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Revenue Department

Minutes of Consultations

28th July 1857

Back Numbers 58 - 59

Order No 758 dated 28th July 1857

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் . த. எண்.

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 10/6 .

செப்பனிட்டு முடித்த நாள் 14.07 .

சரிபார்க்கும் முதல் மு. நி. பா. எ. கையொப்பம் . (இசை 19/7/07)

சரிபார்க்கும் 2ம். நி. பா. எ. கையொப்பம் . (19/7/07)

ஆராய்ச்சி உத்தியோகர் கையொப்பம் . (ஆ.ப.ச)

(V)

Fort Saint George, Revenue Consultation of 28th July 1857.

No. 58. Read the following Extract from the Proceedings of the Board of Revenue; dated 4th March 1857, No. 674.

Read letter from the Acting Collector of Madura dated 28th January 1857.*

* *In Cons. 4th March* 1857.

(Here enter No. 22.)

With the foregoing letter the Acting Collector of Madura submits a correspondence with the Resident of Travancore, for the purpose of obtaining the decision of Government on the question which has arisen with that officer as to the true boundary line between the Madura District and the territory of His Highness the Rajah of Travancore.

2. The original dispute was between the Poligar of Tewaram in Madura and some Mettoo Peons employed by the Travancore Sircar to check smuggling in Cardamoms, and Mr. Cockerell, Head Assistant Collector of Madura, and Mr. Kohlhoff on behalf of the Travancore Government, were deputed to ascertain, in the limits of which territory the Mettoo and a Cardamom garden planted by the Zemindar of Tewaram were situated.

In from Government 21st March 1823.
From Resident of Travancore to Collector of Madura 22d April 1856.
Enclosure in from Madura 28th January in Cons. 4th March 1857.

3. Both gentlemen appear to have been satisfied that their position was on the Eastern slope of the Ghauts, the Eastern ridge of which was declared by the Minutes of Consultation of the 2d November 1821, No. , to be the boundary line; but because some stones supposed to be the boundary stones of the Tewaram and Bodenaiknoor Zemindaries, and one bearing the emblems of the Poonjat Rajah were found near the foot of the Hills, Mr. Kholhoff claimed that the intermediate space between them and the summit should be considered neutral ground between the two countries; and the Resident adopted the same view in his letter noted in the margin.

To Resident 7th May 1857.

4. In reply to General Cullen's letter mentioned above, the Collector pointed out to him that in a previous letter of the 19th October 1855, he had himself stated that it appeared "by the Government Map that the boundary line runs along the crest of the Ghauts;" and that it did not follow that because lands to the Eastward were not included in two Madura Zemindaries, they therefore belonged to Travancore. In his answer the Resident would not recede from the claims, though the language in which he presses it is very hesitating. He states that "when the survey was made by Lieutenants Ward and "Connor, all the upper country was still under the Collector of Madura, on account of the "Cardamom cultivation not then relinquished, and these Surveyors may not have attached any "importance to the possession of the apparently arid and precipitous slopes, nor probably had "they leisure to look into details which they could never have anticipated would have formed a "subject of dispute." He also argued that as the table lands formerly as well as the low country all acknowledged the Poonjat Rajah who afterwards became a feudatory of Travancore, it was but reasonable to acknowledge his boundary stones; and that if the claim of Travancore to the slopes is not accepted, that Sircar should at all events, so long as its monopolies continue, also retain the privilege of maintaining Mettoo stations on the slopes to the exclusion of all other parties whatsoever. "The slopes (he observed) are the support of the table lands; why therefore deprive the Sircar of them or cut away the ground from under their feet."

To Collector of Madura 16th August 1856.

5. Mr. Parker, in reply, drew his attention to the Minutes of Consultation of Government of the 2d November 1821, already referred to, by which the Eastern ridge was finally established as the boundary line between the two States, and to his own letter of the 19th October 1855, stating them to be so; and informed him that the Poonjat Rajah had at one time possessed Cumbum Goodaloor and other villages in the Madura District, was in fact a Madura Poligar, and in that capacity, most probably held lands on the slopes of the Ghauts. Under these circumstances he requested him to reconsider the case, and to inform him, whether the Travancore Government would accept permission to place Mettoos on the Eastern slopes as an indulgence, on which footing alone he would feel justified in recommending the measure.

From Resident in Travancore 15th January 1857.

6. General Callen does not concur in the interpretation of the Minutes of Consultation of Government placed on them by the Collector, and argues that as they were passed before the great Trigonometrical Survey of the boundaries by Ward and Connor were completed, it may have been deemed sufficient at that period to thus roughly designate the boundary as the "eastern ridge;" but that that survey has been appealed to as an authority on all occasions of boundary disputes in Tinnevelly, Coimbatore and Palghat, and allowed by Government.

7. In considering the question, the Board would in the first place express their opinion that the proposal of the Resident of Travancore that the slopes of the Hills shall be viewed as neutral ground cannot be admitted. The tract must, they think, be taken as part of one territory or the other.

