

became Premier, and Sir T. Upington served under him as Attorney-General. In 1887 the Imperial Government summoned a Conference in London, to discuss the relations between the Colonies and the mother-country. The Cape was represented by Sir T. Upington and Mr. Hofmeyr, the leader of the Africander Bond, who made a distinct mark upon the assembly as a statesman of real power and ability, and also clearly demonstrated the fact that the Africander party had no desire to separate South Africa from the Empire.

About this period the Transvaal gold discoveries directed the public attention of the world to South Africa. The rich finds in the Barberton district, and the discovery of the gold mines of Johannesburg, showed the Transvaal to be one of the greatest gold-producing countries in the world. In 1887 Johannesburg was a town of canvas and iron shanties. In 1894 it is the largest town in South Africa, with the finest public buildings, and its immense gold output bids fair to solve the gold currency question of the civilized world. It is linked by railway with Kimberley, Pretoria, Cape Town, East London, and Port Elizabeth, and will be shortly connected by rail with Natal and Delagoa Bay. The Transvaal Republic thus has become the wealthiest of South African States, and the English and foreign population outnumbers the Boers, who, however, jealously exclude the strangers from political privileges, as a safeguard to the Republic. But the strangers care more for gold than politics, and so long as the

Republic keeps order, and does not oppress them with taxes, the alien population contentedly accepts the Transvaal flag.

In 1888 the Imperial Protectorate was extended to the Zambesi, and in 1889 a Royal Charter was granted to Mr. Cecil Rhodes and the Directors of the British South Africa Company, to colonize Mashonaland and Matabeleland. The Chartered Company were entrusted with large powers, just as the East India Company had been a century or two ago. In 1890 a carefully-equipped Pioneer force started from Bechuanaland to occupy Mashonaland. Lo Bengula, the powerful King of the Matabele, had made a treaty with the Chartered Company, but treachery was dreaded. Matabeleland was skirted by the Pioneer force, who built forts and made a road as they journeyed on.

After a march of 1000 miles the expedition reached their destination on September 12, 1890. The British flag was hoisted and saluted, and Fort Salisbury was built, under which now lies the four-year-old town of Salisbury, the seat of Government of the new territory of Mashonaland. It already boasts of its bank, its churches, and its municipal institutions, and it has for some time been linked with Cape Town, which is about 2000 miles distant, by telegraph, as the first stage of Mr. Rhodes' great Trans-continental Telegraph Line, which is ultimately to unite Cape Town with Cairo. The immediate result of governing Mashonaland by European methods was the protection of the unfortunate

Mashonas from the perpetual raids of their Matabele enemies. In 1893 the inevitable occurred.

The Matabele had pursued some Mashonas up to the very guns of Fort Victoria. They were warned of the consequences of their conduct by Dr. Jameson, the Administrator; and the High Commissioner, Sir Henry Loch (who had succeeded Sir Hercules Robinson in 1890), at length gave permission to declare war against Lo Bengula. The Imperial forces marched from Bechuanaland upon Lo Bengula's capital Buluwayo, and the Chartered Company's forces marched upon the same point from Salisbury and Victoria. Few people in South Africa dared to hope for a speedy issue to the campaign. But the Matabele power had been overrated. After a few severe actions, in which the Maxim guns of the small forces engaged made up for their fewness in numbers, the Matabele fled northward, and Lo Bengula burnt his capital. The only disaster in the campaign was the loss of the gallant Major Wilson and his party, who were cut off from Major Forbes' column in pursuit of the King. A flooded river cut them off from succour and supplies, and they died fighting back to back as brave Englishmen should. Shortly after this disaster, Lo Bengula died, and the Matabele have peacefully settled down under the rule of the Chartered Company.

Mr. Rhodes, who is the moving spirit of the Chartered Company, became Premier of the Cape Colony in 1890. He is one of the most remarkable Englishmen of the present century, and is certainly

the greatest Colonial statesman the British Empire has yet produced. He came to South Africa as an Oxford Undergraduate in search of health. He found both health and diamonds. He made a fortune, and went back to Oxford and took his degree, and was called to the bar. He returned to South Africa, and became a millionaire. He welded together the various companies at the Diamond Fields into one huge Company, of which he is managing director. The De Beers Company controls the diamond trade of the world. But this great company under Mr. Rhodes' guidance have used their wealth, as he has used his own, to develop the civilization of the North. Mr. Rhodes' career in Parliament, and as Prime Minister, has had a single aim, namely, the Northward expansion of British South Africa. His own resources have been lavishly spent to further this aim, and he is known to value money solely for the power it gives him to carry out his vast projects. By means of the African Lakes Company, which he controls, he has extended British influence over Lake Nyasa, and he has arranged for the completion of the second stage of his Trans-continental Telegraph from Salisbury to Uganda. His Ministry has in 1894 removed the last blot of native misrule from the South African map by the peaceful annexation of Pondoland to the colony. His personal presence and his interviews with the Pondo Chiefs materially contributed to this peaceful result.

