Revenue (1897) Department.

CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

PRESS SERIES.

G.O., No. 466-467.

DATED 17th June 1897

[Despatch Abstract.]

Mysore-Nilgiri Boundary dispute.

Coming to the Board of Revenue, with remarks the decision arrived at by the Commissioners appointed to settle the —.

Letter. *Expressing the willingness of the Madras Govt. to make arrangements for the permanent demarcation of the Mysore-Nilgiri boundary line recently settled by the Commissioners appointed for the purpose, and requesting to be furnished with the views of the Mysore Durbar.*

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

~~G.O.~~	No.	Department.	Date.	G.O.	No.	Department.	Date.
7320 957	4639	Rev	4-7-97	Govt Mis	1767	Revenue	18-9-97
6382 957	3955	"	29-7-97				
8096 957	5110	"	29-9-97				
8821 957	892	"	26-10-97				

Revenue (1897) Department.

D.O.

CURRENT No. 100

The Hon: Mr Rose C.S.I.

From H. Tremenheere, Esqr.
Collr. of the Nilgiris

No.

Dated 25th May, 1897

Received 25.5.97

Registered "

Enclosures

Spare copies

SUBJECT.

Reg. the Mysore and the Nilgiri-Wynaad boundary

Offr awaits Govt orders
11/28/5/97

For Orders

The D.O. from Mr Tremenheere reporting the result of the enquiry of the Special commission appointed to settle the boundary dispute between Mysore and the Wynaad is submitted for information

The previous papers in the office do not specify the area involved in the dispute. Mr Tremenheere now states that the area in question is 18 sq miles out of which Mysore takes 2 sq miles leaving the remainder to the Wynaad and that Col Clarke's work is thus practically endorsed by the Commission as visited upon by G.O. 4451 dy 11th Nov: 1896 (Passed H 26/5/97)

25/5/97 The Official report may be awaited

Thro' the Mysore Forest authorities said that it was about 8704 acres

Yes. The D.O. is submitted being for information.

28/5/97.

27/5 c26/5/97

BACK PAPERS.

G.O.	No	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Order

Revenue

Political (1897) Department.

Ref on CURRENT No. 1353 / 1895-96. 4586 e

GOVERNMENT OF MADRAS
31 MAY 97

From
The Commissioners
Mysore-Nilgiri Boundary
Dispute
Ootacamund

R.c. No. 135 B / 1895-96.

Dated 26th May 1897
Received 31.5.97
Registered 2.6.97

Enclosures 3 viz (1) Proceedings of the Commission dated 25th May 1897 (2) Col: McCullagh's plan of Mysore (3) Atlas Sheet
Spare copies Nos 61.

SUBJECT.

Mysore Nilgiri Boundary Dispute

Submitting the decision on

———

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

appointed under G.O. No. 1083 this dated 17th June 1896 to investigate Mysore-Nilgiri Boundary Dispute dated 25th May 1897

No. 2224

The Commission met at Ootacamund on the 10th, 18th 24th & 25th of May 1897.

After full discussion of the points mentioned in para 13 of the Dewan's letter to the British Resident in Mysore dated 9th September 1895 the following resolutions were unanimously agreed to

1. That McCullagh's line as has been taken along the main stream which is shown in the Atlas Sheet from the word "Ruins" (of Edikora cottah in ruins) to a point half an inch north of the ~~last~~ letter of the words "Eskarum Palpa" and about 4 miles to the North east of Bekami

2. Resolved also, that Col. Clarke's Survey may be accepted from where it leaves the Mavinahalla to where it joins Kara-Kanavai

3. That M.

1897

3. That to the East the line shewed run as shown in that map of Col Mc Cullagh which has been signed by all members of the Commission, till it reaches the Stonnurhalla as shown, running down that river till it reaches the point of no dispute at A

In arriving at the above Settlement the Commissioners have been mainly guided by the original Survey Memoir by Messrs Ward & Conner produced by the Madras Commissioners the intention of which they believe is fairly represented by the line now adopted.

J P Grant

J Walker Major Walker

H

25.5.

C D Mc Leod

25/5/79

Ootacamund
26th May 1897

From

The Commissioners
Mysore-Nilgiri Boundary
Dispute

2/10

To

The Secretary to Government
Revenue Department
with the Governor
Stonehouse Hill

Sir,

Mysore General Secretary's
letter No. 2838 / F.F. 129-95 of 14th
September 1896
2) G.O. No. 1083 Misdated
17th March 1896.

We have the honor to submit our decision on the Mysore Nilgiri boundary dispute, referred to us in the marginally noted papers.

2. We are unanimous in accepting the Survey Descriptive memoir of the Malabar frontier, which is in reality a field-book of the Atlas, as distinctly and unmistakeably supporting the line of boundary shewn in the latter. The Atlas is wrong in certain details but it is not materially wrong in its delineation of the boundary line

* Ward & Connor's.

3. The

3- The effect of our Settlement is to accept Col Clocke's line from the west to Karakanavai; thence to cut off a considerable angle where he seems to have diverged from the proper line, this angle being added to Mysore; thence continuing along Col Clocke's line till it joins Col Mc Cullagh's line.

4- Holding these views, the Commission did not go into the question of possession.

5- We beg to suggest that an officer deputed by each Government, accompanied by a Surveyor, go over the line now settled and permanently demarcate it with a broad clearing and masonry pillars:

We have the honor to be,
Sir,
Your most obedient Servants.

H. Sewell Cy. Supt. Gen. Survey Ceylon.
C. Boughton. Dy Commr of Coorg. Coorg. (Gilgiris)

H Campbell Walker
Comr. of Inam Cols in Mysore

× area roughly 2,8 square miles

D 1,000—8-4-97.

The Mysore - Wynaad boundary dispute

466-467
17-6-97

REVENUE DEPARTMENT.

