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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No. / B.P. No.	999	Press. / Mis.
Dated	29-6-1878.	19 .

Not to be folded or roughly handled

Archives I—5,806—24-2-78.

999
1

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

29th June 1878, No. 999.

Read the following paper :—

No. 368. Proceedings of the Board of Revenue, dated 17th April 1878, No. 1,038.

Read the following letter from W. S. WHITESIDE, Esq. Collector of North Arcot, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Polur, 29th March 1878, No. 91 :—

I HAVE the honor, with reference to the endorsement of the Acting Under Secretary to Government upon the enclosed petition of Mr. A. Roberts of Bangalore complaining of the heavy loss sustained by him by the withdrawal of the license granted to him in May 1873 for a brewery at Vellore, to report that the facts of the case have already been fully set forth in my letters to the Board of Revenue, No. 370, dated 20th June 1873, and No. 323, dated 12th June 1875, embodied in the Board's Proceedings of 12th July 1873, No. 1,277, and 24th June 1875, No. 1,754, respectively.

2. For convenience sake, I may again here briefly recapitulate them. At the close of 1872, and early in 1873, I received a number of applications for licenses to vend country-brewed beer, and also to brew the same liquor at various places in this district. I issued licenses for six beer taverns as an experimental measure, in order to see whether the liquor in question could be made a popular and wholesome beverage. The licenses for breweries (for which I received three applications) I refused, as I foresaw endless trouble and possible litigation in regard to claims for compensation if eventually the beer was found to be unwholesome, and the brewery license had to be withdrawn.

3. The Government petitioner, Mr. Roberts, was one of the three applicants to whom I declined to grant a license, and very shortly after he had been made aware of my refusal, I went away to England on three months' privilege leave. During my absence, Mr. Roberts made another application for a license to brew beer to Mr. Henry Sewell, who was officiating for me, and made no allusion whatever to the refusal he had met with very recently from me. That fact was not communicated to Mr. Sewell, as it ought, by any of my office establishment, and that gentleman, on the 13th May 1873, granted to Roberts and Co. a license to brew beer at Vellore. The license was to come into effect fromthe 1st July 1874, and in the course of the month of June, Roberts and Co. engaged an old and much delapidated building (formerly the Vellore travellers' bungalow, but for many years unoccupied) at a trifling monthly rent as the site of their proposed brewery, and they brought and deposited in the compound one iron vat of the kind used for boiling sugar. These are what the Government petitioner calls the extensive preparations at great cost that he made for the establishment of his brewery.

4. Shortly before I returned to duty in the month of June 1874, the Government petitioner, fearing lest I should take the action I eventually did, went to Mr. Sewell and was urgent with him for leave to anticipate the terms of his license, and at once to commence to brew country beer. This Mr. Sewell, however, declined to allow.

5. Only a few days before the license was to come into force I became aware of what had occurred in my absence, and I addressed to the Board the first of my above quoted letters. The Board thereupon, after full consideration of the facts of the case, cancelled the license that had been unwittingly issued by Mr. Sewell, and from that time forward Mr. Roberts has continued to write petitions complaining of the griev-

Govt. of [1878] Madras.
REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated June 29th.

Read.

Encl.

G.O., 29th June 1878, No. 999.

JUNE.

Nos. 365-369.

Mr. A. Rome of Bangalore.—Declining to interfere on his behalf in the matter relating to this withdrawal of the license granted to him for a brewery at Vellore in North Arcot District.

199
1

No. 1,754.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th June 1875.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Punganur, 12th June 1875, No. 323:—

THE Board of Revenue are aware that, in my letter, No. 111, dated 13th March last, embodied in their Proceedings, dated 24th idem, No. 722, I recommended that, instead of establishing a brewery in this district for the manufacture of country-beer, the keepers of the five experimental shops therein mentioned by me should purchase their stock in trade from Mr. Honeywell, who is a practical brewer of some experience, until such time as the quality and effect of the liquor is fully and satisfactorily ascertained. Final orders have not as yet been passed on this subject, and I should be glad if it were settled at once, as the current fasli is rapidly drawing to a close and the necessary arrangements for the establishment of the shops have yet to be made. One of my chief reasons for not recommending the establishment of a brewery at once in this district is that if, as is extremely likely, the beer brewed in so warm a climate as Vellore or Chittoor is found to be deleterious to health, and it is eventually decided to withdraw the license and close the beer-shops, the licensed brewers will, without doubt, clamor for compensation.

