M.R.O. 14—13,000—27-5-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1221 Pub's Mis.

208. 209

Dated 13 - 7 - 1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 13th July 1864.

No. 208. Read the following letter from R. A. DALYELL, Esq., Sub-Secretary to the Board of Revenue, to J. D. SIM, Esq., Secretary to Government, Revenue Department, dated Madras, 20th June 1864, No. 3,778 :—

SIR,

1. I am directed by the Board of Revenue to submit for the approval of Government the accompanying Rules which the Board propose to issue under the provisions of the Acts quoted.

2. The Board have communicated with some Collectors on the subject, and at their suggestion have slightly modified some of the Rules.

3. It will be observed that the second and third sets of Rules, under which methyllated spirits can be imported or removed from a licensed Distillery, on payment of 10 per cent. *ad valorem* duty, require the sanction of Government.

RULES ISSUED BY THE BOARD OF REVENUE IN ACCORDANCE WITH THE PROVISIONS OF ACT XXIII OF 1862, AND ACTS VI AND XVI OF 1863.

FIRST.—*Rules for the removal of spirits manufactured on the European system from the Distillery, and for their exportation without payment of duty under the provisions of Section* 163, *Act VI of* 1863.

1. No Spirits manufactured in the Madras Presidency after the English method shall be removed from a licensed Distillery except spirits sold to an Officer of Government, or to the Abkarry Renter of the District, unless the following marks are legibly painted or cut on one end of the cask containing the Spirits, viz., the name of the Distillery, the known mark of the proprietor, and the quantity and strength of Spirits contained in the cask ; the strength being ascertained by Sykes's Hydrometer, the instrument used by the Excise in England.

Example.—The marks on a cask of Aska Rum would stand thus :—

RUM
I. Galls.
BINNY & Co.
Aska,
O. P. 5*

* Being five degrees over proof.

II. Spirits for exportation by sea may, under Section 163, Act VI of 1863, be removed without payment of duty from a licensed Distillery to any Custom House, on the proprietor executing the Bond subjoined to these Rules, for the payment of a penalty in case of failure to export over Sea, or, in the case of their carriage coastwise, to satisfy the Collector of Customs at the Port of exportation, with whom the Bond shall be deposited, that the Spirits have been landed at some other Ports within British India not being a free Port.

III. A member of some established House of business or some other reputable person resident at the port of exportation shall be one of the parties bound, and the parties bound shall be jointly and severally answerable for any amount which may ultimately fall due under the Bond.

IV. The Collector of Customs may refuse the security tendered without assigning any reason, except in the event of an appeal from his decision.

V. When the Collector of the District in which the Distillery is situated is satisfied that a Bond has been duly executed and deposited with the Collector of Customs at the port of exportation he shall grant a Pass for the Spirits bonded.

VI. On the Spirits being brought to the Custom House for exportation, the exporters shall declare in writing by what Bond it is protected, and shall produce the Pass of the District Collector and the Distillery Invoice. The Spirits shall then be gauged for quantity, and proved to ascertain the strength by a Custom House Officer. If the quantity so ascertained be the same as that marked on the casks (the casks being the same which were removed from the Distillery), the Spirits shall be allowed to pass for sea export, and in the quantity shall be written off on the Bond. If the quantity be not the same as that marked on the casks, the penal rate per gallon shall be levied on the difference.

VII. When the entire bonded quantity is written off upon the Bond, the Collector of Customs at the port of exportation shall cancel the Bond.

VIII. It will be for the exporters to see that the exports made from time to time under Bond are properly written off or certified on the Bond, and they shall testify that the exports are correctly so written off by their signatures to the entries.

IX. If, at the expiration of the period named in the Bond, and in Section 163, Act VI of 1863, the entire quantity of Spirits covered by the Bond shall not have been accounted for as required in that Act, and written off as provided in the preceding Clause, the Collector of Customs shall proceed to recover the amount due under the Bond upon the quantity of Spirits which may not have been so accounted for, unless the currency of the Bond shall have been renewed.

X. Time-expired Bonds may be renewed at the discretion of the Collector of Customs for a further period not exceeding four months from the date of the expiration of the first currency. On the expiration of the second currency the Collector of Customs shall proceed to adjust such time-expired Bonds, and to levy the amount due under the Bond on the quantity of Spirits unaccounted for.