C. No. 4586 of 97

Recirculated to the Hon'ble Geoge C.S.I. & to the Hon'ble Bliss C.S.I. for information

From Secretary to Commissioners, Mysore-Nilgiri Boundary dispute

No. 1406/97 Dated 26th May 1897.

The Hon: Mr Grose C.S.I.
The Hon: Mr Bliss C.S.I.
H.E. the Governor

FOR ORDERS.

The Commissioners appointed to settle the boundary dispute between Mysore and the Nilgiri-Wynaad (formerly a part of Malabar) submit a copy of the Proys embodying their final decision on the subject, the purport of which has already been communicated to this Govt by Mr Fremantheere in his D.O. of the 25th ultimo.

2. The dispute in question originated in 1888-89, when the Forest authorities of Mysore represented to those of Madras that the Wynaad Contractors had been encroaching on the Mysore territory for the collection of minor forest produce and requested that arrangements might be made to put a stop to

We must take care that this line is properly cleared & demarcated this time. The D.F.O. will be the best representative of Govt in this matter & I don't see why this Board shd be consulted. Mr Cardozo shd be told to depute a Surveyor. I don't see why we shd ask this Mysore Durbar

Flagged A

if they can find a competent man; but they shd be asked to send a representative to be present at the demarcations, & to share the cost. It may be left to Mr Douglas to settle when the work can be done, & when the Surveyor will be wanted.

JG
5/6/97

9/6/97

C 4/6/97 Jagir also with the Hon'ble Mr Grose in the Hon'ble Mr Bliss' absence

I concur with

to such encroachments. The Madras records however showed that the Contractors had not crossed over to the other side of the boundary line between the Mysore State and the Wynaad fixed in 1876 and as it was not clear to what part of the border land, the claim of Mysore had reference, the Durbar was in May 1890 requested to furnish definite information on the point. (G.O. No 356 dy 22 nd May 1890 and the letter thereunder) The reply to this was received in Feb'y 1892 when the Resident sent a letter from the I. G of Forests, Mysore, reporting that the tract in dispute covered an area of 8704 acres, that it was "situated on the extreme north eastern portion of the Nilgiri forests" and that the claim of Mysore was based upon undisputed possession, the evidence of the local inhabitants and the fact that though a line was demarcated by Col Clarke in 1876 that line was never accepted by the Mysore authorities except as a tentative one. These arguments were

FOR ORDERS.

with Hon. Members' Notes dy 5.6.97 and 9.6.97.

With regard to the Hon. Mr. Bliss's second note as to drawing up the Minute noted, I would suggest to Hon. Members that the question in the claiming boundary in relation to the minor forest produce collected in the disputed area, be referred to Govt. We have got the best of the dispute and can afford to forego this claim, which flagged B is fortunately unimportant in value. Maintenance on a sounder right such as this is more worth the satisfaction it would be to fully assert.

A.G.H.

12.6.97

I agree that nothing need be said about it now, but that Govt should be asked what the amount is likely to be

Rd. 15/6/97

JG 15/6/97

were however successfully refuted at the time by the Collector of the Nilgiris. He pointed out that the boundary line in question was determined so long ago as 1869 by Dr Cleghorn, the joint Conservator of the Madras and Mysore Forests Dept, that subsequently in 1875, the same boundary was surveyed and demarcated by Col Clerk of the Madras Survey Dept and that though when this Survey and demarcation were carried out no Mysore representative was present, the line was afterwards inspected and certified to be correct by Mr Jelliccr, Asst Conservator of Forests, Mysore, in whose view at the time was tacitly concurred in by the Chief Commr of the State and the other Officers concerned. The evidence of Major General Morgan who had been for a very long time in charge of the Malabar Forests also showed that the tract in dispute had been in the possession of the Madras Govt ever since 1856. These points were communicated to the Durbar in 1892 with the request,

request that the matter might be reconsidered with reference thereto (G.O. 1230 dy 8th Decr 1892 and the letter thereunder)

flagged C

3 The subsequent correspondence that took place on the subject showed a tendency on the part of the Mysore authorities to postpone the consideration of the question until some chance evidence turned up in their favour by an examination of the Madras records. Against this, this Govt protested in July 1895 and after some further correspondence it was, with the approval of the Govt of India, decided in March 1896 to refer the matter to a Commission apparently consisting of four officers of whom two were to be nominated by the this Govt and two by the Mysore Durbar. It was also agreed that "to secure finality both sides should be bound to accept as final the decision of a majority of the members of the Commission or if their votes are equally divided of the Resident" (vide letters under

flagged D

flagged E & F

under G.O. 555 dy 8th Feby 1896 and 1083 dy 17th March 1896). In pursuance of the decision above referred to a Commission composed of Cols Grant and Campbell Walker to represent Mysore and the Collector of the Nilgiris and Mr Hadfield, or in the absence of the latter the D.J.G. of the Nilgiris, to represent Madras was duly appointed. Owing, however to the delay in the arrangement of the preliminaries the Commission could only sit in May last and the decision that it has arrived at is now reported, as already stated in para 1 above, for the information of Govt.

4. This Govt, it will be noticed has been contending from the very beginning that Col Clarke's line must be accepted as the correct boundary and in G.O. n° 4459 dy 11th Nov: 1896 the British representatives were instructed to insist upon an exhaustive investigation of the question whether the Mysore Durbar,

flagged G

Durbar was not estopped from discussing the merits of Col Closes line. A comparison of the maps stitched with G.O. No 4324 dy 3rd nov: 1896 in which the tract in dispute is clearly exhibited with the one now submitted by the Commissioners show that "on the west and north west sides they have strictly followed Col. Closes line and that it is only on the north-east and east sides that they have made a deviation which, however, is so slight that out of an area of 18 sq: miles* involved only two square miles go over to the Mysore side. This result has been arrived at by the Commissioners unanimously accepting the Survey: descriptive memoir of the Malabar frontier (by Ward and Connor) and they suggest "that an officer deputed "by each Govt accompanied by "a Surveyor, go over the line now "settled+ and permanently demarcated "it with a broad clearing and masonry "pillars".

