

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers :—

From M.R. Ry. S. SRINIVASA BHAGAVAIYANGAR, Avargal, Dewan Bahadur, Registrar-General of Births, Deaths and Marriages, Madras, to the Chief Secretary to Government, dated 30th May 1892, G. No. 153.

I have the honour to submit the enclosed report of the Commissioners appointed for the verification of registers under Chapter V of the Births, Deaths and Marriages Registration Act, 1886, on the completion of the work assigned to them.

2. The time originally fixed for the submission of the registers to my office under section 32 of Act VI of 1886 was 12 months from the date on which the Act was brought into force, viz., 1st October 1888. The time was subsequently extended by Act XVI of 1890 till 31st March 1891. Thirty-six registers were received before 1st October 1889 and none after that date. Of these 36 registers, 6 were returned to the senders under the instructions issued by the Government of India in their letter, dated 13th June 1890, No. 812, Home Department (Judicial), communicated in G.O., dated 3rd July 1890, No. 476, Public, and the remaining 30 registers have been dealt with by the Commissioners in the manner described in their report. No registers kept by the clergymen of the Church of England were forwarded for validation under G.O., dated 28th March 1891, No. 224, Public.

3. Twenty-five out of the 32 registers examined by the Commissioners were registers received from Christian Missionaries in the Mysore territory. In regard to these registers I beg to report that the Commissioners have resolved that a note should be entered in the descriptive lists that the validation made by them has reference only to such of the entries in the registers as relate to British subjects, it being impossible to differentiate the entries relating to Mysore subjects from those relating to British subjects. The Commissioners have further requested me to bring the matter to the notice of Government in view to steps being taken to have it declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to entries relating to British subjects. This course, it is believed, will make the registers admissible as evidence without question both in the British and Mysore Courts of Justice under section 32 of the Indian Evidence Act.

4. In their letter, dated the 20th February 1892, No. 333, Home Department (Judicial), the Government of India stated that it might be a useful provision that the Commissioners should make a nominal list of the persons whose births, deaths or marriages are recorded in the registers submitted to them with a reference to the particular register in which the record is contained, and that if the persons who had produced the registers did not consent to their retention, it would be desirable that copies of the registers should be made for deposit in the office of the Registrar-General unless the cost of copying them would be prohibitive. Subsequently, however, the Government of India, in their letter to the Bombay Government, dated 13th June 1890, No. 811, Home Department (Judicial), stated that it was not proposed to prescribe by the rules to be made under clause (e) section 26 of the Act the preparation of a nominal list, but that it was considered desirable that such a list should be prepared (and roughly tested), in the case of Europeans but not of Eurasians or Native Christians, from those registers only which were to be returned to their custodians.

Recd
28/6

Public

24-6-92

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the deaths & marriages
Registration Act VI of 1866
by orders on letters
from the Registrar-General
submitting the
copy of the Compendium
printed for the verification
of registers sent
under section 32
of the —

Letter

In forwarding copy
proceedings of this
& embodying the
content of the Compendium

appointed for the veri-
fication of registers sent
in under section 32
of — I am requesting
that steps may be taken
in view to its being de-
clared that the vali-
dation by the Compendium
of the registers shall have
the same legal force
as regards entries relating
to Myome subjects as it
has with regard to those
relating to British subjects

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24TH JUNE 1892, No. 431, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers :—

From M.R.Ry. S. SRINIVASA RAGHAVAIYANGAR, Avargal, Dewan Bahadur, Registrar-General of Births, Deaths and Marriages, Madras, to the Chief Secretary to Government, dated 30th May 1892, G. No. 153.

I have the honour to submit the enclosed report of the Commissioners appointed for the verification of registers under Chapter V of the Births, Deaths and Marriages Registration Act, 1886, on the completion of the work assigned to them.

2. The time originally fixed for the submission of the registers to my office under section 32 of Act VI of 1886 was 12 months from the date on which the Act was brought into force, viz., 1st October 1888. The time was subsequently extended by Act XVI of 1890 till 31st March 1891. Thirty-six registers were received before 1st October 1889 and none after that date. Of these 36 registers, 6 were returned to the senders under the instructions issued by the Government of India in their letter, dated 13th June 1890, No. 812, Home Department (Judicial), communicated in G.O., dated 3rd July 1890, No. 476, Public, and the remaining 30 registers have been dealt with by the Commissioners in the manner described in their report. No registers kept by the clergymen of the Church of England were forwarded for validation under G.O., dated 23rd March 1891, No. 224, Public.

3. Twenty-five out of the 32 registers examined by the Commissioners were registers received from Christian Missionaries in the Mysore territory. In regard to these registers I beg to report that the Commissioners have resolved that a note should be entered in the descriptive lists that the validation made by them has reference only to such of the entries in the registers as relate to British subjects, it being impossible to differentiate the entries relating to Mysore subjects from those relating to British subjects. The Commissioners have further requested me to bring the matter to the notice of Government in view to steps being taken to have it declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to entries relating to British subjects. This course, it is believed, will make the registers admissible as evidence without question both in the British and Mysore Courts of Justice under section 32 of the Indian Evidence Act.

4. In their letter, dated the 20th February 1890, No. 233, Home Department (Judicial), the Government of India stated that it might be a useful provision that the Commissioners should make a nominal list of the persons whose births, deaths or marriages are recorded in the registers submitted to them with a reference to the particular register in which the record is contained, and that if the persons who had produced the registers did not consent to their retention, it would be desirable that copies of the registers should be made for deposit in the office of the Registrar-General unless the cost of copying them would be prohibitive. Subsequently, however, the Government of India, in their letter to the Bombay Government, dated 13th June 1890, No. 811, Home Department (Judicial), stated that it was not proposed to prescribe by the rules to be made under clause (e), section 36 of the Act the preparation of a nominal list, but that it was considered desirable that such a list should be prepared (and roughly tested), in the case of Europeans but not of Eurasians or Native Christians, from those registers only which were to be returned to their custodians.

READ AGAIN ORDER OF GOVERNMENT, DATED 18, No.

ENCLOSURE.

CURRENT No.

STATEMENT WITH DITTO.

ORDER, &c., OF GOVERNMENT—A.

LETTER OF GOVERNMENT.

PAPERS KEPT OUT OF FILE FOR DEPOSITION IN ORIGINAL (not paged).

NUMBER OF COPIES REQUIRED. Order complete. 60 Letter only. 20 Order complete with Letter or Endorsement. 20

N.B.— A = Print in full. B = Not to be printed. P = Print abstract only. Q = Print heading only. R = Print, but not for monthly volume.

The preparation of such a nominal list however is impracticable, as the names of Eurasians and of some Native Christians can hardly be distinguished from those of Europeans, and the registers themselves do not contain information which would make it possible to determine the nationality of the persons concerned. Moreover it is doubtful whether such a list will answer the purpose intended, as it does not seem to fall within the provisions of section 35, clause (1) of the Act.

5. In the notification, dated 10th February 1891, No. 662-I., Foreign Department, I have been appointed as the sole Commissioner for verifying the registers from the Hyderabad State, while under Home Department Notification, dated 4th March 1892, No. 306, Judicial, the certificate required by section 34 (3) of Act VI of 1886 should be signed by not less than two Commissioners. No register, however, was received for validation from the Hyderabad territories and no work had to be done by me under the notifications above referred to.

6. In my letter, dated 10th May 1890, No. 163-G, I reported to Government that the cost of copying the 30 registers, which are all required by their owners to be returned them, would amount to not more than Rs. 300. As no orders have been passed on the subject, I presume that Government does not contemplate that the work of copying should be carried out. Even if copies of the registers are to be maintained in my office, it seems doubtful whether certified copies of those copies can be granted to applicants under section 35.

7. As the registers have all to be returned to their custodians, these gentlemen have, under section 35, sub-section (2), to be authorized to grant certified copies of entries in the registers.

8. In case the custodians of the registers should be authorized as aforesaid under section 35, sub-section (2), I propose to append to each register or portion of a register, next to the certificate prescribed by section 34, sub-section (3), an extract from the descriptive list relating to it for inspection, under section 35, clause (1), by persons applying to the custodians of the registers for certified copies of entries therein. In this connection I have the honour to bring to the notice of Government that when the registers are returned to the owners, there will be no record left in my office of the entries in the registers excepting the descriptive lists which do not contain any information regarding the names of the persons to whom the entries relate.

9. Lastly, I have the honour to request the sanction of Government to pay the clerk who prepared the descriptive lists the full amount of the honorarium (Rs. 100) sanctioned in G.O., dated 6th June 1891, No. 446, Public.

