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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. <u>5255</u>	Press- Mis. <u>L</u>
Dated <u>5-12-</u> 18 <u>92</u> .	

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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 13th October 1893, No. 590 :—

Read—the following letter from HERBERT BRADLEY, Esq., Acting Collector of Malabar, to the Secretary to the Commissioners of Land Revenue, dated Areacode, 6th August 1893, No. 392-P-Index :—

I have the honour to forward herewith copy of a letter, dated 19th June 1893, Ref. on C. No. 536-C. Rev. of 1892, reporting on the settlement of the boundary disputes between the Ponnani taluk in British territory and the Cochin State, and to recommend that Government may be moved to confirm the decisions of the Commissioners with the exceptions referred to below.

2. Mr. Rajagopala Chari was appointed British Commissioner in Government Order, dated 5th December 1892, Mis. No. 5255, communicated with the Board's Proceedings, dated 12th December 1892, Mis. No. 8133.

3. Forty-nine disputes extending over 65 miles of boundary have been registered and decided. The Head Assistant Collector states that the instructions laid down in paragraph 3 of Mr. Galton's letter to the Board, dated 7th November 1883, printed in the Board's Proceedings, dated 16th January 1884, No. 121, have been followed.

4. With reference to paragraph 8 of the Head Assistant Collector's report, I do not think that the Commissioners' decision necessarily requires the refund of the jenmam value of escheat lands collected by us. The change in the sovereign rights, which till now vested in the British Government, does not affect the proprietary or jenmam rights which have been duly acquired and granted. But if in any cases the jenmam value has been collected in the case of lands which have been found to be the jenmam property of claimants in Cochin State other than the British claimant, it may be advisable as a matter of grace to make refunds. Each case must be decided separately on its merits.

5. It will be observed that in several cases in the first 17 disputes the boundary line has been run through the middle of the Chetwai-Cochin backwater, in some cases crossing islands. It is a question whether it would not be a better arrangement by a little giving and taking to run the line either east or west of each island, so that no single island shall contain the territory of both Governments. This would only affect the decisions in claims Nos. I, III, IX, XI and XII, of which Nos. I and XII might be given to the British and Nos. III, IX and XI to the Cochin Government.

6. I visited the Enamakel dam in February and quite agree with all that has been said by the Head Assistant Collector on the subject of permanently demarcating the boundary line where it crosses the lake.

7. With regard to claim No. 43, I find the description of the new boundary very difficult to follow. There is also at least one mistake in the line adopted by the Commissioners as marked on the map. That is where it crosses the paddy land named Kunnamkolam the whole of which has clearly been decided to be British. I cannot also see the object of ceding a portion of the cultivation in Kottachira amsam to Cochin. It has apparently been paying assessment to the British Government and the boundary appears neither natural nor in accordance with the established possession.

8. A sum of Rs. 40-1-6 has been expended by the Head Assistant Collector in clearing and demarcating the line. I request that this amount may be sanctioned.

9. The enclosures to the Head Assistant Collector's report are also submitted as per enclosed list.

ENCLOSURE No. 1.

From P. RAJAGOPALA CHARI, Esq., Acting Head Assistant Collector, to the Acting Collector of Malabar, dated Palghat, 19th June 1893, Ref. on C. No. 536 C.

Adverting to Government Order, Mis., No. 5255, dated 5th December 1892, appointing me as British Commissioner for the settlement of the boundary disputes between the Ponnani taluk in British territory and the Cochin State, I have the honour to report that the work was commenced by me in company with Mr. Kohlhoff, the Cochin Commissioner, in the first week of April, and completed about the 7th of this month. We began at the southern end of the taluk as we were anxious to finish the work on that side before the monsoon set in. We have registered and decided 49 disputes in all, extending over a length of about 65 miles. Every one of the places in dispute was inspected by us, and we were able to agree in our conclusions on all of them. I submit the register of the decisions passed by us (enclosure 1), for your consideration, and favour of recommending them for the approval of the Board and Government. The register of the decisions gives information as to the nature of the claims advanced on either side, and each decision states the grounds on which it was arrived at.

2. The Survey Department had prepared eye-sketches of the whole length of the boundary, and these have been consecutively numbered and signed by me, and in the case of all disputes by the Cochin Commissioner as well. In a few places we found the sketches inaccurate and had fresh ones prepared under our personal supervision. Enclosure 2 is the list of the boundary sketches and a reference to it will show on what sketch is found each dispute.

3. I do not propose to deal with the decisions themselves, as I do not consider it necessary to add anything to what is in them; but a few remarks on the materials we had before us, and the general principles which guided us, may not be out of place.

4. I may say generally that we followed the instructions laid down in paragraph 3 of Mr. Galton's letter to the Board, dated 7th November 1883, No. 4529, printed in Board's Proceedings, No. 121, dated 16th January 1884. The Cochin Commissioner brought with him an authenticated copy of Ward and Connor's Memoirs, and, wherever possible, we adopted the line demarcated by them. Most of the disputes were, however, of too small a nature to be solved in this way, and even in the larger ones, it was not found possible to adopt Ward and Connor's line in its integrity. Disputes Nos. 1 to 17 (excepting No. 4) relate to islands in the canal which runs from Chetwai to Cochin, and as Ward and Connor state that this canal is the boundary between Cochin and British territory, we adopted it as such, and as the stream is throughout tidal and navigable, we applied the rule that a line running along the middle of the canal is the true boundary, and the islands falling on either side should go to the Circar owning the adjoining mainland. Dispute No. 4 relates to a piece of land on the Cochin side of the canal in which it was found that the British claim was wholly untenable, and it was decided accordingly. In some places where the canal was very broad, and comprised a number of streams running parallel, we had to examine the depth and take the deep water canal as the boundary—*vide* decisions in Nos. 5 to 8. Where the boundary turned from the main canal along a branch canal in the direction of the Enamakel lake, a question arose as to what is the branch canal referred to by Ward and Connor, and we had to test the angles and distances given in the memoirs in deciding the question—*vide* disputes Nos. 13 to 16. In deciding the large dispute in the Enamakel lake (No. 18) we were not able to adopt Ward and Connor's line fully, but had to qualify it by reference to possession and enjoyment, which, though it may have originated after Ward and Connor had run their line, was, nevertheless, of sufficient duration to deserve consideration, and a similar course was pursued in deciding the Kadungode hill dispute (No. 43) where we were not able to find a line fulfilling all the conditions laid down by Ward and Connor, and had to content ourselves with adopting the general direction given by them, and take what we considered a fair line with reference to actual possession and enjoyment, &c. In two other places Ward and Connor's line was of help, viz., in dispute No. 19, where it was in accordance with the actual possession and enjoyment, and in dispute No. 46, where the boundary was run up the Pindali hill in accordance with it.

5. Next to Ward and Connor's Memoirs we were considerably helped by two old documents that I received from your office, viz., exhibits A and B. The former is an old account, and the latter an old plan evidently prepared with great care. They are both in Malayalam and bear no date or signature, but from intrinsic evidence we have been able to arrive at their age approximately as follows:—They both place the Enamakel embankment at a place which we learnt that it occupied before it was constructed at the present locality, and as the present Enamakel dam has been in existence for now about 50 years, we arrived at the conclusion that exhibits A and B must have been prepared before that date. Exhibit B especially was of

great use to us. It mentions the names of many of the lands, &c., on the boundary line, and it is very doubtful, if without it, we could have arrived at a satisfactory conclusion in dispute No. 43 (Kadungode hill).

6. In addition to the above we had before us old files of correspondence sent to me from your office, and wherever they were relevant, they were filed as exhibits, and are referred to in our decisions. Further, we invariably referred to the Revenue accounts of the British and Cochin amsams in the case of each dispute. A complete list of the exhibits we have filed is enclosed (Enclosure 3).

7. By a reference to the sketches and our decisions, the boundary line can now be easily run on the ground, and in the Enamakel and Kadungode disputes (18 and 43) we have ourselves marked the stations. In the former (Enamakel dispute) it will be found that the boundary line runs across a large sheet of water, and we have posted pegs at all the bends. I strongly recommend that, if our line be accepted, permanent masonry pillars be erected at the places where the pegs now are, so that no disputes may hereafter arise. Cultivation is rapidly extending in this lake, and unless the demarcation is clearly seen on the ground, I can assure you that we shall have a periodical inquiry as to how the Boundary Commissioners' line runs. Mr. Kohlhoff is addressing his Government in the same sense, and I think that the expense of putting up the permanent pillars may be shared between the two Governments. In the Kadungode hill dispute (43) the demarcation has been completed, and exhibit S is the sketch of the same.

