M.R.O. 1—77,006—8-6-37.

(1) Number of pages 45

(2) Date of repair 11.5.43

(3) Initials of the Referencer

CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 777 ~~Press~~ Mis.

282-283

Dated 22-5- 1878.

Not to be folded or roughly handled

11-5-43

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

22nd May 1878, No. 777.

Read the following paper :—

No. 282. From Major T. G. CLARKE, Secretary to the Chief Commissioner of Mysore, to C. G. MASTER, Esq., Secretary to Government, Revenue Department, Fort St. George, dated Bangalore, 8th April 1878, No. 122-3.

I AM directed to acknowledge the receipt of your letter, No. 3,145, dated 24th October last, forwarding copies of certain Proceedings of the Board of Revenue, together with seven original maps (herewith returned), on the subject of the boundary dispute between Mysore and Malabar, and requesting to be informed, with reference to the "Mavinahulla" dispute, whether the opinion which the Chief Commissioner has already formed in favor of Captain vanSomeren's view of the question, remains unchanged.

2. In reply, I am directed to forward copies of the marginally-noted communications, and to state that the original dispute being in respect of the land lying between the Mavinahulla and Pongani streams, it is evident that the line drawn by the Commission of 1868 from Kalhulla to the junction of the Mavinahulla with the Kanagalhulla must have run through the disputed tract and terminated at some point south of the Mavinahulla; but the line which Mr. Logan, the Collector of Malabar, supposes to have been intended by the Commission of 1868 runs across land which was not in dispute before and terminates at a point north of the Mavinahulla, viz., the junction of the Ankalhulla with the Kanagalhulla, to which no allusion was made by the Commission of 1868. There is no doubt that the Commission of 1868 erred in their description of the line, but it is not probable, I am to remark, that they could have fixed the line beyond the tract which was actually in dispute. Captain vanSomeren has been able to supply facts confirmatory of his contention that the point fixed by that Commission was at the junction of the Mavinahulla and Kanagalhulla streams; and on carefully reviewing the whole correspondence with the comments of the Board of Revenue, the Chief Commissioner adheres to the views expressed in my letter, No. 2,016-25, dated 24th May 1877, and would respectfully urge that the frontier line may be definitively fixed in accordance therewith.

(1) Nos. 2,084-216, dated 20th December 1877, from Conservator.
(2) Nos. 2,494-260, dated 26th February 1878, from Conservator, with Memorandum.
(3) Nos. 671-254, dated 4th March 1878, from Commissioner, Ashtagram Division.

ENCLOSURE No. 1.

From Captain J. vanSOMEREN, Conservator of Forests, Mysore and Coorg, to Major T. G. CLARKE, Secretary to the Chief Commissioner of Mysore, dated Bangalore, 20th December 1877, Nos. 2,084-216.

WITH reference to your Nos. 7,825-640 of the 30th ultimo, I have the honor to offer the following observations on Proceedings, No. 200, of 24th October, of Madras Government, regarding the disputed portion of forest land near the Mavinahulla.

2. I do not think it necessary to remark on various other points which occur to me, but simply to bring up the following :—

At paragraph 6 (page 18) of the Board of Revenue's remarks, I find the Board again alludes to Mr. Underwood's "Arrows." That Mr. Underwood was mistaken in stating that the officers sent out in 1868 had cut any arrows is admitted. Major Pearse's memorandum on the results of the 1877 inspection has not been sent me, so I cannot quote the words; but

if looked at, you will find that he states that the Mysore officers showed that the arrows were s departmental mark, and that other arrows identical in appearance were shown to Mr. Logan and him, at Mr. Logan's request, off the line laid down by Mr. Underwood, as that selected by the Commission of 1868. Also please see Mr. Logan's note on page 14 of the Proceedings. He calls the arrow heads "unreliable." If Mr. Underwood's arrows are thus rejected by Mr. Logan, I do not see how they can again be brought up by the Board of Revenue, as proving Mr. Underwood's statement and tending to show my recollection to be bad. They rather tell strongly in my favor. No arrows were cut. Mr. Underwood visited the line once in 1868, and once again after the lapse of many years with Mr. Peet. Of the cross at the Kanagalhulla I am sure.

3. I did not see Mr. Fullerton's letter when he wrote it, and only reiterate the fact that we did *not* trust the Trigonometrical map, and the fact is now clear that the large stream in it is not in existence. This error of showing the large stream falling into the Kabani at the point aimed at by Mr. Peet and Mr. Underwood was repeated in the map first made by the Revenue Survey and corrected by Captain Freeth. Here Major Pearse is right.

4. In 1868 we did not cross the Kabani, nor reach Kakenkote bungalow till late at night, and not within a very short while of marking the cross at the Kanagalhulla and Mavinahulla.

5. The land in dispute in 1868 lay between the Mavinahulla and Ponganitode, and whatever errors the officers of 1868 may have made, that and that only was then in dispute, (see Mr. Fullerton's early letter). To go north of the Mavinahulla stream now will simply be to shift the venue and to give away Mysore land. If Mr. Fullerton meant the Ankal stream, why did he not say so? and there are no grounds that I can see why the Board of Revenue should (page 18, line 10, of paragraph 6) assume that Lieutenant Fullerton could not be mistaken, and I have already shown the incorrectness of Mr. Underwood's recollections of the arrows on which the Board still rely.

6. I know now that the Yerramarrna and Shigebetta are distinct trees, but I join issue with Mr. Logan that the grounds for this assumption in 1868, that they were not insufficient. I still believe that Dr. Cleghorn made some mistake, for the large mango tree is now about 600 yards north of Bomadakaparibetta, while the Shigebetta tree is not in that locality at all.

7. With reference to the words recorded by the Board of Revenue on page 18, lines 16—20, I can only state most respectfully that the Board of Revenue has arrived at a wrong conclusion.

8. Lastly, I think it necessary to state that the Commission of 1868 did not go in a "hap-hazard" way over the country, and nothing that Major Pearse said to me ever led me to think that that was his conclusion, as stated by Mr. Logan. In 1868, the Commission had no survey officer with them,—only one pocket compass, walked through long grass frequently over their heads. In 1877 the line had been cleared to a width of 21 feet, all obstruction removed, and a survey officer accompanied the party. The officers of 1868 did not walk in a dead line as they meant to, but that was entirely owing to the disadvantages they labored under, and an outside deflection of ¾ of a mile, in seven miles or so, is not much under the circumstances.

9. The original seven sketch maps are herewith returned.

From the Conservator of Forests, Mysore and Coorg, to Major T. G. CLARKE, Secretary to the Chief Commissioner of Mysore, Dufter Department, dated Mercara, 26th February 1878, Nos. 2,494-260.

IN continuation of this Office, Nos. 2,084-216, of the 20th December 1877, the undersigned has the honor to submit a memorandum on the Mavinahulla boundary dispute, prepared by him after a late visit to the Begur forests in this month.

(Signed) J. VANSOMEREN, Captain,
Conservator of Forests, Mysore and Coorg.

MEMORANDUM.

Mr. Logan's letter, Page 9.

ALL the Italics which appear in my letter of 26th March 1868, as printed by Mr. Logan, are so entered by him.

