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CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. <u>162</u>	Press
<u>108-110</u>	~~Mis.~~
Dated <u>7. 2.</u>	<u>1882.</u>

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

7th February 1882, Nos. 162-163.

READ THE FOLLOWING PAPERS:—

No. 103. From G. H. TREVOR, Esq., Officiating First Assistant Resident, Hyderabad, to the Secretary to the Government of Madras, Revenue Department, dated Hyderabad Residency, 26th July 1881, No. 1321.

WITH reference to your letter No. 361, dated 21st May 1881, I am directed by the Resident to forward, for the information of the Government of Madras, the accompanying purport (in English) of a communication received from His Highness the Nizam's Minister, No. 1777, dated 8th instant, with enclosure, reporting the settlement of the boundary dispute between the villages of Gopavaram and Venkatapur. Sir Stewart Bayley requests that he may be favored with any report that may have been submitted in the matter by the officer appointed on behalf of the British Government to investigate the dispute and with an intimation whether the settlement in question has met with the approval of His Excellency the Governor in Council or not.

ENCLOSURE.

Purport of a Rukka to the Resident, Hyderabad, from His Highness the Nizam's Minister, No. 1777, of the 8th July 1881.

IN continuation of my letter, No. 1578, of the 18th June 1881, relative to the boundary dispute between the village of Gopavaram in His Highness' Dominions and Venkatapur in British Territory, I beg to enclose a Rubakar from the Revenue Department, together with the settlement* arrived at, in regard to the dispute in question, from a perusal of which the result of the settlement can be ascertained.

2. Purport of the Revenue Department Rubakar, to the effect that an enquiry into the boundary dispute in question has resulted in 901 acres of land being made over to His Highness' Government—of which only 500 Bigas are cultivable, the rest being waste lands.

(True Translation.)

(Signed) C. PREYERO,
Extra Assistant Commissioner.

No. 109. Proceedings of the Board of Revenue, dated 3rd January 1882, No. 3.

Read the following letter from J. P. FIDDIAN, Esq., Acting Head Assistant Collector, Kistna District, to the Acting Collector, Kistna District, dated Bezvada, 14th November 1881, No. 430.

WITH reference to your footnote No. 284, of 10th February 1881, on the Proceedings of the Madras Government, Revenue Department, No. 207, of 31st January 1881, stating that the Talukdar of the Kammaun District had been deputed by His Highness the Nizam's Minister to settle the boundary dispute between Gopavaram and Vinagadapa, and also to the same Government Proceedings, No. 316, of 18th February 1881, communicating the information that the Talukdar would meet me towards the end of February, I have the honor to inform you that I met the Talukdar on the 18th March last, that our inquiry began on that day and continued to the 24th inclusive.

* Note.—No translation made of the Settlement.

2. On the 24th, after taking what we thought to be sufficient evidence from the parties, we determined to defer our decision till the records of a former enquiry in 1838 to 1842 by Captain Gresley could be procured, as both the Agrahari, who claimed the land on the side of His Highness the Nizam, and the Zemindars, who claimed it as British Territory, relied almost entirely on the decision given by that officer.

3. The records of the former enquiry were accordingly asked for from the Board of Revenue, in your Office No. 777 of 7th April 1881, and were received here from the Board direct at the end of April, with Official Memorandum No. 627, of 23rd April 1881, from the Board.

4. As the Talukdar had business to do in Bezvada, we met there on 20th May and came to a decision,* after perusing the records of the original inquiry.

* Enclosed in original.

5. The evidence which we had to consider was of three kinds, viz., (a) oral evidence adduced by the parties, (b) documentary evidence adduced by the parties, and (c) the decision in the former inquiry.

6. Before going on to discuss the evidence on each side, it may be as well to give some idea of the nature of the dispute and of the boundaries as given by the two parties.

The land in dispute is a strip of jungle about four miles long and varying in width from a few yards to, I believe, about a mile (at the broadest part). There are a few small patches of cultivation, but by far the largest part is very dense thorny jungle; it was so dense in 1838, that the arbitrators then appointed to settle the boundary did not attempt to penetrate it after a certain point, but only gave the general direction in which the line should run and hence the present dispute. The only use to which the greater part of the tract in question is put is for grazing cattle and it is utilized for that by both Gopavaram and Vinagadapa villagers.

7. A very clear idea of the boundaries given by the two parties may be derived from the accompanying map (and it will probably be found difficult to understand this report without keeping one eye on the map) kindly furnished to me by Mr. Framjee Jamsetjee of His Highness the Nizam's service, who surveyed the ground on behalf of his own Government. I can vouch for the general direction of the lines and have no doubt the accuracy of the survey can be relied* on.

* I may say that I had my prismatic compass with me at the time, but not knowing how the original boundary was fixed, I unfortunately neglected to take the bearings of the stones pointed out. If it is thought that full reliance cannot be placed on the direction of the boundary as shown in the map (though the map was in my hands before any of us knew that the boundary had been indicated in Captain Gresley's report by a general direction) and as observed by me at the time from the position of the sun I can easily go to the spot and take bearings and distances.

† Painted yellow.

‡ Painted red.

The line† as given by the Gopavaram people is fixed by natural objects, i.e., Duthekulakunta (pond) Perantala Nangi (a dip in Perantala hill), &c., and Dandi-yala Vagu (jungle stream); that‡ given by the Vinagadapa villagers is fixed by stones or marks on rocks throughout.

8. As to (a) the oral evidence it was directed to showing (i) recent occupancy by one party or the other of the cultivated patches, and (ii) the way in which the boundary was fixed in the former settlement.

(i.) The patches of cultivation are all close to Duthekulagunta, i.e., at the north-west end of the disputed strip, and not farther to the south-east than the stone marked in the Plan No. 4.

The only field alleged to have been cultivated by Vinagadapa villagers that might be farther to the south-east is Nadagada Pollu, described by V. Viradu (of Gopavaram) as south of the big Vagu (hill stream) and north of Santhamamalodaka (a rocky hill). The same witness however says: "I do not know Santhamamalodaka," and witness V. Gopadu (of Vinagadapa) states that he "and others

have cultivated Nadagada Pollu for 20 years Nadagada Pollu is east of Perantala Gattu (hill) and the Vagu; it goes up to half a mile from Duthekulagunta."

The fourth stone, however, is well over a mile south-east from Duthekulagunta.

I was told in going along the (red) boundary with people of both villages that Nadagada Pollu was north of Stone No. 2 from Duthekulagunta and west of No. 3, so that the only land definitely claimed as having been cultivated by Vinagadapa villagers is well to the north-east of Stone No. 4.

The Gopavaram villagers admit that the Vinagadapa people have cultivated the land between the two boundaries for 10 or 15 years "in spite of their objections."

9. Thus as far as oral testimony, as to recent occupancy of the cultivated lands, is concerned, the Vinagadapa villagers have decidedly the best of it; it will be observed, however, that there is no evidence whatever as to cultivation—(a Vinagadapa witness however, named Mandadapu Kotayya, said "the Vinagadapa people never cultivated south of the Vagu")—and in fact there is no evidence worth anything as to exclusive occupation,—of any land farther south-east than the stone marked No. 4.

10. (ii) Then as to (ii) the way in which the boundary was fixed in the former settlement.

The Gopavaram witnesses all state that the stones south-east of Duthekulagunta have been put there within the last 10 or 15 years (20 years one witness says).

The Vinagadapa people pointed out eight stones south-east of Duthekulagunta, and from the last of these there were eight more stones in a line running north-west.

The Vinagadapa witnesses who professed to have been with Captain Gresley along this line did not pretend that he went farther than the sixth stone from Duthekulagunta; and no explanation was given for the remaining two stones.

(The eight stones on the south-east side of the disputed tract seem to have been put there by the Curnams of the neighbouring villages within the last ten years or so).

11. Although these witnesses say they went with Captain Gresley to the sixth stone, we shall see farther on that Captain Gresley did not really go beyond the third stone from Duthekulagunta, and from the notes of my personal inspection I find that I thought the sun and moon on the stone pillar (marked No. 5) looked as if newly made; that those on No. 7 (which is a rock) also looked new; and that on No. 8 stone (also a rock) there was a very faint mark like a sun but no moon at all; so that I think that even without considering the record of the former enquiry we may safely say that the stones (and the marks on the rocks) beyond No. 4 have been put there by the Vinagadapa party either for the purpose of this enquiry or at any rate to show what they claimed. It should be noted also that Mandadapu Kotayya (Vinagadapa) states: "The feeder* to Pangadi tank joins the big Vagu (hill stream), i.e., the Vinagadapa-Gopavaram one,.....The Vinagadapa people never cultivated south of the Vagu; south of Gomudu Papaya's field and south of the Vagu with which the Pangadi feeder joins, is Nizam's territory."

