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CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1706

~~Press~~
Mis.

239-240

Dated 21-10-1878.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

21st October 1878, No. 1,706.

Read the following paper :—

No. 239. Proceedings of the Board of Revenue, dated 8th August 1878, No. 2,191.

Read the following letter from Lieut. Col. A. DE C. SCOTT, R.E., Superintendent of Revenue Survey, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Kotagerry, 29th June 1878, No. 2,181-42 :—

I HAVE the honor to forward, for disposal by the Board of Revenue, and with

* No. 703-221 of 20th June 1878.

Four sketches showing the boundary of each dispute.

One sketch prepared by Mr. Wright.

One Map received from Surveyor-General.

One translation of copper-plate inscriptions.

reference to G.O., No. 183, dated the 6th February 1878, a report* by Mr. H. O. C. Cardozo, Deputy Superintendent, Revenue Survey, together with maps and enclosures as per margin giving full detail of his settlement of the Sundoor boundary.

2. The duty entrusted to Mr. Cardozo necessitated his travelling and living under canvas for a month during the most trying season of the year. He has bestowed much care in the collection and investigation of evidence relating to the matters in dispute, and I trust that the result will be deemed satisfactory.

ENCLOSURE No. 1.

From H. O. C. CARDOZO, Esq., Deputy Superintendent, No. 2, Revenue Survey, to Lieut.-Colonel A. DE C. SCOTT, R.E., Superintendent of Revenue Survey, dated Bellary, 20th June 1878, No. 703-221.

Reference, G.O., No. 183, dated 6th February 1878, directing the settlement of dispute on the Sundoor boundary.

I HAVE the honor to submit my report on the Sundoor boundary dispute.

On the 10th of April I left Bellary for Ramandrug to meet the Rajah's Agent, who was prevented by illness from joining me in camp. I spent three days at Ramandrug, Saturday to Monday 13th to 15th April, and with the Agent went through the papers connected with the disputes. On the 16th I went with the Agent to Sundoor to examine an inscription on a tomb which is supposed to define the Sundoor boundary as recognized half a century ago. I then proceeded to the village of Joga to examine part of the

G.O., No. 190, dated 2nd June 1869.

boundary which was settled by Mr. Clogston in 1869. I spent three days in comparing the ground with his report, and then proceeded to examine the rest of the boundary line, completing the circuit of seventy miles on the 14th of May.



2. The Sundoor territory lies between the Hospet and Kudligi taluks of Bellary. At the south-east corner the boundary marches for about 4 miles with Mysore. On the side of Hospet the line is in dispute in four places and on the side of Kudligi in one place. The Mysore boundary line has already been settled. The total length of the disputed lines is about 50 miles. G.O., No. 1,745, of 3rd December 1875.

One of the disputes on the Hospet side was settled by Mr. Wright in 1875, but his settlement has not yet received the formal approval of Government.

3. The disputes are all similar in character. Sundoor is surrounded by a range of hills, the outer slopes of which are, at the disputed points, claimed both by the Rajah and the inhabitants of the Government villages on the border. The latter assert that the boundary passes along the ridge, while the Rajah maintains that it does not extend beyond the foot of the hills. The slopes are covered with low scrub jungle of little value except for firewood. It is difficult to estimate exactly the amount of revenue at stake. The Agent informs me that the total value of the jungle contracts for the whole of Sundoor is about Rupees 12,000 per annum. The total area leased out is certainly not less than 50 square miles, including the area in dispute, which is roughly about 20 square miles. If the claims of the Government villagers are allowed, the loss to Sundoor would be at most Rupees 5,000 yearly. The Government do not, as far as I can learn, derive any appreciable revenue from the jungle on the slopes in dispute. There is a little cultivation in a gorge beyond the line claimed by the Rajah, which yields a revenue of 8 Annas, and in another place 4 Annas per annum are paid for a field containing some mango trees.

4. In attempting to establish some general principle of settlement, four separate bases of argument require consideration:—

1. The statements of villagers on the border as to enjoyment.
2. The paymaish of 1802—5.
3. The Atlas of India or other reliable maps.
4. Authentic inscriptions or title-deeds defining the boundary.

5. In 1875, Mr. Wright, Assistant Superintendent, Revenue Survey, visited each village on the border, and recorded the statements of the village authorities and such other evidence as was forthcoming.

The result amounted to little more than the bare assertion that the boundary followed certain lines. In some cases the statements of the villagers were manifestly false, and in others extremely doubtful. These remarks apply equally to the villagers on both sides of the border. But on the side of Sundoor were produced certain documents purporting to be deeds of contract, granted by the Rajah to the inhabitants of bordering Government villages, permitting them to cut jungle on the slopes. The limits of the jungles leased out are not clearly stated, but in some cases the Government villagers acknowledge having paid for the privilege of cutting wood on the disputed ground. It is, to say the least, improbable that they would have made such payments had they believed that the jungle belonged to their own villages.

On the whole the evidence, such as it is, recorded by Mr. Wright, may be said to preponderate in favor of Sundoor.

6. With regard to the paymaish, the limits of which the Rajah's Agent submits should be considered the true boundary, there appears to have been some misapprehension.

The decision of Mr. Clogstoun in the matter of the Joga boundary dispute is apparently believed to have been based on the paymaish, and Government having approved that decision would therefore appear to be committed to the adoption of the paymaish as the basis of settlement throughout.

But, although Mr. Clogstoun in his report defended the general accuracy of the paymaish accounts, he did not adhere to them in fixing the boundary. A careful examination of the ground has shown that the line he recommended, which was subsequently approved by Government and demarcated, gives to Joga several hundred acres of low hills and jungle which were not included in the ayacut or total paymaish area.

