

https://dspace.org/

# South African Architectural Record: Journal of the Transvaal, Natal and Orange Free State Provincial Institutes of South African Architects and the Chapter of South African Quantity Surveyors

**1933**

Institutes of South African Architects and the Chapter of South African Quantity Surveyors

http://hdl.handle.net/10539/18867

South African Architectural Record; Journal of the Transvaal, Natal and Orange Free State Provincial Institutes of South African Architects and the Chapter of South African Quantity Surveyors. 1933 vol:1-12 p1-322

Downloaded from a DSpace repository. https://dspace.org/

105 Four Walls and a Roof

125 Town Planning Notes

129 Transvaal Provincial Institute

130 Professional Notes and News

133 Arts League 1st November 1911

Honorary Editor

Professor G. E. Pearse

Secretary,

A. S. Pearse

The editor will be glad to consider any mss., photographs or sketches submitted to him, but they should be accompanied by stamped addressed envelopes for return if unsuitable. In case of loss or injury he cannot hold himself responsible for mss., photographs or sketches, and publication in the journal can alone be taken as evidence of acceptance. The name and address of the owner should be placed on the back of all pictures and mss. The Institute does not hold itself responsible for the opinions expressed by individual members.

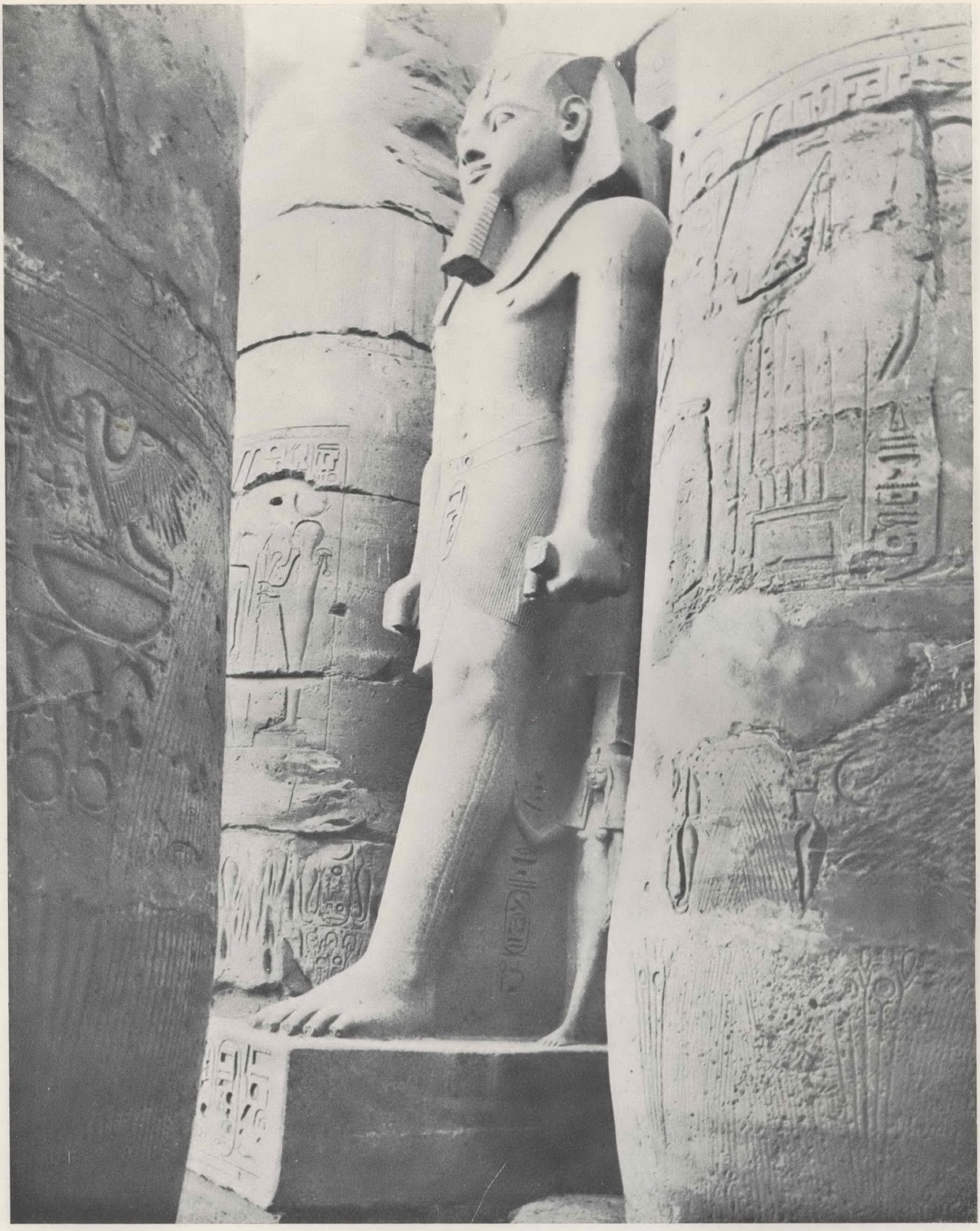
Annual subscription per post 10/6 direct from the business manager.

# the south african architectural record

The journal of the Transvaal, Natal and Orange Free State Provincial Institutes of South African Architects and the Chapter of South African Quantity Surveyors.

67, Exploration Buildings, Commissioner Street, Johannesburg. P.O. Box 2266. Telephone 33—1936.

Volume Eighteen Number Five, May Nineteen Hundred and Thirty Three.



the colossus of rameses II.

# four walls and a roof • norman eaton

## a lecture given to the women's club pretoria, february 28 1933

You have been kind enough to ask me to give you a talk on "Architecture." Stated in this way, the subject is a broad one and admits of infinite scope and variety. You might be treated to anything from a "Boudoir" to a "Ballet Russe." At first it may seem obvious that I should make my choice from those particular subjects under the broad heading you have given me which especially concern you as women. I do not propose, however, attempting any such particularity because I feel that without the background of an understanding of "Architecture" ; what it is ; and what its essential qualities are ; any such talk must necessarily be appreciated only to a fractional degree.

For this reason the subject on which I propose to speak to-night is a sort of "Introduction" to Architecture. It can be little more than simply an "introduction," even so I am afraid I shall have to keep you rather long, though I hope that as a result you will be stimulated to further and better acquaintance.

An insight into the "essentials" of Architure, as opposed to a merely superficial appreciation of the ultimate result of the co-ordination of these essentials ; a good knowledge, that is, of the components in Architecture which really matter ; is, I believe, indispensable to proper and complete living. Most of our time is spent in such close relation to architecture in some form or other that it cannot fail to have a very strong influence indeed upon our conduct of living. That this influence may be an advantageous one it is necessary that our judgment should be schooled into a proper appreciation of what the essenials of good Architecure are, in order that we may associate ourselves, wherever possible, only with the best.

While appreciating that you have afforded me an opportunity of bringing about this association, I at the same time fear that if I fail to impress or interest you, you may in turn fail to pursue this acquaintance further and I shall have done more harm than good. Much, I realize, depends on first impressions !

However, I think you are going to like Architecture. You will at any rate find her a very living creature ; filled with surprises and infinite variety. She is shy, retiring, and evasive, often hiding behind masks of the most forbidding and monstrous kind ; at times unfathomable and at others naive to a point of directness. Criticised and praised with equal facility and equal ignorance, she is at the same time the most intimate and the most abused of all the Arts.

I have headed my talk to you to-night "Four Walls and a Roof." This I have done for two reasons :–First to relieve your minds at once of any fear that I might be going to give you merely a cold collation of dull technicalities, but more particularly because I should like you to take this simple "Four Walls and a Roof" view of architecture. While you cannot, perhaps, ever hope to understand fully the complex of detail behind even her simplest manifestations, I am convinced that it will be in her simpler virtues and more direct qualities that you will find the greatest enjoyment.

The phrase "Four Walls and a Roof" has, I realise, dangerous associations. It has, in fact, been used almost entirely in the anti-Architectural sense, offensively and defensively. How often have we not heard it said, derisively, " Oh ! he is quite content with 'Four Walls and a Roof ' " ; or apologetically, "I am afraid we can only afford a plain ' Four Walls and a Roof' "; or again with expressions of obstinate determination not entirely freed from a sort of consciousness of wrongdoing, "Thank you ! I am perfectly content with just ' Four Walls and a Roof.' "

It is significant how many of the derogations of yesterday have become, and are still becoming, the maxims and symbols of to-day. We have turned, whether through forces of economic necessity, intellectual advancement, or merely reaction, from a complicated to a simpler view of things ; from hypocrisy to openness ; from the curtailed confines of the stuffy Victorian drawing-room out into God's good fresh air. Our tastes from being vicious are becoming vital.

This change of attitude is important. It is important because it means that our daily life is being brought into unison with ourselves ; that Life and the Art of Living are becoming harmonious. This, I believe, has been the condition necessary to produce all the great architectural achievements of the past.

Architecture, it must be remembered, is, in the material sense, nothing more or less than the visible symbol of the human mentality which produced it; a sort of barometric indicator of the fluctuations of national life.

Ruskin defined Architecture as "the Art which so disposes and adorns the edifices raised by man, for whatever uses, that the sight of them may contribute to his mental health, power and pleasure." I will only question this definition where it concerns the nature of this "contribution" he mentions. Satisfaction received from the contemplation of a piece of good Architecture does not, to my mind, result from the feeling that we have gained a mental benefit. It results, I think, from a sort of subconscious assurance we are given that it (that is the Architecture) exists in harmony with the necessities of our civilised living ; that it is obeying some undefined fundamental law common to us both.

The effect then of good architecture is not so much that it enriches any one side of living, but that it balances it as a whole ; produces in it, in other words, a state of equipoise.

This reciprocal action between "Architecture" and "Living" clearly shows the reliance of the one upon the other and the importance of each. The blending of the two together might be called the Art of Harmonious Living, so closely bound up, I believe, is Architecture and her kindred arts with our culture and well-being. They raise "living" from a state of mere brute existence to one of civilisation.

To return for a moment to Ruskin I would like to read you an amusing, though deeply penetrating, passage from his "Seven Lamps of Architecture," in which he criticizes the decoration of Railway Stations. Writing at a time when that glorious confusion, the Victorian period, was at it's height (that is about sixty years ago), one can sympathise with his acute feeling ! He shows very clearly, to my mind, the folly of imposing upon structures of any kind, ornamentation which is inconsistent with the nature or purpose of that structure, a form of aggrandisement which always has been and always must be, vulgar.