The Vinagadapa Curnam, K. Ramayya, also states: "The Gopavaram people cultivate south of Gopavaram Vagu."

12. The Gopavaram witnesses all assert that the line from Duthekulagunta should run over Perantala Gattu, past Achanna tank, &c.; but none of them say that Captain Gresley went that way nor does any one of them say that any Gopavaram people ever cultivated between the boundaries claimed respectively by the two parties.

13. There was no disinterested evidence on either side; but the witnesses cited by the Vakil of Kamadana Seetamma Row Garu, part Zemindari of Vinagadapa, were all Vinagadapa people, and those cited by the Agrahari of Gopavaram were all Gopavaram people. The only other witnesses were the Curnam and

another of Chimalapad who speak as to the eight stones put lately on the south-east side of the disputed strip.

(b.)

14. As to (b) the documents produced by the parties.

The only document with any claim to notice produced on the Vinagadapa side is that marked A, which is a certified copy of an extract from the "account to show the details of the settlement made by Captain Gresley."

The original was signed by Tota Brahmayya "late Dariyaf Superintendent."

The villages concerned are on the Company's side (1) Vinagadapa and (2) Kottapalle, and that on the Nizam's side is Guntupalli-Gopavaram (one). The important point about the document is the number of boundary stones "from the meeting place of Gundupalli, Vinagadapa and Gopavaram." The number stated is "five" and "five recent." This is very difficult to reconcile with the oral evidence given by the Vinagadapa villagers. The latter shows that from Dasarikunta (a meeting place) to Duthekulagunta (including that at the latter place) there are six stones, and from that to Santhamamalodaka (including that near the latter) there are five stones, making in all eleven stones.

The Vinagadapa Vakil was unable to account for this discrepancy.

The sixth and seventh stones (marked Nos. 7 and 8) from Duthekulagunta are not accounted for in any way and were evidently unknown at the former enquiry.

I think the second "Five" and the words "and totalling" are a forgery; certainly the "five" is quite unlike the other "fives" in the account and "the totalling, &c.," are clumsily put in.

This document whichever way it is taken is not of much use.

15. The second document is a private copy of a plan of the boundary claimed by the Vinagadapa people, but as it is unintelligible owing to the offsets being expressed in figures which will not fit in with any known denominations of length and as it only professes to have been made five or six years ago (i.e. when this dispute had arisen afresh) it is not sent up or considered.

16. The third document put in is a letter (Telugu) from the Tiruvur Deputy Tahsildar dated in 1865, which only proves that there was a dispute then and has therefore been returned to the party.

The Vakil also offered at first to put in the village dowles* from 1250 to 1254

*A revenue account.

when the Zemindari was (he said) under attachment; but as it was pointed out that they were unsigned and so of little weight, he did not mention them in his list.

Besides this, he states there are some (3) documents in this office. What they are he does not say; but from a petition put in by his client the Zemindar, it would seem that they are—

(1.) An Inayetnama from the Collector of 14th November 1872, saying that Captain Gresley's report was not in his office and the dispute should be settled by arbitration.

(2.) A letter from the Deputy Tahsildar in 1865 (mentioned above).

(3.) An extract from some Jamabandi dowles.

The first and third of these are not forthcoming in this office, and from their nature are not likely to throw any light on the matter.

17. The first document (marked I) put in by the Agrahari is a copy of a hand sketch of the boundary, the original copy being signed in May 1838 by Captain F. Gresley as umpire for the settlement. As far as one can judge it favors the Gopavaram view of the matter, though the natural features are very roughly put in. The line seems to go over Perantala hill and to join the main Vagu at the junction of a tank channel.

It shows six stones from the junction of three villages up to and inclusive of the stone at Perantala hill (at the foot of which is Duthekula pond (gunta), but

shows no stones at all beyond that; and this latter fact makes very much against it as the boundary south-east of Perantala hill is clearly shown in Captain Gresley's original report to be marked by three stones.

18. The second document (marked II) is a certified copy of a "list to show the limits placed in 1838 by Captain Gresley in the dispute between Gopavaram (Nizam's) and Vinagadapa and Kottapalle (Company's)." The original was signed in 1842 (on the same day as document A) by the Daryaf Superintendent. It begins with a stone close to Dasari Kunta ("which is the corner place of Gopavaram"), and describes six stones up to and including one close to Duthekula pond, and says "from there over the dip in Perantala hill, from the side of Narasimharayudu's well and (in?) Achanna tank by Pedda Pallem (great hollow) to Dandagala Vagu which joins Vangidi tank channel and along the Vagu to the north side of Doddi hill."

This again supports the Gopavaram view, but conflicts with Captain Gresley's original report, and the information contained in the copy was given four years after the decision and by a subordinate who, if the description of him in document A is correct, was then, for some reason, deprived of his post.

19. This is all the evidence adduced by the parties, and that on one side is seen to conflict with that on the other and both differ from the report in English by Captain Gresley himself.

(c)

20. Lastly as to Captain Gresley's decision as contained in his report.

His words are (see Enclosure K. 7.)

"to a boundary stone on the bund of a small Kunta, south-west of Perantala Gootta hill, thence (with direction 125° and distance 2 furlongs, 110 yards) to the east bank of the Doondialla river where there is a boundary stone; from thence proceed through a dense jungle in a general direction of 132, passing by two other boundary stones beyond which the jungle is impenetrable (direction 132, distance 2 miles, 3 furlongs)".

21. It will be seen at a glance at the documentary evidence above reviewed, or at the map, that it is impossible to reconcile this with the boundary claimed by the Agrahari up to the Pangadi tank channel, or with the Zemindar's line beyond that.

The Agrahari's line is defined in his documents by natural features and not by stones, and the direction of the first part of his line on the map is all wrong. The Zemindar's line beyond (i.e., south-east of) the Pangadi tank channel is all wrong in direction and is marked by stones which appear to be new and are not mentioned in any document.

22. The direction of 132° from the Duthekulagunta stone is very nearly south-east (due south-east would be 135°, i.e., 90° + 45°), and this agrees with the direction of the line as shown on the enclosed plan and also very nearly agrees with the general direction of the Dandiyal Vagu as shown in the plan.

23. The Talukdar and myself agreed that this line was in accordance with the former decision, i.e., from Duthekulagunta stone along the line pointed out by the Vinagadapa villagers to the third stone (No. 4 in the map), and from thence straight to the junction of the Pangadi tank channel with the main (Dandiyal) Vagu, and thence along the Vagu to the stone marked "8" just south of the Chimalapad road. Accordingly this was the boundary we fixed on in the accompanying decision.

24. In conclusion I have only to express my obligations to Mr. Framjee Jamsetjee of His Highness the Nizam's Survey for the assistance which he gave us in settling his dispute; unfortunately I knew no Hindustani and the Talukdar knew no English, and we could not, as a rule, understand one another's Telugu. Mr. Jamsetjee's knowledge of Hindustani and English however made matters much more easy. His plan speaks for itself.

25. I may add that as disputes as to the boundary laid down along the Hyderabad territory frontier forty years ago by Captain Gresley are not uncommon in this division, I have taken the liberty of having a copy made of Enclosures I and K for the use of this office.

ENCLOSURE
DECISION.

We decide that the land south of the line described below shall belong to Gopavaram (His Highness the Nizam's) and that the land north of that line shall belong to Vinagadapa (British). From the sun and moon stone (admitted by both parties) on the bund of Duthekulagunta and west (or a little south of west) of Perantalagunta the line runs south-east to a stone on the left bank (going down stream) of the main Vagu (jungle stream), and pointed out by the Vinagadapa villagers; thence in the same direction to a second sun and moon stone (also pointed out by the Vinagadapa villagers) on the bank of a small watercourse (jalu); and thence in the same direction to a rock marked with a sun and moon. Up to this the line pointed out by the Vinagadapa people has been taken.

