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MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

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GOVERNMENT OF MADRAS
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 6th April 1887, Forest No. 192 :—

Read—the following letter from Lieut.-Colonel L. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to the Secretary to the Board of Revenue (through the Collector of Malabar), dated Camp Pudukkuppam, 15th February 1887, No. 2937 :—

I have the honor to submit Mr. Porter's report on the Attipadi Valley with its enclosures, and the remarks of the Collector of Coimbatore.

I send also copy of my instructions to Mr. Porter (to the address of the Collector of Coimbatore) and a note by him on the Erālpād Rājā's offer (Board's Proceedings, Forest No. 791, of 22nd December 1886, *et seq.*), on which I asked him to report by D.O. As it will apparently facilitate matters, I send this letter and all the papers and map (separately) through the Collector of Malabar.

2. Considering the voluminous nature of the correspondence which has already arisen with regard to the Attipadi Valley, and the fulness of Mr. Porter's narrative, I feel sure that the Board and Government will be obliged to me if I restrict my remarks within the most limited compass possible.

3. My instructions are to "select the area which are really required for the protection of the head-waters of the Bhavāni and its tributaries," in order that notices under Section 29 of the Forest Act might issue (Board's Proceedings, Forest No. 247, of 11th May 1886). I accept Mr. Porter's selections which, it will be observed, tally closely with the areas indicated in my instructions and specify—

Block No. II, say 38 square miles;

Do. „ IV, say 26 do.

(or if Mr. Porter's alternative be adopted, about 10 square miles) as imperatively necessary for the protection of the head-waters of the Bhavāni and its tributaries with—

Block No. III(a), say 20 square miles, and

Do. „ III(b), say 7 do.

which it is also advisable to secure and protect if possible.

4. Block No. II is or was claimed by no one falling within the purview of the Survey officer who made the map under the High Court's instructions. Block No. IV is claimed by the Mannāghat Nāyār (2nd defendant), and appears to embrace portion of the land which Colonel Scott agreed to convey to the Secretary of State.

Block No. III(a) appears also to be claimed by no one, unless it falls within the limits of a claim recently made by Mr. H.P. Hodgson, copy of which and of my reply are attached.

This is the claim referred to in para. 6 of my letter printed with Board's Proceedings, Forest No. 629, confidential, of 19th November 1886, and Mr. Hodgson bases his claim on an agreement from the Erālpād Rājā of Calicut (1st defendant), who does not, however, appear to have claimed the area indicated during the suit.

Block No. III(b) falls within the area claimed by the Mannāghat Nāyār (2nd defendant) and Colonel Scott (8th defendant), and appears also to embrace a portion claimed by the Erālpād Rājā (1st defendant) as well. The whole block is within

the limits to be transferred by Colonel Scott to the Secretary of State surrounding his coffee estates at Varada Malai.

5. In this connection I should represent that whereas the High Court Judgment, page 2, lines 24 and 25, states that 9th defendant, Mr. W. Scott, alleged that he had relinquished his rights to 8th defendant, Colonel Scott, we find a Mr. S. Scott intimating to the Collector of Malabar on the 17th June 1886 that he is opening out land in the vicinity of his father's estate on a separate lease from the Aricoorhy, who is, I believe, the Mannarghat Nâyâr, through his guardian Parvathi alias Ammah Nethiyar. This land is therefore presumably portion of that which Colonel Scott has agreed to transfer to the Secretary of State.

Surely any further payment should be withheld till Colonel Scott gives effect to the terms of his agreement: at present he has not only got costs which were intended to cover those of 2nd defendant, Colonel Scott's own having, I see, been assessed by the High Court at Rs. 67 and Pleader's fee; but Government is apparently under the Government Solicitor's advice (G.O., No. 1071, of 7th December 1886), to pay him Rs. 500 rental for nothing.

6. I leave it to the Collector of Malabar, as suggested by the Collector of Coimbatore, to place a value on the lands indicated, which Government have decided to regard as not at their disposal, and to inform the Board and Government who claims or owns them. There will doubtless be many claimants when it is found that Government is in a generous mood. Besides those referred to in the High Court's Judgment as having "surrendered their claims," I have heard of claims by General Morgan and Messrs. Havelock and Torin as lessees of one Nâyâr or another.

7. With regard to the Erâlpâi Rajâ's offer to lease his forest to Government (Board's Proceedings, Forest No. 41, 76 Mis., and 82 Press, dated 28th January, 5th and 12th February), it will be observed that only a very small portion, if any, of them falls within Mr. Porter's selection. They are not required for climatic purposes or the protection of the water-supply, and are of little or no value as forest.

There is, in fact, no analogy between them or any of the forests in the Attipadi Valley and those of the Kolangôd Nambidi on the Anaimalais.

The latter have little or no influence on the water-supply which runs to the west, but they contain the remains of valuable teak forests, which it is advisable to acquire and restock under proper treatment, for the benefit of the timber supply and forest finances of the future.

The Attipadi Valley question is intrinsically a land-revenue one in which the Forest Department is only indirectly interested, the main object being to secure all the ever-green forest which is left and shut it up, which it does not require skilled professional management to do.

I would recommend that the Erâlpâi's kind offer be declined with thanks. He doubtless heard of the terms we were offering to the Kolangôd Nambidi, and thought a good chance presented itself for making a good thing out of what are apparently scattered pieces of forest and cultivation on the Coimbatore water-shed from which neither he nor any one else derives any revenue to speak of.

8. Having regard to the limited areas which it is now proposed should be acquired and reserved, the absence of any field for the professional forester, and the large area cultivated, estimated by Mr. Porter at 15,000 acres in the valley, I am inclined to modify my previous views and recommend that the whole extent be left in Malabar whose Revenue officers can doubtless best collect the assessment and protect the forest area secured to them in the future, though judging from the past, the outlook is not hopeful.

9. I consider that Mr. Porter deserves credit for his researches and report. The former were conducted at much personal discomfort and no little risk to his health in addition to his ordinary duties as District Forest Officer, Coimbatore (South), and the latter, though somewhat wanting in arrangement and matters of professional interest such as a description of the flora observed, is practical and to the point.

I beg to recommend that he be granted the same special allowances whilst he was employed on the work as were given to Mr. Peet on the Travancore-Coimbatore boundary settlement and to Mr. Hayne on the Tinnevely-Travancore boundary work. The ordinary fixed travelling allowance of an Assistant or Deputy Conservator is insufficient to cover the expenses of such special duties.

ENCLOSURE No. 1.

From Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to the Collector of Coimbatore, dated Madras, 2nd August 1886, No. 992.

Referring to the orders of Government and the Board of Revenue marginally noted, I have the honor to request that Mr. Porter will visit the Attipadi Valley as soon as the season admits and select and mark on the ground and maps the forest areas which it appears necessary to acquire in connection with the water-supply in the Bhavâni river and its tributaries.

2. These areas should be as limited as possible as directed by Government in their orders communicated with the first of the Proceedings quoted, of which I enclose a copy as it does not appear to have been communicated to you.

3. I have already supplied Mr. Porter with a copy of the map prepared by the Revenue Survey Department, which is unfortunately not very clear or accurate.

4. I would indicate a strip of forest of about one mile broad on each side of the Sri Bhavâni, Varagar or Vagar, Siruvani (two branches) rivers and the Vellingiri shola as comprising our requirements. If the forests contain timber which can be profitably worked or made to produce revenue by planting cardamoms, &c., so much the better; but this is quite a secondary consideration, and doubt if it will be found feasible.

5. The question of who the proprietors are and steps to be taken to deal with them under the Forest Act is for future consideration; but it will be observed that the large tract in the north-western corner of the valley on the head-waters of the Bhavâni was unclaimed in the original suit, though unfortunately the necessary action was not taken to secure possession to Government then and there. Mr. Porter might with advantage ascertain who is in possession or recognised as the landlord now, and note and record any further information regarding the population and cultivation in the valley, which will be useful hereafter.

6. He should arrange with the Collector of Malabar for the presence of the local officials and all needful assistance and information, giving ample notice of his visit.

7. I think the question of the western boundary of the area to be transferred to your district, and issue of the notification regarding the said transfer, had better be deferred till after Mr. Porter's inspection and report. If you agree with me, will you please inform the Collector of Malabar who recently wrote to me on the subject.

ENCLOSURE No. 2.

Office Note from H. J. A. PORTER, Esq., Assistant Conservator of Forests, to the Conservator of Forests, Southern Circle (through the Collector of Coimbatore), dated Truttupallam, 17th January 1887.

Subject.—"Attipadi Valley."

In accordance with the instructions conveyed in your No. 992, August 2nd, 1886, I have made a careful examination of the Attipadi Valley, and submit herewith my report.

Enclosures.
Report on the valley.
Map on a scale of 2 inches to the mile.
Diary.
Detailed description of the blocks.

I enclose also a diary which may prove useful to any one visiting the valley; it gives a brief outline of the route I followed and the heights of camping stations taken with an aneroid barometer.

I have not attempted to give distances, as any distance measured in the map of so hilly a country is apt to be misleading; what one requires to know is how long it will take to get from one point to another.

I took up 50 of my own junglemen from the Bolumpatty Valley to carry tents, &c. It was fortunate that I did so, as having no control over the inhabitants of the Attipadi Valley, I received no assistance from them till I arrived at Viranûr. From Viranûr north I had no difficulty in getting coolies. No provision can be purchased in the valley, and it was necessary to

and up the creek, &c., for the valley. Had I known what the country was like, I should have left my tent behind at Attipadi village and arranged to get tents built, as the transport of tents and heavy boxes is difficult and expensive in the rugged valley of the Bhavani to the north of Virapur.

ENCLOSURE No. 3.

ATTIPADI VALLEY.

Situation.—The Attipadi Valley is situated in the north-east corner of the Arakanchi taluk, Walwarad taluk, Malabar district.

Area and general description.—Its extreme length from north to south is 18.7 miles and extreme breadth from east to west 12.4 miles. Its area calculated from the 1-inch map is 242.11 square miles.

It may be described as a basin, the outer rim of which is tilted down towards the north-east. To facilitate description I have divided the valley into four blocks. The highest hills are those forming the northern and southern boundaries of the basin.

The northern range with an elevation of over 7,000 feet, forming Block I and part of Block II, is an unbroken chain of hills or rather cliffs; the greater portion is open grass land with but little forest.

To the west of the Bhavani river in Block II is a broken range of hills, well covered with forest with rounded grassy peaks 6,000 feet high.

To the east of the Bhavani river, forming Block III, is a narrow chain of hills characterised by sharp rocky peaks; the lower slopes of this range are well covered with forests.

South of the last path down in Block IV is an unbroken range of lofty hills well covered with ever-green forest running east and west; their elevation probably exceeds 7,000 feet, but I did not test it with the aneroid barometer.

The south-eastern rim of the basin from Vellingiri Malai to Idinga Malai and thence on till the Kodakurapattam is reached, is a continuous range of hills with an elevation of from 4,000 to 6,000 feet containing ever-green forest and grass land.

The rest of the basin is an irregular mass of rounded hills with an average elevation of 3,000 feet and 1,000 feet above that part of the river flowing through Block III. The valleys between are exceedingly narrow, and looking down from the higher ranges in Blocks I, II, IV, it gives one the idea of being an undulating plateau, so close together are the hills packed.

Forests.—The detailed description of the four blocks shows the general distribution of the forests.

The ever-green forests, especially those situated in Block IV, are magnificent and contain finer trees than any I have seen in either the Nilgiri or Anaimalai sholas. Whether they are of any commercial value I am unable to say; very little is, I believe, known about the nature and quality of the timber of the majority of ever-green trees. The chief value of these ever-green forests lies in their protective powers both as regards attracting and storing water; I was much struck with this fact during my recent inspection; while camping near sholas the air was always more or less cold and damp and a light drizzling rain of common occurrence; while camping near deciduous forests at the same elevation the air was much drier and warmer, and there was no rain; and on three occasions I observed, while looking down on the valley from the higher peaks, that a heavy mist was hanging over the ever-green forests, while the deciduous portions were quite clear. This was not due to elevation, as in many instances, I found deciduous forest up to an elevation of 4,800 feet and ever-green as low down as 3,300 feet. The cause doubtless was the low temperature of the atmosphere as compared with that surrounding deciduous forests: it was, of course, also partly due to the moisture of the soil. Here again there was a marked difference; in the case of deciduous forests, the soil was of no depth and perfectly dry, in the case of ever-green forests, it was moist and covered with a thick layer of humus. Neither cattle nor fires enter the ever-green portion of the valley, as there is no grass for the former to eat, and nothing dry enough for the latter to burn.

The deciduous portion of the valley, situated principally in Block III, is in a wretched condition, few trees exceed a diameter of 1 foot, and its open condition and stunted growth, due to cattle-grazing, fires, and periodical clearance for cultivation, affords but little protection to the soil, nor does it assist in attracting or storing water. Of the more valuable species, *Tectona grandis*, *Dalbergia latifolia*, *Plernocarpus mowsonianus*, *Hardwickia binata*, *Terminalias*, &c., are sufficiently numerous, but their stunted condition and inaccessibility preclude the possibility of any considerable revenue being derived from regular felling operations.

Minor Forest Produce.—Judging from what I saw and from inquiries made in the valley, no one derives much profit at present from minor forest-produce. A few cardamoms are collected by the hill-tribes in Block IV, and I feel certain that nearly the whole of this block is eminently suited to cardamom cultivation. Dammer, ginger, soapnuts, tamarinds and rattans are also collected.

Population and Cultivation.—The following information, obtained from the village officers regarding the number of villages, population, and land-revenue, may be taken as an approximate estimate:—

Villages		103
Houses		1,050
Population		6,500
Land-revenue (including Colonel Scott's estate)		Rs. 821-1-5

The inhabitants are chiefly Irulars and Mudugirs, with a few Tamil Goundans and Badagars.

The Irulars, who probably form about two-thirds of the population, are chiefly found in the deciduous forests in Block III; they carry on ponakad cultivation, and the majority employ ploughs for tilling the ground.

The Mudugirs, forming one-third of the population, are found almost exclusively in the ever-green forests in Blocks I and II. It would appear that they require virgin ever-green forest for ponakad cultivation, as they do not use ploughs. In fact, they are the people who do the greatest damage to the valley, and are rapidly destroying the very forests which should be protected for preserving the water-supply. I observed that in the hill-slopes where ever-green forest had been cleared for cultivation, it was replaced first by a rank growth of grass, thorny creepers and shrubs, and subsequently by a stunted growth of deciduous trees; and I do not believe that ever-green forest would again spring up, as when a hill side is cleared and cultivated the soil is gradually, if not at once, washed down to the foot of the slope; and ever-green forest must have a deep moist soil. This fact accounts no doubt for the irregular distribution of ever-green and deciduous forest, as I have mentioned above, in some places ever-green forest was found as low down as 3,300 feet, while deciduous forest was found up to an elevation of nearly 5,000 feet, and I cannot help thinking that in by-gone ages the whole valley must have been covered with a dense ever-green forest.

Probable Area under Cultivation.—The village curiam estimates the area under cultivation at 1,500 acres. I found, by inspection, that the members of each house cultivated from 10 to 20 acres, and accepting his estimate of the number of houses as approximately correct (as the assessment is levied at so much per house, and the curiam was provided with a list of the inhabitants), I estimate the annual cultivation at 15,000 acres or 23 square miles in round numbers.

Suggestions regarding the measures to be taken to maintain the present water-supply.—In order to preserve the present water-supply no fresh clearances should be allowed in Blocks II and IV. The number of houses in Block II is given in the detailed description of the blocks: in Block IV there are three small Mudugir villages. If their present clearings are demarcated, the inhabitants will, before the expiry of two years, emigrate elsewhere, as they require ever-green forest: this I find has been the case with the Mudugirs to whom land was assigned rent free during the settlement of the Bolumpatty reserved forest. When their land was demarcated, they emigrated to Attipadi Valley, as I refused to allow them to go on clearing fresh sholas. Blocks I and III may be given up to cattle-grazing and cultivation, as it is of little moment what happens to them.

Block II contains approximately 38.07 square miles, and if the map be correct, there are no claimants to it; Block III (a) is apparently claimed by no one, and this might also be reserved. But in any case, no fresh clearing must be allowed in Block II.