The Agent represents that whenever there has been any doubt regarding the limits of the Rajah's jurisdiction, the paymaish accounts have been referred to and their limits have been hitherto admitted without question by the district authorities to be the boundary. But such admission can only have been made in ignorance of the fact that Sir Thomas Munro's instructions to the paymaish surveyors strictly prohibit the measurement of hills. The experience of the Revenue Settlement Officers, when demarcating boundaries in the Ceded Districts, shows that these instructions were in the main faithfully carried out. For where a

Letter of Collector of Bellary to Revenue Board, No. 329, dated 26th August 1875, paragraph 7, printed with G.O., Revenue No. 1,745, of 3rd December 1875.

Selection of papers from the old records of the Bellary District, page 83.

Mr. Cox's letter, No. 105-5, dated 14th March 1878. See also his report published with G.O., 3,347, dated 4th December 1877.

range of hills forms the boundary between two villages, the paymaish is found, as a rule, to extend no further than the foot of the hill, although the true boundary line passes along the ridge. So that in cases where the paymaish of a border village reaches to the foot of the Sundoor boundary range, there is nothing to show that the village boundary does not contain a portion, or even the whole, of the outer slope.

Even where the paymaish limit falls short of the hills, leaving at the foot land of a character ordinarily included in the paymaish, it does not always follow that the paymaish limits form the true boundary.

The Sundoor villagers will often readily allow that such land, although outside the paymaish limit, belongs to Government. Much, in fact, depends on the judgment or industry of the paymaish surveyors. Land excluded by one surveyor would have been included by another. The method, too, of recording the boundaries of each field in the paymaish accounts is not sufficiently uniform to make them an infallible guide. Where a field is entered as adjoining the boundary of a border village, it may safely be assumed that the paymaish limits are in that place the true village boundary.

But, on the other hand, in many places where there can be no doubt that the paymaish limit is the true boundary, the entry in the accounts does not clearly say so. For instance, a field, the measurements of which reach to the foot of the hill, is entered in the accounts as bounded on the north by the boundary of a village belonging to Sundoor. The very next field, whose measurements also reach to the foot of the hill, may be entered in the accounts as bounded on the north by the hill, without specifying whether the hill belongs to Sundoor or to Government. The Agent urges that it is very unlikely that Sir Thomas Munro would fix the boundary in some places, and leave it undefined in others, but the fact remains that there is nothing on record to show that any special arrangements were made when demarcating the villages bordering on Sundoor. Nor does the Sanad granted by Sir Thomas Munro to the

Agent's letter to Mr. Wright, No. 11, dated 20th March 1875, paragraph 5, published with G.O., No. 1,745, dated 3rd December 1875.

boundary in some places, and leave it undefined in others, but the fact remains that there is nothing on record to show that any special arrangements were made when demarcating the villages bordering on Sundoor. Nor does the Sanad granted by Sir Thomas Munro to the Rajah in 1826, several years after the paymaish was finished, specify the limits of his territory, or contain any allusion to the paymaish. After careful examination of the paymaish accounts on the ground, I have no hesitation in stating my opinion that they were not intended to define village boundaries. It is true that in some places the paymaish limits do tally with the village boundary. But where the latter passes over hills or through large tracts of jungle, the two do not generally agree. This is often and indeed generally the case on the Sundoor frontier.

Bellary District Manual, p.p. 248-9.

7. The Atlas of India, based on a survey made between 1809 and 1816, shows the limits of Sundoor by a dotted line which in many places passes along the top of the outer slopes of the boundary range, thus favoring the claims of the Government villagers.

The small scale of the Atlas, four miles to one inch, obviously lessens its value for the present purpose. There is another map on the scale of two miles to one inch, signed by Colonel Sim,

Officiating Surveyor-General, Madras, dated January 1842, a tracing of which has lately been received from the Surveyor-General's office. The boundaries in this map agree generally with those shown in the Atlas of India.

It is uncertain whether both maps were based on the same survey. The Atlas of India contains entries which do not appear in the Surveyor-General's map, and *vice versa*.

On the whole it appears probable that the Surveyor-General's map was based on a later survey.

Markham's Memoir, page 85.

Its authority has on other occasions been called in question where unfavorable to the Rajah, and the Agent represents that until the surveys can be proved to have been made with the cognizance and concurrence of the Sundoor authorities, the testimony of the maps should be held to be *ex parte*. It is hardly possible that these surveys can have been made without the cognizance and assistance of the Sundoor authorities.

It may reasonably be assumed that some vakil or authorized agent of the Rajah attended the surveyors to point out the boundary.

But no record of the attendance of such an agent is forthcoming, and no mention of the survey can be found in the Collector's records. In 1831-32 Mr. Robertson, then Collector, enquired into an important dispute on the Sundoor boundary.

The record of his enquiry makes no allusion to the survey, although the Atlas sheet containing the portion in dispute was published only a very short time before in 1828. This fact may be said to detract from the value of the survey as determining the boundary, but in favor of the

Letter from the Collector, No. 981, dated 13th April 1878.

map may be urged its well-known general accuracy. There are reasons in the present instance however for distrusting it.

Sheet No. 59. Part of boundary between N. Lat 14° 59' and 15° 2'.

This may possibly be an error in engraving.

The Surveyor-General's map in this place is correct.

In other places both the Atlas of India and the Surveyor-General's map show the boundary line as passing over the top of the hill, whereas there can be no doubt from the paymaish accounts that the true boundary is at those points the foot of the hill. In both maps the hills near Ramandrug are incorrectly shown.

I do not consider that either map can safely be taken as a general basis of settlement. The Tahsildar of Kudligi produces a rough sketch of his taluk not drawn to scale, the names in which are entered in Mahratta. This is not authenticated or dated, and is of no value in determining the question at issue.

8. On behalf of Sundoor are adduced three Canarese inscriptions, one on stone and two on copper plates.

The stone is on the floor of a small building containing three tombs in the village of Chika Sundoor.

