

Arch. 26/1/02

Colonial Secretary's Office,

Cape Town, Cape of Good Hope.

21st January, 1904.

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My Lord Archbishop.

My letter to you of the 14th. September last, in which I enclosed a copy of a Circular communication addressed to all Ministers of Religion throughout the Colony, and also a copy of the "Census Act" of last year, will doubtless have prepared you for the request I now have the honour to prefer, — that you will be so obliging as to lay before and represent clearly to the members of the Provincial Synod now assembled in

The Most Reverend
The Archbishop
of Cape Town.

Cape

Cape Town the first importance
of their kind co-operation
with the Government of
this Colony in respect to
the Census-taking next April.

To this end I enclose
a further supply of copies
of the letter and Act above-
mentioned, and it is with
a firm confidence in the
beneficial effects of the
efforts that will be put forth
and the influence that will
be exercised upon their
respective congregations by
the

the clergy not only now assembled in this City but throughout the Colony, that the Colonial Secretary rests contented in the knowledge that you on your part will leave no stone unturned to assist those who have the great undertaking in hand, to bring the Census of 1904 to a successful issue.

The enclosures so fully enter into and explain the objects and details of the enterprise that it seems quite unnecessary

for

for me to say more than
to thank you in anticipation
for the gift of your powerful
support.

I have the honour to be,
my Lord Archbishop,
Your Lordship's obedient servant,
A. J. M. M. C.
for Census Director and
Under Colonial Secretary.



Box 69.

Town Office,
Bloemfontein,
Orange River Colony,

28 January 1904

His Grace
The Archbishop
Cape Town

5
today

My Lord,

I am instructed by His Worship the Mayor to acknowledge receipt of your kind telegram of 26th inst conveying the expression of the sympathy of members of the provincial synod of the Church of the province of South Africa with their brethren in Bloemfontein re the recent flood.

I am to say that your message will be conveyed to the people through the medium of the press.

Your obed^t servant

W A Koller

Jam Clerk

Report of the House of Bishops to the
Provincial Synod of 1904

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63/104

upon the Gravamen & Reformandum referred to them
by the Provincial Synod of 1898. (See Journal of
Fifth Synod pp. 66-67)

The Bishops in Synod assembled recommend
the adoption of the first clause of the Reformandum
upon the "Bishop's veto in the Synod of his Diocese", as
moved by Dr. Wrigman in the Provincial Synod of
1898, and referred by that Synod to the Bishops,
as follows

- I. If the Bishop shall dissent from any resolution of a
two-thirds majority of the Synod of his Diocese, a
vote by Orders shall be taken, and if the Bishop, as
representing his Order, shall then negative the decision of
a two-thirds majority of the Clergy, and a two-thirds
majority of the Laity then present in Synod, the Dean,
or Senior Priest present, (if thereto empowered by a
resolution of the aforesaid Clergy and Laity) shall
appeal against the Bishop's decision to the Archbishop
and Bishops of the Province, who shall hear and determine
the matter in Synod.

CENSUS OFFICE,
CAPE OF GOOD HOPE.

CAPE TOWN,

4th August, 1903.

*To each Minister of Religion
in the Cape Colony.*

SIR,

I have the honour to address you on the subject of the proposed general Census of the Cape Colony, to be taken early next year.

Taking into consideration the powerful and salutary influence exercised by the Clergy upon a very large section of the community, the Government wishes to enlist their co-operation to the end of bringing this important enterprise to a successful issue.

It is needless to dwell to any great extent upon the utility of reliable statistics of population as a means towards successful administration.

The proposed Census is to be taken in the interest of all classes of the community. It will be taken three years later than in most parts of the British Empire. In the United States of America the Census was taken in June, 1900, and in most civilized countries a Census is taken every ten years.

The last Census of the Cape Colony was taken more than twelve years ago. This fact should stimulate us to extra efforts on the forthcoming occasion, as the lapse of so long an interval makes our task all the more difficult.

It is suggested that the occasions of large congregational gatherings be made use of to remove any prejudices against the Census. It must be remembered that the published results of the enumeration will go forth to the world and be accepted in conclusive proof of the condition of the Colony. If, then, the people resent the enquiries, and make inadequate and misleading returns of their Stock and Produce, or if in any way they distort real facts, they will not alone injure themselves, but will vitiate the general result to the injury of the Colony.

If the people consulted their own interests they would, with readiness, come to the assistance of the Government with every means in their power towards a complete national stock-taking.

The Census Tables will deal with general results only. No names of individuals will be disclosed. It is not really required that the names of individuals should be given, except for purposes of check. The law imposes a penalty for divulging information supplied by individuals, and a method has been devised under which at an early stage, and before the tabulation begins, the scheduled information will be transcribed on to cards upon which no names will appear.

No one has a true idea as to how many people there are in this country—how many males—how many females—how the European population has increased—how they are progressing—at what rate the coloured classes, the Malays and the natives, have increased—how many Indians, Chinese, &c., have established themselves in our midst. Without a Census no one can form any accurate idea as to the progress of the country.

It is intended to tabulate information concerning every single individual who shall have been alive at midnight of the Census day, and to publish to the world the total number of males and females of every age-period, separately for every Municipality, Village, Field-cornetcy, and Divisional Council Ward, for every Mission Institution, as well as for every fiscal and electoral division, distinguishing the number of Europeans or Whites from Malays, Hottentots, Fingoes, Kafirs, and other coloured races.

It is intended to ascertain how many of each sex, age-period, and race can read and write, how many can read only, and how many can neither read nor write; also the number of children and young persons receiving instruction at school or at home, and the number of persons whose education is not being attended to at all.

It is also intended to give details of the occupations of the people, male and female; how many Clergymen and Missionaries of each religious denomination, how many Civil Servants, how many farmers, bywoners, squatters and farm labourers; how many shopkeepers and tradesmen of each class, there are in the Colony.

Information will also be disclosed regarding the wealth of the farmers in stock and farm produce, in buildings, improvements, such as fencing and irrigation works, sheds, silos, &c., and machinery; regarding distilleries, breweries, saw-mills, and factories of all kinds; regarding the quantity of material operated on in the latter instances, and the product of the labour involved.