Note 1. Mr. Logan thinks it is unfortunate that as there are so many Mavinahullas in the forest, we should have in 1868 taken a stream so named as the boundary. We did so because the strip between the Mavinahulla and Pongani was in dispute, and we could not change existing names. But as a matter of fact there *is no other* Mavinahulla running into the Kanagalhulla,

and the only other stream which might be confused with it is the Yene Mavinahulla which runs in an opposite direction. Mr. Peet named an imaginary stream (which was entered on the Madras Revenue Survey map, sent us in 1877) the Siri Mavinahulla. But this was a name Mr. Peet gave to a slight depression in the ground which was not even the line pointed out by Mr. Underwood as the junction, and certainly not the line selected in 1868 and cut by the Mysore Forest Department during 1868. Again, this imaginary stream was found by Captain Freeth in 1877 to have no existence and by him rubbed out of the map.

2. The two other Mavinahullas noted by Mr. Logan are miles away,—one near Bearambudi Forest, the other in Ainur Mariguddi forest.

3. Mr. Logan *assumes* that Mr. Fullerton in 18[illegible] *"thought"* he went to the Anckal, and then reasons as if it was a fact.

4. Mr. Logan's statements of where Mr. Fullerton and I were wrong (No. 4) *our* Mavinahulla is not a fictitious stream, though we miscalled it Goomchi or Mavinahulla.

II. If Mr. Logan says I am wrong in calling the Yenemavina stone the one that Dr. Cleghorn called Shigebetta stone, why did Mr. Logan in 1877 begin from the same stone, as did the Commission of 1868, and work on it? In my letter of March 1868 I state very clearly *why* we took this stone, because it was the last stone put up by Dr. Cleghorn. There is a Great Trigonometrical Survey Station on Shigebetta.

III. Mr. Logan, at page 12, his Note 7, makes much of Mr. Fullerton's saying that "we all agreed that from the junction of the Mavinahulla and Kanagal streams to the Kabani river, the boundary as laid down by the Trigonometrical map is correct;" and at page 14 Mr. Logan says he "joins issue with Captain vanSomeren," because I say that we could not trust the map. Now Mr. Fullerton says we were in 1868 certain that the Trigonometrical map is right from the junction of the Mavinahulla and Kanagal to the Kabani; while in my Memorandum of 1877 to which Mr. Logan takes exception I distinctly state that we could not trust the details of the map between Kalhalla and the junction of the Mavinahulla and Kanagal. This is the other end of the line; we all know that from the junction of the Mavinahulla and Kanagal to the Kabani was and is correct. Mr. Fullerton specifies that, and the clear inference is that he did not trust the other bit of the T[illegible]gonometrical map line, and Mr. Logan's reasoning in his note 208, page 12, is inconsequentia

IV. I entirely dispute Mr. Logan's note 13, page 13. W[illegible] did not make for the fictitious points on the Trigonometrical map, nor think we had gone there. Captain Freeth's map shows that no such junction as laid in on the Trigonometrical map exists within ¾ mile of Gundre. Mr. Logan makes much in other places of our h[illegible]g walked not in a straight line. In his note No. 13 Mr. Logan appears to think that bec[illegible] we did not walk quite straight, therefore we meant to go nearly three miles north.

V. Major Pearse, in his report to the Chief Commissioner, showed clearly that Mr. Underwood's references and recollections to "Arrow Heads" cut by the Commission of 1868, were written by Mr. Underwood under a mistake. Major Pearse details how the Mysore Forest Officers in 1877 showed that the arrow heads were working marks of their own, and Mr. Logan allowed that the arrow heads could not be relied upon.

VI. At page 6, paragraph 14, of his letter of 30th January 1877, Mr. Logan says it was clear that in 1868 we were aiming at Owgallyhulla. I can only assert far more exactly that we were not. It would seem to me that this mistake of Mr. Underwood's and on which he based the line he drew goes to prove that my memory is good on the facts, and not that his mistakes shows that my memory is not good. Is it to be supposed that in 1868 the Commission *walked* in *one day* through uncut grass and trees, cutting arrow heads all the way according to Mr Underwood from Yene Mavinahulla to Kalhalla, over some Katibetta (900 feet from bottom to top) down it, to Owgallyhulla then to Kakenkote, having in addition come from Gundre to Yene Mavinahulla in the morning.* Again, Mr. Underwood gives one junction with the Kanagal, Mr. Peet makes another, and calls it Siri Mavinahulla (a name not known to the Kurubas), while Mr. Logan says that the Commission of 1868 meant to go to Owgallyhulla, and the Board of Revenue, *with three different points settled on by its three officers*, passes by Mr. Peet's line and Mr. Underwood's line, and accepts Mr. Logan's. In justice to Mysore I trust that the Board will see fit to change its opinion, for I most respectfully submit that Mr. Logan's impression of where the Commission of 1868 *meant to go* are altogether erroneous and cannot be supported.

* Mr. Logan thinks that we walked in 1868 over some Katibetta, and close up to Halibenebetta, both high hills. These are striking features. Major Cloete in his report says that the land in dispute presents no striking feature, and this is correct.

VII. When we all in 1877 were at the true Mavinahulla Junction, that is, mine as pointed out by me in 1877, and *aimed at in* 1868 *and reached*, I showed the tree on which we then made a cross, not an arrow head. But I now found two crosses on it. This for some time puzzled me, and I at last said "we made one cross and this is the tree; I don't know what the second cross is, but this is the tree." Mr. Peet said a little later "I had the second cross cut some two

years ago by my Kurubas." Why did he do this? And the fact of my being puzzled by the second cross and yet sure of the tree shows that my memory was good, and Mr. Peet did not speak till several minutes after I had made my statement. Major Pearse, in his letter to Chief Commissioner, refers to the clear fact that one cross was much newer than the other.

VIII. Mr. Logan, in paragraph 18, page 7, of the Madras Proceedings says that Major Hunter says the boundary runs almost in the centre of the teak belt. I don't know where the teak belt ends in Wynaad, but if Mr. Logan's assumptions are admitted as correct, Mysore will have very little teak forest left just there, while Madras advances some three miles. Are we to believe that Madras has no teak south of Mavinahulla?

IV. Our dispute in 1868 was, whether the Pongani south of the Mavinahulla was not our southern line, Madras said "No." See Mr. Fullerton's and my early letters and his maps and Major Beddome's letter to his Government, bringing the supposed encroachment to their notice. The dispute is now by Mr. Logan shifted some miles north.

This is an untenable position, and is clearly so to one who knows the whole line.

(Signed) J. vanSOMEREN, Captain,
Conservator of Forests, Mysore and Coorg.

ENCLOSURE No. 3.

From Lieut.-Colonel A. C. HAY, Commissioner of Ashtagram Division, to the Secretary to the Chief Commissioner of Mysore, dated Mysore, 4th March 1878, No. 671-254.

WITH reference to your docket, Nos. 9,058-48, dated 19th January 1878, forwarding Proceedings on the subject of the boundary dispute between Mysore and Malabar for any observations I may have to offer, I have the honor to enclose copy of the Deputy Commissioner's reply to my reference to him on the subject.

2. As observed by Mr. Logan in paragraph 9 of his letter to the Secretary, Board of Revenue, dated 30th January 1877, No. 1[illegible] A, the matter in dispute is simply the determination of a point described as the junction of the Mavinahulla and Kanagal streams by Captains vanSomeren and Fullerton and shewn so in their maps. The junction of these streams has been ascertained, and Captain vanSomeren has stated that he recognises this as the point fixed upon in 1868, while Mr. Logan considers that the proper point is the junction of the Anakal Tod or Ankalhulla with the Kanagalhulla.

