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MADRAS RECORD OFFICE.

Government of Madras.

REVENUE DEPARTMENT.

G.O. No.	78	Press Mis.
Dated	27-1-1870.	

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GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 14th December 1889, No. 562 :—

MR. CLOGSTOUN.

Read—the following letter from C. F. MACCARTIE, Esq., Acting Collector of Nilgiris, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated Ootacamund, 30th November 1889, No. 418:—

I have the honor to submit, for the orders of the Board and Government, Mr. Stuart's report No. 1174-A, dated 24th October 1889, on the conclusion of the Revenue Settlement of the Ouchterlony Valley.

2. The settlement, on the principles laid down by Government, is very simple, and the report therefore calls for little or no discussion.

3. Mr. Stuart would appear to have somewhat confused the facts connected with "Richardson's line" and the Government declaration agreeing to respect all titles to lands derived *bona fide* from the Tirumalpad. The line above mentioned was laid down in 1863, and the declaration was originally made in G.O., dated 30th March 1865, No. 701, Revenue, and reiterated in G.O., dated 9th August 1872, No. 1188-A. The Civil Suit No. 10 of 1868 between the Tirumalpad and Government was filed in respect of lands in the neighbourhood of Naduvatom on which the cinchona plantations have been opened and some 3 or 4 miles above Richardson's line. No direct issue was raised in that suit as to whether Richardson's or any other line formed the boundary between Nambalakod and the Government tract, although it is quite true that Richardson's line formed an important part of the evidence in the suit. In the matter of a separate dispute and claim arising therefrom, it is observed that the Government Pleader at Madras was of opinion that, in the event of a contested suit, the ownership of Government (east of Richardson's line) will have to be proved affirmatively (*vide* paragraphs 3 and 4 of the opinion recorded in Board's Proceedings, dated 23rd November 1883, No. 3295, and paragraph 5 of the Collector's letter printed at page 4 of G.O., dated 15th February 1887, No. 174, Revenue). These facts disprove Mr. Stuart's assertion that Government offered to recognise the titles to lands in the Ouchterlony Valley "in spite of the fact that the Tirumalpad's claim to that tract as portion of the lands belonging to the 'Nambalakod estate' had been successfully contested."

4. The cultivated area and assessment of estates as per Revenue accounts quoted in paragraph 21 relate to fasli 1297 (1887-88), not to fasli 1298 as alleged by Mr. Stuart. The figures for fasli 1298 (1888-89) are as follows:—

									ACS.	
Cultivated area	..	..	..	..	..	..	..	..	5136-18	
									RS.	A. P.
Assessment	..	..	..	..	..	..	..	..	10,272	7 9

With regard to the uncultivated portion of the valley, it has hitherto been the practice to exclude it from the Revenue accounts as no revenue has been collected thereon. In cases, however, where estates consisted partly of taxable area and partly

of unassessable waste, the Head Assistant Collector had, for convenience of reference, entered in the plantation register referred to by Mr. Stuart the total area of such estates distinguishing the area taxed and that not liable to assessment. The area of 3,001.35 acres of waste referred to by Mr. Stuart was registered as above stated and by no means must be taken to represent all the unassessed waste in the valley. These facts are clear from the comparative table given in Appendix B. For statistical purposes, however, the total area of the valley, viz., 40 square miles, has been taken into account.

5. Following the analogy of estates already dealt with in the eleven settled desams of South-east Wynaad, I agree with Mr. Stuart in recommending that the settlement increase should be collected in full and not by progressive increments, and that the settlement results should be adopted for and from the current year—fasli 1299 (1889-90)—(paragraph 22).

6. Appendices B and D contain references to the survey numbers comprised in each estate and their registered owners. Survey No. 57 appears to be sub-divided into four parts and No. 13 into two, but the map accompanying the report does not define the limit of each of the sub-divisions. I think their boundaries should be clearly shown both on the ground and on map. It is hoped that each demarcated field has been given a separate number during settlement, the correct area and assessment being recorded in the registers. Cases have occurred in the settled villages of both the Nilgiri plateau and South-east Wynaad in which the original demarcation and survey was not recognised in the accounts and maps prepared at settlement, although the stones marking the boundaries of the fields were allowed to remain *in situ*.

7. The map submitted with the report is on the scale of 4 inches to a mile—too small to be of use for administrative purposes. I would strongly suggest that the map be published on the enlarged scale of 16 inches to a mile like those of the villages of the Nilgiri plateau. A similar suggestion was made to the Deputy Superintendent of Revenue Survey, No. V Party, in respect of the maps of the eleven settled desams, but it did not meet with his approval on the following grounds: (1) that a map on 16-inch scale would be unwieldy; (2) that separate maps on this enlarged scale are published for all estates and paddy flats and are always available for reference. As regards the first objection, it may be remarked that enlarged maps have been found most suitable on the plateau. As regards the second objection, I would urge that much expense, time and trouble would be saved by the issue of one instead of two sets of maps.

8. Separate proposals will be submitted regarding a staff of village officers for the valley on receipt of Mr. Stuart's recommendation, referred to in paragraph 27 of his report.

ENCLOSURE No. 1.

From A. E. CASTLESTUART STUART, Esq., F.C.S., F.L.S., F.R.G.S., Special Assistant Collector, Nilgiris and Malabar, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture (through the Collector of the Nilgiris), dated Ootacamund, 24th October 1889, No. 1174-A.

I have the honor to submit my report on the conclusion of the settlement of the Ouchterlony Valley, ordered in G.O., dated 21st July 1888, No. 502, Revenue.

2. *General remarks.*—The settlement of the whole Wynaad, consisting of sixteen amsams (parishes), three of which comprise Nilgiri-Wynaad, and thirteen from Malabar-Wynaad, was ordered by His Excellency the Governor in Council in G.O., dated 22nd July 1886, No. 611, Revenue. During the official year 1886-87, the settlement of the three amsams of (a) Nambalakod, (b) Munnad, and (c) Cherankod (total area = 240 square miles) that constitute Nilgiri-Wynaad was completed by this party. My report, with the various orders thereon, is printed with G.O., dated 8th July 1887, No. 659, Revenue. During 1887-88 the following eight amsams (total area = 545 square miles) of Malabar-Wynaad, viz., Ganapathivattam, Puthadi, Kuppatod, Ellornad, Nallwinad, EdavaKa, Periya and Tondarnad were settled and the orders of Government thereon are contained in G.O., dated 1st November 1888, No. 755. The settlement of the remaining five amsams (total area = 276 square miles) of Malabar-Wynaad, viz.,

Vayitri, Etanaskur, Kurumbala, Porunnaunur, and Muppainad, was concluded in 1888-89, and my report thereon, on which Government passed final orders in G.O., dated 12th October 1889, No. 827, was submitted on the 22nd May 1889—*vide* letter of that date, No. 389, printed with Board's Proceedings (Revenue Settlement, Land Records and Agriculture), dated 9th July 1889, No. 343. In June 1889 I commenced the settlement of the Ouchterlony Valley and practically finished it by the end of July. This tract had been excluded from the scope of Mr. Benson's operations when the Nilgiri plateau was settled (*vide* his report printed with G.O., dated 20th April 1885, No. 449, Revenue), as the land tenures of the valley were different from those obtaining on the plateau. As they were identical with the tenures of Malabar (of which district this valley once formed part), and as the adjacent Nilgiri-Wynaad had been settled on principles in every way applicable to the valley, I proposed in my letter No. 18, dated 4th April 1887, printed with Board's Proceedings (Revenue Settlement, Land Records and Agriculture), No. 99, dated 27th May 1887, that this tract should be dealt with in the same manner as Nilgiri-Wynaad had been treated. It seemed unnecessary that it should be the only portion of the district left unsettled, and I pointed out that so popular had the method of settlement of estates been in the Wynaad that the estate holders in the valley eagerly desired a similar settlement, one of the most interested proprietors even threatening to appeal to the Secretary of State for India in Council if any other policy were pursued! The Board were pleased to support my proposal, which was accepted by Government, who, in the order referred to in the preceding paragraph, "directed the settlement of the Ouchterlony Valley on the same principles as those adopted for the settlement of the South-east Wynaad."

3. *Description of area settled.*—Appendix A shows at a glance the geographical position of the Ouchterlony Valley. Its boundaries may be described as follows:—

North.—Nambalakod amsam of South-east Wynaad and the Tódanád division of the Nilgiri plateau.

East.—The Tódanád division of the Nilgiri plateau.

South.—Ernáð taluk of the Malabar district.

West.—Ernáð taluk of the Malabar district and Nambalakod amsam of South-east Wynaad.

This tract contains 25,542.48 statute acres covering a superficial area of some 40 square miles. It is thus somewhat smaller than the island of Jersey (area = 28,717 acres). It was opened for coffee cultivation in 1846 by the late Mr. James Ouchterlony, from whom it derives its name. The difficulties encountered by this "able and energetic" planter are thus graphically described by him in a letter to Government in 1860:—

"I was equally a pioneer in the experiment of coffee-planting on the Nilgiri slopes near the Gúdalúr pass where I first commenced the cultivation. In a limited degree many of the features of a new colony were presented; there was no resident population within any accessible distance; no articles of food to be had near the spot. We had no roads (properly so called), no police and no law save at courts too distant to be reached. Labor and food had, in fact, to be imported from a remote district, the first being only obtained with difficulty, and then often scared away by the solitariness of the spot and an undefined dread of evil in the minds of the coolies. Doubts of success were even engendered in the minds of most of those who had embarked with me in the enterprise and who necessarily withdrew from it. But at length a bright issue attended the efforts; and I will only say let the changed aspect of the country around in respect of cultivation tell what the effect has been upon the general interests"—*vide* page 485 "Manual of the Nilgiri District."

The following facts will afford some idea of the changes that have occurred. Every acre of these 40 square miles now falls within the limits of one or other of the estates mentioned in Appendix B. Every estate, with one exception, is held by Englishmen through whose energies 7,333.78 acres have been brought under cultivation. Coffee—the finest in the district and probably second to none in the Presidency—tea, and cinchona are the crops raised. The annual outturn of these products is measurable in tons and their value in lakhs of rupees. Substantial buildings have been erected on almost every estate on which the proprietors or their employes permanently reside. Unfortunately census figures for the tract are not available as no separate enumeration appears to have been conducted in 1881; but the laborers—mostly Canarese immigrants from Mysore—may, during "crop season," be numbered by thousands. The valley is a labyrinth of roads and pathways, connecting estate with estate, and leading out to the main public road running from Ootacamund to Calicut *via* Naduvattam and Gúdalúr. At both these places, as also at Guindy in the valley, there are Post offices; at Naduvattam there is also a Telegraph office and here, as also at Gúdalúr, police are located. The Courts of the District Munsif—himself the chief Executive Revenue and Magisterial officer of the division—and of the Deputy Tahsildar and Sub-Magistrate are open at Gúdalúr for the redress of civil and criminal wrongs. There, too, a weekly market is held at which ordinary domestic requirements are supplied, whilst from Ootacamund almost everything is readily procurable.

4. *Physical characteristics.*—Geologically, the Ouchterlony Valley forms part of the great gneissic series to which the rest of the district belongs. The rocks consist of quartzo-hornblenda

gneiss generally "striking" north-east-south-west and "dipping" at a high angle (50°-70°) to the south-east. The strata are much folded and even reduplicated, causing local variations in both "dip" and "strike." In the upper portions the gneiss is chiefly hornblende, whilst towards the bottom of the valley the rocks are more quartzose and garnetiferous. Towards the south-west, veins of white quartz cross the gneiss at right angles to the foliation with a "dip" to the east, giving indications of their being prolongations of the auriferous reef of South-east Wynaad. The country is rugged; the higher points being either entirely bare—the effect of excessive weathering—or sparsely clad with coarse grasses, whilst such sheltered ravines as have not yet been felled and cultivated contain the characteristic vegetation of the Nilgiri sholas. The most conspicuous elevations are (a) Gúdálur malai, (b) Arata Para, (c) Umbilli malai, and (d) Nilgiri Peak. Numerous rivulets—locally known as "toda"—rise in the uplands and, flowing in a westerly direction, form the headwaters of streams—called "poyas"—which become affluents of the Pandi river. The main feeders of this river in the valley are (a) two rivulets rising near the "Walwood" and "Illopa" estates, respectively, and which after uniting at a spot north of the "Barnwood" estate join the "Mallanur Tod" near Arata Para, whence they flow into the Pandi river at the south-western corner of the Surrey estate which lies in South-east Wynaad; and (b) the "Bamili Poya" which rises in the "Glenavans" estate and joins the Pandi river near the "Nadukani hill." In spite of this abundant water-supply, there are no wet lands, and consequently no "wet cultivation." The general slope of the ground is so steep, and the south-west monsoon—of which the valley gets the full benefit—so heavy that the *débris* of the decomposed rocks is not deposited, but carried away to help to form "flats" in the Ernád taluk of Malabar. The lower end of the valley is steamy and hot, and, during the months of March, April and May, malarious; the upper portion is cool and salubrious all the year round, though exceedingly damp during the rains.

5. *Political history.*—As already stated, this valley originally formed part of the Malabar district. About the middle of 1872 the Collector of Malabar and the then Commissioner of Nilgiris—Mr. J. R. Cockerell—submitted proposal for its transfer to the Nilgiri district. This was approved by Government in their Order No. 1097, dated the 15th July 1873, and the boundary line between the Malabar and Nilgiri districts was then fixed as the demarcated line, (known as "Richardson's line") running from the Pykara river to the rock known as "Arata Para;" thence along the "Mullanur Tod" to the Pundi or Karkur river, along that river to the crest of the ghát and thence to Nilgiri Peak. This line also formed the northern, western and the southern boundary of the Ouchterlony Valley. The eastern boundary of the valley was fixed in 1873 by Mr. J. R. Cockerell, and it was accepted by the Board and Government—*vide* G.O., dated 4th October 1873, No. 1069. It was also accepted by Mr. Henry Wapsharo as Mr. Ouchterlony's representative. By notification dated 22nd August 1873, Judicial, Government proclaimed that "from and after the 1st September 1873" this tract should be "transferred to and included in the jurisdiction of the Commissioner of the Nilgiri Hills."