The new Parliament of 1894 has returned him to

power by a strong majority, which is likely to increase rather than diminish. He is the only English statesman who has ever won thoroughly the loyal trust and confidence of the Dutch Afrianders of the Cape Colony, and he has done more than any other living man to eliminate race feeling and weld South African Europeans into a united nation.

We now turn to the history of the Church after the death of Bishop Gray.

In 1873 the Diocese of S. John's was formed for the Transkeian districts, which before their annexation to the colony were called "Independent Kaffraria." Up to this date the Kaffrarian Missions had been supervised by the Bishops of Grahamstown, although these territories were not included within the limits of the Diocese. The Scottish Episcopal Church and the S. P. G. united in founding the Diocese of S. John's, and on All Saints' Day, 1873, Dr. Callaway was consecrated in S. Paul's Church, Edinburgh, as its first Bishop.

At the Provincial Synod of 1883 the Diocese ceased to be a Missionary Diocese, and became an ordinary Diocese of the Province, as it had clergy enough and European laity enough to take its place with the other Dioceses.

The Elective Assembly of the Diocese of Cape Town found itself face to face with great difficulties in electing a successor to Bishop Gray. The laity desired delegation to England, and the clergy were divided on the point. Ultimately the Bishops of the

Province consented to delegation to the Archbishop, Bishop Cotterill of Edinburgh; and the Secretary of the S. P. G., Dr. W. West Jones, was selected, and was consecrated on May 17, 1874, in Westminster Abbey. Archbishop Tait required the Metropolitan of South Africa to take an ordinary Suffragan's oath to him. Canterbury has never claimed to receive such an oath from the Metropolitan of York, Armagh, or Dublin. There was no reason for treating the Metropolitan of Cape Town in a different way from his brother Metropolitans.

Eventually the difficulty was got over by drawing up a document, signed by the Metropolitan and endorsed by Archbishop Tait, to the effect that in taking the oath he did not prejudice his Metropolitan rights, or surrender any of the rights and privileges involved in the Constitution and Canons of the South African Church. In the same year Lord Blachford's Colonial Clergy Act disposed of Archbishop Tait's legal difficulties. Sec. 12 of that Act runs as follows—"It shall be lawful for the Archbishop of Canterbury or the Archbishop of York for the time being, in consecrating any person to the office of Bishop, for the purpose of exercising Episcopal functions elsewhere than in England, to dispense, if he think fit, with the oath of due obedience to the Archbishop."

The Provincial Synod of 1891 definitely settled the question by resolving that it is inconsistent with the Prayer-Book for a Metropolitan to take a Suffragan's oath to another Metropolitan, and also

settled the question raised by Bishop Wilkinson's consecration by resolving that all Bishops of the Province should take the oath of canonical obedience to their own Metropolitan, and no other.

The new Metropolitan proved himself a worthy successor to Bishop Gray, but it was not long before he found that the throne of the South African Metropolitan was lined with thorns. Bishop Cotterill had bequeathed a legacy of great difficulty to his Diocese in appointing Dr. Williams Dean of Grahamstown. Dr. Williams was a clever, ambitious, and unscrupulous man. At first he posed as a champion of the South African Church, and was an active member of the Provincial Synod of 1870. He also published a strong sermon on the Romilly Judgment, in which he vigorously attacked the heresies of Dr. Colenso. He was a keen politician, and became editor and proprietor of the *Eastern Star*, a Grahamstown newspaper, which he soon made a vehicle of political power. He presided in due form at Bishop Merriman's election in 1871, but soon began a policy of opposition to his Bishop, based upon personal dislike and a keen resentment against the Synod of the Diocese, which had, in 1873, questioned his conduct with regard to violating its rules. He used the columns of the *Eastern Star* for a series of scurrilous attacks on his Bishop and his brother clergy, who differed with his line of action, and he caused such general indignation in the Diocese that the Diocesan Synod of 1876 censured him for his editorial connection with the *Eastern Star*. Previously to this he had taken a line

of open rebellion against the Constitution and Canons of the Province which he had helped in 1870 to frame. He read a protest against the Provincial Synod of 1876 in the Cathedral at Grahamstown before it met. The Clergy of the Diocese declined to elect him as one of their representatives to the Synod, which was evidently the partial cause of his revolt. The Provincial Synod of 1876 met and ratified the Constitution and Canons of the Province. The sole change of any importance was the alteration in the wording of the Canon on Divorce, which henceforward took the line of the last Lambeth Conference of 1888, in declining to condemn the re-marriage of the innocent divorced party.

The Provincial Synod of 1876 passed the following resolution to testify to its loyalty to the Primatial See of Canterbury—"That this Provincial Synod expresses its desire that the relation of his Grace the Lord Archbishop of Canterbury to the other Bishops of the Anglican Communion be that of Primate among Archbishops, Primates, Metropolitans, and Bishops, under due canonical limitations, and that these canonical limitations be defined, and further that the Bishops of this Province be respectfully requested, at the next meeting of the Pan-Anglican Synod, to take such measures as shall lead to the desired result."

