

ORDINARY PRINTED.

Public Department.

G.O. DATED 18-4-90

No. 294-5

First copy sent to Press 24/4

Returned for signature. 2-5-90.

Despatched in print. 3-5-90

23/4

[Despatch Abstract]

Registrations of Births & Deaths

Recording certain correspondence with the remark that no necessity exists for the appointment of Govt Chaplains in the various residencies as ex-officio Registrars of Births & Deaths under Act VI of 1886; and forwarding copy of proceeding to the Govt of India.

12th
189 No 812 (2826
Tous including a
order - a)

1672/92
460
4752

460 - a
Ref on 460 of 4th March 90 - a
823 - a

Copy, Ac., of Government - A.

Patent of Office of the Registrar of the
(not given)

Number of copies
Letter only.
Order complete with letter

And Print in full.
Don Not to be printed.
Don Print at least only.
Don Print at least only.
Don Print at least only.

40

18TH APRIL 1890, Nos. 294, 295, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—again the following paper :—

G.O., dated 12th October 1889, Mis. No. 812, Public.

Read—the following letter from J. P. HEWETT, Esq., Under Secretary to the Government of India, Home Department (Judicial), to the Chief Commissioner of the Central Provinces, dated Simla, 31st August 1889, No. 1232 :—

With reference to your letter, No. 280—328, dated the 16th January last, I am directed to forward, for your information, the accompanying copy of a correspondence * with the Right Reverend the Lord Bishop of Calcutta, relative to the duties of Chaplains on the regular establishment as *ex-officio* Registrars of Births and Deaths.

No. 9—1233.

Copy, with copy of the correspondence referred to, forwarded to the Government of Madras

Madras, letter No. 3—939, dated 13th July 1889. Endorsement, No. 5—995, dated 31st July 1889.
Bombay, letter No. 3—940, dated 13th July 1889. Endorsement, No. 5—996, dated 31st July 1889.
Bengal, letter No. 3—941, dated 13th July 1889. Endorsement, No. 5—997, dated 31st July 1889.
North-Western Provinces and Oudh, letters Nos. 3—942 and 944, dated the 13th and 31st July 1889, respectively.
Punjab, letter No. 3—943, dated 13th July 1889. Endorsement, No. 5—998, dated 31st July 1889.
Burma, letter No. 3—945, dated 13th July 1889. Endorsement, No. 5—1000, dated 31st July 1889.
Assam, letter No. 3—946, dated the 13th July 1889. Endorsement, No. 5—1001, dated 31st July 1889.
Coorg, letter No. 3—947, dated 13th July 1889. Endorsement, No. 5—1002, dated 31st July 1889.

Bombay, General Department
Bengal, General Department
the N.-W. Provinces and Oudh, Judicial (Civil) Dept.
the Punjab

to the Chief Commissioner of Burma
Assam for information, in continuation of the communications from this department marginally noted.

Copy, with copy of the correspondence referred to, forwarded to the Foreign Department in continuation of endorsements, Nos. 948 and 1003, dated the 13th and 31st ultimo, respectively, for information and communication to the Administrations and authorities subordinate to that department.

(By order.)

(Signed) J. P. HEWETT,
Under Secy. to the Govt. of India.

To the Government of Madras.

ENCLOSURES.

From J. P. HEWETT, Esq., Officiating Secretary to the Government of India, Home Department, to the Right Reverend the Lord Bishop of Calcutta, dated Calcutta, 27th March 1889, No. 395.

* Home Department Circular No. 13—844-853, dated 24th June 1886.
Letter from the Chief Commissioner, Central Provinces, No. 3728—177, dated 17th August 1886.
Home Department Circular, No. 1435—30, dated 31st August 1888.
Letter from Chief Commissioner, No. 280—328, dated 16th January 1889, with enclosure.

I am directed to forward herewith a copy of a correspondence* with the Chief Commissioner of the Central Provinces in connection with the Births, Deaths, and Marriages Registration Act, VI of 1886, which was brought into force on 1st October 1888, together with a copy of the rules framed by the Government of India under certain sections of that Act.

2. With reference to representations made by the Chaplains of Nagpur and Jubbulpur, the Chief Commissioner, in his letter, dated 16th January last, suggests the desirability of instructions being issued under your Lordship's orders as to the duties of Chaplains on the regular establishment as *ex-officio* Registrars of Births and Deaths, or otherwise under the Act.

3. The questions requiring consideration are—

- (1) whether Chaplains, who are included in the general description of section 5 (1) of the Indian Christian Marriage Act, 1872, can be appointed by Local Governments Registrars of Births and Deaths under section 12 of the Act of 1886; and
- (3) whether they can take action with reference to section 32 of the Act under which persons having the custody of (a) any baptismal or burial registers or records, or (b) any registers or records of marriage made otherwise than in performance of a duty specially enjoined by law, may send them for examination and verification by Commissioners to be appointed under section 33, the object being to give evidential value to the documents in question.

4. As regards the first of the above points, I am to state, for your Lordship's information, that it appears to the Government of India that, under section 12 of Act VI of 1886, Chaplains may at the discretion of Local Governments be appointed to be Registrars of Births and Deaths, and that, as it is desirable to afford every possible facility for carrying out the provisions of the Act, Chaplains may, with advantage in many cases, be called upon to undertake the duties enjoined by it. In this connection I am to invite attention to section 24 (1) of the Act, which seems clearly to contemplate that Chaplains will be so appointed. It will not escape your attention that they have been made Registrars only in respect of the births or deaths of persons whom they have themselves baptized or buried.

5. With regard to the second point, I am to say that the Governor-General in Council is advised that section 32 of the Act applies to Chaplains, except so far as concerns the registers kept up by them under section 27 of the Indian Christian Marriage Act, or by their predecessors under section 30 of the Indian Marriage Act V of 1865, as these alone of all their registers seem to be "made in pursuance of a duty specially enjoined by law."

6. But before taking any action, His Excellency in Council will be glad to be favored with any remarks or suggestions which your Lordship may see fit to offer on the matter.

From the Rev. H. O. MOORE, Bishop's Chaplain, to the Secretary to the Government of India, Home Department, dated Darjeeling, 4th June 1889, No. 289.

I am directed by the Lord Bishop of Calcutta to acknowledge the receipt of your letter, No. 395 (Judicial), dated the 27th March 1889, together with a copy of correspondence with the Chief Commissioner of the Central Provinces, on the subject of the Births, Deaths and Marriages Registration Act VI of 1886.

2. I am to say in reply that His Lordship has since been in correspondence with the Arch-deacon of Calcutta and others on the subject, and is of opinion that the matter, as affecting the clergy, is of great importance and beset with many difficulties. But before giving his views on the subject in detail, His Lordship requests the favor of being informed quite clearly for what communities or classes of persons the clergy would be expected and legally obliged to register births, deaths and marriages under the Act.