6. *Revenue history.—Past and up to the date of settlement.*—The revenue system obtaining in the valley has hitherto been the same as that which prevailed in the three amsams of the South-east Wynaad before the introduction of the settlement. The Government demand has been limited to a tax of Rs. 2 per cultivated acre, the uncultivated though occupied areas being held free of all assessment. The demand has therefore been of a fluctuating nature. Since the issue of G.O., dated 4th February 1878, No. 169, no claim on account of janmabhogam has been advanced on behalf of Government, who then contended that the valley formed no portion of the Nambalakod estate. The only revenue account kept is what is known as the "Plantation Register."

7. *Present settlement.*—The principles on which the present settlement has been conducted are enunciated in G.O., No. 611, Revenue, dated 22nd July 1886, and G.O., No. 741, Revenue, dated 27th August 1886. They are concisely set forth in the appended notification (marked C). All land in the valley falls within the scope of Rule 13 and the assessment imposed upon each estate was a consolidated one made up of a charge of Rs. 2 per acre on all cultivation at the time of settlement plus 6 pies per acre on the uncultivated areas. This consolidated assessment will remain in force for 30 years from the date of its introduction in accordance with the orders of Government. The fundamental principle of the present settlement is the substitution of a tax on occupation, as in all other settled districts, for one on cultivation only as heretofore, and the exceedingly favorable rates which Government have sanctioned for these estates have rendered the settlement most popular. In their Order No. 5773, dated the 28th September 1888, Government directed that "there should be a separate assessment for each estate surveyed as such." This has been done.

8. *Survey operations in the valley.*—These were first commenced in 1872 under Colonel Priestly and Captain (now Colonel) Sargeant. The difficulties which were experienced in fixing the boundary between the Nilgiri and Malabar districts and that between Mr. Ouchterlony's and Captain Godfrey's holdings were numerous. These were overcome in 1880 (*vide* Board's Proceedings, No. 995, dated 21st July 1880). In their Order, dated 31st January 1887, No. 628,

Government directed the resurvey of the valley on the recommendation of the Board contained in their Proceedings, No. 504, dated the 25th idem. This resurvey was completed in May 1887 under the superintendence of Mr. Gompertz, Deputy Superintendent, No. V Party. The survey register and map furnished by the Survey Department for settlement purposes disclosed the state of affairs as they existed at the conclusion of the resurvey. But as the order of Government sanctioning the settlement was passed only in July 1888, it was found necessary to revise the areas of some of the estates for settlement purposes, changes having occurred in the interval of two years that elapsed between the conclusion of the revised survey and the beginning of the settlement. I personally discussed the matter with the Deputy Superintendent, and the result was submitted to the Board and Government in my letter No. 1539, dated the 3rd September 1888, printed with Board's Proceedings, No. 484, dated the 8th September 1888. It was agreed that it was not necessary to conduct a further revision survey, as sufficiently accurate figures would be obtained by calling upon the several estate holders to report the changes, if any, that had occurred in their holdings since the revision survey was completed and to adopt their statements, making the necessary alterations in the register. This proposal was approved by the Board and Government (*vide* G.O., No. 5773, dated 28th September 1888), and the present settlement is based on the results thus arrived at. I may state that the changes reported were very trifling, and in almost every case the planter's own figures increased the total area under cultivation, and, *pro tanto*, augmented their assessments. In only one instance had I occasion to suspect the accuracy of the returns (which disclosed decrease in cultivation) and, having personally inspected the estate very carefully, I rejected the return as untrustworthy and adhered to the survey figure.

9. *Devolution of titles.*—Before proceeding to review the financial result of the settlement, I would set forth the history of the devolution of title to the several blocks of land out of which the various estates were parcelled, as the history is complicated and it was with considerable difficulty that I succeeded in arriving at the facts. The records are very incomplete, and I had to have recourse to the title deeds filed by the several proprietors to fill up *lacune* in the public files. The Tirumalpad of Nilambúr, one of the most influential Malabar janmis, claimed to have janmam rights over the Ouchterlony Valley on the ground that he had acquired it from the extinct family of the Nambalakod Walunnavar. He contended that his title to the valley was identical with that on which he claimed to have janmam rights over the whole of the Nambalakod amsam of the South-east Wynaad and a portion of the Muppainad amsam of Malabar-Wynaad. All the evidence in support of this claim has been before Government on several occasions and was fully set forth by me in connection with the escheat inquiry (*vide* my report on escheat case No. XXV relating to the Nambalakod amsam). As a reference to that report will disclose all the facts, I need not recapitulate them here. In 1863 the then Deputy Collector of Wynaad, Mr. Richardson, took special pains to fix the eastern boundary of the property which the Nilambur Tirumalpad claimed to have acquired from the Nambalakod Walunnavar. The line known as "Richardson's line" from the Pykara river to the rock known as Arata Para was then fixed and demarcated as the eastern boundary of the Nambalakod amsam. It was subsequently surveyed by Major Hessey and was recognised by Government as the boundary between the Malabar and Nilgiri districts when the tract under report was transferred in 1873 (*vide* paragraph 5 *supra*). This was an important fact in Original Suit No. 10 of 1868 before the Civil Judge of Calicut. In that suit (the parties to which were the Nilambur Tirumalpad and Government) the Judge found that all the lands over which the Tirumalpad claimed to have janmam right on the strength of his alleged acquisition from the Walunnavar of Nambalakod were situated to the north of this line. On this finding Government for years contended that no Malabar janmi ever possessed proprietary rights over lands to the south of this line, and systematically repudiated the Tirumalpad's janmam claim to the Ouchterlony Valley. But in their Order, dated 9th August 1872, No. 1188-A, which was passed in pursuance of G.O., dated 30th March 1865, No. 701, Revenue Department, Government were pleased to direct that all titles to lands situated in this tract adjoining the Nilgiris derived *bona fide* by third parties from the Nilambur Tirumalpad prior to the date of the order should be respected, in spite of the fact that the Tirumalpad's claim to that tract, as portion of the lands belonging to the "Nambalakod estate," had been successfully contested. At the same time Government insisted on the lessees paying to Government the rental, if any, which they had agreed to pay to their lessor, the Tirumalpad. Strict orders were issued to the Board of Revenue and to the Collector of Malabar directing them to arrange for the proper apportionment of the janmabhogam due to Government and to the Tirumalpad, respectively, according as the lands fell within or outside the fixed boundaries. After voluminous correspondence and the lapse of six years, Government, in their Order, dated the 4th February 1878, No. 169, decided, on further consideration, that all claim on behalf of the State to janmabhogam from the planters in the Ouchterlony Valley should be abandoned as being inconsistent with the contention of Government, that that tract formed no part of the Nambalakod estate, and that the peculiar Malabar custom of levying a landlord's share, called janmabhogam, did not apply to the Ouchterlony Valley. Although Government thus decided to waive their claim to levy janmabhogam, the claim of the Tirumalpad to be janmi of the valley was repudiated. Matters

remained in this unsatisfactory state for years. Government refused to recognise the Tirumalpad's janmam pretensions in the valley and still declined to levy janmabhogam from the estate holders. They continued therefore to pay the Tirumalpad what they had originally agreed to pay as janmabhogam, and the Tirumalpad thus in the course of years succeeded in establishing his position more firmly than ever. At length in their Orders, dated the 15th February 1889 and 12th March 1888, Nos. 174 and 206, Revenue, respectively, Government decided, in connection with the proposed Devimalai reserved forest, to which the Tirumalpad preferred a claim, to compromise matters and finally admitted the janmam claim of the Nilambur Tirumalpad to the Oucherlony Valley as now demarcated, surveyed and mapped. Thus the long-voiced question of the janmam title to the Oucherlony Valley has been set at rest. The Tirumalpad has been tied down to a definite area, within which his pretensions have been admitted, and the holders of estates in that area thereby practically recognised to be his tenants, the only demand made upon them by the State being that of assessment and cesses. On the other hand, the Tirumalpad has waived his claims over the Devimalai block, which will shortly, I believe, become "reserved forest."

10. I must now revert to the origin of the estates and the leases under which they are held.

On the 18th December 1845, Mr. James Oucherlony first obtained a lease for a block of land forming the most easterly portion of the valley from the Tirumalpad of Nilambur. The following extract from a letter which this gentleman wrote to Government on the 31st August 1865 is interesting:—

"It is now just twenty years since my attention was first drawn to the spot. Finding a waste jungle and knowing nothing of native titles, I concluded it to be Government land and applied to the representative of Government in Malabar, the Collector, for a grant of a certain tract. The Collector, the late lamented Mr. Conolly (an officer who had had, I believe, the longest experience of Malabar of all Revenue officers of modern times), informed me in reply that the land did not belong to the Government but to the Nilambur Raja, to whom he considerably offered to introduce me, though as Collector he could do no more." The boundaries specified in this first lease of 18th December 1845, which is the root of all subsequent titles to estates carved out of this original grant, are as follows:—

"East.—The crest of the Nilgiri malai.

"South.—Mukurehi malai, *alias* Yellamalai, *alias* Nilgiri malai.

"West.—A straight line running due north from Mukurehi malai.

"North.—A straight line running due west from Gúdalúr malai."

For this lease Mr. James Oucherlony paid Rs. 1,500 and stipulated to pay a reserved annual rental of Rs. 20 for the whole block. To prevent any mistake regarding the boundaries of the land thus leased, a note was added on the 4th September 1847, in which the boundaries are again set forth.

11. On the 19th January 1857, Mr. J. Oucherlony obtained a second karar from the nephew of the executant of the first lease for another extensive block of land in the valley on condition of the payment of an annual janmabhogam of Rs. 2,000. The boundaries of this second block are described as follows:—

"East.—The western boundary of the land covered by the first lease.

"South.—A straight line running due west from Mukurehi malai as a continuation of the southern boundary of the land covered by the first lease.

"North.—A line which is only a continuation westward of the northern boundary of the land covered by the first lease.

"West.—The western boundary is vague and unintelligible, but refers to land in the Ernád taluk."

This second lease is the foundation of the title to all estates carved out of the second block of land. In this second lease to Mr. Oucherlony "600 cawnies" of land, which had, as will be seen below, been leased on 15th March 1846 and again on 5th December 1848 to Captain Godfrey and described as being in "Doddagoda Shola" were expressly excluded. Thus of the two leases acquired by Mr. Oucherlony, the first comprises the easterly portion of the Oucherlony Valley as now demarcated and surveyed and mapped, while the second covers all the rest of the valley—with the exception of the land leased to Captain Godfrey—as well as a portion of the Ernád taluk abutting on the valley. This latter piece has not yet been demarcated and surveyed and does not fall within the scope of this report. It will, I presume, be dealt with in connection with the Malabar settlement when operations are extended to the Ernád taluk. The survey have not yet touched that taluk, and the piece of the land referred to is outside the limit of the valley as finally fixed.

12. Between the dates of Mr. Oucherlony's first and second leases Captain T. H. Godfrey also obtained leases for land within the valley. On the 15th March 1846 he purported to have secured the grant above mentioned of 600 cawnies of land (about 800 acres in extent) on Doddagoda Shola from one Yellamalai Perumal Chetti and his son Kalappan Chetti, who described themselves as being possessed of kudumba janmam rights. The purchase-money paid on account of this lease was Rs. 600. The kudumba janmam is the highest but one of the Malabar tenures.

The proprietor still retains a nominal interest and as an acknowledgment of the fact the grantee is required to pay a small sum limited in old times to two fanams. In this lease no such reservation was made and it is highly probable that Captain Godfrey knew that the grantor had no valid title to confer, for, on the 5th December 1848, he was careful to obtain from the Tirumalpad of Nilambur, a lease for these identical 600 cawnies subject to the payment of an annual janmabhogam of Rs. 15.

13. These leases granted to Mr. Oucherlony and Captain Godfrey, respectively, gave rise to much unsatisfactory litigation. Thus in 1855—that is, after he had obtained his first but not his second lease—Mr. Oucherlony discovered that Captain Godfrey had, on the strength of his lease, trespassed considerably on the land which was situated to the east of Mr. Oucherlony's western boundary. A complaint was accordingly lodged by Mr. Oucherlony against Captain Godfrey before Mr. Tod, the Assistant Collector. The matter was inquired into with the result that Mr. Oucherlony's prior possession was established. Captain Godfrey thereupon agreed to peacefully vacate the land upon which he had entered until he had been placed in formal possession of it by a civil court.

14. It was at this juncture that Mr. Oucherlony obtained his second lease, dated the 17th January 1857. Armed with this document, he at once instituted a regular suit for damages against Captain Godfrey for trespass. This suit was filed as Original Suit No. 377 of 1861, on the file of the Principal Sadar Amin's Court of Tellicherry. It was then transferred for disposal to the Principal Sadar Amin of Calicut, who put it on his file as Original Suit No. 183 of 1862. It was heard and eventually the Principal Sadar Amin awarded the plaintiff, Mr. Oucherlony, the sum of Rs. 300 as damages. Against this decision Captain Godfrey appealed to the Civil Judge of Calicut who, in his judgment in Original Suit No. 260 of 1863, reversed the decree of the Principal Sadar Amin.

15. Mr. Oucherlony had also filed a suit—Original Suit No. 4 of 1862—in the Tellicherry Civil Court against the lessor, the Nilambur Tirumalpad, and lessee, Captain Godfrey, to compel them to demarcate the 600 cawnies of land granted to the second by the first defendant on the 5th December 1848. The Civil Judge of Calicut dismissed this suit on the 7th October 1863, on the ground that the plaintiff had no cause of action. Captain Godfrey next sued the Tirumalpad, the lessor (Original Suit No. 8 of 1866 on the file of the Calicut Civil Court), hoping that he might succeed in obtaining the cancellation of the lease which he had executed. This suit was dismissed, and against the dismissal Captain Godfrey appealed to the High Court, with the result that the decision of the lower court was upheld.

16. It will thus be apparent that these numerous suits had not advanced matters; and the question of boundaries, which was really at the bottom of the disputes, had to be taken up by the Survey Department. When survey operations were first instituted in the valley, Captain Sargeant dealt with the dispute under Act XXVIII of 1860. He decided that Captain Godfrey was entitled to "600 cawnies," neither more nor less. Against this decision Captain Godfrey appealed to Colonel Priestly, who, on the 6th May 1871, upheld Captain Sargeant's decision and directed that it should hold good unless it was set aside by a regular suit in a civil court preferred within two months from the date of the original decision, viz., 30th January 1871, unless the period was specially extended by His Excellency the Governor in Council. Against this order Captain Godfrey appealed to Government, who, in their Order, dated 28th September 1872, No. 1363, held that Captain Sargeant's proceedings were *ultra vires* and that his inquiry had been imperfect. An extension of time up to 31st December 1872 was granted to enable Captain Godfrey to appeal to the civil court. Government also remarked that, "pending the result of this appeal, the Survey Department should take no further action in the matter of defining Captain Godfrey's estate or that of Mr. Oucherlony under his second lease, although the area of cultivation may of course be surveyed for revenue purposes."

