
Writing Law at the Edge of Empire: Evidence from the Qazis of Bharuch (1799–1864)

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When judicial department officials at Bombay began to enforce the British East India Company's (EIC) authority over the production and authentication of certain types of legal documents in the late 1830s, *qāzīs* (Islamic judges) like Sayyid Aḥmad Ḥusain of Bharuch, objected to their loss of authority. In petitions sent to the Governor in Council from the edges of empire, these legal intermediaries objected to the Company's interference with their livelihoods. Although the qazis' complaints did not yield the desired results, by demonstrating the utility of their record-keeping abilities, qazis were able to retain discrete rights. The effects of these negotiations demonstrate the ways in which the intersections of expanding Company policies and local legal activity contributed to the growth of imperial power. Attending to the particularities of local legal practice, captured in the writings of these qazis, this article highlights the material mechanisms by which the EIC co-opted existing documentary cultures to extend state surveillance over local populations and challenges prevailing histories of legal translation and codification by focusing on the social ramifications of changing legal definitions at the moment such relations were first articulated in writing.

Keywords: South Asia, Islamic law, British Empire, documentary regimes, local legal practice.

Introduction

When Sayyid Aḥmad Ḥusain, *qāzī* (*qāḍī*, judge) for the city of Bharuch in western Gujarat, lost the right to collect fees for affixing his seal and signature to an array of important legal documents following an order from the judge at the Ṣadr Court of 'Adālat in Surat in 1839, he promptly dispatched a petition to the Governor in Council at Bombay complaining of the local judge's affront to his status and access to income.¹ In his complaint, the qazi enumerated several charges against John Romer, the judge at Surat, who had stripped him of his right to attest *vakālat*- and *mukḥṭār-nāmas* (deeds of

representation) executed “both for the court and private use.”² This task, which had been part of the qazi’s domain prior to the British East India Company’s interference, helped secure private rights and provide public stability by drawing on the qazi’s skills of investigation and authentication. Taking away this right, Sayyid Aḥmad Ḥusain argued, would “prove detrimental” to the qazi, who would suffer great losses of income, and to the “Sirkar and Ryot (government and citizenry),” who would also suffer without the qazi’s guarantee. Unfortunately, despite these protestations, the qazi’s complaint earned him no reward. The judges of the Şadr Court remained firm in their decision to take over these and other documentary protocols formerly belonging to the office of the qazi.

Though the relationship between paper practices and imperial power has received increased attention in recent years, the qazi’s role in executing legal documents has yet to receive serious consideration.³ The analysis that follows therefore examines the qazi’s role as a legal intermediary first in the context of the East India Company’s (EIC) changing orientation to paperwork and to the authority of local documentation and second in relation to the diverse populations of merchants, traders, land-owners, and agriculturalists in the coastal regions of western India he served. It argues that the qazi’s ultimate failure to retain control over multiple forms of legal documentation relevant to Company interests marked a decisive shift in the qazi’s social status and legal function that had long-term ramifications for the construction and interpretation of religious law in British India.⁴ Sayyid Aḥmad Ḥusain and other members of his family were not the only qazis to engage Company officials in these types of negotiations, but the family’s prolonged engagement with the Company—and ultimate decision to heed Company demands—reflect larger transformations in the history of legal writing and document production that opened the door to future incursions into the definition of legal identity and legal activity—definitions that continue to resonate in postcolonial South Asia today. From the family’s assistance establishing law and order after the British takeover of the city, to Aḥmad Ḥusain’s negotiations for a more expansive definition of his office, to his son Nūr-ud-dīn Ḥusain’s role in the production of registers legible to the state, the family’s professional trajectory stands as an important case study in the history of British expansion and legal-imperial domination in South Asia.

The Calligraphic Company State⁵

In the context of imperial expansion, contests over the execution and interpretation of legal documents constituted an important arena in which different modes of legal life “jockeyed” with one another for supremacy.⁶ In some locations, such contests resulted in the complete disregard for existing systems of sovereignty and prevailing claims to property in exchange for European modes of laying claim to and establishing ownership.⁷ In the case of western India at this time, such negotiations materialised in acts of terminological appropriation and rough approximation, bringing a diverse array of documentary forms under common rubrics comprehensible to Company officials.