The Returns will show, amongst other particulars, the number of Cape Colonial males and females, the number born in the Transvaal, the Orange River Colony, and in Natal, the number born in the United Kingdom and in Holland, Germany, France, and the number of persons of other nationalities.

We shall further be able to tell the number of persons belonging to every Church or religious denomination. Under every head, with the exception of "Religion," a reply to the Census enquiry is compulsory. Under "Religion," however, the people are by law allowed to object to answer. If, however, many avail themselves of this legal right, the value of the figures under this all-important head will be materially impaired. Should the Clergy urge the members of their congregations to waive their right to object in this instance, and induce as many as possible to give unqualified replies, they would be doing a work of great public utility.

It must not be forgotten that the Census only takes place at long intervals, and that an incomplete enumeration will give distorted and misleading results, which will remain for ever an element of disturbance, incapable of being rectified. For the success of the enterprise we are absolutely dependent on the people themselves. It is on the small individual contributions that the vast general results are based. The cost of tabulating incorrect material will be as great as in the case of material that is correct, but in the former case the larger sum spent would be worse than wasted. An incorrect Census has been compared to a sign-post pointing to the wrong road, or to a faulty chart given to a seaman to steer by.

It is towards this great work of collecting and compiling full and complete statistics, having, in ways too numerous to describe, such a seriously important bearing on the welfare of the State, that the Government, with the utmost confidence, asks for the co-operation of the Clergy, forming as they do one of the most important intermediaries between it and the majority of the people of the country.

I have the honour to be,

Sir,

Your obedient Servant,

NOEL JANISCH,

Director of the Census.



CAPE OF GOOD HOPE.

A C T

TO

Provide for the taking of a Census and the Collection of certain
Statistics in the year 1904.

[Assented to 25th July, 1903.]

BE it enacted by the Governor of the Cape of Good Hope, by and with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:—

1. The following Acts are hereby repealed—that is to say the Act No. 11 of 1900, entitled “The Census Act, 1900,” and the Act No. 29 of 1902, entitled “The Census Act, 1900, Amendment Act, 1902”: provided that notwithstanding the said repeal, any act, proceeding, matter, or thing done before the taking effect of this Act, under or by virtue of the Acts so repealed, shall at all times hereafter be judged of and be of the same force and effect in all respects as if the said Acts were still in force.

2. An account or census shall be taken, in manner directed by sections two to fifteen inclusive hereof, of the number of persons and the number of each kind of live stock, within the Colony of the Cape of Good Hope, including any territory annexed thereto, on such day and month in the year one thousand nine hundred and four as the Governor may proclaim.

3. The Governor may from time to time make and alter the forms to be used in the taking of the account or census in the second section mentioned, and for the collection of agricultural, educational, ecclesiastical, industrial, Friendly Societies’ or other statistics, and may make and alter regulations for the execution of all matters and things arising under this Act not herein expressly provided for, including regulations for ascertaining the number of persons travelling on the appointed day within this Colony or by sea between ports of this Colony, and generally for the more fully carrying out the objects and purposes of this Act, and such forms and regulations, when published in the *Gazette*, shall have the full force of law, and every person who shall be guilty of a breach of any such regulations shall be liable to a penalty not exceeding five pounds.

4. It shall be lawful for the Governor to appoint some senior officer of the permanent Civil Service of the Colony to be the “Director of the Census of the Colony of the Cape of Good Hope,” and to assign to him such duties as to the said Governor may seem necessary to enable the said Director of the Census to efficiently carry out the work of Census-taking.

5. For the taking of such Census, and the collection of statistics specified in section three thereof, it shall be lawful for the Governor to appoint the several Civil Commissioners, Chief Magistrates and Resident Magistrates of the Colony to be Supervisors, and to remove such Supervisors, and define the districts for which they shall respectively act, and determine the number of enumerators to be appointed by such Supervisors respectively.

6. Every Supervisor shall, subject to the approval of the Governor, appoint enumerators for his district, and assign sub-districts to such enumerators, and, subject to such approval as aforesaid, may remove any such enumerator, and appoint another in his place.

7. Every enumerator shall make and subscribe before a Justice of the Peace a declaration in the form in the schedule to this Act annexed, and shall deliver the same to the Supervisor of the district when returning the forms under this Act; and any enumerator making and subscribing a false declaration shall be deemed guilty of perjury.

8. All letters, parcels, and packets, and all telegraphic messages on the subject of this Act transmitted by post or electric telegraph within the Cape Colony, including the Territories in the second section mentioned, to or from the Director aforesaid, or any supervisor or enumerator, if marked with the word "Census," shall be transmitted and delivered free of postage or charges until such day as the Governor may by notice in the *Gazette* appoint.

9. The Governor may in cities, towns and such other localities as may to him appear proper, cause the necessary forms to be left, on or before the day in the second section mentioned, at any dwelling in any enumerator's sub-district, and in all such cases it shall be the duty of the occupier or person in charge of such dwelling to deliver on demand the said forms duly completed in every particular to the enumerator calling for the same: Provided that the said enumerator shall forthwith examine the said forms as handed to him, and shall satisfy himself that the said forms have been fully, truly and correctly filled up, and if not so filled up in every particular, the enumerator shall himself, then and there, make the same complete according to the best information which he shall be able to obtain: Provided that a dwelling shall be taken to mean and include any house, building, booth, tent, wagon, cart, hut, or other erection in or under which any person usually sleeps, and every ship or other vessel in any port or harbour of the Cape Colony.

10. In cases not provided for by the last section, the enumerator shall on the day next following that fixed by the second section, or as soon thereafter as possible, proceed to receive or take an account, in writing, of the number of persons who were within the limits of his sub-district on the night of the day so fixed, and shall inform himself of all the particulars specified in the said forms.

11. The Supervisor on receipt of the completed forms shall cause the same to be examined, and cause any defect or inaccuracy therein to be supplied or corrected as far as may be possible, and shall with the utmost speed forward them to the Director, who shall prepare abstracts made therefrom, and such abstracts shall be printed and laid before both Houses of Parliament.

