Hornsby Shire Council, and be established as a public park, he would donate a further £500 to the Hospital Building Fund. He offered to donate £1,000 and subsequently purchased six acres of land in Palmerston Road, Hornsby, as an alternate site for a hospital. Because he had contributed funds towards the acquisition of the new site a ward at the new hospital was named after him.



The land originally set aside was released to the Council and converted to a public park. Council agreed with the proposal and in appreciation of Councillor Rofe's generosity, at a Council meeting held on 9 January 1930, councillors unanimously voted to name the park, Rofe Park, in his honour.

Rofe Park at North Hornsby continues to provide recreational benefits to the community. Thomas and Minnie Rofe were living in Woonona Avenue, Wahroonga and they decided to give fifty acres of land to the Ku-ring-gai Shire for recreation purposes. The area of fifty acres was described in the *Sydney Morning Herald* as lying west of the end of Warrigal Road, Turramurra (in Ku-ring-gai municipality),

adjacent to the Upper Lane Cove River, being well wooded with a natural cave. The park opened on 24 May 1927 in the Rofes' presence. The decision to dedicate the area as a park resulted from reading a report of the Society for the Preservation of Wildlife and of the impression he received while travelling through the United States where many parks had been donated to local communities. It was to be a public park and reserve for the preservation of natural flora and fauna' and is also called Rofe Park.

When Rofe became Hornsby Shire President, he commissioned a report detailing how much it would cost to construct a swimming pool in Hornsby Park. The report was tabled in 1932 and showed there was a need for the pool, and Hornsby Park was a good location. Rofe was prepared to donate a considerable sum to deliver the new facility. He hoped that would attract government funding, as had happened with the hospital. His fellow Councillors, however, wanted a full costing, and the report did not specify how many swimmers the facility could accommodate. By the time the additional information was tabled, Rofe was no longer Shire President, and the project stalled. The pool was finally opened in 1962.

A curious reference from the records of Ku-ring-gai Council has him chairing a meeting of citizens at Turramurra in 1933 (during the depression) regarding concerns about the rising bread prices – then selling for around four pence (equivalent to \$1.75 today) a loaf.

By 1933 he had a high recognition profile in the Hornsby Shire and Sydney at large. This prompted him to put his name on the ballot as a candidate for the Legislative Council. Though not unsupported he was defeated in the last of the four ballots. He did not try again.

Rofe was a Vice-President of the Local Government Association in 1936, and at the end of the year he received a message from the palace that read:

'His Majesty the King, the Sovereign Head of the Grand Priory of the British Realm of the Venerable Order of St John of Jerusalem, has been graciously pleased to sanction your admission as an Officer of the Order of St John as from February 19, 1937.'

The order is a royal order of chivalry established in 1831. Its mission is to prevent and relieve sickness and injury, and to act to enhance the health and wellbeing of people anywhere in the world. In May the *Sydney Morning Herald* personal column announced that 'Councillor T.E. Rofe, had received from Lord Wakehurst the insignia of Officer of the Order of St John of Jerusalem bestowed on him by His Majesty the King.'



In 1942, during the dark years of the war, Rofe donated a fully equipped field ambulance to the Australian Army. A summary of his benefactions is contained in his entry in *Who's Who* in Australia in 1935. He owned properties in Canberra (where he built an elaborate home – later converted for embassy use) and in Sydney.

Rofe did not get angry often, but two occasions when he did stand out. He resigned from the Board of the Coogee Amusement Park in 1937 over the issue of Sunday games. He declared 'I will no longer be a director of the company, now that I know that it hires our courts for Sunday tennis ... Everybody knows my stand on the matter of sport on Sundays.' For Rofe, the Lord's Day was a time for worship, not sport.

He was a director of Sydney Hospital, Vice-President of Royal North Shore Hospital, as well as founding President of the Anti-Tuberculosis Association. He donated money to these hospitals and others for beds and even entire wards. After he and other board members were removed from their positions at

the Royal North Shore Hospital following an inquiry concerning the appointment of honorary doctors, in an unusual step, Minnie Rofe made a public plea to him in October 1939 not to action his threat to resign from seven hospital boards. She said it was the most dreadful report she had ever seen and thought it was actuated by jealousy of her husband. She remarked:

I have known my husband since we were at Sunday School together at the age of six and never have I seen him so shocked as when he read the Government's decision. Somebody is jealous of him – that's why all this has happened. My husband has given all his spare time assisting the poor to better themselves. He was the first layman to become president of the Federated Churches of Christ. I am organiser of the local WCTU and the Hornsby Sewing Guild. It is terrible to think that this is how he has been rewarded.

His response was to revoke bequests to certain hospitals, including Royal North Shore.

Epilogue

When Thomas Ernest Rofe died at his home at Wahroonga, Sydney, on 16 May 1945, at age 76, predeceasing his wife by four years, the city paid tribute to a man who never gave up the fight for his honour. The churches of Christ lost one of its most flamboyant and picturesque members and great benefactors. He died as he lived, in simple faith, and strong hope in Christ.

His funeral service was held in the Hornsby Church of Christ chapel where, perhaps, his spiritual journey began. Leading members of the churches of Christ in New South Wales, and other representative citizens, crowded the chapel. This was followed by a service at the Rookwood Crematorium. These services were well attended by local dignitaries and conference representatives. Later his ashes were interred, it seems, in the grave plot next to his son Ernest Fulton Gladstone Rofe, in the Gore Hill Cemetery. A monument marks his grave.



Apart from his position as Hornsby Shire Councillor, Rofe was active in many organisations. Over his life, at one time or another, he was the Government appointed member on the Sydney Hospital Board; was a Director/Vice-President of the North Shore Hospital; was founding chair of the Hospitals Contribution Fund (HCF); was a fellow of both the Australian Institute of Secretaries and the Royal Geographical Society (London); was a member of the National Park Trust, the Ku-ring-gai Chase Trust and the Federal Real Estate Institute.

He was also President of the Anti-Tuberculosis Association (NSW), the Royal Philharmonic Society, the British Empire Union and the NSW Town Planning Association; was Vice-President of the Local Government Association and the St John's Ambulance Association; was chair of the Adult Deaf and Dumb Society (NSW), and was a Life Member of the Henry Lawson Society; was associated with the YMCA, and was one of the founders of the Canberra branch in 1941.

His was a massive contribution to the city in which he lived. His generous gifts to the work of the church stand as a monument to his unswerving faith in the cause that he espoused. His legacy endured well into the twenty-first century in that young cricketers in Hornsby still compete for the Rofe Shield (referred to as "the Rofie"), and students at the former Federal College of the Bible (now Stirling College) benefitted for many years from the Rofe Scholarship.

According to the *Australian Dictionary of Biography*, Rofe claimed to live by the precept 'As I go through the world, I strive to do well for I will not pass this way again'. We are left to ponder how different life might have been for this barrister had he not fallen foul of the authorities in 1895.

After family provisions, Rofe required that his executor create a fund for his residuary estate with income divided into thirty-one equal parts of which eleven went to the churches of Christ; six to the Temperance movement; two to the YMCA, and four to the University of Sydney accumulating until it reached £10,000 when it could then be used to assist needy students to graduate in medicine, dentistry, law or science.

He was a man of principle with strong religious convictions. He was awarded the King George V Jubilee and King George VI Coronation medals. His dedication and commitment to work with so many organisations and his generosity as a philanthropist is indeed a tribute to a man to whom we are indebted.

Perhaps, after all, he does deserve his place in the *Australian Dictionary of Biography*.

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