Legislation flattened entire aspects of indigenous legal life, erasing nuance through translation into European languages and overriding local difference through attempts to understand diffuse legal processes via orthodox interpretations.⁸ Such activities privileged specific understandings of what constituted the “legal” and placed other practices outside the recognised legal order.⁹ Matters pertaining to marriage and other “doctrinal” issues remained the qazi’s responsibility while associated processes of legal representation (i.e., *vakālat* and *mukhtārī*) became those of the state (Figure 1). Writings produced by intermediaries such as Aḥmad Ḥusain trace this transformation, indexing the terminological transformations that marked the pernicious process through which colonial rule constructed categories of religious life and law at a time when jurisdictions, domains, procedures, and modalities were yet unsettled.

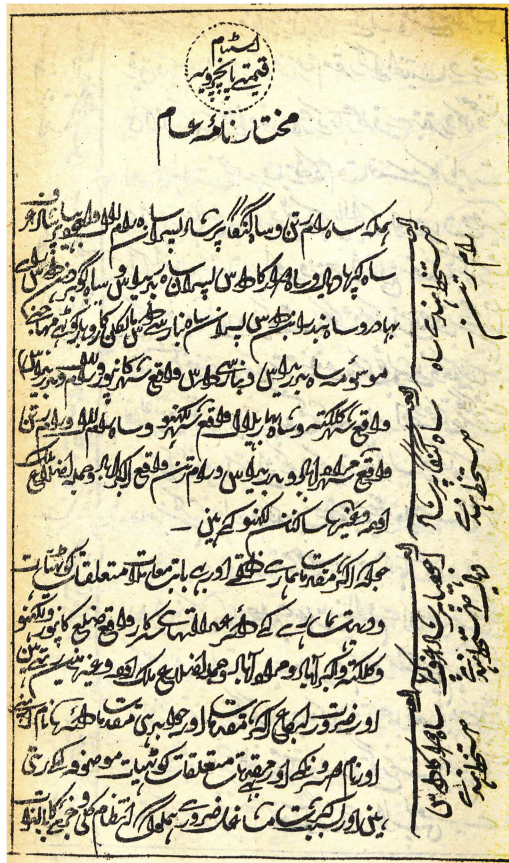


Figure 1. Sample *mukhtār-nāma* from a late-nineteenth-century writing guide, showing the use of five-rupee stamp paper at the top. Courtesy of the British Library. © British Library Board (Asia, Pacific and Africa Printed Books and Serials, 14117.b.27(2), Maulvī Sayyid Bāqir ‘Alī, *Majmū‘a-yi Kāghazāt-i Kārravā‘ī* [Lucknow: Gulshan-i Muḥammadī Press, 1890], 51).

Scholarship from across the subcontinent has demonstrated that within the context of British expansion, intermediaries, interpreters, spies, scribes, translators, news-writers, and letter-carriers made vital contributions to the project of imperial knowledge production and domination.¹⁰ What emerges from these studies is a common argument linking information orders and scribal practices with imperial expansion through the production, translation, interpretation, and possession of written records. Law was also central to this project such that “knowing the country,” to use C. A. Bayly’s expression, was synonymous with acquiring, analysing, and controlling the production of legal documents. While the historiography on colonial legal change is rife with studies of colonial efforts to translate and codify religious law, interest in the appropriation and transformation of existing documentary forms has received far less attention.¹¹ The present study uses documents written and preserved by a family of qazis from Bharuch to explore this aspect of legal history and to trace the effects of legal categorisation on the articulation and documentary construction of socio-familial relations. Such records demonstrate the everyday materiality of law as it intersected with and confronted the ideologies of imperial translation projects.

As legal intermediaries, well versed in the authorial skills necessary to turn the vicissitudes of ordinary life into the language of legal writing, qazis held a position of privilege within this scramble for information. They were channels through which EIC directives could move and sluices capable of curtailing the flow of information.¹² In their negotiations with the Company state, the qazis of Bharuch not only resisted wholesale appropriations and attempts to import entire categories of legal activity into the domain of the Company’s subordinate courts but also contributed to the process of translating local practices into forms more readily recognised by the state. Aḥmad Ḥusain and his colleagues brokered information exchanges between Company civil servants anxious to quell rural disorder and local individuals who sought protection in the law to safeguard their everyday transactions. Losing the right to oversee the diversity of documents formerly within their domain, while retaining the right to produce the documents Company officials considered properly “doctrinal” or religious at the end of these negotiations, marked not simply the qazis’ loss of status in the face of legal modernisation but more importantly the making of a legal category for the qazis’ now-identified “Muslim” clients—one that would have lasting effects on legal access and status in the decades to follow. The transition from a world of legal heterogeneity to one characterised by codified uniformity, however, took time, and the qazis of Bharuch played but one part in this transformation.¹³

