

Revenue (1899) Dep.

TE DEPARTMENT.

PRESS SERIES:

G.O., No. 862-62A.

Dated 23rd Dec '98

[Despatch Abstract.]

Resumed Draft

The draft notification, under Sec. 16 of the Madras Draft Act, for the Constitution of the Kodum block, in the Mangalore Taluk, is a—, order, & is published in the 82nd Vol. of the S. C. & S. G. Gazette.

Paper taken

BACK PAPERS.

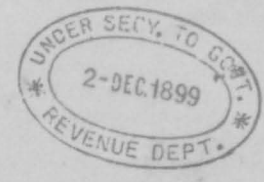
No.	Department.	Date.	G.O.	No.	Department.	Date.
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FURTHER PAPERS.

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

Revenue (1899) Department.

CURRENT No. 7752.



359
19 Dec 97
(Sent to Press) 26/12/97
S.R.

From
The Board of Revenue
(Land Revenue.)

Just No 261
Order Press No 862 d/23rd December 1898

The draft notification
is approved and will be published
in the Fort St George and South
Canara St. Gazette, the 15th April
1900 being entered as the date from
which reservation shall take effect.

FOREST No. 465-A.

Approved by Secy. to Govt.
Dated 18th November 1898.
Received 2/12
Registered 4/12.
Enclosures . 6.
Spare copies.

To The Board of Res. L.R. with map.
The Secy. Govt. Press with notif.
Draft of Forest Survey
Just No. 862A

Copy to the foot of India Res. Ag. Dept.
The initial reservation of the
block was approved with 359
19.5.97

22-1-99

SUBJECT.
Subg to Govt. for approval and
publication in the Fort St George
Gazette, draft notif. under sec 16
of the Madras Forest Act for the con-
tention of the Kodiamale block
in the Mangalore taluk, South
Canara St., as a reserved for

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

REVENUE DEPARTMENT.

1899.

Board of Revenue

(Land Revenue),

MADRAS.

Printed November th.

Proceedings, Forest No. 435-A, 1st November 1899.

NOVEMBER.

Submitting to Government, for approval and publication in the Fort St. George Gazette, draft notification under section 16 of the Madras Forest Act for the constitution of the Kodiamale block in the Mangalore taluk, South Canara district, as a reserved forest.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

The Hon'ble Mr. J. STURROCK, I.C.S.

READ—the following letter from H. S. MULLINS, Esq., Special Forest Settlement-officer, Malabar and South Canara Districts, to the Collector of South Canara, dated Camp Mangalore, 15th July 1899, Dis. No. 13-F.S. :—

I have the honour to submit the necessary records of block No. 87, Kodiamale, in the Mangalore taluk of your district, the settlement of which is now complete.

2. The block was notified under section 4 in the *Fort St. George Gazette*, dated 25th May 1897, page 646, and the proclamation under section 6 was issued by me and published in the *District Gazette Supplement*, dated 23rd July 1897. The spare copies of the proclamation were served on the persons interested through the Tahsildar in July and August of that year.

3. Eighteen claims were received against the block, the details of the disposal of which are given in enclosure No. 3.

4. The order on the last claim was passed on 19th January 1899, and only one appeal under section 14 of the Forest Act was filed against one of my orders.

5. In that appeal the Appellate authority animadverted on my original order, in which I granted the claimant only a right to use the natural flow of a stream issuing from the reserve, which, after leaving the reserve, he collected in a tank; the usual formal "not contested" of the District Forest-officer seems to have been misunderstood by the Appellate Court, and as I know by my inspection of the locality that the water claimed cannot but flow to the tank formed by damming the ravine from which it issued, I have, in accordance with the order on appeal, cancelled the whole easement.

I hold, however, that the Appellate Court is absolutely wrong in understanding that my order referred only to rights exercised outside the reserve as the order prohibits the Forest Department from interfering with the natural flow of the water of the stream either by damming the stream and diverting the water thereof or by permitting any one else to do so.

6. No appeal has been preferred against any of the other orders passed by me, and the period for filing any such appeals has long expired. The block is thus free of all rights save those mentioned in the draft notification.

7. The boundary of the reserve as now submitted does not exceed that originally notified under section 4 at any point.

8. I submit herewith the following records of settlement :—

- (i) Draft notification under section 16.
- (ii) B. Register.
- (iii) Statement showing the number of claims filed and their disposal.
- (iv) Sketch-map.

9. The date from which reservation is to take effect is left blank in the draft notification to be filled in by Government.

inf 389
19-5-99

10. The plan herewith submitted has not been signed by the officer in charge of the District Forest-office, South Canara, it having been prepared by the Forest Settlement Surveyor. This omission can be supplied as the records pass through your office.

ENCLOSURE No. 1.—B. Register.

ENCLOSURE No. 2.—Draft notification.

ENCLOSURE No. 3.—Numerical statement.

ENCLOSURE No. 4.—Sketch-map.

Endorsement by A. F. PINHEY, Esq., Acting Collector of South Canara, dated Mangalore, 15th August 1899, N. Ref. on C.S.C. No. 129-For. of 1899-1900.

Forwarded with the subjoined remark.

In paragraph 5, the Forest Settlement-officer deals with the appellate decision of this court in the single case where an appeal was filed.

I submit copies of the Forest Settlement-officer's decision and my judgment in appeal.

When deciding the appeal, I first examined the claim petition to see exactly what the original claim on this point was. In my judgment I have given a translation of that claim.

I next referred to the pleadings to see what District Forest-officer's answer was: the only answer was "not contested."

The Forest Settlement-officer's decision on the claim will be found and may be perused. The essence of the claim was to be allowed to repair the channels by which the water flowed from its spring to claimant's tank.

The District Forest-officer did not contest the claim. If the claim had been allowed, it included the right to the water and claimant would not have appealed. I allowed the appeal as the District Forest-officer had not contested the claim.

The way the Forest Settlement-officer has thought fit to interpret my order in appeal is remarkable.

He has now cancelled the modicum of relief he originally gave and not allowed the greater relief (which included the less) as ordered by me.

What the claimant is entitled to and should be allowed is not merely the right to the water, but the right to execute the mamul repairs to the stream within the reserve.

I do not understand the Forest Settlement-officer's reference to the formal "not contested" of the District Forest-officer. If the District Forest-officer intended to contest any part of the claim, he should have said so. He did not, and I do not see why the Forest Settlement-officer should have under the circumstances given less than was claimed.

Forest Settlement-officer should now be directed to amend the register of claim—

(1) By correctly stating the claim in column 4; the present statement of claim is not correct. Compare my translation of the above claim in my judgment.

(2) By correcting the entry in column 8 and substituting for the entry now found in that column the decision of this court. The area statement of the block is enclosed.

ENCLOSURE No. 1.—Area statement.

ENCLOSURE No. 2.—Forest Settlement-officer's judgment.

ENCLOSURE No. 3.—Collector's judgment.

Endorsement by H. A. GASS, Esq., Acting Conservator of Forests, Southern Circle, dated 27th August 1899, No. 454.

Forwarded.

Reference No. 266, dated 19th September 1899.

The Forest Settlement-officer has evidently misunderstood the decision of the Appellate Court. The Collector's endorsement read above, which clearly explains the case should, now be communicated to him and he should be requested to make the necessary corrections in the records herewith returned.

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Collector of South Canara, with records returned.

Copy to the Conservator of Forests, Southern Circle.

Endorsement by H. S. MULLINS, Esq., Special Forest Settlement-officer, Malabar and South Canara Districts, dated Manantody, 5th October 1899, N. Dis. on C. R. No. 407-F.S.

Returned to the Collector, South Canara, with the necessary alterations executed.

ENCLOSURE No. 1.

B. REGISTER of claims to Lands, rights to Forest produce or easements in the proposed Kodumale reserved forest, Block No. 87, South Canara.

No.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest-officer's arguments and evidence produced by him.	Brief abstract of decision and final disposal of the claims by the Forest Settlement-officer.	Brief abstract of decision, if any, of Court of final appeal and settlement.
1	1	3	4	5	6	7	8
1	1-A	21st Oct. 1897.	Claims right to kumaki for his muli warg No. 29 of Kavala Padur village, enclosed within the proposed reserve.	..	The petitioner has sufficient kumaki. The claim is contested.	The portion of the reserve boundary adjoining Kavala Padur village was inspected on the 12th instant and it was found that at no point was the kumaki deficient, except at cairn No. 70 which adjoined muli warg No. 4 of Kavala Padur and not muli No. 29 belonging to claimant. The District Forest-officer's contention that sufficient kumaki has been excluded is therefore accepted and the claim dismissed.	..
2	11-A	13th Jan. 1899.	Requests that the demarcation between cairns Nos. 1 and 10 originally made by the Range officer may be allowed to stand so as to allow full kumaki for warglands of Kavala Padur and not the road to Karinja constituted as the northern boundary as notified under section 4.	KARINJA, 13th January 1899.	..	(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.	..
3	8-A	29th Nov. 1897.	Claims proprietary right to a portion of muli warg No. 4 of Kavala Padur village alleged to be within the reserve.	..	cairns Nos. 1 and 10 A. Cairns Nos. 1, 4, 4 A and 10 A will touch the road on the south, the remaining cairns, viz., Nos. 2, 3, 6, 7, 8 and 9, being at a distance south of the road.	(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.	..
4	9-A	Do.	Claims the following:— (a) Kumaki for muli warg No. 4 of Kavala Padur village. (b) Right to lead off water from and to repair a tank within the reserve. (c) Pathways leading from his land to the Karinjeswar temple. (d) Pasturage for his cattle.	KARINJA, 14th January 1899. Personal narration. (a) One hundred yards kumaki has been allowed. (b) No objection to the use of water. (c) The pathway is not necessary. (d) Contested.	The claimant was examined as regards claim No. 9 below, and on the evidence he gives in that claim, viz., that cairn No. 21 is not, as measured, within 100 yards of his wargland, I dismiss his claim to proprietary right finding that no portion of warg No. 4 of Kavala Padur is included in the reserve.	(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.	..

5	14-A	Annaya alias Subraya, son of Appanna Shanbhaga, of Kavala mudur village.	13th Jan. 1899.	Claims kumaki for muli warg No. 10 of Kavala mudur village encroached upon by the line between cairns Nos. 43 and 44.	..	The claim is admitted. A cairn, No. 43-A, will be interpollated between cairns Nos. 43 and 44 so as to allow full 100 yards of kumaki between the reserve boundary and the claimant's wargland adjacent to it.	..
6	2-A	Alekal Raghavendra Rao, residing in Buntwal Kasba.	26th Nov. 1897.	Claims proprietary right over a portion of muli warg No. 2 of Devaseswar alleged to be included within the reserve at cairns Nos. 49 and 50.	..	(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.	..
7	3-A	Alekal Raghavendra Rao, residing in Buntwal Kasba.	Do.	Claims the following easements:— (1) Kumaki for muli warg No. 2 of Devaseswar. (2) Right to cut firewood from the reserve. (3) Right to take manuring leaves from the reserve. (4) Pasturage for cattle. (5) Water of fountains for irrigating his lands and right to repair the stream by which the water flowed from the fountain to his lands. (6) Pathways leading from his warg to the temple. (7) The temple of Karinjeswar.	VENUR, 17th January 1899. (1) Not contested. (2), (3) and 4 contested. (5) and (6) Not contested.	..	..

