M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 27. Press Mis.

38-39 38-39

Dated 9.1.1860 19 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, for the month of January 1860.

No. 38. Read the following letter from R. B. CHAPMAN, Esq., Under Secretary to the Government of India; to the Secretary to the Government of Fort Saint George, dated Fort William, 8th December 1859, No. 2433.

I am directed to transmit the accompanying copy of a Message No. 125, dated the 3rd instant, from the Legislative Council, and to request that, with the permission of His Excellency the Governor in Council, you will be so good as to cause the information therein indicated, relative to the actual working of Act No. XXVIII of 1857, to be supplied to this Government, for communication to the Legislative Council.

MESSAGE No. 125.

The Legislative Council have the honor to inform the President in Council that, inasmuch as a Bill is now pending before the Legislative Council, to make perpetual the temporary Act XXVIII of 1857 (relating to the importation, manufacture, and sale of Arms and Ammunition, and for regulating the right to keep or use the same), it is the desire of this Council that the information indicated in the following queries, relative to the actual working of the Act, be procured and communicated to the Legislative Council.

1. In what Provinces, Districts, or places has a general search for Arms, Ammunition, or Sulphur been ordered under Section XXIV, Act XXVIII of 1857, and carried out, stating, if possible, in the case of each District or place, the commencement and completion of the search; and stating also the number of the different sorts of Arms seized?

2. To what Provinces, Districts, or places have Sections I, and V, of the above Act been extended, stating whether the extension applies to other places than those in which a general search has been ordered?

3. In what places have Sections VII and VIII, prohibitory of the manufacturing and dealing in Arms without a license, been extended?

4. In what places has the prohibition to import Arms, Ammunition, Sulphur, and Saltpetre been enforced under Section XII, and is continued in force?

5. In what places has the transport of Arms, &c., been prohibited under Section XV, and is still prohibited?

6. In what places has the sale of Sulphur been prohibited under Section XVIII., and is still prohibited?

7. In what places have the making and keeping of cannon, &c., without a license been prohibited under Section XXVI, and are still prohibited?

FORT WILLIAM,
The 3rd December 1859.

(Signed) W. MORGAN,
Clerk of the Council.

(True Copy.)

(Signed) R. B. CHAPMAN,
Under Secy. to the Govt. of India.

No. 39. ORDER THEREON, 9th January 1860, No. 27.

With reference to the first of the queries contained in the Message of the Legislative Council, communicated with the above letter, it is remarked that the only District in the Madras Presidency in which there can have been a general search for Arms, Ammunition, or Sulphur, is North Canara. The Orders of Government 19th April 1858, referred only to the registry and surrender of Arms in the Soopah Tálúq, but did not direct a general search for them. It is possible, however, that under the circumstances of the country, such a search may have been instituted. The Magistrate will be required to report on this point, stating the commencement and completion of the search, if there was one, and also the number of the different sorts of Arms seized.

Copy

2. As regards the second query, Sections I and V of the Act in question have been extended only to North Canara and the Town of Madras, but no general search was ordered, and none took place at Madras.

3. The prohibition, under Sections VII and VIII, against manufacturing and dealing in Arms, without a license, referred to in the next query, has been extended to the whole Presidency.

4. The answer to the fourth and two following queries is that the prohibitions specified in them, viz., under Section XII against the import of Arms, Ammunition, Sulphur, and Saltpetre without a license; under Section XV against the transport of Arms, &c.; under Section XVIII against the sale of Sulphur, — are enforced throughout the whole Presidency. It has been notified in the Fort Saint George Gazette that applications for license to import, make, or sell Arms, or Ammunition, or to transport Arms, Military Stores, Sulphur, or Saltpetre from one place to another within the Presidency are to be made at Madras to the Commissioner of Police, and in the Provinces to the local Magistracy. The Collectors of Sea Customs have been authorized and required to detain all Sulphur imported by Sea, reporting the same to Government. All persons having Sulphur in their possession have been required forthwith to report the same to the nearest Civil or Military Officer under penalty of confiscation. As a general rule the removal or sale of Sulphur is absolutely prohibited but public Officers have been informed by circular that it was not intended to prevent its bonâ fide use for medicinal or manufacturing purposes, including the preparation of fire works, Collectors and Magistrates have therefore been allowed to give passes, at their discretion for the removal of small quantities of Sulphur for the above purposes, but a register has to be kept of these passes, and care is to be taken against any improper use being made of this privilege.

5. In the last query, it is asked in what place have the making and keeping of cannon, &c., without a license, been prohibited under Section XXVI? This has been done only in North Canara and Madras.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. S. T. Augustin.

2

Judicial Department

Proceedings of the Madras Government

Read the following letter from the Government of India -

Rec^d enter 8^th Dec^r 59 N^o 2433/
9 January 1860 —
~~December~~ N^o 27

Order thereon

With reference to the first of the queries contained in the Message of the Legislative Council communicated with the above letter, it is remarked that the only District in the Madras Presidency in which there can have been a general search for arms, Ammunition, or Sulphur, is North Canara as the Orders of Government 19^th April 1858 prescribed only to the registry and surrender of Arms in the Sooparah Taluq but did not direct a general search for them. It is possible however that under the circumstances of the Country such a search may have been instituted. The Magistrate will

will be required to report on this point - stating the commencement and completion of the search, if there was one, and also the number of the different sorts of Arms seized -

2 As regards the second query, Section IV of the Act in question have been extended only to North Canara and the Town of Madras - but no general search was ordered, and none took place at Madras -

3 The prohibition, under Section VII and VIII, against manufacturing and dealing in Arms, without a licence, referred to in the next query, has been extended to the whole Presidency -

4 The answer to the fourth and two following queries is that the prohibitions specified in them, viz. under Section XII against the import of Arms, Ammunition, Sulphur, and Saltpetre, without a licence under Section XV against the transport of Arms &c. under

under Section XVIII against the sale of Sulphur, are enforced throughout the whole Presidency - It has been notified in the Fort St. George Gazette that applications for licences to import, make, or sell Arms, or Ammunition, or to transport Arms, Military Stores, Sulphur, or Saltpetre from one place to another within the Presidency are to be made at Madras to the Commissioner of Police, and in the Provinces to the local Magistracy - The Collectors of Sea Customs have been authorized and required to detain all Sulphur imported by Sea, reporting the same to Government - All persons having Sulphur in their possession have been required forthwith to report the same to the nearest Civil or Military Officer under penalty of confiscation - As a general rule, the removal or sale of Sulphur is absolutely prohibited but it was not intended to prevent its bonâ fide

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5 In the last query, it is asked in what places have the watering and keeping of Cannon, &c., without a license, been prohibited under Section XXVI? This has been done only in North Canara and Madras.

GP

Canara to the Magistrate of N. Canara

Dispd. 9th ms