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1883
Judl (~~193~~) Department.

657 SERIES.

G.O. No. 594

DATED 1-3-83

Confidential

[Despatch Abstract.]

Arms without license -
Appeal to the High Court -

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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Madras
23rd February 1883

I am

H. H. Shephard Esq
Government Pleader
Madras

To The Honble C. G. Master
Chief Secretary to
Government.

Sir

Although it would have been more satisfactory if there had been a distinct record of the admission made by the accused through his Counsel that the arms before the Court had been found in his possession he having no licenses for them, I think there is enough on the record to justify the findings which appear to be necessary for a conviction.

It appears that the required licenses are given out annually, presumably in the Form VIII, each license expiring with the year and that the accused had

had obtained licenses for the years 1880 and 1881, but that for 1882 he had at most only made an application. Assuming even this latter fact in the accused's favor I should still think he might rightly have been convicted on the mere possession without license being established and I do not agree with the opinion expressed by the Sessions Judge that an application made in December would excuse an unlicensed possession of arms in the earlier part of the year and make the accused any the less guilty of an offence within the meaning of Section 19 (b).

I think there is a reasonable chance of the acquittal being reversed on appeal.

I return all the papers that accompanied your note of 14th Inst.

I have the honor to be
Your most ^{affectionate} obedient servant

R. W. M. L.
Government Pleader

Clause VI, Rule 19.—The general rule that all licenses shall, unless renewed, expire on the 31st December, applies only to licenses granted under Rules 11 and 13,

ENCLOSURE No. 1.

NOTIFICATION.

In continuation of Notification, No. 9, dated 2nd January 1879, the following revised edition of the Notification and Rules made by the Governor-General in Council under "The Indian Arms Act, 1878," is published. The revised rules will take effect from the date of publication. The forms cited in these rules are precisely the same as those previously published:

I.—The Governor-General in Council is pleased, under Section 27, to exempt from the operations of all prohibitions and directions contained in Sections 13, 14, 15, and 16 of "The Indian Arms Act, 1878," other than those referring to cannon, articles designed for torpedo service, war-rockets, and machinery for the manufacture of arms and ammunition, the under-mentioned persons, namely:—

- (1) all Maharajahs, Rajahs, Nawabs, Members of any Order of Knighthood; all persons bearing a title conferred by the Government of India; all persons who have been granted a sword in public Durbar; all persons who received certificates on the 1st January 1877; all persons who are exempted from personal attendance at Civil Courts;
- (2) all Members or ex-Members of the Council of the Governor-General, or of the Governors of Madras or Bombay, or of the Council of the Lieutenant-Governor of Bengal;
- (3) all Military and Naval Officers, all Soldiers, Sailors, Volunteers, Police Officers, Forest Officers, Postal Officers, Jail Officers, serving the Government;
- (4) all Magistrates, Justices of the Peace, Honorary Magistrates, and Judicial Officers of or above the rank of Munsif;
- (5) all European and East Indian subjects of Her Majesty the Queen-Empress; all Armenians; and all Americans and Europeans not British-born subjects of Her Majesty who are temporarily residing or travelling in India;
- (6) all Consuls, Consular Agents, all duly accredited Vakeels or Agents of Native States;
- (7) all Ruling Chiefs on the occasions of their entering, or residing in, British India, with their retinues, to such numbers as may in each case be settled by the Political Officer under the orders of the Foreign Department or of the Madras and Bombay Governments in respect to Chiefs whose political relations are with those Governments respectively; and all officials of such Chiefs passing through British India on duty;
- (8) all pensioned officers of the Native Army, and pensioned officers of the Civil Departments who, when employed, were exempt;

NOTE.—The words "all pensioned officers of the Native Army" may be taken to include non-commissioned as well as commissioned officers of the Native Army.—Letter from Government of India, 4th November 1881, No. 1779, recorded in G.O., 19th November 1881, No. 2390.

- (9) the following Personages and their Retainers—

- (a) the ancient Zemindars and Poligars of the Madras Presidency;
- (b) the Deccan and Southern Mahratta Sirdars;
- (c) the Maharajah of Bulrampore, K.C.S.I.,
the Maharajah of Benares,
the Rajah of Gursahai,
the Rajah of Jagmanpore,
the Rao of Gopalpura,
- (d) the great Sirdars and Jagirdars of the Punjab;
- (e) the Zemindars of the scheduled districts in the Central Provinces;
- (f) the great Zemindars of Bengal;

subject to such orders as the respective Local Governments may issue regarding personages to be included in these categories, or the numbers of retainers in each case;

- (10) Landholders and Members of Municipal Committees of approved loyalty and of good position, according to lists that may from time to time be issued by the respective Local Governments;
- (11) all Heads of Villages, Ghatwals, Dighwars, and other Rural Police;
- (12) all Thooгыes, Yazawut-goungs, Kyadangees in British Burma;
- (13) all persons of Coorg race; and all jumma tenure-holders in Coorg who by their tenures are liable for Police and Military duties;
- (14) all subjects of the Baroda State who may transport arms or ammunition from one part of Baroda territory to another part of the same territory, under a license granted by the Resident or Assistant Resident of Baroda;
- (15) all Revenue Officials and Postal Runners in frontier or wild districts, where the superior departmental officers direct them to carry arms on duty.

II.—The Governor-General in Council is pleased, under Section 27, to exclude from the operation of any prohibition and direction contained in the Act—

- (a) spears of all kinds, so far as regards the Presidency of Madras;
- (b) weapons known as *kukris* and *dhaos*, so far as regards the Lieutenant-Governorship of Bengal;
- (c) weapons known as *dhars*, so far as regards the Chief Commissionership of British Burma;
- (d) swords, daggers, spears, *kukris*, *dhaos*, so far as regards the Chief Commissionership of Assam;
- (e) bows and arrows; and
- (f) spears of all kinds in Bengal, so far as regards districts or parts of districts which the Local Government may declare to come within this exemption.

III.—The Governor-General in Council is pleased, under Section 27, to withdraw from the operation of prohibitions and directions contained in the Act certain tracts as follows:—

- (a) all scheduled districts in the Madras Presidency from all prohibitions and directions, save in respect to rifled arms and cannon, and except those directions contained in Sections 12 and 25;
- (b) the Chittagong Hill Tracts of Bengal from the prohibitions and directions contained in Sections 13 and 14;
- (c) all scheduled districts in the Lieutenant-Governorship of the Punjab, except Hazara, and also certain tracts and villages on the Hazara frontier specially notified by the Local Government, from all prohibitions and directions contained in Sections 13 and 14;
- (d) the Arracan Hill Tracts of British Burma from the prohibitions and directions contained in Sections 13 and 14; and
- (e) in the North-Western Provinces the districts of the Jhansi Division and the parts of the Mirzapore District on the right bank of the River Sone, from the prohibitions and directions contained in Section 14.

