CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

Revenue Department

G. G Dn 1304 of 25th. 9-1858

Book 31.32

Diary 28.9.58

Garrison approved by the Governor proposal for Buffalo

No 1378 – Submitted to the A. G. the Governor for Orders with refce to Telegram received this day. —

4 Sep 1378

No. 31. Read the following letter from the Commissioner for the Government of the Territories of His Highness the Rajah of Mysore; to the Chief Secretary to Government, Fort Saint George; dated Bangalore, 26th August 1858, No. 24.

SIR,

I have the honor to acknowledge the receipt of Mr. Forbes' letter, No. 565 of the 3d May last, transmitting an Extract from the Minutes of Council of that day's date, on the subject of the boundary in dispute between Malabar and Mysore.

This communication would have been replied to sooner had I not been in hopes that Captain Clerk, the Superintendent of Astagram, who was daily expected from England, would have been able to throw some additional light on the question. I find however that he cannot, from recollection and without search after papers, add any thing to the statement (herewith forwarded) of his then Assistant Captain Stephens.

Under these circumstances I venture to suggest that, should there be no objection, the whole question may be referred for the final decision of Dr. Cleghorn, whose duty as Conservator of Forests will take him near the spot, and whose calm and sound judgment seems to qualify him specially to form a just decision in such a case.

From Captain W. F. STEPHENS; to Captain F. CUNNINGHAM, Secretary to the Commissioner for the Government of the Territories of His Highness the Rajah of Mysore; dated Bangalore 4th June 1858.

SIR,

1. I have the honor to acknowledge the receipt of your letter No. 346 of the 25th Ultimo with enclosures, and to submit the accompanying observations upon the subject, therein referred to.

2. My letters to the Superintendent of Astagram dated 31st July 1854, and 11th July 1855, having entered into a detail of the circumstances, connected with my visits to the Iynoor Maury jungle. I propose to confine myself to a few remarks, suggested by the recent correspondence, and explanatory, I trust, of the misconception, in which it appears to have originated.

From Secy. to the Bd. of Rev., to the Ag. Secy. to Govt., dated Fort St. George, 1st April 1858, *No.* 1158.

3. In paras. 7, 9 and 11, of the letters noted in margin, it is assumed that Mr. Tod and I traced the boundary line "starting with a stone situated five miles North West of the Iynoor Maury Pagoda."

2dly. In para. 8 of the same letter it is stated "that the present discussion is solely attributable to a confusion on the part of the Mysore authorities, between the proceedings of Captain Stephens on that occasion and his subsequent inspection of the boundary in company with Mr. Tod."

4. On the 1st point I have to observe that on the occasion of my meeting Mr. Tod, we concurred in thinking that the line should commence at a stone adjoining the Brogoo river.

5. In my letter to the Superintendent of Astagram 31st July 1854, I distinctly referred to this stone as being situated within 73 yards of the river in a South West direction from the Iynoor Maury Pagoda.

6. This stone is readily identified in consequence of the mention of its distance from the river and of the inscription upon it, both of which are referred to by Mr. Tod and myself, and I think that it will be found that its direction from Iynoor Maury Pagoda is nearly South West.

7. I am unable, in the absence of the original maps prepared by Mr. Tod and myself, which appear to have been lost, to reply to particular comments made by the Collector of Malabar, and I am less inclined to regret this inability, because, it is, I conceive, evident that Mr. Tod must have been in error, in saying that the boundary stone near the Brogoo river is N. W. from the Pagoda, a line from this point in a nearly N. W. direction would certainly not pass near any of the other landmarks that have been indicated by Mr. Tod and myself and would include not only the Pagoda which, in my letter of 31st July 1854, I clearly proved to belong to Mysore, but a vast District regarding which there has never been any dispute, and as Mr.

Robinson states that he has recently completed a careful examination of that part of the country, it is strange that he could not have ascertained that Mr. Tod was in error, in placing the first boundary stone N. W. from the Pagoda.

8. On the 2d point I may remark that a letter addressed by me to the Superintendent of Astagram 11th July 1855 is not with the correspondence.

9. I enclose a copy of this letter from which it will be seen that I followed the same line on the occasion of each visit there does not appear to be any confusion between the proceedings of my first visit to the jungle and of my subsequent inspection of the boundary in company with Mr. Tod.

10. Mr. Robinson in para. 4 of his letter No. 31 of 8th March 1858 observes "that it is reported that Mr. Conolly had no intention of ratifying Mr. Tod's proposal regarding the boundary line." I am under the impression that Captain Clerk informed me that the line proposed by Mr. Tod and myself had been approved of by Mr. Conolly but so long a time has elapsed that I am unable to speak with certainty upon this point. Mr. Conolly appears to have at least tacitly consented, for, as far as can be seen from the correspondence, he does not appear to have made any objection to it.