ENCLOSURES.

From the Registrar-General and others, to the Chief Secretary to Government, dated Madras, 9th May 1892.

We the undersigned Commissioners appointed by notification of the Government of India, Home Department (Judicial), dated 17th October 1890, No. 1523, to examine the registers and records of baptisms, marriages, burials, &c., forwarded to the Registrar-General for the Madras Presidency under section 32 of Act VI of 1886, having now executed the commission assigned to us, beg to report as follows.

2. The following 30 registers received under the section above quoted were placed by the Registrar-General before us for examination:—

From the Rev. W. H. G. Herre, Evangelical Lutheran Mission, Bangalore.		Number of registers.
Do.	J. Hudson, Wesleyan Mission, Bangalore	1
Do.	E. P. Rice, London Missionary Society, Bangalore	15
Do.	Sidney Joseph Long, London Missionary Society, Coimbatore	9
		5
	Total	30

3. Our first meeting to settle the lines on which the examination was to be conducted was held on the 18th April 1891, and the registers were examined at several subsequent meetings. As the entries to be examined numbered upwards of 10,000, the plan adopted was to divide the work of scrutinizing the entries among the several Commissioners, each Commissioner undertaking to go carefully through every entry in the registers entrusted to him and noting such of them as appeared to be not sufficiently trustworthy to be accepted with reference to the general principles agreed upon beforehand. The question of the admissibility of the entries as noted was then discussed at several meetings and the decision of the Commissioners taken thereon.

4. With the exception of the 5 registers received from the Rev. Sidney J. Long, the others relate to marriages, baptisms, burials, &c., of Christians in the Mysore territory and the Civil and Military station of Bangalore. Some of the entries in these registers, and especially those relating to Europeans, unquestionably relate to subjects of Her Majesty, and as such are within our cognizance under Act VI of 1886, while a great many others relate to persons who are subjects of the Mysore State. As the gentlemen who sent the registers for examination stated that they were unable to differentiate between entries relating to these two classes of persons and as we had no means of singling out the entries relating to the subjects of Her Majesty, we had to choose between rejecting the registers as a whole or accepting them as a whole. We decided to adopt the latter course, as otherwise such of the persons as were interested in getting the entries relating to British subjects validated by the Commissioners would be deprived of the benefit of the provisions of section 32 of the Act. We have at the same time requested the Registrar-General to take steps in view to the Mysore Government being moved to accept our validation and certification of the registers as of the same legal force as regards entries relating to Mysore subjects as they are with regard to British subjects. This may possibly necessitate legislation by the Mysore Government. In this connection we may note what appears to us to be an unintentional omission in Act VI of 1886, viz., that section 35, sub-section (2), while declaring that certified copies of entries in registers verified by the Commissioners are admissible in evidence, says nothing as regards the admissibility of the registers themselves. The corresponding English Act, Statute 3 and 4 Victoria, Chapter 92, makes express provision for the original registers themselves being admissible as evidence.

5. As regards the custody from which the registers sent to us have been produced, as also their authenticity, we have relied on the statements contained in the letters of the gentlemen who sent the registers for examination to the effect that they have been all along kept among the records of the missions to which they belong. These statements we see no reason to discredit and moreover, as pointed out by the Government of India in their letter, dated the 13th June 1890, No. 811, paragraph 3, Act VI of 1886, makes no provision for the examination of witnesses on oath, all that it requires being an expression of opinion by the Commissioners as to the accuracy and fidelity of the registers based on a perusal of the registers themselves and such documentary evidence as accompanies them. Such portions or entries in the registers as appeared to us to have been made in so grossly careless a manner as to seriously affect their trustworthiness were rejected by us. In some cases the entries made in the registers were not in chronological order and this is accounted for in the following manner. The clergymen who go on a long tour of visitation sometimes have to leave the registers at their head-quarter stations and in such cases they enter in the registers, after their return, baptisms or burials performed or marriages solemnized by them at the out-stations from notes kept by them. Meanwhile, baptisms, burials and marriages performed by clergymen at the head-quarters are also entered in the registers and thus the entries are frequently not in chronological order. We have accepted such entries except in cases in which the interval between the date of the entries and the date of the occurrences was so great as to deprive the entries of all evidential value. In some cases where the entries contained obvious clerical errors, we have not on that account rejected them but have noted in the remarks column of the descriptive lists the errors found. Entries relating to "confirmations" and "receptions" found in the registers have been rejected by us as not falling within the purview of section 32 of the Act.

6. For the purposes of rules 6 and 7 of the rules framed under section 36 (e) and (f) of the Act, seals bearing the following inscriptions have been made:—"Blank," "Erasure," "Interlineation," "Copy," and "Alteration." The seal bearing the word "Blank" has been utilized for marking both blank spaces and blank pages in the registers. The seal with the inscription "Alteration" has been used to denote cases of corrections and alterations not falling under the heads of "Erasures" and "Interlineations" and an additional column has been opened in the lists for showing "Alterations." For denoting "True Copies" a seal bearing the word "Copy" has been made as being smaller in size than one with the words "True Copy."

7. In conclusion, we regret the delay in the completion of the work, which was unavoidable, as some of the Commissioners are travelling officers and as the presence of all the four Commissioners was necessary to constitute a quorum, meetings could not be held as often as was desirable. The examination of the registers was completed in November last and the preparation of the descriptive lists and the affixing of the seals referred to in the preceding paragraph to the

numerous corrections, interlineations, erasures, &c., found in them and entering notes of them in the descriptive lists have required great care and consequently taken much time.

(Signed) S. SRINIVASARAGHAVAIYANGAR,
Registrar-General.
(") E. H. DESILVA,
Catholic Priest.
(") H. C. KING,
Ag. Registrar of the Diocese.
(") J. C. PEATTIE.

PROCEEDINGS of a meeting of the Commissioners appointed by the Governor-General in Council under Notification, dated 17th October 1890, No. 1523, Home Department (Judicial), for the examination of registers and records forwarded to the Registrar-General of Births, Deaths and Marriages for the Madras Presidency under section 32 of Act VI of 1886 as amended by Act XVI of 1890.

I. Resolved that the descriptive lists prepared under section 34 of Act VI of 1886 of registers or records or portions of registers or records as have been found to be sufficiently accurate and faithful to be declared admissible as evidence in Courts of Justice be passed.

II. As the registers or records or portions of registers or records validated by the Commissioners and entered in the descriptive lists above referred to contain entries relating to subjects of the Mysore State as well as British subjects and as there is nothing to guide the Commissioners in differentiating the former class of entries from the latter—

Resolved:—

(1) that a note be entered in the descriptive lists to the effect that the validation by the Commissioners has reference to only such of the entries in the registers or records mentioned in the said descriptive lists as relate to British subjects; and

(2) that the Registrar-General of Births, Deaths and Marriages be requested to move the Mysore Government to declare that the registers or records or portions of registers or records above referred to in so far as they relate to Mysore subjects shall be receivable in evidence in Mysore Courts of Justice in the same manner as the said registers or records or portions of registers or records so far as they relate to entries regarding British subjects are admissible in evidence in British Courts of Justice.

(Signed) E. H. DESILVA,
Catholic Priest.
(") H. C. KING,
Ag. Registrar of the Diocese.
(") J. C. PEATTIE,
(") S. SRINIVASARAGHAVAIYANGAR,
Registrar-General.

From the Officiating Secretary to the Government of India (Home Department),
dated 16th June 1892, No. 830.

ORDER—dated 24th June 1892, No. 431, Public.

The foregoing papers will be forwarded to the Government of India with the request that, should there be no objection, the necessary steps may be taken in view to its being declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to entries relating to British subjects. Attention will also be invited to the matter brought to notice at the end of paragraph 4 of the Commissioners' report.

2. With reference to paragraph 6 of the Registrar-General's letter it is remarked that if certified copies could not be granted from the copies of the registers there appears to be no necessity for copying them.

3. The Registrar-General will submit a draft of a notification for issue, with reference to paragraph 7 of his letter.

4. The figure "32" in line 1 of paragraph 3 of the Registrar-General's letter is apparently a clerical error for "30." The sanction requested in paragraph 9 is accorded.

[Here enter No. 432, dated 24th June 1892.]

(True Extract.)

Chief Secretary.

To the Registrar-General of Births, Deaths and Marriages.
" Accountant General.

Exd. A. Raitt.

Govt. of {1892} Madras.
PUBLIC.

24TH JUNE 1892, No. 432, PUBLIC.

