

Revenue Department

Minutes of consultations

1st to 10th June 1859

Book No 3 + 4

Order No 737 dated 1st June 1859

*Proceedings of the Madras Government, Revenue Department,
from 1st to 10th June 1859.*

No. 3. Read the following Extract from the Proceedings of the Board of Revenue, dated 16th April 1859, No. 1350.

Read letter from the Collector of Canara, dated the 30th August 1858, No. 91, reporting on the past and present history of Coomery cultivation in the Canara District, and on the cases of Baskeruppa and Narna Cumpy, and submitting for the consideration of the Board the arrangements he proposes in regard to this cultivation.

(In Con. 13th October 1858, No. 3986.)

1. Mr. Fisher does not commence his report by referring to the cause or order which has occasioned it, but it seems to be furnished in conformity to the requisition contained in the Board's Proceedings of the 10th June 1850. In a letter dated the 31st August 1849, No. 54, Mr. Blane, then Collector of Canara, laid before the Board, a correspondence with his Sub-Collectors, Messrs. Reade and Hall, relative to certain Coomery cultivation which had been included in the Wurg of one Narna Cumpy, and stated his sentiments on the claims of that person to a large extent of Forest land, and the rights of the Coomery Wurgdars generally, with the steps he had taken in regard to them pending a decision of the question.

2. The Board approved of the measures which had been adopted, but directed a further searching enquiry and report; and the letter now recorded would appear to be the answer to this requisition.

3. As the term Coomery is peculiar to the Canara District, it is necessary in the first place to explain what it is.

COOMERY DESCRIBED.—4. It is given to cultivation which takes place on Forest clearings.

A hill side is always selected, on the slopes of which a space is cleared at the end of the year. The wood is left to dry till the following March or April, and then burned; in most localities the seed is sown in the ashes on the fall

of the first rains, without the soil being touched by implement of any kind; but in the talook of Bekul the land is ploughed. The only further operations are weeding and fencing. The crop is gathered towards the end of the year, and the produce is stated to be

Para. 10. at least double that which could be obtained under the ordinary modes of cultivation. A small crop is taken off the ground in the second year, and sometimes in the third, after which the spot is deserted until the jungle is sufficiently high to tempt the Coomery cutter to renew the process. In the South, where land is more scarce compared with the population, the same land is cultivated with Coomery once in 12, 10 or 7 years; but in North Canara, the virgin Forest, or old Coomerics not cultivated within the memory of man, are generally often selected.

5. In some parts of Bekul, which is the most southerly of the talooks of Canara, Coomery cutting forms part of the business of the ordinary ryots, and as many as 25,746, or $\frac{1}{4}$ th of the population are supposed to be engaged in it; but to the North of that talook, it is carried on by the jungle tribes of Malay Coodies and Maraties, to the number of 59,500.

6. In Fusly 1266 the area under Coomery cultivation throughout the whole District was acres 17,084, of which acres 8,556 were Circar Coomery, that is Coomery carried on in Forests not claimed by the owners of estates, and acres 8,528 of which 5,983 acres were within the limits of the Bekul talook, were attached to Wurgs or holdings of proprietors.

7. The question of whether it is expedient to allow this species of cultivation, first came under discussion in reference to the report of Dr. Gibson to the Government of Bombay, which was referred to Mr. Blane the Collector of Canara for his observations. In accounting for a growing scarcity of timber, Mr. Blane noticed among the most influential causes the increase in the Coomery cultivation which bid fair, he then considered, to destroy the whole of the large virgin Forests within a short time. He expressed his opinion that it should either be placed

From the Collr. to Govt. 28th May
in Con. 19th July 1847, No. 1518.
From Collr. of Canara 31st Aug. in
Con. 8th Nov. 1847, No. 2333.

Para. 12.

Para. 14.

under considerable check and regulation, or entirely prohibited as had been done in Mysore. Mr. Blair, a former Collector, he stated, had in 1843 issued a proclamation directing that five valuable kinds of timber, viz. Teak, Poon, Black wood, Jack and Sandal should be preserved in the Government Forests, but this, Mr. Blane states, had practically no effect, inasmuch as the timber merchants continued to fell the timber wherever they found it, on the plea that they cut it from private jungles, and had obtained the permission of the owners to do so. To defeat this subterfuge, Mr. Blane had directed that when jungle is claimed as private property the right must be established before timber is cut. The clearance of the jungle, so injurious in many respects, had been attended with one great advantage. According to all reports it had diminished the prevalence of fever. "On this account principally he confined his recommendation to the confirmation of his prohibition of the felling of the five superior kinds of timber, and to the preservation of the jungle in spots near the rivers on the sea coast, where from its position the timber would be easily made available, and the inferior kinds of wood might be allowed under proper regulation to be cut as firewood for export."

