

# MADRAS RECORD OFFICE.

Government of Madras.

*Judicial* DEPARTMENT.

G.O. No. 971

Press

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24-25

Dated

16-7-

~~10~~ 1878

Not to be folded or roughly handled

*Fort St. George, Judicial Consultation, 20th July 1858.*

No. 24. Read the following letter from Captain J. G. RUSSELL, Officiating Agent to the Governor of Fort Saint George, at Kurnool; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 12th June 1858, No. 17.

SIR,

Agreeably with the orders of Government in para. 6 of the Extract from the Minutes of Consultation, under date the 3rd Ultimo, No. 579, Judicial Department, I have the honor to report the emoluments in land, money and fees at present enjoyed by the Cazees of Nundial and Sirwell, viz:—

|              | In Cash. |   | Land.   |   | Fees.   |   | Total.    |
|--------------|----------|---|---------|---|---------|---|-----------|
|              | Rs.      |   | Rs.     |   | Rs.     |   | Rs.       |
| Nundial. ... | 804 0 0  | + | 120 0 0 | + | 276 0 0 | = | 1,200 0 0 |
| Sirwell. ... | 252 0 0  | + | 600 0 0 | + | 348 0 0 | = | 1,200 0 0 |

} per annum.

Both of these Cazees settle their own caste disputes as town Cazees, and perform the duties of Marriage Registrar to the people of their own creed, they also perform the duties of District Moonsiff, filing and disposing of suits not exceeding in amount Rupees 1000. The same duties were performed by them under the Mahomedan Government, but the amount was not limited, and they had besides Criminal and Magisterial jurisdiction. In those days however they received no emolument in cash, but at the recommendation of Commissioner Mr. Bayley, their receipts as shewn in the statement were made up by cash to Rupees 100, per month.

2. Some 6 months previous to our rule both these Cazees held the village of Tamudpilly\* in Jagheer, when it was resumed by the Nawab, reason unknown.

|                         | In Land. | In Cash. | Total.   |
|-------------------------|----------|----------|----------|
| * Nundial Cauzee Assar. | 86 5 4   | 78 0 0   | 164 5 4  |
| Mosques .. .. .         | 43 2 8   | 0 0 0    | 43 2 8   |
| Sirwell Cauzee Assar.   | 152 8 0  | 0 0 0    | 152 8 0  |
| Mosques .. .. .         | 569 11 8 | 0 0 0    | 569 11 8 |

3. They are shareholders in some service enams attached to some Mosques and Assar as per margin.\*

No. 25. To the Secretary to the Government of India, dated Fort Saint George, 16th July 1858, No. 971.

SIR,

1. In reporting the arrangements to be made on the establishment of a Zillah Court at Nundial, the Court of Sudder Udalt anticipated, in their letter of 10th February 1857, para. 11 which accompanied Mr. Acting Secretary Forbes' letter to the Government of India, dated 22nd October following, Revenue Department, No. 1081, that, on the abolition of the Cazeeships of Nundial and Sirwall, which was then proposed, the present holders of these offices could be provided with appointments of similar emoluments in carrying out the arrangements then recommended. They have since intimated that they do not see how this can be done, and the late Officiating Agent at Kurnool suggests that the Cazees had better be pensioned and allowed to enjoy the Enam lands and Russooms attached to their offices.

2. From a recent report from this Officer it appears that the emoluments of these men, in money, land and fees, are:

|                | Cash. |   | Land. |   | Fees. |   | Total. |
|----------------|-------|---|-------|---|-------|---|--------|
|                | Rs.   |   | Rs.   |   | Rs.   |   | Rs.    |
| Nundial... ..  | 804   | + | 120   | + | 276   | = | 1,200  |
| Sirwall ... .. | 252   | + | 600   | + | 348   | = | 1,200  |

They have also each of them some Mosque Enams.

3. The Enams in land and fees, bestowed not merely for the performance of Cazees' duties in our acceptance of the term, that is judicial, but more as a Khyrate or charitable gift to a man of eminence and for which they performed certain religious and domestic services, were enjoyed by them under the native rulers. The cash payments of Rs 67 and 21 per mensem respectively were granted by this Government, subject to modification on the introduction of the Company's Courts, as remuneration for the performance of the judicial duties then and subsequently required of them.

*Communication*

*Fort St. George, Judicial Consultation, 20th July 1858.*

4. A sudden and total deprivation of these allowances after so many, sixteen years' enjoyment will bear hard upon these Cazees, and I am therefore directed by the Governor in Council to solicit the sanction of the Government of India for granting to them a pension equal to one half of their present money allowances, viz., to the Caze at Nundial, Rupees 33½ and to him at Sirwall Rupees 10½ per mensem. The Government learn from their Acting Secretary Mr. Bayley who was Commissioner of Kurnool shortly after our assumption of the province that they both were of great use when Kurnool first came under the management of this Government and very successful in getting through suits speedily and to the satisfaction of all parties by Panchayet. They are both old men.