●

He says : "Another of the strange and evil tendencies of the present day is the decoration of the railroad station. Now, if there be any place in the world in which people are deprived of that portion of temper and discretion which is necessary to the contemplation of beauty, it is there. It is the very temple of discomfort, and the only charity that the builder can extend to us is to show us, plainly as may be, how soonest to escape from it. The whole system of railroad travelling is addressed to people who, being in a hurry, are therefore, for the time being, miserable. No one would travel in that manner who could help it, who had time to go leisurely over the hills and between hedges, instead of through tunnels and between banks ; at least those who would, have no sense of beauty so acute as that we need consult it at the station. The railroad is in all its relations a matter of earnest business to be got through as soon as possible. It transmutes a man from a traveller into a living parcel. For the time being he has parted with the nobler characteristics of his humanity for the sake of a planetary power of locomotion. Do not ask him to admire anything. You might as well ask the wind. Carry him safely, dismiss him soon : he will thank you for nothing else. All attempts to please him in any other way are



the great pyramid

a mere mockery, and insults to the things by which you endeavour to do so. There never was more flagrant nor impertinent folly than the smallest portion of ornament in anything concerned with railroads or near them. Keep them out of the way, take them through the ugliest country you can find, confess them the miserable things they are, and spend nothing upon them but for safety and speed. Give large salaries to efficient servants, large prices to good manufacturers, large wages to able workmen ; let the iron be tough and the brickwork solid, and the carriages strong. The time is perhaps not distant when these first necessities may not be easily met ; and to increase expense in any other direction is madness. Better bury gold in the embankments, than put it in ornaments on the stations. Will a single traveller be willing to pay an increased fare on the South Western because the columns of the terminus are covered with patterns from Nineveh ? He will only care less for the Ninevite ivories in the British Museum ; or on the North Western because there are old English-looking spandrils to the roof of the station at Crewe ? He will only have less pleasure in their prototypes at Crewe House. Railroad Architecture has, or would have, a dignity of its own if it were only left to its work. You would not put rings on the fingers of a smith at his anvil."

Digressing for the moment, I want to take you back to the " origin of Architecture." For this purpose I am not going to embark upon any long and involved theorising but am simply going to quote from the writings of an ancient Roman architect. What I should like you particularly to notice is the strong vein of practicality which runs through an otherwise rather legendary explanation.

This is what he says :—"Mankind, originally brought forth like the beasts of the field, in woods, dens, and groves, passed their lives in a savage manner, eating the simple food which nature afforded. A tempest, on a certain occasion, having exceedingly agitated the trees in a particular spot, the friction between some of the branches caused them to take fire ; this so alarmed those in the neighbourhood of the accident, that they betook themselves to flight. Returning to the spot after the tempest had subsided, and finding the warmth which had been thus created extremely comfortable, they added fuel to the fire existing, in order to preserve the heat, and then went forth to invite the others, by signs and gestures, to come and witness the discovery. In the concourse which thus took place, they testified their different opinions and expressions by different inflexions of the voice. From daily association words succeeded to these indefinite modes of speech; and these becoming by degrees the signs of different objects, they began to join them together, and conversation became general. Thus the discovery of fire gave rise to the first assembly of mankind, to their first deliberations, and to their union in a state of society. For their association with each other they were more fitted by nature than other animals, from their erect posture, which also gave them the advantage of continually viewing the stars and firmament, no less than from their being able to grasp and lift an object, and turn it about in their hands and fingers. In the assembly, therefore, which thus brought them first together, they were led to the consideration of sheltering themselves from the seasons, some by making arbours with the boughs of trees, some by excavating caves in the mountains, others in imitation of the nests and habitations of swallows, by making dwellings of twigs interwoven and covered with mud or clay. From observation of and improvement upon each other's expedients for sheltering themselves, they soon began to




provide a better species of huts. It was thus that men, who are by nature of an imitative and docile turn of mind, and proud of their own inventions, gaining daily experience also by what had been previously executed, vied with each other in their progress towards perfection in building. The first attempt was the mere erection of a few spars united together with twigs and covered with mud. Others built their walls of dried lumps of turf, connected these walls together by means of timbers laid across horizontally, and covered the erections with reeds and boughs, for the purpose of sheltering themeslves from the inclemency of the seasons. Finding, however, that flat coverings of this sort would not effectually shelter them in the winter season, they made their roofs of two inclined planes meeting each other in a ridge at the summit, the whole of which they covered with clay, and thus carried off the rain. We are certain that buildings were thus originally constructed, from the present practice of uncivilised nations, whose buildings are of spars and thatch, as may be seen in Gaul, in Spain, in Portugal, and in Aquitane . . . ." Then he goes into lengthy explanations of the methods adopted in a number of particular cases, proceeding later to say :—"Each nation, in short, has its own way of building, according to the materials afforded and the habits of the country . . . Daily practice made the original builders more skilful, and experience increased their confidence ; those who took more delight in the science making it their exclusive profession. Thus man, who, in addition to the senses which other animals enjoy in common with him, is gifted by nature with such powers of thought and understanding, that no subject is too difficult for his apprehension, and the brute creation are subject to him from his superiority of intellect, proceeded by degrees to a knowledge of the other arts and sciences, and passed from a savage state of life into one of civilisation. From the courage which his gradual success naturally excited, and his engagement in those various speculations with which the arts are connected, his ideas expanded ; and from building huts he soon proceeded to the erection of houses constructed with brick walls or with stones, whose roofs were of timber covered with tiles. Thus by experience and

observation the knowledge of certain proportions was obtained, which in the beginning were fluctuating and uncertain ; and advantage being taken of the bounty of nature, in her supply of timber and other building materials, the rising art was so cultivated that by the help of other arts mere necessity was lost sight of ; and by attending to the comforts and luxuries of civilised society, it was carried to the highest degree of perfection."

What I have just read to you is part of the First Chapter of Book Two of a Treatise on Architecture written by one Marcus Vitruvius Pollio (commonly known as Vitruvius), who flourished in Italy very nearly twenty centuries ago, that is between the death of Julius Caesar and the Battle of Actium.

The chapter is headed "of the Origin of Building." The translation from the original Latin is, I believe, as nearly literal as it is possible to make it. This, together with the fact that Vitruvius was, throughout his treatise, addressing himself—with, sometimes, gross but probably very necessary flattery—to his Caesar, will largely account for an apparently rather "flowery" treatment of what is in reality a very scientific subject. Beneath this wordiness, however, and an attitude of somewhat ingenuous conviction towards a thing which is even to-day largely a matter for conjecture, we can clearly see the practical observer ; the scientist who is at all times unwilling to accept the existence of anything without first delving to its roots for an explanation.

This same attitude towards natural phenomena occurs in a very highly developed state in Leonardo da Vinci fourteen to fifteen centuries later, and may be considered, by those who do not recognise the strong affinity between practical and abstract values, as the more strange since his art attained such a high spirituality. In a short sketch of his life, Emil Ludwig says of him :—"For Leonardo was both a student of nature and a prophet, and this duality of his character produced marked contrasts which had an important effect upon his work. Without his scientific eye, his observation, he would never have become the greatest path-finder of the new Occident. Without his mystical gaze, his vision, he could not have used his knowledge to make himself, we might say, the prehistoric discoverer of all that a later era worked out patiently and laboriously."

Vitruvius's ten books comprise, to anyone with a spark of imagination, one of the most practical guides I know into the much discussed but little understood spheres of Architecture. Even to-day much of his advice on Architectural matters may be used to great advantage.

The field covered by his treatise shows an amazing diversity of knowledge, a lot of it almost startling in its apparent modernity. With the same naive assurance he touches upon subjects as widely varied as :—"The Origin of All Things," "The Preparation of Vermilion," "Harmony" (in music) "Forms of Houses Suited to Different Ranks of Persons," "The Method of Finding Water," "The Preparation of Balistae and Catapultae" (military machines), "The Education of an Architect," "The Method of Detecting Silver when Mixed with Gold," and a hundred others. He seems at once to be technical adviser to the highest authorities and the humblest housewife's guide. An amazing man.

This talk, however, is not intended to be a discourse on Vitruvius, though I will quote him frequently. I have introduced him for several reasons. Not the least of these is his very useful explanation of "the origin of building," which I hope has interested you as it has helped me over very difficult and tedious ground.

Then I hope to interest you in his books because I believe that this will be one of the best ways of interesting you in Architecture generally. Read Vitruvius. You will get a tremendous lot of fun out of the practical ramblings of this two thousand year old architect. You will find him a very human person. In his rather lovably verbose way he will tell you much about the many and varied problems, troubles, joys, humours, and even more intimate personal struggles which combine to form the complex life of an architect, and through him, the Art of Architecture.

I propose also to use Vitruvius somewhat in the manner of a shield behind which to protect what may be considered my youthfulness of opinion ! For, apart from my own very favourable estimate of his works, I feel that

you will instinctively place reliance in the maturity of his two thousand years ! The present-day world has, I think, found the writings, and the works, of the modernists rather frightening. In truth there is little difference to be found between the fundamental principles laid down in the writings of the more enlightened of these modern enthusiasts and those of ancient times. To test this I think that you should, after reading Vitruvius, come back to the works of le Corbusier, who, at any rate as a writer upon architectural matters, is at once one of the most inspired and the most inspiring of the "moderns."

Some of the rules Vitruvius applies to the architecture of Roman times are largely applicable to-day. Where he deals with the essentials, that is with the basic fundamentals of the Art, they are wholly applicable. This is but another illustration of how closely bound up architecture is with the Human Animal. In physical essentials there is no difference between the average Greek or Roman of two thousand years ago and present man. Mentally the basic outlook is much the same, though different lights and shades may be said to have been brought to play upon the surface of that outlook, apparently changing its form but in reality merely repatterning its surface.

Remembering, however, that the human is not merely a physical creature, but is a combination, in varying proportions, of the physical and metaphysical elements, that is of the concrete and the abstract, we may come to the following conclusion with reference to this question of "fusing" or "harmonising" Architecture with Living.

That in satisfying the Physical requirements of a human we may achieve good Building. In order, however, that this good Building may become good Architecture, there must be transfused into it something which will represent this human's Intellectual requirements.

This last, Vitruvius implies, in part of a quotation I will read to you in a moment, is the work of an ingenuity born of enlightened architectural experience, and is not possible through mere learning by the uninitiated.

To illustrate what I said a moment or two ago about the applicability of the ancient architectural rules to present day circumstances, I will read to you a few further quotations from Vitruvius. You will, I think, have little difficulty, in appreciating their continued suitability.

In Book One, Chapter eleven, appears the following :–"Architecture depends on fitness and arrangement : it also depends on proportion, uniformity, consistency, and economy. Fitness is the adjustment of size of the various parts to their several uses, and requires due regard to the general proportion of the fabric ; it arises out of dimension. Dimension regulates the general scale of the work, so that the parts may all tell and be effective.

