

Public (1898) Department.

ORDINARY PRINTED.

G.O., No. 828

Dated 30 - 6 - 98

III D.

[Despatch Abstract.]

Marriage Licenses

Passing orders on letter from
the Secy, London Missionary Society, Madras, enquiring
under No 258 Public of 1872-2-98, directing
that a minister leaving the dist in which
he has been licensed under Act XV of 1872
shall return his license for cancellation &
apply for a fresh one in his new district,
is intended to have a retrospective effect.

BACK PAPERS.

Government (1898) of Madras.
PUBLIC.

no 1164/99 (Dne Cuddalore) 622-22
6-8-98

Recd.

Regd.

1898.

Enclosures

Spare copies

G.O., No. 828, 30th June 1898.

JUNE.

Marriage Licenses.

Passing orders on letter from the Secretary, London Missionary Society, Madras, enquiring whether G.O., No. 258, Public, dated 15th February 1898, directing that a minister leaving the district in which he has been licensed under Act XV of 1872 shall return his license for cancellation and apply for a fresh one in his new district is intended to have a retrospective effect.

No. 828, PUBLIC, 30TH JUNE 1898.

Public (1898) Department.

CURRENT No.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From the Secretary, London Missionary Society, Bangalore, dated 11th June 1898.

ORDER—No. 828, Public, dated 30th June 1898.

The Secretary of the London Missionary Society will be informed that the intention of G.O., No. 693, Public, dated 20th May 1898, was merely to rule that G.O., No. 258, Public, dated 15th February 1898, does not apply to cases where a minister is transferred from his original station to another in the same district.

2. Licenses issued under sections 6 and 9 of Act XV of 1872 cover the solemnization of marriages throughout the Presidency; the Secretary's query as to whether marriages performed outside the district entered in the license are to be considered invalid is therefore answered in the negative. The cancellation of the license when a minister has left his original district was ordered, not with any view to limit the operation of the licensee's powers, but in order to ensure that District Magistrates should have information as to the number of persons licensed under this Act residing in their districts.

3. G.O., No. 258, Public, dated 15th February 1898, was intended to have retrospective effect. All licenses should be returned for cancellation if the address of the minister entered in them does not correspond with the district in which he at present resides.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Secretary, London Missionary Society, Bangalore.
„ other Secretaries of Missionary Societies.
„ all District Magistrates.
„ the Registrar-General of Births, Deaths and Marriages.

Exd. A. F. Exclusion.

Order

From

The Rev. G. P. Rice
Secy. London Missionary Society
Bangalore

No.

Dated 11 June 98

Received 13. „

Registered 14. „

Enclosures -

Spare copies -

SUBJECT.

Inquiring whether it is intended that G.O. 258, 15 Feb: 98 directing that a minister leaving the district in which he has been licensed under Act 28 of 1872 shall return his license for cancellation and apply for a fresh one in his new district, is to have a retrospective effect.

BACK PAPERS.

G.O.	No.	Department.	Date.
	693.	Pub.	20.5.98 and
	609	"	3.5.98-99
	258	"	15.2.98 and
	388	"	5.4.97
	664	"	23.6.98-99
	+ c/o 1897/98		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Bangalore, June 11th 1898

From Rev. E. P. Rice

Secretary, London Missionary Society

To the Chief Secretary to the Government of Madras.



Sir,

With reference to G.O. 258, 15th February 1898, directing that a minister leaving the district in which he has been licensed under Act XV. of 1872 shall return his license for cancellation and apply for a fresh one in his new district, — I have the honor to enquire whether this is intended to have a retrospective effect. For example, several of the missionaries of the London Missionary Society received many years ago licenses authorising them to solemnise marriages within the territories under the administration of Madras. Although still within the Madras Presidency, some of them are now, and have been for many years, residing in different Districts of the Presidency from those in which they resided when the licenses were granted. Their present residence is correctly given in the official list of licensed persons corrected up to the end of 1896-97. Is this list to be accepted as defining the territory within which their licenses are valid? or are they all to return their licenses and seek fresh ones?

2. Referring to G.O. 693, 20th May 1898,

paragraph 3, which states that "Licenses issued under the Indian Christian Marriage Act shall be considered to be valid throughout the district in which the licensee is stationed" — I have the honor to enquire whether this means that on and after May 20th 1898 all marriages are invalid which may have been solemnized by a licensee outside the limits of the District (Zillah) in which he resided when he received his license? Or is this to be the case only with those ministers who receive their license for the first time after May 20th 1898? *

I have the honor to be

Your Most Obedient Servant—

Edward P. Rice
Secretary, London Missionary Society

* In the former alternative, it will be observed that the paragraph quoted will be tantamount to the withdrawal of a large portion of the powers which the licensees have long enjoyed — E.P.R.

[G.]
25

500-27-1-08.

Filed
with G.O.
No. 636
24/1/98

Public DEPARTMENT.

C. Nos. 1809 and 1927

SUBJECT.