(Signed) T. PYCROFT,  
Chief Secretary.

Exd. F. Cartledge.

*Fort St. George, Judicial Consultation, 4th May 1858.*

No. 41. Read the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Sudr Udalut; to H. FORBES, Esq., Acting Secretary to Government in charge of the Judicial Department, Fort Saint George, dated 31st March 1858, No. 19.

SIR,

I have the honor to forward herewith copy of a letter from the Officiating Assistant Agent in charge of Kurnool, furnishing the information called for in Extract from the Minutes of Consultation under date the 5th Instant; together with Draft of a Notification concerning the creation of a new Zillah Court at Nundial.

2. The Judges approve the suggestions made in paras. 1 and 3 of the said letter; but do not consider it necessary that any temporary arrangements should be mentioned in the Notification. They observe that it has not been customary hitherto to notify the stations and jurisdiction of District Moonsiffs.

3. Should the Government consent to the Court being temporarily held at Kurnool, the Judges will ascertain and report what sum will be required for the rent of a house for the purpose. The location of the Moonsiffs could at any subsequent time be altered if considered expedient by the Judge and Collector.

4. The Judges do not see how the Cauzees of Nundial and Sirwell are to be provided for in the new arrangements; and accordingly leave it to the Government to dispose of the suggestion that they be pensioned, in such manner as to the Government may appear fit and proper.

From Lieutenant H. L. GROVE, Officiating Assistant Agent in charge at Kurnool; to C. F. CHAMIER, Esq., Register to the Court of Sudr Udalut, Fort Saint George, dated 25th March 1858, No. 17.

SIR,

With reference to your letter of the 12th Instant, calling upon me to furnish the information required by Government in paras. 4 and 5 of their Extract Minutes of Consultation under date the 5th Instant, I have the honor to inform you that under the existing circumstances and having regard to the new accommodation that will be required, it does not seem to be advisable to make at present any change in the stations of the Moonsiffs of Cumbum and Kurnool, as the

*\* Under the Moonsiff of Kurnool.*

- 1 Panchapoliem.
- 2 Goodoor.
- 3 Dhona.
- 4 Nundycoteoor.

*Sirwell.*

- 1 Sirwell.
- 2 Chagulmurry.
- 3 Panniem.
- 4 Coilgoontla.

*Cumbum.*

- 1 Cumbum.
- 2 Doopand.
- 3 Nundial.
- 4 Ateoor.

Court of the new Moonsiff can be conveniently stationed at Sirwell where there is already a Court House available for this purpose with jurisdiction over the Talooks noted in the margin,\* and this arrangement will present no difficulties to bring into effect the proposed changes from the 1st of July next.

2. With regard to the accommodation now required for the Court at Nundial, I do myself the honor to state, that there is at present no building at Nundial which could be used as a Prison. However, if the Civil and Sessions Court be held at the present Court House of the Nundial Cauzee, the addition of a few temporary sheds only will be required, the prisoners under trial before the Court being confined in the old Court House or village Choultry, on the understanding, that after sentence of imprisonment has been recorded against any of them, they be sent off to Kurnool to be placed with the other prisoners now undergoing sentence in that Jail. If this arrangement is acceptable to the Judges of the Sudr Udalut, I feel it my duty to report, that there is no dwelling house at Nundial for the Judge himself and that the Judge would therefore have to live in tents during the next rainy weather.

3. Should this circumstance be considered a serious inconvenience and objection, I would beg to suggest that the Court of Nundial, as a temporary measure, be held at Kurnool where every accommodation can be provided; and necessary arrangements made to expedite the erection of a Jail and Court House, &c., in Nundial. In this case, however, a certain sum of money will have to be sanctioned for the rent of a house at Kurnool in which the Court may be held, there being no public building vacant.

4. In answer to the latter part of para. 5 of the Extract Minutes of Consultation under reply, I beg to state, that if the Cauzees of Nundial and Sirwell cannot be retained under the

*in their previous  
Communication*

Fort St. George, Judicial Consultation, 4th May 1858.

new arrangements, they had better be pensioned and allowed to enjoy the Enam lands and Roosooms now attached to their office as Town Cauzees.

(True Copy.)

(Signed) C. F. CHAMIER,  
Acting Register.

No. 42. ORDER THEREON, No. 579; dated 3rd May 1858.

With the above letter, the Court of Sudr and Foujdaree Udalut submit a copy of a communication from the Officiating Assistant Agent in charge of Kurnool, furnishing the information called for in Extract Minutes Consultation 5th March last, on the arrangements to be carried out for the conversion of the Kurnool Agency into a Zillah, together with Draft of a Notification announcing the creation of a new Zillah Court at Nundial.