17. Captain Godfrey appealed to the Civil Judge Calicut, but I regret that I have been unable to trace from the records the exact terms of the appeal court's decision. The views of the Judge can, however, be gathered from the following proceedings which were passed before the appeal was decided:—

"Proceedings of the Civil Court, Zilla Calicut, dated 10th January 1873.

"Read again what purports to be a plaint by Captain Thurlow Hovel Godfrey.

"The object of this so-called plaint is to set aside a decision of Captain Sargeant, Assistant Superintendent, Revenue Survey, whereby he has declared Captain Godfrey to be entitled to 600 cawnies only of land within certain boundaries. The Act (No. XXVIII of 1860), under which Captain Sargeant purports to have proceeded, directs that the deciding officer shall proceed to mark out the requisite boundary in accordance with his decision, but the Government having been pleased to interfere and forbid his doing so, there is nothing before me from which it can be ascertained what particular 600 cawnies of land out of a very large area Captain Sargeant is good enough to assign to Captain Godfrey.

" This ambiguity necessarily creates some difficulty in the valuation and in the specification of boundaries, but at the same time it is manifest that greater precision on both points can be arrived at. The so-called plaint will therefore be again returned for amendment and one month will be allowed for the purpose.

"It also appears to me that the copy of the decision impeached requires to be on a stamp, and I should suggest that, when applying for such copy, Captain Godfrey should also apply to the Superintendent, Revenue Survey, to revise his subordinate's decision until nothing of it is left. With the opinion and action of Government before him it can hardly be but that the Superintendent will arrive at the conclusion that his department can have nothing to do with what his Assistant himself specifies to be a claim by one party to land within the boundaries of another."

18. Whatever may have been the result of Captain Godfrey's appeal to the civil court, the title-deeds produced by the present estate holders show that this long-pending dispute was finally ended by an amicable settlement out of court. Mr. James Ouchterlony died on the 31st December 1875 and on the 21st September 1876 a compromise was effected and the terms embodied in a deed by the executors and trustees of the late Mr. Ouchterlony on the one part and Captain Godfrey and Colonel Scott on the other. The final deed of settlement was executed on the 7th July 1877. By this compromise Captain Godfrey was recognized as the lessee of the 600 cawnies which had been originally granted to him, as also to 3,000 acres in addition situated in the north-west corner of the valley. By the time these negotiations had been concluded Captain Godfrey had parcelled out his 600 cawnies of land into the following estates:—(a) Cusroo, (b) Periva Shola, (c) Charleston, (d) Lower Estate, (e) Sambar, (f) Yellamalai, (g) Panther, and (h) Umbillimalai. These are now held by different proprietors and are situated in the north-west corner of the valley. The remaining 3,000 acres which were also assigned to Captain Godfrey by the deed of compromise above referred to, were also parcelled out into the following estates:—(1) Burnside, (2) Kathleen, (3) Pillaymalai and (4) Cheriya Shola. The Kathleen estate as now held represents only the 600 acres demarcated and surveyed for Messrs. Morgan, Grant and Hamlin. But according to the deed of compromise a large waste block of land containing about 1,523·51 acres was cut out of the 3,000 acres and assigned to Captain Godfrey. Out of this block Messrs. Morgan, Grant and Hamlin selected the 600 acres which were already demarcated and surveyed as the Kathleen estate. The rest of this area—the balance of the original “Kathleen Block”—is now held by Mr. Woolley. Thus all the estates situated at the north-west corner of the valley derived their title from Captain Godfrey who acquired its rights such as they were, firstly from Yellamalai Perumal Chetti and his son Kalappan Chetti, secondly from the Nilambūr Tirumalpad, and lastly under the terms of the deed of compromise.

19. The land which Mr. Ouchterlony had acquired under the two leases already described was also parcelled out into several estates; but they were not all demised to third parties as was done by Captain Godfrey. Thus the "Walwood" and "Balmides" estates originally formed part of the block which Mr. Ouchterlony acquired under his first lease, dated 18th December 1845, but were afterwards sold to the predecessors in title of Mr. Barton Wright and Mr. Rhode, the present holders. Similarly, the "Glenrans" and "Seaforth" estates originally formed part of the land acquired by Mr. Ouchterlony under the second lease, dated 17th January 1857, and they were also disposed of to their present holders, viz., the late Mr. VansAgnew and Captain Griffin, respectively.

20. Having endeavoured to convey some idea of the intricate devolution of titles in this valley to the several blocks out of which the existing estates were carved, it remains for me to review the financial results of the settlement. Appendix B shows at a glance (a) the name and survey number of each estate in the valley; (b) the extent and assessment payable under the old revenue system on each estate for fasli 1298 as entered in the plantation register; (c) the extent and assessment on each estate as ascertained and fixed at the time of the settlement; and (d) the increase in both area and assessment consequent upon the revised survey and settlement.

21. It will be seen that the area of all the estates in the Oucherlongy valley brought to book in the plantation register for fasli 1298 was 8,174-09 acres, of which 5,172-74 acres only were shown as cultivated and 3,001-35 acres as uncultivated. The total assessment payable on these estates as per the revenue demand for last fasli was Rs. 10,345-9-8. On the other hand, the exact area by revised survey and corrected at the time of settlement is 25,521-44 acres, of which 7,343-78 acres are under cultivation and 18,187-66 acres are uncultivated. The total consolidated assessment imposed at settlement on these estates at the rate of Rs. 2 per cultivated acre and 6 pies per uncultivated acre is Rs. 15,235-14-9. Thus the settlement has resulted in an increase of 17,347-35 acres under area (of which no less than 2,161-04 acres are cultivated and 15,186-31 acres are uncultivated) with a corresponding increase of Rs. 4,890-5-1 under the head of assessment. In other words, the settlement shows an increase of 42 per cent. under cultivated and 506 per cent. under uncultivated area, or 212 per cent. under both taken together. This increase in area is entirely due to exact revised survey and to every inch of the valley as finally demarcated, surveyed and mapped being brought to book. Under the head of assessment there is an increase of 47 per cent. This is due (1) to the bringing to book of 2,161-04 cultivated acres assessable at

Rs. 2 per acre and which had escaped assessment under the old system, and (2) to all the uncultivated area; which hitherto paid nothing, being charged 6 pies per acre. The average rate of consolidated assessment per acre on all lands, both cultivated and uncultivated taken together, is the most moderate sum of 9 annas 7 pies.

22. The increase of Rs. 4,890-5-1 in assessment due to settlement as already stated amounts to only 47 per cent, and against this must be set the increase in assessable area amounting to 212 per cent., of which 42 per cent. occurred in cultivated lands alone. There is thus no necessity why the increased demand should not be brought into force at once with effect from the current fasli. The several estate holders are perfectly prepared and willing to pay the settlement assessment forthwith and do not ask for the excess over the previous revenue demand to be spread over four years. It must be remembered, too, that in South-East Wynaad, where the increase in assessment on estates settled on the Rs. 2 + 6 pies per acre principle amounted to 61 per cent., Government did not consider it necessary to direct that the increase in the demand on such lands should be introduced in instalments. Consequently the whole increased demand on those estates has been collected since the date of the introduction of the settlement. I strongly recommend the adoption of a similar course in respect of the estates in the Ouchterlony valley.

23. Although, at first sight, it may appear that in accepting so low a rate as 6 pies per acre on the large uncultivated area of these estates—amounting to 13,187-66 acres—for a period of 30 years, Government will unnecessarily sacrifice a large prospective revenue, this is not really the case. It must be remembered that the great bulk of this area will never be cultivated owing to its rocky character and the great steepness of much of the land. Most of it will, as now, be used merely as a preserve whence grass for thatching and feeding cattle, &c., as also firewood, are annually derived. After a careful inspection of the valley and discussion with the estate holders, I am decidedly of opinion that not more than 2,000 acres of the present uncultivated area can, or is likely to be cultivated. The tax at Rs. 2 per acre on this, supposing the old system prevailed, would amount to Rs. 4,000, and this would not be derived at once but gradually as the land was cultivated. The necessity for annual inspections would remain and all the evils of the old system would be perpetuated. By the new settlement Government obtain an immediate increase of Rs. 4,890-5-1 per annum and that by merely bringing to account all actual cultivation and accepting the nominal assessment of 6 pies per acre on the uncultivated area. The State clearly gains a greater benefit than it would by the continuance of the old system and each individual estate holder is only too delighted to accept the new settlement as the increased assessment on each separate assessment is small, and as the settlement would obviate the necessity for annual inspections and would effect finality. I therefore beg most confidently to recommend the results of the settlement for the acceptance of the Board and Government with effect from the current fasli 1299 (1889-90).

24. *Pattas*.—Seventeen rough settlement pattas in the form prescribed by Government in their Order, dated the 2nd December 1886, No. 1058, were originally issued and the representations of the estate holders were duly considered and disposed of. Finally the number of pattas was increased to eighteen. Pattas Nos. 1, 14, 15, 16, 17 and 18 are held by Mr. Wapshare as the present representative of the Ouchterlony family. The first is held solely on account of Mr. Ouchterlony, while the others are held on behalf of Mr. Ouchterlony and others who have joint interests in some of the estates. Appendix D. to this report gives the number and names of the pattadars in the Ouchterlony valley with full information as to the several interests in each estate.

25. *Register and Map.*—A manuscript copy of the Settlement register for the tract under report in the form prescribed by Government will be sent to the Collector for administrative purposes pending the publication of printed copies. I request that the copy of the map (appendix A) prepared by the Survey Department may be returned to the Collector by Government when done with.

26. *Chittah, Descriptive Memoirs, &c.*—The descriptive memoir for the tract is being prepared and the usual number of copies will be sent to the Collector immediately on its publication which will take place directly the orders of Government on this report are received. The chittah will also be forwarded.

27. *Village Establishment.*—Opportunity might well now be taken to establish a small but efficient village staff. On this subject I shall submit separate proposals after I have discussed the matter with the Collector.

APPENDIX D.

Number of patta.	Name of pattadar.	Survey numbers included in each patta.	Local agent, if any.
1	H. Wapshare, Esq., on behalf of the Ouchterlony Trust.	15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 1, 57-A, 6, 6, 7, 57-B, 10, 11, 12, 13-A, 57-C, 44, 45, and 57	G. L. Younge, Esq.
2	C. Barton Wright, Esq., on behalf of Messrs. W. Barton Wright and William Cotton Rhoda.	2 and 3	C. Barton Wright, Esq.
3	The Manager of the Agra Bank Company (Limited) on behalf of Mr. Hamlin.	24	H. E. Sinclair, Esq.
4	Mr. D'Silva ..	26	
5	Messrs. W. Morgan, W. Grant and E. Hamlin. ..	30, 31 and 36	Messrs. Barclay and Morgan.
6	Mr. Abboo Mahomed ..	40	Mr. M. S. Lewis Pillai.
7	The Nilgiri Tea, Coffee and Cinchona Company (Limited).	39, 41 and 48	William Standen, Esq.
8	J. W. Minchin, Esq. ..	42 and 43	
9	Messrs. William Morgan and William Grant ..	46	Messrs. Barclay and Morgan.
10	R. Woolley, Esq. ..	28, 29, 32, 33, 34, 35, 37 and 38	P. W. Woolley, Esq.
11	H. G. Sinclair, Esq. ..	54	
12	Captain A. Griffin ..	55	
13	Thomas Murray, Esq., Agent of the late Mr. Vans-Agnew's Trust.	56	Thomas Murray, Esq.
14	H. Wapshare, Esq., on behalf of Ouchterlony Trust, Mrs. Noosie, Mrs. Foncean and Mrs. Cotter.	4	G. L. Younge, Esq.
15	H. Wapshare, Esq., on behalf of the Ouchterlony Trust, A. C. Campbell, Esq., Executors of late Mrs. DeMort and Trustees of late Colonel Ouchterlony.	8	G. L. Younge, Esq.
16	H. Wapshare, Esq., on behalf of Ouchterlony Trust and A. C. Campbell, Esq.	9	G. L. Younge, Esq.
17	H. Wapshare, Esq., on behalf of the Ouchterlony Trust and Trustees of late T. Ouchterlony, Esq.	13	G. L. Younge, Esq.
18	H. Wapshare, Esq., on behalf of the Ouchterlony and Messrs. R. O. Campbell and J. O. Bogsor.	14	G. L. Younge, Esq.

Resolution—dated 14th December 1889, No. 562.

The foregoing report, which relates to the settlement of the Ouchterlony Valley, will be submitted for the orders of Government.

2. The settlement has been conducted on the same principles as those adopted for the settlement of the South-East Wynaad, a tax on *occupation* having been substituted for one on *cultivation* (*vide* G.O., dated 21st July 1888, No. 502). The valley consists of 33 estates, each of which has been separately assessed as ordered in G.O., dated 28th September 1888, No. 5773, with a consolidated assessment made up of Rs. 2 per acre on lands cultivated at the time of settlement and of 6 pies per acre on uncultivated areas included in the estates.

3. In paragraph 21 of his report Mr. Stuart reviews the financial results of the new settlement. In instituting a comparison between the settlement assessment and the revenue assessment of fasli 1298, he has, as stated by the Collector, mistakenly adopted the revenue figures of fasli 1297 in lieu of those of fasli 1298. The difference, however, between the figures of the two years is trifling. Taking the figures for the latter year furnished by the Collector, the area found to be actually cultivated at date of settlement will be seen to be in excess of that shown in the revenue accounts by 2,198 acres or 43 per cent. In the uncultivated area there is also an increase of acres 15,186-31 or 506 per cent. over that shown in the revenue accounts. The latter, however, were admittedly very imperfect. The settlement assessment on the total extent, both cultivated and waste, amounts to Rs. 15,235-14-9 against the revenue assessment of Rs. 10,272-7-9, showing an increase of Rs. 4,963-7-0 or 48 per cent.

4. The large increase in the assessment is almost entirely due to the increase in the cultivated area discovered by the survey.