8. On this report being laid before Government, they, agreeably to the recommendation of the Board, authorized the Collector of Canara to restrict the cultivation of Coomery to "such places and to such an extent as might in his opinion be expedient for the preservation of the forest and the general welfare of the province." He was also instructed to assert the right of Government to all forest lands to which a title cannot be clearly established by private individuals.

9. The subject was again brought forward in the letter from the Collector of Canara, already noticed, of the 31st August 1849. The case to which it related shewed the large tracts of country claimed on the ground of the entry in an individual's puttah of a comparatively very small amount of Coomery shist. The particulars of the claim are given below in Mr. Blane's own words.

10. "A man of the name of Narna Cumpty holds a Wurg in the Hoodikiseroor village of the Honore Talook, assessed at the beriz of Pagodas 325-0-14, of which Pagodas* 109-9-1 is entered in the public accounts as assessment on Coomery cultivation, the remainder being on the regular rice cultivation of his estate. The Jungles in which the Coomery is felled are not situated in the same village or magani in which his regular estate is fixed, but are within the boundaries of other maganies. There are no limits or boundaries recorded, but they appear to be very extensive, and to spread over the greater portion of the Honore Talook bordering the ghauts. The tract of jungle over which Narna Cumpty claims jurisdiction on the strength of the payment is stated by Mr. Smith to be 15 miles long by 8 broad, and is estimated at 10 square miles; but there appears to be some error in this calculation, for the superficial of a space 15 miles by 8 would be 120 square miles. It may perhaps be safely taken at half this or 60 square miles."

11. The exactions and oppression of Narna Cumpty led to a complaint being formally made to the Sub-Collector Mr. Reade, who, as the only effectual remedy, ordered an individual settlement to be made with ryots 693 in number. This settlement, after deduction of expenses, amounted to Rupees 1,043-6-0, while as stated above the Coomery shist paid by Narna Cumpty to Government was Pagodas 109-9-1, or Rupees 422-7-3.

12. Mr. Blane submitted for the consideration of the Board, whether this individual settlement should be confirmed, and at the same time entered into the general question of the extent of right in the land conferred by the entry of a Coomery shist in the puttah of a Wurgdar. This question, as already shewn by the mode in which Mr. Blair's proclamation was evaded, materially affects the power of the Collector to preserve the Forests by checking the extent of Coomery. It also involves the welfare of the jungle tribes, by whom Coomery is cultivated, and who are

stated by Mr. Blane to be held, by the fear of Civil Suits and other means in complete subjection to the Wurgdars and be much oppressed by them.

From Collector of Canara, 31st August 1849, in Con. 4th April 1850, No. 2370, para. 8. 13. Mr. Blane, was decidedly of opinion that the entry of a Coomery shist in his puttah gave the Wurgdar no claim to the forest. He expressed himself as follows.

14. "My own opinion after an attentive consideration of the case is, that the Coomery cultivation was and still continues to be of the nature of a Rent similar to other rents, such as the Pooleri or grazing rents in other parts of the country, or privileges of collecting honey or felling timber in the forests themselves. The origin of the mode of realizing this head of Revenue, which is still in force, appears to have been the uncertain and transitory nature of the cultivation, which is never carried on in the same spot for two years running. A small spot in the midst of the forests is cleared and burned and sown with raggy or some other dry crop, and after this is cut the place is abandoned and not again cultivated for 12 or 15 years till the jungle has grown up. Although it is at the present time pursued to a considerable extent by the more settled cultivators it was formerly carried on exclusively by a wild and little civilized class of people who had no fixed habitation, but built temporary huts on the spot which they occupied for the year, and shifted their place of residence with their cultivators. Owing to this circumstance it was difficult for the Government to collect any Revenue directly from the cultivators, and still more to fix upon any given spot as liable to assessment; and the easiest mode of collecting the revenue derived from it was by renting out in the gross to one or more of the principal inhabitants of the village who made their own terms with the cultivators."

