M.R.O. 1—50,000—16-10-29.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Judicial **DEPARTMENT.**

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| **G.O. No.** 821 | **Press** Mis. |
| 303-304 | |
| **Dated** 30 — 5 — 1916 | |

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***Not to be folded or roughly handled***

*Proceedings of the Madras Government, Judicial Department,*
*30th May* 1866.

No. 303. Read the following letter from the Secretary to the Government of India, to the Secretary to Government, Fort Saint George; dated Simla, 10th May 1866, Circular No. 482.

Foreign Department.
Political.

In supersession of the instructions conveyed in my $\frac{\text{letter, No. 156,}}{\text{Circular, No. 187,}}$ dated 23rd February last, I am directed by the Right Honorable the Governor General in Council to forward, for the information and guidance of the Government of Madras, the accompanying copy of a correspondence which has recently passed between the Government of India and the Government of Bengal, upon the measures necessary for regulating the importation of rifles into British India.

2 I am particularly to solicit attention to the Notification, of which copy is appended to my letter to the Bengal Government.

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From the Secretary to the Government of Bengal, to the Under Secretary to the Government of India, Foreign Department,—(No. 1713, dated Fort William, the 23rd March 1866).

I am directed to acknowledge the receipt of the Orders of the Government of India communicated by your docket, No. 187, dated the 23rd ultimo, and, in reply, to say that the proposal of the Government of Bombay, in regard to the restriction to be imposed on the sale of arms, seems to the Lieutenant Governor insufficient to meet the case. So far as the regulation of the sale of arms is concerned, it matters little whether the sale is by auction or private contract. It is quite certain that a person who would import arms as a speculation would very seldom hesitate to declare himself satisfied with the respectability of intending purchasers.

2. If it be really desired to restrict and regulate the sale of arms, the only effectual way ~~of doing it, in His Honor's opinion, will be to prohibit the sale of arms,~~ except to persons having a certificate from the Commissioner of Police. This is a precaution which is, perhaps, hardly necessary in this Presidency in regard to smooth-bore arms and fowling pieces; but the importation of Enfield and other long range rifles seems to the Lieutenant Governor to require the serious attention and decisive interference of Government; and His Honor would, therefore, suggest that His Excellency the Governor General in Council should issue a Notification, prohibiting, under Section 23, Act VI of 1863, the importation into this country of rifles of every description, except *bonâ fide* sporting rifles, for which a license would, under the Arms Act, have to be obtained from the Commissioner of Police. If this is done, a sufficient notice, probably three months, will have to be given to the trade.

3. So long as our Native Troops are armed only with smooth bores, it is, the Lieutenant Governor thinks, very important that long range weapons should not be allowed to be imported for sale to Native States and Hill Tribes.

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From the Secretary to the Government of India, to the Secretary to the Government of Bengal; dated Simla, 10th May 1866, No. 478.

Foreign Department.
Political.

I have the honor to acknowledge the receipt of your letter, No. 1713, dated 23rd March, intimating that, in the opinion of the Lieutenant Governor of Bengal, the rules recently proposed by the Government of Bombay, and approved by the Government of India, for regulating the importation and sale of arms, are insufficient to meet the requirements of the case.

2. In reply, I am desired to explain that, at the time when the communication from the Government of Bombay was under the consideration of the Right Honorable the Governor General in Council, the previous correspondence on the same subject which had passed between the Government of India and the Government of Bengal, in the Military Department, was accidently overlooked.

3. His Excellency in Council observes that, in paragraph 2 of the Military Despatch to your address, No. 15, dated 1st December last, the prohibition contained in Section 17, Act XXXI of 1860, against any importation of arms without a license, was pointed out to the Government of Bengal, and a recommendation added that no importation of any considerable quantity of long-

range rifles should be allowed, without the special order of the Local Government. These instructions were subsequently modified by the Military letter, No. 48, dated 3rd April, and the rule then laid down was that licenses were to be refused for the importation of such weapons by *bazaar-dealers, or for sale by auction.*

4. On a review of the entire correspondence, the Governor General in Council is disposed to agree with the Lieutenant Governor that both the plan proposed by the Government of Bombay, and also the later of the two orders issued from the Military Department of this Government, would be practically ineffectual, either to check importation, or to prevent the ultimate disposal of the weapons, after importation, in any quarter that might be wished.

5. The Lieutenant Governor now proposes that a general Notification, under Section 23, Act VI of 1863, shall be published by the Government of India, prohibiting the importation of rifles of every description, except *bona fide* sporting rifles, for which a license, under the Arms Act (XXXI of 1860), would have to be obtained from the Local Commissioner of Police. His Excellency the Governor General in Council has been pleased to approve of this proposal, and the next issue of the *Gazette of India* will accordingly contain the Notification, of which I am desired to forward to you the accompanying copy.

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FOREIGN DEPARTMENT, SIMLA, THE 10th MAY 1866, No. 477.

POLITICAL.

NOTIFICATION.

Under Section 23 of Act VI of 1863, His Excellency the Governor General in Council hereby prohibits the importation into British India of rifles of every description, except such as are intended *bona fide* for sporting purposes. Licenses for the importation of sporting rifles may be obtained on application to the local Officers empowered to grant such licenses under Act XXXI of 1860.

2. This order will come into operation from the 12th August next.

(Signed) W. MUIR,
*Secretary to the Government of India.*

(True Copy).

(Signed) J. W. S. WYLLIE,
*Under Secy. to the Govt. of India.*

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No. 479-481.

Copy of the above correspondence, and also of the Notification, forwarded for the information of the Home, Military, and Financial Departments.

SIMLA, FOREIGN DEPARTMENT,
POLITICAL, 10*th May* 1866.

(Signed) J. W. S. WYLLIE,
*Under Secy. to the Govt. of India.*

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No. 304. ORDER THEREON, 30th May 1866, No. 841.

Ordered that the Notification which accompanied the foregoing letter be republished in the *Fort Saint George Gazette;* and the several Magistrates of Districts, and the Inspector General and Commissioner of Police, be instructed to see that the rule laid down in it be carefully observed.

(True Extract).

A. J. ARBUTHNOT,
*Chief Secretary.*

To the Magistrate of
„ Inspector General of Police.
„ Commissioner of Police.

Exd. J. H. Burns.

30th May 1866 No. 841.

Ordered that the Notification which accompanied the foregoing letter be republished in the Fort St George Gazette, and the several Magistrates of Districts and the Inspector General and Commissioner of Police be instructed to see that the rule laid down in it be carefully observed.

No. 479

To the Magistrates of all Districts
— Insp. Genl of Police
— Commr of Police
Gazette — 1/6

dated 2/6