

The following is an account as far as can be remembered, of the main events that happened in 1942. Events which have been such as to change my whole life. The sentence imposed was not six months but for life, as regards my job and many other things. Relatives and friends are gone, some I fear will never come back. Only those in the Truth remain and that is all I need.

(July 1943)

According to the national security regulations, brethren were allowed to apply to the conscientious objector's court to have their name placed on the conscientious objectors' roll. This was considered a benevolent act on the part of the Commonwealth government, and many succeeded in having their names placed on the said roll. Others witnessing for the name of Christ just as vehemently, were ordered to do non-combatant work in the army, and it is in an effort to trace some of these trials that this account is written.

We know that we are commanded to obey every ordinance of man for the Lord's sake, but when these ordinances are contrary to the commandments of God, we have no option but to obey God rather than man.

We must bear in mind that there were three appearances in three courts. The first was the conscientious objectors' court, the second was a court for hearing my objection for enlisting in the army, and the third court was for the appeal against the magistrate's decision in the conscientious objectors' court, which was held in the Supreme Court. Once a person was enrolled as a conscientious objector, the army could not call them up for service. They were directed by the Government to do civil service under civil authority.

CONSCIENTIOUS OBJECTORS COURT

An application to have their names put on the conscientious objectors roll was made within the specified time, by certain brethren in Queensland, and they accordingly were asked to appear before a magistrate to give their reasons for wishing to be on the roll of conscientious objectors to military service. Now I appeared before the magistrate, being assisted by an older brother, whilst a captain appeared for the minister of the army to oppose the application. The magistrate called my name and I appeared before him.

Magistrate "Enter the witness box and hold a Bible in your right hand and repeat after me, "I will tell the truth, the whole truth and nothing but the truth, so help me God."

Answer "I must refuse to take an oath on the Bible your Honour, as it is against my religious principles to do so, however I will take an affirmation."

Magistrate "Then repeat after me "I promise that the evidence I shall give in this case shall be the truth, the whole truth, and nothing but the truth."

I repeated it.

Magistrate "Give me your full name and address, and you are at liberty to state your case.

Answer "My reasons for not wishing to participate in war in any capacity are purely conscientious ones. I am guided by the Word of God, which debars me from performing duties which I must do if I am in the military. I believe I must not kill or do harm or injury to anyone, not even my enemy. The scripture states I must do good to all men. If I join the army as a Christadelphian, I might find myself fighting other Christadelphians of other countries if I neglected this commandment, and this would be totally unacceptable in the eyes of our God."

Magistrate "How long have you been a Christadelphian with these views?"

Answer "For the past 12 years. I joined the Christadelphian church on the 9th May 1931."

Magistrate "Were your parents of the same belief?"

Answer "Yes, and my grandparents also."

Magistrate "Would you work in a munitions factory?"

Answer "No, I believe that it would be inconsistent for me to do so since I object to taking up arms or doing military service."

Magistrate "Has Counsel (the older brother appearing for me) anything to say to assist the applicant?"

Counsel (the older brother) "Is your objection purely a conscientious one?"

Answer "Yes, entirely so, as I have stated before."

Captain for the military "Is it not written that we must honour the king in your Bible?"

Answer "I do honour him as far as possible, but I must obey God's commandments first, as the scripture says in Acts 5:29 *"We ought to obey God rather than men."*

Captain for the Military "Who is your sovereign Lord?"

Answer "The Lord Jesus Christ"

Magistrate "Has the military any more questions?"

Captain "You stated in your evidence you would do good to all men. Would you attend an injured soldier if you saw one in the street?"

Answer "Certainly I would do what I could for him."

Captain "Could you not do the same work in the army medical corps?"

Answer "No sir, because it is not the same work. It is under military authority, and the army requires me to treat allied soldiers exclusively. My belief compels me to treat everyone, including Japanese, Italians or Germans, as the scripture says in Galatians 6:10 *"As we therefore have opportunity, let us do good unto all men."* Furthermore, the military requires me to defend the wounded, and this is opposed to my belief."

Captain "Do you know the Bible says *"And him that hath no sword let him sell his cloak and buy one."* Is not this a literal sword? Is not the Lord telling his followers that they may use a sword?"

Answer "I believe it is literal, but the Lord does not say to use the sword. In fact he forbids it. In the passage you quote the disciples returned saying *"Here are two swords"* and Jesus says in Luke 22:28 *"It is enough"*, implying that it could not mean in defence or offence."

Captain "And when we read of the sword of the spirit, is that also literal?"

Answer "No, but we must read the Bible with understanding, otherwise we will find contradictions everywhere. In the same manner we read of the earth being burned up in 2 Peter 3:20,¹² and also another place that the earth abides for ever in Ecclesiastes 1:4. In all cases we must harmonise the scripture."

Captain "What does this mean - *"When a strong man armed keepeth his palace his goods are in peace?"*"

Answer "Luke 11:21 means exactly what it says, as you have quoted. The strong man was at peace only until a stronger one comes and takes all his possessions. See the next verse *"But when a stronger than he shall come upon him and overcome him, he taketh from him all his armour wherein he trusted, and divideth his spoils."*

Captain "Your honour, I do not believe this man has any conscience at all. I ask that his application be refused."

Magistrate "He is to be enrolled under regulation 81D. This regulation means that he is to join the army in a non-combatant capacity."

The magistrate showed hostility all through the trial. He sat in his chair, his returned soldier's badge conspicuous on the lapel of his coat, and informed the court that he had lost his son in the war, and that it was the duty of every man to do his part in defence of his country. It was a hurried affair, about 10 people being dealt with in one afternoon.