Arrangement is the disposition in their just and proper places of all the parts of the building, and the pleasing effect of the same ; keeping in view its appropriate character. It is divisible into three heads, which, considered together, constitute design ; they are called ichnography, orthography, and scenography. The first is the representation on a plane of the ground-plan of the work, drawn by rule and compasses. The second is the elevation of the front, slightly shadowed, and showing the forms of the intended building. The last exhibits the front and a receding side properly shadowed, the lines being drawn to their proper vanishing points. These three are the result of thought and invention. Thought is the effort of mind, ever incited by the pleasure attendant on success in compassing an object. Invention is the effect of this effort ; which throws a new light on things the most recondite, and produces them to answer the intended purpose.

These are the ends of arrangement. Proportion is that agreeable harmony between the several parts of the building, which is the result of a just and regular agreement of them with each other ; the height to the width, this to the length, and each of these to the whole. Uniformity is the parity of the parts to one another ; each corresponding with its opposite, as in the human figure. The arms, feet, hands, fingers, are similar to, and symmetrical with one another ; so should



the parthenon

the respective parts of a building correspond." "In respect of custom, consistency is preserved when the vestibules of magnificent edifices are conveniently contrived and richly finished ; for those buildings cannot be said to be consistent to whose splendid interiors you pass through poor and mean entrances." "Natural consistency also requires that chambers should be lighted from the East ; baths and winter apartments from the South-West ; picture and other galleries which require a steady light, from the North, because from that quarter the light is not sometimes brilliant and sometimes obscured, but is nearly the same throughout the day. Economy consists in due and proper application of the means afforded according to the ability of the employer and the situation chosen ; care being taken that the expenditure is prudently conducted. In this respect the architect is to avoid the use of materials which are not easily procured and prepared on the spot. For it cannot be expected that a good pit-sand, stone, fir of either sort, or marble can be procured everywhere in plenty, but they must in some instances, be brought from a distance, with much trouble and at great expense." "Another branch of economy consists in suiting the building to the use which is to be made of it, the money being expended, and the elegance appropriate thereto ; because, as one or other of these circumstances prevails, the design should be varied. That which would answer very well as a town house, would ill suit a country house, in which storerooms must be provided for the produce of the farm. So the houses of men of business must be differently designed from those which are built for men of taste ! Mansions for men of consequence in the government must be adapted to their particular habits. In short, economy must ever depend on the circumstances of the case."

Book Six, Chapter one, deals with the "Situation of Places." "Buildings are properly designed, when due regard is had to the country and climate in which they are erected. For the method of building which is suited to Egypt would be very improper in Spain, and that in use in Pontus would be absurd in

Rome ; so in other parts of the world a style suitable to one climate, would be unsuitable to another ; for one part of the world is under the sun's course, another is distant from it, and another, between the two, is temperate. Since, therefore, from the position of the heaven in respect of the earth, from the inclination of the zodiac from the sun's course, the earth varies in temperature in different parts, so the form of buildings must be varied according to the temperature of the place, and the various aspects of the heavens. In the North buildings should be arched, enclosed as much as possible, and not exposed, and it seems proper that they should face the warmer aspects. Those under the sun's course in the Southern countries where the heat is oppressive, should be exposed and turned towards the North and East. Thus the injury which nature would effect, is evaded by means of Art. So, in other parts, due allowance is to be made, having regard to their position, in respect of the heavens. This, however, is determined by consideration of the nature of the place and observations made on the limbs and bodies of the inhabitants. For where the sun acts with moderate heat it keeps the body at a temperate warmth, where it is hot from the proximity of the sun, all moisture is dried up : lastly, in cold countries which are distant from the South, the moisture is not drawn out by the heat, but the dewy air, insinuating its dampness into the system, increases the size of the body and makes the voice more grave." . . . and so he goes on to deal at length with the effect of climate on the individual and the resultant variation of human characteristics according to various natural conditions. Then he says : "Since, then, it is the climate which causes the variety in different countries, and the dispositions of the inhabitants, their stature and qualities are naturally dissimilar, there can be no doubt that the arrangement of buildings should be suitable to the qualities of the nations and people, as nature herself clearly and wisely indicates."

Book One, Chapter one, explains what architecture is and the education of an architect as follows :—"Architecture is a science arising out of many other sciences, and adorned with much and varied learning ; by the help of which a judgment is formed of those works which are the result of other arts. Practice and theory are its parents. Practice is the frequent and continued contemplation of the mode of executing any given work, or of the mere operation of the hands, for the conversion of material in the best and readiest way.

Theory is the result of that reasoning which demonstrates and explains that the material wrought has been so converted as to answer the end proposed. Wherefore the mere practical architect is not able to assign sufficient reasons for the forms he adopts ; and the theoretic architect also fails, grasping the shadow instead of the substance. He who is theoretic as well as practical, is therefore doubly armed ; able not only to prove the propriety of his design, but equally to carry it into execution. In architecture as in other arts, two considerations must be constantly kept in view ; namely, the intention, and the matter used to express that intention, but the intention is founded on a conviction that the matter wrought will fully suit the purpose ; he, therefore, who is not familiar with both branches of the art, has no pretention to the title of architect. An architect should be ingenious, and apt in the acquisition of knowledge, deficient in either of these qualities, he cannot be a perfect master.

He should be a good writer, a skilful draughtsman, versed in geometry and optics, expert at figures, acquainted with history, informed on the principles of natural and moral philosophy, somewhat of a musician, not ignorant both of the sciences of law and physic, nor of the motions, laws, and relations to each other, of the heavenly bodies." . . . and so on he enters into a lengthy explanation of the necessity for and the advantages of each individual requirement. Here is one of them. "Moral philosophy will teach the architect to be above meanness in his dealings, and to avoid arrogance ; it will make him just, compliant and faithful to his employer ; and what is of highest importance, it will prevent avarice gaining ascendancy over him for he should not be occupied with thoughts of filling his coffers, nor with the desire of grasping everything in the shape of gain, but,

by the gravity of his manners, and a good character, should be careful to preserve his dignity. In these respects we see the importance of moral philosophy ; for such are her precepts."

●

Here is another : "Law should be an object of his study, especially those parts of it which relate to party walls, to the free course and discharge of eaves water, the regulations of cesspools and sewerage, and those relating to window-lights. The laws of sewage require his particular attention, that he may prevent his employers being involved in law-suits when the building is finished. Contracts also for the execution of the works, should be drawn with care and precision, because, then without legal flaws, neither party will be able to take advantage of the other." . . . then he goes on to say : "Since, therefore, this art is founded upon and adorned with so many different sciences, I am of opinion that those who have not, from their early youth, gradually climbed up to the summit, cannot, without presumption, call themselves masters of it. Perhaps to the uninformed, it may appear unaccountable that a man should be able to retain in his memory such a variety of learning, but the close alliance with each other, of the different branches of the science, will explain the difficulty. For as a body is composed of various concordant members, so does the whole circle of learning consist in one harmonious system. Wherefore those, who from an early age are initiated in the different branches of learning, have a facility in acquiring some knowledge of all, from their common connection with each other."

In order to show you how far scientific thought of his day had advanced, I will read you the following interesting extract in which he questions the functions of the visual rays. After a discourse dealing with the necessity for optical corrections in architectural design he goes on to say : "But whether the sight arises from the impression which images make on the eye, or by an effusion of visual rays from the eye, as naturalists contend, it is certain that in some way or other the eye is often deceived. Since then some images are falsely conveyed, and others appear different from what they really are, I think it beyond doubt, that, according to nature and the circumstances of the place, diminutions or additions should be made, so that no defect may be apparent. To do this, however, is the result of genius and not the result of learning." The concluding statement shows his conviction that architects are born and not made !

The conclusion to Chapter eleven of Book Six, also has an interesting comment. "The merit of every work is considered under three heads; the excellence of the workmanship, and the magnificence, and the design thereof. When a work is conducted as magnificently as possible, its cost is admired ; when well built, the skill of the workman is praised ; when beautifully, the merit belongs to the architect on account of the proportion and symmetry which enter into the design.

These will ever be apparent when he submits to listen to the opinions of even workmen, and ignorant persons. For other men, as well as architects, can distinguish the good from the bad ; but between the ignorant man and the architect there is this difference, that the first can form no judgment till he sees the thing itself ; whereas the architect, having a perfect idea in his mind, can perceive the beauty, convenience, and propriety of his design, before it is begun."

A comment made in the introduction to his Tenth Book I am sure you will all applaud. "In the magnificent and spacious Grecian city of Ephesus, an ancient law was made by the ancestors of the inhabitants, hard indeed in its nature, but nevertheless equitable.

When an architect was entrusted with the execution of a public work an estimate thereof being lodged in the hands of a magistrate, his property was held, as security, until the work was finished. If, when finished, the expense did not exceed the estimate, he was complimented with degrees and honours. So when the excess did not amount to more than a fourth part of the original estimate, it was defrayed by the public, and no punishment was inflicted. But when more than one fourth of the estimate was exceeded, he was required

to pay the excess out of his own pocket. Would that such a law existed among the Roman people, not only in respect of their public, but also of their private buildings, for then the unskilful could not commit their depredations with impunity, and those who were the most skilful in the intricacies of the art would follow the profession. Proprietors would not be led into extravagent expenditure so as to cause ruin, architects themselves, from the dread of punishment, would be more careful in their calculations, the proprietor would complete his building for that sum, or a little more, which he could afford to expend. Those who can conveniently expend a given sum on any work, with the pleasing expectation of seeing it completed would cheerfully add one fourth more, but when they find themselves burdened with the addition of half or even more than half the expense originally contemplated, losing their spirits and sacrificing what has already been laid out, they incline to desist from its completion."

Lastly I will quote from the introduction of his Sixth Book. I do this because it is interesting to see how similar was the struggle for recognition of the genuine architect then and now, and how similarly beset the profession was by those who wrongfully exploited it. Referring to his Treatise, he say : "It is true that I have acquired but little, yet I still hope, by this publication, to become known to posterity. Neither is it wonderful that I am known but to a few. Other architects canvass, and go about soliciting employment, but my preceptors instilled into me a sense of propriety of being requested and not of requesting to be entrusted, inasmuch the ingenuous will blush and feel shame in asking a favour ; for the givers of a favour and not the receivers, are courted. What must he suspect who is solicited by another to be entrusted with the expenditure of his money, but that it is done for the sake of gain and emolument. Hence the ancients entrusted their works to those architects only who were of good family and well brought up, thinking it better to trust the modest, than the bold and arrogant man. These artists only entrusted their own children or relations, having regard to their integrity, so that property might be safely committed to their charge. When, therefore, I see this noble science in the hands of the unlearned and the unskilful, of men not only ignorant of architecture, but of everything relative to buildings, I cannot blame proprietors, who, relying on their own intelligence, are their own architects ; since, if the business is to be conducted by the unskilful, there is at least more satisfaction in laying out money at one's own pleasure, rather than at that of another person. No one thinks of practising at home any art (as that of a shoemaker or fuller, for instance, or others yet easier) except that of an architect, and that because many who profess the art are not really skilled in it, but are falsely called architects. These things have induced me to compose a treatise on architecture and its principles, under an idea that it would be acceptable to all persons."