12. If any occupier or person in charge of any dwelling shall refuse or wilfully neglect to fill up, to the best of his or her knowledge, information, or belief, the forms left under the provisions of section nine of this Act, at such dwelling, or to sign and deliver the same, or shall refuse or wilfully neglect to answer or shall untruly answer any enquiry made by an enumerator for any of the purposes of this Act, or shall wilfully make, sign or deliver, or cause to be made, signed or delivered, any false return or statement of any particular in such forms, or shall obstruct any person in the performance of any duty under this Act, the person so offending shall be liable to a penalty not exceeding five pounds. Such penalty shall not be imposed against any person who from conscientious scruples shall omit or decline to state his or her religion, and the proof of such conscientious scruple may be the filling up of the column set apart for that purpose with the word "object": and such penalty shall not be imposed for any false return or statement regarding the number of his or her live stock against any person who not being aware of the precise number of such stock shall give in respect thereof an estimate or reasonable approximation to the truth.

13. If any person accept the office of enumerator under this Act, and afterwards without lawful excuse refuse or wilfully neglect to perform any duty of such office, the person so offending shall be liable to a penalty not exceeding five pounds.

14. If any officer, supervisor, enumerator or clerk divulge the contents of any forms under this Act, he shall for every such offence be liable to a penalty not exceeding fifty pounds.

15. All fines imposed under this Act or the Regulations promulgated thereunder shall be recoverable in a summary manner, before a Resident Magistrate, and in default of payment of any fine the accused shall be liable to imprisonment, with or without hard labour, for any period not exceeding one month, unless such fine be sooner paid.

16. This Act may be cited as "The Census Act, 1903."

SCHEDULE.

Declaration to be subscribed by Enumerators (to be delivered to the Supervisor of the District when returning the forms under Census Act, 1903.)

CAUTION.—Any Enumerator making and subscribing a false declaration shall be deemed guilty of perjury (§ 7 of Census Act, 1903).

I, _____, an Enumerator appointed under "the Census Act, 1903," for Sub-District numbered _____ assigned to me by the Supervisor for the District No. _____ of _____, do solemnly declare that the forms numbered from _____ to _____ inclusive, contained in the packet to which this declaration is attached, are all the forms under the said Act which have been completed, and received by me in the sub-district to which I was appointed, and that the whole contents of the said forms are true, to the best of my knowledge, information and belief, and further that I have visited all the homesteads, farms, and dwellings within the limits of the Sub-District assigned to me, and that I have duly and faithfully performed all the duties required of me as such Enumerator in terms of the Census Act, 1903, and of all Regulations promulgated thereunder, to the best of my knowledge, information and belief.

.....
Enumerator.

Made before me on the _____ day of _____ 1904.
Justice of the Peace.

PROCLAMATION

BY HIS EXCELLENCY THE HONOURABLE SIR WALTER
FRANCIS HELY-HUTCHINSON,

Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of His Majesty's Colony of the Cape of Good Hope, and of the Territories and Dependencies thereof, &c., &c., &c.

WHEREAS by the Eighty-fifth Article of the Ordinance for constituting a Parliament for the Colony of the Cape of Good Hope, it is enacted that the Governor of the said Colony shall cause every Act of the Parliament so constituted, which he shall have assented to in His Majesty's name, to be printed in the *Government Gazette* for general information, and that such publication, by such Governor, of any Act of the said Parliament shall be deemed to be in law the promulgation of the same; Now, I do hereby proclaim, declare, and make known that the Act numbered 4 of the year 1903, printed in* this *Gazette* is hereby promulgated.

GOD SAVE THE KING!

Given under my hand and the Public Seal of the Colony of the Cape of Good Hope,
this 25th day of July, 1903.

WALTER HELY-HUTCHINSON.

Governor.

By Command of His Excellency the Governor in Council,

J. GORDON SPRIGG.

No. 215, 1903.

* *Gazette No. 8565. 28 July, 1903.*

Synod of the Province of South Africa.

1904.

Notices of Proposed Changes in Canons, and of Proposed New Canons.

I.—PROPOSED ALTERATIONS IN CANONS.

By the Lord Bishop of S. John's.

I. Proposed Alteration in Constitution, and in Canons dependent on the said alteration.

Whereas by Resolution VII. of the Synod of 1898 it was resolved (in terms of Article XXIII of the Constitution) that "it is desirable at the next Provincial Synod to alter the second clause of Section 4 of Article XXIV. of the Constitution, so that it may run as follows: 'and during the vacancy of the Metropolitan See it shall mean and include the Bishop appointed to act as Metropolitan according to the Canons of this Province.'"

And whereas in accordance with the same Resolution VII., it is desirable to make other provision for the discharge of the duties of the Metropolitan during the vacancy of the Metropolitan See:—

IT IS PROPOSED TO AMEND CANONS AS FOLLOWS:—

II. 2. The Clause shall begin: The Bishops of the Province shall elect one of their number to be Dean of the Province, and whenever the Metropolitan See is vacant, the Dean of the Province shall execute all functions . . . give to the Metropolitan.

VII. 5. For 'Senior Bishop of the Province' substitute 'Dean of the Province.'

VIII. 2. Ditto Ditto

IX. For 'Bishop senior by consecration' substitute 'Dean of the Province.'

XXVIII. 2, 4, 5, 6. For 'Senior Bishop' substitute 'Dean of the Province.'

Constitution, Article III; omit '(or in the case of the incapacity of the Metropolitan to act in such behalf, the Bishop of the Province who is senior by consecration.)'

Article XXIV. 4; the second clause to run: 'and during the vacancy of the Metropolitan See it shall mean and include the Bishop appointed to act as Metropolitan according to the Canons of this Province.'

II. Amendment of Canon V. 4.

Whereas the conditions of the diocese of St. Helena and of other dioceses may render it inexpedient to enforce the issuing of the Archbishop's mandate to not less than three senior priests

IT IS PROPOSED :—

FOR "the Three Priests first on the Roll" to read 'the Senior Priest or Priests on the Roll.'

III. Amendment of Canon XX.

Whereas in the circumstances of the Province a Beneficed Priest may, if he please, absent himself without leave from the parish or diocese, and the Bishop is powerless to secure his return or give relief to the parish before a long interval has elapsed ;

IT IS PROPOSED TO ADD A CLAUSE :—

4.—If any Beneficed Priest shall absent himself from the Diocese without leave from the Bishop, the Bishop may with the advice of his Chapter declare the cure vacant.