XI. A maximum allowance, according to the following scale, will be made on account of ullage and leakage on Spirits removed under Bond from Distilleries in the Mofussil for exportation by sea:—

For a distance less then 10 miles...	...	...	...	*Nil.*
For a distance not exceeding 100 miles	...	...	...	5 per centum.
For a distance above 100 miles, but not exceeding 200 miles			...	7½ do.
For all distance exceeding 200 miles...	...	...	...	10 do.

XII. In the case of Spirits exported under Bond to another Port within British India (not being a free Port) in adjusting the Bond, an allowance for wastage and leakage during the sea voyage will be made for a voyage of one month at the rate of two per cent. and for any longer voyage at 3½ per cent.

XIII. Spirits for use as ships' stores during the voyage may be shipped free of duty on vessels clearing to Ports not within the interport system of British India. Such shipments must be made under Bonds, to be cancelled by the Collector of Customs on the production of satisfactory evidence that the spirits have been shipped.

SECOND.—*Rules for the entry for Home consumption of Foreign Spirits to be used exclusively in the Arts, Manufactures or Chemistry, in accordance with the provisions of Section 2 of Act XXIII of* 1862.

I. On making entry of Spirits of the above description, in accordance with the provisions of Section 62 of Act VI of 1863, the Importer is to state on the face of the private Manifest whether it is desired that the article be charged at the rate of duty laid down in Schedule A to Act XI of 1862, or at the rate of 10 per cent. *ad valorem* allowed by Section 2 of Act XXIII of 1862.

II. In the event of the higher rate having been elected, the Spirits will be passed after payment of duty in the usual manner; but in the event of the lower rate of 10 per cent. *ad valorem* having been stated, the Spirits concerned must, before removal from the Custom House premises be rendered unfit for use as a beverage, and incapable of being converted to that purpose.

III. With this view the Importer will be required to mix with every nine Gallons of such Spirits, one Gallon of Pyroxilic Spirit (Methylic Alcohol), or such other ingredients as may be approved by the Chemical Examiner to Government, the admixture to take place on the Custom House premises, and in presence of a Custom House Gauger. On a certificate of the latter Officer being attached to the private Manifest that the admixture has been duly made and completed, the Spirits will be assessed for duty at the rate of 10 per cent. *ad valorem* on the quantity imported, and passed from the Custom House after payment, in the usual manner.

Proceedings of the Madras Government, Revenue Department,
13*th July* 1864.

IV. The quantity of Pyroxilic Spirit, or other ingredient, necessary for admixture with any consignment of Spirits of the above description, at the rate of one Gallon to every nine Gallons of Spirits, must be procured at the Importer's own expense, and the process of mixing must be carried out personally by the Importer or his Agent, or other authorized servant. Samples of "Pyroxilic Spirit," or other approved ingredient, will be retained by the Gauger, with which that brought by Importers will be tested before use. If the Pyroxilic Spirit, or other ingredient, be not equal to the samples, the Importer shall be required to mix such additional proportion with the Spirits to be imported as the Collector of Customs may direct.

V. Spirits may be moved into Bond, under the prescribed conditions of similar bonded goods, without previously having been rendered unfit for use as a beverage in the manner mentioned; but prior to removal from bond for Home consumption of any portion of such Spirits at the rate Customs of 10 per cent. *ad valorem*, the course above described must be carried out at the Warehouse, in the presence of the Warehouse-keeper and the Gauger, or of other qualified Officers duly appointed.

THIRD.—*Rules for the use of Country-made Spirits in Arts, Manufactures and Chemistry on payment of* 10 *per cent. ad valorem duty, and for their sale for such purposes.*

The owners of all licensed Distilleries are at liberty to use Spirits exclusively in Arts, Manufactures, or Chemistry, or to dispose of them to be so used by others, on payment of an *ad valorem* duty of 10 per cent. on such Spirits on the following conditions:—

I. That a Permit be obtained from the Collector of the District so to use or dispose of Spirits.

II. That such Spirits be rendered permanently unfit for human consumption by the admixture of 10 per cent. of Pyroxilic Spirit (Methylic Alcohol), or of such other ingredients as may be approved by the Chemical Examiner to Government.

III. That such ingredients be provided at the expense of the owner of the Distillery, and be admixed in the presence of a Government Officer, who shall be deputed by the Collector on this behalf, and that if any expense be incurred on this account it shall be made good by the owner of the Distillery.

IV. That for the purpose of fixing the amount of duty to be levied on such Spirits, their market value shall be determined by the Collector, subject to the revision of the Board of Revenue.