The tombs are held in some veneration, and the stone is now so worn by the feet of pilgrims that it is not possible to decipher the inscription.

But in 1864 when visited by Mr. Lilly, then Acting Head Assistant Collector, it was still legible. Mr. Lilly took a copy, but he reported that the name of the inscriber was unknown, and that no evidence as to the antiquity or reliability of the inscription could be produced. No further evidence on these points is forthcoming.

One of the copper plates is almost an exact transcript of the stone inscription, differing from it very slightly here and there, but the purport is the same. It professes to record the boundaries fixed by Sir Thomas Munro to the Sundoor Jaghire in the year 1740 of the Salivana era, Anno Domini 1818.

The stone inscription does not mention the day of the month, but the copper plate gives it as the 5th day of Asvija, 30th September. On that date Sir Thomas, then General, Munro was in Madras.

He had resigned command of a division and his Civil appointment of Political Resident and Collector in the Southern Mahratta States a month before, and was waiting for a ship to take him home. He does not appear to have been then holding any official position which would authorize the action which these inscriptions profess to record.

They are in any case open to the same objection as that brought by the Agent against the Indian Atlas.

I have however carefully examined the boundaries as defined by the inscriptions, and compared them on the ground with the paymaish accounts. In a few places they agree. But they are generally too vague to throw much light on the question at issue, viz., whether the boundary is the top or bottom of the hills. It has been objected to these inscriptions that, although dating from 1818, they were not produced when Mr. Robertson inquired into the Joga boundary dispute in 1832. The Sundoor Agent attributes this omission to the ignorance or carelessness of the Vakil then employed by the Rajah. It is, however, worthy of remark that the frontier limits on the side of Joga are far more minutely defined in both inscriptions than any other part of the boundary. I cannot altogether divest my mind of the suspicion that these inscriptions were not in existence when Mr. Robertson held his inquiry. The fact that until recently the only important boundary dispute between Sundoor and the Government villages was on the side of Joga may account for the particular care with which the boundary at that point is defined. The second copper plate, which professes to date from A. D. 1288, contains no matter pertinent to the present inquiry. I append translations of the copper-plate inscriptions, for which I am indebted to the Reverend E. Lewis, of the London Mission.

9. There is, in fact, no reliable guide on which to found some general principle of settlement applicable to the whole boundary.

I have therefore considered each dispute separately and subjoin a detailed report.

A separate sketch for each dispute is appended.

10. No. 1 Dispute.—Beginning from the trijunction of Sundoor, Mysore, and the Hospet taluk the first dispute comprises the boundary on the side of the Government villages of Rajapuram, Oblagandi, Ayanahalli, and Lingadahalli.

The trijunction above mentioned is at the foot of the hills, and at the mouth of a deep gorge which penetrates for more than a mile into the boundary range. In this gorge there are a few acres of cultivation, not included in the paymaish accounts, for which Government pattas have been granted, paying a total sist of 8 Annas.

In Rajapuram Paymaish Nos. 33, 57 and 59 reach to the foot of the boundary range.

These numbers are described in the paymaish accounts as bounded by peramboke and hill peramboke. There is nothing to show that part or whole of the slope does not belong to Government.

Presumably part of the slope does belong to Rajapuram.

For in the paymaish accounts of Oblagandi, field No. 48, which is bounded on the south by land described in the Rajapuram accounts as hill peramboke, is entered as bounded by the Rajapuram boundary.

In Oblagandi 31 paymaish fields touch the foot of the slopes. Some of them are cultivated.

They are described in the paymaish accounts as bounded on the west by hills. In some places the name of the hill is given but in no case do the words Sundoor or Sundoor boundary occur, nor is the name of the Raja's village on the other side of the hill mentioned.

In two places the hill outside the paymaish is described as Sarkar Anadi, and in one place as Sarkar Peramboke.

At the foot of the hill called Doni Mallai more than half a mile beyond the paymaish limits is a mango tope containing about 40 trees.

The Oblagandi villagers claim these trees but can produce no putta.

In Ayanahalli six paymaish numbers reach to the foot of the hill, all described as bounded by hills without specifying whether the hills belong to Sundoor, or to Government.

In Lingadahalli within the paymaish limits there are many low hills, more or less connected with spurs running out from the boundary range, and the paymaish boundary is not continuous, several numbers being detached from the main body of the village. One detached block containing paymaish fields 47 to 59 touches the foot of the main range. Four of these fields are described in the paymaish accounts as adjoining the Yetanhatti boundary.

As the village of Yetanhatti belongs to Sundoor, there can be no doubt that at this point the paymaish limit is the true boundary.

But an adjoining field is entered as bounded by hill, no mention being made of the village to which the hill belongs. The boundary line proposed by the Rajah's Agent is;—

Rajapuram, the foot of the slopes.

Oblagandi, about one-third of the line at the foot of the slopes, and the remaining two-thirds about half-way up the slope.

Ayanahalli and Lingadahalli, the paymaish limits, which the Agent states do not touch the hill, but in this he is mistaken.

Mr. Wright proposed that the boundary line for the four villages should pass over the top of the outer range of hills, giving no reason for his proposal except the want of grazing ground in the Government villages.

I cannot follow him here, as there is ample grazing ground within the paymaish limits in all four villages.

I would propose the following boundary line:—

Rajapuram.—From the trijunction of Rajapuram, Mysore and Sundoor across the stream which flows from the gorge known as Ragava Kola to a stone placed half-way up the slope of the hill called Pacharayani Konda.

From this stone a line passing along the face of the hill midway between the top and the bottom to another stone also half-way up the slope which will mark the trijunction of Rajapuram, Oblagandi and Sundoor.

This line gives to Sundoor all cultivation within the gorge of Ragava Kola.

Oblagandi.—From the stone just mentioned at the trijunction of Rajapuram, Oblagandi and Sundoor, a line passing along the face of the hill to another stone half-way up the slope immediately above the north-west corner of paymaish field No. 172. This stone will be the trijunction of Oblagandi, Ayanahalli and Sundoor.