From the last-named rock the line goes in much the same direction (i.e., south-east), but with a little more easting, for three furlongs to the junction of the Pangadi tank channel with the main Vagu (Dandiyala Vagu) and from there follows the main Vagu in a general direction of south-east (from Duthekulagunta stone) to a point on the boundary line (which runs about north-east and south-west) said to have been fixed by arbitration as the boundary of Chimalapad (British) and Kachavaram (Nizam's), within the last twenty years. The line follows that claimed by the Vinagadapa people for about one mile and six hundred yards from the Duthekulagunta stone to the rock above named, which is the third boundary mark from Duthekulagunta stone not counting the latter; then it goes straight from the Vinagadapa line to the above-named junction and thence along the line claimed by the Gopavaram villagers, i.e., along the main stream (Dandiyala Vagu) to a point between the second and third stones on the above-named Chimalapad boundary taking the stone where the boundary crosses the Chimalapad road as the first and going south-west along that boundary.

(Signed) J. P. FIDDIAN,
Ag. Head Asst. Collector, Kistna District.

(Signed) GOVIND ROW,
Aval Talukdar of Kurnammet.

BEZVADA,
20th May 1881.

No. 2,936.

SUBMITTED, with enclosures, in original (as per accompanying list) to the Board of Revenue, in reference to their Proceedings, Miscellaneous No. 10030, of the 19th November 1881.

2. The report contains the details of the boundary dispute and the decision arrived at. The undersigned has no remarks to offer.

NUZVID,
2nd December 1881.

(Signed) A. J. B. ATKINSON,
Acting Collector.

List of Papers sent to the Board of Revenue with Kistna Collector's letter, No. 2936, dated 2nd December 1881.

One Arzi, dated 22nd March 1881, sent up by Rajah Kamadana Seetamma Row Garu with following exhibits:—

A. Particular account called Jamabandi Dowles prepared in 1842.

B. Plan.

C. Letter written by Vissannapeta Deputy Tahsildar to Vellanki Venkata Narasimha Row, &c., on 19th January 1865.

One Arzi, dated 24th March 1881, sent up by do.

One Vakalatnama.

Three Documents, Nos. I, II, III.

One set of Depositions given by the following persons written in English:—

	Pages.
1. Mandadapu Seshanna	3
2. Do. Kotayya	3
3. Bikar Saheb	2
4. Vutukuri Kodandaramayya	3
5. Punganti Venkatappayya	1
6. Mandadapu Mallayya	1
7. Madireddi Venkatarreddi	1
8. Velupula Amirigadu	1
9. Velupula Gopadu	1
10. Ayyadevara Seshayya	4

	Pages.
11. Pasumarbi Narasimha Sastrulu	3
12. Lingamerla Adinarayana	2
13. Vemireddi Mallareddi	1
14. Gullur Kotayya	1
15. Mallangi Venkadu	1
16. Velupuru Viradu	1
One Plan.	

One Decision (original), dated 20th May 1881.

(Signed) A. J. B. ATKINSON,
Acting Collector.

SUBMITTED for the orders of Government with reference to the correspondence ending with G.O., dated 21st May 1881, No. 829.

2. The boundary dispute between the villages of Vinagadapa (British) and Gopavaram (Nizam's) has been very carefully investigated by Mr. Fiddian, Acting Head Assistant Collector, deputed to settle the question in communication with an officer of the Nizam's Government, and the Board recommend acceptance of the decision arrived at. The oral and documentary evidence adduced by the parties to the dispute was very conflicting and but little value could be attached to the statements of the rival claimants; it became necessary therefore to rely mainly on the records of a former enquiry conducted in 1838 by Captain Gresley. The boundary settled by the representatives of the two Governments accordingly follows the direction of the line indicated in Captain Gresley's decision and assigns a portion of the disputed tract to each party, the land claimed to have been occupied during recent years by the villagers of Vinagadapa being assigned to them whilst the jungle to the south-east is allotted to Gopavaram. As many of the localities mentioned by Mr. Fiddian are not shown on the plan, it is difficult to follow the discussion; but the dispute has evidently been thoroughly investigated, and the Board see no reason to question the decision arrived. The line as described in paragraph 23 of the report follows that denoted in pink on the plan to the fourth stone and then crosses the disputed tract to the junction of a tank channel with a jungle thereon (Dandiyala Vagu), which is taken as the boundary for the remainder of the course. This line, if accepted by Government, should be permanently demarcated to prevent further dispute.

(True Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 110. ORDER THEREON, 7th February 1882, No. 162.

Miscellaneous.

THE Right Honorable the Governor in Council approves and accepts the decision, which has been arrived at after careful enquiry. Steps will be taken for the permanent demarcation of the boundary line as settled, after communication with the Nizam's Government.

The following letter will be despatched to the Resident at Hyderabad.

(True Extract.)

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

To the Board of Revenue, with enclosures returned.

No. 111. To the Resident at Hyderabad, dated Fort St. George, 7th February 1882, No. 163.

Miscellaneous.

SIR,—In reply to Mr. Trevor's letter of the 26th July last, No. 1321, I am directed to forward, for your information,

copy of the Proceedings of this Government, No. 162, of this date, containing the report of the officer appointed on behalf of the British Government for the settlement of the boundary dispute between the villages of Gopavaram and Vinagadapa, showing the joint decision arrived at by him and the officer deputed by His Highness the Nizam's Government, which decision you will observe has been approved and accepted by the Madras Government; and I am now to enquire whether His Highness' Government also are prepared to consent to the settlement which has been made, and to the permanent demarcation of the boundary line fixed upon by the arbitrators, a moiety of the cost being borne by each Government.

I have the honor to be,

Sir,

Your most obedient servant,

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

Exd. W. H. French.

Original

3-11-10

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

7th February 1882, No. 162.

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No. 109. From J. P. FIDDIAN, Esq., Acting Head Assistant Collector, Kistna District, to the Acting Collector, Kistna District, dated Bezvada, 14th November 1881, No. 430.

With reference to your footnote No. 284, of 10th February 1881, on the Proceedings of the Madras Government, Revenue Department, No. 207, of 31st January 1881, stating that the Talukdar of the Kamman District had been deputed by His Highness the Nizam's Minister to settle the boundary dispute between Gopavaram and Vinagadapa, and also to the same Government Proceedings, No. 316, of 18th February 1881, communicating the information that the Talukdar would meet me towards the end of February, I have the honor to inform you that I met the Talukdar on the 18th March last, that our inquiry began on that day and continued to the 24th inclusive.

2. On the 24th, after taking what we thought to be sufficient evidence from the parties, we determined to defer our decision till the records of a former enquiry in 1838 to 1842 by Captain Gresley could be procured, as both the Agrahari, who claimed the land on the side of His Highness the Nizam, and the Zemindars, who claimed it as British Territory, relied almost entirely on the decision given by that officer.

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only use to which the greater part of the tract in question is put is for grazing cattle and it is utilized for that by both Gopavaram and Vinagadapa villagers.

7. A very clear idea of the boundaries given by the two parties may be derived from the accompanying map (*and it will probably be found difficult to understand this report without keeping one eye on the map*) kindly furnished to me by

* I may say that I had my prismatic compass with me at the time, but not knowing how the original boundary was fixed, I unfortunately neglected to take the bearings of the stones pointed out. If it is thought that full reliance cannot be placed on the direction of the boundary as shown in the map (though the map was in my hands before any of us knew that the boundary had been indicated in Captain Gresley's report by a general direction) and as observed by me at the time from the position of the sun I can easily go to the spot and take bearings and distances.

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‡ Painted red.

Mr. Framjee Jamsetjee of His Highness the Nizam's service, who surveyed the ground on behalf of his own Government. I can vouch for the general direction of the lines and have no doubt the accuracy of the survey can be relied* on.

The line† as given by the Gopavaram people is fixed by natural objects, *i.e.*, Duthekulagunta (pond) Perantala Nangi (a dip in Perantala hill), &c., and Dandi-yala Vagu (jungle stream); that‡ given by the Vinagadapa villagers is fixed by stones or marks on rocks throughout.

8. As to (a) the oral evidence it was directed to showing (i) recent occupancy by one party or the other of the cultivated patches, and (ii) the way in which

the boundary was fixed in the former settlement.

(i.) The patches of cultivation are all close to Duthekulagunta, *i.e.*, at the north-west end of the disputed strip, and not farther to the south-east than the stone marked in the Plan No. 4.

