M.R.O. 14—18,000—27-6-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1269 Press ~~Mts.~~

266.267

Dated 16-7-1864.

Not to be folded or roughly handled

No. 266. Read the following letter from L. BOWRING, Esq., Commissioner for the Government of the Territories of His Highness the Maharajah of Mysore (Revenue—Forests), to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Bangalore, 5th July 1864, No. 981/5 :—

SIR,

With reference to your letter No. 267-884, dated 23rd May 1864, and its enclosures, I have the honor to transmit for the information of His Excellency the Governor in Council, copy of my letter No. 907-35, dated 29th ultimo, with its annexure, addressed to the Secretary to the Government of India, Public Works Department, with the Governor General, regarding the Hoonsoor Forest.

From L. BOWRING, Esq:, Commissioner for the Government of the Territories of His Highness the Maharajah of Mysore (Revenue—Forests), to the Secretary to the Government of India, Public Works Department, with the Governor General, Head Quarters, Simla, dated Bangalore, 29th June 1864, No. 907/35.

SIR,

1. Having received from the Madras Government a copy of Mr. Sim's letter to your address, No. 883, dated 23rd May, on the subject of certain forests worked by the Madras Conservancy in the Heggadavankotta Talook of Mysore, I have now the honor to reply to the Order at the foot of the Government Resolution No. 937A, dated 26th February 1864, and at the same time to submit copy of a letter, No. 28, dated 29th March, from the Mysore Conservator, Major Hunter, bearing on the question.

2. The accompanying sketch shows the tract of jungle land now in possession of the Madras Forest Conservancy. The two jungle tracts, Baigoor and Bunkawadi, on the right bank of the Cubbany river, and the Bisulwadi forest on the left bank form the subject of the correspondence under report.

3. As the Madras Government have been good enough to waive any claim to these forests on the score of long possession, and have narrowed the question to the point whether a grant of them was made or not by the Mysore Government, I shall now proceed to recite the reasons which induce me to say that the forests were never made over in absolute right to the Madras Government, premising that I was hitherto unaware that such a claim was maintained.

4. It would not be unreasonable to assert that if a grant of these forests had actually been made by the Mysore State in 1803, as believed by the Madras Government, some trace of the fact would have been found either in the records of that Presidency, or in those of the Resident of Mysore, nor would it be out of place to suggest that in the event of an absolute grant having been made, the tract so assigned would have been demarcated by the Officers of the British Government. The survey of the Talook was made in 1804, immediately after the alleged grant, and the map then made, of which a copy is in this Office, shows no trace whatever of any portion of the Heggadevankotta Talook having been made over to the British Government.

5. I now proceed to furnish extracts from the records of the Resident at Mysore, which show, I conceive, incontestably that no grant of the forests under reference was made.

Major Wilks, Acting Resident, writes as follows on the 6th December 1803 :—

"I am directed to acknowledge the receipt of your letter dated 1st instant, by which you "appear to the Acting Resident to have been imperfectly informed of the orders transmitted by "the Dewan of the Rajah to Nursing Rao, respecting the importation of Teak-wood into the "Island of Seringapatam. Those orders provided that all impediments to the importation of "wood of every description should be removed, but were accompanied with instructions that the "forests of Periapatam, Kakuncotta, and Yericknamby should be reserved for the exclusive use "of the Government of the Honorable Company and of His Highness the Rajah. As it appears "however that the entire exclusion of individual persons from the use of those forests may be "attended with inconvenience to the inhabitants of Seringapatam, the Acting Resident has "obtained from the Dewan an arrangement by which the forests of Periapatam and Kakuncotta "will be reserved for public purposes, while that of Yericknamby will be open to private persons "having occasion for wood, and I am accordingly directed to inform you that under this arrange-"ment wood of all descriptions may be imported into the Island of Seringapatam without any "impediment from the Officers of the Government of Mysore."

And again as follows on the 7th May 1806 :—

"I have the honor to acknowledge the receipt of your letter dated the 5th instant.

"No obstacle exists or has existed consistently with my knowledge to the felling of tim-"ber in any of the forests of Mysore for the use of any of the public departments of the Honor-"able Company at Seringapatam. *No forest has been exclusively appropriated to the Agents "of Gun Carriages;* and the only distinction adopted has been that of reserving the best forest "for the use of the Government of the Honorable Company and that of the Rajah of Mysore,

"and allotting one of a secondary quality to the community at large; this arrangement was "adopted in communication with the Magistrate of Seringapatam, was officially notified to him "on the 6th December 1803, and has, I believe, been a matter of public notoriety since that period.