Block IV contains approximately 26.8 square miles, 3rds of which is claimed by the 2nd defendant and 3rd by the 8th and 9th defendants. It would appear from the agreement made between Colonel Scott and the Secretary of State that the former has assigned to the latter all the rights which he obtained by lease from Parvathi Ammal Nethiyar, who is, I understand, either the 8th or 9th defendant, so the whole of the eastern portion of Block IV is already assigned to Government. The exact terms of the lease are not given in the agreement made with Colonel Scott. Further, it is stated that there is no regular agreement on paper between Colonel Scott and Parvathi Ammal Nethiyar. Government's right and title to the land is, therefore, somewhat obscure, and at the best it is only a lease for 25 years, renewable on terms which are not stated. I received no instructions to get the boundaries of the land assigned to Government by Colonel Scott pointed out on the ground, but those mentioned in the agreement include a portion of the land claimed both by the 1st defendant (Erālpād Eliya Rājā) and Parvathi Ammal Nethiyar; so if the map be correct, Colonel Scott's title to the northern portion of the land assigned is disputed. I endeavoured to find out from the inhabitants of the valley the names of the reputed owners of the land, but the only information I could get was that the land to the west of the Siruvani belonged to a Rājā, and that to the east to Government. It is too late to re-open the question, but there is a general opinion both amongst the inhabitants of the valley and ryots who take up their cattle to graze from the Coimbatore district, that the Coimbatore district extends as far west as the Siruvani river.

Means to be adopted to prevent any further extension of cultivation in Blocks II and IV.—As Block II contains but little deciduous forest, and Block IV none at all, no revenue can be derived from the forests. The land-revenue collected in both blocks does not exceed ten rupees a-year. A small revenue might be obtained from minor forest-produce. So far, therefore, as revenue is concerned, the two blocks are of little value; and provided no further extension of cultivation takes place it matters little who owns the valley. The jannais derive no revenue from

it, but at the same time are jealous of their rights, as landed property, no matter how small the intrinsic value, increases the dignity of their title in proportion to its extent. It might, therefore, be possible to induce the janmis to demarcate the present clearings, to prevent any clearings in the future, and to notify the land as "reserved forest" under Section 32, Forest Act. If the land be taken up under the Land Acquisition Act, Government would have to pay a large sum of money, as I estimate that about 1/3rd would be valued as land fit for cultivation, with a large proportion capable of cardamom and coffee cultivation, in return for which outlay there would be no revenue, as any clearings in the future must be prohibited.

Proposed alteration of the Coimbatore boundary.—The principal reason for proposing to include the Attipadi Valley within the limits of the Coimbatore district is, I understand, that it is considered the duty of Coimbatore to protect its own water-supply. This seems to me somewhat ungenerous on the part of Malabar. If there are no stronger reasons, I am of opinion that the boundary should remain as it is. The inhabitants of the valley are thoroughly impregnated with Malabar ideas and customs; and I venture to think that the Collector of Coimbatore would experience great difficulty in collecting the land-revenue if the work be entrusted to Coimbatore officials.

If, however, the district boundary must be changed, the best and, in fact, the only line would be the western boundary of the valley.

CAMP, IRTTUPALLAM,
17th January 1887.

(Signed) H. J. A. PORTER,
Assistant Conservator of Forests.

ENCLOSURE No. 4.

BLOCK I.

Description.—Block I, which forms the northern boundary of the valley, is a continuous range of hills running in an unbroken line from west to east, the average elevation of the watershed being 7,300 feet. It is, in short, the southern slope of part of the Nilgiri plateau, and the few streams which pour down its sides in water-falls rise in the Nilgiri district.

Forests.—The hills being rocky and precipitous are but poorly clad, and open grass land is the predominating feature; a few ever-green trees occur along the banks of streams and on some of the less-pronounced gradients.

Cultivation.—That there is but little cultivation in this block is due to the configuration of the ground, for which reason there is not much fear of its being extended.

Value as regards Water-supply.—As mentioned above, the water running through this block rises in the Nilgiri district. It has probably always been in its present condition. The configuration of the ground precludes the possibility of any considerable extension of cultivation; so there is, therefore, no *raison d'être* for recommending its reservation.

BLOCK II.

Description.—Block II, which forms the western extremity of the valley, is composed of irregular ranges of hills running down to the Bhavani river. The highest peak is said to be Adu Mudi (5,830 feet).

Forests.—The Bhavani river pursues a rapid course through this block; its bed at Viranur, which is only 2,600 feet, rises at Todiki to 4,000 feet. It is well covered with forests. In the southern half deciduous forest and bamboo jungle occupy the slopes from the river-banks to a height of 4,500 feet; above this is found a compact zone of ever-green forest and on the tops of the hills grass land.

In the northern half there is scarcely any deciduous forest; ever-green forest takes its place, and dense sholas run down to the banks of the river, giving place to open grass land on the hill tops.

Cultivation.—There are five villages in this block, viz.:—

	Houses.
Chindaki	
Viranur	
Tadigundi	
Murugah	
Anaivay	
	20
	6
	6
	3
	10

A considerable portion of the block, up to a height of over 4,000 feet, has been from time to time cleared for cultivation. On an average each house cultivates 20 acres annually. The same spot is cultivated for two years; and, as far as I was able to ascertain, the inhabitants in this block seldom return again to the same spot, as they prefer clearing virgin forest; so although the population is small, the forests are being rapidly destroyed. Close to Viranur I saw the inhabitants burning, amongst other fine trees which had been felled on land destined for ponakad cultivation, a rosewood tree containing over 100 cubic feet of timber. The total annual assess-

ment collected from these five villages does not exceed ten rupees a-year! but the damage done by them exceeds thousands.

Value as regards Water-supply.—Four large streams run into the Bhavani from the west, and as they rise in the block, it is absolutely necessary to put a stop to any further extension of cultivation. The presence of virgin forest renders it specially adapted to ponakad cultivation; and the inhabitants informed me that, had it not been for a wholesome dread of "the Malabar Collector" (meaning, I believe, Mr. Winterbotham), the whole block would have been overrun with jungle tribes from the less fertile portions of the valley and probably denuded ere this. Parts are, I consider, well suited for the cultivation of tea and coffee.

BLOCK III.

Description.—Block III, forming the centre and eastern portion of the valley, is composed of short irregular masses of rounded hills rising to a height not exceeding 1,000 feet above the bed of the river. This is the lowest portion of the valley, and there is no considerable variation of elevation; in fact, there is only a fall of 100 feet in the height of the river-bed between Attipadi village and Tachampadugai village where the Virgar joins the Bhavani.

Forests and Cultivation.—There is no ever-green forest, and the deciduous forest is of little value. The disastrous effects of forest fires and cattle-grazing are everywhere apparent. It is the principal grazing ground of the valley, and in addition to the cattle owned by the inhabitants, large quantities are sent up annually from the Coimbatore and Malabar districts. The areas marked on the map as "cultivation" do not give even an approximate estimate of the actual area under cultivation. There is no virgin forest, and the entire area has been under cultivation from time to time. The inhabitants are, for the most part, Irulars and Mudugirs, and only cultivate the same spot for two years at the most; having no virgin forest to clear, necessity has advanced them one step in civilisation, and they employ cattle and ploughs to till the land. There are small patches of wet cultivation near Attipadi and Tachampadugai villages.

Value as regards Water-supply.—The hills are of no great height; the forests are deciduous and in a wretched condition; there is consequently no water rising in this block. Reservation would, of course, improve the condition of the forest, but it would not increase the supply of water to any appreciable extent.

From the above description must be excepted the portions marked on the map as blocks III(a), III(b).

Block III(a) is a narrow range of lofty hills running along the eastern bank of the Bhavani river. The most characteristic feature of this range is an irregular chain of rocky angular peaks. It is fairly well covered with forests (deciduous and ever-green), especially in the northern half. Portions of the lower slopes have been cleared and cultivated; a few perennial streams run down both the eastern and western slopes; but on account of the narrow breadth of the range the amount of water they contain is inconsiderable.

BLOCK III(b).

Colonel Scott's estate is situated within the limits of this block, which also contains the sources of the Kodunkanipallam, a stream forming part of the boundary line between Coimbatore and the Attipadi Valley. The forests are ever-green. After deducting the portion already purchased from Colonel Scott, the remaining portion would be of small extent and not worth reserving.

BLOCK IV.

Description.—Block IV forms the southern extremity of the valley.

Forests.—The whole of this block is one dense mass of ever-green forest with no deciduous forest, and but little grass land.

Cultivation.—At present there is practically no cultivation; a few Mudugirs have recently emigrated from the Bolumpatty Valley, and are now clearing the forest near Pativasal for ponakad cultivation. There is also a deserted coffee plantation belonging to a certain Lalgi Sait close to Pativasal, and a clearing said to have been made years ago by General Morgan in the slopes of the hills between Iyappan Mudi and Chinna Amanti Malai.

Value as regards Water-supply.—It is impossible to over-rate the value of this block; covered as it is with dense ever-green forest, it forms a veritable sponge. The Siruvani river rises at Muttikulam and the Pambar river at Padiyarnugam Malai. Two smaller streams rising in the sholas to the west of Vellingiri Malai join the Siruvani river near Pativasal and two more rising one to the north and the other to the south of Niralikotti hill join the same river to the north of Marvathi village. If possible, the whole of this block should be reserved, or at any rate precautions taken to prevent its being cleared. The northern limit of the block is a line running from Tumbe Malai to Kongaraman Mudi, thence to Paranallikotti Malai and from there to Peria Amanti Malai. This includes an area of about 26.8 square miles. If such an area be considered too extensive, a line may be taken along the foot-path running west from Poratti and the lofty range to the south of this foot-path be reserved; this would include the sources of the Pambar

and Siruvani rivers. By the agreement made with Colonel Scott, I believe we have already purchased the portion to the east and north-east of the block claimed by the 8th and 9th defendants.

CAMP, IRUTTUPALLEM,
17th January 1887.

(Signed) H. J. A. PORTER,
Assistant Conservator of Forests.

ENCLOSURE No. 5.—Attipadi Valley Map.

ENCLOSURE No. 6.—Mr. Porter's Diary.

ENCLOSURE No. 7.

From H. J. A. PORTER, Esq., Assistant Conservator of Forests, dated Anaimalai, 25th January 1887.

Reference.—Collector's demi-official, confidential, enclosing Board's Proceedings, Forest No. 701, dated 22nd December 1886.

I have not a copy of the map with me to refer to; but as far as I remember no land claimed by the Erālpād Rājā is included in Blocks II and IV, which I propose to reserve. In any case, I should not recommend an agreement or lease similar to that we are attempting to make with the Kolangōd Nambidi. The Kolangōd Nambidi's forests are valuable timber forests, and we hope to make a large revenue out of them. The forests I propose for reservation in the Attipadi Valley are chiefly ever-green forests, the wood of which has no commercial value. We don't wish to fell a stick there and they are simply to be reserved as forests of protection. Some of the Rājā's forests, situated I believe in Block III, contain deciduous forest; he may perhaps make a small revenue out of them, but it would not pay the Forest Department to work them systematically, and as I understand the G.O., my proposals for reservation were to include only those portions of the valley absolutely necessary for the preservation of its water-supply.

Regarding Colonel Scott, as mentioned in my report, part of the land (4,500 acres) which he is to hand over to us is (if the map be correct) claimed by the Erālpād Rājā as well as by Parvathi Ammal (2nd defendant, the lessor to Colonel Scott). It would further appear that he possesses title-deed for 500 acres only, but that he will do his best to obtain the title-deeds for the remaining 4,000 acres. His title-deed to the 500 acres is, I understand, a lease for 25 years; and he states that the remaining 4,000 acres was to be given on a similar lease. It would perhaps be advisable to obtain a copy of the lease as it contains the conditions under which it is said to be renewable at the expiry of the first period.

ENCLOSURE No. 8.

From H. P. HODGSON, Esq., to the Conservator of Forests, dated Craigmere, Kullakamby, 27th October 1886.

I have the honor to bring to your notice that I have a claim upon certain lands on the southern slopes of the Nilgiris in the Malabar district. I have already addressed the Secretary, Revenue Board, on the subject in a letter, dated 9th October 1886.

My claim is based upon a lease from the Eliya Rājā of Calicut, which lease is, of course, open to inspection by you.

The boundaries of the land are—north, the southern boundary of the Nilgiris; south, the Bhavāni river; east, a line drawn from the southern boundary of the Nilgiris to the Bhavāni river; west, ditto.

The line of the eastern boundary is the present boundary between Malabar and the Nilgiri and Coimbatore districts, and that of the western boundary follows the course of the river which makes the Poormund waterfall, from the Nilgiri boundary to the Bhavāni river.

The land in question was included in the Attipadi suit, but I understand that the Eliya Rājā relinquished this portion of the land to Government during the suit.

This would, of course, not affect my claim, as he had no authority from me to relinquish that portion which I hold under the said lease.

Doubtless Government will be prepared to recognise my title after an inspection of my deeds. In the meantime, I have thought it best to advise you of my claim.

ENCLOSURE No. 9.

Demi-official letter from Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to H. P. HODGSON, Esq., Craigmere, Kullakamby, dated 11th November 1886.

I have the honor to acknowledge receipt of your letter of the 27th ultimo, informing me that you claim a tract of land on the southern slopes of the Nilgiris on the strength of a lease from the Rājā of Calicut.

2. I note that you have addressed the Board of Revenue to the same effect, and appear to consider your title good, although the lessor has formally withdrawn all claim or title to the land which you state he has leased to you. I fail to follow your argument or deduction in this respect, but you will be afforded due opportunity of putting in your claim before any portion of the Attipadi Valley is constituted reserved forest under the Forest Act.

ENCLOSURE No. 10.

List of the Defendants mentioned in the High Court's Judgment and Decree regarding Attipadi Valley.

1st Defendant.	Erālpād Rājā or 2nd Rājā of Calicut.
2nd "	Mannārgat Mupil Nāyār, through his guardian Parvathi alias Ammah Nethiyar.
3rd "	Walawunād Rājā.*
4th "	Eliya Nāyār.*
5th "	Chathummi Mootha Nāyār.*
6th "	Mootha Pisharodi.*
7th "	Karyatil Ramen Menon.*
8th "	Lieutenant-Colonel Scott.
9th "	W. Scott, Esq.†

Endorsement by G. D. LEMAN, Esq., Collector of Coimbatore, dated 30th January 1887.

Forwarded.

The report shows clearly what Mr. Porter considers should be done, and that is, to conserve every bit of ever-green forest left, and to forbid any further clearing around the head-waters of the Bhavāni from the Kandalas to the village of Attipadi and of the Siruvani.

The first of these pieces of forest seems, from the survey map* prepared by the Survey office for the use of the High Court showing the boundaries of each defendant's claim, to be unclaimed, and if it be so, there is no difficulty

about that. There are but three or four villages of hill-people to be dealt with, and the Collector of Malabar may be directed to issue orders at once forbidding any new clearance, and at the same time the Government may issue a notice that the land is at their disposal, and is proposed for forest. The notice should come from the Malabar Collector. Mr. Porter can give the boundaries.

This tract is Block II and Block III(a) of the map which accompanies this.

The small piece to the south of the curve of the river in Block III is claimed by the Erālpād Rājā (vide Board's Proceedings, Forest No. 701, dated 22nd December 1886). It does not appear that there will be any difficulty in arranging for the conservation of this little piece; at the same time, it is to be noted that we cannot make any agreement with him similar to that with the Kolangōd Nambidi, for here there is no forest to fell.

Mr. Porter does not report any clearing here, but perhaps it would be well to ask the Erālpād Rājā to send up a notice forbidding any.

Mr. Porter does not propose anything for the northern Block I, or the central to eastern Block III.

It does not appear that anything can be done to add to their utility for our present purpose. Block IV to the south and Block III(b) are the two last selected for reservation.

Block IV should, I think, be secured entirely from felling. It is claimed part by 2nd defendant, part by 8th and 9th defendants. I think Mr. Logan should be instructed to enter into negotiation with them to forbid cultivation and allow the Government to assume the protection of the forest under Section 32 of the Act.

As for Block III(b), if Amma Nethiyar Avargal will carry out the terms of the Karar made with Colonel Scott, Mr. Porter thinks that all the protection we want will be secured.

* Surrendered their claims.

† Claim transferred to 8th defendant.

Thus it will be seen that the only place in which the Government may have to expend a considerable sum of money is Block IV. I think Mr. Porter has lost sight of what may be a cost and find out on what terms the Government is likely to agree.

NOTE forwarding letter No. 216 (Camp), dated 14th February 1887, of the Conservator of Forests, Southern Division.

We have now something definite to go upon, and I accept Colonel Campbell Walker's recommendation that Blocks II and IV, in the accompanying map, are required for the climatic protection of the Bhavani river and its main tributary, the Siruvani.

2. Colonel Campbell Walker also recommends for the same purpose the surrounding and protection, if possible, of Blocks III(a) and III(b).

3. Colonel Campbell Walker further leaves it to me to place a value on these lands and to inform the Board and Government who claim or own them.