Standing out very clearly from these quotations is the writer's belief that architecture is an art based on and deeply rooted in very practical considerations, and not, as many believe—some with very proper consternation—the mere plaything of fanciful theory, or of whimsical enthusiasm. The writer clearly holds that it is only upon this practical foundation that the building can arise from which genuine architecture may be evolved ; an architecture entirely freed from considerations of style, whim, or decorative impositions

casa delle nozze d'argento • pompeii



not inherent in its practical being ; an architectural subject all through to the most rigid practical and theoretic laws.

●

Having said all this I am sure you are beginning to wonder why on earth I asked you, at the commencement of this talk to try and take the "simple" view of architecture. I will excuse myself by saying that it is this very simplicity which requires involved definition, just as something involved, by its very nature, may often be simply defined. How much easier it is to explain an airship than it is to explain an atom.

It will not be necessary, in your associations with architecture, to be continually submitting it—or yourselves—to minute analysis. Having grasped what, if not why, the simple fundamentals are, and having applied them, the details will naturally follow.

All that I have said with regard to these fundamentals, may be summed up in the word Fitness.

When a work of architecture may be said to possesses the quality of " fitness," it simply means that in every part it is performing its functions in the best possible way.

Keep then this simple word "fitness" as your watchword. Let it be the standard by which you judge and the condition upon which you approve.

This, you may say, is all very well. You can recognise this so-called "fitness" and will certainly demand it. But how are you to know the way in which it is brought about, what the particular technique is which is required to compose it.

In answering this I cannot resist the temtation to venture upon a little, perhaps unprofessional, propaganda. My advice is. "Use more Architects," and, to add the customary warning, "Beware of Imitations."

Having appreciated the essential qualities necessary to produce good architecture and being, say, about to embark upon some such production, you may wonder to what extent and in what proportion the responsibilities for its success must be divided between yourself and your chosen architect. (I would like, by the way, while I am at it, to emphasise that there is this division of responsibilities. It is as much a fallacy to suppose that everything must be left unconditionally to the architect, as it is to suppose that his client should have full authority to control his actions.)

To bring about a solution there must be a problem. It is subject to his condition that the division of responsibilities is arrived at. It is a very clearcut division. Simply expressed it is this : You are to supply your problem and your architect is to supply the solution. Without your clearcut requirements your architect can produce no considered solution ; without his solution you cannot have architecture. There can be no subdivision, no encroachment upon or interchange between the fixed apportionment to each, if the balance necessary for a consistent solution is to be maintained.

In dealing earlier with the essentials of architecture, I have largely implied the duties of the architect since these are interdependent. It will, therefore, be unnecessary for me to enlarge upon them. You may, however, like me to state a little more clearly what your part in the matter is.

The most important thing of all, the initial essential, is that you know what you want (not always an easy matter, I can assure you). Knowing this, the next essential is that you state it in the clearest terms.

One of the main difficulties encumbering this "clearcut statement of requirements" has been due to a tendency to act outside the set limits of responsibility, that is, beyond the limits of practical requirement. This has led, and must necessarily lead, to a confusion of purposes irreconcilable by the best equipped architect.

Supposing, for a moment, a collaboration between the "ideal" architect and the "ideal" client for the purpose of producing a work of architecture. The following four questions, answered with the utmost practical precision, would then, I consider, constitute for the architect, all the raw material necessary for his work. Referring to the proposed work, the questions are :—

What are to be : (i) Its purpose ; (ii) Its accommodation ; (iii) Its situation (geographical, geological and climatic including, of course, the shape and extent of its proposed site) ; (iv) The limit of expenditure.

All questions of aesthetic appearance, suitability, propriety and so on, will naturally result from a proper co-ordination of these requirements and are the architect's sole responsibility. Any material, other than the practical, which will eventually be reflected in the individuality of your particular architectural product will be gathered purely in association with you as a person. This peculiarity cannot be consciously imposed without danger.

Avoid "styles" like the plague, and equally so that disastrous habit of collecting numberless incongruous details from multitudinous sources, with the object of incorporating them in one particular work, to produce, it may be vaguely hoped, effects of "quaintness" or "picturesqueness." By their very inclusion unison will be destroyed and, as architecture, the work will be disintegrated.

Your problem will always be peculiar to itself, and its successful solution will be a homogeneous, indivisible thing. It will be hampered rather than assisted by the introduction of fragmentary solutions foreign to it.

Ordinarily an apology would be necessary for the introduction of what might be called "shop" into a talk on the fundamentals of architecture. It might be considered beneath the aesthetic dignity of the subject, in its intellectual sense, to do so. The relations, however, between these co-partners in the promotion and production of architectural schemes is, I believe, vital to their eventual success.

Once these relations, with their proper division of responsibilities and the essential architectural requirements upon which they are based, become generally understood, appreciated, and demanded, much of the friction, due to lack of sympathy and co-operation between the architect and his public, will disappear, and tremendous stimulus will be given, not merely to architecture, but through it to something far more important which lies beyond, the Art of Harmonious Living.

In this country we are suffering very badly from the introduction into every aspect of our lives of foreign importations. Our method of living and all that composes it is imported, with little regard for the totally different conditions which induced it in the place or places from which it came. In its train came imported architecture, or is it not perhaps deported architecture ? with all its paraphernalia ; like Mahomed come to Maritzburg, ludicrous, and yet accepted.

Once, and once only (with the exception, perhaps, of those branches of indigenous native art which might come very close to being called architecture), has architecture been a real living thing in this country. The old Dutch settlers at the Cape, almost completely isolated from the rest of white civilisation, were forced to consider their problems of building in an almost completely "local" and detached manner. In this way they evolved something which was so fine a blend of all the natural organic conditions latent in their materials, as to be worthy of rank amongst the highest architectural achievements of man. Their period was short, however. Communications became easier. Foreign importations flooded the fair fields they had cultivated. Their lesson was hardly taught before it was forgotten, and architecture, overcome, lay back in the sun to sleep.

To-day this question of communications has so far advanced as to link us with practically every corner of the world. In consequence the "international" aspect has been slowly brought to bear upon architecture. Influences are transmitted from one place to another with great rapidity, and local products have to fight for their place on the economic markets of the world. This tends to weaken the influence of "locality" upon the work so far as the means are concerned, the end, however, will always be subject to the old fundamental laws. The essentials can only change as natural man changes, and the laws of nature controlling him.

From a close contact with other intellectual centres, and a constant interchange between the methodic ideas actuating the processes whereby architectural essentials are blended together to satisfy a variety of conditions, we can best equip ourselves against all practical



santa sophia at constantinople

emergencies. There is every advantage to be gained in the interchange, so long as the fundamentals are not lost sight of.

●

This "internationalisation," however, will never excuse "holus bolus" importations. A Berliner Bank in Bloemfontein, a Colesburg Cottage in Clapham ! They must ever cry out for the congeniality of their natural climes ; ever dissociate themselves from their strange environs. By their very shape, form, colour, they will voice their unhappiness, and yearn, the one for the kindly greyness of the North, the other for the glory of the sun.

I would like before concluding to suggest, very tentatively (since, as I said before, there can be no true solution before a definite logical problem is presented), what form I think a suitable Transvaal house should take.

I will consider only the domestic problem because I feel that it is the one which will interest you most. I mention "Transvaal" and not "South African" house, because I think there should be distinct variations for different parts of the country, according as the climate and other natural conditions vary.

In the Transvaal we have weather conditions which allow of the maximum of outdoor life in all seasons. Amongst the majority of us (and this is even the case in other countries where climatic conditions are not merely worse than here but distinctly bad), there is a strong inclination to lead an outdoor life as far as it is possible to do so. All indications, that is, favour this method of living. Yet when we consider our houses, they seem purposely designed to resist this tendency. They are so shut in ! One can nowhere in them get out into the open (the spacious open that is, since our poky little porches and verandahs can hardly be called spacious) and at the same time enjoy protection from the extremes of weather ; nowhere can we feel that spacious ease sometimes associated with enormous double beds when we sleep alone in them and can stretch, and open ourselves up luxuriously in every direction without constraint.



palazzo pitti • florence

I feel that this "outdoor" aspect should be one of the fundamental requirements demanded from our architecture, particularly our domestic architecture.

There will be a considerable prejudice to overcome. It will be necessary to eliminate from our methods of living all unsuitable influences foreign to it ; free it from all useless encumbrances, material and otherwise (think here of the agglomeration of really useless things which, either from a false sense of their value as property, or from a very misguided sentimentality, we store up in, or stick on to, our houses), some say, with what reason it is difficult to understand, "to make them more homely." Free our "living" from all these ; readjust it on a simple, logical, fundamental basis and, I assure you, that vistas of untold adventure, of immeasurable possibility will be opened up in realms of domestic architecture.

Imagine for a moment, a house built on "stilts" (or, if you like it better, raised on pillars), to a height of seven or eight feet above the ground, with the sleeping quarters, kitchen quarters, and, say, one living room at this raised level, over which is a partly covered flat roof equipped with a swimming-tank and sand-pit, and surrounded by a parapet wall. The enclosed level (the sleeping or inactive quarters, that is), imagine pierced in the centre by a light-well connecting the large under-area with the open flat above, and so bringing light and fresh air to the very heart of the dwelling. A garage, workshop and staircase-entrance could be fitted in the "under-area," but for the rest, this would become a great spacious, open-air day lounge, shaded from the sun by the overlying rooms, and open on all sides to the air, light, view and garden greenery. A system of low, light, collapsible screens, merely as a temporary protection against excessive winds, cou'd be arranged to fit in between the outer pillars. All windows of the sleeping quarters level would be in broad, airy bands with a continuous hood over them as a protection against extreme sunlight, sky-glare, rain or hail. The roof would be another spacious open-air enclosure for more private use such as bathing, basking, physical exercises, and so on, and a retreat during the long, warm, summer evenings, a place where, if you wished, you could sleep quite in the open ; a refuge to which you could withdraw, from the hum-drum, of life below, to the still calm of the heavens.

What I have just described is founded upon a number of practical considerations too numerous to mention here.

●

For the present I will suggest no more. Already, perhaps, I have said too much. You may consider that I have flouted those very conditions which I began by stressing. I would like to ask you, however, in criticising what I have described, not to consider what may appear to be a rather startling shape of a house, or curious disposition of its parts, before you have considered the "idea" which it evolves ; the idea, that is, of planning for openness, fresh air, and light ; the maximum of sun-protection without sun-exclusion ; the maximum of spaciousness and freedom, particularly for those parts of the dwelling which are used by us in our active moments, when we are awake ! alive ! thinking ! Herein, I suggest, lies the germ of something worth striving for, something we could call our own, something Vital.