A History of Service to the State

Negotiations between the qazis of Bharuch and Company administrators spanned four generations of Aḥmad Ḥusain’s family and surfaced during several successive phases of Company policy (see Figure 2 below). The family’s documented interactions began in 1803 when, following its takeover of Bharuch, the Company acknowledged the claim to the office of qazi of Zain-ul-‘Ābidīn, Aḥmad Ḥusain’s

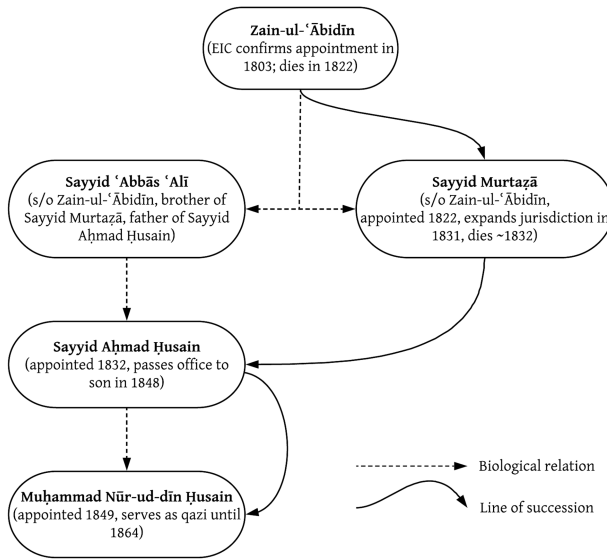


Figure 2. Line of succession for the office of the qazi in Bharuch. © Elizabeth Lhost.

grandfather. During Zain-ul-‘Ābidīn’s lifetime, the Company began the process of converting the qazi’s office from one supported by nominal fees and stipendiary entitlements (in the form of land grants, honorary shawls, and other perquisites) to one based in salaried employment. For Zain-ul-‘Ābidīn, this change meant that upon the recommendation of Judge Charles George Prendergast, who believed the office deserved a higher salary owing to “the difficulty there at present appears to be in procuring Native Law Officers for Company courts possessing the necessary qualification[s],” the qazi began to receive a monthly salary of one hundred rupees, in addition to “the usual presents of a pair of Shawls” (valued at 100–120 rupees) on the occasion of the ‘Īd holidays.¹⁴ Along with his salary, Zain-ul-‘Ābidīn continued to collect fees for authenticating documents and performing marriage ceremonies while also working in the Company’s subordinate courts.¹⁵

When Zain-ul-‘Ābidīn passed away in 1822, the position of qazi went to his son, Sayyid Murtaẓā.¹⁶ Once in office, Sayyid Murtaẓā successfully extended his jurisdiction from the city to the surrounding district (*pargana*). After complaining about the harassment he faced “in the discharge of his duties . . . in the Purguna,” Sayyid Murtaẓā convinced the judicial commissioner then on circuit to grant him a new *sanad* (certificate of appointment) as “Kazee of the Town and Purgunnah of Broach,” to mark this extension.¹⁷ When Sayyid Aḥmad Ḥusain then became qazi following his uncle’s death, he assumed jurisdiction over the expanded territory of the city and the district. As past experiences showed, petitioning the Company was a profitable method for affirming one’s status and authority.

The family further confirmed its hold on the qaziship at Bharuch when Aḥmad Ḥusain successfully passed the office to his son, Muḥammad Nūr-ud-dīn Ḥusain, in 1849. Although Company policy rejected the idea of hereditary appointments, the judicial department routinely found ways to make exceptions.¹⁸ Thus, when Aḥmad Ḥusain, long-time Company supporter and employee, wrote to announce his impending retirement and to request that the position proceed to his son, the government agreed, following a cursory consideration of the proposed candidate's qualifications. Naturally, Nūr-ud-dīn was rightfully qualified for the office, "well versed in the Persian and Arabic languages," and his family had been "well wishers of the Government long before the rule was established in [the] country."¹⁹ Once again, following a series of petitions, the family secured its position as an ally and important agent of law through expressions of utility and fidelity to the EIC.