4. BLOCKS II AND III(a).—Blocks II and III(a) were not claimed by any of the parties to the appeal before the High Court. The judgment sets out on page 3, "The suit proceeded against the 1st, 2nd, and 8th defendants, who are the respondents to the appeal." Although, therefore, the names of the other defendants in the original suit are set out in full at the head of both judgment and decree, it would appear that the High Court viewed 1st, 2nd, and 8th defendants alone as the respondents, and it is certain that Blocks II and III(a) were not claimed by any of them. Indeed, the High Court Judgment (page 2) expressly states that "It shows that a large block of land on the west and a small block on the east are claimed by neither party." The large block of land on the west referred to comprises Mr. Porter's Blocks II and III(a) and also a large lump of Block I.

5. Under such circumstances, I am at a loss to know how to discover the "owner" contemplated by Sections 29 and 30 of the Forest Act. It is clear that we must first discover the "owner" if there is one; for the provisions of Section 30 do not apply until the "owner" has been discovered, and has had a chance offered to him of complying with the notification to be issued under Section 29.

5(a). If my memory serves me right, the whole of Chapter IV was imported into the Act after the Bill had left the hands of the Forest Commission, of which I was a member. That chapter is of great value, but it does not seem to have received the minute and detailed criticism to which the rest of the Act was subjected at our hands. The result is that no machinery exists for ascertaining precisely who the "owner" (Sections 29, 30, 32) or the "owners of shares" (Section 32) or the "person or persons jointly interested" (Section 33) are. In the absence of such machinery, it seems to me that the only course left open is to apply the provisions of Chapter II, in order to ascertain with precision (Sections 4(c), 6(d), 8, 10(d), 11, 12, 13, 14, 15, 16, 17) who such "owners," &c., are, and what are their respective rights over the land notified for settlement. Of course, if it is intended simply to apply the provisions of the Land Acquisition Act, an inquiry under Chapter II of the Forest Act is unnecessary, and Sections 9 to 16 of the Land Acquisition Act provide the necessary machinery for giving Government an indefeasible title. It will be seen, however, in the sequel, that that course will probably be both unnecessary and financially undesirable in regard to several of the blocks selected by Mr. Porter, and unless Chapter IV is to remain almost a dead letter, the only course (as above said) is to begin with an inquiry under Chapter II.

6. With the utmost respect, therefore, for the ruling contained in G.O., Revenue Department, No. 7456, dated 10th December 1886, I have the honor to submit that the most obvious course under such circumstances is to proceed first of all under Chapter II and not under Chapter IV of the Forest Act. The end is practically the same in both cases. Presuming that an "owner" does turn up and make good his claim, then in the one case (Section 10) as in the other (Sections 30 and 31) the ultimate action lies under the Land Acquisition Act, 1870.

7. Moreover, procedure under Chapter II has this most manifest advantage, that the "owner" is bound within certain limits of time to come forward and declare himself, whereas under Section 29 he need not do so. "Owners" would doubtless spring up like mushrooms if I were to advertise for them under Section 29, and the hearing of their claims might be indefinitely prolonged, even supposing (which is not at all clear) that I had authority under Section 29 to hear them on the point of ownership.

8. Moreover, if Chapter II is applied, in the first instance, it is quite possible that several "owners" (e.g., Mr. Hodgson among others, referred to in the Conservator's para. 4) may turn up, and it seems to be quite possible and natural too, once their claims or some of their claims are admitted under Section 10 to deal with them or some of them afterwards either under Sections 29—31 or better still under Section 32. There is nothing in the Act to prevent this that I can see, and such a course has the manifest advantage of gaining all we require, namely, protection of the forests for climatic reasons at a minimum cost to Government if the "owners" whose claims are "admitted" under Section 10 will agree to Section 32 being applied. The Conservator has somewhat changed front as to the departmental value of these forests, and now that we have it, on his authority, that his department is only "indirectly interested" in the forests (which means, I presume, that there is no money to be made out of them), it would be very advantageous, from a financial point of view to apply Section 32 of the Act and not Sections 29—31.

9. Under these circumstances, I would suggest, in regard to Blocks II and III(a)—

- (1) that they be dealt with first of all under Chapter II; and
- (2) that claims admitted under Section 10 be dealt with afterwards (or simultaneously perhaps) either under Sections 29 to 31 or under Section 32, the latter for choice.

10. BLOCK III(b).—In the case of this block the map prepared by Mr. Porter discloses the following facts:—

- (a) That a small part of it (which I have taken the liberty to mark in Mr. Porter's map with the red pencil figure I) was claimed in the High Court by the 8th defendant alone (Colonel Scott);
- (b) That a second portion of it (which I have marked in red pencil as II) containing, so far as I can make out, Colonel Scott's (8th defendant's) coffee estate, was claimed in the High Court both by Colonel Scott (8th defendant) and by the Erālpād Rājā (1st defendant); and
- (c) That a third portion of it (which I have marked in red pencil as III) was claimed in the High Court by 2nd defendant only.

I may note in passing that the Conservator's description at the end of para. 4 of his letter of the claims which have been put forward to Block III(b) are inaccurate, as a glance at Mr. Porter's map will show.

11. Now in regard to III(b) I (as I will call it), the Government have by Colonel Scott's deed of assignment of 1st February 1886 stepped into Colonel Scott's shoes (so to speak). How far that will help remains to be seen. But at any rate it is quite clear that Government has now an interest in that part of Block III(b), and under these circumstances, it would be of great advantage, from a financial point of view, to deal with it under Section 33 of the Forest Act, and not under Sections 29 to 31, since the Conservator says he is only "indirectly interested" in it, or, in other words, does not see his way to making any money out of it. Of course, it might turn out that the Government is now sole claimant of the tract, but perhaps that is too much to be hoped for in the face of Colonel Scott's deed of assignment. At any rate, it is worthy of notice here that so far back as 1859, and the fact is even now corroborated by Mr. Porter, the Siruvani was considered to be the boundary of Malabar in this neighbourhood, and it was mainly trusting to the facts set forth in the letter of Mr. MacGregor of 8th April 1875, No. 877 (copy herewith), that I determined to take action originally against Colonel Scott. It

may be that the 2nd defendant felt that her claim was so weak to III(b), I and III(b), II, that she did not claim these blocks before the surveyor sent by the High Court. At any rate, the fact remains that she did not claim them, and in regard to Block III(b) I, I am clearly of opinion, for the reasons already above set forth (paras. 5, 5(a), 6, 7, 8), that the proper procedure lies under Chapter II of the Forest Act, and if any joint owners' claim is admitted under Section 10, then to deal with the block under Section 33 of the Act.

12. Passing to the consideration of Block III(b) II, as I have marked it on the map, the same remarks that have been made in regard to III(b) I in the last paragraph here again apply. The 2nd defendant again appears not to have claimed the land in the High Court, and possibly for the same reasons, and yet she was Colonel Scott's lessor of the 500 acres and assignor of the other rights, all conveyed to Government by the deed of 1st February 1886. But in this case the interest of a third party, namely, 1st defendant, comes in. So in addition to Government certainly the 1st defendant, and probably the 2nd defendant, will claim interests in Block III(b) II. How many more may come forward, and in this connection see para. 5 of the Conservator's letter, it is impossible to say. I am clearly of opinion here again that this block should be dealt with first under Chapter II and that then the admitted claimants should be treated as persons jointly interested with Government under Section 33.

13. Finally, as regards the block I have marked on the map as III(b) III, I believe, I am correct in interpreting the last paragraph of Mr. Porter's note about it to mean that it is not worth protecting. I conclude, therefore, that nothing needs to be done about it except to apply to it the Revenue procedure, which I shall presently propose for dealing with Blocks I and III.

14. BLOCK IV.—I have again taken the liberty to subdivide Mr. Porter's Block IV into three compartments, and have marked them on the map with blue pencil letters, thus: (a), (b), and (c), as, for the reasons hereunder stated, they each require a different mode of settlement.

15. In regard to Block IV(a), the remarks made (para. 11) in regard to Block III(b) I, apply exactly, and I have nothing more to say than that procedure should, in my opinion, *first* be taken under Chapter II and then, if necessary, under Section 33.

15(a). Mr. Porter, backed by the Conservator, proposes, for financial reasons, that IV(a) might be cut out of the forest to be dealt with, but in regard to it I have already suggested in the last paragraph a different procedure not likely to entail heavy expenditure, for it will be observed that under Section 33(a) it is now open to the Government to undertake the management of the block, accounting to the persons jointly interested for their interests in the same. The management must, of course, "pay its way," if I may be allowed to use the phrase, *and no heavy expenditure is likely to be incurred*. I do not therefore by any means agree with the Conservator in his recommendation regarding it.

16. There is no difference between Blocks IV(b) and IV(c), except that Mr. Porter has suggested as an alternative that if it would be too costly to acquire the whole of Block IV, then that IV(b) might also be omitted. Its extent from the pathway up to the northern boundary of Block IV appears to be about 10½ square miles or so. And I make out block IV(c) to be in extent about 8 square miles instead of 10, at which it is estimated by the Conservator.

17. It is certain that General Morgan's claims under the lease to Mr. Delcom (printed Exhibit No. 59-III in the suit) lie in these two blocks, for the land was pointed out to me on the spot by Mr. Rhodes Morgan of the Forest Department.

18. Both IV(b) and IV(c) were claimed before the High Court Surveyor by 2nd defendant only, but General Morgan has not, so far as I am aware, relinquished his claim against 2nd defendant, though he has done so in respect to Government (G.O., No. 1481, dated 10th September 1878). His claims under the Delcom lease are somewhat indefinite. I think it would probably be held that he was entitled, like Colonel Scott, only to 500 acres on a 25-year lease, renewable on

payment of Rs. 100 in the 26th year, but clause 1 of the deed and the last clause of the preamble are very indefinite (purposely so perhaps) and might be interpreted as meaning that the whole of the land within the boundaries named, some 12 square miles perhaps, are taken on lease.

19. Anyhow, in taking over the land from the "owner" (presumably 2nd defendant) under Sections 29 to 31 of the Forest Act we must lay our account to have to deal with General Morgan. I am not sure what effect his relinquishment of 22nd July 1878 would have on any claim put forward by him, but I am inclined to think that we shall have to deal with him as if that relinquishment had never been made.

20. Then there is the lease to Mr. James McIver printed as Exhibit No. 59-II of the suit which embraces land in the same neighbourhood.

21. How many more such claims may crop up I cannot say. It is certain that the High Court Judgment (last paragraph) left all "inferior proprietors" unaffected by the issue of the suit.

22. The point for consideration is how to ascertain who is the "owner" under Section 29 of the Act. The same difficulty arises, as already explained, in regard to Blocks II and III(a), and with much respect I would, as in that case, recommend that action be taken in regard to Blocks IV(b) and IV(c), under Chapter II of the Act, *before* we attempt to apply Sections 29 to 31.

23. In conclusion, I have the honor to suggest that a Forest Settlement Officer be appointed for the settlement of all these blocks, namely, II, III(a), III(b) (excluding, however, III(b) III), and IV, and that Mr. Porter be nominated as District Forest Officer to watch the Government case in communication with the Conservator and myself, as neither Mr. Morgan nor Mr. Hadfield can be spared for the duty and Mr. Porter knows exactly what is required.

24. BLOCKS I, III, AND III(b) III.—In dealing with Blocks I, III, and III(b) III, which Mr. Porter says are not required for protection, I beg further that I may be re-empowered to fix the revenue assessment on blocks of land occupied in the valley at such rates on the total extent as may be considered suitable, not exceeding the rates fixed for lands taken up under the Waste Land Rules on the Nilgiri Hills (G.O., Revenue Department, No. 2860, dated 8th July 1884.)

25. In explanation of this request, I beg to refer to the last paragraph of the High Court Judgment in appeal. It runs as follows:—"We observe that this judgment leaves unaffected the right of the Crown to revenue, or the rights of inferior proprietors." The High Court's view undoubtedly was that the Government might assess every acre of land in the valley, and there is no reason why the principle which is being applied to waste lands held by coffee planters in the Wynad should not be applied to these valley claimants, and notably to the holdings of Messrs. Hodgson, Torin, McIver and others. It would immensely simplify our revenue-collections in the valley if we might assess all claimants on the areas respectively held by them in the valley. A 6-pie per acre rate, such as is being imposed in Wynad on the coffee planters' waste lands, or even a 3-pie rate, would probably suffice. The assessment might be imposed until the regular revenue settlement is taken up and be charged to the superior holder on all lands whether cultivated or uncultivated.

26. I have no hope of being able to introduce a regular village establishment in the valley. Natives sent up there from this side even for a short time invariably succumb to the malarious climate, and those on the spot are not fitted to hold village offices, being ignorant and illiterate junglemen. Europeans even rarely escape. Mr. Winterbotham was invalided home after a short visit (alluded to by Mr. Porter) to Blocks II and III, and I myself suffered badly from a fever contracted in Block IV. I thought the Coimbatore Collector would be able, from his greater proximity to it, to manage the valley better from his side of it, but he does not seem inclined to try. In any case, I have no objection to offer to the Conservator's suggestion that the transfer from Malabar to Coimbatore be postponed until these forest and revenue questions are settled.

27. NEGOTIATIONS WITH THE DEFENDANTS.—Mr. Porter's report and map make it quite clear that the 1st defendant (Erālpād Rājā) has ridiculously over-estimated the value of his lands in the valley, and so I will tell him when I see him on the 29th instant at Pālghat, where I hope also to meet the 2nd defendant.

28. My information is that they are both now inclined to come to reasonable terms, and as soon as I have the orders requested in paras. 24 and 25 of this note, it is quite possible I may be able to come to some arrangement with them similar to the compromise which was nearly arranged by me before going home on privilege leave in 1884.

CAMP, CHETWAI,
21st March 1887.

(Signed) W. LOGAN,
Collector.

ENCLOSURE.

From A. MacGREGOR, Esq., Collector of Malabar, to the Collector of Coimbatore, dated Calicut, 8th April 1875, No. 877.

With reference to your letter, dated 2nd ultimo, No. 33, I have the honor to inform you that I concur with you in considering that the Siruvani should be considered the boundary of the district in the neighbourhood of the Poratti ridge.

2. This has been practically treated as the boundary so far back as 1859 to my own personal knowledge. In that year a road was made from Local Funds through the plateau, and was discontinued at the river on the ground that it was the boundary of the district.

3. The honey and other jungle-produce east of the stream were being picked by Coimbatore people while I was there engaged on the road-work, and the Malabar malsars, who accompanied me, and who were the only parties who could have felt aggrieved, expressed no objection, and, in fact, admitted that Malabar ceased at the river.

4. The Nāyār has produced no documentary evidence, and from his failure to attend it is impossible to say whether he claims anything beyond the river.

READ—also the following letter from WILLIAM MORGAN, Esq., Acting Government Solicitor, to the Secretary to the Board of Revenue, dated Madras, 30th March 1887, No. 185:—

Attipadi Valley Suit.

With reference to the 2nd para. of G.O., dated 7th December 1886, No. 1071, Revenue, I have received a letter from the Collector of Malabar requesting me, before preparing the notice referred to in such order, to put myself in personal communication with the Board of Revenue, as it would appear that proposals are now in course of being submitted for dealing with the various blocks of land in the Attipadi Valley, and the Collector is of opinion that it would be as well for me to know what is proposed to be done before drafting the notice.

Resolution—dated 6th April 1887, Forest No. 192.

Submitted to Government for orders.

2. It will be observed that Mr. Logan proposes that action should first be taken under Chapter II of the Forest Act. The Board agree with the Collector and would again urge upon Government that, in face of the difficulties regarding the questions of ownership in the valley, it is difficult to see how action can at once be taken under Chapter IV of the Act.

3. The areas with regard to which Mr. Logan desires action to be taken can easily be identified on the map. They are—

Blocks II and III(a),
Block III(b) I,
Block III(b) II,
Blocks IV(a), IV(b), and IV (c).

The Board recommend that Mr. Porter be appointed as District Forest Officer to watch the case for Government. The progress of matters will need to be very carefully watched by the Collector and the Conservator.

4. With regard to the settlement work, the Board would strongly urge the appointment of a special officer. If Mr. Wolfe-Murray could be spared for the work, he would probably do it well. The points that will arise are likely to be important and difficult, and it is very advisable that the Settlement Officer should be exclusively employed on the work and so be able to give his whole time and attention to it.

5. For the present the idea of leasing the portion of the forest in the possession of the Erālpād Rājā (Board's Proceedings, 28th January 1887, No. 41) may be given up. The matter may, if necessary, be again taken up later on.

6. The orders of Government are requested on Mr. Logan's proposal to fix a revenue assessment on all lands in the valley not taken up as reserved forests. The Government approved of the proposal in 1884 (Board's Proceedings, 15th July 1884, No. 6593), and the Board now recommend that Mr. Logan's proposal be carried out.

7. The orders regarding the transfer of the Attipadi Valley from Malabar to Coimbatore (G.O., 4th May 1886, No. 313) may, the Board think, be held for the present in abeyance. After the settlement is completed final orders can be passed on the matter.