3. The grounds upon which this opinion has been formed are that Captain Fullerton's intentions may be inferred from his letters and the circumstances of the case, and that although he submitted a map and report in which the junction is represented as that of the Mavinahulla and Kanagalhulla, he actually meant the junction of the Anakal Tod or Ankalhulla with the Kanagal. It is difficult to know why Captain Fullerton should have sent in a map, in which the former junction is shown as the required point, if the actual point was the junction of the Anakal or Owlgalhully with the Kanagal.

4. Mr. Logan says that Captain Fullerton was, or ought to have been, very well acquainted with the locality, for he must have constantly used the timber track to Gundre (Map VII) where he had a timber depot, and it is impossible that he could have mistaken one stream for another. If this be so, and the officers had gone to the junction selected for the first time by Mr. Logan, he would have certainly recognised the locality and pointed out to Captain vanSomeren that they were then at the junction of the Kanagal and Owlgalhully which, by Map VII, appears to be close to the track.

5. In Map No. III the cart-track to Gundre is shown as crossing three streams,—the Pongani Tod, the Mavinahulla, and the Owlgalhully, the latter of which is represented as a small nullah falling into the Mavinahulla.

6. It appears that this is one of several errors in the maps, as the two streams fall into the Kanagal independently and at a considerable distance from each, and on this error Mr. Logan now apparently takes up the extraordinary position of maintaining (paragraph 12) that it is immaterial what point the officers actually reached in 1868, as it is certain that the junction which Captain Fullerton "meant to reach" was that where the waters of the Owlgalhully join the Kanagalhulla.

7. There is certainly nothing in the correspondence to show that the officers ever started with the intention of reaching the junction of the Ankalhulla and Kanagal, and if Captain Fullerton had intended this, he would no doubt have said so to Captain vanSomeren.

8. As to the circumstances alluded to in paragraph 11, which gave rise to the complaint, no particulars are given to show from whom the original report emanated, nor is there anything to establish that the Mamoola Tod and Ankalhulla are identical.

9. Allusion is made to a number of streams b[illegible]g the name of Mavinahulla which no doubt is a very common one all over the Canarese c[illegible]es, but only one has been specified as forming a junction with the Kanagalhulla.

10. It appears to me that vague speculations [illegible] what Captain Fullerton meant to do, chiefly founded on an error in a map containing se[illegible] inaccuracies, have very little bearing on the question which should, moreover, be confine[illegible] in its original limit, viz., the determination of the boundary line as laid down in 1868.

Read again G.O., 24th October 1877, No. 3,144, regarding the boundary dispute between Mysore and Malabar.

No. 283. ORDER THEREON, 22nd May 1878, No. 777.

Miscellaneous.

HIS GRACE the Governor in Council [illegible]ready intimated to the Chief Commissioner of Mysore his assent to the arrangement agreed upon by the Conference of officers in regard to the Rampur dispute, and resolves now to accept the line from the Yerramavan tree to the junction of the Mavanhalla and Kannagal stream pointed out by Captain vanSomeren as that proposed by the Commission of 1868.

2. The boundary along the whole line will now be definitely marked out in the manner recommended by Mr. Logan in the Memorandum of the 29th January 1877.

(True Extract.)

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

To the Board of Revenue.
" the Commissioner of Forests

Exd. F. R. Bantleman.

22-4-90
22-4-90
11-2-92
23-6-94
1-10-96

Govt. of India.

REVENUE.

To

THE BOARD OF REVENUE.

Dated May 2nd.

Rec'd.

Encl.

G.O. 2nd May 1878, No. 777.

CONCERNS BOTH BRITISH INDIA AND INDIAN STATES.

M A Y.

Nos. 282-283.

Boundary between Mysore and Malabar—Resolving to accept the line pointed out by Captain VanSomeren as the —, and directing the whole line to be definitely marked out in the manner recommended by Mr. Logan.

Vide Cor. 2914/72

General No: 122

& " 3

22 May 1878, No 777

Mysore Chief Commissioner's Office.

Bangalore 8th April 1878.

No 282 From-

Major J. G. Clarke,

Secretary to the Chief Commissioner

of Mysore.

To-

The Secretary to Government,

Revenue Department,

Fort Saint George.

Sir,

I am directed to acknowledge the receipt of your letter, No. 3145, dated 24th October last, forwarding copies of certain Proceedings of the Board of Revenue, together with seven original maps, /herewith returned/, on the subject of the boundary dispute between Mysore and Malabar, and requesting to be informed with reference to the "Manipahulla" dispute, whether the opinion which the Chief Commissioner has already formed in favor of Captain VanSomerens view of the question, remains unchanged.

2. In reply, I am directed to forward copies of the marginally noted

communications, and to state that the original dispute being in respect of the land lying between the Mavinahulla and Pongani streams, it is evident that the line drawn by the Commission of 1868, from Kulhulla to the junction of the Mavinhulla with the Karnagalhulla, must have run through the disputed tract and terminated at some point south of the Mavinahulla; but the line which Mr. Logan, the Collector of Malabar, supposes to have been intended by the Commission of 1868, runs across land which was not in dispute before, and terminates at a point north of the Mavinhulla, viz., the junction of the Ankalhulla with the Karnagalhulla, to which no allusion was made by the Commission of 1868. There is no doubt that the Commission of 1868 erred in their description of the line, but it is not probable I am to remark, that they could have fixed the line beyond the tract which was actually in dispute. Captain Vansomeren has been able to supply facts confirmatory of his contention

I. No. 2084/276 d. 20th December 1877. from Conservator
II. No. 2494/260 d. 26th February 1878 from do. with minute
III. No. 671/254 d. 4th March 1878 from Commr. Ashe Division.

that the point fixed by that Commission was at the junction of the Mavinhulla and Karnagalhulla streams, and on carefully perusing the whole correspondence with the comments of the Board of Revenue the Chief Commissioner adheres to the views expressed in my letter, No. 2016-25, dated 24th May 1877, and would respectfully urge that the frontier line may be definitively fixed in accordance therewith.

I have the honor to be

Sir,

Your most obedient Servant

Henry Whitely

Secretary.

Capt. Vansomeren does not seem clear on the following points. He does not state clearly the junction of the Karnagalhulla with the Kulhulla. He appears to have confused the Mavinhulla with the Kulhulla. He does not state clearly the junction of the Ankalhulla with the Karnagalhulla.

Rev: Forests

No. 2084/218.

Conservator of Forests' Office
Mysore and Coorg.
Bangalore 20th Decr 1877.

To

The Secretary to the
Chief Commr of Mysore.

Sir,

With reference to your No. 7825/640 of the 30th ultimo I have the honor to offer the following observations on Procedings No. 200 of 24th October of madras Government, regarding the disputed portion of forest land near the marinahalla.