V. That no greater quantity than 100 Gallons of Spirit shall be passed for sale under a single Permit, and that the Collector shall be at liberty to refuse a Permit without assigning his reasons, except to the Board of Revenue in case of appeal.

Form of Bond for the removal of Spirits from Licensed Distillery.

We are jointly and severally bound to Her Majesty's Secretary of State for India, in the sum of Government Rupees to be paid to the said Secretary of State, for which payment we jointly and severally bind ourselves, our heirs and representatives; and we agree that in case of dispute touching the matter of this obligation, or the condition thereof, the same may be heard and determined in the High Court of Judicature at Sealed with our Seals, dated this day of 18 . (Signed) (.)

The above bounden being indebted to Her Majesty's Secretary of State for India in the sum of Government Rupees being the sum payable at the rate of Rupees 3 per Imperial Gallon, London proof, for Gallons of (or for Gallons of Proof Spirit used in the preparation of dozens of bottles or Gallons of cordial and liquors as specified in the annexed Schedule), manufactured at which the said have been allowed to remove thence for exportation by sea, subject to the provisions of Act VI of 1863.

The condition of this obligation is, that if the above bounden their heirs, or representatives shall, at the expiration of four Calendar months from the date of this obligation, pay or cause to be paid to the said Secretary of State the sum of Rupees per Imperial Gallon of Proof Spirits for all or any portion of the above mentioned, which shall not have been then exported by sea, subject to the aforesaid provisions (of which exportation, if any, due proof shall be given), then this Bond shall be void ; otherwise the same shall remain in full force.

Sealed and delivered in the presence of

Place

Date

If the Bond be for cordials and other liquors under Section 170, add

Schedule.

Description of Cordials and Liquors.	Quantity in Bottles or Gallons.	Quantity of Proof Spirits.
1	2	3

No. 209.

ORDER THEREON, 13th July 1864, No. 1,221.

Separate Revenue, No. 38.
Customs.

The Government request the Board of Revenue to take the opinion of the Chamber of Commerce on these Rules, if they have not already done so.

(True Extract.)

(Signed) J. D. SIM,
Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

manufactured in the Madras Presidency after the English method

RULES ISSUED BY THE BOARD OF REVENUE IN ACCORDANCE WITH THE PROVISIONS OF ACT XXIII OF 1862, AND ACTS VI AND XVI OF 1863.

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I. No Spirits shall be removed from a licensed Distillery except spirits sold to an Officer of Government, or to the Abkarry Renter of the District, unless the following marks are legibly painted or cut on one end of the cask containing the Spirits, viz., the name of the Distillery, the known mark of the proprietor, and the quantity and strength of Spirits contained in the cask ; the strength being ascertained by Sykes's Hydrometer, the instrument used by the Excise in England.

Example.—The marks on a cask of Aska Rum would stand thus :—



* Being five degrees over proof.

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III. A member of some established House of business or some other reputable person resident at the port of exportation shall be one of the parties bound, and the parties bound shall be jointly and severally answerable for any amount which may ultimately fall due under the Bond.

IV. The Collector of Customs may refuse the security tendered without assigning any reason, except in the event of an appeal from his decision.

V. When the Collector of the District in which the Distillery is situated is satisfied that a Bond has been duly executed and deposited with the Collector of Customs at the port of exportation he shall grant a Pass for the Spirits bonded.

VI. On the Spirits being brought to the Custom House for exportation, the exporters shall declare in writing by what Bond it is protected, and shall produce the Pass of the District Collector and the Distillery Invoice. The Spirits shall then be gauged for quantity, and proved to ascertain the strength by a Custom House Officer. If the quantity so ascertained be the same as that marked on the casks (the casks being the same which were removed from the Distillery), the Spirits shall be allowed to pass for sea export, and the quantity shall be written off on the Bond. If the quantity be not the same as that marked on the casks, the penal rate per gallon shall be levied on the difference.

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IX. If, at the expiration of the period named in the Bond, and in Section 163, Act VI of 1863, the entire quantity of Spirits covered by the Bond shall not have been accounted for as required in that Act, and written off as provided in the preceding Clause, the Collector of Customs shall proceed to recover the amount due under the Bond upon the quantity of Spirits which may not have been so accounted for, unless the currency of the Bond shall have been renewed.