Against this order Appeal No. 3 of 1899 was filed under section 14 before the Collector, South Canara. The appeal on items 2 to 4 was rejected, and the order of the Forest Settlement-officer confirmed by the Collector. The appeal on item 5 was allowed, and the order of this court was stated to be "unsustainable for it gave the appellant merely what he already possessed outside the reserve."

In accordance with this order which is as follows: "As regards this portion of the claim, the appeal must be allowed." The following easement is granted:—

Permission is accorded to the cultivator, for the time being, of muli warg No. 2 of Devaseswar, for the purpose of

of cairn No. 50 for the purpose of

yearly, both months inclusive.

(Signed) H. S. MULLINS,
Special Forest Sett.-officer,
Malabar and South Canara.

Claim No. 7.—{ Item (6) P.R.W. No. IV.
Item (5) Easement No. IV.

Claim No. 4.—Item (c) P.R. W. No. II.

MANANTROY,
5th October 1899.

VENUR,
17th January 1899.

mudur village to enter the reserve to a distance of a furlong from cairn No. 50 by the bed of a channel issuing from the reserve at and on the east side of cairn No. 50 for the purpose of

keeping clear the stream bed by which water flows into a tank or reservoir at the head of his cultivation. This easement will be in force from May to October yearly, both months inclusive.

(Signed) H. S. MULLINS,
Special Forest Sett.-officer,
Malabar and South Canara.

B. Register of claims to Lands, rights to Forest produce or easements in the proposed Kodumale reserved forest, &c.—cont.

No.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest Officer's arguments and evidence produced by him.	Brief abstract of decision and final disposal of the claims by the Forest Settlement Officer.	Brief abstract of decision, if any, of Court of final appeal and settlement.
1	2	3	4	5	6	7	8
8	Puvani, nephew of Duma, potter of Duvasa-Padur.	14th Jan. 1899.	Claims right to obtain from the reserve inside cairn No. 63 at a place called Manjala Paduvu, earth required for his trade.	Personal narration.		It was found on examination of the claimant that the earth does not occur in a stratum, but is found in pockets of about twelve feet diameter and has now and then to be prospected for over considerable areas, one pocket containing earth sufficient for only two or three years. It is beyond the powers of this court to permit prospecting for earth or other minerals in a reserve area and the claim is therefore rejected.	..
9	Narayana Acharya, son of Ananthacharya, of Kavalamudur village.	Do.	Claims kumaki for muli warg No. 29 of Kavalamudur village encroached upon by cairn No. 23.	Do.		VENUR, 17th January 1899. It was found on inspection that full 100 yards of kumaki was allowed at the cairn complained of. The claim is therefore rejected.	H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.
10	Athikarbaalu Ishwarappa, son of Naranasappa, of Kavala Padur village.	29th Nov. 1897.	Claims proprietary right to a portion of muli warg No. 15 of Kavala Padur village alleged to be within the reserve.		No land belonging to petitioner has been included in the reserve.	(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara. 17th January 1899. I visited the reserve boundary accompanied by the claimant who showed that the line between cairns Nos. 10-A and 17 passed over his warg lands. I found also, that the line was incorrectly cleared, the direction being west-south-west instead of south-west as notified. I therefore removed cairn No. 10-A to its proper position. It was found that no part of the claimant's warg was included in the reserve as notified under section 4. The claim is therefore rejected.	H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.
11	Athikarbaalu Ishwarappa, son of Naranasappa, of Kavala Padur village.	Do.	Claims:—(1) Kumaki for muli warg No. 15 of Kavala Padur. (2) Right to lead off water from a tank within the reserve and from the Karanje tank to his land. (3) Pathways from his land to the Karanje temple. (4) Pasture ground for his cattle within the reserve.	Produced authenticated copy of decree in O.S. No. 738 of 1861 to show that he had a prescriptive right to the use of water of the Kadha Turiba tank and the tank on the Kodumale hill.	1. Contested. 2. No objection to the use of water. 3. This path is not necessary. 4. Contested.	(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara. 18th January 1899. (1) It was found on inspection that the kumaki of the adjacent warg lands between cairns No. 10-A and 1. The claim to kumaki is admitted and the cairns are ordered to be removed to a proper distance from the adjoining warglands. (2) The claim to the use of the water of a tank situate fifty yards south-west of cairn No. 10-A by leading off water therefrom by a channel fifty yards long and three feet broad (including its banks) and leaving the reserve twenty yards west of cairn No. 10-A is also admitted to the claimant or to the cultivator, for the time being, of muli warg No. 15 of Kavala Padur. The tank will not exceed twenty yards each way or an area of 400 square yards, and the tank and channel will be kept in repair with material taken from the bed of each. Right of entry into the reserve for the maintenance of the tank and channel will be by the bed of the channel. This easement will be in existence annually from May to October. The Karanje tank will be excluded from the reserve on a claim preferred for the same by the Trustees of the temple and the claimant can then exercise whatever right he has over it. (3) The third claim is to pathways, unspecified from his land to the Karinjeshwar temple. The temple authorities having put in a separate claim for such paths as are necessary for the use of temple-vorshippers, this claim will be disposed of when disposing of the Mokt sar's claim. (4) Sufficient kumaki having been excluded for the claimants warg and the claimant having adduced no proof whatever of his having the slightest pretence of a right to such an easement, the claim as regards this item is rejected.	H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.

12	Thakra, nephew of Balu, of Kavala Padur village.	12th Jan. 1899.	Claims on behalf of his landlady, Sitamma—(1) Kumaki for muli warg No. 16 of Kavala Padur encroached upon by the line between cairns Nos. 69 and 70. (2) Use of a tank situate about ten yards outside the limits of his kumaki within the reserve.	Personal narration.	The Forest Ranger representing the District Forest Officer does not contest the claim.	(1) It was found that the line between cairns Nos. 69 and 70 encroached upon the kumaki of the adjoining warg. A new cairn No. 69-A will be interpollated between those cairns to exclude sufficient kumaki for muli warg No. 16 of Kavala Padur. (2) The claim to the use of the water of a tank, the bund of which lies ten yards north of cairn No. 69 A, is also admitted and permission accorded to the cultivator, for the time being, of warg No. 16, to keep the tank in repair with material taken from the bed thereof. No channel is necessary to take off water 20 yards east to west and north to south. No channel is necessary to take off water to the tank. Right of entry into the reserve for the maintenance of the tank and channel will be by the bed thereof. The area of the tank will be four hundred square yards (or 20 yards X 20 yards) entering the reserve twenty yards west of cairn No. 69-A and passing direct to the tank from the tank as the water will flow by the natural channel which being dammed forms the reservoir. Entry into the reserve for maintaining the tank will be by a path three feet wide, for men only, entering the reserve twenty yards west of cairn No. 69-A and passing direct to the tank bund. This easement will be in force from May to January of each year.		(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara. 18th January 1899.
13	Sitarama Bhatta, son of Naddonthillaya Vishnu Bhatta, of Kavalamudur village.	13th Jan. 1899.	Claims proprietary right to a portion of muli warg No. 15 of Kavalamudur village alleged to be included within the reserve.			The claimant himself, in his examination, admits that no portion of his warg is included in the reserve. The Court, on inspection, also found the claim to be unfounded and the claim is therefore rejected.		(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara. 18th January 1899.
14	Sitarama Bhatta, son of Naddonthillaya Vishnu Bhatta, of Kavalamudur village.	Do.	Claims the following:—(1) Kumaki for muli warg No. 15 of Kavalamudur and possession of certain jack trees alleged to be situated on his kumaki. (2) Right to collect leaves for manure, firewood, and to graze cattle in the reserve area. (3) Right to use the water of a certain spring for the irrigation of his lands. (4) A pathway from his house to the Karinjeshwar temple.			(1) The claim complained of, which was found to be No. 33, excludes sufficient kumaki to the wargland adjacent. As regards the jack trees claimed, it was found that four out of five shown by the claimant were outside the reserve and there is nothing to show that the fifth tree, inside the reserve, was planted by the claimant or anybody else. It is in the fissure of a basalt rock and is obviously a self-planted tree. This item of the claim is therefore rejected. (2) As the claimant has been allowed sufficient kumaki and there is enough pasture ground outside the reserve, the claim to item No. 2 is also rejected. (3) Admitted. Permission is accorded to the cultivator for the time being of muli warg No. 15 of Kavalamudur to keep in repair a channel four feet wide (including banks) leading from a spring in the hill side eighty-five yards south of cairn No. 30 and passing east-north-east for five hundred yards through the reserve which it quits fifty yards south-east of cairn No. 33. Material for the repair of the channel will be obtained from the bed of the channel and right of entry into the reserve for the maintenance thereof will be by the bed thereof. (4) The pathway claimed is unnecessary. I therefore reject the claim thereto.		(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara. 19th January 1899.
15	The Moktessars of the Karinjeshwar temple on behalf of the temple.	14th Jan. 1899.	Claim proprietary right over a portion of muli warg No. 15 of Kavala Padur included within the reserve between cairns Nos. 10-A and 17.	Verbal statement		This claim is the same as that preferred by one Ishwarappa on which orders have been passed (vide order No. 10—6-A). The order on that claim applies to this also.		(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara. 19th January 1899.
16	Ramanna Acharya, son of Padmanabha-charya, of Kavalamudur village.	Do.	Claims kumaki for muli warg No. 29 of Kavalamudur village alleged to be included within the reserve by the line between cairns Nos. 25 and 26.	Do.		It was found on inspection that the line between cairns Nos. 25 and 26 encroached upon the kumaki of the adjoining warg. The claim is admitted and the boundary of the reserve will be so altered as to allow full one hundred yards of kumaki to the claimant's warg.		(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara. 19th January 1899.

REMARKS.—(1) The Karinjeshwar temple road is admitted to a width of twelve feet and will be open to men, cattle and carts. The road is about one and a half furlongs and quite it one hundred and ten yards south-west of cairn No. 28. (P.B.W. No. I.)

(2) Karinjeshwar temple road is admitted to a width of twelve feet and will be open to men, cattle and carts. The road is about one and a half furlongs and quite it one hundred and ten yards south-west of cairn No. 28. (P.B.W. No. I.)

(3) Kaval-pur Karmaj foot-path, six feet wide, for men and cattle enters the reserve seventy yards east of cairn No. 71, runs north-east through it about three hundred and seventy yards and quits it one hundred yards south-east of cairn No. 6. (P.B.W. No. VI.)

The following foot-path is admitted to a width of four feet for men only, on a claim received thereto during perambulation:—

Kavalandur-Karinjeshwar temple foot-path entering the reserve one hundred and ten yards south-west of cairn No. 28, running in a north-westerly direction about two and a half furlongs and quitting the reserve fifty yards east of cairn No. 16. (P.B.W. No. III.)

(Signed) H. S. MULLINS,
Special Forest Sett.-officer,
Malabar and South Canara.

MANGALORE,
15th July 1899.

