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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue

DEPARTMENT

G.O. No.	1098, Revenue	Press.
B.P. No.		Mis.
Dated	69-7-1878	197

Not to be folded or roughly handled

Archives 1-5,806-24-2-78.

15/4/96/84.

1098

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

19th July 1878, No. 1,098.

Read the following papers :—

No. 192. Proceedings of the Board of Revenue, dated 11th June 1878, No. 1,568.

Read the following letter from W. LOGAN, Esq., Collector of Malabar, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Calicut, 29th May 1878, No. 136 :—

In continuation of previous correspondence on the subject of claims to the Attapady Valley, I have now the honor

Collector to Board,	26th May 1877, No. 132.	to submit copies of a report, dated 7th
Do.	12th Sept. " " 213.	instant, and of its enclosures, received
Board's Proceedings,	15th Nov. " " 5,005.	from the Special Assistant Collector
Collector to Board,	11th Jan. 1878, " A.	regarding certain portions of the valley
Board's Proceedings,	19th " " 167.	which have lately been leased to Messrs.
Collector to Board,	17th " " 14.	Torin and Havelock by the Walluvanad
Board's Proceedings,	9th Feb. " " 347.	Rajah and Kuriattil Ramen Menon.
Collector to Board,	13th Mar. " " 54.	
Do.	25th April. " " 93.	

2. The sketch enclosed shows that one of these blocks lies in the north-west corner of the valley as described in my letter to you, No. 132, dated 26th May 1877, paragraph 2. Mr. Winterbotham was unable to identify precisely its boundaries.

3. The other block seems to lie to the east of the one above referred to, but it was found to be impracticable to identify it.

4. The statements taken by Mr. Winterbotham sufficiently indicate the nature of the titles which the lessors have to this tract of country. The Walluvanad Rajah has for a few years past succeeded in ingratiating himself with the jungle people living in the neighbourhood of the first block by presenting them with cloths in return for a few measures of grain which they take annually to him. He, it seems, also took an elephant from the jungle people who caught it in a pit which they dug at the request of his people; but no timber has ever been cut by him in this tract. As regards K. Ramen Menon's title, it does not seem to have been acknowledged by the resident jungle people in any way up to the present time.

5. Any destruction of forest in either of the blocks alluded to must influence prejudicially the springs by which the Bhowani river is fed; and the Board will observe that measures have already been attempted for stopping the jungle people in the exercise of their immemorial rights. On the other hand, the forest is too remote and inaccessible to be of value as a forest reserve, and, if other considerations did not interfere, the opening of it out for coffee or tea cultivation would be the best way of utilizing the ground. I have already pointed out in a previous report that, as far as Malabar revenue was concerned, it would be best to allow the land in the valley to be cultivated; but I do not see how we can throw over the rights of the jungle tribes or shut our eyes to the injury done to the sources of the Bhowani river.

6. I trust that I may soon have early orders on this and on my previous letters.

7. I regret to add that Mr. Winterbotham and all his followers who went with him to the valley have since their return been prostrated by severe jungle fever.

No

ENCLOSURE No. 1.

From H. M. WINTERBOTHAM, Esq., Ag. Special Assistant Collector, to W. LOGAN, Esq., Collector of Malabar, dated Malaparam, 7th May 1878, No. 80.

I HAVE the honor to report that I have just made a partially successful attempt to identify the boundaries of the two blocks of land in the Attapady Valley recently leased by Mr. Torin from the Walluvanad Rajah and Kuriattil Ramen Menon.

The land lies in the wildest and most unfrequented part of the district, and the handful of Kurumbers who haunt the region have no fixed names for the innumerable hills and streams with which it abounds.

The fact is that Mr. Havelock of the Thia Shola Estate (who is apparently Mr. Torin's working partner) is the only person who can point out what hills and streams are intended by the names specified in the leases. Neither the lessors nor any persons acting on their behalf have been anywhere near the place.

2. The land leased from the Walluvanad Rajah is thus described—

The Palapadam and Kadungamana hills forming part of the Aravida Range, bounded on the east by the Palur stream, on the south by the Panakandi hill, on the west by the Punnakotti and Attumudi hills, on the north by Punnakotti hill and Cherungali stream. The extent of the tract is not mentioned in the lease.

3. When I reached the spot where Mr. Torin is building a brick bungalow, I found a maistry there who told me that Mr. Torin was at Calcutta, and that Mr. Havelock was on the Nilgiris. The maistry pointed out to me what he believed to be the boundaries of the estate, and I enclose a rough sketch of the locality in which the said boundaries are indicated by a dotted red line. The eastern boundary pointed out by the maistry was the Bhowani river which in this part of its course flows nearly due north and south.

East of the Bhowani is an unbroken range of mountains running from Mullashnermala to Chunda Mulla (see survey map); and on the eastern slope of this range is the village of Palur. I presume that Palur is the Pananur of the survey map. No such village as Pananur is now known. The watercourse east of Pananur in the survey map is locally known as the Palur stream. Whether this is the Palur stream mentioned in the lease I cannot say. Neither could I identify Panakandi hill which is mentioned in the lease as the south boundary; but the south boundary pointed out by the maistry was a hill immediately to the north of Chundaki. The Attumudi named as the western boundary was known to my Kurumber guides, and is the ridge of mountains which separates Mr. Torin's bungalow from the Wallaghaut coffee estates. The ridge in question is distant from Wallaghaut about three miles as the crow flies. The bungalow is on the north-west slope of a valley surrounded on the west, north, and east by lofty mountains, and on the south by a high wooded ridge over which a bridle-path is being traced to connect the bungalow with the village of Chundaki. The Bhowani escapes from this valley through a rocky gorge with precipitous cliffs rising on either side. The centre of the valley is heavy primeval forest which, as it stretches up the mountain sides, breaks into sholas with grass ridges between. The site Mr. Torin has selected for his bungalow is on the south-east side of a stupendous hill which I think must be the Mookummal of the survey map. From the bungalow Mullashnermala bears 130° or nearly south-east. Mookummal is a name unknown in those parts. The hill is called by the Kurumbers Periak. From the bungalow an elephant-path leads up to the table-land of the Nilgiris, and I understand that by this path it is about ten miles to Piermund. The bungalow is, I should think, about 5,000 feet above the sea. The coffee estate is being opened about 1,000 feet lower down. Fifty or sixty acres of forest have been already felled and burnt. How Mr. Torin proposes to get his coffee to the coast I cannot guess.