IV.—The Governor-General in Council is pleased to extend the prohibitions and directions regarding Military Stores as follows:—

- (a) to sulphur in quantities above ten seers, all sections of the Act to all parts of India;

NOTE.—In modification of Article IV, Clause (a), of Home Department Notification No. 518, dated the 6th March 1879, and in supersession of Home Department Notifications Nos. 992 and 1723, dated respectively the 14th June and 10th November 1880, the Governor-General in Council is pleased to declare that licenses for the importation, possession or transport of sulphur proved to the satisfaction of the Local Government or Administration concerned to be intended only for *bond fide* manufacturing or agricultural purposes, may be granted without payment of any fee. (Notification, 7th October 1881, No. 1617, and G.O., 27th October 1881, No. 2203.)

- (b) to saltpetre and lead, Sections 6, 10, 11, 12, 17, 19—28, in all districts on the external land frontier of British India, and in the seaboard districts of British Burma.

V.—The Governor-General in Council is pleased, under Section 11, to sanction the establishment of searching stations, under Section 11, at—

- (a) the land customs-houses near the boundary line between British India and the French Settlements on the Eastern and Western Coasts and the Portuguese Settlements on the Western Coast;
- (b) Allammyo near the external boundary line between British India and the Kingdom of Upper Burma.

The Governor-General in Council is pleased, under Section 9, to direct that at the said land customs-houses the duties specified in the second Schedule shall be levied.

VI.—The Governor-General in Council is pleased, under Section 17, to make the following rules determining the officers by whom, the form in which, and the terms and conditions on and subject to which, licenses shall be granted:—

R U L E S.

TRANSPORT, IMPORT, AND EXPORT.

1. No cannon, articles designed for torpedo service, war-rockets, or machinery for the manufacture of arms and ammunition, shall be imported into British India, or transported over any part of British India without a license granted by the Governor-General in Council under the signature of the Secretary to the Government of India in the Home Department. The license shall be in Form I, appended to these rules, and a copy shall be at once communicated to the Magistrate of the District, or to the Political Officer of the State, to which the articles are consigned.

2. No arms, or ammunition, or military stores, shall be transported in any part of British India without a license in Form II appended to these rules. If the articles are despatched from Calcutta, Madras or Bombay, the license will be granted by the Commissioner of Police; in all other cases the license will be granted by the Magistrate of the District. If the articles are to be

consigned to a place beyond the jurisdiction of the officer granting the license, the consent of the Magistrate of the District to which the consignment is made must be obtained before the license is issued. Such consent may be obtained by the person applying for the license; or the Police Commissioner, or District Magistrate, to whom application for the license is made, may forward the proposed license to the officer whose consent is required; and on receiving reply should either issue the license to the applicant, or inform him that his application for a license to transport arms, &c., had been refused.

3. Persons lawfully entitled to possess arms, or to go armed, are permitted to transport, in any part of British India, arms or ammunition in reasonable quantities for their own use. Any person abusing this exemption and transporting such articles otherwise than in reasonable quantities for his own use will be held to have contravened this rule, and will, on conviction, become liable to the penalties under Sections 18 and 19.

3 (a). A person licensed to possess arms, ammunition, or military stores, or who is exempted from the liability to take out such a license, is entitled to transport to his residence, from the premises of a licensed dealer, arms, ammunition, or military stores without a separate transport license, so long as the articles purchased are in reasonable quantity and for his own use. A licensed dealer in arms, ammunition, and military stores, may supply the order of any such person, and may without a separate transport license send or despatch, in any way desired, to the residence of the purchaser the articles ordered by any such person, so long as they fulfil the requirements of Rule 3, and are legibly addressed to the person for whom they are intended.

4. A license to transport arms or ammunition or military stores is void if the consignment breaks bulk at any place short of the district for which it may be granted. A license to transport shall ordinarily not be made valid for more than twice the period actually required for the conveyance of the articles to their destination by the intended route.

5. No license shall be granted, save by the special order of the Governor-General in Council certified under the signature of the Secretary to the Government of India in the Home Department for the importation into British India by sea or river or land, or for exportation from British India by sea, of any cannon, or of any rifles, except rifles of such quality or in such quantity as may reasonably be held to be intended for *bond fide* sporting purposes.

6. Licenses to import or export arms, other than cannon or rifles not excepted as in the next foregoing rule, ammunition or military stores by sea, may be granted at the ports of Calcutta, Madras, Bombay, Rangoon, Calicut, Kurrachee, Aden, and for no other ports. They shall be granted by the Commissioners of Police in respect of each Presidency Town, and by the Magistrate of the District in respect of Rangoon and Kurrachee. The fee payable in respect of each such license shall be ten rupees, and the licenses shall be in the Forms III and IV, appended to these rules. It shall be a condition of such licenses that the arms and ammunition imported shall either be deposited in a warehouse sanctioned in this regard under Section 7 of the Indian Arms Act, or that they shall be at once despatched to their destination under a separate license to transport.

Notification of the Government of India, dated 30th August 1879, No. 1901. G.O., 11th September 1879, No. 2336.

Notification of the Government of India, dated 30th August 1879, No. 1901; Gazette of India, 6th September 1879.

7. Licenses to export arms or ammunition or military stores by land or by river to any place beyond the frontier of British India, or to any place within the limits of the feudatory States and licenses to import arms or ammunition or military stores into, or to export the same out of, the district of Ajmere, may be granted by the Secretary to the Government of India in the Foreign Department, or by any other officer specially empowered by the Government of India to grant them.

Licenses to export arms or ammunition or military stores by land or by river to any place within the political jurisdiction of the Governments of Madras and Bombay may be granted by the Secretaries to the Governments of Madras and Bombay respectively, copies of such licenses being sent to the Foreign Department of the Government of India for information. These licenses will be valid only for the State named in them, and no export beyond the limits of that State can be permitted under them.