8. In determining to which of the two it belongs, two points are to be considered. First, the true intent of the order of Government of the 2d November 1821, and secondly, the boundary line laid down in Ward and Connor's survey.

Proceedings Board of Revenue to Government 15th December 1814.
From Mr. Higginson 3d Judge Provincial Court Southern Division, to Mr. Hill, Secretary to Government, 24th April 1821.

9. The dispute which led to the order of Government will be found fully detailed in the papers noted in the margin.

10. In 1807 an affray took place between the renter of some Cardamom gardens from the Madura Collector, and a correspondence which ensued between the Collector and Resident resulted in the latter "claiming for the Travancore Circar that the high ridge "of Hills or Ghauts from which the rivers flow in an Easterly and "Westerly direction shall be the limits of the rights of each party, "while the Collector of Dindigul (Madura) maintained that the river "Teekooperiar (some distance beyond on the table land) is the defined boundary."

Para. 5 Pro. Bd. of Revenue 15th December 1814.

11. Various local enquiries were instituted without effecting a settlement. At last the papers containing all the information collected, appear to have been transmitted to Mr. C. A. Higginson, the 3d Judge of the Provincial Court, Southern Division, for his report. His opinion, with a full statement of the case, is contained in the letter to the Chief Secretary noted marginally above, and was to the effect that the boundary line had never previously been clearly defined, but should henceforth be declared to be the Terkooperiar River.

12. The Government, however, resolved that the Eastern ridge should be finally declared to be the boundary; but, in doing so, instructed the Resident to explain to the Rajah, that all doubts which had remained on the question had been made to yield to the desire of Government to shew their consideration for an ancient ally.

Minutes of Consultation 2d November 1821.
In from Government 21st March 1823.

13. This account, the Board think, leaves no doubt that there was some foundation for a claim on the part of Government to a part of the table land west of the ridge, and that the utmost that the Travancore Rajah could pretend a right to was as far as the Eastern ridge, and that this, exclusive of any portion of the Eastern slope, was intended by the Minutes Consultation of Government quoted above to be the future boundary.

14. On the 2d point the Board observe, that Arrowsmith's Map, which they believe to have been compiled from the Trigonometrical survey, appears to them, on inspection, clearly to lay down the boundary line along the summit of the Ghauts, and they are quite unable to reconcile the statements of the Resident at various periods. In his letter to the Collector of the 17th October 1855 he most clearly, as remarked by that officer, says that by a reference to the Government printed Map it would be observed "that the boundary line runs exactly "along the crest of the Ghauts," and his meaning is fixed by what follows "or the summit level of the waters, all the streams having a Western declivity being in Travancore, all with an Eastern declivity to the Madura District." There is not a word here about the Eastern slopes, and although after the receipt of Mr. Kholhoff's report suggesting that the slopes may be considered neutral ground he has disparaged that line, he has not indicated any other, but made use of expressions in para. 3 of his letter of the 13th August 1856, which imply that the Surveyors traced the line or the crest from want of leisure to look into details. These observations seem

entirely opposed to the appeals made in his last letter to their survey as establishing the Travancore claim.

15. The memoirs of the survey of Ward and Connor are not on the records of the Board; but as they presume that the Government maps were taken from them, they see no reason to doubt that the line which they laid down was along the Eastern crest of the Ghaut; and were it otherwise, they would consider that the order of Government in November 1821 was decisive on this point, and could not be reversed by these officers without special permission, of which the Board can find no trace.

16. The Board attach no importance to the boundary stones of the Tewaram and Bodynaiknoor Zemindaries being found below the ridge or watershed. It has been shewn that the British Government had a not unsupported claim to land considerably west of the ridge, there is no difficulty therefore in supposing that their Territory extended beyond the limits of those Zemindaries, although after the concession to the Travancore Government, there may be no cultivation to the West of them.

Resolved that these Proceedings, with the letter recorded at their head, be submitted for the consideration and orders of Government, with the Board's recommendation that the Resident be informed that the order of Government of the 2d November 1851 fixing the crest of the Ghauts as the boundary line between the District of Madura and Travancore must be considered to be decisive. Any suggestion that may afterwards be made for permitting the location of Travancore Mettoos on the Eastern slope can then be considered as a distinct question.

(A true Extract.)

(Signed) J. D. SIM, *Acting Secretary.*

No. 59. ORDER THEREON, No. 758; dated 28th July 1857.

Para. 1. With these Proceedings, the Board of Revenue forward a letter from the Acting Collector of Madura, giving cover to a correspondence between himself and the Resident of Travancore, on the question of the proper boundary line between the Madura District and the territory of H. H. the Rajah of Travancore.

2. The question originated in a dispute between the Poligar of Tewaram in Madura, and some Mettoo peons employed by the Travancore Circar to check smuggling in Cardamoms, the former having interfered with the latter, on the ground that the Mettoos or place where the peons were stationed belonged to the limits of Madura. Two Gentlemen were nominated, one on behalf of the British, and the other on that of the Travancore Government, to ascertain within whose limits the Mettoo, and a Cardamom farm planted by the Tewaram Poligar, were situated. The result was, that the position of both Mettoo and Cardamom garden was admitted to be on the Eastern slope of the Ghauts.