4. I now proceed to lay before you a few facts bearing on the Walluvanad Rajah's title to the land. The Karavara Tod (see sketch) is said to be his southern boundary, and he claims the whole of the water-shed north of it up to the Nilgiri plateau.

Not a single log of timber has ever been felled north of the Karavara Tod. The countless immense granite boulders in the bed of the Bhowani river would make it impossible for elephants to drag timber down it. As the Rajah has felled no timber in this forest, his claim to it rests on the never-failing "elephant-pits," and on such evidence as he may be able to adduce of allegiance paid to him by the jungle tribes. The position of every village within the limits of the forest which he claims is indicated in the sketch. The chief and most accessible is Chundaki, a village of Irulers with perhaps 200 inhabitants. I enclose a copy of a statement made to me by the Muppan (headman) of the village in the presence of the Arakurishi Adhigari and a number of the villagers. He states that about "ten or twenty" years ago he and Manikaren Kali (another local dignitary) were fetched to Ittakalam (a farm of the Rajah's in Kottapadom Amshom) and were given twenty-four pairs of paddy by his Kariasthen (agent) to dig an elephant-pit. In the following year an elephant was caught in it, and the Kariasthen and a number of followers came to Chundaki, secured the elephant and took it away. The Rajah himself came to Mannarghaut and the Chundaki villagers were called thither and received presents and advances to dig three more pits. The pits were dug, but no elephant has since been caught.

5. The capture of the elephant was the occasion of their learning that they were the Rajah's Adiyans (slaves). They were told that they must bring tribute to the Rajah every year, and have done so ever since. The tribute consists of ten measures of mustard seed and ten measures of pulse, worth altogether Rupees 2-8-0, and every member of the deputation that conveys it to the Ittakalam farm receives a cloth worth six Annas. Ten of the villagers went last year and received ten cloths. I have not a doubt that they would be glad to be claimed as "slaves" by a few more jennis on the same terms.

6. I stopped two nights at the Kurumber village of three families in it. The village Murukalla on the opposite bank of the Bhowani is equally small. The villagers stated that they go every year to Ittakalam farm at the time when the mustard seed ripens, and pay the Kariasthen four or five measures of mustard seed and chillies. Each of them receives a cloth apiece in return. They could not, or would not, tell me when this tribute was first paid, but from the remoteness and insignificance of the village, it must certainly have been after the Chundaki people began to pay it.

7. Close to the place where Mr. Torin is clearing the forest I came across two pits, and the Kurumber who was guiding me said they had been dug "for the Rajah." This man was a native of a distant village. I asked the three Palapadam villagers about the pits, and they said they dug them to catch bison or sambur. I then asked them directly whether any one had told them to make the pits, and they answered "no."

8. North of Palapadam is another little village called Ana Vai. It is in a very inaccessible hollow on the banks of the Bhowani and has never been visited by any official, black or white, nor by any agent of the Rajah's. Cholera had broken out in Chundaki and amongst Mr. Torin's coolies. The Kurumbers are terribly afraid of it, and the only way to get at them is to pounce upon their villages unexpectedly. I was unable to visit Ana Vai, Viranur, or Mugapalli, and as it was useless to send for the villagers, I was unable to ascertain what they would say.

9. It is, however, certain that the only evidence of title which the Rajah can produce is, 1st, that during the present generation he has paid the jungle people to dig several elephant-pits; 2nd, that an elephant was once caught near Chundaki and taken possession of by him without objection being raised by any one; 3rd, that the jungle people have for the last twenty years brought him annually a few measures of mustard seed and pulse, receiving back twice its value in cloths.

With regard to the elephant, it is worthy of mention that the Chundaki and Palapadam villagers speak of two Sahibs (Messrs. Davies and Hannington) who about ten years ago shot five elephants close to Chundaki. If these gentlemen claimed the forest in consequence thereof, it appears to me, on equal consideration, that the Rajah's claim to the forest is equally good. East of the Mullashnermala Range the Walluvanad Rajah has not a shadow of a title to any land whatever. His claims (elephant-pits, no "slaves," and has cut no timber) would support the claims of the Erupad Rajah. The Irulers of Manji Kundy (see survey map) would support the claims of the Erupad Rajah. So would the Irulers of Duniam opposite Palapadam and the Kurumbers of Bhudayur (see sketch) at present acknowledge no one as their jenn.

10. I now turn to the estate of "500 acres or more or less" leased from Kuriattil Ramen Menon. It is described in the lease deed as follows: The Edawani Hills, bounded on the east by Chutara hill, on the south by the Varagar river, on the west by the Pazhur stream, on the north by Tiruginara hill and Todhag.

The only boundary I could identify is the Varagar river (see sketch). Edawani was a Kurumber village between Bhudayur and Todaki, which no longer exists. No action of any kind has yet been taken in pursuance of the lease, and I cannot conjecture whereabouts it is proposed to open the estate.