5 As already indicated

Flagged H

* The former estimate of 8704 acres or about 14 sq: miles is apparently wrong.

DCB only or the whole border of the lately disputed tract?

Apparently the whole line as finally Alle 4.6.97
please see Clause (g) of para 4 of Collector's letter printed in G.O. Flagged C Alle 4.6.97

indicated in para 3 above, the decision of the Commissioners is final and the only question for consideration now is who should be nominated to go over the line accompanied by a Competent Surveyor to have the line permanently cleared and demarcated and whether the Mysore Durbar should not be asked to bear half the cost of such clearing and demarcation. As regards the Officer to represent Madras at the time of the demarcation, the D.F.O. of the Nilgiris, who has been one of the members of the Commission is probably the best person that can be thought of. Orders are however solicited as to whether the Board of Rev: or the Supt, Madras Survey should be consulted on the point. A Surveyor for the work can easily be deputed either by the Mysore Durbar or the Madras Survey Dept and the Durbar may, it is submitted, be informed that if it cannot find a competent man, this Govt will be prepared to depute one

one, mr Cardozo being at the same time told to have one in readiness to accompany the officers of both sorts, if necessary.

6. The Comrs. do not say whether a copy of their report has been forwarded for the information of the Resident in Mysore or H.H. the Maharajah's Durbar and mr Tremenheere has been asked D/o to intimate whether this has been done.

7. The Mysore Forest authorities were in G.O. No 4976 dy 5th Dec 1896 allowed to collect and hold in deposit the minor forest produce from the disputed land. It is presumed that they should be asked to hand over a proportionate share of it now to the Madras Forest Dept.

H hrs.
4/6757. A.S.H

Vide Mr. 7-s D.O. hereinwith-
4/6757.

Flagged P

Borrd 3.VI.97

4/6757.

Ellis 4.6.97

Levy from orders P.

P

P

A (Full)

A (Full)

P

P

P

P

P

P

A (full)

Read again G.O. 356/22.V.90

" " " " 1230/8.XII.92

" " " " 2806-2807/13.VII.95

" " " " 505/8.II.96

" " " " 1083-84/17.3.96

" " " " 2667/7.VII.96

" " " " 3504/3691 1.IX.96 15.IX.96 3837/26.IX.96

" " " " 4073/10.X.96

" " " " 4475/11.XI.96

" " " " 4976/5.XII.96

" also Chl. 4586 937

Order No. 466 of 17th June 1897.

Communicated to the Board of Revenue.

2. The decision of the Commissioners being final, the only question that has to be considered is what should be done to prevent a recurrence of disputes on the frontier now settled. The Commissioners suggest that an officer deputed by each govt should go over the whole line and permanently demarcate it with a broad clearing and masonry pillars. This suggestion meets

meets with the approval of H.E. the Governor in Council who also considers that the cost of such demarcation (canal clearing) should be borne by the two Govts concerned in equal proportions. If H.H. the Maharajah's Durbar agrees in the above views, Mr C. G. Douglas, the D.T.O. of the Nilgiris will be deputed to represent British interests at the time of the demarcation and a competent Surveyor should be found to aid by the Supt, Madras Survey, to carry out the work, the details as to the time and manner in which it should be undertaken being left to be decided by Mr Douglas and the officer that may be appointed by the Mysore Durbar in direct communication with each other.

3. With reference to the penultimate paper read above, the Collector of the Nilgiris will be requested to ascertain and report what the

Sec. 12-7-97

To The Board of Rev: & C.R.
with two maps
.. Supt., Madras
Survey.
Copy to the Coll^r of the Nilgiris

60/5

× Despd. 15-7-97.

Sec. 12-7-97
agreed.

2510

the approximate value of the forest produce which the Mysore Authorities were allowed to collect and hold in deposit pending the Settlement of the disputed question.

4. The following letter will be despatched to the Resident in Mysore

17.6.97

17-6-97

2600

To No. 467

The Resident in Mysore

Sir,

Adverting to the Proc^s dy 25-5-97 of the Commrs appointed to Settle the Mysore-Nilgiri Boundary Dispute and to their letter dy the 26th idem forwarding the same, I am directed to address you on the subject of the suggestion made by them that, to prevent future disputes an officer deputed by each Govt should go over the whole line now settled and permanently demarcate it with

with a broad clearing and masonry pillars. This suggestion I am to say, meets with the approval of H.E. the C in C., who also considers that the cost of such demarcation should be borne by the two Govts concerned in equal proportions. If H.H. the Maharajah's Durbar agrees in the above views, Mr C.G. Douglas, the D.F.O of the Nil. hills will be deputed to represent British interests at the time of the demarcation and H.E. in C will also be prepared to send a competent Surveyor to carry out the work the time and manner in which it should be undertaken may be left to be decided by Mr Douglas and the Officer that may be appointed by the Mysore Durbar in direct communication with each other. I am to request that the Durbar may be moved to consider the question and to communicate its views thereon to this Govt at an early date.

order
mm
VI.97

17/6/97

17/6/97

25/2

Government {1897} of Madras.

REVENUE.

Recd.	1897.	*Enclosures*
Regd.		*Spare copies*

G.O., No. 466, 17th June 1897.

JUNE.

Mysore-Nilgiri Boundary dispute.

Communicating to the Board of Revenue, with remarks, the decision arrived at by the Commissioners appointed to settle the —.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., No. 356, Revenue, dated 22nd May 1890.

