

Public (1899) Department.

ORDINARY PRINTED.

G.O., No. 12

DATED 4-1-99

INDEXED.

[Despatch Abstract.]

Declarations made by publishers of newspapers

Coming to the D. Secy of
Tanjore the opinion of the Joint Solicitor
that as the — under sections 4 & 5 of Act
XXX of 1884 do not require to be on oath or
affirmation they need not be drawn up
on stamped paper.

T
4-1-99

BACK PAPERS.

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

FURTHER PAPERS.

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

BLOCK 1

For the A.C.

The original of G.O. no. 12
pub. dated 4-1-1899 returned
from the Secretariat is in a
lousy condition. It may be
mended with chaffon where
necessary.

Espe. we can do this
when it is sent
out-meet.

W. H. H.

Government {1899} of Madras.
PUBLIC.

Recd.

Regd.

} 1899.

Enclosures

Spare copies

G.O., No. 12, 4th January 1899.

JANUARY.

Declarations made by Publishers of Newspapers.

Communicating to the District Magistrate of Tanjore the opinion of the Government Solicitor that as the — under sections 4 and 5 of Act XXV of 1867 do not require to be on oath or affirmation they need not be drawn up on stamped paper.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers:—

From J. TWIGG, Esq., Acting District Magistrate of Tanjore, to the Chief Secretary to Government, dated 28th November 1898, R. C. No. 1256-Mag.

I have the honour to enquire whether declarations under sections 4 and 5 of Act XXV of 1867 (An Act for the Regulation of Printing Presses and Newspapers) should be on oath and should be drawn up on stamped paper under article 3, Schedule I of the Stamp Act I of 1879.

The practice varies in this district and I therefore request orders on the point.

Endt. No. 2820.

Referred to the Government Solicitor for favour of opinion.

13th December 1898.

(Signed) G. STOKES,
Chief Secretary.

From ERNEST BARCLAY, Esq., Government Solicitor, to the Chief Secretary to Government, dated Madras, 15th December 1898, No. 628.

With reference to your endorsement, No. 2820, dated 13th instant, upon a letter, dated 28th ultimo, No. 1256, from the Acting District Magistrate, Tanjore, to your address, sections 4 and 5 of Act XXV of 1867 require that the declarations in those sections mentioned should be made before the Magistrate within whose jurisdiction the press is or, as the case may be, the work is published. Such declarations are to be in the respective forms given in the sections and need not be on oath or affirmation, as section 14 of the Act provides a penalty for making a declaration under the authority of the Act which is false or which the declarant either knows or believes to be false or does not believe to be true.

2. I am of opinion that, as the declaration does not require to be on oath or affirmation, it does not come within article 3, Schedule I of the Stamp Act, 1879, and does not require to be stamped.

3. I return the Acting District Magistrate's letter.

ORDER—No. 12, Public, dated 4th January 1899.

The Government Solicitor's opinion will be communicated to the District Magistrate of Tanjore.

(True Extract.)

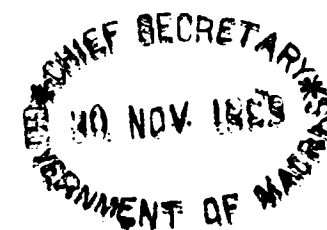
G. STOKES,
Chief Secretary.

To the District Magistrate of Tanjore.
Copy to all District Magistrates.
" to the Commissioner of Police.

Exd. P. Seetharam.

Referred
Judicial (1898) Department.

CURRENT No. 37.80



From, The District Magistrate Tanjore

Order Endt. No. 2820, d/13-12-98

Referred to Ref. on No. 1256 of 98
The Government Solicitor DESPATCHED
for favour of opinion. Dated 28th November 1898

for Chief Secretary. Received }
Registered }
Enclosures Nil
Spare copies

SUBJECT.

Requesting to be informed
if declarations under sections
4 & 5 of the Printing Presses
Act should be on oath &
should be drawn on stamped
papers —

Re. M. P. S. 1256/98
Re. 1515/87 + cont. papers

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Public (1898) Department.

CURRENT No. 3953

From The Govt. Solicitor,
Madras.

Order

No. 628

Dated } 15th Dec. 98
Received }

Registered 16th

Enclosures (P.C. No. 3780 returned)

Spare copies

SUBJECT.

Stating that, as
declarations under Section
4 of the Printing Presses
Act do not require to be on
oath or affirmation, they
need not be drawn on
stamped paper.

BACK PAPERS. 99

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The de-
 publishers of newspapers
 under Sec 4 & 5 of Act X
 of 1867 should be on oath
 and should be drawn up
 on stamped paper under
 article 3 Schedule I of the
 Stamp Act I of 1879.
 2. Sec 5 (1) of Act XXV of 1879
 says that the printer &
 publisher of
 newspapers

in sections ~~any~~ these
the declaration should
be on oath and Secs 13 &
14 prescribe penalties
for breach of rules under
~~Sections~~ these sections.
3. Besides this, these de-
clarations appear to
be under instruments
have stamps
file
to

file in duplicate the
following declaration.

I, A. B. declare that I am
the printer [or publisher, or
printer & publisher] of the periodical
work entitled and
printed [or published or printed
and published, as the case
maybe] at; and
the declaration under Sec 4
of the same Act runs thus:-

I, A. B. declare that I have
address for printing at
pre is written in

for the immediate purpose
 being filed or used in any
 or before the Officer of any
 is exempt from stamp
 & clause 2 of sec 6 of
 XXV of 1867 says that
 one of the originals of
 he deposited among
 records of the High
 of Judicature, or of the
 principal Civil Court
 Original of the
 for the place wherein
 said declaration
 have been made.
 5. As to the orders that
 be passed on this question
 will be of general applica-
 -tion
 -~~applicability~~ throughout the
 Presidency, submitted
 that the St. Magistrate's
 letter may be referred
 the Govt. Solicitor for
 opinion, and that
 St. Magistrates
 be asked to re-
 as to the prac-
 -ticing in

Return [G. 124] 1,000-11-10-98.

Desp

Rea

To
 The
 Deputy

CS

Public

C. No. 3780 From the St. Mag. of Tanjore, No. 1256, dated 28.7.1898.

"	"	"	"	"	189
"	"	"	"	"	189
3	"	"	"	"	189

For Order
 The St. Magistrate of
 inquires whether
 the Tanjore ~~Magistrate~~
 has taken any
 action made

St 00 [$\frac{G.}{124}$]
1,000-11-10-98

3 AK ask. 12/14/8.

Order 12 no. 4-11899.
PS

Kron
17/12/80 Ch 17/12/80 17/12/80 17/12/80

10
The St. Magd of Sanyre.
Copy to all St. Magd.
to the Council of Price.

at copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G O., No.
189

DATED

CURRENT No.

As marked

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAGES NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B. —

- A = Print in full.
- B = Not to be printed.
- P = Print abstract only.
- Q = Print heading only.

NUMBER OF COPIES
REQUIRED.

Order complete. 215
Letter only.
Order complete with Letter.