Licenses granted under this rule will be prepared in Form V, and be charged with a fee of Rs. 5, except in such cases as the Government of India in the Foreign Department may grant exemption from, or reduction of, the prescribed fee. Licenses to import arms, ammunition or military stores into Ajmere will also be granted in Form V, the word export in the heading of the license being changed into import.

Copies of such licenses shall be sent on the day of issue to the Political Officer of the State to which the articles are to be exported, and in the case of imports into Ajmere, to the Commissioner of the District. Copies shall also be sent to the Magistrate of the frontier district if the articles are to cross the frontier by road or river. If the articles are to be carried across the frontier by rail, a copy of the license should, in the case of consignments despatched from Presidency towns, be sent to the Commissioner of Police, and in other cases to the Magistrate of the District from which the articles are to be despatched. In such cases the Commissioner of Police or the Magistrate of the District, as the case may be, should at once forward a copy of the license to the Railway authorities at the place of despatch. No Railway Company shall receive for despatch any box, package or bale containing arms, ammunition, or military stores as defined in the Arms Act and the rules framed thereunder, unless covered and accompanied by the original license granted under these rules, and the Railway authorities shall in every instance satisfy themselves that the goods tendered to them for transport correspond to the description given in such license, and that the license is identical with that forwarded to them by the Commissioner of Police or Magistrate of the District.

7-A. Nothing in Rules 5, 6, or 7 shall be deemed to authorise the grant of licenses—

- (a) to import any arms, ammunition, or military stores from Portuguese India;
- (b) to export to Portuguese India by sea, river or land any arms, ammunition, or military stores, except the same be exported for the exclusive use of the Government of Portuguese India, or are covered by a special license for import into Portuguese India signed by the Secretary-General to the Government of Portuguese India.

8. Persons desirous of transporting or exporting arms, ammunition, or military stores must apply in writing to the officer authorised to grant such licenses. The application must specify—

- (a) the place to which the articles are to be transported or exported, the route of transport or export, and the probable time that will be occupied in the journey.
- (b) the quantity, description, average price, and the purpose of each kind of arms or ammunition; or
- (c) whether the applicant has obtained the consent of the Magistrate or Political Officer of the place of consignment. (If so, the evidence of such consent must be produced.)

9. Persons transporting or exporting arms, ammunition, or military stores under a license must write legibly on the cases or packages containing such articles on account of their contents.

10. In the case of transport the consignee must, within six days of the articles reaching their destination, deliver the transport license to the Magistrate of the District. In the case of articles crossing the frontier of British India by road or river, the export license must, within six days of the consignment reaching the frontier district, and before it leaves British territory, be delivered to the Magistrate of the frontier district, or other officer empowered by him to receive export licenses on his behalf. The officer to whom the transport or export license, as the case may be, may be delivered must satisfy himself that the articles correspond with the entries in the license, and that any deficiency is properly accounted for.

MANUFACTURE AND SALE.

11. Licenses to manufacture, convert, keep and sell arms or ammunition or military stores, may be granted by Commissioners of Police in the Presidency towns, and by the Magistrate of the district outside those towns. They shall be in Forms VI and VII appended to these rules. The fee payable in stamps shall be twenty rupees in respect of licenses to manufacture and sell, &c., and ten rupees in respect of licenses to keep and sell, &c. Every license-holder under this rule shall keep, in such form as the Local Government may from time to time direct, a record and account of all stock, and of all sales of arms and ammunition or sulphur, which he may keep or sell. He shall exhibit his stock and his record, or accounts, of stock and sales to any Magistrate, or to any Police Officer not below the rank of Inspector. Magistrates and all Police Officers not below the rank of Inspector are hereby empowered to enter and inspect any premises within their several jurisdictions in which arms or ammunition or sulphur are manufactured or kept, and to examine the stock and accounts of receipts and sales of arms, ammunition, and military stores. Any person licensed to sell arms and ammunition shall affix a board on a conspicuous part of his shop, or usual place of business, and shall cause to be painted thereon in large letters in English, or in the vernacular of the district, his name and the words "licensed to manufacture," or "licensed to deal in arms, ammunition and military stores," as the case may be. He shall also have a copy of Section 28 of the Indian Arms Act posted up, in the vernacular of the district or in English, on some conspicuous part of his usual place of business.

POSSESSION OF ARMS AND GOING ARMED.

12. Licenses to possess cannon shall not be granted, save under the special order of the Governor-General in Council, certified under the signature of the Secretary to the Government of India in the Home Department. A copy of such license, so certified, must be sent immediately on its issue to the District Magistrate of the place where the cannon is to be kept.

13. Licenses to possess arms and ammunition in reasonable quantities and to go armed for purposes of sport, of protection, or of display, may be granted by the Commissioner of Police in the Presidency towns, and by the Magistrate of the district outside those towns, in Form VIII. Such licenses shall be liable to a fee of eight annas for each weapon in disarmed districts, and to a fee of four annas for each weapon in districts which have not been disarmed. Such a license will authorise its holder to carry the arms described in the license, on occasions when they may be reasonably required for the purposes named in the license. But the holder, unless specially authorised by the Magistrate, must not go armed in railway carriages, to fairs, religious processions, or other public assemblages. Licenses granted under this rule shall, on countersignature by the Commissioner of the Division, or other officer authorised in this regard by the Local Government where there are no Commissioners, shall be valid for all the districts of the Local Government within the territories of which the license may have been granted.

14. Any Commissioner of Police or Magistrate of the District may grant a license in Form IX for a journey, specifying the direction of the journey and the period it will occupy. Such license will be valid in other jurisdictions only for such journey and for such period, and will be liable to a fee of four annas for each weapon. Political Agents may grant licenses under this rule to natives of the States where they may be serving, and such licenses granted for journeys by Political Agents shall be liable to no fee. Holders of licenses under this rule, unless specially authorised by the officer granting the licenses, must not go armed in railway carriages, to fairs, religious processions, or other public assemblies.

15. Licenses to possess fire-arms or ammunition or military stores in districts which have not been disarmed may be granted in Form X without fee. Such licenses will not authorise the holders to go armed, or to carry arms. In districts which have not been disarmed, as well

as in disarmed districts, licenses to possess and carry arms (Form VIII) will be liable to fees as stated in Rule 13.