ABSTRACT.—Directing that the Resident in Mysore be addressed in the Political Department on the inconvenience which is likely to result if the question of permanently demarcating the Mysore and the Nilgiri-Wynaad boundary remains unsettled, and calling upon the Superintendent of Revenue Survey and the Conservator of Forests, Northern Circle, to report why the orders passed in 1878, regarding the setting up of permanent marks on the boundary line, have never been acted upon.

READ—again G.O., No. 1230, Revenue, dated 8th December 1892.

ABSTRACT.—Agreeing with the Board of Revenue in its remarks that the boundary line was fixed in 1859 and that it was unnecessary therefore to reopen the dispute; and adressing the Resident in Mysore on the point regarding the disputed line of boundary between the Mysore State and the Nilgiri-Wynaad.

READ—again G.O., No. 2806, Revenue, dated 13th July 1895.

ABSTRACT.—Stating that copies of certain papers, regarding the boundary dispute between the Nilgiri-Wynaad and the Mysore State, applied for by the Mysore Durbar cannot be granted.

READ—again letter No. 2807, dated 13th July 1895.

ABSTRACT.—Letter to the Resident in Mysore on the above subject.

READ—again the following G.O., Mis. No. 555, Revenue, dated 8th February 1896:—

Read—the following letter from W. M. YOUNG, Esq., Resident in Mysore, to the Secretary to Government, Revenue Department, dated Bangalore, 31st December 1895, No. 5169:—

With reference to correspondence ending with your letter, No. 2807, dated the 13th July last, regarding a boundary dispute between the Nilgiri district and the Mysore State, I have the honour to forward herewith a copy of a letter No. 30-D., of the 9th September 1895, from the Dewan of Mysore (with enclosures) on the subject.

2. I have ascertained that the Government of India will have no objection to settling the matter if the Madras Government agree, in the way proposed by the Durbar in paragraph 14 of the Dewan's letter. But as there seemed little advantage in the arrangement unless finality were secured, I have suggested to the Durbar that both sides should be bound to accept as final the decision of a majority of the committee, or if their votes are equally divided, of the Resident, and this suggestion has been accepted by the Durbar and by the Government of India, subject to the concurrence of the Madras Government.

3. I shall be glad to be favoured with the wishes of the Government of Madras in the matter.

ENCLOSURE.

From Sir K. SHESHADRI IYER, K.C.S.I., Dewan of Mysore, to the Resident in Mysore, dated Bangalore, 9th September 1895, No. 30-D.

With reference to correspondence ending with your office letter No. 2917, dated 29th July 1895, regarding the boundary dispute between the Nilgiri district of the Madras Presidency and the territories of Mysore, I have the honour to forward herewith the accompanying printed file containing letter No. 3612—282, dated 7th May 1895, with 51 enclosures,* from the

* Maps separately put up.

Inspector-General of Forests. This letter contains a full statement of the claim of the Durbar to the tract in dispute based upon the evidence that is available up to date.

2. This tract forms an irregular four-sided figure, three sides of which are shown blue and the fourth pink and yellow in the accompanying map A, and is bounded on the north-east and west by the Berambadi and Bhandipur State Forests of Mysore, and on the south by the Mudumalai Forest belonging to the Tirumalpad of Nilambur in the Wynaad.

3. The disputed tract comprises thirteen square miles of territory combining the character of a prairie and a forest, with grass growing 6 feet high, lofty timber trees including the teak and varieties of the *Pterocarpus* and *Terminalia* and abounding in elephants, tigers, bears and bison. The difficulties of a survey of this unhealthy and practically unpeopled region have been again and again acknowledged by the various officers entrusted with the task to have been well-nigh insuperable.

4. Three surveys were made of this region, the first embodied in the Atlas sheet of 1833, the second in connection with the Madras Revenue Survey of 1875–76 entrusted to Captain Cloete, and the third the Topographical Survey of 1884–85 embodied in the Topo sheet No. 69. Both these latter maps profess to be based on the Atlas sheet of 1833, the former, however, taking the boundary along the blue line A B C D, and the latter along the pink and yellow line A D. Captain Cloete's boundary line thus adds the disputed tract to Malabar, while the Topo sheet gives the same to Mysore. The Topo Survey Officers worked in ignorance of the Revenue Survey that had gone before; both the surveys recognize the inaccuracies in detail of the Atlas sheet; both profess to be guided in regard to the main features of the boundary by the Atlas sheet. From the tri-junction of the Malabar, Nilgiri and Mysore districts, at Tippakadu up to point D, both the Revenue Survey and Topo boundary lines are identical; so too from point A towards the west to Rampur Ford, and the question is therefore,—which line, whether A B C D of the Revenue Survey, or A D of the Topo Survey is consistent with the land-marks indicated in the Atlas sheet of 1833, with the requirements of a natural boundary, with evidence as regards possession, and other available facts indicative of the ancient boundary between Mysore and the Wynaad?

Paragraph 13, page 11 of Mr. Ricketts' report.

Enclosure No. 46, paragraph 6, page 76. Paragraph 13 of Mr. Ricketts' report, page 11; enclosure No. 46, paragraph 6, page 76; enclosure No. 6, paragraph 2, page 23.

Enclosure Map A.