2. I do not think it necessary to remark on various other points which occur to me but simply to bring up the following.

At para 6 (page 18) of the Board of Revenue's remarks, I find the Board again alludes to Mr. Underwoods "arrows". That Mr. underwood was mistaken in stating that the officers sent out in 1868 had cut any arrows, is admitted. Major Pearse's memo on the results of the 1877 inspection has not been sent me, so I cannot quote the words, but if looked at, you will find that he states that the Mysore officers showed that the arrows were a departmental mark; and that other arrows identical in appearance were shown to Mr. Logan and,

No. 282

and him, at Mr. Logan's request, off the line laid down by Mr. Underwood, as that selected by the Commission of 1868. Also please see Mr. Logan's note on page 11 of the Proceedings. He calls the arrow heads "unreliable". If Mr. Underwood's arrows are thus rejected by Mr. Logan I do not see how they can again be brought up by the Board of Revenue, as proving Mr. Underwood's statement and finding to show my recollection to be bad. They rather tell strongly in my favour. No arrows were cut. Mr. Underwood visited the line once in 1868: and once again after the lapse of many years, with Mr. Pett. Of the crop at the Karnagalhalla I am sure.

3. I did not see Mr. Fullerton's letter when he wrote it, and only reiterate the fact, that we did not trust the Trignometrical map - and the fact is now clear that the large stream in it is not in existence. This error of showing the large stream falling into the Kabani at the point aimed at by Mr. Pett and Mr. Underwood was repeated in the map first made by the Revenue Survey: and corrected by Captain Freeth - Here Major Pearse is right.

4. In 1868 we did not cross the

the Kabani, nor reach Kakenkote Bungalow till late at night, and not within a very short while of marking the crop at the Karnagalhalla and mavinahalla.

5. The land in dispute in 1868, lay between the mavinahalla and Bonganitode, and whatever errors the officers of 1868 may have made, that and that only was then in dispute (see Mr. Fullerton's early letter) To go north of the mavinahalla stream now, will simply be to shift the venue, and to give away Mysore land. If Mr. Fullerton meant the Antal stream, why did he not say so? and there are no grounds that I can see why the Board of Revenue should (page 18 line 10 of para 6) assume that Lieut. Fullerton could not be mistaken: and I have already shown the incorrectness of Mr. Underwood's recollections of the arrows, on which the Board still rely.

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of

of Bomada Kapari betta: while the Shigebetta tree is not in that locality at all.

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8. Lastly, I think it necessary to state that the commission of 1868 did not go in a "hap-hazard" way over the country: and nothing that Major Pearse said to me, ever led me to think that that was his conclusion, as stated by Mr. Logan. In 1868 the commission had no survey officer with them: only one pocket compass: walked thro' long grass frequently over their heads. In 1877 the line had been cleared to a width of 21 feet: all obstruction removed; and a survey officer accompanied the party. The officers of 1868 did not walk in a dead line as they meant to. but that was intirely owing to the disadvantages they laboured under. and an outside deflection of ¾ of a mile. in 7 miles or so, is not much, under the circumstances.

9. The original seven sketch maps are herewith returned.

I have &c:

sd/ J. Van Someren – Capt:
Conser: of Forests.
M. & C.

Rev 4/16/78

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From

The Conservator of Forests
Mysore & Coorg.

To

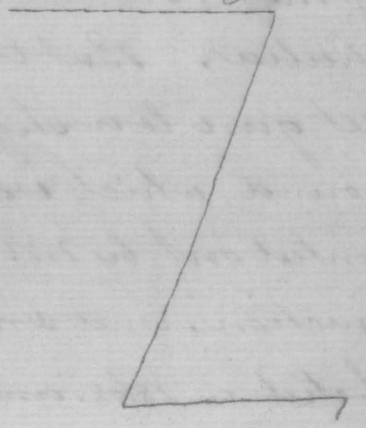
Secretary to Chief Commr: of Mysore
Dufter Department.

Dated, Camp Mercara 26th Feb: 1878.

General No. 2084/216 } 1877-78
No. 260

In continuation of this Office – No. 2084/216 of the 20th December 1877, the under-signed has the honor to submit a memo on the mavinahalla boundary dispute, prepared by him after a late visit to the Begur Forests, in this month.

sd/ J. Van Someren – Capt:
Conservator of Forests
Mysore & Coorg.



Memo
Rev 4/16/78

Memo.

Mr. Logan's letter page 9.

All the italics which appear in my letter of 26th March 1868, as printed by Mr. Logan, are so entered by him.—

Note 1. Mr. Logan thinks it is unfortunate that as there are so many mavinahallas in the forest, we should have in 1868 taken a stream so named as the boundary - We did so because the strip between the mavinahalla and Pongani was in dispute and we could not change existing names. But as a matter of fact there is no other mavinahalla running into the Karnagal halla, and the only other stream which might be confused with it, is the Yene mavinahalla which runs in an opposite direction. Mr Pett named an imaginary stream (which was entered on the Madras Revenue Survey map, sent us in 1877) the Siri mavinahalla. But this was a name Mr. Pett gave to a slight depression in the ground, which was not even the line pointed out by Mr. Underwood as the junction, and certainly not the line selected in 1868, and cut by the Mysore Forest Department during 1868. Again this

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3. Mr. Logan assumes that Mr. Fullerton in 1868 "thought" he went to the Anekal, and then reasons as if it was a fact.

4. Mr. Logan's statements of where Mr. Fullerton and I were wrong (P. 4) Our mavinahalla is not a fictitious stream though we miscalled it Goonchi or mavinahalla.

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III Mr. Logan at page 12, his note 7 makes much of Mr. Fullerton's saying that "we all agreed that from the junction of the Mavinahalla and Kannagal streams

to,

to the Cubbany river, the boundary as laid down by the Trigonometrical map is cor-rect" and at page 14 Mr. Logan says he "joins issue with Captain vansomeren" because I say that we could not trust the map. Now Mr. Fullerton says we were in 1868 certain that the Trigonometrical map is right from the junction of the Mavinahalla and Kannagal to the Cubbany: while in my memo of 1877 — to which Mr. Logan takes exception, I dis-tinctly state that we could not trust the details of the map between Kalhalla and the junction of the mavinahalla and Kan-nagal- This is the other end of the line, we all know that from the junction of the ma-vinahalla and Kannagal to the Cubbany was and is correct- Mr. Fullerton specifies that, and the clear inference is that he did not trust the other bit of the Trigonometri-cal map line- and Mr. Logan's reason-ing in his note 208 page 12 is inconsequen-tial-

IV. I entirely dispute Mr. Logan's note 13, page 13, we did not make for the ficti-tious points on the Trigonometrical map, nor think we had gone there. Captain Fyeth's map shows that no such junction as laid in on the Trigonometrical map

Exists,

19 17

Exists; within 3/4 mile of Gundre Mr. Logan makes much in other places of our having walked not in a straight line. In his note No. 13 Mr. Logan appears to think that because we did not walk quite a straight, therefore we meant to go nearly (3) three miles north-

V. Major Pearse in his report to Chief Commissioner showed clearly that Mr. Underwood's references and recollections to "arrow heads" cut by the Commission of 1868, were written by Mr. Underwood under a mistake. Major Pearse details how the Mysore Forest Officers in 1877 showed that the arrow heads were working marks of their own, and Mr. Logan allowed that the arrow heads could not be relied upon.