Sayyid Aḥmad Ḥusain's above-cited complaint against Judge Romer, however, drew upon more than the family's reputation: it explicitly cited the economic losses he faced as a direct result of this most recent interference. As part of his complaint, Aḥmad Ḥusain claimed to earn upwards of seven hundred rupees annually for his work signing and sealing documents like *vakālat*- and *mukḥtār-nāmas*.²⁰ Certainly, given their professional status, the family was not destitute, but there is little evidence to support the particularities of his complaint. A government statement compiled in 1864 calculated the total annual income for the qazi of Bharuch at Rs. 786, the majority of which (Rs. 570) came from endowments and the remainder of which (Rs. 216) the qazi received in the form of tributary *kḥil'ats* (robes).²¹ Receipt of this amount annually made the qazi of Bharuch one of the highest-paid functionaries in the Bombay Presidency, earning more than qazis in neighbouring towns, and demonstrating his symbolic—and administrative—importance for British rule.

In the eyes of Company officials, however, the qazi was a religious figure whose domain extended only to matters of a "doctrinal" nature, belonging to religious ritual and what would become the contents of Islamic personal law.²² From this perspective, powers of attorney and other deeds of representation did not fall within his ambit and consequently belonged to the documentary purview of the growing Company state. Narrowing the qazi's authority to the categories of religious personal law necessarily limited the application of his expertise to an artificially delimited range of legal transactions. Furthermore, what Company policy did not acknowledge was the extent to which *vakālat-nāmas*, *mukḥtār-nāmas*, and other purportedly "secular" documents were embedded within the material practices of documenting and performing "religious" functions like overseeing marriages and divorces. That is, even in the context of religious practice, these transactions called upon a web of legal documentary forms, many of which Company officials felt belonged to the jurisdiction of their "secular" courts. In this regard, then, evidence from the records of the qazis of Bharuch demonstrate that EIC negotiations not only limited the types of transactions over which the qazi could exercise his authority but also recast those transactions within an Anglophone understanding of marriage and divorce, redefining how such

transactions were negotiated and executed in documents the qazi had formerly produced with an eye toward other social, economic, and material concerns.²³

The Life of a Local Qazi

Company records provide ample evidence about the nature and substance of the qazis' complaints against new policies but provide little information about their day-to-day work. Such considerations require additional sources. Fortunately, relevant sources for the qazis of Bharuch exist in the form of manuscripts, loose documents, and registers previously belonging to the family, including an important manuscript titled *A Manual for Qazis and Muftis*, which was compiled toward the end of the eighteenth century.²⁴ Now held in the Oriental Records section of the National Archives of India, the manuscript comprises fifty-six pages of Persian-language text with interlinear glosses, translations, and brief explanations. The work provides little instruction for a local qazi looking to establish his practice in a particular locale but offers instead an overview of the documents qazis would author and authenticate.

Documents included within the compilation speak to the breadth of the qazis' notarial practices, but the English title affixed to the manuscript is misleading. The so-called manual includes no discussion of the qazi's roles or responsibilities, nor does it describe proper methods for maintaining records, performing public services, or training for the office, as one might expect from a work belonging to the *adab al-qāḍī* (manners and etiquette of qazis) genre.²⁵ Instead, the text provides only copies of legal documents, collected almost entirely from popular works of *munshāt* in circulation at the time.²⁶ Close reading shows that entire sections of the text are copied from common works of *inshā'*, including chapters six and seven of Harkaran Dās Kanbōh's *Inshā'-yi Harkaran*, which relate to legal agreements (*qabāljāt-i shar'ī*).²⁷ Nonetheless, the simple act of copying provides insights into the author's own perception of the office. The selection of certain documents demonstrates the compiler's interest in some legal forms over others, while the reference to well-known works of *inshā'* place him within the wider world of Mughal intellectual life and Indo-Persian literary culture more broadly. Furthermore, the fact that only certain legal documents from these works of *inshā'* made their way into the Bharuch *Manual* underscores the connection between the selected documents and the qazi's daily life. More a commonplace book than a rule-bound manual, the Bharuch *Manual* stands as a miscellaneous collection of everyday document forms gathered into a single text for ease of regular reference, offering a detailed snapshot of legal documentary culture in late-eighteenth-century Gujarat.²⁸