Ayanahalli.—From the stone just mentioned across a saddle to the south-west corner of paymaish field No. 4 in Ayanahalli, to which village will belong the spur bounded by the paymaish fields Nos. 2, 3, 4 and 5. From the south-west corner of field No. 4 along the paymaish limits at the foot of the hill as far as the point of junction of the paymaish of Ayanahalli and Lingadahalli at the foot of the hill, which point will be the trijunction of Ayanahalli, Lingadahalli and Sundoor.

Lingadahalli.—From the trijunction above mentioned along the paymaish limits of fields, Nos. 23 and 44. Then across a saddle to the south-east corner of paymaish No. 47, thence along the paymaish limits at the foot of the hill as far as the point of junction of paymaish Nos. 58 and 59 at the foot of the hill, thence a straight line across the jungle to the black rock known as Karati Kal.

At this point the first dispute ends.

11. No. 2 DISPUTE.—The next dispute comprises the boundaries of Gouripuram, Gangalapuram, Nagalapuram, Tallur and part of Joga. The dispute begins at the point of junction of Gouripuram and Yetinhatty at the foot of the hill, being the south-west corner of paymaish No. 47 in Gouripuram and it ends at the first stone fixed by Mr. Clougston on the Joga boundary at the foot of the hill of Musanavade Tattu.

The Rajah's Agent proposes that the boundary line should pass along the face of the hill midway between the top and bottom. Mr. Wright proposed that the boundary should pass along the top of the hill. The paymaish limits reach to the foot of the hill.

The accounts do not state whether the hill belongs to Sundoor or to Government.

I consider that the Agent's proposal to give the lower half of the slopes to the Government villages should be accepted.

The upper half of the slope is rocky and precipitous and of little or no use for grazing purposes. The boundary would thus be a line drawn from the point of junction of Gouripuram paymaish field No. 47 and the Sundoor village of Yetanhatty at the foot of the hill to a stone immediately above it half-way up the slope. This stone will be the trijunction of Gouripuram, Yetanhatty, and Moraripur of Sundoor. From this stone the line will pass along the face of the main range midway between the top and the bottom to another stone also half-way up the slope immediately above the first mark A fixed by Mr. Clougston on the Joga boundary, to which point the boundary line will descend.

Stones will be placed on the line half-way up the slope to mark the points of junction of Gouripuram and Gangalapuram, and of the other villages mentioned above, with the Sundoor Territory.

12. No. 3 DISPUTE.—The third dispute begins at the last stone F fixed by Mr. Clougston on the Joga boundary at the point known as Hira Gangadi and extends as far as the hill called Pavanala Vatlu. It comprises the boundaries of Joga, Kakbal, Gundlavadigiri, Papa Nayakanhalli, Wadderhalli, Ingligi and Kariganur.

The paymaish limits reach to the foot of the outer slope. The accounts of Joga do not state whether the hill belongs to Sundoor or to Government. In Kakbal the paymaish limits would appear in one place to be the boundary, viz., on the west side of fields Nos. 32, 59 and 60. In Gundlavadigiri and Papa Nayakanhalli the entries in the accounts are doubtful.

In Wadderhalli and Ingligi they shew that the paymaish limits are in nearly every place the true boundary. In Kariganur one out of four fields touching the hill is entered as bounded by the Sundoor village of Medarahalli, but the entry for the next field describes the hill as Sarkar Tekadi. The line proposed by the Agent would give to the Government villages large tracts of hill and jungle outside the paymaish limits. Mr. Wright proposed to give them more still. His line passes over the top of the hills.

He gives two reasons for this:—First, that certain paymaish numbers of Papa Nayakanhalli in a valley called Setikeri should be included in the boundary of that village. His meaning is not clear, as the line proposed by the Agent distinctly gives this cultivation to Papa Nayakanhalli.

Mr. Wright's second reason is that about ten acres of land in a small valley some distance within the hills have been cultivated for about twenty years by the Ingligi villagers.

This cultivation has since been given up, and it is clear from the paymaish accounts that it was situated far within the Sundoor boundary.

I consider that the line proposed by the Agent should be adopted. It will leave Mr. Clougston's last mark at Hira Gangadi, which is on the banks of a stream shown in Mr. Wright's map. The line will pass along the left bank of this stream to the junction of the latter with another stream which flows from the saddle called Ada dibba along the valley called Kanigina Marada.

From the point of junction of the two streams up the right bank of the latter as far as Ada dibba, on which a stone should be placed to mark the trijunction of Joga, Papa Nayakanhalli and Sundoor. Thence along the left bank of another stream shown in Mr. Wright's map as far as the south-east corner of paymaish No. 92 of Papa Nayakanhalli.

Thence along the southern boundary of paymaish fields 92, 91, 90, 89, 88, 87, then across another saddle and along the foot of the main block of hills to the mouth of the gorge called Jogapana Kola, and then along a bridle path as far as the gorge called Karidikola. The cultivation at the mouth of this gorge belongs to the Government village of Ingligi.

The boundary line should skirt this cultivation and then ascend the hill to a stone fixed half-way up the slope.

From this stone the line will pass along the face of the hill as far as the Kariganur boundary, which is undisputed.

Thence to the top of the hill known as Pavanala Vatlu, where this dispute ends.

13. No. 4 DISPUTE.—The next dispute begins at the north-west corner of paymaish field No. 103 in the village of Somalapur, Kudligi taluk.

It comprises part of the boundaries of the Government villages of Somalapur, Bisapuram, Akkanahalli, Ankamanhal, Saniyashalli, Jiganhalli, Tumaragudi with its deserted hamlet of Angadi-Hiranhalli, Errainhalli, Maladevanhalli, Swamihalli, Tonasagiri Gola, Linganaahalli, Bomalagundu and Motulakunta. The dispute ends at the mark erected by the Mysore Revenue Survey at trijunction of Mysore, Motulakunta and Sundoor.