"I am unable to conjecture the sources of the embarrassments in procuring timber which "may have been adverted to by the Superintending Engineer in the letter which you mention "to have received from him dated the 3rd instant, as on that day Major Lennon was in possession "of official information that no obstacle existed on the part of the Government of Mysore, as "you will observe by the enclosed copies of his letter, dated the 29th April, and my reply dated "the 1st of May. On the following day I understood from the Superintending Engineer that "some impediments were apprehended by the wood-cutters if not furnished with a Perwana; in "order to remove those apprehensions a Perwana under the Seal of the Dewan was forwarded to "Major Lennon on the same day; and I have reason to believe that the same facilities would "have been experienced by the Superintending Engineer at any former period of time.

"You will be satisfied from this statement, that whatever obstacles or embarrassments "may exist with regard to procuring timber for the public service, they have no relation to the "Government of Mysore.

"I take this opportunity of observing that the long absence from Mysore of the Officer "Commanding the Division, had rendered it indispensable to the successful progress of the "public service, that the Resident should receive and attend to applications from the heads of "Departments relative to the co-operation which they were desirous of obtaining from the "Government of Mysore; and that the habit of transacting business according to this necessary "deviation from ordinary routine, could alone have induced me to receive Major Lennon's "application, which since your arrival at Seringapatam was irregular, and ought to have been "returned, a mode which with your concurrence I propose to observe in future in all similar "cases."

From the above it will be seen that the best forests were reserved for the use of the Gun Carriage Manufactory *and His Highness the Rajah*, the inferior forests being open to private persons having occasion for wood. Major Wilks writes as follows:—"No forest has been exclusively "appropriated to the Agents of Gun Carriage." Here we find, first, that no particular forests were made over; and secondly, that the Rajah cut timber when required by him in the same forests where felling was carried on by the Gun Carriage Agency, which His Highness certainly could not have pretended to do, had an absolute grant of them been made to the British Government.

6. Again, from the following letter dated 21st February 1818, from Mr. Resident Cole, it will be seen that the privilege enjoyed by the Gun Carriage Agency amounted simply to receiving timber gratis, that is, that wood was given by the Mysore State for the purposes of the Department without charge.

"On the subject of your letter of the 20th January and its enclosure from the Military "Board, which I have the honor to acknowledge, I take the liberty to remark, that as the "resources of the Mysore country are supplied to the Company at the cheapest rates, and one "in particular (the article of timber which is of a very essential description) is afforded gratis to "the Gun Carriage Manufactory (which is directly under the Military Board) although the Rajah "is by no means bound by his engagements with the British Government to dispense with this "source of revenue. It appears to me to be but just that His Highness should receive in return "those stores which he requires from the Company at prime cost, for I cannot conceive that a "Government circumstanced like that of Mysore, could have been adverted to in the Orders from "the Court of Directors, which are quoted by the Military Board as an authority for the great "extra charge with which the Rajah has been lately debited."

"I do myself the honor to submit this subject for the particular consideration of the "Right Honorable the Governor in Council."

And again on 25th March 1823 the same Officer writes as follows:—

"I have the honor to forward for the information of the Honorable the Governor in "Council a copy of a letter which I have received from Mr. Commissioner Græme, on the subject "of the money which it appears must in justice be paid to the Wynad Ryots for the very "inconsiderable quantity of timber (about fifty trees monthly) which the Rajah has hitherto "always been allowed to have "gratis" from the Wynad Jungle."

"As the Rajah's forests have been entirely at the service of the British Government and "have supplied the Gun Carriage Manufactory since its first establishment without any charge, "I hope the Honorable the Governor in Council will permit the cost of the Wynad trees (which "the Rajah wants) to be charged against the Government of Fort Saint George instead of against "Mysore, either by the Collector in his accounts, or by me in those of the Residency, which "arrangement I hope will appear to be but just under the circumstances which I have had the "honor to mention."

From this it is evident that the Rajah freely placed *his* forests at the service of the British Government, but that he at no time surrendered the sovereignty of them.