PUBLIC DEPARTMENT.

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

SIR,

I am directed to forward copy of the proceedings of this Government, No. 431, of this date, embodying the report of the Commissioners appointed for this Presidency for the purpose of examining and verifying registers sent in under section 32 of Act VI of 1886—the Births, Deaths and Marriages Registration Act.

2. I am to invite particular attention to the matters brought to notice in paragraph 4 of the report, and to request that, should there be no objection, the necessary steps may be taken in view to its being declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to entries relating to British subjects.

3. As the Commissioners were appointed by the Government of India, their gratuitous services have not been acknowledged by this Government.

I have the honour to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
24th June 1892.

Chief Secretary.

Exd. A. Raith.

Issued.

Recd.

Encl.

G.O., 24th June 1892, No. 431.

JUNE.

Births, Deaths and Marriages.
Registration Act VI of 1886.

Passing orders on letter from the Registrar-General submitting the report of the Commissioners appointed for the verification of registers sent in under section 32 of the —.

Regr. No.

HOME 1892 DEPT.

[]

From the Government of
Fort St. George.

Issued

Recd.

Encl.

Letter, 24th June 1892, No. 432.

JUNE.

**Births, Deaths and Marriages
Registration Act VI of 1886.**

Forwarding copy of proceedings of this Government embodying the report of the Commissioners appointed for the verification of registers sent in under section 32 of — and requesting that steps may be taken in view to its being declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to those relating to British subjects.

To.

The

Sir

Commissioners
of the Govern-
ment, Judicial

No 1523, to ex-
records of Be
is forwarded
the Madras Pr

Act VI of 1886
Commissioners a
as follows:—

2. The fol
under the Secti
by the Registrar
examination

of a meeting of the Commissioners
Governor General in Council
dated 17th October 1890 No. 1523
(Judicial) for the examina-
and records forwarded to
neral of Births Deaths and
the Madras Presidency
of Act VI of 1886 as amended
1890.

that the descriptive lists
section 34 of Act VI of 1886
records or portions of registers
have been found to be suffi-
cient and faithful to be
admissible as evidence in Courts
of law.

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tions of records validated by the
Commissioners and entered in the descrip-
tive lists to contain entries re-
lating to Mysore State as well as
to British subjects and as there is nothing to guide
in differentiating the

Number of registers.

former class of entries from

Resolved:—

1st that a note be entered in the

list to the effect that the

Commissioners has reference

to the entries in the registers or

in the said descriptive lists

British Subjects; and

2^{ndly} that the Registrar

Deaths and Marriages be

the Mysore Government to

register or records or for

or records, above referred to,

relate to Mysore Subjects, as stated

evidence in Mysore Co.

in same manner as the said

the portions of registers or

or to entries regarding

held admissible in evidence

as stated

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not being such of them as appeared to be
not sufficiently trustworthy to be accepted
with reference to the general principles
agreed upon before hand. The question of
the admissibility of the entries so noted
was then discussed at several meetings
and the decision of the Commissioners
taken thereon.

4. With the exception of the 5
registers received from the Reverend
Sidney J. Long the others relate to Marriages,
Baptisms, Burials & of Christians in the
Mysore Territory and the Civil and Military
Station of Bangalore. Some of the entries in
these registers and especially those relat-
ing to Europeans unquestionably relate
to subjects of Her Majesty's Government
within our cognizance under Act of 1886,
which a great many of them relate to persons
who are subjects of the Mysore State to
the gentlemen who sent the registers for
examination, that they were unable
to differentiate between entries relating
to these two classes of persons and as we
had no means of singling out the entries
relating to the subjects of Her Majesty, we
had

ing the registers
which between rejected as a whole or
as a whole or accepting the contents.
We decided to adopt the laws as were
otherwise such of the provisions relating
interested in getting the aid by the Com-
to British subjects validated of the
- missioners would be by section 32 of
benefit of the provisions same time re-
the Act. We have, at the request to take
- requested the Registrar General Government
being moved to accept our validation and
consideration of the registers as of the same
legal force as regards entries relating to
Mysore subjects as they are with regard
to British subjects. This may possibly be
necessary legislation by the Mysore
Government. In this connection we may
note what appears to us to be an in-
- intentional omission in Act II of 1886
viz, that Section 35 subsection (8) while
declaring that certified copies of entries in
registers verified by the Commissioners
are admissible in evidence, says nothing
as regards the admissibility of the registers
themselves. The corresponding English
Act

Act II of 1886 and a Victoria Chapter 92
which provides for the original
registers themselves being admissible as
evidence.

5. As regards the custody from which
the registers sent to us have been produced
as also their authenticity, we have relied
on the statements contained in the letters
of the gentlemen who sent the registers for
examination, to the effect that they have
been all along kept among the records of
the missions to which they belong. These
statements we see no reason to discredit,
and moreover as pointed out by the Govern-
- ment of India in their letter dated the 18th
June 1890 No 811 para 3, Act II of 1886 makes
no provision for the examination of witnesses
on oath, all that it requires being an
expression of opinion by the Commissioners
as to the accuracy and fidelity of the registers
based on a perusal of the registers themselves
and such documentary evidence as
accompanies them. Such portions or
entries in the registers as appeared to us
to have been made in so grossly careless a
manner as to seriously affect their trust-
worthiness were rejected by us. In some
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are not in chronological order and are
accounted for in the following manner.
The clergymen who go on a long tour of
visitation, sometimes have to leave the registers
at their head quarters stations and in each
cases they enter in the registers after their
return baptisms or burials performed or
marriages solemnized by them at the
Outstations from notes kept by them.
Meanwhile baptisms burials and marriages
performed by clergymen at the head quarters
are also entered in the registers and thus
the entries are frequently not in chrono-
logical order. We have accepted such
entries except in cases in which the inter-
val between the date of the entries and the
date of the occurrences was so great as to
render the entries of all evidential value.
In some cases where the entries contained
obvious clerical errors, we have noted that
account rejected them but have noted in
the remarks column of the registers
the errors found. Entries relating to
"Confirmations" and "receptions" found in the
registers have been rejected by us as not
falling

falling within the purview of section 32 of
the Act.
6. For the purposes of rules 6 and 7 of the
rules framed under section 36(c) and (d) of
the Act, seals bearing the following in-
scriptions have been made: - "Blank" -
"Erasure", "Interlineation", "Copy", and
"Alteration". The seal bearing the word
"Blank" has been utilized for marking both
blank spaces and blank pages in the regis-
ters. The seal with the inscription "Alter-
ation" has been used to denote cases of corre-
ctions and alterations not falling under the
heads of "Erasures" and "Interlineations";
and an additional column has been opened
in the lists for showing "alterations".
For denoting "True copies" a seal bearing
the word "Copy" has been made as being
smaller in size than one with the words
"True copy".

7. In conclusion we regret the delay
in the completion of the work, which was
unavoidable as some of the Commissioners
are travelling officers and as the presence
of all the four Commissioners was neces-
sary to constitute a quorum, meetings
could not be held as often as was desirable.
The examination of the registers was completed
in November last and the preparation of the

Madras

dated the 9th May 1892.

Honorable J. H. Price.

Chief Secretary to
Government
Fort St. George.

Long, London Missionary
Coimbatore

in the latter.

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validation by the
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records mentioned
as relate to

General of Births

requested to move

declare that the

of registers

in so far as they

shall be receivable

of justice in

3. Our first meeting of registers or records

on which the examination cords so far as they

conducted, was held on to British Subjects

and the registers were exa in British Courts

subsequent meetings. The

examined numbered upon

the plan adopted was to a

of scrutinizing the entries

Several Commissioners, etc

undertaking to go carefu

entry in the registers entries

Edw. H. de Silva

H. C. King
As Regt of the District

J. (Chille) Peattie

rumma Raghunatha

Pub.

REGISTRATION DEPARTMENT

(BIRTHS, DEATHS AND MARRIAGES).

No. 153

From

M.R.Ry. S. SRINIVASA RAGHAVAIYANGAR, AVARGAL,

DEWAN BAHADUR,

REGISTRAR-GENERAL OF BIRTHS, DEATHS AND MARRIAGES,

Madras,

To

The honorable J. F. Price

CHIEF SECRETARY TO GOVERNMENT,

Fort St. George.

Madras, the 30. May 1892.

SIR,

I have the honor to submit the enclosed report of the Commissioners appointed for the reclassification of registers under Chapter V of the Births, Deaths and Marriages Registration Act, 1886, on the completion of the work assigned to them.

