

EAST AFR. PROT

317

C O  
43026

113006

REC'D  
PROT. DIV. 11/19

1910

LAND EXPLORATION SERVICE

requires as to correct procedure  
in following executive order of Attorney  
General of United States in U.S.P.

Partly with 7/8/19

F

113006

~~A Dept~~

This letter refers to the both of the subjects of the  
S.A.P. case

Para 1

Refers to para 25 of the Indian Evidence Act of 1872  
which provides that it has been established to and  
is not in S.A.P. and says that the  
provision does not apply to the case - Subramani  
Narasimhan & others

[This section relates to the subject of the stamp duty,  
and that although the law is not understood  
to be a part of the law of the place in which  
it is intended to be used, it is required  
to be authenticated by a Notary Public, as  
per the 1st Stamp Duty Act, 1899, which is  
in effect of the Notary Act]

And it is to be noted by the subject that when the PA  
is sent out to the S.A.P. it will be subject  
to the further Act only, and not to Section  
10 of the Indian Stamp Act 1899, which has been applied  
to and is in force in S.A.P.

*Handwritten notes:*  
See on...  
18/1/17

18/1/17  
12/7/19

JOHN K. GILLIAT & CO

BRITISH EAST AFRICA DEP

WALTERS & GILLIAT  
WALTERS & GILLIAT  
WALTERS & GILLIAT

WALTERS & GILLIAT LONDON

ONE AVENUE 2992

CODES

AGENTS

WESTERN AFRICA

INDOCHINA

INDONESIA

6, Crosby Square, 319  
London, E.C.3. 15th July, 1918.

Dear Sir,  
East Africa Land Settlement Selection Board,  
59 Victoria Street, S.W.1.

There appears to be some doubt among the  
legal fraternity here as to the making out of the  
Powers of Attorney supplied by you to approved  
candidates.

Can you inform us as to the following:-

1. Is it necessary for the Power of Attorney to  
be accompanied by a separate Notarial Certificate, or  
is it sufficient if the Notary Public simply witnesses  
the applicant's signature on the Power of Attorney.
2. Is a 10/- stamp necessary on the Power of Attorney,  
or is the Notarial 1/- stamp sufficient.

We have to acknowledge receipt of your letter  
of 14th inst., re Mr. J. B. Stead.

Yours faithfully,  
*John K. Gilliat*



Under the A.P. the provision of the  
Act does not appear to require a  
specific statement of the

in regard to your record questions,  
although the fact that you were  
deprived of matters of your own, it would  
appear to be that the power of attorney  
is not any more subject to the "10/10" rule  
which under the Statute Act of 1951 para  
2(a) is in the case of the State in which  
it is intended to be used it is required  
to be authorized by a notary public  
or a public officer of the State of Maryland  
in respect to the instrument.

It is to be added that when the power of  
attorney is not subject to the "10/10" rule, it will  
be subject to the public law that under  
Section 3(e) of Schedule I, item 10, of  
the Indian Stamp Act of 1949 which has been  
applied to and is now in force in the A.P.



3. To complete the title of any farm or land allotted and to receive the title deeds and to sign the same so far as may be necessary for the purposes aforesaid

4. To make any payments lawful and necessary for the carrying out of these powers

To sign or do all deeds and acts and things necessary for the execution of the powers and consistent with the intent and effect of the said powers and to do all things necessary for the carrying out of the same

AND I hereby authorize and empower the said executors and administrators to do all things necessary for the carrying out of the powers and to do all things necessary for the carrying out of the same

WITNESSETH MY HAND AND SEAL this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

IN WITNESS WHEREOF I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_