

ACT No. XIX OF 1858.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 11th May 1858.)

AN ACT to provide for the authentication of Stamped Paper issued from the Stamp Office in Calcutta.

WHEREAS, during the recent disturbances, a large quantity of Stamped Paper issued from the Stamp Office in Calcutta, and remaining unsold in several of the Collectors' Treasuries and in the possession of divers Stamp vendors, was plundered; and it is necessary to provide against the unlawful use of such Stamped Paper, and the loss which would ensue to Government from such use thereof: It is enacted as follows:—

I. After the passing of this Act, no deed, instrument, or other writing specified in Schedule A Regulation X. 1829 of the Bengal Code and required by that Regulation to be stamped, and which shall bear date or shall appear to have been written after the passing of this Act, shall be filed, exhibited, or received in any Court of Justice or in any public Office, unless the stamped paper, vellum, parchment, or other material upon which such deed, instrument, or other writing is written, shall either bear such stamp, signature, or other mark as hath been or shall be prescribed by the Governor General in Council or by the Lieutenant-Governor of Bengal for the purpose of distinguishing stamps issued from the Stamp Office in Calcutta after the 6th day of January 1858, or be authenticated as having been duly purchased by having thereon the signature and official designation either of the Superintendent of Stamps in Calcutta, or of the Collector of some District, or of his Deputy or Assistant, together with the date of such signature.

After passing of Act, no document required by Regulation X. 1829 to be stamped, shall be filed &c. unless bearing stamps authenticated as prescribed.

II. After the passing of this Act, no law-paper specified in Schedule B of the said Regulation and required by such Regulation to be stamped, shall be filed, exhibited, or received in any Court of Justice or in any public Office, unless such law-paper shall either bear the stamp, signature, or other mark

Authentication of stamps on law-papers mentioned in Schedule B of Regulation X. 1829.

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mark required for distinguishing stamps issued subsequently to the said 6th day of January 1858, or be authenticated as having been duly purchased by having thereon the signature and official designation either of the Superintendent of Stamps in Calcutta, or of the Collector of some District, or of his Deputy or Assistant, together with the date of such signature.

III. A notification of the stamp, signature, or other mark prescribed for distinguishing stamps issued from the Stamp Office in Calcutta after the 6th day of January 1858, shall be published in the Calcutta Government Gazette and in such other Gazettes as shall be published or shall circulate in any District in which stamps issued from the Stamp Office in Calcutta are used.

Notification to be published of distinguishing mark on stamps issued after 6th January 1858.

IV. In every District in which stamps issued from the Stamp Office in Calcutta are required by the said Regulation X. 1829 to be used, a proclamation shall be issued by the Collector requiring all persons, within a time to be specified in the proclamation, not being less than one month from the date of such proclamation, to cause all unused paper, vellum, parchment, or other material stamped under the provisions of the said Regulation, which may be in their possession, not bearing the stamp, signature, or other mark required for distinguishing stamps issued after the 6th day of January 1858, and which shall not have been authenticated in the manner above required, to be sent in to, or produced at, the Office of such Collector or of his Deputy or Assistant for the purpose of being authenticated or exchanged for new stamps.

Proclamation to be made requiring unused paper bearing stamps issued prior to the 6th January 1858, to be sent in for authentication.

V. Every person who, within the time specified in the proclamation, or within such further time as the Collector or his Deputy or Assistant shall consider reasonable under the circumstances of any particular case, shall cause to be produced at such Office as aforesaid, any such unused stamped paper, parchment, vellum, or other material as aforesaid, and shall prove to the satisfaction of the Collector or of his Deputy or Assistant that such stamp was honestly obtained from Government and paid for, shall be entitled to have the same authenticated by such Officer in manner aforesaid, or to have the same exchanged by such Officer for new stamps of the same amount.

Such unused stamped paper, if proved to have been honestly acquired, shall be authenticated by the Government Officer.

VI. Any

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VI. Any such unused stamped paper, parchment, vellum, or other material so sent in or produced as aforesaid, which shall not either bear the stamp, signature, or other mark required for distinguishing stamps issued after the said 6th day of January 1858, or have been authenticated in manner aforesaid, and which shall not be proved to the satisfaction of the Collector or of his Deputy or Assistant to have been honestly obtained from Government and paid for, shall be detained by such Officer as Government property; and any such stamped paper, parchment, vellum, or other material, which shall be found in the possession of any person, may be seized by any Magistrate or by any Officer of Police or Revenue Officer, and sent in to the Collector's Office; and if such paper, parchment, vellum, or other material shall be so found after the time required for sending in the same for authentication or exchange, it may be detained as the property of Government.

Such unused stamped paper if not proved to have been honestly acquired, or if not sent in within prescribed time, to be detained as Government property.

VII. Any Officer of Police having power by law to search for stolen property may, subject to the provisions under which he is empowered to make such search, proceed to search houses or places in which there may be reasonable cause to suspect that there is any such stamped paper, parchment, vellum, or other material not bearing the stamp, signature, or other mark required for distinguishing stamped paper issued after the 6th day of January 1858, and not authenticated in manner aforesaid as having been duly purchased from Government, and may seize and transmit to the Collector any such stamped paper as aforesaid.

Police Officer empowered to search for and seize unauthenticated stamped paper.

VIII. The words "Collector" or "his Deputy or Assistant" shall be deemed to include any Officer exercising the powers of a Collector or of his Deputy or Assistant respectively.

Interpretation.