2. The Board will doubtless recollect that, taking advantage of my temporary absence from the district in 1873, Messrs. Roberts and Co. succeeded in obtaining from Mr. H. Sewell (who was acting for me) the license for a brewery at Vellore which I had previously refused them. On my return, I reported what had occurred, and the Board at once cancelled the license in their Proceedings, dated 12th July 1873, No. 1,277.

3. Roberts and Co. had not opened any brewery when their license was withdrawn, nor had they even taken any steps towards the brewing of beer beyond hiring for one or two Rupees a-month a disused travellers' bungalow at Vellore now in a tumble-down state, in front of which they deposited one old vat.

4. On the strength of their investment of capital in these plant and buildings, Roberts and Co. have lately addressed to me serveral petitions claiming the restoration of their license, and they have also notified to me their intention of demanding compensation from Government for "the inexpressible loss" they have sustained by the withdrawal of their license a few days after it had been granted.

5. They have, of course, no real grievance or ground of complaint, and I merely report what is going on, so that the Board may be able at once to dispose of the claim for compensation which the firm is about to put forward. But, seeing how ready these so-called brewers are to raise lamentations and clamor for compensation on the most shadowy pretext, I am anxious not to have a brewery fairly established in the district and actually set at work, for I foresee great trouble and litigation if circumstances should hereafter induce the Board to order withdrawal of the license.

6. I again strongly recommend that the five shops for which I propose to grant licenses shall be required to procure their beer from Honeywell and Co., and that a fair trial be given it; and that until we have real data to go upon as to the

wholesomeness of the beer, and the effects the shops have on the sale of arrack and toddy, no brewery be licensed in this district.

No brewing license and no new beer-shop license should be granted pending further orders.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

To the Collector of North Arcot.

Exd. J. W. Fischer.

1875.
Board of Revenue,
MADRAS.

PROCEEDINGS, 24TH JUNE 1875, No. 1,754.

Received

JUNE.
No. 1,754.

Country-beer.—Collector of North Arcot informed that no brewing license and no new beer-shop license should be granted pending further orders.

999/2

No. 1,277.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th July 1873.

Read the following letters:—

From W. S. WHITESIDE, Esq., Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Chittoor, 30th June 1873, No. 370:—

I HAVE the honour to report, for the information and orders of the Board of Revenue, that having from time to time received many applications for licenses (wholesale and retail) to vend country brewed beer in this district, I issued, as an experimental measure, six licenses at the places specified in the margin. After these licenses had been issued, three Firms applied to me on different occasions for licenses to permanently establish a regular brewery in the town of Vellore, and also for a wholesale and retail license to sell the beer manufactured at that brewery. With each of these last named applications, I declined to comply, and informed the applicants that no license to brew beer in the district would be given, and further, that, until I was satisfied that the experimental Beer shops I had licensed were a success, and the liquor supplied therefrom wholesome and appreciated by the public, I would not add to the list of shops already in existence.

Vellore Town	3
Chittoor	1
Arconum	1
Tripati	1

2. All such applications are regularly received and disposed of in the Department of this Office, under the English Head Clerk Mr. D'Roza, who keeps the Registers, and brings for the Collector's signature such licenses as he may issue from time to time.

One of the three applications I have mentioned for licenses to establish a distillery and brewery in Vellore was sent in by Messrs. Roberts and Co., a Firm of natives trading under that title at Bangalore, an East Indian named Roberts, who is employed by them, being the name-lender.

3. In March last I left the district on three months' privilege leave, and, very soon after I had gone, Mr. Roberts made his appearance in person before Mr. H. Sewell who was acting for me, and presented an application for a license to establish a brewery at Vellore. He did not in any way allude to the fact that I had recently rejected his former application for such a license, and Mr. D'Roza was also silent on that point. Mr. Sewell made references to the Municipal Commissioners at Vellore, and to the Colonel Commanding the 28th Regiment Native Infantry now stationed there, as to whether they had any objection to the issue of the licenses applied for, and the answers in each case being in the negative, he, on the 15th May 1873, granted to Messrs Roberts and Co., a license to establish a brewery in the town of Vellore, and another for the wholesale and retail vending of the beer they should manufacture.