8. There are a few other recommendations which I beg to make, in the event of our decisions being approved. In some places we found that the British Government (in the Revenue Department) had collected the jenmam value of lands now declared by us to be Cochin Territory, and in regard to these I think that the jenmam value so collected should be refunded. Further, there should be a distinct understanding that tenants having possession of lands should not be disturbed. This is laid down in paragraph 4 of Mr. Galton's letter, and on the strength of it, we have assured the occupying tenants that they will not be disturbed, however we may decide the line. Thirdly, when the final orders of Government are received, I think that the demarcation should be done by a competent surveyor under the orders of the Cochin Commissioner and myself. This will prevent the possibility of such instances arising as we have had on the Palghat boundary, where it has recently been contended by the Cochin Circar in an important case that the boundary has not been demarcated in accordance with the decision. As we proceed with the work of demarcation, we shall arrange to obliterate such other marks as may have been put by either party not in accordance with our line.

9. In conclusion, I have great pleasure in informing you that, throughout the work now brought to a close, I received the most cordial co-operation and help from the Cochin Commissioner, Mr. Kohlhoff, whose proceedings were invariably characterized by great fairness. I beg that this may be brought to the notice of Government.

Register of decisions by the Commissioners appointed by the Madras and Cochin Governments to decide the boundary disputes between British Territory (Ponnani Taluk) and Cochin Territory.

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22ND FEBRUARY 1894, No. 150, REVENUE.

Consecutive number of dispute.	Name of amsam and desam in British territory to which the disputed land is claimed to belong.	Name of pravirthi and desam in Cochin territory to which the disputed land is claimed to belong.	Substance of claim advanced on the British side.	Substance of claim advanced on the Cochin side.	Decision of the Commissioners and grounds therefor.
1	Panangad amsam, Ala desam.	Kodungallur Pravirthi, Pullatu desam.	The British amsam officials admit that the land has not been registered in their amsam, nor assessment collected on it; but as it is in the middle of the stream, it is contended that it should form part of their amsam.	The land is in the possession of Kallamparumbil Kunjapi, who pays assessment for it to the Cochin sirkar, and has been doing so for several years.	The island in dispute is situated in the middle of the canal, which is the boundary according to Ward and Connor between British and Cochin territory at this place. Though it has been in the possession of a tenant of the Cochin sirkar, we do not think that this materially affects the question whether it should be viewed as British or Cochin territory. We think that the canal being a tidal and navigable one and being the admitted boundary between the two States, a line running in the middle of the canal is the true boundary, and such part of the island as would fall to the west of this line should be viewed as British territory and the portion falling to the east as Cochin territory. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.
2	Panangad amsam, Ala desam.	Mukundapuram Pravirthi, Karuvapadantha desam.	The land is in the possession of Pich-anthara Yasooif, but it is not registered in the British or Cochin amsam accounts.	...	The island being clearly on the British side of the boundary canal, we decide that it is British territory. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.
3	Pappinivattam amsam, Pappinivattam desam.	Arivipalam Pravirthi ..	The island is in the possession of Mutharakal Panikar under a jenmie by name Kunjipayri, who holds the patta, and pays assessment to British Government.	The Cochin officials do not claim possession, but say that the island being in the stream, the Cochin sirkar is entitled to it.	For the reasons given in our decision in dispute No. 1, we think that the true boundary line is the middle of the canal, and such portion of the island as falls to the east or west of it must be viewed as Cochin or British territory. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.
4	Pappinivattam amsam, Pappinivattam desam.	Arivipalam Pravirthi, Padiyur desam.	The land is claimed to form part of the patta of Kunjipayri, who has been paying assessment for it since fasli 1296.	The land is claimed to be the jenmar of Kudalmanikan devasam, and Kunjipayri is claimed as the tenant under that jenmi. The assessment is being paid to the sirkar.	The boundary line claimed by the British amsam officials is marked in red and that of the Cochin officials in yellow. It will be observed that the line, as claimed by the Cochin officials, is in accordance with the well understood rule that the canal is the boundary between the two States. The claim of the British officials appears to be a recent one, and is wholly groundless, and must be disallowed. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.

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5	Edathiruthi amsam, Edathiruthi desam.	Pringattukara Pravirthi, Kulpillikara desam.	The patta for the land is in the name of Kallungal Raman since fasli 1287; a cowrie appears to have been granted to him for the land which is now registered in the accounts partly as nanja (wet land), and partly as paramba (garden land).	The Cochin officials admit that they have no possession of the land which is not entered in their accounts.	We pass a single decision in cases Nos. 5 to 8. On carefully inspecting these four islands, we find that the deep water canal runs along the line marked by us in red ink on the plan. We find further, that at low water and in the hot months the island No. 5 is connected with the mainland on the British side, and similarly the island Nos. 6 to 8 with each other and with the mainland on the Cochin side. We think that the boundary should be taken as the canal along the line marked by us. The island No. 6 will therefore be British territory and Nos. 6, 7 and 8 Cochin territory. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.
6	Edathiruthi amsam, Edathiruthi desam.	Do. ..	The land is assessed only when cultivated, which it is not every year. It appears that the jenmam has been sold to one Naduvapetikal Aaseph about five years ago by the Escheat department.	The Cochin officials have not entered the land in their revenue accounts.	We think that a line run along the middle of the canal should be taken as the boundary, and the portions of the island which may fall east or west should be viewed as Cochin or British territory. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.
7 & 8	Pallipuram amsam, Kutamangulam desam.	Do. ..	The Escheat Deputy Collector appears to have sold the jenmam to the Blahail Nair about five years ago.	The Cochin officials have not entered the land in their revenue accounts.	We have measured the boundary canal at this place, and find that the island, which is in the course of formation, is clearly within the Cochin half of the canal; and we therefore decide that it is Cochin territory. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.
9	Pallipuram amsam, Payanoor desam.	Pringattukara Pravirthi, Thaniam desam.	The land is claimed to be in the possession of Blahail Nair (who pays assessment when he cultivates it, which he does not do every year). Paikattu Raman Nair (who pays assessment when he cultivates, which he does not do every year), and Kandan Nair, in whose name a portion is registered as permanent nanja or wet land.	The land has been in possession of Raman Nair, uncle of Kandan Nair till 1894 as nanja land, and the Cochin officials have collected assessment from him. Then the Blahail Nair is said to have trespassed, and the land has been in dispute ever since.	
10	Nattika amsam, Tri-payar desam.	Pringattukara Pravirthi, Padinhare muri desam.	The land has been granted on quit-rent last year by the Escheat Deputy Collector to Kunhi Kelavan.	The Cochin Revenue authorities have been attempting to grant the land on quit-rent.	
11	Nattika amsam, Nattika desam.	Pringattukara Pravirthi, Padayand desam.	The patta for this is in the name of Kunhi Kelavan, who pays assessment in British territory. It is registered as wet, and the jenmam appears to have been sold to this man about 10 years ago by the Malabar Collector.	The Cochin officials say that the matter being under dispute, they have not been collecting any assessment.	The island like the others is of recent formation, and we think that a line must be run along the middle of the stream, and the portions of the island on either side will go to the Cochin or British territory respectively. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.
12	Nattika amsam, Nattika desam.	Do. ..	The patta for this is in the name of Kunhi Kelavan, who pays assessment in British territory. It is registered as wet, and the jenmam appears to have been sold to this man about 10 years ago by the Malabar Collector.	The Cochin officials say that the matter being under dispute, they have not been collecting any assessment.	The island like the others is of recent formation, and we think that a line must be run along the middle of the stream, and the portions of the island on either side will go to the Cochin or British territory respectively. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ENAMAKAL, 14th April 1893.

Register of decisions by the Commissioners appointed by the Madras and Cochin Governments to decide the boundary disputes, &c.—cont.