Before concluding I would like to say that Mr. J. H. Pierneef, who, I am sure, needs no introduction to you, has very kindly offered to show some illustrations for me on the screen. Mr. Pierneef has gone to great trouble to bring his epidiascope for this purpose and to work it himself. I would like to take this opportunity of thanking him very much. I wish he were taking a more prominent part in this lecture, however. I am sure he would be able to tell you a great deal about some of the "blending processes" I have touched upon to-night. He is one of the few painters that I know with a strong "architectural" sense. One might truly say of his work that a good piece of "architecture" deserves a good "Pierneef."

The views he is going to show you will be of well-known works of architecture, from what is almost its "dawn," to the present day.



amsterdam housing block




garage marbeuf paris

stuttgart • schocken store



As they appear on the screen, I will indicate to you their purpose and the mental impressions I received from them, leaving it to you to observe, to what degree they comply with the essential requirements I have mentioned in my talk.

In concluding, I am going, once more, to invoke the wisdom of my old friend Vitruvius. Since he has helped me so considerably in opening the talk to you to-night, and in giving, as it were, "body" to it, I am going to ask him to conclude it for me. His words are : "I beseech you, O Caesar (Ladies and Gentlemen !), and those who read this my work, to pardon and overlook grammatical (and oratorial) errors ; for I write neither as an accomplished philosopher, an eloquent rhetorician, nor an expert grammarian, but as an architect, in respect, however, of my art and its principles, I will lay down rules which may serve as an authority to those who build, as well as to those who are already somewhat acquainted with the science."

The Great Pyramid. This is the "Great Pyramid" at Gizeh, Egypt. It was built by the fourth Dynasty Egyptian King Kufu (or Cheops) in 1690 B.C., that is about 4,600 years ago.

It is a gigantic thing combining in itself at once the most stupendous engineering and the highest architectural spirituality. Impressions received from it are almost too complex—too abstract—to describe. An appreciation for the mere "piling up of blocks," is quite subordinated to a consciousness, one has, of being in the presence of something living. Confronted by it, even Americans may forget, for the moment, their craving for statistics ! One is filled (as one often is by a contemplation of the stars, or of space), with a desperate knowledge of the insignificance of one's human intelligence. It is a sort of complete embodiment of the fundamentals of Building Architecture, a Philosophy of Life. It is the Alpha and Omega of all Architecture. And yet what a simple thing it is ! A mere pyramid of limestone blocks !

Its purpose is still considered to be contentious. I have no doubt, in my own mind, that it is, in the material sense, a Tomb. I believe, however, that it is not merely the tomb of an Egyptian King, but that of a gigantic ruler who held dominion over one of the greatest intellectual periods in the history of man ; a monument, not to the power of man, but to an intellectual conception of his Being.

●

It will be interesting, and even perhaps significant, here to note, in connection with Architecture generally, that, in it, a higher "spiritual" attainment is invariably accompanied by a corresponding simplification of form,

The Colossus of Rameses II. A symbol of kingly omnipotence, majesty, and power. This, I think, must be too patent to require emphasis.

It is one of a group of colossal monolithic, granite statues of Rameses the Great erected in the Great Court of the Luxor Temple ; a temple dedicated to the deified Triad, Amun, his wife Mut, and their son, the Moon-god, Khons. It does not show the true physical likeness of Rameses II, but is purely conventional representation of his Kingship. It illustrates the subordination of material accuracy to the psychological purpose it was designed to serve.

●

The Delphic Charioteer. This is for comparison with the Rameses statue you have just seen. Though its sculptural treatment is, for Greek work, comparatively severe, it shows a completely different outlook to the Egyptian work. It shows an appreciation for "physical" rather than "mental" perfection. Mind is here subservient to form and not form to mind.

●

The Parthenon. This is the Parthenon, or Temple to Athena Parthenos, at Athens. It is a Temple sheltering rather than guarding in the Egyptian sense, the symbols of the light airy, nature-loving (as opposed to nature-fearing) religion of the ancient Greeks. There is welcome here. No feeling of exclusion. The exigencies of religious ritual required that processions should circumscribe the temple previous to entering its inner sanctuary. Hence the airy, colonnaded peristyle–in itself an encircling procession–beneath which this might be done.

One is impressed by the light, open, and yet well-knit appearance of the whole architectural mass. It is strong, and yet it seems to rest on air. In human terms, we might talk of it as having "perfect physique." Optical corrections have here been employed with the most highly attuned sensitiveness to their value as refinement. Once again Architecture has become a living thing.

Pompeian House. An example showing the Atrium of the so called "House of the Silver Anchor," at Pompeii. Cool, shaded, airy, spacious, it reflects those qualities for which Architecture is responsible in the achievement of domestic comfort.

●

Santa Sophia. The interior of Santa Sophia at Constantinople (now Istamboul ; once Byzantium). A great Christian basilican church, it was built by the converted Roman Emperor Constantine to enshrine a fountain-head of the Early Christian Religion. After the invasion of Byzantium from the East it became, is it still remains, a Mosque—Aya Sofia, or the Divine Wisdom. It formed henceforth a model for all later Mosques throughout the Mohammedan world, an ironic adaptation !

Again this feeling of circumfusion. It is, however, not of so intimate or human a nature as that felt in the Pantheon at Rome, but of a more de-humanised ; more spiritual order.

Roman (or Byzantine, if you like that better) engineering genius, assisted by a virile religious intellectuality, has contrived to cover, without obstruction, a tremendous floor-space with a great Architecture. The success with which this has been accomplished can only be appreciated to the full when one stands—minutely—beneath its voluminous shell. The calm ; the space ; the living domes ; a sense of something infinite, is profound. It is a place in which to meditate.

●

The Pitti Palace. The main front of the Palazzo Pitti, Florence. Built in the middle of the 15th Century, it was the seat of one of the wealthiest overlords of feudal times, Pitti, a friend of the Medicis'. It marks the beginning of the Renaissance of Roman Architecture of which it embodies the best characteristics. It clearly reflects the needs and personal qualities of him whom it served. His need for protection, the price of overlordship, is marked by its semi-fortified appearance ; his lust for power, by its tremendous "scale"—(I speak here of something more than mere measurable scale) ; his strength, by its enormous construction units (some of the blocks of stone reach a length of twelve feet) ; his directness of purpose and action by the straight, severe, unadorned treatment of the facades.

It is at once the greatest and the simplest achievement of Renaissance palace design.

●

Amsterdam Housing Block. A housing block forming part of the new suburbs surrounding Old Amsterdam. A solution to the problem of communal living. An organization of domestic units into masses whose collective forms are those usually associated with places of employment, in such a way as to retain the domestic character. Up to the present this, I think, has been better achieved in Holland than elsewhere. It is noteworthy what unity and homogeneity is found in the urban areas comprising New Amsterdam—and even, for that matter, Old Amsterdam—when one considers the apparently chaotic "tout ensemble" of New York. Aerial views of the two cities clearly give this impression.

# town planning notes

The following Presidential Address was delivered in Johannesburg on the 31st July, 1920, by the late Mr. Colin Wade, one of the founders of the Town Planning movement in the Transvaal. There are many points in the address which might well be stressed at the present juncture. Times are changing rapidly and many of the proposals or suggestions made by Mr. Wade are already being put into effect in Europe and America.

Presidential Address by Colin Wade at Annual Meeting of Town Planning Association, Johannesburg, Saturday, 31st July, 1920.

To the Town Planner, more than to any one e'se, is needed imagination ; and this is more necessary to-day than at any other epoch of the World's History. To the supreme ability of the technician must be added the qualities of the poet and the dreamer and underlying these qualities again must be a deep understanding of history and economics, of the achievements and possibilities of scientific invention and of the general direction of imminent social changes.

Town planning has had its place in every age although the opportunity for its exercise has been most intermittent. Generally its expression has been most marked on the eve of dynastic downfall or large economic change as for example the Hellenistic Period 4th to 3rd centuries B.C. ; the latter days of the Roman colonial town in Africa, England and Empire ; a lesser extent in Western Europe in the middle of the seventeenth century and again at the end of the eighteenth century.

Apart from other factors there is one idea common to all the ancient and mediaeval plans ; the finite idea I mean that whether in the grandiose lay-out of Antioch or Constantinople or in the less ambitious schemes of say Priene and Florence ; the Greek and Roman colonial town in Africa, England and France ; the Seigneurial towns of the Middle ages, or even the ideal cities of Sir Thomas More and other writers, there is the general underlying idea of the city contained in fixed limits and boundaries,

We read of all kinds of expedients to maintain equilibrium between the size of the city and the number of its inhabitants. On the one hand wholesale deportation to found a new city or colony, on the other penalties for failure to build on the part of the site owner, or for allowing a house to fall or become unoccupied ; or again of special inducements in the way of gifts of land and building material to those willing to remove to a new city.

Dictators, parliaments and laws, however, were all powerless when confronted with economic change.

The steam engine destroyed all city boundaries. Electricity, Petroleum, Flight and Capitalism completed the destruction both of boundary and beauty.

At various periods in history mankind has achieved a great degree of harmony with his surroundings and at such stages in his development his towns have been good to look upon. The Basuto village, the Greek city, the town of Feudal England at the foot of the castle hill or clustered round the monastery. These all denoted periods of stability each in turn disappearing at the beginning of a new economic era. Production for profit which reached its zenith at the beginning of the present century had for a century been rendering obsolete all the older elements of stability. It has destroyed both religion and the civic spirit ; craftsmanship has disappeared, wealth and poverty have alike increased and our towns and cities have become amorphous agglomerations of aimless and ill constructed factories, hotels, and hovels with a sprinkling of palatial offices and emporia and charming suburbs where none but the rich can dwell.

All these evil elements have been intensified by the past failure to visualise the city not as a definite entity but as a growing organism.

Since 1895 when the "Origin of Species" appeared and the few years subsequent during which Spencer and Huxley, in England had made the implication of this work

apparent there has been no excuse for the general failure to recognise the city as a growing organism.

It is only gradually that any conception of evolutionary principles has become evident either in ideal or practical town planning. Some of the more evident points were at once seized on by the Modern Utopians who like Henry Bellamy pictured the city of to-morrow as a mere replica on vaster lines of the most features of the city of to-day. Modified it is true in some degree out of respect to the amenities of life and facility of communications. The practical men, too, seem to see little but a large Paris, a greater London and a much magnified Chicago. They are all working on the single factor that as the population of European countries have doubled in the last sixty years and the towns have increased at an even greater rate therefore this rate of progress must continue. Are they correct in this deduction ? I submit they are not. I would like (without pressing too far an analogy from another science) to draw attention to the method of increase in size and qualities in animals and plants and their attributes. Definite and reliable figures are available as to the sugar-content of beetroot, the size and weight of maize, the speed of racehorses all of which as a result of artificial selective treatment increased rapidly to a certain point beyond which there was a gradual decrease in the rate of growth until a maximum was reached. Again a certain inefficiency and lack of survival powers seems to attach to mere growth. Diplodocus, the Mammoth and the Dinosaurs are dead ; the whale and elephant precariously survive. Is it not reasonable to surmise that the future growth of cities is to be rather qualitative than quantitative.