16. Licenses for possession of arms and ammunition may be granted in Form XI without fee, and for a term of five years, to persons who require arms for the destruction of wild animals which do injury to human beings, cattle, or crops. Such license will be valid only in or on the immediate confines of the district for which it is granted. It will be subject to the conditions that the license and the weapon it covers is shown once a year, between the 15th November and the 31st December, to the nearest Magistrate; that the weapon becomes confiscated to Government directly it is sold or seized in execution of any debt; and that such weapon is carried only on occasions when it is to be used *bonâ fide* for the destruction of wild animals. Holders of licenses under this rule must not go armed in railway carriages, to fairs, religious processions, or other public assemblages.

GENERAL.

17. Applications for licenses, or renewals of licenses, under these rules, shall be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses.

18. Applications for licenses in respect of which no fee is leviable, or regarding licenses on which the full fee has been paid, shall be considered to be applications within meaning of Schedule II, Article 1, Clause (a) of "The Indian Stamp Act, 1879," and shall bear a Court fee stamp of one anna.

19. All licenses under Rules 11 and 13 shall expire on the 31st December of the year for which they may be issued; licenses under Rule 15 shall expire on the 31st December of the 5th year of their currency. But the currency of a license may be renewed, previous to its expiration, on payment of a second fee by the same authority that granted it.

20. All licenses shall be given and held subject to the conditions endorsed on the reverse, and subject to these rules, and subject to the provisions of the Act. Licenses under Rules 13 and 16 may be granted subject to the observance of a close season in the pursuit of game-birds or animals that do not injure either men, or cattle, or crops. The limits of the close season will be decided by the Local Government, and the condition regarding such close season, if imposed, shall be endorsed on the reverse of the license.

21. Any person holding a license, or acting under a license, granted in accordance with these rules, shall be bound to produce the same, when called upon to do so by any Magistrate, or by any Police Officer in charge of a Police station, or by any Police Officer of higher rank.

22. Licenses granted for use within a district shall be written or printed in the vernacular language of such district. Licenses granted in a Presidency town, or for use beyond the district where they may be granted, shall be in English and may be in the vernacular as well.

23. The Assistant Resident at Aden shall exercise the powers of a Magistrate in respect of the grant of licenses under these rules.

24. A license granted under these rules will cover only the weapons or other articles, and the persons named therein, unless the officer granting a license under Rule 13 or 14 deems it expedient to include the retainers of any person named in the license; in such case the entry on the face of the license shall declare how many and whose retainers are covered by the license.

25. Any officer empowered to grant a license under these rules may at his discretion refuse to grant, to renew, or to consent to the issue of, a license, or may refer any application for the orders of the Local Government.

26. All Magistrates or other authorities acting under these rules will perform their duties subject to the control of their executive superiors and of the Local Government.

HOME DEPT. (PUBLIC), FORT WILLIAM,
6th March 1879.

(Signed) C. BERNARD,
Offg. Secy. to the Govt. of India.

NOTIFICATION.

Notification of the Government of India, 30th September 1881, No. 1555 G. O., 13th October 1881, No. 2114.

Under the provisions of Section 17 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to make the following rule regarding the grant of licenses for the possession and transport of gunpowder and fuses required by cultivators for purposes of blasting:—

RULE.

Licenses may be granted to cultivators, without payment of any fee, entitling the holder to possess and transport gunpowder and fuses in reasonable quantities, when the same are proved to the satisfaction of the officer granting the license to be required for *bonâ fide* blasting purposes. Such licenses shall be given in the appended form.

FORM.

License to possess and transport gunpowder and fuses for *bonâ fide* blasting purposes.

[No fee payable.]

Name of License-holder with particulars of Residence.	Columns to be filled in in Cases of Transport.			Quantity of Gunpowder and Fuses.	District or Place within which License is valid.	Term for which License is valid.
	Place of Despatch, Route, and Mode of Transit.	Time for which Pass is valid.	Destination.			
		From the				
		To the				
		188				

Conditions to be entered on reverse of license:—

The license is subject to the provisions of the Arms Act and of the rules framed thereunder.

It covers only the persons and the quantity of gunpowder and fuses named therein.

It extends only to the district or place named therein, and is void after the expiration of the term mentioned.

In cases of transport—

The license becomes void if the time occupied in transit exceeds the period specified, or if the consignment breaks bulk before reaching the place of destination, or if the articles are taken by any other route than that specified in the license.

The contents of each package covered by the license must be described in legible letters on the outside of such package.

On arrival at their destination the articles must be available for exhibition to the Magistrate of the district or other principal officer.

(Signed) A. MACKENZIE,
Offg. Secretary to the Govt. of India.

FORM I.

License to import, or transport, or possess cannon, articles designed for torpedo service, war-rockets, or machinery for the manufacture of arms or ammunition.

Name, &c., of license-holder and agent, if any, with residence, &c.	Number of packages.	Specification of calibre, &c., of cannon or other articles.	Number of articles.	Place of despatch and route.	Destination.	Name and residence of consignee.	Time for which pass is valid.	Use to which articles are to be put, and specification whether the license covers importation, or transport, or possession.
							From the _____ to the _____ _____ 188 .	

_____ 188 . } Date on which copy is sent to the District Magistrate of the District or to the Political Officers of the State to which the articles are consigned.

_____ 188 . Secy. to the Govt. of India, Home Dept.

FORM II.

FEE TEN RUPEES IN STAMPS.

License to transport arms, ammunition, or military stores in British India.

Name, &c., of license-holder and agent, if any, authorized for the purpose of this consignment.	Place of license-holder's business.	Number of packages.	Arms.		Ammunition.		Place of despatch, route and mode of transit.	Time for which pass is valid.	Destination.	Name and residence of consignee.
			Description.	Number.	Description.	Number or weight in seers.				
								From the _____ to the _____ _____ 188 .		

Date on which consent was given by the _____ of the _____ of the _____ where _____ place of despatch. _____ or _____ 188 .

The _____ 188 .



THIS license is subject to all the provisions of the "Indian Arms Act, 1878," and of the rules framed thereunder.

This license will be void after the expiration of the period named, or if bulk is broken before reaching the place of destination.

The articles covered by this license will be delivered only to persons lawfully entitled to possess them.

This license must be delivered to the Magistrate of the District to which the articles are consigned, or to the Magistrate of the District where the external frontier of India is to be crossed, and the articles must be available for exhibition to such Magistrate within six days of the consignment reaching his district.

THIS license is subject to all the provisions of the "Indian Arms Act, 1878," and of the rules framed thereunder.