Consecutive number of dispute.	Name of ansam and desam in British territory to which the disputed land is claimed to belong.	Name of pravirthi and desam in Cochin territory to which the disputed land is claimed to belong.	Substance of claim advanced on the British side.	Substance of claim advanced on the Cochin side.	Decision of the Commissioners and grounds therefor.
13	Venkitangam ansam, Irinbranallur desam.	Enamakal Pravirthi, Karamukku desam.	The island is called "Koil madu" and is registered as wet in the British ansam accounts, the registered area being about 26½ acres, and the assessment Rs. 30-3-4. The pattidars are Changathu Thachu Nair, Chetti Govindan, Konathur Savankutti, Karotaram Paranjy, Pallath Aydrumankutti, Pudai Veeil Seyd Ahamad and two others, and Pulikoti Chakkunni. The land has been British territory since the paimash, which took place long ago.	The island is called "Koil madu." It is admitted that it has not at any time been paying assessment to Cochin circle, but it is contended that it was in the Cochin paimash accounts, or olugu (more than 80 or 90 years' old), and a Cochin account of 60 years' old is produced, which, though it does not mention the name of the island, describes it in a way which identifies it as the island now in dispute.	We pass a single decision in disputes Nos. 13, 14, 15 and 16. The question involved in these, is whether the true boundary canal is the narrow stream between the disputed islands and the Cochin mainland, or the broader stream to the north of the islands. We have referred to Ward and Connor's memoirs, and find that the boundary line which they describe from the north is stated as follows:—"Skirting the northern border of the Enamakal district and taking a southern direction leaves along a narrow arm or channel of the Chewai estuary." The wording "narrow arm of the estuary" might at first appear to favour the British contention that the channel south of the islands is the boundary, but on referring to Ward and Connor's map, we find that the boundary line plotted by them exactly with the Cochin claim. We tested the angles and distances given in the memoirs and find that they agree with the line as plotted in the map. Further, we find on referring to a vernacular account of the boundary between Cochin and British territory (which, though it bears no date, appears to be an old document and has come from proper custody, viz, the Malabar Collector's office) marked Exhibit A, that the canal is described as the "branch canal or Enamakal thodu" which has turned from the main canal, the latter being obviously the canal running from Cranganore to Chetwai (Exhibit A-1). Thirdly, we have before us an old map (Exhibit B) sent to us from the Forest Record of the Collector's office, which had obviously been written before the present Enamakal dam was constructed (more than 50 years ago), and in this map the island comprised in dispute No. 13 (Koil madu thiruthu) is clearly shown as Cochin territory—viz, the line drawn to the north of the island. We therefore decide to adopt the line as claimed by Cochin. Nos. 13 to 16. We should also mention that though the British ryots have been in possession of island No. 13 for a long time, the Cochin village officials have always maintained their claim, though they never enforced it, and in the case of the islands 14 and 15, the possession of the British ryots is comparatively of recent date, and the island No. 16 is not in the British accounts at all. We therefore decide disputes Nos. 13, 14, 15 and 16 in accordance with the Cochin claim.
14	Venkitangam ansam, Irinbranallur desam.	Do.	Entered in the British ansam accounts by the name of "Madu dlam" as wet land (nilam), the patta being in the name of Cheruvathur Pallichern. Registered extent about 2½ acres and assessment Rs. 2-14-10. Land appears to have been Government jomman and given on quit-rent to the pattidar in fasli 1299, and before that jommanhogam was collected from him from fasli 1286. Before fasli 1286, the island was not shown in the revenue accounts.	The island is included in "Koil madu," and the same claim as that advanced in dispute No. 13 is advanced to this island.	
15	Venkitangam ansam, Irinbranallur desam.	Do.	Entered in the British ansam accounts as follows:—In the name of Mathu, son of Pavili, three parambas named "Nilam Thiruthu paramba," extent about 1½ acres, assessment Rs. 8, quit-rent Rs. 8; Puthanmadu padinbarumparamba, extent about 14 acres, assessment Rs. 14-3, and Tharaseu paramba, about ½ acre, quit-rent As. 4-2. In the name of Ayyappan, son of Kunjappan, and Kuttan, son of Velloo, as Puthanmadu kilakke nilam or wet land, extent about ½ acre and assessment As. 14-7 and quit-rent As. 3 and a Tharaseu paramba in the name of the above pattidar, extent about ½ acre, and quit-rent, pias 6, and a paramba in the name of same pattidar, extent about ½ acre, assessment Rs. 1-9-8 and quit-rent Rs. 2-8-3. The quit-rent in all the above cases was imposed by the Escheat Deputy Collector in fasli 1299. None of the above lands or parambas figure in the revenue accounts at all before fasli 1272.	Same claim as per Nos. 13 and 14.	(Signed) P. RAJAGOPALA CHARI, (") J. C. KOHLHOFF. 29th April 1893.

16	Venkitangam ansam, Irinbranallur desam.	Enamakal Pravirthi, Karamukku desam.	Admittedly not entered in the British ansam accounts.	Same claim as for Nos. 13, 14 and 15.	Do.
17	Venkitangam ansam, Irinbranallur desam.	Enamakal Pravirthi, Enamakal desam.	Not in the British accounts. On the other hand, the island is called "Manalur Vadakké padam," and is shown as such in the Cochin accounts, and one Kunmathulli Kunjiparan pays an assessment of As. 3-4 for a portion of the land to the Cochin circle.	The island is called "Manalur Vadakké padam," and is shown as such in the Cochin accounts, and one Kunmathulli Kunjiparan pays an assessment of As. 3-4 for a portion of the land to the Cochin circle.	This is clearly Cochin Territory, as shown by the fact that it is well within the Cochin side of the canal, and the British ansam accounts show that in fasli 1272 the Cochin right was recognized, and since then admitted. In this connection we must observe that the boundary line must touch the middle of the Enamakal embankment, and as the Cochin claim to take it to the north is inadmissible, we have marked the line as decided by us in purple at this place—viz, line a-b in the eye-sketch.
18 (a)	Venkitangam ansam, Irinbranallur desam.	Do.	Of the area contained in this, the western half is entered as waste in the nilam register of fasli 1272 and continued to be so entered ever since. It has never paid any assessment. The eastern half has been under temporary cultivation since fasli 1294, and been paying assessment under that head. The western half is contended to be jennam of Thindith Nair, and to form a portion of his land called Karupadath nilam. The eastern half is said to be partly the jennam of the Irinbranallur devasam and partly of Thindith Nair.	The western half is a portion of Vallakole land and belongs to Manalur devasam in Cochin territory. No assessment was, however, collected (the matter being under dispute) till last year when assessment was paid for cultivation of a portion of the land by Potanakot Kan-dunni and another. The eastern half is included in the land called Rajanatakole, and is Cochin circle jennam. Assessment was collected for the first time last fasli from Pallikunnath Devasi, Varid, Brahmakulath Kunjiparavu and Chervayathur Anthony.	The disputes numbered 18 (a) to 18 (f) are really one, and depend for their decision on the question what line the boundary should take through the Enamakal lake. This lake is a very broad sheet of water, and covers a large extent of ground in the Venkitangam and Enamakal ansams of British territory, and the Enamakal, Arunbur and Chittipally Pravirthies of Cochin territory. The lands in this area can be cultivated only during the dry season (December to May), and even then a considerable portion remains under water. Bunds are thrown up in different directions about December every year, and the water within the areas surrounded by bunds is baled out, and then the lands are cultivated. For about eight months in every year, the whole area is covered by water in some places to a great depth. The result is that land marks are difficult to retain, and the ryots have great difficulty after each rainy season in identifying their lands. Of recent years, however, owing to improved methods adopted by the ryots both in Cochin and British territory, cultivation has been rapidly extending on both sides, with the result that boundary disputes constantly occurred in different parts of the lake. The files of correspondences marked Exhibits E and F and I, show that the disputes in most places have been of recent origin. This, we think, accounts for the fact that Ward and Connor, who must have seen very little of cultivation in this area, have run the boundary by a few straight lines across the water. They say it "runs between Mudukara and Akuthiruthu islands, giving to Malabar a large extent of the lake in the channel called Kuttychal to Irinbranallur, thence pursues its course after issuing from the lake." They give seven bearings for a distance of 3 miles 7 furlongs 160 yards. We attempted to trace Ward and Connor's line across
18 (b)	Venkitangam ansam, Irinbranallur desam.	Arunbur Pravirthi, Eravam desam.	Entered in the accounts as wet (nilam) land, and called Villankote alias Ekkajakole alias Kallankole. Included in the jennam of Thindith Nair noted in 18 (a). Entered in fasli 1272 as waste, but temporary assessment was charged in some years after fasli 1285.	Entered in the account as Cochin circle jennam. Included in the land called Murichikutkole. Has paid no assessment because it was waste, but assessment collected for the first time last fasli.	
18 (c)	Venkitangam ansam, Irinbranallur desam.	Do.	Entered as nilam in fasli 1272 in the name of Thindith Nair, and has been paying assessment ever since except when remission was granted. This is said to be included in an old Malayalam account purporting to have been prepared in A.E. 1021 (1852) by Sheristadar Chandukutti Nair on paimash (Exhibit G). The paitas for the land stand in the name of 25 persons.	Has paid assessment for a small portion in M.E. 1026 (1851). No assessment, however, was after that paid till last year when assessment was collected for a small portion from Karaiparambil Chekkunni.	