3. A similar dispute relating to the boundary of the two territories occurred in 1807, on the occasion of some interference exercised by the people of Travancore with the servants of the renters of the Cardamom gardens in the Madura District while they were engaged in gathering their crops, on the ground that the gardens belonged to the Travancore Circar. The subject engaged the attention of the local officers during a long course of years, and after much discussion and correspondence, it was finally referred to the decision of Mr. Higginson the 3d Judge of the Southern Provincial Court. Mr. Higginson's report, with the whole correspondence bearing on the question at issue, was duly brought before Government, and after giving the subject their careful and deliberate consideration, they resolved, in E. M. C. 2d November 1821, that the eastern ridge of the Ghauts should form the boundary between the two States.

4. It appears from the correspondence now submitted by the Board, that Mr. Kohlhoff, who appeared on behalf of the Travancore Circar, discovered at the foot of the Hills, some stones, supposed to be the boundary stones of the Tewaram and Bodinaickanoor polliems, and one bearing the emblems of the Poonjat Rajah; and that on this ground, he claimed that the intermediate space between them and the summit, should be considered neutral ground between the two countries.

5. In his letter to the address of the Collector, dated 17th October 1855, the Resident referred to the Government printed map, as shewing that the boundary "line runs exactly along the crest of the Ghauts;" but in his later letter of the 22d April 1856, he adopts the view taken of the subject by Mr. Kohlhoff. He says "I think it will be well to consider the Eastern slope

" of the table land, and as far as the acknowledged boundaries of the several Zemindaries, as " neutral ground."

6. Mr. Parker, the late Collector, brought this apparent inconsistency to the notice of the Resident, and although General Cullen was not induced to withdraw the claims he had urged on behalf of the Travancore Government, yet there is evidence of inability to maintain it; and his request, that if this claim be disallowed, the Circar should still be allowed the privilege of maintaining Mettoo stations on the slopes to the exclusion of other parties, would seem to indicate that he was willing to ask that as an indulgence which he had hitherto claimed as a right.

7. The correspondence that subsequently took place with the Resident was for a reconsideration of the subject with reference to the line of boundary fixed by Government in Extract Minutes Consultation 2d November 1821, and led to no satisfactory result, as the Resident did not concur in the interpretation placed on those orders by the Collector, and argues that they were passed before the great Trigonometrical Survey of the boundaries, by Ward and Connor, was completed, a survey which, he states, has been appealed to as an authority on all occasions of boundary disputes in the neighbouring Districts, and allowed by Government.

8. The Board of Revenue in considering the question, properly remark that the slopes of the hills cannot be regarded as neutral ground; they must be taken as part of the one territory or the other: but, to determine to which of the two the slopes belong, they notice the two points on which the matter hinges, viz. the intent of the order of Government of the 2d November 1821; and secondly, the boundary line laid down in Ward and Connor's survey.

9. As regards the first point, the Board give a detailed account of the events which led to the order of the 2d November 1821, already briefly adverted to in a former part of these proceedings. They shew that in the earlier correspondence on the subject of the dispute between the Travancore people and the Cardamon renters, the Resident at that time, only claimed for the Travancore Circar, " that the high ridge of hills from which the rivers flow in an easterly and " westerly direction should be the limits of the rights of each party;" that the boundary line was then represented to have never previously been clearly defined; and that the Government finally declared the Eastern ridge to be the boundary, and directed an intimation to be conveyed to the Rani of Travancore that all doubts which had remained on the question had been made to yield to the desire of Government to shew their consideration for an ancient Ally. The Board conclude from this, that there was some foundation for a claim on the part of Government to a part of the table land west of the ridge, and that the utmost the Travancore Circar could pretend a right to, was as far as the eastern ridge, and that this alone, exclusive of the eastern slope, was intended by Government in their order of the 2d November 1821, to be the future boundary.

10. On the second point, the Board observe that Arrowsmith's Map, compiled, they believe, from the Trigonometrical survey, lays down the boundary line along the summit of the ghauts. They are unable to reconcile all the arguments of the Resident, and they particularly point to inconsistencies disclosed by a comparison of his letter of the 17th October 1855, with that of the 13th August 1856. As regards the boundary stones of the Tewaram and Bodynaiknoor Zemindaries being found below the ridge, on which the claim to the slopes has been advanced, the Board attach no importance to the fact, as they had already shewn that Government had a claim to land considerably west of the ridge, and it was not difficult to suppose that their territory extended beyond the limits of those Zemindaries, although by the concession of 1821, to the Travancore Government, there may be no cultivation to the west of them.

11. After the full exposition of the subject given by the Board of Revenue in the above Proceedings, which the preceding paragraphs abridge, there can be no difficulty in arriving at a conclusion in favor of the Government; and under this view, the argument adopted by the Resident cannot be admitted, and the claim for neutral ground set up on behalf of the Travancore Circar, cannot be conceded. The Government had hoped that the liberal spirit in which the former dispute was settled in 1821, would have prevented a renewal of the subject. The Right Honorable the Governor in Council now resolves in conformity with the recommendation of the Board of Revenue to inform the Resident of Travancore, through the Political Department, that the order of Government of the 2d November 1821 fixing the crest of the Ghauts as the boundary line between the District of Madura and Travancore must be considered as decisive.