15. "On the country coming under the Company's Government, and when the system of giving yearly puttahs was adopted, the payments made on account of Coomery appearing as a demand against particular ryots seems for convenience sake to have been entered in their puttahs together with the demand against the fixed Land Revenue for their permanent cultivation, and thus in process of time to have come to be considered a portion of their 'Wurg.' The same system was adopted with regard to many other items of demand which were not strictly Land Revenue, such as the Moturpha, Honey Farm, Fishery and other petty farms, which were all entered as portion of the 'Wurg' of the ryot, but they have been subsequently struck out of the puttah and collected separately as extra Revenue."

16. He then proceeded to shew that the term "Wurg" had not originally the signification now attached to it of "Estate" but meant the "Account" of the ryot with Government, and in proof quoted a Report by Mr. H. Stokes, an excellent Canarese scholar, who mentioned from his own observation that in a tradesman's books in Canara, his account with a customer is headed the "Wurg of that Customer." Hence Mr. Blane concluded that by a ryot's Wurg was formerly understood his "account with the Government," and comprised, therefore, not only his landed property, but "anything for which he had to make a payment to Government; but that the entry did not necessarily imply that he had an absolute

indefeasible proprietary right in the thing for which he paid." In this manner, Mr. Blane argued, the rent of the collections from the Coomery cutters came to be entered in the Wurg puttah, and being among the few items of Miscellaneous Revenue retained in it, and its nature, in contra-distinction to the assessment on the private lands of the proprietor not being borne in mind, while the term Wurg was supposed to mean "Estate," the jungles in which the Coomery was cut came to be claimed and considered a portion of the Estate. The assertion of proprietary right has been since countenanced by transfers by sale, and by suits, as well as by attachments for decrees of Court. Under the operation of our judicial system it was remarked "questions are adjudicated between individuals which have often a very important but individual bearing on the public rights of Government which, at the time, is not foreseen or is overlooked".

17. Where the settlement for Coomery had been made directly with the ryots, that is to say, the Board presume, while the forest was the undisputed property of Government, Mr. Blane had prohibited it in particular localities where the facility of transporting

timber made it advisable that it should be preserved. This order was in accordance with the authority granted by Government and mentioned in para. 8 of these Proceedings. But many of the places in the Northern Talooks, he remarked, "where it would also have been desirable to preserve the forests are claimed as within the limits for which some of the larger landholders pay Coomery tax, and without possessing the discretion of assuming the management of the Coomery, and making the settlement with the actual cultivators it is found impossible to exercise any control either by restricting the general quantity of Coomery, or by assigning the boundaries within which it shall be cut."

18. The settlement of the question whether the larger proprietors who pay Coomery assessment have a proprietary right in the Jungles, was therefore of great importance. If the decision should be in the negative; according to Mr. Blane's view, he proposed to remit the beriz they pay on this account from their puttahs, and to make the settlement directly with the Coomery cutters, as in the case of Narna Cumpty. But if their proprietary right should be affirmed, he considered that he possessed no power to prevent their continuing the destruction of the forest at their discretion, and no authority to protect the Coomery cutters from their exactions and oppressions, for these persons must be recognized as their tenants and be subject to all the legal process to which tenants are liable.

19. To show the disproportionate claims advanced on account of the payment of Coomery shist, he further instanced the case of "Murtub Row, whose family formerly held the office of Naib Shanbogue in the Ankola Talook, and who therefore not only kept the Revenue accounts himself, but exercised an influence almost unbounded in that part of the country. This man holds 17 Wurgs on the borders of the Government frontier and claims a jurisdiction over a large portion of the jungles in that neighbourhood. It is impossible to state their extent, but it cannot well be less than 50 square miles of forest. The entire payment on these Wurgs amounts to Pagodas 113, of which only Pagodas 17-4-7 is Coomery beriz, but the number of ryots cutting Coomery under him has so much increased, that he collects from these alone 167 Pagodas, or 1000 per cent. more than the Revenue he pays on this account."

20. Such claims as these, Mr. Blane truly observed, would as population increased, be of the most serious public importance, as pressure from without would impel large numbers of people to settle gradually on these thinly-peopled tracts, where they would become the tenants-at-will of such men as Murtub Row and Narna Cumpty, who might thus have

10 or 20 thousand dependants on their estate.