At the time there was no provision made for appeal against the decision of the conscientious objectors court, that came later and we availed ourselves of the right of appeal when it did, although it took about 4 1/2 months to bring it on in the Supreme Court, early in 1943.

After about two weeks I was called up by the military and found to be medically fit to join the army. I was asked to sign a paper enlisting me in the army. I had no option but to refuse. In due course I was asked to appear in court to answer the charge of refusing to enlist in the army. I was again asked to take the oath, and the authorities agreed to accept my affirmation to tell the truth. The magistrate refused to listen to any plea on the grounds of conscience, stating that this court was not a conscientious objectors court,

and in spite of a plea of leniency by an older brother who appeared for me, the magistrate imposed the maximum penalty of six months imprisonment.

Having said farewell to the friends who had witnessed the affair in court, I was conducted to a place called the 'watchhouse'. In this watchhouse there were two other men besides myself. There were no toilet facilities, nothing at all. Consequently when necessity demanded the corner of the room was used to relieve oneself. Nothing more need to be said, one can imagine what it was like. A brother obtained permission to bring some food and a bottle of milk. We were later joined by an abusive mouthed individual who was totally unwelcome.

Later, handcuffed to two others who were sentenced for divers offences, we were bidden to enter a motor van to be taken to Boggo Road jail. I had never seen handcuffs before, and was interested to see what happened if one struggled against them, while being handcuffed to others. I found the more one struggled the tighter the handcuffs became, until they became so tight I was sorry I had done it. Later they were removed by a warder with a key.

When I was entering the van in the courtyard, at a distance I saw a brother wave to me. He had been waiting to see what would happen to me. What a thrill of joy ran through me which cannot be described, that will never be forgotten.

And so we arrived at Boggo Road jail. I heard the clanging iron gates of the jail being opened. We entered the prison yard and were told to stand to attention in the yard. A prison warder then read out the sentence each man had received and concluded with a curt 'follow me'. We were marched into a yard and ordered to undress, have a cold shower (in was summer time) after which we had to stand naked in the sun to dry, and wait for a warder to examine each man for marks of identification. This was very embarrassing, as I was not used to such treatment, and had no way of knowing who was able to witness the affair. In due course, some prison clothes were brought in a basket. None of the clothes fitted, which did not seem to worry the warder at all. I remember being given a pair of boots which had been used by countless others before, and the smell was unmentionable, apart from which they were two sizes too big. It was therefore necessary to shuffle along rather than walk. Each man was then weighed and sent into a yard

adjoining the jail, in which was a toilet and a shed in which one remained until he was taken and locked in a cell for the night.

Little was learnt on this occasion of prison routine, as in three weeks time, I was sent to a prison farm at Palen Creek. We travelled on the back of a truck in which were six drums of pig feed being sent to the prison farm, and which had a nasty habit of splashing and smelling terribly. Previous to going to the farm we were photographed and fingerprints taken, and age, height and colour were recorded. I was to learn more details of prison life at Boggo Road at a later date.

At Palen Creek Prison Farm

The prison farm was a welcome relief from the concrete walls of Boggo Road jail. We were issued with two sets of clothes, reasonable boots and sandshoes and a hat. After having a good meal, we were conducted to a small hut and provided with bed and blankets, mattress and a pillow. Life on the prison farm took the form of more or less routine work. It was here I met another brother (Bro Eric Boon) from Gympie, Qld, also sentenced for conscientious objection.

A bell aroused the prisoners at 6.30am and after washing and dressing, we prepared ourselves for breakfast. At 6.45am another bell was rung and all the prisoners fell into line, and waited whilst the name of each man was called out by the warder to see if all were present. Then each man went to the kitchen to collect his breakfast. All the meals were served in what were called 'dixies', which were small tin plates with the edges turned up about one inch each side like a cake tin. Usually breakfast consisted of some kind of porridge, and a piece of fried steak about four inches square with gravy. The steak was invariably so tough that no one could eat it. Bread and jam were always on hand, each man receiving no more than five loaves of bread per week, and a two pound tin of jam. (or alternatively a one pound tin of jam and a small tin of syrup). Tea and sugar were provided and each man was allowed one pint of milk per day. Midday a slice of corn meat was all that was served usually, but when lettuce and beetroot were available they could be had from the prison farm. The evening meal was always a hot meal, the meal of the day, and comprised cooked vegetables and meat. There was always plenty of potatoes, cabbage and pumpkin being grown on the prison farm. Monday and Wednesday evenings, hot stew was served.

Tuesday, Thursday and Sunday were roast beef days, Friday was boiled mince, and Saturday hot corned meat. Occasionally a sheep or pig was slaughtered on the premises and provided a welcome change. All the meat was killed and dressed by prisoners on the farm, and each man's share was rationed to twelve ounces per day. All food was on a rationed basis. There was never any butter, eggs, cake, fruit or pudding. These were prohibited.

The buildings on the farm were few. There was the chief warder's house, a pig sty which housed about 50 pigs of all ages and sizes, a dairy in which were about 40 cows milked twice a day, the cream being carefully put away under lock and key to be sent to the butter factory, three days a week. The barn in which corn and pumpkins were kept was a big affair, the walls being about 40 ft high, made of galvanised iron. There were stables which could accommodate about 10 horses comfortably, being made in bush style from timber grown on the farm. There was an office, a big kitchen and a recreation room, and about 50 huts in which were two beds each to accommodate the farm workers. Prisoners were accommodated wherever they worked on the farm, some at the pig sty, some at the dairy, some at the butcher shop, and some at the stables. No prisoner was permitted to leave the farm at any time without a warder's permission, and then only in the company of a warder. They were prohibited from venturing for more than one eighth of a mile from where they slept.