5. Before proceeding to discuss the relative correctness of the maps and the available evidence in regard to the true boundary line, it would be advantageous to clear the ground by removing certain misconceptions as to the previous history of the case. From 1875 to 1877 there were three controversies raging round three lines of boundary continuous with each other—one from the Tippakadu to Rampur Ford which had never been settled before, the second from Rampur Ford to the Yerramavan tree on the Shigebetta slope settled by Dr. Cleghorn in 1859, and the third from the Yerramavan tree to the Kabani river further west, settled by Messrs. Fullerton and Vansomeren in 1865. Captain Cloete first made the mistake of supposing that the whole of the line from Tippakadu to the Shigebetta tree had been settled by Dr. Cleghorn in 1859, but he subsequently corrected himself; and further in his memorandum, dated 4th August 1876, he describes succinctly the different lines, paragraphs 1 to 11 being devoted to the tri-junction-Rampur Ford line now under dispute and surveyed by him for the first time in accordance with the Atlas sheet of 1833, paragraphs 12 to 30 to Dr. Cleghorn's line from Rampur Ford to the Shigebetta tree, and paragraphs 31 to 38 to Fullerton's line from the Shigebetta tree to the Kabani river. The line from Tippakadu to Rampur had never been laid out before, the survey was so difficult and the tract so unhealthy that there was an unseemly squabble between the Forest and the Revenue Departments of Mysore as to whose duty it was to assist the Madras party in the survey. Captain Cloete was anxious to finish the survey before January when the jungle got unhealthy; and when the Chief Commissioner directed Assistant Conservator Mr. Jellicoe to inspect and report upon the alternative lines claimed by Mysore and Madras, this officer, who knew little of surveying and less of the locality, would not wait till March for the old boundary stones hidden in the rank grass to be exposed. Three old men whom he sent for and questioned, dreading the jungle at that deadly season, denied all knowledge of the stones which they had previously declared did exist, another old man contradicted his previous statement, and Mr. Jellicoe reported that the line surveyed by the Madras Forest officers was in accordance with the Atlas sheet of 1833 and might be accepted. The Chief Commissioner was not satisfied with this report, he would not hurriedly abandon the claims of Mysore, and directed *, on 6th April 1876, a fuller elucidation of the points in

Vide Captain Cloete's memorandum of 4th August 1876, pages 35 to 39 of printed file of enclosures.

Enclosure No. 1, page 21, paragraphs 1 and 2. Enclosure No. 2, page 21, paragraph 2. Enclosure No. 23, pages 35 to 39.

Enclosure No. 9, pages 25 and 26. Enclosure No. 7, paragraph 5, page 24. Enclosure No. 9, page 26.

Enclosure No. 16, paragraph 3, page 31. Enclosure No. 10, paragraph 3, page 27. Enclosure No. 14, page 30. Enclosure No. 10, page 27. Enclosure No. 10, paragraph 4, page 27. Enclosure No. 16, paragraph 3, page 31.

* Enclosure No. 19, page 34.

dispute and the preparation of a sketch-map showing the alternative lines of boundary as claimed by Mysore and Madras. But so entirely was the official mind dominated by the Rampur-Shigebetta dispute that, in reply to the above requisition, sketch-map was submitted to the Deputy Commissioner of Mysore in June 1876 (without a report), which brought out clearly the alternative lines in dispute between *Shigebetta and Rampur Ford, and even this sketch-map was not forwarded to the Chief Commissioner, and for a year and a half the Mysore authorities lost sight of the question altogether the correspondence thenceforward and up to almost the beginning of 1878 dealing solely with the boundary disputes to the west of Rampur Ford. In fact these latter disputes loom so largely in the correspondence of those years, there was so much acrimonious wrangling round Cleghorn's and Fullerton's lines between the Forest officers of Madras and Mysore, that it is no wonder that even at this distance of time Messrs. Cherry and Rees, and following them the Madras Board of Revenue, should fall into the error of supposing that the present dispute has anything to do with Dr. Cleghorn's line of 1859, except that the line now in dispute commences at one end of the line laid down by Dr. Cleghorn in 1859.

Enclosure No. 21, page 34.
* Dr. Cleghorn's line.

6. On 12th October 1877 the Madras Government asked whether the demarcation of the line may be accepted as final, the Superintendent of the Madras Revenue Survey having reported that there was no dispute regarding it. The allegation of absence of dispute referred to the concurrence of Mr. Jellicoe in January 1876 which had been repudiated by the Chief Commissioner and in respect of which the latter had called for a report and a sketch showing the alternative lines in question with the result already noted. The previous history of the line was not brought to the notice of the Chief Commissioner, but even thus, he directed Sub-Assistant Conservator Mr. Anthony to report on the line before accepting the demarcation as final. Mr. Anthony reported he could not make out the line; the Madras Deputy Superintendent Mr. Puckle retaliated by saying Mr. Anthony did not know what he had to look for. Captain Cloete explained that only such marks and clearings had been made as sufficed for survey purposes, that he had laid down the line three years before to the best of his ability from the old maps and the information available on the spot, after having vainly endeavoured to get a Mysore official to point out "how the boundary ran through the trackless forests on the borders." The end of all this was that the Mysore Government consented to pay half the demarcation charges when the demarcation was actually effected. This demarcation has not been effected up to date, the Collector of Nilgiris admits that the boundary admitted to be correct in 1876 had never been finally demarcated on the ground, the Madras Government entirely lost sight of the question for nearly twelve years, and the Board of Revenue state that even after the lapse of the short period of three years Mr. Anthony was unable in 1878 to trace Captain Cloete's line, and that it is probable that the latter's marks and clearings have entirely disappeared. The principal argument of the Madras Board of Revenue, which has been accepted by the Madras Government is that the boundary was laid out by Dr. Cleghorn in 1859, and that as Dr. Cleghorn was Conservator of Forests to both the Governments, the Mysore Government is estopped from questioning the correctness of the line. But Dr. Cleghorn never laid down the boundary. He never even went over the disputed boundary. Captain Cloete did not purport (as indeed he could not have purported) to find out Dr. Cleghorn's line, and even as regards the real Cleghorn line from Rampur Ford to the Shigebetta tree, a Commission had to sit nearly two decades after his settlement of 1859 to decide what was Dr. Cleghorn's line, Dr. Cleghorn's settlement of 1859 having itself been a re-settlement of Tod and Stephen's settlement of 1855. Similarly Fullerton's line of 1868 had to be re-settled eight years later.

Enclosure No. 27, page 43, paragraph 1.