11. In January certain hillmen, calling themselves inhabitants of Todaki, complained to the Walluvanad Tahsildar that a Burgher Maistry from the Nilgiris had appeared at their village and forbade them to cut down any more of the forest, because a Sahib had bought it all from Kuriattil Ramen Menon. The petition sets forth that the petitioners have always paid fair. Todakki is an outlying hamlet of Jemundhugan (landlord's share) to the Tirakadiri Bhudayur, and pays its assessment through the Bhudayur villagers. I worked my way round to Bhudayur via Uttapadi, Chremangundy, and Palur (Pananur). At Palur, where I had to stop the night, there were ten cases of small-pox. Next morning when climbing up the rocky path towards Bhudayur we found the path stopped by a barrier of thorn bushes, and when we began to remove the obstruction we heard voices in the jungle above us shouting "Pelt them with stones! Pelt them!" I thought at first that the Kurumbers supposed me to be Mr. Torin, but I returned out that they were afraid of "the Mather" (small-pox), and had established a

quarantine to prevent Irulers from the infection. As soon as they saw me they fled, and

12. I enclose copy of a statement made by the Muppan himself was out in effect that a Burgher Maistry had come down to cut no more jungle because "Avelak Sal" time paid tribute to any one but the Sircar, Ramen Menon. Bhudayur is on the south of Burgher had come to the wrong place by mistake. On the other hand, the Pazhur Tod, which is stated to be the western boundary, may perhaps be the Palur Tod which is stated to be the eastern boundary of the block leased from the Walluvanad Rajah. I could hear of no Pazhur title to any land in the vicinity; he has never seen a stick of timber has ever been cut from it; and I cannot think that any Judge would attach the smallest weight to the cadjan document by which Ramen Menon professes that the "Edawani Hills" were conveyed to him by some member of an extinct Malabar family.

13. If you agree I would suggest that Havelock, through the Commissioner of the Nilgiris, with a request that he will be so good as to mark upon it what he supposes to be the boundaries of the land which Mr. Torin has leased. I can then proceed to collect what further information may be required.

14. The bamboos in the valley are seedling, and in such of the villages as are not infected with cholera or small-pox many of the villagers have dysentery from feeding on "bamboos." The agents of the lessors have been afraid to visit the valley since the date of the leases on account of the extraordinary sickness prevailing there, and the truth is that I have stolen a march upon them before they had taught the jungle people what to say. I anticipate that the Rajah will complain that I have been tampering with his "slaves," but I have been cautious not to ask them any leading questions, and have recorded fairly all I could elicit from them.

15. If Government are not disposed to relinquish their claim to the valley, it is certainly against the Walluvanad Rajah and Kuriattil Ramen Menon that the first suits should be brought with a view to contest the validity of the leases to Mr. Torin.

(True Copy.)

(Signed) W. LOGAN,
Collector.

ENCLOSURES Nos. 2 and 3.—Copies of Depositions.

ENCLOSURE No. 4.—Sketch.

SUBMITTED to Government in continuation of the correspondence quoted by the Collector.

2. The Board have already expressed their views on the subject fully, and trust that Government will see fit to issue orders with as little delay as possible.

(True Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

No. 193

MINUTE BY THE HON. E.

MR. W. ROBINSON, K.C.S.I.

I have little to add to what I have already written on this matter. The usual and only possible evidence of title and possession, so far as oral and local testimony goes, is there—viz., the dug the Rajah's pits by order of their *jenmi*, made over to him what they have trapped without demur; who pay to him an annual portion of their produce at his farm-stores, receiving in return the usual rent-day dinner (i.e. the rent-day dinner in some parts of our native land) from him. I cannot conceive what other evidence Mr. Winterbotham expected to find amongst the people. None else would, under the circumstances, seem natural or possible, or would be reliable if procured. There is

not the smallest trace of improper and sinister ingratiation with the tribes, &c., on the part of the *jenmi* as insinuated by Mr. Logan for the purpose of damning telling testimony. And the attempt which these gentlemen make, in their zeal for annexation, to limit the payment of local dues by the hill-tribes to the last 20 years—possibly enough the proprietor become more regular in his claims on his tenantry within that period—with a view apparently to limit likewise the claim and right to exercise titles adverse to the recent claims of the State, is simply futile as an application of evidence; when these same gentlemen have on the archives of the State the unchallenged proof of their assertion and recognition by the State as far back as 1838 at least. It is simple hair-splitting and to my mind unfair hair-splitting. The sort of equal expressions picked up amongst the lowest orders of hill-races and brought on record by Mr. Winterbotham in paragraph 7 and *passim* as evidence adverse to the titles of great proprietors would imperil every forest property in Malabar. The analogy of two poachers over ground they don't even claim ventured in paragraph 9 of Mr. Winterbotham's letter is simply purile; still the prejudice sought to be raised against the proprietary of Malabar by the use of the word "slaves" throughout Mr. Winterbotham's letter is unpardonable, because Mr. Winterbotham knows as well as I do that the Malayalam word which he translates "slaves" is simply the generic expression for the predial condition of all these races—including the servile races of *payen* Malabar—throughout the country. They are no more "slaves" than the Pallers of the East Coast.

3. The clearing of some hundreds of acres of dense and pestilential jungle on a distant mountain slope cannot influence in the slightest the springs or the flow of the Bhowani river. If it could do so, either the spring must be shallow indeed, or the trades that bring our rains from afar, must be as superficial and casual as the argument itself. This fancy traverses the first principles of the natural facts of springs and trades alike, as known to every school-boy; and the fact is that the trees on the surface of the western ranges have no more to do with the springs or water-supply, &c., of the rivers that have their source there, than the hair on the back of my hand has to do with the circulation of the blood beneath the skin or the pulsation of the heart. Wood comes of water (so to speak) and consume a great deal of it—not water from wood. The fallacy would be ludicrous were it not so mischievous when applied in this way that it is no longer a matter of joke—legislation notwithstanding. Whoever heard of the glorious culture of the Pandi river (Ouchterlony Valley) valley having affected the south-west monsoon at Beypore, but that enterprise belongs to the wise days of the past, before forest opinions were accepted as facts.

