M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1291 Press ~~Mis.~~

37-38

Dated 5. 10. ~~19~~ 1880.

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 5th October 1860.

No. 37. Read the following letter from Colonel J. C. BOULDERSON, Commissioner of Police, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 29th September 1860, No. 112.

With reference to the Licenses now under preparation under the provisions of Act XXXI of 1860, I have the honor to call your attention to the following Sections of our Police Act XIII of 1856, I request you will inform me how far the provisions of those Sections are affected by the new Law.

2. Section 70 provides that a greater quantity of gun-powder than 10 lbs. shall not be kept in any building at one time subject to a fine of 100 Rupees.

3. Section 71 empowers the Commissioner of Police to grant Licenses for the sale and deposit of gun-powder, &c., with a penalty for breach of conditions thereof.

4. By Section 72 the Commissioner of Police may grant License for the conveying and removing of gun-powder.

5. By Section 73 the Commissioner of Police is empowered to issue warrants to search for gun-powder under certain circumstances.

6. Section 74 intimates that the Act shall not extend to certain Government buildings, &c., in which gun-powder is kept.

7. Section 47 prohibits all except certain classes from carrying Arms in public streets and thoroughfares unless by leave of the Commissioner of Police, subject to fine and forfeiture if disobeyed.

No. 38. ORDER THEREON, 5th October 1860, No. 1,291.

The Government observe that the manufacture, sale or the keeping for sale of gunpowder, without a license, within the limits of the town of Madras as in other parts of the Madras Presidency is prohibited by Section V, Act XXXI, 1860.

2. But Section LXX, LXXI, Act XIII, 1856, go beyond Section V, Act XXXI, 1860, and prohibit the manufacture of gunpowder in the limits of the town of Madras absolutely. They prohibit also the *possession* by any person, in any house, shop or warehouse or other building at any one time of a greater quantity than *ten* pounds of gunpowder without a license, and that whether the powder is intended for sale or otherwise. By Section LXXI the Commissioner cannot grant a license to keep a larger quantity of gunpowder than 50 pounds.

3. The Government consider that the provisions of Sections LXX, LXXI of Act XIII, 1856, which are special and local regulations enacted on Municipal grounds, are not set aside by the provisions of Act XXXI, 1860, and that a license from the Commissioner of Police is still necessary in regard to gunpowder in the possession of any resident of Madras in quantity beyond ten and below fifty pounds. Such license may, however, be given as heretofore on plain paper, and distinct from and in addition to the stamped license required by Section VIII, Act XXXI, 1860. Moreover, licenses granted under Section V, Act XXXI, 1860, to any persons within the town of Madras, must not include the "manufacture" of gunpowder, which must be considered as absolutely prohibited by Section LXX, Act XIII, 1856.

4. In regard to any quantity of gunpowder above fifty pounds, the Commissioner should apply to Government for their instructions.

5. The provisions of Section LXXII, Act XIII, 1856, may be regarded as merged in those of Sections XXII, XXIII, Act XXXI, 1860.

6. Sections LXXIII, LXXIV, Act XIII, 1856, are still in force, as is Section XLVII. The "leave to go armed" under this last Section may be given by the Commissioner of Police by means of the Licenses to be issued under Section XXVIII, Act XXXI, 1860.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial Department.

Proceedings of the Madras Government.

Read the following letter from the Commissioner of Police -

(Recd under 29 Sept. 1860 No. 112.)

Order thereon 5th October 1860 No. 1291.

The Govt. observe that the manufacture, sale or the keeping for sale of Gunpowder, without a license, within the limits of the town of Madras as in other parts of the Madras Presidency is prohibited by Section V Act XXXI 1860.

2.- But Sec: LXX - LXXI Act XIII 1856, go beyond Sec: V Act XXXI 1860, and prohibit the manufacture of Gunpowder in the limits of the Town of Madras absolutely. They prohibit also the possession by any person, in any house, shop

shop or warehouse or other building at any one time of a greater quantity than ten pounds of Gunpowder without a license, and that whether the powder is intended for sale or otherwise. By Sec: LXXI the Commissioner cannot grant a license to keep a larger quantity of gunpowder than 50 pounds.

3.— The Govt. consider that the provisions of Sec: LXX–LXXI of Act XIII 1856 which are Special and local regulations enacted on Municipal grounds, are not set aside by the provisions of Act XXXI 1860, and that a license from the Commissioner of Police is still necessary in regard to gunpowder in the possession of any resident of Madras in quantity beyond ten and below 50 lbs. Such licence may, however, be given as heretofore on plain paper and distinct from and in addition to the Stamped license required by Sec: VIII, Act XXXI, 1860. Moreover, licenses granted under Sec: V Act XXXI, 1860 to any persons within the town of Madras, must not include the "manufacture" of gunpowder, which must be considered as absolutely prohibited by Sec: LXX Act XIII, 1856.—

4. In regard to any quantity of gunpowder above 50 lbs, the Commissioner should apply to Govt. for their instructions.—

5.— The provisions of Sec: LXXII, Act XIII, 1856 may be regarded as merged in those of Secs: XXII–XXIII Act XXXI. 1860.

6.— Secs: LXXIII LXXV Act XIII, 1856 are still in force— as is Sec: XLVII. The "leave to go armed" under this last Section may be given by the Commissioner of Police by means of the licences to be issued under Sec: XXVIII Act XXXI–1860.—

To the Commissioner of Police. Sept. 5th

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Judicial

Department 1860.

No. 1291

Proceedings of the Madras

Government.

Dated 5 October 1860

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Passing orders on the letter from the Commissioner of Police calling attention to certain Sections of the Police act XIII of 1856 Regarding Gunpowder.

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