M.R.O. 1—77,006—8-6-37.

(1) Number of pages 12

(2) Date of repair

(3) Initials of the Referencer

CONCERNS BOTH BRITISH INDIA AND INDIAN STATES.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1286 Press ~~Mis.~~

114-A

Dated 21 - 11 - 1873.

Not to be folded or roughly handled

No. 114. Read the following letter from H. WELLESLEY, Esq., Officiating Secretary to the Chief Commissioner of Mysore, to D. F. CARMICHAEL, Esq., Secretary to Government, Revenue Department, Fort St. George, dated Bangalore, 5th November 1873, No. 4,388-35.

I AM directed, in acknowledging the receipt of your letter, No. 1,199, of the 27th ultimo, to state that the Officiating Chief Commissioner would much regret the indefinite postponement of the settlement of the boundary between Mysore and Canara, and to request that the views of the Madras Government as to the principles upon which the boundary should be settled may be communicated.

2. It appears to Mr. Gordon that the Treaty, which deals with taluqs, can scarcely serve as a guide in a settlement of the boundary. But, if it be deemed undesirable to enter upon the general boundary question, it will be very desirable at least that officers should be deputed, as soon as possible, to determine that portion of the boundary between Munzerabad and South Canara which gave rise to the correspondence on this subject.

No. 114-A. To the Chief Commissioner of Mysore, dated 21st November 1873, No. 1,286.

Miscellaneous.

SIR,—I am directed to acknowledge receipt of your Officiating Secretary's letter, No. 4,388-35, of the 5th instant, and to state, in reply, that this Government are neither competent nor prepared to enter into any negotiations for the settlement of the boundary between Canara and Mysore except with a strict regard to Article I. of the Partition Treaty of Mysore interpreted by paragraph 2 of the letter from Lord Mornington to Lord Clive, dated 3rd January 1800, marginally quoted, and the 15th Article of the Subsidiary Treaty, dated 8th July 1799. From the concluding portion of the paragraph shown in the margin it appears that the difficulty of settling a boundary by a distribution of taluqs was fully realized by Lord Mornington and that the necessity of determining the boundary with precision was one of the considerations which led to the framing of the 1st Article of the Partition Treaty, which this Government desire to adopt as the basis of settlement of the boundary question now in dispute.

"My sentiments concur generally with your Lordship in estimating the direct possession by the Company of the heads of the passes leading from the Payen Ghaut of either Coast into Mysore to be of much less consequence, under the actual circumstances of our situation, than it would have been under any other arrangement of the Government of Mysore, which should not have established its absolute dependence on the British power. Your Lordship is aware, however, that the nature of the connection intended to be established between the new States of Mysore and the British Government had been fully determined when I deemed it expedient to secure to the Company the positive possession of the heads of the passes. This arrangement was founded on the general principle of securing our own territories against any possible approach of danger from the table-land, and of providing against any contingent change, however improbable, in the State of Mysore. A necessity also existed at the period of concluding the Treaty of Mysore for determining with precission in whose posession the passes should remain, and whether the territories of the Rajah in the direction of the ghauts should be bounded by the base, or by the summit, or by any intermediate point of each pass, for it is certain that the partition by so general a description as that of taluqs or districts (the mode of division necessarily adopted in the Treaty of Mysore) would have left this question undecided. This inconvenience could not be effectually obviated otherwise than by absolutely including all the passes in the Company's share of the conquered country."

2. I am further directed, with reference to paragraph 2 of Mr. Officiating-Secretary Wellesley's letter, dated 23rd August 1873, No. 2,757-23-R., to state that, in the opinion of this Government, the provisions of the Article in question with the contemporary correspondence clearly indicate the reservation to the British Government of every portion of the slopes of the ghauts by which the plains are accessible from

the table-land; or, in other words, declare that the territories of the Rajah are bounded *by the summit* of the ghauts. The view to which expression is given in Mr. Wellesley's letter might at first sight appear to derive support from the marginally-quoted extract from the third paragraph of Lord Mornington's letter above alluded to, but the sentence immediately following* shows that the paragraph bears exclusive reference to the necessity for the retention by the British Government of land *above* the crest of the ghauts.

"On the other hand, it never appeared to me to be requisite, either from military or political considerations, that we should possess more than the extent of each pass with its extremities or entrances."

*"The annexation to the Heads of the passes of the extensive tracts of territory enumerated in the Schedules of the Treaty of Mysore originated in considerations of a distinct nature."

(Signed) D. F. CARMICHAEL,
Secretary to Government.

Govt. of {1873} Madras.

REVENUE.

To

The Chief Commissioner of Mysore.

CONCERNS BOTH BRITISH INDIA AND INDIAN STATES.

Dated November 21st.

Encl.

Encl.

G. O., 21st November 1873, No. 1,286.

Nos. 114-A.

INTIMATING that this Government are neither competent nor prepared to enter into any negotiations for the settlement of the boundary between Mysore and Canara except with a strict regard to Article I. of the Partition Treaty of Mysore and the 16th Article of the Subsidiary Treaty, dated 8th July 1799.

Ex A/c

Will

7 Cr 1518/74

Govt Communicate to the Chief Comm. of Mysore & Coorg & Asst Resident with reference to G.O. 21/11/73 dated 1873 No 1192.