21. The Board fully appreciated the strength of the arguments of Mr. Blane and for the present approved of the manner in which he had dealt with the case of Narna Cumpty; but as his views in regard to Coomery differed in some respects from those set forth in the settlement reports of former Collectors, they deemed it necessary that the old accounts of the district should be examined; and further that parties who have cultivated Coomery, should be called upon to produce the oldest records upon which they claim the privilege of cutting and clearing forest for the purpose, and that it should be ascertained if the old accounts contained entries to distinguish the assessment on Coomery from the demand on the regular estate in each individual case.

22. As already stated, the report thus called for is only now furnished; but the delay has not proceeded from neglect of the important subject, but from the very heavy duties which have from various causes devolved on the Collector of Canara. To the regulation of Coomery cultivation great attention appears to have been intermediately paid, and the Board were made aware of this fact by Mr. F. N. Maltby's letter of the 12th June 1855*, written with the primary object of offering objections to the transfer of a portion of Canara to the Bombay Presidency. The restrictions placed on Coomery, under the general sanction granted by Government on the 3rd December 1847†, already cited, appear from the above-mentioned letter, and the 27th and following paras. of the present report to be as follows:—

*In Con. 7th August 1855.

† In Con. 16th December 1847, No. 3226.

Para. 9.

1st. The felling of jungle for Coomery cultivation is prohibited within 9 miles of the sea shore, and within 3 miles of the banks of any river.

2nd. Persons not belonging to the jungle tribes are forbidden to cut Coomery, and the extent allowed to be cut by each individual was limited, first to 3, and afterwards, gradually to 1½ acre.

3rd. The mode of assessment which was originally at so much per knife is altered to a tax per acre of 1 Rupee in North Canara, and 8 annas in South Canara where the assessment has always been low.

4th. The measure adopted in the case of Narna Cumpty seems to have been extended to all Wurgs, the settlement being made with the Coomery cutters directly, and the tax collected from them by Government Officers. The Wurgdars, on the other hand, have received from the collections double the amount of the Coomery shist entered in their puttahs, when the extent of this cultivation within their respective boundaries has admitted of the arrangement—otherwise the tax collected, whatever it might be, has been given to them as a set off against the shist paid, but the Wurgdar has been allowed to cut an extent of Coomery which would produce double the amount of the shist paid if he liked to do so. Any sums received from the Coomery cutters within ranges claimed by proprietors of estates over and above those paid to the Wurgdars, have been placed in the Treasury pending the settlement of the question.

Para. 11 above.

Para. 29 of Report.

Para. 30 Report.

23. It appears that the above rules have not been applied to the talooks of Bekul, Soopah and Yellapoor. In the former it is stated in para. 34, that nothing was done pending enquiry, but from para. 31 it appears that the change of assessment from the knife to the land has been carried out as regards the Circar Coomery in that talook also, and from para. 85 that it has been made subject in some localities to the general order prohibiting Coomery within nine miles of the coast and three of the banks of any river. In Soopah and Yellapoor the shist was simply remitted, the Wurgdars being re-paid from the Coomery collections a sum equal to the Jumma-bundy settlement on their estates.

24. The present report from Mr. Fisher presents a full and comprehensive view of the whole subject. The Board have already extracted from it a description of the mode and extent of Coomery cultivation, and a statement of the restrictions under which it has been placed. They will now detail more fully than has been done in para. 7 the statistics of this species of cultivation, and then proceed to state the questions which are to be decided; the arguments which bear upon them, and the course which they have resolved to recommend to Government for adoption.

25. The total Coomery cultivation in 1266 was, as mentioned in the para. adverted to above, acres 17,084 of which acres 8,556 were Circar Coomery, and acres 8,528 attached to Wurgs.

26. Of 59,833, the total number of Wurgs in the District, 1,750 only pay Coomery shist, and have Coomery privileges attached. Of these 140 consist of Coomery alone. It is stated, moreover, that there are 309 Wurgs, in the accounts of which only Coomery Shamil is entered, but the proprietors of only two of which, situated in the Barcoor and Pootoor talooks, enjoy any Coomery. The remaining 307 are situated in the Soondah talook, and it is supposed that the proprietors of the estate have brought their Coomery under regular cultivation, as they enjoy no Coomery now.

