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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU
REVENUE DEPARTMENT

G.O. No.	668	Press.
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Dated	14 - 3 - 1878.	197 .

Not to be folded or roughly handled

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GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

6th March 1878, No. 142.

Boundaries.

Read the following paper:—

No. 16. *From C. U. AITCHISON, Esq., Secretary to the Government of India, Foreign Department (Political), to the Chief Secretary to Government, dated Fort William, 28th December 1877, No. 2847-P.*

In acknowledging your letter, No. 355, dated 25th May 1877, to the address of the Officiating Secretary to the Government of India in the Home Department, forwarding copy of correspondence regarding the proposed settlement of the

* From Chief Commissioner, Mysore, No. 3700G, 44R, dated 9th July 1877.

To Chief Commissioner of Mysore, No. 2849-P, dated 28th December 1877.

boundary line between Mysore and the district of South Canara in the Madras Presidency, I am directed to enclose copy of a correspondence* with the Chief Commissioner of Mysore on the same subject, and to communicate the following observations and orders.

2. The treaty rights of the British Government to a boundary giving us possession of the heads of the passes, leading from Mysore to the lowlands, are clear and indisputable. With reference, however, to the absence of a well-defined boundary line and to doubtful possession, His Excellency in Council would exercise those rights with every consideration to the Mysore State, giving way here and there where it is politic or possible to do so without injury to British interests. The Governor-General in Council observes that it is not at present desired to sanction any hard and fast line, and the Government of India will be in a better position to give final judgment after it is placed in possession of the survey of the localities affected, and a report by the Commissioner whom it has been proposed to appoint for the purpose of examining the boundary.

3. Adopting generally the views expressed by the Government of Madras in their letter to the address of the Chief Commissioner, Mysore, No. 326, dated 5th May 1877, the Governor-General in Council agrees to the appointment of an officer of the Madras Government and an officer of the Mysore Administration as proposed, who will conduct their inquiries on the basis laid down in paragraph 4 of that letter. These officers, however, will not decide and settle the boundary, but should be instructed to submit a report on the subject to the Government of India through the Government of Madras, and at the same time to furnish a copy to the Chief Commissioner of Mysore. A clear map showing the exact configuration of the country should accompany the report.

No. 17. ORDER THEREON, 6th March 1878, No. 142.

In the letter above recorded the Government of India state, with reference to the disputed boundary between Mysore and Canara, that the treaty rights of the British to the possession of the heads of the passes are clear and indisputable, but they would exercise those rights with every consideration to the Mysore State. They then adopt generally the views of the Madras Government as expressed in their letter to the Chief Commissioner of Mysore, dated 5th May 1877, No. 326, and agree to the appointment

of a boundary commission 'who will conduct their inquiries on the basis laid down in paragraph 4 of the letter above referred to, and submit a report on the subject to the Government of India through the Government of Madras, accompanied by a clear map showing the exact configuration of the country.

2. The basis of settlement thus approved by the Government of India is as follows:—

- (a.) The treaty line to be recognized as the proper boundary line, but may be departed from where a locally-recognized boundary differing from the treaty line exists without dispute.
- (b.) When a dispute exists, the burden of proof to lie on the parties who allege a deviation from the line laid down by treaty.
- (c.) The nature of the proof to be left to the officers deputed to make the inquiry.
- (d.) The treaty line to be fallen back upon when the officers holding the inquiry are unable to come to an agreement as to the value of the proof submitted, or otherwise to arrive at a satisfactory settlement.

3. With the above as a guide matters of detail may safely be left to the discretion of the officers appointed to carry out the work, but it seems necessary to draw their attention to the fact that in their letter of the 5th May 1877, the views expressed in which have been adopted generally by the Government of India, the Government of Madras specifically adhered to the definition of the treaty line laid down in their letter of the 21st November 1873, No. 1286, viz., that under the treaty the territories of the Rajah are bounded by the summit of the ghats. They also indicated in paragraph 4, that, in their opinion, settlement by the light of village accounts is only free from objection in cases in which there is no discrepancy between the Mysore and Canara accounts. It is also distinctly understood that the definition of the territorial boundary will in no way affect rights of property or established individual possession.

4. An officer will be at once named for the work.

(True Extract.)

[Signature]
Chief Acting Under-Secy. to Govt.

To the Revenue Department. ✓

Encl. A. F. Goodall.

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14. March 78.
7. 7000 0000 of Dec 18-15 1877

Board of Revenue in continuation
of G. O. dated 25 June 1877 No 3595-
communicates to the
No 668.

Revenue Department

No 1041

Govt. of 1878

POLITICAL.

THE REVENUE DEPARTMENT

Dated 11th March 1878.

19
19th March

G. O., 6th March 1878, No. 142.

MARCH
Nos. 16-18.

Remarks recorded regarding the
basis of settlement of the disputed boundaries
between the State and China.

No 668. 14th March 1878

14th March