Each prisoner was permitted to write one letter per week, which was censored by a warder (anything concerning the prison being cut out). Such letters were posted by the prison authorities, but if a letter was received in any one week, it prohibited having a visitor the same week. Therefore my wife was able to visit me once a fortnight, being conveyed there by a brother (Alan Collins) from Brisbane. The visit comprised a limit of one hour, and then only on Sundays.

The usual farming occupations were allotted to prisoners, some cut down trees and cleared land, some made fences, some worked in the dairy, some in the pig sty, some in the stables with the horses, and others grew vegetables. There was also a clerk in the office, and a cook with two helpers in the kitchen. There was a recreation room, in which was a billiard table and a table tennis table, a bob set, and quoits and draughts. These things provided enjoyment for the men of an evening.

At 9pm all lights were extinguished, and each man had his own bed to go to. A warder would call around to see that each man was in bed, and actually bid him 'goodnight'. One of the most enlightening features, as compared with Boggo Road, was that no locks or keys were ever seen, and a feeling of freedom was felt - a feeling such as that can be felt only by those who have been imprisoned.

Whilst in the prison farm, I found many others imprisoned on a similar charge as myself, principally of the Jehovah Witness organisation, and the discussions were mostly concerned with religious subjects, in which both parties were interested, all being convinced that the stand they had taken was right. Many topics on religious matters were discussed.

I was paired off with another prisoner (who was a murderer), and our job was growing vegetables. An argument developed when he wanted to grow illegal drugs among the vegetables, and when I objected he threatened to kill me if I said anything. I complained to the warder and asked to be moved elsewhere (I didn't say anything about the drugs!!) The warder told me the cook was to leave the farm in two weeks, as his time had expired, and would I like to be the cook. I told him I didn't even know how to boil an egg, how could I be cook? He said he would put me in the kitchen for the two weeks the cook had left, and I could learn to do the cooking. I considered that I would take the job, and cook for about 150 men. It turned out to be the best thing I ever did on the prison farm.

The warder saw me peeling potatoes one day, and said "That's not your job, you're in charge of the kitchen, and you can choose whoever you want to help you." So naturally, I chose the brother from Gympie who was there with me, Bro. Eric Boon. I was issued with two sets of different clothing, namely white shoes, white shirts, white trousers, and a big white cook's hat!!

The kitchen had a big wood range stove (all of 15ft long), and all my wood was supplied by prisoners who cut it up to the right length. We had to cook and dish out the meals for about 150 prisoners, and being a prison farm with its own butcher shop, vegetable garden, poultry and dairy farm etc., the man from the butcher shop came to me and said "Put a bit more meat on my plate and I will see you and your mate get some fillet steak"; the man from the vegetable garden came and said "I'll put some extra vegetables in for you and your mate in return for more on my plate". The man from the poultry farm

came and said "I'll put some eggs in for you if you'll put more on my plate!!" And so it went on, and Eric and I lived like kings in fine style. We had everything.

This made me feel guilty when my wife visited me, because the circumstances under which she was living were vastly different. It was impossible for her to live as we were living. Consequently the visits of our wives made us feel very sad.

Whilst there, we were the victims of a cruel hoax. Four new men came into the jail, and saw Eric and I, and told us there had been a law passed that all conscientious objectors were to be shot unless they changed their mind. We had no communication with the outside world in any way, no wireless or newspapers being allowed inside the prison. We were told we had until tomorrow to make up our mind, and we cried and prayed all night for help. In the morning we met the men who questioned us and told them we were ready to die if necessary, but we were not changing our mind. They went away and came back in an hours time, and they wanted to shake hands all round. They told us it was not true, they just wanted to prove our sincerity. We were very relieved but it was an experience we would not forget.

On a lighter note, Christmas time came. Being the cook in charge, I was asked by the warder if it was possible to make a Christmas plum pudding. So I asked him to get me a small pudding mixture, one that would serve about four people. Now cooking for 150 men, I multiplied it by 40, and asked the warder if he could get me 40 packets. He said he would, and we mixed up 40 packets, put them in a pillow case previously lined with flour (I thought that's how it was done), and boiled it in a 40 gallon drum about 10 hours. The warder arranged for men on two hour shifts to keep the water boiling, and the result - the pudding turned out to be excellent! Everyone had some Christmas pudding on Christmas Day, and came back looking for more. I was completely surprised myself!!

It was after being on this prison farm about two months, that a letter came to me informing me that if I so desired, I could appeal against the decision of the conscientious objectors court. We were unaware that we could appeal against the decision beforehand. I agreed to appeal against the decision of the C.O. court, and asked the brother who wrote to me to make the necessary arrangements. Consequently I was taken from the prison farm

and sent back to Boggo Road to await for the appeal to be heard in the Supreme Court.