In the 4th paragraph of your letter you draw attention to the fact that "they have been made Registrars only in respect of the births or deaths of persons whom they have themselves baptized or buried." But this seems to be only a local, and possibly temporary, arrangement proposed by the Chief Commissioner of the Central Provinces. No such qualification in regard to the duties expected from the clergy is made in the Act itself, or in the Rules laid down by

His Excellency the Governor-General in Council in Notification, No. 1173, dated 19th July 1888. On the contrary by paragraph 4 of your letter the Government of India has ruled that "under section 12 of Act VI of 1886, Chaplains may at the discretion of Local Governments be appointed to be Registrars of Births and Deaths, thereby bringing them under the provisions of the Act, which seems to compel any one accepting the office of registrar to register the births and deaths of any persons included under section 11 of whatever race or religion, who chose to come to him for the purpose."

3. If it be made clear by a rule of the Governor-General in Council, published under the provisions of section 36 of the Act, that clergy accepting the office of Registrar shall act in that capacity only in respect of the births and deaths of persons whom they have themselves baptized or buried, the question would be much more easily dealt with.

From A. P. MACDONNELL, Esq., c.s.i., Secretary to the Government of India, Home Department, to the Bishop's Chaplain, dated Simla, 13th July 1889, No. 949.

I am directed to acknowledge the receipt of your letter, No. 289, dated the 4th ultimo, in which it is suggested at the desire of the Right Reverend the Lord Bishop of Calcutta, with reference to the questions raised by the Chief Commissioner of the Central Provinces as to the duties of Chaplains under the Births, Deaths, and Marriages Registration Act, VI of 1886, that it should be made clear by a rule issued under section 36 of the Act that clergy accepting the office of Registrar shall act in that capacity only in respect of the births and deaths of persons whom they have themselves baptized or buried.

2. In reply I am to say that the Governor-General in Council is advised that a rule cannot be made under section 36 of Act VI of 1886 limiting the powers of Local Governments under section 12 of the Act in the manner proposed in your letter under acknowledgment. A circular has, however, been issued to Local Governments and Administrations directing that in making appointments under the latter section, the "class of persons" for whom clergymen may be required to act as Registrars of Births and Deaths should be defined to be those at whose baptisms or funerals they have themselves officiated. In forwarding a copy of the circular* for the information of the Lord Bishop, I am to express

the hope of the Government of India that the instructions therein contained will meet His Lordship's views and that the questions dealt with in Home Department letter, No. 395, dated the 27th March last, receive his early attention.

3. I am also to point out that, as Act VI of 1886 was brought into force on the 1st October 1888, the period of one year from the commencement of the Act within which registers and records falling under the categories referred to in section 32 can be sent to Registrars-General for examination by Commissioners to be appointed under section 33, is drawing to a close.

From the Reverend H. O. MOORE, Bishop's Chaplain, to the Secretary to the Government of India, Home Department, dated Darjeeling, 2nd August 1889, No. 427.

I have the honor to acknowledge the receipt of your letter, No. 949 (Judicial), dated the 13th July 1889, on the subject of the Births

Deaths and Marriages Registration Act, VI of 1886, together with a copy of a Circular† issued to all Local Governments and Adminis-

trations defining the class of persons for whom clergymen should be required to act as Registrars of Births and Deaths.

2. I am directed by the Lord Bishop to say in reply that the issue of the Circular above mentioned has removed many difficulties which his Lordship saw to be in the way of clergy accepting the office of Registrar; and that on this point his Lordship feels now quite satisfied, and will take steps to request the clergy in the diocese to assist the Government in carrying out the objects of the Act, when they are called upon by the Local Government to do so.

3. With respect to the 3rd paragraph of your letter, in which you call attention to the fact that the time is drawing to a close within which registers and records can be sent to the Registrar-General for examination by Commissioners to be appointed under the Act, I am directed to say that his Lordship sees many difficulties in the way of this being carried out. The register books in actual use are required day by day by the clergy for fresh entries, and could not be sent away from their custody without the gravest inconvenience. The older books also are very frequently required for furnishing certified copies of former entries, and great inconvenience would be caused to the public by their being removed for a considerable time, as would probably be the case, from their present custodians, where they are easily

accessible to any one desiring for legal or other purposes to refer to them. I am directed to point out that certified copies of all entries are sent by the clergy every quarter to the Diocesan Registrar; and to ask if it would not be possible for the Commissioners to be appointed under the Act, or other duly authorised persons, to be instructed to examine these certified copies at the Diocesan Registry in Calcutta. It seems to his Lordship that it might be a convenience to the Commissioners themselves, and would prevent the great inconvenience which would be caused by the removal either of these copies or of the original books from where they are now deposited, and where they are constantly required for reference. His Lordship would, of course, instruct the Diocesan Registrar to give every facility to the Commissioners for carrying out their work.

4. As an alternative proposition, I am directed to point out that it has hitherto been part of the duty of the Diocesan Registrar to forward quarterly authenticated copies of all copies of certificates of baptisms, marriages and burials, which reach him from the clergy, to the Governments of the various Provinces where the events recorded in these certificates may have occurred. This duty his Lordship believes has been uninterruptedly carried out since the year 1816; and it follows therefore that in these returns, if preserved, the Government has already in its possession the exact counterpart of the records which are now kept in the office of the Diocesan Registrar; and it may under such circumstances be considered possible for these records to be placed temporarily under the control of the Registrar-General and open to the inspection of the Commissioners to be appointed under section 33 of the Act.

5. I am to request the favor of an early reply to the questions raised in paragraphs 3 and 4 of this letter.

From J. P. HEWETT, Esq., Under Secretary to the Government of India, Home Department, to the Bishop's Chaplain, dated Simla, the 16th August 1889, No. 1145.

With reference to paragraphs 3 and 4 of your letter, No. 427, dated the 2nd instant, I am directed to forward, for the information of the Right Reverend the Lord Bishop of Calcutta, the accompanying copy of a communication addressed by the Government of India to Local Governments and Administrations, pointing out that the verification of copies of registers would not serve the purpose for which Chapter V of the Births, Deaths and Marriages Registration Act, 1886, was enacted, and that for this reason the Act contains no provision for the verification of copies.

Order—dated 12th October 1889, Mis. No. 812, Public.

The papers read above will be forwarded to the Right Reverend the Bishop, who will be requested to report, after consultation with the Registrar-General of Births, Deaths and Marriages, how far it is necessary to appoint Government Chaplains in this Presidency as *ex-officio* Registrars of Births and Deaths under section 12, Act VI of 1886.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Right Reverend the Bishop,
Registrar-General of Births, Deaths and Marriages.

READ—also the following papers:—

From the Reverend W. WACE, Acting Bishop's Chaplain, to the Chief Secretary to Government, dated Bezvada, 8th February 1890, No. 859.