4. It is absolutely distressing to find a Collector of Malabar deliberately admitting that the forest which is being cleared—one that has well nigh killed his Assistant

N.B.—In 1845 the Second Sheristadar and a large Jummabundi establishment of Gumashtas, &c., proceeded into the valley to revise the settlement; in a fortnight nearly the whole establishment were down with fever of the worst type, and within the month a majority—including the Sheristadar and most of the upper class of sercants—were in their graves.

and all his accompanying establishment—can never probably be of the slightest utility to any one, and that opening it or human industry were the best way of utilising the ground; and yet to find him practically advising Government to discourage, if not drive out of it, an enterprising planter who is actually at cost in the tract as I understand, and

spending time and money there in the face of enormous odds against himself—no terms of disparagement of judgment can be too severe as it seems to me.

5. The Collector cannot give him a title to the land to be now locked up in chancery for no one can calculate what period—for the State never possessed—indeed never claimed—a rood of the country till within the last 3 to 4 years, excluding the short lived traverse menace in 1859-60: when that new claim will be decided in the Courts is not easy to divine. The planter takes a title from those to whom all tradition and the common voice of the country and of the inhabitants alike assigns the right, and then the State traverse arises; the man is to be warned off the country, prosecuted in Courts, &c., &c., if the indigenous

12-3-21

Original

Govt. of 1878

REVENUE.

THE BOARD OF REVENUE.

Dated July 19th.

Recd.

Recd.

G.O., 19th July 1878, No. 1,093.

JULY.

No. 192-196.

Atchadi Valley in the Malabar District.
Observing that the Collector should be directed
to proceed with reference to the cases now
reported as already intimated in paragraph 6 of
G.O., 15th June 1878, No. 917.

Special Assistant Collector
Malapuram 7 May 1878

No. 80.

To

The Collector of Malabar
Calicut

Sir,

I have the honor to report that
I have just made a partially suc-
cessful attempt to identify the bounds
of the two blocks of land in the Atta-
padi Valley recently leased by Mr. J. J.
from the Valluvanad Rajah and
Kuriattil Ramen Menon.

The land lies in the wildest and
most unfrequented part of the District
and the handful of Kurnimbers who
haunt the region have no fixed name
for the innumerable hills and stream
with which it abounds.

The fact is that Mr. Havelock, of the
Thiashola Estate, (who is apparently
Mr. J. J.'s working partner) is the only per-

who can point out what hills and streams
are intended by the names specified in the
lease. Neither the leasors nor any persons
acting on their behalf have been anywhere
near the place.

2. The land leased from the Mulla-
vanad Rajah is thus described:-

The Palapadam and Kadungamana
hills, forming part of the Aravida Range,
bounded on the East by the Palur
Stream, on the south by the Panakandi
hills; on the West by the Panakotti
and Attumudi hills; on the North by
Punnakotti hill and Cheringali stream.
The extent of the tract is not mentioned
in the lease.

3. When I reached the spot where
Mr. Sorin is building a brick bungalow,
I found a Braistry there who told me
that Mr. Sorin was at Palentha, and
that Mr. Hancock was on the Kiljoor.
The

1078
The Braistry pointed out to me what
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of the locality in which the said
boundaries are indicated by a dotted
red line. The Eastern boundary
pointed out by the Braistry was the Bhowani
river which in this part of its course
flows nearly due North and South.
East of the Bhowani is an unbroken
range of mountains running from the
Lashmimala to Chunda Mulla (see
survey map); and on the eastern slope
of this range is the village of Palur.
I presume that Palur is the Panamur
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1098
gorge, with precipitous cliffs rising on either
side. The centre of the valley is heavy
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Brookmully of the Survey map. From
the bungalow Mullachher mala bears 130
or nearly south-east. Brookmully is a
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is called by the Kurnumbers, Periakotti.
From the bungalow an Elephant-path
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I now proceed to lay before you
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of the watershed north of it up to
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Not a single log of timber has ever
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He states that about "ten or twenty" years
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8. North of Palapadani is another little village called Ana Dai. It is in a very inaccessible hollow on the banks of the Bhawani and has never been visited by any official, black or white,

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or are to rely on & can-
-let the right of man-
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Malabar

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-are impetuous

nor by any agent of the Rajah. Chos had broken out in Chundaki and amongst Mr. Sorin's coolies. The Kurumbers are terribly afraid of it, and the only way to get at them is to pounce upon their villages unexpectedly. I was unable to visit Ana Dai, Viramir or Irugapulli, and as it was useless to send for the villagers I was unable to ascertain what they would say.

9. It is however certain that the only evidence of title which the Rajah can produce is; first, that during the present generation he has paid the jungle people to dig several elephant pits; second, that an elephant was once caught near Chundaki and taken possession of by him without objection being raised by any one; third, that the

the jungle people have for the last twenty years brought him annually a few measures of mustard-seed and pulses, receiving back twice its value in cloths.

With regard to the elephant, it is worthy of mention that the Chundaki and Palapadam villagers speak of two sahibs (Messrs. Davies and Hamington) who about ten years ago, shot five elephants close to Chundaki. If these gentlemen claimed the forest in consequence, their claim and the Rajah's would, it appears to me, merit equal consideration. East of the Mullichermala Range the Mulluvand Rajah has not a shadow of a title to any land whatever. His claims would meet with universal opposition. He has no elephant-pits, no "slaves", and has cut no timber. The Sultans of Brunei Kundy (see Survey map) would support the claims

pure and
-Dance

* Formerly, for some time, the village of the Arakurichi Amchom of which the Attapadi Valley forms part
Initials W.L.

claims of the Talpad Rajah. So would the Sultans of Daviam opposite Palur (Panamur). The Sultans of Palur would support the Arakurichi claim. The Sultans of Tekkupana and the Kurumbars of Bhudayur (see sketch) at present acknowledge no one as their Jemmi.