I was back in Boggo Road for about one month before the appeal date came up. Here it was that prison methods and ways of living were bitterly learnt. A bell awakens sleepers at 6am. There is no need to dress as one sleeps with one's clothes on, (no pyjamas are used) my clothing having been changed to that used in Boggo Road. Blankets are then rolled up, a canvas hammock is unfastened from the wall, and the inmate sits on a stool awaiting a second bell at 6.20am, at which time the door is unbolted. The blankets and canvas are hung over a rail outside the steel door, and at a signal from a warder, all the inmates of the 60 cells on each floor of the building, of which there are five floors, line up to be counted by the warder, each man taking with him the five gallon drum that had to be used as a toilet. When the count is checked and found to be correct, the drums are taken to a yard and left there, then the men go to a fenced in yard to have exercise. After about half an hour, a bell rings again and a gate is opened and each man's name is called out. I was told that when I heard my name I was to answer "Here Sir" and salute the warder. (The Jehovah's Witnesses refused to salute the warder, and they were put in solitary confinement. That was a dark cell with no windows, no bed, and little food. Conditions were so hard and they became so hungry that they agreed to salute the warder, and they were let out). Then I was to proceed to my cell which was made of concrete and steel. On the way I had to pick up a "dixie" of "homoney" if I wanted any breakfast. A warder locks the door when I enter my cell and I am left for an hour to eat breakfast.

Now, homoney, minus milk and sugar (which were forbidden) is vile, and I just could not eat it without feeling sick. Homoney is boiled crushed corn. In an hours time, another bell, another line up, another count, and then after saluting the warder, all march into the yard to be allocated various jobs in the prison. If the job is in the garden outside the prison walls, the men so engaged are searched before and after going out, and whilst outside are watched by a warder with a gun. Dinner is at midday, and all are locked up again for one and a half hours. One is given a dixie of meat and vegetable mostly lukewarm, and severely rationed. One could eat three times as much. We were also given one third loaf of bread. Some of this "meal" I made a sandwich of, and kept for breakfast next day, as experience showed it to be the best plan. When the meal was handed through the grill in the door, I

was asked to stand back against the far wall. The warder would then throw in a knife and fork which landed on the floor. This was done as previously one day a prisoner receiving the knife through the grill in the door, thrust the knife out again through the mouth of the warder. Thus it was done for security reasons.

At 1.30pm another bell, another line up, and another count, and out to work again until 3.30pm, at which time all are rounded up again, given an opportunity to wash, and locked up again in the cell. At 6.20am the following day, on the way back to the cell, each man is handed a plate of homoney, but I ate the sandwich I had hidden in the cell the previous day.

Every day is the same with little or no variation. It was much worse than on the prison farm at Palen Creek, as there was no milk, tea, sugar, jam or syrup. Everyone seemed to be always hungry and men were often seen taking crusts of bread from a pig tin in the yard. Some relief was experienced in that after serving three months imprisonment, a small allowance of jam was given, but there was so little bread that the jam was eaten neat from the tin in which it was given.

Once a week, a pair of trousers and a shirt is handed to each man, and after sleeping and working in them for a week, they really needed changing. On a Sunday, some Church services are held by various orthodox churches, and on some Saturdays a concert was given by various social bodies. Jail life was very lonely and dull, and one is locked up for sixteen hours of each twenty-four hour day.

Now, I endured patiently, praying every morning and night earnestly to God for help and understanding, that I might be able to convince the Judge in the Supreme Court of the genuineness of my conscientious objection. At oft times I sang hymns and the prison walls echoed the refrain. At nights I was heard pacing up and down the cell talking to myself, answering questions addressed to me by a supposed adversary; thinking out every question that I thought might be asked of me and framing an answer in my mind.

One day I asked a warder if I could have something to read. He said "No reading matter of any kind is available." Coming back about four hours afterwards he said "There is a book on top of a cupboard in the office, covered in dust, and had been there for years, and it was available to me if I

wanted it." I asked him the name of it, and laughing he said "It's called a Bible." Naturally I said I would like to have it, and I could retain it in my cell as long as I liked. I remember the elation I felt at receiving this Bible. No book could have been better, and I was able to look up and refresh my memory about passages I could use in my defence later. No papers or pencils being allowed, I committed all my thoughts to memory, laying night after night repeating to myself passages of scripture to be used in my defence, and praying to God to help me so that I might be able to speak clearly words in my defence, and for God to do for me what he had promised for Moses in Exodus 4:12 "Now therefore go, and I will be with thy mouth, and teach thee what thou shalt say."

And so the time came when I must appear in the court once more, this time in the Supreme Court before a Judge, appealing against the decision of the magistrate in the conscientious objectors court. At this time, the barrister appointed to defend me in the Supreme Court came to the jail, and told me that he did not understand Christadelphian objections to military service, so I would have to speak for myself in Court. I would be put in the witness box and allowed as much time as I wished to speak.

The day appointed for the appeal came. I was ordered to shave, a week's beard being in evidence. I was given a safety razor, one I am sure that had been used by a hundred men previously. My own clothing was brought to me, and after dressing, I was transported in a closed van to a room under the Supreme Court building in George Street. I remember the windows were heavily barred, the door was at least eight inches thick of steel, and the lock quite out of reach of any prisoner. Outside the locked door, sat two uniformed men. In a short time my solicitor and barrister came to me, and I was told the appeal was being held "in chambers" thus excluding the general public. Eventually I was sent for and accompanied by a warder, was taken to the Supreme court room, and asked to take a seat. The judge opened the proceedings by asking "What is your name? Take the witness box please. Your counsel says you are speaking for yourself."

Judge "Do you object to taking the oath?"

Answer "Yes your honour"

Judge "Why?"

Answer "Because the scripture directs me not to do so. James 5:12 says "But above all things my brethren swear not, neither by heaven, neither by the earth, neither by any other oath, but let your yea be yea and your nay, nay, lest ye fall into condemnation." A similar quote is in Matthew 5:34-37."

