

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 652

Press
~~Mis.~~

Dated

3-11-1918

Not to be folded or roughly handled

652

Proceedings of the Madras Government, Political Department

3rd November 1860.

No. 7. Read the following letter from Surgeon Major E. G. BALFOUR, Government Agent at Chepauk, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 29th September 1860, No. 1,270.

* Four in number, viz.,
 Syed Abdul Kadir.
 Mahomed Azam.
 Syed Gholam Mohi-ood-Deen.
 Syed Nasser Padshah.

During the times of the late Nabobs of the Carnatic, their Cazis, and Deputies or Nickah readers,* married all the Mahomedans in the Chepauk, Triplicane, Royapettah, Tenampet, Kistnampet and other districts in the area surrounded by Mylapoor, Corumpauk, Chintadrapettah, Vepery, and Black Town.

2. The Honorable the Governor in Council will recognize the importance of the duties that these men performed and the Sircar Records contain, or ought to contain, entries of every marriage so made.

3. In Mahomedan law, witnesses are necessary to a marriage, which ought to be performed under the orders of a Cazi or his Officers.

+ 1 Ext. Mins. Cons., dated 21st March 1854, No. 128.
 2 Letter from Govt. Agent, to Govt., dated 2nd Aug. 1854, No. 45.
 3 " " " " " " " " " " " " 16th " " " " No. 47.
 4 Ext. Mins. Cons., dated 26th September 1854, No. 365.
 5 Letter from Govt. Agent, dated 29th November 1854, No. 63.
 6 Ext. Mins. Cons., dated 3rd January 1855, No. 2.
 7 Ext. Mins. Cons., dated 31st May 1856, No. 583, communicating
 paragraph 45 of letter from the Honorable the Court of Directors,
 dated 5th March, No. 5 of 1856.

‡(a) *Purganahs of the two Conjeverams, &c., and Jaghires around Chin-
naputnum.*

- (b) *Seaport of Mylapore.*
- (c) *Covelong styled Shaedut Bundur, &c.*
- (d) *Cuddalore.*
- (e) *Devicottah.*
- (f) *Nagore and dependencies.*
- (g) *Masulipatam.*
- (h) *Vellore.*
- (i) *Rajahmundry.*
- (j) *Nizampatam.*
- (k) *Nursapoor.*
- (l) *Condapilly in Mustafa Nagur.*
- (m) *Mungulgerry in Mustafa Nagur.*
- (n) *Nil~~giri~~.*
- (o) *Vizagapatam.*
- (p) *Ganjam and dependencies.*

4. The subject of the rights of the Cazi of Madras has on former occasions, as per margin,† been reported on, and it would appear from the Sunnud in his possession, that the Madras Cazi has the full control over this city as also of all the places as per margin;‡ though, as with Chepauk, Triplicane, &c., he seems to have exercised authority only with regard to Black Town and its neighbouring villages.

5. Owing to the cessation of the Nabobs, the registration of the marriages has ceased, as regards their record-

ing; and owing to the lengthened absence in Mysore and dissension in the family of one of the Deputy Cazies or Nickah readers, this Officer has been importuned during the last year for permission to appoint another, and claims have been put forth by other members of the family to the right of marrying the people.

6. The emoluments, though looked to, are trifling; but in the absence of an Office of general Registration, the continuance of the record of these people's marriages seems to me of great importance; and as instance thereof, I have repeatedly required to refer to the Register of the Nabob's time in order to ascertain the fact of marriages having taken place or not.

7. I subjoin translation of the Sunnud on which the Cazi of Madras acts, and submit to the Honorable the Governor in Council, whether he could be commanded to take jurisdiction over all within the Circle under Her Majesty's Supreme Court, or whether Cazi-ul-Mulk

*Proceedings of the Madras Government, Political Department,
3rd November 1860.*

Bahadoor the Nabob's Cazi or his son and Co-Cazi Sadarutkhan Bahadoor, or the Cazi of the Court of Sudr and Foujdari Udalut might be requested to take charge of the districts of this city over which the Cazi of Madras has never yet exercised authority.

8. I wrote asking for copy of his Sunnud from the Cazi of Madras, but I am aware that for some years past he has been in such an infirm state of health that he may not likely feel able or be willing to undertake any fresh work.

1,193.
Ikhtidarood Dowlah
Syful Moolk, Sir
Thomas Rumbold,
Bahadoor Dilawur
Jung Fidwee-i-Bad-
shahi Ghazee Shahi
Alum.

