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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue. DEPARTMENT

G.O. No. B.P. No.	44	Press Mis.
Dated	11-1-1875 196 .	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
11th January 1875.

No. 96. From Mr. A. ROBERTS and T. STREENEVASOOLOO NAIDOO, Brewery Proprietors, Vellore Taluq, North Arcot, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Madras, 10th November 1874 :—

We beg to enclose a memorial to the Right Honorable His Excellency the Viceroy and Governor-General in Council, which we very humbly and respectfully request will be forwarded to its address.

2. From a perusal of our memorial three things will be seen—

I. That from a want of correct discrimination of the contrary orders issued by the Board of Revenue, we have suffered a severe loss.

II. That when the Acting Collector of Vellore passed an order in all faith and confidence in the implicit orders of the Board of Revenue, that was also vetoed ; and,

III. That such irregularities would not have occurred but for the obstreperousness of the Collector, Mr. Whiteside.

3. We, therefore, earnestly crave of your Honor to bring the subject of our memorial to the notice of His Excellency the Right Honorable the Governor in Council, so that it may be transmitted with their favorable recommendation to the Right Honorable His Excellency the Viceroy and Governor-General in Council.

Enclosure No. 1.

The humble Memorial of Messrs. A. ROBERTS and T. STREENEVASOOLOO NAIDOO, Brewery Proprietors, Vellore Taluq, North Arcot, Madras Presidency, to the Right Honorable the Viceroy and Governor-General of India in Council, Fort William, Calcutta, dated Madras, 10th November 1874.

Sheweth,

That it is with the utmost submission and deference memorialists beg to prefer this appeal to your Lordship in Council, in the firm and earnest belief that your Lordship in Council will, on a due consideration of the facts hereinunderstated, reverse the orders passed by the local authorities, the Honorable the President and Members of the Board of Revenue, and the Right Honorable the Governor in Council.

2. That in March 1873 memorialists applied for a license to establish a brewery at Vellore, and the Acting Collector, H. Sewell, Esq., C.S., thereupon made a reference to the Commissioner of Bangalore to ascertain how the country-brewed beer of Messrs. Roberts & Co. was estimated there ; and on that authority's report being favorable the subject was laid before the Municipal authorities of the town of Vellore, who unanimously declared that they "see no objection to the establishment of a brewery as proposed." The Acting Collector then asked for the opinion of the Commandant of H. M.'s 28th N. I., at the time stationed at Vellore, who also gave a favorable judgment of the proposal ; finally, the Acting Collector called for a sample of memorialists' country-beer, and had it tested by the Civil Surgeon who declared it wholesome.

3. That after all these stringent inquiries a license was granted memorialists, permitting them to establish a brewery from 1st July 1873.

4. That placing the fullest reliance in the license given by the Acting Collector under the authority of the Board of Revenue as stated herein, memorialists engaged a building at twelve months' lease, purchased a large quantity of articles and utensils of English growth and manufacture requisite for the brewery, and also secured the services of many employés by advances, amounting in all to Rs. 1,698 as per memorandum enclosed.

5. That your Lordship in Council will be pleased to note that, in the express terms of the license, the words ran thus : "I, Henry Sewell, Acting Collector of North Arcot, being duly

authorised by the Board of Revenue, etc.;" and that it was on the strength of the license memorialists had made every preparation to commence operations, when, to their astonishment, the Collector, the real incumbent, W. S. Whiteside, Esq., prohibited them from opening the brewery, pending the orders of the Board of Revenue. This was on the 29th June 1873 just two days before memorialists were prepared to put the brewery into operation.

6. That the Collector misrepresented the matter to the Board of Revenue, and that honorable body were pleased to state that "the issue of a license by the Acting Collector was unauthorised by the Board."

7. That thereupon memorialists appealed to the Board of Revenue, submitting the following points for their just and favorable consideration:—

I. That there are brewers for country-beer established throughout, not only Southern India but also Calcutta, Bombay, and N.-W. Provinces.

II. That the use of the country-beer manufactured by memorialists is not deleterious.

III. That it does not in any way affect the Abkari revenue of Government.

IV. The Abkari itself makes provision for the manufacture of rum and other Europe articles of beverage, excepting them from the Abkari license.

8. That on this their appeal, as also on a subsequent one, the Board of Revenue declaring they could not interfere until the elapse of the present Abkari contract.

9. That thereupon memorialists submitted an appeal to the Government of Fort St. George, pointing out the discordancy between the orders of the Acting Collector, the disconnection between the Abkari contract and the license for brewery, and the losses which they have incurred by the contradictory orders issued to them; but Government, instead of taking the matter into just and equitable consideration, simply passed an endorsement that they could not interfere.

10. May it please your Lordship in Council: memorialists would not have been thus arbitrarily dealt with but for the one-sided views taken by the Collector. It will be perceived that the articles intended to be used and the utensils in the manufacture of beer are all of Europe import; that their mode of brewing is exactly that employed in English breweries; that the beer manufactured by them in Bangalore has been tested and found to be pure and unadulterated; and that, as such, it is appreciated, may be seen from its extensive sale, the only apparent objection raised by the Board of Revenue is that by confirming the license the Abkari contract will be interfered with. As already shown, there is a *proviso* made whereby breweries are allowed.