The entries in the paymaish accounts of the first four villages, Somalapur, Bisapuram, Akkanahalli, and Ankamanhal, make it almost certain that the paymaish limit is at this place the true boundary, and in Akkanahalli and Ankamanhal the villagers acknowledged to me that this was the case. They appear to have taken advantage of Mr. Wright's investigation to prefer claims hitherto unthought of. The paymaish limits of the next four villages, Saniyashalli, Jiganhalli, Tumaragudi, and Errainhalli, reach to the foot of two unusually large spurs known as the Mana Dibbalu. These spurs enclose a tract of low jungle containing about 500 acres registered in the paymaish accounts as belonging to Angadi-Hiranhalli hamlet of Tumaragudi. The spurs are claimed by Sundoor.

The entries in the paymaish accounts of fields bordering on the western spur are doubtful. But it is clear from the accounts of Tumaragudi and Errainhalli that the eastern spur belongs to Tumaragudi, or rather to its hamlet, Angadi-Hiranhalli. Mr. Wright's sketch, to the accuracy of which at this place the Rajah's Agent takes exception, is, I find, substantially correct. I do not think it would be possible for any unprejudiced person to inspect the ground without coming to the conclusion that both the spurs belong to Government. The fields on the border of the next two villages, Maladevanhalli and Swamihalli, are entered in the paymaish accounts as bounded on the north by Kumaraswami hill. The Kumaraswami pagoda, from which the hill takes its name, belongs to Sundoor. In the next village, Tonasagiri, the entries are doubtful. One of the fields, No. 140, contains mango trees which are claimed by Sundoor. The locality is wild and not easy of access. The Sundoor people state that the fruit, being of little value, is taken by any person who chooses, but the Tonasagiri villagers depose that these trees are held on patta, and that the fruit is gathered and sold by Government ryots. For Golalinganahalli, Bomalagundu and Motulakunta, the entries in the paymaish accounts are doubtful.

The Raja's Agent did not propose to make any concession beyond the paymaish boundary west of the two spurs mentioned above. East of them he is willing to concede in some places a fourth, and in others a third of the slopes in dispute. As regards the boundary west of the spurs, I agree with the Agent, except that I consider his claim to include the spurs within the Sundoor boundary untenable.

In Saniyashalli, too, although the paymaish limits are in some places nearly a mile from the foot of the hill, the intervening jungle is acknowledged by the Sundoor villagers to belong to Government.

The boundary should tally with the paymaish limits of Somalapur, Bisapuram, Akkanahalli, and Ankamanhal.

From the trijunction of Ankamanhal, Saniyashalli and the hill, the boundary should be the foot of the hill as far as the saddle which connects the western Mana Dibba with the main range.

The boundary line should cross this saddle, pass along the foot of the main range as far as the eastern Mana Dibba, which it should cross at the point of junction of the spur and the main range, to the paymaish limits of Errainhalli.

For Maladevanhalli and Swamihalli, giving to Sundoor the benefit of the doubt caused by the use of the word Kumaraswami in the paymaish accounts, the foot of the hill may be considered the boundary.

For the remaining villages of Tonasagiri, Golalinganahalli, Bomalagundu and Motulakunta, in the absence of conclusive evidence on either side, the boundary line should, I consider, pass along the face of the slopes of the main range midway between the top and bottom of the hill.

This will give to the Government village of Tonasagiri the mango tops in Nirukola, which is held on a Government patta, and to the enjoyment of which the Sundoor villagers have entirely failed to substantiate their claim.

14. With regard to the portion of the boundary settled by Mr. Wright on the side of Danapuram, Gunda, Nagalapuram and Garga of the Hospet taluk, I agree with Mr. Wright and the Rajah's Agent that the boundary line should run parallel to the base of the hill, at the

same distance from it as the stone, south of the road on the Nagalapuram boundary known as the Katani Kal.

Although the Government villagers now deny having agreed to this boundary, as mentioned by Mr. Wright in paragraph 14 of his report, I find that there is a written agreement, not mentioned by Mr. Wright, which was executed in 1848, and entered in the paymaish accounts of Gunda, a hamlet of Nagalapuram.

This agreement defines the boundary as now proposed.

On receipt of instructions, the whole boundary line of the Sundoor State will be demarcated and surveyed.

APPENDICES.

- 1 to 4. Sketch of each dispute.
5. Sketch map prepared by Mr. Wright.
6. Map received from Surveyor-General.
7. Translation of copper-plate inscriptions.

ENCLOSURES Nos. 2 to 7.—Maps.

ENCLOSURE No. 8.—Translation of copper-plate inscriptions.

SUBMITTED to Government with reference to G.O., dated 6th February 1878, No. 183.

2. Mr. Cardozo appears to have executed the task entrusted to him in as satisfactory and impartial a manner as the imperfect nature of the evidence available on either side would admit of. The Board recommend that the boundary line proposed be adopted, and that the Superintendent of Revenue Survey be authorized to have it surveyed and demarcated with as little delay as possible, the cost being shared equally by the Government and the Sundoor State.

(True Copies and Extract.)

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

No. 240.

ORDER THEREON, 21st October 1878, No. 1,706.

Miscellaneous.

THE Government accept the decision of Mr. Cardozo as arbitrator, and authorize the Superintendent of Revenue Survey to arrange for having the boundary line, as settled by that gentleman, at once permanently demarcated.

2. The Board of Revenue will cause a copy of these Proceedings to be furnished to the Agent of the Rajah of Sundoor.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under Secretary to Government.

To the Board of Revenue.
„ the Superintendent of Revenue Survey.

Exd. J. W. Fischer.