With reference to the Assistant Secretary's endorsement, dated 12th October 1889, No. 812, on the papers herewith returned, I have the honor, by desire of the Right Reverend the Bishop, to state that his Lordship has consulted with the Registrar-General of Births, Deaths and Marriages, and is of opinion that Chaplains may be appointed to be Registrars under the Act, provided—

- (1) that the "class of persons" for whom Chaplains may be required to act as Registrars be defined to be those at whose baptisms or funerals they have themselves officiated, in accordance with the letter of the Secretary to the Government of India, dated Simla, 13th July 1889;

- (2) that with regard to section 16 (2) of the Act, the Local Government do not require Chaplains to attend at an office for the purpose of registering births and deaths on certain days and at certain hours; but that it shall be sufficient for a Chaplain to make the entry in the register (in accordance with the provisions of sections 19 and 22) at the same time that he enters the baptism or funeral in the Church register, which he is required to do as soon as possible after performing the sacred office; the Bishop considers, that Chaplains particularly in large stations, would be greatly hampered in the discharge of their proper duties, if they were bound by the same rule regarding attendance at an office as is contemplated for Lay-Registrars in section 16 (2);
- (3) that the returns required under the Act be sent by Chaplains to the Registrar of the Diocese, who will then forward them to the Registrar-General. This is necessary in order to avoid any difficulties which might arise from direct official communication between Chaplains and the Registrar-General.

2. Another subject in the correspondence herewith returned is the proposed verification of all Church registers of baptisms and burials, and the sending of them for this purpose to the Registrar-General. The Metropolitan has there pointed out how serious would be the inconvenience of even a temporary removal of the registers. And as no reference is made to this subject in the endorsement, the Bishop hopes that it is still under the consideration of the Government. The proposed verification appears so extremely difficult, if not impossible, that his Lordship ventures to ask whether a short Act might not be passed by the Government of India, giving to entries in Church registers of baptisms and burials the desired evidential value.

This course has been adopted with regard to marriage registers, and it should be borne in mind that the clergy in India have always made their entries in Church registers in the belief (1) that they, as public officers, were under the same legal obligation to make correct entries as the clergy in England, and (2) that the entries, when made, had the same authority as in England.

Reference, dated 4th March 1890.

In reference, dated 12th October 1889, No. 812, the Right Reverend the Bishop was requested to report "how far it is necessary to appoint Government Chaplains in this Presidency as *ex-officio* Registrars of Births and Deaths under section 12, Act VI of 1886." In reply, the Domestic Chaplain states that, in the opinion of the Bishop, Chaplains "may be appointed" under the Act (subject to certain provisions), but no opinion is recorded as to how far such appointments are considered necessary. A further communication on the point will therefore be awaited.

2. In regard to paragraph 1 of the Domestic Chaplain's letter, a complete copy of G.O., Nos. 65 and 66, dated 30th January 1890, will be forwarded to the Right Rev. the Bishop, with the request that, in the event of the appointment of any Chaplains as Registrars being considered necessary, he will state which of the "classes of persons" referred to should be adopted, viz., "those at whose baptisms or funerals they have themselves officiated" or "those belonging to that class of the community in respect of which they are in the habit of officiating at baptisms and burials."

3. The proviso suggested in paragraph 1 (2) has already been considered—*vide* No. 66, dated 30th January 1890—and the rule proposed in paragraph 1 (3) is not necessary, as by paragraph 5 (1) of the notification published in three issues of the *Fort St. George Gazette* in September and October 1888, "Clergymen of the Churches of England, Rome and Scotland may, under section 24 (1) of the Act (VI of 1886), submit their returns to the Registrar-General through their ecclesiastical superiors." Direct official correspondence between Chaplains and the Registrar-General will thus be avoided.

4. With reference to paragraph 2 of the Domestic Chaplain's letter, the attention of the Right Reverend the Bishop will be invited to paragraph 2 of the Government of India's letter recorded in G.O., No. 661, Public, dated 7th August 1889. The year within which records could be sent in for verification expired on the 1st October last and further orders on the point are therefore not necessary. As the Government of India has afforded an opportunity for records to be properly verified, it is very improbable that it would be prepared to legislate in order to give evidential value to such records as still require it and have not been submitted for verification.

5. In the event of the Bishop's considering that only clergymen at certain stations need be appointed Registrars, he is requested to submit the names of the clergymen selected.

FORT ST. GEORGE,
4th March 1890.

(Signed) J. GROSE,
Ag. Chief Secretary.

To the Rt. Revd. the Bishop, with Procs. Nos. 65, 66, dated 30th Jan. 1890.

From the Rev. W. WACE, Acting Bishop's Chaplain, to the Chief Secretary to Government, dated Madras, 14th March 1890, No. 870.

By desire of the Right Reverend the Bishop, I have the honor to acknowledge the receipt of "Reference on No. 460 of 1890," Public Department, signed by the Acting Assistant Secretary, and in reply to state that when the Government requested the Bishop to report, after consultation with the Registrar-General, how far it is necessary to appoint Government Chaplains in this Presidency as *ex-officio* Registrars of Births and Deaths, that officer expressed his opinion that the appointment of them "at all the important stations in the Presidency is desirable, as the events to be registered being within their knowledge, accuracy and completeness of registration will thereby be ensured." His Lordship regrets that this opinion was not quoted in my letter, No. 859, dated 8th February; but he does not feel himself to be in a position to pronounce an opinion on the *necessity* for such appointments, as such necessity must (he thinks) depend on the ability of the Government to make other arrangements for the required registrations. The duty of registering births and deaths and of periodically preparing and despatching returns lies outside the proper work of Chaplains; and in those stations in which the Registrar-General considers it desirable that they should be appointed, viz., "the important stations," the burden will be most felt. So that it would not seem right to impose this new duty on Chaplains, unless every other conceivable arrangement be found impracticable or unsatisfactory. It would appear that the Registrar-General did not suppose the appointment of Chaplains as Registrars to be necessary, but only *desirable*.

2. In the event, however, of the appointment of Chaplains as Registrars, the Bishop desires me to remark, with regard to paragraph 2 of the reference under reply, that he prefers the definition of the "classes of persons" referred to as given in the letter from the Officiating Secretary to the Government of India, dated Calcutta, 19th December 1889, but not as quoted in paragraph 2 of the reference, in which the words "by reason of their respective denominational callings" are omitted.

3. If the Government should decide that clergymen at certain stations are to be appointed as *ex-officio* Registrars, the Bishop will submit names of those who might be appointed, in accordance with the request in paragraph 5 of the reference under reply.

ORDER—dated 18th April 1890, No. 294, Public.

This correspondence will be recorded with the remark that, in the opinion of His Excellency the Governor in Council, no necessity exists for the appointment of Government Chaplains in this Presidency as *ex-officio* Registrars of Births and Deaths under Act VI of 1886.

(True Extract.)

Chief Secretary.

To the Right Reverend the Bishop of Madras.
„ Registrar-General of Births, Deaths and Marriages.

ENDORSEMENT—dated 18th April 1890, No. 295, Public.

Copy to the Government of India, Home Department, for information.

J. F. PRICE,
Chief Secretary.

Govt. of {1890} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., &c., 18th April 1890,
Nos. 294, 295.

APRIL.

Registration of Births and Deaths.

Recording certain correspondence with remark that no necessity exists for the appointment of Government Chaplains in Madras Presidency as *ex-officio* Registrars of Births and Deaths under Act VI of 1886; and forwarding copy of Proceedings to the Government of India.

FROM

J. P. HEWETT, Esq.,

Under-Secretary to the Government of India,

To

THE CHIEF COMMISSIONER OF THE CENTRAL PROVINCES.

Home Department.
Judicial.

Simla, the 31st August 1889.