NOTE.—The term Shamil is applied to additions to the Government demand made during the reign of the last of the Bednore dynasty, and during the Mahomedan Government which succeeded it.

27. The following Statement, taken from para. 41 of the report, shews the number of estates having Coomery privileges, and the talooks in which they are situated. The Board ob-

serve that the total is 1,754, which deducting the two in Barcoor and Pootoor, is still two more than the number given in para. 37 of the report.

Talooks.	Estates.	Coomery Beriz.			Average on each.		
		Rs.	A	P	Rs.	A	P
Soopah, - -	515	3,262	4	...	6	5	4
Yellapoor, - -	796	287	14	...	...	5	9
Ankolah, - -	241	714	10	2	2	15	5
Honore, - -	11	779	10	...	70	14	...
Coondapoor, - -	7	316	2	5	45	2	7
Barcoor, - -	1	12	...	...	12	...	...
Buntwall, - -	35	717	10	5	20	8	1
Pootoor, - -	1	61	3	7	61	3	7
Bekul, - -	147	527	1	7	3	9	4

28. Of the 8,528 acres of Wurg Coomery cultivated in Fusly 1266, acres 5,983 were in Bekul, leaving only 2,545 acres of Wurgdar Coomery in the rest of the district. This is an important fact; as it is the claims of the

Wurgdars that present difficulty in the regulation of Coomery cultivation, and it is not liable to the same objection in Bekul as in the other talooks. The circumstance therefore of $\frac{2}{3}$ ds of the Wurgdar Coomery cultivation being in Bekul, smooths the way to a settlement very considerable.

29. The questions to be decided may now be stated to be :—

1st. The rights of the Wurgdars in whose accounts Coomery shist is included, and the mode of dealing with them.

2d. The restrictions, which, with a view to the preservation of the Forests, can be placed on cutting for Coomerics, with due consideration to the subsistence of the classes engaged in it, and the supply of dry grain to the district.

30. With a view to the settlement of the first question it is advisable to examine again the two most important claims of Narna Cumpty and Murtub Row now represented by Baskeruppa, the first stated in the 9th and following paras. and the latter in 18th of this report.

31. Mr. Blane gave it as his opinion that claims founded on an entry of Coomery shist were invalid, the Coomery shist being fixed merely for the rent of the collections from the Coomery cutters, and in evidence of this fact he shewed that the term Wurg did not mean "estate" but "account." Mr. Fisher now states that although the

puttahs given to the ryots contain no separate entries in regard to Coomery, yet that the Seerasari Chittahs from Fusly 1209 to Fusly 1225, distinguish between the Paddy and Coomery shist in every instance, and that up to Fusly 1231, the collections for Coomery were entered in the Moturpha accounts as Coomery Cordaya, showing in what light they were then considered. Since that time they have been included in the Land Revenue by order. In further proof that an entry of Coomery shist confers no rights over extensive tracts of Forests, Mr. Fisher brings to notice, that South of the Chandragnery river in the Bekul talook, "the extent of the ryot's Coomery holding, or rather the extent of "them years ago, is entered in the Doomoote Chittah as so many Padyponds (elsewhere stated "to be nearly an acre) thereby showing that Forest not so entered belongs to the Circar;" and

in the Tulu country, North of the Chandragnery river and including the tracts formerly under the Mysore and Coorg Governments, he asserts all Forests belong to the Government exclusively. It is in the Canarese, Concani, and Mahratta portions of the District that claims are set up, resting on grants said to have been made by this, or former Governments or on Coomery shist appearing in the Circar accounts. Mr. Fisher argues that this variation in the rights claimed raises doubts as to the existence of any proprietary right, and rather goes to show that those who have "claimed most, "and been loudest in defence of right real or assumed, have at any rate had more conceded to "them than their neighbours."

32. Being called upon to produce the oldest record supporting his claim, Narna Cumpty, "admitted that the only document he could refer to was the "Jummaundy Chittah, and when no entry of Cochilnaad Coomery could be found in the document, all he had to say was, that jungles being scarce in Hoodikiseroor (where his arable land is situated) Cochilnaad had been given instead." Cochilnaad, Mr. Fisher

remarks, is not only a different village, but is situated in a different magany. On so slight a foundation rests a claim, comprising the whole of the ghaut range within the Talook of Honore.