5. The Board agrees with the Collector and Mr. Stuart in recommending that the new settlement should be introduced with effect from the current fasli 1299 (1889-90) and in considering it unnecessary to levy the increase by instalments.

6. Paragraphs 6 and 7 of the Collector's letter will be referred to Mr. Stuart and the Superintendent of Revenue Survey for remarks.

(True Copies and Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Secretary to Government, Revenue Department,
with enclosures (2), Appendix C and a map.
„ Special Assistant Collector, No. VI Party.
„ Superintendent of Revenue Survey.
Copy to the Collector of Nilgiris.
„ „ Commissioners of Land Revenue.

READ—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 22nd January 1890, No. 295, Mis. :—

MR. CLOGSTOUN.

Read—the following letter from the Collector of Nilgiris, dated 18th January 1890, No. 24 :—

With reference to Board's Proceedings, dated 14th December 1889, No. 562, submitting, for the orders of Government, Mr. Stuart's report on the settlement of the Ouchterlony Valley, I have the honor to state that I intend holding the jamabandi of Wynaad including Ouchterlony Valley, early next month before the feverish season commences, and therefore request that the Board may be pleased to move Government to pass early orders on the Proceedings quoted above.

Resolution—dated 22nd January 1890, No. 295, Mis.

Submitted for the early orders of Government.

(A true Copy and Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Collector of Nilgiris.

ORDER—dated 27th January 1890, No. 78, Revenue.

Land Revenue, No. 5.

His Excellency the Governor in Council accepts Mr. Stuart's proposals for the settlement of the Ouchterlony Valley, which are supported by the Collector and the Board, and, as recommended, directs that the new rates be introduced in full, with effect from the current fasli, 1299 (1889-90).

2. The reports called for in paragraph 6 of the said Proceedings should, when received, be submitted to the Government for information.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Commissioner of Revenue Settlement, Land Records and Agriculture.
„ the Superintendent, Revenue Survey.
„ the Financial Department.

Copy to the Commissioners of Land Revenue.

Exd. T. K. Narayana Aiyangar.

80 Copies.

Original

Gobt. of {1890} Madras.
REVENUE.

18-7-16

24-4-17

4-3-20

19-12-44

Issued

Recd.

Encl.

G.O., 27th January 1890, No. 78.

JANUARY.

Settlement of the Ochterlony
Valley.

Mr. Stuart's proposals for the —, accepted; and
the introduction of the new rates in full, with
effect from fasli 1299, directed.

BOARD OF REVENUE (REV. SETT., L. RDS. AND AGRI.), 14TH DEC. 1889, No. 562.

PROCEEDINGS OF THE BOARD OF REVENUE
(REVENUE SETTLEMENT, LAND RECORDS AND AGRICULTURE).

MR. CLOGSTOUN.

READ—the following letter from C. F. MacCARTIE, Esq., Acting Collector of Nilgiris, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated Ootacamund, 30th November 1889, No. 418:—

I have the honor to submit, for the orders of the Board and Government, Mr. Stuart's report No. 1174-A, dated 24th October 1889, on the conclusion of the Revenue Settlement of the Ochterlony Valley.

2. The settlement, on the principles laid down by Government, is very simple, and the report therefore calls for little or no discussion.

3. Mr. Stuart would appear to have somewhat confused the facts connected with "Richardson's line" and the Government declaration agreeing to respect all titles to lands derived *bona fide* from the Tirumalpad. The line above mentioned was laid down in 1863, and the declaration was originally made in G.O., dated 30th March 1865, No. 701, Revenue, and reiterated in G.O., dated 9th August 1872, No. 1188-A. The Civil Suit No. 10 of 1868 between the Tirumalpad and Government was filed in respect of lands in the neighbourhood of Naduvatam on which the cinchona plantations have been opened and some 3 or 4 miles above Richardson's line. No direct issue was raised in that suit as to whether Richardson's or any other line formed the boundary between Nambalakod and the Government tract, although it is quite true that Richardson's line formed an important part of the evidence in the suit. In the matter of a separate dispute and claim arising therefrom, it is observed that the Government Pleader at Madras was of opinion that, in the event of a contested suit, the ownership of Government (east of Richardson's line) will have to be proved affirmatively (*vide* paragraphs 3 and 4 of the opinion recorded in Board's Proceedings, dated 23rd November 1883, No. 3295, and paragraph 5 of the Collector's letter printed at page 4 of G.O., dated 15th February 1887, No. 174, Revenue). These facts disprove Mr. Stuart's assertion that Government offered to recognise the titles to lands in the Ochterlony Valley "in spite of the fact that the Tirumalpad's claim to that tract as portion of the lands belonging to the 'Nambalakod estate' had been successfully contested."

4. The cultivated area and assessment of estates as per Revenue accounts quoted in paragraph 21 relate to fasli 1297* (1887-88), not to fasli 1298 as alleged by Mr. Stuart. The figures for fasli 1298 (1888-89) are as follows:—

Cultivated area	...	...	...	...	...	...	...	...	ACS.
									5136-18
Assessment	...	...	...	...	...	...	...	...	RS. A. P.
									10,272 7 9

With regard to the uncultivated portion of the valley, it has hitherto been the practice to exclude it from the Revenue accounts as no revenue has been collected thereon. In cases, however where estates consisted partly of taxable area and partly

of unassessable waste, the Head Assistant Collector had, for convenience of reference, entered in the plantation register referred to by Mr. Stuart the total area of such estates distinguishing the area taxed and that not liable to assessment. The area of 3,001.35 acres of waste referred to by Mr. Stuart was registered as above stated and by no means must be taken to represent all the unassessed waste in the valley. These facts are clear from the comparative table given in Appendix B. For statistical purposes, however, the total area of the valley, viz., 40 square miles, has been taken into account.

5. Following the analogy of estates already dealt with in the eleven settled desams of South-east Wynaad, I agree with Mr. Stuart in recommending that the settlement increase should be collected in full and not by progressive increments, and that the settlement results should be adopted for and from the current year—*fasli* 1299 (1889-90)—(paragraph 22).

6. Appendices B and D contain references to the survey numbers comprised in each estate and their registered owners. Survey No. 57 appears to be sub-divided into four parts and No. 13 into two, but the map accompanying the report does not define the limit of each of the sub-divisions. I think their boundaries should be clearly shown both on the ground and on map. It is hoped that each demarcated field has been given a separate number during settlement, the correct area and assessment being recorded in the registers. Cases have occurred in the settled villages of both the Nilgiri plateau and South-east Wynaad in which the original demarcation and survey was not recognised in the accounts and maps prepared at settlement, although the stones marking the boundaries of the fields were allowed to remain *in situ*.

7. The map submitted with the report is on the scale of 4 inches to a mile—too small to be of use for administrative purposes. I would strongly suggest that the map be published on the enlarged scale of 16 inches to a mile like those of the villages of the Nilgiri plateau. A similar suggestion was made to the Deputy Superintendent of Revenue Survey, No. V Party, in respect of the maps of the eleven settled desams, but it did not meet with his approval on the following grounds: (1) that a map on 16-inch scale would be unwieldy; (2) that separate maps on this enlarged scale are published for all estates and paddy flats and are always available for reference. As regards the first objection, it may be remarked that enlarged maps have been found most suitable on the plateau. As regards the second objection, I would urge that much expense, time and trouble would be saved by the issue of one instead of two sets of maps.

8. Separate proposals will be submitted regarding a staff of village officers for the valley on receipt of Mr. Stuart's recommendation, referred to in paragraph 27 of his report.

ENCLOSURE No. 1.

From A. E. CASTLESTUART STUART, Esq., F.G.S., F.L.S., F.R.G.S., Special Assistant Collector, Nilgiris and Malabar, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture (through the Collector of the Nilgiris), dated Ootacamund, 24th October 1889, No. 1174-A.

I have the honor to submit my report on the conclusion of the settlement of the Ouchterlony Valley, ordered in G.O., dated 21st July 1888, No. 502, Revenue.

2. *General remarks.*—The settlement of the whole Wynaad, consisting of sixteen amsams (parishes), three of which comprise Nilgiri-Wynaad, and thirteen from Malabar-Wynaad, was ordered by His Excellency the Governor in Council in G.O., dated 22nd July 1886, No. 611, Revenue. During the official year 1886-87, the settlement of the three amsams of (a) Nambalakod, (b) Munnar, and (c) Cherankod (total area = 240 square miles) that constitute Nilgiri-Wynaad was completed by this party. My report, with the various orders thereon, is printed with G.O., dated 8th July 1887, No. 659, Revenue. During 1887-88 the following eight amsams (total area = 545 square miles) of Malabar-Wynaad, viz., Ganapathivattam, Puthadi, Kuppattod, Ellornad, Nallwinad, Edavaka, Periya and Tondarnad were settled and the orders of Government thereon are contained in G.O., dated 1st November 1888, No. 755. The settlement of the remaining five amsams (total area = 276 square miles) of Malabar-Wynaad, viz.,

Vayitri, Etanataskur, Kurumbala, Porunnaunur, and Muppainad, was concluded in 1888-89, and my report thereon, on which Government passed final orders in G.O., dated 12th October 1889, No. 827, was submitted on the 22nd May 1889—*vide* letter of that date, No. 389, printed with Board's Proceedings (Revenue Settlement, Land Records and Agriculture), dated 9th July 1889, No. 343. In June 1889 I commenced the settlement of the Ouchterlony Valley and practically finished it by the end of July. This tract had been excluded from the scope of Mr. Benson's operations when the Nilgiri plateau was settled (*vide* his report printed with G.O., dated 20th April 1885, No. 449, Revenue), as the land tenures of the valley were different from those obtaining on the plateau. As they were identical with the tenures of Malabar (of which district this valley once formed part), and as the adjacent Nilgiri-Wynaad had been settled on principles in every way applicable to the valley, I proposed in my letter No. 18, dated 4th April 1887, printed with Board's Proceedings (Revenue Settlement, Land Records and Agriculture), No. 99, dated 27th May 1887, that this tract should be dealt with in the same manner as Nilgiri-Wynaad had been treated. It seemed unnecessary that it should be the only portion of the district left unsettled, and I pointed out that so popular had the method of settlement of estates been in the Wynaad that the estate holders in the valley eagerly desired a similar settlement, one of the most interested proprietors even threatening to appeal to the Secretary of State for India in Council if any other policy were pursued! The Board were pleased to support my proposal, which was accepted by Government, who, in the order referred to in the preceding paragraph, "directed the settlement of the Ouchterlony Valley on the same principles as those adopted for the settlement of the South-east Wynaad."

3. *Description of area settled.*—Appendix A shows at a glance the geographical position of the Ouchterlony Valley. Its boundaries may be described as follows:—

- North.—Nambalakod amsam of South-east Wynaad and the Tódanád division of the Nilgiri plateau.
- East.—The Tódanád division of the Nilgiri plateau.
- South.—Ernád taluk of the Malabar district.
- West.—Ernád taluk of the Malabar district and Nambalakod amsam of South-east Wynaad.

This tract contains 25,542.48 statute acres covering a superficial area of some 40 square miles. It is thus somewhat smaller than the island of Jersey (area = 28,717 acres). It was opened for coffee cultivation in 1846 by the late Mr. James Ouchterlony, from whom it derives its name. The difficulties encountered by this "able and energetic" planter are thus graphically described by him in a letter to Government in 1860:—

"I was equally a pioneer in the experiment of coffee-planting on the Nilgiri slopes near the Gúdálúr pass where I first commenced the cultivation. In a limited degree many of the features of a new colony were presented; there was no resident population within any accessible distance; no articles of food to be had near the spot. We had no roads (properly so called), no police and no law save at courts too distant to be reached. Labor and food had, in fact, to be imported from a remote district, the first being only obtained with difficulty, and then often scared away by the solitariness of the spot and an undefined dread of evil in the minds of the coolies. Doubts of success were even engendered in the minds of most of those who had embarked with me in the enterprise and who necessarily withdrew from it. But at length a bright issue attended the efforts; and I will only say let the changed aspect of the country around in respect of cultivation tell what the effect has been upon the general interests"—*vide* page 485 "Manual of the Nilgiri District."

The following facts will afford some idea of the changes that have occurred. Every acre of these 40 square miles now falls within the limits of one or other of the estates mentioned in Appendix B. Every estate, with one exception, is held by Englishmen through whose energies 7,333.78 acres have been brought under cultivation. Coffee—the finest in the district and probably second to none in the Presidency—tea, and cinchona are the crops raised. The annual outturn of these products is measurable in tons and their value in lakhs of rupees. Substantial buildings have been erected on almost every estate on which the proprietors or their employes permanently reside. Unfortunately census figures for the tract are not available as no separate enumeration appears to have been conducted in 1881; but the laborers—mostly Canarese immigrants from Mysore—may, during "crop season," be numbered by thousands. The valley is a labyrinth of roads and pathways, connecting estate with estate, and leading out to the main public road running from Ootacamund to Calicut *via* Naduvattam and Gúdálúr. At both these places, as also at Guynd in the valley, there are Post offices; at Naduvattam there is also a Telegraph office and here, as also at Gúdálúr, police are located. The Courts of the District Munsif—himself the chief Executive Revenue and Magisterial officer of the division—and of the Deputy Tahsildar and Sub-Magistrate are open at Gúdálúr for the redress of civil and criminal wrongs. There, too, a weekly market is held at which ordinary domestic requirements are supplied, whilst from Ootacamund almost everything is readily procurable.

4. *Physical characteristics.*—Geologically, the Ouchterlony Valley forms part of the great gneissic series to which the rest of the district belongs. The rocks consist of quartzo-hornblende

quartz generally "striking" north-east-south-west and "dipping" at a high angle (30° - 70°) in the south-east. The strata are much folded and even recumbent, the gneiss is chiefly hornblende, whilst here "mica" and "stale". In the upper portions the gneiss is chiefly hornblende, whilst towards the bottom of the valley the rocks are more quartzose and garnetiferous. Towards the south-east, some of white quartz cross the gneiss at right angles to the foliation with a "dip" to the east, giving indication of their being prolongations of the auriferous reef of South-east Island. The country is rugged, the higher points being either entirely bare—the effect of extreme weathering—or sparsely clad with coarse grasses, whilst such sheltered ravines as have not yet been filled and cultivated contain the characteristic vegetation of the Nilgiri division. The most conspicuous elevations are (4) Gûdalur malai, (6) Arata Para, (c) Uthirumalai, and (e) Nilgiri Peak. Numerous rivulets—locally known as "tols"—rise in the hills, flowing in a westerly direction, from the headwaters of streams—called "payas"—which become tributaries of the Pannî river. The main feeder of this river in the valley are (a) which has its source of the Pannî river. The main feeders of this river in the valley are (a) which has its source of the Pannî river. The main feeders of this river in the valley are (a) which has its source of the Pannî river. The main feeders of this river in the valley are (a) which has its source of the Pannî river.

