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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No.	169	Press.
B.P. No.		Mis.
Dated	4-2-1878	497

Not to be folded or roughly handled

GOVERNMENT MADRAS.
REVENUE DEPARTMENT.

4th February 1878, No. 169.

Read the following papers:—

No. 26. Proceedings of the Board of Revenue, dated 24th October 1877, No. 4,833.

Read G.O., Revenue Department, dated 1st October 1877, No. 3,050.

COMMUNICATED to the Collector of the Madhav District.

2. A necessity for the determination of the old boundary of the Numbalacode Estate arises solely in connection with the demand for jennabhogam on Mr. Ouchterlony's second grant from the Tripad of Nelaumbore (G.O., 2nd October 1876, No. 1,393); and the object of the investigation is to enable Government to decide whether they have a case strong enough to support such demand in Court if it be resisted.

3. The Board submit that the ordinary procedure of a Survey Officer under the Boundary Act is not adapted for such an investigation, and that to direct its adoption is equivalent to going into Court at once before Government know whether they have a case or not. If they have a case, and if the matter has to be settled by a Survey Officer under the Act, it will still be advisable that some one should be appointed to get up the Government case and manage it before the settling officer.

4. The Board suggest that the Deputy Superintendent of Survey, since the employment of Mr. Richardson is not approved, be directed to investigate and endeavour to identify the boundary westwards from Aratapara, and merely to furnish a departmental report from which Government will be able to judge as to the propriety of further action. It is desirable that some steps should be taken at once as limitation is running on, and the longer the work is deferred the more difficult it will be.

(True Extract.)

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

No. 27.

No. 28. ORDER THEREON, 4th February 1878, No. 169.

Miscellaneous.

On further consideration the Governor in Council resolves to abandon all claim to Jennabhogam from the Planters of the Ouchterlony Valley as being inconsistent with the contention of Government that that tract forms no part of the Numbalacode Estate.

2. Under these circumstances there appears to be no necessity for any further investigation as to the boundary line.

(True Extract.)

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

To the Board of Revenue.
" the Superintendent of Revenue Survey.
" the Commissioner of the Nilgiris.

Exd. F. R. Bantleman.

$$\frac{169}{2}$$

10/10/17
10/10/17
10/10/17

[illegible]

THE
No. 25-61

767th 135/78
VC 1253/78

(Signed) W. ROBINSON.

3 Times papers forwarded to the Hon. Sec. Robinson on the 15 Feb 1875

Revised proof for approval

*Proprietor's share (1/4)
Government orders*

REVENUE DEPARTMENT.

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

*me
-and*

I AM at a loss how to discuss the new phase on which this case has entered. As it appears to me the facts of the case do not support the argument, and the conclusions ~~appear to me~~ illogical. I cannot, however, object to the result, for I learn that the claim for Jenmabhogum on the part of Government is foregone—this is equitable and right for Government never possessed a proprietary claim or right in the country. Also that the assessment of the coffee plantation according to Malabar rules—a comparatively recent introduction (for coffee was long unassessed in Wynaad)—is not to be disturbed, (this is likewise equitable and right, for G.O. which shift imaginary lines of boundary—we have had some three or four in this matter cannot be permitted to traverse the pledges of Government with the people.

*They
to the tract*

i/

*(even the new
conclusion true)*

2. There is not the slightest reason, I believe, for doubting that the Ouchterlony Valley is an integral part of the Malayalam country, to which the water-shed into the Karkur Valley, nationality of indigenous tribes, official survey inquiry of seventy years back, the evidence recorded by Mr. Sullivan half a century ago, its revenue history for years, &c., &c., naturally and politically assign it. Till now, the Government has treated it as Malayalam country, subject to Malayalam conditions, and have for a few years been seeking in vain to assert a Malayalam Jenmabhogum claim, having previously by their accredited agent, the Collector of Malabar, deliberately acknowledged the tract to be private property of a Malabar Jenmi—an acknowledgment on the faith of which proprietors and tenants have alike acted in good faith towards each other for 30 years, and it is to be devoutly hoped will continue to act notwithstanding a G.O. which might encourage departure therefrom. The Malayalam owner and his tenants alike recognise the condition, and the evidence recorded in Mr. Sullivan's days shows that the Nilgiri Hill tribes repudiate any political, territorial, or natural connection between the Ouchterlony Valley and the plateau. The argument, therefore, that the Ouchterlony Valley is not, and never was, Malabar is unsupported by fact or evidence; and the best proof of this is the conclusion to which we are inevitably led, a dilemma by which Government now loses on both sides.

