

CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

M.R.O. 14-18,000-27-0-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. *482*

Press
~~Mis.~~

714-16
Dated *30* *4* 1868.

Not to be folded or roughly handled

24/15/68

*Proceedings of the Madras Government, Revenue Department,
30th April 1868.*

No. 714. Read the following Proceedings of the Madras Government in the
Political Department:—

Directing that, before replying to the Commis-
sioner of Mysore, the Collector of Bellary be
requested to submit all correspondence
regarding boundary dispute between Chittle-
droog District of Mysore and District of
Bellary, and to obtain from Mr. Kelsall a
detailed report of the meeting between him-
self and Lieutenant Coussmaker. } (Here enter 21st April 1868, No. 98.)

No. 715. ORDER THEREON, 30th April 1868, No. 1,182.

Miscellaneous.

Communicated to the Revenue Board.

(True Extract.)

(Signed) F. BRANDT,
Under Secretary to Government.

To the Board of Revenue, with Proceedings Political Department, No. 98.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Political Department.
21st April 1868.

No. 22. Read the following letter from the Commissioner for the Government of the Territories of His Highness the Maharajah of Mysore, to the Chief Secretary to Government, Fort Saint George; dated Bangalore, 24th March 1868, No. 7278-56.

I have the honor to submit, for the consideration of His Excellency the Governor in Council, the following circumstances relating to a boundary dispute between the village of Hoskerre in the Herioor Talug, Chittledroog District of Mysore, and the village of Kumesdunhulli in the Mudukseera Talug of the Bellary Collectorate.

2. The existence of this dispute was brought to notice in May 1867 by the Superintendent of the Revenue Survey, who, considering its early settlement of much importance as regards Survey operations, suggested that the Bellary Authorities should be asked to depute an Officer to meet Lieutenant Coussmaker, Assistant Superintendent of Revenue Survey, with a view to its adjustment.

3. The Collector of Bellary was accordingly addressed on the subject, and in a letter, dated the 29th May 1867, he intimated that Mr. Kelsall, Acting Head Assistant Collector, was nominated for the duty.

4. On the 22nd January 1868, Mr. Wedderburn informed me that Mr. Kelsall had reported that Lieutenant Coussmaker was not prepared with the Survey plans, and that the rough sketchers subsequently forwarded by the latter Officer did not enable him to decide the dispute. Mr. Wedderburn suggested that a joint report should be prepared and signed by Lieutenant Coussmaker and Mr. Foster, the Acting Sub-Collector of Bellary, to whom he would refer the case, and that a Map for reference should be prepared for the final adjustment of the dispute.

5. On receipt of the above communication, I directed the Superintendent of Revenue Survey to depute an Officer of his Department to meet Mr. Foster, taking with him proper plans, &c., and requested that a report of their proceedings might be furnished.

6. In intimating to this office that Lieutenant Coussmaker had been deputed to meet Mr. Foster, the Superintendent of Revenue Survey observed in a letter, dated 6th February 1868, that there appeared to him to be some misconception on the part of the Collector of Bellary regarding the settlement of the dispute in question, and requested that, pending the receipt of the Maps and proceedings which he had called for from Lieutenant Coussmaker, no further proceedings in the matter should be taken.

7. In a letter of the 12th instant the Superintendent of Revenue Survey submitted copies of letters* from the Acting Sub-Collector in charge of Bellary and from Lieutenant Coussmaker, which I beg to append for the perusal of His Excellency. Lieutenant Grant urges that the settlement made conjointly by Mr. Kelsall and Lieutenant Coussmaker appears to him intangible; should, however, his view of the matter be wrong, he requests that Mr. Foster may be asked to furnish some definite reasons why a dispute settled patiently and carefully by two Officers, appointed by their respective Governments, should now be re-opened.

8. In conclusion, I would observe that, in my opinion, it would be better not to re-agitate the question which seems to have been impartially investigated, and I hope that His Excellency in Council will, after giving the subject his consideration, take the same view of the matter.

From W. S. FOSTER, Esq., Acting Sub-Collector in charge, Bellary, to the Superintendent of Revenue Survey, Mysore; dated Bellary, 14th February 1868, No. 134.