The only field alleged to have been cultivated by Vinagadapa villagers that might be further to the south-east is Nadagada Pollu, described by V. Viradu (of Gopavaram) as south of the big Vagu (hill stream) and north of Santhamamalodaka (a rocky hill). The same witness however says: "I do not know Santhamamalodaka," and witness V. Gopadu (of Vinagadapa) states that he "and others have cultivated Nadagada Pollu for 20 years Nadagada Pollu is east of Perantala Gattu (hill) and the Vagu; it goes up to half a mile from Duthekulagunta."

The fourth stone, however, is well over a mile south-east from Duthekulagunta.

I was told in going along the (red) boundary with people of both villages that Nadagada Pollu was north of Stone No. 2 from Duthekulagunta and west of No. 3, so that the only land definitely claimed as having been cultivated by Vinagadapa villagers is well to the north-east of Stone No. 4.

The Gopavaram villagers admit that the Vinagadapa people have cultivated the land between the two boundaries for 10 or 15 years "in spite of their objections."

9. Thus as far as oral testimony, as to recent occupancy of the cultivated lands, is concerned, the Vinagadapa villagers have decidedly the best of it; it will be observed, however, that there is no evidence whatever as to cultivation—(a Vinagadapa witness however, named Mandadapu Kotayya, said "the Vinagadapa people never cultivated south of the Vagu")—and in fact there is no evidence worth anything as to exclusive occupation,—of any land further south-east than the stone marked No. 4.

10. (ii) Then as to (ii) the way in which the boundary was fixed in the former settlement.

The Gopavaram witnesses all state that the stones south-east of Duthekulagunta have been put there within the last 10 or 15 years (20 years one witness says).

The Vinagadapa people pointed out eight stones south-east of Duthekulagunta, and from the last of these there were eight more stones in a line running north-west.

The Vinagadapa witnesses who professed to have been with Captain Gresley along this line did not pretend that he went farther than the sixth stone from Duthekulagunta; and no explanation was given for the remaining two stones.

(The eight stones on the south-east side of the disputed tract seem to have

been put there by the Curnams of the neighbouring villages within the last ten years or so).

11. Although these witnesses say they went with Captain Gresley to the sixth stone, we shall see farther on that Captain Gresley did not really go beyond the third stone from Duthekulagunta, and from the notes of my personal inspection I find that I thought the sun and moon on the stone pillar (marked No. 5) looked as if newly made; that those on No. 7 (which is a rock) also looked new; and that on No. 8 stone (also a rock) there was a very faint mark like a sun but no moon at all; so that I think that even without considering the record of the former enquiry we may safely say that the stones (and the marks on the rocks) beyond No. 4 have been put there by the Vinagadapa party either for the purpose of this enquiry or at any rate to show what they claimed. It should be noted also that Mandadapa Kotayya (Vinagadapa) states: "The feeder* to Pangadi tank joins the big Vagu

(hill stream), *i.e.*, the Vinagadapa-Gopavaram one,..... The Vinagadapa people never cultivated south of the Vagu; south of Gomudu Papaya's field and south of the Vagu with which the Pangadi feeder joins, is Nizam's territory."

The Vinagadapa Curnam, K. Ramayya, also states: "The *Gopavaram* people cultivate south of *Gopavaram Vagu*."

12. The Gopavaram witnesses all assert that the line from Duthekulagunta should run over Perantalu Gattu past Achanna tank, &c.; but none of them say that Captain Gresley went that way nor does any one of them say that any Gopavaram people ever cultivated between the boundaries claimed respectively by the two parties.

13. There was no disinterested evidence on either side; but the witnesses cited by the Vakil of Kamadana, Sectamma Row Garu, part Zemindari of Vinagadapa, were all Vinagadapa people, and those cited by the Agrahari of Gopavaram were all Gopavaram people. The only other witnesses were the Curnam and another of Chimalapad who speak as to the eight stones put lately on the south-east side of the disputed strip.

(b.)

14. As to (b) the documents produced by the parties.

The only document with any claim to notice produced on the Vinagadapa side is that marked A, which is a certified copy of an extract from the "account to show the details of the settlement made by Captain Gresley."

The original was signed by Tota Brahmayya "late Dariyaf Superintendent."

The villages concerned are on the Company's side (1) Vinagadapa and (2) Kottapalle, and that on the Nizam's side is Guntupalli-Gopavaram (one). The important point about the document is the number of boundary stones "from the meeting place of Gundupalli, Vinagadapa and Gopavaram." The number stated is "five" and "five recent." This is very difficult to reconcile with the oral evidence given by the Vinagadapa villagers. The latter shows that from Dasarikunta (a meeting place) to Duthekulagunta (including that at the latter place) there are six stones, and from that to Santhamamalodaka (including that near the latter) there are five stones, making in all eleven stones.

The Vinagadapa Vakil was unable to account for this discrepancy.

The sixth and seventh stones (marked Nos. 7 and 8) from Duthekulagunta are not accounted for in any way and were evidently unknown at the former enquiry.

I think the second "Five" and the words "and totalling" are a forgery; certainly the "five" is quite unlike the other "fives" in the account and "the totalling, &c.," are clumsily put in.

This document which ever way it is taken is not of much use.

15. The second document is a private copy of a plan of the boundary claimed by the Vinagadapa people, but as it is unintelligible owing to the offsets being expressed in figures which will not fit in with any known denominations of length and as it only professes to have been made five or six years ago (*i.e.* when this dispute had arisen afresh) it is not sent up or considered.

16. The third document put in is a letter (Telugu) from the Tiruvur Deputy Tahsildar dated in 1865, which only proves that there was a dispute then and has therefore been returned to the party.

The Vakil also offered at first to put in the village dowles* from 1250 to 1254

*A revenue account. when the Zemindari was (he said) under attachment; but as it was pointed out

that they were unsigned and so of little weight, he did not mention them in his list.

Besides this, he states there are some (3) documents in this office. What they are he does not say; but from a petition put in by his client the Zemindar, it would seem that they are—

(1.) An Inayetnama from the Collector of 14th November 1872, saying that Captain Gresley's report was not in his office and the dispute should be settled by arbitration.

(2.) A letter from the Deputy Tahsildar in 1865 (mentioned above).

(3.) An extract from some Jamabandi dowles.

The first and third of these are not forthcoming in this office, and from their nature are not likely to throw any light on the matter.

17. The first document (marked I) put in by the Agrahari is a copy of a hand sketch of the boundary, the original copy being signed in May 1838 by Captain F. Gresley as umpire for the settlement. As far as one can judge it favors the Gopavaram view of the matter, though the natural features are very roughly put in. The line seems to go over Perantalu hill and to join the main Vagu at the junction of a tank channel.

It shows six stones from the junction of three villages up to and inclusive of the stone at Perantalu hill (at the foot of which is Duthekula pond (gunta), but shows no stones at all beyond that; and this latter fact makes very much against it as the boundary south-east of Perantalu hill is clearly shown in Captain Gresley's original report to be marked by three stones.

18. The second document (marked II) is a certified copy of a "list to show the limits placed in 1838 by Captain Gresley in the dispute between Gopavaram (Nizam's) and Vinagadapa and Kottapalle (Company's)." The original was signed in 1842 (on the same day as document A) by the Daryaft Superintendent. It begins with a stone close to Dasari Kunta ("which is the corner place of Gopavaram"), and describes six stones up to and including one close to Duthekula pond, and says "from there over the dip in Perantalu hill, from the side of Narasimharayudu's well and (in ?) Achanna tank by Pedda Pallem (great hollow) to Dandagala Vagu which joins Vangidi tank channel and along the Vagu to the north side of Doddi hill."

This again supports the Gopavaram view, but conflicts with Captain Gresley's original report, and the information contained in the copy was given four years after the decision and by a subordinate who, if the description of him in document A is correct, was then, for some reason, deprived of his post.

19. This is all the evidence adduced by the parties, and that on one side is seen to conflict with that on the other and both differ from the report in English by Captain Gresley himself.

(c)

20. Lastly as to Captain Gresley's decision as contained in his report.

His words are (see Enclosure K. 7.)

