

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 607	Press Mis.
Dated 21. 4. 1918	159-161

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department.

21st April 1865.

Read the following paper

No. From Lieutenant Colonel C. COOKE, Deputy Adjutant
to the Secretary to Government, Judicial Department, Fort Saint George;
dated 31st March 1865, No. 232.

With reference to the Proceedings of Government in the Judicial Department,
and order thereon, dated 26th August
1864, No. 1283, I have the honor, by
order of the Commander-in-Chief, to
forward the accompanying letter from
the Officer Commanding 21st Regiment N. I., dated 20th instant, No. 56, submitting
a question connected with the validity of the marriage of Private Ramaswamy, of
the Corps under his command, and to request you will be good enough to favor
this with the opinion of the Government Law Officers on the subject.

Stating that references on points of Hindu and Mahomedan
Law may in future be made to Government in the Judicial
Department.

From Major G. SMART, Commanding 21st Regiment N. I., to the Adjutant General, Fort
Saint George; dated Vellore, 20th March 1865, No. 56.

I have the honor to request you will be so good as favor me with a reply to the following
question, to enable me to complete the Marriage Register of the man referred to.

2. In the year 1858, Private Ramaswamy, of the Gollahwar (Shepherd) caste, married the
widow of deceased Appiah, also of the Shepherd caste. The bride, in this instance, being a
widow, a Priest did not officiate at the ceremony; but the heads of the caste (Shepherd) were
present, and the usual ceremonies of a Poooshtee Pendlee marriage were gone through.

3. Is the Marriage legal?

Referred to the Government Solicitor, for the opinion of the Advocate General.
(Signed) A. J. ARBUTHNOT,

Chief Secretary.

FORT SAINT GEORGE,
4th April 1865.

No. 160. From J. R. BOYSON, Esq., Government Solicitor, Madras, to the
Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort
Saint George; dated Madras, 7th April 1865, No. 171.

I have the honor to acknowledge the Order of Government noted in the
margin, with its enclosure, relative to the
legality of a marriage between Rama-
sawmy, a Private of the 21st Regiment N.
I., and the widow of Appiah.

Dated 4th April 1865, and made on letter from Deputy
Adjutant General to Government, of 31st March 1865,
No. 232.

2. I submitted them for the consideration of the Advocate General, with whom
I have also conferred; and,

I now forward a copy of his opinion, and return the order and enclosure
above noted.

COPY—OPINION.

I am of opinion that this marriage is valid. By Act XV of 1856, the marriage of Hindoo
widows is legalized. This marriage took place in 1858.

2. Section 6 provides that whatever words and ceremonies would constitute a valid
marriage, where the female has not been previously married, shall be sufficient to constitute a
legal marriage of a widow.

auth. returned. 24/4

Proceedings of the Madras Government, Judicial Department,
21st April 1865.

3. It is here stated that the caste were present, and that the ceremony of marriage, which I presume is applicable to these parties (though the kind of marriage) were performed. Pooshteo

4. This appears to me to satisfy the Act.

6th April 1865.

(Signed) J. B. NORTON.

(True Copy).

(Signed) J. R. BOYSON,
Government Solicitor.

No. 161.

ORDER THEREON, 21st April 1865, No. 607.

The foregoing opinion of the Advocate General is communicated to the Adjutant General.

(True Extract).

Chief Secretary.

To the Adjutant General.

Exd. J. H. Burns.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters:-

From the Adjutant

Genl. _____ Inter 31st Mar. '65 N^o. 232.

" the Govt. Solicitor — 7th April — " 171.

Order — 21st April 1865 N^o. 607.

The foregoing opinion
of the Advocate Genl. is
communicated to the
Adjutant Genl.

The Adjutant General. des/22/4

Ind 1865 Department.

No. 607.

PROCEEDINGS OF GOVERNMENT.

Dated 21st Feb. 1885.

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