IV. Amendment of Canon XXVII. 2.

Whereas the period within which proceedings may be instituted against a clerk has varied from time to time, and the period named, viz., within two years, has been found to hinder the cause of justice ; and whereas also it is desirable to protect the clerk from vexatious suits ;

IT IS PROPOSED THAT CLAUSE 2 RUN AS FOLLOWS :—

No original proceedings shall be instituted before any Tribunal of this Province if the offence be not charged to have been committed within five years of the commencement of the proceedings, except leave be given for a further extension of time by the Metropolitan under his hand and seal ; unless the proceedings be grounded upon a sentence . . . pronounced.

V. Amendment of Canon XXIX. 1.

Whereas it may be impossible to provide Clerical assessors in certain dioceses owing to the fewness of priests, and whereas due provision against miscarriage of justice is made by the existence of a Court of Appeal ;

IT IS PROPOSED THAT A CLAUSE BE ADDED TO SECTION I AS FOLLOWS :—

But if there be less than six Priests beneficed or licensed within the diocese, the Bishop may at his discretion hear the case without the assistance of assessors, whether clerical or lay.

VI. Amendment of Canon XXXI.

Whereas it is expedient that the Courts of the Province should have discretion in dealing with a criminous clerk *pro salute animae*, where he is not deprived of his benefice ; and whereas it is desirable to state precisely whether the canonical punishment of deposition from the ministry is recognised by the Canons ;

IT IS PROPOSED :—

(I) FOR CANON XXXI I. (5). TO SUBSTITUTE :—

For immoral conduct, *suspension*, *deprivation*, or *deposition*. *Suspension* for the purposes of this subsection may be either for a term certain not exceeding three years, or till the Bishop is satisfied of the penitence of the clerk, and thereafter for a period not exceeding three years, this period to be fixed in the original sentence, and at the discretion of the Court to be accompanied by a prohibition to communicate for a whole or a portion of the term of the suspension.

(II.) TO ADD TO CANON XXXI. 2. A NEW SUBSECTION (4).

(4) By *deposition* is meant the removal of the clerk from the ministry, so that, while he retains his orders, he is incapable of any ministerial function.

III.) TO ADD TO CANON XXXI. 4 :—

After "judicial sentence" the words "including a sentence of deposition."

And furthermore that the Provincial Synod of 1898 referred this matter to the consideration of the House of Bishops :—

Reformandum.

Be it enacted that a new Canon "Of the Bishop's *veto* in the Synod of his Diocese" be added to the Canons of this Province, worded as follows :—

The Bishop of the Diocese possesses the canonical right of *veto* upon all resolutions of the Synod of his Diocese, subject to the following conditions :—

- I. If the Bishop shall dissent from any resolution of a two-thirds majority of the Synod of his Diocese, a vote by orders shall be taken, and if the Bishop, as representing his Order, shall then negative the decision of a two-thirds majority of the Clergy, and of a two-thirds majority of the Laity then present in Synod, the Dean, or Senior Priest present (if thereto empowered by resolution of the aforesaid Clergy and Laity) shall appeal against the Bishop's decision to the Archbishop and Bishops of the Province, who shall hear and determine the matter in Synod.
- II. If the Archbishop and Bishops of the Province decide against the Bishop of the Diocese, he shall have the right of appeal to the Archbishop of Canterbury (who shall be requested by the Archbishop and Bishops of the Province to hear the matter with the assistance of his Council of Advice) and his decision shall be final.

By the Rev. Canon Wirgman, D.D.

IV. Proposed New Canon "Of Ecclesiastical Discipline."

Gravamen.

Whereas by Article XI. of the Constitution of the Church of this Province, it is determined that "Rules for Ecclesiastical Discipline shall be framed by this Provincial Synod"; and whereas the aforesaid Article is founded on the fact that the Church of this Province is a Voluntary Body in the eyes of the law, or, in other words, "is in the same situation with any other religious body . . . and the members may adopt rules for enforcing discipline within their body which will be binding on those who expressly, or by implication, have assented to them" (Lord Kingsdown's Judgment in the Long case, Phillimore *Eccl. Law*, II, p. 2245): and whereas the Church of this Province is, by Article I of the Constitution, bound by the Rubrics of the Book of Common Prayer, and whereas the 2nd and 3rd Rubrics before the Office for the Holy Communion order that certain open offenders against the Divine Law shall be excluded from being partakers of the Holy Communion, and further provide that "*every Minister in so repelling any, as is specified in this, or the next precedent Paragraph of this Rubric, shall be obliged to give an account of the same to the Ordinary, and the Ordinary shall proceed against the offending person according to the Canon;*" and, inasmuch as the responsibility of confirming the suspension of an offender from Communion rests with the Bishop as Ordinary, and whereas the 5th Canon of the General Council of Nicaea (which is binding alike upon the Church of England and the Church of this Province) provides that an appeal shall lie to the Synod of the Bishops of the Province from the sentence of the Bishop in the case of a person suspended from Communion; and furthermore, considering that the American Church has formulated a method of procedure to be adopted by the Bishop in administering the law of the aforesaid Rubrics, which procedure has been found practicable in a branch of our Communion where the influence of the Laity predominates; it is expedient that a similar procedure in essentials be adopted by the Church of this Province, inasmuch as (1) it guards the discipline of the Church, in accordance with the laws and usages of the undivided Church of Christ; and (2) has been proved to commend itself to the conscience and judgment of the Laity whom it specially concerns.

Reformandum.

That a new Canon "Of Ecclesiastical Discipline," be enacted as follows :—

"When the Bishop of the Diocese shall receive from any of his Priests the official notification of his having suspended a communicant under the provisions of the 2nd and 3rd Rubrics of the Office for Holy Communion, he shall proceed as follows :—

I. He shall notify in writing to the person so suspended, that, unless the Bishop receives from the person aforesaid (within the period of one calendar month from the date of the receipt of the Bishop's notification) a written protest, assigning reasons against the confirmation of the suspension, judgment will be given by the Bishop in accordance with the general principles of the laws of the Church thereto applicable. And there shall be no appeal from the Bishop's sentence, in a case where the person sentenced is in default, on account of having made no protest in response to the Bishop's notification.

