

- (1) பக்கங்களின் எண்ணிக்கை _____
- (2) புதுக்கித் திருப்பிய நாள் _____
- (3) ஆதாரக் குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Sub: ci துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	1984	அச்சகம் பல்லவகை
நாள் :	12. 12- 1980	499

மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

ஆவண. கா. 1-18,006-6-9-90.

தமிழ்நாடு

12-1-84: 67

Jan 4 57

FROM

THE District Magistrate of MALABAR.

TO

THE Chief Secretary to Govt.
Judicial Deptt
Madras

Dated 10th November 1890.

Received

No.

ENCLOSURE.
14 NOV 90
Subject.

Enquiring whether shot of
all kinds, other than bird shot,
is to be regarded as military
stores and requesting instructions
as to the size of bird shot.

No.

MALABAR DISTRICT MAGISTRATE'S OFFICE,
Calicut, 19th November 1890.

FROM, *W. Dumergue Paquin*
By DISTRICT MAGISTRATE OF MALABAR.

TO, *The Honorable J. F. Price*
CHIEF SECRETARY TO GOVERNMENT.

*Judicial Department,
Madras.*

SIR,

In continuation of my reference on 5998 dated 12th November 1890, I have the honor to forward a sample of "bird-shot" purchased from a Vendor in Manjeri. I submit that the fact that shot of this size is called bird-shot shows the necessity for defining the term strictly.

I have the honor to be,

Sir,

Your most obedient servant,

Asst. for District Magistrate

IN R.S.

6 Dec.

no 400/
Judicial Department

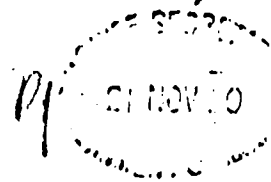
From

The Advocate
of Malabar

To

The Chief Secretary
to Government
Madras.

Dated 19th November 1890.
Received 21st Nov. 1890



Bird-shot. Submits a
sample of — and states
that it is desirable to
define the term which

1891

From

Dated

18

FOR ORDERS.

1. Under sections 5 & 6 of Act
II of 1878 (Arms) no person
may manufacture, convert,
sell, import, export or transport
any arms, ammunition or
military stores without a license.
2. By definition contained in
section 4 of the Act, "Military
Stores" includes "lead" whenever
the G. S. in C. declares that the
phrase shall bear that meaning.
3. In 1883 the Govt of Bengal
raised the question whether
"bird-shot" is "ammunition" in
the meaning of the Act.
4. Thereupon, in 1884, the Govt.
of India "was" pleased to
"decide that bird-shot shall
"not be regarded as "ammunition".
5. The Govt of India went on to say
that "bird-shot" shall be
classified under the head "metal"
for the purposes of the Tariff
Act.
6. The above notification of the
Govt of India (to be found in G.O.
12 Jan. 1884, no. 67, 25) seems to
have been altogether ultra.

to determine what whether
shall be regarded as coming
within the meaning of the
word "ammunition" & that
the power of interpretation
rests entirely with a Court of
Law. Further the statement
that "bird-shot" shall be classed
as a "metal" for the purpose,
the Tariff Act seems meaning-
less for the last Tariff Act of
1892 contains no reference
to "metals".

7. It is pretty plain, however,
that "bird-shot" cannot be
regarded as falling within
the meaning of "ammunition"
in the Act, for the definition of
that word especially excludes
"lead". But, on the other
hand, "bird-shot", being
a form of "lead", will fall
within the meaning of the
phrase "military stores"
if the S. & C. chooses to
declare that it shall.

8. Such declaration has
not, however, been made as
yet, & until this is done,
"bird-shot" is not a "military
store". Therefore, the rules
of the Arms Act, in regard
to the taking out of license,
cannot apply to this article.

The District Magistrate
has been informed.

Govt. into two questions, ...
are —

(1) Is not "bird-shot" "lead"?
+ does it not therefore
fall within the meaning of
"military stores"? + is not
a license necessary?

(2) What size of shot is to be
regarded as "bird-shot"?

10. In respect of the first question
the District Magistrate may
be informed that "bird-shot"
is a "military store" if the
G.O. in C. has declared it to
be so. But this has not been done.

11. In regard to the 2nd question
this Govt. is incapable of
laying down any definite
rule; it is probable that
the trade has a maximum
size in respect of such shot
as they call "bird-shot" + if
so that could be the scale to
adopt. But if there is no
such maximum then the
Govt. of India must be asked
to define the term if it were
considered necessary + more in the matter.

12. Mr. Dummerque's questions
obviously imply that he
regards a general exemption
of all kinds of shot from
the ^{rules regarding} necessity of ~~provision~~
license as a dangerous
privilege + he forwards certain
shot as a sample of what is sold.

13. The D. Mag. apparently
considers that such

box also was not properly
be viewed as "bird-shot" at
all; that is of course a
matter of opinion, the shot
seem to be only A size & that
is, I believe, the largest size
of duck-shot; they would
doubtless be called "bird-shot"
in the trade. (There is no doubt about this
being "bird shot")

But there are much larger
sizes of shot to be bought;
I enclose two samples, which
have been procured from
Messrs. Wm. Brown, in an envelope.
Of these the larger is S.G.
& the smaller S.S.G., & are
probably the sizes commonly
known as "buck-shot" &
"swan-shot." (This is small)

13. The largest of these samples is
formidable enough but it is
submitted that it is as good
moving India on the matter. Dead
in any form has never been
notified by the S.G. in C. & the
"military" note in this Presidency
& so such notification seems
called for. The only part of
India in which bullets have
been brought within the scope of
the Arms Act is the Eastern and
Frontier & the Sea-board of Burma.

He

1 Dec.

There seems to be a mistake in writing about
this matter. All shot to be used for
hunting birds and deer shot is
sometimes used for the purpose. It seems
doubtful only to tell the fact that there
was a hunting party, that the shot

Interpretation
of word "bird
shot"

Jim

(For reply)

Let us by him to understand bird shot
to have got. See at present to seeing
for a definition of bird shot

c. 3/12
R. 5/12

Again G.O., dated

8

, No.

Again G.O., dated

8

, No.

Current No.

of 18

, dated

from

Current No.

of 18

, dated

from

Copy 9/12
 Order 12 Dec 1901 1984

The samples of shot forwarded by the S. Mag. are undoubtedly what would be called "bird-shot". "Bird-shot" falls outside the definition of Ammunition under the Arms Act. ^{Does} it ~~must~~ fall within that of "military stores" unless the G. G. in C. specially ~~directs~~ ^{notifies} to the contrary. "Lead" has not been notified to be a "military store" in the Indian Pres. ^{the Hon. Secy. the Gov.} & G. G. in C. sees no reason to have the Govt. of India issue any such notification or to ^{exactly} ~~define~~ the firm "bird-shot" (from others)

L. H. D. H. Malabar

12 DEC 1901

IN M.S.

6 Dec.

1884
6

ORDINARY, MS.

Journal DEPARTMENT.
G.O., DATED 12-12-90
No. 1984

When given for copying

[Despatch Abstract].

*Replying to enquiry from
the Dept. Secy, Enclaves
regarding the interpreta-
tion of the word "hard shot"*