2. The time originally fixed for the submission of the registers to my office under Section 32 of Act VI of 1886 was 12 months from the date in which the Act was

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brought into force, viz. 1st October 1888. The
time was subsequently extended by Act XVI
1890 till 31st March 1891. 36 registers were
received before 1st October 1889 and none after
that date. Of these 36 registers 6 were returned
to the senders under the instructions issued
by the Government of India in their letter
dated 13th June 1890 No. 812, Home Department,
Judicial, communicated a G. O. dated 3rd
July 1890 No. 476, Public, and the remaining
30 registers have been dealt with by the
Commissioners in the manner described in
Circular No. 40 registers, & by the
Clergymen of the Church of England were
forwarded for validation, under G. O. dated
23rd March 1891 No. 224 Public.

3. 25 out of the 32 registers examined
by the Commissioners, were registers received
from Christian Missionaries in the Mysore
territory. In regard to these registers, I beg
to report that the Commissioners have resolved
that a note should be entered in the descrip-
-tive lists that the validation made by them
has reference only to such of the entries in the
registers as relate to British Subjects, it being
impossible to differentiate the entries relating
to Mysore Subjects from those relating to
British Subjects. The Commissioners have
further requested me to bring the matter

to the notice of Government in view of steps
being taken to have it declared that the vali-
-dation by the Commissioners of the registers
shall have the same legal force as regards
entries relating to Mysore Subjects as it has
with regards to entries relating to British
Subjects. This course, it is believed, will
make the registers admissible as evidence
without question both in the British and
Mysore Courts of justice under Section 92
of the Indian Evidence Act.

4. In their letter dated the 20 February
No. 233 Home Department Judicial, the
Government of India stated that it might
be a useful provision that the Commissioners
should make a nominal list of the persons
whose births, deaths or marriages are recorded
in the registers submitted to them with a re-
-ference to the particular register in which
the record is contained and that if the
persons who had produced the registers did
not consent to their retention, it would be
desirable that copies of the registers should
be made for deposit in the office of the
Registrar General unless the cost of copy-
-ing them would be prohibitive. Subse-
-quently however, the Government of
India

India, in their letter to the Bombay Government, dated 13 June 1890 No. 817, Home Department Judicial, stated that it was not proposed to prescribe by the rules to be made under clause (c) Section 36 of the Act, the preparation of a nominal list, but that it was considered desirable that such a list should be prepared (and roughly tested), in the case of Europeans but not of Eurasians or Native Christians from those registers only which were to be returned to their custodians. The preparation of such a nominal list however, is impracticable, as the names of Eurasians and of some Native Christians can hardly be distinguished from those of Europeans, and the registers themselves do not contain information which would make it possible to determine the nationality of the persons concerned. Moreover it is doubtful whether such a list will answer the purpose intended as it does not seem to fall within the provisions of Section 35 clause (1) of the Act.

5. In the Notification dated 10th February 1891 No. 662 Foreign

Department, I have been appointed as the sole Commissioner for verifying the registers from the Hyderabad State, which under Home Department Notification dated 4th March 1892 No. 306 Judicial, the Certificate required by Section 34 (3) of Act VI, of 1886 should be signed by not less than two Commissioners. No register however was received for validation from the Hyderabad territories, and no work had to be done by me under the notifications above referred to.

6. In my letter dated 10th May 1890 No. 163 G. I reported to Government that the cost of copying the 30 registers which are all required by their owners to be returned them, would amount to not more than Rs 300. As no orders have been passed on the subject, I presume that Government does not contemplate that the work of copying should be carried out. Even if copies of the registers are to be maintained in my office, it seems doubtful whether Certified copies of those copies can be granted to applicants under Section 35.

7. As the registers have all to be returned to their custodians, these gentlemen

gentlemen have, under section 35 Subsection (2) to be authorized to grant certified copies of entries in the registers.

8. In case the Custodians of the Registers should be authorized as aforesaid under section 35 Subsection (2) I propose to have appended to each register, or portion of a register, next to the Certificate prescribed by section 34 Subsection (3) an extract from the descriptive list relating to it, for inspection under section 35 clause (1) by persons applying to the custodians of the registers for certified copies of entries therein. In this connection I have the honor to bring to the notice of Government that when the registers are returned to the owners there will be no record left in my office of the entries in the registers excepting the descriptive lists, which do not contain any information relating to the names of the persons by whom the entries relate.

Last year I have the honor to request to Government sanction to pay any 10% who prepared the descriptive

lists, the full amount of the honorarium (Rs 100-0-0) sanctioned in G.O. dated 6 June 1891 No. 446 Public.

I have the honor to be,
Sir
Your most obedient servant.

Shri Ramana Raghavayya
Registrar General of
Births Deaths and Marriages

Eno
Roz

Public (1892) Department.
(Registration of Births Deaths
and Marriages)

From
The Registrar General of
Births Deaths and Marriages
Madras.

To
The Chief Secretary
to Government
Fort St George

Dated 30th May 1892
Received 31st May 1892
By 1st June.
G. No. 153

Enclosure (Two)

No.

Subject.

Submitting report of the Com-
missioners appointed for the
verification of registers under
Chapter V of the Births Deaths
and Marriages Registration
Act, 1886, on the completion
of the work assigned to them.

3/4/91 No 928 Pro
22/2/92 No 135 Pro
14/4/91 No 956 Pro
3/8/91 No 650 Pro
6/6/91 No 446 Pro
23/3/91 No 225 Pro
18/2/92 No 183 Pro
6/4/90 No 746 Pro

JUNE 1892, No. , PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From M.R.Ry. S. SRINIVASA RAGHAVAIYANGAR, Avargal, Dewan
Bahadur, Registrar-General of Births, Deaths and Marriages, Madras, to the
Chief Secretary to Government, dated 30th May 1892, G. No. 153.

I have the honour to submit the enclosed report of the Commissioners appointed
for the verification of registers under Chapter V of the Births, Deaths and Marriages
Registration Act, 1886, on the completion of the work assigned to them.

2. The time originally fixed for the submission of the registers to my office under
section 32 of Act VI of 1886 was 12 months from the date on which the Act was
brought into force, viz., 1st October 1888. The time was subsequently extended by
Act XVI of 1890 till 31st March 1891. Thirty-six registers were received before
1st October 1889 and none after that date. Of these 36 registers, 6 were returned to
the senders under the instructions issued by the Government of India in their letter,
dated 13th June 1890, No. 812, Home Department (Judicial), communicated in G.O.,
dated 3rd July 1890, No. 476, Public, and the remaining 30 registers have been dealt
with by the Commissioners in the manner described in their report. No registers
kept by the clergymen of the Church of England were forwarded for validation under
G.O., dated 23rd March 1891, No. 224, Public.

3. Twenty-five out of the 32 registers examined by the Commissioners were
registers received from Christian Missionaries in the Mysore territory. In regard to
these registers I beg to report that the Commissioners have resolved that a note should
be entered in the descriptive lists that the validation made by them has reference only
to such of the entries in the registers as relate to British subjects, it being impossible
to differentiate the entries relating to Mysore subjects from those relating to British
subjects. The Commissioners have further requested me to bring the matter to the
notice of Government in view to steps being taken to have it declared that the valid-
ation by the Commissioners of the registers shall have the same legal force as regards
entries relating to Mysore subjects as it has with regard to entries relating to British
subjects. This course, it is believed, will make the registers admissible as evidence
without question both in the British and Mysore Courts of Justice under section 32 of
the Indian Evidence Act.

4. In their letter, dated the 20th February 1890, No. 233, Home Department
(Judicial), the Government of India stated that it might be a useful provision that the
Commissioners should make a nominal list of the persons whose births, deaths or
marriages are recorded in the registers submitted to them with a reference to the
particular register in which the record is contained, and that if the persons who had
produced the registers did not consent to their retention, it would be desirable that
copies of the registers should be made for deposit in the office of the Registrar-Gen-
eral unless the cost of copying them would be prohibitive. Subsequently, however,
the Government of India, in their letter to the Bombay Government, dated 13th June
1890, No. 811, Home Department (Judicial), stated that it was not proposed to
prescribe by the rules to be made under clause (c), section 36 of the Act the prepara-
tion of a nominal list, but that it was considered desirable that such a list should be
prepared (and roughly tested), in the case of Europeans but not of Eurasians or Native
Christians, from those registers only which were to be returned to their custodians.