Boundary between Sundoor and Bellary —
Accepting the decision of Mr. Cardozo es. arbitrator regarding the —, and authorizing the Superintendent of Revenue Survey to arrange for having the boundary line, as settled by that gentleman, at once permanently demarcated. Instructing the Board of Revenue to have a copy of these Proceedings furnished to the Agent of the Sundoor Rajah.

OCTOBER.
Nos. 239-240.

G.O., 21st October 1878, No. 1,700.

Dated October, 21st.
Printed 31st.

Buck.

THE BOARD OF REVENUE,
H.C., H.C., H.C.

REVENUE.

Govt of [1878] Mysore.

CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

No. 2,191.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th August 1878.

Read the following letter from Lieut. Col. A. DE C. SCOTT, R.E., Superintendent of Revenue Survey, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Kotagerry, 29th June 1878, No. 2,181-42:—

I HAVE the honor to forward, for disposal by the Board of Revenue, and with reference to G.O., No. 183, dated the 6th February 1878, a report* by Mr. H. O. C. Cardozo, Deputy Superintendent, Revenue Survey, together with maps and enclosures as per margin giving full detail of his settlement of the Sundoor boundary.

2. The duty entrusted to Mr. Cardozo necessitated his travelling and living under canvas for a month during the most trying season of the year. He has bestowed much care in the collection and investigation of evidence relating to the matters in dispute, and I trust that the result will be deemed satisfactory.

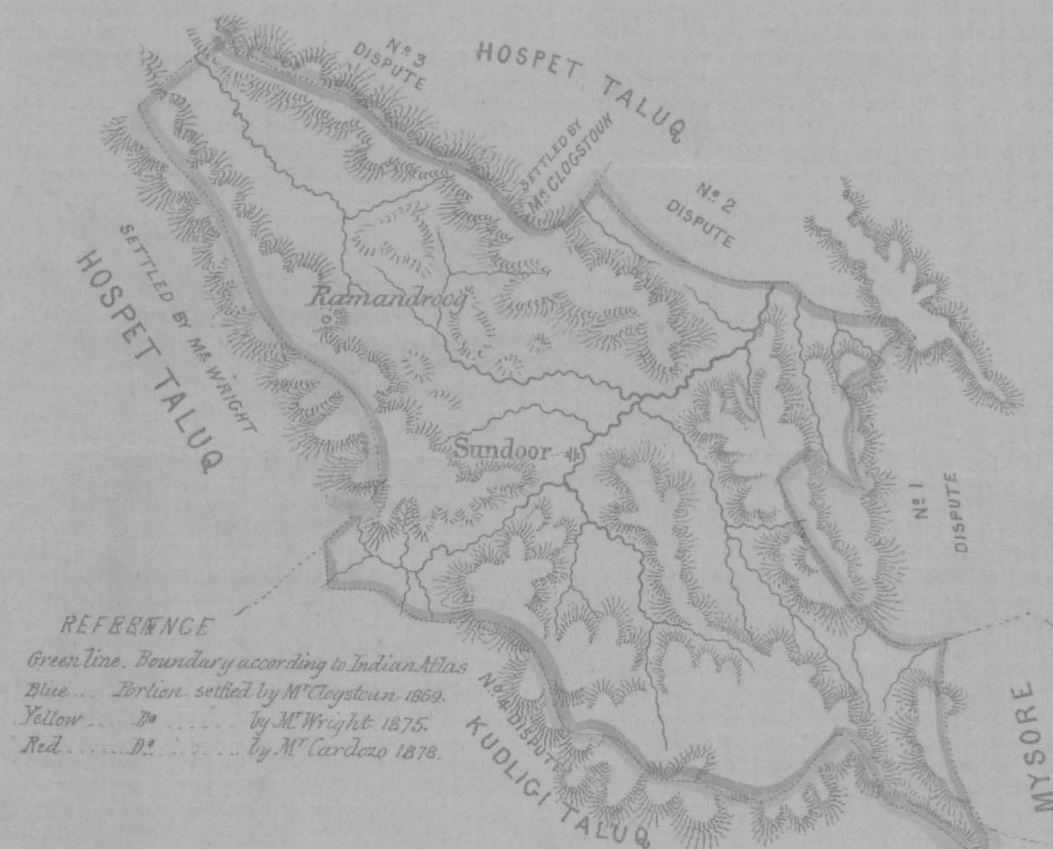
ENCLOSURE No. 1.

From H. O. C. CARDOZO, Esq., Deputy Superintendent, No. 2, Revenue Survey, to Lieut.-Colonel A. DE C. SCOTT, R.E., Superintendent of Revenue Survey, dated Bellary, 20th June 1878, No. 703-221.

Reference, G.O., No. 183, dated 6th February 1878, directing the settlement of dispute on the Sundoor boundary.

I HAVE the honor to submit my report on the Sundoor boundary dispute. On the 10th of April I left Bellary for Ramandrug to meet the Rajah's Agent, who was prevented by illness from joining me in camp. I spent three days at Ramandrug, Saturday to Monday 13th to 15th April, and with the Agent went through the papers connected with the disputes. On the 16th I went with the Agent to Sundoor to examine an inscription on a tomb which is supposed to define the Sundoor boundary as recognized half a century ago. I then proceeded to the village of Joga to examine part of the boundary which was settled by Mr. Clogstoun in 1869. I spent three days in comparing the ground with his report, and then proceeded to examine the rest of the boundary line, completing the circuit of seventy miles on the 14th of May.

G.O., No. 190, dated 2nd June 1869.



map may be urged its well-known general accuracy. There are reasons in the present instance however for distrusting it.

Sheet No. 59. Part of boundary between N. Lat 14° 59' and 15° 2'.

In one place the boundary range of hills is very incorrectly shown in the Atlas sheet.

This may possibly be an error in engraving.

The Surveyor-General's map in this place is correct.

