M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 78	Press ~~Mis.~~
156-157	
Dated 30. 1. 1862	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 20th January 1862.

No. 156. Read the following letter from E. B. THOMAS, Esq., Collector of Coimbatore, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Coimbatore, 18th November 1861, No. 59 :—

SIR,

1. With reference to the Proceedings of Government, dated 14th ultimo, No. 1,984, I have the honor to forward copies of Extracts from the Proceedings of the Sudder Court noted in the margin,* from which it will appear that it is their opinion that the sale of Wines and Beer manufactured in this country, should be supported with License. In accordance with this ruling and under the sanction conveyed in paragraph 2 of the Government Order under reply, I have issued Licenses to Mr. James and Mr. Honeywell, both of whom are respectable, to sell Beer and Ginger Wine, at Ootacamund and Conoor, made on the Hills, far weaker than the imported.

* 7th August 1861.
4th October 1861.

Proceedings of the Sudder Court, 7th August 1861.

Read letter dated 19th ultimo, from the Secretary to the Board of Revenue.

1. The Board request that the Judges will re-consider the opinion given by the Court on the 11th September 1850, that "the provisions of Section III, Regulation I of 1820, do not "extend to Wines."

2. The Board point to the fact that, on the 3rd March 1846, the Court held that "Beer, "being a fermented liquor, is not excluded from the operation of Regulation I of 1820;" and they argue that "the epithets 'intoxicating and fermented,' are as applicable to Wines as they "are to Beer."

3. With respect to foreign or imported Wines, the Judges concur in the opinion expressed by the Court in 1850, that these are not embraced by the Regulation in question. They consider that this is rendered clear by the terms of Section V, where, though foreign spirits are specified, no allusion is made to Wines or other fermented liquors of foreign manufacture.

4. The Judges are of opinion, however, that any spirituous and intoxicating liquor of country manufacture, though sold under the name of Wine, would come within the scope of the Regulation.

5. The Judges are unable to concur in the ruling of the Court in 1846, that Beer is subject to the operation of Regulation I of 1820; being of opinion, for the reasons given with respect to imported Wines, that Beer is not embraced by that enactment.

(True Extract.)

(Signed) THOMAS WILKINS,
Acting Deputy Registrar.

To the Session Judge of Coimbatore, for his information with reference to his letter dated the 14th instant.

(True Copy.)

(Signed) S. N. WARD,
Session Judge.

23rd August 1861.

To the Magistrate of Coimbatore for his information and for communication to his Subordinates.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

Proceedings of the Sudder Court, 4th October 1861.

Read letter dated the 24th ultimo, from the Session Judge of Coimbatore, submitting for the consideration of the Judges, copy of a letter received from the Magistrate on certain points connected with the ruling of the Sudder Court, dated the 7th August 1861.

1. The Magistrate has rightly apprehended the meaning of the Sudder Court in their Proceedings alluded to in all respects except as to Beer. There, as in the case of Wines, the

E. B. Thomas
Collector

distinction depends upon what is imported and what is of native manufacture. The former requires no License, but the latter should be put under License.

2. With reference to the Magistrate's remarks in paragraph 2 of his letter, the Judges resolve to point out, that from the 1st January next, Section 273 of the Penal Code will provide a remedy for the state of things of which he fears the approach, and that it will be competent to the Magistracy to take steps for causing such analysis to be made as they may think necessary.

(True Extract.)

(Signed) C. F. CHAMIER, *Registrar.*

To the Session Judge of Coimbatore.

(True Copy.)

(Signed) S. N. WARD, *Session Judge.*

(True Copy.)

(Signed) E. B. THOMAS, *Magistrate.*

No. 157. ORDER THEREON, 20th January 1862, No. 78.

Ordered to be recorded.

(Signed) C. G. MASTER,

Deputy Secretary to Government.

Coimbatore Collector's Office
18th November 1861.

No. 59.

From,

E. B. Thomas Esqre
Collector of Coimbatore

To,

J. D. Sim Esqre
Secretary to Government
Fort Saint George

Sir,

With reference to the Proceedings of Government dated 14th ultimo No. 1984, I have the honor to forward copies of Extracts from the Proceedings of the Sudr Court noted in the margin, from which it will appear that it is their opinion that the sale of Wines and Beer manufactured in this Country should be supported with Licenses. In accordance with this ruling and under the sanction conveyed in para 2 of the Government order under reply, I have issued Licenses to Mr. James and Mr. Honeywell, both of whom are respectable, to sell Beer and Guigen wine, at Potacamund & Coonoor, made on the Hills, far weaker than the imported.

I have the honor to be
Sir,
Your most obedt. Servant
E. B. Thomas
Collector