(Signed) H. FORBES,
Acting Secretary to Government.

Revenue Department

(2)

No 674

Extract from the Proceedings of the Board of Revenue dated 4th March 1857.

Read letter from the Acting Collector of Madura dated 28th January 1857.

In Cons. 4th March 1857.

(Here enter No. 22)

With the foregoing letter the Acting Collector of Madura submits a Correspondence with the Resident of Travancore, for the purpose of obtaining the decision of Government on the question which has arisen with that officer as to the true Boundary line between the Madura District and the Territory of His Highness the Rajah of Travancore.

2. The original dispute was between the Polygar of Tewaram in Madura and some Mettoo Peons employed by the Travancore Sircar to check smuggling in Cardamoms, and Mr. Cockerell, Head Assistant Collector of Madura, and Mr. Rollhoff on behalf of the Travancore Government were

Rollhoff

Circar

were deputed to ascertain, on the limits of which
territory the Mettos and a Cardamom Gar-
den planted by the Zemindar of Iwaranad
were situated.

3. Both Gentlemen appear to have
been satisfied that their position was on
the Eastern Slope of the Ghauts. the Eastern
edge of which was declared by the Minutes
of Consultation of the 2d November 1822, No—, to be the Boundary line; but because some
Stones appeared to be the boundary Stones
of the Iwaranad and Bodinaickenoor Ze-
mindaries bearing two emblems
of the Ponjat Pajah were found near the
foot of the Hills, Mr Rolhoff claimed that
the intermediate space between them and
the Summit should be considered Neutral
ground between the two Countries; and the
President adopted the same view in his letter
noted in the margin.

In reply to General Cullen's letter
4. mentioned above the Collector pointed out
to him that in a previous letter of the 19th
October 1825 he had himself stated that it
appeared

Sr from Governmt 21st March 1823.

From President of Iwaranad to Collector of Madura 22d April 1825. Encs in From Madura in Sr Secretary in Govt 31st March 1827.

To President 7th May

(3) (4) 21

appeared by the Government Diagram that the
"boundary line runs along the crest of the
"Ghauts," and that it did not follow that be-
cause Lands to the Eastward were not in-
cluded in two Madura Zemindaries, they
therefore belonged to Iwaranad. In his
Answer the President would not recede from
the claims, though the language in which
he presses it is very hesitating. He states
that "When the Survey was made by Lieutenants
"Ward and Connor, all the Upper Country
"was still under the Collector of Madura
"on account of the Cardamom Cultivation
"not then relinquished, and these Surveyors
"may not have attached any importance
"to the possession of the apparently arid
"and precipitous Slopes, nor probably had
"they leisure to look into details which
"they could never have anticipated would
"have formed a subject of dispute." He also
argued that as the table lands formerly
as well as the low Country all acknowledged
the Ponjat Pajah who afterwards became
a feudatary of Iwaranad, it was but

To Collector of Madura 16th August 1825.

reasonable

Concur

reasonable to acknowledge his boundary stones, and that of the claim of Travancore to the Slopes is not accepted, that Sircar should at all events, so long as its monopolies continue, also retain the privilege of maintaining Mettoo Stations on the Slopes to the exclusion of all other parties whatsoever. "The "Slopes (he observed) are the support of the table lands, why therefore deprive the Sircar of them or cut away the ground from under their feet."

5. Mr. Parker, in reply, drew his attention to the Minutes of Consultation of Government of the 2d. November 1821 already referred to, by which the Eastern ridge was finally established as the Boundary line between the two States, and to his own letter of the 19th October 1855 stating them to be so, and informed him that the Poonjab Rajah had at one time possessed Cumbum, Goodaloor and other Villages in the Madura District, was in fact a Madura Poligar, and in that capacity, most probably held lands on the Slopes of the Ghauts.

Ghauts. Under these circumstances he requested him to reconsider the case, and to inform him, whether the Travancore Government would accept permission to place Mettoos on the Eastern Slopes as an indulgence, on which footing alone he would feel justified in recommending the measure.

From Resident in Travancore 15 January 1857.

6. General Cullen does not concur in the interpretation of the Minutes of Consultations of Government placed on them by the Collector, and argues that as they were passed before the great Trigonometrical Survey of the boundaries by Ward and Connor were completed, it may have been deemed sufficient at that period to thus roughly designate the boundary as the "Eastern ridge;" but that that Survey has been appealed to as an authority on all occasions of boundary disputes in Sinnevelly, Coimbatore and Palghat, and allowed by Government.

7. In considering the question, the Board would in the first place express their opinion that the proposal of the Resident of Travancore that the Slopes of the

Hills

Hills shall be viewed as neutral ground cannot be admitted. The tract must, they think, be taken as part of one Territory or the other.