Consecutive number of dispute.	Name of amsam and territory to which the disputed land is claimed to belong.	Name of pravarthi and desam in Cochin territory to which the disputed land is claimed to belong.	Substance of claim advanced on the British side.	Substance of claim advanced on the Cochin side.	Decision of the Commissioners and grounds therefor.
18 (d)	Venkilangam amsam, Irinbraanalur desam.	Arimbur pravarthi, Eravam desam and Vadakumbram desam.	The north-west portion of this is said to be entered in the permanent nilam register in the name of Lonappan and about nine others, the jenmam being Thindith Nair's. For this portion permanent assessment is said to have been in force since M. E. 1027 (1852), and a remark in the nilam register of 1862 is shown in support of this. The other portion of 18 (d) is said to be waste land belonging to Thindith Nair and Vellanaru Madathil Nair, and entered as such from fasil 1272 downwards, but it has paid no assessment.	The land is shown as Cochin arkar jenmam and waste. A very small bit was attempted to be assessed last fasil, but this was not however done.	the lake, but found that it cut so considerably into lands now quite undisputed and mostly on the British side, that we did not consider it desirable to adopt it wholly, and we are not in a position to find out the Kutteychal referred to by them. We also consider it desirable as much as possible to respect long possession on whatever side it may be; but in cases in which the cultivation has been of comparatively recent date, we decide on retaining the old line as much as possible. With these remarks, we proceed to give our decisions in each of the cases:—18 (e). The greater portion of the land comprised in this has never paid any assessment in British territory, and the balance has only paid temporary assessment in a few years in which it was cultivated. The dispute about the land appears to be of recent origin, the British ryots claiming it as a portion of another land of theirs. The old vernacular plan marked Exhibit B. shows the boundary channel beyond the embankment as proceeding straight to the east (which is against the British contention), and we think that the Cochin claim is correct. We therefore decide that the land comprised in 18 (e) is Cochin territory. For the same reasons we also decide 18 (b) in favour of Cochin. 18 (e) however stands on a different footing. Though the adoption of Ward and Connor's line would cut through this land, we find that it has been in the possession of British ryots for a long time, having been permanently assessed as wet. We therefore decide it to be British territory. 18 (d) is a large sheet of water. We ran the line across it from the junction of 18 (b) and 18 (e) till we arrive at the south-west of 18 (e). This will give to British territory the portion of 18 (d) under cultivation by its ryots, and the balance to Cochin. In regard to 18 (e) and (f), the line claimed by the British officials is directly against Ward and Connor's map, which places the boundary line well within the western side of Akanthiruthu, whereas the British claiming line if prolonged goes straight to Akanthiruthu. The major portion of the area in 18 (e) and (f) has been waste, and long enjoyment or even any enjoyment cannot be pleaded by the British ryots. We therefore run the line in a northern

18 (e)	Venkilangam amsam, Irinbraanalur desam.	Chittipally Pravarthi, Aost desam.	Entered in the nilam register in Thindith Nair's name in fasil 1272 the land being called Kutteychal varthole nilam. Patta is in the name of Thindith Nair, who pays assessment of Rs. 6-14-8.	This is a portion of the Am-muthankole nilam, and the jenmam of Vadakumbram desam, permanent assessment being collected from Kalluvakaran Kungupala since last year.	direction (slightly inclining to the west), till we reach the boundary line claimed by the British officials, and thence we run a short distance to the west till we come to the undisputed boundary. The result is that the oblong patch along the north-west of 18 (f) becomes British territory, and the balance to Cochin territory. We have marked the line as decided by us throughout dispute No. 18 in purple on the sketch. We started from the centre of the Enmakal dam, and we have posted six coconut pegs at the different bends for the guidance of the Survey officers, when they proceed to survey the boundary as settled and demarcated by us. To provide against the mischance of the next rains washing these pegs away, and thereby causing trouble in identifying the positions, we have taken angles at each station fixed by us to known points in different directions, (one of them being a trigonometrical station) and these angles are shown in the sketch.
18 (f)	Venkilangam amsam, Irinbraanalur desam.	Do. do.	The whole land is said to go by the name of Valukole, and Exhibit D. is filed in support; a narrow oblong patch along the north-west corner is under cultivation, and is said to be entered as wet land. The jenmam for this patch is said to belong to Vellan-kandath Nair, and patta is in the names of Elavanthinegi Chakkoo, Kotharamathu, Kunjunn Menon, and Vatu, son of Lonam. The balance of the land is waste, and is entered as such in the nilam register of fasil 1272, but no assessment has been paid for it.	The land is called Annun-thankole, a portion is private jenmam and the balance is the jenmam of Vadakumbram desam. Assessment paid on a few occasions on different bits.	ENAMAKAL, (Sd.) P. RAJAGOPALA CHARI. 2nd May 1893. (Sd.) J. C. KOHLHOFF.
19	Venkilangam amsam, Venkitangam desam.	Chittipally Pravarthi, Chakkal desam.	Shown in the accounts as Vellancharu (i.e., under temporary cultivation) in the name of Ulanattu Panikkar for the last three or four years.	Shown in the accounts as Ayinkad padam. Not charged in the accounts because the land was waste till about a year ago when land was assessed in the name of the Panikkar who, however, paid no assessment.	We find that the British claiming line is in accordance with Ward and Connor's line; and as the land has been evidently waste till recently, and is now in the possession of a ryot claiming under the British Government, we declare it British territory. (Signed) P. RAJAGOPALA CHARI. (Sd.) J. C. KOHLHOFF.
20	Annakara amsam, Ura-ham desam.	Do. do.	The land is included in the patta of Nalapurakka sanku as palliyal or seed bed, and is the jenmam of Ayur Thamburam.	The land is called Ayinkad padam and patta for it stands in the name of Ulanattu Panikkar.	We find on inquiry that this small bit of land has been cultivated for more than 12 years by one Chappakutti Menon, who holds it under Ulanattu Panikkar, the tenant paying the Cochin Government assessment to the landlord. We think that the Cochin claim is correct, and decide accordingly. (Signed) P. RAJAGOPALA CHARI. (Sd.) J. C. KOHLHOFF.
21	Annakara amsam, Annakara desam.	Chittipally Pravarthi, Paripoor desam.	The land is called Punnakattu Cherai Vadaku bhagam nilam, and the patta is Kunju Nachiar (now deceased). The assessment is being paid by Kandanuni Nair (Nachiar's son). In regard to the fact that the stream is the admitted boundary and is against the British claim, it is contended that the stream originally ran along the line as shown in the British claim, but it has since changed its course, and this alteration is said to have taken place more than 40 years ago, having been effected by Ulanattu Panikkar.	The land is entered as Kunkadan nilam and patta is in the name of Chittipally Cherai, who pays an assessment of Rs. 6-2-7.	On our inspection of the stream which runs along the line claimed by Cochin, we find no indications that it was turned in that direction within any measurable period of time. On the other hand the line claimed on the British side is hardly likely to have been a stream. We therefore decide that the land is Cochin territory. (Signed) P. RAJAGOPALA CHARI. (Sd.) J. C. KOHLHOFF.

Annamalai,
4th May 1893.

Register of decisions by the Commissioners appointed by the Madras and Cochin Governments to decide the boundary disputes, &c.—cont.

Consecutive number of dispute.	Name of ansam and desam in British territory to which the disputed land is claimed to belong.	Name of pravirthi and desam in Cochin territory to which the disputed land is claimed to belong.	Substance of claim advanced on the British side.	Substance of claim advanced on the Cochin side.	Decision of the Commissioners and grounds therefor.
22	Annakara ansam, Kadavallur desam.	Chundal Pravarthi, Veduthalai desam.	This dispute comprises three plots of ground called "Thangandipadi nilam" entered in the nilam register from fuel 1272, and it is therein stated to have borne a number in the old paimash account. Patta is in the name of Ulania Kunhikona Panikar, and the assessment is Rs. 12-7.	The land is called "Pattathil padu Nilathindi Kilakupurath nilam" entered in the old paimash account. Assessment is Rs. 1-6-4. The jennam belongs to the Mekattu Nambudiri. Patta stands in the name of Chathudath Chathu Ukkandan. The assessment is being paid by the Nambudiri.	We find that this land is apparently regarded as a portion of other lands on either side held under the British and Cochin Governments. It is impossible to find out to which land on either side the disputed land really belongs; and we therefore adopt a straight line as the boundary at this place from one undisputed point to another, which we have marked in purple on the plan. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ARTHUR, 4th May 1893.
23	Vylathur ansam, Pukodi desam.	Kunnankulam Pravarthi, Arthoot desam.	This is a paramba on which an assessment of Rs. 15-4 has been charged for the last two years on account of the coconut trees on it.	The paramba is the jennam of the Arthoot devasam, and is a portion of the Ambala paramba, which includes the Chathakulam tank, the Arthoot temple, &c.	In regard to disputes Nos. 23 and 24 we decide on adopting the line as laid down in the vernacular plan marked Exhibit B. This clearly shows the road as the boundary at the disputed places, and we therefore decide both these disputes in favour of the British claim.
24	Vylathur ansam, Pukodi desam.	Kunnankulam Pravarthi, Chitayur desam.	The paramba is in British territory. No assessment is charged, because there are no fruit-bearing trees on it.	Noted in the paimash accounts as Cochin cirkar jennam. Pattadar is one Shan-guni, who pays an assessment of three pice. The paramba is called "Thara paramba."	(Signed) F. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ARTHUR, 4th May 1893.
25	Vylathur ansam, Namahad desam.	Kunnankulangara Pravarthi, Vaduthalai desam.	Entered as nilam or wet land in the accounts by the name of Variathadath nilam, which is a general name for this and other lands. Pattadar is Mallangil Ayrooskutti, who pays an assessment of Rs. 1-6-3. The jenni is Thakkevittu Pukodeeseri Panikar.	The land is entered as Kariathadan nilam. Pattadars are Kandampalukoppa, Thekkaveetil Kittunni Sanku Panikar, and Pokar Ayroosa. Assessment collected on the disputed area is Rs. 4-7-9.	We find on inquiry into this dispute that different portions of the land comprised in it are claimed as portions of adjoining lands on the British or Cochin side, and it is impossible to say whether assessment on any particular bit has been collected in British or Cochin territory. We therefore decide on adopting a line which will have the least number of bends, and will fit in with the actual possession of the various tenants, and we indicate on the plan the line (in purple) adopted by us. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ARTHUR, 4th May 1893.