II. But if the person under suspension shall send to the Bishop a written protest within the time above specified, the Bishop shall hear the case in his Diocesan Court, the suspended person having all the rights and privileges of defence permitted under Canon 21, and the right of appeal to the Provincial Court provided under Canon 22 'Of Appeals.'

NOTE.—If the person suspended be unable to read or write, the Bishop shall use his own judgment in carrying out the intention and provisions of this Canon.

III.—NOTICES OF MOTION.

I. The Bishop of S. John's to move :—

Whereas the Synod of the Diocese of S. John's holden in 1902 resolved as follows : "that this Synod respectfully requests the Provincial Synod to consider the possibility of modifying the fixity of the tenure of beneficed clergy of whatever order, in case of manifest incompetence"; this Provincial Synod resolves as follows :

1. That it is expedient that any Bishop or Priest of this Church be removed from his see or cure for manifest incompetence. *incompetency*

That any Bishop of this Province may, upon the unanimous representation of the other Bishops of the Province, be removed from his see by the Metropolitan for incompetence; and that any Beneficed Priest of this Church may, upon the representation of not less than three-fourths of the Chapter of the diocese (or, if the Chapter be not at least in part elected by the Clergy, of a Commission of priests of whom not less than one half shall have been elected *ad hoc* by the Clergy of the diocese and the remainder nominated by the Bishop), be removed by the Bishop for incompetence, subject to an appeal to the Metropolitan :

Provided that in all cases the person so presented shall have an opportunity of shewing cause against the presentors, a Bishop before the Metropolitan and a Priest before the Bishop of the diocese; and further that in no case such action be taken until the Metropolitan or Bishop respectively be satisfied that due provision have been made for the maintenance of the person, whether Bishop or priest, thus deprived.

2. That the foregoing resolution be considered by the Synods of the several Dioceses of the Province, and that they be requested to report thereon to the next Provincial Synod.

II. The Bishop of Natal to move :—

That it is desirable that Article I of the Articles of the Constitution of the Church of the Province of South Africa be amended by the deletion of the following words :—

"Provided also, that in the interpretation of the aforesaid Standards and Formularies the Church of this Province be not held to be bound by decisions in questions of Faith and Doctrine, or in questions relating to Faith or Doctrine, other than those of its own Ecclesiastical Tribunals, or of such other Tribunal as may be accepted by the Provincial Synod as a Tribunal of Appeal."

SYNOD

OF THE

Province of South Africa.

1904.

NOTICES OF MOTION.

SUPPLEMENTARY LIST.

PRINTED BY
THE S.A. "ELECTRIC" PRINTING AND PUBLISHING COMPANY,
CAPE TOWN.

Synod of the Province of South Africa.

1904.

III.—NOTICES OF MOTION.—(Continued).

III. Mr. E. M. Greene, K.C., to move:—

(In substitution for Notice of Motion No. II., already printed.)

That, in the opinion of this Synod, it is desirable that Proviso 3 of Article I. of the Constitution of the Church of the Province of South Africa be deleted.

IV. The Coadjutor Bishop of Capetown to move:—

1. To bring before the Provincial Synod a Memorandum put forth by the Synod of Bishops on the Church's duty to the native races, and to move its adoption, *mutatis mutandis*, by the Provincial Synod.

2. To present to the Provincial Synod the Report of the Provincial Board of Missions, and to move its adoption.

V. The Bishop of Grahamstown to move:—

That it is desirable that the same facilities for the use of the Revised Version of the Holy Scriptures in the public services of the Church as are allowed by authority in the Church of England should be accorded in the Church of this Province, and that such steps should be taken by this Synod as may be necessary for securing this object.

VI. The Bishop of Pretoria to move:—

1. That, in view of the development of native missionary work throughout the Province, for which thankfulness is due to Almighty God, the Synod do appoint a Committee to take into consideration the organisation of the Native Church and congregations, and to report to the Archbishop and Bishops of the Province.

2. That this Synod do approach the Chapter of the Brotherhood of S. Andrew, in the United States, with a view to its sending a deputation to this country for the purpose of establishing the Brotherhood in South Africa.

3. That a South African Church Congress be held in some central town in South Africa during the year 1905, and that a Committee be appointed to take the matter into consideration and to report to this Synod.

4. That, in view of the Lambeth Conference summoned for 1908, this Provincial Synod be requested to take steps for the arrangement of a Church Congress, at which the proposals suggested by Bishop Montgomery and the United Board of Missions, and other matters concerning the Church and its work, may be discussed.

VII. The Bishop of Mashonaland to move :—

1. *Re Church Chronicle*: That this Synod desires to thank the Committee appointed by the Bishops for their labours, to welcome its issue, and to commend its acceptance by the Synod as the recognised permanent weekly organ of the Province.

2. That a Committee be appointed, consisting of representatives of the various Dioceses, to arrange for a Guarantee Fund, and to report to this Synod as soon as possible. The Committee to consist of the following :— (Names to be given at the time of proposing motion.)

VIII. The Rev. Canon Orford to move :—

That a Committee be formed to consider the question of Fire Insurance on Ecclesiastical Buildings in the Province, and to report to this Synod.

ORDER OF MOTIONS ON THE AGENDA-PAPER.

Motions for appointing Committees.

1. Bishop of Pretoria. Notice vi, 1. Organization of Native Church.
2. Canon Orford. Notice viii. Insurance of Ecclesiastical Buildings.
3. Bishop of Pretoria. Notice vi, 3 and 4. Church Congress.
4. Bishop of Mashonaland. Notice vii. Church Chronicle.

Other Motions.