Enclosure No. 28, page 43. Enclosure No. 29, page 43. Paragraph 3 of Captain Cloete's report, dated 13th September 1878, in Enclosure No. 30, page 56. Enclosure No. 30 paragraph 1, page 56. Enclosure No. 30, page 57, paragraph 4.

Paragraph 7, page 8 of Mr. Ricketts' report.

Vide letter No. 58, dated 10th April 1890, from the Collector of Nilgiris printed in Madras G.O., No. 356 of 22nd May 1890, page 8.

Madras G.O., No. 356, dated 22nd May 1890, page 8.

Vide Dr. Cleghorn's memorandum of 1859. Enclosure No. 48, page 81.

7. The Durbar are not in possession of the Madras G.O., No. 577, dated 28th April 1859, quoted by the Board of Revenue, but they are in possession of the previous correspondence relating to Dr. Cleghorn's settlement of 1859, which shows that the order quoted by the Board of Revenue could refer only to the disputed boundary between Rampur Ford and Shigebetta.

8. Before concluding this portion of the subject, the Durbar would offer a few remarks about the Tirumalpad of Nilambur who, it is stated, would doubtless produce evidence in favour of the Madras line of boundary, if necessary. It is admitted that he is vitally interested in the question, more interested

Paragraph 5 of Madras G.O., No. 1230, dated 8th December 1892, page 6, and Mr. Cherry's Endorsement No. 1729, dated 11th July 1892, printed in the same page 13, paragraph 2.

than the Madras Government, and it is noteworthy that he never attended the survey operations of 1875–76. Captain Cloete says in this connection—"No aid or information was received from the Nilambur Tirumalpad or his agents; though due warning was sent, they appear to be indifferent as to this boundary." It is further noteworthy from the reports of Mr. Jellicoe in 1875 and Amildar Mr. Abdul Khadar in 1876 that there was an extensive and surreptitious attempt to shift boundary stones by people from the Nilambur side so as to add to the Tirumalpad's property, and during all these years when, as Mr. Russell says, his department has been working the forests south of the Madras Revenue Survey line, the Tirumalpad has never offered to produce the evidence which, as a private proprietor, it was natural to expect him to possess and to produce. With 13 square miles of forest at stake the Tirumalpad's continued indifference is not accountable in reason.

Memorandum, dated 4th August 1876, paragraph 9, page 36, of the printed file.

Enclosure No. 13, page 29.

9. The philological argument advanced by Mr. Rees that the Vararai Katkamani of the lease deed of 1863 is a natural development of the Kara Kanavai of the Atlas sheet of 1833 is not based upon proper evidence, and is not entitled to any weight.

Paragraph 15, page 12 of Mr. Ricketts' report.

10. The boundary line followed by Captain Cloete is absolutely inconsistent with the geographical features indicated in the Atlas sheet which Captain Cloete professed to follow; and with regard to this portion of the subject, the Durbar would only refer to Colonel * McCullagh's exhaustive treatment of this question in his letter No. 249, dated 10th July 1893. This letter explains in full how the boundary of the Atlas sheet is more accurately exhibited in the Topo Survey than the Madras Revenue Survey, and I am unwilling to weaken its effect by reproducing the arguments used, and will solicit a careful study of the letter itself which most strongly supports the Durbar's claim.

Enclosure No. 46, paragraph 9, page 77.

* Superintendent, Survey of India, in charge of Madras Forest Surveys.
Enclosure No. 46, page 75.

11. There can be no reasonable doubt that Mysore has always had possession and enjoyment of the tract in dispute. Ancient boundary stones exist along the boundary claimed by Mysore. The line of these stones, it is true, continues beyond the disputed boundary into the Nilgiri district, but the State's possession has actually been restricted to the tract in dispute, at least since the Atlas Survey of 1833. The statement † of taluk boundary complied on 25th May 1850 contains valuable evidence proving the correctness of the boundary claimed, and the official records of 1869 point to the same conclusion. Mr. Russell's report No. 498, dated 11th December 1888, is important as showing that the Durbar were exercising full rights of ownership so late as 1888, as indeed they still continue to do notwithstanding the Madras Revenue Survey which, as already stated, has not as yet been completed by a proper demarcation, and has never been acted upon.

† Enclosure No. 40, page 72.
Enclosures Nos. 34 and 35, pages 60, 62. Enclosure No. 32, page 58.

12. Owing to the difficult nature of the country the southern boundary of the Province has always been the scene of frequent and protracted boundary disputes, each section (accepted by both sides) having been finally settled after more than one investigation by joint committees extending over a number of years. The section from Tippakadu to the Rampur Ford, the one now in dispute, is the most difficult of all, and when the Durbar found that even the Madras Board of Revenue fell into the error of supposing that the boundary in question was the one settled by Dr. Cleghorn in 1859, they ordered a most careful investigation of the tract by competent Forest Officers with the result that most valuable evidence has been obtained in regard to the ancient line of boundary between Mysore and Malabar. This evidence is embodied in pages 65—74 of the printed file.

13. Briefly stated, the present position of the question is as follows:—

There has as yet been no binding settlement of the disputed boundary.

The line proposed by the Madras Revenue Survey cannot (under the circumstances explained in paragraph 5) be regarded as having been accepted by the late Chief Commissioner of Mysore in a way which can be binding upon the Durbar.

Following the indications of the old Atlas sheet of 1833, the correct boundary is as shown in the Topo Survey map.

There is other strong evidence in support of this boundary.

The State has always had actual possession of the tract in dispute, and the Madras Government and the Nilambur Tirumalpad never exercised therein any rights of proprietorship.

14. Under such circumstances the Durbar are of opinion that, for the satisfactory settlement of this question, it is necessary to appoint a Joint Committee to investigate the question on the spot, and to pronounce a decision thereupon. The Committee may consist of two members nominated by the Madras Government and two by the Mysore Government, and the British Resident may act as umpire should the members of the Committee be equally divided in opinion.