33. The ancestors of Murtub Row, the father of Baskeruppa were the hereditary Nadikernies of the Kudra Magany in the Ankolah Talook, and Murtub Row was dismissed in Fusly 1230 with other Nat Curnums for failing to furnish correct beriz accounts. The claim of the family comprise the forest lands of the Kyganad village which were, it is asserted conferred on Sedashiva Row by the Government of Tippoo Sultan in the year before the District was occupied by the officers.

34. The Sunnud granted confers all vegetable produce of the jungle of the village on the settlement of certain arrears of Revenue, and the annual payment of a shist of Rahathehoons 32-2-9. The reason given for the grant is the necessity of propitiating the village deities, in order to avoid the evils which their neglect by the Merassee (hereditary Gowdahs or Poojaries) had occasioned. On the strength of this document the family claim a full proprietary right in the soil of the Kyganad forests, and they assert that the Coomery shist entitles them to bring under regular cultivation any and every portion of the tract that may be susceptible of it.

35. The grant is considered spurious by the Collector for the following reasons, which the Board do not state in the exact order in which they are given by the Collector, but in that which seems to them most natural.

1st. That it purports to have been executed by an obscure Assuf of Tippoo's, the year before the Company's Officers entered the country, and for a reason, the force of which a Mahomedan ruler could not be supposed to recognize.

2nd. That it was not produced till years afterwards, the whole of the Coomery shist, tax on pepper, &c., though paid through Murtub Row's family, continuing to stand in the names of the Meerassie Gowdahs or Poojaries though they are stated in the grant to have left the country.

3rd. That the grant says nothing about conferring on the grantee (though his family is now the apparent owner) the rice and garden land, on which the descendants of these Poojarees in some instances reside at the present day, and three of which (Koolanusht) are now the property of Government.

4th. That the claimant's ancestors were the Nadkernies of the village, by whom such documents could easily be fabricated.

5th. That in certain azmaish accounts, subsequent to the date of the Moolputtah the jungles in question appear as Government property.

36. The Board fully concur with the Collector in rejecting the claims of Murtub Row. They agree with him in considering the Moolputtah to be a fabrication, and were it otherwise it does not, as he observes, confer a proprietary right in the soil of the forest.

37. The claim of Narna Cumpty also appears to them to be clearly invalid. It is unsupported by a grant or any other document, Cochilnaad not being mentioned in the accounts of the family Wurg.

38. The Board are further satisfied, that the entry of Coomery shist in the account of any Wurg does not confer a proprietary right in the forest, but only the rent of the privilege of cutting Coomery therein, which rent may be discontinued, on surrender of the yearly sum paid for it. The definition of the term of "Wurg" as given by Mr. H. Stokes and brought to notice by Mr. Blane, the practice of the Mysore Government and the former entry of Coomery shist under the head of Moturpha afford, they think, conclusive evidence on this point.

39. There is another class of claims which require further consideration. The Board refer to those based on Moolputtahs granted by Collectors, with the sanction of Government. These, though they contain no mention of forest or timber, specify a number of other privileges such as are stated to be usually inserted in instruments conveying, from one individual to another, the fee simple of land transferred. Mr. Fisher observes, that the number of these Moolputtahs cannot be large, and he is inclined to refrain from disputing the title of the holders to the forest, leaving to the survey the re-adjustment of the Beriz which he considers liable to enchancement.

40. The Board see objection to consideration of the subject being postponed to the survey which may not take place for some years. The form of the Moolputtah, granted by Mr. Reade, copy of which is enclosed in the report now under review, is objectionable and if still used should be discontinued immediately. Mr. Fisher is requested to state whether this particular form has ever been formally sanctioned by the Government or the Board, and to submit the form which he would propose to use in future. Until this is sanctioned by the Board, the issue of these documents should be suspended. He will also as soon as possible furnish a Talookwar statement of the Moolputtahs granted by Collectors, shewing their number and the extent of land embraced by them; and if more than one form of Moolputtah has been adopted these particulars should be exhibited for each form. In submitting this information, he will be pleased to favor the Board with his mature opinion on the rights conferred by these documents, giving due consideration to the force of the expression, "as the former Moolgar did" which occurs in Mr. Reade's Moolputtah.

41. The obstacles, arising from private claims, to the regulation by Government of Coomery cultivation, having been thus, if the Board's views be adopted, removed with one exception, it remains for them to state what restrictions they would hereafter impose upon Coomery.