8. In determining to which of the two it belongs, two points are to be considered. First, the true intent of the Order of Government of the 2d. November 1821. and Secondly, the boundary line laid down in Ward and Conner's Survey.

9. The dispute which led to the order of Government will be found fully detailed in the Papers noted in the margin.

Proc. Board of Revenue to Government 15 Dec. 1815. From Mr. Higginson, Judge Provincial Court S. Div. to Mr. Hill, Secretary to Govt. 26th April 1821.

10. In 1807 an affray took place between the Renter of some Cardamom Gardens, from the Madura Collector, and the Peons of the Travancore Government, and a correspondence which ensued between the Collector and Resident resulted in the latter "claiming for the Travancore Sircar that the High Ridge of Hills or "Ghauts from which the Rivers flow in an "Easterly and Westerly direction shall be the "limits of the rights of each party. while the "Collector of Dindigul (Madura) maintained "that the River Eckoopeiar (some distance "beyond

Para 5 Proc 3d of Nov. 15th December 1814.

"beyond the table land) is the defined "Boundary."

11. Various local enquiries were instituted without effecting a settlement. At last the papers containing all the information collected, appear to have been transmitted to Mr. H. A. Higginson, the 3d. Judge of the Provincial Court, Southern Division, for his report. His opinion, with a full statement of the case, is contained in the letter to the Chief Secretary noted marginally above, and was to the effect that the boundary line had never previously been clearly defined, but should henceforth be declared to be the Eckoopeiar River.

12. The Government, however, resolved that the Eastern Ridge should be finally declared to be the Boundary, but, in doing so, instructed the Resident to explain to the Rajah, that all doubts which had remained on the question had been made to yield to the desire of Government to shew their consideration for an ancient ally.

Minutes of Consn 2d. Novr 1821. Do. from Government 21st March 1823.

This

13. This account, the Board think, leaves no doubt that there was some foundation for a claim on the part of Government to a part of the table land west of the Ridge, and that the utmost that the Travancore Rajah could pretend a right to was as far as the Eastern ridge, and that this, exclusive of any portion of the Eastern Slope, was intended by the Minutes Consultation of Government quoted above to be the future Boundary.

14. On the 2d. point the Board observe, that Arrowsmith's Map, which they believe to have been compiled from the Trigonometrical Survey appears to them, on inspection, clearly to lay down the boundary line along the summit of the Ghauts, and they are quite unable to reconcile the statements of the Resident at various periods. In his letter to the Collector of the 17th October 1855 he most clearly, as remarked by that Officer, says that by a reference to the Government printed Map it would be observed "that the boundary line runs exactly "along

"along the Crest of the Ghauts" and his meaning is fixed by what follows "or the Summit Level of the Waters, all the Streams "having a Western declivity being in Travancore, all with an Eastern declivity to the "Madura District". There is not a word here about the Eastern Slopes, and although after the receipt of Mr. Rothoff's report suggesting that the Slopes may be considered neutral ground he has disparaged that line, he has not indicated any other, but made use of expressions in Para 3 of his letter of the 13th August 1856, which imply that the Surveyors traced the line or the Crest from want of leisure to look into details. These observations seem entirely opposed to the appeals made in his last letter to their Survey as establishing the Travancore Claim.

15. The Memoirs of the Survey of Ward and Connor are not on the Records of the Board, but as they presume that the Government Maps were taken from them, they see no reason to doubt that

the

the line which they laid down was along the Eastern Crest of the Ghaut, and were it otherwise, they would consider that the order of Government in November 1821 was decisive on this point, and could not be reversed by these Officers without special permission, of which the Board can find no trace.

16. The Board attach no importance to the boundary Stones of the Tewaram and Bodynaickanoor Zemindaries being found below the ridge or watershed. If has been shewn that the British Government had a not unsupported claim to land considerably west of the ridge. there is no difficulty therefore in supposing that their Territory extended beyond the limits of those Zemindaries, although after the concession to the Travancore Government, there may be no cultivation to the West of them.

Resolved that these Proceedings, with the letter recorded at their head, be submitted for the consideration and

orders of Government, with the Board's recommendation that the Resident be informed that the Order of Government of the 2d November 1851 fixing the crest of the Ghauts as the boundary line between the District of Madura and Travancore must be considered to be decisive. Any suggestions that may afterwards be made for permitting the location of Travancore Settlers on the Eastern Slope can then be considered as a distinct question.

(True Extract)

J. St Clair
Ag Secretary.

To

F. Forbes Esq.
Ag Secretary to Government,
Revenue Department.

D Memorandum Rec.d No 229

In the year 1809 the Collector of Madura commenced renting the cardamum gardens on the hills between Travancore and his district, While the servants of the renter were engaged in gathering the crops the people of Travancore interfered with them, on the ground that the gardens belonged to the Travancore Circar. The matter was then referred to Govt, the Collector supporting the claims of the Honble Company, and the then Resident Mr Macaulay representing on behalf of the Travancore state. On this the Govt in E. Mc. C. of 27th april 1808, resolved that the dispute should be settled by means of Commissioners to be deputed by the Collector and by the Travancore

Circar

Expenses 1837 Jan. Cutch Cowry 28th Feby 1837.