5. Canon Woodrooffe. Alter Canon XXV. Of the services of the Church.
6. Bishop of St. John's. Of the Acting Metropolitan.
7. Bishop of St. John's. To amend Canon V. Of the enthronement of Bishops.
8. ~~Bishop of Grahamstown.~~ Of Patronage.
9. Canon Wirgman. Of the election of the Metropolitan.
10. Bishop of St. John's. To amend Canon XX. Residence of Clergy.
11. Canon Wirgman. Of Rural Deans.
12. The Coadjutor Bishop of Capetown. Notice iv, 1. Of duty to the native races
13. Bishop of Grahamstown. Notice V. Of the Revised Version.
14. Bishop of St. John's. To amend Canon XXvii Of Judicial Proceedings.
15. Bishop of St John's. To amend Canon xxix. Of trial of Clergy
16. Bishop of St. John's. To amend Canon xxxi. Of judicial sentences
17. Canon Wirgman. Of the Bishop's veto.
18. Bishop of St. John's. Of the removal of Clergy. — Jan^y 26
19. Bishop of Pretoria. Notice vi, 2, Brotherhood of St. Andrew.
20. Mr. Greene. Of the Third proviso. — Feb^y 1.
21. Canon Wirgman. Of Ecclesiastical Discipline.
22. Canon Woodrooffe. To alter Canon iii. Of election of Bishop
23. The Coadjutor Bishop of Capetown. Of the Board of Missions.

Synod of the Province of South Africa.

1904.

NOTICES OF MOTION.

(SECOND SUPPLEMENTARY LIST).

IX. The Rev. B. E. Holmes to move :—

That when the Report of the Provincial Board of Education be brought before the Synod for discussion, the Synod go into Committee for the following purpose, viz. :

To formulate a clear Educational Policy to be adopted by the Church of the Province, such Policy to be on the following lines :

- (a) That a right of entry for Clergy to all State-aided Schools for the purpose of giving religious instruction be claimed from the Governments.
- (b) That the Creed, Lord's Prayer, and the Ten Commandments form part of the ordinary curriculum of State-aided Schools, subject to a conscience clause.
- (c) Foundation of Church Schools for poor whites.
- (d) Formation of a Teaching Brotherhood.
- (e) That only one High-Class Church Boarding School for boys be allowed in any one Diocese.
- (f) That no Priest holding the Bishop's License shall open a Private School without the Bishop's sanction.
- (g) That one common course of Christian Teaching be put forth for all Church Boarding Schools by the Bishops of the Province.
- (h) Provision of Hostels.
- (j) Teaching Sisters for Girls.
- (k) Public School Committees.

NATIVES.

- (a) All Schools to be built and wholly supported by the State.
- (b) Training Colleges to be exclusively in the hands of the Denominations.
- (c) Spheres of Denominational Influence.

X. The Coadjutor Bishop of Capetown to move :—

That whereas it was impossible, owing to the circumstances of the country, to hold the Provincial Missionary Conference arranged, by the Conference itself, for 1903 :

And whereas, since the Synod of 1891, which appointed a Committee to arrange such Conferences to be held every third year, the Provincial Board of Missions has been formed by the Provincial Synod :

That the said Board of Missions be requested to arrange for a Provincial Missionary Conference, to be held, at such time and place within the Province as it may fix, within the next three years :

And that all future arrangements for such Conferences be left to the Board, in conjunction with the Conference, in such way as they may agree upon.

XI. The Rev. Douglas Ellison to move :—

That this Synod approves and confirms the title *South African Church Railway Mission*, already provisionally sanctioned by His Grace the Archbishop, for the body previously known as the "Grahamstown Diocesan Railway Mission."

XII. The Rev. Canon Crisp to move :—

That it is desirable that a Calendar of Special Second Lessons for optional use on Sundays be provided.

XIII. Mr. R. A. Letts to move :—

That inasmuch as the question of the closer union of the various nations of the Anglo-Saxon race and of the peoples under their rule seems in the Providential government of the world to be pressed upon the minds of these races, and inasmuch as it is important that such a movement should be guided by the Holy Spirit through the Church, the Bishops of this Province be requested to bring forward at the next Lambeth Conference the question of adopting some method of co-ordinating by representation the various Provinces and Dioceses of the Anglican Communion.

XIV. The Rev. B. H. Hampden-Jones to move :—

That this Synod respectfully requests their Lordships, the Archbishop and Bishops of the Province, to sanction the use of additional Collects, Epistles, and Gospels for certain Holy Days and special occasions not provided for by the Book of Common Prayer.

XV. The Bishop of Grahamstown to move :—

That this Synod, recognising the great importance of banding together the girls of all classes for the rendering of more effective service to God and His Church, of keeping in closer touch with those living in isolation, and of establishing throughout the Province a strong protective Society on Church lines to watch over the many girls and young women now arriving from England, respectfully requests the Bishops of the Province to bring before their Clergy the special claims of the Girls' Friendly Society, and to take steps towards securing the formation of a strong branch in the more important parishes.

XVI. The Bishop of Lebombo to move :—

That this Synod do, on Friday morning, go into Committee to consider the question of Sunday observance in South Africa.

XVII. The Bishop of Lebombo to move :—

That it is desirable for the strengthening of our Provincial Organisation to lay down the principles that all Parochial Funds ought to be tithed for Diocesan purposes, and all Diocesan funds ought to be tithed for Provincial purposes.

XVIII. The Bishop of Mashonaland to move :—

That this Synod acknowledges with thankfulness to God the benefits which the British and Foreign Bible Society has conferred upon the world during the last hundred years, especially in the translation, publication, and dissemination of the Holy Scriptures in so many languages.

The Synod offers to the Society on the approaching celebration of its centenary, hearty congratulations and earnest good wishes for the Divine Blessing upon its work in the future.

XIX. The Rev. Chancellor Orford to move :—

That the Archdeacon of the Cape and the Registrar of the Province be a Standing Committee of the Provincial Synod, to deal with such matters connected with the business of the Synod as may arise between the meetings of the Synod, and to make such arrangements as may be necessary for its meetings.

XX. The Rev. Chancellor Orford to move :

That in addition to the "Declarations of Assent" and the Oath of Canonical Obedience, every Candidate before Ordination and every Clergyman before being Licensed or Instituted to a cure of souls, be required to take and make an oath of allegiance to His Majesty the King, his heirs and successors, according to law.

Synod of the Province of South Africa.

1904.

NOTICES OF MOTION.

(THIRD SUPPLEMENTARY LIST).

XXI. The Rev. G. E. Pennington to move :—

That every legislative measure shall be introduced by a resolution embodying the principle involved, and when this is passed the measure shall be taken clause by clause.