42. All three Collectors, Mr. Blane, Mr. Maltby and Mr. Fisher, concur in opinion that it ought not to be prohibited altogether. It has been shewn to have diminished the prevalence of fever; and the grain thus raised is said to be necessary for the subsistence of the population; while the species of cultivation affords a means of livelihood to wild races, who, in all probability, can only be gradually brought to settle down to a more regular kind of agriculture.

The rules to which Coomery has been already subjected by the Collectors are stated in para. 22 of these Proceedings; and in the 98th and subsequent paras. of his report, Mr. Fisher enumerates his own views as to the course to be adopted in future.

43. The Coomery in Bekul has been shewn to be peculiar. It is chiefly Wurgdar Coomery and the extent of land for which the shist is paid, is specified in the puttah; and the Wurgdar enjoys twelve times as much on the supposition that he will go over the whole once in twelve years, though he now cultivates it more quickly.

Para. 88. Since the discussion has commenced, cultivation within three miles of the coast and three of the banks of the river has been prohibited. A rule which Mr. Fisher thinks operates with harshness in a country which is any where intersected by rivers.

44. The Board see no reason to alter the system except that as the Talook does not contain any valuable timber, they would recommend, that the prohibition against cutting within certain distances of rivers, and the sea may be withdrawn by the Collector at discretion.

Report para. 99. 45. In the other Talooks of South Canara Mr. Fisher would allow 1 acre of Coomery for every $\frac{1}{2}$ Rupee of shist paid, the Bekul system being introduced and the people confined to certain plots portions of which they must cut periodically if they cut at all. Of this suggestion the Board approve.

Para. 99. 46. In the Payenghaut Talooks of North Canara the Collector proposes to allow each Wurgdar an acre per annum for every Rupee of shist paid: but he would exclude from their possession "tracts producing the more valuable kinds of timber, and such positions on the banks of our numerous rivers, as would under proper care produce valuable

tations of timber suited to ship building and domestic purposes," and would settle all made on these "by exchange of ground or such other means as may hereafter be decided." Of this proposition also the Board approve.

7. In Soopah and Yellapoor in the Balaghaut of North Canara which contain the most valuable timber, Mr. Fisher would continue the present system of remitting the Coomery shist, prohibiting the cultivation "except in such portions and to such an extent as the Revenue may determine" where he would allow it on the Bekul system. The Board approve.

8. Narna Cumpty should be treated like any other Wurgdar of the same division of the country whose account includes Coomery shist, but the claims of Baskeruppa founded on a document which the Board agree with the Collector in considering to be a fabrication, should be rejected, unless the Board have in any degree misconstrued the case, in which event the Collector will be pleased to point out where he has been misunderstood.

9. There would seem to be no objection to all collections on account of Wurgdar Coomery, deposited in the Treasury pending a settlement of the question, as exceeding the liberal allowance made to the Wurgdars under the orders of Mr. Blane, and his successors, being attributed to the public account, should the Government coincide in the opinion which they have expressed on the claims set up.

(A true Extract.)

(Signed) J. D. SIM, Secretary.

ORDER THEREON, 1st June 1859, No. 737.

Before passing a final order on this paper, the Governor in Council resolves to transmit a copy of the Conservator of Forests, for his opinion as to the sufficiency, as regards the Conservancy Department, of the means proposed by the Board in paras. 43 to 47, for checking the progress of Coomery cultivation.

The chief mischief of this practice is found in its destruction of timber; but the Governor in Council wishes to have Dr. Cleghorn's opinion whether in the existing state of the country of Canara, it is important to stop it on that account, in localities where valuable timber such as teak and blackwood is not met with. In Bekul Talook it is stated (para. 44) that there is valuable timber; but in Soopah and Yellapore which contain a large quantity, it might be better to make the prohibition even more absolute than the Board advise (para. 47.)

With regard to considerations apart from the Conservancy, the Governor in Council is not prepared fully to adopt the reasons advanced against the prohibition of the practice. It is urged that this sort of tillage affords a livelihood to wild races who can only gradually be brought to regular habits of agricultural industry. The Government have strong doubts whether the way to teach industrious habits to the natives is thus to tolerate and even encourage the continuance of contrary habits. It appears there must be something very profitable or otherwise very attractive in Coomery cultivation, as a very large number of ordinary ryots appear to be engaged in it, nearly 26,000 in the single talook of Bekul.