4. I assumed charge of the district on the 20th instant, and heard nothing of what had been done till the 27th instant, when, by the merest accident, I learned that some natives were making extensive preparations for a brewery about to be established in Vellore. Mr. H. Sewell was, it happened, staying with me,

as he was member of the Local Committee for the examination of Assistants then in progress at Chittoor. I spoke to him, and he told me of what had taken place, and expressed great surprise and regret that the English Head Clerk had been so strangely reticent on the subject of my previous refusal to grant those licenses to Messrs. Roberts and Co. I questioned Mr. D'Roza in Mr. Sewell's presence, when he stated that it never occurred to him that he ought to inform Mr. Sewell of what had taken place, and also said to me that he imagined Mr. Sewell desired to favour Mr. Roberts, and grant his application. I at once wrote to Messrs. Roberts and Co., and informed them that I should refer the matter for the consideration of the Board of Revenue, and that until final orders are received, the licenses they have obtained in my absence from Mr. Sewell must not be acted upon. I should mention that the licenses as issued by Mr. Sewell do not come into force until the 1st July, and, a very few days before I returned to duty, Mr. Roberts came against Mr. Sewell and was urgent with him for permission to commence brewing operations forthwith, even before the licenses came into force. I have not the slightest doubt but that this permission was specially asked for in order to make it more difficult subsequently to cancel the licenses granted by Mr. Sewell, who was very nearly, he tells me, complying with that application, but eventually declined to anticipate the terms of the license.

5. I beg strongly to recommend that these two licenses now held by Messrs. Roberts and Co., be cancelled. In the first place, I had, after careful consideration, only a short time before refused to issue the licenses, and their subsequent grant by Mr. Sewell was only obtained through the improper suppression from my temporary *locum tenens* of the knowledge of such refusal on my part. I declined to grant the licenses for the sale of the beer because I considered I had already established quite as many shops as would enable me to satisfy myself whether the beer was a wholesome and palatable article of consumption, and one which might be safely introduced to a larger extent into the district. The brewery I declined to sanction, because it was clear to me that I would be permanently establishing in the district the manufacture of a liquor which would compete very largely, and with very doubtful advantage, with the consumption of arrack and toddy, and would seriously affect the Government Revenue. This country brewed beer is sold at Annas 2 a bottle, and is very intoxicating. A native is usually indifferent as to the quality of the liquor he drinks, provided it is cheap, and sufficiently strong, and I felt certain that the establishment of a brewery in the district would speedily result in claims by the Arrack and Toddy contractors for extensive remission of Kist on the ground of reduced consumption of their liquors. I have shown the Board how very nearly my action in the matter was set aside by the successful manner in which Mr. Sewell was kept in ignorance of my refusal to grant Messrs. Roberts and Co., their licenses.

6. I may add, in conclusion, that the result of my enquiries as to the quality of the beer now sold in the shops in this district, has been the conviction that the beer is very unwholesome and by no means a popular beverage with the natives. One of the shops at Arconum used at first to dispose of from 7 to 8 dozen *a day* of the country beer; now, however, it does not sell more than half that quantity. The natives say that the beer not only is productive of colic, diarrhœa, and such minor ailments, but also, if drunk continuously, induces paralysis. I cannot myself vouch for the accuracy of this last assertion, but it has been actually made to me by the Monigar of Arconum, an unusually intelligent man of his class, with whom I was lately conversing; and the Board are, doubtless, aware that in England the continued drinking of cheap adulterated beer was, not long ago, found to bring on paralytic attacks. I am therefore not desirous of seeing this liquor largely imported into our local markets, and solicit the early orders of the Board on the subject of this letter.

From the same Officer, dated 3rd July 1873, No. 375.

In continuation of my letter No. 370, dated 30th ultimo, I have the honour herewith to forward, for the consideration of the Board of Revenue, the original explanation furnished to me by Mr. D'Roza, my Head Clerk, of the circumstances under which he failed to inform Mr. H. Sewell when lately acting as Collector of this district, of my having refused to grant a license for the establishment of a brewery at Vellore to Messrs. Roberts and Co.

