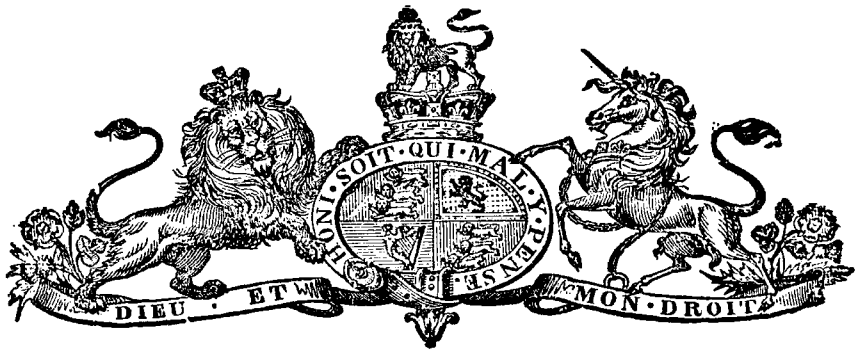


ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

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CAP. XXXVII.

An Act to amend the Law relating to Documentary Evidence in certain Cases. [25th *June* 1868.]

WHEREAS it is expedient to amend the Law relating to Evidence: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Documentary Evidence Act, 1868."

Mode of proving certain Documents.

2. *Primâ facie* Evidence of any Proclamation, Order, or Regulation issued before or after the passing of this Act by Her Majesty, or by the Privy Council, also of any Proclamation, Order, or Regulation issued before or after the passing of this Act by or under the Authority of any such Department of the Government or Officer as is mentioned in the First Column of the Schedule hereto, may be given in all Courts of Justice, and in all legal Proceedings whatsoever, in all or any of the Modes herein-after mentioned; that is to say:

(1.) By the Production of a Copy of the Gazette purporting to contain such Proclamation, Order, or Regulation.

(2.) By

(2.) By the Production of a Copy of such Proclamation, Order, or Regulation purporting to be printed by the Government Printer, or, where the Question arises in a Court in any *British* Colony or Possession, of a Copy purporting to be printed under the Authority of the Legislature of such *British* Colony or Possession.

(3.) By the Production, in the Case of any Proclamation, Order, or Regulation issued by Her Majesty or by the Privy Council, of a Copy or Extract purporting to be certified to be true by the Clerk of the Privy Council or by any One of the Lords or others of the Privy Council, and, in the Case of any Proclamation, Order, or Regulation issued by or under the Authority of any of the said Departments or Officers, by the Production of a Copy or Extract purporting to be certified to be true by the Person or Persons specified in the Second Column of the said Schedule in connexion with such Department or Officer.

Any Copy or Extract made in pursuance of this Act may be in Print or in Writing, or partly in Print and partly in Writing.

No Proof shall be required of the Handwriting or official Position of any Person certifying, in pursuance of this Act, to the Truth of any Copy of or Extract from any Proclamation, Order, or Regulation.

Act to be in force in Colonies.

3. Subject to any Law that may be from Time to Time made by the Legislature of any *British* Colony or Possession, this Act shall be in force in every such Colony and Possession.

Punishment of Forgery.

4. If any Person commits any of the Offences following, that is to say,—

(1.) Prints any Copy of any Proclamation, Order, or Regulation which falsely purports to have been printed by the Government Printer, or to be printed under the Authority of the Legislature of any *British* Colony or Possession, or tenders in Evidence any Copy of any Proclamation, Order, or Regulation which falsely purports to have been printed as aforesaid, knowing that the same was not so printed; or,

(2.) Forges or tenders in Evidence, knowing the same to have been forged, any Certificate by this Act authorized to be annexed to a Copy of or Extract from any Proclamation, Order, or Regulation;

he shall be guilty of Felony, and shall on Conviction be liable to be sentenced to Penal Servitude for such Term as is prescribed by the Penal Servitude Act, 1864, as the least Term to which an Offender can be sentenced to Penal Servitude, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

5. The

Documentary Evidence.

Definition of Terms.

5. The following Words shall in this Act have the Meaning hereinafter assigned to them, unless there is something in the Context repugnant to such Construction; (that is to say,)

"British Colony and Possession."

"*British* Colony and Possession" shall for the Purposes of this Act include the Channel Islands, the *Isle of Man*, and such Territories as may for the Time being be vested in Her Majesty by virtue of any Act of Parliament for the Government of *India* and all other Her Majesty's Dominions.

"Legislature."

"Legislature" shall signify any Authority other than the Imperial Parliament or Her Majesty in Council competent to make Laws for any Colony or Possession.

"Privy Council."

"Privy Council" shall include Her Majesty in Council and the Lords and others of Her Majesty's Privy Council, or any of them, and any Committee of the Privy Council that is not specially named in the Schedule hereto.

"Government Printer."

"Government Printer" shall mean and include the Printer to Her Majesty and any Printer purporting to be the Printer authorized to print the Statutes, Ordinances, Acts of State, or other Public Acts of the Legislature of any *British* Colony or Possession, or otherwise to be the Government Printer of such Colony or Possession.

"Gazette."

"Gazette" shall include the *London Gazette*, the *Edinburgh Gazette*, and the *Dublin Gazette*, or any of such Gazettes.

Act to be cumulative.

6. The Provisions of this Act shall be deemed to be in addition to, and not in derogation of, any Powers of proving Documents given by any existing Statute or existing at Common Law.

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SCHEDULE.

Column 1. Name of Department or Officer.	Column 2. Names of Certifying Officers.
The Commissioners of the Treasury.	Any Commissioner, Secretary, or Assistant Secretary of the Treasury.
The Commissioners for executing the Office of Lord High Admiral.	Any of the Commissioners for executing the Office of Lord High Admiral or either of the Secretaries to the said Commissioners.
Secretaries of State.	Any Secretary or Under-Secretary of State.
Committee of Privy Council for Trade.	Any Member of the Committee of Privy Council for Trade or any Secretary or Assistant Secretary of the said Committee.
The Poor Law Board.	Any Commissioner of the Poor Law Board or any Secretary or Assistant Secretary of the said Board.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1868.