In 1878 the new Diocese of Pretoria was founded, and Dr. Bousefield was consecrated as its first Bishop.

Shortly after the Synod of 1876, Dean Williams stated that his rights in the Cathedral were the same

as those of the Dean in Westminster Abbey, which is an anomalous Royal Peculiar. He claimed to exclude the Bishop from the Cathedral pulpit. Bishop Merriman was a strong man, with a clear head and a sound knowledge of his own position. But by nature he was impetuous, and his knowledge of this almost drove him to the other extreme of undue leniency in dealing with his recalcitrant Dean. For three years the Bishop tried to effect a peaceful solution. He asked the Dean to unite with the Cathedral Chapter in drawing up Cathedral Statutes, in which he offered to limit his right of preaching to a monthly sermon. But the Dean, after months of controversy with the Canons, declined further negotiations and openly defied his Diocesan. The Cathedral Parish was placed in virtual schism from the rest of the Diocese. The Dean took up the Erastian position of the Colensoite congregations in Natal, and proclaimed himself under Privy Council law, and in schism with the South African Church.

In 1879 Bishop Merriman determined to act. He gave notice of his intention to preach in the Cathedral, and the Dean, by omitting the hymn before the sermon, began to preach himself before the Bishop could give out his text. The Bishop left the Cathedral, after protesting that his lawful ministrations had been interrupted, and the Dean was brought to trial in July 1879 in the Diocesan Court of the Diocese. The Court was presided over by Archdeacon Badnall, as the Bishop's Commissary, who was assisted by two clerical Assessors and one lay Assessor.

Mr. Advocate Shippard (now Sir S. Shippard, Administrator of Bechuanaland) conducted the case for the prosecution. The full report of the trial contains a mass of Canon law precedents, most ably arranged, and the impartiality and judicial ability of the proceedings in the Diocesan Court was endorsed by the subsequent judgment of the Supreme Court, and ultimately by the Privy Council. The Dean took Dr. Colenso's line in declining to acknowledge the Court. He was suspended, and resisted the sentence of suspension. He was then excommunicated under Canons XIX. and XXI. of the South African Church, which, as the law then stood, gave a Bishop no option but to excommunicate a Priest who defied the sentence of a Church Court. The Provincial Synod of 1891 relaxed this Canon so as to give the Bishop discretion to act in each case as he thought best. Although Bishop Merriman had not this discretion at that time, it was felt throughout the Diocese that Dr. Williams deserved excommunication, if ever any man deserved it. Bishop Merriman had the whole Diocese with him, and in 1880 held a most successful Diocesan Synod at Port Elizabeth, when clergy and laity alike vied with one another in showing loyalty to a Bishop whose energy and high personal qualities had won the esteem of all who knew him.

Bishop Merriman, against his own better judgment, yielded to the advice of others, and applied to the Supreme Court of the colony to give him access to his own Cathedral.

The best legal advice held that Dr. Williams

had personally contracted to obey the Courts of the Province by his action in the Provincial Synod of 1870. This contention was ultimately upheld by the Privy Council. But the Bishop's legal advisers did not suspect that the Church Ordinance passed before Bishop Gray's consecration to regulate S. George's, Grahamstown, would affect his title to use the Cathedral, or his position as Trustee of it. But the ways of lawyers in dealing with Church matters are marvellous. Sir Henry de Villiers, the Chief Justice, delivered a judgment against Bishop Merriman in the Supreme Court of the Cape Colony, which has been well summarized as follows in the columns of the *Southern Cross*—

“(i) That Bishop Merriman was not the legal successor of Bishop Cotterill (who was a Letters Patent Bishop), and therefore did not succeed him in his position as Trustee of S. George's Cathedral. Under Act 30 of 1860 (Statute Law of this colony), S. George's, Grahamstown, and other Church property, was transferred to Bishop Cotterill and his successors in office, and in 1871 it was re-transferred to the Diocesan Trustees of the Diocese of Grahamstown, one of whom is ‘the Bishop of Grahamstown for the time being.’ Bishop Merriman, so the Chief Justice decided, was not legally ‘the Bishop of Grahamstown for the time being.’ (This monstrous contention the Privy Council later on declined to endorse.)

“(ii) That the Church Ordinance governing S. George's, Grahamstown, secured the building for the Church of England as by law established, and that

Bishop Merriman, as a Bishop of the Church of the Province of South Africa, had no right in the building.