11. I may mention that I could not on either occasion of my visiting Iynoor Maury ascertain that any tree in the neighbourhood was known as the Shega Betta tree as marked in the Trigonometrical Survey map, and that I have reason to think that in Colonel Mackenzie's map Shega Betta is placed N. of the boundary line.

12. The papers printed and in manuscript transmitted with your letter under ackowledgement are herewith returned.

From W. F. STEPHENS, Assistant Superintendent; to the Superintendent of Astagram; dated Aticoopa 11th July 1858.

Sir,

I have the honor to inform you that, in accordance with your instructions, I met Mr. Todd at the Iynoor Maury Pagoda on the 30th Ultimo, and proceeded with him the following day along the proposed line, commencing at the boundary stone adjoining the Brogoo river, and directing our course in a N. W. by W. direction to the Sulay cuttah, alluded to in my former Memorandum, the distance between these points is about five miles.

Next day we continued to trace the line in a similar direction to a boundary stone distant about 4½ miles from Sulay cuttah, and about ½ a mile W. of the Tavataka Betta Hill thence in almost a W. N. W. line to the boundary stone adjoining the deserted village of Madapullay; the distance between these stones is nearly five miles. I find that I was in error when I stated in my former report that this village was named Hoolagula. The deserted village of this name is situated within the proposed line at a distance of about two miles from Madapullay which is also deserted, and which was not mentioned at all on the occasion of my former visit.

Mr. Todd agrees with me in thinking that the proposed line should be adopted as our uture boundary, the four boundary stones being very nearly in the line defined in Colonel Mackenzie's map, and following the only leading point in a country overgrown with dense jungle.

We have therefore marked a large tree at Sulay cuttah as being situated upon the frontier, some other trees along the line are also marked, and the whole boundary can be easily traced when the jungle is not so high as it is at present.

I may mention that the land which I stated in my former Memorandum had been purchased many years ago from a certain Poligar by H. H. the Rajah, is within the proposed boundary line, and that with a view to determine as far as possible the exact position of Madapullay, I have ordered some persons to ascertain its distance from the Cubbanny river, and from Hakencottah the nearest inhabited village.

I shall have the honor of addressing you again, when I receive their report.

No. 32. ORDER THEREON, No. 1304; dated 25th September 1858.

Extract Minutes Consultation 3d May 1858, No. 564, reviewed a correspondence relating to a fresh dispute, that had arisen between the Mysore and Malabar authorities, as to the boundary line between the two countries at a certain spot, which affected the proprietary right to a thick belt of valuable timber jungle situated in Wynaad. The doubt was from what point did the boundary line start, which had been agreed upon in 1855, between Captain Stephens on the part of Mysore, and Mr. Tod on the part of Malabar. Both disputing authorities agreed as to the line of direction, viz. that it trended N. W by W. until it reached the Cubbany river; but it was maintained on the part of Malabar, that it started from a point on the "Bregoo" river about five miles North of the Rampoor Ford, which would assign the jungle to the Malabar District; and on the part of Mysore, that it started from a boundary stone near Hosacota about five miles South of the Rampoor Ford, which would have the effect of transferring the forest to Mysore. As the sketch Map, on which was marked the boundary line agreed upon between Captain Stephens and Mr. Tod, had been lodged in the office of the Collector of Malabar, Government conceived there would be no difficulty in settling the question; but at the same time, they addressed the Commissioner for Mysore, requesting him to take measures for preventing a recurrence of the irregularities brought to notice, and for the proper placing of the boundary stones in the presence of the Collector of Malabar, or some officer deputed on his part.

In reply, General Cubbon now communicates a letter from Captain Stephens, and suggests that the whole question may be referred for the final decision of Dr. Cleghorn, the Conservator of Forests. This suggestion meets with the approval of this Government, as tending to a speedy termination of a long pending dispute; and feeling equal confidence with the Commissioner for Mysore in the personal investigation and sound judgment of Dr. Cleghorn, they resolve accordingly to refer the question to that officer, to whom a copy of the correspondence recorded in Extract Minutes Consultation 3d May 1858, No. 564, and the two sketch Maps therein alluded to, will be transmitted, together with the letter and its enclosure recorded above.

(Signed) T. PYCROFT,
Chief Secretary.

Ordered that the following reply be despatched.

No. 33. From T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George; to the Commissioner for the Government of the Territories of His Highness the Rajah of Mysore; dated 25th September 1858, No. 1305.

