It is, therefore, my opinion that: (1) The $3.00 docket fee established by the Acts of 1953, Ch. 154, Sec. 2, supra, is not in lieu of all Justice of the Peace fees and costs as provided in the Acts of 1913, Ch. 308, Sec. 2, supra, and the Acts of 1951, Ch. 139, Sec. 2, supra; (2) Justices of the Peace governed by the Acts of 1953, Ch. 154, supra, will tax and charge the fees and costs, except for docket fees, provided by the Acts of 1913, Ch. 308, Sec. 2, supra, and the Acts of 1951, Ch. 139, Sec. 2, supra, which fees and costs are in addition to the above described $3.00 docket fee and upon collection are to be paid to the township.

OFFICIAL OPINION NO. 49

November 28, 1955

Mrs. Pauline H. Shumack, Secretary
Indiana State Board of Registration for Architects
Room 412, State Library Building
Indianapolis 4, Indiana

Dear Mrs. Shumack:

Your letter of November 17, 1955 has been received and reads as follows:

"We are appreciative of your kindness in sending us a copy of the Official Opinion No. 34 relative to the use of rubber stamps instead of seals in relation to the Professional Engineers & Land Surveyors.

"We note that in the Architectural Act the word 'impression' appears with reference to the seal. We, therefore, request an opinion as to whether a rubber stamp may be used legally under the Architectural Act in place of the seal."

The Acts of 1929, Ch. 62, Sec. 13, as found in Burns' Indiana Statutes (1951 Repl.), Section 63-113, provides, in part, as follows:

* * *

"Every registered architect shall have a seal or design authorized by the board, the impression of which shall contain the name of the architect and the words,
"registered architect," 'state of Indiana.' He shall stamp with this seal all working drawings, reports, and specifications prepared by him or under his supervision."

In 1955 O. A. G., page 130, No. 34, referred to in your letter, under somewhat similar provision prevailing in the statute concerning professional engineers and land surveyors, it was held that the words "stamped with the seal" was complied with by using a rubber stamp for such purpose. This was on the theory that an indentation in the paper was not necessary and so construed pursuant to the provisions of 2 R. S. § 1 (1852), as found in Burns' Indiana Statutes (1946 Repl.), Section 1-201, requiring that "words and phrases shall be taken in their plain, or ordinary and usual, sense," unless plainly repugnant to the intent or context of the statute.

The statute in this case is practically identical except in referring to the seal it states the "impression" on the seal, which contains the name of the architect, shall be used to "stamp" all working drawings, reports, and specifications prepared by him or under his supervision.

The word "impression" is defined in Webster’s New International Dictionary (Second Edition) as follows:

"Act or process of impression; communication of a stamp, mold, style, or character, by external force or influence."

For the foregoing reasons, I am of the opinion a rubber stamp containing the required design and information may be legally used by an architect with which to stamp his working drawings, reports and specifications in complying with the above statute.