SIR,

WITH reference to your letter No. 280—328, dated the 16th January last, I am directed to forward for your information the accompanying copy of a correspondence* with the Right Reverend the Lord Bishop of Calcutta, relative to the duties of Chaplains on the regular establishment as *ex-officio* Registrars of Births and Deaths.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Under-Secretary to the Government of India.

No. ⁹
1233

Madras, letter No. 3—939, dated 13th July 1889.
Endorsement No. 5—995, dated 31st July 1889.
Bombay, letter No. 3—940, dated 13th July 1889.
Endorsement No. 5—995, dated 31st July 1889.
Bengal, letter No. 3—941, dated 13th July 1889.
Endorsement No. 5—997, dated 31st July 1889.
North-Western Provinces and Oudh, letters Nos. 3—942 and 994, dated the 13th and 31st July 1889 respectively.
Punjab, letter No. 3—943, dated 13th July 1889.
Endorsement No. 5—998, dated 31st July 1889.
Burma, letter No. 3—945, dated 13th July 1889.
Endorsement No. 5—1000, dated 31st July 1889.
Assam, letter No. 3—940, dated 13th July 1889.
Endorsement No. 5—1001, dated 31st July 1889.
Coorg, letter No. 3—947, dated 13th July 1889.
Endorsement No. 5—1002, dated 31st July 1889.

Copy, with copy of the correspondence referred to, forwarded to the Government of

Madras
Bombay, General Department
Bengal, General Department
the North-Western Provinces and Oudh, Judicial (Civil) Department
the Punjab

to the Chief Commissioner of for information, in continuation of the communications from this Department marginally noted.

No.

Copy, with copy of the correspondence referred to, forwarded to the Foreign Department in continuation of endorsements Nos. 948 and 1003, dated the 13th and 31st ultimo, respectively, for information and communication to the Administrations and authorities subordinate to that Department.

By order,

J. P. HEWETT,

Under-Secretary to the Government of India.

No. 395, dated Calcutta, the 27th March 1889.

From—J. P. HEWITT, Esq., Officiating Secretary to the Government of India, Home Department,
To—The RIGHT REVEREND THE LORD BISHOP of Calcutta.

I AM directed to forward herewith a copy of a correspondence* with the Chief Commissioner of the Central Provinces in connection with

* Home Department Circular No. 13—844-853, dated 24th June 1886.
Letter from the Chief Commissioner, Central Provinces, No. 3728—177, dated 17th August 1886.
Home Department Circular No. 1435—39, dated 31st August 1888.
Letter from Chief Commissioner, No. 280—328, dated 16th January 1889, with enclosure.

the Births, Deaths, and Marriages Registration Act, VI of 1886, which was brought into force on 1st October 1888, together with a copy of the rules framed by the Government of India under certain sections of that Act.

2. With reference to representations made by the Chaplains of Nagpur and Jabulpur, the Chief Commissioner, in his letter dated 16th January last, suggests the desirability of instructions being issued under Your Lordship's orders as to the duties of Chaplains on the regular establishment as *ex-officio* Registrars of Births and Deaths, or otherwise under the Act.

3. The questions requiring consideration are—

(1) whether Chaplains, who are included in the general description of section 5 (1) of the Indian Christian Marriage Act, 1872, can be appointed by Local Governments Registrars of Births and Deaths under section 12 of the Act of 1886 and

(2) whether they can take action with reference to section 32 of the Act under which persons having the custody of (a) any baptismal or burial registers or records, or (b) any registers or records of marriage made otherwise than in performance of a duty specially enjoined by law, may send them for examination and verification by Commissioners to be appointed under section 33, the object being to give evidential value to the documents in question.

4. As regards the first of the above points, I am to state, for Your Lordship's information, that it appears to the Government of India that, under section 12 of Act VI of 1886, Chaplains may at the discretion of Local Governments be appointed to be Registrars of Births and Deaths, and that, as it is desirable to afford every possible facility for carrying out the provisions of the Act, Chaplains may, with advantage in many cases, be called upon to undertake the duties enjoined by it. In this connection I am to invite attention to section 24 (1) of the Act, which seems clearly to contemplate that Chaplains will be so appointed. It will not escape your attention that they have been made Registrars only in respect of the births or deaths of persons whom they have themselves baptized or buried.

5. With regard to the second point, I am to say that the Governor General in Council is advised that section 32 of the Act applies to Chaplains, except so far as concerns the registers kept up by them under section 27 of the Indian Christian Marriage Act, or by their predecessors under section 30 of the Indian Marriage Act V of 1865, as these alone of all their registers seem to be "made in pursuance of a duty specially enjoined by law."

6. But before taking any action His Excellency in Council will be glad to be favoured with any remarks or suggestions which Your Lordship may see fit to offer on the matter.

No. 289, dated Darjeeling, the 4th June 1889.

From—The REVEREND H. O. MOORE, Bishop's Chaplain,
To—The Secretary to the Government of India, Home Department.

I AM directed by the Lord Bishop of Calcutta to acknowledge the receipt of your letter No. 395 (Judicial), dated the 27th March 1889, together with a copy of correspondence with the Chief Commissioner of the Central Provinces, on the subject of the Births, Deaths, and Marriages Registration Act, VI of 1886.

2. I am to say in reply that His Lordship has since been in correspondence with the Archdeacon of Calcutta and others on the subject, and is of opinion that the matter, as affecting the clergy, is of great importance and beset with many difficulties. But before giving his views on the subject in detail, His Lordship requests the favour of being informed

quite clearly for what communities or classes of persons the clergy would be expected and legally obliged to register births, deaths and marriages under the Act.

In the 4th paragraph of your letter you draw attention to the fact that "they have been made Registrars only in respect of the births or deaths of persons whom they have themselves baptized or buried." But this seems to be only a local, and possibly temporary, arrangement proposed by the Chief Commissioner of the Central Provinces. No such qualification in regard to the duties expected from the clergy is made in the Act itself, or in the Rules laid down by His Excellency the Governor General in Council in Notification No. 1173, dated 19th July 1888. On the contrary by paragraph 4 of your letter the Government of India has ruled that "under section 12 of Act VI of 1886, Chaplains may at the discretion of Local Governments be appointed to be Registrars of Births and Deaths, thereby bringing them under the provisions of the Act, which seems to compel any one accepting the office of registrar to register the births and deaths of any persons included under section 11, of whatever race or religion, who chose to come to him for the purpose.

3. If it be made clear by a rule of the Governor General in Council, published under the provisions of section 36 of the Act, that clergy accepting the office of Registrar shall act in that capacity only in respect of the births and deaths of persons whom they have themselves baptized or buried, the question would be much more easily dealt with.

No. 949, dated Simla, the 13th July 1889.

From—A. P. MACDONNELL, Esq., C.S.I., Secretary to the Government of India, Home Department,
To—The Bishop's Chaplain.

I AM directed to acknowledge the receipt of your letter No. 289, dated the 4th ultimo, in which it is suggested at the desire of the Right Reverend the Lord Bishop of Calcutta, with reference to the questions raised by the Chief Commissioner of the Central Provinces as to the duties of Chaplains under the Births, Deaths, and Marriages Registration Act, VI of 1886, that it should be made clear by a rule issued under section 36 of the Act that clergy accepting the office of Registrar shall act in that capacity only in respect of the births and deaths of persons whom they have themselves baptized or buried.