Extract from the Proceedings of the Board of Revenue

Dated 24th March 1837

No 675.

2 Sues Retrenchment

Rs 28. 28½ Aug

Submitting on the Resolution thereon, copies of Mr Macaulay's letter to the Collector of Madura dated the 6th Ultimo & the Rajahs reply dated the 2nd Instant, and stating that the Order noticed that the order of Board of 22 Nov 1837 having the Consent of the Rajah as the Boundary Line would be observed

C/2 Henry C No 4 July 23.

Rs 28.

C/2 Henry C No 4 July 23.

Circar — The matter was however held almost in abeyance till the year 1817 — when the question was resumed, and after some discussion the whole correspondence on the subject was referred to the decision of Mr. Higginson the 3d Judge of the Provincial Court Southern Division, and this Officer, in his report of 24th April 1821, recorded at the head of the proceedings of 2d November 1821, recommended that the river Tourkey Perior, running on the top of the Hills should be declared — the boundary between the two Countries, and objected to the adoption of the eastern range of Hills as the boundary in the following terms.

"The Eastern range may be a well marked line, but by the adoption of that boundary, the Travancore Frontier will be brought close upon the Dindigul valley; the Company will be effectually — excluded from the whole Cardamum cultivation, and I do not feel myself warranted in recommending such a boundary."

× Vide Letter dated 20th February 1820 forwarding a Solicitors Extract of 31st Jany 1820.

boundary." On the receipt of this — Report, the then Governor Sir Thomas Munro, wrote a long minute, discussing the — merits of the question, differing from the opinion of Mr. Higginson and deciding the dispute in favor of the Travancore State. This minute, in which the other members of the Council fully concurred states that "the Tract in — dispute lies between the Eastern Ridge of the mountains which separate Travancore from Dindigul and the Tourkey Periar River, to the westward of that ridge. This Tract appears to have belonged to the Rajahs of Wuddakaukoor and Pooncat, who were subdued by the Travancore State, in 1754 and 1755, and to have become the subject of contest, only, because it produced Cardamums. It was not delivered over to us with the villages of Cumbum and Goodalore which ought

× dated 11 Sept 1821

ought to have been the case, had it been "
longed to those two Villages, but was "
afterwards occupied at different periods "
by the Collector of Dindigul Scan "
sions ground for this proceeding".

The other members of the Govt
having fully concurred in the views
of the President, the important
order of 2nd November 1821, was
passed fixing the eastern ridge as
the Boundary between the two States.
From that time no dispute appears
to have taken place till July 1855,
when a complaint was made to the
Collector of Madura by the Resident at
Travancore, to the effect that the Tha-
varum Vemmudar in the Madura dis-
trict interfered with the peons stationed
in a Travancore Inettoo, for the preven-
tion of Cardamum smuggling, on the
ground that the place where the peons
were stationed belonged to the limits of Madu-
ra. The Resident again in a letter to the Collr
dated

12

of 17th October 1855, stated that the Boundary
line runs exactly along the crest of the
Ghauts, or the summit level of the waters
and in another, dated the 5th January follow-
ing, he informed the Collector, that the
Travancore people have always had
Inettoo posts considerably to the East of
the crest of the mountains on the Eastern
Slopes, and that they have never been ob-
jected to. In consequence of these Com-
plaints Mr Cockerell, the Head Assis-
tant, and Mr Holhoff the Travancore
Conservator of Forests, were deputed, one
by the Collector, and the other by
the Travancore Circar, to survey
the Boundary. It being admitted
that the Inettoo was on the Eastern
Slope of the Hills, the dispute has re-
solved itself into this, Viz whether
the Eastern Slope belongs to Travan-
core or Madura. Mr Holhoff contends
that the Eastern Slope ought to be considered

Letter to the Resident
dated 4th February 1856.

neutral

neutral, and bases his argument on the Survey report of Lieutenants Ward and Connor, in which it is stated that the hills form the natural barrier of the valley, and that the boundary between the two Countries runs for the greater part along the Cordons or Summits of the abrupt walls that mark the table land of Codaconnalla &c. Mr. Holloff refers to that part of the survey report which gives the area of Tavarum and its adjoining Zamindary of Boodgnaickanoor, at 23 p and 187 p Square miles respectively, and says that if the Slope is also included, their extent will be almost doubled, and to support his argument he referred to certain boundary stones lying at the foot of the range, marking the limits of the above

(13)

above Zamindaries one bearing the impress of the Poongot Rajah who was a feudatory of Travancore, and whose dependants the above Zamindars were. The stones marking the boundaries of these Zemindaries, markable, it is argued, the boundary of the Madura District, within which they are situated. Concurring in these views of Mr Holloff, the Resident addressed the Collector, claiming the slopes as neutral, and requesting that, for the purpose of preventing smuggling, it might be placed in the exclusive possession of Travancore. He stated that, upon giving up all claims to the slopes, the Company would lose nothing, and would have nothing to fear, as they have no monopolies, and he added that the slope appears to be the proper position for Frontier stations to guard the upper Country. The Collector argued that if the eastern base of the Hills formed, as Mr Holloff assumed, the boundary of the Tavarum Zemindary, the inference is that the eastern