7. Application was made by me to His Highness the Maharaja to ascertain whether he at any time conveyed to the Madras Government a grant of the forests in question, to which His Highness replied:—"I am unacquainted with the transaction alluded to in your letter, as it "has taken place at a very remote period, and the old records having been removed to the "Commissioner's Office, I am unable to furnish the information requested." It would appear from this that during the period of the Maharajah's direct rule, that is, from 1810 to 1831, when the British Government assumed the administration, no grant was made with his knowledge.

8. In compliance with the request of the Madras Government, a strict search has been made in the old records of the Heggadevankotta Talook, but without eliciting any result. This is not the first time that such a search has been instituted, as I understand that a few years ago directions were given to ascertain whether any thing was recorded on the subject in that Talook, but the enquiry proved then, as now, fruitless. This strengthens the conclusion at which I have arrived that no grant of the forests under reference was made, as had such been the case it is improbable that no trace of the surrender would have been forth coming in the Talook Cutcherry.

9. While I submit that I have established satisfactorily that the Madras Government is not entitled to hold these forests by right of grant or cession, I would suggest for the consideration of Government that should they be transferred to the management of the Mysore Forest Conservancy, a certain amount of timber should be supplied gratis to the Engineer of the Madras Government at Bangalore. This would be an equitable arrangement, and in accordance with previous practice, while it would probably remove the objections of the Madras Government to surrendering the forests. The amount to be supplied yearly or periodically might be settled by the Forest Conservator in communication with the Executive Engineer at Bangalore.

From Major A. HUNTER, Conservator of Forests, Mysore and Coorg, to the Secretary to the Commissioner for the Government of the Territories of Mysore, dated Yelwall, 29th March 1864, No. 28.

SIR,

1. I have the honor to acknowledge the receipt of copy of the Proceedings of the Governor General of India in Council, No. 937A, dated 26th February 1864, regarding the management of the Hoonsoor Forest in Mysore, and with reference to paragraph 5, I most respectfully beg to state as follows.

2. It is needless for me to quote the correspondence to show you that the reason for which the late Dewan Purniah allowed the Madras Government authorities to cut Teak and Black-wood for the Gun Carriage Manufactory at Seringapatam ceased long ago to exist, and that no particular forest was exclusively given over for that purpose.

3. It is only within the last eight years that the Mysore Government stopped the indiscriminate felling of Teak and other Timber, and took the working of their forests into their own hands. It did not interfere with the custom of the Hoonsoor Commissariat Grazing Farm to cut Teak and Black-wood for their own use, as they do not appear to have made it a source of revenue and profit.

4. I have lately seen the Assistant Conservator of the Madras Forest Department in charge of this tract of the Mysore Forests, situated some 30 miles from Hoonsoor, and the nature of the right of the Madras Commissariat Department to these large tracts of forest, viz., the Bessulwady, Bunkowadee, and Baigoor forests, claimed by the Madras Assistant Conservator, is unknown, and the portion claimed is not defined. When I was Acting Assistant Conservator of the Mysore and Wynad Teak Forests, I exercised the right of cutting all timber and Bamboos from the Hoonsoor Forest, except Teak and Black-wood for the benefit of the Mysore Government, and the right was not disputed by the Commissariat Officer at Hoonsoor.

5. In April 1862, the Acting Conservator of the Madras Forest Department, reported to his Presidency the waste and neglect in working the Mysore Hoonsoor Forest by the Madras Commissariat Department was so great that the Madras Government deemed it expedient (*vide* their letter, No. 2,602, dated the 17th of December 1862, to the Commissioner of Mysore), to order the Hoonsoor forest to be transferred from the Madras Commissariat Department to the Madras Forest Department, and the Assistant Conservator of Mysore and Wynad was directed by the Madras Government to be relieved of the charge of the forests in the Mysore territory.

6. I have lately seen the Commissariat Officer at the Hoonsoor Grazing Farm, who informed me that since the Hoonsoor forest was transferred to the Madras Forest Department, he obtains no benefit whatever from them, and it is evident from the following copy of the annual Administration Report of the Hoonsoor Forest in Mysore for the year 1862-63, that it is retained and worked for the purpose palpably of realizing revenue therefrom.

"APPENDIX I.

"Annual Administration Report of the Hoonsoor Forest for the official year 1862-63.

FINANCIAL STATEMENT.

"The Forest Department received charge of these forests from the Commissariat Department on the 25th November 1862.