The preparation of such a nominal list however is impracticable, as the names of Eurasians and of some Native Christians can hardly be distinguished from those of Europeans, and the registers themselves do not contain information which would make it possible to determine the nationality of the persons concerned. Moreover it is doubtful whether such a list will answer the purpose intended, as it does not seem to fall within the provisions of section 35, clause (1) of the Act.

5. In the notification, dated 10th February 1891, No. 662-I., Foreign Department, I have been appointed as the sole Commissioner for verifying the registers from the Hyderabad State, while under Home Department Notification, dated 4th March 1892, No. 306, Judicial, the certificate required by section 34 (3) of Act VI of 1886 should be signed by not less than two Commissioners. No register, however, was received for validation from the Hyderabad territories and no work had to be done by me under the notifications above referred to.

6. In my letter, dated 10th May 1890, No. 163-G, I reported to Government that the cost of copying the 30 registers, which are all required by their owners to be returned them, would amount to not more than Rs. 300. As no orders have been passed on the subject, I presume that Government does not contemplate that the work of copying should be carried out. Even if copies of the registers are to be maintained in my office, it seems doubtful whether certified copies of those copies can be granted to applicants under section 35.

7. As the registers have all to be returned to their custodians, these gentlemen have, under section 35, sub-section (2), to be authorized to grant certified copies of entries in the registers.

8. In case the custodians of the registers should be authorized as aforesaid under section 35, sub-section (2), I propose to append to each register or portion of a register, next to the certificate prescribed by section 34, sub-section (3), an extract from the descriptive list relating to it for inspection, under section 35, clause (1), by persons applying to the custodians of the registers for certified copies of entries therein. In this connection I have the honour to bring to the notice of Government that when the registers are returned to the owners, there will be no record left in my office of the entries in the registers excepting the descriptive lists which do not contain any information regarding the names of the persons to whom the entries relate.

9. Lastly, I have the honour to request the sanction of Government to pay the clerk who prepared the descriptive lists the full amount of the honorarium (Rs. 100) sanctioned in G.O., dated 6th June 1891, No. 446, Public.

ENCLOSURE.

From the Registrar-General and others, to the Chief Secretary to Government, dated Madras, 9th May 1892.

We the undersigned Commissioners appointed by notification of the Government of India, Home Department (Judicial), dated 17th October 1890, No. 1523, to examine the registers and records of baptisms, marriages, burials, &c., forwarded to the Registrar-General for the Madras Presidency under section 32 of Act VI of 1886, having now executed the commission assigned to us, beg to report as follows.

2. The following 30 registers received under the section above quoted were placed by the Registrar-General before us for examination :—

	Number of registers.
From the Rev. W. H. G. Herre, Evangelical Lutheran Mission, Bangalore.	1
Do. J. Hudson, Wesleyan Mission, Bangalore	15
Do. E. P. Rice, London Missionary Society, Bangalore	9
Do. Sidney Joseph Long, London Missionary Society, Coimbatore	5
Total	30

3. Our first meeting to settle the lines on which the examination was to be conducted was held on the 18th April 1891, and the registers were examined at several subsequent meetings. As the entries to be examined numbered upwards of 10,000, the plan adopted was to divide the work of scrutinizing the entries among the several Commissioners, each Commissioner undertaking to go carefully through every entry in the registers entrusted to him and noting such of them as appeared to be not sufficiently trustworthy to be accepted with reference to the general principles agreed upon beforehand. The question of the admissibility of the entries as noted was then discussed at several meetings and the decision of the Commissioners taken thereon.

4. With the exception of the 5 registers received from the Rev. Sidney J. Long, the others relate to marriages, baptisms, burials, &c., of Christians in the Mysore territory and the Civil and Military station of Bangalore. Some of the entries in these registers, and especially those relating to Europeans, unquestionably relate to subjects of Her Majesty, and as such are within our cognizance under Act VI of 1886, while a great many others relate to persons who are subjects of the Mysore State. As the gentlemen who sent the registers for examination stated that they were unable to differentiate between entries relating to these two classes of persons and as we had no means of singling out the entries relating to the subjects of Her Majesty, we had to choose between rejecting the registers as a whole or accepting them as a whole. We decided to adopt the latter course, as otherwise such of the persons as were interested in getting the entries relating to British subjects validated by the Commissioners would be deprived of the benefit of the provisions of section 32 of the Act. We have at the same time requested the Registrar-General to take steps in view to the Mysore Government being moved to accept our validation and certification of the registers as of the same legal force as regards entries relating to Mysore subjects as they are with regard to British subjects. This may possibly necessitate legislation by the Mysore Government. In this connection we may note what appears to us to be an unintentional omission in Act VI of 1886, viz., that section 35, sub-section (2), while declaring that certified copies of entries in registers verified by the Commissioners are admissible in evidence, says nothing as regards the admissibility of the registers themselves. The corresponding English Act, Statute 3 and 4 Victoria, Chapter 92, makes express provision for the original registers themselves being admissible as evidence.

5. As regards the custody from which the registers sent to us have been produced, as also their authenticity, we have relied on the statements contained in the letters of the gentlemen who sent the registers for examination to the effect that they have been all along kept among the records of the missions to which they belong. These statements we see no reason to discredit and moreover, as pointed out by the Government of India in their letter, dated the 13th June 1890, No. 811, paragraph 3, Act VI of 1886, makes no provision for the examination of witnesses on oath, all that it requires being an expression of opinion by the Commissioners as to the accuracy and fidelity of the registers based on a perusal of the registers themselves and such documentary evidence as accompanies them. Such portions or entries in the registers as appeared to us to have been made in so grossly careless a manner as to seriously affect their trustworthiness were rejected by us. In some cases the entries made in the registers were not in chronological order and this is accounted for in the following manner. The clergymen who go on a long tour of visitation sometimes have to leave the registers at their head-quarter stations and in such cases they enter in the registers, after their return, baptisms or burials performed or marriages solemnized by them at the out-stations from notes kept by them. Meanwhile, baptisms, burials and marriages performed by clergymen at the head-quarters are also entered in the registers and thus the entries are frequently not in chronological order. We have accepted such entries except in cases in which the interval between the date of the entries and the date of the occurrences was so great as to deprive the entries of all evidential value. In some cases where the entries contained obvious clerical errors, we have not on that account rejected them but have noted in the remarks column of the descriptive lists the errors found. Entries relating to "confirmations" and "receptions" found in the registers have been rejected by us as not falling within the purview of section 32 of the Act.

6. For the purposes of rules 6 and 7 of the rules framed under section 36 (e) and (f) of the Act, seals bearing the following inscriptions have been made:—"Blank," "Erasure," "Interlineation," "Copy," and "Alteration." The seal bearing the word "Blank" has been utilized for marking both blank spaces and blank pages in the registers. The seal with the inscription "Alteration" has been used to denote cases of corrections and alterations not falling under the heads of "Erasures" and "Interlineations" and an additional column has been opened in the lists for showing "Alterations." For denoting "True Copies" a seal bearing the word "Copy" has been made as being smaller in size than one with the words "True Copy."

7. In conclusion, we regret the delay in the completion of the work, which was unavoidable, as some of the Commissioners are travelling officers and as the presence of all the four Commissioners was necessary to constitute a quorum, meetings could not be held as often as was desirable. The examination of the registers was completed in November last and the preparation of the descriptive lists and the affixing of the seals referred to in the preceding paragraph to the

numerous corrections, interlineations, erasures, &c., found in them and entering notes of them in the descriptive lists have required great care and consequently taken much time.

(Signed) S. SRINIVASARAGHAVAIYANGAR,
Registrar-General.
(") E. H. DESILVA,
Catholic Priest.
(") H. C. KING,
Ag. Registrar of the Diocese.
(") J. C. PEATTIE.

PROCEEDINGS of a meeting of the Commissioners appointed by the Governor-General in Council under Notification, dated 17th October 1890, No. 1523, Home Department (Judicial), for the examination of registers and records forwarded to the Registrar-General of Births, Deaths and Marriages for the Madras Presidency under section 32 of Act VI of 1886 as amended by Act XVI of 1890.

I. Resolved that the descriptive lists prepared under section 34 of Act VI of 1886 of registers or records or portions of registers or records as have been found to be sufficiently accurate and faithful to be declared admissible as evidence in Courts of Justice be passed.