26	Punnayur ansam, Kochanur desam.	Kunnankulangara Pravarthi, Vaduthalai desam.	Entered in the accounts as "Choravil nilam." Assessment charged Rs. 1-12-7. Patta is in the name of Puthuvetil Esaff, and the pattadar is said to be the jenni. Esaff says that his father purchased the land about 60 years ago from Mankulath Raja in Cochin territory, but is unable to produce any document in support of his statement.	Entered in the paimash accounts as Cochin cirkar jennam, and by the name of "Tharaparamba. The pattadar is Chumbil Elowan Tharakam Kandam.	The land was claimed to be British territory along with other lands (admittedly in British territory) of the Mulkangalath Nambudiri, who has lands adjoining in both territories. We learn on inquiry that the Nambudiri, on being pointed out the disputed land, says it is Cochin territory; and as there is no evidence to show that it is otherwise, we decide in favour of the Cochin claim. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ARTHUR, 4th May 1893.
27	Punnayur ansam, Kochanur desam.	Kunnankulangara Pravarthi, Muthukunna desam.	The land is entered in the accounts as "Thadathil nilam." Assessment is Rs. 3-13-6. The jennam belongs to Valakathu Arakal Ammadu, who is also the pattadar and the cultivating tenant.	The land is Cochin cirkar jennam, and is shown in the Cochin paimash accounts. It is a portion of Pazhawa Thadam land. The patta is in the name of Pokar Ali, but cultivation is done by Ammadu who also pays the assessment.	The British tenant Esaff admits that he is not in possession of the land; but that, on the other hand, Kandan, the Cochin pattadar, has been in possession for more than 30 years. Esaff says he has been paying assessment to keep his claim alive; but he produces no evidence in support of his claim. We decide that the land is Cochin territory, whose Government has been collecting the assessment from the occupying pattadar for a long period. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ARTHUR, 4th May 1893.
28	Punnayur ansam, Kochanur desam.	Kunnankulam Pravarthi, Vaduthalai desam.	The disputed area is entered as nilam in the accounts in three bits bearing an assessment of Rs. 11-2-6 paid by Valakathu Arakal Ammadu, who is also mentioned in dispute 28. There is also another bit of land comprised in this dispute for which the patta is in the name of Chujamoo, who pays an assessment of Rs. 4-4.	The area is called "Valakathu nilam" and is the jennam of the Elayavattil Thambaram. Patta is in the name of Valakathu Arakal Ahmad's father Esaff.	We found that Ammadu, the man admittedly in possession of the land, is dead, and has examined his son and heir Moidunni, who tells us that he has lands on both sides adjoining the disputed land and pays assessment to both sirkars, that it is impossible for him to say what assessment he pays for any bit of land, or under what (Government) he holds it. We are unable from the ansam accounts of either territory to identify the lands mentioned in them precisely. We therefore adopt a boundary with the least number of bends, and have marked the line so adopted by us in the plan (in purple). (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ARTHUR, 4th May 1893.
29	Punnayur ansam, Kochanur desam.	Kunnankulangara Pravarthi, Muthavannal desam.			Moidunni, the son of the deceased Ammadu, makes the same statement in regard to this dispute, as he did in regard to the last. For similar reasons we have adopted a boundary of our own, which we have marked on the sketch (in purple). (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. ARTHUR, 4th May 1893.

Register of decisions by the Commissioners appointed by the Madras and Cochin Governments to decide the boundary disputes, &c.—cont.

Consecutive number of dispute.	Name of amsam and desam in British territory to which the disputed land is claimed to belong.	Name of pravirthi and desam in Cochin territory to which the disputed land is claimed to belong.	Substance of claim advanced on the British side.	Substance of claims advanced on the Cochin side.	Decision of the Commissioners and grounds therefor.
30	Palikara amsam, Nannamukku desam.	Porkalam Pravirthi, Kattagampal desam.	The whole area in the disputed tract is wet land, and a statement of the same presented by the British amsam officers is filed as Ex.-G. The area is about 11 and odd acres and the assessment is Rs. 22-15-7. The lands have been in the possession of the British ryots for a very long time, and they have been entered in the permanent nilam register when it was first prepared.	The area is shown in the Cochin palmash accounts as 'citir' jenmam, and assessment was collected till M.E. 1004 (A.D. 1828), when there was a row, and in M.E. 1004 assessment was collected in Cochin territory on a portion of the disputed area. From M.E. 1005 no assessment has been levied in Cochin territory. The Cochin claim is based on the Cochin collection accounts of the back fields as well as the arrears accounts.	We find that the disputed tract had been admittedly in the enjoyment of the British ryots for more than 60 years, and though it is alleged that, on account of some row which took place before that date, possession was transferred from Cochin to the British territory, we find no proper proof of this, and in the absence of any such proof we shall not be justified in disturbing the very long possession of the British ryots (vide file of correspondence marked Ex.-H). We therefore decide in favour of the British claim. (Signed) P. RAJAGOPALA CHARI. KATAYALLUR, 5th May 1893.
31	Othalur amsam, Othalur desam.	Porkalam Pravirthi, Kadavallur desam.	The land in dispute is entered as "Pandanvari nilam" in the amsam accounts. The land is noted in the permanent nilam register ever since it was prepared. The jenmam belongs to the Kadavallur devasam, and the patta is in the name of the kanamar Thekke Edathu Madathil Venkateswara Pattar. The assessment of Rs. 9-7-0 is being paid by the pattadar.	The land is included in the Pallada nilam, which is in the palmash accounts. No assessment, however, is being collected on the land in dispute, and it is admitted that the British pattadar is in possession.	In view to the admitted possession of the ryot, who claims under the British Government which has also been collecting the assessment on the land for a long time, we decide in favour of the British claim. (Signed) P. RAJAGOPALA CHARI. CHALASHERRY, 6th May 1893.
32	Othalur amsam, Othalur desam.	Porkalam Pravirthi, Kadavallur desam.	Entered in the British amsam accounts as Kathalavil nilam; of this land one portion bearing an assessment of Rs. 2-15-8 is in the patta of Chunnathapurayalathu Narayana Numbudiri, who is also the Jenmi; the other portion is in the patta of Puthiavestil Puthen Valapil Avedalla who pays an assessment of Rs. 3-13-8.	Inasmuch as the desam boundary in the Cochin palmash accounts is shown so as to include the land in dispute, the claim is made; but it is admitted that no assessment has been collected on the land in Cochin territory, but that, on the other hand, the possession is with the two British ryots.	In view to the admitted possession of the British ryots, which has apparently existed for a long time, we decide in favour of the British claim. (Signed) P. RAJAGOPALA CHARI. CHALASHERRY, 6th May 1893.