Moreover a clearer light is thrown on our problem by a more closely allied science ; that of economics. What Darwin did for biology Karl Marx did for economics. Das Kapital was published in the same year as the Origin of Species. The latter work produced the bitterest abuse and controversy. The former although less bitterly assailed at the time has had a longer struggle. Being a scientific analysis of society and economic conditions on evolutionary lines, its main theses have resisted all assaults and it is now, though still resisted, becoming generally recognised as a real clue to our social evolution.

The most interesting theory it contains and the one that most closely concerns us is that of the inherent instability of capitalism, the demonstration that the system of production for profit bears within itself the seeds of its own downfall. Though keenly resented for two generations the truth of this theory is now becoming clear and it behoves town planners to keep it clearly in mind when planning for the future.

It is too early to see the details of the future society or rather of its next succeeding phase, but it seems clear that the State is in the same evolutionary phase as the capitalist system of which it is a part. They are both becoming top heavy and with the fall of the one we can anticipate a fundamental change in the other. The general direction of that change both in production and politics must certainly be in the direction of a great measure of local autonomy ; of decentralisation both of government and of production ; a checking of the growth both of big business and of big cities and a general stimulus to local production and craftsmanship and a rebirth of the communal or civic spirit that has been all but eliminated from our present society.

Intimately concerned with the coming political and economic changes will be the changes in machine production and the distribution of commodities. Few people seem to be aware of the extreme and increasing disparity between the numbers of those engaged in production and in distribution and also of the big increase in the proportion of administrative heads to the workers engaged. The changed society will automatically remedy this to a large extent but the big and interesting questions will be how to limit the powers of the machine or to free the people from its mastery.

If these questions are not satisfactorily solved then the outlook for the future will indeed be dark. However, there seems to-day to be a growing recognition of this as a root problem not only among socialists and revolutionaries but among artists and craftsmen and thinkers which gives ground for

hope of a satisfactory solution and one which will have the greatest effect on our social life and our city plans.

It will mean the rebirth of the craftsman, which in turn will mean that our chairs and tables will be made in our own town or village by our own citizens. We shall not send from Potchefstroom to America for our ploughs, to England for wall papers, to the Baltic for timber, not to Pretoria or Zululand for our policemen.

I am not attempting to depict any ideal state or to make South Africa the beautiful dream of that socialist, poet and craftsman William Morris. The machine will never be abolished unless that be the only way to free the soul of man but very soon now mankind will be seeking and that not blindly to escape from the slavery of the machine. How is it to be achieved ? Not I think entirely along the lines suggested by those far-seeing members of the architectural profession Professor Ashbee and Mr. Pentz who would go very far indeed in the direction of the total abolition of the machine ; still less in the direction that seems dear to the Fabians and State Socialists of a vast increase in the power and function of machines coupled with an idealised condition of labour and environment for the labourer.

Rather I think it will come to be recognised that machine work is one of those necessary evils of modern life like scavenging that must be performed but must not be allowed to warp and cramp the life of any citizen and that every citizen must therefore take his share in this obnoxious toil.

How is this to be achieved. Surely by the linking up of craftsmanship, agriculture and machine work. Until quite recently every Russian factory worker was an agriculturalist and could and frequently did return to the land at certain periods of the year or after a certain sum had been earned. The miners on this reef are largely in the same position.

I foresee a closer relationship between town and country life, the refusal of the countryman to be permanently isolated from the artistic social and intellectual advantages of the town and the desire of the townsman to spend some portion of his working life in the more healthy occupation of the countryside. This is an arrangement which could not fail to be of general advantage to all from the various points of view of quality and quantity of output and the physical and intellectual improvement of all citizens.

What effect will these changes have on the city of the future ? I think they will cause a considerable increase in the number of towns of from say five to ten thousand inhabitants, a much lessened rate of increase and in many cases a sudden or gradual decrease in the population of large towns.

The rebirths of the arts and crafts coupled with the restoration of a community spirit will be the town planners opportunity and delight.

Towns will then normally centre round the public buildings in which the citizens will have a sense of common ownership. The Architect will have a glorious opportunity. He will cease to be called upon to design the vast office blocks and industrial monstrosities of to-day but will have instead the provision of civic centres, libraries, galleries and the construction of groups of individual dwellings and communal homes. I say communal homes advisedly for even to-day and in the English speaking countries which are the most individualised in domestic matters, the institution of the "home" is becoming greatly modified, every year an increasing proportion of these populations is dwelling in hotels, flats with service provided. Also there is a growing disinclination on the part of the people in these countries to engage themselves in domestic service which will reach a climax when the big change comes. Australia has almost reached the position that will then obtain when the family will be faced with the alternative of doing all their own domestic work or else living in some form of communal dwelling.

Now this will mean an entirely new grouping of houses and as gardeners will not be available to work for wages we shall have a large proportion of the people housed around common gardens jointly or communaly maintained, an arrangement which at once suggests many labour saving devices, central heating schemes, etc.

Fordsburg and Parktown have both had their day. The new Johannesburg will find them both too expensive, the one in human life the other in human toil. It will aim

at the amenities of Parktown it is true but the accentuated individualism of that beautiful if abhorrent suburb must disappear.

Although using South African examples I do not suggest that the big change will have an immediate and direct bearing here. Our land system and the servile basis of our industries will probably render South Africa one of the last strongholds in which the capitalist system will survive but the big changes in Europe are bound to have their repercussions even here.

Bertrand Russell foresees the probability of Italy, France and Germany following Russia's example within ten years and that example is most suggestive. We read how in Moscow "Bovril" and "Colman's Mustard" or their Russian equivalents have disappeared from walls and hoarding and their places become devoted to the work of the Futurist artist, how the statues of some monarchs have been pulled down not because they were monarchs but because the sculpture was bad and the statues of other equally loved or hated despots carefully preserved where the craftsmanship was good. Tsarkoe Selo (The Tsar's village) has been renamed the Children's village and the luxurious palace of the despot has become the country home of the neediest children. Ideas like this bear fruit. The house of to-morrow will be built to live in, not to let.

Already the building workers are taking steps to eliminate the contractor and the jerry builder, soon they will refuse to build aught but homes while homes are needed and it is not beyond hope that they will soon have understanding enough to refuse to build ugly ones where beauty is possible and that is everywhere.

Before concluding let me again emphasise that I am picturing no Utopia but merely attempting to draw legitimate inferences as the changes that will be consequent on the impending economic change.

Throughout history a change in the system of production has had the profoundest effect on all branches of social life and organisation. It is not a question of human nature some of whose features remain fairly constant and others of which readily adapt themselves to a new environment. In the past all human institutions and in the last resort human nature itself have been directly dependent on the current methods of production distribution of commodities although the complete reaction and adaption thereto occupies a varied time and in some cases, as for instance during the capitalist period, fails entirely to achieve complete harmony.

In conclusion let me suggest some of the essential features wherein the new city will differ from the cities of the past :—

(a) Absence of large gardens and private pleasure grounds pertaining to individual houses.

(b) Increase of large dwelling and groups of dwellings occupied by several families.

(c) A comparative absence of shops and private offices.

(d) A comparative decrease in traffic accompanied by greater facility therefor.

(e) A general distribution of electric power coupled with an absence of smoke.

(f) An air landing near the centre of the city, perhaps on roof of public building.

(g) Large open space or spaces in centre of town.

(h) Great increase in size, number and beauty of public buildings (offices, libraries, galleries, schools, theatres, studios, museums and clubs) and open spaces.

(i) Creation of park zone centre of suburbs of the larger cities.

(j) Few houses will have conveniences and facilities that are not enjoyed by all.

(k) A wider distribution of craft production throughout the city only the largest, and noisiest and dirtiest undertakings needing to be grouped and isolated.

(l) The absence of provision for class distinction in hotel, theatre, travel, etc.

(m) The selection of site for a new city before construction.

(n) The publication and common criticism of all plans for construction and development.

These are some of the main features of the new city which the town planner must bear in mind ; we are at the dawn of a new era although we may go through troubled days before we reach it. Nevertheless, the future is full of a sure hope. Our children's children will build the city beautiful. It is for us to make smooth the way and remove all obstacles from their path,

# transvaal provincial institute

## special general meeting.

The Vice-President, Mr. Gordon Leith, presided at a Special General Meeting held on the 8th April, 1933, at 10 a.m., in response to a requisition signed by thirty-five members. There were twenty-six other members present as per attendance book.

The Chairman explained that they were there to discuss the voting powers of salaried assistants, the nomination and voting for members of committee and financial affairs of the Journal.

In reply to enquiries from Mr. Allen Wilson and Mr. F. Williamson, the chairman, gave a ruling that if a member had not paid his subscription for the current year it did not interfere with his right to attend the meeting and take part in the discussion and vote.

Later on Mr. Leitch expressed strongly against the Chairman's ruling, but as he was not supported the matter was dropped.

Mr. T. Moore expressed the opinion that members could attend and vote but under regulation 103 they must be sued if in arrear with their subscription.

At Mr. Leitch's request the Secretary read a letter from him questioning the validity of the general procedure since 1927 and if the Annual Meeting of 14th March, 1933, was in order and suggesting that (what he called) the assumed Committee do not take control until the whole matter had been placed before a further special general meeting which it was his intention to ask for when the necessary names had been obtained.

A letter from the Institute's Solicitor (Mr. Morison Abel) was then read. He perused every item brought forward by Mr. Leitch and is of opinion everything is in order but that the Committee have been somewhat lax in not suing members under clause 103.

Mr. Leitch questioned the correctness of Mr. Abel's opinion and said it might be necessary to take the matter further.

This was not supported by the meeting.

In reply to Mr. Collins, the Chairman said that he would give every consideration to the interests of the salaried members.

Mr. Leitch read to the meeting notes with reference to voting powers of salaried members.

Mr. T. Moore read Dr. Hj. Reitz's opinion on this matter also the opinion of the Department of Education.

Mr. Leitch did not consider Dr. Hj. Reitz was qualified to give an opinion on the grounds that Dr. Reitz had drawn up the Regulation.

Mr. Deuchar moved that at all subsequent meetings no salaried member should vote on matters of professional practice. After some discussion Mr. Deuchar withdrew his motion and the following motion proposed by Mr. Howden was then put and carried unanimously.

"That this meeting points out to the Committee that certain irregularities had occurred in the past and asks the Committee to give attention to these two irregularities."