II. As the registers or records or portions of registers or records validated by the Commissioners and entered in the descriptive lists above referred to contain entries relating to subjects of the Mysore State as well as British subjects and as there is nothing to guide the Commissioners in differentiating the former class of entries from the latter—

Resolved:—

(1) that a note be entered in the descriptive lists to the effect that the validation by the Commissioners has reference to only such of the entries in the registers or records mentioned in the said descriptive lists as relate to British subjects; and

(2) that the Registrar-General of Births, Deaths and Marriages be requested to move the Mysore Government to declare that the registers or records or portions of registers or records above referred to in so far as they relate to Mysore subjects shall be receivable in evidence in Mysore Courts of Justice in the same manner as the said registers or records or portions of registers or records so far as they relate to entries regarding British subjects are admissible in evidence in British Courts of Justice.

(Signed) E. H. DESILVA,
Catholic Priest.
(") H. C. KING,
Ag. Registrar of the Diocese.
(") J. C. PEATTIE,
(") S. SRINIVASARAGHAVAIYANGAR,
Registrar-General.

Exd. C. A. Muniawmy.

Home Department,
(Judicial)
Simla, the 16th June 1892.

No. 830.

To

THE Chief Secretary to
the Government of
Madras.

Subject:

Completion of the work
of the Commissioners ap-
pointed to examine and
verify registers and records
under chapter V of Act
VI of 1886.

SIR,

I AM directed to invite attention to the communication marginally noted,* and to request an early reply thereto.

CHIEF SECRETARY
21 JUN 92
GOVERNMENT

* No. 1466 dated 9th November, 1891,
and subsequent reminder

No. 1690 dated 18th Decr., 1891, and
your 63 - 27th January 1892

I have the honour to be,

SIR,

Your most obedient Servant,

P. Melites

Off. Deputy Secretary to the Govt. of India.

Public Dept.

27/1/92 No 63
6/11/90 No 746

Reminded
From the Govt of India,
Home Dept.

No. 830
Dated 16th } June 1892
Recd 21st }

Re: completion of the work
of the Commissioners appointed
to examine and verify registers
under Chapter I
of 1886.

Public Dept.
Current 1437.

The report of the Com-
missioners appoint-
ed under Act VI of 86
by the G. of I. for the veri-
fication of Registers.

It is proposed to for-
ward a copy of the papers
to the G. of I. and to ask
it to take the necessary
action in regard to
Mysore, if the Comr's
proposal is approved.

With refce to para 6
of the covering letter orders
are requested whether
the expenditure of 300.
for copying the 30 registers
may be sanctioned.

This seems to be
the only one that
is necessary.

If, however, certified copies
cannot be granted from
these copies they would
seem to be unnecessary.

With refce to para 7 a
Notice should be issued
by this Govt. The authority
should apparently be
restricted to verified
entries relating to
British subjects.

It is submitted that
the sanction requested
in para 7 may be accorded
the matter being

to notice in the con-
cluding portion of
para. 4 of the report
shd: be ~~been~~ pointed
out to the G. of S. & A.

70B.
14/6

Report of Comrs:
under Act VI of 1886.

Sir Henry St. John, Secy.

24th JUNE 1892, No. 431, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From M.R.Ry. S. SRINIVASA RAGHAVAIYANGAR, Avargal, Dewan Bahadur, Registrar-General of Births, Deaths and Marriages, Madras, to the Chief Secretary to Government, dated 30th May 1892, G. No. 153.

I have the honour to submit the enclosed report of the Commissioners appointed for the verification of registers under Chapter V of the Births, Deaths and Marriages Registration Act, 1886, on the completion of the work assigned to them.

2. The time originally fixed for the submission of the registers to my office under section 32 of Act VI of 1886 was 12 months from the date on which the Act was brought into force, viz., 1st October 1888. The time was subsequently extended by Act XVI of 1890 till 31st March 1891. Thirty-six registers were received before 1st October 1889 and none after that date. Of these 36 registers, 6 were returned to the senders under the instructions issued by the Government of India in their letter, dated 13th June 1890, No. 812, Home Department (Judicial), communicated in G.O., dated 3rd July 1890, No. 476, Public, and the remaining 30 registers have been dealt with by the Commissioners in the manner described in their report. No registers kept by the clergymen of the Church of England were forwarded for validation under G.O., dated 23rd March 1891, No. 224, Public.

3. Twenty-five out of the 32 registers examined by the Commissioners were registers received from Christian Missionaries in the Mysore territory. In regard to these registers I beg to report that the Commissioners have resolved that a note should be entered in the descriptive lists that the validation made by them has reference only to such of the entries in the registers as relate to British subjects, it being impossible to differentiate the entries relating to Mysore subjects from those relating to British subjects. The Commissioners have further requested me to bring the matter to the notice of Government in view to steps being taken to have it declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to entries relating to British subjects. This course, it is believed, will make the registers admissible as evidence without question both in the British and Mysore Courts of Justice under section 32 of the Indian Evidence Act.

4. In their letter, dated the 20th February 1890, No. 233, Home Department (Judicial), the Government of India stated that it might be a useful provision that the Commissioners should make a nominal list of the persons whose births, deaths or marriages are recorded in the registers submitted to them with a reference to the particular register in which the record is contained, and that if the persons who had produced the registers did not consent to their retention, it would be desirable that copies of the registers should be made for deposit in the office of the Registrar-General unless the cost of copying them would be prohibitive. Subsequently, however, the Government of India, in their letter to the Bombay Government, dated 13th June 1890, No. 811, Home Department (Judicial), stated that it was not proposed to prescribe by the rules to be made under clause (e), section 36 of the Act the preparation of a nominal list, but that it was considered desirable that such a list should be prepared (and roughly tested), in the case of Europeans but not of Eurasians or Native Christians, from those registers only which were to be returned to their custodians.

3. Our first meeting to settle the lines on which the examination was to be conducted was held on the 18th April 1891, and the registers were examined at several subsequent meetings. As the entries to be examined numbered upwards of 10,000, the plan adopted was to divide the work of scrutinizing the entries among the several Commissioners, each Commissioner undertaking to go carefully through every entry in the registers entrusted to him and noting such of them as appeared to be not sufficiently trustworthy to be accepted with reference to the general principles agreed upon beforehand. The question of the admissibility of the entries as noted was then discussed at several meetings and the decision of the Commissioners taken thereon.

4. With the exception of the 5 registers received from the Rev. Sidney J. Long, the others relate to marriages, baptisms, burials, &c., of Christians in the Mysore territory and the Civil and Military station of Bangalore. Some of the entries in these registers, and especially those relating to Europeans, unquestionably relate to subjects of Her Majesty, and as such are within our cognizance under Act VI of 1886, while a great many others relate to persons who are subjects of the Mysore State. As the gentlemen who sent the registers for examination stated that they were unable to differentiate between entries relating to the subjects of Her Majesty and as we had no means of singling out the persons as were interested in them, we decided to adopt the latter course, as otherwise such of the persons would be deprived of the benefit of the provisions of section 32 of the Act. We have at the same time requested the Registrar-General to take steps in view to the Mysore Government being moved to accept our validation and certification of the registers as of the same legal force as regards entries relating to Mysore subjects as they are with regard to British subjects. This may possibly necessitate legislation by the Mysore Government. In this connection we may note what appears to us to be an unintentional omission in Act VI of 1886, viz., that section 35, sub-section (2), while declaring that certified copies of entries in registers verified by the Commissioners are admissible in evidence, says nothing as regards the admissibility of the registers themselves. The corresponding English Act, Statute 3 and 4 Victoria, Chapter 92, makes express provision for the original registers themselves being admissible as evidence.

5. As regards the custody from which the registers sent to us have been produced, as also their authenticity, we have relied on the statements contained in the letters of the gentlemen who sent the registers for examination to the effect that they have been all along kept among the records of the missions to which they belong. These statements we see no reason to discredit and moreover, as pointed out by the Government of India in their letter, dated the 13th June 1890, No. 811, paragraph 4, Act VI of 1886, makes no provision for the examination of witnesses on oath, all that it requires being an expression of opinion by the Commissioners as to the accuracy and fidelity of the registers based on a perusal of the registers themselves and such documentary evidence as accompanies them. Such portions or entries in the registers as appeared to us to have been made in so grossly careless a manner as to seriously affect their trustworthiness were rejected by us. In some cases the entries made in the registers were not in chronological order and this is accounted for in the following manner. The clergymen who go on a long tour of visitation sometimes have to leave the registers at their head-quarter stations and in such cases they enter in the registers, after their return, baptisms or burials performed or marriages solemnized by them at the out-stations from notes kept by them. Meanwhile, baptisms, burials and marriages performed by clergymen at the head-quarters are also entered in the registers and thus the entries are frequently not in chronological order. We have accepted such entries except in cases in which the interval between the date of the entries and the date of the occurrences was so great as to deprive the entries of all evidential value. In some cases where the entries contained obvious clerical errors, we have not on that account rejected them but have noted in the remarks column of the descriptive lists the errors found. Entries relating to "confirmations" and "receptions" found in the registers have been rejected by us as not falling within the purview of section 32 of the Act.