8. The Board do not support Colonel Walker's recommendation that special allowances should be granted to Mr. Porter. There is no analogy between the work done by Mr. Porter and that done by Mr. Peet in connection with the Travancore boundary.

9. The Board request that the final orders of Government on the forest settlement of the Attipadi Valley may be passed at a very early date. They submit in a separate cover a demi-official communication they have received from Mr. Logan on the matter, in which he points out the urgency of the case. The final orders of the Government will be communicated to the Government Solicitor with reference to his letter dated 30th March 1887, No. 185.

(True Copies and Extract.)

(Signed) M. HAMMICK,
Ag. Secretary.

To the Secretary to Government, Revenue Department,
with a map and with copy of Mr. Logan's
demi-official dated 1st April 1887.

Copy to the Collector of Malabar.
" " Conservator of Forests, Southern Circle.
" " Collector of Coimbatore.

ORDER—dated 1st July 1887, No. 630, Revenue.

Forest No. 90.

After a careful reconsideration of all the papers connected with this difficult and troublesome case, His Excellency the

Governor in Council is of opinion that there is no legal objection to the Government proceeding under Chapter II of the Forest Act, in order to ascertain how much of the valley is at their disposal, or can, without undue expense, be made so, or be otherwise dealt with under the various provisions of the Act. The Board will accordingly cause the necessary notification to be prepared at once for blocks II, III(a), III(b)-I, III(b)-II, IV(a), IV(b) and IV(c). Mr. A. E. C. Stuart will be appointed Forest Settlement Officer, and Mr. Porter will be ordered to attend the inquiry on behalf of Government.

2. His Excellency the Governor in Council also approves of Mr. Logan's proposal to carry out G.O., 8th July 1884, Mis. No. 2860, Revenue, by proceeding

to assess all occupied land in the valley at such rates as he may consider suitable, not exceeding those fixed for lands taken up under the Waste Land Rules on the Nilgiri Hills.

3. The Government are of opinion that Mr. Porter should be granted deputation allowance, and the Accountant-General will be requested to report what amount may be sanctioned.

4. The consideration of the transfer of the Attipadi Valley to Coimbatore may, as suggested, be deferred for the present.

(True Extract.)

(Signed) J. F. PRICE,
Acting Secretary to Government.

To the Commissioners of Land Revenue.
" Accountant-General.
Copy to the Collector of Malabar.

Govt. of (1886) Madras.
REVENUE.

CONFIDENTIAL

Issued.

Recd.

Encl.

G.O., 1st July 1887, No. 620.

JULY.

Attipadi Valley.

Directing the Board of Revenue to cause the necessary notification to be prepared for certain tracts in the —; appointing Mr. A. E. O. Stuart to be Forest Settlement Officer, and Mr. Porter to attend the inquiry; approving the Collector's proposal to assess the valley; and asking the Accountant-General to report the amount of deputation allowance that may be granted to Mr. Porter.

INDIAN TELEGRAPH.					No.
To (Station)	Words	Qty.	Hours	Minutes	From (Station)
To (Person)					From (Person)
Official Instructions					
<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p>					
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At		Mts. By		At	
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Office of Conservator of Forests,

IN CHARGE OF SOUTHERN DIVISION,

Madras, the 23 February 1888.

My dear Sir

The Conservator of Forests S.C. who is now at Coimbatore has sent an urgent telegram regarding the Police's original map of the State of Malabar. The map was sent to the Police on 10/2/88 9/6 April/87 and apparently not returned until 9.0 July 87 20/30. The Police sent you a telegram message this morning, but have not received it. If you have the map in question I shall thank to send it to him.

I am, My dear Sir,
Yours sincerely,
A. D. Theobald
Manager

219
Confidential

M.

27-6-01

My dear Sir

In reply to my letter to Colonel Campbell Walker reporting that the map of Atlapulca valley was not forthcoming he writes "I believe the map which was official and confidential must have been returned to the Collector of Malabar if it has not been forwarded in the interests of Colonel Dute or some of the Rajas. Better ask Post Office to wire to Collector Malabar or collector to do so to send it here ^(Colonel) if he has got it. I intend one proof to Post Office myself. I know as it was only lent to me by Revenue Secretary and ^{was} stress laid on its return and not getting into private hands."

If you have not found the map yet and Barker has not yet replied I shall thank you

you to telegraph to collector of Malabar
asking him to send the map (if it is in the
him) direct to Colonel Campbell Walker
Care Bate -

Please accept my sincere thanks
for your kind
Yours sincerely
A. C. Bate

I am off to Cambridge this week

Dec 28

Revenue Secretariat,
28 Feb. 1888.

My dear Sir,

Your letter yesterday
re: Atlapadi Valley map.
It ^{seems} ~~appears~~ on further
^{enquiry} ~~investigation~~ that the
map might have been
left behind in the off-
ice, the officer in charge
^{there} ~~that~~ office has been
instructed to find it ^{and}

over it has better change &
the climate is supposed to be
already which is not the case as
the upper Hawaiian (Pest) this
or some summer (Pest)
I am certain that either before or
during the support the name
of animal - as they have both
been of pleasure with the museum
in which Porter did what was
because of him in a summer
museum. Pest murdered the
Hawaiian today business and
Hawkingston's remains & keeps
a nearly claimed all his cash
the he changed every day to Gov.
(Public Dept.) Porter's name is 45
plus plus 120 - ka at 2. Pest of
plus 150 - ka at 2. I have it

27
to Gov. to say about office is but
enlighten to an extra all to
Crown of his expense which must
have been very heavy -
Carter Stuart not hope money
must be 250 if W. decide
bureau of Japan's return and
history when he is - in which
I can see.
Carter is the better man of the
two. has experience with
Medal and his services
and I imagine he would
be available for settlement work
for a month or 6 weeks on his
return in July when the board
is too busy to work in.
Meanwhile the others could
issue & he could hear claims
at one time before in the
Borampatta Village. / J

28/

Apr 20/6
I did the needed re. Sekade
maps as mentioned by V. D.
Yesterday. And Logan
was placed in front of W.D.
Porter yesterday so that
that business will be off
our minds.

Thanks for the sketch & letter
but I am still a couple -

J. H. P.
H. H. P.

29

in such a place after capital
money into the bank &
do this a little later &
money. I don't believe that
all particularly Ethiopia;
not unless I had had a
little money of my own &
I'd like have had in debt
as this is since I have
been in India I have about
nearly 15,000 in addition to
my pay. Sp. D. O. &
75,000 only arrived on
Saturday evening. I have
to day sent Logan a transfer
receipt in relation to the
amount. Sp. D. O.

H. H. P.
I have sent Logan's letter
to Malabar in ...
of the ...

30
1
Memorandum
25. K. 77.

My dear Chas.

B. P. Dant 1921 26
6th April 1921

Board remarks that it
cannot supply the necessary
that special allowance be
presented to the public
in the Altopadi Valley -
that there is no analogy
between the work done by
us & that done by the
Post. There may be
an analogy & the point
is not worth fighting about
but at the same time,
consider it is not a fair deal.

31
in the light of the
Board. The Altopadi
Valley is not in
my job. But in addition
to getting a special allowance
and that built for them
at Govt. expense; I am
not quite sure that the
supplies be even let brought
up by Govt. order. I
had no doubt built for
me & had to get
a letter carried by order
at my own expense.
The carriage of my letter &
other letters, getting supplies
brought up & tips to be given
head men, but to be given
presently. Last to give
some of my men Malakpatti
order in order to induce them
to stick to me and me at the

Every road to capital
a class. I am aware
of the fact that it is not
to be a source of profit but
I think that what is true
is that out of the man
disturb he is entitled to
his actual capital. I
certainly understood that
I had been entitled to it
at any rate, & had I
known that there was
any question about this I
should certainly not have
been able to offer anything
at least $\frac{2}{3}$ of what I
had cut of my own
income. The only way to
get information is association

1887.
REVENUE DEPARTMENT.

No. 27.

From J. Campbell Walker Esq.

Dated 26th

Received 27th

Enclosures 1

No. .

SUBJECT.

Regarding the question
of granting a special
allowance for work done
by Mr. Porter in Attapadi
Valley

Copy of D.O. from H. Logan Esq.
Collector of Malabar.

Confidential and very urgent
Palghat, April 1, 1887.

My dear Hammick,
I sent you some proposals lately
about the land we require for river supply protection
in the Attapadi Valley.

I have this week had two interviews with
the Agent of the Arakurissi Nayars, 2^d Defendant in
A. V. Suit and he tells me
(a) That Col. Scott is again trying to get
land from the Nayar - this time at Duntentulam -
in the middle of Porter's Block No II i.e. the block
I have marked in my proposals as No II. (C). It
seems the Nayar is very nearly in with Col. Scott
about this land but the agreement is not executed
nor money paid.

(b) Four other Europeans from the Belgians whose
names the Agent did not remember are likewise
in treaty for blocks of 500 acres each or 2000 acres
in all in the Pambadi Shola - also in Porter's block
No II, or in mine No II. (C).

If Porter's Block No II. which he says is absolutely necessary for the protection of the headwaters of the Suvani is to be preserved from indiscriminate felling, now is the time to move; for if Col. Scott and these other men get into possession we may just as well let the whole thing slide.

I have told the Agent distinctly that if he gives the land about Mathukulam and Panbadi Shola (Porter's Block II) to any one whatever, we will impose an immediate assessment of Rs 2 per acre on every acre of it. As there are about 10 square miles or 6400 acres, the assessment would be Rs 12,800. He went away last evening after assuring me he would write to Col. Scott and the others today to tell them they could not have the land till he had arranged matters with us. But Scott is very cunning and he will probably try to get possession of the land at once on the strength of the preliminary bargaining.

Our strong ground of course is that the High Court judgment leaves us free to tax every acre in the valley and I have already as you know proposed to act upon that.

I feel that if the Board and Government will not allow me to act upon it in assessing all land,

whether cultivated or not, we had better let the whole thing slide, for to buy out Col. Scott and other Europeans (once they get in) and the Nayar will take lakhs and lakhs of rupees.

Sir Char. Innes, I know for certain for he told me so himself, was of opinion we had ample powers of control over the Valley claimants by means of our assessment rights, and the last para of the judgment is quite clear on the point.

So far as Malabar is concerned (as I have all along pointed out) it would be best to allow the Europeans to open up, for we should get Rs 2 per acre on all their clearings. It is only Coimbatore interests that would suffer by the denuding of the land of Shola forest.

I want very early orders on my proposals please. I have told the Nayar's agent I will see him again here about the middle of the month and I hope that by that time I will have received the powers I want in regard to assessing all lands in the valley whether cultivated or not. Without such powers I am quite helpless.

Kindly push the papers through and

Yours

up to Government.

Yours Sincerely
(Signed) W. Logan.

Scott is not to be trusted. I look upon the
last move of his as downright treachery after
all the agreements with Government.

A true Copy

Manuel
Acting Secretary

Revenue Board Office
Land Revenue
22 April 1887

BB

sent

From the Secretary to the
Land Revenue Commissioners

To
The Secretary to Government
Revenue Department.

Subject

Copy of S.O. Letter from the
Colls of Malabar re: lands
required for river supply protection
in the Attapadi Valley.

BOARD OF REVENUE, 6TH APRIL 1887, FOREST No. 192.

~~CONFIDENTIAL~~

PROCEEDINGS OF THE BOARD OF REVENUE.

READ—the following letter from Lieutenant-Colonel I. CAMPBELL WALKER,
Conservator of Forests, Southern Circle, to the Secretary to the Board of
Revenue (through the Collector of Malabar), dated Camp Pudukkuppam,
15th February 1887, No. 2937 :—

I have the honor to submit Mr. Porter's report on the Attipadi Valley with its
enclosures, and the remarks of the Collector of Coimbatore.

I send also copy of my instructions to Mr. Porter (to the address of the
Collector of Coimbatore) and a note by him on the Erālpād Rājā's offer (Board's
Proceedings, Forest No. 701, of 22nd December 1886, *et seq.*), on which I asked him
to report by D.O. As it will apparently facilitate matters, I send this letter and
all the papers and map (separately) through the Collector of Malabar.

2. Considering the voluminous nature of the correspondence which has already
arisen with regard to the Attipadi Valley, and the fulness of Mr. Porter's narrative,
I feel sure that the Board and Government will be obliged to me if I restrict my
remarks within the most limited compass possible.

3. My instructions are to "select the areas which are really required for the
protection of the head-waters of the Bhavāni and its tributaries," in order that
notices under Section 29 of the Forest Act might issue (Board's Proceedings,
Forest No. 247, of 11th May 1886). I accept Mr. Porter's selections which, it will
be observed, tally closely with the areas indicated in my instructions and specify—

Block No. II, say 38 square miles;

Do. „ IV, say 26 do.

(or if Mr. Porter's alternative be adopted, about 10 square miles) as imperatively
necessary for the protection of the head-waters of the Bhavāni and its tributaries
with—

Block No. III(a), say 20 square miles, and

Do. „ III(b), say 7 do.

which it is also advisable to secure and protect if possible.

4. Block No. II is or was claimed by no one falling within the purview of the
Survey officer who made the map under the High Court's instructions. Block
No. IV is claimed by the Mannārghat Nāyār (2nd defendant), and appears to embrace
portion of the land which Colonel Scott agreed to convey to the Secretary of State.

Block No. III(a) appears also to be claimed by no one, unless it falls within
the limits of a claim recently made by Mr. H. P. Hodgson, copy of which and of
my reply are attached.

This is the claim referred to in para. 6 of my letter printed with Board's
Proceedings, Forest No. 629, confidential, of 19th November 1886, and Mr. Hodgson
bases his claim on an agreement from the Erālpād Rājā of Calicut (1st defendant),
who does not, however, appear to have claimed the area indicated during the suit.

Block No. III(b) falls within the area claimed by the Mannārghat Nāyār (2nd
defendant) and Colonel Scott (8th defendant), and appears also to embrace a portion
claimed by the Erālpād Rājā (1st defendant) as well. The whole block is within
the limits to be transferred by Colonel Scott to the Secretary of State surrounding
his coffee estates at Varada Malai.

5. In this connection I should represent that whereas the High Court Judgment, page 2, lines 24 and 25, states that 9th defendant, Mr. W. Scott, alleged that he had relinquished his rights to 8th defendant, Colonel Scott, we find a Mr. S. Scott intimating to the Collector of Malabar on the 17th June 1886 that he is opening out land in the vicinity of his father's estate on a separate lease from the Aricoorchy, who is, I believe, the Mannárgat Nâyâr, through his guardian Parvathi alias Ammah Nethiyar. This land is therefore presumably portion of that which Colonel Scott has agreed to transfer to the Secretary of State.

Surely any further payment should be withheld till Colonel Scott gives effect to the terms of his agreement: at present he has not only got costs which were intended to cover those of 2nd defendant, Colonel Scott's own having, I see, been assessed by the High Court at Rs. 167 and Pleader's fee; but Government is apparently under the Government Solicitor's advice (G.O., No. 1071, of 7th December 1886), to pay him Rs. 500 rental for nothing.

6. I leave it to the Collector of Malabar, as suggested by the Collector of Coimbatore, to place a value on the lands indicated, which Government have decided to regard as not at their disposal, and to inform the Board and Government who claims or owns them. There will doubtless be many claimants when it is found that Government is in a generous mood. Besides those referred to in the High Court's Judgment as having "surrendered their claims," I have heard of claims by General Morgan and Messrs. Havelock and Torin as lessees of one Nâyâr or another.

7. With regard to the Erálpád Rájá's offer to lease his forest to Government (Board's Proceedings, Forest No. 41, 76 Mis., and 82 Press, dated 28th January, 5th and 12th February), it will be observed that only a very small portion, if any, of them falls within Mr. Porter's selection. They are not required for climatic purposes or the protection of the water-supply, and are of little or no value as forest.

There is, in fact, no analogy between them or any of the forests in the Attipadi Valley and those of the Kolangód Nambidi on the Anaimalais.

The latter have little or no influence on the water-supply which runs to the west, but they contain the remains of valuable teak forests, which it is advisable to acquire and restock under proper treatment, for the benefit of the timber supply and forest finances of the future.

The Attipadi Valley question is intrinsically a land-revenue one in which the Forest Department is only indirectly interested, the main object being to secure all the ever-green forest which is left and shut it up, which it does not require skilled professional management to do.

I would recommend that the Erálpád's kind offer be declined with thanks. He doubtless heard of the terms we were offering to the Kolangód Nambidi, and thought a good chance presented itself for making a good thing out of what are apparently scattered pieces of forest and cultivation on the Coimbatore water-shed from which neither he nor any one else derives any revenue to speak of.

8. Having regard to the limited areas which it is now proposed should be acquired and reserved, the absence of any field for the professional forester, and the large area cultivated, estimated by Mr. Porter at 15,000 acres in the valley, I am inclined to modify my previous views and recommend that the whole extent be left in Malabar whose Revenue officers can doubtless best collect the assessment and protect the forest area secured to them in the future, though judging from the past, the outlook is not hopeful.