Interlinear notes and marginal glosses further underscore the text's aims and hint at the compiler's need to rely upon such devices to understand and interpret the technicalities of the documents he produced.²⁹ For instance, the compiler glosses terms like *intifā'* (profit, benefit) as *fā'ida* (profit, gain), marks *nafs* (soul, spirit, self) as *zāt* (essence, substance, self), and explains the title of a sample *i'tāq nāma* (deed of manumission) using the more common term *āzād* (freedom, emancipation). In sum,

Local Notarial Practice

Before the qazis of Bharuch began to maintain registers as servants of the EIC under the directives of Regulation XXVI of 1827, they dealt in individual documents.³⁵ The family's extant collection includes a dozen specimen from 1670 to 1816 CE (1080–1231 AH).³⁶ The majority of these documents are deeds of sale for single-storey houses and small parcels of land, but together, the documents provide useful information about social relations, property ownership, and legal activities in and around the city of Bharuch. They include references to property held under security bonds (*tamassuk*) certified by the qazi (*ba-muhr-i īn k̄hādīm-i sharʿ-i sharīf*); to the acknowledgement of rights of inheritance involved in the sale of different parcels; to the existence of joint ownership, incorporation (*mushārahakat*), or the lack thereof in some cases; and to representation before the qazi personally (*aṣālatān*) or through an agent (*vakālatān*). Furthermore, although the documents cover a range of years from Aurangzeb's reign (r. 1658–1707) to the early colonial period (e.g., 1231 AH/1816 CE), they exhibit many features in common.

As was customary, the documents bear the seal of the qazi (see Figure 3), or, as in one example, that of the mufti.³⁷ Some also include private seals among the attestations, though most witnesses simply signed the deed. Persian is the primary language, but attestations appear in several scripts (Perso-Arabic, Gujarati, Modi, and Devanagari), highlighting the heterographic, if not heteroglossic, context of their production. While witness attestations crowd the main text—often filling the entire right-hand margin with a dozen or more statements—the main contracting parties often mark their assent with a simple “sign” (*alāmāt*) or decorative object (e.g., a flower), rather than with a signature. The signatures and “signs” also indicate varying levels of literacy among the contracting parties, suggesting that legal documentation was not the exclusive domain of literate merchant communities but that agriculturalists and artisans also participated.³⁸

The Bharuch collection reflects a period of transition, from the symbolic elegance of imperial decrees to the pragmatic functionalism of Company practice.³⁹ Indeed, the qazis of Bharuch (and their demands to retain the right to author and authenticate all manner of legal documents, including the aforementioned *vakālat-* and *muk̄htār-nāmas*) challenged the Company's documentary hegemony and brought to light the pressing need to declare certain types of documents and deeds the explicit purview of Company scribes and employees. Removing the authority to authenticate “secular” contracts from the legal domain of the qazi's religious or “doctrinal” work was one step toward the redefinition of Islamic law in the nineteenth century.⁴⁰ Eighteenth-century specimens from the family's collection underscore the transition that took place in the nineteenth century as new documentary regimes modified the qazi's work and altered his notarial position.⁴¹ The transition from flexible, personal documentation to abstract, tabular notation found in registers not only recast the qazi's day-to-day responsibilities in line with those of Company accountants and administrative minions but also reshaped the very definition of what it meant to contract a



Figure 3. Sale deed from the family archives of the qazis of Bharuch, with the seal of the qazi at the top, and attestations along the right-hand margin. 19 Muḥarram 1195 AH (15 January 1781 CE). Courtesy of the National Archives of India (Miscellaneous Manuscripts Microfilmed at Bharuch, Acc. No. 851, Sr. No. 45).

marriage—not in terms of what was permissible or possible according to *fiqh* (Islamic jurisprudence) but in terms of European notions of marriage, divorce, and other domestic contracts. Registers produced by the qazis of Bharuch illustrate the way novel registration procedures reduced complex, heterogeneous legal agreements to blunt transactional instruments.

From Document to Register

The introduction of tabular registers in the first decades of the nineteenth century changed the process of performing and documenting transactions with respect to form and content in two important ways. First, the register converted flexible

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Notes

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1 MSA, JDP, Vol. 20 of 1839.

2 Ibid. *Vakalat-* and *mukhtār-nāmas* are deeds of representation or powers of attorney. (Mohiuddin, *The Chancellery and Persian Epistolography*, 127). On the formalisation of these roles in Banaras, see Cohn, “From Indian Status to British Contract,” 626–7.