6. For the purposes of rules 6 and 7 of the rules framed under section 36 (e) and (f) of the Act, seals bearing the following inscriptions have been made:—"Blank," "Erasure," "Interlineation," "Copy," and "Alteration." The seal bearing the word "Blank" has been utilized for marking both blank spaces and blank pages in the registers. The seal with the inscription "Alteration" has been used to denote cases of corrections and alterations not falling under the heads of "Erasures" and "Interlineations" and an additional column has been opened in the lists for showing "Alterations." For denoting "True Copies" a seal bearing the word "Copy" has been made as being smaller in size than one with the words "True Copy."

7. In conclusion, we regret the delay in the completion of the work, which was unavoidable, as some of the Commissioners are travelling officers and as the presence of all the Commissioners was necessary to constitute a quorum, meetings could not be held as often as was desirable. The examination of the registers was completed in November last and the preparation of the descriptive lists and the affixing of the seals referred to in the preceding paragraph to the

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5. In the notification, dated 10th February 1891, No. 662-L, Foreign Department, I have been appointed as the sole Commissioner for verifying the registers from the Hyderabad State, while under Home Department Notification, dated 4th March 1892, No. 306, Judicial, the certificate required by section 34 (3) of Act VI of 1886 should be signed by not less than two Commissioners. No register, however, was received for validation from the Hyderabad territories and no work had to be done by me under the notifications above referred to.

6. In my letter, dated 10th May 1890, No. 163-G, I reported to Government that the cost of copying the 30 registers, which are all required by their owners to be returned them, would amount to not more than Rs. 300. As no orders have been passed on the subject, I presume that Government does not contemplate that the work of copying should be carried out. Even if copies of the registers are to be maintained in my office, it seems doubtful whether certified copies of those copies can be granted to applicants under section 35.

7. As the registers have all to be returned to their custodians, these gentlemen have, under section 35, sub-section (2), to be authorized to grant certified copies of entries in the registers.

8. In case the custodians of the registers should be authorized as aforesaid under section 35, sub-section (2), I propose to append to each register or portion of a register, next to the certificate prescribed by section 34, sub-section (3), an extract from the descriptive list relating to it for inspection, under section 35, clause (1), by persons applying to the custodians of the registers for certified copies of entries therein. In this connection I have the honour to bring to the notice of Government that when the registers are returned to the owners, there will be no record left in my office of the entries in the registers excepting the descriptive lists which do not contain any information regarding the names of the persons to whom the entries relate.

9. Lastly, I have the honour to request the sanction of Government to pay the clerk who prepared the descriptive lists the full amount of the honorarium (Rs. 100) sanctioned in G.O., dated 6th June 1891, No. 446, Public.

ENCLOSURE.

From the Registrar-General and others, to the Chief Secretary to Government, dated Madras, 9th May 1892.

We the undersigned Commissioners appointed by notification of the Government of India, Home Department (Judicial), dated 17th October 1890, No. 1523, to examine the registers and records of baptisms, marriages, burials, &c., forwarded to the Registrar-General for the Madras Presidency under section 32 of Act VI of 1886, having now executed the commission assigned to us, beg to report as follows.

2. The following 30 registers received under the section above quoted were placed by the Registrar-General before us for examination:—

	Number of registers.
From the Rev. W. H. G. Herre, Evangelical Lutheran Mission, Bangalore.	1
Do. J. Hudson, Wesleyan Mission, Bangalore.	15
Do. E. P. Rice, London Missionary Society, Bangalore.	9
Do. Sidney Joseph Long, London Missionary Society, Coimbatore.	5
Total	30

numerous corrections, interlineations, erasures, &c., found in them and entering notes of them in the descriptive lists have required great care and consequently taken much time.

(Signed) S. SRINIVASARAGHAVAIYANGAR,
Registrar-General.
(") E. H. DESILVA,
Catholic Priest.
(") H. C. KING,
Ag. Registrar of the Diocese.
(") J. C. PEATTIE.

PROCEEDINGS of a meeting of the Commissioners appointed by the Governor-General in Council under Notification, dated 17th October 1890, No. 1523, Home Department (Judicial), for the examination of registers and records forwarded to the Registrar-General of Births, Deaths and Marriages for the Madras Presidency under section 32 of Act VI of 1886 amended by Act XVI of 1890.

I. Resolved that the descriptive lists prepared under section 34 of Act VI of 1886 of registers or records or portions of registers or records as have been found to be sufficient, accurate and faithful to be declared admissible as evidence in Courts of Justice be passed.
II. As the registers or records or portions of registers or records validated by the Commissioners and entered in the descriptive lists above referred to contain entries relating to subjects of the Mysore State as well as British subjects and as there is nothing to guide the Commissioners in differentiating the former class of entries from the latter—
Resolved:—

(1) that a note be entered in the descriptive lists to the effect that the validation by the Commissioners has reference to only such of the entries in the registers or records mentioned in the said descriptive lists as relate to British subjects; and

(2) that the Registrar-General of Births, Deaths and Marriages be requested to move the Mysore Government to declare that the registers or records or portions of registers or records above referred to in so far as they relate to Mysore subjects shall be receivable in evidence in Mysore Courts of Justice in the same manner as the said registers or records or portions of registers or records so far as they relate to entries regarding British subjects are admissible in evidence in British Courts of Justice.

(Signed) E. H. DESILVA,
Catholic Priest.
(") H. C. KING,
Ag. Registrar of the Diocese.
(") J. C. PEATTIE,
(") S. SRINIVASARAGHAVAIYANGAR,
Registrar-General.

ORDER—dated 24 June 1892, No. 437, Public.

The foregoing papers will be forwarded to the Government of India with the request that, should there be no objection, the necessary steps may be taken in view to its being declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to entries relating to British subjects. Attention will also be invited to the matter brought to notice at the end of paragraph 4 of the Commissioners' report.

2. With reference to paragraph 6 of the Registrar-General's letter it is remarked that if certified copies could not be granted from the copies of the registers there appears to be no necessity for copying them.

3. The Registrar-General will submit a draft of a notification for issue, with reference to paragraph 7 of his letter.

4. The figure "32" in line 1 of paragraph 3 of the Registrar-General's letter is apparently a clerical error for "30." The sanction requested in paragraph 9 is accorded.

[Here enter No. 432, dated 24 June 1892.]
(True Extract.)

Exd. A. Rdt.

Chief Secretary.

24 TH JUNE 1892, No. 437 PUBLIC.

1432
PUBLIC DEPARTMENT.

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

SIR,

I am directed to forward copy of the proceedings of this Government, No. 431, of this date, embodying the report of the Commissioners appointed for this Presidency for the purpose of examining and verifying registers sent in under section 32 of Act VI of 1886—the Births, Deaths and Marriages Registration Act.

2. I am to invite particular attention to the matters brought to notice in paragraph 4 of the report, and to request that, should there be no objection, the necessary steps may be taken in view to its being declared that the validation by the Commissioners of the registers shall have the same legal force as regards entries relating to Mysore subjects as it has with regard to entries relating to British subjects.

3. As the Commissioners were appointed by the Government of India, their gratuitous services have not been acknowledged by this Government.

I have the honour to be,

Sir,

Your most obedient servant,

20B.
24/6
FORT ST. GEORGE,
24 June 1892.

Chief Secretary.

Exd. A. Rdt.

Recd
and I
2/7.

ORDINARY, MS.

<i>Public</i> DEPARTMENT.	
G.O., DATED	27-6-92
No.	432 A.

When given for copying.

[Despatch Abstract.]

*Re preparation
of designs of la-
tines of different
sizes in view to
standardize
sanctioned types.*

FURTHER PAPER, No. 1784/92 OF 18

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. , MISCELLANEOUS.

Dec 20/7/92

ENCLOSURES

CURRENT No.

STATEMENT WITH DITTO

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

N.B.:-

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

Public.
BUILDINGS AND ROADS.
CIVIL WORKS.
Govt. of {1892} Madras.
PUBLIC WORKS.

Dated May, 16th.

Recd. 29. } May 92
Rep 30 }

Encl. 1000

G.O., 16th May 1892, No. 1506 W.

MAY.

Latrine

The Superintending Engineer, V Circle, requested to submit an estimate of the cost of a — for the Teachers' college at Saidápet based on the revised plan of the Sanitary Board; the attention of officers of the department drawn to the proper procedure for the submission of plans and estimates.

