

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1453	Press Mis.
435-437	
Dated	28 - 6 - 1867.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
28th June 1867.*

Read the following papers :—

No. 435. Proceedings of the Board of Revenue, dated 5th June 1867, No. 3,442.

Read the following Memorandum from the Inspector General of Police, Madras, to the Secretary to the Board of Revenue, dated 20th April 1867, No. 689.

1. With request that instruction may be issued and the papers returned.
2. The point has been judicially ruled before.

From W. S. FOSTER, Esq., Acting Sub-Collector, to the Assistant Superintendent of Police, dated Anantapur, 2nd November 1866, No. 123.

1. In reference to the question proposed by you in your docket, No. 207, dated the 18th October 1866, as to whether or not the decision of the Sub-Magistrate of the Anantapur talook, that Toddy does come under the definition of liquor laid down in Act III. of 1864 is correct, I have the honour to inform you that, in my opinion, the Sub-Magistrate's decision is correct.

2. In the Act alluded to above "liquor" is defined to be any intoxicating liquor in the manufacture of which distillation or fermentation takes place. Now Toddy is not distilled, and although it does eventually ferment, yet, when the stage of fermentation has been reached, it is no longer fit to drink. It is, in fact, intoxicating liquor only until the stage of fermentation has been reached, after which time it becomes unfit for consumption. It cannot, therefore, be considered a liquor manufactured, *i.e.*, prepared for consumption by fermentation, nor, consequently, can it be held to come under the definition of liquor laid down in Act III. of 1864.

Proceedings of the Court of Session at Bellary, under date the 24th January 1867.

Read letter from the Superintendent of Police, Bellary, dated 17th January 1867, No. 38.

1. The Court declines to give an extra judicial opinion on the point raised by the Superintendent of Police in the foregoing letter.
2. The enclosures to which it gave cover are returned.

(Signed) H. E. SULLIVAN,
Acting Session Judge.

To the Superintendent of Police, for information.

From the Magistrate of Bellary, to the Superintendent of Police, Bellary, dated 15th February 1867, No. 56.

SUBJECT.—In returning the enclosures of the above, informs him that on a reference having been made by the Collector of Tanjore, and by myself as Collector of Tinnevely, the Board ruled that Toddy was a liquor contemplated by the Act.

From the Superintendent of Police, Bellary, to the Deputy Inspector General of Police, Central Range, dated 9th April 1867, No. 213.

Forwards correspondence on subject of Toddy being a liquor as defined in Abkarry Act, and requests that some steps may be taken to get the matter authoritatively settled.

ENCLOSURE No. 5.—Charge Sheet.

1. Resolved that the papers forwarded with the above be submitted to Government, with the Board's recommendation that the opinion of the Advocate General be taken on the subject.

2. The Board entertain no doubt that Toddy is to be considered fermented liquor, within the scope of Act III. of 1864 (Madras); but they are unable to control the acts of the Magistracy, or bring the case before the Courts.

*Proceedings of the Madras Government, Revenue Department,
28th June 1867.*

Referred to the Acting Government Solicitor for the opinion of the Acting Advocate General.

(Signed) W. HUDLESTON,
Secretary to Government.

24th June 1867.

No. 436. From the Acting Government Solicitor, to the Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 26th June 1867, No. 417.

1. I have the honour to acknowledge the Order of Government noted in the margin (with its enclosures), requesting the Acting Advocate General's opinion as to whether Toddy is a liquor within the meaning of the Madras Abkarry Act No. III. of 1864.

Dated 24th June 1867, and made on Proceedings of the Board of Revenue of the 5th idem, No. 3,442.

2. I have submitted the matter for the consideration of the Acting Advocate General; and

3. I now forward a copy of his opinion, and return the order and enclosures above noted.

OPINION.

Toddy is certainly not a liquor within the meaning of Act III. of 1864 until it is fermented. If Mr. Foster is right in stating, as a fact, that Toddy is not drinkable, and ceases to be an article of consumption when it has reached that stage, then it is never an intoxicating and a fermented liquor at the same time, which it must be in order to come within the definition in Section 2. I had certainly supposed the contrary to be the fact, and the contrary was assumed in the case submitted to me by the Magistrate of the Madras District 7th March 1867, and in my opinion upon it, dated 14th March.

(True Copy.)

(Signed) H. J. BROCKMAN,
Acting Government Solicitor.

No. 437. ORDER THEREON, 28th June 1867, No. 1,453.

Separate Revenue, No. 29.
Abkarry.

1. Ordered that the Advocate General's opinion be communicated to the Board of Revenue, with reference to their Proceedings dated 5th June 1867, No. 3,442.

2. The Government observe that Mr. Foster is not correct in his facts. Unfermented Toddy is a harmless and somewhat insipid beverage. After fermentation it becomes a highly intoxicating spirit. It is largely consumed in both stages.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue,
the Government Solicitor.