XXII. The Bishop of Grahamstown to move :—

That this Synod trusts that the Order of Ethiopia, when it shall have been duly constituted by the Bishops, will, under the guidance of the Holy Spirit, be instrumental as a handmaid of the Church in bringing the heathen of this land into the fold of Christ.

XXIII. The Bishop of Grahamstown to move :—

That this Synod desires to place on record its deep sense of gratitude to the Church at Home for sending, and to the Committee for organising, the Mission of Help, in which it recognises the desire on the part of the Mother Church to manifest her love for and her close union with her Daughter Church of the Province of South Africa, and which it also earnestly hopes may help the Church of this Province to realise to the full the responsibility and privilege which rest upon it in connection with the war now happily brought to a peaceful issue.

XXIV. The Bishop of Pretoria to move :—

That this Synod receives with great satisfaction the announcement that it is intended to commence at once the building of the new Cathedral of S. George's, Capetown, and heartily commends the scheme to the generous support of Churchmen throughout the Province.

XXV. The Bishop of Mashonaland to move :—

That this Synod desires to place on record its hearty thanks to Bishop Thomas Edward Wilkinson, Bishop of North and Central Europe, for his efforts to found a Missionary Bishopric in gratitude to Almighty God for the faithfulness of the native races during the late war.

XXVI. Proposed New Canon "of Ecclesiastical Discipline."

When the Bishop of the Diocese shall receive from any one of his priests the official notification of his having suspended a Communicant under the provisions of the Second and Third Rubrics of the Office for Holy Communion, or whensoever any churchwarden shall have made a presentment according to Canon XXII., 6, of the Church of this Province, the Bishop shall proceed as follows :—

1. He shall endeavour by such communication with the person reported as shall seem to him advisable to ascertain the facts and correct the scandal.
2. If this effort fail, and no steps be taken by the person reported, within one calendar month after the date of the first communication addressed to him by the Bishop, to meet the imputation, judgment shall be given by the Bishop in accordance with the circumstances of the case. But in this case there shall be no right of appeal from the Bishop's sentence, because the person sentenced has allowed judgment to go by default.
3. But if within the month aforesaid the person so reported shall, in writing, protest to the Bishop against the said repelling or presentment, the Bishop shall hear the case in his Diocesan Court, the person reported having all the rights and privileges of defence permitted under the Canon "of Judicial Proceedings," and the right of appeal to the Provincial Court provided under the Canon "of Appeals."

Note.—If the person reported be unable to read or write, the Bishop shall use his own discretion in carrying out the intention and provisions of this Canon.

Report

The Treasurer of the Province who is also assistant secretary lost no time in communicating with the Bishops in reference to the question of the official Episcopal incomes referred to a select Committee by the Provincial Synod of 1898.

Upon receiving the Bishops replies a tabulated statement was framed which is put in herewith.

Since then the late Bishop of Pretoria and the Bishop of Debenbo have again been communicated with, but the subsequent outbreak of war tended to disorganize the negotiations.

The matter was brought before the Provincial Trustees early ~~last~~ ^{past} year and they recommended communication with Mr. Judge the mover of the resolution in the Provincial Synod of 1898, and with Mr. Eldon - no replies have however been received from these gentlemen.

No conclusions in regard to the matter have, as yet, been arrived at.

REC^d 30. 1. 1900

ANS^r

L. B. FCL

Durban

Jan 24. 1900

Dear Mr. Fish,

Am I right in sending this return to you on behalf of the Provincial Trustees?

If I am not - will you kindly forward it to the proper quarter.

But first - may I ask you to fill in accurately the second item, the amount you sent me, as extra dividend, in January or February last. I have no record of it with me. Will you then add up the column, send me on a Post Card the amount you insert, for my copy.

The Rev Geo. A. R. Fish

I am, your faithful,
H. B. Foster.

7825

Diocese of Pretoria

Return of Income of Bishop for the year 1899

Separated from my accounts, and account-Books, I am not able to make this return with accuracy, but the following figures will be quite apt, if not over, the exact amount-

I Interest on Endowment.

1. With Provincial Trustees 215:0:0
 additional

2. .. Col. Bruce's fund 415:12:0

II. Offerings & offerings within the diocese ? 50. - - -

III. Grant from S. P. G. 300. - - -
£

N. B. Pretor:

Durkom

Jan. 24. 1900.

Statement showing the amount of the Official Income of each Bishop of the Province for the year 1898* from all sources to be "communicated to the various Dioceses by the Provincial Trustees (vide Acts & Resolutions of the Provincial Synod of 1898 x xiii (2) Page 91)

	Col. App. Id Trustees	Provincial Trustees	Dioc. Board Finance	Ch. Council Scottish Episcopal Ch.	S. P. G.	Macaroni Funds	Sand Leases	Other Sources	Total
The Archbishop of Capetown	384. -	256. -					^a 200. -		840. -
The Coadjutor Bishop of Capetown			300. -			200. -			^b 500. -
The Bishop of Grahamstown									^c 9
The Bishop of Natal						260. -		640. -	900
The Bishop of St Helena		49. 10. -							^d h
The Bishop of Bloemfontein	204. 7. -	225. 18. 5	^e 50						480. 5. 5
The Bishop of St Johns				500. -	50. -				550. -
The Bishop of Pretoria	45. 2. 8	243. 9. 9			300. -		50. -	^a 141. 5. 3	779. 17. 8
The Bishop of Zululand		^e 472. 15. 1							472. 15. 1
The Bishop of Makhonalcand		454. 13. 4						^f 43. 1. 3	497. 14. 7
The Bishop of Lebombo		479. 5. -							479. 5. -

a. To expire 1st Sep 1900

b. without a House

c. for travelling

d. Cathedral offertory £93. 6. - and $\frac{1}{4}$ Dishes & Offerings £47. 19. 3

e. with House at Eshowe

f. St. Johns Church Bulawayo

g. Income is the interest of £14,650. with Diocesan funds

h. Full information not accessible; but about £220

Capetown
28th July 1899

W. H. R. F. V. O. K.
Comm. Prov. Sec.

Papers
of
Lay Secretary

Provincial Synod, 1901

House of the Laity

1. In accordance with a resolution passed in the full Synod the House of the Laity met separately in the Committee Room in the Rhodes Buildings on Thursday afternoon, 28th January, at 4.30
2. On the proposition of Mr C. F. de B. Winslow, seconded by Mr C. E. Carp, Mr J. J. Anderson, M. L. A., was unanimously elected Chairman of the House of the Laity.
3. Mr C. W. P. Douglas de Fenzipp proposed, and Mr C. E. Carp seconded:-

That a guarantee list be circulated amongst the members of this Synod with a view to continuing the issue of the Church Chronicle for six months as from the date of the first issue; and that in the meantime the Bishops of the several Dioceses consult with their respective Finance Boards to ascertain if they will undertake liability, at the rate of 3000 copies, for the purpose of maintaining the paper as the permanent weekly organ of the Province.