~~HIS EXCELLENCY THE GOVERNOR.~~

~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~

~~THE HON'BLE MR. GROSE, C.I.E.~~

Marriage Licenses.

FOR ORDERS.

C.S.

G.O. No. 258 Pub., d/15th Feb.

1898, directs that a minister leaving a the district in which he has been licensed under Act XV of 1872 should return his license for cancellation and apply for a fresh one in his new district. This was held to be necessary as the description, of the minister entered in the license will no longer be correct after ^{he} he left his original district.

(i.e. address)

In G.O. 1927 the Secy. of the London Missionary Society enquires whether this G.O. is intended to have retrospective effect. He states that there are several missionaries of his society who have since the date of the issue of licenses changed their districts. He points out that in the list of persons licensed under the Indian Christian Marriage Act corrected up to the end of the year 1896-7 these missionaries are entered not under the district in which their licenses were originally granted,

but

but under the district in which they actually reside. He enquires whether this list may be accepted as defining the territories within which their licenses are valid, or whether they are all to return their licenses and to seek fresh ones.

Subsequently to the issue of G.O. 258, Pub., d/15-2-98, the question was raised whether a minister transferred from one station to another in the same district should apply for a new license and it was decided in G.O. No. 693 Pub., d/20th May 1898, that licenses should be considered to be valid throughout the district in which the licensee is stationed. The Secy. of the London Missionary Society enquires with regard to this whether it means that ~~on and~~ after ^{May 20th} ~~ministers~~ all marriages are invalid which have been solemnized by a licensee outside the limits of the district entered in his license.

The use of the word "valid" to imply that the licenses need not be returned for cancellation was unfortunate. It may now be explained that the intention of the G.O. ^{hereby} was to rule that G.O. No. 258 Pub., d/15 Feb. 1898, does not apply to cases where the minister is transferred from his original station to another in the same district.

In regard to the question whether marriages solemnized outside the district entered in the license are

to

to be considered invalid, it is to be observed that the licenses at present issued authorize the solemnization of marriages throughout the Presy. and the Secy's query may therefore be answered in the negative. The cancellation of licenses and the issue of fresh ones when a minister has left his original district was ordered not that with any view to limit the operation of ^{his} ~~their~~ powers but in order to ensure that ^{he} ~~they~~ ^{should} ~~to~~ have information as to the number of licensed ministers residing in their districts.

Turning to the question whether G.O. No. 258 is to have retrospective effect so that all licenses in which the description of the minister is not at present correct should be returned for cancellation and the issue of new licenses, it seems plain that G.O. 258 was intended to have retrospective effect. All licenses will therefore have to be returned if the address of the minister entered in them is not in the district in which he at present resides. It may be pointed out to the Secretary, London Missionary Society that this rule is intended only to keep the district lists complete, up to date.

It is to be observed however that while the lists will show the ministers residing in each district, there is nothing to prevent a minister from solemnizing marriages in any district

For orders

Yrs. H. H. H. H.

Minister's list

For orders

Yrs. H. H. H. H.

to. Secretary
12/1/98

For orders

Yrs. H. H. H. H.

orders are requested

Papers to be read in Proceedings:—

Again G.O., No.	, dated	189 .
Again G.O., No.	, dated	189 .
Current No.	1427 of 1898, dated	11. bef, from Sec ^y H.M.S. (6)
" "	" 189 , "	" "
" "	" 189 , "	" "

↓
AS

ORDER. W. 828 & 30 June '78
H.P.

The Secretary of the London Missionary Society will be informed that the intention of G.O.No.603, Pub., dated 20th May 1898 was merely to rule that G.O.No. 238, ^{Pub} dated 18th February 1898 does not apply to cases where a minister is transferred from his original station to another in the same district.

2. Licenses issued ^{under sec 6 & 8 of Act XV of 1872} ~~at present~~ solemnization of marriages throughout the Presidency; the Secretary's query as to whether marriages ^{performed} ~~solemnized~~ outside the district entered in the license are to be considered invalid is therefore answered in the negative. The cancellation of the license when a minister has left his original district was ordered not with any view to limit the operation of ^{the license's} ~~his~~ powers, but in order to ensure that District Magistrates should have information as to the number of licensed persons.

A

under the Act

ministers residing in their districts.

2. G.O.No. 258, Public, dated 18th

February 1898 *was intended* ~~should be considered~~ to

have retrospective effect. All licenses

should be returned *for cancellation* if the address of

the minister entered in them ~~is not in~~ *does not correspond with*

the district in which he at present re-

sides.

(from orders of G.S.)

M
25/6/98

M
25/6/98

To
The Secretary, London Missionary Society,
Bangalore.

Other Secretaries of Missionary Societies

All District Magistrates.

The Registrar-General of Births, Deaths

and Marriages.

dest 27-98

M
27-98

First copy sent to Press. *2-7-98*

Returned for signature.

Despatched in print.

READ AGAIN G.O. No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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BY ORIGINAL.

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