9. I consider that Mr. Porter deserves credit for his researches and report. The former were conducted at much personal discomfort and no little risk to his health in addition to his ordinary duties as District Forest Officer, Coimbatore (South), and the latter, though somewhat wanting in arrangement and matters of professional interest such as a description of the flora observed, is practical and to the point.

I beg to recommend that he be granted the same special allowances whilst he was employed on the work as were given to Mr. Peet on the Travancore-Coimbatore

boundary settlement and to Mr. Hayne on the Tinnevely-Travancore boundary work. The ordinary fixed travelling allowance of an Assistant or Deputy Conservator is insufficient to cover the expenses of such special duties.

ENCLOSURE No. 1.

From Lieutenant-Colonel L. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to the Collector of Coimbatore, dated Madras, 2nd August 1886, No. 992.

Referring to the orders of Government and the Board of Revenue marginally noted, I have the honor to request that Mr. Porter will visit the Attipadi Valley as soon as the season admits and select and mark on the ground and maps the forest areas which it appears necessary to acquire in connection with the water-supply in the Bhaváni river and its tributaries.

2. These areas should be as limited as possible as directed by Government in their orders communicated with the first of the Proceedings quoted, of which I enclose a copy as it does not appear to have been communicated to you.

3. I have already supplied Mr. Porter with a copy of the map prepared by the Revenue Survey Department, which is unfortunately not very clear or accurate.

4. I would indicate a strip of forest of about one mile broad on each side of the Sri Bhaváni, Varagar or Vagar, Siruvani (two branches) rivers and the Vallingiri shola as comprising our requirements. If the forests contain timber which can be profitably worked or made to produce revenue by planting cardamoms, &c., so much the better; but this is quite a secondary consideration, and doubt if it will be found feasible.

5. The question of who the proprietors are and steps to be taken to deal with them under the Forest Act is for future consideration; but it will be observed that the large tract in the north-western corner of the valley on the head-waters of the Bhaváni was unclaimed in the original suit, though unfortunately the necessary action was not taken to secure possession to Government then and there. Mr. Porter might with advantage ascertain who is in possession or recognised as the landlord now, and note and record any further information regarding the population and cultivation in the valley, which will be useful hereafter.

6. He should arrange with the Collector of Malabar for the presence of the local officials and all needful assistance and information, giving ample notice of his visit.

7. I think the question of the western boundary of the area to be transferred to your district, and issue of the notification regarding the said transfer, had better be deferred till after Mr. Porter's inspection and report. If you agree with me, will you please inform the Collector of Malabar who recently wrote to me on the subject.

ENCLOSURE No. 2.

Office Note from H. J. A. PORTER, Esq., Assistant Conservator of Forests, to the Conservator of Forests, Southern Circle (through the Collector of Coimbatore), dated Truttupallam, 17th January 1887.

Subject.—"Attipadi Valley."

In accordance with the instructions conveyed in your No. 992, August 2nd, 1886, I have made a careful examination of the Attipadi Valley, and submit herewith my report.

Enclosures.
Report on the valley.
Map on a scale of 2 inches to the mile.
Diary.
Detailed description of the blocks.

I enclose also a diary which may prove useful to any one visiting the valley; it gives a brief outline of the route I followed and the heights of camping stations taken with an aneroid barometer.

I have not attempted to give distances, as any distance measured in the map of so hilly a country is apt to be misleading; what one requires to know is how long it will take to get from one point to another.

I took up 50 of my own jungle-men from the Bolumpatty Valley to carry tents, &c. It was fortunate that I did so, as having no control over the inhabitants of the Attipadi Valley, I received no assistance from them till I arrived at Viranúr. From Viranúr north I had no difficulty in getting coolies. No provision can be purchased in the valley, and it was necessary to

send up rice, arrack, &c., for the coolies. Had I known what the country was like, I should have left my tents behind at Attipadi village and arranged to get huts built, as the transport of tents and heavy boxes is difficult and expensive in the rugged valley of the Bhavani to the north of Viranur.

ENCLOSURE No. 3.

ATTIPADI VALLEY.

Situation.—The Attipadi Valley is situated in the north-east corner of the Arakaruchi amsam, Walawanad taluk, Malabar district.

Area and general description.—Its extreme length from north to south is 18.7 miles and extreme breadth from east to west 19.4 miles. Its area calculated from the 1-inch map is 242.11 square miles.

It may be described as a basin, the outer rim of which is tilted down towards the north-east. To facilitate description I have divided the valley into four blocks. The highest hills are those forming the northern and southern boundaries of the basin.

The northern range with an elevation of over 7,000 feet, forming Block I and part of Block II, is an unbroken chain of hills or rather cliffs; the greater portion is open grass land with but little forest.

To the west of the Bhavani river in Block II is a broken range of hills, well covered with forest with rounded grassy peaks 6,000 feet high.

To the east of the Bhavani river, forming Block III(a), is a narrow chain of hills characterised by sharp rocky peaks; the lower slopes of this range are well covered with forests.

South of the foot-path shown in Block IV is an unbroken range of lofty hills well covered with ever-green forest running east and west; their elevation probably exceeds 7,000 feet, but I did not test it with the aneroid barometer.

The south-eastern rim of the basin from Vellingiri Malai to Idinga Malai and thence on till the Kodunkaraipallam is reached, is a continuous range of hills with an elevation of from 5,000 to 6,000 feet containing ever-green forest and grass land.

The rest of the basin is an irregular mass of rounded hills with an average elevation of 3,000 feet and 1,000 feet above that part of the river flowing through Block III. The valleys between are exceedingly narrow, and looking down from the higher ranges in Blocks I, II, IV, it gives one the idea of being an undulating plateau, so close together are the hills packed.

Forests.—The detailed description of the four blocks shows the general distribution of the forests.

The ever-green forests, especially those situated in Block IV, are magnificent and contain finer trees than any I have seen in either the Nilgiri or Anaimalai sholas. Whether they are of any commercial value I am unable to say; very little is, I believe, known about the nature and quality of the timber of the majority of ever-green trees. The chief value of those ever-green forests lies in their protective powers both as regards attracting and storing water; I was much struck with this fact during my recent inspection; while camping near sholas the air was always more or less cold and damp and a light drizzling rain of common occurrence; while camping near deciduous forests at the same elevation the air was much drier and warmer, and there was no rain; and on three occasions I observed, while looking down on the valley from the higher peaks, that a heavy mist was hanging over the ever-green forests, while the deciduous portions were quite clear. This was not due to elevation, as, in many instances, I found deciduous forest up to an elevation of 4,800 feet and ever-green as low down as 3,300 feet. The cause doubtless was the low temperature of the atmosphere as compared with that surrounding deciduous forests: it was, of course, also partly due to the moisture of the soil. Here again there was a marked difference; in the case of deciduous forests, the soil was of no depth and perfectly dry, in the case of ever-green forests, it was moist and covered with a thick layer of humus. Neither cattle nor fires enter the ever-green portion of the valley, as there is no grass for the former to eat, and nothing dry enough for the latter to burn.

The deciduous portion of the valley, situated principally in Block III, is in a wretched condition, few trees exceed a diameter of 1 foot, and its open condition and stunted growth, due to cattle-grazing, fires and periodical clearance for cultivation, affords but little protection to the soil, nor does it assist in attracting or storing water. Of the more valuable species, *Tectona grandis*, *Dalbergia latifolia*, *Pterocarpus marsipium*, *Hardwickia binata*, *Terminalias*, &c., are sufficiently numerous, but their stunted condition and inaccessibility preclude the possibility of any considerable revenue being derived from regular felling operations.

Minor Forest Produce.—Judging from what I saw and from inquiries made in the valley, no one derives much profit at present from minor forest-produce. A few cardamoms are collected by the hill-tribes in Block IV, and I feel certain that nearly the whole of this block is eminently suited to cardamom cultivation. Dammer, ginger, soapnuts, tamarinds and rattans are also collected.

Population and Cultivation.—The following information, obtained from the village officers regarding the number of villages, population, and land-revenue, may be taken as an approximate estimate:—

Villages	103
Houses	1,050
Population	6,500
Land-revenue (including Colonel Scott's estate)	Rs. 821-1-5

The inhabitants are chiefly Irulars and Mudugirs, with a few Tamil Goundans and Badagars. The Irulars, who probably form about two-thirds of the population, are chiefly found in the deciduous forests in Block III; they carry on ponakad cultivation, and the majority employ ploughs for tilling the ground.

The Mudugirs, forming one-third of the population, are found almost exclusively in the ever-green forests in Blocks I and II. It would appear that they require virgin ever-green forest for ponakad cultivation, as they do not use ploughs. In fact, they are the people who do the greatest damage to the valley, and are rapidly destroying the very forests which should be protected for preserving the water-supply. I observed that in the hill-slopes where ever-green forest had been cleared for cultivation, it was replaced first by a rank growth of grass, thorny creepers and shrubs, and subsequently by a stunted growth of deciduous trees; and I do not believe that ever-green forest would again spring up, as when a hill side is cleared and cultivated the soil is gradually, if not at once, washed down to the foot of the slope; and ever-green forest must have a deep moist soil. This fact accounts no doubt for the irregular distribution of ever-green and deciduous forest, as I have mentioned above, in some places ever-green forest was found as low down as 3,300 feet, while deciduous forest was found up to an elevation of nearly 5,000 feet, and I cannot help thinking that in by-gone ages the whole valley must have been covered with a dense ever-green forest.

Probable Area under Cultivation.—The village curiam estimates the area under cultivation at 1,500 acres. I found, by inspection, that the members of each house cultivated from 10 to 20 acres, and accepting his estimate of the number of houses as approximately correct (as the assessment is levied at so much per house, and the curiam was provided with a list of the inhabitants), I estimate the annual cultivation at 15,000 acres or 23 square miles in round numbers.

Suggestions regarding the measures to be taken to maintain the present Water-supply.—In order to preserve the present water-supply no fresh clearances should be allowed in Blocks II and IV. The number of houses in Block II is given in the detailed description of the blocks: in Block IV there are three small Mudugir villages. If their present clearings are demarcated, the inhabitants will, before the expiry of two years, emigrate elsewhere, as they require ever-green forest: this I find has been the case with the Mudugirs to whom land was assigned rent free during the settlement of the Bolampatty reserved forest. When their land was demarcated, they emigrated to Attipadi Valley, as I refused to allow them to go on clearing fresh shola. Blocks I and III may be given up to cattle-grazing and cultivation, as it is of little moment what happens to them.

Block II contains approximately 38.07 square miles, and if the map be correct, there are no claimants to it; Block III(a) is apparently claimed by no one, and this might also be reserved. But in any case, no fresh clearing must be allowed in Block II.

Block IV contains approximately 26.8 square miles, 2/3rds of which is claimed by the 2nd defendant and 1/3rd by the 8th and 9th defendants. It would appear from the agreement made between Colonel Scott and the Secretary of State that the former has assigned to the latter all the rights which he obtained by lease from Parvathi Ammal Nethiyar, who is, I understand, either the 8th or 9th defendant, so the whole of the eastern portion of Block IV is already assigned to Government. The exact terms of the lease are not given in the agreement made with Colonel Scott. Further, it is stated that there is no regular agreement on paper between Colonel Scott and Parvathi Ammal Nethiyar. Government's right and title to the land is, therefore, somewhat obscure, and at the best it is only a lease for 25 years, renewable on terms which are not stated. I received no instructions to get the boundaries of the land assigned to Government by Colonel Scott pointed out on the ground, but those mentioned in the agreement include a portion of the land claimed both by the 1st defendant (Erālpād Eliya Rājā) and Parvathi Ammal Nethiyar; so if the map be correct, Colonel Scott's title to the northern portion of the land assigned is disputed. I endeavoured to find out from the inhabitants of the valley the names of the reputed owners of the land, but the only information I could get was that the land to the west of the Siruvani belonged to a Rājā, and that to the east to Government. It is too late to re-open the question, but there is a general opinion both amongst the inhabitants of the valley and ryots who take up their cattle to graze from the Coimbatore district, that the Coimbatore district extends as far west as the Siruvani river.

Means to be adopted to prevent any further extension of cultivation in Blocks II and IV.—As Block II contains but little deciduous forest, and Block IV none at all, no revenue can be derived from the forests. The land-revenue collected in both blocks does not exceed ten rupees a-year. A small revenue might be obtained from minor forest-produce. So far, therefore, as revenue is concerned, the two blocks are of little value; and provided no further extension of cultivation takes place it matters little who owns the valley. The janmis derive no revenue from

it, but at the same time are jealous of their rights, as landed property, no matter how small the intrinsic value, increases the dignity of their title in proportion to its extent. It might, therefore, be possible to induce the jannis to demarcate the present clearings, to prevent any clearings in the future, and to notify the land as "reserved forest" under Section 32, Forest Act. If the land be taken up under the Land Acquisition Act, Government would have to pay a large sum of money, as I estimate that about $\frac{1}{3}$ rd would be valued as land fit for cultivation, with a large proportion capable of cardamom and coffee cultivation, in return for which outlay there would be no revenue, as any clearings in the future must be prohibited.

Proposed alteration of the Coimbatore boundary.—The principal reason for proposing to include the Attipadi Valley within the limits of the Coimbatore district is, I understand, that it is considered the duty of Coimbatore to protect its own water-supply. This seems to me somewhat ungenerous on the part of Malabar. If there are no stronger reasons, I am of opinion that the boundary should remain as it is. The inhabitants of the valley are thoroughly impregnated with Malabar ideas and customs; and I venture to think that the Collector of Coimbatore would experience great difficulty in collecting the land-revenue if the work be entrusted to Coimbatore officials.

If, however, the district boundary must be changed, the best and, in fact, the only line would be the western boundary of the valley.

CAMP, IRUTTUPALLAM,
17th January 1887.

(Signed) * H. J. A. PORTER,
Assistant Conservator of Forests.

ENCLOSURE No. 4.

BLOCK I.

Description.—Block I, which forms the northern boundary of the valley, is a continuous range of hills running in an unbroken line from west to east, the average elevation of the watershed being 7,300 feet. It is, in short, the southern slope of part of the Nilgiri plateau, and the few streams which pour down its sides in water-falls rise in the Nilgiri district.

Forests.—The hills being rocky and precipitous are but poorly clad, and open grass land is the predominating feature; a few ever-green trees occur along the banks of streams and on some of the less-pronounced gradients.

Cultivation.—That there is but little cultivation in this block is due to the configuration of the ground, for which reason there is not much fear of its being extended.

Value as regards Water-supply.—As mentioned above, the water running through this block rises in the Nilgiri district. It has probably always been in its present condition. The configuration of the ground precludes the possibility of any considerable extension of cultivation; so there is, therefore, no *raison d'être* for recommending its reservation.

BLOCK II.

Description.—Block II, which forms the western extremity of the valley, is composed of irregular ranges of hills running down to the Bhavani river. The highest peak is said to be Adu Mudi (5,830 feet).

Forests.—The Bhavani river pursues a rapid course through this block; its bed at Viranur, which is only 2,000 feet, rises at Todiki to 4,000 feet. It is well covered with forests. In the southern half deciduous forest and bamboo jungle occupy the slopes from the river-banks to a height of 4,500 feet; above this is found a compact zone of ever-green forest and on the tops of the hills grass land.

In the northern half there is scarcely any deciduous forest; ever-green forest takes its place, and dense sholas run down to the banks of the river, giving place to open grass land on the hill tops.

Cultivation.—There are five villages in this block, viz. :—

	Houses.
Chindaki	20
Viranur	6
Tadigundi	6
Murugah	3
Anaivoy	10

A considerable portion of the block, up to a height of over 4,000 feet, has been from time to time cleared for cultivation. On an average each house cultivates 20 acres annually. The same spot is cultivated for two years; and, as far as I was able to ascertain, the inhabitants in this block seldom return again to the same spot, as they prefer clearing virgin forest; so although the population is small, the forests are being rapidly destroyed. Close to Viranur I saw the inhabitants burning, amongst other fine trees which had been felled on land destined for ponakad cultivation, a rosewood tree containing over 100 cubic feet of timber. The total annual assess-

ment collected from these five villages does not exceed ten rupees a-year! but the damage done by them exceeds thousands.

Value as regards Water-supply.—Four large streams run into the Bhavani from the west, and as they rise in the block, it is absolutely necessary to put a stop to any further extension of cultivation. The presence of virgin forest renders it specially adapted to ponakad cultivation; and the inhabitants informed me that, had it not been for a wholesome dread of "the Malabar Collector" (meaning, I believe, Mr. Winterbotham), the whole block would have been overrun with jungle tribes from the less fertile portions of the valley and probably denuded ere this.

Parts are, I consider, well suited for the cultivation of tea and coffee.

BLOCK III.