5. *Political History.*—As already stated, this valley originally formed part of the Malabar district. About the middle of 1872 the Collector of Malabar and the then Commissioner of Nilgiris—Mr. J. R. Cockerell—submitted proposal for its transfer to the Nilgiri district. This was approved by Government in their Order No. 1097, dated the 15th July 1873, and the boundary between the Malabar and Nilgiri districts was then fixed as the demarcated line (known as “Richardson’s line”) running from the Pykara river to the rock known as “Arata Para;” thence along the “Mullanur Tod” to the Poudi or Karkur river, along that river to the crest of the ghát and thence to Nilgiri Peak. This line also formed the northern, western and the southern boundary of the Ouchterlony Valley. The eastern boundary of the valley was fixed in 1873 by Mr. J. R. Cockerell, and it was accepted by the Board and Government—vide G.O., dated 4th October 1873, No. 1069. It was also accepted by Mr. Henry Wapshare as Mr. Ouchterlony’s representative. By notification dated 22nd August 1873, Judicial, Government proclaimed that “from and after the 1st September 1873” this tract should be “transferred to and included in the jurisdiction of the Commissioner of the Nilgiri Hills.”

6. *Revenue history—Past and up to the date of settlement.*—The revenue system obtaining in the valley has hitherto been the same as that which prevailed in the three amams of the South-east Wynaad before the introduction of the settlement. The Government demand has been limited to a tax of Rs. 2 per cultivated acre, the uncultivated though occupied areas being held free of all assessment. The demand has therefore been of a fluctuating nature. Since the issue of G.O., dated 4th February 1878, No. 169, no claim on account of janmabhogam has been advanced on behalf of Government, who then contended that the valley formed no portion of the Nambalakod estate. The only revenue account kept is what is known as the "Plantation Register."

7. *Present settlement.*—The principles on which the present settlement has been conducted are enunciated in G.O., No. 611, Revenue, dated 22nd July 1886, and G.O., No. 741, Revenue, dated 27th August 1886. They are concisely set forth in the appended notification (marked C). All land in the valley falls within the scope of Rule 13 and the assessment imposed upon each estate was a consolidated one made up of a charge of Rs. 2 per acre on all cultivation at the time of settlement *plus* 6 pies per acre on the uncultivated areas. This consolidated assessment will remain in force for 30 years from the date of its introduction in accordance with the orders of Government. The fundamental principle of the present settlement is the substitution of a tax on occupation, as in all other settled districts, for one on cultivation only as heretofore, and the exceedingly favorable rates which Government have sanctioned for these estates have rendered the settlement most popular. In their Order No. 5773, dated the 28th September 1883, Government directed that “there should be a separate assessment for each estate surveyed as such.” This has been done.

8. *Survey operations in the valley.*—These were first commenced in 1872 under Colonel Priestly and Captain (now Colonel) Sargeant. The difficulties which were experienced in fixing the boundary between the Nilgiri and Malabar districts and that between Mr. Ouchterlony's and Captain Godfrey's holdings were numerous. These were overcome in 1880 (*vide* Board's Proceedings, No. 995, dated 21st July 1880). In their Order, dated 31st January 1887, No. 628,

Government directed the resurvey of the valley on the recommendation of the Board contained in their Proceedings, No 504, dated the 25th idem. This resurvey was completed in May 1887 under the superintendence of Mr. Gompertz, Deputy Superintendent, No. V Party. The survey register and map furnished by the Survey Department for settlement purposes disclosed the state of affairs as they existed at the conclusion of the resurvey. But as the order of Government sanctioning the settlement was passed only in July 1888, it was found necessary to revise the areas of some of the estates for settlement purposes, changes having incurred in the interval of two years that elapsed between the conclusion of the revised survey and the beginning of the settlement. I personally discussed the matter with the Deputy Superintendent, and the result was submitted to the Board and Government in my letter No. 1539, dated the 3rd September 1888, printed with Board's Proceedings, No. 484, dated the 8th September 1888. It was agreed that it was not necessary to conduct a further revision survey, as sufficiently accurate figures would be obtained by calling upon the several estate holders to report the changes, if any, that had occurred in their holdings since the revision survey was completed and to adopt their statements, making the necessary alterations in the register. This proposal was approved by the Board and Government (*vide* G.O., No. 5773, dated 28th September 1888), and the present settlement is based on the results thus arrived at. I may state that the changes reported were very trifling, and in almost every case the planter's own figures increased the total area under cultivation, and, *pro tanto*, augmented their assessments. In only one instance had I occasion to suspect the accuracy of the returns (which disclosed decrease in cultivation) and, having personally inspected the estate very carefully, I rejected the return as untrustworthy and adhered to the survey figure.

9. *Devolution of titles.*—Before proceeding to review the financial result of the settlement, I would set forth the history of the devolution of title to the several blocks of land out of which the various estates were parcelled, as the history is complicated and it was with considerable difficulty that I succeeded in arriving at the facts. The records are very incomplete, and I had to have recourse to the title deeds filed by the several proprietors to fill up *lacunæ* in the public files. The Tirumalpad of Nilambur, one of the most influential Malabar janmis, claimed to have janmam rights over the Oucherlony Valley on the ground that he had acquired it from the extinct family of the Nambalakod Walunnavar. He contended that his title to the valley was identical with that on which he claimed to have janmam rights over the whole of the Nambalakod amsam of the South-east Wynaad and a portion of the Muppainad amsam of Malabar-Wynaad. All the evidence in support of this claim has been before Government on several occasions and was fully set forth by me in connection with the escheat inquiry (*vide* my report on escheat case No. XXV relating to the Nambalakod amsam). As a reference to that report will disclose all the facts, I need not recapitulate them here. In 1863 the then Deputy Collector of Wynaad, Mr. Richardson, took special pains to fix the eastern boundary of the property which the Nilambur Tirumalpad claimed to have acquired from the Nambalakod Walunnavar. The line known as “Richardson’s line” from the Pykara river to the rock known as Arata Para was then fixed and demarcated as the eastern boundary of the Nambalakod amsam. It was subsequently surveyed by Major Hesse and was recognised by Government as the boundary between the Malabar and Nilgiri districts when the tract under report was transferred in 1873 (*vide* paragraph 5 *supra*). This was an important fact in Original Suit No. 10 of 1868 before the Civil Judge of Calicut. In that suit (the parties to which were the Nilambur Tirumalpad and Government) the Judge found that all the lands over which the Tirumalpad claimed to have janmam right on the strength of his alleged acquisition from the Walunnavar of Nambalakod were situated to the north of this line. On this finding Government for years contended that no Malabar janmi ever possessed proprietary rights over lands to the south of this line, and systematically repudiated the Tirumalpad’s janmam claim to the Oucherlony Valley. But in their Order, dated 9th August 1872, No. 1188-A, which was passed in pursuance of G.O., dated 30th March 1865, No. 701, Revenue Department, Government were pleased to direct that all titles to lands situated in this tract adjoining the Nilgiris derived *bonâ fide* by third parties from the Nilambur Tirumalpad prior to the date of the order should be respected, in spite of the fact that the Tirumalpad’s claim to that tract, as portion of the lands belonging to the “Nambalakod estate,” had been successfully contested. At the same time Government insisted on the lessees paying to Government the rental, if any, which they had agreed to pay to their lessor, the Tirumalpad. Strict orders were issued to the Board of Revenue and to the Collector of Malabar directing them to arrange for the proper apportionment of the janmabhogam due to Government and to the Tirumalpad, respectively, according as the lands fell within or outside the fixed boundaries. After voluminous correspondence and the lapse of six years, Government, in their Order, dated the 4th February 1878, No. 169, decided, on further consideration, that all claim on behalf of the State to janmabhogam from the planters in the Oucherlony Valley should be abandoned as being inconsistent with the contention of Government, that that tract formed no part of the Nambalakod estate, and that the peculiar Malabar custom of levying a landlord’s share, called janmabhogam, did not apply to the Oucherlony Valley. Although Government thus decided to waive their claim to levy janmabhogam, the claim of the Tirumalpad to be janmi of the valley was repudiated. Matters

remained in this unsatisfactory state for years. Government refused to recognise the Tirumalpad's janmam pretensions in the valley and still declined to levy janmabhogam from the estate holders. They continued therefore to pay the Tirumalpad what they had originally agreed to pay as janmabhogam, and the Tirumalpad thus in the course of years succeeded in establishing his position more firmly than ever. At length in their Orders, dated the 15th February 1889 and 12th March 1888, Nos. 174 and 206, Revenue, respectively, Government decided, in connection with the proposed Devimalai reserved forest, to which the Tirumalpad preferred a claim, to compromise matters and finally admitted the janmam claim of the Nilambur Tirumalpad to the Ouchterlony Valley as now demarcated, surveyed and mapped. Thus the long-vexed question of the janmam title to the Ouchterlony Valley has been set at rest. The Tirumalpad has been tied down to a definite area, within which his pretensions have been admitted, and the holders of estates in that area thereby practically recognised to be his tenants, the only demand made upon them by the State being that of assessment and cesses. On the other hand, the Tirumalpad has waived his claims over the Devimalai block, which will shortly, I believe, become "reserved forest."

10. I must now revert to the origin of the estates and the leases under which they are held. On the 18th December 1845, Mr. James Ouchterlony first obtained a lease for a block of land forming the most easterly portion of the valley from the Tirumalpad of Nilambur. The following extract from a letter which this gentleman wrote to Government on the 31st August 1865 is interesting:—

"It is now just twenty years since my attention was first drawn to the spot. Finding a waste jungle and knowing nothing of native titles, I concluded it to be Government land and applied to the representative of Government in Malabar, the Collector, for a grant of a certain tract. The Collector, the late lamented Mr. Conolly (an officer who had had, I believe, the longest experience of Malabar of all Revenue officers of modern times), informed me in reply that the land did not belong to the Government but to the Nilambur Raja, to whom he considerably offered to introduce me, though as Collector he could do no more." The boundaries specified in this first lease of 18th December 1845, which is the root of all subsequent titles to estates carved out of this original grant, are as follows:—

"East.—The crest of the Nilgiri malai.

"South.—Mukurchi malai, *alias* Yellamalai, *alias* Nilgiri malai.

"West.—A straight line running due north from Mukurchi malai.

"North.—A straight line running due west from Gúdálur malai."

For this lease Mr. James Ouchterlony paid Rs. 1,500 and stipulated to pay a reserved annual rental of Rs. 20 for the whole block. To prevent any mistake regarding the boundaries of the land thus leased, a note was added on the 4th September 1847, in which the boundaries are again set forth.

11. On the 19th January 1857, Mr. J. Ouchterlony obtained a second karar from the nephew of the executant of the first lease for another extensive block of land in the valley on condition of the payment of an annual janmabhogam of Rs. 2,000. The boundaries of this second block are described as follows:—

"East.—The western boundary of the land covered by the first lease.

"South.—A straight line running due west from Mukurchi malai as a continuation of the southern boundary of the land covered by the first lease.

"North.—A line which is only a continuation westward of the northern boundary of the land covered by the first lease.

"West.—The western boundary is vague and unintelligible, but refers to land in the Ernád taluk."

This second lease is the foundation of the title to all estates carved out of the second block of land. In this second lease to Mr Ouchterlony "600 cawnies" of land, which had, as will be seen below, been leased on 15th March 1846 and again on 5th December 1848 to Captain Godfrey and described as being in "Doddagoda Shola," were expressly excluded. Thus of the two leases acquired by Mr. Ouchterlony, the first comprises the easterly portion of the Ouchterlony Valley as now demarcated and surveyed and mapped, while the second covers all the rest of the valley—with the exception of the land leased to Captain Godfrey—as well as a portion of the Ernád taluk abutting on the valley. This latter piece has not yet been demarcated and surveyed and does not fall within the scope of this report. It will, I presume, be dealt with in connection with the Malabar settlement when operations are extended to the Ernád taluk. The survey have not yet touched that taluk, and the piece of the land referred to is outside the limit of the valley as finally fixed.

12. Between the dates of Mr. Ouchterlony's first and second leases Captain T. H. Godfrey also obtained leases for land within the valley. On the 15th March 1846 he purported to have secured the grant above mentioned of 600 cawnies of land (about 800 acres in extent) on Doddagoda Shola from one Yellamalai Perumal Chetti and his son Kalappan Chetti, who described themselves as being possessed of kudumba janmam rights. The purchase-money paid on account of this lease was Rs. 600. The kudumba janmam is the highest but one of the Malabar tenures.

The proprietor still retains a nominal interest and as an acknowledgment of the fact the grantee is required to pay a small sum limited in old times to two fanams. In this lease no such reservation was made and it is highly probable that Captain Godfrey knew that the grantor had no valid title to confer, for, on the 5th December 1848, he was careful to obtain from the Tirumalpad of Nilambur, a lease for these identical 600 cawnies subject to the payment of an annual janmabhogam of Rs. 15.

13. These leases granted to Mr. Ouchterlony and Captain Godfrey, respectively, gave rise to much unsatisfactory litigation. Thus in 1855—that is, after he had obtained his first but not his second lease—Mr. Ouchterlony discovered that Captain Godfrey had, on the strength of his lease, trespassed considerably on the land which was situated to the east of Mr. Ouchterlony's western boundary. A complaint was accordingly lodged by Mr. Ouchterlony against Captain Godfrey before Mr. Tod, the Assistant Collector. The matter was inquired into with the result that Mr. Ouchterlony's prior possession was established. Captain Godfrey thereupon agreed to peacefully vacate the land upon which he had entered until he had been placed in formal possession of it by a civil court.

14. It was at this juncture that Mr. Ouchterlony obtained his second lease, dated the 17th January 1857. Armed with this document, he at once instituted a regular suit for damages against Captain Godfrey for trespass. This suit was filed as Original Suit No. 377 of 1861, on the file of the Principal Sadar Amin's Court of Tellicherry. It was then transferred for disposal to the Principal Sadar Amin of Calicut, who put it on his file as Original Suit No. 183 of 1862. It was heard and eventually the Principal Sadar Amin awarded the plaintiff, Mr. Ouchterlony, the sum of Rs. 300 as damages. Against this decision Captain Godfrey appealed to the Civil Judge of Calicut who, in his judgment in Original Suit No. 260 of 1863, reversed the decree of the Principal Sadar Amin.

