

Public (1898) Department.

ORDINARY PRINTED.

G.O., No. 258.

Dated 15. 2. 1898.

(Copy furnished (C.F. & M.))

to Andhra Govt. W.

Ly. no. 8296/Cb. D/55-1

Home, D/31.1.1955.

[Despatch Abstract.]

Licences under the Christian Marriage Act.

Informing the Chairman, Basel German Evangelical Mission, Mangalore, that a minister having the district in which he has been licensed to solemnize marriages under Act XV of 1872 must return his licence for cancellation & apply for a fresh one in his new district.

Government 1898 of Madras.
PUBLIC.

In the Supl. for En

Please reprint

supply 25 copies of

the order

Enclosures

Spare copies

Recd.

Regd.

1898.

G.O., No. 258, 15th February 1898.

FEBRUARY.

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Informing the Chairman, Basel German Evangelical Mission, Mangalore, that a minister leaving the district in which he has been licensed to solemnize marriages under Act XV of 1872 must return his license for cancellation and apply for a fresh one in his new district.

610/1343/98.

" 1576/98 (Dns & Canara)

" 1927/98 (Newsp. Recd). 828

" 1164/99 (Dns Luddakal)

600
2874/98

693

205-98

600 622

7599

Further papers

CHOMINO

3243 Hmc, 20.11/1958

No. 258, PUBLIC, 15TH FEBRUARY 1898.

GOVERNMENT OF MADRAS.
PUBLIC DEPARTMENT.

READ—the following paper:—

From the Revd. M. HOCH, Chairman of the Basel German Evangelical Mission, India, Mangalore, to the Chief Secretary to Government, dated 15th January 1898.

I have the honour to submit the following for your kind consideration:—

(1) The Revd. K. Ernst, of the Basel German Evangelical Mission, when stationed at Kaity, Nilgiri Hills, from 1895—97, obtained licenses, under the Christian Marriage Act, to grant certificates of marriage between Native Christians, and to solemnize marriages, within the territories under the administration of the Government of "Madrass", in March 1895 and June 1896, respectively. In May 1897, he was transferred to Mangalore, South Canara. On his transfer to Mangalore, he has been repeatedly requested by the Collector of the Nilgiris, through the Senior Missionary of the Malabar and Nilgiri Mission, to return his license for cancelling, urging as reason his transfer from the Nilgiris. Mr. Ernst, through the Senior Missionary, declined to do so, on the ground that this license permitted him to solemnize marriages within *all* the territories under the administration of the Government of Madras, and consequently his transfer from the Nilgiris to South Canara could not in any way infringe the rights thus conferred on him, as an ordained missionary of the Basel German Evangelical Mission.

(2) As the Collector of the Nilgiris, however, insists on the license being returned to him for cancelling, I have the honour to request you will kindly decide—

(a) whether in cases like this, a missionary, having obtained a license to solemnize marriages within the territories under the administration of the Madras Government, is compelled, on his transfer from one district of the Madras Presidency to another, to return the license granted to him, for cancelling, and apply for a new one; and

(b) whether, consequently, the Revd. K. Ernst, Mangalore, is bound to return his marriage license to the Collector of the Nilgiris and apply for a new one through the Collector of South Canara.

ORDER—No. 258, Public, dated 15th February 1898.

The Chairman, Basel German Evangelical Mission, will be informed that a minister leaving the district in which he has been licensed under Act XV of 1872 must return his license for cancellation and apply for a fresh one in his new district. The description of the minister entered in the old license will, after his removal, be no longer correct.

(True Extract.)

A. T. ARUNDEL,
Chief Secretary.

To the Chairman, Basel German Evangelical Mission, Mangalore.
Copies to all District Magistrates.
Copy to the Registrar-General of Births, Deaths and Marriages.

Exd. A. F. Eccleston.

[G.]
25 A

500-8-12-07.

Public DEPARTMENT.

C. No. 215

SUBJECT.

Licenses under the
Christian Marriage Act.

FOR ORDERS.

Please see para 4 of G.O. No. 388 Pub. d/5-4-97 which was drafted *with reference*

to para 3 of G.O. 664 Pub d/23-6-96 at B

2. District Magistrates are, under the first of the G.Os above quoted, required to forward to Govt. for cancellation

licenses, not already revoked, of such persons as have permanently left their stations. In para 4 of G.O. 664 Public

d/23-6-96 District Magistrates were directed to scrutinize the lists from time to time with a view to ensuring that not more than a sufficient number of persons is licensed for each station.

3. The Rev. Mr. Hoch, the Chairman of the Basel German Evangelical Mission, reports that the Revd. K. Ernst of his mission stationed at Kaity, the Nilgiris, from 1895 *Mangalore* was granted licenses under the Indian Christian Marriage Act in 1895 and 1896 (vide G. & F.), and that since his transfer to Mangalore he has repeatedly been requested by the District Magistrate

G.O. 323 Pub d/ 27-3-95 & 670 Pub d/ 11-6-96

of the Nilgiris to return the licenses. *because of his transfer*
Mr. Ernst declined to do so on the ground
that his licenses permit him to
solemnize marriages within all the
territories under the administration of
the Govt. of Madras, and that therefore
his transfer from the Nilgiris to South
Canara does not render them inoperative.