I have the honor to acknowledge the receipt of your letter, No. 55, of 1868. Mr. Wedderburn has now left the district, and so I am unable to say what course he intended to take in disposing of the case. I am, however, of opinion that it was not merely the record of the proceedings that he wanted, as he had received petitions from the villagers of Canaganahully, complaining against the decision arrived at by Lieutenant Coussmaker and Mr. Kelsall. I must say for myself that, after looking through the papers on the subject, and after seeing the ground, I cannot agree with their decision.

From Lieutenant M. F. COUSSMAKER, Assistant Superintendent of Revenue Survey, Mysore, to the Superintendent of Revenue Survey; dated Chittledroog, 4th March 1868.

In reply to your letter, No. 54, dated February 6th, 1868, I have the honor to state that no record of the proceeding, connected with the boundary dispute in question, was signed by Mr.

Proceedings of the Madras Government, Political Department,

21st April 1868.

Kelsall and myself conjointly. I prepared a detailed statement of the dispute, and forwarded it for your information in July last; a copy of this statement, with a map, was prepared and forwarded to Mr. Kelsall, he having assured me that nothing more was required by the Collector of Bellary.

2. From the Bellary Collector's letter, I infer that he does not consider the Map, sent with my statement, sufficient; it was an accurate copy of that portion of the Village Map which had reference to the boundary dispute, showing the amount of cultivated and uncultivated land claimed by the Kumesdunhalli villagers (Mudukseera Taluq), and the boundary laid down by Mr. Kelsall and myself; the amount of waste land claimed by the villagers of Hoskerre (Herioor Taluq) was not shown, because they made an indefinite claim, not showing any stones or fixed land marks, but distinctly stating that the amount of waste land in that portion of their village was so extensive, and the boundary had been a subject of dispute for so many years, that they would be quite content with any decision Mr. Kelsall and myself should make, provided that the cultivated fields which they enjoyed and had held for years, though now claimed by the villagers of Kumesdunhalli, be secured to them. Mr. Kelsall and I were quite satisfied that the Hoskerre villagers had cultivated the disputed land and paid revenue for it to the Mysore Government for years, consequently it was impossible to take the land from them. The portion of waste assigned to Hoskerre was small, and so assigned for the purpose of effecting a straight boundary.

3. I feel convinced no other settlement could be made with justice to both parties. Mr. Kelsall and I devoted many hours to the settlement of the boundary we ultimately laid down, riding from field to field, hearing the claims of both parties to each portion of the disputed land, and going over the whole evidence carefully. The re-opening of the dispute would seem to cause general distrust in all similar cases which have occurred, or may occur in future, and would, in my opinion, be a most inadvisable step to take. Further, the mere fact of one-sided inquiries being made on the spot, tend to create renewed ill-feeling between the inhabitants of the two villages, instead of leaving it to time to efface the effects naturally resulting from a dispute existing for more than one-hundred years.

4. My record of the settlement made by Mr. Kelsall and myself has unfortunately been left with other official documents in Dharwar. I have sent for it, and expect it in a few days; on its arrival it shall be again forwarded for your information.

5. I trust you will so far endorse my opinion in this matter that the Collector of Bellary will agree to leave the settlement intact, for I feel most strongly that it cannot be improved upon, and might be made much worse.

No. 23.

ORDER THEREON, 21st April 1868, No. 98.

Before replying to the foregoing letter from the Commissioner of Mysore, the Governor in Council directs that the Collector of Bellary be requested to submit to Government all the correspondence which has passed regarding the boundary dispute between the Chittledroog District of Mysore and the District of Bellary, and also to obtain from Mr. Kelsall, his Assistant, who was deputed to meet Lieutenant Coussmaker, a detailed report of what occurred at that meeting.

2. The Commissioner of Mysore will also be requested to forward, for the information of Government, the "Record of the Settlement" of the boundary made by Mr. Kelsall and Lieutenant Coussmaker, and referred to in paragraph 4 of Lieutenant Coussmaker's letter to the Superintendent of Revenue Survey, dated the 4th March last.

3. Upon the receipt of these papers the Governor in Council will be in a position to decide if any further inquiry is necessary, or whether Lieutenant Coussmaker's settlement should be confirmed.

(True Extract).

R. S. K.

Chief Secretary.

To the Collector of Bellary.
" Revenue Department.

Ed. F. B. Panteman.

Ms. 1182.

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