“(iii) That the Church of this Province was legally separated from the Church of England. (a) Because the 3rd Proviso separated the Church of this Province from the Church of England by excluding the decisions of the Privy Council in interpreting the formularies (*i. e.* the Prayer-Book and Thirty-nine Articles) in the consideration of matters of faith and doctrine. (b) Because the Constitution is so conservative that it would not allow the Athanasian Creed, if rejected by the Mother Church, to be rejected in South Africa. (c) Because the constitution shuts out Dr. Colenso, and admits to the House of Bishops, Bishop Macrorie in his place, and therefore separates itself from the Church of England, of which Dr. Colenso is a lawful Bishop.

“(iv) That though Dean Williams' claim to have the right of preventing his Bishop, as such, from preaching in the Cathedral, was, as decided by the Diocesan Court, untenable, yet nevertheless this did not touch the main point; which was, that Bishop Cotterill, by his Letters Patent, was a legal Bishop of the Church of England while Bishop Merriman was not; that therefore Bishop Merriman was not Dean Williams' lawful Bishop.

“(v) That while Dean Williams had undoubtedly bound himself personally to the Church of South Africa, and had accepted Bishop Merriman as his Bishop, yet this did not subject the Cathedral in

Grahamstown, as being Church of England property under the Church Ordinance, to Bishop Merriman, a Bishop of the Church of the Province of South Africa. 'We are not now concerned,' said the Chief Justice, 'with the question whether the Right Rev. plaintiff (Bishop Merriman) has been treated in this matter with that consideration, respect, and good feeling to which his years and his labours as a Missionary Bishop have fairly entitled him.' By the same line of reasoning as he had followed throughout, the Chief Justice said that Dean Williams was not subject to the sentence of the Diocesan Court, because he did not derive his income and emoluments from the Church of South Africa. It may be noted here that the Chief Justice went out of his way to commend the Diocesan Court as follows—'And here I may say, that in reading the proceedings of that Court, it is impossible not to admire the ability and candour with which the prosecution was conducted, and *the judicial impartiality of the tribunal itself.*'"

The position taken up by the Chief Justice was a singular one. It was true that Dean Williams had a Government grant as Colonial Chaplain, but these grants had been abolished by the Cape Parliament in 1875 by the Voluntary Act, which did away with all State aid to religion. The Act protected the rights of existing holders of office, but they were virtually pensioners, and it seemed very strange law to found a decision upon the fact of a certain income being virtually a Government pension. When the Provincial Synod appointed a Board of Provincial Trustees for

Church property, no doubts were raised as to the titles of churches built before the founding of the See of Cape Town. Every one thought that the Church of the Province of South Africa had inherited all the property of the isolated Church of England congregations that had existed before 1847. Sir Henry de Villiers, as Attorney-General, apparently thought so himself in 1874, when he was applied to for the purpose of giving his opinion as to whether any legislation was necessary to secure to the Church of the Province of South Africa the Church property acquired before 1847. He replied that the South African Church need not apply for legislation to make these titles secure. The Bishop of Grahamstown then carried his case from the Supreme Court to the Civil branch of the Privy Council. Judgment was given in 1882, and we quote again from the summary in the *Southern Cross*—

“The first notable point in the judgment given is contained in the wording of its first clause. Sir H. de Villiers had contended that Bishop Merriman was not the legal successor of Bishop Cotterill, or in other words, that he was not Bishop of Grahams-town. The words of the Privy Council contradicted this by saying, ‘The plaintiff in the Court below, and the appellant here, *is* the Bishop of Grahams-town. The defendant in the Court below, and the respondent here, bears the title of Dean of Grahams-town, and he *is* the officiating minister *de facto* of the Church of S. George, Grahamstown.’ The Privy Council judgment then proceeded to summarize the

facts of the case, but as these have been already given they need not be repeated here. Their lordships then went on to state, 'that the basis of the Chief Justice's judgment was that the Church of S. George had been devoted to ecclesiastical purposes in connection with the Church of England, and that the Church of South Africa was not, so far as the circumstances of the colony would permit, a part of the Church of England.' They took up this point, and gave judgment against Bishop Merriman, disagreeing from the Chief Justice mainly in recognizing Bishop Merriman as Bishop of Grahamstown. Evidently they took the view that the Crown would never issue fresh Letters Patent to any Bishop consecrated to replace him, and that he was the only possible successor to Bishop Cotterill, though he was elected and consecrated under the South African Canons without Letters Patent from the Crown. The Privy Council endorsed the tribute of Sir H. de Villiers to the fairness of our ecclesiastical tribunal by recording 'their sense of the judicial method and impartiality which marks the proceedings of the Diocesan Court.'

"Taking the judgment more in detail, we find that the Privy Council based their decision on these two facts—

"(a) That (*from their point of view*) the Church Ordinance of 1839 devoted the Church of S. George in Grahamstown to ecclesiastical purposes in connection with the Church of England, as by law established.

"(b) That on June 7, 1849, the Governor of the

colony granted the site and Church of S. George to Bishop Gray 'for ecclesiastical purposes in connection with the Church of England.'