This license is void after the expiration of the period named, or if bulk is broken before reaching the place of destination, or if the articles are taken by any route other than is specified on the license.

The contents of each package covered by this license must be described in legible letters on the outside of such package.

The articles covered by this license will be delivered only to persons lawfully entitled to possess the same.

This license must be delivered to the Magistrate of the district to which the articles are consigned, and the articles must be available for exhibition to such Magistrate within six days of the consignment reaching his district.

The officer granting this license must send a copy thereof on the day of issue to the Magistrate of the District as above described.

FORM III.

FEE TEN RUPEES IN STAMPS.

License to import arms, ammunition, or military stores into the Port of _____

Name, &c., and address of licensee holder.	Number of packages.	Arms.		Ammunition and Sulphur.		Purpose for which required.	Value of the cheapest fire-arms per piece.	Place where articles are to be deposited, or to which they are to be despatched.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.				
									From the _____ th of _____ to the _____ th of _____ 188 .

The _____ of _____ 188 . } Seal. (Signature.) _____ of _____

FORM IV.

FEE TEN RUPEES IN STAMPS.

License to export arms, ammunition, or military stores by sea from the Port of _____

Name, &c., and address of licensee holder.	Number of packages.	Arms.		Ammunition and Sulphur.		Port to which consignment is to be despatched.	Period for which license is valid.
		Description.	Number.	Description.	Weight in seers.		
							From the _____ th of _____ to the _____ th of _____ 188 .

Date on which copy of the license was despatched by the licensing officer to the Indian Port (if any) to which the consignment is to be despatched.

The _____ th of _____ 188 . } Seal. (Signature.) _____ of _____

This license is given subject to the provisions of the "Indian Arms Act, 1878," and the Rules framed thereunder.

This license becomes void after expiry of the period named thereon.

This license is valid for importation only; if the articles named herein are to be transported to any place outside the Presidency town, they must be protected by another pass for transport or export by land.

The contents of each package covered by this license shall be described in legible letters on the outside of such package.

This license is not valid for export to any Indian Port, other than that named on the license.

FORM V.

FEE FIVE RUPEES IN STAMPS.

License to export arms, ammunition, or military stores beyond the limits of British India, either by land or by river.

Name, &c., of license-holder and agent, if any.	Number of packages.	Arms.		Ammunition or Military Stores.		Place of despatch and route.	Purpose for which exported.	Destination.	Name and residence of consignee.	Period for which license is valid.
		Description.	Number.	Description.	Weight or Number.					
										From the _____ of _____ 188 to the _____ of _____ 188 .

Date on which the Foreign
Secretary, or the Political Officer,
consented to the issue of this
license.

Seal.

(Signature.)

of _____

The _____ of _____

The _____ 188 .

188 .

FORM VI.

FEE TWENTY RUPEES IN STAMPS.

License to manufacture, convert, or sell, or keep arms, ammunition, and military stores.

Name, &c., of license-holder and place of residence.	Place of business, factory, and shop.	Description of Arms		Description of Ammunition and Military Stores		Date on which license expires.
		To be manu- factured.	To be kept and sold.	To be manu- factured.	To be kept and sold.	
						The 31st December 188 .

DISTRICT, }

188 . }

Seal.

(Signature.)

of _____

No. 1893.

It is valid only for the period and the route named therein.

It becomes invalid if bulk is broken, or the consignment stopped at any place on the journey.

It is given subject to the provisions of the Indian Arms Act, 1878, and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

The license must be delivered to the Railway authorities or to the frontier district Magistrate, or other officer empowered by him to receive export licenses on his behalf as provided in Rules 7 and 10. In the case of consignments crossing the frontier by road or river, the articles must be made available for exhibition to the frontier Magistrate or other principal officer within six days of their reaching the frontier district, and before they leave British territory—Notification dated 25th November 1881, No. 1892, and G.O., dated 9th December 1881, No. 2532.

This license is given subject to the provisions of the "Indian Arms Act, 1878," and the rules framed thereunder. The special attention of the holder is drawn to Sections 16, 21, 22, and 28 of the Act.

The license-holder shall keep records and accounts of all arms made or converted, of all ammunition manufactured, of all stock in hand, and of all sales in such form as the local Government may from time to time direct.

The license-holder shall exhibit his stock and his books of manufacture and sales to any Magistrate or to any Police Officer not below the rank of Inspector, when such officer may call upon him so to do.

The license-holder shall affix to his shop or place of business a sign-board as required by Rule 11, and shall post up in his shop a copy of Section 28 of the Act.

Notification, dated 23rd December 1881, No. 2100, and G.O., dated 7th January 1882, No. 31.

The license-holder shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX the following particulars:—

- (1) the name and address of the person who takes delivery of the articles sold;
- (2) the nature and amount of the articles sold;
- (3) the date of sale;

and shall append his signature to the endorsement.

So far as Forms VI and VII relate to licenses to sell.

Notification, dated 22nd March 1882, No. 474.

This license only covers sales of arms, ammunition, or Military stores effected upon the premises shown on the face of the license.

FORM VII.

FEE TEN RUPEES IN STAMPS.

License to keep and sell arms, ammunition, and military stores.

Name, &c., of license-holder and residence.	Place of business.	Description of		Date on which license expires.
		Arms.	Ammunition and Military Stores.	
				The 31st of December 188 .
DISTRICT } 188 .		Seal.		(Signature). of

FORM VIII.

FEE EIGHT ANNAS FOR EACH WEAPON IN DISARMED DISTRICTS, FOUR ANNAS FOR EACH WEAPON IN OTHER DISTRICTS, PAYABLE IN STAMPS.

License to possess arms or ammunition and to go armed for purposes of sport, protection, or display.

Name, &c., of license-holder, with particulars of residence.	Number of retainers, if any, who may be covered by the license (Rule 23).	Description and number of weapons covered by license.	Purpose for which granted.	District or place within which license is valid.	Term for which license expires.
					The 31st of December 188 .
The of 188 .				Seal.	(Signature.) of the

FORM IX.

FEE FOUR ANNAS FOR EACH WEAPON PAYABLE IN STAMPS FOR LICENSES GRANTED IN BRITISH INDIA; FREE OF ALL FEE FOR LICENSES GRANTED BY POLITICAL AGENTS TO SUBJECTS OF NATIVE STATES.

License to go armed—On a journey.