22nd Apl. 1756 No. 711.

vide letter dated 7th May 1756 No 421

slope

slope of the Hills belongs to the Honorable Com
pany, was made as the boundary line between
the two states authoritatively declared by the
order of 2d November 1811 was the Eastern ridge
of the Hills. With regard to General Cullens
argument, based on the former possess-
sion of the eastern slope by the Poorgat
Rajah, a Feudatory of Travancore, the Col
lector states that this Rajah once possessed
Coimbatore and Goodalore at the foot
of the Hills, and other villages in Ma
and that it was in that
capacity most probably that he
held lands on the sides of the Ghauts.
He also apprehends that the ces
sion of the slope to Travancore
may interfere with the ex
ercise of the Company's Sub
jects to wood and water, in
and create difficulties in
Police matters. He interpre-
tation put upon the order of Government

above

above quoted by the Collector (14)
Letter 7/15th Jany/57 was not assented to by the
President, who considers that
as it was passed before "the
great Trigonometrical Survey
by Lieutenants Ward and
Connor was completed," it
may have been deemed
sufficient at that period to
have roughly designate the
eastern ridge as the boundary
before the importance to the
Travancore State of the
slope of the Ridge, in order
to guard their monopolies
was discovered. General
Cullen also maintains that
the Survey was appealed
to as an authority in all
cases of boundary disputes
in Tinnevelly, Palghat, and
Coimbatore

Coimbatore, and has been allowed by Government, but his remarks appear to tell against his own argument, for in his letter to the Collector, dated the 17th October 1855, he expressly admits that "by the Government "printed map, the boundary "line runs exactly along "the crest west of the Ghauts, on "the summit level of the waters, "all the streams having "a western declivity being in "Travancore, all with an "Eastern declivity in the "Madura District." He affirms that the Collector's fears about future difficulties are not well founded, as it is not the character of the Travancore

Travancore Circar to raise any illiberal obstructions, nor have any disputes occurred until the late encroachment of the Travancore Zamindar.

The Board concur in the views of the Collector, and think that Travancore has no claim to any part of the hills further than the Eastern Ridge, which they say was intended as the boundary, in the strict sense of that word, by the orders above quoted. They also observe that Arrowsmith's map, compiled from the survey reports, lays down the crest of the hills as the true

true boundary. They point out the inconsistencies in the Resident's several letters, and as regards the boundary stones of the Travancore Zemindary, they maintain that, as the Government in 1821, assented to the boundary being fixed on the ridge of the Hills as a concession to the Travancore State, it is probable that really the British territory at the time extended further west, and that the Stones must therefore be considered to mark the limits of the Travancore Estate only, and not of the British possessions.

The Board recommend that the order

(16)

of 2? November 1821 should be strictly enforced, and that the propriety or otherwise of permitting the location of Travancore settlers on the Eastern slope should be treated as a separate question.

The conclusions at which the Board have arrived appear to be perfectly sound, and I request the permission of Government to prepare orders in accordance with them.

W. R.

I am not quite clear in favour of [illegible] & I am half disposed at the line of argument adopted & the proposed claim [illegible] ground by the Resident of Travancore

W. L.

The tribunal spirit in which the former dispute was settled in 1821. by Sir Thos Munro. ought to have prevented a renewal of the subject.

(W.)

R. D

No. 758

Extract from the Minutes of Consultation

under date the 28th July, 1857

Read the following

Extract from the Proceedings of the

Board of Revenue

Here enter 5th March 1857 No. 674

4

19

Dt. With these Proceedings

the Board of Revenue

forward a Letter from the

Acting Collector of Madura

giving cover to a correspondence

between himself and the

Resident of Travancore,

on the question of the proper

boundary line between

the Madura District

and the territory of H H

the Rajah of Travancore.

The

2 The question originated in a dispute between the Poligar of Tewaram in Madura and some Mettoo peons employed by the Travancore Sircar to check Smuggling in Cardamoms, the former having interfered with the latter on the ground that the place where the peons were stationed belonged to the limits of Madura.

Two Gentlemen were nomi-nated, one on behalf of the British, and the other on that of the Travancore Government, to ascertain within whose limits the Mettoo, and a Cardamom farm planted by the Tewaram Poligar, were situated. The result was, that the position of both the Mettoo and Cardamom Garden was

(18) 217

was admitted to be on the Eastern slope of the Ghauts.

3 A similar dispute relating to the boundary of the two territories occurred ~~once before~~ in 1807, on the occasion of some interference exercised by the people of Travancore with the servants of the renters of the Cardamom Gardens on the Madura District whole they were engaged in Gathering their crops, on the ground that the Gardens belonged to the Travancore Circar. The Subject engaged the attention of the local Officers during a long Course of years, and after much discussion and correspondence, it was finally

finally, referred to the decision of the Hon. Higginson the 3d. Judge of the Southern Provincial Court. Mr. Higginson's report, with the whole correspondence bearing on the question at issue, was duly brought before Government, and after giving the subject their careful and deliberate consideration, they resolved, in C. D. C. 2d. November 1821, that the eastern ridge of the Ghauts should form the boundary between the two States.