2. In reply I am to say that the Governor General in Council is advised that a rule cannot be made under section 36 of Act VI of 1886 limiting the powers of Local Governments under section 12 of the Act in the manner proposed in your letter under acknowledgment. A circular has, however, been issued to Local Governments and Administrations directing that in making appointments under the latter section, the "class of persons" for whom clergymen may be required to act as Registrars of Births and Deaths should be defined to be those at whose

* No. 3, of this date.
939-47

baptisms or funerals they have themselves officiated. In forwarding a copy of the circular* for the information of the Lord Bishop, I am to express

the hope of the Government of India that the instructions therein contained will meet His Lordship's views and that the questions dealt with in Home Department letter No. 395, dated the 27th March last, will receive his early attention.

3. I am also to point out that, as Act VI of 1886 was brought into force on the 1st October 1888, the period of one year from the commencement of the Act within which registers and records falling under the categories referred to in section 32 can be sent to Registrars General for examination by Commissioners to be appointed under section 33, is drawing to a close.

No. 427, dated Darjeeling, the 2nd August 1889.

From—The REVEREND H. O. MOORE, Bishop's Chaplain,
To—The Secretary to the Government of India, Home Department.

I HAVE the honour to acknowledge the receipt of your letter No. 949 (Judicial), dated the 13th July 1889, on the subject of the Births, Deaths, and Marriages Registration Act, VI of 1886, together with a copy of a Circular† issued to all Local Governments and Administrations defining the class of persons for whom clergymen should be required to act as Registrars of Births and Deaths.

† Home Department, Judicial, to all Local Governments and Administrations, No. 3, dated 13th July 1889.
939-47

2. I am directed by the Lord Bishop to say in reply that the issue of the Circular above mentioned has removed many difficulties which his Lordship saw to be in the way of clergy accepting the office of Registrar; and that on this point his Lordship feels now quite satisfied, and will take steps to request the clergy in the diocese to assist the Government in carrying out the objects of the Act, when they are called upon by the Local Government to do so.

3. With respect to the 3rd paragraph of your letter, in which you call attention to the fact that the time is drawing to a close within which registers and records can be sent to the Registrar General for examination by Commissioners to be appointed under the Act, I am directed to say that his Lordship sees many difficulties in the way of this being carried out. The register books in actual use are required day by day by the clergy for fresh entries, and could not be sent away from their custody without the gravest inconvenience. The older books also are very frequently required for furnishing certified copies of former entries, and great inconvenience would be caused to the public by their being removed for a considerable time, as would probably be the case, from their present custodians, where they are easily accessible to any one desiring for legal or other purposes to refer to them. I am directed to point out that certified copies of all entries are sent by the clergy every quarter to the Diocesan Registrar; and to ask if it would not be possible for the Commissioners to be appointed under the Act, or other duly authorised persons, to be instructed to examine these certified copies at the Diocesan Registry in Calcutta. It seems to his Lordship that it might be a convenience to the Commissioners themselves, and would prevent the great inconvenience which would be caused by the removal either of these copies or of the original books from where they are now deposited, and where they are constantly required for reference. His Lordship would of course instruct the Diocesan Registrar to give every facility to the Commissioners for carrying out their work.

4. As an alternative proposition, I am directed to point out that it has hitherto been part of the duty of the Diocesan Registrar to forward quarterly authenticated copies of all copies of certificates of baptisms, marriages and burials, which reach him from the clergy, to the Governments of the various Provinces where the events recorded in these certificates may have occurred. This duty his Lordship believes has been uninterruptedly carried out since the year 1816; and it follows therefore that in these returns, if preserved, the Government has already in its possession the exact counterpart of the records which are now kept in the office of the Diocesan Registrar; and it may under such circumstances be considered possible for these records to be placed temporarily under the control of the Registrar General and open to the inspection of the Commissioners to be appointed under Section 33 of the Act.

5. I am to request the favour of an early reply to the questions raised in paragraphs 3 and 4 of this letter.

No. 1145, dated Simla, the 16th August 1889.

From—J. P. HEWITT, Esq., Under-Secretary to the Government of India, Home Department,
To—The Bishop's Chaplain.

WITH reference to paragraphs 3 and 4 of your letter No. 427, dated the 2nd instant, I am directed to forward for the information of the Right Reverend the Lord Bishop of Calcutta, the accompanying copy of a communication* addressed by the Government of India to Local Governments and Administrations, pointing out that the verification of copies of registers would not serve the purpose for which Chapter V of the Births, Deaths and Marriages Registration Act, 1886, was enacted, and that for this reason the Act contains no provision for the verification of copies.

* Letter to the Government of the North-Western Provinces and Oudh, No. 994, dated 23rd July 1889, with endorsement to other Local Governments and Administrations Nos. 5, of the same date.
995 to 1092

Order in the Public Department

*dated 12 October 1889
No 872*

The papers read above will be forwarded to the Right Reverend the Bishop, who will be requested to report, after consultation with the Registrar General of Births, Deaths & Marriages, how far it is necessary to appoint Government Chaplains in this Presidency as ex officio Registrars of Births and Deaths under section 12, act VI of 1886.

(Enclosed)

Asst Secretary

*To
The Rt. Rev. the Bishop
of Madras*

2.1.90

*18-6-90
24-9-90*

govt print

No. 3673, dated Bombay Castle, the 5th September 1889.

From—J. NUGENT, Esq., C.S., Chief Secretary to the Government of Bombay, General Department.

To—The Secretary to the Government of India, Home Department.

With reference to your letter No. 3—940, dated the 13th July last, stating that His Excellency the Governor General in Council is of opinion that in making appointments under section 12 of Act VI of 1886 the class of persons for whom clergymen may be required to act as Registrars of Births and Deaths should be defined to be those at whose baptisms or funerals they have themselves officiated, I am directed to forward herewith, for the consideration of the Government of India, copy of a letter No. 1962, dated the 3rd ultimo, from the Registrar General of Births, Deaths and Marriages, Bombay.

No. 1962, dated Bombay, the 3rd August 1889.

From—The Registrar General of Births, Deaths and Marriages, Bombay.

To—The Chief Secretary to the Government of Bombay, General Department.

I have the honour to acknowledge the receipt of a copy of Government Resolution, General Department, No. 3033, dated the 31st ultimo.

2. As I understand the views of the Governor General in Council as quoted in the preamble to the above quoted Resolution it is contemplated that in future a Minister of Religion appointed as a Registrar of Births and Deaths under Act VI of 1886 shall only be required to register the birth of an infant whom he may have himself baptised or the death of a person at whose funeral he may have himself officiated.

3. I venture, with the very greatest respect, to urge that the registration powers of these Minister-Registrars should not be narrowed down in this manner. If it be laid down that the class of persons for which clergymen may be required to act as Registrars of Births and Deaths should be that class of the community in respect to which these Minister-Registrars are by reason of their respective denominational callings in the habit of officiating at baptisms and burials the object of the Government of India will be secured, and seeing that each Minister-Registrar in this Presidency has jurisdiction as a Registrar throughout the entire Presidency it will enable, let us suppose, a Baptist Minister-Registrar residing at Dharwar to accept and register notice of a birth or death which has occurred amongst the Baptist Community at Karachi and which the tenderer of the notice at Dharwar may have been unable to register at Karachi before his departure from the latter place.