33	Othalur amsam, Othalur desam.	Porkalam Pravirthi, Kadavallur desam.	This is a small tank which is in the possession of Thekkara Ahamed, who holds the adjoining nilam or wet land in Cochin territory under the Kadavallur Devasam, and also an adjoining paramba under the same Devasam in British territory. The tank is said to be the jenmam of the Polyur Nair.	The Cochin claim is that the tank is an appurtenance to the adjoining wet land in Cochin territory held by the man Ahamed.	We have examined the man in possession of the tank, Ahamed, and he tells us that, though the tank water is on rare occasions used for the wet land in Cochin territory, he mostly uses it for the garden land in British territory. As the jenmi of both lands is one individual, namely, the Devasam, and the tenant also a single individual, it is difficult to come to a definite conclusion whether the tank is in British or Cochin territory from the mere user of the water. We have no hesitation, however, in rejecting the claim of the Polyur Nair, and in accepting the claim of the tank, and find that the water is mostly used for the garden in the British claim. (Signed) P. RAJAGOPALA CHARI. J. C. KOHLHOFF.
34	Othalur amsam, Kokkur desam.	Porkalam Pravirthi, Kallancherri desam.	The lands comprised in this dispute are noted in the statement filed by the British amsam officials marked Ex.-J, account it is stated in regard to some of the lands that they are not assessed in Cochin territory, because the assessment is being collected in British territory. It is admitted that no assessment has been collected on any portion of the disputed area ever since entered in the Othur accounts as No. 75. No assessment was collected in Cochin territory since A.D. 1822 for the same reason as in dispute No. 34.	The lands are noted in the Cochin account of M.E. 998 (A.D. 1822). In the above account it is stated in regard to some of the lands that they are not assessed in Cochin territory, because the assessment is being collected in British territory. It is admitted that no assessment has been collected on any portion of the disputed area ever since entered in the Othur accounts as No. 75. No assessment was collected in Cochin territory since A.D. 1822 for the same reason as in dispute No. 34.	We see no reason to disturb the very long enjoyment of the British ryots who have been paying assessment in British territory; and we therefore decide in favour of the British claim. (Signed) P. RAJAGOPALA CHARI. CHALASHERRY, 19th May 1893.
35	Othalur amsam, Kokkur desam.	Porkalam Pravirthi, Kallancherri desam.	Entered in the amsam accounts as Puleri Kandan nilam. The assessment is As. 6-8. The jenmam belongs to the Punnathur family (female branch). Patta is in the name of Puthamma who pays the Government assessment.	Entered in the palmash account of M.E. 998, in which it is stated that no assessment is being collected on the land, as the British officials have interfered and were collecting the assessment. It is admitted that no assessment has been collected on the disputed area since that date.	We resolve on recording a single decision in disputes Nos. 35 to 39. Though the Cochin accounts show that there was some dispute more than 70 years ago regarding these lands, we are unable to see what the dispute was, and we do not think that it is proper to disturb the very long possession of the British Government which has been collecting the assessment throughout. We therefore decide these disputes in favour of the British claims.
36	Othalur amsam, Kokkur desam.	Porkalam Pravirthi, Kallancherri desam.	The land is entered in the British accounts as Koraka nilam, and an assessment of Rs. 5-8-5 is being collected on the same. The jenmi is the Kadavallur Devasam and the kanari and pattadar is Madathil Venkateswara Pattar.	Entered in the palmash account of M.E. 998, in which it is stated that no assessment has been collected since M.E. 998 for the reason stated in dispute No. 36.	
37	Othalur amsam, Kokkur desam.	Porkalam Pravirthi, Kallancherri desam.	The land is entered in the amsam accounts as Manikran nilam and an assessment of Rs. 2-2-4 is charged thereon. The jenmi is the Kudalur Mana and the patta is in the name of Patros who pays the assessment.	Same claim as in dispute No. 37.	(Signed) P. RAJAGOPALA CHARI. CHALASHERRY, 19th May 1893.
38	Kothachira amsam, Kallancherri desam.	Porkalam Pravirthi, Kallancherri desam.			

Register of decisions by the Commissioners appointed by the Madras and Cochin Governments to decide the boundary disputes, &c.—cont.

Consecutive number of dispute.	Name of amsam and desam in British territory to which the disputed land is claimed to belong.	Name of Pravarthi and desam in Cochin territory to which the disputed land is claimed to belong.	Substance of claim advanced on the British side.	Substance of claim advanced on the Cochin side.	Decision of the Commissioners and grounds therefor.
39	Kothachira amsam, Chalashherri desam.	Porkalam Pravarthi, Kollancherri desam.	This dispute comprises three bits of land all called "Manikran nilam" and the assessment thereon is Rs. 14-11-4. The jemmies are the Kamsayathu Nambudiri and Puvale Mana. The pattadars are Thekketara Chakkunni and Thombra Unichira who pay the assessment.	Same claim as in [dispute No. 37].	We resolve on recording a single decision in disputes Nos. 35 to 39. Though the Cochin accounts show that there was some dispute more than 70 years ago regarding these lands, we are unable to see what the dispute was, and we do not think that it is proper to disturb the very long possession of the British Government, which has been collecting the assessment throughout. We therefore decide these disputes in favour of the British claims. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. CHALASHHERRI, 19th May 1893.
40	Kothachira amsam, Kothachira desam.	Porkalam Pravarthi, Thippilashherri desam.	The land in dispute is entered as Velliathil paramba in the accounts. The jemmam belongs to the Vengathur mana. The land has not been brought to permanent assessment, and is only under temporary assessment in the years in which it is cultivated.	The land is called Vadukannu paramba and is the jemmam of the Malayakavil Ayyan pan I-vasam. The assessment is "As. 1-9, and has been entered in the accounts for a long period.	We find on inquiry that this is a portion of an old dispute settled in 1849 (vide files of correspondence marked Exs. K and L). We have identified the land in dispute as situated at the eastern extremity of the line laid down in 1849 by the British and Cochin officials, and we find that the line claimed by Cochin is in accordance with that line. We therefore decide in favour of the Cochin claim. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. KADUNGODE HILL, 20th May 1893.
41	Kothachira amsam, Kothachira desam.	Porkalam Pravarthi, Thippilashherri desam.	A portion of the area in dispute is entered as Palliyal land in the accounts and an assessment of Rs. 1-2-9 is charged thereon. The pattadar of this bit is the jemmi, the Venkattur mana. The remaining and larger portion of the area in dispute is paramba, of which only a small portion is under modan (temporary) cultivation, and is charged in the years in which it is cultivated.	The land in dispute is entered in the accounts by the name of Karunkuninde Padinhara muri paramba. The jemmam is the Mullapully Nambudiri and the assessment is As. 8-10 which has been in force since the palmash.	We find that the area entered in the British amsam accounts as "Palliyal" has been paying assessment to the British Government for a long time, and hence decide that it is British territory. The remaining portion of the area in dispute is hilly country which does not appear to have been paying assessment in British territory, but has been so paying in Cochin territory, and we therefore award it to Cochin. The line, as decided by us, is marked in purple on the sketch. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. KADUNGODE HILL, 20th May 1893.
42	Kothachira amsam, Kothachira desam.	Porkalam Pravarthi, Thippilashherri desam.			This small bit of ground is all rock and has been paying no assessment either in Cochin or British territory. We adopt the line as claimed by Cochin as the most natural boundary. (Signed) P. RAJAGOPALA CHARI. (") J. C. KOHLHOFF. KADUNGODE HILL, 20th May 1893.

