

IMPORT OF RUM, MADRAS

ACT NO. XXIII. OF 1841

(Rep., Act 6 of 1863)

[11th October, 1841.]

Passed by the Right Hon'ble the Governor General of India in Council, on the 11th of October, 1841.

AN Act for prohibiting the importation of Rum and Rum Shrub into the Presidency of Fort St. George in Madras.

I. It is hereby enacted, that if any person after the passing of this Act, lands or attempts to land, or shall introduce by land in any part of the Territories subject to the Government of the Presidency of Fort St. George in Madras, any Rum or Rum Shrub, which is the produce of any Foreign Country, or of any British possession into which Foreign Sugar or Rum can be legally imported, such Rum or Rum shrub shall be seized by the Collector of the Customs, or by any other Officer authorized to seize and detain Contraband Goods, and shall be brought to confiscation according to the Rules in force for confiscating such Goods, unless the District in which such Rum or Rum Shrub, be a District in which the Governor in Council has authorized the importation of such Rum or Rum Shrub, and it shall be lawful for the Governor in Council to authorize the importation of such Rum and Rum Shrub into any District of the Territories aforesaid by an Order in the Official Gazette.

II. And it is hereby enacted, that if any Owner of Rum or Rum Shrub, the produce of the said Territories, or the duly authorized Agent of such Owner, be desirous to obtain a Certificate of Origin from the collector or Assistant Collector of the Land or Customs Revenue of any District within the said Territories, or from any other Officer appointed by the Governor in Council to give such certificates, such Owner or Agent shall, in presence of the Officer from whom he desires to obtain such Certificate, make and subscribe a Declaration in the Form contained in the Schedule hereunto annexed marked A, and to the said Declaration shall be appended a Certificate to its verity from any Government Officer who may be attached to the Distillery where such Rum or Rum Shrub is declared to have been manufactured in the form prescribed in the said Schedule A.

III. And it is hereby enacted, that if the District be one into which the Governor in Council has not, by any Order, authorized the importation of foreign Sugar or Rum, or of Sugar or Rum the Growth or produce of any British Possession into which Foreign Sugar or Rum can be legally imported, then the Officer before whom such a Declaration as is aforesaid shall have been made, shall grant under his hand and seal to the Declarant a Certificate in the form contained in the Schedule hereunto annexed marked B.

IV. And it is hereby enacted, that every person who intends to ship Rum or Rum shrub from any place within the said Territories for any part of the United Kingdom, shall be entitled to produce to the Collector of Customs at that place, or to any other officer who may have been appointed by the Governments of the respective Presidencies to act on that behalf in place of the Collector of Customs a Certificate, such as is above described, and also in the presence of the Officer to whom he has so

produced such Certificate to make and subscribe a Declaration in the form contained in the Schedule hereunto annexed marked C.

V. And it is hereby enacted, that the Officer to whom such a Certificate shall have been so produced, and before whom a Declaration in the last mentioned Form shall have been so made and subscribed, shall, unless he see cause to deem such Declaration fraudulent and untrue, grant to the person who has made the last mentioned Declaration a Certificate in the form contained in the Schedule hereunto annexed marked D.

VI. And it is hereby enacted, that the Owner of Rum or Rum Shrub intended for exportation under this Act, or the duly authorized Agent of such Owner shall not be entitled to any if the Certificates described in this Act unless such Rum or Rum Shrub shall be the produce of a Distillery worked according to law in the European method under License from the Board or other authority vested with the management of the Revenue derived from the Abkarry or Tax on Spirits.

VII. And it is hereby enacted, that the Rum and Rum Shrub manufactured for exportation to the United Kingdom under this Act at any Licensed Distillery shall be manufactured pure without admixture of Spirits made from Rice. Grains, or any other substance or substances not being the produce of the Sugar Cane or of the Date or Palm-tree, and shall be so declared and verified at the time of application for a Certificate of Origin According to the form of Schedule A.

VIII. And it is hereby enacted, that if any Rum or Rum Shrub that may be brought to any Custom House for exportation under this Act shall be found to be adulterated or mixed contrary to the above prohibition, the same with the caske or materials in which it is contained shall be seized and confiscated, and the party or parties upon whose Declaration Certificate of manufacture free adulteration or mixture may have been granted for the admission of such Rum or Rum Shrub to the privilege of exportation under this Act. As well as the party or parties who may have verified such Declaration, Shall be proceeded against for the false and fraudulent Declaration as hereinunder prescribed.

IX. And it is hereby enacted, that any person who shall in making any Declaration under the authority of this Act. Knowingly affirm an untruth, shall on conviction thereof before such Court as would be competent to try such person for Perjury, be punished as in cases of Perjury; and every person procuring another person to affirm such untruth shall be liable to be punished as in cases of Subornation of Perjury, and any Officer of Government subscribing an Attestation to the verity of such Declaration knowing the same to be untrue. Shall be subject to a like penalty as the false Declarant, besides dismissal from the employment of Government.