In reply to Mr. Leitch the Chairman said it was quite apparent that where salaried members were permitted to do outside work they should pay practising fees and take out Government Licences.

Mr. Leitch read at some length as to the regularity of the procedure with reference to nomination and election of the Committee at last Annual Meeting and after discussion he moved that the Institute not being a voluntary body, the members are entitled to insist on the Act and Regulations being strictly enacted and that no powers be taken by the Committee to which they have no legal right.

This was seconded by Professor Pearse and agreed to.

After discussion, Mr. Williamson (in the face of Mr. Leitch's remarks which he (Mr. Williamson) considered a vote of censure on the Committee) moved that this meeting regret that the Committee in the past have failed to carry out the Act and Regulations as members expect and in future they be directed to give greater attention to the working of the Act and Regulations.

This was seconded by Mr. Leitch and carried unanimously.

On the motion of Mr. Avery, seconded by Mr. Harrison it was agreed that Mr. Leitch gives a list of his various notes to the Secretary and that these be given special attention by the Committee.

Mr. Leitch read notes with reference to irregularities in connection with the financial affairs of the Record.

This was replied to by Mr. Williamson and Mr. Allen Wilson and was noted.

Mr. Cowin considered it was of great service to the Committee to have such matters as these brought up for discussion at a general meeting.

Mr. Moore said he thought that when these questions crop up, members should first write to the Committee definitely setting out their complaints or suggestions and asking for an enquiry into them.

Mr. Leitch was thanked by the Chairman and supported by Mr. Allen Wilson for bringing these matters up for discussion.

Mr. Deuchar spoke of the advantage of such meetings and suggested they should be held quarterly. That was seconded by Mr. Simonssen, supported by Mr. Williamson, and it was agreed that the next meeting be held early in July.

It was decided to ask Mr. Collins to convene a meeting of salaried members to discuss their grievances.

A unanimous vote of thanks was accorded Mr. Leitch.

The members must understand this is not an official report of the meeting and we are instructed to notify that members of the Transvaal Institute can see a detailed report of the meeting as minuted by appointment with the Secretary.

# professional notes and news.

The following building projects now in hand are an indication of the revival of activity in the Building Industry.

The Johannesburg General Hospital is proceeding with the erection of the new central block on the site of the present administration block, also extension of Nurses Home and Medical Staff Quarters.

The new central block will be six storeys high and will provide 284 beds for patients.

The whole scheme is estimated to cost £160,000 and the programme will take about three years to complete.

The Central News Agency, Ltd., is proceeding with the erection of a new ten storey building at the corner of Commissioner and Rissik Streets.

The Johannesburg Building Society is proceeding with a new building in Fox Street, and Messrs. Sondig and Schaff are erecting premises on the site of the old Toilet Requisite Co., corner of Pritchard and Joubert Streets.

Arrangements are being made for the holding of a competition for the new Town Hall, Benoni.

On the Far East Rand most extensive building operations are in progress by the new Mining Companies, as well as extensions to several of the existing companies' plants.

In Durban it has been decided to proceed immediately with the building of the new non-European Hospital.

Members are requested to advise the Secretary of any new buildings which have been decided upon, also particulars of tenders called for, and tenders accepted so that information of this nature may be published regularly in the Journal.

## Building By-Laws.

The City Engineer has notified the Transvaal Institute that recent amendments to the Johannesburg Building By-Laws have now been promulgated and copies of same will be supplied to members on application at his office.

## Central Council Notes.

The 1933-1934 Central Council of the Institute met at Johannesburg, on April 27th, 28th and 29th, last. Mr. Fredk. W. Masey, of Bloemfontein, was unanimously elected President-in-Chief for the year, and Mr. F. Williamson, of Johannesburg, Vice-President-in-Chief.

As the result of its consideration of the Central Council's finances, and those of the Constitutent Bodies of the Institute, the Central Council appointed a Special Sub-Committee of five, to deal with this question. The Sub-Committee, which is representative of the five Constitutent Bodies, will deal especially with the basis of the levy payable to the Central Council by the Constituent Bodies.

From 1928 to 1932 the Central Council has refunded to the Constituent Bodies a sum of £3,153 13s. 3d., in respect of moneys advanced for the promotion of the Act. The balance still to be repaid is £246 7s. 9d.

After consideration of the work done by the Central Council, on behalf of the Institute as a whole, and by each of the Constituent Bodies, in relation to the question of "Local Autonomy," the following resolution was adopted, unanimously :

"That it be an instruction to the Executive Committee of the Central Council that it shall undertake only those duties which are of a Union, professional or disciplinary character not inconsistent with Regulation 67 (p), and that all other matters shall be referred to the Constituent Bodies for disposal."

Although the Central Council has the power to sanction an exception to the Institute's Conditions of Competition, it was decided, unanimously, after consideration of a suggested limited competition :

"That all Architectural Competitions, limited, or otherwise, are subject to the essential condition that an Architect-Assessor shall be appointed whose decision shall be final and binding."

Various amendments to the Regulations were adopted unanimously by the Central Council. These will in due course be submitted to the Hon. the Minister for Education for approval, and will thereafter be laid on the table of both Houses of Parliament. Details of the amendments (in the form of a reprint from the Government Gazette) will be duly sent to members of the Institute and the Chapter.

The Central Council adopted a suggestion from the Board of the Chapter on the subject of government work being allocated to private practitioners. A special Sub-Committee, representative of the Provincial Institutes, has been appointed to go thoroughly into this question ; and in due course a joint deputation of Architects and Quantity Surveyors will present to the Minister of Public Works the suggestions agreed to.

After reviewing the four years' work of the Institute's Standing Committee on Education and Examinations, the following reconstitution of that Committee was unanimously agreed to :

Mr. R. Howden, Permanent Chairman ;

Architect Representatives :

- Mr. F. Williamson (Transvaal Representative) (Alternate : Mr. A. Stanley Furner) ;
- Mr. B. Mansergh (Cape Representative) (Alternate : Mr. A. Stanley Furner) ;
- Mr. E. M. Powers (Natal Representative) (Alternate : Mr. Gordon Leith).

Quantity Surveyor Representatives :

- Mr. A. T. Babbs (Alternate : Mr. R. J. C. Prentice) ;
- Mr. T. Moore ;
- Lt.-Col. W. E. Puntis.

University Representatives :

- Professor H. Bell-John (University of Pretoria) ;
- Professor G. E. Pearse (University of the Witwatersrand) ;
- Professor J. Wheatley (University of Capetown).

Department of Education Representative :

Mr. H. S. le Roux.

The Central Council decided unanimously, as the result of correspondence with the R.I.B.A., that as and from April 29th, 1933, the Licentiateship, R.I.B.A., be closed in the Union of South Africa—this decision not to affect any applications for Licentiateship which may already have gone forward from South Africa

It was also agreed, unanimously, that direct election to the Fellowship, R.I.B.A. (i.e. in the case of those members of this Institute who are not members of the R.I.B.A.) can only be approved if recommended by the full Central Council ; and, as agreed to by the R.I.B.A., such elections shall be limited to not more than one a year so far as South Africa is concerned.

---

The following resolution, on the subject of publication in the press of the views of individual Architects, was adopted unanimously :

"(i) That the Central Council does not object to wholesome criticism of Architecture, and (ii) where such criticism appears in the public press, the Council strongly deprecates the publication of an individual Architect's name."

---

Certain other important matters, dealt with by the Central Council, are still the subject of negotiation.

## The Institute of S.A. Architects.

## President-in-Chiefs Report for the Year April 1932 to April 1933.

In reviewing the work of the Central Council for the past year it is inevitable that reference be made to the difficult financial times through which we are passing, and the Institute of South African Architects has felt the effects of this time of stress in common with all other institutions and individuals. However, where there is a will there is a way, and it is my sincere wish that, in spite of the times, the ensuing year will be one of substantial progress. But unless the constituent bodies composing the Institute are prepared to combine as a team to make the Institute a success our efforts in getting our Act on the Statute Book can only be of little if any benefit to the profession.

A matter of great concern to the Architectural profession as well as to the members of the building industry was prominent during the year under review. I refer to what has come to be known as the "Port Elizabeth Building Collapse Case." I have drawn up a full report in this connection, and will not therefore refer further to it at this stage.

A very important principle has been adopted during the past year or two by the Union Government, in that the Provincial Councils of the Transvaal, Orange Free State and Natal have been given greater control of public works in their respective Provinces, in conformity with the practice which has obtained for many years in the Cape Province, with power to appoint local practising architects to design and supervise the erection of certain public buildings in their respective areas. This is a matter of great and growing interest to the profession, and I earnestly commend to the Committees of the three Provincial Institutes concerned the importance of pushing this matter to its logical conclusion. The principle having been adopted it is the duty of the architects in each province to see it carried into effect.

In this connection it has to be noted that Municipalities throughout the country show a strong tendency to establish large architectural departments, and the arguments in favour of the employment of local practising architects in these instances are just as sound as they are in the case of the Provincial Councils and should be strongly urged by the various Provincial Institutes.

The necessity for the addition of "Clause 3 (c)" to our Act has occupied the attention of the Central Council from time to time, and it is gratifying to be able to say that the portents at the moment are distinctly favourable for its inclusion.

There has been a certain amount of confusion as to the position of non-University students qualifying for Associateship, R.I.B.A. in view of the decision of the R.I.B.A. that, as from October, 1930, the R.I.B.A. would no longer conduct its own examinations in South Africa. The Registrar of the Institute, with my approval, recently visited the principal centres of the Union in connection with this and other educational questions, and his visit has had the effect of clearing up points of difficulty at both University and non-University centres. As the result of the Registrar's visit it has been arranged to include in the next Year Book a memorandum setting forth in greater detail all the examinations provided under our Act, viz. (i) for University students ; (ii) for non-University students ; and (iii) for students

and/or candidates from oversea. The memorandum will also detail the provision made for the attainment of Associateship R.I.B.A.

I wish to pay a warm tribute to the members of the Executive Committee of the Central Council who have met many times under the able chairmanship of Col. Puntis. Col. Puntis has taken the keenest interest in the work of the Institute, and the sincere thanks of the Institute are due to him and to his Committee for their very efficient services during the year.

My personal thanks are due to our Registrar for his great assistance during my term of office, and in Mr. Lewis the Institute has the services of a remarkably painstaking and highly qualified official.

# arts league 1st november 1911.

## The Chief Changes in Artistic Copy-right Law made by the New Bill.

For the first time the attempt is made to provide a law which shall be accepted by all His Majesty's dominions. It is not compulsory upon the dominions and possessions to accept it, but it is hoped as the result of the Imperial Conference that they will. They are at liberty, however, to adopt it as it stands, or to make modifications in it which may render it suitable to the conditions prevailing in each country.

The Living Picture controversy, about which there was a famous lawsuit, is now settled in favour of the artist, and it is not permissible for theatrical managers or other persons to put upon the stage living groups representing works of art without the permission of the artist.