X. Time-expired Bonds may be renewed at the discretion of the Collector of Customs for a further period not exceeding four months from the date of the expiration of the first currency. On the expiration of the second currency the Collector of Customs shall proceed to adjust such time-expired Bonds, and to levy the amount due under the Bond on the quantity of Spirits unaccounted for.

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II. In the event of the higher rate having been elected, the Spirits will be passed after payment of duty in the usual manner; but in the event of the lower rate of 10 per cent. *ad valorem* having been stated, the Spirits concerned must, before removal from the Custom House premises, be rendered unfit for use as a beverage, and incapable of being converted to that purpose.

III. With this view the Importer will be required to mix with every nine Gallons of such Spirits, one Gallon of Pyroxilic Spirit (Methylic Alcohol), or such other ingredients as may be approved by the Chemical Examiner to Government, the admixture to take place on the Custom House premises, and in presence of a Custom House Gauger. On a certificate of the latter Officer being attached to the private Manifest that the admixture has been duly made and completed, the Spirits will be assessed for duty at the rate of 10 per cent. *ad valorem* on the quantity imported, and passed from the Custom House after payment, in the usual manner.

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III. That such ingredients be provided at the expense of the owner of the Distillery, and be admixed in the presence of a Government Officer, who shall be deputed by the Collector on this behalf, and that if any expense be incurred on this account it shall be made good by the owner of the Distillery.

IV. That for the purpose of fixing the amount of duty to be levied on such Spirits, their market value shall be determined by the Collector, subject to the revision of the Board of Revenue.

V. That no greater quantity than 100 Gallons of Spirit shall be passed for sale under a single Permit, and that the Collector shall be at liberty to refuse a Permit without assigning his reasons, except to the Board of Revenue in case of appeal.

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The above bounden being indebted to Her Majesty's Secretary of State for India in the sum of Government Rupees being the sum payable at the rate of Rupees 3 per Imperial Gallon, London proof, for Gallons of (or for Gallons of Proof Spirit used in the preparation of dozens of bottles or Gallons of cordial and liquors as specified in the annexed Schedule), manufactured at which the said have been allowed to remove thence for exportation by sea, subject to the provisions of Act VI of 1863.

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Sealed and delivered in the presence of

Place

Date

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Schedule.

Description of Cordials and Liquors.	Quantity in Bottles or Gallons.	Quantity of Proof Spirits.
1	2.	3

No. 3,778.

From R. A. DALYELL, Esq., Sub-Secretary to the Board of Revenue;

To J. D. SIM, Esq., Secretary to Government, R. D.

SIR,

I am directed by the Board of Revenue to submit for the approval of Government the accompanying Rules which the Board propose to issue under the provisions of the Acts quoted.

2. The Board have communicated with some Collectors on the subject, and at their suggestion have slightly modified some of the Rules.

3. It will be observed that the second and third sets of Rules, under which methylated spirits can be imported or removed from a licensed Distillery, on payment of 10 per cent. *ad valorem* duty, require the sanction of Government.

I have the honor to be,

Sir,

Your most obedient servant,

Sub-Secretary.

REVENUE BOARD OFFICE,
Madras,
20th June 1864.

Exd. R. H. Lee.

1864 Dated 20th June

Rules issued by the Board of Revenue in accordance with the provisions of Act XXIII of 1863, and Acts VI & XII of 1863.

Rules sent
Retain but to
last place with
be drawn out
the Chamber's
Com or Rs.

L & L

1721.

The Govt request
the Board of Revl
to take the opinion
of the Chamber of
Commerce on these
rules, if they have
not already done
so.

13th July
1864.

c.c. July 16. Rs. No. 2184 Rev.

Rev. 1864. Department
Pro. of Govt for July.

No. 1646.

From the Sub Secretary to the Board of Revenue
To the Secretary to Government R. D.

Dated 20th *June* 1864.
Desp. 23 Rs.
Rec. 24 Rs.
2 Encs.

No. 3,778.

Submitting for approval Rules proposed to be issued by the Board under the provisions of Act XXIII of 1862, and Acts VI and XVI of 1863.

1721. 13 July
With and Order

For Orders. It would be well I think to request the Hd. to take the opinion of the Chamber of Commerce on these Rules - if they have not already done so - The Object of Act is to enforce the Law with the least inconvenience to trade, and traders can best judge whether that Object will be attained by the Rules proposed -

Rule VII is premature, evidently - The bond cannot be cancelled in the case of Spirits carried coastwise at least until the Spirits have been accounted for - One or two other