Description.—Block III, forming the centre and eastern portion of the valley, is composed of short irregular masses of rounded hills rising to a height not exceeding 1,000 feet above the bed of the river. This is the lowest portion of the valley, and there is no considerable variation of elevation; in fact, there is only a fall of 100 feet in the height of the river-bed between Attipadi village and Tachampadugai village where the Virgar joins the Bhavani.

Forests and Cultivation.—There is no ever-green forest, and the deciduous forest is of little value. The disastrous effects of forest fires and cattle-grazing are everywhere apparent. It is the principal grazing ground of the valley, and in addition to the cattle owned by the inhabitants, large quantities are sent up annually from the Coimbatore and Malabar districts. The areas marked on the map as "cultivation" do not give even an approximate estimate of the actual area under cultivation. There is no virgin forest, and the entire area has been under cultivation from time to time. The inhabitants are, for the most part, Irulars and Mudugirs, and only cultivate the same spot for two years at the most; having no virgin forest to clear, necessity has advanced them one step in civilisation, and they employ cattle and ploughs to till the land. There are small patches of wet cultivation near Attipadi and Tachampadugai villages.

Value as regards Water-supply.—The hills are of no great height; the forests are deciduous and in a wretched condition; there is consequently no water rising in this block. Reservation would, of course, improve the condition of the forest, but it would not increase the supply of water to any appreciable extent.

From the above description must be excepted the portions marked on the map as blocks III(a), III(b).

Block III(a) is a narrow range of lofty hills running along the eastern bank of the Bhavani river. This most characteristic feature of this range is an irregular chain of rocky angular peaks. It is fairly well covered with forests (deciduous and ever-green), especially in the northern half. Portions of the lower slopes have been cleared and cultivated; a few perennial streams run down both the eastern and western slopes; but on account of the narrow breadth of the range the amount of water they contain is inconsiderable.

BLOCK III(b).

Colonel Scott's estate is situated within the limits of this block, which also contains the sources of the Kodunkaraipallam, a stream forming part of the boundary line between Coimbatore and the Attipadi Valley. The forests are ever-green. After deducting the portion already purchased from Colonel Scott, the remaining portion would be of small extent and not worth reserving.

BLOCK IV.

Description.—Block IV forms the southern extremity of the valley.

Forests.—The whole of this block is one dense mass of ever-green forest with no deciduous forest, and but little grass land.

Cultivation.—At present there is practically no cultivation; a few Mudugirs have recently emigrated from the Bolumpatty Valley, and are now clearing the forest near Pativasal for ponakad cultivation. There is also a deserted coffee plantation belonging to a certain Lalgi Sait close to Pativasal, and a clearing said to have been made years ago by General Morgan in the slopes of the hills between Iyuppan Mudi and Chinna Amanti Malai.

Value as regards Water-supply.—It is impossible to over-rate the value of this block; covered as it is with dense ever-green forest, it forms a veritable sponge. The Siruvani river rises at Mutikulam and the Pambar river at Padiyarnugam Malai. Two smaller streams rising in the sholas to the west of Vellingiri Malai join the Siruvani river near Pativasal and two more rising one to the north and the other to the south of Niralikotti hill join the same river to the north of Marvathi village. If possible, the whole of this block should be reserved, or at any rate precautions taken to prevent its being cleared. The northern limit of the block is a line running from Tumbe Malai to Kongaraman Mudi, thence to Paranalikotti Malai and from there to Peria Amanti Malai. This includes an area of about 26.8 square miles. If such an area be considered too extensive, a line may be taken along the foot-path running west from Poratti and the lofty range to the south of this foot-path be reserved; this would include the sources of the Pambar

and Siruvani rivers. By the agreement made with Colonel Scott, I believe we have already purchased the portion to the east and north-east of the block claimed by the 8th and 9th defendants.

CAMP, IRUTTUPALLAM,
17th January 1887.

(Signed) H. J. A. PORTER,
Assistant Conservator of For

ENCLOSURE No. 5.—Attipadi Valley Map.

ENCLOSURE No. 6.—Mr. Porter's Diary.

ENCLOSURE No. 7.

From H. J. A. PORTER, Esq., Assistant Conservator of Forests, dated Anaimalai, 25th January 1887.

Reference.—Collector's demi-official, confidential, enclosing Board's Proceedings, Forest No. 701, dated 22nd December 1886.

I have not a copy of the map with me to refer to; but as far as I remember no land claimed by the Erālpād Rājā is included in Blocks II and IV, which I propose to reserve. In any case, I should not recommend an agreement or lease similar to that we are attempting to make with the Kolangōd Nambidi. The Kolangōd Nambidi's forests are valuable timber forests, and we hope to make a large revenue out of them. The forests I propose for reservation in the Attipadi Valley are chiefly ever-green forests, the wood of which has no commercial value. We don't wish to fell a stick there and they are simply to be reserved as forests of protection. Some of the Rājā's forests, situated I believe in Block III, contain deciduous forest; he may perhaps make a small revenue out of them, but it would not pay the Forest Department to work them systematically, and as I understand the G.O., my proposals for reservation were to include only those portions of the valley absolutely necessary for the preservation of its water-supply.

Regarding Colonel Scott, as mentioned in my report, part of the land (4,500 acres) which he is to hand over to us is (if the map be correct) claimed by the Erālpād Rājā as well as by Parvathi Ammal (2nd defendant, the lessor to Colonel Scott). It would further appear that he possesses title-deed for 500 acres only, but that he will do his best to obtain the title-deeds for the remaining 4,000 acres. His title-deed to the 500 acres is, I understand, a lease for 25 years; and he states that the remaining 4,000 acres was to be given on a similar lease. It would perhaps be advisable to obtain a copy of the lease as it contains the conditions under which it is said to be renewable at the expiry of the first period.

ENCLOSURE No. 8.

From H. P. HODGSON, Esq., to the Conservator of Forests, dated Craigmere, Kullakamby, 27th October 1886.

I have the honor to bring to your notice that I have a claim upon certain lands on the southern slopes of the Nilgiris in the Malabar district. I have already addressed the Secretary, Revenue Board, on the subject in a letter, dated 9th October 1886.

My claim is based upon a lease from the Eliya Rājā of Calicut, which lease is, of course, open to inspection by you.

The boundaries of the land are—north, the southern boundary of the Nilgiris; south, the Bhavāni river; east, a line drawn from the southern boundary of the Nilgiris to the Bhavāni river; west, ditto.

The line of the eastern boundary is the present boundary between Malabar and the Nilgiri and Coimbatore districts, and that of the western boundary follows the course of the river which makes the Peermund waterfall, from the Nilgiri boundary to the Bhavāni river.

The land in question was included in the Attipadi suit, but I understand that the Eliya Rājā relinquished this portion of the land to Government during the suit.

This would, of course, not affect my claim, as he had no authority from me to relinquish that portion which I hold under the said lease.

Doubtless Government will be prepared to recognise my title after an inspection of my deeds. In the meantime, I have thought it best to advise you of my claim.

ENCLOSURE No. 9.

Demi-official letter from Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to H. P. HODGSON, Esq., Craigmere, Kullakamby, dated 11th November 1886.

I have the honor to acknowledge receipt of your letter of the 27th ultimo, informing me that you claim a tract of land on the southern slopes of the Nilgiris on the strength of a lease from the Rājā of Calicut.

2. I note that you have addressed the Board of Revenue to the same effect, and appear to consider your title good, although the lessor has formally withdrawn all claim or title to the land which you state he has leased to you. I fail to follow your argument or deduction in this respect, but you will be afforded due opportunity of putting in your claim before any portion of the Attipadi Valley is constituted reserved forest under the Forest Act.

ENCLOSURE No. 10.

LIST of the Defendants mentioned in the High Court's Judgment and Decree regarding Attipadi Valley.

1st Defendant.	—Erālpād Rājā or 2nd Rājā of Calicut.
2nd "	Mannārgat Mupil Nāyār, through his guardian Parvathi alias Ammah Nethiyar.
3rd "	Walawanād Rājā.*
4th "	Eliya Nāyār.*
5th "	Chathunni Mootha Nāyār.*
6th "	Mootha Pisharodi.*
7th "	Kuryatil Ramen Menon.*
8th "	Lieutenant-Colonel Scott.
9th "	W. Scott, Esq.†

Enforcement by G. D. LEMAN, Esq., Collector of Coimbatore, dated 30th January 1887.

Forwarded.

The report shows clearly what Mr. Porter considers should be done, and that is, to conserve every bit of ever-green forest left, and to forbid any further clearing around the head-waters of the Bhavāni from the Kundahs to the village of Attipadi and of the Siruvani.

The first of these pieces of forest seems, from the survey map* prepared by the Survey office for the use of the High Court showing the boundaries of each defendant's claim, to be unclaimed, and if it be so, there is no difficulty about that. There are but three or four villages of hill-people to be dealt with, and the Collector of Malabar may be directed to issue orders at once forbidding any new clearance, and at the same time the Government may issue a notice that the land is at their disposal, and is proposed for forest. The notice should come from the Malabar Collector. Mr. Porter can give the boundaries.

This tract is Block II and Block III(a) of the map which accompanies this. The small piece to the south of the curve of the river in Block III is claimed by the Erālpād Rājā (vide Board's Proceedings, Forest No. 701, dated 22nd December 1886). It does not appear that there will be any difficulty in arranging for the conservation of this little piece; at the same time, it is to be noted that we cannot make any agreement with him similar to that with the Kolangōd Nambidi, for here there is no forest to fell.

Mr. Porter does not report any clearing here, but perhaps it would be well to ask the Erālpād Rājā to send up a notice forbidding any.

Mr. Porter does not propose anything for the northern Block I, or the central to eastern Block III.

It does not appear that anything can be done to add to their utility for our present purpose. Block IV to the south and Block III(b) are the two last selected for reservation.

Block IV should, I think, be secured entirely from felling. It is claimed part by 2nd defendant, part by 8th and 9th defendants. I think Mr. Logan should be instructed to enter into negotiation with them to forbid cultivation and allow the Government to assume the protection of the forest under Section 32 of the Act.

As for Block III(b), if Amma Nethiyar Avargal will carry out the terms of the Karar made with Colonel Scott, Mr. Porter thinks that all the protection we want will be secured.

* Surrendered their claims. † Claim transferred to 8th defendant.

Thus it will be seen that the only piece on which the Government may have to expend any considerable sum of money is Block IV. I think Mr. Logan can best estimate what may be cost and find out on what terms the persons claiming possession are likely to agree.

NOTE forwarding letter No. 216 (Camp), dated 15th February 1887, of the Conservator of Forests, Southern Division.

We have now something definite to go upon, and I accept Colonel Campbell Walker's recommendation that Blocks II and IV in the accompanying map are required for the climatic protection of the Bhavani river and its main tributary the Siruvani.

2. Colonel Campbell Walker also recommends for the same purpose the securing and protection, if possible, of Blocks III(a) and III(b).

3. Colonel Campbell Walker further leaves it to me to place a value on these lands and to inform the Board and Government who claims or owns them.

4. BLOCKS II AND III(a).—Blocks II and III(a) were not claimed by any of the parties to the appeal before the High Court. The judgment sets out on page 2: "The suit proceeded against the 1st, 2nd, and 8th defendants, *who are the respondents to the appeal*." Although, therefore, the names of the other defendants in the original suit are set out in full at the head of both judgment and decree, it would appear that the High Court viewed 1st, 2nd, and 8th defendants *alone* as the respondents, and it is certain that Blocks II and III(a) were not claimed by any of them. Indeed, the High Court Judgment (page 2) expressly states this: "It shows that a large block of land on the west and a small block on the east are claimed by neither party." The large block of land on the west referred to comprises Mr. Porter's Blocks II and III(a) and also a large lump of Block I.

5. Under such circumstances, I am at a loss to know how to discover the "owner" contemplated by Sections 29 and 30 of the Forest Act. It is clear that we must first discover the "owner" if there is one; for the provisions of Section 30 do not apply until the "owner" has been discovered, and has had a chance offered to him of complying with the notification to be issued under Section 29.

5(a). If my memory serves me right, the whole of Chapter IV was imported into the Act after the Bill had left the hands of the Forest Commission, of which I was a member. That chapter is of great value, but it does not seem to have received the minute and detailed criticism to which the rest of the Act was subjected at our hands. The result is that no machinery exists for ascertaining precisely who the "owner" (Sections 29, 30, 32) or the "owners of shares" (Section 32) or the "person or persons jointly interested" (Section 33) are. In the absence of such machinery, it seems to me that the only course left open is to apply the provisions of Chapter II, in order to ascertain with precision (Sections 4(e), 6(d), 8, 10(i), 11, 12, 13, 14, 15, 16, 17) who such "owners," &c., are, and what are their respective rights over the land notified for settlement. Of course, if it is intended simply to apply the provisions of the Land Acquisition Act, an inquiry under Chapter II of the Forest Act is unnecessary, and Sections 9 to 16 of the Land Acquisition Act provide the necessary machinery for giving Government an indefeasible title. It will be seen, however, in the sequel, that that course will probably be both unnecessary and financially undesirable in regard to several of the blocks selected by Mr. Porter, and unless Chapter IV is to remain almost a dead letter, the only course (as above said) is to begin with an inquiry under Chapter II.

6. With the utmost respect, therefore, for the ruling contained in G.O., Revenue Department, No. 7456, dated 10th December 1886, I have the honor to submit that the most obvious course under such circumstances is to proceed first of all under Chapter II and not under Chapter IV of the Forest Act. The end is practically the same in both cases. Presuming that an "owner" does turn up and make good his claim, then in the one case (Section 10) as in the other (Sections 30 and 31) the ultimate action lies under the Land Acquisition Act, 1870.

7. Moreover, procedure under Chapter II has this most manifest advantage, that the "owner" is bound within certain limits of time to come forward and declare himself, whereas under Section 29 he need not do so. "Owners" would doubtless spring up like mushrooms if I were to advertise for them under Section 29, and the hearing of their claims might be indefinitely prolonged, even supposing (which is not at all clear) that I had authority under Section 29 to hear them on the point of ownership.

8. Moreover, if Chapter II is applied, in the first instance, it is quite possible that several "owners" (*e.g.*, Mr. Hodgson among others, referred to in the Conservator's para. 4) may turn up, and it seems to be quite possible and natural too, once their claims or some of their claims are admitted under Section 10 to deal with them or some of them *afterwards* either under Sections 29—31 or better still under Section 32. There is nothing in the Act to prevent this that I can see, and such a course has the manifest advantage of gaining all we require, namely, protection of the forests for climatic reasons at a minimum cost to Government if the "owners" whose claims are "admitted" under Section 10 will agree to Section 32 being applied. The Conservator has somewhat changed front as to the departmental value of these forests, and now that we have it, on his authority, that his department is only "indirectly interested" in the forests (which means, I presume, that there is no money to be made out of them), it would be very advantageous, *from a financial point of view* to apply Section 32 of the Act and not Sections 29—31.

9. Under these circumstances, I would suggest, in regard to Blocks II and III(a)—

- (1) that they be dealt with first of all under Chapter II; and
- (2) that claims admitted under Section 10 be dealt with afterwards (or simultaneously perhaps) either under Sections 29 to 31 or under Section 32, the latter for choice.

10. BLOCK III(a).—In the case of this block the map prepared by Mr. Porter discloses the following facts:—

- (a) That a small part of it (which I have taken the liberty to mark in Mr. Porter's map with the red pencil figure I) was claimed in the High Court by the 8th defendant alone (Colonel Scott);
- (b) That a second portion of it (which I have marked in red pencil as II) containing, so far as I can make out, Colonel Scott's (8th defendant's) coffee estate, was claimed in the High Court both by Colonel Scott (8th defendant) and by the Erālpād Rājā (1st defendant); and
- (c) That a third portion of it (which I have marked in red pencil as III) was claimed in the High Court by 2nd defendant only.

I may note in passing that the Conservator's description at the end of para. 4 of his letter of the claims which have been put forward to Block III(b) are inaccurate, as a glance at Mr. Porter's map will show.

11. Now in regard to III(b)-I (as I will call it), the Government have by Colonel Scott's deed of assignment of 1st February 1886 stepped into Colonel Scott's shoes (so to speak). How far that will help remains to be seen. But at any rate it is quite clear that Government has now an interest in that part of Block III(b), and, under these circumstances, it would be of great advantage, *from a financial point of view*, to deal with it under Section 33 of the Forest Act, and not under Sections 29 to 31, since the Conservator says he is only "indirectly interested" in it, or, in other words, does not see his way to making any money out of it. Of course, it might turn out that the Government is now sole claimant of the tract, but perhaps that is too much to be hoped for in the face of Colonel Scott's deed of assignment. At any rate, it is worthy of notice here that so far back as 1859, and the fact is even now corroborated by Mr. Porter, the Siruvani was considered to be the boundary of Malabar in this neighbourhood, and it was mainly trusting to the facts set forth in the letter of Mr. MacGregor of 8th April 1875, No. 877 (copy herewith), that I determined to take action originally against Colonel Scott. It

may be that the 2nd defendant felt that her claim was so weak to III(b); I and III (d); II, that she did not claim these blocks before the surveyor sent by the High Court. At any rate, the fact remains that she did not claim them, and in regard to Block III(b)-I, I am clearly of opinion, for the reasons already above set forth (paras. 5, 5(a), 6, 7, 8), that the proper procedure lies under Chapter II of the Forest Act, and if any joint owners' claim is admitted under Section 10, then to deal with the block under Section 33 of the Act.