In other places both the Atlas of India and the Surveyor-General's map show the boundary line as passing over the top of the hill, whereas there can be no doubt from the paymaish accounts that the true boundary is at those points the foot of the hill. In both maps the hills near Ramandrug are incorrectly shown.

I do not consider that either map can safely be taken as a general basis of settlement. The Tahsildar of Kudligi produces a rough sketch of his taluk not drawn to scale, the names in which are entered in Mahratta. This is not authenticated or dated, and is of no value in determining the question at issue.

8. On behalf of Sundoor are adduced three Canarese inscriptions, one on stone and two on copper plates.

The stone is on the floor of a small building containing three tombs in the village of Chika Sundoor.

The tombs are held in some veneration, and the stone is now so worn by the feet of pilgrims that it is not possible to decipher the inscription.

But in 1864 when visited by Mr. Lilly, then Acting Head Assistant Collector, it was still legible. Mr. Lilly took a copy, but he reported that the name of the inscriber was unknown, and that no evidence as to the antiquity or reliability of the inscription could be produced. No further evidence on these points is forthcoming.

One of the copper plates is almost an exact transcript of the stone inscription, differing from it very slightly here and there, but the purport is the same. It professes to record the boundaries fixed by Sir Thomas Munro to the Sundoor Jaghire in the year 1740 of the Salivana era, Anno Domini 1818.

The stone inscription does not mention the day of the month, but the copper plate gives it as the 5th day of Asvija, 30th September. On that date Sir Thomas, then General, Munro was in Madras.

He had resigned command of a division and his Civil appointment of Political Resident and Collector in the Southern Mahratta States a month before, and was waiting for a ship to take him home. He does not appear to have been then holding any official position which would authorize the action which these inscriptions profess to record.

They are in any case open to the same objection as that brought by the Agent against the Indian Atlas.

I have however carefully examined the boundaries as defined by the inscriptions, and compared them on the ground with the paymaish accounts. In a few places they agree. But they are generally too vague to throw much light on the question at issue, viz., whether the boundary is the top or bottom of the hills. It has been objected to these inscriptions that, although dating from 1818, they were not produced when Mr. Robertson inquired into the Joga boundary dispute in 1832. The Sundoor Agent attributes this omission to the ignorance or carelessness of the Vakil then employed by the Rajah. It is, however, worthy of remark that the frontier limits on the side of Joga are far more minutely defined in both inscriptions than any other part of the boundary. I cannot altogether divest my mind of the suspicion that these inscriptions were not in existence when Mr. Robertson held his inquiry. The fact that until recently the only important boundary dispute between Sundoor and the Government villages was on the side of Joga may account for the particular care with which the boundary at that point is defined. The second copper plate, which professes to date from A. D. 1288, contains no matter pertinent to the present inquiry. I append translations of the copper-plate inscriptions, for which I am indebted to the Reverend E. Lewis, of the London Mission.

9. There is, in fact, no reliable guide on which to found some general principle of settlement applicable to the whole boundary.

I have therefore considered each dispute separately and subjoin a detailed report.

A separate sketch for each dispute is appended.

10. No. 1 Dispute.—Beginning from the trijunction of Sundoor, Mysore, and the Hospe taluk the first dispute comprises the boundary on the side of the Government villages of Rajapuram, Oblagandi, Ayanahalli, and Lingadahalli.

The trijunction above mentioned is at the foot of the hills, and at the mouth of a deep gorge which penetrates for more than a mile into the boundary range. In this gorge there are a few acres of cultivation, not included in the paymaish accounts, for which Government pattas have been granted, paying a total sist of 8 Annas.

In Rajapuram Paymaish Nos. 33, 57 and 59 reach to the foot of the boundary range.

These numbers are described in the paymaish accounts as bounded by peramboke and hill peramboke. There is nothing to show that part or whole of the slope does not belong to Government.

Presumably part of the slope does belong to Rajapuram.

For in the paymaish accounts of Oblagandi, field No. 48, which is bounded on the south by land described in the Rajapuram accounts as hill peramboke, is entered as bounded by the Rajapuram boundary.

In Oblagandi 31 paymaish fields touch the foot of the slopes. Some of them are cultivated.

They are described in the paymaish accounts as bounded on the west by hills. In some places the name of the hill is given but in no case do the words Sundoor or Sundoor boundary occur, nor is the name of the Raja's village on the other side of the hill mentioned.

In two places the hill outside the paymaish is described as Sarkar Anadi, and in one place as Sarkar Peramboke.

At the foot of the hill called Doni Mallai more than half a mile beyond the paymaish limits is a mango tope containing about 40 trees.

The Oblagandi villagers claim these trees but can produce no putta.

In Ayanahalli six paymaish numbers reach to the foot of the hill, all described as bounded by hills without specifying whether the hills belong to Sundoor, or to Government.

In Lingadahalli within the paymaish limits there are many low hills, more or less connected with spurs running out from the boundary range, and the paymaish boundary is not continuous, several numbers being detached from the main body of the village. One detached block containing paymaish fields 47 to 59 touches the foot of the main range. Four of these fields are described in the paymaish accounts as adjoining the Yetanhatti boundary.

As the village of Yetanhatti belongs to Sundoor, there can be no doubt that at this point the paymaish limit is the true boundary.

But an adjoining field is entered as bounded by hill, no mention being made of the village to which the hill belongs. The boundary line proposed by the Rajah's Agent is;—

Rajapuram, the foot of the slopes.

Oblagandi, about one-third of the line at the foot of the slopes, and the remaining two-thirds about half-way up the slope.

Ayanahalli and Lingadahalli, the paymaish limits, which the Agent states do not touch the hill, but in this he is mistaken.

Mr. Wright proposed that the boundary line for the four villages should pass over the top of the outer range of hills, giving no reason for his proposal except the want of grazing ground in the Government villages.

I cannot follow him here, as there is ample grazing ground within the paymaish limits in all four villages.