VI. At page 6, para 14 of his letter of 30th January 1877, Mr. Logan says it was clear that in 1868, we were aiming at Onjally halla. I can only assert, far more exactly, that we were not. It would seem to me that this mistake of Mr. Underwood and on which he based the line he drew, goes to prove that my memo-ry is good on the facts, and not that his mistake shows that my memory is not good- Is it to be supposed that in 1868, the Commission walked in one day through uncut grass and trees, cutting arrow heads

all,

all the way according to Mr. Underwood from Yenemarinahalla to Kalhalla, over some kate betta (900 feet from bottom to top) down it, to Onlyullyhalla then to Kakenkote, having in addition come from Gundre to Yene marinahalla in the morning. ‡ Again Mr. Underwood gives one junction with the Kannagal. Mr. Peet makes another, and calls it Siri marina-halla (a name not known to the Kurnbas) while Mr. Logan says that the Commission of 1868 meant to go to Onlyullyhalla, and the Board of Revenue, with 3 different points settled on by its 3 officers, passes by Mr. Peet's line, and Mr. Underwoods line, and accepts Mr. Logan's. In justice to Mysore I trust that the Board will see fit to change its opinion for I most respectfully submit that Mr. Logan's impression of where the Commission of 1868 meant to go are altogether erroneous, and cannot be supported.

‡ Mr. Logan thinks that we walked in 1868, over some kate betta, and close up to Halibene betta, both high hills. These are striking features. Major Cloete in his report says that the land in dispute presents no striking feature and this is Correct ‡

VII. When we all in 1877 were at the true marinahalla junction, that is, mine as pointed out by me in 1877, and aimed at in 1868 and reached, I shewed the tree on which we then made a cross, not an arrow head. But I now found two crosses on it. This for some time puzzled me, and I at last said, "we made one cross and this is the tree, I dont know what the second cross is, but this is the tree." Mr. Peet said a little later. "I had the 2nd cross cut some two years ago by my Cooroobas." Why did he do this? and the fact of my being puzzled by the 2nd Cross, and yet sure of the tree, shows that my memory was good; and Mr. Peete did not speak till several minutes after I had made my statement. Major Pearse in his letter to Chief Commissioner refers to the clear fact that one cross was much newer than the other.

VIII. Mr. Logan in para 18 page 7 of the madras Proceedings says that major Hunter says the boundary runs almost in the centre of the teak belt. I dont know where the teak belt ends in Wynaad, but if Mr. Logan's assumptions are admitted as correct, Mysore will have very little Teak forest left just there, while Madras advances some 3 miles. Are we to believe that madras has no teak south of marinahalla?

IX. Our dispute in 1868, was, whether the Pongam south of the marinahalla was not our Southern line, madras said, "no". See Mr. Fullerton's and my early letters and his maps and major Beddome's letter to his Government, bringing the supposed,

supposed encroachment to this notice.
The dispute is now by Mr. Logan shift-
-ed some miles north-
This is an untenable position, and is
clearly so to one who knows the whole
line.

(sd) J. Vansomeren. Captain-
Conservator of Forests.
Mysore and Coorg.

Rev 2/1618/78

Nobtagram Commrs Office

9

To
The Secretary to the
Chief Commissioner of Mysore.
Bangalore.

Dated Mysore 11th March 1878.

Sir,

With reference to your docket No 9058/48 dated 19th January 1878, forwarding proceed-
-ings on the subject of the boundary dis-
-pute between Mysore and Malabar,
for any observations I may have to offer,
I have the honor to enclose copy of the Dept.
Commissioner's reply to my reference to him
on the subject.

As observed by Mr. Logan in para 9 of
his letter to the Secretary, Board of Revenue
dated 30th January 1877 No 18 A. the matter
in dispute is simply the determination of
a point described as the junction of the
Mavinahalla and Kunagal streams by
Captains Vansomeren and Fullerton, and
shown so in their maps. The junction of
these streams has been ascertained and
Captain Vansomeren has stated that he
recognises this as the point fixed upon in
1868, while Mr. Logan considers that the
proper point is the junction of the Ana-
-kal Tod or Ankulhalla with the Kuna-
-agalhulla.

The

The grounds upon which this opinion has been formed, are that Captain Fullerton's intentions may be inferred from his letters, and the circumstances of the case, and that although he submitted a map and report in which the junction is represented as that of the Mavinahalla and Kunagalhalla, he actually meant the junction of the Anakal Tod or Ankalhalla with the Kunagal. It is difficult to know why Captain Fullerton should have sent in a map, in which the former junction is shewn as the required point, if the actual point was the junction of the Anakal or Owlgallully with the Kunagal.

Mr. Logan says that Captain Fullerton was, or ought to have been very well acquainted with the locality; for, he must have constantly used the timber track to Gundrie (map VII) where he had a timber depot; and it is impossible that he could have mistaken one stream for another. If this be so, and the Officers had gone to the junction selected for the first time by Mr. Logan, he would have certainly recognised the locality, and pointed out to Captain Vansomeren that they were then at the junction of the Kunagal and Owlgalhalla, which by map VII appears to be close to the track.

In,

25

In map No. III. the cart track to Goondrie is shewn as crossing 3 streams, the Pongany Tod, the Mavinahalla, and the Owlgulla, the latter of which is represented as a small Nullah falling into the Mavinahalla.

It appears that this is one of several errors in the maps, as the two streams fall into the Kunagal independently, and at a considerable distance from each, and on this error Mr. Logan now apparently takes up the extraordinary position of maintaining (para 12) that it is immaterial what point the Officers actually reached in 1868, as it is certain that the junction which Captain Fullerton "meant to reach" was that where the waters of the Owlgullyhalla join the Kunagal halla.

There is certainly nothing in the correspondence to show that the Officers ever started with the intention of reaching the junction of the Ankalhulla and Kunagal, and if Captain Fullerton had intended this, he would no doubt have said so to Captain Vansomeren.

As to the circumstances alluded to in para 11, which gave rise to the complaint, no particulars are given to shew from whom the original report emanated, nor is there anything to establish that the Mamoda

Tod,

Jod and Ankalhulla are identical.

Allusion is made to a number of streams bearing the name of Mavinhulla which no doubt is a very common one all over the Canarese countries, but only one has been specified as forming a junction with the Kanagalhalla.

It appears to me that vague speculations as to what Captain Fullarton meant to do, chiefly founded on an error in a map containing several inaccuracies have very little bearing on the question which should moreover be confined within its original limit, viz the determination of the boundary line as laid down in 1868.

I have &c.

(Sd) A. C. Hay

Commissioner.

Ashm Dwn

Copies

Secretary

Rec 16/8/68

G O b Jun/77 No 96-97
24 Octob — 196-99-200

23-6-94
1-10-26

Revenue Depto

1878.

From No 1618.

The Secretary to the Chief Commissioner of Mysore.

To The Secretary to Government
Revenue Dept.
Fort St. George

Dated Bangalore 8th April 1878.