11. It is for your Lordship in Council to adjudge whether memorialists are to suffer, if they may so express themselves without presumption, by the capricious views of the local authorities who give a rendering to their own orders contrary to that of common sense, or of the plain construction which the language of the orders convey. In addition to the large amount, Rs. 1,608, poor tradesmen as they are, they are still compelled to experience further losses by having to pay for house-rent and their employés whose services they cannot use.

12. Memorialists very humby and respectfully beseech of your Lordship in Council to take the above unvarnished statement of their case into just and favorable consideration, and render them justice by issuing an order to the local authorities, directing them to confirm the license granted them by the Acting Collector.

For which act of justice and goodness, memorialists shall ever pray.

(True Copy.)

(Signed) C. G. MASTER,
Acting Secretary to Government.

Exd. F. R. Bantleman.

REVENUE DEPARTMENT,
FORT ST. GEORGE,
11th January 1875.

No. 44.

No. 97.
To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF REVENUE,
AGRICULTURE AND COMMERCE.

Separate Revenue, No. 8.
Abkari.

SIR,—I am directed to forward the enclosed memorial from Messrs. A. Roberts and T. Streenevasalu Naidoo, appealing against the orders of this Government refusing to interfere with certain orders of the Board of Revenue, cancelling a beer-brewing license that had been issued to them.

2. The license was issued by the Acting Collector of the North Arcot District, who was unaware that the permanent Collector had refused similar applications, and who also overlooked the fact that the sanction of the Board of Revenue should be obtained.

3. Before, however, the license took effect, the permanent Collector returned to the district, and, on his representing that he had already refused to grant such a license for full and sufficient reasons, the Board directed that the license should be cancelled. They also said that during the currency of existing Abkari leases they were obliged to decline issuing beer-brewing or selling licenses, but would, on their expiration, consider an application for such licenses.

4. This mode of dealing with the case seemed to this Government to have been necessary in the interests of the Abkari contractors, who might, indeed, otherwise have had a sound cause of action against the Government, and the orders of the Board were, therefore, not interfered with.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) C. G. MASTER,
Acting Secretary to Government.

Exd. F. R. Bantleman.

[illegible]

[illegible]

5

Agriculture 1875 Department.

Government of Fort St. George.

Dated 11th January 1875. No. 44.
Enclosures:
Received 6 spare copies.

D. No. Prog.
L. No. No.

Forwarding, with explanation, memorial from Messrs. A. Roberts, and [illegible] Naidoo, appealing against the orders of that Government refusing to interfere with certain orders of the Board of Revenue cancelling a beer-brewing license that had been issued to them.

☆

This paper was taken with
mail 15/12/74 and it
explained that by
the correspondence noted
marginally

To Govt. of India 25 Aug 1869 No. 382 F.D.
From do do 7 Oct/69 No. 3706 F.D.
From Govt. of India 28 Nov 1873 No. 24 C.D. Foreign Dept.
To do do 2 Dec/73 No. 1314 Public
From Govt. 3 June/74 No. 1574 Home Dept.

it seemed
that the
Govt. had
not refused
to forward
a memorial ad-
dressed
to the Govt.
of India in the Chief [illegible]
[illegible] remem-
bered three cases in
which the Govt. had de-
clined to forward such
memorials. The order
was to look [illegible]
if possible to avoid
sending on such me-
morials.

C. L. L.

the Municipal Authorities of the town
who unanimously declared that they
[illegible] to the Establishment of a
proposed. The Acting Collector
for the opinion of the Commandant
at the time stationed at
gave a favorable judgment
finally the Acting Collector
a sample of Memorialists Country
tested by the Civil Surgeon
it wholesome.
That after all these stringent enquiries
was granted Memorialists permitting
establish a Brewery from 1st July 55.
That placing the fullest reliance
given by the Acting Collector
[illegible] of the Board of Revenue
Memorialists engaged a
at 8 months Lease purchased a
quantity of Articles and utensils of English
manufacture requisite for the
and also secured the services of
[illegible] amounting in all
[illegible] incurred.
That some [illegible] in [illegible]
to note that in the express
[illegible] that of
Acting Collector of South Arcot
unauthorised by the Board of Revenue
[illegible] the strength of the License
[illegible]
[illegible]
[illegible]

[illegible] the [illegible]
Revenue. This was on the 29th June 55 and
2 days before Memorialists were prepared to put
the Brewery into operation
6. That the Collector misrepresented
the matter to the Board of Revenue and
that Honorable Body were pleased to [illegible]
that "the issue of a License by the Acting
Collector was unauthorized by the Board
7. That therefore Memorialists
appealed to the Board of Revenue in
writing the following points for their [illegible]
and favorable consideration.
I That there are Breweries for Country
Beer established throughout not only
Southern India but also Calcutta, Bombay
and the N.W. Provinces.
II That the [illegible]
manufactured by Memorialists is not
dele[illegible]
III [illegible] it does not in any way aff[illegible]
the [illegible] Revenue of Government.
IV [illegible] Brewery itself makes
provision for the manufacture of Beer
and other Europe Articles of beverage
excepting them from the Abkarry License
8. That on this their appeal [illegible]
on a subsequent one the Board of Revenue
declaring they could not enter into
the stages of the present Abkarry Contract
9. That therefore Memorialists submitted an Appeal to the Government
Fort St George [illegible]
between the [illegible] of the Acting [illegible]