10. I now turn to the Estate of five hundred acres more or less "leased" from Kuriaathil Kamen known. It is described in the lease deed as follows: - The Edawa Hills, bounded on the East by Chutara hill; on the south by the Varagar river; on the West by the Pazhur stream; on the North by Tiruginara hill and Todhagen Wallu.

The only boundary I could identify is the Varagar river (see sketch). Edawa was a Kurumber village between Bhudayur and Toddaki, which no longer exists. No action of any kind has yet been taken

taken in pursuance of the lease, and I
cannot conjecture whereabouts it is
proposed to open the Estate.

11. In January, certain hill-men,
calling themselves inhabitants of
Todaikki, complained to the Mallawa-
nad Sahildar that a Burgher
Maistry from the Kelgiris had ap-
peared at their village, and forbade
them to cut down any more of the forest,
because a sahib had bought it all
from Kuriallil Ramen Menon. The peti-
tion sets forth that the petitioners
have always paid Jemma-bhagam
(landlord's share) to the Tirkadiri
Nair. Todaikki is an out-lying hamlet
of Bhudayur and pays its assessment
through the Bhudayur Kurppan. Under
the impression that I could find out
all

all about the Edawani land from the
Bhudayur villagers, I worked my way
round to Bhudayur via Uttapadi, Sho-
-mangundy and Palur (Panamur). At
Palur where I had to stop the night,
there were two cases of small-pox. The
morning when climbing up the rocky
path towards Bhudayur, we found
the path stopped by a barrier of
thorn bushes, and when we began to
remove the obstruction we heard voices
in the jungle above us shouting "Pelt
them with stones! Pelt them". I thought
at first that the Kurumbers supposed
me to be Mr. Lorin; but it turned out
that they were afraid of "The Mother"
(small-pox) and had established
a quarantine to prevent Indians
from the ^{infected} villages on the lower slopes
from

from approaching them. As soon as
they saw me they fled and it took
a long time to appease their fears.

12. I enclose copy of a statement
made by the oldest man of the
village, the father of the Muppan.
The Muppan himself was out in the
jungle. The old man's statement was
to the effect that a Burgher named
had come down from Honamunda
and had told them that they were
to cut no more jungle because 'Aclak
Sahib' had bought it all. He had
never in his life time paid tribute
to any one but the Sircar, and had
never heard of such a man as
Kuriattil Ramen Menon. Bhudayur
is on the south of the Varagar river
and it is quite possible that the
Burgher

108/13
Burgher had come to the wrong place
by mistake. On the other hand the
Pazhur tod, which is stated to be the
Western boundary, may perhaps be
the Pazhur tod which is stated to be
the Eastern boundary of the block
leased from the Walluwanad Rajah.
I could hear of no Pazhur tod north
of the Varagar river. Certain it is that
Kuriattil Ramen Menon has neither
'elephant pits' nor 'slaves' to put in
evidence of his title to any land, in
the vicinity; he has never been him-
self within five miles of the place;
not a stick of timber has ever been
cut from it; and I cannot think
that any judge would attach the
smallest weight to the cadjan docu-
ment by which Ramen Menon pro-
fesses

lands that the "Edawani Hills" were
surveyed to him by some member
of an extinct Malabar family.

3. If you agree, I would suggest
that a copy of the Survey map be for-
warded to Mr. Havelock through the
Commissioner of the Nilgiris, with a
request that he will be so good as to
mark upon it what he supposes
to be the boundaries of the lands which
Mr. Sorin has leased. I can then pro-
ceed to collect what further informa-
tion may be required.

14. The bamboo in the valley are
suffering and, in such of the villages
as are not infected with cholera
small-pox, many of the people have
dysentery from feeding on bamboo-
rice. The agents of the lessors have been afraid
to

to visit the Valley since the date of the
leases on account of the extraordinary
sickness prevailing there; and the truth
is that I have stolen a march upon
them before they had taught the jing
people what to say. I anticipate that
the Rajah will complain that I have
been tampering with his "slaves"; but
I have been cautious not to ask them
any leading questions and have
recorded fairly all I could elicit from
them.

15. If Government are not disposed
to relinquish their claim to the Valley,
it is certainly against the Malluwanad
Rajah and Kuriattil Ramenkurian
that the first suits should be brought,
with a view to contest the validity
of the leases to Mr. Sorin

J.

Shane &c

Signed/ H. M. Winterbotham

Ag. Spl. Assistant Collector

(True Copy)

Signed/ W. Logan

Collector

(True Copy)

Left after
Ag. Secretary

She
off

No 1568.

Proceedings of the Board of Revenue
Dated 11th June 1878

Read the following
No 136

From,

W. Logan Esq.
Collector of Malabar

C. A. Galton Esq.
Ag. Secretary to the
Board of Revenue
Madras

Sir,

In confirmation of previous
correspondence on the subject of claims
to the Attapadi Valley, I have now
the honour to submit copies of a
report, dated 9th instant, and of its
enclosures, received from the Special
Assistant Collector, regarding certain
portions of the valley which have
lately been leased to Messrs. Form and
Havelock

Collector to Board
26 May 1877 No 132
Do to do No 213
12 September 1877
Board's Proceedings
No 505 of 15 Nov 1877
Collr to Board
11 January 1878 No A
Board's Proceedings
19 January 1878 No 167
Collector to Board
No 14. 17 January 1878
Board's Proceedings
No 347 of 9 July 1878
Collector to Board
No 54 of 10 March 1878
Collector to Board
No 93 of 25 April 1878

Enclosure in Board's

Proceedings dated

11 June 1878

No 1568.

To Mr. Secretary to

Govt. C.D.

