

Public (1896) Department.

ORDINARY MS.

G.O., No. 955

DATED 4-9-96

INDEXED.

[Despatch Abstract.]

Informing Mr J. H. Bond that
the Govt declines to express an
opinion on the question whether
a Minister of Religion licensed
under the Indian Christian
Marriage Act is at liberty
to refuse to solemnize
a marriage under the
said Act.

BACK PAPERS.

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

FURTHER PAPERS.

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

Public (1896) Department.

CURRENT No. 2762

From Mr. J. H. Bond

Order No 955. 24th September 1896

Mr Bond will be in.

declines to
for. cannot in person

No.

ordered that the license
legal practitioner. I am not to be
under section 6 of
the Act of 1879 is purely for
in certain matters. I am not to be
under section 19 of the
provisions

Dated 20 "

Received 22 "

Registered 24 "

Enclosures - nil

Spare copies. - nil

August 96

It shows that the consent
of the Minister to act precedes
issue of the certificate of
office having been received.

of J. H. Bond. In the 9th

the. For Orders

I submit that it is not for J. H. to
take any opinion to Mr Bond
as to the law and that he should
be told that if he wants and
opinion he should consult
a legal practitioner

2 He should if he desires an opinion
SUBJECT as to the law
to consult a legal practitioner

Enquiring whether 2/2/96
minister of religion, licensed
under the Indian Christian
marriage act is at liberty
to decline to solemnize a
marriage, under the said
act when its provisions
have been complied with

BACK PAGE

G.O.	No.	Department.	Date.
	Act XV	of 1872	India

FURTHER PAPERS.

G.O.	No.	Department.	Date.

4. Kumbhat Road, Coimbatore
Madras 20. August 1896.

The Honble J. P. R. C. S. C. S.
Chief Secretary to Govt.
22 August 1896

GOVERNMENT OF MADRAS

I beg to submit the following
facts for the consideration and orders
of Govt.

2. Being desirous of having
the marriage of my eldest daughter,
Miss Ada Florence with Bombardier
Wm Charles Curren, 23rd Field Battery,
Madras, solemnized under the Indian
Christian Marriage Act XV of 1872,
on the Wesleyan Chapel Methodist
Chapel, Black Town, I called twice
on Rev John Beard, the Pastor of that
Chapel, in June last, in view to his
performing the rite. I may here
 premise

presented by stating, that I am a
bona fide member of the Wesleyan Methodist
Standing of the Wesleyan Methodist
Church, where my daughter had
been baptised, although latterly
she has attended the services of the
Church of England; that Bank
Currier is a Churchman, and that
these facts were stated by me to
Mr Beard. He urged his scruples
as to marrying parties to ~~station~~
men who could not be brought
in the strength of the Regiment or
Battery to which they belonged
at the time of marriage. I explained
to him, that this matter would
be settled, at an early date, as Bank
Currier had registered his name
for the first married vacancy in the
strength of the Battery. Having
overcome his scruples, I was decided
by

by Mr Beard to invite the parties
down from St Thomas' Mount, where
they, as well as myself, were then
residing, to appear before him the
Police of Marriage required under
the Act. In calling on Mr Beard,
he informed them, that in con-
sidering the matter, he thought that
one at least of the contracting parties
should be a member of the Wesleyan
Methodist Church, and that as
neither of them, he believed, fulfilled
that requirement, he felt that he
could not perform the marriage.
Hearing of this refusal, I called on
Rev R Howard Stevenson, M.A., Chaplain of St Andrew's Church,
Madras, who, after proclaiming the
Banns of Marriage for on three conse-
cutive Sundays, married the parties
on the 16th July 1896.

3. Since the marriage is presently
reported the above facts to Rev.
James Coolidge B.A., the Chairman
and General Supt. of the Protestant
Mission, Madras; who in reply
stated, that as he and Mr Beard
were not paid by Govt, under the
Act, they were at liberty to
refuse to marry parties applying
to them (for reasons best known to
themselves) and that he (Mr C) had
only recently received the right of
refusal in receiving a notice of mar-
riage. I replied, that I considered
the license granted by Govt under
Act IV of 1842, both permissive
and mandatory, and that so long as
he and other Ministers of Religion,
were licensed under it, by Govt, to
perform a specific act, they were

bound

bound to do so, since there was
nothing in the Act compelling
them to refuse to perform it, and
that if it were otherwise, licensing
them was a mere farce with an
unlimited veto of refusal. Mr Coolidge,
however, considered that neither he,
nor Mr Beard, were so bound, as
they were not paid servants of
Govt, although really they and
other Ministers of Religion, I believe,
receive the fees authorized under
the Act. The refusal of Mr Beard
is evidently arising from denomi-
nationalism, while Mr Coolidge's opinion
is based on financial considerations.

4. The question for decision is,
whether a Minister of Religion, licensed
under the Indian Christian Marriage
Act IV of 1842, is at liberty, as
denominational

document and other trifles
sent to those ^{my} ^{kindness} ^{of} ^{the} ^{kind}
friend and ^{my} ^{kindness} ^{of} ^{the} ^{kind}
patience a marriage under
the said ^{my} ^{kindness} ^{of} ^{the} ^{kind}
have been duly complied with
An authentic ^{my} ^{kindness} ^{of} ^{the} ^{kind}
point is a desideratum.

Point is a desideratum.
 I beg to remark, that
 the most desirable, not
 the most perfect, is
 the one which is
 most likely to be
 adopted by a
 community, and
 which is based on
 the question of
 expediency, (con-
 sidering the
 point of view of
 the community.)

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189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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IN ORIGINAL.

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