2. The Board will observe from it that on the day when the application was received, Mr. D'Roza was absent on four days casual leave, and that when he rejoined the Office, and was informed by the Clerk who had been doing his work during his absence, of the order Mr. Sewell had passed on the application from Roberts and Co., he was in great distress of mind consequent on the death of his daughter which had just occurred. The correspondence on the subject of the license was spread over some time, and when Mr. Wilkinson, the Acting Collector, objected to the grant of the license on the ground that drunkenness is now so ripe in the town of Vellore that it is inexpedient to increase the facilities of obtaining liquor, I cannot help feeling surprise that Mr. D'Roza did not call to mind and inform Mr. Sewell that I had refused to sanction the establishment of breweries by divers Firms that had asked for licenses, for he undoubtedly was well aware of the fact.

3. I have no evidence to shew that Mr. D'Roza was actuated by any fraudulent or improper motives in maintaining silence as he did: and it is only just to him to state that throughout his lengthened service he has always hitherto borne an excellent character, nor have I before had occasion seriously to find fault with him for any official conduct.

4. When I first enquired about the licenses obtained by Roberts and Co., I was informed that they had got both a wholesale and retail licenses; but Mr. D'Roza now explains that they only got a wholesale license.

Enclosure No. 1.—Explanation of Mr. D'Roza.

The license granted to Messrs. Roberts and Co., to establish a beer factory at Vellore is cancelled. No such license can be granted except for previously established distilleries during the currency of the present Abkári leases.

2. Mr. D'Roza's conduct in the matter would expose him to severe punishment if it were not for the extenuating circumstances set forth in the Collector's second letter and in his explanation.

(True Copies and Extract.)

(Signed) J. GROSE,
Secretary.

To the Collector of North Arcot.

Exd. G. A. Turton.

1873.
Board of Revenue,
MADRAS.

PROCEEDINGS, 12TH JULY 1873, No. 1,277.

Encl.

Received .

JULY.
No. 1,277.

Beer factory — at Vellore in North Arcot District.—License granted to Messrs. Roberts and Co., to establish — cancelled. No such licenses to be granted during currency of present Abkari leases except for previously established distilleries.

999
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No. 1,068.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 17th April 1878.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Polur, 29th March 1878, No. 91 :—

I HAVE the honor, with reference to the endorsement of the Acting Under Secretary to Government upon the enclosed petition of Mr. A. Roberts of Bangalore complaining of the heavy loss sustained by him by the withdrawal of the license granted to him in May 1873 for a brewery at Vellore, to report that the facts of the case have already been fully set forth in my letters to the Board of Revenue, No. 370, dated 30th June 1873, and No. 323, dated 12th June 1875, embodied in the Board's Proceedings of 12th July 1873, No. 1,277, and 24th June 1875, No. 1,754, respectively.

2. For convenience sake, I may again here briefly recapitulate them. At the close of 1872, and early in 1873, I received a number of applications for licenses to vend country-brewed beer, and also to brew the same liquor at various places in this district. I issued licenses for six beer taverns as an experimental measure, in order to see whether the liquor in question would be a popular and wholesome beverage. The licenses for breweries (for which I received three applications) I refused, as I foresaw endless trouble and possible litigation in regard to claims for compensation if eventually the beer was found to be unwholesome, and the brewery license had to be withdrawn.

3. The Government petitioner, Mr. Roberts, was one of the three applicants to whom I declined to grant a license, and very shortly after he had been made aware of my refusal, I went away to England on three months' privilege leave. During my absence, Mr. Roberts made another application for a license to brew beer to Mr. Henry Sewell, who was officiating for me, and made no allusion whatever to the refusal he had met with very recently from me. That fact was not communicated to Mr. Sewell, as it ought, by any of my office establishment, and that gentleman, on the 13th May 1873, granted to Roberts and Co. a license to brew beer at Vellore. The license was to come into effect from the 1st July [illegible], and the [illegible] Roberts and Co. engaged an old and much delapidated building (formerly the Vellore travellers' bungalow, but for many years unoccupied) at a trifling monthly rent as the site of their proposed brewery, and they brought and deposited in the compound one iron vat of the kind used for boiling sugar. These are what the Government petitioner calls the extensive preparations at great cost that he made for the establishment of his brewery.