2. It seems from Lieutenant Grove's letter that the stations of the Moonsiffs of Cumbum and Kurnool may remain as at present, and that the new District Moonsiff's Court may be held at Sirwell, where there is already a Court House available for the purpose. The three District

Under the Moonsiff of Kurnool.

- 1 Punchapolliem.
- 2 Goodoor.
- 3 Dhone.
- 4 Nundycotoor.

Sirwell.

- 1 Sirwell.
- 2 Chagulumurry.
- 3 Panniem.
- 4 Coilgoottla.

Cumbum.

- 1 Cumbum.
- 2 Doopaud.
- 3 Nundial.
- 4 Atcoor.

Moonsiffships of the Kurnool Zillah and their jurisdictions will then be as noted in the margin. These arrangements which are approved by the Sudr Udalut are sanctioned by Government. The Notification, of which the Sudr have submitted a Draft, will also be published

in the Fort St. George Gazette as soon as the Act has passed.

3. It seems that there is at present no building at Nundial which could be used as a Prison, but it is suggested by Lieutenant Grove, that if the Court be held at the present Court House of the Nundial Cauzee, the convicted prisoners might be sent to undergo their sentences of imprisonment in the Jail at Kurnool. It seems, however, that there is no dwelling house at Nundial for the Judge himself, and that he would therefore have to live in tents, during the next rainy season. Under these circumstances, Lieutenant Grove submits that the Nundial Court might, as a temporary measure, be held at Kurnool where every accommodation can be provided, and that the necessary arrangements should be made to expedite the erection of a Jail and Court House at Nundial.

4. The Right Honorable the Governor in Council approves the suggestion. The Zillah Court will therefore for the present be held at Kurnool, and a house be hired for the purpose, the rent of which will be passed by the Civil Auditor. Plans and estimates will be immediately called for in the Department Public Works for a Court House and Jail at Nundial. The arrangement will also be announced in the Notification.

5. On the passing of the Act the Governor in Council will at once appoint the Judge of the new Zillah, and the party nominated to that office will be directed to proceed immediately to Kurnool and to settle in communication with the Court of Sudr Udalut, and with the Agent the preliminaries necessary for the establishment of the Zillah of Kurnool from the first of July next.

6. Referring to the recommendation of the Sudr Udalut, that the Cauzees of Nundial and Sirwell who cannot be provided for in the new arrangements may be pensioned, the Governor in Council requests that the Agent in Kurnool will report what are their respective services in those or other offices and what their emoluments in land, money or fees.

(Signed) T. PYCROFT,  
Chief Secretary.

In Lys's Com 1<sup>st</sup> May 1858.

Jud. 1858 Dept.

No. 579

Extract from the Minutes  
of Consultation

Dated 3<sup>rd</sup> May 1858

Approve the arrangements recommended by the Court of Sudr Udalut for the conversion of the Kurnool Agency into a Zillah, and direct that the Notification be published in the Fort St. George Gazette, and request the Agent in Kurnool to report what are the respective services of the Judges of Nundial and Sirwell in view to their being pensioned.

W. T. 12

Cumbum - that of the former to the new District Moonsiff at Sirwell. The District Moonsiff of Raipur in Guodapah whose Court there is to be abolished is, I presume, to be transferred to Sirwell. 2 In their previous communication

IX  
Judg Dept  
Memorandum

The Judicial arrangements for the establishment of a Zillah Court at Nundial have involved the abolition of the Bazeeships of Sirwell and Nundial. The jurisdiction of the latter has been transferred to the District Moonsiff at Cumbum. That of the former to the new District Moonsiff at Sirwell. The District Moonsiff of Nafum in Guodapah whose Court there is to be abolished is, I presume, to be transferred to Sirwell.

2 In their previous Communication

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5. On the passing of the Act the Governor in Council will at once appoint the Judge of the new Zillah, and the party nominated to that office will be directed to proceed immediately to Kurnool and to settle in communication with the Court of Sudr Udalut, and with the Agent, the preliminaries necessary for the establishment of the Zillah of Kurnool from the first of July next.

6. Referring to the recommendation of the Sudr Udalut, that the Cauzees of Nundial and Sirwell who cannot be provided for in the new arrangements may be pensioned, the Governor in Council requests that the Agent in Kurnool will report what are their respective services in those or other offices and what their emoluments in land, money or fees.

(Signed) T. PYCROFT,  
Chief Secretary

10<sup>th</sup> February 1842.

communication on the subject the Saib said that the Carers might be provided for in the arrangements to be made for the new Zillah. They now say that they do not see how this is to be done, and referring to the Officer's Aft. 16<sup>th</sup> remark that if the Carers cannot be retained under the new arrangements they had better be pensioned, and allowed to enjoy the Enam lands and Pusscoms now attached to their office as Town Carers. The Saib leaves the suggestion to be disposed of in such manner as to the Government may appear fit and proper.