No. 1448, dated Simla, the 17th October 1889.

From—C. J. LYALL, Esq., C.I.E., Officiating Secretary to the Government of India.

To—The Chief Secretary to the Government of Bombay.

I am directed to acknowledge the receipt of your letter No. 3673, dated the 5th ultimo, submitting for consideration a representation by the Registrar General of Births, Deaths and Marriages, Bombay, in connection with the instructions conveyed in the Home Department

No. 3—940, dated 13th July 1889. circular marginally noted that, in making appointments under section 12 of Act VI of 1886, the class of persons for whom clergymen may be required to act as Registrars of Births and Deaths should be defined to be those at whose baptisms or funerals they have themselves officiated. For the reasons mentioned in his letter, Mr. Filgate urges that the functions of ministers of religion who may be appointed to be Registrars under the Act should not be restricted in the manner indicated in the circular, and that the class of persons for which they may be required to act in that capacity should be that class of the community in respect to which they are, by reason of their respective denominational callings, in the habit of officiating at baptisms and burials.

2. In reply I am to say that the reasons which induced the Government of India to issue the instructions referred to will be gathered from the correspondence with the Bishop's Chaplain, Calcutta, which forms part of the enclosures of the communication from this Department, No. 9—1236, dated the 31st August last. I am at the same time to point out that, as it is left to Local Governments to make the necessary rule in order to secure the object in view,

the Government of Bombay may, if it thinks fit, instead of defining the class for which clergymen are to be Registrars as those persons at whose baptisms or burials they *have officiated*, adopt the definition proposed by Mr. Filgate.

No. 1449, dated Simla, the 17th October 1889.

From—J. P. HEWETT, Esq., Under Secretary to the Government of India.

To—The Bishop's Chaplain.

With reference to the correspondence ending with the letter from this Department, No. 1145, dated the 16th August last, I am directed to forward the accompanying copy of a communication* from the Government of Bombay, submitting a representation by the Registrar General of Births, Deaths and Marriages, Bombay, in connection with the instructions conveyed in Home Department Circular of 13th July last that, in making appointments under section 12 of Act VI of 1886, the class of persons for whom clergymen may be required to act as Registrars of Births and Deaths should be defined to be those at whose baptisms or funerals they have themselves officiated. It will be seen that for the reasons mentioned in his letter Mr. Filgate urges that the functions of ministers of religion who may be appointed to be Registrars under the Act should not be restricted in the manner indicated in the circular, and that the class of persons for which they may be required to act in that capacity should be that class of the community in respect to which they are, by reason of their respective denominational callings, in the habit of officiating at baptisms and burials. I am to enquire whether this suggestion commends itself to the Right Reverend the Lord Bishop.

* No. 3673, dated 5th September 1889.

No. 702, dated (on tour, Morar), the 7th November 1889.

From—The Reverend H. O. MOORE, Bishop's Chaplain.

To—The Officiating Secretary to the Government of India, Home Department.

I have the honour to acknowledge the receipt of your letter No. 1449 (Judicial), dated the 17th October 1889, together with enclosure,* on the subject of the limitation of the duties of Clerical Registrars of Births and Deaths.

* Copy of Government, Bombay, to Home Department, No. 3673, dated 5th September 1889.
Registrar General, Bombay, to Government, Bombay, No. 1932, dated 3rd August 1889.

2. I am directed to say in reply that the Bishop of Calcutta never contemplated that the recommendations issued by the Government of India to Local Governments defining what was to be required of the Clergy would necessarily have the effect of absolutely restricting them within the limits there laid down. His Lordship considered that Clergy who were Registrars would be at liberty, and, he hoped, also willing, to act for any member of their own communion, whenever there was any good reason for so doing. His Lordship expected that the effect of the limitation would be that as a general rule those persons who wished to register a birth or death would do so at the time of the baptism or burial. If this were the general practice it would be unnecessary for the Clergy to have a Registration Office, or for the Registrar General to fix for them times of attendance, which would be both impracticable and undesirable; and in consequence His Lordship thinks that the Clergy would be less disinclined to accept the office.

3. If, however, the Government of India is of opinion that the present definition of the duties of Clergy who are Registrars will have the effect of preventing them altogether from acting outside the limits laid down, His Lordship has no objection to their duties being defined as suggested by Mr. Filgate. But he is of opinion that the alteration is hardly necessary, and that it would be undesirable should it have the effect, by widening the limits within which they would be expected as a general rule to act, of making it necessary for the Clergy to keep a Registry Office, and to be under the orders of the head of another department than their own as to times of attendance; or should it have the effect of making the Clergy still more disinclined to accept the office.

4. I am to add that His Lordship feels very strongly that it cannot be expected that the Clergy will be able to undertake these duties, if it should be considered necessary for them to keep such an Office and times of attendance fixed by the Registrar General; and further that His Lordship feels bound to support the Clergy, as ecclesiastical officers, in declining to place themselves in any degree under the direct control of the Registration Department.

No. 1743

FROM

C. J. LYALL, Esq., C.I.E.,
Offg. Secretary to the Government of India.

TO

THE BISHOP'S CHAPLAIN.

Home Department.
Judicial.

Calcutta, the 19th December 1889.

SIR,

I AM directed to acknowledge the receipt of your letter No. 702, dated the 7th ultimo, communicating the views of the Right Reverend the Lord Bishop of Calcutta upon the proposal made by Mr. Filgate, Registrar General of Births, Deaths and Marriages, Bombay, that the functions of ministers of religion who may be appointed to be Registrars of Births and Deaths under Act VI of 1886, should not be restricted in the manner indicated in the Home Department circular marginally noted, but that the class of persons for whom they may be required to act in that capacity should be that class of the community in respect to which they are, by reason of their respective denominational callings, in the habit of officiating at baptisms and burials.

2. His Lordship, though not satisfied that it is necessary, has no objection to the proposed alteration in the definition, but is apparently apprehensive lest the clergy in their capacity as Registrars may be brought too much under the control of the Registrar General. I am therefore to explain for His Lordship's information that, though section 16 (1) of Act VI of 1886 contemplates that each Registrar of Births and Deaths should have an office at which applicants for registration can attend, there is no intention of giving the Registrar General authority to direct the clergy to open offices as Registrars, and that Local Governments will no doubt arrange that section 16 (2) shall not be applied to clergy on the establishment and will avoid placing them under the direct control of the Registration Department. Their connection with the Registrar General will, the Governor General in Council hopes, be confined to the transmission to him of the documents which the rules promulgated by Home Department Notification No. 1173, dated 19th July 1888, require them to send to him.

3. In these circumstances the Governor General in Council thinks it best to leave to the Local Governments and Administrations the discretion of deciding whether they will adopt the definition of the duty of the clergy who act as

Registrars which has been suggested by Mr. Filgate or not, and trusts that, in view of the explanation offered in the present letter, the Lord Bishop will be satisfied that the consequences apprehended by His Lordship will not be involved in making over to the clergy on the establishment the duty of registering the baptisms and burials of members of the Church of England.