3 See, e.g., Raman, *Document Raj*; and Ogborn, *Indian Ink*.

- 4 On legal intermediaries, see Likhovski, *Law and Identity in Mandate Palestine*; and Sharafi, "A New History of Colonial Lawyering" among others. On the qazi's office, see Gerber, *State, Society, and Law in Islam* (especially chapter 2); Masud, Peters, and Powers, *Dispensing Justice in Islam*; and Peirce, *Morality Tales*.
- 5 I borrow this expression from Messick.
- 6 See Benton, *Law and Colonial Cultures*, 1–30; and Benton, *A Search for Sovereignty*.
- 7 The literature on this subject is vast. Relevant examples for South Asia include, Anghie, *Imperialism, Sovereignty, and the Making of International Law*; Bayly, *The Birth of the Modern World*, 299–300; Benton, *A Search for Sovereignty*; and Guha, *A Rule of Property for Bengal*.
- 8 Translation as appropriation dominates postcolonial discourse but disentangling these translations requires further enquiry. (See Cohn, "The Command of Language" and "Some notes on Law and Change," along with Anderson, "Islamic Law and the Colonial Encounter"; and Beverley, "Property, Authority, and Personal Law.")
- 9 Anderson, "Islamic Law and the Colonial Encounter."
- 10 Bayly, *Empire and Information*; Bayly, "Colonial Rule and the 'Information Order'"; Bayly, "Knowing the Country"; Bayly, "Orientalists, Informants, and Critics"; Fisher, "The Office of Akhbār Nawīs"; Hevia, *The Imperial Security State*; Ogborn, *Indian Ink*; and Raman, *Document Raj*.
- 11 See Anderson, "Islamic Law and the Colonial Encounter"; Beverley, "Property, Authority, and Personal Law"; Cohn, *Colonialism and Its Forms of Knowledge*; and Kugle, "Framed, Blamed, and Renamed." For Hindu law, see, Doniger, "Rationalizing the Irrational Other."
- 12 This reading draws upon recent histories of notarial practice, including Burns, "Notaries, Truth, and Consequences"; Burns, *Into the Archive*; Hardwick, *The Practice of Patriarchy*; Merwick, *Death of a Notary*; and Nussdorfer, *Brokers of Public Trust*.
- 13 For a description of this heterogeneity, see Hasan, *State and Locality*, 71–6, 91–100; and Singha, *A Despotism of Law* (especially chapter 1).
- 14 MSA, JDP, Vol. 21 of 1842.
- 15 *Ibid.*
- 16 MSA, JDP, Vol. 6 of 1864.
- 17 MSA, JDP, Vol. 3 of 1831.
- 18 On hereditary offices, see Alam, *Crisis of Empire*, 112–120. On Company efforts to disentangle claims, see Sturman, *The Government of Social Life*.
- 19 MSA, JDP, Vol. 21 of 1848.
- 20 MSA, JDP, Vol. 20 of 1839.
- 21 MSA, JDP, Vol. 6 of 1864.
- 22 On the construction of Anglo-Muslim law, see Anderson, "Islamic Law and the Colonial Encounter"; and Kugle, "Framed, Blamed, Renamed." For a reappraisal of the chronology of this process, see Stephens, "Governing Islam."
- 23 Most scholarship on Islamic law in colonial contexts has focused on aspects of codification and translation in relation to courtroom litigation and the construction of sovereign authority. This article considers the negotiation of legal terms and documentary forms at the level of local practice.
- 24 NAI, Acquired Manuscript No. 2200.
- 25 Masud, "Adab al-qāḍī"; Masud, "Adab al-muftī"; and Khassaf, *Adab Al-Qadi*. On *inshā'*, see Kinra, *Writing Self, Writing Empire*; Kinra, "Master and Munshī"; and Alam and Subrahmanyam, "The Making of a Munshi." Some works of *inshā'*, like Malikzādah's *Nigār-namayi Munshī*, do discuss training and office etiquette in addition to providing epistolary formulae. See Nurul Hasan, "Nigar Nama-i Munshi," 296–7.
- 26 NAI, Acquired Manuscript No. 2200. The Urdu title, *Qāzīṭōñ aur muftīṭōñ kē liyē tahīrāt kē liyē fārsī musauwadat* (Persian Drafts of documents for Qazis

