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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Rev. DEPARTMENT

G.O. No. 76	Press
B.P. No.	Mis.
Dated 12.12.1873	196 .

Not to be folded or roughly handled

No. 2,415.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 2nd December 1873.

Read the following letter from J. HUNTER-BLAIR, Esq., Collector of Madras, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 31st October 1873, No. 239:—

REFERRING to my letter, No. 183, of 18th August last, paragraph 14, I have the honour to bring to the notice of the Board that the retail sales carried on by the wholesale liquor shops under the pretence of sample bottles have now become so extensive that many of the arrack shopkeepers complain that this is one of the causes of their being unable to sell their dowles.

2. As I have already reported, the quality of the brandy sold in most of these so-called wholesale shops is very inferior and even injurious to health, and, as the liquor professes to be of Europe manufacture and is sold as cheap as arrack, such of the customers of arrack shops as can afford to buy one bottle at a time give up the arrack shops for the wholesale ones.

3. The quantity of liquor that can be sold as a sample is now one quart-bottle, and, under the impression that this quantity was too large for the purposes of a sample and a reduction of it might tend to reduce these illicit sales, I passed an order (copy sent) that after the 1st January next not more than a half-pint bottle of spirits shall be sold as a sample.

4. One of the wholesale shops, however, has already commenced to sell a half-pint bottle as sample, as the Board will see from the accompanying petition and its enclosure.

5. The samples sold are hardly ever *bona fide*. The fact is, that any person to whom a fresh retail license is refused immediately starts a so-called wholesale shop, for which no license* whatever is required either from the Commissioner of Police or Collector of Madras. The shops to which I refer never sell wholesale quantities, and the customers are always persons who buy retail quantities alone and can never afford to buy more than a bottle.

* Section 4 of Act XIX. of 1852.

6. Under such circumstances I propose, if the Board approve, to pass the following order with reference to Section 4 of Act XIX. of 1852:—

"The privilege of selling sample bottles by wholesale dealers has been so much abused that in future all wholesale dealers who wish to sell samples must procure a retail license from the Commissioner of Police and Collector of Madras. Any person infringing this rule will be liable to a fine not exceeding Rupees 500 under Section 4 of Act XIX. of 1852. Retail licenses will accordingly be granted on application to *all* firms and persons carrying on a *bona fide wholesale* trade."

7. I have consulted with the Commissioner of Police—who is as anxious as myself to put a stop to the illicit trade now being carried on—and he has agreed to grant retail licenses, as proposed, to all respectable firms and persons carrying on a *bona fide* wholesale trade.

8. I trust, therefore, the Board will not object to sanction our proposal as the matter is becoming more serious every day and I fear my last order as to the size of samples can practically be disregarded.

ENCLOSURE No. 1.—Copy of Collector's order, dated 28th August 1873.

ENCLOSURE No. 2.—Petition.

ENCLOSURE No. 3.—Pass.

THE Collector of Madras reports that any person who is refused a retail license for selling European spirits by retail can immediately set up as a wholesale dealer and sell liquor by retail, without being licensed so to do, in bottles labelled "sample," and that this is often done.

2. He accordingly proposes that no wholesale dealer should be allowed to send out samples of liquor unless licensed to sell by retail.

3. This will make it necessary for the shopkeepers who now call themselves wholesale shopkeepers but really sell by retail only to apply for licenses. Licenses will be given as a matter of course to *bona fide* wholesale traders, but they will be given or refused to others with the usual reference to police considerations.

4. Under Section 4, Act XIX. of 1852, wholesale dealers selling "such small quantities of beer, wine, or spirits as may appear to the Collector to be intended only as samples" need not take out licenses.

5. The question, therefore, is whether the Collector can refuse to consider a small quantity of liquor (say, a half-pint bottle) as a sample *in every case*. The Board think he can. Ascertained facts show that a so-called sample is often not a sample, and that the Collector can never be sure it is so.

6. The Board accordingly resolve to authorize the Collector to issue the proposed order, but, while it is doubtful (Board's Proceedings, dated 9th June 1873, No. 965, paragraph 8, and 19th September 1873, No. 1,877, paragraph 2) whether a license for the retail sale of European spirits can be issued under Act XIX. of 1852, the words "and Collector of Madras" must be omitted.

7. The Board anticipate that all *bona fide* wholesale dealers will take out licenses, as they will get them readily and the fee is only 1 Rupee; but the Collector must recollect that, if any wholesale dealer neglects to take out a license and issues a so-called sample, he will have to prove that it does not appear to him to be a sample before a Magistrate will convict. The proposed notice will not have the force of law.

(A true Copy and Extract.)

Secretary.

To the Collector of Madras, with petition and pass returned.

Copy to the Secretary to Government, Revenue Department.

Exd. A. S. Rodgers.

B. of Rev. dis: 13 Dec: 73

Received 6 Dec. 1873.

Samples of Liquor.—Collector of Madras authorized to issue proposed order that no wholesale dealer shall send out — unless he is licensed to sell by retail.

DECEMBER, No. 2,445.

PROCEEDINGS, 2ND DECEMBER 1873, No. 2,445.

Encl.

BOARD OF REVENUE, MADRAS. 1873.