It is written to the present and future Amils of Taluks, to the Musulmen community and to all people residing in the Ports and Jaghires, &c., of the Honorable Company, attached to Chinapatnam, that, whereas it is expedient that a competent person for the settlement and decision of suits happening between the Natives and the inhabitants of this country and all the Taluks or possessions of the Honorable Company and for the execution of the duties connected with the appointment of Cazy according to the Mahomedan Law, be nominated through the medium of the Honorable Company, therefore the appointment of Cazy to all the Taluks or possessions of the Honorable Company has been conferred and given to the most learned and skilled in law Mohydeen Mahomed Ababukr Cazy-ool-Quzzat (Chief Cazy) Cazy Khan, who as per grants of the Honorable Company holds from long time, the appointment of the Cazy of Chinapatnam, &c. He should with his perfect faithfulness attend to execute the duties of this high appointment by continuing the performance of Friday Prayers, and the performance of Prayers in a body and by appointing Khateeb, &c., and having fully investigated into law suits decide them according to the Decree of Aimmah-i-Khuda, also place fit persons as his Naibs or Deputies in the whole of the following Taluks for the purpose of settling the suits of parties and for regulating the affairs of law.

It is required that all the Musulmen community should consider the performance of Nikah Divorcement, preserving properties without owners, and that of lunatic persons, ordering punishment, conducting all other affairs and suits connected with law and religion, regulating public affairs, &c., also other duties pertaining to the appointment of Cazy, and passing orders, are entrusted to the best consideration and judgment of the said Cazy and of his Naibs or Deputies: also writings, decrees, or copies (of the decisions of Cazy) and other proceedings and documents bearing the seal of the said Cazy be considered true and worthy of belief. All Amils and Talookadars of the Taluks or possessions of the Honorable Company should afford every aid and assistance to him and to his Naibs or Deputies in the execution of the foregoing affairs, considering the authority vested in him and his Naibs is peremptory, and in case any one fail to, or disobey the commands of law, they may interfere in the matter and deliver the defaulters to the tribunal of the said Cazy or of his Naibs.

Detailed list of the Taluks and Ports attached to the Honorable Company

Purganah of both Kunches and other Jagheers around Chinapatnam.
Saint Thomé Port.
Covalum, commonly called Sadut Bundar.
Goodalore (Cuddalore).
Nagore and its dependencies.
Sirkar of Masulipatam.
„ Vellore.
„ Rajhundry.
„ Vizagapatam.

*Proceedings of the Madras Government, Political Department,
3rd November 1860.*

Nursapoor.
Condapully Sircar of Moostafa Nagur.
Mungalgerry Sircar of Moortooza Nagur.
Neelpully.
Vizagapatam.
Ganjam and other Taluks of the Honorable Company.

David
Haliburton
1788.

Written by order of Mr. David Haliburton, Translator of the Honorable Company at Chinapatnam.

Gholam Mohydeen, Munshee of the Honorable Company.

27th Rujjub 1193, 11th August 1779.

No. 8. ORDER THEREON, 3rd November 1860, No. 652.

It appears to the Government that as the Nawabship of the Carnatic is extinct, it is desirable that the Cazi of Madras should have charge of the whole town within the limits of the Supreme Court Jurisdiction, as would seem to be intended in his Sunnud, and that he should appoint Naibs to aid him when necessary. Before, however, coming to any definite conclusion on the point, they deem it proper to ascertain from the Government Agent at Chepauk and the Commissioner of Police, whether such an arrangement be practicable, and would be acceptable to the parties interested. The Government of course here regard the Cazi only in the position of a Notary Public to record Marriages and Divorces among the Mahomedan community. They have nothing to do with him in a Priestly or Judicial character.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Now that the Nabobship is over, it seems desirable
that the Caze of Madras should have charge of the
~~whole~~ place (as apparently intended in his Summa)
appointing Nabos to aid him where necessary.

But it would be proper first to ascertain from
the Chepauk Agent & Commandary of Police
whether such an arrangement is practicable &
would be acceptable to the parties interested.

- As regards the Govt the Caze is and merely
a Public Notary to record marriages & divorces
among the Mohammedan Community - We
have nothing to do with him in a Priety or
Judicial character -

29 Oct/60

[illegible]

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Govt ^{here} could of course regard
the Bazi only in the position
of a Notary Public to record
marriages & divorces among
the Mahomedan Community,
^{They} and ~~would~~ have nothing
to do with him in a Priestly
or Judicial character.

JP

To the Govt Agent
at Chepauk }
Commr. of Police }

Sept 8th

11 Copies L.H.O.

Political 1840. Dorset.

No 652.

Proceedings of Court

Proceedings 1840

Feb. 177 of 82 Feb 11 of 83
62-9 May 186.

Nothing for the views
of the Government of Great
Britain and Commonwealth
of Peace on the Subject
of the Page of the
having charge of the
what to now within the
time of the Supreme
Court jurisdiction to