Despatched 9th do 78

Received 10 do do

Enclosures No. 11

1 Letter No 2084 / 20-12-77 from Coll. 216
1 Basket No 2491 / 26-12-77 from Coll. Chingleput
1 Letter
1 Letter No 671 / 4-3-78 from do
1 Map Letter No 2511 / 28-12-77 from Coll. Salem
1 Map
* Sent separately

General No. 122 } 1878. 79
G. No. 3 }

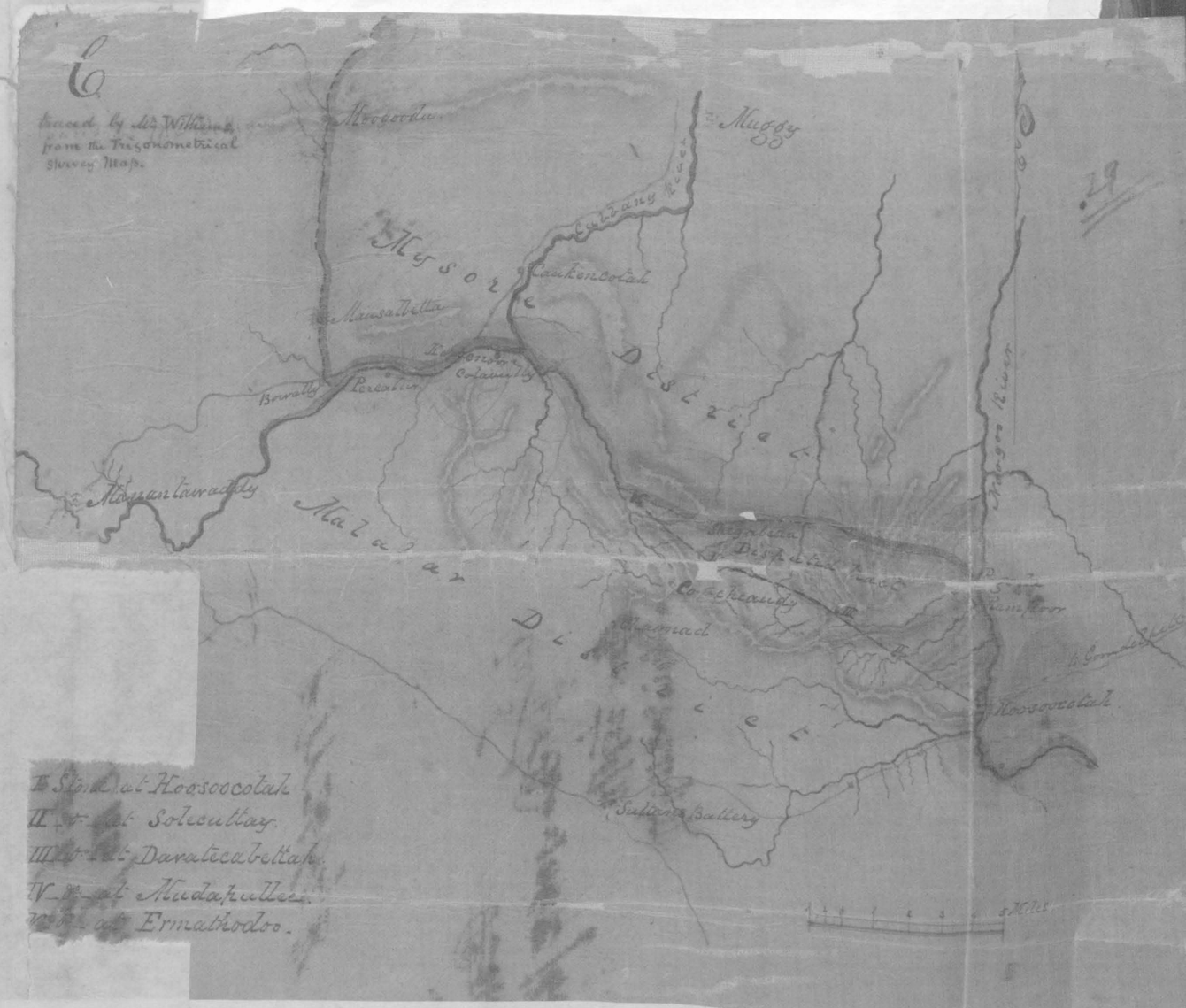
Madras Govt No 3145 dt 24th Oct. 1877, about the boundary dispute between Mysore and Malabar.

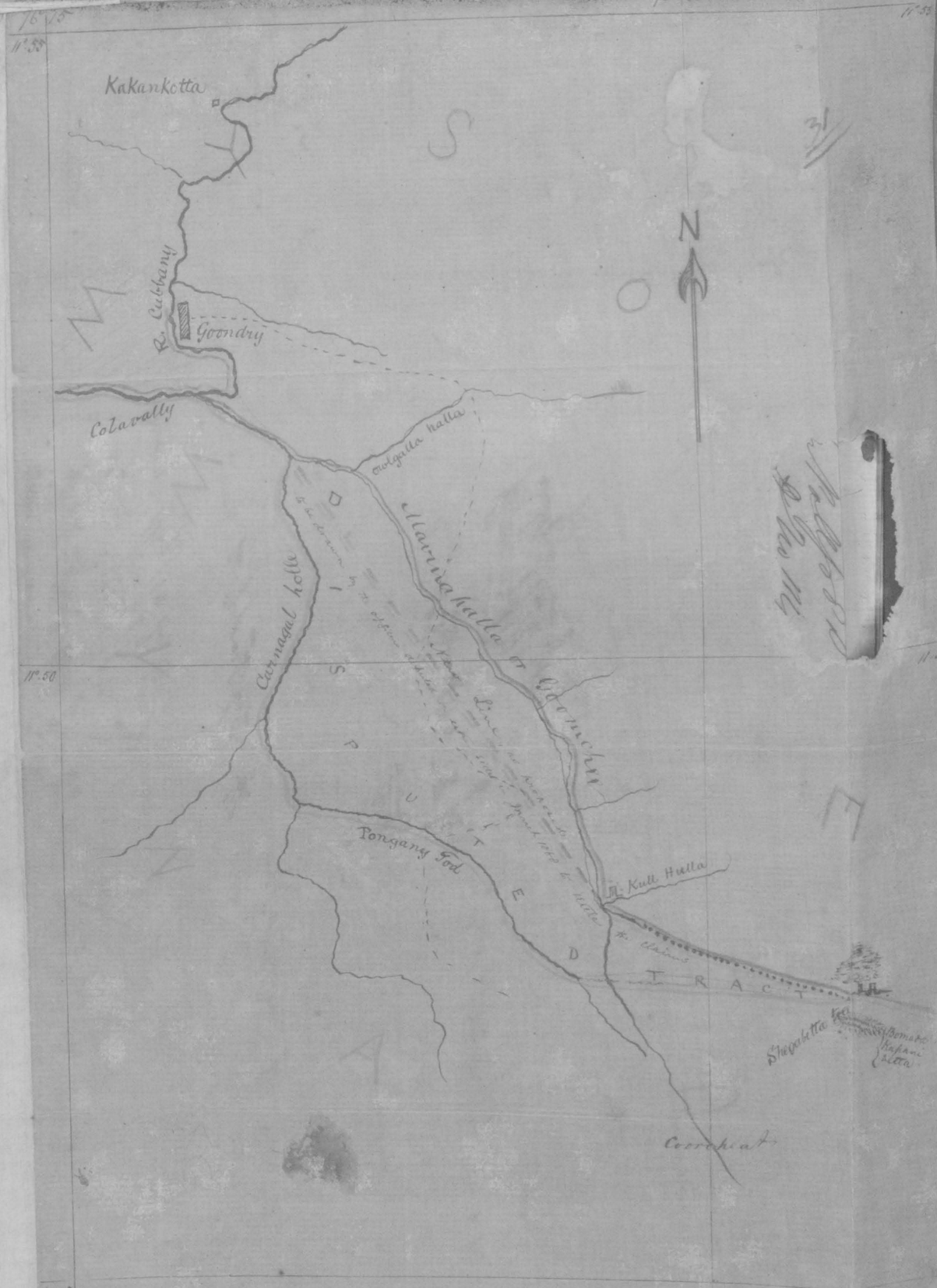
Adverting to the views expressed on the 24th May 1877 and urging that the frontier line may be definitively fixed in accordance therewith.—