Judge "I have taken an oath to judge fairly in this court. Do you say I have done wrong?"

Answer "No, your honour, your conscience allowed you to do so. This is I believe an appeal relating to conscience, and my conscience does not allow me to take an oath."

Judge "Very well, if that is your reason, will you take an affirmation?"

Answer "Certainly your honour."

And an affirmation was taken that I would tell the whole truth and nothing but the truth.

Judge "Very well, sit down, and as your barrister has said, you are at liberty to state your case."

My counsel "You are at liberty to give your reasons for wishing to have your name placed on the conscientious objectors roll, and why you object to serving in the military."

Answer "My objection is purely a conscientious one. I believe I must not war with carnal weapons. By carnal, I mean hurtful and destructive, either in offence or defence. I would like to quote 2 Cor. 10:4 *"The weapons of our warfare are not carnal."* I believe I cannot keep this saying of Paul in Corinthians if I go to war for the previous verse says, verse 3, *'For though we walk in the flesh, we do not war after the flesh.'*"

Counsel for the military "No one is asking you to use weapons. You could do non combatant service."

Answer "My objection includes non combatant service in the military, firstly because I am an essential part of the army and under army control and paid by the army. Also the army could not function without its non combatant corps. I am taught the use of a gun and may be called upon to use it."

Counsel for the military "You would never be called upon to fight if you were in a non combatant corps would you?"

Answer "At Singapore non combatant forces were asked to assist in defending the hospital and surroundings when it was taken by the Japanese. Major General Gordon Bennett was in charge and the details are to be found in the Queensland Courier Mail newspaper for the 3rd January 1942."

Much of the details of this trial was the same as in the conscientious objectors court, with this difference - the Supreme Court judge allowed me to have a Bible and allowed me to turn up passages to read, and he also turned up passages himself in a Bible he had with him, a feature entirely lacking in the conscientious objectors court.

Judge "Your objection seems to be to all forms of military service?"

Answer "Yes sir, it certainly is."

Judge "Is that why you refused to take an oath of enlistment? You could have enlisted by taking an affirmation instead of an oath, if an oath conflicted with your religious rites."

Answer "My objection your honour to taking the affirmation to enlist is two fold. Firstly because of the wording which included the words 'My sovereign Lord the King'. I do not claim the King of England to be my sovereign Lord. I have one Lord, the King eternal, as is stated in 1 Timothy 1:17 *"Now unto the King eternal, immortal, invisible, the only wise God be honour and glory for ever."* Secondly it would have automatically put me in the army and under army jurisdiction. If this was so, I might find Christadelphians in one country fighting against Christadelphians in another country. Obviously this would be contrary to my belief."

Judge "I dont think much of your first objection, but as it is your objection we shall have to accept it. I think everyone believes that the words 'my sovereign Lord the king' apply only to the crown. At the same time a higher power is also believed in, even by those who take the oath. However, carry on with your case."

Answer "I believe the Bible teaches I must not under any circumstances render evil for evil, as I am told in 1 Thess 5:15 '*See that none render evil for evil to any man*'. It would be breaking this command if I disobeyed."

Counsel for the military "Would that apply in self defence?"

Answer "Yes, in self defence also. I am instructed even to love my enemies. Matthew 5: 44 says '*I say unto thee, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you.*' I am not at liberty therefore to do bodily harm to anyone, not even in self defence. I believe I must not avenge myself, Romans 12:19 '*Dearly beloved, avenge not yourselves, but rather give place unto wrath; for it is written, Vengeance is mine, I will repay saith the Lord.*' I understand the military leaders to speak in terms of revenge, and I could not possibly identify myself with such an organization. I believe I must not kill, as James 2:11 tells me '*For he that said Do not commit adultery said also Do not kill. If thou commit no adultery, yet if thou kill, thou art become a transgressor of the law.*' Therefore to kill would be wilful disobedience."

Judge "Are there any other passages you would like to quote?"

Answer "Yes your honour. 2 Timothy 2:24 '*The servant of the Lord must not strive but be gentle unto all men.*' Also Gal 6:10 '*As we have therefore opportunity, let us do good unto all men.*'"

Judge "Has counsel for the military any cross examination?"

Counsel for military "In days gone by the Israelites fought in battles. Why cant you?"

Answer "Yes, they fought under God's direction, and mostly when they did not they lost the battle. I believe there will come a day when the faithful will

fight for God. This is the day spoken of in Psalm 2, saying of Christ, *'Thou shalt break them with a rod of iron; thou shalt dash them in pieces like a potter's vessel.'* Also Rev. 2:26-27 *'And he that overcometh, and keepeth my works unto the end, to him will I give power over the nations; and he shall rule them with a rod of iron; as the vessels of a potter shall they be broken to shivers; even as I received of my Father.'* But your honour that day has not yet arrived."

Counsel for the military "You have refused to take an oath. Do you know that the Lord you serve spake under oath when addressing the High Priest? Would you read it please in Matthew 26:63.

Answer *"I adjure thee by the living God that thou tell us whether thou be the Christ."*

Counsel for the military "It says there *'I adjure thee'* Now *'adjure'* means to put on oath. Why dont you follow Christ's example?"