3. However, as before said, the effect of the conclusion is right, Government abandons a wrong claim, and preserves faith or respects rules of assessment; and I have no doubt that the relation of Jenmi tenants existing between the Nellambur Tirupad and his European tenantry in the valley, will not be disturbed by the relinquishment of the State claim on the fanciful ground—as it seems to me—now propounded. If they do—if they set up the erroneous doctrine propounded by Government to break faith amongst each other—grave injustice will be done. In the mean time, the assessment arrangements will remain as they are and satisfy all.

4. I would simply tell the Board that Government do not intend at present to prosecute a claim for Jenmabhogum in respect to the tract, and do not, therefore, recognise the necessity of further demarcation of the boundary, as the country on both sides of the line is now transferred to the Hill District.

(Signed) W. ROBINSON.

30th November 1877.

Minutes

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5

I am at a loss how
to discuss the new
phase on which this case
has entered. As it appears
to me the facts of the
case do not support
the argument and the
conclusions appear
to me illogical. I must
however object to the
result for I gather
that the claim for
Jumabhogun on the
part of Govt. is foregone
& that is right - and
that the abandonment
of the Coffee plantation

For the Board of Directors - W. H. H.

According to Malabar
rules - a comparatively
recent introduction
(for Coffee was long
unassessed in Wynad)
is not to be disturbed
and that is likewise
well.

There is not the slightest
reason I believe for
doubting that the Pudukkottai
Valley is an integral
part of the Malabar
Country, which the
watershed ^{into the Pudukkottai valley} nationality
of indigenous tribes,
its revenue history
for years by by -
naturally & politically
assign it. Till now
the Govt. has treated
it as Malabar Country
subject to Malabar

Survey & inquiry
evidence recorded by
Sullivan half a century
ago.

Not the Pudukkottai Valley
but the Pudukkottai
Valley is the Malabar
Country.

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6

Conditions & have
sought to assert a
Malabar claim - A Malabar
owner & his tenants -
alike recognize the
Condition & the evidence
recorded in Mr. Sullivan's
days shows that the
Pudukkottai Hill tribes
repudiated its political
or natural connection
with the plateau. The

Argument is therefore
I think unsupported
by fact. ^{But} before said the
Conclusion is right
Govt. abandons a wrong claim
and I fear have no
doubt that the relation
of Jemmy & tenants -
existing between the

Not the Pudukkottai Valley is
not a Malabar Malabar

& the best evidence is
this is the conclusion
to which we are inevitably
led a dilemma of which
Govt. loses on both sides

the Kellambur Tripad
and his European
tenantry in the Valley

will not be disturbed
by the State relinquishment
of the State claim on
the fauciful ground
- as it seems to me -
now propounded

In the meantime the
arrangement will remain as they are
and satisfactory.

I would simply tell
the Board that Govt. do
not intend at present
to prosecute a claim
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respect to the track
and do not therefore
recognize the necessity
of further demarcation
of

G.O. 2 February 1878
No. 169.

do a man injured
will be done

of the boundary as the
Country on both sides of
the line is now transferred
to the Hill District

20th J. Robinson

Final July 1878 L. 169

No. 4833
169
1

Proceedings of the Board of Revenue
Dated 24th October 1877.

Read G.O. Rev. Dept. dated
1st October 1877, No. 3050 -

Communicated to the Collector of the
Coimbatore District.

2. A necessity for the determination of the
old boundary of the Jumabhogum State arises
in connection with the demand for Jemini bhogum
on Mr. O'Keefe's second grant from the Government
of Melambor G.O. 2nd October 1876 No. 1398 and the
object of the investigation is to enable Government
to decide whether they have a case strong enough to
support such demand in fact if it be resisted.