SO No 777 22nd Nov 1878

No 282

c. 11-5-78 R 15-5-78 R. C 17-5-78 R 22-5-78





Sketch map, (Scale 1 inch to the mile), shewing the tract of forest land, on the borders of Mysore & North Wynad, claimed by the Mysore & Madras Governments. Also shewing the new line proposed to be drawn by the officers deputed on the 23d March 1860 to settle the claim: these officers being on the part of Madras,

W. E. Underwood Esq: Dy Collector of Wynad
& Lieut. W. Fullarton, Dy Conservator Wynad

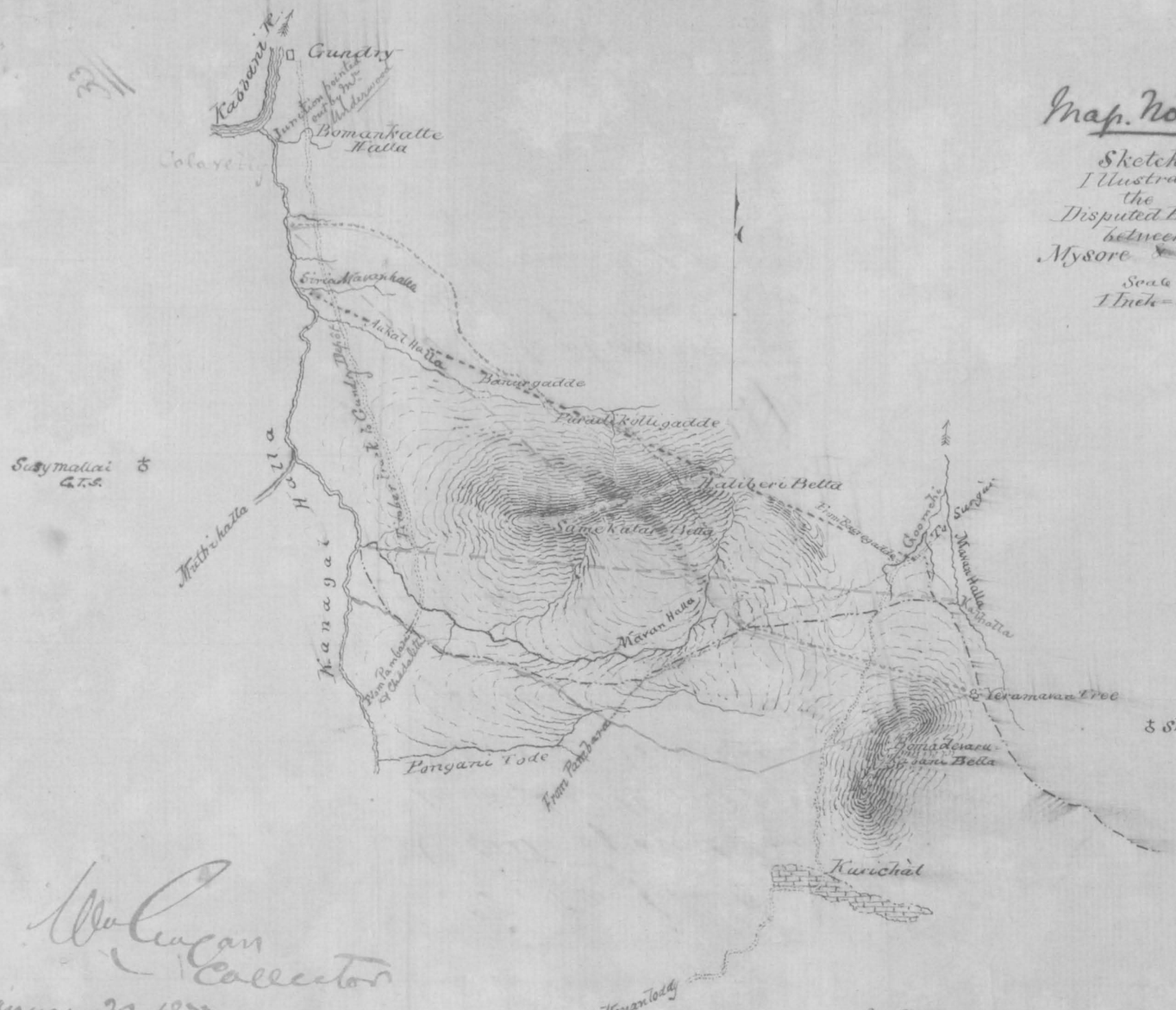
on the part of Mysore

H. Wellesley Esq Asst Dep. Mysore commissioner
& Lieut G. J. Ramsomton, Dy Conservator of Mysore

Map. No VII.