Ed. S. T. Augustin

Col 4

Nov 28th 1867

The charge is that the Prisoner conveyed without a valid Permit as provided in Section 22 of the Albany Act 30th 1864 an affidavit of 1867. I refused to show the Permit when asked for.

Col 20.

The Court having suggested

into the case since at a conclusion that the Prisoner was not guilty of the offence, and directed his release.

Inquiry was conducted according to the provisions of Section 22 of the Albany Act 30th 1864.

Police Officers were not present during the trial of the case.

Col 21

The charge against the

Prisoner of having conveyed 1867 from one Village to another is not correct.

128 Albany 1867
137-35-100

MADRAS POLICE.

Division of the

మ ద రా ను పో లీసు.

District

జిల్లా

CHARGES taken at, or Information laid by Police of

POLICE STATION on the

day of

186

తారీఖున పోలీసు నాయ దాఫిలు చేసుకొన్న ఛార్జీ గాని తెలియజేసిన సమాచారము గాని

Station House Number of Charge.	Date and hour of the charge or intelligence of the crime being brought to Station, and distance of scene from the Station.	Defendant or Person charged or Suspected. Name, Address, and Occupation.	Charge or Information. Name of offence and circumstances connected with it, in concise detail, and under what Section of the Penal Code charged.	Persons charging or informing. Name, Address, and Occupation.	Witnesses. సాక్షులు.		Prisoner Taken into custody. By whom and at what hour, or nature of Process requested.	Property. Found on Person or elsewhere; when and by whom; and list of Articles forwarded.	At the Station House. దేవుడు ఈ కార్యమును చేసినది.		Date and hour of being placed before the Magistrate, పోలీసు నాయకుని దాఫిలు చేసిన తేదీ.	
					Name and address; Present or not Present.	What points called to prove.			Confined from what hour to what hour.	At what hour admitted to Bail.		
1	2	3	4	5	No.	6	7	8	9	10	11	12
11	14/10/1906 అంతర్గతము 12 అంశములు 2 అంశములు	1. మురళీధరం రైల్వే	1. గొర్రెదొంగతనము - 375 2. దొంగతనము - 375 3. దొంగతనము - 375 4. దొంగతనము - 375 5. దొంగతనము - 375 6. దొంగతనము - 375 7. దొంగతనము - 375 8. దొంగతనము - 375 9. దొంగతనము - 375 10. దొంగతనము - 375 11. దొంగతనము - 375 12. దొంగతనము - 375	1. పోలీసు 2. పోలీసు 3. పోలీసు 4. పోలీసు 5. పోలీసు 6. పోలీసు 7. పోలీసు 8. పోలీసు 9. పోలీసు 10. పోలీసు 11. పోలీసు 12. పోలీసు	1	24/10/1906	1. మురళీధరం 2. మురళీధరం 3. మురళీధరం 4. మురళీధరం 5. మురళీధరం 6. మురళీధరం 7. మురళీధరం 8. మురళీధరం 9. మురళీధరం 10. మురళీధరం 11. మురళీధరం 12. మురళీధరం	1. మురళీధరం 2. మురళీధరం 3. మురళీధరం 4. మురళీధరం 5. మురళీధరం 6. మురళీధరం 7. మురళీధరం 8. మురళీధరం 9. మురళీధరం 10. మురళీధరం 11. మురళీధరం 12. మురళీధరం	1. 14/10 2. 12/10 3. 12/10 4. 12/10 5. 12/10 6. 12/10 7. 12/10 8. 12/10 9. 12/10 10. 12/10 11. 12/10 12. 12/10	1. 14/10 2. 12/10 3. 12/10 4. 12/10 5. 12/10 6. 12/10 7. 12/10 8. 12/10 9. 12/10 10. 12/10 11. 12/10 12. 12/10	1. 14/10 2. 12/10 3. 12/10 4. 12/10 5. 12/10 6. 12/10 7. 12/10 8. 12/10 9. 12/10 10. 12/10 11. 12/10 12. 12/10	

Signature of complainant

పోలీసు

Signature of Officer taking the Charge

పోలీసు

Columns 13-21 on the other side will be filled up by the Magistrate.

మాజిస్ట్రేట్ గారిచే 13 నెంబర్ల నుండి 21 వరకు నింపబడును.

N. B.—No prisoner to be detained in custody more than 24 hours without being taken before a Magistrate.

కా. — ఏ యిదని మేజిస్ట్రేటు గారిముందుకి రిఫరను చేయకుండా 24 గంటలు మించకుండా అధికము పోలీసు వారిస్టేషనులో ఉంచుట దురుష్టము.

W 4633
Ordered that the Add. P. be

quinn be loaned to the
of the. in the 2nd. I think so.
of 5 June by. No. 3462
The for. shows that
the Doctor is not correct
in his facts. Infumated
Lard is a harmless & some-
what medicinal beverage -
after fermentation it becomes
a highly intoxicating spirit
It is largely consumed
in both states -

L.R.
11. Copies of the Report of the Select Committee on the
4. - - - - - 28th June 1877