Per J. A. G. 1/18

4th July 1878

Havelock by the Walluwanad Rajah
and Kuriattil Ramen Menon.

2. The sketch enclosed shows
that one of these blocks lies in the
North West corner of the Valley as
described in my letter to you of 132
dated 26 May 1897 para 2. Mr Winter-
botham was unable to identify pre-
cisely its boundaries.

3. The other block seems to lie to
the East of the one above referred to,
but it was found to be impracticable
to identify it.

4. The statements taken by Mr
Winterbotham sufficiently indicate
the nature of the titles which the
lessors have to this tract of country.
The Walluwanad Rajah has for a
few years past succeeded in ingra-
tiating himself with the jungle people
living

living in the neighbourhood of the
first block by presenting them with
cloths in return for a few measures
of grain which they take annually to
him. He, it seems, also took an elephant
from the jungle people who caught
it in a pit, which they dug at the
request of his people; but no timber
has ever been cut by him in this
tract. As regards K. Ramen Menon's
title, it does not seem to have been
acknowledged by the resident jungle
people in any way up to the present
time.

5. Any destruction of forest, in
either of the blocks alluded to,
must influence prejudicially the
springs by which the Bhowani river
is fed; and the Board will observe
that measures have already been at-
tempted

tempted for stopping the jungle people in the exercise of their immemorial rights. On the other hand, the forest is too remote and inaccessible to be of value as a Forest reserve and, if other considerations did not interfere, the opening of it out for coffee or tea cultivation would be the best way of utilizing the ground.

I have already pointed out in a previous report that, as far as Malabar Revenue was concerned, it would be best to allow the land in the valley to be cultivated; but I do not see how we can throw over the rights of the jungle tribes or shut our eyes to the injury done to the sources of the Bhawani river.

6. I trust that I may soon have

have early orders on this and on my previous letters.

7. I regret to add that, Mr. Windobham and all his followers, who went with him to the Valley, have, since the return, been prostrated by severe jungle fever.

I have &c
Malabar collector / Signed / W. Logan
Office, Calicut. } Collector
29 May 1898 3

Submitted to Government in continuation of the correspondence quoted by the collector.

2. The Board have already expressed their views on the subject fully and trust that Government will see fit to issue orders with as little delay as possible.
(True Copy & Extract)

W. Logan
C.S.

Ag. Secretary.
To The Secretary to Govt R.D.
with 3 original enclosures to be returned and copy of another

MINUTE BY THE HON. SIR W. ROBINSON, K.C.S.I.

I HAVE little to add to what I have already written on this matter.

No 193 Minute

I have little to add to what I have already written on this matter.

The usual & only possible evidence of title & possession so far as oral & local testimony goes is there viz that of the inhabitants. Imlers &c, who have dug the Rajah's pits by order of their princis, made over to him what they trap without demer and pay to him an annual portion of their produce at his Farm stores, receiving in return the

282549

Proceedings of the

Board of Revenue

28th 1998. 19 July 1898

Dated 11 March 1898.

282549

Submitting to Lord's copy

of a report to the Government

from the Special Agent

Collector of Madras Nagar.

and the leave of the

of the Attapadi Valley

to the Government

templed people a memoria the fore ble to and, if interfere coffee on the bee I have previous bar be been Valley see to of the eyes of 6.

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and pay to him an
annual portion of their
produce at his Farm
Stores, receiving in return
the

the usual rent day
presents (vice the rent
day dinner in some
parts of our native
land) from him - I
cannot conceive what
other evidence Mr. Winter-
bottoms expected to find
amongst the people - none
else could be, under the
circumstances, be
natural or possible
or would be reliable
if procured. There
is not the smallest trace
of improper & sinister
ingratiating himself with
the tribes or on the part
of the Commissioner as insinuated
by Mr. Logan for the
purpose

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purpose of damaging
letting testimony and
the attempt which these
gentlemen make, is then
a jab for annihilation,
to limit the payment
of local dues by the
Hill tribes to the last
20 years - possibly enough
the proprietor became
more regular in his
claims on his tenants
within that period - with
a view apparently to limit
likewise the claim and
right to exercise titles
adverse to ^{these claims} those of the State,
is simply futile as an
application of evidence,
when these same gentlemen
have on the Archives
of the State the unchallenged
proof that as far back

as 1838 at least, of the
the Association's recognition
by the State. It is simple
hair-splitting and doing
mind unfair hair-splitting.
The sort of casual Impressions
I picked up amongst the
lowest orders of hill races
and brought on record
by Mr. Winterbottom in
para 7 & passim and
evidence adverse to the
titles of great proprietors
would imperil every
Forest property in Malabar.
The analogy of two poachers
over ground they don't even
claim ventured in Para 9
of Mr. Winterbottom's letter
is simply perverse; ~~that~~ the
prejudice sought to be raised
against the Proprietors
by Mr. Logan purpose

of Malabar by the use
of the word "Slaves" throughout
Mr. Winterbottom's letter
is unpardonable, because
Mr. Winterbottom knows
as well as I do that the
Malayalam word which
he translates "Slaves"
is simply the generic
Impression for the pradiab
condition of all these
races - including the
servile races of payan
Malabar throughout
the Country. They are
no more "Slaves" than
the Palters of the East
Coast.