Number and name of block.	Claims to rights of way.			Claims to kumakis.			Claims to easements.			Claims of patta and inam rights over lands and to Government patta usufruct over trees.			Miscellaneous.			Total of all claims.		
	Filed.	Admitted.*	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
No. 87, Kodiamale ..	..	..	..	5	3	2	(a)5	(b)5	..	6	1	5	2	(c)1	1	18	10	8

ENCLOSURE No. 3.

Name and area of taluk.	Extent of Government land in the taluk.		Area of reserves already notified under sections 16 and 25.	Area of reserves under settlement.	Area of reserves already submitted for notification under section 16.	Area of reserves already submitted for notification under section 4.	Character of lands now proposed for reservation.				Sketch-map.
	Occupied.	Un-occupied.					Block.	Area.	How much forest.	How much grass.	
Mangalore .. 425,612	128,448 acres.	302,064 acres.	3,172.86 acres.		29,696 acres.	1,400 acres.	No. 87, Kodiamale.	1,169 acres.	50 per cent.	50 per cent.	Enclosed.

Forwarded to the Secretary to the Commissioners of Land Revenue, Madras.

12 BOARD OF REVENUE (LAND REVENUE), FOREST No. 465-A, 1st November 1899.

RESOLUTION—Forest No. 465-A, dated 1st November 1899.

Submitted to Government for approval and publication of the draft final notification in the *Fort St. George Gazette*.

2. The block may be declared "reserved" from the 15th April next.

(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with draft notifications (one original and two printed)
and a sketch-map and two copies of the Forest
Settlement-officer's and Collector's judgments
in original to be returned.

E. A. A. Rangaswami Aiyangar

NOTIFICATION.

His Excellency the Governor in Council is pleased to declare under the provisions of Section 16 of the Madras Forest Act (V of 1882) that from 189 , the area, the boundaries of which are set forth in the Schedule appended to this Notification, will be constituted a Reserved Forest.

SCHEDULE.

Number.	District.	Taluk.	Name of Forest.	Description of boundaries.	REMARKS.
87	South Canara	Mangalore	Kodiamale	North:— Starting from Cairn N ^o 80 on the Southern side of the Local Find Road from Mangalore to Charamadi, the boundary goes along that road at a distance of twenty-two yards South of the centre thereof, about five furlongs to Cairn N ^o 1 at the junction with that road of the Village road from Kavalarnudur, thence passing along the South of the latter road, South-East one hundred and fifty yards Cairn N ^o 2 and on two hundred yards Cairn N ^o 3, East-North-East three hundred and seventy yards Cairn N ^o 4, South-East two hundred and ninety yards Cairn N ^o 4A and on two hundred and twenty yards Cairn N ^o 5, East slightly South one hundred and seventy-five yards Cairn N ^o 6, South-East two hundred yards Cairn N ^o 7 and again East slightly South one hundred and seventy yards Cairn N ^o 8; North-North-East	

Number.	District.	Taluk.	Name of Forest.	Description of boundaries.	REMARKS.
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two hundred yards Cairn N^o 9 and East-South-East four hundred and thirty-five yards Cairn N^o 10A; and on in the same direction thirty yards Cairn N^o 10; thence excluding the Kariyeshwar Temple rock and the lands belonging to the temple, East-South-East three hundred yards Cairn N^o 11; thence South-South-East one hundred and fifteen yards Cairn N^o 12, East one hundred and ten yards Cairn N^o 13 and North-North-East, crossing P.R.W. N^o I, two hundred and forty yards Cairn N^o 14, and on North slightly East the same distance Cairn N^o 15, West-North-West three hundred and fifty yards Cairn N^o 16, West slightly South eighty-eight yards Cairn N^o 16A and West-South-West one hundred and seventy-five yards Cairn N^o 17; thence passing to the North of cultivation of Muli Wang N^o 15 of Kavalapadur Village, North-West two hundred and forty yards Cairn N^o 18; North-North-West one hundred and fifty yards Cairn N^o 19 overlooking the cultivation of Muli Wang N^o 15 of Kavalapadur Village from the East; then skirting that cultivation North-North-East one hundred and eighty yards Cairn N^o 20 and North, slightly East, crossing P.R.W. N^o II (264 yards to) Cairn N^o 21 on Bolekal gulle; then East two hundred and twenty-four yards Cairn N^o 22 to the West of the Karkhala Bhutastans; thence South-South-West one hundred and

Number.	District.	Taluk.	Name of Forest.	Description of boundaries.	REMARKS.
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and thirty yards to Cairn N^o 23 and on slightly less West, recrossing P.R.W. N^o II, two hundred and eighty yards Cairn N^o 24, East-South-East the same distance Cairn N^o 25 and East slightly North three hundred yards Cairn N^o 25A; thence North-East one hundred and sixty yards Cairn N^o 26 on the Northern slope of the Kariyeshwar Temple hill; thence South-East one hundred and eighty yards Cairn N^o 27 overlooking Muli Wangs N^o 43, 44, 45 and 30 of Kavalapadur Village; skirting the West and South of Muli Wang N^o 15 of Kavalapadur Village, South-West two hundred and twenty yards Cairn N^o 28 then on the same direction crossing P.R.W. N^o I and III three hundred and fifty yards Cairn N^o 29, South-South-East one hundred and sixty yards Cairn N^o 30; East-North-East one hundred and seventy-five yards Cairn N^o 31, North slightly East one hundred yards Cairn N^o 32, East three hundred and ten yards Cairn N^o 33, East-South-East crossing P.R.W. N^o II two hundred and twenty yards Cairn N^o 34, South-South-East two hundred and fifty yards Cairn N^o 35, East two hundred and fifteen yards Cairn N^o 36, North-slightly East one hundred and eighty yards Cairn N^o 37, again East four hundred and twenty yards Cairn N^o 38.

East:

Number.	District.	Taluk.	Name of Forest.	Description of boundaries.	Remarks.
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East:— Thence South slightly East one hundred and fifty yards Caum N^o 39, South-East six hundred and twenty yards Caum N^o 40 and again South slightly East one hundred and seventy-five yards Caum N^o 41, South-West one hundred and sixty yards Caum N^o 42 overlooking Udare cultivation (Muli Warg N^o 14 of Kavala Mudur Village).

South:— Thence skirting that cultivation and Shederbail (Muli Warg N^o 1 of Devasa-Mudur Village) North-West one hundred and sixty yards Caum N^o 43, West North-West one hundred and fifty yards Caum N^o 43A and South-West one hundred and fifteen yards, one hundred and ninety five yards and two hundred and eighty yards Caums N^o 44, 45, and 46, then South-South-East one hundred and ninety yards Caum N^o 47 and South-West two hundred and eighty yards Caum N^o 48 near the Southern extremity of the mud wall enclosing Muli Warg N^o 2 of Devasa Mudur Village; skirting the cultivation of that Warg on the Eastern, Northern and Western sides, North-West four hundred and forty yards Caum N^o 49, West slightly North one hundred yards Caum N^o 49A, South-West ninety yards Caum N^o 50 and South slightly West two hundred

hundred and thirty yards Caum N^o 51, Thence West South-West nine hundred and forty-five yards Caum N^o 52 near the Kodaman Bhutastana at the junction of the Devasa Mudur and Padur Villages and overlooking the cultivation of Muli Warg N^o 2 and 4 of Devasa Mudur Village from the North; then North-North-West three hundred and seventy-five yards Caum N^o 53, North-West three hundred yards Caum N^o 54, South-West two hundred and forty yards Caum N^o 55, West slightly North four hundred and fifteen yards Caum N^o 56, then passing round Nirkodi Cultivation, North-East three hundred and fifty yards Caum N^o 57, North-West three hundred and twenty yards Caum N^o 58 and West South-West two hundred and sixty yards Caum N^o 59 on the Southern slope of the Mangal Padam hill; West one hundred and seventy five yards Caum N^o 60 and South-West three hundred and thirty yards Caum N^o 61 overlooking Muli Warg N^o 19 of Devasa Padur Village; thence West-North-West four hundred and ten yards Caum N^o 62 and South-West four hundred yards Caum N^o 63 on the boundary between Devasa Padur and Kavala Padur Villages.

West:— Then skirting the cultivation of Muli Warg N^o 12 of the latter Village North-North-West three hundred and ten yards Caum N^o 64, North-slightly-West two hundred and sixty five yards Caum N^o 65 and North slightly East two hundred

DEPARTMENT

hundred and twenty yards Cairn No 66 overlooking
Muli Warg No 9 of Kavala Padur Village from
the South; thence skirting that cultivation and
Muli Wargs No 16 and 5 of the same Village on
the South, East, and North, East three hundred
and thirty yards Cairn No 67, South East five
hundred and twenty yards Cairn No 68, East.
North East three hundred and ten yards Cairn
No 69; and North North East ninety yards
Cairn No 69A; thence North West three hundred
and ninety yards Cairn No 70 and on crossing
P.R. W. No VI one hundred and sixty yards Cairn
No 71; West South West ninety yards Cairn No
72, West North West the same distance Cairn
No 73 and North West one hundred and
seventy yards Cairn No 74; West North West
three hundred and seventy five yards Cairn No
75; thence skirting the cultivations of Kavala
Padur Village again West North West two
hundred and eighty yards Cairn No 76 and
on slightly more North two hundred and sixty
yards Cairn No 77; thence West slightly North
two hundred and fifty yards Cairn No 78, North.
West two hundred yards Cairn No 79 and on in
the same direction two hundred and eighty yards
to the starting point Cairn No 80.

Remarks:—

A. The following Public Rights of Ways are

admitted within the Reserve:—

✓ I The Harinjeshwar Temple road to a width
of 12 feet for men, cattle and carts. It enters the
Reserve twenty yards South of Cairn No 14, runs
East slightly North through it about one and a half
furlongs and quits it one hundred and ten yards
South West of Cairn No 28.

✓ II Kavala Padur—Kavala Mudur foot
path to a width of six feet for men and cattle.
It enters the Reserve twenty yards North of
Cairn No 20, passes East slightly South through
it three hundred yards and quits it one hundred
and thirty yards South of Cairn No 23.

✓ III Kavala Mudur—Harinjeshwar Temple
footpath to a width of 4 feet for men only. It
enters the Reserve one hundred and ^{ten} yards
South West of Cairn No 28, runs in a North West
direction about two and a half furlongs and
quits it fifty yards East of Cairn No 16.

✓ IV Devasa Mudur—Harinjeshwar Temple
footpath to a width of six feet for men and
cattle. It enters the Reserve at and on the Eastern
side of Cairn No 50, runs North about one and a
half furlongs where it branches into two, one branch
running North West for nearly five furlongs to the
Eastern end of the Harinje tank leaving the
Reserve sixty yards North East of Cairn No 13
and thence to the Harinjeshwar Temple, and
the other running first North, then North West

and finally North-East for a total distance of about half a mile and quitting the Reserve forty-four yards East of Cairn No 33.

V. A footpath, to a width of three feet for men only, entering the Reserve twenty yards West of Cairn No 69A and passing direct to the tank bund which is used for the irrigation of Muliwarg No 16 of Kavalapadur village.

VI. Kavalapadur - Karanjik footpath to a width of six feet for men and cattle. It enters the Reserve seventy yards East of Cairn No 71, runs North-East through it about three hundred and seventy yards and quits it one hundred yards South-East of Cairn No 6.