- and Muftis), is more faithful to the contents.
- 27 NAI, Acquired Manuscript No. 2200, 31–40; Harikaṇa, *Inshā-yi Harkaran*, 162–76; and BL, OMS Add. 26140, 46a–54a. (On Harkaran, see Kinra, *Writing Self, Writing Empire*, 28–9; Alam and Subrahmanyam, “The Making of a Munshi,” 61; Qasemi, “Harkarn Dās Kanbōh”; and Balfour’s preface to Harikaṇa, *Inshā-yi Harkaran*, 1–7.)
 - 28 Other works include Malikzādah’s *Nigār-nāma-yi Munshī*, Maḥmūd Gāwān’s *Riyāz al-inshā’*, Maulānā Ḥakīm Yūsufi’s *Bada’i al-Inshā’*, and Niṣar ‘Alī ibn A’zam ‘Alī’s *Inshā-yi Dilkushā*, and Naḥjivānī’s *Das-tūr al-kātib*. For translations from and discussions of these texts as historical sources, see Athar Ali, “Use of Sources in Mughal Historiography,” 364–7; Nurul Hasan, “Nigar Nama-i Munshi”; Richards, *Document Forms*; and Zilli, ed., *The Mughal State and Culture*. (I thank Rajeev Kinra for these references.)
 - 29 The compiler is unknown. The colophon gives the date 4 Ramzān 1213 AH / 9 February 1799 CE but the cover identifies Nūr-ud-dīn Ḥusain as the text’s “owner” or “mālik.” (NAI, Acquired Manuscript No. 2200.)
 - 30 *Ibid.*, 24.
 - 31 These processes were not mutually exclusive but connected in what Hallaq calls the “dialectic of doctrine and practice.” Hallaq, “Model Shurūṭ Works” and “The ‘Qāḍī’s Dīwān.’”
 - 32 NAI, Acquired Manuscript No. 2200, 37. (It is possible to read the Persian *fā* as *pā* in a *nāqis* [defective] manuscript, but a more likely explanation lies in the transposition from Gujarati.)
 - 33 *Ibid.*
 - 34 MSA, JDP, Vol. 20 of 1839.
 - 35 For the Regulation XXVI of 1827, see, BL, IOR/V/8/24.
 - 36 NAI, Manuscripts Microfilmed at Bharuch, Miscellaneous Documents, Sr. No. 45, Nos. 1–13.
 - 37 *Ibid.*
 - 38 Many assume that only elites had access to written law. Records from Bharuch suggest that other—agricultural and artisanal—groups also benefitted from legal writing. References to community membership (*qaum*) within the documents and registers support this claim.
 - 39 East India Company, *Rules, Orders, and Directions*; Hull, *Government of Paper*, 9–10; Master, *Diaries*; Ogborn, *Indian Ink*, 67–103; Raman, *Document Raj*, 23–52; Saumarez Smith, *Rule by Records*.
 - 40 I depart from Raman in “Duplicity of Paper” to suggest that Company officials employed categorical understandings of written documentation when assessing claims to accuracy and veracity.
 - 41 Burns, “Notaries, Truth, and Consequences,”; Burns, *Into the Archive*; Hardwick, *The Practice of Patriarchy*; and Nussdorfer, *Brokers of Public Trust*. For a description of similar collections, see Grewal, *In the By-Lanes of History*; and Shakeb, *A Descriptive Catalogue of the Batala Collection*.
 - 42 In his petitions, Nūr-ud-dīn refers to the practice of maintaining registers for the purposes of validating documents against possible forgeries, but there is no evidence from this or other collections that this practice existed, aside from the use of the term “*naql*” (copy) in the registers.
 - 43 NAI, Manuscripts Microfilmed at Bharuch, Sr. Nos. 41 and 42.
 - 44 For law cases see *Gungeshwur Deoram (Appellant) vs. Purmanund Nundram (Respondent)*, Case No. 2; and *Raechund Poorshotum (Appellant) vs. Moolla Muhmood Hashum (Respondent)*, Case No. 11 in Borradaile, *Reports*, 6–7; 48–52. For dictionary definitions, see Eliot and Beams, *Memoirs on the History*, 157; Forbes, *A Dictionary*, 378; Balfour, *Cyclopaedia of India*, Vol. 1, 1078; and Gilchrist, *Hindoostanee Philology*, 520 (under “quittance”). For use among non-Muslim groups, see Enthoven, *The Tribes and Castes of Bombay*, 330–4.