"to a boundary stone on the bund of a small Kunta south-west of Perantalu Gootta hill, thence (with direction 125° and distance 2 furlongs, 110 yards) to the east bank of the Doondialla river where there is a boundary stone; from thence proceed through a dense jungle in a general direction of 132, passing by two other boundary stones beyond which the jungle is impenetrable (direction 132, distance 2 miles, 3 furlongs)".

21. It will be seen at a glance at the documentary evidence above reviewed:

or at the map, that it is impossible to reconcile this with the boundary claimed by the Agrahari up to the Pangadi tank channel, or with the Zemindar's line beyond that.

The Agrahari's line is defined in his documents by natural features and not by stones, and the direction of the first part of his line on the map is all wrong. The Zemindar's line beyond (*i.e.*, south-east of) the Pangadi tank channel is all wrong in direction and is marked by stones which appear to be new and are not mentioned in any document.

22. The direction of 132° from the Duthekulagunta stone is very nearly south-east (due south-east would be 135°, *i.e.*, 90° + 45°), and this agrees with the direction of the line as shown on the enclosed plan and also very nearly agrees with the general direction of the Dandiyal Vagu as shown in the plan.

23. The Talukdar and myself agreed that this line was in accordance with the former decision, *i.e.*, from Duthekulagunta stone along the line pointed out by the Vinagada villagers to the third stone (No. 4 in the map), and from thence straight to the junction of the Pangadi tank channel with the main (Dandiyal) Vagu, and thence along the Vagu to the stone marked "8" just south of the Chinnalapad road. Accordingly this was the boundary we fixed on in the accompanying decision.

24. In conclusion I have only to express my obligations to Mr. Franjee Jamssetjee of His Highness the Nizam's Survey for the assistance which he gave us in settling his dispute; unfortunately I knew no Hindustani and the Talukdar knew no English, and we could not, as a rule, understand one another's Telugu. Mr. Jamssetjee's knowledge of Hindustani and English however made matters much more easy. His plan speaks for itself.

25. I may add that as disputes as to the boundary laid down along the Hyderabad territory frontier forty years ago by Captain Gresley are not uncommon in this division, I have taken the liberty of having a copy made of Enclosures I and K for the use of this office.

ENCLOSURE No. 1

We decide that the land south of the line described below shall belong to Gopavaram (His Highness the Nizam's) and that the land north of that line shall belong to Vinagadapa (British).

From the sun and moon stone (admitted by both parties) on the bank of Duthekulagunta and west (or a little south of west) of Perantalagunta the line runs south-east to a stone on the left bank (going down stream) of the main Vagu (jungle stream), and pointed out by the Vinagadapa villagers; thence in the same direction to a second sun and moon stone (also pointed out by the Vinagadapa villagers) on the bank of a small watercourse (jalu); and thence in the same direction to a rock marked with a sun and moon. Up to this the line pointed out by the Vinagadapa people has been taken.

From the last-named rock the line goes in much the same direction (*i.e.*, south-east), but with a little more easting, for three furlongs to the junction of the Pangadi tank channel with the main Vagu (Dandiyala Vagu) and from there follows the main Vagu in a general direction of south-east (from Duthekulagunta stone) to a point on the boundary line (which runs about north-east and south-west) said to have been fixed by arbitration as the boundary of Chinnalapad (British) and Kachavaram (Nizam's), within the last twenty years. The line follows that claimed by the Vinagadapa people for about one mile and six hundred yards from the Duthekulagunta stone to the rock above named, which is the third boundary mark from Duthekulagunta stone not counting the latter; then it goes straight from the Vinagadapa line to the above-named junction and thence along the line claimed by the Gopavaram villagers, *i.e.*, along the main stream (Dandiyala Vagu) to a point between the second and third stones on the above-named Chinnalapad boundary taking the stone where the boundary crosses the Chinnalapad road as the first and going south-west along that boundary.

(Signed) J. P. FIDDIAN,
Ag. Head Asst. Collector, Kistna District.

(Signed) GOVIND ROW,
Aval Talukdar of Kummammet.

BEZVADA,
20th May 1881.

ENCLOSURE No. 2.

List of Papers sent to the Board of Revenue with Kistna Collector's letter, No. 2936, dated 2nd December 1881.

One Arzi, dated 22nd March 1881, sent up by Rajah Kannadana Sektanana Row Garu with following exhibits:—

A. Particular account called Jamabandi Dowles prepared in 1812.

B. Plan.

C. Letter written by Vissannapeta Deputy Tahsildar to Vellanki Venkata Narasimha Row, &c., on 19th January 1865.

One Arzi, dated 24th March 1881, sent up by do.

One Vakalatnama.

Three Documents, Nos. I, II, III.

One set of Depositions given by the following persons written in English:—

	Pages
1. Mandadapu Seshanna	3
2. Do. Kotayya	3
3. Bikar Saheb	2
4. Vutukuri Kodandaramayya	3
5. Punganti Venkatappayya	1
6. Manadadapa Mallayya	1
7. Madireddi Venkatareddi	1
8. Velupula Amirigadu	1
9. Velupula Gopada	1
10. Ayyadevara Seshayya	4
11. Pasumarbi Narasimbasastrulu	3
12. Lingamerla Adinarayana	2
13. Vemireddi Mallareddi	1
14. Gullur Kotayya	1
15. Mallangi Venkadu	1
16. Velupuru Viradu	1

One Plan.

One Decision (original), dated 20th May 1881.

(Signed) A. J. B. ATKINSON,
Acting Collector.

No. 2,936.

SUBMITTED, with enclosures, in original (as per accompanying list) to the Board of Revenue in reference to their Proceedings, Miscellaneous No. 10030, of the 19th November 1881.

2. The report contains the details of the boundary dispute and the decision arrived at. The undersigned has no remarks to offer.

NIZVIB,
2nd December 1881. (Signed) A. J. B. ATKINSON,
Acting Collector.

SUBMITTED for the orders of Government with reference to the correspondence ending with G.O., dated 21st May 1881, No. 820.

2. The boundary dispute between the villages of Vinagadapa (British) and Gopavaram (Nizam's) has been very carefully investigated by Mr. Fiddian, Acting Head Assistant Collector, deputed to settle the question in communication with an officer of the Nizam's Government, and the Board recommend acceptance of the decision arrived at. The oral and documentary evidence adduced by the parties to the dispute was very conflicting and but little value could be attached to the statements of the rival claimants; it became necessary therefore to rely mainly on the records of a former enquiry conducted in 1838 by Captain Gresley. The boundary settled by the representatives of the two Governments accordingly follows the direction of the line indicated in Captain Gresley's decision and assigns a portion of the disputed tract to each party, the land claimed to have been occupied during recent years by the villagers of Vinagadapa being assigned to them whilst the jungle to the south-east is allotted to Gopavaram. As many of the localities mentioned by Mr. Fiddian are not shown on the plan, it is difficult to follow the discussion; but the dispute has evidently been thoroughly investigated, and the Board see no reason to question the decision arrived. The line as described in paragraph 23 of the report follows that denoted in pink on the plan to the fourth stone and then crosses

the disputed tract to the junction of a tank channel with the jungle thereon (Dandiyal Vagu), which is taken as the boundary for the tract in this course. This line, if accepted by Government, should be permanently cemented to prevent further dispute.

(True Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 110. ORDER THEREON, 7th February 1882, No. 162.

Miscellaneous.

THE Right Honorable the Governor in Council approves and accepts the decision, which has been arrived at after careful enquiry. Steps will be taken for the permanent demarcation of the boundary line as settled, after communication with the Nizam's Government. The following letter will be despatched to the Resident at Hyderabad:—

(Here enter No. 163, dated 7th February 1882.)

(True Extract.)

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

To the Board of Revenue, with enclosures returned.

Encl. W. H. French.

10 Copies

Vol. of 1882
REVENUE.

To THE BOARD OF REVENUE.

Dated February 7th.

Printed 7th.

Recd.

Encl.

G.O., 7th February 1882, No. 162.

FEBRUARY.

Nos. 108—110.

Source.

Boundary dispute — Nizam and Hyderabad.
— Settlement of —. Decision as to — approved
and accepted. Letter forwarded to Hyderabad,
Hyderabad.

Surport of a Rubka to the Resident,
Biderabad from His Highness the Nizam's
Minister No. 779 of the 8th Dec 1881

In continuation of our letter No. 1578 of
the 15th June 1881 relative to the boundary
dispute between the village of Chawaram
in His Highness's Dominions and Tekatapur
in British Territory I beg to enclose a
Rubakar from the Revenue Department together
with the settlement arrived at in regard
to the dispute in question from a perusal
of which the result of the settlement can be
ascertained.