Order—Mis. No. 555, Revenue, dated 8th February 1896.

The Board of Revenue will be requested to report the names of the officers whom it would recommend for nomination as the Madras members of the proposed Committee.

(True Copy and Extract.)

(Signed) E. GIBSON,
Secretary to Government.

To the Board of Revenue (Land Revenue).

Read—again the following G.O., Mis. No. 1083, Revenue, dated 17th March 1896:—

Read—the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 265, dated 21st February 1896:—

Read—G.O., Mis. No. 555, Revenue, dated 8th February 1896.

Resolution—Forest Mis. No. 265, dated 21st February 1896.

The Board would recommend, for nomination as the Madras members of the proposed Committee, the Head Assistant Collector of Nilgiris for the time being, and a Forest officer who will be deputed when it is known at what period of the year the commission is likely to meet.

(True Copy and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with enclosures returned.

Copy to the Collector of Nilgiris, through the Conservator
of Forests, Southern Circle.

Order—Mis. No. 1083, Revenue, dated 17th March 1896.

The Government considers that one of the officers nominated to represent Madras on the proposed Committee should be the Collector, for the time being, of the district of the Nilgiris and that the other should be Mr. G. Hadfield, the District Forest-officer of South Malabar. If, however, from any cause it is found that Mr. Hadfield's services cannot be made available for the purpose intended, the District Forest Officer, for the time being, of the Nilgiris may be nominated instead. The Board will issue the necessary instructions accordingly.

2. The following letter will be sent to the Resident in Mysore.

(True Copy and Extract.)

(Signed) E. GIBSON,
Secretary to Government.

To the Board of Revenue (Land Revenue),
with one copy of the report of the Inspector-General
of Forests, Mysore, for record.

Read—again the following letter from E. GIBSON, Esq., Secretary to the Government of Madras, Revenue Department, to the Resident in Mysore, dated 17th March 1896, No. 1084.

I am directed to acknowledge the receipt of your letter No. 5169, dated 31st December 1895, regarding the boundary dispute between the Mysore State and the Nilgiri district and to state, for your information and for communication to His Highness the Maharajah's Durbar, that His Excellency the Governor in Council accepts the proposals therein referred to, viz., that an arbitration Committee composed of two Mysore and two Madras members should be appointed to settle the dispute in question, and that to secure finality both sides should be bound to accept as final the decision of a majority of the Committee or if their votes are equally divided, of the Resident. I am to add that His Excellency in Council has accordingly nominated the Collector, for the time being, of the district of the Nilgiris and a Forest Officer to represent Madras on the proposed Committee and am to request that the names of the Mysore representatives as well as the time when and the place where the Committee can conveniently meet may be duly intimated to this Government.

2. The maps forwarded with your letter are herewith returned.

Read—again G.O., No. 2667, Revenue, dated 7th July 1897.

Abstract.—Referring to the Board of Revenue for early remarks letter from the Resident in Mysore stating that Colonels Grant and Campbell Walker have been nominated by the Durbar to represent Mysore on the Committee for the settlement of a disputed portion of the southern frontier of Mysore State.

Read—again G.O., No. 3504, Revenue, dated 1st September 1896.

Abstract.—Agreeing with the Board of Revenue in considering that it is preferable for the Committee to discuss and draw up its report on the disputed boundary between the southern frontier of Mysore and the Nilgiri-Wynaad.

Read—again G.O., No. 3691, Revenue, dated 15th September 1896.

Abstract.—Communicating to the Board of Revenue letter from the Resident in Mysore stating that there is no objection to the Committee, appointed to settle the disputed boundary between the southern frontier of Mysore and the Nilgiri-Wynaad, discussing and drawing up its report on the spot as proposed by the Madras Government.

Read—again G.O., No. 3837, Revenue, dated 26th September 1896.

Abstract.—Ordering that the Resident in Mysore be addressed about postponing the meeting of the Committee appointed to settle the boundary dispute between the Mysore State and the Nilgiri-Wynaad.

Read—again G.O., No. 4073, Revenue, dated 10th October 1896.

Abstract.—Ordering that a letter be despatched to the Resident in Mysore intimating that the Forest officer Mr. J. Hadfield has been nominated to serve on the Committee appointed to settle the disputed boundary between the Mysore State and the Nilgiri-Wynaad.

Read—again G.O., No. 4475, Revenue, dated 11th November 1896.

Abstract.—Issuing instructions regarding the conduct of the settlement of the boundary between the Nilgiri-Wynaad and Mysore.

Read—again G.O., No. 4976, Revenue, dated 5th December 1896.

Abstract.—Informing the Mysore Durbar that there is no objection to the Mysore Forest Departments collecting and holding in deposit the minor produce of the area lying between Colonel Cloete's and Colonel McCullagh's lines pending the settlement of the dispute connected with it.

Read—also the following letter from the Commissioners, Mysore-Nilgiri Boundary Dispute, to the Secretary to Government, Revenue Department, dated Ootacamund, 26th May 1897 :—

We have the honor to submit our decision on the Mysore-Nilgiri boundary dispute referred to us in the marginally-noted papers.

(1) Mysore General Secretary's letter No. 2838—Ft. F. 129-95 of 14th September 1896.
(2) G.O., Mis. No. 1083, dated 17th March 1896.

2. We are unanimous in accepting the Survey Descriptive Memoir * of the Malabar frontier, which is in reality a field-book of the Atlas, as distinctly and unmistakably supporting the line of boundary shown in the latter. The Atlas is wrong in certain details, but it is not materially wrong in its delineation of the boundary line.

* Ward and Connor's.

3. The effect of our settlement is to accept Colonel Cloete's line from the west to Karakanavai; thence to cut off a considerable angle † where he seems to have diverged from the proper line, this angle being added to Mysore; thence continuing along Colonel Cloete's line till it joins Colonel McCullagh's line.

† Area roughly 2 square miles.