B.- The following Easements will be allowed to be exercised within the Reserve.

I. Permission is accorded to the cultivator, for the time being, of Muliwarg No 15 of Kavalapadur village to keep in repair a tank of an area of 400 Sq. yards, 20 yards East way, and situate 50 yards South-West of Cairn No 10A, with material taken from the bed thereof and to lead off water therefrom by a channel 50 yards long and 3 feet broad (including its banks) and leaving the Reserve 20 yards West of Cairn No 10A. The material required for the repair of the channel will be taken from the bed thereof. The right of entry into the Reserve for the maintenance of the tank and channel will be by the bed of the channel. This Easement will be in

not given in the Reserve - now given

East

in existence from May to October annually.
II. Permission is accorded to the cultivator, for the time being, of Muliwarg No 15 of Kavalapadur village to keep in repair a channel 4 feet wide (including banks) leading from a spring in the hill side 85 yards South of Cairn No 30 and passing East-North-East for 500 yards through the Reserve which it quits 50 yards South-East of Cairn No 33. Material for the repair of the channel will be obtained from the bed of the channel and right of entry into the Reserve for the maintenance thereof will be by the bed thereof.

III. Permission is accorded to the cultivator, for the time being, of Muliwarg No 16 of Kavalapadur village to keep in repair a tank the bund of which lies 10 yards North of Cairn No 69A with material taken from the bed thereof. The area of the tank will be 400 Sq. yards or 20 yards x 20 yards East to West and North to South. No channel is necessary to take off water from the tank as the water will flow by the natural channel which being dammed forms the reservoir.

This Easement will be in force from May to January of each year.

IV. Permission is accorded to the cultivator, for the time being, of Muliwarg No 2 of Devasamudur village to make use of the water of the stream which leaves the Reserve at and on the East Side of Cairn No 50 and passes South to ^{a tank or reservoir at} the Northern arm of his cultivation; also to enter the Reserve by the bed of the stream

to a distance of a furlong from cairn No 50 for the purpose of keeping clear the bed of the stream. This Easement will be in force from May to October yearly, both months inclusive.

In command,
5th October 1899.

Spl. Forest Settlement Officer,
Malabar & Canara.

DRAFT NOTIFICATION.

His Excellency the Governor in Council is pleased to declare, under the provisions of section 16 of the Madras Forest Act (V of 1882), that, from the 1st March 1900, the area, the boundaries of which are set forth in the Schedule appended to this notification, will be constituted a reserved forest.

SCHEDULE.

Number.	District.	Taluk.	Name of forest.	Description of boundaries.
87	South Canara ..	Mangalore ..	Kodiamale ..	<p><i>North.</i>—Starting from cairn No. 80 on the southern side of the Local Fund road from Mangalore to Charnadi, the boundary goes along that road at a distance of twenty-two yards south of the centre thereof, about five furlongs to cairn No. 1 at the junction with that road of the village road from Kavala mudur; thence passing along the south side of the latter road, south-east one hundred and fifty yards to cairn No. 2 and on two hundred yards to cairn No. 3, east-north-east three hundred and seventy yards to cairn No. 4, south-east two hundred and ninety yards to cairn No. 4-A and on two hundred and twenty yards to cairn No. 5; east slightly south one hundred and seventy-five yards to cairn No. 6, south-east two hundred yards to cairn No. 7 and again east slightly south one hundred and seventy yards to cairn No. 8; north-north-east two hundred yards to cairn No. 9 and east-south-east four hundred and thirty-five yards to cairn No. 10-A; and on in the same direction thirty yards to cairn No. 11; thence south-east one hundred and fifteen yards to cairn No. 12, east one hundred and ten yards to cairn No. 13 and north-south-east, crossing P.R.W. Nos. IV and I, two hundred and forty yards to cairn No. 14, and on north slightly east the same distance to cairn No. 15, west-north-west three hundred and fifty yards to cairn No. 16, west slightly south eighty-eight yards to cairn No. 16-A and west-south-west one hundred and seventy-five yards to cairn No. 17; thence passing to the north of the cultivation of muli warg No. 15 of Kavalapadur village, north-west two hundred and forty yards to cairn No. 18; north-north-west one hundred and fifty yards to cairn No. 19 overlooking the cultivation of muli warg No. 15 of Kavalapadur village from the east; then skirting that cultivation north-north-east one hundred and eighty yards to cairn No. 20 and north, slightly east, crossing F.L. W. No. II two hundred and sixty-four yards to cairn No. 21 on Bolekalgudde; then east three hundred and seventy-four yards to cairn No. 22 to the west of the Karkula Bhutastans; thence south-south-west one hundred and thirty yards to cairn No. 23 and on slightly less west, recrossing P.E.W. No. II, two hundred and eighty yards to cairn No. 24, east-south-east the same distance to cairn No. 25 and east slightly north three hundred yards to cairn No. 25-A; thence north-east one hundred and sixty yards to cairn No. 26 on the northern slope of the Karinjeshwar temple hill; thence south-east one hundred and eighty yards to cairn No. 27 overlooking of Kavala Mudur village, south-west two hundred and twenty yards to cairn No. 28, then on in the same direction crossing P.R.W. Nos. III and V three hundred and fifty yards to cairn No. 29, south-south-east one hundred and sixty yards to cairn No. 30; east-north-east one hundred and ten yards to cairn No. 31, north slightly east one hundred yards to cairn No. 32, east three hundred and ten yards to cairn No. 33, east-south-east crossing P.R.W. No. IV two hundred and twenty yards to cairn No. 34, south-south-east two hundred and fifty yards to cairn No. 35, east two hundred and fifteen yards to cairn No. 36, north slightly east one hundred and eighty yards to cairn No. 37, again east four hundred and twenty yards to cairn No. 38.</p> <p><i>East.</i>—Thence south slightly east one hundred and fifty yards to cairn No. 39, south-east six hundred and twenty yards to cairn No. 40 and again south-slightly east, one hundred and seventy-five yards to cairn No. 41, south-west one hundred and sixty yards to cairn No. 42 overlooking Udare cultivation (mulu warg No. 14 of Kavala Mudur village).</p> <p><i>South.</i>—Thence skirting that cultivation and Thederball (mulu warg No. 1 of Devasamudur village) north-west one hundred and sixty yards to cairn No. 43, west-north-west one hundred and fifty yards to cairn No. 43-A and south-west one hundred and fifteen yards, one hundred and ninety-five yards and two hundred and eighty yards to cairns Nos. 44, 45 and 46, respectively; then south-south-east one hundred and ninety yards to cairn No. 47 and south-west two hundred and eighty yards to cairn No. 48 near the southern extremity of the mud wall enclosing mulu warg No. 2 of Devasa Mudur village; skirting the cultivation of that warg on the eastern, northern and western sides, north-west four hundred and forty yards to cairn No. 49, west slightly north one hundred yards to cairn No. 49-A, south-west ninety yards to cairn No. 50 and south slightly west two hundred and thirty yards to cairn No. 51; thence west-south-west nine hundred and forty-five yards to cairn No. 52 near the Kodaman Bhutastan at the junction of the Devasamudur and Padur villages and overlooking the cultivations of mulu wargs Nos. 2 and 4 of Devasamudur village from the north; thence north-north-west three hundred and seventy-five yards to cairn No. 53, north-west three hundred yards to cairn No. 54, south-west two hundred and forty yards to cairn No. 55, west slightly north four hundred and fifteen yards to cairn No. 56; then passing round Nirkodi cultivation, north-east three hundred and fifty yards to cairn No. 57, north-west three hundred and twenty yards to cairn No. 58 and west-south-west two hundred and sixty yards to cairn No. 59 on the southern slope of the Manjal Padavu hill; west one hundred and seventy-five yards to cairn No. 60 and south-west three hundred and thirty yards to cairn No. 61 overlooking mulu warg No. 19 of Devasa Padur village; thence west-north-west four hundred and ten yards to cairn No. 62 and south-west four hundred yards to cairn No. 63 on the boundary between Devasa-Padur and Kavala-Padur villages.</p> <p><i>West.</i>—Then skirting the cultivation of mulu warg No. 12 of the latter village, north-north-west three hundred and ten yards to cairn No. 64, north slightly west two hundred and sixty-five yards to cairn No. 65 and north slightly east two hundred and twenty yards to cairn No. 66 overlooking mulu warg No. 9 of Kavala Padur village from the south; thence skirting that cultivation and mulu wargs Nos. 16 and 5 of the same village on the south-east and north-east, three hundred and thirty yards to cairn No. 67, south-east five hundred and twenty yards to cairn No. 68, east-north-east three hundred and ten yards to cairn No. 69; and north-north-east ninety yards to cairn No. 69-A; thence north-west three hundred and ninety yards to cairn No. 70 and on crossing P.R.W. No. VI one hundred and sixty yards to cairn No. 71; west-south-west ninety yards to cairn No. 72, west-north-west the same distance to cairn No. 73 and north-west one hundred and seventy yards to cairn No. 74; west-north-west three hundred and seventy-five yards to cairn No. 75; thence skirting the cultivations of Kavala Padur village, again west-north-west two hundred and eighty yards to cairn No. 76 and on slightly more north two hundred and sixty yards to cairn No. 77; thence west slightly north two hundred and fifty yards to cairn No. 78, north-west two hundred yards to cairn No. 79 and on in the same direction two hundred and eighty yards to the starting point.</p>

REMARKS.—A.—The following public rights of ways are admitted within the reserve:—

I. The Karinjeshwar temple road to a width of twelve feet for men, cattle and carts.—It enters the reserve twenty yards south of cairn No. 14, runs east slightly north through it about one and a half furlongs and quits it one hundred and ten yards south-west of cairn No. 28.

II. Kavala Padur—Kavalamudur foot-path to a width of six feet for men and cattle.—It enters the reserve seventy yards north of cairn No. 20, passes east slightly south through it three hundred yards and quits it one hundred and thirty yards south of cairn No. 23.

III. Kavalamudur—Karinjeshwar temple foot-path to a width of four feet for men only.—It enters the reserve one hundred and ten yards south-west of cairn No. 28, runs in a north-westerly direction about two and a half furlongs and quits it fifty yards east of cairn No. 16.

IV. Devasamudur—Karinjeshwar temple foot-path to a width of six feet for men and cattle.—It enters the reserve at and on the eastern side of cairn No. 50, runs north about one and a half furlongs where it branches into two, one branch running north-west for nearly five furlongs to the eastern end of the Karanje tank, leaving the reserve sixty yards north-east of cairn No. 13 and thence to the Karinjeshwar temple, and the other running first north, then north-west and finally north-east for a total distance of about half a mile and quitting the reserve forty-four yards east of cairn No. 33.

V. A foot-path to a width of three feet for men only—entering the reserve twenty yards west of cairn No. 69-A and passing direct to the tank bund which is used for the irrigation of muli warg No. 16 of Kavala Padur village.

VI. Kavala Padur—Karanje foot-path to a width of six feet for men and cattle.—It enters the reserve seventy yards east of cairn No. 71, runs north-east through it about three hundred and seventy yards and quits it one hundred yards south-east of cairn No. 6.