Surport of the Revenue Department
Rubakar to the effect that an enquiry into
the boundary dispute in question has resulted
in 901 acres of land being made over to His
Highness's Government of which only 500 Bighas
are cultivable the rest being waste land.

Note

† No translation
made of the settlement

W.D.

True translation

Greig
Extra asst. Commr.

POLITICAL OFFICE

18th Dec 1857

From

THE ASSISTANT RESIDENT

Hyderabad

To

The Secretary to the Government of India
Foreign Department

Dated HYDERABAD 11th Dec 1857

Sir

With reference to your letter dated
27th Nov. 57 concerning the Hyderabad
to forward for the consideration of the Council
I enclose the accompanying paper in
reply to a communication received from
the High Commissioner at Simla dated
8th Decr. with enclosure reporting
the settlement of the boundary dispute
between the British Colonies and
Hyderabad. Sir Edward Pakenham's letter
is also enclosed.

Rev 3355

that he may be favored with any report
that may have been submitted in the matter,
the officer appointed on behalf of the British
Government to investigate the dispute, and
with an intimation whether the settlement
in question has met with the approval
of His Excellency the Governor in Council
or not.

I have the honor to be

Sir
Your most obedient
servant

W. Trevelyan
Off. Secy. Resident

10/1

1

1700.

[021100]

Revol.

No.

STIMULI.

No. 3.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd January 1882.

Read the following letter from J. P. FIDDIAN, Esq., Acting Head Assistant Collector, Kistna District, to the Acting Collector, of the Kistna District, dated Bezvāda, 14th November 1881, No. 430.

With reference to your footnote No. 284, of 10th February 1881, on the Proceedings of the Madras Government, Revenue Department, No. 207, of 31st January 1881, stating that the Talukdar of the Kamman District had been deputed by His Highness the Nizam's Minister to settle the boundary dispute between Gopavaram and Vinagadapa, and also to the same Government Proceedings, No. 316, of 18th February 1881, communicating the information that the Talukdar would meet me towards the end of February, I have the honor to inform you that I met the Talukdar on the 18th March last, that our inquiry began on that day and continued to the 24th inclusive.

2. On the 24th, after taking what we thought to be sufficient evidence from the parties, we determined to defer our decision till the records of a former enquiry in 1838 to 1842 by Captain Gresley could be procured, as both the Agrahari, who claimed the land on the side of His Highness the Nizam, and the Zemindars, who claimed it as British Territory, relied almost entirely on the decision given by that officer.

3. The records of the former enquiry were accordingly asked for from the Board of Revenue, in your Office No. 777 of 7th April 1881, and were received here from the Board direct at the end of April, with Official Memorandum No. 627, of 23rd April 1881, from the Board.

4. As the Talukdar had business to do in Bezvada, we met there on 20th May and came to a decision,* after perusing the records of the original inquiry.

* Enclosed in original.

5. The evidence which we had to consider was of three kinds, viz., (a) oral evidence adduced by the parties, (b) documentary evidence adduced by the parties, and (c) the decision in the former inquiry.

6. Before going on to discuss the evidence on each side, it may be as well to give some idea of the nature of the dispute and of the boundaries as given by the two parties.

The land in dispute is a strip of jungle about four miles long and varying in width from a few yards to, I believe, about a mile (at the broadest part). There are a few small patches of cultivation, but by far the largest part is very dense thorny jungle; it was so dense in 1833, that the arbitrators then appointed to settle the boundary did not attempt to penetrate it after a certain point, but only gave the general direction in which the line should run and hence the present dispute. The only use to which the greater part of the tract in question is put is for grazing cattle and it is utilized for that by both Gopavaram and Vinagadapa villagers.

7. A very clear idea of the boundaries given by the two parties may be derived from the accompanying map (*and it will probably be found difficult to understand this report without keeping one eye on the map*) kindly furnished to me by

* I may say that I had my prismatic compass with me at the time, but not knowing how the original boundary was fixed, I unfortunately neglected to take the bearings of the stones pointed out. If it is thought that full reliance cannot be placed on the direction of the boundary as shown in the map (though the map was in my hands before any of us knew that the boundary had been indicated in Captain Gresley's report by a general direction) and as observed by me at the time from the position of the sun I can easily go to the spot and take bearings and distances.

† Painted yellow.

‡ Painted red.

Mr. Framjee Jamsetjee of His Highness the Nizam's service, who surveyed the ground on behalf of his own Government. I can vouch for the general direction of the lines and have no doubt the accuracy of the survey can be relied* on.

The line† as given by the Gopavaram people is fixed by natural objects, *i.e.*, Duthekulagunta (pond) Perantala Nangi (a dip in Perantala hill), &c., and Dandiyala Vagu (jungle stream); that‡ given by the Vinagadapa villagers is fixed by stones or marks on rocks throughout.

8. As to (a) the oral evidence it was directed to showing (i) recent occupancy by one party or the other of the cultivated patches, and (ii) the way in which the boundary was fixed in the former settlement.

(i.) The patches of cultivation are all close to Duthekulagunta, *i.e.*, at the north-west end of the disputed strip, and not farther to the south-east than the stone marked in the Plan No. 4.

The only field alleged to have been cultivated by Vinagadapa villagers that might be farther to the south-east is Nadagada Pollu, described by V. Viradu (of Gopavaram) as south of the big Vagu (hill stream) and north of Santhamamalodaka (a rocky hill). The same witness however says: "I do not know Santhamamalodaka," and witness V. Gopadu (of Vinagadapa) states that he "and others have cultivated Nadagada Pollu for 20 years Nadagada Pollu is east of Perantala Gattu (hill) and the Vagu; it goes up to half a mile from Duthekulagunta."

The fourth stone, however, is well over a mile south-east from Duthekulagunta.

I was told in going along the (red) boundary with people of both villages that Nadagada Pollu was north of Stone No. 2 from Duthekulagunta and west of No. 3, so that the only land definitely claimed as having been cultivated by Vinagadapa villagers is well to the north-east of Stone No. 4.

The Gopavaram villagers admit that the Vinagadapa people have cultivated the land between the two boundaries for 10 or 15 years "in spite of their objections."

9. Thus as far as oral testimony, as to recent occupancy of the cultivated lands, is concerned, the Vinagadapa villagers have decidedly the best of it; it will be observed, however, that there is no evidence whatever as to cultivation—(a Vinagadapa witness however, named Mandadapu Kotayya, said "the Vinagadapa people never cultivated south of the Vagu")—and in fact there is no evidence worth anything as to exclusive occupation,—of any land farther south-east than the stone marked No. 4.

10. (ii) Then as to (ii) the way in which the boundary was fixed in the former settlement.

The Gopavaram witnesses all state that the stones south-east of Duthekulagunta have been put there within the last 10 or 15 years (20 years one witness says).

The Vinagadapa people pointed out eight stones south-east of Duthekulagunta, and from the last of these there were eight more stones in a line running north-west.

The Vinagadapa witnesses who professed to have been with Captain Gresley along this line did not pretend that he went farther than the sixth stone from Duthekulagunta; and no explanation was given for the remaining two stones.

(The eight stones on the south-east side of the disputed tract seem to have been put there by the Curnams of the neighbouring villages within the last ten years or so).

11. Although these witnesses say they went with Captain Gresley to the sixth stone, we shall see farther on that Captain Gresley did not really go beyond the third stone from Duthekulagunta, and from the notes of my personal inspection I find that I thought the sun and moon on the stone pillar (marked No. 5) looked as if newly made; that those on No. 7 (which is a rock) also looked new; and that on No. 8 stone (also a rock) there was a very faint mark like a sun but no moon at all; so that I think that even without considering the record of the former enquiry we may safely say that the stones (and the marks on the rocks) beyond No. 4 have been put there by the Vinagadapa party either for the purpose of this enquiry or at any rate to show what they claimed. It should be noted also that Mandadapu Kotayya (Vinagadapa) states: "The feeder* to Pangadi tank joins the big Vagu (hill stream), *i.e.*, the Vinagadapa-Gopavaram one,.....The Vinagadapa people never cultivated south of the Vagu; south of Gomudu Papaya's field and south of the Vagu with which the Pangadi feeder joins, is Nizam's territory."