"They contended, then, that by the Ordinance and the Grant, the Church of S. George belonged legally to the Church of England by law established. But they denied that Dean Williams personally had any right to exclude the Bishop from the Cathedral, and affirmed that he had without doubt made a contract binding him to the Church of this Province. As a personal matter he was bound to obey his Bishop and to submit to his preaching in the Cathedral, but as a legal matter the Privy Council decided that he could not, by his own former personal submission to the Church of the Province of South Africa, alter the trust deed and ordinance governing S. George's Church. Therefore, though personally in the wrong, the Privy Council said he was legally in the right, since the Church of South Africa had no right to the use of S. George's, Grahamstown, which was Church of England property.

"The Privy Council then set themselves to prove that the Church of South Africa had no legal right to use Church of England properties. The question, they said, was not one of spiritual union, but of legal connection, and this they said was severed by the Third Proviso of the Constitution, which, as before stated, is a repudiation of the right of secular Courts to decide spiritual matters. The Privy Council took the startling view that their decisions were of equal authority with the Creeds. It was not enough for

the South African Church to adhere to the Creeds, the Prayer-Book, and the 39 Articles of the Church of England, unless it also adhered to the interpretations of these sacred formularies, as set forth from time to time by the Privy Council. Few Churchmen would be found to agree that the too often bewildering and inconsistent decisions of their lordships rank with the Creeds of the Catholic Church among the standards of faith and doctrine—the absurdity of the claim is too obvious. In the recent hearing of the Bishop of Lincoln's case before the so-called ecclesiastical branch of the Privy Council, it is noteworthy that one of the Judges remarked that this *dictum* of the Civil branch of the Privy Council in Bishop Merriman's case "seemed hard."

This Erastian judgment of the Civil branch of the Privy Council, and its exaggerated estimate of the value of the judgments passed by the Ecclesiastical Committee of the same tribunal, roused Church opinion in England. Bishop Harold Browne of Winchester stated in his Charge that the claim of the Privy Council to place the decisions of its ecclesiastical branch amongst the official *credenda* of the Church of England was baseless and inadmissible. Bishop Moberly of Salisbury used even stronger language.

The stir created by the Grahamstown judgment was a factor in procuring the appointment of the Royal Commission on Church Courts, which eventually recommended the abolition of the functions of the Privy Council as a Court of Final Appeal for the Established Church of England.

The South African Metropolitan wrote to Archbishop Tait to ask whether in his opinion the South African Church had severed itself from the Church of England as the Grahamstown judgment implied. He replied—

“No changes which have taken place in the Church over which you preside have in any way separated it from full communion with the Mother Church of England.”

A year or two afterwards the present Archbishop (Dr. Benson) replied in the same way to the same query. Writing to some of the Cape clergy he used these words—

“I cannot conceive that there is any flaw in our spiritual unity; that any Church in the world can be in union with us if you are not, or that any condition of our law or your Constitution could make the spiritual bond closer.”

We all knew that the South African Church was not *legally* united with the Church of England as by law established. South African Churchmen desire no such legal union, even if it were possible. A spiritual union is all that is possible between an Established Church and one that is not established.

Whilst the Grahamstown case was pending in the law courts, Dr. Williams put himself into communication with Dr. Colenso.

He invited Dr. Colenso to invade the Diocese of Grahamstown, and hold a schismatical confirmation in the Cathedral. Dr. Colenso readily complied, and on landing at Port Elizabeth was met by a formal inhibi-

tion from the Bishop of Grahamstown, which he treated with insolent contempt. On page 556 of Vol. II. of *Bp. Colenso's Life*, we find his biographer defending the aggression by the words, "The See was vacant." There is no excuse (even legally) for such an absurd allegation. The Bishop of Grahamstown was in residence at Grahamstown on Oct. 21, 1880, when Dr. Colenso held his schismatic confirmation, and we have already noted the line taken by the Privy Council with regard to his position as Bishop of Grahamstown. In 1882 Dr. Colenso invited Dr. Williams to a seat in his Church Council in Natal. Dr. Williams regretted his inability to attend, but formally repudiated his previous opposition to Dr. Colenso.

Dr. Williams then had an idea that he could get Dr. Colenso to come as "Church of England Bishop" to Grahamstown, after the death of Bishop Merriman in August 1882.

Dr. Colenso knew so little of Church feeling in the Diocese that he took the proposal seriously, and wrote regretfully declining the proposed "translation by the grace of Dr. Williams." But he was willing to do something for his excommunicated friend. He stated that if he were asked by Dr. Williams and his followers he would consecrate for them "a Church of England Bishop" for Grahamstown, and expressed his opinion that under the circumstances of the case consecration by one Bishop (*i. e.* himself) was legally valid. (*Life of Bishop Colenso*, Vol. II., p. 597.) In 1883 the Bishop of Bloemfontein was elected to the vacant

Diocese, and in August of that year he was translated to the See of Grahamstown.