B.—The following easements will be allowed to be exercised within the reserve:—

I. Permission is accorded to the cultivator, for the time being, of muli warg No. 15 of Kavala Padur village to keep in repairs a tank of an area of four hundred square yards, twenty yards each way, and situate fifty yards south-west of cairn No. 10-A, with material taken from the bed thereof and to lead off water therefrom by a channel fifty yards long and three feet broad (including its banks) and leaving the reserve twenty yards west of cairn No. 10-A. The material required for the repair of the channel will be taken from the bed thereof. The right of entry into the reserve for the maintenance of the tank and channel will be by the bed of the channel. This easement will be in existence from May to October annually.

II. Permission is accorded to the cultivator, for the time being, of muli warg No. 15 of Kavalamudur village to keep in repair a channel four feet wide (including banks) leading from a spring in the hill side eighty-five yards south of cairn No. 30 and passing east-north-east for five hundred yards through the reserve which it quits fifty yards south-east of cairn No. 33. Material for the repair of the channel will be obtained from the bed of the channel and right of entry into the reserve for the maintenance thereof will be by the bed thereof.

III. Permission is accorded to the cultivator, for the time being, of muli warg No. 16 of Kavalapadur village to keep in repair a tank, the bund of which lies ten yards north of cairn No. 69-A with material taken from the bed thereof. The area of the tank will be four hundred square yards or 20 yards X 20 yards east to west and north to south. No channel is necessary to take off water from the tank as the water will flow by the natural channel which being dammed forms the reservoir.

This easement will be in force from May to January of each year.

IV. Permission is accorded to the cultivator, for the time being, of muli warg No. 2 of Devasamudur village to make use of the water of the stream which leaves the reserve at, and on the east side of, cairn No. 50 and passes south to a tank or reservoir at the northern arm of his cultivation; also to enter the reserve by the bed of the stream to a distance of a furlong from cairn No. 50 for the purpose of keeping clear the bed of the stream. This easement will be in force from May to October yearly, both months inclusive.

MANANTODDY,
5th October 1899.

(Signed) H. S. MULLINS,
Special Forest Sett.-officer,
Malabar and South Canara.



DRAFT NOTIFICATION.

His Excellency the Governor in Council is pleased to declare, under the provisions of section 16 of the Madras Forest Act (V of 1882), that, from 1900, the area, the boundaries of which are set forth in the Schedule appended to this notification, will be constituted a reserved forest.

SCHEDULE.

Number.	District.	Taluk.	Name of forest.	Description of boundaries.
87	South Canara ..	Mangalore ..	Kodiamale ..	<p>North.—Starting from cairn No. 80 on the southern side of the Local Fund road from Mangalore to Charnadi, the boundary goes along that road at a distance of twenty-two yards south of the centre thereof, about five furlongs to cairn No. 1 at the junction with that road of the village road from Kavala mudur; thence passing along the south side of the latter road, south-east one hundred and fifty yards to cairn No. 2 and on two hundred yards to cairn No. 3, east-north-east three hundred and seventy yards to cairn No. 4, south-east two hundred and ninety yards to cairn No. 4-A and on two hundred and twenty yards to cairn No. 5; east slightly south one hundred and seventy-five yards to cairn No. 6, south-east two hundred yards to cairn No. 7 and again east slightly south one hundred and seventy yards to cairn No. 8; north-north-east two hundred yards to cairn No. 9 and east-south-east four hundred and thirty-five yards to cairn No. 10-A; and on in the same direction thirty yards to cairn No. 11; thence south-east one hundred and fifteen yards to cairn No. 12, east one hundred and ten yards to cairn No. 13 and north-south-east, crossing P.R.W. Nos. IV and I, two hundred and forty yards to cairn No. 14, and on north slightly east the same distance to cairn No. 15, west-north-west three hundred and fifty yards to cairn No. 16, west slightly south eighty-eight yards to cairn No. 16-A and west-south-west one hundred and seventy-five yards to cairn No. 17; thence passing to the north of the cultivation of muli warg No. 15 of Kavalapadur village, north-west two hundred and forty yards to cairn No. 18; north-north-west one hundred and fifty yards to cairn No. 19 over looking the cultivation of muli warg No. 15 of Kavalapadur village from the east; then skirting the cultivation north-north-east one hundred and eighty yards to cairn No. 20 and north, slightly east, crossing P.R. W. No. II two hundred and sixty-four yards to cairn No. 21 on Bolekalgudde; then east three hundred and seventy-four yards to cairn No. 22 to the west of the Karkala Bhutastans; thence south-south-west one hundred and thirty yards to cairn No. 23 and on slightly less west, recrossing P.R.W. No. II, two hundred and eighty yards to cairn No. 24, east-south-east the same distance to cairn No. 25 and east slightly north three hundred yards to cairn No. 25-A; thence north-east one hundred and sixty yards to cairn No. 26 on the northern slope of the Karinjeshwar temple hill; thence south-east one hundred and eighty yards to cairn No. 27 overlooking the Karinjeshwar temple hill; thence south-east one hundred and eighty yards to cairn No. 28, then on in the same direction crossing P.R.W. Nos. III and V three hundred and fifty yards to cairn No. 29, south-south-east one hundred and sixty yards to cairn No. 30; east-north-east one hundred and seventy-five yards to cairn No. 31, north slightly east one hundred yards to cairn No. 32, east three hundred and ten yards to cairn No. 33, east-south-east crossing P.R.W. No. IV two hundred and twenty yards to cairn No. 34, south-south-east two hundred and fifty yards to cairn No. 35, east two hundred and fifteen yards to cairn No. 36, north slightly east one hundred and eighty yards to cairn No. 37, again east four hundred and twenty yards to cairn No. 38.</p> <p>East.—Thence south slightly east one hundred and fifty yards to cairn No. 39, south-east six hundred and twenty yards to cairn No. 40 and again south-slightly east, one hundred and seventy-five yards to cairn No. 41, south-west one hundred and sixty yards to cairn No. 42 overlooking Udare cultivation (muli warg No. 14 of Kavala Mudur village).</p> <p>South.—Thence skirting that cultivation and Thederbail (muli warg No. 1 of Devasamudur village) north-west one hundred and sixty yards to cairn No. 43, west-north-west one hundred and fifty yards to cairn No. 43-A and south-west one hundred and fifteen yards, one hundred and ninety-five yards and two hundred and eighty yards to cairns Nos. 44, 45 and 46, respectively; then south-south-east one hundred and ninety yards to cairn No. 47 and south-west two hundred and eighty yards to cairn No. 48 near the southern extremity of the mud wall enclosing muli warg No. 2 of Devasa Mudur village; skirting the cultivation of that warg on the eastern, northern and western sides, north-west four hundred and forty yards to cairn No. 49, west slightly north one hundred yards to cairn No. 49-A, south-west ninety yards to cairn No. 50 and south slightly west two hundred and thirty yards to cairn No. 51; thence west-south-west nine hundred and forty-five yards to cairn No. 52 near the Kodaman Bhutastan at the junction of the Devasamudur and Padur villages and overlooking the cultivations of muli wargs Nos. 2 and 4 of Devasamudur village from the north; thence north-north-west three hundred and seventy-five yards to cairn No. 53, north-west three hundred yards to cairn No. 54, south-west two hundred and forty yards to cairn No. 55, west slightly north four hundred and fifteen yards to cairn No. 56; then passing round Nirkodi cultivation, north-east three hundred and fifty yards to cairn No. 57, north-west three hundred and twenty yards to cairn No. 58 and west-south-west two hundred and sixty yards to cairn No. 59 on the southern slope of the Manjal Padavu hill; west one hundred and seventy-five yards to cairn No. 60 and south-west three hundred and thirty yards to cairn No. 61 overlooking muli warg No. 19 of Devasa Padur village; thence west-north-west four hundred and ten yards to cairn No. 62 and south west four hundred yards to cairn No. 63 on the boundary between Devasa-Padur and Kavala-Padur villages.</p> <p>West.—Then skirting the cultivation of muli warg No. 12 of the latter village, north-north-west three hundred and ten yards to cairn No. 64, north slightly west two hundred and sixty-five yards to cairn No. 65 and north slightly east two hundred and twenty yards to cairn No. 66 overlooking muli warg No. 9 of Kavala Padur village from the south; thence skirting that cultivation and muli wargs Nos. 16 and 5 of the same village on the south-east and north-east, three hundred and thirty yards to cairn No. 67, south-east five hundred and twenty yards to cairn No. 68, east-north-east three hundred and ten yards to cairn No. 69; and north-north-east ninety yards to cairn No. 69-A; thence north-west three hundred and ninety yards to cairn No. 70 and on crossing P.R.W. No. VI one hundred and sixty yards to cairn No. 71; west-south-west ninety yards to cairn No. 72, west-north-west the same distance to cairn No. 73 and north-west one hundred and seventy yards to cairn No. 74; west-north-west three hundred and seventy-five yards to cairn No. 75; thence skirting the cultivations of Kavala Padur village, again west-north-west two hundred and eighty yards to cairn No. 76 and on slightly more north two hundred and sixty yards to cairn No. 77; thence west slightly north two hundred and fifty yards to cairn No. 78, north-west two hundred yards to cairn No. 79 and on in the same direction two hundred and eighty yards to the starting point.</p>

Government {1899} of Madras.

REVENUE.

REMARKS.—A.—The following public rights of ways are admitted within the reserve :—

I. *The Karinjeshwar temple road to a width of twelve feet for men, cattle and carts.*—It enters the reserve twenty yards south of cairn No. 14, runs east slightly north through it about one and a half furlongs and quits it one hundred yards south-west of cairn No. 28.

II. *Kavala Padur—Kavalamudur foot-path to a width of six feet for men and cattle.*—It enters the reserve seventy yards north of cairn No. 20, passes east slightly south through it three hundred yards and quits it one hundred and thirty yards south of cairn No. 23.

III. *Kavalamudur—Karinjeshwar temple foot-path to a width of four feet for men only.*—It enters the reserve one hundred and ten yards south-west of cairn No. 28, runs in a north-westerly direction about two and a half furlongs and quits it fifty yards east of cairn No. 16.

IV. *Devasamudur—Karinjeshwar temple foot-path to a width of six feet for men and cattle.*—It enters the reserve at and on the eastern side of cairn No. 50, runs north about one and a half furlongs where it branches into two, one branch running north-west for nearly five furlongs to the eastern end of the Karanje tank, leaving the reserve sixty yards north-east of cairn No. 13 and thence to the Karinjeshwar temple, and the other running first north, then north-west and finally north-east for a total distance of about half a mile and quitting the reserve forty-four yards east of cairn No. 33.

V. *A foot-path to a width of three feet for men only—entering the reserve twenty yards west of cairn No. 69-A and passing direct to the tank-bund which is used for the irrigation of muli warg No. 16 of Kavala Padur village.*

VI. *Kavala Padur—Karanje foot-path to a width of six feet for men and cattle.*—It enters the reserve seventy yards east of cairn No. 71, runs north-east through it about three hundred and seventy yards and quits it one hundred yards south-east of cairn No. 6.