12. Passing to the consideration of Block III(b)-II, as I have marked it on the map, the same remarks that have been made in regard to III (b)-I in the last paragraph here again apply. The 2nd defendant again appears not to have claimed the land in the High Court, and possibly for the same reasons, and yet she was Colonel Scott's lessor of the 500 acres and assignor of the other rights, all conveyed to Government by the deed of 1st February 1886. But in this case the interest of a third party, namely, 1st defendant, comes in. So in addition to Government certainly the 1st defendant, and probably the 2nd defendant, will claim interests in Block III(b)-II. How many more may come forward, and in this connection see para. 5 of the Conservator's letter, it is impossible to say. I am clearly of opinion here again that this block should be dealt with first under Chapter II and that then the admitted claimants should be treated as persons jointly interested with Government under Section 33.

13. Finally, as regards the block I have marked on the map as III(b)-III, I believe, I am correct in interpreting the last paragraph of Mr. Porter's note about it to mean that it is not worth protecting. I conclude, therefore, that nothing needs to be done about it except to apply to it the Revenue procedure which I shall presently propose for dealing with Blocks I and III.

14. BLOCK IV.—I have again taken the liberty to subdivide Mr. Porter's Block IV into three compartments, and have marked them on the map with blue pencil letters, thus: (a), (b), and (c), as, for the reasons hereunder stated, they each require a different mode of settlement.

15. In regard to Block IV(a), the remarks made (para. 11) in regard to Block III(b)-I, apply exactly, and I have nothing more to say than that procedure should, in my opinion, *first* be taken under Chapter II and then, if necessary, under Section 33.

15(a). Mr. Porter, backed by the Conservator, proposes, for financial reasons, that IV(a) might be cut out of the forest to be dealt with, but in regard to it I have already suggested in the last paragraph a different procedure not likely to entail heavy expenditure, for it will be observed that under Section 33(a) it is now open to the Government to undertake the management of the block, accounting to the persons jointly interested for their interests in the same. The management must, of course, "pay its way," if I may be allowed to use the phrase, *and no heavy expenditure is likely to be incurred*. I do not therefore by any means agree with the Conservator in his recommendation regarding it.

16. There is no difference between Blocks IV(b) and IV(c), except that Mr. Porter has suggested as an alternative that if it would be too costly to acquire the whole of Block IV, then that IV(b) might also be omitted. Its extent from the pathway up to the northern boundary of Block IV appears to be about 10 $\frac{3}{4}$ square miles or so. And I make out block IV(c) to be in extent about 8 square miles instead of 10, at which it is estimated by the Conservator.

17. It is certain that General Morgan's claims under the lease to Mr. Delecom (printed Exhibit No. 59-III in the suit) lie in these two blocks, for the land was pointed out to me on the spot by Mr. Rhodes Morgan of the Forest Department.

18. Both IV(b) and IV(c) were claimed before the High Court Surveyor by 2nd defendant only, but General Morgan has not, so far as I am aware, relinquished his claim against 2nd defendant, though he has done so in respect to Government (G.O., No. 1481, dated 10th September 1878). His claims under the Delecom lease are somewhat indefinite. I think it would probably be held that he was entitled, like Colonel Scott, only to 500 acres on a 25-year lease, renewable on

payment of Rs. 100 in the 26th year, but clause 1 of the deed and the last clause of the preamble are very indefinite (purposely so perhaps) and might be interpreted as meaning that the whole of the land within the boundaries named, some 12 square miles perhaps, are taken on lease.

19. Anyhow, in taking over the land from the "owner" (presumably 2nd defendant) under Sections 29 to 31 of the Forest Act we must lay our account to have to deal with General Morgan. I am not sure what effect his relinquishment of 22nd July 1878 would have on any claim put forward by him, but I am inclined to think that we shall have to deal with him as if that relinquishment had never been made.

20. Then there is the lease to Mr. James McIver printed as Exhibit No. 59-II of the suit which embraces land in the same neighbourhood.

21. How many more such claims may crop up I cannot say. It is certain that the High Court Judgment (last paragraph) left all "inferior proprietors" unaffected by the issue of the suit.

22. The point for consideration is how to ascertain who is the "owner" under Section 29 of the Act. The same difficulty arises, as already explained, in regard to Blocks II and III(a), and with much respect I would, as in that case, recommend that action be taken in regard to Blocks IV(b) and IV(c), under Chapter II of the Act, *before* we attempt to apply Sections 29 to 31.

23. In conclusion, I have the honor to suggest that a Forest Settlement Officer be appointed for the settlement of all these blocks, namely, II, III(a), III(b) (excluding, however, III(b) III), and IV, and that Mr. Porter be nominated as District Forest Officer to watch the Government case in communication with the Conservator and myself, as neither Mr. Morgan nor Mr. Hadfield can be spared for the duty and Mr. Porter knows exactly what is required.

24. BLOCKS I, III, AND III(b) III.—In dealing with Blocks I, III, and III(b)-III, which Mr. Porter says are not required for protection, I beg further that I may be re-empowered to fix the revenue assessment on blocks of land occupied in the valley at such rates on the total extent as may be considered suitable, not exceeding the rates fixed for lands taken up under the Waste Land Rules on the Nilgiri Hills (G.O., Revenue Department, No. 2860, dated 8th July 1884.)

25. In explanation of this request, I beg to refer to the last paragraph of the High Court Judgment in appeal. It runs as follows:—"We observe that this judgment leaves unaffected the right of the Crown to revenue, or the rights of inferior proprietors." The High Court's view undoubtedly was that the Government might assess every acre of land in the valley, and there is no reason why the principle which is being applied to waste lands held by coffee planters in the Wynad should not be applied to these valley claimants, and notably to the holdings of Messrs. Hodgson, Torin, McIver and others. It would immensely simplify our revenue-collections in the valley if we might assess all claimants on the areas respectively held by them in the valley. A 6-pie per acre rate, such as is being imposed in Wynad on the coffee planters' waste lands, or even a 3-pie rate, would probably suffice. The assessment might be imposed until the regular revenue settlement is taken up and be charged to the superior holder on all lands whether cultivated or uncultivated.

26. I have no hope of being able to introduce a regular village establishment in the valley. Natives sent up there from this side even for a short time invariably succumb to the malarious climate, and those on the spot are not fitted to hold village offices, being ignorant and illiterate junglemen. Europeans even rarely escape. Mr. Winterbotham was invalidated home after a short visit (alluded to by Mr. Porter) to Blocks II and III, and I myself suffered badly from a fever contracted in Block IV. I thought the Coimbatore Collector would be able, from his greater proximity to it, to manage the valley better from his side of it, but he does not seem inclined to try. In any case, I have no objection to offer to the Conservator's suggestion that the transfer from Malabar to Coimbatore be postponed until these forest and revenue questions are settled.

27. NEGOTIATIONS WITH THE DEFENDANTS.—Mr. Porter's report and map make it quite clear that the 1st defendant (Erālpād Rājā) has ridiculously over-estimated the value of his lands in the valley, and so I will tell him when I see him on the 29th inst. at Pūghat, where I hope also to meet the 2nd defendant.

28. My information is that they are both now inclined to come to reasonable terms, and as soon as I have the orders requested in paras. 24 and 25 of this note, it is quite possible I may be able to come to some arrangement with them similar to the compromise which was nearly arranged by me before going home on privilege leave in 1884.

CAMP, CHETWAL,
March 1887.

(Signed) W. LOGAN,
Collector.

ENCLOSURE.

From A. MacGREGOR, Esq., Collector of Malabar, to the Collector of Coimbatore, dated Calicut, 8th April 1875, No. 877.

With reference to your letter, dated 2nd ultimo, No. 33, I have the honor to inform you that I concur with you in considering that the Siruvani should be considered the boundary of the district in the neighbourhood of the Poratti ridge.

2. This has been practically treated as the boundary so far back as 1859 to my own personal knowledge. In that year a road was made from Local Funds through the plateau, and was discontinued at the river on the ground that it was the boundary of the district.

3. The honey and other jungle-produce east of the stream were being picked by Coimbatore people while I was there engaged on the road-work, and the Malabar malsars, who accompanied me, and who were the only parties who could have felt aggrieved, expressed no objection, and, in fact, admitted that Malabar ceased at the river.

4. The Nāyār has produced no documentary evidence, and from his failure to attend it is impossible to say whether he claims anything beyond the river.

READ—also the following letter from WILLIAM MORGAN, Esq., Acting Government Solicitor, to the Secretary to the Board of Revenue, dated Madras, 30th March 1887, No. 185:—

Attipadi Valley Suit.

With reference to the 2nd para. of G.O., dated 7th December 1886, No. 1071, Revenue, I have received a letter from the Collector of Malabar requesting me, before preparing the notice referred to in such order, to put myself in personal communication with the Board of Revenue, as it would appear that proposals are now in course of being submitted for dealing with the various blocks of land in the Attipadi Valley, and the Collector is of opinion that it would be as well for me to know what is proposed to be done before drafting the notice.

RESOLUTION—dated 6th April 1887, Forest No. 192.

Submitted to Government for orders.

2. It will be observed that Mr. Logan proposes that action should first be taken under Chapter II of the Forest Act. The Board agree with the Collector and would again urge upon Government that, in face of the difficulties regarding the questions of ownership in the valley, it is difficult to see how action can at once be taken under Chapter IV of the Act.

3. The areas with regard to which Mr. Logan desires action to be taken can easily be identified on the map. They are—

Blocks II and III(a),
Block III(b) I,
Block III(b) II,
Blocks IV(a), IV(b), and IV (c).

Board recommend that Mr. Porter be appointed as District Forest Officer to the case for Government. The progress of matters will be very watched by the Collector and the Conservator.

With regard to the settlement work, the Board would strongly urge the government of a special officer. If Mr. Wolfe-Murray could be spared for the work, he would probably do it well. The points that will arise are likely to be important and difficult, and it is very advisable that the Settlement Officer should be exclusively employed on the work and so be able to give his whole time and attention to it.

5. For the present the idea of leasing the portion of the forest in the possession of the Erālpād Rājā (Board's Proceedings, 28th January 1887, No. 41) may be given up. The matter may, if necessary, be again taken up later on.

6. The orders of Government are requested on Mr. Logan's proposal to fix a revenue assessment on all lands in the valley not taken up as reserved forests. The Government approved of the proposal in 1884 (Board's Proceedings, 15th July 1884, No. 6593), and the Board now recommend that Mr. Logan's proposal be carried out.

7. The orders regarding the transfer of the Attipadi Valley from Malabar to Coimbatore (G.O., 4th May 1886, No. 313) may, the Board think, be held for the present in abeyance. After the settlement is completed final orders can be passed on the matter.

8. The Board do not support Colonel Walker's recommendation that special allowances should be granted to Mr. Porter. There is no analogy between the work done by Mr. Porter and that done by Mr. Peet in connection with the Travancore boundary.

9. The Board request that the final orders of Government on the forest settlement of the Attipadi Valley may be passed at a very early date. They submit in a separate cover a demi-official communication they have received from Mr. Logan on the matter, in which he points out the urgency of the case. The final orders of the Government will be communicated to the Government Solicitor with reference to his letter dated 30th March 1887, No. 185.

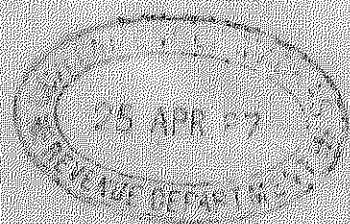
(True Copies and Extract.)

Ag. Secretary.

To the Secretary to Government, Revenue Department,
with a map and with copy of Mr. Logan's
demi-official dated 1st April 1887.

Copy to the Collector of Malabar.
" " Conservator of Forests, Southern Circle.
" " Collector of Coimbatore.

1887. Sept
Board of Revenue
(Land Revenue),
MADRAS.



Printed

Proceedings, dated 6th April 1887,
Forest No. 102.

Submitting to Government, for orders, with remarks, letters from the Conservator of Forests, Southern Circle, and the Collector of Malabar, forwarding a report from Mr. Porter as to the areas in the Attipadi Valley which are really required for the protection of the head-waters of the Bhavani and its tributaries.

REVENUE DEPARTMENT.

C. No. 3199
D.O. No. 37

From The Board of Revenue (Forwards)
Col Campbell Walker

Dated 1887

FOR ORDERS.

The current contains the report of the D.F.O. of Coimbatore (South) upon the areas in the Attipadi valley which are ~~really~~ required for the protection of the head-waters of the Bhavani and its tributaries. It was intended ~~that~~ ^{should} action ~~might~~ be taken under Chapter IV of the Forest Act for the protection of these areas, '86 (Vide G.O., 4th May 1886, No. 313) ^{Note} The current also contains a ~~letter~~ from Mr Logan, Collector of Malabar, on the same subject. That officer recommends that ~~the~~ action shd. first be taken under Chap. II of the Forest Act ~~for~~ for the following reasons.

2. No ~~an~~ action can be taken

section 29 of the Act until after
the issue of a ~~not~~ notice to
the owner of the forest or
land which it is proposed to
deal with, calling upon him to
show cause etc. If the
owner declines to comply with
the regulations or directions
notified under s. 29, the Govt.
shall take the land on lease
and the owner shall be bound
either to conclude such lease
or ~~shall~~ to require that the
land shall be acquired for
public purposes, and in the
latter event the Govt. shall
acquire the land accordingly
(Section 30). But ~~the Govt.~~
~~may~~, in any case under this
Chapter in which the ^{Govt.} ~~may~~ con-
sider that in lieu of taking the
forest or land under its con-
trol the same shd. be acquired
for public purposes, the Govt.
may proceed to acquire it in
the manner prescribed ^{by} ~~under~~

See also list of dftls. given
in the current. Enclosure 11
to Mr. Porter's Report

the Land Acquisition Act, 1876
(Section 31)

Mr. Logan's contention is that
there are no means of ascertain-
ing who are the owners of
much of the land required
and that this point shd. be
decided by an inquiry under
Chapter II of the Act.

3. In the original Attapadi suit
there were nine defendants, but
five of these did not contest
the suit and put in answers
surrendering their claims. The 9th
defendant transferred his rights
to his father the 8th dftl. (Ct. Secy.
(vide Mr. Winterbotham's letter which
is printed in Bds. Procs. recorded
in M.S. G.O. No. 4651 of 6th Aug. 1886)

By a most unfortunate mistake
the names of all the retaining dftls.
were entered in the Dt. Court's de-
cree, and they were also made
respondents to the appeal pre-
ferred to the High Court. Their
names were again entered in the
High Court's decree, but it would
appear from the High Court's judg-
ment that the 1st, 2nd, and 5th
dftls. alone were recorded and

respondents to the appeal.
It is not known ~~from~~ ^{to}
what land was claimed by the
retiring dfds. but it is clear
from the map and the High
Court judgment that blocks
II and III (a) were not claimed
by either the 1st, 2nd or 3rd dfds.
Mr Logan is accordingly at a
loss to know how to discover
the "owner" contemplated by ss.
29 and 30 of the Act, and he
therefore recommends that action
shd. be taken under Chap. II. If
any person establishes his position
as owner the land can be acquired
under s. 10 of the Act. Then again
there are several claimants to
Block III (b)-II and possibly the
2nd dfd. will claim block III (b)-I
also. In fact in no case is the
owner definitely known.