3. The Board submit that the ordinary
procedure of a Survey Officer under the Boundary
Act is not adapted for such an investigation and
that to direct its adoption is equivalent to saying
that to direct its adoption is to say that they
have a case or not. If they have a case and if the
matter has to be settled by a Survey Officer under
the Act, it will be advisable that someone should
be appointed to sit up the Govt. case and manage
it before the settling Officer.

4. The Board suggest that the Deputy Survey
- tending of Survey, since the employment of Mr. Richard
- son is not approved, be directed to investigate and endeavor
to identify the boundary westwards from Artakora and
may be furnish a departmental report from which Govt.
will be able to judge as to the propriety of former action.
It is desirable that some steps should be taken at once,
as limitation is running on, and the longer the work is defer-
red the more difficult it will be. (Amended)

W. S. ...

163
 I have been thinking
 of the old days
 and how much I have
 learned from them
 and how much I have
 forgotten. I have
 been thinking of the
 old days and how
 much I have learned
 from them and how
 much I have forgotten.
 I have been thinking
 of the old days and
 how much I have
 learned from them
 and how much I have
 forgotten. I have
 been thinking of the
 old days and how
 much I have learned
 from them and how
 much I have forgotten.

Guided by the spirit
 of the Lord

10th Nov 1877
 10th Nov 1877

At the house of
 the Lord

At the house of
 the Lord

At the house of
 the Lord

At the house of
 the Lord

At the house of
 the Lord

At the house of
 the Lord

At the house of
 the Lord

all claim to a 'person'
or land tract not being
'person'. It seems to me
the maintenance of the person
of the 'person' is the basis
of the 'person'.

I have been thinking of the
'person' as a 'person' and
it seems to me that the person
is the basis of the 'person'.

that the person of the
person is the basis of the
person.

the person of the person
is the basis of the person
is the basis of the person
is the basis of the person

It doesn't seem to be
a person of the person
or a person of the person
- doing - My surprise
that the person of the person

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7.12.77.

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[Faint handwritten text, mostly illegible]

[Signature]

Chaim & Co.

REVENUE DEPARTMENT

No. 4519

167
12

From *Propt. of the B^d of Revenue*

Dated *24 October* 1874

FOR ORDERS.

I have to say that...
which is...
protection of this...
against the...
valley...
say that...
now...
...
The...

quired at

1 LD -

The Govt. think
 from completing the
 settlement of the
 boundary between
 the Sandwich Is.
 Anchorage & the
 "Beltsong Valley"
 if any real necessity
 for this visit.

The Govt. have repeatedly
 expressed & recognized
 the Sandwich Is.

The Government of the U.S.

Claim to the whole
 of the islands
 and the whole of the
 group to the Govt.
 intention to show
 a line of islands
 line as a boundary
 between the islands

The Sandwich Is.
 claim all islands
 that are in the
 Pacific Ocean
 a line of islands
 in the Pacific
 ocean. a line
 claimed some
 islands of the
 Pacific Ocean

169
 14

the present quantity

and it is necessary
 presenting a Malabar
 custom in a tract of
 land R. B. the for. custom
 is not in "Malayala
 room". This is because
 the Malabar has this
 maintaining that it has
 in Malabar (Kumbala
 Kotal) to be later for
 a journal to be in his
 case & R. B. the for.
 from him as he has
 power to grant.

The present is necessary
 to be taken. But that
 it deserves consideration.

225/10/11 P. 29/10/11

FOR ORDERS.

Sumitrananda
Chavir Sunda

The present is necessary
 to be taken. But that
 it deserves consideration.

Sumitrananda

120-

169
14

that is not
 Is a very good
 for the present
 attempt at a
 of the money
 money it is
 more difficult than
 in the light of
 in the light of
 for the present
 for the present
 clear

agreed to

area

69
1/1

Memorandum -

I received in form
of it - I received by
because I was not
then aware that it
was previously in
Mentay's claim claim

B- (29/10)

2

120-

Rev. Sept.

169
16

Note.

On Res. of the Board of Revenue,
dated 24th October 1877, No. 4832,
regarding the identity of the Hun-
haluode Anusham Boundary.