The Provincial Synod of 1883 marked a crisis in South African Church history. Many Churchmen were alarmed at the Grahamstown judgment, and Archdeacons Badnall and Fogg of the Cape Town Diocese had made up their minds to move for the abolition of the Third Proviso of the Constitution, which shut out Privy Council case-law from our Ecclesiastical Courts. The exact wording of our Third Proviso is as follows—

“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, 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.*”

The motion of the Archdeacons was most exhaustively and thoroughly debated, and eventually their proposal was rejected by the House of the Laity, so that the Clergy and Bishops had no need to vote against it. It was well known that every Bishop was against the surrender of our Provincial freedom of action, and that hardly any of the Clergy were prepared to follow the Archdeacons of the Cape Diocese. If the South African Church had by its own vote abrogated the Proviso, and *willingly* placed its neck under the yoke which the Mother Church unwillingly has been compelled to bear, it is not too much to say that the Church of this Province would

have betrayed its own spiritual liberties, and with them the Catholic Faith.

In June 1883 Dr. Colenso died. But his small band of followers did not evince any desire for reunion with the Church. The Bishop of Maritzburg and his Synod made conciliatory overtures to them, and most of them were inclined to accept them, until the Church Council (which was Dr. Colenso's special creation) took action which widened the breach still further. They applied to the Archbishops of Canterbury and York, and to the Bishops of London, Worcester, Manchester, and Liverpool, to select them a Bishop in succession to Dr. Colenso. But in 1885 these Prelates replied in a memorable and statesman-like letter definitely refusing to comply with their request, and recommending union with the Church of the Province of South Africa.

In August 1885 Dr. Williams died, and after some negotiations the Cathedral Vestry entered into an agreement with the Bishop of Grahamstown (Dr. Webb), which happily terminated the schism. On Christmas Day, 1885, the Bishop formally took possession of the Cathedral, and the controversy respecting it was closed. In 1886 the Vestry of Trinity Church, Cape Town, placed themselves in open schism with the Metropolitan, and declared themselves a congregation in connection with the English Establishment. The case has been well summarized in the *Southern Cross*, from whose columns we quote the following—

“Trinity Church, Cape Town, was founded by the Low Church party in 1841. It had no Ordinance,

but in 1849 Bishop Gray was appointed Trustee. The Churchwardens and congregation accepted the present Metropolitan, Bishop Jones, as successor to Bishop Gray. But after the refusal of the Provincial Synod of 1883 to repeal the Third Proviso, they took up a position of open schism. The Churchwardens appealed to the Supreme Court of the colony to set aside Bishop Jones as Trustee, and put the Churchwardens in his place. The Chief Justice, Sir H. de Villiers, assisted by Judges Dwyer and Smith, gave judgment in favour of the Metropolitan. The Chief Justice, in defining the position of Bishop Jones, was bound to take into consideration the language of the Privy Council judgment in the case of Merriman *v.* Williams, for the words used, as was then pointed out, distinctly recognized Bishop Merriman as Bishop of Grahamstown. The case appeared so clear to the Chief Justice that the arguments of Mr. Innes, the Metropolitan's counsel, were not required. The Metropolitan was consecrated in England by the Archbishop of Canterbury as Bishop Gray's *de facto* successor. He held no Letters Patent from the Crown, and the Trinity Church people said he was not Bishop Gray's legal successor, and therefore could not be Trustee of Trinity Church, which by its trust deed belonged to the Church of England as by law established. The Chief Justice said that the Church of the Province of South Africa was in communion with the Church of England 'from a purely spiritual point of view,' though legally disconnected. The congregation of Trinity Church had by their acts

recognized Bishop Jones as Trustee and Bishop of the Diocese. The Court was not bound to appoint fresh Trustees. Bishop Jones was consecrated by the Archbishop of Canterbury after he had subscribed to the Constitution and Canons of the Province. He is Bishop *de facto*, and therefore Trustee of Trinity Church. This decision goes far to undo the unsettlement of the Church properties held 'in connection with the Established Church of England.' For instance, in the case of S. George's, Grahamstown, and S. Mary's, Port Elizabeth, the Bishop of Grahamstown is still Trustee, and until some one can be found to prove a better title to the trust he remains Trustee. To quote Bishop Webb's own words—'The Bishop is the Trustee of S. George's Church, and the judgment of the Supreme Court of Cape Town in the case of Trinity Church in that city secures the administration of such a trust to the Bishop until some other Bishop recognized by the Church of England can prove a better title to the status of the successor of the first Bishop of Grahamstown than the present Bishop of Grahamstown and his successors.'—(*Charge of Bishop of Grahamstown*, 1888, page 7.)

The Chief Justice had evidently reconsidered matters in the light of the Privy Council judgment in the Grahamstown case. This case settled the Church property question in the Cape Colony, and removed any remaining doubts as to the present South African Bishops being the successors of their "Letters Patent" predecessors.

