

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1245-	Press
	27-28	~~Mis.~~
Dated	11-9-	1945

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 14th September 1858.

No. 27. Read the following letter from H. D. PHILLIPS, Esq., Magistrate of Tanjore ;
to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated
Negapatam, 25th August 1858, No. 321.

SIR,

Adverting to the law in force relative to the importation of Sulphur, I have the honor to
forward a copy of a decision by the Special Assistant Magistrate, relative
to a quantity of that article lately landed at Nagore without a License,
but which, it will be observed, there appear to be no just grounds for
confiscating.

2. It seems to me, however, to be inadvisable that the Sulphur should be allowed to pass from
the custody of Government Officers, and in this view, I beg to solicit authority to detain it under
the provisions of Section XIX, Act XXVIII of 1857, for such time as may be thought necessary.

Government Versus Ignapoo.

MISDEMEANOR.

The defendant is charged with having on the 25th June 1858, at Nagore in the Talook of
Keevalore, aided and assisted in importing into the territories of the East India Company
6128 lbs. of Sulphur without a License.

The fact of the importation of the Sulphur in question, is proved by the evidence of two of
the Custom House servants, and is admitted by the defendant.

The latter is a Native of Acheen, and states, that he shipped the Sulphur at Penang on board
the Barque "Narwhal," Captain Vaulking, with the view of disposing of it at Nagore, but that
he was at the time entirely ignorant of the restrictions imposed upon trade in Sulphur by Act
28 of last year. He shipped a number of other articles at the same time and preceded the arrival
of the "Narwhal" at Nagore by taking the Steamer to Galle, from whence he arrived in time to
claim his shipments on their being landed.

There is no reason to suppose that defendant acted otherwise than in ignorance of the Act in
question, and the Special Assistant Magistrate therefore considers it unnecessary for him to en-
force the penalty to which he has rendered himself liable. Defendant is therefore released.

The Sulphur will be detained in accordance with the provisions of Section XIX, Regula-
tion XXVIII of 1857.

(Signed) G. VANS AGNEW,
S. A. M.

(True Copy.) (Signed) H. D. PHILLIPS,
Magistrate.

Negapatam, }
21st August 1858. }

No. 28. ORDER THEREON, No. 1245; dated 11th September 1858.

Under the circumstances represented in the foregoing communication, the Governor in Coun-
cil concurs in opinion with the Magistrate of Tanjore, that there are no grounds for confiscat-
ing the 6128 lbs. of Sulphur imported into Nagore by Ignapoo without a License. It will
be ascertained from the Commissary General, whether the Sulphur may not be purchased for
the Ordnance Department on behalf of Government. If it be not required by that Officer, Ignapoo
may be permitted to re-export it, under due precautions to be observed by the Magistrate
of Tanjore, to any place out of India; but if he be unwilling to do so, it must be kept in the
custody of the Government Officers until further orders, under the provisions of the Notification
of the Government of India, dated 14th August 1857, No. 1574, and Sections 18 and 19 of Act
XXVIII of 1857.

(Signed) T. PYCROFT,
Chief Secretary.

Judicial Department

N^o 1245

from the Minutes of Consultation

Dated 11 September 1858

Read the following letter
from the Magistrate of Yangon.

(Here enter 25th Sept/58 No 521.)

Under the circumstances re-
presented in the foregoing com-
munication, the Governor in Council
concurs in opinion with the Magis-
trate of Yangon, that there are no
grounds for confiscating the 6128
lbs. of Sulphur imported into Rangoon
by Syriapoo, without a licence. It
will be ascertained from the Com-
missionary General, whether the Sulphur
may not be purchased for the
Artillery Department, on behalf
of the Govt. If it be not required by
that office, Syriapoo may be
permitted to re-export it, under
due precautions & be observed by
the Magistrate of Yangon, to any
place out of India; but if he be

unwilling to do so, it must be kept
in the custody of the Govt. officers
until further orders, under the
provisions of the Notification of
the Govt. of India dated 14th Aug/57
No. 1574 and Secs. 18 and 19 of Act
XXVIII of 1857.

J.P.

Copy to Magistrate of Tanjore }
" Comdng General. }

Disptd 10th 1857