*Mistranslated, it means drainage channel. The Vinagadapa people cultivate south of Gopavaram Vagu."

12. The Gopavaram witnesses all assert that the line from Duthekulagunta should run over Perantala Gattu past Achanna tank, &c.; but none of them say that Captain Gresley went that way nor does any one of them say that any Gopavaram people ever cultivated between the boundaries claimed respectively by the two parties.

13. There was no disinterested evidence on either side; but the witnesses cited by the Vakil of Kamadana Seetanma Row Garu, part Zemindari of Vinagadapa, were all Vinagadapa people, and those cited by the Agrahari of Gopavaram were all Gopavaram people. The only other witnesses were the Curnam and another of Chimalapad who speak as to the eight stones put lately on the south-east side of the disputed strip.

14. As to (b) the documents produced by the parties.

(b.)

The only document with any claim to notice produced on the Vinagadapa side is that marked A, which is a certified copy of an extract from the "account to show the details of the settlement made by Captain Gresley."

The original was signed by Tota Brahmayya "late Dariyaf Superintendent."

The villages concerned are on the Company's side (1) Vinagadapa and (2) Kottapalle, and that on the Nizam's side is Guntupalli-Gopavaram (one). The important point about the document is the number of boundary stones "from the meeting place of Gundupalli, Vinagadapa and Gopavaram." The number stated is "five" and "five recent." This is very difficult to reconcile with the oral evidence given by the Vinagadapa villagers. The latter shows that from Dasarikunta (a meeting place) to Duthekulagunta (including that at the latter place) there are six stones, and from that to Santhamamalodaka (including that near the latter) there are five stones, making in all eleven stones.

The Vinagadapa Vakil was unable to account for this discrepancy.

The sixth and seventh stones (marked Nos. 7 and 8) from Duthekulagunta are not accounted for in any way and were evidently unknown at the former enquiry.

I think the second "Five" and the words "and totalling" are a forgery; certainly the "five" is quite unlike the other "fives" in the account and "the totalling, &c.," are clumsily put in.

This document whichever way it is taken is not of much use.

15. The second document is a private copy of a plan of the boundary claimed by the Vinagadapa people, but as it is unintelligible owing to the offsets being expressed in figures which will not fit in with any known denominations of length and as it only professes to have been made five or six years ago (*i.e.* when this dispute had arisen afresh) it is not sent up or considered.

16. The third document put in is a letter (Telugu) from the Tiruvár Deputy Tahsildar dated in 1865, which only proves that there was a dispute then and has therefore been returned to the party.

The Wakil also offered at first to put in the village dowles⁸ from 1250 to 1254

*A revenue account.

*A revenue account, when the Zemindari was (he said) under attachment; but as it was pointed out that they were unsigned and so of little weight, he did not mention them in his list.

Besides this, he states there are some (3) documents in this office. What they are he does not say; but from a petition put in by his client the Zemindar, it would seem that they are—

- (1.) An Inayatnama from the Collector of 14th November 1872, saying that Captain Gresley's report was not in his office and the dispute should be settled by arbitration.
- (2.) A letter from the Deputy Tahsildar in 1865 (mentioned above).
- (3.) An extract from some Jamabandi dowses.

The first and third of these are not forthcoming in this office, and from their nature are not likely to throw any light on the matter.

17. The first document (marked I) put in by the Agrahari is a copy of a hand sketch of the boundary, the original copy being signed in May 1838 by Captain F. Gresley as umpire for the settlement. As far as one can judge it favors the Gopavaram view of the matter, though the natural features are very roughly put in. The line seems to go over Perantala hill and to join the main Vagu at the junction of a tank channel.

It shows six stones from the junction of three villages up to and inclusive of the stone at Perantala hill (at the foot of which is Duthukula pond *aguntala*), but shows no stones at all beyond that; and this latter fact makes very much against Gresley's original report to be marked by three stones.

18. The second document (marked II) is a certified copy of a "list to show the limits placed in 1838 by Captain Gresley in the dispute between Gopavaram (Nizam's) and Vinagadapa and Kottapalle (Company's)." The original was signed in 1842 (on the same day as document A) by the Daryaft Superintendent. It begins with a stone close to Dasari Kunta ("which is the corner place of Gopavaram"), and describes six stones up to and including one close to Duthekula pond, and says "from there over the dip in Perantala hill, from the side of Naresimharayudu's well and (in ?) Achanna tank by Pedda Pallem (great hollow) to Datdagala Vagu which joins Vangidi tank channel and along the Vagu to the north side of Doddli hill."

This again supports the Gopavaram view, but conflicts with Captain Griesley's original report, and the information contained in the copy was given four years after the decision and by a subordinate who, if the description of him in document A is correct, was then, for some reason, deprived of his post.

19. This is all the evidence adduced by the parties, and that on one side is seen to conflict with that on the other and both differ from the report in English by Captain Gresley himself.

(c)

20. Lastly as to Captain Gresley's decision as contained in his report.

His words are (see Enclosure K. 7.) "to a boundary stone on the bund of a small Kunta, south-west of Perantulu Gootta hill, thence (with direction 125° and distance 2 furlongs, 110 yards) to the east bank of the Doondialla river where there is a boundary stone; from thence proceed through a dense jungle in a general direction of 132, passing by two other boundary stones beyond which the jungle is impenetrable (direction 132, distance 2 miles, 3 furlongs)".

21. It will be seen at a glance at the documentary evidence above reviewed, or at the map, that it is impossible to reconcile this with the boundary claimed by the Agrahari up to the Pangadi tank channel, or with the Zemindar's line beyond that.

The Agrahari's line is defined in his documents by natural features and not by stones, and the direction of the first part of his line on the map is all wrong. The Zemindar's line beyond (*i.e.*, south-east of) the Pangadi tank channel is all wrong in direction and is marked by stones which appear to be new and are not mentioned in any document.

22. The direction of 132° from the Duthekulagunta stone is very nearly south-east (due south-east would be 135°, *i.e.*, $90^\circ + 45^\circ$), and this agrees with the direction of the line as shown on the enclosed plan and also very nearly agrees with the general direction of the Dandival Vagu as shown in the plan.

23. The Talukdar and myself agreed that this line was in accordance with the former decision, *i.e.*, from Duthekulagutta stone along the line pointed out by the Vinagadapa villagers to the third stone (No. 4 in the map), and from thence straight to the junction of the Pangadi tank channel with the main (Dandiwal) Vagu, and thence along the Vagu to the stone marked "8" just south of the Chimalapad road. Accordingly this was the boundary we fixed on in the accompanying decision.

24. In conclusion I have only to express my obligations to Mr. Framjee Jamsetjee of His Highness the Nizam's Survey for the assistance which he gave us in settling his dispute; unfortunately I knew no Hindustani and the Talukdar know no English, and we could not, as a rule, understand one another's Telugu. Mr. Jamsetjee's knowledge of Hindustani and English however made matters much more easy. His plan speaks for itself.

25. I may add that as disputes as to the boundary laid down along the Hyderabad territory frontier forty years ago by Captain Gresley are not uncommon in this division, I have taken the liberty of having a copy made of Enclosures J and K for the use of this office.

ENCLOSURE No. 1

DECISION.

WE decide that the land south of the line described below shall belong to Gopavaram (His Highness the Nizam's) and that the land north of that line shall belong to Vinagadapa (British).

From the sun and moon stone (admitted by both parties) on the bank of Duthekulagunta and west (or a little south of west) of Perantalagunta the line runs south-east to a stone on the left bank (going down stream) of the main Vagu (jungle stream), and pointed out by the Vinagadapa villagers; thence in the same direction to a second sun and moon stone (also pointed out by the Vinagadapa villagers) on the bank of a small watercourse (jalu); and thence in the same direction to a rock marked with a sun and moon. Up to this the line pointed out by the Vinagadapa people has been taken.