The Provincial Synod of 1891 was marked by an

important resolution moved by the Bishop of Grahamstown to recast the Third Proviso. He took this course in pursuance of the agreement he had made with the Cathedral Vestry at Grahamstown in 1885, and although a subsequent Vestry released him from his pledge, he felt himself bound to bring on his motion.¹

The Synod was against it, and proceeded to the next order of the day. It is extremely unlikely that the question of the Proviso will ever come again before a Synod of the Province. The question of the title of "Archbishop" for the Metropolitan was debated, and the feeling of the Synod was strongly in its favour. The resolution of 1870 on the subject was re-affirmed, and the House of Bishops was empowered to deal with the question authoritatively.

The Synod decided to present a Bill to the Cape Parliament for the permissive repeal of the old Church Ordinances (one of which had caused such trouble in the Grahamstown Cathedral case). The Bill, after some opposition in committee, was passed by both Houses of the Cape Parliament, chiefly through the kindly offices of Mr. Hofmeyr, the leader of the Africander party, who, although a member of the Dutch Reformed Church, was glad to promote a measure of justice to his fellow-colonists of the English Church. Under the new Act the Church Ordinances of Grahamstown Cathedral, and of S.

¹ The Bishop's proposed amendment was a new clause, which, as he had been legally advised, safe-guarded the principle, whilst it removed some objections to the form of the Third Proviso.

Mary's Collegiate Church, Port Elizabeth, were speedily repealed, and other parishes followed their example.

We close our history with a brief summary of the Church of the Province of South Africa in its present condition.¹ There are now ten Dioceses in the Province.

- I. CAPE TOWN (the Western districts of the Cape Colony), founded 1847.
- II. GRAHAMSTOWN (the Eastern districts of the Cape Colony), founded 1853.
- III. MARITZBURG or NATAL (the Colony of Natal), founded 1853.
- IV. S. HELENA (S. Helena, Ascension, and Tristan d'Acunha), founded 1859.
- V. BLOEMFONTEIN (Orange Free State, Griqualand West, Basutoland, and Bechuanaland), founded 1863.
- VI. ZULULAND (the Zululand Mission), founded 1870.
- VII. S. JOHN'S (the Transkeian territories), founded 1873.
- VIII. PRETORIA (the Transvaal Republic), founded 1878.
- IX. MASHONALAND (Mashonaland and Matabeleland), founded 1891.
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¹ The Cape Census of 1891 deals with the Dioceses of Cape Town, Grahamstown, S. John's, and part of Bloemfontein. The Church was but a handful of Europeans in 1847. Now in

These last two Dioceses were founded by the House of Bishops in the Provincial Synod of 1891. In 1886 Bishop Knight Bruce succeeded Bishop Webb in the Diocese of Bloemfontein. He made a famous missionary journey through Mashonaland before it had been opened up by the Chartered Company. In 1891 he was translated to be the first Missionary Bishop of Mashonaland, and he was succeeded as Bishop of Bloemfontein by Dr. J. W. Hicks, who was consecrated in Cape Town Cathedral on S. Matthew's Day, 1892. Dr. W. E. Smyth was consecrated Missionary Bishop of Lebombo in Grahamstown Cathedral, in November 1894.

It remains for us to note briefly events in Natal since the resignation of Bishop Macrorie in 1891, after a most faithful and laborious Episcopate.

The Synod of the Diocese of Maritzburg delegated the appointment of a successor to the Archbishop of Canterbury, and the so-called "Church Council" stated that they would receive a Bishop so chosen as their Bishop. The Archbishop selected Dr. A. Hamilton Baynes, whose appointment was duly confirmed by the Bishops of the Province. He was consecrated in England on Michaelmas Day, 1894, and on his arrival in Natal was duly enthroned in S. Saviour's Cathedral as Bishop of Maritzburg. But

the Cape Colony the Church numbers 70,000 European adherents, which outnumbered by 10,000 the gross total of the Roman Catholics, Wesleyans, Presbyterians, Lutherans, and all other lesser bodies. It is only fair to add that the European members of the Dutch Reformed Church outnumber the gross total of its Anglicans *plus* all the other religious bodies.

the Church Council were not loyal to their agreement with the Archbishop. Bishop Baynes had to take a firm line with them, which has ultimately proved the most peaceful. The Church Council has been disowned by the Vestries of the Churches who formerly acknowledged Dr. Colenso as their Bishop. Bishop Baynes has made terms with these Vestries on the basis of administering "Church of England" law in his dealings with them, a course which has been sanctioned by the Provincial Synod of 1883, and which the Metropolitan himself adopted in the case of Trinity Church, Cape Town. The missionary work of the Church received a distinct impulse from the Provincial Missionary Conference of 1892. The work has its special difficulties. The semi-civilized natives are in some respects more difficult to deal with than the heathen. But the pioneer work of the Church in the purely Missionary Dioceses is being well and nobly done. In 1894 Bishop Gibson was consecrated as Coadjutor to the Metropolitan, and the House of Bishops unanimously resolved that the title of "Archbishop" was the proper title for the Metropolitan, whilst they deferred its official promulgation until the meeting of the Lambeth Conference in 1897. The work of the Church in South Africa bears perpetual witness to the abiding impress of the life and work of Robert Gray. *Esto perpetua.*

APPENDIX.