I have the honour to be,

SIR,

Your most obedient Servant,

C. J. LYALL,

Offg. Secretary to the Government of India.

No. 12
1744

Copy, with copies of the papers marginally noted,*

forwarded to the Local Governments and Administrations marginally noted,†
Foreign Department

for information and guidance, in continuation of the

* Letter from Bombay Government, No. 3673, dated 5th September 1889, with enclosure.

Letter to Bombay Government, No. 1448, dated 17th October 1889.

Letter to the Bishop's Chaplain, No. 1449 of the same date.

Letter from the Bishop's Chaplain, No. 702, dated 7th November 1889.

† Madras. Punjab.
Bengal. Central Provs.
N. W. Provs. Burma.
and Oudh. Assam.
Coorg.

Circular of 13th July last,
endorsement No. 918, dated 13th July 1889.

No. 12
1743

Copy, with copy of the letter to which this is a reply, forwarded to the Government of Bombay for information and guidance, with reference to the letter from this Department No. 1448, dated the 17th October last.

By order,

J. P. HEWETT,

Under Secretary to the Government of India.

Public of 274-25
18-4-90 Oyl.

It is requested that the following department and number may be quoted in the reply to this letter:

Public No. 65



Chief Secretary's Office,

FORT ST. GEORGE, 30 January 1890

SIR,

With reference to your No. 12/1744, dated 19th December 1889, I am directed to invite attention to this office No. 762 A dated 24th September 1889 and to inform you that the only clergymen in this Presidency who are Registrars of Births & Deaths are those in Mysore who were appointed by the Governor General in Council in Foreign Department Notification No. 5422, published at page 53 of the Gazette of India dated 26th January 1889.

2. Of the two clergymen of the Madras Establishment named in the Notification the Rev. J. A. Ogilvie alone continues to serve in Mysore.

3. The remarks in paragraph 2 of your letter under reply will be communicated to the Registrar General of Births, Deaths and Marriages for guidance.

I have, Sir,

(Sd) J. Ghose,

Ag. Chief Secretary

The Secretary to the Govt of India,
Home Department.

2
X.1.8

Encl. dated 20th January 1890 N^o 66

Copy forwarded - in continuation of G. O.
N^o 662 dated 7th August 1889 - to the Registrar General
of Births, Deaths and Marriages for information and
guidance with reference to paragraph 2 of the Govern-
ment of India's letter.

(50) J. Croze,
Asst. Chief Secretary

Public G.O. 294-5
18/4/90

Copy sent to the Registrar

C. No 460 50

No. 859.

ECCLIASTICAL DEPARTMENT,

Bombay, 18th February, 1890.

From
REV. S. MORLEY,
Bishop's Chaplain.

CHIEF SECRETARY
12 FEB 90
GOVERNMENT OF MADRAS

Copy

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

Fort St. George,
Madras.

SIR,

*In the interest of the
Registrar General's office
the subject has been
referred.*

With reference to the Asst. Secretary's
Endorsement, dated 12th Feb. 1889. c/o 812.
in the paper herewith returned, I have
the honour, by order of the Rt. Rev. the Bishop,
to state that his Lordship has consulted
with the Registrar General of Births,
Deaths, & Marriages, & is of opinion that
Chaplain may be appointed to be Regis-
trar under the Act, provided

(1) that the class of persons for whom
Chaplain may be required to act as Regis-
trar be confined to be those at whose
baptisms or funerals they have themselves
 officiated, in accordance with the

letter of the Secretary to the Government of India, dated Simla, 13th July, 1889.

(2) that with regard to Sec. 16(2) of the Act, the Local Government do not require chaplains to attend at an office for the purpose of registering births & deaths on certain days & at certain hours, but that it shall be sufficient for a chaplain to make the entry in the Register (in accordance with the provisions of Sec. 19 & 22) at the same time that he enters the Baptism or Funeral in the Church Register; (which he is required to do as soon as possible after performing the sacred office).

The Bishop considers that chaplains, especially in large stations, would be greatly hampered in the discharge of their proper duties, if they were bound by the same rule regarding attendance at an office as is contemplated for Lay-Registers in Sec. 16(2).

(3) that the Returns required under the Act be sent by chaplains to the Registrar of

the Diocese, who will then forward them to the Registrar General. This is necessary in order to avoid any difficulties which might arise from direct official communication between Chaplains and the Registrar General.

II. And the subject in the correspondence herewith returned is the proposed Verification of all Church Registers of Baptisms & Burials, & the sending of them for this purpose to the Registrar General. The Metropolitan has there pointed out how serious would be ~~the~~ the inconvenience of when a temporary removal of the Register. And as no reference is made to this subject in the endorsement, the Bishop hopes that it is still under the consideration of the Government. The proposed Verification appears so extremely difficult, if not impossible, that his Lordship ventures to ask whether a short Act might not be passed by the Government of India, giving to entries in Church Registers of Baptisms and Burials the desired Evidential Value.

This course has been adopted with regard to Marriage Registers: & it should be borne in mind,

that the Clergy in India have always made their
entries in Church Registers in the belief (1) that
they as public officers were under the same legal
obligation to make correct entries as the Clergy
in England, & (2) that the entries when made had
the same authority as in England.

I have the honour to be,

Sir, Your Obedient Servant,

W. Wace.

CURRENT No. 460

[19]

Public DEPARTMENT.

12/10/89
30/1/90 G.O. 45-66

From

The Rt Bishop's
Chaplain
Bezwada

G.O. 294-95-718-4-90.

No. 859

Dated 8th } Feb'y 90
Received 12th }

Enclosures one

SUBJECT.

Regarding the appoint-
ment of Chaplains to
be Registrars of Births
& Deaths.

[19]

Reference to No. 460 of 1890.

In replying the above should be quoted.



Public DEPARTMENT.

Print

Read the following letter from the Rt Bishop's Chaplain
Bezwada, dated 8th February 1890 No. 859.

In reference dated 12th October 1889
No. 812, the Right Rev. the Bishop was requested
to report "how far it is necessary to appoint
Government Chaplains in this Presidency
as ex officio Registrars of Births and Deaths
under section 12, Act VI of 1886". In reply, the
Domestic Chaplain states that, in the
opinion of the Bishop, chaplains may be
appointed under the Act (subject to certain
provisions) but no opinion is recorded as to how
far such appointments are necessary. A
further communication on the point will
therefore be awaited.

110
27 Feb

2. In regard to para 1 of the Domestic Chaplain's letter a complete copy of G.O. No. 65 and 66, dated 30th January 1890, will be forwarded to the Rt Rev. the Bishop with the request that, in the event of the appointment of any Chaplains as Registrars.

Registrars being considered necessary, he will state which of the "Classes of persons" referred to should be adopted viz: - "those at whose baptisms or funerals they have themselves officiated" or "those belonging to that class of ^{the} Community in respect of which they are in the habit of officiating at baptisms and burials".