4. Again it is stated that the grain thus obtained is necessary to the subsistence of the population. It may be granted that the grain is necessary, but it does not follow that this mode of raising it should be so; and the Governor in Council wishes for Dr. Cleghorn's opinion whether it would not be better that land reserved for cultivation should be permanently cleared and cultivated.

Finally the Government will be glad of Dr. Cleghorn's opinion whether Coomery cultivation has diminished the prevalence of fever as stated in the same 42d para. It appears to Government that it embraces opposing influences in that regard, some adverse to the production of malarious fevers favourable to it; while permanent clearings appear of more unmixed advantage.

10 *Proceedings of the Madras Government, Revenue Department,
from 1st to 10th June 1859.*

5. In Mysore, it is stated, Coomery has been wholly prohibited; and it has been very nearly so also in the forests of the Bombay territory.* It is matter for consideration in the opinion of Government whether it may not properly be so in Canara also.

6. Dr. Cleghorn will also be requested to inform Government whether the kind of cultivation in Malabar called Ponum resembles Coomery in respect to the temporary and successive clearing and abandonment of land, or whether the land is there cultivated more permanently. If the latter is the case, it would seem to afford an additional argument for putting a stop to Coomery.

7. The Governor in Council does not touch on the various other questions treated in the Board's paper. He defers the consideration of them till he shall be in possession of Dr. Cleghorn's reply to this reference, which he hopes to receive at an early date.

(Signed) J. D. BOURDILLON,
Secretary to Government.

* NOTE.—The following are the rules in Belgaum,

"1st. Koomree cultivation is absolutely prohibited, except within 2 Koss of the ridge of the Ghauts in the Beedes, Talooka, and within 1 Koss of the ridge in the Padshapoor Talooka.

2nd. Within the said limits, i.e. within 2 Koss of the ridge of the Ghauts in the former, and 1 Koss in the latter District no timber trees, whether large or small, are to be cut down for clearing Koomrees, and no ground within the said limits is to be cleared for Koomree without the written permission of the District Officers."

In Darwar Collectorate it is stated to have been stopped entirely. See letter from Captain Anderson to the Military Board, Bombay, February 6th 1855, among the papers received with letter from Bombay of 9th April 1855 No. 1402.

Revenue Dept

737
Proceedings of the Madras Government
Under date the 1st June, 1859.

Read the following
Extract from the Proceedings
of the Board of Revenue.

(Here enter 16th April, 1859.
No. 1350.)

Before passing
a final order on this paper,
the Governor in Council
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a copy to the Conservator
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as to the sufficiency, as
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means proposed by
the

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2. The chief mischief of this practice is found in its destruction of timber; but the Governor in Council wishes to have Dr. Cleghorn's opinion whether in the existing state of the forests of Coimara, it is important to stop it on that account, in localities where valuable timber such as teak and blackwood ^{met with.} is not found. In ^{Talooka} Beaul it is stated - (Para 44) that there is no valuable timber, but in Soopak and Yellapore which contain

Para 42.

a large quantity, it might be expected to make the prohibition even more absolute than the Board advise (Para 47). 3. With regard to considerations apart from ~~these connected~~ ^{the} with conservancy, the Governor in Council is not prepared fully to adopt the reasons advanced against the prohibition of the practice. It is urged that this sort of tillage affords a livelihood to wild races who can only gradually be brought to regular habits of agricultural industry. The Govt have

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Population. It may be
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Para 5.

Para 42
also in Para 17 of
Conservators' Report
Decr 7/58 No 492.

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If the latter is the case, it would seem to afford an additional argument for putting a stop to Coomery.

7. The Governor in Council does not touch on the various other questions treated in these ^{Worari} ~~interesting~~ papers. He defers the consideration of them till he shall be in possession of Mr. Elghorn's reply to this reference, which he hopes to receive at an early date.

ASA

3 Copies to the B^o of Rev^d D^{ns} 2nd and 3rd with 3rd D^{ns} 1st Conservator of Forests with B^o of Rev^d D^{ns}.

18. März 1830

From the Conservator of Forests
Dated 17th Augt/59 - (No. 1595 in Cons.
Bo-23) May - 82-83.

Certain information
regarding Coomery Cultiva-
tion in Canara requested.