STATISTICS OF THE CHURCH OF THE PROVINCE OF SOUTH AFRICA.

DIOCESE	CLERGY.	COMMUNICANTS.	CHURCH ADHERENTS.
Cape Town ..	65	7,816	60,000
Grahamstown	87	6,200	50,000
Maritzburg ...	42	2,131	7,000
Bloemfontein ...	43	4,824	15,000 appr.
S. John's ...	28	3,596	15,000 appr.
Pretoria .	22	1,360	8,000
Zululand ...	16	550	1,000 appr.
S. Helena ...	5	370	4,196
Mashonaland ...	4	—	No returns.
Lebombo ..	2	—	No returns.
Total ...	314	26,847	160,196

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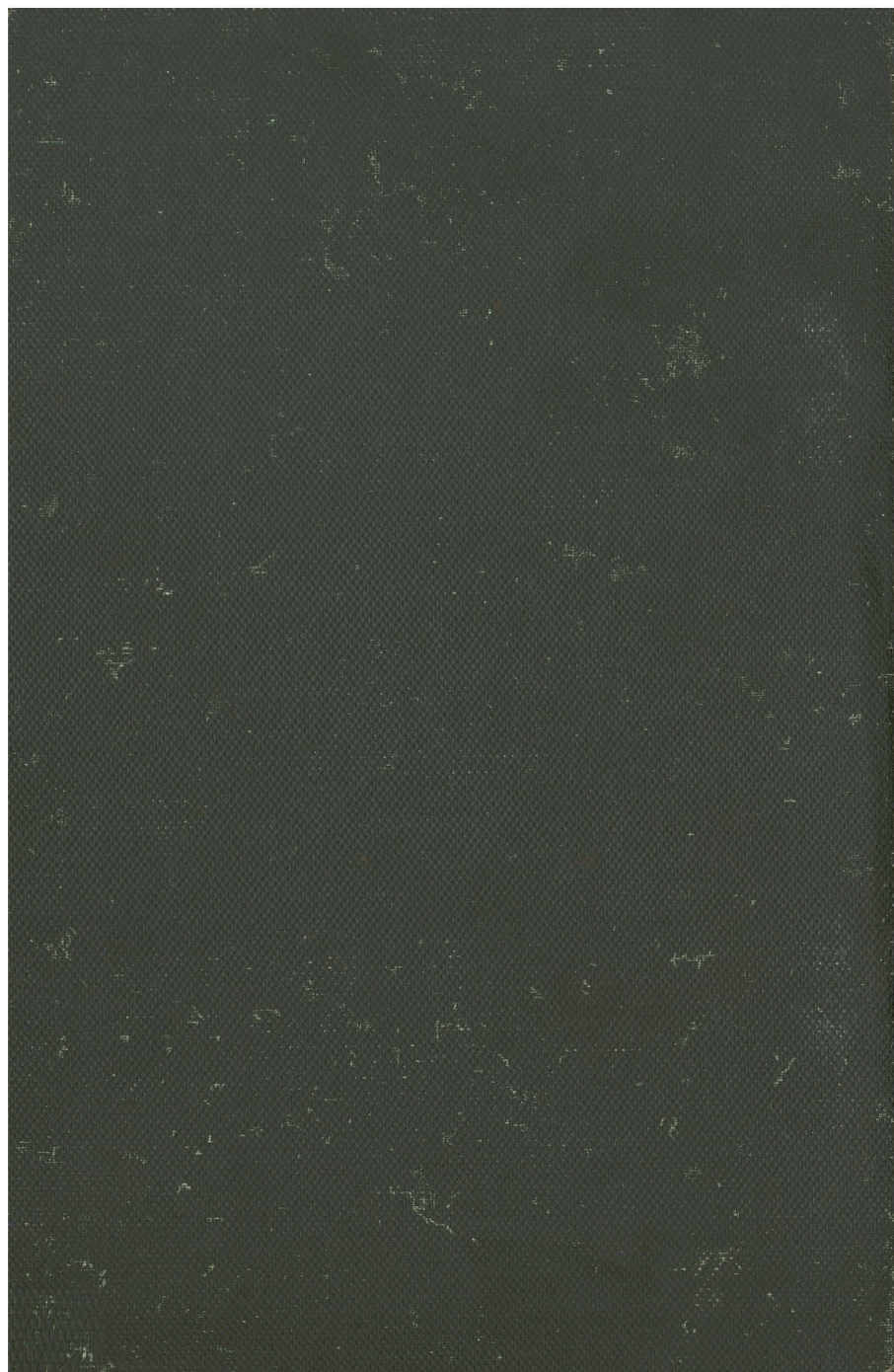
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