SIR,

I am directed by the Governor in Council to acknowledge the receipt of your letter of the 26th Ultimo, No. 24, and to inform you that agreeably to the suggestions therein contained, this Government has referred the question of the boundary dispute between the Mysore and Malabar authorities for the final decision of Dr. Cleghorn, the Conservator of Forests.

3 Copies
Dispatched

E. D.

From [illegible] No 1305

To

The Commissioner for the Government
of the Territories of His
Highness the Rajah of
Mysore.

Sir,

I am directed by the
Governor in Council to ac-
knowledge the receipt of
your letter of the 26th Ultimo
No 24, and to inform you
that agreeably to the sugges-
tions therein contained, the
Government have referred
the question of the boundary
dispute between the Mysore
and Malabar authorities
for the final decision of Dr
Cleghorn, the Conservator of
Forests.

Fort St. Geo: 25th September 1858

[illegible]

R. D.

No. 1304.

Extract from the Minutes of Consultation
Under date the 25th September 1858.

Read the following letter from
the Commissioner of Mysore -
(Here enter 26th August 1858 No 24)

Ex: Mins: Cons: 3d
May 58, No 564, received a cor-
respondence relating to a prob dis-
pute, that had arisen between the
Mysore and Malabar Authorities,
as to the boundary line between
the two countries at a certain spot,
which affected the proprietary right
to a thick belt of valuable timber
jungle situated in Nyrakad. The
doubt was from what point did the
boundary line start, which had been
agreed upon in 1855 between Capt
Stephens on the part of Mysore, and
Mr. Todd on the part of Malabar.
Both disputing authorities agree
as to the line of direction, viz that
it trended N. W. by W. until it reached

Vide

Current 1858 Department
Dated 6th Oct. 28th Septr
No 1315
To the Commissioner for
the Affairs of the Territories
of His Highness the Rajah
of Mysore.
Dated 29th Septr 58.

Extract from the Proceedings of the Hon'ble the Governor in Council Fort St. George, dated 28th September 1858.

Read the following letter from the Commissioner for the Affairs of the Territories of His Highness the Rajah of Mysore, dated 26th August 1858, No. 24.

Ordered, that the Secretary to Government be requested to refer the papers noted in the margin to the Board of Revenue for report.

True Extract
(Signed) W. Fraser
Secy to Govt

the Cubbany river; but it was maintained on the part of Malabar, that it started from a point on the "Beypoo" river about five miles north of the Ramporr Ford, which would open the jungle to the Malabar District, and on the part of Mysore, that it started from a boundary stone near Hoda-cotta about fives miles south of the Ramporr Ford, which would have the effect of transferring the forest to Mysore. As the sketch map, on which was marked the boundary line agreed upon between Capt. Stephens and Mr. Todd, had been lost in the office of the Coll. of Malabar, Govt conceived there would be no difficulty in settling the question; but at the same time, they addressed the Com.r in Mysore, requesting him to take measures for preventing a recurrence of the irregularities brought to notice, and for the proper placing of the boundary stones in the presence of the Coll. of Malabar, or some officer deputed on his part.

In reply, Genl Cubbon now communicates a letter from Capt Stephens, and suggests that the whole question may be referred for the final decision of Dr. Cleghorn, the Conservator of Forests. His suggestion meets with the approval of this Govt, as tending to a speedy termination of a long pending dispute; and feeling confidence with the Com.r in Mysore in the personal investigation and sound judgment of Dr. Cleghorn they resolve according to refer the question to that Officer, to whom a copy of the correspondence recorded in Ex. Mins: Cons: 3d May 58, No 564, and the two sketch maps therein alluded to, will be transmitted, together with the letter and its enclosure recorded above.

J.P.

3 Copies to the Bd. of Revr. Dupl. 4th / 1st Ch.
4 " " Conservator of Forests with the Corr.ce rec.d to

Rec: Cons: 4th May/58. 55 & 57.

Revenue 1858 Departt.
Dº to Cons: 28th Septr.

Nº 1304.

Extract Mins of Cons:
Dd 25th Septr/58.

8-5-74

From the Cons: of Forest of 9th Nov. 1858 No. 1777 - & Cons: 30. 40 & 41
From Dº of 1st Feby/59 & Cons 31st Mar Cons 1st April 66-67-3

Referring for the decision of Dr Cleghorn the dispute between the Mysore and Malabar authorities as to the boundary line between the two Countries.

Dº 31/82.

From the Commissioner for the Court of Mysore - Dated 10th March 1859. Cons 4/8 Cons 1st April - 123-124.

Cons 4/8