43	Kothachira amsam, Kothachira desam and Nagalashherri amsam, Agalavam desam and Chaziyattiri desam.	Eyyal Pravarthi, Kadungode desam and Mandanparamba desam.	A statement of the lands and hills involved in this dispute and claimed to belong to the Kothachira amsam is filed as Ex.—M, and a similar statement of the lands and hills involved and claimed to belong to the Nagalashherri amsam is filed as Ex.—N. The various jemmies who claim under the British Government have filed statements of the documentary evidence they rely upon, which have been filed as follows: statement of the Venkathur Manakal Namburipad, Ex.—O. statement of the Akalanath Mussad, Ex.—P; statement of the Pullamanna mana, Ex.—Q; statement of the Lemunocherri Manakal Namburi, Ex.—R. The claim advanced on the British side is that the lands included in the dispute have been included in the British accounts from a remote period, and have been paying assessment in British territory, and the hills included in the dispute have been in the possession and enjoyment of the British jemmies.	The Cochin officials claim the whole Kadungode hills and the lands included in it as Cochin territory, and they have drawn their claiming line at the foot of the hills in such a way that the whole area of the hills falls in Cochin territory. It is contended that the Cochin amsam boundary is stated in the Cochin accounts to be a path called "Pothivali," and this is said to have run at the foot of the hills along the claiming line now laid down by Cochin.	This dispute comprises an area of nearly 8 square miles mostly forest and hill, but comprising also a considerable area of paddy and dry land. The cultivated land is known as the Malayakam Padam, Malayadinjan Kundu, Mundancholla, Kununkulam and Pullanthadam, all paying assessment in the Nagalashherri amsam, and there is further a narrow strip of cultivation at the west of the disputed area paying assessment in Kothachira amsam. In regard to the forest which does not pay assessment in either territory, it is contended on behalf of the British jemmies that they have been in possession and enjoyment of it, and on behalf of the Cochin Government that its Forest Department has been enjoying the forest. We find on inspection that the forest is mostly worthless, and the claims advanced by the British jemmies and the Cochin circle are both in a measure true, as our inquiry shows that the hill slopes on the British side have been worked by the British jemmies, and those on the Cochin side by the Cochin officials; the middle portion being periodically a source of contention. We attempted to decide this dispute in accordance with the line as laid down in Ward and Connor's memoirs which runs as follows: "Leave it (a nullah) and runs on the crest of a woody ridge of hills of moderate height. Falling abruptly is crossed by a small nullah and after keeping on open ground is recrossed by it, &c." The line above laid down proceeds from the east to west and the bearings and distances are thus given:— S. 65 W. 4 furlongs. N. 80 W. 4 do. N. 22 W. 5 do. N. 75 W. 7 do.
44	Kothachira amsam, Nagalashherri amsam, Pallipadam desam.	Chengazhikode Pravarthi, Thichur desam.	The tank in dispute belongs to the Valakode nilam and is the jemmam of the Nilayangottu Nambudiri.	The tank is called Thorayan-kulam and is in Cochin territory.	We have carefully explored the hills, and find that the only continuous ridge which can be said to fulfil the description "the crest of a woody ridge of hills," so runs, as to leave the large extent of paddy land known as Malayagampadam on the Cochin side of it; and we have therefore been compelled to give up the idea of a continuous ridge on the boundary. We should also point out that it is very doubtful if this ridge would fit in with all the bearings and distances given by Ward and Connor. For the above reasons we have been compelled to give up the idea of tracing Ward and Connor's line in its integrity over the disputed area. We think that the safest course is to trace a line on the crest of the hills, wherever possible in such a way as to fit in with the actual possession and enjoyment on either side, and in accordance with the general direction given by Ward and Connor. We have not been able to fulfil all the above requisites; but the line adopted by us fulfils as much of them as possible under the circumstances. Beginning from the east, it will be observed that the line decided by us tallies with the British claiming line till it descends the ridge and falls into the valley. From this point our line keeps to the west of the Malayagampadam lands till it catches the ridge again at the Malayagampadam. Here again our line runs up the ridge till it again touches the British claiming line, and it then proceeds on the top of the ridge till it abruptly leaves it and crosses the stream which runs into the Kothachira amsam. It thence proceeds in a straight line to the undisputed boundary. We have prepared a sketch showing our decision, and we have filed it as Ex.—S. It will be seen from the above sketch that the cultivated area which has been paying assessment in the British territory will continue to be included in that territory, excepting a small portion in the Kothachira amsam which has to be transferred to Cochin. It will be seen that the tracts of forest on the British slopes and a considerable portion inside fall on the British side of our line and the Cochin slopes, and also portions inside fall on the Cochin side of our line. This decision is in general accord with the documents filed by the various jemmies. It will be observed on referring to the old vernacular plan marked Ex.—B that the line as laid down by us tallies to a considerable extent with the boundary as laid down in it. The line adopted by us has been carefully demarcated, and the boundary marks laid down by us (B. C. M.) on the rocks are indicated in the sketch and have been numbered. THIRUMITHAKODE, 7th June 1893.

(Signed) P. RAJAGOPALA CHARI.
(") J. C. KOHLHOFF.
The tank is not entered either in the British or Cochin accounts; but, as the water of it runs mostly into the paddy fields in British territory, we decide in favour of the British claim.
(Signed) P. RAJAGOPALA CHARI.
(") J. C. KOHLHOFF.
THIRUMITHAKODE,
7th June 1893.

Consecutive number of dispute.	Name of amsam and desam in British territory to which the disputed land is claimed to belong.	Name of pravrithi and desam in Cochin territory to which the disputed land is claimed to belong.	Substance of claim advanced on the British side.	Substance of claim advanced on the Cochin side.	Decision of the Commissioners and grounds therefor.
45	Nagalashetti amsam, Pallipadam desam.	Chengazhikode Pravrithi, Tichur desam.	The area in dispute comprises four items of wet land entered in the permanent nilam register and assessment at Rs. 6-12-8, 1-1-1, 2-8-0 and 3-4-9, respectively.	Entered in the Cochin parish accounts as jenmam of Tichur Desam, but no assessment collected since M.E. 938.	In view to the very long possession and enjoyment on the part of the British claim, we decide in favour of the British claim. (Signed) P. RAJAGOPALA CHARI. (Signed) J. C. KOHLHOFF. THIRUMITHAKODE, 7th June 1893.
46	Nagalashetti amsam, Ittonam desam.	Chengazhikode Pravrithi, Ittonam desam and Chulur desam.	The cultivated area comprises wet land which appears in the permanent nilam register, garden land which appears in the permanent paramba register, and the remaining area which is waste is in some years under temporary cultivation and charged as such.	No items of land in the area are entered in the Cochin parish accounts as wet land, but some are entered as parambas and the balance is waste.	We have made careful inquiries as to the possession on both sides and find that the wet lands have been paying assessment in British territory for a considerable period; the parambas are partly assessed in British territory and partly in Cochin territory. We have drawn our line in accordance with the actual possession so far as the wet and garden lands are concerned. In regard to the waste we have adopted Ward and Connor's line which takes up the boundary to the top of the Puidali hill. The line as settled by us is shown in purple. (Signed) P. RAJAGOPALA CHARI. (Signed) J. C. KOHLHOFF. THIRUMITHAKODE, 7th June 1893.
47	Thirumithakode amsam, Peringalur desam.	Chengazhikode Pravrithi, Taleprom desam.	This is a paramba charged in the British accounts at As. 6 from fash 1301.	The paramba is permanently assessed in Cochin territory at As. 1-9 and has been so for more than 35 years.	The Cochin claim is clearly made out and we decide accordingly. (Signed) P. RAJAGOPALA CHARI. (Signed) J. C. KOHLHOFF. THIRUMITHAKODE, 7th June 1893.
48	Thirumithakode amsam, Lingathur desam.	Chengazhikode Pravrithi, Kadugashetti desam.	The wet lands in the area are in the permanent nilam register, and the gardens are also claimed to be in the permanent paramba register, the balance is under temporary cultivation.	On the wet lands the assessment is not collected in Cochin territory, but the gardens bear assessment and the area under temporary cultivation is included in the Cochin accounts.	We proceed in accordance with what we consider to be long possession and enjoyment. We therefore award the wet lands to British territory. The parambas, we find, have been assessed in Cochin territory much longer than in the British and the waste land is clearly a portion of the Cochin high ground. The line, as decided by us, is marked in purple on the sketch. (Signed) P. RAJAGOPALA CHARI. (Signed) J. C. KOHLHOFF. THIRUMITHAKODE, 7th June 1893.
49	Thirumithakode amsam, Thirumithakode desam.	Cheruthiruthy Pravrithi, Cherugatta desam.	The wet and garden lands are included in the permanent nilam and paramba registers, and pay assessment in British territory.	The Cochin officers claim the area as included in their parish accounts, but admit that no assessment has been collected for more than 60 years.	We decide in favour of the British claim. (Signed) P. RAJAGOPALA CHARI. (Signed) J. C. KOHLHOFF. THIRUMITHAKODE, 7th June 1893.

Read—the following letter from HERBERT Malabar, to the Secretary to the Calicut, 14th August 1893, No.

BRADLEY, Esq., Acting Collector of Commissioners of Land Revenue, dated P.-Index. :—

In continuation of my letter, dated instant, No. 392-P. Index, I have the honour to forward herewith for orders translation of a petition of Chazhiyat Manakkal alias Pulamanna Manakkal Narayanan Namudiripad taking exception to the Commissioners' decision in claim No. 43 by which certain lands belonging to petitioner have been included in the Cochin State.

Resolution—dated 13th October 1893, No. 590.

The papers read above, which relate to the settlement of the boundary disputes between the Ponnani taluk of Malabar and the Cochin State, will be submitted for the orders of Government.

2. Mr. Rajagopala Chariar, the Acting Head Assistant Collector of Malabar, and Mr. Kohlhoff were appointed Commissioners for the purpose, the former by the Madras Government under its order, dated 5th December 1892, Mis. No. 5255, and the latter by the Cochin State. The British Commissioner now submits his final report on the settlement of the boundary, together with a register of the Commissioners' joint decisions in the various disputes. There were in all 49 disputes, in 18 of which the disputed area was settled as belonging to British Territory and in 17 to the Cochin State, while the remaining 14 cases were decided, partly in favour of one Government and partly in favour of the other.