Sketch
Illustrating
the
Disputed Boundary
between
Mysore & Wynaad

Scale
1 Inch = 1 Mile



W. Lucas
Collector

January 30. 1877

Rev - 1441/68
Forwg "May 18 Ld 197 -

Rev 9/1618/75

Rev. 3/2870/77

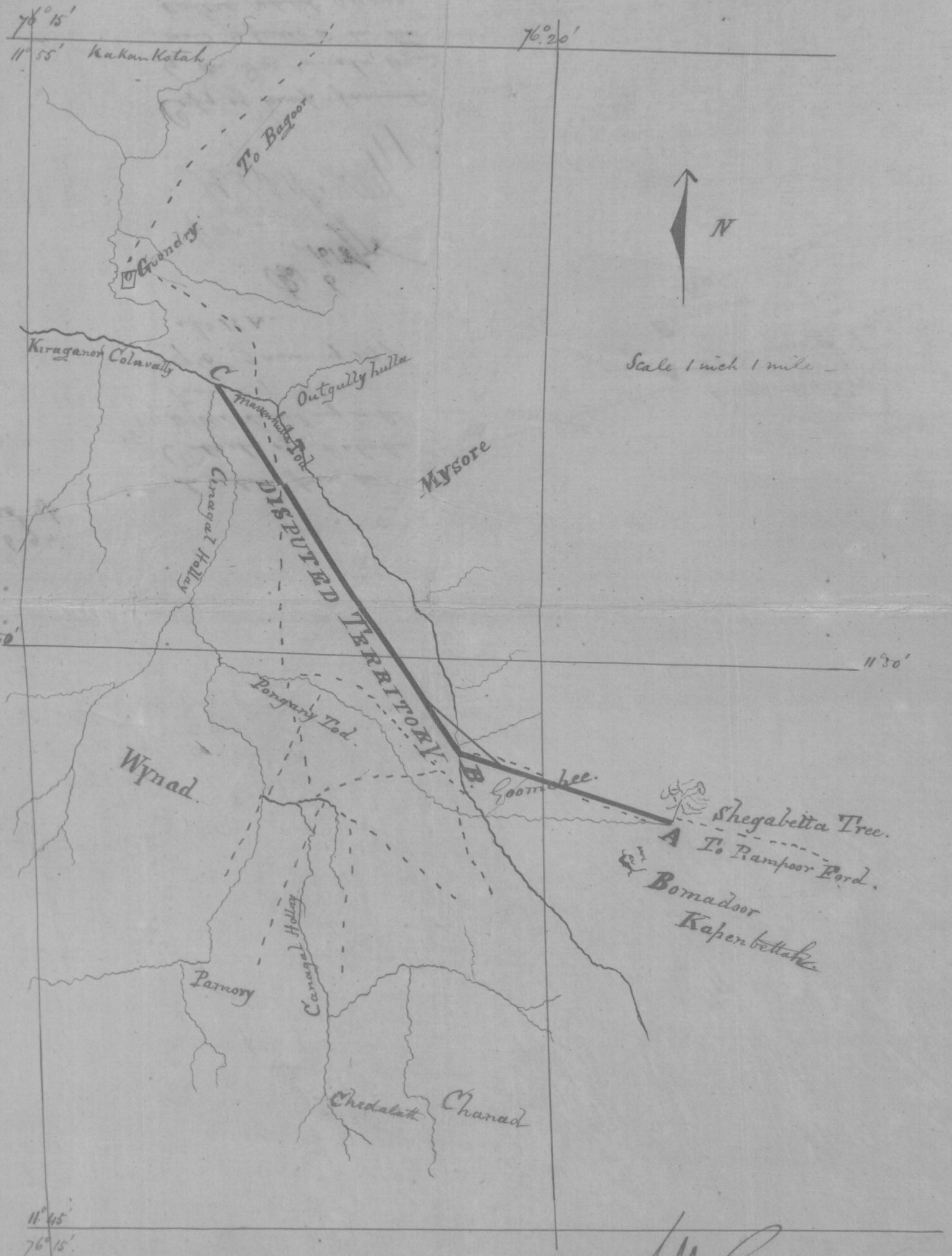
Diary No VII
Ly. Sec. Fort

To a letter from the
Collector of Malabar
to the Secretary to the
Board of Revenue
730 January 1877 No 18A

Rev 4/1818/80
Rev: 7
2879/77
Jud No 2508/77

Sketch showing the
disputed boundary
between Mysore and
Wynad.

Copy of Map forwarded with Mr. Underwood's letter No. 239 dated 23d April 1868.



W. Lee Cowes
Collector

Rev: Dept

39
1

For Orders

On letter from Secy: to Chief Commissioner of Mysore dated 8th April 1878 Govt No 172, G. 7th May regarding the boundary dispute between Mysore and Malabar.

Vide in f.o. 24th Oct 77 No: 3144.

The Chief Commissioner feels himself unable to accept Mr Logan's reasoning as supported by the Board relative to that portion of the Wynaad and Mysore boundary which is still unsettled.

2. It will be remembered that disputes arose about ten years ago regarding the right to fell teak in certain forests and that a Commissioner of a revenue and forest officer from either side was appointed to settle the boundary.

Re papers Nath. f.o. 4th March 78 No: 52.

3. A report was furnished

23.6-94
Rot 78

I
12
Letter from the Collector of Malabar to the Secretary to the Board of Revenue 730 of January 1877 No 18A.

Rd 6
Secretary
Board of Revenue
Copy of each forwarded to the Dpt Collector, Superintendent and referred to in the Collr's report above mentioned.

Rec'd 22nd Jany 1877

furnished by each Forest Officer to his Govt in which he stated that there was no satisfactory evidence as to the proper boundary and that the Commissioners therefore proposed a line which they had gone over

4. Both Governments accepted this line but unfortunately it was not cleared. It was to run from (1) the "Geramavan" tree to (2) Kalhalla and thence to (3) the junction of the Kannagal and Mavenhalla streams.

Points (1) and (2) have been ascertained to the satisfaction of both sides but (3) is still in dispute.

5. Of the Commissioners of 1868 two officers remain

Nee P.C. 24 & 27 Dec. 1868
" W.S. 163 & 1129 Pollibetta
& Rev. Dept.

As I understand the case the line proposed by the Commissioners of 1868 has been accepted - Only remains to pick up the line - and the parties that Commissioners. The point in dispute & relied have no counter Evidence I don't see how or can avoid the conclusion that we have Some 6 or 8 miles of Forest that has

Meddy with the carefully surveyed line of 1869, subsequently adopted by the Bombay Govt. and maintained in Malabar & below 3/4 pm

Signed A.T. Lin Col. E.

The Superintendent claims it as settled by Capt Warren's evidence. He being the only surviving Commr. whose Evidence is decisive. We cannot oppose it & Mr. Underwood's report & Proceedings. Shall not accept his own officers.

Shall be most grateful if Mr. Fullerton will visit the boundary claimed by Capt Warren. J.K.

Yes + will do Nov 1879

+ See this para 11 at page 5 P.C. 24 Dec 77 No 3146.

viz. Mr Underwood the Madras Revenue Officer and Captain Vansomeren Conservator of Forests Mysore. "Mr Underwood has stated by Colonel Cloete I could not with any certainty point out the line decided on" and Mr Logan places no reliance on his evidence.

6. Captain Vansomeren on the other hand has pointed out the junction of a stream called Mavenhalla with the Kannagal river. Mr Logan says as to this, that though this may have been the junction reached it was not that intended to be reached or the one that (Mr Fullerton) the

Enclosures

Madras Forest Officer thought
— had been reached.

7. Mr. Logans argu-
ments are difficult to sum-
marize but they are based
mainly on errors in Mr.
Fullertons description of
the direction of the line and
in his map. Mr. Logan
thinks Mr. Fullerton meant
a stream called the Coolgally
Halla when he said Ma-
venhalla and says that
the latter is a name com-
mon to many streams in
that part of the country.

8. On the part of
Mysore it is pointed out
that there is but one
stream of the name of
Mavenhalla

Mavenhalla that joins
that called Hannagal
and that Captain Fullerton
knew of the Coolgallyhally
as he entered it / though
incorrectly / in his map.

9. Lastly the Chief Com-
missioner brings to notice
that the line which Mr.
Logan supposes the Commis-
sion of 1868 to have intended
runs "beyond the tract
which was actually
in dispute" a reference
to the map No VII prepared
for Mr. Logan by Captain
Smith will show this to
be the case whereas it
was only a † portion that
was obtained by Wyuaad

† Vide para 5 of Mr. Fullertons
letter in G.O. 27 "April 1868
No 1129.

Ca[illegible]

Memo for Orders
About Boundary
dispute between
Mysore & Malabar

No 1617

Cur

C. 11-5-78. R. 18.5.78 R.C. 17-5-78 R. 22.5.78.

Rev. Dept.

12

45

No 777

Proceedings of the Madras Government
Under date the 22d May 1878

Read the following papers.

From Secy to Chief Commissioner of Mysore, dated 8th April 1878, No. 122/3.

Read again G.O. 24th October 1877 No. 3144- regarding the Boundary dispute between Mysore and Malabar.

BBR 1875

His Grace the Governor in Council has already intimated to the Chief Commissioner of Mysore his assent to the arrangement agreed upon by the conferred officers in regard to the Rampur dispute

dispute and resolves now to
accept the line from the
Yerranarow tree to the
junction of the Mavambalka
and Kannagal streams point-
ed out by Captain Vandeleur
as that proposed by the
Commission of 1868.

2. The boundary along
the whole line will now
be definitely marked out
in the manner recommend-
ed by Mr. Logan in the
memorandum of the 29th
January 1877.

14 To the Board 7 Despatches dr 1 June
1 the Commissioner of Forests dr 31 Oct 1878

40
53

c. 1

G.D.

Regarding Boundary dispute between Mysore and Malabar.

282 283

C. 17. 5. 78 R. 22. 5. 78.