The clearing of some
hundreds of acres of
dense

dense and fertile that
jungle on a distant
mountain slope, cannot
influence in the slightest
the Springs or the flows
of the Shwamy river.
If it could do so, either
the spring must be shallow
indeed or the traders
that bring our ruin
from afar so superficial
& casual as the argument
itself. The fancy traverses
the first principle of the
natural facts of Springs
and trades alike, ^{as} known
to every school boy;
and the fact is that the
trees on the surface
of the western ranges
have no more to do
with the Springs or

water supply by of the
rivers that have their
source there, than the
hair on the back of my
hand has to do with
the circulation of the
blood beneath the skin.
Wood comes of water
(so to speak) and consumes
a great deal of it - not
water from woods. The
fallacy would be
ridiculous were it
not so mischievous.
When applied in this
way that it is no longer
a matter of joke - legislation
notwithstanding. Who has
heard of the glorious culture
of the Pandi River (Ochterlony
Valley) Valley having afforded
the

right & then the State
 traverses; the
 man is the warrior of
 the country, prosecuted
 in Court by, if the
 indigenous malaria
 does not save us the
 trouble. The upshot
 of this sort of thing is
 every example to predicate.
 The "Yal" for other consideration"
 - Certainly not for the good
 of the country or its industries -
 which possesses the Nation
 will soon restore to him
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 look specious ~~that~~
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Either the interest of
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 The history of the
 allegiance of the
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 vacillation of our Indian
 Bureau Administration.
 At first, we have the
 Statesmanlike injunction
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 1804 in the matter of the
 scrupulous recognition
 of the ancient landmarks
 and historical traditions
 of the best Coast
 nationalities, & the
 conservative care of the
 early administrative in-
 recorded in the surveys
 do not. They knew that the
 country had had a long

political history we
 we knew it. Before
 however two generations
 had passed, the spirit of
 ambition & challenge
 arose. Engineers had
 their hydraulic theories
 and Foresters had their
 devices & others had
 ethnological ideas of
 history: but 1860 saw
 a wise change & the
 Govt. declined the traverse
 to which they were invited.
 Again we have young
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 to revive in India
 what Sir Thomas Munro
 (1822) partly termed the
 spirit of Norman Forest
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Law and all is uncertain
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 only hope that the tide
 will recede again
 though I shall not
 see it.

3/7 W. Robinson

MINUTE BY THE HON. SIR W. ROBINSON, K.C.S.I.

I HAVE little to add to what I have already written on this matter.

2. The usual and only possible evidence of title and possession, so far as oral and local testimony goes, is *there*:—viz., that of the inhabitants, Irulers, &c., who have dug the Rajah's pits by order of their *jenmi*, made over to him what they have trapped without demur; who pay to him an annual portion of their produce at his farm stores, receiving in return the usual rent-day presents (*vice* the rent-day dinner in some parts of our native land) from him. I cannot conceive what other evidence Mr. Winterbotham expected to find amongst the people. None else would, under the circumstances, seem natural or possible, or would be reliable if procured. There is not the smallest trace of improper and sinister ingrating himself with the tribes, &c., on the part of the *jenmi* as insinuated by Mr. Logan for the purpose of damning telling testimony. And the attempt which these gentlemen make, in their zeal for annexation, to limit the payment of local dues by the hill-tribes to the last 20 years—possibly enough the proprietor became more regular in his claims on his tenantry within that period—with a view apparently to limit likewise the claim and right to exercise titles adverse to the recent claims of the State, is simply futile as an application of evidence; when these same gentlemen have on the archives of the State the unchallenged proof of their assertion and recognition by the State as far back as 1838 at least. It is simple hair-splitting and to my mind unfair hair-splitting. The sort of casual expressions picked up amongst the lowest orders of hill-races and brought on record by Mr. Winterbotham in paragraph 7 and *passim* as evidence adverse to the titles of great proprietors would imperil every forest property in Malabar. The analogy of two poachers over ground they don't even claim ventured in paragraph 9 of Mr. Winterbotham's letter is simply purile; still the prejudice sought to be raised against the proprietary of Malabar by the use of the word "slaves" throughout Mr. Winterbotham's letter is unpardonable, because Mr. Winterbotham knows as well as I do that the Malayalam word which he translates "slaves" is simply the generic expression for the predial condition of all these races—including the servile races of *payen* Malabar—throughout the country. They are no more "slaves" than the Pallers of the East Coast.

3. The clearing of some hundreds of acres of dense and pestilential jungle on a distant mountain slope cannot influence in the slightest the springs or the flow of the Bhowani river. If it could do so, either the spring must be shallow indeed, or the trades that bring our rains from afar, must be as superficial and casual as the argument itself. This fancy traverses the first principles of the natural facts of springs and trades alike, as known to every school-boy; and the fact is that the trees on the surface of the western ranges have no more to do with the springs or water-supply, &c., of the rivers that have their source there, than the hair on the back of my hand has to do with the circulation of the blood beneath the skin or the pulsation of the heart. Wood comes of water (so to speak) and consume a great deal of it—not water from wood. The fallacy would be ludicrous were it not so mischievous when applied in this way that it is no longer a matter of joke—legislation notwithstanding. Whoever heard of the glorious culture of the Pandi river (Oucherlony Valley) valley having affected the south-west monsoon at Beypore, but that enterprise belongs to the wise days of the past, before forest opinions were accepted as facts.

4. It is absolutely distressing to find a Collector of Malabar deliberately admitting that the forest which is being cleared—one that has well nigh killed his Assistant

and all his accompanying establishment—can never probably be of the slightest utility to any one, and that opening it for human industry were the best way of utilising the ground; and yet to find him practically advising Government to discourage, if not drive out of it, an enterprising planter who is actually at cost in the tract as I understand, and

N.B.—In 1845 the Second Sheristadar and a large Jummabundi establishment of Gumashtahs, &c., proceeded into the valley to revise the settlement; in a fortnight nearly the whole establishment were down with fever of the worst type, and within the month a majority—including the Sheristadar and most of the upper class of servants—were in their graves.

Revenue 1878

No. 10

Minute by the Hon.

Sir W. Robinson

Reve

G.O. 19th July 1878

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No. 194 -

In G.O. No 1098 & 19th July 1878

spending time and money there in the face of enormous odds against himself—no terms of disparagement of judgment can be too severe as it seems to me.