3. In Nos. 1, 3, 9, 11 and 12, which fall under the last-mentioned 14 cases, the disputes relate to islands in the Chetwai-Cochin backwater. The boundary line has been run across the islands and portions of them falling on either side of it have been given to the Government owning the adjoining mainland. The Collector proposes, on the "give and take" principle, to run the line either east or west of each such island, so that no single island shall contain territory belonging to both Governments, and accordingly recommends that Nos. 1 and 12 be given to the British, and Nos. 3, 9 and 11 to the Cochin Government. The Board considers that the Collector's suggestion may be advantageously adopted if the Cochin State will consent thereto.

4. In regard to the refund proposed by the Head Assistant Collector, of the collection of the jenmam value of escheat lands now declared to be Cochin territory, the Collector observes, in paragraph 4 of his letter, that the change in the sovereign rights, which till now vested in the British Government, does not affect the proprietary or jenmam rights which have been duly acquired and granted; but that if, in any case, the jenmam value has been collected in respect of lands which may have been found to be the jenmam property of claimants in Cochin State other than the British claimants, it may be advisable, as a matter of grace, to make refunds and that each such case must be decided separately on its merits. The Board agrees with the Collector in this view of the matter.

5. The Board also concurs with the Collector's observations in paragraph 7 of his letter. He says that part of the line adopted by the Commissioners in case 43 is obviously wrong and part very questionable. The decision in this case seems to the Board unintelligible when compared with the map, and the reasons assigned by the Commissioners for the latter part of it are not convincing. Further enquiry seems to be necessary in this case. The other decisions (with the modifications proposed above) may, the Board thinks, be given effect to with the approval of the Cochin State.

6. In order that new disputes may not crop up, or old claims revive, it is necessary that the boundary line as now to be settled should be permanently demarcated, and masonry pillars erected in the Enamake case (No. 18) as proposed by the Head Assistant Collector, the cost being divided between the two Governments. The Board requests that sanction be accorded for the payment of the sum of Rs. 40-1-6 expended by the Head Assistant Collector in clearing and demarcating the line.

7. The work of the Commissioners and fairly carried out.

8. In case No. 43, one of the British claimants has appealed to the Collector against the Commissioners' decision which does not, of course, disturb the title or rights of individuals. The Board thinks, however, that the Board thinks, be rejected and the petitioner referred to the civil courts for the enforcement of his rights, if any, affected by the transfer. The question as to State rights is a different matter, and the Board has already referred to that in paragraph 4 above.

(True Copies and Extract.)

(Signed) W. S. MEYER,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with translation of a petition and records and
eye-sketched maps as per two lists (to be returned).

Copy to the Collector of Malabar.

ORDER—dated 22nd February 1894, No. 150, Revenue.

Miscellaneous.

His Excellency the Governor in Council is pleased to accept the joint decision of the Commissioners in all the cases of disputed boundary referred to in the foregoing Proceedings, with the exception of that in case No. 43. As the Board remarks, further enquiry seems in this case to be necessary, and the Government desires to receive a full report, containing a clear statement of the reasons which led to the adoption of the boundary line, shown in the map now submitted.

2. As regards the refund of the jenmam value of escheat lands, collected by the British Government, to holders of lands which have now been declared by the Commissioners to form a portion of Cochin territory, the Government is unable to concur in the view taken by the Collector and endorsed by the Board of Revenue. The British Government, in the exercise of its sovereign rights, claimed the jenmam right in certain escheated lands and disposed of it to the holders of those lands for a price regulated with reference to the estimated value of that right. Some of these lands have now been assigned by the Commissioners to Cochin, and His Excellency in Council is of opinion that the British Government cannot retain the money paid for a right which fell to it by escheat, when the lands in question were supposed to be part of British territory, for such rights now vest in the Cochin State as sovereign power. Mr. Bradley is, moreover, in error in asserting that "the change in the sovereign rights, which till now vested in the British Government, does not affect the proprietary or jenmam rights which have been duly acquired and granted." The Cochin State does not recognise any jenmam right on the part of its subjects in forest land, but claims such right for itself, and if any of the lands now declared to belong to Cochin are forest, that State will certainly repudiate all claims to jenmam rights therein, notwithstanding that such rights may have been sold to the holders by the British Government. In the case of land, which is not forest, the Cochin State may equally repudiate all claims on the part of the holders to jenmam rights, on the ground that the British Government had no title to take the proprietary right by escheat and to dispose of it.

3. The Government accordingly resolves to direct that the jenmam value collected from the holders of lands, now declared to be within Cochin territory, shall be refunded without interest to the said holders. Interest will not be paid on these amounts, because the purchasers of the jenmam value have enjoyed the benefit of the janmabhogam from the date of purchase.

4. In paragraph 8 of the Head Assistant Collector's letter printed in the Board's Proceedings read above, it is suggested that there should be a distinct understanding that occupants of lands, affected by the new delimitation of the boundary, should not be

disturbed in their possession. This point is not specially noticed either by the Collector or by the Board, and it is observed that the Commissioners "have assured the occupying tenants that they will not be disturbed." The Government, however, is not prepared to make any such stipulation as a condition of its acceptance of the award of the Commissioners. Those occupants, who formerly held under the British Government and who will now attach to the Cochin State, will become liable to the laws in force in that State and their occupancy rights must be regulated by such laws; if those rights are infringed, the occupants can sue in the Civil Court having local jurisdiction, but the Cochin Sirkar cannot be requested to guarantee any rights which have hitherto been recognised by the British Government in respect of the land transferred.

5. The suggestion, contained in paragraph 3 of the Board's Proceedings, to the effect that the boundary line in disputes Nos. 3, 9, 11 and 12 should be taken either to the east or west of the islands in question, so that no single island should contain land belonging to both Governments, comes itself to the Madras Government, and the matter will be referred for the opinion of the Cochin Sirkar in the Political Department.

6. The expenditure of Rs. 40-1-6, referred to in paragraph 6 of the Board's Proceedings, is sanctioned. The Government fully concurs with the Board in regard to the necessity for the permanent demarcation of the line now settled, and it is presumed that the Cochin Sirkar will agree to defray half the cost of the demarcation.

7. The Government notes with approval the satisfactory manner in which the Commissioners have performed the task entrusted to them.

8. A copy of these Proceedings will be forwarded in the Political Department for the information of the Cochin Sirkar.

(True Extract.)

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

To the Board of Revenue (Land Revenue), with enclosures returned.
,, the Political Department.
,, the Accountant-General.

Exd. C. M. Brinson.

50 Copies.

Gobt. of {1894} Madras.
REVENUE.

Issued

Recd.

Encl.

G.O., 22nd February 1894, No. 150.

FEBRUARY.

Boundary disputes.

Passing orders on the final report on the settlement of the — between the Ponnani taluk of Malabar and the Cochin State.



Proceedings of the Board of Revenue
(Land Revenue),

Dated 2³ February 1892.

No. 7069. Mis. Routine.

READ — letter from the Collector of Malabar,
dated 23rd October 1892, Ref. on C. No. —

4110
P. 92

Resolution:-

Submitted for the orders —
of Government.

2. The Board supports the —
Collector's proposal

/ True extract

To
The Secretary to Government,

Rev: Deptt with letter in
original be returned.
Hlb.

By: Secretary

27.4.37 II

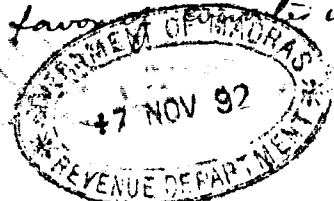
Revenue (1892) Dept
Board of Revenue
(Land Revenue),
MADRAS.

To Hms 57.55
5.000/92

The Secretary to Govt

Rev: Sept 11

To The Hon the C. S.
Public & Political Depts
for favour to initials



Ad 7 Nov 92.

Proceedings, dated 22 November 1892,
No. 7069, Mis. Revenue. Encl 1

Subject.

Submitting for the orders of Govt
letter from the Collector of
Malabar requesting that Mr.
Rajagopala Chari, Head-
Assistant Collector may
be appointed as British
Commissioner for the settle-
ment of the boundary dis-
pute between Cochin &
Ponani Taluk & that the
Cochin Circuit may be addressed
to have the whole boundary
settled during the coming dry
season.

Order inise, 30/11/92
- No. 5255 of 5 December 1892
Mr Rajagopala Chari

appointment as British Commis-
sioner for the settlement of the
boundary dispute between
the Cochin State and the Ponani
Taluk is sanctioned.

2 Orders on the point
referred to in para 5 of the
Collector's letter will be passed
in the Political Dept

Cal
18.11.92
19/11
21 Nov

To The Commrs of
Public Dept
Political Dept } 20/11/92