Carried.

4. Mr R. A. Tello proposed, and Mr C. F. de B. Winslow seconded, that the following be the form of guarantee to be signed:-

re 'Church Chronicle'

We the undersigned, members of the following dioceses hereby undertake that our several dioceses shall take and pay for the number of copies of the Church Chronicle set opposite the names of the dioceses, and that we, the individual signatories hereto severally guarantee the various sums set opposite our respective names in the event of the sub-

scriptions

at the rate of
4/- p. annum

from each diocese, falling short of the total amount due from such diocese. Any levy under this guarantee to be proportioned to the respective amounts guaranteed.

Diocese	Copies	£	s	d
Cape Town	600	91	13	4
Grahamstown	550	91	13	4
Pretoria	500	83	6	8
Bloubaarsdrif	400	66	13	4
St John's	150	25	—	—
Zululand	100	16	13	4
Mashonaland	100	16	13	4
Telumbro	50	8	6	8

Carried

5. Mr B & Carp proposed, and the Hon. J. Turner seconded, that it be a recommendation from this House to His Grace the Archbishop that a committee be appointed, resident in Cape Town, to manage the financial and other business affairs connected with the publication of the "Church Chronicle", such committee to be nominated by His Grace the Archbishop.

Carried.

6. Resolved unanimously:-

That in the meantime, by Mr B. W. P. Douglas as Secretary and Mr B & Carp act with Canon Crisp and enter into negotiations with the publishers.

7. The House adjourned at 5.18 until 10 am. on the following day.

J. J. Anderson

Friday, 29th Jan. 1904

1. The House of the Laity met separately at 10 am.
2. The Minutes of 28th inst were read and confirmed, subject to the substitution of amounts for numbers of copies in the schedule forming part of Resolution No. 4.
3. Proposed by Mr. Tracy, seconded by Professor Matthews:
That after the words "take and pay" in the proposed heading for a guarantee list be inserted "at the rate of $\frac{5}{11}$ per annum."
Carried
4. The House adjourned at 10.27 until ^{9.30} 10 on Monday morning, 1st Feb., it being understood that the Chairman would report progress to the whole Synod and ask permission for the House to sit again separately at the time mentioned.

J. J. Anderson
Chairman

Monday 1st February 1904

1. The House of the Laity met separately at ^{9.30} 10 am.
 2. The Minutes of 29th ult. were read and confirmed.
 3. Proposed by Mr. Waller seconded by Mr. Walpole:-
That the following schedule of numbers of copies be substituted for the schedule of amounts attached to Resolution No. 4. of 28th ult. viz:-
- | | |
|------------------------|------------|
| Diocese of Cape Town | 850 copies |
| " Grahamstown | 650 " |
| " Bloemfontein | 450 " |
| " Pretoria | 450 " |
| " Natal | 200 " |
| " St John's | 200 " |
| " Mashonaland | 100 " |
| " Zululand | 50 " |
| " Delagoa | 20 " |
| Circulation in England | 30 " |

Carried

4. Proposed by Mr. Pate, seconded by Mr. Macfarlane:

That the amount of $\frac{7}{16}$ be substituted for $\frac{7}{11}$ in the clause inserted on 29th ulto. in the proposed heading for the guarantee list.

Put & lost.

5. Proposed by Mr. Tracy, seconded by Mr. Newberry:—

That the report to the whole Synod contain the following:—

(I) That this house is unaware of any Provincial funds available for the publication of the 'Church Chronicle'.

(II) But they recommend the following to the consideration of the various Dioceses through their Bishops:—

(a) That it is desirable in the interests of Church work to have a Provincial literary organ.

(b) That a Committee be formed resident at the Cape, with the Archbishop at head, to carry out the above object which should include a fair share in any profits of the undertaking such share of profits to be paid to the Editor & staff to whom ability & energy they are principally due.

Note for the Synod's information.

Personal guarantees have been given amounting in the aggregate to £ to enable the publication of the 'Church Chronicle' to be continued for a sufficient time so that the various Dioceses, should they decide to join the present scheme, or any modification of it, may make definite arrangements to that end.

6. Proposed as an amendment by Mr. Walter, seconded by Mr. Camp:—

That the form of guarantee form part of the report to the whole Synod.

7. Proposed as a further amendment by Mr. de Senzo, seconded by Mr. Winslow:—

That the Resolutions arrived at form the report of the House of the Laity.

8. The original proposition (5) & the first amendment (6) were then withdrawn & the second amendment (7) was then put as a substantive motion & carried.

9. It having been arranged that the Chairman & his Secretary, should draft the Report, the House adjourned, sine die at 10.20 am.

Report of Committee appointed to
arrange for a Guarantee Fund
per Church Chronicle

To the President & Members
of the Provincial Synod.

This Committee begs to report as follows: -

1. That it is advisable that a guarantee fund of £500 per annum be raised for the next 3 years.
2. That the Finance Boards of the various Dioceses of this Province be requested to undertake guarantees to the extent of £300 pro rata according to the following scale: -

Diocese of Capetown	£60	600
" Grahamstown	£55	550
" Pretoria	£55	550
" Bloemfontein	£50	500
" Natal	£40	400
" St John's	£15	150
" Zululand	£10	100
" Mashonaland	£10	100
" Lebombo	£5	50
	<u>£300</u>	

and that the remaining £200 be guaranteed if possible by members of this Synod during this present Session and that the Guarantee List be circulated by the Secretary of this Committee M.P.A. Letto

Dated this 27 day of January 1904

W Mashonaland
Chairman

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