X. And it is hereby enacted, that notwithstanding anything in this Act contained, no person intending to manufacture Rum or Rum Shrub Within the Presidency of Madras shall establish a Distillery for such purpose without making application for a License in manner directed by Regulation I. of 1820 of the Madras Code; and every person manufacturing Rum or Rum Shrub within the Madras Presidency, without having first obtained such License, shall be liable to the penalties provided in that Regulation.

SCHEDULE A.

A. B., solemnly declare that all the Rum or Rum Shrub hereinunder described is the produce of the Licensed Distillery named _____ in the District of _____, and that the said Rum or Rum Shrub is the produce of the Sugar Cane, Date, or Palmtree and wholly free from any admixture of Spirits manufactured from Rice, Grains, or any other substance whatever.

(Signed) A. B.

The _____ day of _____ 18 ____.

*I, B. B., Government Officer in charge on the part of Government of the _____ Distillery, do hereby certify that the above is a true and correct Declaration.

B.B.,
Govt. Officer attached to the _____ Distillery.

Description of the _____ to which the above Declaration relates.

Quantity Gallons.	in	Quality.	Average strength by Sykes's Hydrometer.	Number and denomination of Packages.	Marks on Packages.

(Signed) A. B.

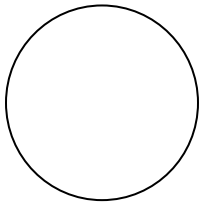
The _____ day of _____ 18 ____.

Collector's number _____.

Collector's date _____ of _____ 18 ____.

(Signed) Y. Z., Collector.

Seal of the Collector.



SCHEDULE B.

I, C. D., Collector of Land Revenue (or Collector of Custom Revenue, or being an Officer appointed by the Governor in Council to act in this behalf) for the District of _____ do hereby in conformity with the provisions of Act. _____ grant this Certificate under my hand and seal, that the Rum or Rum Shrub described in the Declaration hereunto annexed, which is sealed with the seal of this office, numbered _____ of _____ 18 ____, dated the _____ of _____ 18 __, and signed by _____, Manager or Owner of the Licensed Distillery called _____, is the produce of the District of _____, and is declared to be free any admixture of Spirits manufactured from other substance than the Sugar Cane, Date or Palm-tree, and that the importation of Foreign Sugar and Rum and of Sugar and Run-tree, and that the importation of Foreign Sugar and Rum and of Sugar and Run the growth or produce of any British prohibited in the said District of _____.

(Signed) C. D.

L., S.

This _____ day of _____ 18_____.

*This declaration must be drawn out before the Rum Leaves the Distillery in order that the attestation of the Government Officer may be attached.

SCHEDULE C.

I, E. F., Shipper of the Rum or Rum Shrub hereinunder described, solemnly declare, that all the Rum or Rum Shrub hereinunder described, is, to the best of my knowledge and belief, the same Rum or Rum Shrub to which the Certificate now produced by me relates.

(Signed) E. F.

Description of _____ to which this Declaration relates.

Quantity Gallons.	in	Quality.	Average strength by Sykes's Hydrometer.	Number and denomination of Packages.	Name of Ship or Vessel.	Name of Master of Ship or Vessel.

(Signed) E. F.

The _____ day of _____ 18_____.

SCHEDULE D.

I, R. W., Collector of Customs, (or being an Officer appointed by the Governor in Council to act in this behalf) for the Port of _____ certify under my hand and seal, that there has been produced to me by E. F., the Shipper of the Rum or Rum Shrub hereinunder described, a Certificate under the hand and seal of C. D., Collector of Land Revenue, (or Collector of Custom Revenue, or being an Officer appointed by the Governor in Council to act in this behalf) for the District of _____, in the Territories forming part of the Presidency of Fort St. George, which Certificate certifies that the said Rum or Rum Shrub is of the produce of the said District, and is declared to be free from any admixture of Spirits manufactured from other substance than the Sugar Cane, Date or Palm-tree, and that the importation of Foreign Sugar and Rum, or Sugar and Rum the growth or produce of any British possession into which Foreign Sugar and Rum can be legally imported, is prohibited in the said District.

(Signed) R. W.,
Collector of Customs.

The _____ day of _____ 18____.

Description of the _____ to which the Certificate relates.

Quantity Gallons.	in	Quality.	Average strength by Sykes's Hydrometer.	Number and denomination of Packages.	Name of Ship or Vessel.	Name of Master of Ship or Vessel.

(Signed) R. W.,
Collector of Customs.