87

№ 4388/35.

Mysore Chief Commissioner's Office

From

The Offg Secretary to the Chief Commissioner of Mysore.

To

The Secretary to Government Revenue Department Fort Saint George.

Dated Bangalore 5th November 1873.

Sir,

I am directed in acknowledging the receipt of your letter № 1199 of the 27th Ultimo, to state that the Offg Chief Commissioner would much regret the indefinite postponement of the Settlement of the boundary between Mysore and Canara — and to request that the views of the Madras Government as to the principles upon which the boundary should be settled may be communicated. —

2. It appears to Mr Gordon that the Treaty, which deals with talooks, can scarcely serve as a guide in a — settlement

settlement of the boundary. But if it be deemed undesirable to enter upon the general boundary question, it will be very desirable at least that Officers should be deputed as soon as possible to determine that portion of the boundary between Mungerabad and South Canara which gave rise to the correspondence on this subject.—

I have the honor to be
Sir
Your most Obedient Servant

Asst. Secretary:

Offg: Secretary:

Rev 1873. Dept
No. 3596

From
The Secretary to the Chief Commissioner
of Mysore.

To The Secretary to Government
Revenue Department
Fort Saint George

Dated 5th November
Despatched
Received 7th Nov.

Enclosures No. "

General No. 4388
No. 35.

Acknowledges receipt of No. 1199 of 27th Ultimo & requests that the views of the Madras Govt as to the principles upon which the Boundary between Mysore & Canara should be settled, may be communicated.

No. 1286 - 21 Nov.

C8 Nov/73. R 21st

Revenue Department.

Dept. 22 Nov. No. 1.

1873

The following letter to the Chief Commissioner is suggested with Mr. Cubbon's letter 2/5th Nov. 1873 No 4388/35

5/6

No. 1286

Sir,

I am directed to acknowledge receipt of your letter No. 4388/35 of the 5 instant and to state in reply that this Government are neither competent nor willing to enter into any negotiations for the settlement of the boundary between Canara and Mysore except with a strict regard to Article 1 of the Partition Treaty of Mysore interpreted by para 3 of the letter from Lord Mornington to Lord Clive dated 3d January and the 15th Article of the Treaty of 1800 marginally quoted. From the concluding portion of the paragraph shown in the margin it appears that the difficulty of settling a boundary by a distribution of Talooks was fully realized by Lord Mornington and that

Refused & returned

L & S

21/11

My sentiments concur generally with those of your Lordship in estimating the direct advantages possessed by the Company of the heads of the passes leading from the Payen ghat of either coast into Mysore to be of much less consequence under the actual circumstances of our situation than it would have been under any other arrangement of the Government of Mysore which should not have established its absolute dependence on the British power. Your Lordship is aware however that the nature of the connection intended to be established between

that the necessity of determining the boundary with precision was one of the considerations which led to the framing of the 1st Article of the Partition Treaty, which this Government ~~——~~ desire to adopt as the basis of settlement of the boundary question now in dispute.

I am further directed, with reference to para 2 of Mr. Secretary Wellesley's letter dated 23d August 1873 No. $\frac{2757}{23}$ R to state that, in the opinion of this Government, the provisions of the Article in question with the contemporary correspondence clearly indicate the reservation to the British Government of every portion of the slopes of the ghats accessible from the table land. The view to which expression is given in Mr. Wellesley's letter might at first sight appear to derive support from the marginally quoted extract from the 3d para of Lord Mornington's letter above alluded to, but the sentence immediately following shows that the paragraph bears exclusive reference to the necessity for the retention by the British Government of land above the crest of the ghats.

H

21: Nov: 1873

Copy communicated to the Collector of South Canara through the Board of Revenue with reference to G.O. dated 27 Oct. 1873, No. 1198.

14 Dec. Bd of Revenue
dis. 17 Dec. 73

between the new States of Mysore and the British Government had been fully determined when I deemed it expedient to secure to the company the positive possession of the heads of the passes. This arrangement was founded on the general principle of securing our own territories against any possible approach of danger from the table land, and of providing against any contingent change however improbable in the State of Mysore. A necessity also existed at the period of concluding the treaty of Mysore for determining with precision in whose possession the passes should remain: and whether the territories of the Raja in the direction of the ghats should be bounded by the base, or by the summit, or by any intermediate point of each pass, for it is certain that the partition by so general a description as that of Talooks or Districts (the mode of division necessarily adopted in the Treaty of Mysore) would have left this question undecided. This inconvenience could not be effectually obviated otherwise than by absolutely including all the passes in the Company's share of the conquered country."

or in other words declare that the territories of the Raja are bounded by the summit of the Ghats

H

* "On the other hand it never appeared to me to be requisite either from Military or Political considerations that we should possess more than the extent of each pass with its extremities or entrances."

\+ "The annexation to the Heads of the passes of the extensive tracts of territory enumerated in the Schedules of the Treaty of Mysore originated in considerations of a distinct nature."

C 8 Nov 73 - 1220 -

Reno

Carson and Tahoe
Boundary

Granted to

Cert Num 73 - R 21 [illegible]