15. Mr. Ouchterlony had also filed a suit—Original Suit No. 4 of 1862—in the Tellicherry Civil Court against the lessor, the Nilambur Tirumalpad, and lessee, Captain Godfrey, to compel them to demarcate the 600 cawnies of land granted to the second by the first defendant on the 5th December 1848. The Civil Judge of Calicut dismissed this suit on the 7th October 1863, on the ground that the plaintiff had no cause of action. Captain Godfrey next sued the Tirumalpad, the lessor (Original Suit No. 8 of 1866 on the file of the Calicut Civil Court), hoping that he might succeed in obtaining the cancellation of the lease which he had executed. This suit was dismissed, and against the dismissal Captain Godfrey appealed to the High Court, with the result that the decision of the lower court was upheld.

16. It will thus be apparent that these numerous suits had not advanced matters; and the question of boundaries, which was really at the bottom of the disputes, had to be taken up by the Survey Department. When survey operations were first instituted in the valley, Captain Sargeant dealt with the dispute under Act XXVIII of 1860. He decided that Captain Godfrey was entitled to "600 cawnies," neither more nor less. Against this decision Captain Godfrey appealed to Colonel Priestly, who, on the 6th May 1871, upheld Captain Sargeant's decision and directed that it should hold good unless it was set aside by a regular suit in a civil court preferred within two months from the date of the original decision, viz., 30th January 1871, unless the period was specially extended by His Excellency the Governor in Council. Against this order Captain Godfrey appealed to Government, who, in their Order, dated 28th September 1872, No. 1333, held that Captain Sargeant's proceedings were *ultra vires* and that his inquiry had been imperfect. An extension of time up to 31st December 1872 was granted to enable Captain Godfrey to appeal to the civil court. Government also remarked that, "pending the result of this appeal, the Survey Department should take no further action in the matter of defining Captain Godfrey's estate or that of Mr. Ouchterlony under his second lease, although the area of cultivation may of course be surveyed for revenue purposes."

17. Captain Godfrey appealed to the Civil Judge at Calicut, but I regret that I have been unable to trace from the records the exact terms of the appeal court's decision. The views of the Judge can, however, be gathered from the following proceedings which were passed before the appeal was decided:—

"Proceedings of the Civil Court, Zilla Calicut, dated 10th January 1873.

"Read again what purports to be a plaint by Captain Thurlow Hovel Godfrey.

"The object of this so-called plaint is to set aside a decision of Captain Sargeant, Assistant Superintendent, Revenue Survey, whereby he has declared Captain Godfrey to be entitled to 600 cawnies only of land within certain boundaries. The Act (No. XXVIII of 1860), under which Captain Sargeant purports to have proceeded, directs that the deciding officer shall proceed to mark out the requisite boundary in accordance with his decision, but the Government having been pleased to interfere and forbid his doing so, there is nothing before me from which it can be ascertained what particular 600 cawnies of land out of a very large area Captain Sargeant is good enough to assign to Captain Godfrey.

"This ambiguity necessarily creates some difficulty in the valuation and in the specification of boundaries, but at the same time it is manifest that greater precision on both points can be arrived at. The so-called plaint will therefore be again returned for amendment and one month will be allowed for the purpose.

"It also appears to me that the copy of the decision impeached requires to be on a stamp, and I should suggest that, when applying for such copy, Captain Godfrey should also apply to the Superintendent, Revenue Survey, to revise his subordinate's decision until nothing of it is left. With the opinion and action of Government before him it can hardly be but that the Superintendent will arrive at the conclusion that his department can have nothing to do with what his Assistant himself specifies to be a claim by one party to land within the boundaries of another."

18. Whatever may have been the result of Captain Godfrey's appeal to the civil court, the title-deeds produced by the present estate holders show that this long-pending dispute was finally ended by an amicable settlement out of court. Mr James Ouchterlony died on the 31st December 1875 and on the 21st September, 1876 a compromise was effected and the terms embodied in a deed by the executors and trustees of the late Mr Ouchterlony on the one part and Captain Godfrey and Colonel Scott on the other. The final deed of settlement was executed on the 7th July 1877. By this compromise Captain Godfrey was recognized as the lessee of the 600 cawnies which had been originally granted to him, as also to 3,000 acres in addition situated in the north-west corner of the valley. By the time these negotiations had been concluded Captain Godfrey had parcelled out his 600 cawnies of land into the following estates:—(a) Cusroo, (b) Periya Shola, (c) Charleston, (d) Lower Estate, (e) Sambar, (f) Yellamalai, (g) Panther, and (h) Umbillimalai. These are now held by different proprietors and are situated in the north-west corner of the valley. The remaining 3,000 acres which were also assigned to Captain Godfrey by the deed of compromise above referred to, were also parcelled out into the following estates:—(1) Burnside, (2) Kathleen, (3) Pillaymalai and (4) Cheriya Shola. The Kathleen estate as now held represents only the 600 acres demarcated and surveyed for Messrs. Morgan, Grant and Hamlin. But according to the deed of compromise a large waste block of land containing about 1,523.54 acres was cut out of the 3,000 acres and assigned to Captain Godfrey. Out of this block Messrs. Morgan, Grant and Hamlin selected the 600 acres which were already demarcated and surveyed as the Kathleen estate. The rest of this area—the balance of the original "Kathleen block"—is now held by Mr. Woolley. Thus all the estates situated at the north-west corner of the valley derived their title from Captain Godfrey who acquired its rights such as they were, firstly from Yellamalai Perumal Chetti and his son Kalappan Chetti, secondly from the Nilambur Tirumalpad, and lastly under the terms of the deed of compromise.

19. The land which Mr. Ouchterlony had acquired under the two leases already described was also parcelled out into several estates; but they were not all demised to third parties as was done by Captain Godfrey. Thus the "Walwood" and "Balmides" estates originally formed part of the block which Mr. Ouchterlony acquired under his first lease, dated 18th December 1845, but were afterwards sold to the predecessors in title of Mr. Barton Wright and Mr. Rhode, the present holders. Similarly, the "Glenvans" and "Seaforth" estates originally formed part of the land acquired by Mr. Ouchterlony under the second lease, dated 17th January 1857, and they were also disposed of to their present holders, viz., the late Mr. VansAgnew and Captain Griffin, respectively.

20. Having endeavoured to convey some idea of the intricate devolution of titles in this valley to the several blocks out of which the existing estates were carved, it remains for me to review the financial results of the settlement. Appendix B shows at a glance (a) the name and survey number of each estate in the valley; (b) the extent and assessment payable under the old revenue system on each estate for fasli 1298 as entered in the plantation register; (c) the extent and assessment on each estate as ascertained and fixed at the time of the settlement; and (d) the increase in both area and assessment consequent upon the revised survey and settlement.

21. It will be seen that the area of all the estates in the Ouchterlony valley brought to book in the plantation register for fasli 1298 was 8,174.09 acres, of which 5,172.74 acres only were shown as cultivated and 3,001.35 acres as uncultivated. The total assessment payable on these estates as per the revenue demand for last fasli was Rs. 10,345.9-8. On the other hand, the exact area by revised survey and corrected at the time of settlement is 25,521.44 acres, of which 7,333.78 acres are under cultivation and 18,187.66 acres are uncultivated. The total consolidated assessment imposed at settlement on these estates at the rate of Rs. 2 per cultivated acre and 6 pies per uncultivated acre is Rs. 15,235.14-9. Thus the settlement has resulted in an increase of 17,347.35 acres under area (of which no less than 2,161.04 acres are cultivated and 506 acres are uncultivated) with a corresponding increase of Rs. 4,890.5-1 under the head of assessment. In other words, the settlement shows an increase of 42 per cent. under cultivated area, or 212 per cent. under uncultivated area, or 212 per cent. under both taken together. This increase in area is entirely due to exact revised survey and to every inch of the valley as finally demarcated, surveyed and mapped being brought to book. Under the head of assessment there is an increase of 47 per cent. This is due (1) to the bringing to book of 2,161.04 cultivated acres assessable at

Rs. 2 per acre and which had escaped assessment under the old system, and (2) to all the uncultivated area, which hitherto paid nothing, being charged 6 pies per acre. The average rate of consolidated assessment per acre on all lands, both cultivated and uncultivated taken together, is the most moderate sum of 9 annas 7 pies.

22. The increase of Rs. 4,890.5-1 in assessment due to settlement as already stated amounts to only 47 per cent., and against this must be set the increase in assessable area amounting to 212 per cent., of which 42 per cent. occurred in cultivated lands alone. There is thus no necessity why the increased demand should not be brought into force at once with effect from the current fasli. The several estate holders are perfectly prepared and willing to pay the settlement assessment forthwith and do not ask for the excess over the previous revenue demand to be spread over four years. It must be remembered, too, that in South-East Wynaad, where the increase in assessment on estates settled on the Rs. 2 + 6 pies per acre principle amounted to 61 per cent., Government did not consider it necessary to direct that the increase in demand on such lands should be introduced in instalments. Consequently the whole increased demand on those estates has been collected since the date of the introduction of the settlement. I strongly recommend the adoption of a similar course in respect of the estates in the Ouchterlony valley.

23. Although, at first sight, it may appear that in accepting so low a rate as 6 pies per acre on the large uncultivated area of these estates—amounting to 18,187.66 acres—for a period of 30 years, Government will unnecessarily sacrifice a large prospective revenue, this is not really the case. It must be remembered that the great bulk of this area will never be cultivated owing to its rocky character and the great steepness of much of the land. Most of it will, as now, be used merely as a preserve whence grass for thatching and feeding cattle, &c., as also firewood, are annually derived. After a careful inspection of the valley and discussion with the estate holders, I am decidedly of opinion that not more than 2,000 acres of the present uncultivated area can, or is likely to be cultivated. The tax at Rs. 2 per acre on this, supposing the old system prevailed, would amount to Rs. 4,000, and this would not be derived at once but gradually as the land was cultivated. The necessity for annual inspections would remain and all the evils of the old system would be perpetuated. By the new settlement Government obtain an immediate increase of Rs. 4,890.5-1 per annum and that by merely bringing to account all actual cultivation and accepting the nominal assessment of 6 pies per acre on the uncultivated area. The State clearly gains a greater benefit than it would by the continuance of the old system and each individual estate holder is only too delighted to accept the new settlement as the increased assessment on each separate assessment is small, and as the settlement would obviate the necessity for annual inspections and would effect finality. I therefore beg most confidently to recommend the results of the settlement for the acceptance of the Board and Government with effect from the current fasli 1299 (1889-90).

24. *Pattas*.—Seventeen rough settlement pattas in the form prescribed by Government in their Order, dated the 2nd December 1886, No. 1053, were originally issued and the representations of the estate holders were duly considered and disposed of. Finally the number of pattas was increased to eighteen. Pattas Nos. 1, 14, 15, 16, 17 and 18 are held by Mr. Wapshare as the present representative of the Ouchterlony family. The first is held solely on account of Mr. Ouchterlony, while the others are held on behalf of Mr. Ouchterlony and others who have joint interests in some of the estates. Appendix D. to this report gives the number and names of the pattadars in the Ouchterlony valley with full information as to the several interests in each estate.

25. *Register and Map*.—A manuscript copy of the Settlement register for the tract under report in the form prescribed by Government will be sent to the Collector for administrative purposes pending the publication of printed copies. I request that the copy of the map (appendix A) prepared by the Survey Department may be returned to the Collector by Government when done with.

26. *Chittah, Descriptive Memoirs, &c.*—The descriptive memoir for the tract is being prepared and the usual number of copies will be sent to the Collector immediately on its publication which will take place directly the orders of Government on this report are received. The chittah will also be forwarded.

27. *Village Establishment*.—Opportunity might well now be taken to establish a small but efficient village staff. On this subject I shall submit separate proposals after I have discussed the matter with the Collector.

APPENDIX B.

Survey number.	Name of estate.	PARTICULARS AS PER REVENUE ACCOUNT FOR EARLY 1298.				PARTICULARS AS PER SETTLEMENT.				DIFFERENCE.			
		Areas.		Assessment.	Total.	Areas.		Assessment.	Total.	Areas.		Assessment.	
		Cultivated.	Uncultivated.			Cultivated.	Uncultivated.			Cultivated.	Uncultivated.		
													Cultivated.
1 and 57-A	Naduvalam ..	ACS. C. ..	ACS. C. ..	RS. A. P. ..	ACS. C. 266 29	ACS. C. ..	RS. A. P. 532 9 4	ACS. C. 266 29	ACS. C. ..	RS. A. P. 532 9 4			
2 Walwood ..	63 46	58 57	122 03	127 0 0	92 34	29 69	122 03	185 9 9	28 88	58 9 9			
3 Balmedias ..	235 48	64 74	300 22	471 0 0	955 72	44 50	300 22	702 13 3	20 24	41 13 3			
4 Sufikk ..	318 50	79 57	398 17	537 0 0	350 70	47 47	398 17	702 14 2	32 20	65 14 2			
5, 6, 7, and 57-B	Goddurmalai ..	63 59	..	68 59	137 3 0	191 25	191 25	382 8 0	122 66	245 5 0			
8 Lauriston ..	373 22	58 80	432 02	746 7 0	390 97	41 05	432 02	783 3 6	17 75	36 12 6			
9 Guyard ..	713 28	120 24	833 52	1,426 9 0	817 90	16 06	833 96	1,636 4 10	104 18	209 11 10			
10 Tulloes ..	175 39	..	175 39	350 12 6	258 11	..	258 11	616 3 6	82 72	165 7 0			
11 and 12 Kelly ..	265 56	28 77	294 33	551 1 11	351 44	3 35	354 79	702 15 9	25 42	171 13 10			
13 Hope. ..	252 71	4 86	257 57	505 6 8	298 0	..	298 0	595 0 0	4 86	90 9 4			
13-A and New Hope ..	..	..	..	..	501 0	..	501 0	1,002 0 0	..	1,002 0 0			
14 Barwood ..	211 19	112 57	323 75	422 6 1	307 29	22 83	330 12	615 4 8	95 10	192 14 7			
15 South Helen ..	308 51	41 59	350 10	807 1 7	428 46	39 64	468 10	1,054 7 5	118 0	247 6 10			
16 North Helen ..	85 04	17 12	112 16	416 12 2	97 93	14 23	112 16	515 9 9	2 89	98 13 7			
17, 18 Sandy Hills ..	208 38	17 58	226 06	416 12 2	267 50	19 44	276 94	515 9 9	1 76	98 13 7			
19 and 20 Barham ..	112 0	1 80	113 80	224 0 0	219 74	9 07	228 81	439 12 2	107 74	215 12 2			
21 ..	40 0	49 23	89 23	80 0 0	223 21	54 42	277 63	448 2 0	183 21	368 2 0			
22, 23, 24 and 27 Aratapara ..	62 0	48 78	100 78	104 0 0	48 67	52 11	100 78	98 15 6	3 33	6 0 6			
26 Aratapara ..	1 50	1 57	3 17	3 0 0	2 0	15 17	17 17	4 7 7	14 0	1 7 7			
30, 31 and 36 Kathleen ..	103 24	322 67	425 91	206 7 8	89 83	510 17	600 0	195 9 8	187 50	10 14 0			
39, 41 and 43 Pillamalai ..	76 0	64 03	140 08	152 0 0	91 22	109 09	200 31	185 13 7	15 22	33 13 7			
40 Curoo ..	81 65	105 78	187 43	163 4 10	93 49	93 94	187 43	189 14 8	11 84	28 9 10			
42 Cheriya Shola ..	31 16	115 68	146 84	62 5 1	44 92	101 92	146 84	93 0 4	13 76	30 11 3			
43 Periya Shola ..	60 0	127 53	187 53	120 0 0	46 47	141 46	187 53	97 5 9	13 63	22 10 3			
44 and 45 Monti Rose ..	236 31	99 67	335 98	472 9 11	813 24	81 29	394 53	629 0 4	76 93	156 6 5			
46 Charleston ..	37 78	172 42	210 20	75 9 0	17 01	205 20	222 21	40 6 11	20 77	35 2 1			
47 Lower ..	..	..	..	..	..	19 0	19 0	0 9 6	..	0 9 6			

[illegible]

APPENDIX D.

