

MADRAS RECORD OFFICE.

Government of Madras.

Local DEPARTMENT.

G.O. No.	1323	Press
	49-50	~~Mis~~
Dated	27-3-	1958

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 28th September 1858.

No. 49. Read the following letter from Colonel A. McCALLY, Commissary General; to the Chief Secretary to Government, Fort Saint George, dated 13th September 1858, No. 130.

SIR,

24th August 1858. Adverting to Extract from the Minutes of Consultation, No. 1165, I have the honor to inform you that Sulphur is chiefly required by this department for supply to the Ordnance Department.

2. On communicating with the Inspector General of Ordnance and Magazines on the subject, he states that the immense stock of that article in store precludes his advising the purchase of any further supply, and that the Superintendent Gun Powder Manufactory reports that there is no demand and no store-accommodation for more Sulphur in that Manufactory, there being at present about 20 years' supply in the store-rooms.

3. Under these circumstances and as the quantity of Sulphur which may be required by this department for supplies to Hospitals is small, about 100 pounds per annum, which is easily obtained in the market, I am unable to recommend the purchase of the 300 casks now in charge of Messrs. Lecot and Co.

No. 50. To the Secretary to the Government of India, dated Fort St. George, the 27th September 1858, No. 1323.

SIR,

I am directed by the Governor in Council to acknowledge the receipt of your letter of 29th July last, No. 2538, forwarding, for report, a representation submitted by the Government of Pondicherry, on behalf of certain French merchants of that place, who shipped some Sulphur to Madras prior to the publication of the order prohibiting the sale of that article, and which the assignees allege they are not allowed either to sell at Madras or re-ship for Pondicherry.

2. In reply I am instructed to explain, that the Sulphur in question was detained under the Notification of the Government of India in the Home Department, dated 14th August 1857, No. 1574, which absolutely prohibits the transport and sale of Sulphur, except on account of Government; and makes no reservation in favour of that article imported before that date. This Notification was subsequently confirmed by Sections 15 and 18 of Act XXVIII of 1857, which received the assent of the Governor General on the 17th September of that year, and is to be in force for two years. The Notification as far as this Government are aware has not been withdrawn or modified by any subsequent orders. In the Circular instructions issued by this Government explanatory of this Notification, it was intimated that when a parcel of Sulphur was reported by any individual to be in his possession, enquiry was to be made whether the Military authorities wished to purchase it on Government account; and if they did not, a License for its protection was to be issued to the owner, in whose hands it was to remain until the prohibition against its sale or transport was removed. As a general rule, it was observed, the removal and sale of Sulphur was strictly prohibited, but that it was not intended to prevent its bonafide use for medicinal or manufacturing purposes, including the preparation of fire-works. Collectors and Magistrates were allowed to give passes at their discretion for the removal of small quantities of Sulphur for the above purpose, but they were to keep a register of these passes and care was to be taken against any improper use being made of this privilege.

3. On the 15th October last, Messrs. Lecot, Hicks and Co. brought to the notice of Government that as they understood from the tenor of the Notification*

* Of the Government of India, dated 14th August 1857, No. 1574.

above referred to, that Government intended purchasing, at the current value, any quantity of Sulphur that might be in the market, they stopped the delivery of a quantity of this article they had sold to a native before the notice appeared in order to prevent the possibility of any improper use being made of it and tendered the whole of their stock to the Commissary General; but that that Officer had declined their tender as the Sulphur was not required by the Ordnance Department. The Commissioner of Police they also complained refused to grant a License to dispose of it by private sale or to permit its removal from their godowns as he had no authority to do so. Under these circumstances, they solicited that Government would authorize either the issue of a License to them to

Fort St. George, Judicial Consultation, 28th September 1858.

sell the Sulphur in their possession or the acceptance of the tender made by them. To this the Government replied that they could not depart from the terms of the Notification referred to, which absolutely prohibited the transport or sale of Sulphur until further notice. No other communication has since been received from Messrs. Lecot, Hicks and Co. on the subject of this Sulphur.

4. In March last, another party Messrs. Miller and Sons, who had imported Sulphur into Madras, was authorized by Government in the event of its not being purchased by the Ordnance Department to re-export it, under due precautions, to be observed by the Collector of Sea Customs, to any place out of India. There would have been no objection to Messrs. Lecot, Hicks and Co. re-exporting their Sulphur to Pondicherry, had they applied for permission to do so. The Sulphur is not required by Government, and Messrs. Lecot, Hicks and Co. having been informed that they are at liberty to re-export it to Pondicherry if they wished, they applied for permission to do so, and the Acting Collector of Sea Customs was authorized to issue a License to them accordingly.

(Signed) T. PYCROFT,
Chief Secretary.

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Judicial Department

No 1323.

The Secretary to the Government of India

Sir,

I am directed by the Government in Council to acknowledge the receipt of your letter of 29th July last No 238, forwarding, for report, a representation submitted by the Government of Pondicherry, on behalf of certain French merchants of the place who shipped some sulphur to Madras prior to the publication of the order prohibiting the sale of that article, and which the assignees allege they are not allowed either to sell at Madras or re-ship for Pondicherry.

2. In reply I am instructed to explain that the sulphur in question was detained under the Notification of the Govt. of India in the Home Dept. dated 14th Aug. 1857 No 1574, which absolutely prohibits the transport and sale of

sulphur, except on account of loss
and makes no reservation in favor
of that article imported before the
date. This notification was sub-
sequently confirmed by Dec. 15th
of Act XXVIII of 1857, which received
the assent of the Governor General
on the 17th day of that year and
which is to be in force for his Highness
the notification as far as the law
as now has not been withdrawn
or modified by any subsequent
order. In the Circular notification
issued by this Govt. and bearing
of this notification, it was intimated
that when a parcel of
sulphur was reported by any
individual to be in his possession
enquiry was to be made with
the Military authorities whether
to purchase it on Government
account; and if they did not
a license was to be issued for
its production and
in whose hands it was to be
remained until the prohibition
against its sale or transfer
was removed.

dated 22nd Sept/57.

of the Govt. of India
dated 16 Aug/57 No 1574.

and sale of sulphur was strictly
prohibited, but that it was not
intended to prevent its bona fide
use for medicinal or manufac-
turing purposes, including the
preparation of fireworks. Collectors
and Magistrates were allowed to give
passes at their discretion for the
removal of small quantities of
sulphur for the above purposes
but they were to keep a register
of these passes and care was to be
taken against any improper use
being made of this privilege.

3. On the 15th Oct. last, Mr. J. L. Hook, M. L. A. brought to the
notice of Govt. that as they were
distrusted from the terms of the
notification above referred to,
that Govt. intended purchasing,
at the current value, any quantity
of sulphur that might be in the
market, they had stopped the
delivery of a quantity of this
article they had sold to a native
before the notice appeared in
order to prevent the possibility
of any improper use being made
of it and tendered the whole
of their stock to the Commissioner.

See 59 before, 25 Dec 72
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See entry to the East of
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