Certain points which have been in a condition of uncertainty are now definitely cleared up, i.e., the exhibition of a work of art in the Royal Academy or any exhibition room is not publication of the work. An artist has the right, although he may have sold the copyright of a work, to use for other work the sketches and studies he may have made for that work, but he must not reproduce the main idea of the work, i.e., Mr. Holman Hunt may have made a preparatory study of the figure of Christ for his picture "The Light of the World," but it would not be permissible for him to sell or use that study after he had sold the copyright in the finished picture : that figure is the main design of the picture.

The duration of copyright is to be the life of the artist and fifty years after his death instead of life and seven years as heretofore. But a very interesting clause has been introduced for the first time in any Copyright Bill. It sometimes happens that an artist becomes more popular, and his works are more sought after, after his death than during his life, and if because of the lack of popularity he may have sold his copyright for a small sum, his family gets no share in the profits resulting from the late development of appreciation, which may come years after his death. To meet this case, and to give his family or representatives a chance to share in such late appreciation, it is made impossible for an artist to dispose of more of his copyright than is covered by his life and twenty-five years. For the remaining twenty-five the copyright comes back to his living representatives.

Of all changes made by the new Bill, the most important is that which gives the artist the copyright in his work without any formality whatsoever. It is the painter who gains by this change. The condition which made it necessary under the old Act to settle by a written document at the time of the first sale or disposition of a picture whether the copyright was to belong to the artist or to the buyer of the picture, and in the absence of which the copyright disappeared and no longer existed, is now done away with. An artist may sell his work without reference to the copyright, and the copyright remains his

to be disposed of in any way he may be able. For the first time in England the principle is recognised that a work and its copyright are two separate and distinct properties which may be dealt with independently. The value of this change to the artist is incalculable, and if no other benefit had been achieved by the new Act, this one is worth all the effort which has been given for the last fifty years to the revision of the Fine Art copyright law.

Registration is abolished. An artist will not lose his copyright because he has not registered it at Stationers' Hall. If any person desires to publish a work, he must find out its owner and make terms with him. The old question, "Is there a copyright in such and such work ? " will no longer be asked. There will be copyright in every work produced after the coming into operation of this Act, and there will be small excuse for the publication without the owner's permission of any such work.

Should any person issue copies of a work and profess that he did not know of a copyright in it, he will have to prove that he did not know and had not reasonable means of knowing of the existence of the copyright. The onus of proof lies upon the infringer.

Photographers have a copyright for fifty years from the making of a negative, instead of the term of life and seven years.

Under the old Fine Art Act the copyright of paintings, drawings and photographs executed on commission passed with the work to the giver of the commission. This condition remains now only in the case of portraits, engravings and photographs. With all other works the copyright remains with the artist although the work is executed on commission, but, of course, the person giving the commission can always arrange for the transference of the copyright to himself when giving the commission, but apart from any such arrangement it belongs to the artist.

A new feature entirely is the introduction into the Bill of a copyright in architecture, not in architectural drawings, in which it has existed already, but in the building itself. It is an experiment, and it remains to see how it will work out in practice.

There are other minor changes, but those mentioned above are the chief.

EDWIN BALE.

## A BRIEF SUMMARY OF THE NEW COPYRIGHT BILL.

The new Bill as passed by the House of Commons is an omnibus Bill embracing Literature, the Drama, Music, Photography and Fine Art. There is no separate Fine Art Bill as heretofore, and the following paper is an attempt to show briefly how the Bill deals with Fine Art alone.

Scope. The Bill extends to the whole of the British dominions except when specially restricted to the United Kingdom, but to be effective in the self-governing dominions—Australia, Canada, New Zealand, South Africa, Newfoundland—the Legislature of each must declare the Act to be in force either with or without modifications. British Possessions which are not self-governing dominions are also at liberty to modify for themselves the provisions of the Act or to adopt it as it stands. An Order in Council may also extend the operations of the Act to Protectorates—as Cyprus—and to foreign countries.

Rights. There shall be copyright in every original work of art, but (a) if the work is published it must be first published within such parts of His Majesty's dominions as to which the Act extends ; (b) if it is unpublished the author must be at the date of the making of the work a British subject or resident within such parts of His Majesty's dominions as aforesaid. If the making of the work has extended over a considerable time it is only necessary that the author should have been for a substantial part of that time a British subject or a resident within His Majesty's dominions.

Copyright. Means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, and to publish the work ; it includes the sole right to convert the work into a dramatic work by way of performance—i.e., living pictures—or otherwise, and to authorise the doing of any of these things.

Publication means the issue of copies to the public. The exhibition of the work is not publication, nor is the construction of a work of architecture, nor the issue of photographs or engravings or works of sculpture or architecture.

Infringement. Is the doing without the consent of the owner of the copyright any-

thing the sole right to do which belongs to the owner of the copyright under this Act, but there are certain exceptions as follows :—

(a) Any fair dealing with a work for purpose of private study, criticism or review is not an infringement.

(b) An artist who has disposed of his copyright of a work may use any mould, cast, sketch, plan, model, or study made for the purpose of the work, provided he does not thereby repeat or imitate the main design of the work.

(c) Paintings, drawings, engravings or photographs may be made and published of a work of sculpture or artistic craftsmanship permanently situated in a public place or building, or of an architectural work, if they are not in the nature of architectural drawings or plans.

(d) Photographs may be made of paintings, drawings or engravings situated in a public place or building maintained in part or entirely by public funds unless the copyright of them is private property.

Infringement is committed by any one who sells, lets for hire, offers for sale or hire by way of trade or widely distributes or exhibits in public or imports for sale or hire into any part of His Majesty's dominions any work which to his knowledge infringes copyright.

Terms of Copyright. Copyright endures for the life of the author and fifty years after his death. But the Act renders it impossible for an author to dispose of his copyright for more than his life and twenty-five years after his death. No matter what agreement he may make to the contrary the copyright returns to his legal personal representatives as part of his estate.

Ownership of Copyright, The author of the work is the first owner of its copyright. There are two exceptions :—(a) A person giving a commission for valuable consideration for a portrait, an engraving, or a photograph shall be the first owner of the copyright therein : (b) where a work is made by a person in the employment under a contract of service of some other person the copyright shall belong to the employer.

Licences. The owner of copyright may assign his rights wholly or partially either for the whole term of his copyright or any portion of it, and may grant any interest in his rights by licence which must be in writing signed by the owner of copyright.

Civil Remedies. When copyright has been infringed the owner shall, except in the case of an infringing work of architecture, be entitled to an injunction or interdict, to damages and to an account of sales. In the case of a work of architecture the construction of the alleged infringing building cannot be stopped by injunction.

When proceedings are taken against an infringer who alleges in his defence that he did not know of the existence of copyright in the work, the onus of proof that he did not know and had not reasonable means of making himself aware of its existence lies on the infringer.

Infringing copies of a work, except a work of architecture, shall be deemed the property of the owner of copyright.

An action in respect of infringement of copyright must be commenced within three years after the infringement.

Summary Remedies. Any person who knowingly infringes copyright in a work of art shall be liable on conviction to a fine not exceeding forty shillings for every copy dealt with, but not exceeding fifty pounds in respect of the same transaction. On a second offence the infringer is liable to imprisonment, with or without hard labour, for a term not exceeding two months.

Infringing works, copies of a copyright made outside the United Kingdom and being imported, may be stopped at the port of entrance on notice in writing being given to the Commissioners of Customs and Excise.

Works by Joint Authors. The copyright in a work of joint authorship shall subsist during the life of the author who first dies, and for a term of fifty years after his death or during the life of the author who dies last, whichever period is the longer.

Photographs. Copyright shall subsist in photographs for fifty years from the date of the making of the original negative, and the person who was the owner of the negative at the time it was made shall be held to be its author and the owner of the copyright in it.

Designs. The Act does not apply to designs capable of being registered under the Patents and Designs Act 1907, that is to say, it does not apply to designs which are intended to be multiplied by an industrial process.

# SAGE

SHOPFITTERS AND METAL CRAFTSMEN

IN

## BRITISH EMPIRE MATERIALS

STAINLESS STEEL, BRONZE,
WHITEMETAL, ALUMINIUM,
BIRMABRIGHT.

Employing

SOUTH AFRICAN CRAFTSMEN

WE MANUFACTURE IN

JOHANNESBURG.

SHOPFRONTS, BALUSTRADING
GRILLES, ELECTRIC LIGHT FIT-
TINGS, SIGNS, DISPLAY AND
WINDOW STANDS, DOORS,
HAND-RAILS, LETTERING,
BLINDS, CANOPIES, TABLETS.

FREDERICK SAGE & Co. (S.A.)
LIMITED.

Head Office and Works:

10, HEIDELBERG ROAD,
(Von Weilligh St. Ex.)—Village Main.

Phone 5702 JOHANNESBURG P.O. Box 777


Existing Works. Where any person is at the time of the commencement of this Act entitled to any copyright, he shall from that date be entitled to the substituted rights provided by this Act as if it had been in existence at the date when the work was made.

(Certain clauses regulate the relations between the copyright owner and any persons to whom he may have assigned entire or partial rights under the Act now repealed).

Common Law Right. Common law right ceases to exist, and no right can be claimed other than those provided under this Act, or by any other Act which may be in force.

The whole of the Artistic Acts in existence at the time of the passing of this Act are by it repealed with the exception of two clauses of the 1862 Act (Paintings, Drawings and Photographs).

These two clauses (7 and 8) are kept in existence save as to a few words and become part of this Act. Clause 7 deals with and forbids.

1. The fraudulent signing of paintings. drawings and photographs with names or signs misleading as to the authorship.

2. The fraudulent publishing or selling such fraudulently signed works.

3. The fraudulent putting forth copies of works as original works by the author of the work from which the copy has been made.

4. The alteration of works after they have passed from the author's possession and the putting forth such altered works as the original unaltered works of the author, or copies of such altered works as copies of the original unaltered works, without the author's consent.

The penalty for these offences is a fine of ten pounds, or a sum not exceeding double the full price at which all such fraudulent works have been sold or offered for sale. This penalty is contingent upon the author whose name has been fraudulently signed or work altered, etc., having been living within twenty years of the committal of the offence.

Clause 8 deals with the mode of recovery of these penalties in the various parts of the United Kingdom.

This digest takes no note of the application of the Act to British Possessions or to International copyrights, which are specially dealt with by the Act under separate headings.

The Act is to come into force in the United Kingdom on July 1st, 1912.

*Journal of the SA Architectural Institute*

***PUBLISHER:***

**University of the Witwatersrand, Johannesburg**

***LEGAL NOTICE:***

**Disclaimer and Terms of Use:** Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

The University of the Witwatersrand, Johannesburg, is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the Library website.