Number of patta.	Name of pattadar.	Survey numbers included in each patta.	Local agent, if any.
1	H. Wapshare, Esq., on behalf of the Ouchterlony Trust.	15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 1, 57-A, 5, 6, 7, 57-B, 10, 11, 12, 13-A, 57-C, 44, 45, and 57	G. L. Younge, Esq.
2	C. Barton Wright, Esq., on behalf of Messrs. W. Barton Wright and William Cotton Rhoda.	2 and 3	C. Barton Wright, Esq.
3	The Manager of the Agra Bank Company (Limited) on behalf of Mr. Hamlin.	24	H. E. Sinclair, Esq.
4	Mr. D'Silva	26	
5	Messrs. W. Morgan, W. Grant and E. Hamlin.	30, 31 and 36	Messrs. Barclay and Morgan
6	Mr. Abboo Mahomed	40	Mr. M. S. Lewis Pillai.
7	The Nilgiri Tea, Coffee and Cinchona Company (Limited).	39, 41 and 48	William Standen, Esq.
8	J. W. Minchin, Esq.	42 and 43	
9	Messrs. William Morgan and William Grant	46	Messrs. Barclay and Morgan
10	R. Woolley, Esq.	28, 29, 32, 33, 34, 35, 37 and 38	P. W. Woolley, Esq.
11	H. G. Sinclair, Esq.	54	
12	Captain A. Griffin	55	
13	Thomas Murray, Esq., Agent of the late Mr. Vans-Agnew's Trust.	56	Thomas Murray, Esq.
14	H. Wapshare, Esq., on behalf of Ouchterlony Trust, Mrs. Nossie, Mrs. Foncean and Mrs. Cotter.	4	G. L. Younge, Esq.
15	H. Wapshare, Esq., on behalf of the Ouchterlony Trust, A. C. Campbell, Esq., Executors of late Mrs. DeMort and Trustees of late Colonel Ouchterlony.	8	G. L. Younge, Esq.
16	H. Wapshare, Esq., on behalf of Ouchterlony Trust and A. C. Campbell, Esq.	9	G. L. Younge, Esq.
17	H. Wapshare, Esq., on behalf of the Ouchterlony Trust and Trustees of late T. Ouchterlony, Esq.	13	G. L. Younge, Esq.
18	H. Wapshare, Esq., on behalf of the Ouchterlony and Messrs. R. O. Campbell and J. O. Boggsor.	14	G. L. Younge, Esq.

RESOLUTION—dated 14th December 1889, No. 562.

The foregoing report, which relates to the settlement of the Ouchterlony Valley, will be submitted for the orders of Government.

2. The settlement has been conducted on the same principles as those adopted for the settlement of the South-East Wynaad, a tax on *occupation* having been substituted for one on *cultivation* (*vide* G.O., dated 21st July 1888, No. 502). The valley consists of 33 estates, each of which has been separately assessed as ordered in G.O., dated 28th September 1888, No. 5773, with a consolidated assessment made up of Rs. 2 per acre on lands cultivated at the time of settlement and of 6 pies per acre on uncultivated areas included in the estates.

3. In paragraph 21 of his report Mr. Stuart reviews the financial results of the new settlement. In instituting a comparison between the settlement assessment and the revenue assessment of fasli 1298, he has, as stated by the Collector, mistakenly adopted the revenue figures of fasli 1297 in lieu of those of fasli 1298. The difference, however, between the figures of the two years is trifling. Taking the figures for the latter year furnished by the Collector, the area found to be actually cultivated at date of settlement will be seen to be in excess of that shown in the revenue accounts by 2,193 acres or 43 per cent. In the uncultivated area there is also an increase of acres 15,186-31 or 506 per cent. over that shown in the revenue accounts. The latter, however, were admittedly very imperfect. The settlement assessment on the total extent, both cultivated and waste, amounts to Rs. 15,235-14-9 against the revenue assessment of Rs. 10,272-7-9, showing an increase of Rs. 4,963-7-0 or 48 per cent.

4. The large increase in the assessment is almost entirely due to the increase in the cultivated area discovered by the survey.

5. The Board agrees with the Collector and Mr. Stuart in recommending that the new settlement should be introduced with effect from the current fasli 1299 (1889-90) and in considering it unnecessary to levy the increase by instalments.

6. Paragraphs 6 and 7 of the Collector's letter will be referred to Mr. Stuart and the Superintendent of Revenue Survey for remarks.

(True Copies and Extract.)

Secretary.

To the Secretary to Government, Revenue Department,

with enclosures (2). *Appendix & a map.*
 „ Special Assistant Collector, No. VI Party.
 „ Superintendent of Revenue Survey.
 Copy to the Collector of Nilgiris.
 „ „ Commissioners of Land Revenue.

Exd. A. Aubert.

4890-5-1
 10 345-5-8-14-5
 15235-14-5
 10272-7-9
 4893-7-0

1889.

(Revenue Settlement, Land Records
and Agriculture),
MADRAS.

No 9957.

Proceedings, 14th Dec. 1889, No. 562.

Nov 21st Sat. Clear.

21/12

Submitting, with Board's remarks, for orders of Government, Mr. Stuart's report on the conclusion of the settlement of the Ouchterlony Valley.

NOTICE.

പരസ്യം

5. Dry lands will be assessed on a scale of four rates ranging from a minimum of Annas 8 per acre (per increments of 8 Annas) to a maximum of Rupees 2 per acre. The highest class (Rupees 2 per acre) will include forest lands and coffee, cinchona, &c., cultivation. The second class (Rupees 1-8 per acre) will include the better kind of scrub land. The third class (Rupee 1 per acre) will include inferior scrub and best grass land, and the fourth class (Annas 8 per acre) will include inferior grass land.

[illegible]

Submitted for the

6. Effect will be given at the Settlement to the decisions arrived at in the course of the Escheat Inquiry.

7. On all Government Janmam lands, whether wet or dry, Janmabhogam at the rate of Annas 8 per acre will be imposed in addition to assessment except in the case of lands acquired bona fide from fictitious Janmis whose place has been taken up by the State. Occupants of such lands will only be required to pay to Government in addition to assessment, the Janmabhogam if any, originally agreed upon between the fictitious Janmi and the land-holder.

8. On and after the introduction of the Settlement all lands, wet or dry (except as hereinafter provided), shall only be taken up or relinquished on the system of "Darkhast" and "Razinama" subject to a minimum which has been fixed at half an acre in wet and one acre in dry land.

9. Forest lands assessed at Rupees 2 per acre at the Settlement will not in future be granted on darkhast, but will only be sold under the Waste Land Rules.

10. The existing orders relating to exemption from assessment of tea, coffee, and cinchona for certain periods after planting will remain in force.

11. House sites will be allowed free to the extent of 25 cents, any excess being charged at the rate leviable on the land had it been occupied for cultivation.

12. Estates held under the Waste Land Rules will not be affected by the Settlement but will continue to pay existing dues on the full extent held.

എ. എസ്റ്റിററ അമ്പലക്കുളത്തിൽ ഉണ്ടായിട്ടുള്ള തിപ്പുകൾ എല്ലാം സെറ്റിൽമെന്റ സമയത്ത് ക്രമപ്രകാരം നടത്തപ്പെടുന്നതാകുന്നു.

ബി. നമ്മയെ പുത്തൂർ ആയ എല്ലാ സക്കാർ ജന്മ ഭൂമികളിലും നികുതിക്ക് പുറമെ ഏക ഒന്നിന്നു പൂണ വീതം ജന്മ ഭോഗം വസൂലാക്കപ്പെടുന്നതാകുന്നു. എന്നാൽ ജന്മികളാണെന്ന പറയപ്പെടുന്നവരും യഥാർത്ഥത്തിൽ ജന്മികൾ അല്ലാത്തവരും ഇപ്പോൾ അവരുടെ അവകാശം സക്കാരിൽ നിന്ന എടുക്കപ്പെട്ടിട്ടുള്ളവരും ആയവരിൽ നിന്ന ഉത്തമ വിധം സമാധി വാങ്ങിട്ടുള്ള ഭൂമികൾ ഇതിൽ നിന്ന ഒഴിവാക്കപ്പെടുന്നതാകുന്നു. ആ വക ഭൂമി കയ്യടക്കാൻ സക്കാരിലേക്കു നികുതിക്ക് പുറമെ മുഖേനയെ ജന്മികൾ വ്യാപ്തിയായി പറയപ്പെട്ടവരും ഭൂമി കയ്യടക്കാൻ തന്നെ ആവൃത്തിൽ ചെയ്ത നിശ്ചയപ്രകാരം എന്തെങ്കിലും ജന്മ ഭോഗം കൊടുക്കുവാൻ നിശ്ചയിച്ചിട്ടുള്ളതിൽ അത മാത്രം കൊടുക്കേണ്ടതാകുന്നു.

സി. സെറ്റിൽമെന്റ സമയത്ത് ആതിന്ന പിന്മുറ നമ്മ- പുത്തൂർ മുതലായ എല്ലാ ഭൂമികളും (താഴെ വിവരിക്കുന്ന പ്രകാരം അല്ലാതെ) കോസ്റ്റു റൂൾ പ്രകാരം മാത്രം എടുക്കപ്പെടുന്നതും രാജിനാമ പ്രകാരം മാത്രം ഉപേക്ഷിക്കപ്പെടുന്നതും ആകുന്നു. എന്നാൽ ഇങ്ങിനെ ചെയ്യുന്നതിൽ നമ്മ ഭൂമികളെ സംബന്ധിച്ചുണ്ടാത്തതും അത ഏകയിലും പുത്തൂർ ഭൂമികളെ സംബന്ധിച്ചുണ്ടാത്തതും ഒരു ഏകയിലും കറുവാൻ പാടുള്ളതല്ലെന്ന നിജപ്പെടുത്തിയിരിക്കുന്നു.

ഡി. സെറ്റിൽമെന്റ സമയത്ത് ഏക ഒന്നിന്നു പൂണ വീതം നികുതി ചുമത്തപ്പെടുന്ന കാട്ട ഭൂമികളെ ഇനി മെൽ കോസ്റ്റു റൂൾ പ്രകാരം കൊടുക്കപ്പെടുന്നതല്ല. എന്നാൽ അവ തരിശു റൂൾ പ്രകാരം വിൽക്കപ്പെടുന്നതാകുന്നു.

ഇ. ചായ- കാപ്പി- കൊയനാവ ചെടികൾ നടക്കുറ കാലത്തേക്കു അവയെ നികുതി കെട്ടുന്നതിൽ ഒഴിവാക്കുന്നതിനെപ്പറ്റിയുള്ള ഇപ്പോഴത്തെ റൂളുകൾ പ്രബലപ്പെട്ടിരിക്കുന്നതാകുന്നു.

എഫ്. വീടുകൾ നിൽക്കുന്ന പറമ്പുകളിൽ വീടിന്നു ചുറ്റും ൨൫ സെൻറ് ഭൂമിയിന്മേൽ യാതൊരു നികുതിയും ചുമത്തപ്പെടുന്നതല്ല. അതിൽ അധികമുള്ള സ്ഥലത്തിന്മേൽ ആയു ഒരുത്തൻ കൃഷിക്കായി കയ്യടക്കം ചെയ്യുന്നതാൽ ഏത വീതപ്രകാരം നികുതി ചുമത്തപ്പെട്ടാലും ആ വീതം അതിന്മേൽ വസൂൽ ചെയ്യുന്നതാകുന്നു.

ജി. തരിശു ഭൂമി റൂൾ പ്രകാരം കൈവശം വെച്ചിട്ടുള്ള എസ്റ്റേറ്റുകൾക്കു (തൊട്ടങ്ങൾക്കു) ഈ സെറ്റിൽമെന്റ സംബന്ധിക്കുന്നതല്ല. എന്നാൽ കൈവശം വെച്ചിട്ടുള്ള മുഴുവൻ സ്ഥലത്തിന്മേലും ഇപ്പോൾ കൊടുത്തുവരുന്ന നികുതി കൊടുക്കേണ്ടതാകുന്നു.

U2 33

Existing Estates held under private Janmis or under Government who have taken the place of fictitious Janmis in escheat lands, bona fide acquired, will be assessed as follows :-

On the cultivation at the time of Settlement the existing rate of Rupees 2 per acre will be charged, which, with the addition of six pies per acre on the remaining uncultivated portion of estate will constitute the whole assessment of the estate for the period of the Settlement, viz., thirty years. It must, however, be distinctly understood that the Government reserve to themselves the right of enhancing the assessment on any of the land assessed at six pies the acre which may subsequently revert to the State by relinquishment or otherwise.