B.—The following easements will be allowed to be exercised within the reserve :—

I. Permission is accorded to the cultivator, for the time being, of muli warg No. 15 of Kavala Padur village to keep in repairs a tank of an area of four hundred square yards, twenty yards each way, and situate fifty yards south-west of cairn No. 10-A, with material taken from the bed thereof and to lead off water therefrom by a channel fifty yards long and three feet broad (including its banks) and leaving the reserve twenty yards west of cairn No. 10-A. The material required for the repair of the channel will be taken from the bed thereof. The right of entry into the reserve for the maintenance of the tank and channel will be by the bed of the channel. This easement will be in existence from May to October annually.

II. Permission is accorded to the cultivator, for the time being, of muli warg No. 15 of Kavalamudur village to keep in repair a channel four feet wide (including banks) leading from a spring in the hill side eighty-five yards south of cairn No. 30 and passing east-north-east for five hundred yards through the reserve which it quits fifty yards south-east of cairn No. 33. Material for the repair of the channel will be obtained from the bed of the channel and right of entry into the reserve for the maintenance thereof will be by the bed thereof.

III. Permission is accorded to the cultivator, for the time being, of muli warg No. 16 of Kavalapadur village to keep in repair a tank, the bund of which lies ten yards north of cairn No. 69-A with material taken from the bed thereof. The area of the tank will be four hundred square yards or 20 yards X 20 yards east to west and north to south. No channel is necessary to take off water from the tank as the water will flow by the natural channel which being dammed forms the reservoir.

This easement will be in force from May to January of each year.

IV. Permission is accorded to the cultivator, for the time being, of muli warg No. 2 of Devasamudur village to make use of the water of the stream which leaves the reserve at, and on the east side of, cairn No. 50 and passes south to a tank or reservoir at the northern arm of his cultivation; also to enter the reserve by the bed of the stream to a distance of a furlong from cairn No. 50 for the purpose of keeping clear the bed of the stream. This easement will be in force from May to October yearly, both months inclusive.

MANANTODDY,
5th October 1899.

(Signed) H. S. MULLINS,
Special Forest Sett.-officer,
Malabar and South Canara.

Recd. } 1900.
Regd. }
Enclosures
Spare copies

G.O., Nos. 862, 862A, 23rd December 1899.

DECEMBER.

Reserved Forest.

The draft notification, under section 16 of the Madras Forest Act, for the constitution of the Kodiamale block, in the Mangalore taluk, as a —, ordered to be published in the Fort St. George and the South Canara District Gazettes.

Penall

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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), Forest No. 465A, dated 1st November 1899:—

The Hon'ble Mr. J. STURROCK, I.C.S.

Read—the following letter from H. S. MULLINS, Esq., Special Forest Settlement-officer, Malabar and South Canara Districts, to the Collector of South Canara, dated Camp Mangalore, 15th July 1899, Dis. No. 13-F.S.:—

I have the honour to submit the necessary records of block No. 87, Kodiamale, in the Mangalore taluk of your district, the settlement of which is now complete.

2. The block was notified under section 4 in the *Fort St. George Gazette*, dated 25th May 1897, page 646, and the proclamation under section 6 was issued by me and published in the *District Gazette Supplement*, dated 23rd July 1897. The spare copies of the proclamation were served on the persons interested through the Tahsildar in July and August of that year.

3. Eighteen claims were received against the block, the details of the disposal of which are given in enclosure No. 3.

4. The order on the last claim was passed on 19th January 1899, and only one appeal under section 14 of the Forest Act was filed against one of my orders.

5. In that appeal the Appellate authority animadverted on my original order, in which I granted the claimant only a right to use the natural flow of a stream issuing from the reserve, which, after leaving the reserve, he collected in a tank; the usual formal "not contested" of the District Forest-officer seems to have been misunderstood by the Appellate Court, and as I know by my inspection of the locality that the water claimed cannot but flow to the tank formed by damming the ravine from which it issued, I have, in accordance with the order on appeal, cancelled the whole easement.

I hold, however, that the Appellate Court is absolutely wrong in understanding that my order referred only to rights exercised outside the reserve as the order prohibits the Forest Department from interfering with the natural flow of the water of the stream either by damming the stream and diverting the water thereof or by permitting any one else to do so.

6. No appeal has been preferred against any of the other orders passed by me, and the period for filing any such appeals has long expired. The block is thus free of all rights save those mentioned in the draft notification.

7. The boundary of the reserve as now submitted does not exceed that originally notified under section 4 at any point.

8. I submit herewith the following records of settlement:—

- (i) Draft notification under section 16.
- (ii) B. Register.
- (iii) Statement showing the number of claims filed and their disposal.
- (iv) Sketch-map.

9. The date from which reservation is to take effect is left blank in the draft notification to be filled in by Government.

10. The plan herewith submitted has not been signed by the officer in charge of the District Forest-office, South Canara, it having been prepared by the Forest Settlement Surveyor. This omission can be supplied as the records pass through your office.

ENCLOSURE No. 1.—B. Register.

ENCLOSURE No. 2.—Draft notification.

ENCLOSURE No. 3.—Numerical statement.

ENCLOSURE No. 4.—Sketch-map.

Endorsement by A. F. PINHEY, Esq., Acting Collector of South Canara, dated Mangalore, 15th August 1899, N. Ref. on C.S.C. No. 129-For. of 1899-1900.

Forwarded with the subjoined remark.

In paragraph 5, the Forest Settlement-officer deals with the appellate decision of this court in the single case where an appeal was filed.

I submit copies of the Forest Settlement-officer's decision and my judgment in appeal.

When deciding the appeal, I first examined the claim petition to see exactly what the original claim on this point was. In my judgment I have given a translation of that claim.

I next referred to the pleadings to see what District Forest-officer's answer was: the only answer was "not contested."

The Forest Settlement-officer's decision on the claim will be found and may be perused. The essence of the claim was to be allowed to repair the channels by which the water flowed from its spring to claimant's tank.

The District Forest-officer did not contest the claim. If the claim had been allowed, it included the right to the water and claimant would not have appealed. I allowed the appeal as the District Forest-officer had not contested the claim.

The way the Forest Settlement-officer has thought fit to interpret my order in appeal is remarkable.

He has now cancelled the modicum of relief he originally gave and not allowed the greater relief (which included the less) as ordered by me.

What the claimant is entitled to and should be allowed is not merely the right to the water, but the right to execute the mamul repairs to the stream within the reserve.

I do not understand the Forest Settlement-officer's reference to the formal "not contested" of the District Forest-officer. If the District Forest-officer intended to contest any part of the claim, he should have said so. He did not, and I do not see why the Forest Settlement-officer should have under the circumstances given less than was claimed.

Forest Settlement-officer should now be directed to amend the register of claim—

(1) By correctly stating the claim in column 4; the present statement of claim is not correct. Compare my translation of the above claim in my judgment.

(2) By correcting the entry in column 8 and substituting for the entry now found in that column the decision of this court. The area statement of the block is enclosed.

ENCLOSURE No. 1.—Area statement.

ENCLOSURE No. 2.—Forest Settlement-officer's judgment.

ENCLOSURE No. 3.—Collector's judgment.

Endorsement by H. A. GASS, Esq., Acting Conservator of Forests, Southern Circle, dated 27th August 1899, No. 454.

Forwarded.

Reference No. 266, dated 19th September 1899.

The Forest Settlement-officer has evidently misunderstood the decision of the Appellate Court. The Collector's endorsement read above, which clearly explains the case, should now be communicated to him and he should be requested to make the necessary corrections in the records herewith returned.

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Collector of South Canara, with records returned.
Copy to the Conservator of Forests, Southern Circle.

Endorsement by H. S. MULLINS, Esq., Special Forest Settlement-officer, Malabar and South Canara Districts, dated Manantody, 5th October 1899, N. Dis. on C. R. No. 407-F.S.

Returned to the Collector, South Canara, with the necessary alterations executed.

B. REGISTER of claims to Lands, rights to Forest produce or easements in the proposed Kodiamale reserved forest, Block No. 87, South Canara.

No.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest-officer's arguments and evidence produced by him.	Brief abstract of decision, if any, of Court of final appeal and settlement.
1	2	3	4	5	6	7
1	Kaifan Prabhu, son of Sule Prabhu, residing in Kavala Padur village, Kavala magane.	21st Oct. 1897.	Claims right to kumaki for his muli warg No. 29 of Kavala Padur village, enclosed within the proposed reserve.	..	The petitioner has sufficient kumaki. The claim is contested.	..
2	Ramanna Acharya, son of Padmanabha Acharya, of Kavala Padur village.	13th Jan. 1899.	Requests that the demarcation between Cairns Nos. 1 and 10 originally made by the Range officer may be allowed to stand so as to allow full kumaki for warglands of Kavala Padur and not the road to Karinja constituted as the northern boundary as notified under section 4.	KARINJA. 13th January 1899. ..	adjoined muli warg No. 4 of Kavala Padur and not muli No. 29 belonging to claimant. The District Forest-officer's contention that sufficient kumaki has been excluded is therefore accepted and the claim dismissed. (Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.	..
3	Kodi Subraya, son of Annaya, of Kavala Padur village, Kavala magane.	29th Nov. 1897.	Claims proprietary right to a portion of muli warg No. 4 of Kavala Padur village alleged to be within the reserve.	..	13th January 1899. His land is not included in the reserve.	..
4	Kodi Subraya, son of Annaya, of Kavala Padur village, Kavala magane.	Do.	Claims the following:— (a) Kumaki for muli warg No. 4 of Kavala Padur village. (b) Right to lead off water from and to repair a tank within the reserve. (c) Pathways leading from his land to the Karinjeshwar temple. (d) Pasturage for his cattle.	KARINJA, 14th January 1899. Personal narration. (a) One hundred yards kumaki has been allowed. (b) No objection to the use of water. (c) The pathway is not necessary. (d) Contested.	(e) The claim to kumaki is rejected as sufficient kumaki appears to have been excluded on the line between Cairns Nos. 20 and 21 where the claimant states it is deficient. (f) It was found on inspection that there existed a string of three tanks in a line in a ravine on the west side of Bolealguide which the claimant states to be necessary for his irrigation, but on cross examination he admits that he has documentary evidence in support of his claim over only two of them, both of which lie outside the reserve. (g) The claim over the third tank is therefore dismissed as unproven. (h) The claim to the path is admitted as it was found on inspection to be in existence. It will be known as the <i>Karinjeshwar</i> path, available for men and cattle, to a width of six feet. It enters the reserve 70 yards north of Cairn No. 20, passes east slightly south through it 300 yards and quits it 130 yards south of Cairn No. 23. (i) The claim to right to pasturage is rejected as it was found that there was no deficiency of grazing area for the cattle of the claimant and of the villagers generally.	(Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.