Name, &c., of license-holder, with particulars of his residence.	Number of retainers, if any, who may be covered by the license (Rule 23).	Description of arms and ammunition covered by this license.	Place of departure, route, and destination of journey.	Time which journey will probably take.	Date from which, and to which, the license is valid.
					From the th of 188 to the th of 188 .
of 188 .				Seal.	(Signature.) of District.

This license is given subject to the provisions of the "Indian Arms Act, 1878," and the Rules framed thereunder. The special attention of the holder is drawn to Sections 16, 21, 22, and 28 of that Act.

The license-holder shall keep records and accounts of all arms and ammunition in stock, and of all sales, in such form as the Local Government may from time to time direct.

The license-holder shall exhibit his stock, his records of sales, &c., to any Magistrate, or to any Police Officer not below the rank of Inspector, when such officer may call upon him so to do. The license-holder shall affix to his shop a sign-board as required by Rule 11, and shall post up in his shop a copy of Section 28 of the Act.

Notification, dated 23rd December 1881, No. 2100, and G.O., dated 7th January 1882, No. 31.

The license-holder shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX the following particulars:—

- (1) the name and address of the person who takes delivery of the articles sold;
- (2) the nature and amount of the articles sold;
- (3) the date of sale;

and shall append his signature to the endorsement.

So far as Forms VI and VII relate to licenses to sell.

Notification, dated 22nd March 1882, No. 474.

This license only covers sales of arms, ammunition, or Military stores effected upon the premises shown on the face of the license.

This license is granted subject to the provisions of the "Indian Arms Act, 1878," and the Rules framed thereunder.

It covers only the persons and the arms named therein, unless it is certified to cover retainers of the holder.

It is void after the date named therein.

It extends only to the place or district named therein, unless countersigned for the whole province by the Commissioner or other superior officer.

It authorises the holder or persons acting under it to go armed within the place or district named, for *bona fide* prosecution of the purpose named on the license; but it does not permit the holder or persons aforesaid to go armed in railway carriage, to fairs, religious processions, or other public assemblages.

Notification, dated 23rd December 1881, No. 2100, and G.O., 7th January 1882, No. 31.

The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

- (1) the name and address of the person who takes delivery of the articles purchased;
- (2) the nature and amount of the articles purchased;
- (3) the date of purchase.

This license covers only the persons and the arms named therein, unless it is certified to cover retainers of the holder.

It is void after the expiration of the period named therein.

It is granted subject to the provisions of the "Indian Arms Act, 1878," and the Rules framed thereunder.

It does not permit holders to go armed in railway carriages, to fairs, religious processions, or other public assemblages.

Notification, dated 23rd December 1881, No. 2100, and G.O., 7th January 1882, No. 31.

The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

- (1) the name and address of the person who takes delivery of the articles purchased;
- (2) the nature and amount of the articles purchased;
- (3) the date of purchase.

FORM X.

FREE OF ALL FEE.

* G.O., 13th May 1879, No. 1123.

License to possess fire-arms,* ammunition or military stores in a district which has not been disarmed.

Name, &c., of license-holder, with particulars of residence.	Number and description of weapons.	Description and quantity of ammunition or military stores.	Place with full details where articles are to be kept.	Term for which license is valid.
			From the _____ of _____ 188 to the 31st December 188 .	

(Signature.)

The _____ of _____ 188 .

Magistrate of the _____ District.

Seal.

FORM XI.

FREE OF ALL FEE.

License to possess arms and ammunition for the purpose of destroying wild animals.

Name, &c., of license-holder, with particulars of residence.	Description of weapon.	Place or tract within which license is valid.	Term for which license is valid.	Title and residence of Magistrate to whom the license and weapon must be shown between the 15th November and the 31st December.
			From the _____ of _____ 188 to the 31st December 188 .	

(Signature.)

The _____ of _____ 188 .

Magistrate of the _____ District.

Seal.

Notes of Magistrate to whom the license and weapon are periodically shown.

This license protects only the weapons and articles named, so long as they are kept in the place described on the license.

It does not authorise the holder to go armed or to carry arms.

It is granted subject to the provisions of the "Indian Arms Act, 1878," and the Rules framed thereunder.

This license is granted subject to the provisions of the "Indian Arms Act, 1878," and the Rules framed thereunder.

The holder is bound to show his license and weapon once a year to the Magistrate of _____

This license is void if the holder sells his weapon, if it is seized in execution of decree; if it is carried to any considerable distance beyond the limits of the places named in the license; or if he fails to show it once a year to the Magistrate aforesaid.

It is void on the death of the holder.

The holder must not go armed in railway carriages, to fairs, religious processions, or other public assemblages.

The holder is bound to observe a close season as prescribed by the Local Government in respect to the under-mentioned game-birds and animals which do no injury to men, cattle, or crops:

Specification of animals or birds.

Close season.

IN THE SESSIONS COURT OF SALEM.

PRESENT. F. H. WILKINSON, Esq., SESSIONS JUDGE.

CRIMINAL APPEAL No. 18 of 1882.

Venkatarama Reddy, Mutadar of Paducottah, residing } Appellant (Prisoner).
at Alanga Nattam, Namakal Taluq.

The accused was found guilty of having in his possession arms without a license under Section 19 of Act XI of 1878, and sentenced to a fine of Rs 300 (three hundred).

The sentence of the Lower Court and the order passed by it under Section 24 of the Arms Act are quashed, fine ordered to be repaid and the arms restored to the appellant.

This appeal coming on for hearing this day, in the presence of Mr C. Pritchard, Counsel for the appellant; Upon perusing the Proceedings of the Lower Court, and after hearing the said Counsel for the appellant, the Court delivered the following:—

JUDGMENT.

The appellant Venkatarama Reddi was sentenced by the Ag. District Magistrate under Section 19 Act XI of 1878, to a fine of Rs. 300, for having in his possession arms without a license.

The appellant was represented by Mr Pritchard. The Public Prosecutor on behalf of the District Magistrate informed the Court that the District Magistrate had been unable to secure the services of Mr. Wedderburn who prosecuted the case and the Government was therefore unrepresented.

Section 25 of the Act authorises a Magistrate having reason to believe, that any person in his jurisdiction has in his possession, arms for an unlawful purpose or that such person cannot be left in possession of such arms without danger to the public peace, having first recorded the grounds of his belief, to cause search to be made by or in the presence of a Magistrate.