I would propose the following boundary line:—

Rajapuram.—From the trijunction of Rajapuram, Mysore and Sundoor across the stream which flows from the gorge known as Ragava Kola to a stone placed half-way up the slope of the hill called Pacharayani Konda.

From this stone a line passing along the face of the hill midway between the top and the bottom to another stone also half-way up the slope which will mark the trijunction of Rajapuram, Oblagandi and Sundoor.

This line gives to Sundoor all cultivation within the gorge of Ragava Kola.

Oblagandi.—From the stone just mentioned at the trijunction of Rajapuram, Oblagandi and Sundoor, a line passing along the face of the hill to another stone half-way up the slope immediately above the north-west corner of paymaish field No. 172. This stone will be the trijunction of Oblagandi, Ayanahalli and Sundoor.

Ayanahalli.—From the stone just mentioned across a saddle to the south-west corner of paymaish field No. 4 in Ayanahalli, to which village will belong the spur bounded by the paymaish fields Nos. 2, 3, 4 and 5. From the south-west corner of field No. 4 along the paymaish limits at the foot of the hill as far as the point of junction of the paymaish of Ayanahalli and Lingadahalli at the foot of the hill, which point will be the trijunction of Ayanahalli, Lingadahalli and Sundoor.

same distance from it as the stone, south of the road on the Nagalapuram boundary known as the Katani Kal.

Although the Government villagers now deny having agreed to this boundary, as mentioned by Mr. Wright in paragraph 14 of his report, I find that there is a written agreement, not mentioned by Mr. Wright, which was executed in 1848, and entered in the paymaish accounts of Gunda, a hamlet of Nagalapuram.

This agreement defines the boundary as now proposed.

On receipt of instructions, the whole boundary line of the Sundoor State will be demarcated and surveyed.

APPENDICES.

- 1 to 4. Sketch of each dispute.
5. Sketch map prepared by Mr. Wright.
6. Map received from Surveyor-General.
7. Translation of copper-plate inscriptions.

ENCLOSURES Nos. 2 to 7.—Maps.

ENCLOSURE No. 8.—Translation of copper-plate inscriptions.

SUBMITTED to Government with reference to G.O., dated 6th February 1878, No. 183.

2. Mr. Cardozo appears to have executed the task entrusted to him in as satisfactory and impartial a manner as the imperfect nature of the evidence available on either side would admit of. The Board recommend that the boundary line proposed be adopted, and that the Superintendent of Revenue Survey be authorized to have it surveyed and demarcated with as little delay as possible, the cost being shared equally by the Government and the Sundoor State.

(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with seven enclosures to be returned.

Copy to the Collector of Bellary.
" to the Superintendent of Revenue Survey.

REVENUE DEPARTMENT.

No. 3940

From Board of Revenue
Dated 8 August 1878.

FOR ORDERS.

This appears to be a satisfactory conclusion to a long standing dispute. Mr. Cardozo has evidently made a very full & careful enquiry. The Agent to the Sundoor State has made, during the course of the investigation, some

We must shrink at the thought of imposing the decision of the Arbitrator. But if we must accept the decision of the Arbitrator.

602. On 11/10/78. All
11-25-26
6 July 78-55-56

Revenue Department
No 3940.
1878.

Board of Revenue,
MADRAS.

To
THE SECRETARY TO GOVT.
REVENUE DEPARTMENT

Dated 8th August

Printed 17th.

Recd. 29 August

PROCEEDINGS, 8TH AUGUST 1878, No. 2,191.

On 28/8/78. 217
AUGUST.

No. 2,191.

Boundary—between Sundoor and Bellary.—
Submitting to Government report from Superintendent of Revenue Survey on the settlement of the -- and recommending that the proposed boundary line be surveyed and demarcated with as little delay as possible, the cost being shared equally by the Government and the Sundoor State.

8000/701-21 Bellary, Mys

245-9-78
27-10-78

11/10/78

dry objections
to the line pro-
posed by Mr. Fay.
Do so but as it
appears from
the paper record-
ed in G.D. 6 Feb
1878 No 183 N.D.
that he was wil-
ling on the Na-
jaho's behalf
to agree to Mr
Cardozo's award,
what ever it might
eventually be,
nothing now
remains but

Further are equally
bound by it. & do
not gather from
Mr. Cardozo's report
that the Sundown Agent
hesitates to accept it.
Sundown said him-
self to state the
arguments adduced
by Sundown in support
of this view. as the
Govt. has stated
this side of the
question. The Sundown
Agent told of course

San copy of the
Prop. B. will
 embody the report.
Will direct the
boundary as settled
by Mr. Cardozo to be
at once permanently
demarcated.

6.10.78

11/10

to direct the
demarcation
of the settled
line to be car-
ried out.

The Sundown
Agent should
be supplied
with copy of
the proceedings
now under con-
sideration
perhaps.

J. M. L.

FOR ORDERS

No. 1706
Proceedings of the Madras Government.
Under date the 21 October 1878

Read Proceedings
of the Board of Revenue dated
8th August 1878, No 2191
submitting to Government
report from Sup^{ts}, Revenue
Survey on the settlement
of the boundary between
Sundoor and Bellary,
and recommending that
the proposed boundary line
be surveyed and demarcated
with as little delay
as possible, the cost being
shared equally by the Govt.
and the Sundoor State.

The Government
accept the decision of
Mr. Cardoso as Arbitrator,
and authorize the
Superintendent

Superintendent of
Revenue Survey to
arrange for having
the boundary lines
as settled by that
gentleman, at once
permanently demar-
-ated.

2 The Board of
Revenue will cause a
copy of these Proceedings
to be furnished to the
Agent of the Rajah
of Sundoor.

14 To the Board of Revenue and to
15 The Dept of Revenue Survey

Go

Boundary between Sundry
and Bally -

See Press

Ch 209.240