3 From the report of Captain Russell it seems that the emoluments of these men in money and land and fees are—

|         | Cash<br>Rs. | Land<br>Rs. | Fees<br>Rs. | P    |
|---------|-------------|-------------|-------------|------|
| Mundial | 804         | 120         | 276         | 1200 |
| Sirwall | 252         | 600         | 348         | 1200 |

They have also each of them some Mosques and Enam S—

The Enam in land and the fees were enjoyed by them under the native Govt. The cash payment of Rs. 67 and 21 a month respectively were conferred upon them under the circumstances explained in para 136 of Mr. Buxley's report of the 29<sup>th</sup> August 1842 as remuneration for the performance of Judicial duties and it was stated /O/S/ that when the Company's Courts were introduced

introduced these monthly  
payments might be re-  
duced wholly or in  
part was not said -  
The Gov. Com. 10th  
September 42. sanctioned  
these grants "subject to  
modification on the  
introduction of the  
Company's Courts"

4. There seems  
certainly no means of  
employing these men  
now, and as they are  
relieved from their  
Indial labors in  
regard of which these  
money allowances were  
bestowed, it might seem  
right to withdraw the  
allowances and to leave  
them in possession of  
their lands and families  
but altho' this may be

6  
be strictly just, the  
Cargos may perhaps  
feel aggrieved at the  
total and sudden  
deprivation of these  
payments after so  
many (16) years enjoy-  
ment -

After the above was  
written I showed it to Mr  
Bayley and he has made  
the following note - JPB  
3.7.58.

On my arrival at Kavaratti  
in 1842 when we were beginning to get  
matters into regularity, I found the  
Hindul & Sorvel Coycees of great  
use. They were well acquainted with  
usage, & fast with law, & were very  
successful in getting through suits  
speedily, & to the satisfaction of all  
parties by purchase. The people  
generally let them manage the purchase  
apt, & were well satisfied.

has adopted Mr Bayley's  
suggestion JPB

W. H. Bayley

I would continue the Grants,  
& let them pay for life. They must  
be old now

W. H. Bayley July 2

Sept 25

20/9/1

Judicial Department

To the Secretary to the Government of India

Sir,

1. In reporting the arrangements to be made on the establishment of a Zillah Court at Mundial, the Court of Judges had sent articles dated in their letter of 10th Feb/57 para 11, which accompanied Mr Actg Secy. Forbes' letter to the Govt of India dated the 22d Oct. following Revenue Dept. 121087, - that, on the abolition of the Cazeeships of Mundial and Srivall, which was then proposed, the present holders of these offices could be provided with appointments of similar emoluments in carrying out the arrangements then recommended. They have since intimated that they do not see

W. H. Wall

how this can be done, and the late  
off<sup>r</sup> Agent at Kurnool suggests  
that the Cazees had better be  
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attached to their offices.

2. From a recent report from  
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emoluments of these men, viz  
money, land and fees, are,-

|           | Cash<br>Rs | Land<br>Rs | Fees<br>Rs | Total<br>Rs |
|-----------|------------|------------|------------|-------------|
| Mundial - | 804        | 120        | 276        | = 1200      |
| Sirwell - | 262        | 600        | 348        | = 1200      |

They have also each of them some  
alloquies ~~and~~ <sup>in</sup> means.

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performance of Cazees' duties in an  
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ment will bear hard upon these  
Cazees, and I am therefore ~~con-~~  
~~vinced~~ directed by the Governor  
in Council to solicit the sanc-  
tion of the Govt. of India for  
granting to them a pension equal  
to one half of their present <sup>money</sup> ~~allow-~~  
~~ances~~, viz: to the Cazees at  
Mundial, Rs 33 1/2 and to him at  
Sirwell Rs 10 1/2 per mens. ~~They~~  
both were of great use when  
Kurnool first came under the  
management of this Govt. &  
very successful in getting through  
suits speedily to the satisfaction  
of all parties by Purchases -  
The are both old men.

+ The Government learn  
from their Act. Secretary  
Mr. Hayley who was Com.  
missioner of Kurnool  
shortly after our assump-  
tion of the Province that  
they

To the Secy, 2  
16 July, 1858 - 3

J.P.

11 Cop.

Judicial Letter to Eng<sup>d</sup>  
17<sup>th</sup> Sept 1713 of 1758  
Paris 1712.

C. No. 41-42

4-5-58

for 8<sup>th</sup> Jan 20<sup>th</sup> July  
Judicial 1750 Sept 1712

No 971

Right to the Court of  
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17<sup>th</sup> Sept 1758

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