5. The Collector cannot give him a title to the land to be now locked up in chancery for no one can calculate what period—for the State never possessed—indeed never claimed—a rood of the country till within the last 3 to 4 years, excluding the short lived traverse menaced in 1859-60: when that new claim will be decided in the Courts is not easy and divine. The planter takes a title from those to whom all tradition and the common voice of the country and of the inhabitants alike assigns the right, and then the State traverse arises; the man is to be warned off the country, prosecuted in Courts, &c., &c., if the indigenous malaria does not save us the trouble. The upshot of this sort of thing is easy enough to predicate. The zeal "for other consideration"—certainly not for the good of the country or its industries—which possesses the Collector will soon restore to him his immemorial wilderness with wrong scored on its face. The thing may look specious, but it is not the less traversing the interest of the State or of the people alike.

6. The history of the allegiance of the Attipady Valley is a curious instance of the vacillation of our Indian bureau administration. At first, we have the States-mau-like injunction of the Court of Directors in 1804 in the matter of the scrupulous recognition of the ancient land-marks and historical traditions of the West Coast nationalities, and the conservative care of the early administration recorded in the surveys, &c., &c.—the result of their careful contemporaneous investigation. They knew that the country had had a long political history ere we knew it. Before, however, two generations had passed, the spirit of annexation and challenge arose. Engineers had their hydraulic theories, and foresters had their desires, and 1860 saw a wise change of policy, and this Government declined the traverse to which they were invited. Yet again in 1876-77 we have Assistant Collectors, Foresters and the like, spontaneously seeking to revive in India what Sir Thomas Munro (1822) justly termed the spirit of Norman Forest Law; and all is uncertainty and litigation. One can only hope that the tide will recede again though I shall not see it.

3rd July 1873.

W. ROBINSON.

MINUTE BY THE HON. SIR W. ROBINSON, K.C.S.I.

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disparagement of terms of judgment can be too severe a

Proof for approval

MINUTE BY THE HON. W. HUDLESTON.

I too have little to add to what I have already written on this subject of the Attipady Valley at the head of the Bhowani river; but as Sir W. Robinson insists on recording a Minute in the Proceedings, it is advisable that his arguments should not pass unquestioned.

2. I will not lay stress on the fact that, both as regards the Nilgiri tracts claimed by Nellumbur and the Attipady Valley itself, Sir W. Robinson, in former years, recorded equally strong opinions directly counter to the views he now maintains. I will merely remark that in his present Minute he begs the question throughout.

3. As I pointed out in my former Minutes, all tradition and all circumstantial evidence are opposed to the supposition that Malabar Jemmis have any proprietary right in these tracts, which are on the eastern water-shed of the western ghaut range, and are inhabited only by Tamil and Canarose races having relation with Coimbatore Goundens, and whose sole intercourse with Malabar folk is through occasional timber-trade. The facts stated in the present papers, which Sir W. Robinson would regard as unquestionable evidence of indefeasible title, show nothing more than that astute Malabar Jemmis and their unscrupulous agents do not hesitate to impose with a high-hand on the semi-jungle tribes inhabiting tracts to which the advance of planting enterprise lends a value.

4. That these so-called proprietors can give a title to the land they profess to lease there is not a tittle of evidence to prove.

That all circumstantial evidence against them I have endeavoured to show.

That it is of importance not to permit the denudation of the forest tracts holding the head-waters of one of our most important rivers of irrigation, is, I conceive, established beyond doubt by the experience of all countries in which have been witnessed rain-limit receding, springs drying up, streams converted into dusty channels, and frequent disastrous floods of extreme magnitude,—all testifying to the non-retention and rapid evaporation of moisture in tracts which are needed as reservoirs for maintaining a supply to the distant plains dependant on the streams born in these hills.

5. I am as desirous as any one can be to promote the important planting industry and to facilitate the occupation of land in unobjectionable localities by capitalists or pioneers; and I greatly regret to think that it is the ill-working of our Waste Land Rules which drives intending settlers to these questionable expedients to obtain it; but the regulation of their occupation is of the utmost importance, and I am not disposed to weakly allow encroachment on State rights simply because the encroaching parties are high-handed and unscrupulous. I confess to also deeming it of importance that the rights of these simple jungle-tribes should be protected. Abuse of the opposite parties' Attorney is a proverbial feature of a bad case, but I think Messrs. Logan and Winterbotham have only done their duty in closely scrutinising these encroaching operations and bringing them to prominent notice in view to their effective check, and I would vindicate Colonel Davies and Mr. Hannyngton from the charge of "poaching" which Sir W. Robinson launches at them.

6. In all that Sir W. Robinson refers to as the wise policy of the Home Government and Sir T. Munro in enjoining scrupulous respect for private rights of property in forest as in open country, I most entirely sympathise. To the best of my ability, I have always striven in defence of them. But it is because I do stickle for rights,—be they whose they may,—that I would strenuously resist trespass on State rights, and, in other words, maintain the rights and interests of the community against the encroachments of individuals.

11th July 1878.

W. HUDLESTON.

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N. 1098

Proceedings of the Madras Government
 Number dated the 19 July 1878

No 193 *
 No 194 *

Read the following
 Proceedings of the Board
 of Revenue dated 11 June
 1878 at N. 1098 on the subject
 of claims to the Attapattu
 Valley in the Madurai
 District.
 (Under the title of the
 Attapattu Valley)

The collector should
 be directed to proceed
 with reference to the
 cases now reported as
 already mentioned in
 para 6 of G. O. 15 June
 1878 at N. 917 R. D.

Seen
 3/7 M.L.
 Printed by M. M. M.

See copy
 Looked over and signed by the Board 19 July
 in the presence of the Secretary, 20 July

g. O.

Mapam Valley

1098
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with P. F.

Q. 192-195-

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R15-4-40