		Rs.	A.	P.
Rupees 2,000 were granted as working charges. Of this have been actually spent		1,616	13	9
Balance outstanding		383	2	3
	Total ...	2,000	0	0
Adding to the cash actually expended		1,616	13	9
The pay of the Establishment		481	3	0
	Total ...	2,098	0	9
Deduct proceeds by sale of timber amounting to		98	1	0
	Balance against Forest ...	1,999	15	9

A large quantity of Teak timber has however been prepared, viz.:—

	Cubic feet.
Outside the forest at Baigoor	5,021¼
In the forest	6,000
Total Cubic feet ...	11,021¼

Valuing the former at 11 Annas per cubic foot, and the latter at 8 Annas, it gives value of timber on hand... Rupees 6,454 2 0

"The whole of the timber at Baigoor would have been sold, and at a much higher price than it has now been valued at, but for the release of the Wynâd timbers mentioned in the annual Administration Report for Wynâd.

"Hitherto the conservancy of these forests seems to have been little attended to, although styled the Hoonsoor forests, they are 30 or 40 miles from that station, and the Commissariat Officer there, with so many other duties to attend to, could hardly give it the necessary attention, and much could not be expected from the old forest Writer. The conservancy is now being carefully attended to. A steady European has been engaged as Overseer, and the spoliation which has doubtless hitherto been carried on, cannot possibly be continued. There is ample timber fit for felling to give an annual profit to Government of at least 5,000 Rupees for many years to come so soon as the market recovers its former buoyancy."

"(Signed) W. A. GIB, Captain,
"*Assistant Conservator of Forests.*"

"*Camp, Ootacamund,*
"*8th May* 1863.

7. By continuance of the present arrangement, as the Hoonsoor Forest is situated between our two principal Teak Forests (I at present work), the subordinates and workmen of both Departments are constantly in collision, and competition for labour is much higher, and considering that the Hoonsoor forest has the advantage of water carriage, and can thus undersell our timber, and greatly affect the Mysore market, and that my subordinates are excluded from the said forest, which interferes with the levying of the tax on foreign timber from the Palpully Forest in Wynâd, as well as with the prevention of smuggling timber, unless the said Forest is placed under my charge, it will be most difficult to conserve our Teak forests on the Wynâd frontier efficiently.

8. It will be observed that timber of all description in the Hoonsoor forest is now monopolized by the Madras Forest Department, and that the present system must affect the sale of our timber, forest produce, and perhaps the rights of the Ryots who may require timber or land in that vicinity, and as the Mysore Forest Department is worked in a great measure in close connection with the Revenue authorities, I would most respectfully suggest for the above reasons that the Hoonsoor forest be placed under the Mysore Conservator without delay.

(Copies.)

(Signed) L. BOWRING, *Commissioner.*

No. 267.

Forests, No. 5.

ORDER THEREON, 16th July 1864, No. 1,249.

Ordered to be recorded.

(True Extract.)

(Signed) C. G. MASTER,
Deputy Secretary to Government.

To the Board of Revenue.
„ the Officiating Conservator of Forests.
„ the Military Department.

Exd. S. T. Augustin.

Secretariat No 981
No 5 Judges

Bombay Commissariat Office. 5th

To

L. Bowring Esquire.
Commissioner for the Settlement of the
Territories & Revenue Survey
Under the Govt of Bombay.

Sir,

I. D. Vaux Esquire
Secretary to Government.
Political Department.
Fort Saint George.

Dated Bangalore 5th July 1864.

Encl.

With reference to your letter No 367 dated 23rd July 1864 and subsequent, upon the honorable Commissioners, copy of my letter No 907 dated 29th October with its enclosure, addressed to the Secretary to the Government of India in Public Works Department with the Governor General, regarding the Honsoor Forest.

I have the honorable,
&c &c,
Your most Obed Servant
L Bowring
Commissioner.

Ca 29 Henry 6th c 263 & 267.

No. 486 Quebec
From Governor Carleton
Quebec 1777.
Sir Guy Carleton
To Lord Viscount Weymouth
Relative Depositions
Dated 8th Nov. 1777
Despatched 5th July
Received 8th Sept.
Enclosures, No 1
General No. 981

No. 5.

Referring to No. 2d. 3d. & 4th of Governor Haldimand's proceedings in the Administration of Government of the Province of Quebec, transmitting Copies of Letter and Orders from the Secretary of State, and of the Lords Commissioners of the Treasury, relative to the Payment of Annuities granted to the Canada Refugees.

No. 1249.

No. 266 & 267.

C 8 Feb. 102 Rolls

18th July 1864