

Ecclesiastical (1899) Department.

ORDINARY MS.

G.O., No. 138

DATED 13 - 10 - 99

INDEXED.

5-5

[Despatch Abstract.]

Recording, with reference to G.O. no. 129 of 9.10.99,
letter from the Venerable the Archdeacon, forwarding
copy of a letter from the Registrar of the Diocese
protesting against the installation of the Bishop Whitehead.
before the prescribed proofs of his consecration are
produced.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Ecclesiastical
Pension

(1899)

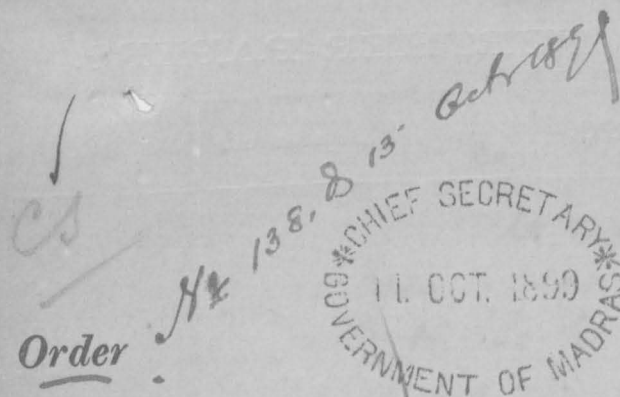
Department.

CURRENT No. 370

From
The Venble Wm Weston Elwro, B.A.
Archdeacon of Madras.

Order

mini



Revised with

reference to G.O. No. 129 of 1898

dated 9-10-98.

No. 5714.

Dated 10th October 1899.

Received

Registered

Enclosures One.

Spare copies

Net 6.25

SUBJECT

Forwarding for the information
of Secy. of the
the Registrar of the
Diocese of the Diocese of
Bishop Whitehead

See
in
margin

Cn
11-10-99

also
12/10/99

BACK PAPERS.

G.O.	No.	Department.	Date.
	129	Eccl: 9.10.98	
		<i>Handwritten signature</i>	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Diocesan Registry
Madras 9th October 1899.

From

The Registrar of the Diocese of Madras;

To

The Venerable the Archdeacon of Madras
and Commissary in Charge of the Diocese.

My dear Archdeacon,

The more I think over the matter the less clear does it become that you will act wisely, in dispensing with the prescribed proofs of the new Bishop's Consecration, and in not following the established Custom in the matter.

You are asked to do an Act, which places Bishop Whitehead in a position which he does not now hold, and which not only clothes him with powers which he does not at present possess, but also directs yourself qua Commissary, and the Bishop of Calcutta as in Episcopal Charge of Madras Sede vacante, of powers which you now legally possess respectively.

Should it be held by competent authority hereafter, that you have acted ultra vires in dispensing with the production of the missing documents, there may follow the grave consequences that the functions exercised, or purporting to have been exercised, as Bishop of Madras by Bishop Whitehead when in fact he had not legally become entitled to exercise those functions; - the grave consequences, I say, that such functions will be held to be void ab initio.

It appears to me that the very recent precedent afforded by the delay which arose in the taking of his oaths of office and his seat by the new Chief Justice of Madras, is too closely on all fours with the case of Bishop Whitehead, for you to disregard it.

note - This Govt. has received from the Bishop of Madras, orders appointing Bishop Whitehead to be Bishop of Madras, and as a result of his letters Patent - an amendment of his consecration - in the English Canon.

Can 11-10-98

In the case of the Chief Justice, the Govt. had not received the letters of appointment.

it.

There, as here, there was no doubt as to the appointment having been made at Home, but the Local Government, and the Chief Justice himself, do not appear to have attempted to dispense with the prescribed formal documentary proof, and nothing was done until these missing documents arrived.

It is obviously better to incur, what is after all, only inconvenience, than to run any just, not only of acting ultra vires but of far-reaching consequences to the public, should Bishop Whitehead's acts as Bishop of Madras be found of no effect.

I am of opinion that you should not proceed with the Installation. And I am clear that you should not do so, until you have first obtained the consent of (1) the Bishop of Calcutta to his being divested of his present powers in Madras, in favor of Bishop Whitehead, before the latter can produce his credentials according to established custom, and (2) the Local Government, to your handing over charge of the Diocese without observing the full legal conditions precedent.

If both these authorities consent, you may perhaps proceed safely, though I am not prepared to assert that their consent would prevent your action being successfully impeached and set aside hereafter.

Believe me &c

Signed J. Rowlandson

(True Copy)

J. Rowlandson

Archdeacon of Madras.

Madras, 10th October 1899.

No. 5414.

From

THE VENERABLE W. WESTON ELWES, M.A.,

Archdeacon of Madras.

To

The Honorable
The Chief Secretary
to Government.

Sir,

I have the honor to acknowledge the receipt of your Telegram 640, dated 9th October 1899, regarding the Installation of Bishop Whitehead and to enclose a copy of the letter from the Registrar of the Diocese on which my Telegram of the 9th to you was founded.

2. I have received a Telegram from the Bishop of Calcutta approving of the Installation taking place at the time fixed.

I have the honor to be,

Sir,

Your most obedient servant,

W. Weston Elwes

Archdeacon of Madras

To 129-
9.10.99

Encls no 1 to Eccl
no 370999

10 October

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The Chief Clerk
to Government.

Sir,
I have the honor to acknowledge the receipt
of your telegram dated 9th October 1899
regarding the installation of Bishop of Liberia
and to enclose a copy of the letter from the
Registrar of the Bureau in which my telegram
of the 7th is given in full.
I have forwarded a telegram from the
Bishop of Liberia approving of the installation
which takes place at the time fixed.
I have the honor to be,
Sir,
Your obedient servant

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APERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.