No.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest-officer's arguments and evidence produced by him.	Brief abstract of decision, if any, of Court of final appeal and settlement.
5	Annaya alias Subraya, son of Appanna Shanbhaga, of Kavala mudar village.	13th Jan. 1899.	Claims kumaki for muli warg No. 10 of Kavala mudar village encroached upon by the line between Cairns Nos. 43 and 44.	..	The claim is admitted. A Cairn No. 43-A, will be interpolated between Cairns Nos. 43 and 44 so as to allow full 100 yards of kumaki between the reserve boundary and the claimant's wargland adjacent to it. (Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.	..
6	Alekal Raghavendra Rao, residing in Buntwal Kasba.	25th Nov. 1897.	Claims proprietary right over a portion of muli warg No. 2 of Devasamudur alleged to be included within the reserve at Cairns Nos. 49 and 50.	..	KARINJA, 14th January 1899. The claimant alleges that a portion of his wargland is included in the reserve on the ground that the Nettikat or watershed of the hill adjoining it is proposed for reservation. He admits that no cultivated portion of the warg is included in the reserve. The Bombay High Court having ruled that the claim to watershed boundaries for old wargs are unsustainable, the claim is rejected. (Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.	..
7	Alekal Raghavendra Rao, residing in Buntwal Kasba.	Do.	Claims the following easements:— (1) Kumaki for muli warg No. 2 of Devasamudur. (2) Right to cut firewood from the reserve. (3) Right to take manuring leaves from the reserve. (4) Pasturage for cattle. (5) Water of fountains for irrigating his lands and right to repair the stream by which the water flowed from the fountain to his lands. (6) Pathways leading from his warg to the temple. (7) The temple of Karinjeshwar.	..	VENUR, 17th January 1899. (1) It was found on inspection that full 100 yards of kumaki was allowed at the Cairns (Nos. 51, 50, 49 and 48) complained of, but that the line between Cairns Nos. 50 and 49 encroached upon the kumaki of the adjoining warg and that subsequently a new Cairn No. 49-A had been interpolated by the Forest Department, not shown in the plan, allowing 100 yards of kumaki to the warg. The claim at this point is allowed and the new Cairn will be allowed to stand. The claim as regards the remaining Cairns is rejected. (2), (3) and (4). The claimant could adduce no evidence for these easements, and as 100 yards of kumaki has been allowed to him for the purposes for which the claim is preferred, the claim to these items is rejected. (5) The claim is admitted. The claimant will be permitted to make use of the water of the stream which leaves the reserve at and on the east side of Cairn No. 50 and passes south to the northern arm of the cultivation of warg No. 2, which water he collects in a reservoir and distributes to his lands by channels after it issues from the reserve. No right of entry for assisting or controlling the natural flow of water is attached to this easement, nor will the natural flow of water be altered or in any way interfered with by the Forest Department. (6) From enquiries it appeared that the claimant required only one path-way leading from his warg to the Karinjeshwar temple. It is admitted to a width of six feet for men and cattle. It enters the reserve at and on the eastern side of Cairn No. 50, runs north about one and a half furlongs where it branches into two, one branch running north-west for nearly five furlongs to the eastern end of the Karinja tank, leaves the reserve sixty yards north-east of Cairn No. 13 and thence to the Karinjeshwar temple, and the other running first north, then north-west and finally north-east for a total distance of about half a mile and quitting the reserve forty-four yards east of Cairn No. 33. (7) The claim to the Karinjeshwar temple will be disposed of on a separate claim preferred therefor by the Moktesars of the temple (<i>vide</i> claim No. 3-A, Order No. 18).	Against this order Appeal No. 3 of 1899 was filed under section 14 before the Collector, South Canara. The appeal on items 2 to 4 was rejected, and the order of the Forest Settlement-officer confirmed by the Collector. The appeal on item 5 was allowed, and the order of this court was stated to be "unsustainable for it gave the appellant merely what he already possessed outside the reserve." In accordance with this order which is as follows: "As regards this portion of the claim, the appeal must be allowed." The following easement is granted:— Permission is accorded to the cultivator, for the time being, of muli warg No. 2 of Devasamudur, to make use of the water of the stream which leaves the reserve at and on the east side of Cairn No. 50 for the purpose of watering his crops, both months inclusive. (Signed) H. S. MULLINS, Special Forest Sett.-officer, Malabar and South Canara.

VENUR,
18th January 1899.

VENUR,
18th January 1899.

Claim 14, Item 3,—Easement No. II.

B. Register of claims to Lands, rights to Forest produce or easements in the proposed Kodiamale reserved forest, &c.—*cont.*

No.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest-officer's arguments and evidence produced by him.	Brief abstract of decision and final disposal of the claims by the Forest Settlement-officer.	Brief abstract of decision, if any, of Court of final appeal and settlement.
1	2	3	4	5	6	7	8
17 4-A	Subraya Acharya and Krishna Acharya Moktessars of the Karinjeshwar temple.	27th Nov. 1897.	Claim proprietary right to muli wargs Nos. 43, 44 and 45 of Kavalamudur village together with kumaki thereto.	Produced a registered deed of gift executed by one Ranaachandraya in favour of the Karinjeshwar temple transferring his rights of dar-khaat over the wargs to the temple. Examined— (1) the shanbogue of Kavala magane, and (2) the shanbogue of Barekajekar with his survey records to prove that the wargs have been surveyed and demarcated, that their area is about 4 acres and assessment Rs. 11 and odd.	 The Karinjeshwar temple in favour of the Karinjeshwar temple transferring his rights of dar-khaat over the wargs to the temple. Examined— (1) the shanbogue of Kavala magane, and (2) the shanbogue of Barekajekar with his survey records to prove that the wargs have been surveyed and demarcated, that their area is about 4 acres and assessment Rs. 11 and odd.	From the evidence adduced by the claimants, both oral and documentary, it is proved that wargs Nos. 43, 44 and 45 of Kavalamudur village are included within the reserve. The ownership of the lands would appear to have been also once admitted by the Forest Department, since they originally demarcated these lands out from the reserve; the claim is therefore admitted and the lands will be excluded as proposed by the Forest Department. As these wargs appear to have been "banjar" prior to 1886, in which year they were obtained by Ranaachandraya who subsequently transferred them to the temple, they are allowed no kumaki, the claim to which is therefore rejected.	
18 5-A	Subraya Acharya and Krishna Acharya Moktessars of the Karinjeshwar temple.	Do.	Claim the following:— (a) Two temples situated on a rock called the Karinjeshwar temples. (b) A tank at the bottom of the rock called the "Gadha Tirtha." (c) Kumaki for the temple lands in Kavalamudur and Kavala Padur villages. (d) Pathways for people who come to worship at the temples. (e) Jungle produce for the use of the temple, such as timber for ladder, scaffolding, &c.	Produced a registered deed of gift executed by one Ranaachandraya in favour of the Karinjeshwar temple transferring his rights of dar-khaat over the wargs to the temple. Examined— (1) the shanbogue of Kavala magane, and (2) the shanbogue of Barekajekar with his survey records to prove that the wargs have been surveyed and demarcated, that their area is about 4 acres and assessment Rs. 11 and odd.	 The Karinjeshwar temple in favour of the Karinjeshwar temple transferring his rights of dar-khaat over the wargs to the temple. Examined— (1) the shanbogue of Kavala magane, and (2) the shanbogue of Barekajekar with his survey records to prove that the wargs have been surveyed and demarcated, that their area is about 4 acres and assessment Rs. 11 and odd.	From the evidence adduced by the claimants, both oral and documentary, it is proved that wargs Nos. 43, 44 and 45 of Kavalamudur village are included within the reserve. The ownership of the lands would appear to have been also once admitted by the Forest Department, since they originally demarcated these lands out from the reserve; the claim is therefore admitted and the lands will be excluded as proposed by the Forest Department. As these wargs appear to have been "banjar" prior to 1886, in which year they were obtained by Ranaachandraya who subsequently transferred them to the temple, they are allowed no kumaki, the claim to which is therefore rejected.	

REMARKS.—(1) The Karinjeshwar temple road is admitted to a width of twelve feet and will be open to men, cattle and carts. It enters the reserve twenty yards south of cairn No. 14, runs east slightly north through it about one and a half furlongs and quits it one hundred and ten yards south-west of cairn No. 28. (P.R.W. No. I).
(2) Kavalamudur-Karinje foot-path, six feet wide, for men and cattle enters the reserve seventy yards east of cairn No. 71, runs north-east through it about three hundred and seventy yards and quits it one hundred yards south-east of cairn No. 6. (P.R.W. No. VI).
(3) The following foot-path is admitted to a width of four feet for men only, on a claim received thereto during perambulation:—
Kavalamudur-Karinjeshwar temple foot-path entering the reserve one hundred and ten yards south-west of cairn No. 28, running in a north-westerly direction about two and a half furlongs and quitting the reserve fifty yards east of cairn No. 16. (P.R.W. No. III).
MANGALORE,
15th July 1899.

(Signed) H. S. MULLINS,
Special Forest Sett.-officer,
Malabar and South Canara.

(Signed) H. S. MULLINS,
Special Forest Sett.-officer,
Malabar and South Canara.

VENUE,
19th January 1899.

ENCLOSURE No. 2.

STATEMENT showing the number of claims filed and their disposal.

Number and name of block.	Claims to rights of way.			Claims to kumakis.			Claims to easements.			Claims of patta and inam rights over lands and to Government patta usufruct over trees.			Miscellaneous.			Total of all claims.		
	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.	Filed.	Admitted.	Rejected.
No. 87, Kodiamale	..	..	..	5	3	2	(a)5	(b)5	..	6	1	5	2	(c)1	1	18	10	8

(a) Four of these contained also requests for rights of way which were admitted.
(b) Two admitted in part.
(c) One admitted in part.

ENCLOSURE No. 3.

STATEMENT of area and condition to accompany draft notification under section 16 for the undermentioned block.

Name and area of taluk.	Extent of Government land in the taluk.		Area of reserves already notified under sections 16 and 25.	Area of reserves under settlement.	Area of reserves already submitted for notification under section 16.	Area of reserves already submitted for notification under section 4.	Character of lands now proposed for reservation.				Sketch-map.
	Occu-pied.	Un-occupied.					Block.	Area.	How much forest.	How much grass.	
Mangalore .. ACS 425,512	123,448 acres.	302,064 acres.	3,172-86 acres.	..	29,696 acres.	1,400 acres.	No. 87, Kodiamale.	1,169 acres.	50 per cent.	50 per cent.	Enclosed.

ENCLOSURE No. 4.—Draft notification.

ENCLOSURE No. 5.—Sketch-map.

ENCLOSURE No. 6.—Forest Settlement-officer's judgment.

ENCLOSURE No. 7.—Collector's judgment.

ENCLOSURE No. 8.—Forest Settlement-officer's original report.

Endorsement by A. F. PINHEY, Esq., Acting Collector of South Canara, dated 15th October 1899, N. Ref. on C. S. C. No. 129-For., 1899-1900.
Forwarded to the Secretary to the Commissioners of Land Revenue, Madras.

Resolution—Forest No. 465A, dated 1st November 1899.

Submitted to Government for approval and publication of the draft final notification in the *Fort St. George Gazette*.

2. The block may be declared "reserved" from the 15th April next.

(True Copies and Extract.)

(Signed) W. FRANCIS,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with draft notifications (one original and two printed)
and a sketch-map and copies of the Forest
Settlement-officer's and Collector's judgments
in original to be returned.

ORDER—No. 862, Revenue, dated 23rd December 1899.

Forest No. 261.

The draft notification is approved
and will be published in the *Fort St.
George and South Canara District
Gazettes*, the 15th April 1900 being entered as the date from which reservation shall
take effect.

