M.H.C. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 135-36	1215	Press ~~Mis.~~
Dated	21-9-	1860.

5/6

Not to be folded or roughly handled

No. 135. Read the following letter from P. GRANT, Esq., Magistrate of Malabar, to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated Calicut, 6th September 1860, No. 55.

Under Act XXXI of 1860, which comes into operation on the 1st proximo, Licenses for the sale of Sulphur, Arms, &c., are to be granted in the form prescribed by the Governor General of India in Council. As these forms are not given in the body of the Act, I request I may be supplied with them.

2. The consumption of Sulphur in this Province is very considerable, chiefly on account of the large quantities used in bleaching the hundreds of tons of Ginger annually exported from it.

3. Whilst care must be taken in granting Licenses for the sale of Sulphur, precautions must be adopted to prevent the ready purchase of the same being attended with unnecessary restrictions.

4. Large quantities of Sulphur are also used in the manufacture of Gunpowder, which is expended by the cultivators in the protection of their crops from the ravages of wild Hog, Deer, Elephants, Bison, Pea-fowl, Monkeys, &c.

5. The eastern boundry of this Province includes, at a rough estimate, a distance of 250 or 300 miles, one line of vast jungle abounding in animals of the descriptions above detailed. It is therefore obvious that without close watching, all grain crops would be eaten off the ground in a very short time.

6. The necessity to use fire-arms for the protection of their crops, has, as might have been expected, created a passion for sport amongst the inhabitants of Malabar, exceeded only, I believe, in Great Britain.

7. I apprehend that the number of Arms to be registered will prove very large. Fortunately, the Hindu portion of the population is most loyal: but in dealing generally with the registry of small arms, discretion and patience must be used.

8. In conformity with Proceedings of Government, dated 13th September 1859, people were allowed to retain in their possession certain cannon, amounting in the aggregate *No.* 1,241. to 79 pieces. Some of these guns are worthless as far as service is concerned, others are used for the purpose of firing salutes on the occasion of festivals; but would not stand to be shotted, and a few are in fair order. I beg to be informed whether the strict letter of Act XXXI of 1860, is to be adhered to, with reference to all these guns, and the owners to be obliged to take Licenses on payment of a fee of Rupees 50 each.

9. The question has been put to me, whether a Justice of the Peace comes under the exemption stated in Section 27 of the Act. I conclude that he is entitled to carry Arms without a License in virtue of the Office which he holds. I request the decision of this point.

No. 136. ORDER THEREON, 21st September 1860, No 1,215.

The Magistrate of Malabar will be informed that Circular Instructions on the subject of Act XXXI, 1860, will shortly be issued by Government.

2. The Government do not understand the meaning of paragraph 7 of Mr. Grants' letter. The registry of Arms is no where required by Act XXXI of 1860, nor is any such measure in the contemplation of Government. Parties going armed or carrying Arms, may indeed, by Section XXVI be disarmed by any Magistrate or Police Officer, if their Arms are not protected by a License, but this is only when in the judgment of such Officer, such bearing of Arms would be dangerous to the peace of the country. The Government expect that all Public Officers will exercise a reasonable discretion in this respect, and abstain from all needless interference with the people.

Proceedings of the Madras Government, Judicial Department,
21st September 1860.

3. The Government consider, that under the terms of Section IV, Act XXXI, 1860, th payment of a Fee of Rupees 50 on every License, for the possession of Cannon is imperative But all the Cannon, &c., belonging to the same individual may be entered in one License.

4. It appears to Government that Justices of the Peace are not among the Officer exempted by Section XXVII of the Act.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. S. T. Augustin.

From Home Secretary - Calcutta - 22nd Septr 1860.

To Secretary - Madras.

Urgent.

The Governor General in Council requests that no General Order of Exemption under Section 27 of the Arms Act may be issued until instructions are received from this Government.

22nd September 1860.

Judicial Department.

Proceedings of the Madras Government.

Read the following Letter from the Magistrate of Malabar.

Rec'd entered & Sep: 1860, No 53.

Order thereon 21st September 1860, No 1215

The Magistrate of Malabar will be informed that Circular Instructions on the subject of Act XXXI. 1860 will shortly be issued by Government.

2.- The Govt do not understand the meaning of para 4 of Mr Grant's letter. The registry of Arms is no where required by Act XXXI of 1860, nor is any such measure in the contemplation of Govt. Parties going armed or

carrying

carrying Arms, may indeed, by Section XXVI be disarmed by any Magistrate or Police officer, if their Arms are not protected by a Licence, but this is only when in the judgment of such officer, such bearing of Arms would be dangerous to the peace of the country. The Govt. expect that all public officers will exercise a reasonable discretion in this respect, and abstain from all needless interference with the people.—

3. The Govt. consider, that, under the terms of Section IV Act XXI 1860, the payment of a fee of Rupees 50 on every licence for the possession of Cannon is imperative. But all the Cannon belonging to the same individual may be entered in one licence.

4

11. It appears to Govt. that Justices of the Peace are not among the officers exempted by Section 2 of the Act.—

To the Hospitals of Malabar 3.

Inspector Genl Police, with copy of Mr Js letter

Judicial

Department 186*0*.

No. 1215.

Proceedings of the Madras

Government.

Dated 21 *Sept*r 1860.

Ex. 1698

135 + 136