4 As however the District Magistrate
insists on the licenses being returned,
the Chairman of the Basel German
Evangelical Mission asks

(1) whether in cases like this, a
missionary having obtained licenses
to solemnize marriages within the
territories under the administration
of the Govt. of Madras, is compelled on
his transfer from one district in the
Madras Presidency to another, to return
the licenses granted to him for cancel-
ling and to apply for a new one, and

(2) whether consequently the Revd. Ernst
Mangalore, is bound to return the
licenses granted ^{one} to him to the ~~Collector~~
of the Nilgiris and to apply for a
fresh one through the ^{one} Collector of
South Canara.

5 With reference to (1) it is
observed that the licenses were granted
to Mr. Ernst as a missionary in the
Nilgiri District, but as Mr. Hoch points
they authorise Mr. Ernst to grant certi-
ficates of marriage to solemnize
marriages within the territories under
the administration of the Govt. of Madras.

3 4 5
A to the latter part of (2) please
see rule 3 of the rules under the
Act IV of 1872 as amended by Act VI
of 1886 at page 41 of the yellow
pamphlet put up.

6. The Reference Dept. reports that
there are no previous papers bearing
on the point.

CW.

5/2/98 The matter is one
which is governed by no
precedent. Where the
minister licensed is a
member of a well known
missionary body, and is
about to transfer it seems
unnecessary to insist on
the cancellation of his license
in the house.
The mention of his residence
of his minister does not
appear to limit his exercise
of his powers to that place.
Submitted that it will be
sufficient if the minister is
is transferred even when
the D.H. of his district is
leaving. That D.H. may
communicate direct with

This is almost
certain to lead to
mistakes & confusion.
As the description

of the district to
such his "mission" is
going - who will then
include his mission
name in his district
list unless for any
reason he thinks that
the license should not
remain in force (eg. if
there are already
licenses enough)

of the missionary in
the license, is no longer
correct when he leaves
^{his} district, the license
should be returned
to a fresh one will be
issued by Govt on
receipt of due application
MAY 2. 98

M.
7/2/98

[Pub.
29.
3,000-2-2-07.]

Public (1898) Department.

CURRENT No.

From Rev. M. Lock
Chairman of the B. E. Mission

Order No 258 of 15. 2. 98.

The Chairman, Bench

No.

German Evangelical Mission

will be informed, that a

Dated 15th Jan 1898

missionary leaving his

Received 18th Jan 1898

district in which he has been

Registered 19th Jan 1898

licensed under Act No 25 of 1872

Enclosures

must return his license for

Spare copies

Cancellation and apply for

a fresh one in his new

district.

where the description of

his mission, in the old

license will after his removal

be no longer correct.

SUBJECT

Requesting that Govt may be
pleased to decide whether a mission
who has obtained a license to
marriages within the Wundoria under
the Madras Act, does on his transfer
from one dist. to another retain
the license granted to him to apply for a
new one; and, if so, whether the Rev.
H. Ernest did return his marriage license
to the Collector of the Nilgiris since he is
transferred from that dist. to S. Canara

M. (from order of Govt)
11/2/98

Chairman B. E. Mission. Dated 15. 2. 98
Copy to the Rev. Secy of B. E. M. Dated 15. 2. 98
Copy to the Secy of B. E. M. Dated 15. 2. 98

BACK PAPERS.

G.O.	No.	Department.	D.No.
R 295	7	27-3-95	
R 670	9.11	1-96	

235
Government 1898 of Madras.
PUBLIC.

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(True Extract.)

Chief Secretary.

To the Chairman, Basel German Evangelical Mission,
Copies to all District Magistrates.
Copy to the Registrar-General of Births, Deaths and Marriages.

Edw. A. F. Eccleston.

50 No 258 Pub 215.298

The Collectors of
The District Magistrates of

Anantapur. 8
North Arcot, Chittoor. 8
South Arcot, Cuddalore. 8
Bellary. 8
South Canara, Mangalore. 8
Chingleput, Saidapet. 8
Coimbatore. 8
Cuddapah. 8
Ganjam, Chatrapur. 8
Godavari, Cocanada. 8
Kistna, Masulipatam. 8
Kurnool. 8
Madrass (when necessary).
Madura. 8
Malabar, Calicut. 12
Nilgiris, Ootacamund. 8
Nellore. 8
Salem. 8
Tanjore. 9
Tinnevely. 8
Trichinopoly. 8
Vizagapatam. 8

Press
Sub off - (11/11/98)
179

[Handwritten:] No. 100
Date: _____
Signature: _____
 $\frac{197}{187} = 1.05$

No. 315 — A