I think the point that
I have raised should be
settled on its own merits
as regards the title.
I think the Malabar
title should be followed
as this title has guided
the title of the Government at
the time W. O. Grant
was made. supposing
the land has been
then recognized as

If Jambhagam is
not to be held on any of
the land obtained by Mr.
Archibald from the Jambhagam
of Vallumbur, on the ground
that being based on a Malabar
custom it cannot be demanded
from him by Government, who
contend that his land originally
belonged to Coimbatore &
not to Malabar, the question
arises

arises what demand is to be made?

On the Nilgiris (i.e. in the Coimbatore District) all waste land for planting purposes was sold subject to an annual assessment of 2 Rs on acre for forest land. 1 " " " other land. payable whether the land was cultivated or not.

In the Mysore the same rules hold good for Govt. Waste land sold by auction, but besides estates so acquired, there exist others formed from Govt. land not

Govt. property.

By his possession in that the assess. 2^d has been charged only on the cultivated area.

The comparatively recent rules for the sale of waste land cannot operate retrospectively.

para 36 Collyer L.T. 11
p. 117 1889 No. 2526.

169
17

not purchased at auction, & these pay assessment on the cultivated portions only.

Now if the Jambhogn demand is to be given up because Mr. Quettlerbury's lands belonged to Coimbatore, it should logically follow that the demand on them should follow the custom of that District. In this case the Govt. portion of the Quettlerbury estates must be demarcated and surveyed, as it is liable for assessment on its whole extent. Some compromise seems necessary. But, be this as it may, the boundary of

It is probable that
Mr. Duckert's
successors would
prefer to pay the
Jembhogan and

[Handwritten signature]

Per farad 2-17-28
 216. 28-1/2 pgs. 136

[illegible]

Have added them
2074 m?

it is submitted
that as far as they
are concerned the
demand is logical
for, though their
lands may not
formerly have belonged
to the Quakbar tribe
they unquestionably
were included in it
when obtained by
Mr. Culbertson &
until a very recent
date.

Jaguanto -
 Huddleston's son -
 The apartment of the
 owner but I do not
 see it. The man
 among the people.

Recd 4519/77
Nambalacode
Amstom Boundary

The J.O. Draft of the
 Amstom & all
 members.

C. 19. Dec/77 R. 21. Dec/77
 C. 3. Dec/77 R. 10/12/77
 R.C. 1. Dec/77 R. 3. Dec/77
 R.C. 27. Dec/77 R. 1. Dec/77
 C. 9. Nov/77 R. 13/11/77 R.C. 26/11/77 R. 27/11/77

Seen
 20/12 ML

No 169.
 Proceedings of the Madras Govt.
 Madras dated the 4 February 1878.

RD
 169
 19

Read the following Proceed:

My note of the 30/11 will be brought
 on record as a minute. ML
 20/12

Minutes of the Board of Revenue dated
 24 Oct. 1877 No. 4833 suggesting that
 the D. Sup^r Revenue Survey be
 directed to investigate & endeavour to
 identify the Nambalacode Amstom
 Boundary.

1. On further consideration
 the Governor in Council resolves to
 abandon all claim to Jambhogue
 from the planters of the Quehsterlong
 Valley as being inconsistent with
 the contention of Government that
 that tract forms no part of the
 Nambalacode Amstom

Kellambur Rajah's property
as acquired by the Chumbalacode
purchase.

2. The Board's suggestion
in para 4 of the foregoing
Proceedings is approved & the
Acting Superintendent of
Revenue Survey will arrange
accordingly.

Yes
yml

Does seem to me wrong in
fact - No one questions the
inclusion in Subbar's sale
deed etc. Holds good only as re-
gards the Auction (S. P. P. L.)
Sale of 1839.

Yes say -
The Govt. under these cir-
cumstances see as no
necessity for further investi-
gation of the Boundary line
M

or
- Under these circumstances
there appears to be
no necessity for
any further investigation
as to the boundary
line
V.K.

I would say only
in full consideration
of the case and the
fact that no further
investigation is required

Edith

Investigation of the
boundary line
The Govt. do not intend
to further investigate
the boundary line
of the Subbar
V.K.

- 14 To the Board of Revenue 11 Feb
- 15 The Supt of Revenue
- 16 The Commissioner of Revenue

60
6