Answer "I am willing to follow Christ, but in this case I think you have misunderstood the passage. The word *'adjure'* does not always mean to put on oath. The word in the original Greek is *'horkizo'*, and can mean *'to charge'*. The same word is used by Paul in 1 Thess 5:27 *'I charge you by the Lord that this epistle be read unto all the holy brethren.'* This obviously was not an oath but an instruction. I do not rely on the meaning of the word only. We must remember that Jesus spoke while living under the Mosaic law and consequently was a liberty to take an oath. Jesus said in Matthew 5:33 *'Thou shalt not forswear thyself, but shalt perform unto the Lord thine oaths.'* But I am not living under the Mosaic law.

Judge "What proof have you got to say we are not living under the Mosaic law?. Our criminal code is based on the law of Moses."

Answer "Firstly your honour, I would like to quote Romans 10:4 *"For Christ is the end of the law to everyone that believeth."* Also Romans 7:6 *'But now we are delivered from the law, that being dead wherein we were held.'* Also Galatians 3:24-26 *'Wherefore the law was our schoolmaster to bring us unto Christ, that we might be justified by faith; But after that faith is come, we are no longer under a schoolmaster. For we are all children of God by faith in Christ Jesus.'*

Counsel for the military "Does the law of Christ oppose the Mosaic law?"

Answer "Christ came to fulfil the law. As it says in Matthew 5:17 *'Think not that I am come to destroy the law or the prophets; I am not come to destroy, but to fulfil.'*"

Counsel for the military "Would Christ do something, and tell his followers not to do it?"

Answer "I think you have missed the point. Christ lived under the law of Moses, and as I have said could perform unto the Lord an oath. But it was better not to do so. Matthew 5:34-37 says *'But I say unto you, Swear not at all; neither by heaven for it is God's throne; nor by the earth for it is his footstool; neither by Jerusalem for it is the city of the great King. Neither shalt thou swear by thy head, because thou canst not make one hair white or black. But let your communication be Yea, yea; nay, nay, for whatsoever is more than these cometh of evil.'* The same principle is followed when the disciples plucked the ears of corn on the Sabbath day. According to the law they were guilty, but Jesus exonerates them, clearly showing that although these people (the Jews) kept the letter of the law, they failed to grasp the spirit of it. This account is recorded in Luke 6:1-5.

Counsel for the military "If everyone was like you the Japanese would over run this country, wouldn't they?"

Answer "If everyone was like me, there would not be any war, consequently no nation would over run us. There was a time when God did have a people. Let me read what God says about them in Exodus 23:20-23 *'Behold I send an Angel before thee to keep thee in the way, and to bring thee into the place which I have prepared. Beware of him, and obey his voice, provoke him not; for he will not pardon your transgressions; for my name is in him. But if thou shalt indeed obey his voice, and do all that I speak, then I will be an enemy unto thine enemies, and an adversary unto thine adversaries. For mine Angel shall go before thee, and bring thee in unto the Amorites, and the Hittites, and the Perizzites, and the Canaanites, the Hivites, and the Jebusites, and I will cut them off.'* So that God protected his people. We have another case in point when the King of Judah was being besieged by the Assyrians, and he prayed to God for help. Let me

read what he said in 2 Kings 19:14 'And Hezekiah received the letter of the hand of the messengers, and read it; and Hezekiah went up into the house of the Lord, and spread it before the Lord' and see the answer he received in verse 32-36 'Therefore thus saith the Lord concerning the king of Assyria, He shall not come into this city, nor shoot an arrow there, nor come before it with shield, nor cast a bank against it. By the way that he came, by the same shall he return, and shall not come into this city, saith the Lord. For I will defend this city, to save it for mine own sake, and for my servant David's sake. And it came to pass that night, that the angel of the Lord went out, and smote in the camp of the Assyrians an hundred fourscore and five thousand; and when they arose early in the morning, behold, they were all dead corpses. So Sennacherib king of Assyria departed, and went and returned, and dwelt at Nineveh.' In recording the same incident the Chronicler says in 2 Chron 32:22 'Thus the Lord saved Hezekiah and the inhabitants of Jerusalem from the hand of Sennacherib the king of Assyria.' And the same thing could happen again to a godly people."

Counsel for the military "What would you do if your wife and children were attacked?"

Answer "I have given the question much consideration, and honestly I have to confess I do not know what I would do. But I do know that I could not kill."

Counsel for the Military "Would you call that protecting your wife and children?"

Answer "My wife understands this because we are of the same religious opinion, and I am afraid we would be at the mercy of the enemy. But like the cases mentioned above, we would seek God's help."

Counsel for the military "Is that your honest opinion?"

Answer "Yes, I believe God would help me as he helped in the cases I have quoted."

Counsel for the military "Then I must say I don't think much of your religion. You know the Bible says '*Obey every ordinance of man*'. Why don't you do it?"

Answer "Yes, I know the passage in 1 Peter 2:13 '*Submit yourselves to every ordinance of man for the Lord's sake.*' - and also in Romans 13:2 which says '*Whosoever therefore resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation.*'

Counsel for the military "Why don't you do what the scripture says, and why are you appealing against the decision of the conscientious objectors court?"

Answer "The man who wrote these things in Romans 13, himself appealed against keeping the law in Acts 25:11 saying '*I appeal unto Caesar.*' In regard to keeping the law of the land I believe I must do so, but when that law conflicts with God's law, there is only one course I can take. This is the meaning of Peter's words when he himself was put in prison for refusing to obey an order of the rulers of the people. That order is recorded in Acts 5:28-29 '*Did not we straitly command you that ye should not teach in this name? and behold, ye have filled Jerusalem with your doctrine, and intend to bring this man's blood upon us. Then Peter and the other apostles answered and said, We ought to obey God rather than men.*'

Counsel for the military "Do you think the laws of the land are opposed to the laws of God?"