14. Estates held on Government putta will be charged the proper rate per acre on the whole area occupied according to the class or classes of land comprized in the holding, whether cultivated or not, in addition to the present Janmabhogam of Annas 8 per acre, as in the case of all other Government lands, wet or dry, held on putta.

15. Temporary or "Ponam" cultivation as also "Takal" or "Kumari" cultivation will not be allowed in forest lands of the first class, but only in inferior classes of dry land. This kind of cultivation will be treated in the following manner :-

(a). In Government lands a block of land five times the extent of the cultivation at the time of Settlement will be marked off and entered in the cultivator's name. The whole block will be assessed at one rate lower than would otherwise be the case and entered in the puttas; but at the annual Jamabundi the assessment and Janmabhogam

എഫ്. സ്വകാര്യ ജന്മികളുടെ കീഴായോ, അല്ലാത്ത ഏസ്റ്റിററ ഭൂമികളെ സംബന്ധിച്ചുണ്ടാത്തതും സത്യത്തിൽ ജന്മികൾ അല്ലാത്തവരും ജന്മികൾ എന്ന പറയപ്പെട്ടവരും ആയവരുടെ അവകാശം ഇപ്പോൾ സക്കാരിൽ നിന്ന എടുക്കപ്പെട്ടിട്ടുള്ളതിനാൽ ഇപ്പോൾ സക്കാരിന്ന കീഴായോ (ഉത്തമ വിധം സമാധി വാങ്ങിട്ടുള്ള) കൈവശം വെച്ചുവരുന്ന ഇപ്പോൾ ഉള്ള തൊട്ടങ്ങൾക്കു (എസ്റ്റേറ്റുകൾക്കു) താഴെ പറയുംപ്രകാരം നികുതി ചുമത്തപ്പെടുന്നതാകുന്നു.

സെറ്റിൽമെന്റ സമയത്ത് എത്ര സ്ഥലം കൃഷി ചെയ്തിട്ടുണ്ടോ ആ സ്ഥലത്തിന്നു ഇപ്പോൾ ഉള്ള വീത പ്രകാരം ഏക ഒന്നിന്നു പൂണ വീതം നികുതിയും ബാക്കി കൃഷി ചെയ്യാതെ തരിശായി കിടക്കുന്ന സ്ഥലത്തിന്നു ഏക ഒന്നിന്നു പൂണ വീതം ചുമത്തപ്പെടുന്നതാകുന്നു. എന്നാൽ വല്ലവരും വേണ്ട എന്നുവെച്ച ഉപേക്ഷിക്കുന്നതിനാലോ മറ്റോ വല്ല വിധത്തിലോ സക്കാരിലേക്കു തന്നെ മടങ്ങി കിട്ടുന്നതായ മേല്പറഞ്ഞ ആറ പൈ വീതം നികുതി ചുമത്തപ്പെടുന്ന യാതൊരു ഭൂമിയിന്മേൽ എങ്കിലും നികുതി അധികമാക്കുവാൻ ഉള്ള അധികാരം ഗവണ്മെന്റിൽ നിന്ന അവകാശപ്പെടുന്നതിന്മേൽ വെച്ചിരിക്കുന്നു എന്നു എല്ലാവരും ധ്വനിയായി അറിയേണ്ടതാകുന്നു.

എം. സക്കാർ പട്ടയപ്രകാരം കയ്യടക്കം ചെയ്തവരുന്ന എല്ലാ എസ്റ്റേറ്റുകളുടെ കയ്യടക്കൽ- അവരുടെ എല്ലാ എസ്റ്റേറ്റുകളിൽ ആവട്ടെ, ഇല്ലതിൽ ആവട്ടെ അവകളിൽ ഏത തരമൊ തരങ്ങളൊ ആയിട്ടുള്ള ഭൂമികൾ ഉൾപ്പെട്ടിട്ടുണ്ടോ അതപ്രകാരം കയ്യടക്കം ചെയ്തവരുന്ന മുഴുവൻ വിസ്തൃതിയ്ക്കുവേണ്ടി ഏക ഒന്നിന്നു ശരിയായിട്ടുള്ള വീതം നികുതി ചുമത്തപ്പെടുത്തുന്നതാകുന്നു. ഇതിന്നു പുറമെ, പട്ടയത്തിന്മേൽ നടന്നുവരുന്ന (നമ്മ- പുത്തൂർ) മറ്റോ എല്ലാ സക്കാർ ഭൂമികളെപ്പോലെ തന്നെ ഇവകളിലേലും ഏക പൂണ എട്ടെന്ന വീതം ജന്മഭോഗവും കൂടി വസൂലാക്കപ്പെടുന്നതാകുന്നു.

എഫ്. തന്നെ തരത്തിലുള്ള പുത്തൂർ ഭൂമികളിൽ അല്ലാതെ ഒന്നും തരത്തിലുള്ള കാട ഭൂമികളിൽ അല്ലാതെ ഒന്നും ഉത്തമ വിധം സമാധി വാങ്ങിട്ടുള്ളതല്ല. ഈ വിധമുള്ള കൃഷിയെ താഴെ പറയുംപ്രകാരം തീർച്ചപ്പെടുത്തുന്നതാകുന്നു.

ജി. സക്കാർ ഭൂമികളുടെ കയ്യടക്കൽ സെറ്റിൽമെന്റ സമയത്ത് കൃഷിയുള്ള വിസ്തൃതിയ്ക്കു തുല്യമായി അഞ്ചു ഹെക്ടറി സ്ഥലം വേർതിരിച്ചു കടിയാക്കുൻ പേരിൽ ചേർക്കപ്പെടും. ഈ ഖണ്ഡത്തിന്മേൽ യഥാർത്ഥമായി ഏത തരപ്രകാരം നികുതി എടുത്തേണമോ അതിൽ ഒരു തരം താഴ്ന്ന മുഴുവൻ സ്ഥലത്തിന്മേൽ നികുതി ചുമത്തി പട്ടയത്തിൽ ചേർക്കുന്നതാകുന്നു. എന്നാൽ കൊല്ലത്തോളം ജമാവന്ദിസ

Submitted for the

gain on the portions uncultivated during the year will be remitted. No transfer of lands held on these terms will be recognized

(b). In private lands the proper rate will be charged on the extent cultivated.

16. The Settlement will remain in force for the usual period of thirty years (from date of introduction) at the expiry of which time Government reserve the right of making any modifications as may then be deemed necessary or expedient.

മയത്തു അതാത കൊല്ലത്തിൽ കൃഷിയെത്തുടങ്ങി ഉള്ള ഭാഗങ്ങളിന്മേൽ ഉള്ള നികുതിയും ജന്മദാസ്യവും റദ്ദാക്കി വീട്ടുകൊടുക്കുന്നതാകുന്നു. ഈ നിശ്ചയങ്ങളിന്മേൽ കൈവശം വെച്ചുവരുന്ന ഭൂമികളെ കൈമാറാത്തതായാൽ അത പ്രബലപ്പെട്ടിരിക്കുന്നതല്ല.

(ബി) (പ്രൈവേറ്റ്) ജനിക്കളുടെ ഭൂമികളിൽ എത്ര സ്വലത കൃഷി ഉണ്ടാക്കിയിട്ടുണ്ടോ അതിന്മേൽ മുഴുവനും ശരിയായ വിതപ്രകാരം നികുതി ചുമത്തപ്പെടുന്നതാകുന്നു.

എ. ഈ സെറ്റിൽമെന്റ സാധാരണപോലെ എപ്പോഴെന്നു നോക്കൽ 30 കൊല്ലത്തേക്കു പ്രബലപ്പെട്ടിരിക്കുന്നതാകുന്നു. എന്നാൽ ആ കാലത്തിനേറ്റ അവസാനത്തിൽ, അപ്പോൾ ആവശ്യമാണെന്നൊ യുക്തമാണെന്നൊ കാരണ എപ്പോഴോടൊക്കെയും എപ്പോഴെന്നായി ഉള്ള അധികാരം ഗവണ്മെന്റിൽ നിന്ന അവരിൽ മറ്റൊ നിർത്തി ചെയ്തിരിക്കുന്നു.

A. E. CASTLESTUART STUART,
Special Assistant Collector, Nilgiris & Malabar,
for Settlement purposes.

Ootacamund, 29th September 1886.

Rev. 9957/89



Proceedings of the Board of Revenue
(Revenue Settlement, Land Records and Agriculture).

Dated 22nd January - 1890.

No. 295 Misc

Mr. Clouston

READ the following letter from the Collector of Nilgiris dated 18th January 1890 No. 24:-

With reference to Board's Proceedings dated 14th December 1889 No. 562 submitting for the orders of Government Mr. Stuart's report on the settlement of the Ouchterlong valley, I have the honor to state that I intend holding the Jannabandi of Wynad including Ouchterlong valley, early next month before the fowrish season commences and therefore request that the Board may be pleased to move Government to pass early orders on the Proceedings quoted above.

Resolution
Submitted for the

the early orders of Government.

(True copy and Ex. Acct)

To
The Secretary to Government & Councils
Copy to the Collector of Kilgish
E. May

Revenue Department

1890.

Board of Revenue

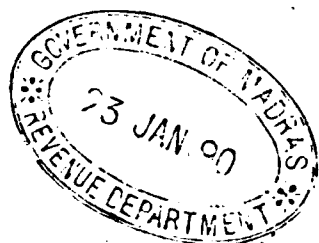
(Revenue Settlement, Land Records
and Agriculture),

MADRAS.

To

The Secretary to Govt.

Rev. Deptt



No. of Enclosures.

Proceedings, dated 22nd January 1890,
No. 295

Rev. 23 Jan 90
Subject.

Submitting for early orders
letter from the collector of
Koppi regarding early orders
on P.S. 62, submitting his
report on the conclusion
of the settlement of the
Ochterlony valley.

Please see note for orders
on Cus. 9957/89.

Rm

25-1.

REVENUE DEPARTMENT.

Current Nos 9957/89 and 591/90.

From the Board of Revenue - (R.S. - L.R. and Agric.)

Dated

188 .

FOR ORDERS.

* on the basis of which the present
settlement has been conducted,
under G.O. 582. d.f. 21.7.88.

The Board submit to H.S. Mr.
Castleton-Stewart's report on
the settlement of the Ochterlony
Valley for the orders of Govt.

In accordance with the
notification issued for the
revised settlement, clause 13,
the assessment has been
calculated at Rs. per acre
on all cultivated land + 6 pias
on land occupied but not
cultivated. The revised
survey has increased the
total area of the Valley by
17,347.35 acres, of which
2,181.04 acres are under
cultivation, and the corresponding
increase in assessment
is Rs. 4890-5-1 or 47 per cent
on the figures for fasli 1287,
and Rs. 4963-7-0 or 48 per cent
on the 1298 figures. This increase
in assessment, is entirely due
to

No.

From

Dated

18

FOR ORDERS.

the S.S. Wynand, so far as
 estates were concerned,
 and as Mr. Stuart reports
 that "the several estate
 holders are perfectly prepared
 and willing to pay the settlement
 assessment forthwith" the
 new rates may, if submitted,
 be introduced for the current
 fiscal year. In Cuo. 591. Mr. Carter
 asks for early orders on the
 settlement as he intends
 to hold the jamboree of the
 Valley early in February, before
 the new season begins -
 It is submitted that in the
 event of Mr. Stuart's proposals
 being approved, Mr. Carter
 may be informed of the fact
 direct.

Report on the matters
 referred to in para. 6. of the
 Current is awaited.

Rear

25.1.90.

FOR ORDERS.

"to exact revised survey, and
 to every inch of the valley xx being
 brought to book". The increase
 in assessment is the natural
 result of ^{the} large extent of new
 cultivation discovered and of
 the new charge of 6 pias per acre
 on the uncultivated portion -
 The average rate of assessment
 is 9 as 7 pias, which (as stated
 by Mr. Stuart) is most moderate,
 but the figure does not in
 reality represent the average
 rate, as generally accepted:
 two parts of
 the Valley are merely rocky
 hill sides and ^{only} one third (or
 rather less) is cultivable; the
 whole area is however included
 in one estate or another,
 and coffee lands, forest &
 precipice have all been
 "brought to book" -

The Board, the Collector,
 or Mr. Stuart all recommend
 that the new settlement
 should be introduced at
 once, in full, and not by
 progressive increments.

This plan was adopted in

the S.S. Wynand

I note Mr. Stuart's estimate after local
 enquiry that the extent of cultivable
 waste is not more than 2000 acres (\$23).
 In my note in C.O. 26 July 88 W.S. 502
 I estimated it as 2366 acres.

W.S. 502
 27 July.

I think the settlement
 is ~~not~~ proposed by Mr. Stuart
 for the current fiscal year
 without any incremental increase.

W.S. 502
 26/1/90

W.S. 502
 27/1/90

I think there must be
 no hesitation to accept
 Mr. Stuart's proposals &
 introduce the settlement
 at once without allowing
 increments. 25.1.90

the S.S. Wynand

Cnos 9957/89. and
FOR ORDERS. 591/90.

Settlement of the
Oueliter Long Valley.

The Hon. Mr. Garstin C.S.
The Hon. Mr. Stokes C.S.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read Cnos. 9957/89. and 591/90.

From orders.

General Revenue

Order of the S. in C. accepted
H. S. the S. in C. accepted
Mr. Stuart's proposals for the
Settlement of the Oueliter Long
Valley, which are ^{submitted} forwarded
by the Board in its proceedings
nos. 582. of 12. 12. 89.
and also, and, as recommended,
directs that the new rates
be introduced in full with
effect from the current fiscal,
1299 (1889-90).

2. The reports called
for in par. 6 of the said proceeding
should when received be
submitted to the Gov^t for
information.

Note a d.o. has been
sent to Mr. MacCartney
informing him of this
order.

To
25 The Commr. of R.S. & R.A.
8. Supdt. Rev. Survey.
5. Finl. Dept.
15 Copy to the Commr. of R.S. & R.A.

Cd. Rm
27/Jan 27. 1. 90.

From orders.

Settlement of the
Ouellet's long valley.

Draft P.O.

Print
Mrs. E. B. (P. 1. 2. 3.)
27 Jan