4. In their Procs. of 11th Sept. 1886
Forest No. 480 the Board re-
commended that ~~the~~ the whole
valley shd. be taken up under
Chap. II of the Act. This re-
commendation was based on
the opinion of the Advocate

FOR ORDER

General (Mr. Shephard) ¹⁸⁸⁶ that the
decrees gave to none of the dfds.
any title whatever. The
Govt. refused, however, to
accept the Board's proposals
"for it could not possibly be
held ~~that~~ in the face of the
" judgment of the High Court
" that the lands are at the dis-
" posal of Govt." (G.O. No. 6325, of 21-10-86) It was sug-
gested in the Note for orders
by the undersigned that the
lands claimed by the 3rd to 7th
dfds. might be dealt with
under Chapter II, but the Rev.
Secy. (Mr. Stokes) considered that
this was impracticable, as the
lands claimed are so intermixed
and the boundaries so uncertain
that the necessary Not^{es} could
not be drawn. It appears,
however, that the whole of
Blocks II and III (a) and a
large part of block I were
not claimed by any of the
three individuals who were the
real defendants, and it is doubt-
ful whether they were claimed

by the defendants who sur-
rendered their claims. It
is submitted that Mr Logan's
proposal to deal with this land
under Chap. II ^{might fairly} ~~may~~ be accepted
for the rights of Govt. in this
^{part of the valley} ~~land~~ do not seem to have been
in any way affected by the
suit. If this ^{view} ~~suggestion~~ is
~~adopted~~ ^{accepted} it will be necessary
to appoint a Forest Settlement
Officer. The Board have sug-
gested Mr Wolfe Murray but
Col. Walker prefers Mr A.E.C.
Shaw. It is submitted that
the appointment of the latter
wd. be the best because he
could issue the notices under
S.6 and while these were
maturing he could occupy
himself with his other work,
instead of being idle as Mr
Wolfe Murray would have to be.

~~Mr Logan's difficulties~~

5. The objection to proceeding under
Chapter II even in respect of
this land is that the Govt

failed to establish their rights
to it in the Civil Courts,
and according to Mr Shephard
the decree places it beyond all
doubt that none of the ^{valley} ~~land~~
belongs to Government. The
decree should have been amend-
ed but this was not done, so
that perhaps Govt. ought to
accept the position in which
they have been placed by
Mr Shephard's carelessness.
Moreover they have twice
refused to treat any of the
valley as land at their dis-
posal (the G.O. of 21-10-86 already
quoted and G.O. No.
7456, of 10 Dec. 1886.)

The settlement ^{too} would be
very troublesome and probably
expensive. It is submitted
therefore that upon all these
considerations it would
be better to deal with the
land under Chap. IV.

6. Mr Logan's difficulties re-

garding the discovery of the owner can be easily overcome by proceeding under sec. 31 of the Forest Act. It is not quite clear whether action under that section must be preceded by the issue of a notice under section 29. If so notices could be served upon all parties claiming. When they appear to show cause it will be clear that there is a conflict of titles and that there is nobody who can undertake the measures of regulation. It will therefore be decided under s. 31 of the Forest Act to proceed to acquire the land under the Land Acquisition Act, and under sec. 15 of that Act the question of title will be referred to the Civil Court, where the various claimants will have to establish

Vide Mr Stokes' pencil note at foot of G.O. No. 6325, 8/21-10-86

their rights. This litigation will cost the Govt. nothing, and it is possible that in respect of some ^{parts} of the valley no person will be able to prove rights of ownership.

7. This brings us to the question of compensation. No estimate of this has been submitted although the Govt. desired that this might be done (G.O. No. 6325, 8/21-10-86)

It is obvious that until some information is obtained on this point the Govt. cannot with prudence order the lands to be acquired. In this connection it may be pointed out that the Govt. seemed to have gained very little by the agreement with Col. Scott. The assignment of the 4500 acres of land made to him by the Nair was never made the subject of any formal agreement so Govt. would probably find

it difficult to establish any rights, and no assistance need be hoped for from Col. Scott. It would indeed probably be cheaper in the end to forego all claims in this land if the claims are disputed and to deal with the land under the Land Acquisition Act.

Further inquiry is necessary regarding this point and the Board might be directed to report whether the Hain is or is not willing to recognize the rights which were transferred to Govt.

8. As regards the q^m of compensation generally it would if it is submitted be an excellent plan to adopt Mr Logan's suggestion and assess the ~~low~~ ^{occupied area and} whole valley at once. This would reduce the amount of compensation to be paid and would induce the proprietors to

Come to reasonable terms.
Mr Logan is not quite clear
as to the rate to be imposed
(paras 24 & 25 of his note) but
~~it is submitted that the~~
~~rate mentioned in~~ ^{para 24} ~~CO., 22nd Feb.~~
1886, the US Revenue may
fairly be imposed, ~~these~~
~~rates are Rs 2 per acre an~~
~~are abolished.~~

He asks that he may be re-empowered to fix the revenue assessment on blocks of land occupied in the valley at such rates on the total extent as may be considered suitable, not exceeding the rates fixed for lands taken up under the Waste Land Rules on the Nilgiris. He was originally authorized to do this by C.O. 8th July 1884 No. 2860 (Mis.) and this authorization does not seem to have been cancelled although it has apparently never been acted upon.

As regards waste lands held by claimants, such as Messrs. Hodgson, Torrie, McIver & others, he would impose an assessment of 6 pice or 3 pice per acre. For the Wund a 6 pice rate has been sanctioned (para 9 of G.O., 22nd July, 1886 No. 611 Revenue) and there seems no reason why ~~this~~ a lower rate ~~at~~ should be charged in the Attapadi valley.

It was distinctly stated in the High Court Judgment that that judgment left unaffected the right of the Crown to revenue, and Mr. Logan ~~states~~ states in his d.o. which accompanies the current that Sir Charles Turner told him he was of opinion that the Govt. had ample powers of control over the valley claimants by means of their assessment rights.

9. Another solution of this troublesome question is to

Vide para 6 of Mr. Logan's letter, p. 31 of G.O., 15th June 1878, No. 917: Col. Beddome's letter at p. 35 of the same order: Dr. Brandis's letter printed in G.O., 27th May, 1882, No. 470.

leave the valley alone altogether. The result would in all probability be that the evergreen sholas would be cut down in a very short time, ~~and~~ the supply of the Bhavani River would be seriously affected and wet cultivation in Coimbatore would suffer. Still ~~and~~ if the compensation to be paid is a very large sum, these evils must be borne, but if the amount is reasonable it would distinctly be ~~for~~ ^{to} the advantage of Govt. to protect the headwaters of the Bhavani.

It is submitted, therefore, that this solution should not be considered until the amount of the compensation to be paid is known approximately.

10. To recapitulate the above suggestions. They are

(1) That the Board shd. be told that the Govt. consider that action shd. be taken under

Chapter IV and not under
Chapter II.

- (2) That the Board shd. report whether
the assignment made to Capt.
by Col. Scott is likely to be
disputed by the Nair or any
other person.
- (3) That the Collector shd. be directed
to assess the valley as pro-
posed by him.
- (4) That the Collector shd. ^{estimate} ~~report~~
^{the} ~~what~~ compensation to be paid.

11. Col. Walker recommends that
Mr Porter shd. be given
the same deputation allowance
as was given to Mr Peet
while on the Travancore boundary
settlement.

The Board do not support
this proposal but please see
Col. Walker's d.o. enclosing a
letter from Mr Porter. It is
submitted that the Acct. Genl.
be asked to report on this
matter.

Further
12. The consideration of the

question of the transfer of
the valley to Coimbatore may
as suggested be deferred for
the question.

Has
8/6

Proposals regarding Forests in
the Attapadi Valley.

Available in Master C.C.D.
Available in the Archives

REVENUE DEPARTMENT.

Current No.

From

Dated

188

FOR ORDERS.

In the current, the theory subject
of the Attapadi Valley is again
brought forward and which is one
of the courses suggested by the Officers
who have reported regarding the
matter may be followed, the
outcome must be difficulties, trouble
and payment of money.

Gov. Lane, in Col. Scott, a persistent
and unscrupulous adversary and
he will do all that he can to
cause annoyance and hindrance
and if possible, make money.
There appears to be many quarters
to follow his example. He deserves
no consideration, of any kind.

Judging from what is said by the
Comr. S. C. C. (Para 7) of his letter
on page 2 of the current it appears
that from the Forest point of view,
the Attapadi Valley is not wanted.
Its protection seems necessary
only, in the interests of the Revenue
Dept. in view of the grazing and
encroachment of the head waters
of the Bavani river.

The question now put forward
is, whether Gov. will take action
regarding certain portions of the

back, under Chap II, or Chap
IV, of the Forest Act or back under
one of the others.

If anything is to be done in this
direction, the procedure laid
down by Chap IV of the Act is to be
the more desirable.

In any case, there will be con-
sideration to be paid and it is,
therefore, by necessary, before
it is decided - if decided at
all - to do anything under the
Forest Act, to ascertain what
it will cost.

Govt. will then be in a position
to determine whether it is worth
while to expend a good deal
of time, trouble & money, in
the acquisition of such parts
of the Allupadi Valley as there
may be, or to let the head
waters of the Bavani take their
course.

It seems very probable that
the danger to these, of the Allupadi
Valley is not to a considerable
extent in the hands of Govt. or
is, even somewhat overrated,
as judging from para 26 of
Mr. Logan's note, at page 23
of the current, the valley is
not the most healthy spot in
Southern India and is not likely
ever to be extensively cleared
or cultivated.

There seems to be no doubt
that Govt. have a full right
to claim & collect as they see fit

any portion of the valley that is
occupied and that they are
not bound by an agreement
to charge any certain rates.
There can also, be little if any
doubt that the claims of Col
Scott and others, are made
up with the utmost and most
unscrupulous view, of securing
how much they can get out
of Govt. - Col Scott's claim, at
any rate, is clear enough.
I submit that it would be
an optical checkmate to these
statements, if Govt. were to announce
that they definitely abandoned
all intention of taking up any
part of the valley under the
Forest, or Land Improvement
Acts, but that for every acre
Govt. which was occupied, an
assessment of Rs. 2 would
be charged and rigorously
collected.

If Col. Scott & Co are really going
to grow coffee, or any other
like product, this lake will
not hurt them: it is that
land elsewhere. If they are
not in earnest and merely
attempting to trade upon
Govt., they will repudiate
their claims, the forest will
be left alone and the object
of Govt. attained, without
any interference. There are
two bogus gold mines to be

discovered in the Attapadi
Valley and there is no indication
of good land to sell to others,
as desirable sites for coffee
plantations, as its reputation as
a fine shikhar haunt, is long
well established. As for the land
being opened up for coffee planting,
it is unlikely in extreme that
it will be.

Govt., I venture to suggest, can
exercise all the control over
the valley, that may, for its pur-
poses, be necessary, by the
imposition of selling every claimant
that Rs. 2 per acre is the cost
and making him, until he
withdraws from the fields,
pay it.

The High Court has settled
the question of the right of
Govt. to that - and that if the
cases cannot be sent before
a Civil Court.

Col. Scott and those who follow
in his steps, would therefore
be helpless and would probably
soon tire of the contest. There
would only remain the independent
High Tribes and the Colli. might
bring on a struggle as regards
them. They could not do any
serious damage. They have
been where they are for
years and yet there is nothing
to show that the Province has,
within the memory of man,
suffered damage in them.

FOR ORDERS.

Current No.

From

Dated

188 .

FOR ORDERS.

It seems, rather absurd,
after all that has passed,
that we should throw up our hands
and abandon all idea of con-
servative the forests in the
Attapadi Valley. I am not
sure however that the Sec-
retary's suggestion is not
the right one.

However it might
be possible to take a middle
course.

Considering that Blocks
I & III were never claimed
by any of the defendants
who appeared in the At-
tapadi suit, it would not
be unreasonable to pro-
ceed under Chapter II in-
stead of V of 1882 as regards
these areas to the extent
of ascertaining what
claims existed & were
admitted to the Forest
Settlement Office & (see
10). Upon the result of such
an enquiry would depend
the further action of Govt.
if it was found that

pt. 2) of the suggestions made
by the Under Secretary here, need
not be given effect to, as the
Saini (who the papers marked with
red ink in C. No. 4071) has
indicated on inspection by Col.
Scott, and that she will not
agree to his making his claim over
to Govt.

Orders are issued upon paras
11 & 12 of the note, as also upon
the questions now raised.

The alternative, which, at present,
seems, appears to be.

I. To deal with such part of
the Attapadi Valley, as may be
thought necessary, partly under
Chap. II & partly, under Chap. IV
of the Forest Act, or partly under
Chap. II or entirely under Chap
IV.

This will involve time, trouble
& money.

II. To give up the idea of conserving
the Attapadi Valley altogether.
They will cost nothing.

III. To assess all land, claimed in the valley by the Scots and others, at Rs. 2 per acre and to make them pay this, leaving occupation by jungle tribes to be dealt with, specially, by the Collector.

This will probably give rise to some correspondence, but it will sort itself out; on the contrary Govt. will very possibly obtain some revenue at any rate for a time.

13/6.

Claims were few or none it might be worth while to proceed: if otherwise Government will be no worse off than at present.

There will be, apparently, considerable difficulty in acquiring Block IV or Block III. The former is valuable for the forest; the latter is of no importance.

However even Blocks II & IIIa will be valuable acquisition for the forest.

It is necessary to appoint a Forest Officer if any proposal is entertained. I think Mr. C. C. Seligson is the best selection within the Forest as District Forest Officer. Mr. Stuart is due back from leave in a month or thereabouts.

There seems to be no objection to action being taken in accordance with Mr. D.D.'s suggestion in paragraph 6 of their Proceedings, i.e. to fix a revenue assessment on all lands in the valley not taken up as reserved lands. This would not include Block IV and III.

Mr. Porter's claim for compensation also must

Secretary's letter to Mr. D.D.

given in the past, claimed by the Contending rights, showing absolute ownership over portion of the area. I would notify under Chapter II all the portions recommended by Mr. Logan, viz. II & IIIa, § 9; IIIb, I & II, § 10 & 11; II (b) (c) & (d), § 15 & 22.

I am afraid Mr. C. C. Seligson is not a very good paper as to the latter, travelling allowance. I also agree that Mr. Logan may be empowered to assess all occupied land as provided in the order of 1884. In fact I agree entirely with Mr. Porter's suggestion except that I go further & will notify II & III & IV (1 & 2).

1884
22 June

of course, occupied I do not mean claimed by the natives but occupied by the natives.

appears reasonable (see D.O. 703)

The transfer of the valley to the Government will be most noted.

14/6

I do not think that the Attipadi case is so judicious except to this extent that Govt. were not entitled to a declaration of their right to any part of the valley as against such rights as were ^{or claimed} existing therein. I see no ~~reason~~ legal objection whatever to the Govt. proceeding under Chapter II in order to ascertain how much of the valley we can reserve, i.e. how much in our disposal ~~land~~ or can without undue violence be made so. In fact I think it will be most unwise to proceed under Chap. II which in certain respects is thrown on us and often to bring out the owners: under Chap. II it will be optional to do so or as Mr. Logan points out to proceed under Sec 32 or 33. ^{as a result of the} ~~the Govt. will~~ ^{from specific areas altogether} ~~they have been~~ ^{they have been} ~~proceeding under Chapter II~~ ^{proceeding under Chapter II} ~~except that they~~ ^{except that they} ~~rights~~ ^{rights} ~~but of course~~ ^{but of course} it will be proper to recognize any rights then asserted before the High Court but the judgment is very far from showing either that Govt. were not absolute owners of great parts of the valley or that they had no other rights.

Forwards in the H. L. P. to

FOR ORDERS.

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Recd C. No. 3149.

Order No. 635 of 1.7.87

After a careful consideration of the papers connected with this case, H.E. the Commr is of opinion that there is no legal objection to the Govt. proceeding under Chapter II of the Forest Act in order to ascertain how much of the

valley is at their disposal, or can be made so, without undue expense, be made so, or the Board will accordingly cause

the necessary notes to be prepared at once for blocks II, III (a), III (b)-I, III (b)-II, IV (a), IV (b), and IV (c). Mr.

A. S. C. Stuart will be appointed Forest Settlement Officer

to be dealt with under the various provisions of the Act.

2. H.E. the Fin C. also ap-
proves of Mr Logan's proposed
to acquire O.D. 8 July 1881, according to the Act, by
to assess all ~~unimproved~~ land

proves of Mr Logan's prepared
to accept G.D. & pay etc, as per his by.
Dances all ~~in~~ ^{been} done

to assess all occupied land

in the valley at ^{the} falls

The survey conducted with
 observation in C.O.
 from joined for bands take

1884, No. 2860 mi. Rev.
wrote Land Raising on the Millfire in 1884

3. The Court are of opinion

that Mr. Porter ^{had} granted

reputation allowance and

the Act. Genl. will be so

requested to report what amount

may be sanctioned.

The consideration of the

transfers of the Altepadi

Elly to Coimbatore may be

suggested, be deferred ~~from~~

the present.

$\frac{100}{1000}$

28/10

to the
Book

25/6/17
21.6.1940 II ✓

Govt. of (1886) Madras.

REVENUE.

CONFIDENTIAL

Issued.

Recd.

Encl.

G.O., 1st July 1887, No. 630.

JULY.

Attipadi Valley.

Directing the Board of Revenue to cause the necessary notification to be prepared for certain tracts in the —; appointing Mr. A. E. C. Stuart to be Forest Settlement Officer, and Mr. Porter to attend the inquiry; approving the Collector's proposal to assess the valley; and asking the Accountant-General to report the amount of deputation allowance that may be granted to Mr. Porter.