Answer "As a general rule, no. But in military matters I believe they do."

Counsel for the military "Would you not use force on any occasion?"

Answer "Not on any occasion to inflict an injury."

Counsel for the military "If a stranger put his hand in your pocket to take something out, what would you do?"

Answer "I would ask him to take his hand out."

Counsel for the military "You mean by force?"

Answer "Yes, if necessary, but not to cause an injury."

Counsel for the Military "If a stranger took some of your possessions and would not give them back, what would you do?"

Answer "If he refused to give them back, I could not force him and he would probably keep them. Christadelphians have frequently been defrauded by dishonest people, and have suffered themselves to be defrauded, believing they are obeying the scripture in 1 Cor 6:7 saying *'Why do ye not rather take wrong, and why do ye not suffer yourselves to be defrauded?'*"

Counsel for the military "And you would not take them to court?"

Answer "No sir, I could not."

Counsel for the military "I would really like to know some more people of your kind." (Laughter in the court)

Judge "Is it a fact that you could suffer loss and seek no action against the offender?"

Answer "It is a fact your honour, and has happened many times."

Counsel for the military "You have said that you would not use violence. Do you know that Christ used violence when he made a whip of small cords and beat them out of the temple. Wasn't this violence?"

Answer "You are no doubt referring to a passage in John 2:15. Matthew, Mark and Luke all record the same incident, and no doubt had Jesus caused bodily injury to anyone, they would not have failed to mention it, in view of his own teaching to love your enemies. I believe the whip of cords was used but not on humans. Its purpose could have been to drive out the animals as mentioned in verse 15. This is my explanation of the passage.

Judge "Can you explain it a bit more?"

→ conscience: The little voice in your head or a feeling of what is right and wrong.

Answer "I would like you to picture Jesus coming into the temple and seeing these people selling merchandise and animals. He upbraids saying *"My house ye have made a den of thieves."* Now many of the people believed him to be the son of God, and they were immediately self convicted, and would leave the temple. (This was not the only occasion when people shrank away because of self convicting principles. Remember the case of the woman taken in adultery in John 8:7-9 *'So when they continued asking him, he lifted up himself, and said unto them He that is without sin among you, let him first cast a stone at her. And they which heard it, being convicted by their own conscience, went out one by one, beginning at the eldest, even unto the last.'*) The whip of small cords I believe was used as I said on the animals, and wielding it would merely enforce his words."

Counsel for the military "Dont you think overturning the tables was violence?"

Answer "I would rather call it righteous indignation. Turning tables over does not prove that anyone was hurt, and that is the point I am making."

Counsel for the military "You seem to have an interpretation of your own for interpreting Biblical passages. You know that in the army there are padres who read the same Bible as you and they have no problem."

Answer "I know that, but these men are not in the army against their conscience, and you know I am objecting solely on conscientious grounds regardless of any interpretation that may be put on the scripture. The conscience of these padres is not affected by the beliefs they hold."

Counsel for the military "Do you pay taxes?"

Answer "Yes"

Counsel for the military "Most taxes are now used to support the war. It seems inconsistent that you should pay them to help the war effort."

Answer "Not at all. My Lord paid taxes. I will read you the incident in Matthew 17:24-27 *'They that received tribute money came to Peter, and said, Doth not your master pay tribute? He said, Yes. And when he was come into the house, Jesus prevented him, saying, What thinkest thou,*

Simon? of whom do the kings of the earth take custom or tribute? of their own children, or of strangers? Peter saith unto him, Of strangers. Jesus saith unto him, Then are the children free. Notwithstanding, lest we should offend them, go thou to the sea, and cast an hook, and take up the fish that first cometh up; and when thou hast opened his mouth, thou shalt find a piece of money; that take, and give unto them for me and thee.'

Here Jesus paid tribute to Caesar and the Romans had a vast army. Christ had no hesitation in paying it. We are told in Romans 13:6-7 to pay tribute and this was written to Gentiles in Rome. *'For this cause pay ye tribute also; for they are God's ministers, attending continually upon this very thing. Render therefore to all their dues; tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour.'* The money could have been used to upkeep the army. Hence I have no objection to paying taxes."

I had spoken for about one and a half hours. After this some legal argument developed between the two barristers which I did not understand. Then the Judge gave his decision which exempted me from all forms of military service. A copy of the Supreme Court judgment is attached.

However, I had to go back to Boggo Road jail. The six months sentence for refusing to take an oath of enlistment did not expire until six weeks later. However, the sentence was reduced by two weeks for good behaviour, which meant I had four weeks still to serve. This means I was really five and a half months in jail - 2 weeks in Boggo Road before being sent to Palen Creek Prison farm, 13 weeks in Palen Creek, 3 weeks back in Boggo Road waiting for the conscientious objection appeal, and 4 weeks after having won the appeal. Added to the 2 weeks remission for good behaviour, this amounted to 24 weeks total.

Back in Boggo Road

Another shower, another line up, another change of clothes, another roll call. The warder came to me and asked how the appeal went. I said I won the appeal, and if the right decision had been made in the conscientious objectors court in the first place, I would never have been in jail at all. Laughing he said, "You mean it was just bad luck. That's what they all say. Everyone says they are here by mistake."