4. It appears from the correspondence now submitted by the Board, that Mr. Rothhoff, who appeared on behalf of the Travancore Circar, discovered at the foot of the Hills, some stones, supposed to

to be the boundary stones of the Tewaram & Bodenaick: anon pollems, and one bearing the emblems of the Poonjah Rajah; and that on this ground he claimed that the intermediate space between them and the Summit, should be considered neutral ground between the two Countries.

5. In his letter to the address of the Collector, dated 1st October 1825, the Resident referred to the Government printed Map, as shewing that the boundary line runs exactly along the crest of the Ghauts; but in his later letter of the 22d April 1826, he adopts the view taken of the subject by Mr. Rothhoff: He says "I think it will be well to consider the Eastern slope of the table land, and as far as

the

"the acknowledged boundaries
"of the several Zemindaries,
"as neutral Grounds."

6 Mr. Parker, the late Collector brought the apparent inconsistency ~~in his statement~~ to the notice of the Resident, and although General Cullen was not thereby induced to withdraw the claims he had urged on behalf of the Travancore Govt., yet there is Evidence of inability to maintain it; and his request, that if the claims disallowed, the Circar should still be allowed the privilege of maintaining Hottos Stations on the Slopes & the exclusion of other parties, would seem to indicate that he was willing to ask that as an indulgence which he had hitherto claimed as a right.

The

7 The correspondence that subsequently took place with the Resident was for a reconsideration of the subject with reference to the line of boundary fixed by Government in Extract Minutes Consultation 2d November 1821, and led to no satisfactory result, as the Resident did not concur in the interpretation placed on those orders by the Collector, and argued that they were framed before the great Trigonometrical Survey of the boundaries by Ward and Conner was completed, a survey which the States had been appealed to as an authority

authority on all occasions
of boundary disputes in
the neighbouring Districts,
and allowed by Govern-
ment.

3) The Board of Revenue
in considering the question
properly remark that the
slopes of the Hills cannot
be regarded as neutral
ground, they must be
taken as part of one ter-
ritory or other: but, to
determine to which of the
two the slopes belong, they notice
the two points on which
the matter hinges, viz, the in-
tent of the order of Govern-
ment of the 2d November
1821; and secondly the
boundary line laid
down

(21)

down in board and Common
Survey.

4 As regards the
first point, the Board
give a detailed account
of the events which led
to the order of the 2d Nov.
1821, already briefly adverted
to in a former part of
these proceedings. They show
that in the earlier corre-
spondence on the subject
of the dispute between
the Travancore people
and the Cardamom Renter,
the Resident at that time,
only claimed for the
Travancore Circar, that
"the high ridge of Hills
"from which the rivers
"flow in an easterly and
westerly

quarterly direction should
be the limits of the rights
of each party: that the boundary
line was then represented
to have never previously
been clearly defined; it
was that the Government
finally declared the Eastern
ridge to be the boundary
and directed an Extension
to be conveyed to
the Rana. That all doubts
which had remained
on the question had
been made to yield
to the desire of Govern-
ment to shew their
consideration for its
friendly. The Board
concluded from this, as
that there was some
foundation

for a claim
on the part of Govern-
ment to a part of the
table land west of the
ridge, and that the
whole of the Trawancore
Territory could pretend
a right to, was as far as
the Eastern ridge, and
that this alone, exclusive
of the Eastern slope, was
intended by Government
on their order of the 2d
November 1824 to be the
future boundary.

10 On the second
point the Board observe
that Arrowsmith's Map,
compiled, they believe,
from the Trigonometrical
survey, lays down the
boundary

under this view, the ~~claim~~
argument adopted by the
cannot be admitted
Resident, and the claim
for neutral ground set
up ~~by him~~ on behalf of
the Travancore Sircar,
cannot be conceded.
The Government had
~~not~~ hoped that the
liberal spirit in which
the former dispute was
settled in 1821 would have
prevented a renewal
of the subject. The Right
Honorable the Governor
in Council now resolves
in conformity with the
recommendation of the
Board of Revenue to
inform the Resident of
Travancore through the
Political

24

Political Department

that the order of Govern-
ment of the 2d November
1821 fixing the exact of
the Shanars as the bound-
dary line between the
District of Madura
and Travancore must
be considered as
decisive.

J. D.

Postscript to the Rajah of Pan Dist. 29.
with 2 Packets
3 — Pol. Dept.

(26)

Revenue 1857 Depart
Cons. 28th July

No 758.

Extract Mins. of Cons
of 28th July, 1857.

Extract Mins. of Cons 4th November 1857

Requesting the Bd of Rev.
to inform the Resident of Travancore,
through the Political Dept. that
the Govt. of the 2d Nov.
1821 fixing the crest of the
Ghauts as the Boundary Line
between the District of
Madura & Travancore, must
be considered as decisive.

No 58459.

C 18 July R 23d