3. The proviso suggested in para (2) has already been considered - vide No 66 dated 30th January 1890; and the rule proposed in para (3) is not necessary as by para 5 (1) of the Notification published in three issues of the Fort St George Gazette in September and October 1888 "Clergymen of the Churches of England, Rome and Scotland may under Section 24 (1) of the Act (VI of 1886) submit their returns to the Registrar General through their Ecclesiastical Superiors". Direct official correspondence between Chaplains and the Registrar General will thus be avoided, but in many cases ~~the~~ ^{anticipated} difficulties ^{would not have arisen} as long as the returns ~~were~~ ^{were} submitted regularly and correctly.

4. With reference to para 2 of the Domestic Chaplain's letter the attention of the Rt Revd the Bishop will be invited to para: 2.

* Please see Nos. 922-904 in the printed file for



DEPARTMENT.

In the printed file.

Read the following

2 of the Government of India's letter recorded in G.O. No 661 Public dated 7-8-89. The year within which records could be sent in for verification expired on the 1st October last and further orders on the point are therefore not necessary. As the Government of India has afforded an opportunity for ~~all~~ records to be properly verified it is very improbable that it would be prepared to legislate in order to give evidential value to such records as ~~will require it and~~ have not been submitted for verification.

5. In the event of the Bishop's considering that only Clergymen at certain stations need be appointed Registrars he will be requested to submit the names of the Clergymen selected.

Fort Saint George
4th March 1890

The Rt Revd the Bishop.
With Prov. No 65/16
4 30 January 1900

DEPT. MARSD. 24/2/90.

JOB
24/2/90.

2572

C. No 823

ECCLIASTICAL DEPARTMENT,

Madras 14th March 1890.

No. 870.

From

REV. S. MORLEY, W. Wallace

Ag. Bishop's Chaplain,

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

Fort St. George

Madras.

CHIEF SECRETARY
15 MAR 90
GOVERNMENT OF MADRAS

Print

SIR,

By desire of the Right Reverend the Bishop, I have the honor to acknowledge the receipt of "Reference on N^o 460 of 1890", Public Department, signed by the Acting Assistant Secretary, and in reply to state that, when the Government requested the Bishop to report after consultation with the Registrar General how far it is necessary to appoint Government Chaplains in this Presidency as Ex-officio Registrars of Births and Deaths, that Officer expressed his opinion that the appointments of them "at all the important stations in the Presidency is desirable," as the events "to be registered being within their knowledge, accuracy and completeness of registration will thereby be ensured". His Lordship regrets that this opinion was not quoted in my letter, No 59 dated 8th February, but he does not feel himself to be in a position to pronounce an opinion on the necessity for such appointments, as such necessity much (he thinks) depend on the ability of the Government

C. 26/2

to make other arrangements for the required registrations. The Duty of Registering Births and Deaths, and of periodically preparing & despatching returns, lies outside the proper work of Chaplains; and in those Stations in which the Registrar-General considers it desirable that they should be appointed, via "the important Stations," the burden will be most felt. So that it would not seem right to impose this new duty on Chaplains, unless every other ~~of~~ conceivable arrangement be found impracticable or unsatisfactory. It would appear that the Registrar-General did not suppose the appointment of Chaplains as Registrars to be necessary, but only desirable.

2. In the event however of the appointment of Chaplains as Registrars the Bishop desires ^{me} to remark, with regard to para 2 of the Reference under reply, that he prefers the definition of the "Classes of persons" referred to as given in the letter from the Offg. Secretary to the Government of India, dated Valentia 19 Decr. 1889, but not as quoted in para 2 of the reference, in which the words "by reason of their respective denominational callings" are omitted.

3. If the Government should decide, that Clergymen at certain Stations are to be appointed as Ex-officio Registrars, the Bishop will

Submit names of those who might be appointed, in accordance with the request in para 5 of the Reference under reply.

I have the honor to be,

Yours most Obedt. Servant,
W. Nace.
Ag. Bishop's Chaplain

Pub. O. No 823

From

Thy Bishop's Chaplain
Madras.

No 870

Dated 14th } March 90.
Recd 15th }

Enc. G.O. No 812 of 12th Oct 89

G.O. 294-95 of 18-4-90

Subject

Regarding the appointment
of Chaplains in this
Presidency as Ex. officio
Registrars of Births and
Deaths.

Public C. 823 and file

To H.H.

It is submitted
that the Govt Chaplains
at all important stations
in the Presidency should
be appointed Registrars
of Births and Deaths
under Act VI of 1886. The
Govt. of India evidently
contemplates such
appointments and
from para. 5 of the Notifi-
cation at page 3 of G.O.
No 902. Public of 15.9.88
it is clear that the local
Govt also intended to
make such appointments.

I doubt the necessity. I don't
believe that their appointment
under the Act (into which no
amount of fuss will infuse
any life) will lead to a single
event being registered which
would not be so in the ordinary
familiar course. What
then is the use of it?

Wm
Romer

Registration under Act VI of 1886 is
voluntary - although value of the
act is to enable copies of entries
in the Register General's Office
of Births & Deaths to be used as
evidence in the courts in this
country. In England, Ireland,
the certificates of marriages, births &
deaths entered in the church registers
where the marriage, burial or birth
baptism was performed are
admissible as evidence - & are
all clergy in this country
keep church registers & the entries in
them are admissible as evidence in
England. If, therefore, for the
Chaplain as app. Registrar of
births & deaths under Act VI of 1886
they will not necessarily be registered
of marriages - & though they may

Registration under
Act VI of 1886 is voluntary
and the work of a Registrar
is therefore very light.
The writer of this note
has been a Registrar
of Births & Deaths for
several months and
has not registered a
single event yet.

In view of the
frequency

to all Govt. Chaplains
and other ministers
appointed Registrars
of Births & Deaths.

For orders. JH
19/3

JOB.
18.3.90.

NOTE FOR THE CHIEF SECRETARY.

Witte refce to the Hindu
note attention is invited
to the statement of
Objects & Reasons at
page 14 of G.O. 9028 15/9/88
(in the printed file). From
this it will be seen that
the Act was passed specially
to meet a want to which
the attention of the Govt of
India had frequently
been called. It is gathered
from the papers that
Chaplain in some parts
of India have been
appointed Registrars and
in ~~their~~ letter under dis-
posal India speaks of
the duties of Chaplains
on the regular Est^t as
Ex-officio Registrars of
Births & Deaths. Attention
is also invited to para: 4 3/5
of Mr. Hewett's letter 395
827. 3.89 in the current
under disposal. There is
not much probability
of advantage being taken
of the Act to any but a
very limited extent but
cases might occur
where voluntary regis-

Public Dept. 118

again:-
Read ~~through~~ following
led 12th Oct: 89, & the following
No 9/1233, dated 31 Aug: 89
in ~ 859. " 8. Feb: 90.
" 14. Mar: 90.
in, No 870 " 14. Mar: 90.

er 18 April 90 No: 294.

This correspondence
will be recorded with the
remark that in the
opinion of H.E. the Govt. in
Council no necessity
exists for the appointment
of Govt. Chaplains in this
Presidency as ex-officio
Registrars of Births and
Deaths under Act VI of 1886.
(From orders)

17 Apr

No 295.

Copy to the Govt. of
India, Home Dept, for
information.

JOB.
14.4.90.