From the last-named rock the line goes in much the same direction (*i.e.*, south-east), but with a little more easting, for three furlongs to the junction of the Pangadi tank channel with the main Vagu (Dandiyala Vagu) and from there follows the main Vagu in a general direction of south-east (from Duthekulagunta stone) to a point on the boundary line (which runs about north-east and south-west) said to have been fixed by arbitration as the boundary of Chimalapad (British) and Kachavaram (Nizam's), within the last twenty years. The line follows that claimed by the Vinagadapa people for about one mile and six hundred yards from the Duthekulagunta stone to the rock above named, which is the third boundary mark from Duthekulagunta stone not counting the latter; then it goes straight from the Vinagadapa line to the above-named junction and thence along the line claimed by the Gopavaram villagers, *i.e.*, along the main stream (Dandiyala Vagu) to a point between the second and third stones on the above-named Chimalapad boundary taking the stone where the boundary crosses the Chimalapad road as the first and going south-west along that boundary.

(Signed) J. P. FIDDIAN,
Ag. Head Asst. Collector, Kistna District.

(Signed) GOVIND ROW,
Aval Talukdar of Kummammet.

BEZVADA,
20th May 1881.

No. 2,936.

SUBMITTED, with enclosures, in original (as per accompanying list) to the Board of Revenue, in reference to their Proceedings, Miscellaneous No. 19930, of the 19th November 1881.

2. The report contains the details of the boundary dispute and the decision arrived at. The undersigned has no remarks to offer.

NUZVID,
2nd December 1881.

(Signed) A. J. B. ATKINSON,
Acting Collector.

List of Papers sent to the Board of Revenue with Kistna Collector's letter, No. 2936, dated 2nd December 1881.

One Arzi, dated 22nd March 1881, sent up by Rajah Kamadana Seetamma Row Gara with following exhibits:—

A. Particular account called Jamabandi Dowles prepared in 1842.
B. Plan.

C. Letter written by Vissannapeta Deputy Tahsildar to Vellanki Venkata Namastaha Row, &c, on 19th January 1865.

One Arzi, dated 24th March 1881, sent up by do.
One Vakalatnama.

Three Documents, Nos. I, II, III.

One set of Depositions given by the following persons written in English:—

	Pages
1. Mandadapu Seshanna	3
2. Do. Kotayya...	3
3. Bikar Sahib	3
4. Vutukuri Kodandaramayya	2
5. Punganti Venkatappayya	3
6. Mandadapu Mallayya	1
7. Madireddi Venkatarreddi	1
8. Velupula Amirigadu	1
9. Velupula Gopadu	1
10. Ayyadevara Seshayya	1
11. Pasumarbi Narasimha Sastrulu	4
12. Lingamerla Adinarayana	3
13. Vemireddi Mallareddi	2
14. Gullur Kotayya	1
15. Mallangi Venkada	1
16. Velupuru Viradu	1
One Plan.	1

One Decision (original), dated 20th May 1881.

(Signed) A. J. B. ATKINSON,
Acting Collector.

SUBMITTED for the orders of Government with reference to the correspondence ending with G.O., dated 21st May 1881, No. 820.

2. The boundary dispute between the villages of Vinagadapa (British) and Gopavaram (Nizam's) has been very carefully investigated by Mr. Fiddian, Acting Head Assistant Collector, deputed to settle the question in communication with an officer of the Nizam's Government, and the Board recommend acceptance of the decision arrived at. The oral and documentary evidence adduced by the parties to the dispute was very conflicting and but little value could be attached to the statements of the rival claimants; it became necessary therefore to rely mainly on the records of a former enquiry conducted in 1838 by Captain Gresley. The boundary settled by the representatives of the two Governments accordingly follows the direction of the line indicated in Captain Gresley's decision and assigns a portion of the disputed tract to each party, the land claimed to have been occupied during recent years by the villagers of Vinagadapa being assigned to them whilst the jungle to the south-east is allotted to Gopavaram. As many of the localities mentioned by Mr. Fiddian are not shown on the plan, it is difficult to follow the discussion; but

the dispute has evidently been thoroughly investigated, and the Board see no reason to question the decision arrived. The line as described in paragraph 23 of the report follows that denoted in pink on the plan to the fourth stone and then crosses the disputed tract to the junction of a tank channel with a jungle stream (Dandiyal Vagu), which is taken as the boundary for the remainder of the course. This line, if accepted by Government, should be permanently demarcated to prevent further dispute.

(True Copies and Extract.)

Secretary.

To the Secretary to Government, Revenue Department,
with Collector's original letter and enclosures to be returned

Copy to the Collector of the Kistna District.

Exd. W. R. French

1882.
Board of Revenue,
MADRAS.

To
THE SECRETARY to GOVT.
REVENUE DEPARTMENT

Printed March 11th

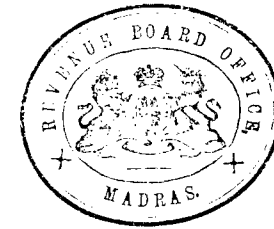
Received

PROCEEDINGS, 3RD JANUARY 1882, No. 3.

Decd 3/1/82

RECOMMENDING to Government that the decision of Mr. Fiddian, Acting Head Assistant Collector, deputed to settle the boundary dispute between the villages of Vinagadapa (British) and Gopavaram (Nizam's) be accepted.

Ans & Co. already sent



Proceedings of the Board of Revenue,

Dated 5th January 1882.

No. 3 Miscellaneous.

READ Memorandum of the Board of Revenue
dated 10th Dec 1881 on letter from
the Secy. to Govt. dated 10th Dec 1881
No. 1881/1000

Submitted for the orders of Government
with reference to the commission bearing
the G.O. dated 21st Dec 1881 & No. 820
2. The boundary dispute between the
villages of Vinagadapa (British) and
Gopavaram (Nizam's) has been
carefully investigated by Mr. Fiddian,
Acting Head Assistant Collector deputed
to settle the question in communication
with an officer of the Nizam's Government
and the Board recommended acceptance
of

as the Government would not allow
 a boundary line to be established
 between the two States. It is
 stated that the Government of
 the State of Bihar would not
 agree to the establishment of a
 boundary line between the two
 States. The Government of Bihar
 has refused to accept the
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100

[illegible]

11. 2. 7

SECRET

Number of hauls	<i>P. setiferus</i>	<i>P. setiferus</i> + <i>P. setiferus</i> + <i>P. setiferus</i>	<i>P. setiferus</i> + <i>P. setiferus</i> + <i>P. setiferus</i>	<i>P. setiferus</i> + <i>P. setiferus</i> + <i>P. setiferus</i>
1	100	100	100	100
2	100	100	100	100
3	100	100	100	100
4	100	100	100	100
5	100	100	100	100
6	100	100	100	100
7	100	100	100	100
8	100	100	100	100
9	100	100	100	100
10	100	100	100	100

Le Lute. fl. rose. t. h. p.

att 6. 120 - ; att 6. 117 -

[Handwritten signature]

2. 1990

3988 of 1887
Nos 55 of 1882

Board of Revenue,

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Upholstery: Green velvet

Read the following:

- Read the following
- 1 Letter from Miss Mary G. S. Smith, dated
26 Decr 1881 - No. 132.
 - 2 Printed List of Revenue dated
9th January 1882 No. 3.

Anders

The Govt^{in Council} approve and accept
the decision, which has been
arrived at after careful inquiry.
Steps will now be taken for
the permanent demarcation of the
boundary line as settled, after
consultation with the
The following letter will be
despatched to the President
of Hyderabad on 27/5/82.

to the President of the United States

In reply to Mr. Towner's
letter of the 26th July last
no. 1321 I am directed to
forward for your information
copy of the Proceedings of this
Court of the 1st of this date
concerning the application of

1887.

No.

3

Sophia :

Attached find
 a 15 page letter
 from the Board of
 Directors of
 the Kansas
 Historical Society

The decision must be
reprinted with the
Editor.

I thank Mr. Fiddian
 who is well begged
 for his card & sheet
 in decision is most
 lovingly written. is
 dated 20 May 81. has
 been laid aside till it

It is appointed by the
the British Government, in the
interest to maintain
between the village of Gokawade
and the village, showing the
decision arrived at by him &
the other deputed by this Government
the Rajah's Government, as
decision has been approved &
accepted by the Maharajah,
and I am now to require whether
his Maharajah's Government are
prepared to consent to the
settlement which has been made,
and to the permanent demarcation
of the boundary line fixed
upon by the arbitration, a
matter of the cost being borne
by each Government.

I am to be informed
that the Maharajah's
Government are
prepared to consent
to the settlement
made by the
British Government
and to the permanent
demarcation of the
boundary line fixed
upon by the arbitration,
a matter of the cost
being borne by each
Government.