4. Shortly before I returned to duty in the month of June 1874, the Government petitioner, fearing lest I should take the action I eventually did, went to Mr. Sewell and was urgent with him for leave to anticipate the terms of his license, and at once to commence to brew country beer. This Mr. Sewell, however, declined to allow.

5. Only a few days before the license was to come into force I became aware of what had occurred in my absence, and I addressed to the Board the first of my above quoted letters. The Board thereupon, after full consideration of the facts of the case, cancelled the license that had been unwittingly issued by Mr. Sewell, and from that time forward Mr. Roberts has continued to write petitions complaining of the grievous loss that he says he has sustained by the withdrawal of the license. I beg to assure the Board that this is a baseless assertion on the part of the petitioner. He did not sustain any loss worthy of the name, for the simple reason that during the six weeks that he held the license he had not established any brewery in the true sense of the word or incurred any outlay in the purchase of plant, &c. The renting of the old bungalow and the placing of a sugar vat in front of the door cannot be regarded as such an investment of capital as to call for the grant of compensation by Government as now desired by petitioner, especially when the surreptitious manner in which his license was obtained is borne in mind.

6. The pertinacity with which the petitioner has ventilated his imaginary grievance, and the correspondence that has arisen therefrom, shows that I was right in deciding in the first instance to withhold licenses for the opening of breweries in this district until such time as it had been clearly proved that beer brewed in the plains was really a wholesome and safe drink to introduce in this district. My reasons for exercising such caution are fully set forth in my letter to the Board of Revenue, No. 685, dated 16th December 1874, embodied in the Board's Proceedings, No. 3,713, dated 21st December 1874, and to which I respectfully invite attention.

7. On the holiday for the Queen's Birthday in 1876 I was in Bangalore, and being anxious to satisfy myself as to the real nature of the process and the ingredients of which country beer is composed I visited, in company with Mr Dalyell, the petitioner's brewery, but I was satisfied that at that time no hops were being made use of in the composition of his beer, and, as it happened, he then had no beer in stock that he could show as a sample of the liquor he turned out. I most certainly did not promise him then a license to brew beer in Vellore. He spoke to me on the subject, but I distinctly told him that I could make no promises, and the whole case depended on the final orders that might be passed by the Government. My views as regards country beer continue unchanged, and being satisfied that the petitioner has no valid grounds of complaint, I beg to recommend that his petition be dismissed.

SUBMITTED to Government with reference to the endorsement quoted. The Board support the Collector's view.

(A true Copy and Extract.)

J. Stuart
Acting Sub-Secretary.

Copy to the Collector of North Arcot.

Exd. W. H. French.

Proceedings, dated 12th July 1876, No. 1,754, and 24th June 1875, No. 1,754.

Received 29 June 1878

Remarks Applicant's No. 2313.

1878.

Board of Revenue, MADRAS.

PROCEEDINGS, 17TH APRIL 1878, No. 1,068.

Duplicate 26/1878

APRIL.

No. 1,068.

Petition — Presented by Mr. A. Roberts of Bangalore, complaining of the heavy loss sustained by him by the withdrawal of the license granted to him in May 1873 for a brewery at Vellore in North Arcot District.—Submitting to Government Collector's report on —.

999/3

Orders

Board's 17th April 1878 No 1068.

Received 25th May. A Roberts Bangalore

Petition for Lic. a Brewery

Has for 4 yrs
for India have
already refused
to interfere on
the Petr behalf
but Mr Bale
the Collector thought
he had been
hardly treated
& if he spoke the
Truth. The Collector
was therefore
called on for
a report
Mr Bale admitted

See Note on Petitioners
Ack Book 1776/77

Mr Roberts interpreted
20/5 1878
Enclosing letter from
Mr Bale on the back - Ktm

Wat under
existing orders
no. bravery
is blue billowed
on the plains

See para 4
F.O. 9th Dec 75
No 1786.

Sd