Under this Section, the District Magistrate professed to act and it was therefore incumbent upon him before issuing a search warrant to have arrived at a reasonable belief, not only that the appellant had arms in his possession, but also that his possession of such arms was for an unlawful purpose or was dangerous to the public peace, and to have recorded the grounds of his belief.

I turn to the records and on the back of the office copy of the search warrant, I find this endorsement "Grounds for search warrant. See the Police Inspector's report attached. The person named is not entitled to keep arms without a license." The Magistrate assumes, 1st, that the person named is in possession of arms and 2nd, that he has no license. He could have made no enquiry, for, the warrant was issued on the very day the District Magistrate received the Inspector's report. This report was as follows "A Mahomedan (no name given) reported in conversation with me that one Venkatarama Reddi brother of the great Mittadarni Mutialamah was seen (by whom is not stated) at the new chutram on the way to Namakal with several guns, immediately after the riot of the 16th August." In answer to a query of the Superintendent of Police, Inspector Sweeny (who I may mention had only just arrived from Calicut and was quite new to Salem) reported on the 11th September "I have reported the matter not that I in any way credit the information or wish action to be taken. Mr. Ashton (a local Inspector of Police) who knows the man accused, says he always had and has a large number of guns."

Now the Appellant is a respectable Muttadar of blameless character and it can hardly be said that upon the mere verbal report of a nameless Mahomedan, a report which the hearer discredited, the District Magistrate arrived at a reasonable belief that the possession of arms by the Appellant, was, for an unlawful purpose or dangerous to the public peace. A belief is not reasonable unless it is based on some grounds and these grounds must be based upon some evidence and not derived merely from his own moral consciousness. But the District Magistrate had absolutely no grounds to go upon. In his judgment he states that there was a suspicion that accused had arms without a license.

The law does not authorise the issue of a search warrant on suspicion *vide* remarks of the High Court at 4 M. H. C. App. Pp. 50.

The warrant was issued and on search 4 guns, a revolver, 2 swords and a dagger (*Vide* Memo. of Superintendent of Police) appear to have been found. No evidence however was adduced at the trial as to the search or the finding of any arms, nor was the accused asked if the arms found belonged to him.

The enquiry commenced on the 2nd October, the presence of the accused having been secured by a warrant (bail). Only one witness was examined for the prosecution and his evidence was not admissible being secondary evidence as to the contents of a document which was not produced. This witness was the Magisterial Clerk of the District Magistrate who said he had examined the Register of Licenses given under the Arms Act for 1882 and did not find any entry for the accused. The Register was not put in. The accused was then asked by the Magistrate how he came to have 'a rapier' in his house and explained that he had permitted a painter to whom the rapier belonged, to use a room in his house. A charge was then drawn up but instead of the accused being called upon to plead, the case was adjourned to the 5th October.

IN THE SESSIONS COURT OF SALEM.

PRESENT. F. H. WILKINSON, Esq., Sessions Judge.

CRIMINAL APPEAL No. 18 of 1883.

Appellant (Prisoner) *Venkataram Reddy, Munsiff of Panchavaram, residing at Alangulam, Namakkal Taluk.*

The accused was found guilty of having in his possession arms without a license under Section 3 of Act XI of 1878, and sentenced to a fine of Rs 300 (three hundred). The sentence of the Lower Court and the order passed by it under Section 3 of the Arms Act are quashed, and the arms restored to the appellant.

This appeal coming on for hearing this day, in the presence of Mr. O. P. Prichard, Counsel for the appellant; Upon perusing the proceedings of the Lower Court, and after hearing the said Counsel for the appellant, the Court delivered the following:—

The appellant Venkataram Reddy was sentenced by the A. District Magistrate under Section 3 of Act XI of 1878, to a fine of Rs 300 for having in his possession arms without a license.

The appellant was represented by Mr. P. Prichard. The Public Prosecutor on behalf of the District Magistrate informed the Court that the District Magistrate had been unable to secure the services of Mr. N. Chidambaram, who represented the case and the Government was therefore unrepresented.

Section 3 of the Act authorizes a Magistrate having reason to believe that any person in his possession has in his possession arms for an unlawful purpose or that such person cannot be relied upon to use arms without due regard to the public peace, having first recorded the grounds of his belief, to cause search to be made by or in the presence of a Magistrate.

Under this Section the District Magistrate proceeded to act and it was the appellant's duty upon him before a search warrant to have served as a reasonable belief, not only that the appellant had arms in his possession, but also that his possession of such arms was for an unlawful purpose or was dangerous to the public peace, and to have recorded the grounds of his belief.

I turn to the records and on the back of the search warrant I find the following grounds for search warrant:— "On the 10th December 1882 a report reached the District Magistrate that the appellant was in possession of arms and that he had no license. He could have made no enquiry, but the warrant was issued on the very day the District Magistrate received the report." This report was given by a person named A. Mahalingam (no name given) reported in conversation with the District Magistrate on the 10th December 1882.

Now the appellant is a respectable Munsiff of Panchavaram, a person of whom the District Magistrate has a high opinion, and it is not probable that the District Magistrate would issue a search warrant on the basis of a report from a person of whom he has a high opinion, unless there was some other evidence to support the report.

The warrant was issued and on search 3 revolvers & 2 swords were found. The District Magistrate of Panchavaram (P. Prichard) appears to have been misled. No evidence however was adduced at the trial as to the search or the finding of any arms, nor was the second search of the arms found allowed to him.

It appears that in the interval, the District Magistrate sent an express to the Deputy Magistrate of Namakkal, directing him to state whether Appellant had applied to him for a license. I mention this here, not that it has anything to do with the case, but because the District Magistrate has improperly put on the record his order and the Deputy Magistrate's reply. I say improperly, because these documents are not mentioned in the Diary, were not put in at the trial, and are not evidence against the accused.

On the 5th October the charge was read to the accused who pleaded not guilty and stated that he had made application for licenses for 1882, but had not received them. The Magisterial Clerk was again put in the box and asked this strange question (the evidence is very carelessly recorded) "Have you searched any book to show that it is possible for accused to have applied for a license". The Clerk replied that he had kept a Register of Arms Act licenses refused or recorded (sic) since 81 and that, in that year accused made applications for 4 licenses through the Deputy Collector. On re-examination, he stated that he had examined the A, English Register for 1882, but could find no letter from the Deputy Collector, forwarding accused's application. The Register referred to was not produced and the secondary evidence of the Clerk as to its contents was therefore not admissible.

