

Public (1896) Department.

ORDINARY MS.

G.O., No. 228-29

Dated 15 Feb. 1896.

INDEXED.

[Despatch Abstract.]

DECLARATIONS BY PRINTERS AND PUBLISHERS.

Requesting the District Magistrate of Bellary to inform the Revd. Mr. Lucas that as the magazine which he publishes in Bellary is printed at Mangalore, Government has decided as a special case to accept as satisfying the requirements of Act XXV of 1867 a separate declaration made by the printer ^{before} the District Magistrate of Mangalore; and reporting the case for the information of the Government of India.

BACK PAPERS.

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

FURTHER PAPERS.

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BOOK No. 300

London Mission

Bellary

22 Jan 1896.

To the Chief Secretary

To the Government of Madras.

Sir,

I have the honour to state that as the publisher of a small Kanaree Monthly Magazine, I appeared before the District Magistrate to make the declaration required by the Press Act (Act XXV of 1867). I was informed that the printer's presence was also necessary. On referring to the Act I find that the section enforces the District Magistrate's order. I read as follows:-

"The printer or the publisher of every such periodical work shall appear before the Magistrate within whose local jurisdiction such work shall be published & shall make & subscribe in duplicate the following declaration:-"

In the present case the printer is a London Missionary at Mangalore and it is extremely inconvenient for him to appear personally before the Magistrate at Bellary to make the required declaration.

I have the honour to ask whether the personal presence of the printer is thus absolutely necessary, or whether a written attested declaration on his part is not sufficient. In the event of a personal declaration being necessary, whether such declaration cannot be made before the District Magistrate at Mangalore where the printer resides.

I have the honour to be

your most obedient servant

Wm. Lucas.

For Orders

Part II section 5 (1) of the Press Act (xxv of 1867) rules that "the printer and the publisher of every periodical work should appear before the Magistrate to make the declaration required by the Act."

M. Lucas of the London Mission is the publisher of a vernacular monthly at Bellary, which however is printed at the Basel Mission Press, Mangalore.

He enquires whether the personal presence of the printer is absolutely necessary at Bellary, or whether a written & attested declaration on his part would not suffice, & whether in the former case the declaration might not be made before the D.M. of Mangalore.

It is submitted that there is no reason why the printer should be compelled to travel from Mangalore to Bellary & why he should not be allowed to appear before the D.M. of Mangalore.

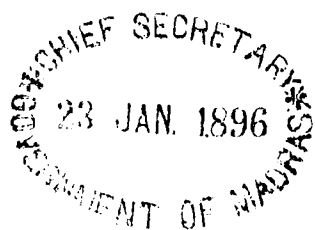
The Press Act did not apparently contemplate such a case as that now submitted and so does not provide a solution of the difficulty.

From Ben Lucas Esq.
London Mission
Bellary.

Dated 22 }
Recd 23 } January 1896
Regd 24 }

Subject.

Desiring instructions re:
the personal appearance of
the printer of a newspaper before
a Magistrate required under
the Press Act (xxv of 1867).



If the letter of the law
is to be enforced, perhaps
the D. M. of Bellary might
be asked whether there
is any press there capable
of turning out properly
a vernacular magazine.

It is submitted that
the Editor did not he
coerced in regard to his
printer. The magazine
is issued in Canarese.
The possibility of such a
case occurring did not
apparently strike the
legislature.

J. D. B.

The Legislature did not apparently
overlook the fact that publication &
printing might be at different
places for clause (2) of the same
section 5 says "as often as the
place of printing or publication
is changed &c". Perhaps however
they did not contemplate the two
places being at ^{an inconvenient} distance apart.
I have endeavoured to ascertain

W. Lucas & the Press Act

Hon W. H. W. Bliss C. P. R.

how the words got into the
Act, & whether any discussion
on the point was raised. I
find that they were taken
from the old enactment of
1835 but the Library reports
to me that ^{it} they had no
record of the Proceedings of the
Council that passed the Act
of 1835.

In the case I would
tell the petitioner that a declaration
of the printer before the D. M.
at Bellary will be accepted,
and bring the case to the notice
of the G. & J.

J. D. B.
9/1/6

Order No 228 d/15 Feb 96

Communicated to the District Magistrate, Bellary, who will inform the Res. W. Lucas that in the ^{special} circumstances brought to notice by him a declaration by the printer before the Dist. Magistrate at Mangalore will be accepted.

2. This case will be reported for the information of the Govt of India. (from orders)

Letter - to No 229 d/15 Feb 96
The Secy to the Govt of India,
Home Dept.

Sir,
I am to report the following case for the information of the Govt of India. The Missionary Mr. Barker under the Press of 1887. The Res. W. Lucas of the London Mission publishes a small monthly magazine in ^{the} Canarese ^{language} at Bellary, which is printed for him at the Basel Mission Press at Mangalore. When

To the D.M., Bellary }
" D.M., S. Canara. }

Mr Lucas & the declarations required by the Res. Art.

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Mr. W. Lucas

Mr. Lucas's 8th declaration
required by the Press Act.

When given for copying _____
~~When examined~~ _____
 When examined _____
 When signed _____

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READ AGAIN G.O., No. 189

CURRENT No.

ENCLOSURES TO C. No

LETTER OF GOVERNMENT

STATEMENT WITH BITTO

PAPERS NOT FILED UP, BRING MEANT FOR DESPATCH
IN ORIGINAL.

N.B. --

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