WITH ORDER.

Ref 2715 June 1892 in 1082
The P.W. Dept is requested
to furnish copies of para
2 of 988 & 989 of the P.W.
Code quoted

Note
our copies do not seem
to be up to date.

J.D.B.
6/6

Public Works Dept

13 JUN 2
IN 143

order 27 June 92
4324
Comd. to the
Sanitary Engineer
with the request that
he will prepare and
submit designs of
latrines of different
sizes in view to
standards being suc-
tioned and typed.

2. Separate orders
will issue on para 2.

/ from orders /

J.D.B.
18/6
San'y. Engr.
P. W. Dept.

IN 143

Order—dated 25th April 1892, No. 342, Educational.

The plan submitted by the Sanitary Board is approved and will be transferred to the Public Works Department for preparation of estimates and construction of the building.

(True Extract.)

(Signed) A. BUTTERWORTH,
Acting Under-Secretary.

Note by the Chief Engineer, Public Works Department.

These papers relate to an estimate for the construction of a latrine for the Teachers' college, Saidápet.

2. The procedure adopted in obtaining the plan and estimate has been throughout at variance with Public Works Code rulings:—

(1st) The Director of Public Instruction called on the Executive Engineer for the estimate, instead of which he should have applied to Government for approval to its preparation showing cause why the proposed building should be constructed (*vide* para. 987 of the Code). Two similar cases have recently been noticed by Government—

(a) G.O., dated 5th April 1892, No. 296, Educational, in which the Consulting Architect is directed not to prepare estimates at the request of heads of departments, but only on approval of Government.

(b) G.O., dated 7th April 1892, No. 112, Marine, in para. 2 of which the attention of the Presidency Port officer is called to the irregular manner in which he procured an estimate (Tuticorin pier) from the Executive Engineer and he is directed to adopt the proper channel of communication in future. It is suggested that a general order be passed in the Public Department issuing instructions to all heads of departments on the subject.

(2ndly) The Executive Engineer having prepared the estimate, sent it direct to the Director of Public Instruction, instead of which he should have submitted it to his Superintending Engineer (*vide* para. 989, Public Works Code). The instructions in this and the preceding paragraph are continually overlooked, causing much unnecessary correspondence and delay, and, in G.O., No. 1836 W., dated 6th July 1891, the attention of officers of the Public Works Department was specially drawn to this point. Had the rule been attended to in the present instance, such a crude design would probably not have come before Government.

(3rdly) After submission to Government in the Educational Department, the estimate, instead of being transferred to the Public Works Department for scrutiny by the Chief Engineer and disposal (para. 988, Public Works Code), was forwarded to the Sanitary Board, which naturally condemned the design and submitted another, which is now accepted, and this department is called on to frame an estimate on the Board's design. There may not be much objection to this procedure as regards the design under reference—a latrine—but it appears anomalous that the Sanitary Engineer should be called on to criticise the designs of the Public Works Department, while at the same time this department is asked to criticise the Sanitary Engineer's designs.

3. The undersigned submits that, to prevent delay, unnecessary correspondence and the submission of unsuitable designs to Government, the provisions of paras. 987, 988 and 989, Public Works Code, should be strictly enforced.

MADRAS,
2nd May 1892.

(Signed) J. PENNYCUICK, Colonel, R.E.,
Chief Engineer, P.W.D.

ORDER—dated 16th May 1892, No. 1506 W., Public Works.

The Superintending Engineer, V Circle, will submit an estimate of the cost of a latrine based on the revised plan prepared by the Sanitary Board.

2. The suggestion at the end of clause (1), para. 2, of the Chief Engineer's note will be considered in the Public Department.

3. The attention of all officers of the Public Works Department is drawn to para. 2 of G.O., No. 1836 W., dated 6th July 1891.

(True Extract.)

Major, R.E.,
Under-Secy. to Govt., P.W.D.

To the Superintending Engineer, V Circle, with five enclosures.

„ other Superintending Engineers.

„ the Consulting Architect to Government.

„ the Public Department with copies of notes by the Honorable Member.

„ the Educational Department.

Exd. A. D. Xavier.
Spare Copies

Public.
BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1892} Madras.
PUBLIC WORKS.

Dated May, 16th.

Recd. 29. } May 92
Repd 30 }

Encl. 1.

G.O., 16th May 1892, No. 1506 W.

MAY.

Latrine

The Superintending Engineer, V Circle, requested to submit an estimate of the cost of a — for the Teachers' college at Saidapet based on the revised plan of the Sanitary Board; the attention of officers of the department drawn to the proper procedure for the submission of plans and estimates.

WITH ORDER

Ref. 2713 June 1892 in 1082
The P.W. Dept is requested
to furnish copies of paras
787, 988 & 989 of the P.W.
Code quoted

Note
our copies do not seem
to be up to date.

J.S.B.
6/6

Public Works Dept

IN W.S.

order 27 June 92
No. 4324
Conid. to the

Sanitary Engineer
with the request that
he will prepare and
submit designs of
latrines of different
sizes in view to
standards being men-
tioned and typed.

2. Separate orders
will issue on para 2.

/ from orders /

J.S.B.

18/6

San'y. Engr.

P. W. Dept.

Copy of note recorded by the
Hon'ble Mem^r against the
suggestion at the end of clause (1)
para 2 of the Chief Engineer's note

"Most desirable"

(Initialed) H.E.S.

Copies of notes recorded by the
Hon'ble Mem^r against clause (3)
para 2 of the Chief Engineer's note.

"I think it would be well

to get type designs of latrines of
different sizes. The Sanitary Engineer
surely knows more about latrines
than an ordinary P.W. officer.

(Initialed) H.E.S.

"I have no objection to the
Sanitary Engineer being asked
to prepare type designs of
latrines of different sizes.

(Initialed) H.E.S.

14 May.

1892. Public Works Department.

252
Frd
225
1.

No. 3046C
Dated June 15, }
Despatched } 1892
Received }
Encls: 2

SUBJECT.

v
to
a
Furnishing Copies
of certain
of paras of the
Madras P. W. D.
Code. —

ue.

2.

Pub: 146592

PUBLIC WORKS DEPARTMENT.

MEMORANDUM.

The undermentioned documents are forwarded to the *Public*
Department with reference to his *memo.* letter No. 1032
 dated 13th June 1892:—

Copies of paras 987, 988 & 989 Public
 Works Code.

Copies of paras 983 & 1415, quoted in
 para 987, are also enclosed, but
 they do not bear on the
 points dealt with in G.O. dated
 16th May 1892, No 1506W.

(By Order.)

R. E. L.

Major, R.E.,

Under Secretary to Government, P. W. D.

To

The

Public Dept.

CHIEF, MADRAS,

15th June 1892

Copies of paras 983 and 1415 of Public
 Works Code.

983. No houses will be built or purchased
 by the Government as residences for public
 servants except in the following Cases:—

- (i) Cases in which it is the recognised
 duty or established Custom of the Govern-
 ment to provide quarters at Govern-
 ment expense.
- (ii) Cases in which residences are pro-
 vided for officers, on the Ground that
 their duties Compel them to occupy
 a building or part of a group of
 buildings erected for some special
 purpose, Such as a Jail, a police station,
 a School, a factory, a mint &c.
- (iii) Cases in which it is necessary to
 provide residences, in parts of the
 Country where no Civil Station or
 Cantonment exists, and where a
 lengthened term of residence would
 render Camp accommodation impracticable,
 e.g. buildings along lines of roads,
 railways, or Canals, for the housing
 of Officials employed in their Con-
 struction or maintenance.

1415. It is a general condition precedent to the delegation of all authority to disburse public money that it shall be bona fide for a public object, nothing will be carried out by means of the public funds for the advantage of any individual or body of private persons, unless in accordance with some declared or established rule or principle, recognised by the Government of India. It is the duty of every Audit officer at all times to challenge any infringement of this principle, and the Government will submit for the orders of the Government of India, any representation made to it by any Audit officer in accordance with this rule which it does not accept.

62. 5116

1892	
Date	Dept.
Enclos.	No.
C. No.	1577

[illegible]

Paper taken out of the Records from the charge of the Referencer.

Press
Miscellaneous No. _____, dated _____ 190
Routine

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
1-1-10					17-6-10	<i>[Signature]</i>
2-1-10					22-10-10	<i>[Signature]</i>
21-8-10					17-11-10	<i>[Signature]</i>
21-8-10						

Pat
Encl