I found out that Bro Eric Boon had been sent back to Boggo Road jail too, from Palen Creek Farm, having seen him in the jail yard. But I did not know what part of the jail he was in. So climbing onto my hammock, getting as near to the grill on the high wall as I could, I sang the first verse of a hymn we both knew, "Happy are they and only they who from thy precepts never stray", and if Eric was near enough to hear me he would sing the next verse "Who know the right, nor only so, but always practice what they know." And so we encouraged each other.

My wife could visit me one day per week. The visiting room was arranged such that the prisoner was on one side of a security grill which reached to the ceiling, the visitor was on the other side of a second security grill, with a passage way about four feet wide between them. A warder sat in the passage way, listening to any conversation between us. I had been told before hand that I could not mention any conditions prevailing in the jail.

On a lighter note some funny things also happened. I spoke to one man who said he was going out in three months time having been there for a twenty year sentence. I said "You will find the city a lot different when you go out" His reply was "I found it different last time. This is my second twenty year stretch. After I got out the first time, I went into a hotel for a drink, and was unlucky enough to meet the same man I attempted to murder before. I could not resist having another go at him!! And so I have nearly finished my second term of twenty years."

Then there was the man who came to me in the yard one morning and said "I'm going out today Wal." When I saw him later that evening I said "I thought you said you were going out today?" He replied "Do you know I was so unlucky. I went to a hotel for a drink, and ended up in court on a drunken charge, and was sentenced to three days jail, to sober up. I said to the magistrate, "Thank you sir, I'll do it standing on my head." And the magistrate replied, "I'll change the sentence to a week then to give you time to get your balance back!!" This was the class of person in jail. He said if he stayed out he would I have to find a job, and it was easier in jail.

The time I spent in jail was also a very worrying time for my wife and family. I did not know how they were doing. I was told the ecclesia agreed to pay the rent on the house in which we lived. My parents were very helpful with food and necessities. My wife's mother and relations neglected her for many years. Her sister and her brother had joined the military, and

my wife was subjected to ridicule and contempt because of my stand. Such an attitude was expected from people who did not understand the Truth.

Frequently in the post, we would receive an anonymous letter containing only a white feather (a symbol of cowardice), the sender not realising how difficult it was to take the stand as a conscientious objector to military service. It was far easier to join the military as some Christadelphians did, none that I knew of ever came back to the Truth.

Previous to going to jail I was employed by the Tramways Dept. When I came out of jail I went to see a friend with whom I had previously worked, and who was having dinner in the Tramway Dept's shed. There were about twenty other men present, and when I walked in to see my friend, every man without exception (except my friend) packed up his lunch and walked outside. If I was walking on the footpath and had to pass another Tramway employee who knew me, he would usually cross the road, rather than pass me and say hello.

It so happened that there was a brother (Bro Bill Weldon) who owned a grocery shop, and he said to my wife "Buy all the groceries you need, and if some day Wally gets back into normal work, you may be able to pay me back." (This we did in due course after some months). After coming out of jail it took about nine months before anyone would employ me, and then I only found employment in a tannery with the help of my brother who worked in the same place. This time the employer asked no questions about my background.

However it's all over now. But young people, I would like you to remember as you go through life, the Truth is the greatest possession we can have, and we must be ready at all times to be steadfast for the Truth, following the example of Daniel and all the prophets and never exchange what God has given us for any present advantage. Hebrews 12:11-14 "Now no chastening for the present seemeth to be joyous, but grievous; nevertheless afterward it yieldeth the peaceable fruit of righteousness unto them which are exercised thereby..... Follow peace with all men, and holiness, without which no man shall see the Lord."

Appeal No. 41 of 1943.

IN THE SUPREME COURT

OF QUEENSLAND

Mr. Justice Philip
Mr. Justice Mansfield

In the matter of National Security
(Conscientious Objectors) Regulations

and

In the matter of Walter Henry Crew

Duplicate (Wagon)

No of Judgments at 226

Date of entry 11-2-43

Fee paid - 10/-

ORDER.

Filed on behalf of the Appellant.

M. H. Bell & Stemp,
Solicitors,
Rothwell Chambers,
Edward Street,
BRISBANE.

IN THE SUPREME COURT

OF QUEENSLAND

Appeal No. 41 of 1942.

Mr. Justice Philp
Mr. Justice Mansfield

In the matter of National Security
(Conscientious Objectors) Regula-
tions

and

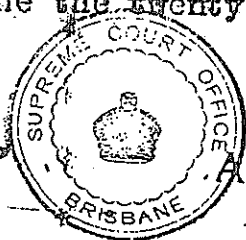
In the matter of Walter Henry Crew

UPON application this day made by Mr. Allen of Counsel on behalf of the abovesaid Walter Henry Crew by way of appeal from the order of the Court of Summary Jurisdiction held at Brisbane in the State of Queensland constituted by Percy Gordon Knyvett Esquire a Stipendiary Magistrate directing that the said Walter Henry Crew be enrolled under the Defence Act as a person liable to be called up for service in the Citizen Forces but to be employed only in non-combatant duties AND UPON HEARING Mr. Wanstall of Counsel for the Minister of State for the Army I DO ORDER THAT in lieu of the said Order of the Court of Summary Jurisdiction the said Walter Henry Crew be registered in the Register of Conscientious Objectors conditionally the condition being that if so directed by the Minister of State for Labour and National Service he shall undertake such work of a civil character and under civilian control as is specified by that Minister and shall undergo any training provided or approved by that Minister to fit him for that work.

Dated at Brisbane the twenty fifth day of January 1943.

A. J. Mansfield

Associate. 11.2.43



A. J. MANSFIELD, J.