[illegible] Ordinary Contract
ovision for Brewery and the loss
have incurred by the Contradictory
ed to them but Government instead
the matter into just & equitable con-
simply passed an endorsement
ould not interfere.
Way it please your Lordship in
Memorialists would not have
arbitrarily dealt with. But for
cted views taken by the Collector.
perceived that the articles intended
l and the attempts in the memo-
of Beer are all of Country import
e mode of brewing is exactly the
ployed in English Breweries that
manufactured by them is thoroughly
[illegible] found to be pure and
dulterated and that as such it is
ted may be seen from its [illegible]
only apparent object [illegible] ed by
d of Revenue is th [illegible] brewing
ed the Abka [illegible]
l such is also [illegible] ere is
made to whereby Revenue are allowed.
that for your Lordship in Council
e whether Memorialists are to suffer
many losses expose themselves without
tion - By the improper views of the
thorities who give a tendency to
orders contrary to that of common
of the plain construction which
ing of the orders [illegible]
[illegible]

---

further losses by having to pay for House Rent and their employes whose services they cannot use.

12 Memorialists very humbly and respectfully beseech your Lordship in Council to take the above unvarnished Statement of their Case into just and favorable consideration and render them justice by issuing an order to the local Authorities directing them to confirm the License granted them by the Acting Collector

For which Act of justice and goodness Memorialists

Shall ever pray

A Roberts
S Sreenivassoolochattee

Madras
10th November
1874

2988
17 Encl.
1/o
14/12/74

Pro 4207/75

J. D. Carmichael Esq
Chief Secretary to Government
Fort St George

Sir,

We beg to enclose a Memorial to the Right Honorable H. E. the Viceroy & Governor General in Council which we very humbly & respectfully request will be forwarded to its Address.

Upon a perusal of our Memorial three things will be seen

I That from a want of correct discrimination of th Contrary orders issued by the Board of Revenue we have suffered a severe loss.

II That when the [illegible] Collector [illegible] passed an order in all faith & Confidence in the implicit orders of the Board of Revenue that was vetoed. ×

III That such irregularities would n[illegible] recurred but for the obstreperousness of the l[illegible] Mr Whiteside

We therefore earnestly Crave [illegible] to bring the subject of our Memorial to the no[illegible] of H. E. the Right Honorable the Governor in Cou[illegible] so that it may be transmitted with their favora[illegible] recommendation to the Right Honorable H. E. [illegible] & Governor General & Council.

We beg to Remain
Sir
Your most obedient & humble Serva[illegible]
A. Roberts

Madras
19th December
1874

[illegible] 5/12/73 № 26097
2629.
[illegible]
[illegible]
[illegible]

Memorial, appealing against the orders of this Govt and requesting that the license to establish a Brewery at Vellore granted to them by the Ag Collector, may be confirmed

No 96

[illegible] 11/12/74 [illegible]

Government of Madras
Revenue 1875 [illegible]
No 4207
Revenue DEPARTMENT.

Petition No. 2938 of 1874.

From Mr A Roberts and T. Streenevasalu Naidoo

Occupation. Brewery Proprietors.

Village.

Talook. Vellore

District. North Arcot now at Madras.

Dated 10th November 1874.

Received 11th November 1874.

Recd 2nd Dec

Enclosures.

P. Letter 44 11 January 1875

ABSTRACT.

Pray for the transmission to the Govt of India, of the enclosed Memorial.

Copies Dec 12 Jany 7

Revenue Department.

No. 44

To

THE SECRETARY TO THE GOVERNMENT OF INDIA.

Rev Agr & Com

I do not think this should be sent on. They have their remedy at law.

[illegible]
7-12

I concur
9/12

Sir,

I am directed to forward the enclosed Memorial from Messrs A. Roberts and T. Streenevasalu Naidoo appealing against the orders of this Government refusing to interfere with certain orders of the Board of Revenue cancelling a beer brewing license that had been issued to them.

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This mode of dealing
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sary in the interests of the
bkari contractors who might
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a sound cause of action against
the

---

the Government, and the orders
of the Board were therefore
not interfered with.

11th January 1875

To the Govt of
India

Fwdg a Memorial
from [illegible]
[illegible] & J. Stee[illegible]
newspaper and
beer-brewers

Dft ltr

Cir

Recirculated for orders whether the memorial is or is not to be forwarded to the Govt of India. Please see [illegible] within [illegible] [illegible] in minute last Council.

[illegible]
29/12/74

Settled in Council 5.1.75 that this letter shd be despatched to the Govt of India

[illegible]
5.1.75.

2/74 R 12/12/74. R.C. 22d Dec/74
R 4/1/75.