4. Holding these views, the Commission did not go into the question of possession.

5. We beg to suggest that an officer deputed by each Government, accompanied by a surveyor, go over the line now settled and permanently demarcate it with a broad clearing and masonry pillars.

Enclosure.

Proceedings of the Boundary Commission appointed under G.O., Mis., No. 1083, dated 17th March 1896, to investigate Mysore-Nilgiri boundary dispute, dated 25th May 1897.

The Commission met at Ootacamund on the 10th, 18th, 24th and 25th of May 1897.

After full discussion of the points mentioned in paragraph 13 of the Dewan's letter to the British Resident in Mysore, dated 9th September 1895, the following resolutions were unanimously agreed to :—

(1) That McCullagh's line has been taken along the main stream which is shown in the Atlas sheet from the word "ruins" (of Editerracottah in ruins) to a point half an inch north of the last letter of the words "Esharun Pagoda" and about 4 miles to the north-east of Bellami.

(2) Resolved also that Colonel Cloete's survey may be accepted from where it leaves the Mavinahalla to where it joins Karakanavai.

(3) That to the east the line should run as shown in that map of Colonel McCullagh, which has been signed by all members of the Commission, till it reaches the Honnurhalla as shown; running down that river till it reaches the point of no dispute at A.

In arriving at the above settlement the Commissioners have been mainly guided by the original Survey Memoir by Messrs. Ward and Connor produced by the Madras Commissioners the *intention* of which they believe is fairly represented by the line now adopted.

Order—No. 466, Revenue, dated 17th June 1897.

Miscellaneous.

Communicated to the Board of Revenue.

2. The decision of the Commissioners being final, the only question that has to be considered is what should be done to prevent a recurrence of disputes on the frontier now settled. The Commissioners suggest that an officer deputed by each Government should go over the whole line and permanently demarcate it with a broad clearing and masonry pillars. This suggestion meets with the approval of His Excellency the Governor in Council who also

considers that the cost of such demarcation should be borne by the two Governments concerned in equal proportions. If His Highness the Maharajah's Durbar agrees in the above views, Mr. C. G. Douglas, the District Forest-officer of the Nilgiris, will be deputed to represent British interests at the time of the demarcation and a competent surveyor should be found by the Superintendent, Madras Survey, to carry out the work, the details as to the time and manner in which it should be undertaken being left to be decided by Mr. Douglas and the officer that may be appointed by the Mysore Durbar in direct communication with each other.

3. With reference to the penultimate paper read above, the Collector of the Nilgiris will be requested to ascertain and report the approximate value of the forest produce which the Mysore authorities were allowed to collect and hold in deposit pending the settlement of the dispute in question.

4. The following letter will be despatched to the Resident in Mysore.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue), with two maps.
„ the Superintendent, Madras Survey.
Copy to the Collector of the Nilgiris.

Exd. Shaik Karim.

60 Copies.

1897.

RESIDENT IN MYSORE.

From

The Government of Fort St. George.

Recd. } 1897. *Enclosures*

Regd. } 1897. *Spare copies*

Letter, No. 467, 17th June 1897.

JUNE.

EXPRESSING the willingness of the Madras Government to make arrangements for the permanent demarcation of the Mysore-Nilgiri boundary line recently settled by the Commissioners appointed for the purpose, and requesting to be furnished with the views of the Mysore Durbar on the question.

REVENUE DEPARTMENT.

From

The Hon'ble Mr. G. STOKES, I.C.S.,
Acting Secretary to the Government of Madras,
Revenue Department,

To

The RESIDENT in MYSORE,

Dated Ootacamund, 17th June 1897.

Sir,

Miscellaneous.

Adverting to the Proceedings, dated 25th May 1897, of the Commissioners appointed to settle the Mysore-Nilgiri boundary dispute and to their letter dated the 26th *idem* forwarding the same, I am directed to address you on the subject of the suggestion made by them that, to prevent future disputes, an officer deputed by each Government should go over the whole line now settled and permanently demarcate it with a broad clearing and masonry pillars. This suggestion, I am to say, meets with the approval of His Excellency the Governor in Council, who also considers that the cost of such demarcation should be borne by the two Governments concerned in equal proportions. If His Highness the Maharajah's Durbar agrees in the above views, Mr. C. G. Douglas, the District Forest-officer of the Nilgiris, will be deputed to represent British interests at the time of the demarcation, and His Excellency in Council will also be prepared to send a competent surveyor to carry out the work. The time and manner in which it should be undertaken may be left to be decided by Mr. Douglas and the officer that may be appointed by the Mysore Durbar in direct communication with each other. I am to request that the Durbar may be moved to consider the question and to communicate its views through you to this Government at an early date.

I have the honour to be,
Sir,
Your most obedient servant,

(Signed) G. STOKES,
Ag. Secretary to Government.

Exd. Shaik Karim.

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RV.
12/7/97.

Sent herewith
SR
13/7/97

Nilgiri Collector's Office,

Ootacamund, 25 May 1897.

GOVERNMENT OF MADRAS
26 MAY 97
RECEIVED

My Lord Stokes,

The Forest Commission
Cir Khan has come to an agreement.
Mysore gets 100 Square
miles out of the 18
She claimed. Cloete's work
is practically endorsed.
Yours Sincerely

H. Tremenheere.

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to the Government of Madras,
ove, with copy of the accom-
panying Map, handed to the
Mysore Commissioners
for transmission to the
Maharajas Durbar.

Yours Sincerely

H. Tremenheere.

Nilgiri Collector's Office,

Ootacamund, 4. June. 1897.

My dear Stokes,

Duplicates of the Proc^g^s
dated 25. May. 1897 embody-
-ing the decision of the
Commissioners appointed
to settle the Mysore-Nilgiri
Boundary dispute, - as well
as of the Covering letter
dated 26^th^ idem addressed

c

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