(True Extract.)

(Signed) G. S. FORBES,
Secretary to Government.

To the Board of Revenue (Land Revenue), with maps
,, Superintendent, Government Press (with notification).

Endorsement No. 862A.

Copy to the Government of India, Revenue and Agricultural Department.

(Signed) N. E. MARJORIBANKS,
Ag. Under Secretary to Government.

NOTIFICATION.

His Excellency the Governor in Council is pleased to declare, under the provisions of section 16 of the Madras Forest Act (V of 1882), that, from the 15th April 1900, the area, the boundaries of which are set forth in the schedule appended to this notification, shall be constituted a reserved forest.

SCHEDULE.

Number.	District.	Taluk.	Name of forest.	Boundaries.
87	South Canara ..	Mangalore ..	Kodiamale ..	<p><i>North.</i>—Starting from cairn No. 80 on the southern side of the Local Fund road from Mangalore to Charnadi, the boundary goes along that road at a distance of twenty-two yards south of the centre thereof, about five furlongs to cairn No. 1 at the junction with that road of the village road from Kavala mudur; thence passing along the south side of the latter road, south-east one hundred and fifty yards to cairn No. 2 and on two hundred yards to cairn No. 3, east-north-east three hundred and seventy yards to cairn No. 4, south-east two hundred and ninety yards to cairn No. 5; east slightly south one hundred and seventy-five yards to cairn No. 6, south-east two hundred yards to cairn No. 7 and again east slightly south one hundred and seventy yards to cairn No. 8; north-east two hundred yards to cairn No. 9 and east-south-east four hundred and thirty-five yards to cairn No. 10-A; and on in the same direction thirty yards to cairn No. 10; thence excluding the Karinjeshwar temple No. 10-A; and on in the same direction thirty yards to cairn No. 11; thence south-east three hundred yards to cairn No. 12, east one hundred and ten yards to cairn No. 13 and north-south-east one hundred and fifteen yards to cairn No. 14, and on north slightly north-east, crossing P.R.W. Nos. IV and I, two hundred and forty yards to cairn No. 15, west east the same distance to cairn No. 16, west-north-west three hundred and fifty yards to cairn No. 17; thence passing to the north of the cultivation of muli warg No. 15 of Kavala mudur village, north-east one hundred and eighty yards to cairn No. 18; north-north-east one hundred and eighty yards to cairn No. 19 west two hundred and forty yards to cairn No. 20 and north, slightly east, crossing P.R. cultivation north-north-east one hundred and eighty yards to cairn No. 21 on Bolekalgudde; then east three hundred and W. No. II two hundred and sixty-four yards to cairn No. 22 to the west of the Karkala Bhutastans; thence south-south-west one hundred and thirty yards to cairn No. 23 and on slightly less west, recrossing P.R.W. No. II, two hundred and eighty yards to cairn No. 24, east-south-east the same distance to cairn No. 25 and east slightly north three hundred yards to cairn No. 26-A; thence north-east one hundred and eighty yards to cairn No. 27 overlooking of the Karinjeshwar temple hill; thence south-east one hundred and eighty yards to cairn No. 28, then on in the same direction crossing P.R.W. Nos. III and I three hundred and fifty yards to cairn No. 29, south-south-east one hundred and sixty yards to cairn No. 30; east-north-east one hundred and seventy-five yards to cairn No. 31, hundred and sixty yards to cairn No. 32, east three hundred and ten yards to cairn No. 33, east-north slightly east one hundred yards to cairn No. 34, south-south-east two hundred south-east crossing P.R.W. No. IV two hundred and fifteen yards to cairn No. 35, north slightly east one hundred and eighty yards to cairn No. 36, again east four hundred and twenty yards to cairn No. 37, south-east six hundred and twenty yards to cairn No. 38, again east four hundred and twenty yards to cairn No. 39, south-east six hundred and twenty yards to cairn No. 40 and again south-slightly east, one hundred and seventy-five yards to cairn No. 41, south-west one hundred and sixty yards to cairn No. 42 overlooking Udare cultivation (muli warg No. 14 of Kavala mudur village).</p> <p><i>South.</i>—Thence skirting that cultivation and Thederbail (muli warg No. 1 of Devasamudur village) north-west one hundred and sixty yards to cairn No. 43, west-north-west one hundred and fifty yards to cairn No. 43-A and south-west one hundred and fifteen yards, one hundred and ninety-five yards and two hundred and eighty yards to cairns Nos. 44, 45 and 46, respectively; then south-south-east one hundred and ninety yards to cairn No. 47 to cairns Nos. 44, 45 and 46, respectively; then south-south-east one hundred and ninety yards to cairn No. 47 and south-west two hundred and eighty yards to cairn No. 48 near the southern extremity of the mud wall enclosing muli warg No. 2 of Devasa mudur village; skirting the cultivation of that warg on the eastern, northern and western sides, north-west four hundred and forty yards to cairn No. 49, west slightly north one hundred yards to cairn No. 49-A, south-west ninety yards to cairn No. 50 and south slightly west two hundred and thirty yards to cairn No. 51; thence west-south-west nine hundred and forty-five yards to cairn No. 52 near and thirty yards to the junction of the Devasamudur and Padur villages and overlooking the cultivation of muli warg Nos. 2 and 4 of Devasamudur village from the north; thence north-north-west three hundred and seventy-five yards to cairn No. 53, north-west three hundred yards to cairn No. 54, south-west two hundred and forty yards to cairn No. 55, west slightly north four hundred and fifteen yards to cairn No. 56; then passing round Nirkodi cultivation, north-east three hundred and fifty yards to cairn No. 57, north-west three hundred and twenty yards to cairn No. 58 and west-south-west two hundred and sixty yards to cairn No. 59 on the southern slope of the Manjal Padavu hill; west one hundred and seventy-five yards to cairn No. 60 and south-west three hundred and thirty yards to cairn No. 61 overlooking muli warg No. 19 of Devasa Padur village; thence west-north-west four hundred and ten yards to cairn No. 62 and south-west four hundred yards to cairn No. 63 on the boundary between Devasa-Padur and Kavala-Padur villages.</p> <p><i>West.</i>—Then skirting the cultivation of muli warg No. 12 of the latter village, north north-west three hundred and ten yards to cairn No. 64, north slightly west two hundred and sixty-five yards to cairn No. 65 and north slightly east two hundred and twenty yards to cairn No. 66 overlooking muli warg No. 9 of Kavala Padur village from the south; thence skirting that cultivation and muli warg Nos. 16 and 5 of the same village on the south-east and north-east, three hundred and thirty yards to cairn No. 67, south-east five hundred and twenty yards to cairn No. 68, east-north-east three hundred and ten yards to cairn No. 69; and north-north-east ninety yards to cairn No. 69-A; thence north-west three hundred and ninety yards to cairn No. 70 and on crossing P.R.W. No. VI one hundred and sixty yards to cairn No. 71; west-south-west ninety yards to cairn No. 72, west-north-west the same distance to cairn No. 73 and north-west one hundred and seventy yards to cairn No. 74; west-north-west three hundred and seventy-five yards to cairn No. 75; thence skirting the cultivation of Kavala Padur village, again west-north-west two hundred and eighty yards to cairn No. 76 and on slightly more north two hundred and sixty yards to cairn No. 77; thence west slightly north two hundred and fifty yards to cairn No. 78, north-west two hundred yards to cairn No. 79 and on in the same direction two hundred and eighty yards to the starting point.</p>

REMARKS.—A.—The following public rights of ways are admitted within the reserve:—

I. *The Karinjeshwar temple road to a width of twelve feet for men, cattle and carts.*—It enters the reserve twenty yards south of cairn No. 14, runs east slightly north through it about one and a half furlongs and quits it one hundred and ten yards south-west of cairn No. 28.

II. *Kavala Padur—Kavalamudur foot-path to a width of six feet for men and cattle.*—It enters the reserve seventy yards north of cairn No. 20, passes east slightly south through it three hundred yards and quits it one hundred and thirty yards south of cairn No. 23.

III. *Kavalamudur—Karinjeshwar temple foot-path to a width of four feet for men only.*—It enters the reserve one hundred and ten yards south-west of cairn No. 28, runs in a north-westerly direction about two and a half furlongs and quits it fifty yards east of cairn No. 16.

IV. *Devasamudur-Karinjeshwar temple foot-path to a width of six feet for men and cattle.*—It enters the reserve at and on the eastern side of cairn No. 50, runs north about one and a half furlongs where it branches into two, one branch running north-west for nearly five furlongs to the eastern end of the Karanje tank, leaving the reserve sixty yards north-east of cairn No. 13 and thence to the Karinjeshwar temple, and the other running first north, then north-west and finally north-east for a total distance of about half a mile and quitting the reserve forty-four yards east of cairn No. 33.

V. *A foot-path to a width of three feet for men only*—entering the reserve twenty yards west of cairn No. 69-A and passing direct to the tank-bund which is used for the irrigation of muli warg No. 16 of Kavala Padur village.

VI. *Kavala Padur-Karanje foot-path to a width of six feet for men and cattle.*—It enters the reserve seventy yards east of cairn No. 71, runs north-east through it about three hundred and seventy yards and quits it one hundred yards south-east of cairn No. 6.

B.—The following *easements* will be allowed to be exercised within the reserve :—

I. Permission is accorded to the cultivator, for the time being, of muli warg No. 15 of Kavala Padur village to keep in repair a tank of an area of four hundred square yards, twenty yards each way, and situate fifty yards south-west of cairn No. 10-A, with material taken from the bed thereof and to lead off water therefrom by a channel fifty yards long and three feet broad (including its banks) and leaving the reserve twenty yards west of cairn No. 10-A. The material required for the repair of the channel will be taken from the bed thereof. The right of entry into the reserve for the maintenance of the tank and channel will be by the bed of the channel. This easement will be in existence from May to October annually.

II. Permission is accorded to the cultivator, for the time being, of muli warg No. 15 of Kavalamudur village to keep in repair a channel four feet wide (including banks) leading from a spring in the hill side eighty-five yards south of cairn No. 30 and passing east-north-east for five hundred yards through the reserve which it quits fifty yards south-east of cairn No. 33. Material for the repair of the channel will be obtained from the bed of the channel and right of entry into the reserve for the maintenance thereof will be by the bed thereof.

III. Permission is accorded to the cultivator, for the time being, of muli warg No. 16 of Kavalapadur village to keep in repair a tank, the bund of which lies ten yards north of cairn No. 69-A with material taken from the bed thereof. The area of the tank will be four hundred square yards or 20 yards x 20 yards east to west and north to south. No channel is necessary to take off water from the tank as the water will flow by the natural channel which being dammed forms the reservoir.

This easement will be in force from May to January of each year.

IV. Permission is accorded to the cultivator, for the time being, of muli warg No. 2 of Devasamudur village to make use of the water of the stream which leaves the reserve at, and on the east side of, cairn No. 50 and passes south to a tank or reservoir at the northern arm of his cultivation; also to enter the reserve by the bed of the stream to a distance of a furlong from cairn No. 50 for the purpose of keeping clear the bed of the stream. This easement will be in force from May to October yearly, both months inclusive.

Exd. V. Ramachendras Row.

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