The appellant examined 2 of his gumastahs who proved that in March or April last, applications for licenses for 1882, had been sent by post.

With reference to this evidence, the District Magistrate observes "Looking at the procedure of this office, it is almost impossible that such an application could have been received and not acted upon." There is nothing on the record to show, what the procedure of the office is, but the public prosecutor (as amicus curiae) informs the Court, that he was fined for being in possession of a gun, although his application for a license had at the time he was fined, been in the hands of the District Magistrate, for 25 days.

This is not all. The appellant has put in, the licenses issued to him by the District Magistrate in 1880 and 1881. Those of 80, were issued in August and those of 81 in July showing that applications are not at once attended to. Again the appellant did not state that his application had been received in the office of the Magistrate. He pleaded and proved that he had prepared and despatched by post, applications. Seeing that such applications are written on paper bearing a 4 anna stamp, it is improbable that "office copies" would be kept. Had the evidence of the witness been false, it would have been easy to prepare them to substantiate it.

The District Magistrate remarks that the Counsel for the accused admitted the offence, "but in mitigation of sentence, stated, that licenses, were obtained in previous year". The Appellant's Counsel denies that any such admission was made (If made it should have been recorded) or that the plea was made 'in mitigation of sentence'. From the record it appears in the District Magistrate's own hand writing, that the accused pleaded "not guilty."

The District Magistrate further on, refers to certain orders issued in the District Gazette. The files of the District Gazette were not put on the record and reference to them was improper. The Counsel has pointed out that in Criminal Appeal 19 of 1882 (a similar Case to this) the Village Munsiff stated that the Gazette containing the said order did not reach him until late in October and there being such delay in distributing the Gazette, it is difficult to see how accused could have seen the order in September.

Finally the Magistrate finds the accused guilty of "being careless of observing the law."

As the Counsel for the Appellant has pointed out, even supposing the plea of the accused had not been proved, there is nothing in the Act or in the notifications of the District Magistrate in the Gazette, as to the time within which applications for renewal of license are to be made, and they would apparently be in time if presented in December. It is most improbable that a person in the position of the Appellant, a respectable landholder who has taken out licenses year by year since the Act came into force, should have neglected to apply for licenses for 82 and there being absolutely no evidence on the part of the prosecution and the defence having been satisfactorily proved, the accused should have been acquitted.

The sentence of the District Magistrate and the order passed by him under Section 24 of the Arms Act, are quashed and the fine will be repaid and the arms restored to the Appellant.

DATE OF			
Presentation.	Filing.	Hearing.	Order.
12th December. 1882	12th December 1882.	20th January 1883.	20th January 1883.

F. WILKINSON,
Ag. Sessions Judge.

*Not in the
statement
for the
fact*

*more
admission*

undisputed

5

6

7

*not the same
Counsel.*

8 !!!

Confidential

Office of the Mr & J^r Magistrate
Salem, 28th January 1883.

My dear Doctor,

Being directed to send up the appeal, I close with my remarks.

After careful perusal of the appeal judgment, I do not find the grounds for its being held that the offence was not proved. Accused had the arms and he had not the licence. That makes the offence under Act of 1878, sections 19(f) & 14; the Act being extremely severe in its provisions. Mr. Grant was obliged to admit this. How could he help admitting there was no licence when he did not produce it? If Mr. Oritchard shows absent denies the admission, Mr. Wedderburn who is present will confirm it. It does not much matter whether Mr. Grant said one thing or another, the offence consists in having arms and not having licence, & I don't know how it can be held that that was not proved in the Court. The law of these Arms Act cases is, as is well known, the simplest thing in the world.

Mr. Grant knew perfectly well that the only thing to be done was to show that accused had tried to get a licence, so as to escape the charge of carelessness, and get a nominal sentence. He did not prove that to me. On the contrary I am quite certain accused never applied. But all this is a question affecting sentence, not affecting conviction.

As I said, there is a good deal about procedure. I should be very glad to perfect my knowledge of the Criminal Procedure Code,

See in copy
booklet
anatomy

60 27/2

but I would rather take private lessons from the judge, than he set right in public, which I hardly think is necessary to this extent, for after all the judge is my colleague in the administration of the district, and those procedure points are not vital, - see Section 32(7) Act I of 1872 & Sec 81 Act I of 1872

(1) The grounds might have been fuller, for sending out a search-warrant, but I thought and think they were enough for the Section (Act I of 1872, Section 25) which says "Reason to believe". The Police report was enough reasons for the belief that arms were kept, and as it turns out the arms were there, so the belief was right. The reasons for believing that there was no licence, was that the clerk spent 3 hours in looking for the application and did not find it. It could not have escaped the "A" Register if it had come in. I don't know about (2). The Act used appears quite enough by itself. As to clause II of the Section (25), that it was dangerous for these Dithadars to have arms, my reasons of belief of that were very obvious at the time. If I remember right, the Police report showed enough for this (the records are not here,) and for "grounds" I referred to the Police Report. But all this regarding the right to issue a warrant does not touch the legality of conviction. The arms were found, any how.

(3) The appellant is Duthalammal's brother, and the Police laid information before the Magistrate against both Duthalammal and the man for helping the rists.

(4) Mr. Grant looked after the procedure pretty closely.

(5) They were not wanted, therefore not put in evidence. I don't know whether for that reason they ought to be included in or excluded from the bundle of records. I know that an immense number of papers went into the volumes of the Additional Sessions judge, & were not taken judicial account of.

(6) I do not understand this reference. He was not fined by me. I have before said the technical offence under this act is committed even when a man shows he has applied for licence, - if he has not got it. Supposing a man was found with a gun on a moor in Scotland, would it be any defence to say that he had applied in London for a licence and it was coming?

(7) He tried to prove it, but I could not believe his witnesses in the face of my own office books. Mr. Wedderburn knows all about this part of the case.

(8) To return to my first remark, which is the only point to be considered from an appeal point of view. I found that accused had guns and had not a licence. I convicted him. How can that conviction be quashed?

I note that the case was tried on the 5th October 1882 & appealed against the middle of December 1882.

Believe me
Yours very sincerely

Chas. Maclean

Journal (Grove pt)
Confidential
[C.D. No 3]

From the Collector

and District Magistrate,

Salem.

 T_0

To
The Honorable Master.

Dated 28th January 1883.
Per rej - 50 -
No.

SUBJECT.

Demi-official - regarding
An arms act case