

## **From the History of the Arrangement and Sentencing and Examination of the Judge's Case in Turkestan**

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**Abstract:** This article discusses issues related to the history of the activities of kazyats in Turkestan in the late XIX – early XX century, legal regulations, notarial actions, influence on local government, economic, political, social, religious, cultural life, the order of clerical work of judges of the Turkestan territory, legal foundations and legislative reflection of legal values.

**Keywords:** inheritance, the right of inheritance, people's judge, compulsory share in the inheritance.

**Introduction.** Currently, many leading universities and research institutes in the world have published a large number of articles devoted to a comparative analysis of historical processes related to the activities of people's courts and socio-legal relations, in the framework of issues such as traditions of religious worship and property. Research is underway. The system of national and religious values, the creation of proposals and recommendations based on the scientific results obtained. The recognition that the formation of a developed legal culture is one of the priorities of modern public policy has created the need for research in this area.

Therefore, it is extremely important to further deepen scientific and theoretical knowledge about judicial and legal activity and study its history. In recent years, comprehensive judicial reforms have been carried out in Uzbekistan and the legal foundations of a democratic State have been improved. In particular, the second direction of the "Strategy of Action on the five priority areas of development of the Republic of Uzbekistan" is devoted to ensuring the rule of law and further reforming the judicial system, and also solves the task of raising the level of the judicial system.

Ensuring people's access to justice and genuine independence of the judiciary paved the way for the development of the industry. "Historical and spiritual factors that provide strong support and support for the new strategy of Uzbekistan. Our greatest wealth is the vast cultural heritage of our people" as the basis of each of our reforms.

Scientific research after independence. The independence of Uzbekistan made it possible to objectively study the history of the activities of people's judges in Turkestan. These studies included N. Abdurakhimova, H.D.Sadikov, S.D. Boltabaev, B.Rasulov, F.Iskhokov, N.I.Alimova, D.J.Urakov, G.Rustamova, D.A.Ismailova, N.N.Kadirova, Sh.B.Includes research. Mukhammedov's.The above-mentioned researchers mainly focused on the colonial policy, the system of government and religious issues of the Russian Empire in the Turkestan region. In particular, S.D.Boltaev reviewed the assets of the waqfs that existed on the territory of Turkestan in the late 19th and early 20th centuries, their condition, and also presented several waqfs dissolved by tsarist Russia on the basis of archival documents. M.M.Kurdashev analyzed from a legal point of view the origins of the judicial system that developed in the Turkestan region during the colonial period and was used In direct practice, D.A.Ismailova tried to clarify the

policy of the Russian Empire in Turkestan in relation to Islam, its role and significance in spiritual, social and political life. D.J.Vlakov studied the official reports on the administration of the Russian Empire as historical materials and introduced them into scientific circulation.

**The research method.** The research used such methods as the principle of historicity, comparative analysis, systematization, classification, a problem-chronological approach and an interdisciplinary approach.

**Basic analysis and results.** Descriptive and normative interpretation of documents in the activities of the Kazi(judges) institutions of Turkestan (using the example of Waqf property), procedures for granting permanent or temporary ownership of property (using the example of Baili-Bot, letters of thanks, contracts, Waqf materials), electoral processes, the activities of madrasahs.

At the beginning of the 19th century, there were 37 madrassas in the Kokand Khanate. According to some reports, there were 40 of them, but full documentation about them has not yet been found. According to V. Pshennikov, in 1842 there were 15 madrassas in the Kokand Khanate, the most famous of which were madrassas of Madarikhan, Narbutabek, Jami, Oli, Hakimoyim, Sultan Muradbek, Khoja Dodo and Mingoim. These madrasahs had from 38 to 108 rooms. V.V. Bartold argues that although, unlike the Middle Ages, Turkestan did not occupy a high position in the Islamic world in the 19th century, the Bukhara Khanate retained its former position as a center of religious education, and Turkestan We believed that we attracted not only local residents, but also students. Also from the Volga region.

The madrasah was one of the most important educational institutions for the population, famous judges also taught here. One of these people was Kazi Mirza Hikmatullah, who lived and worked in Bukhara and, in addition to being a judge, wrote about 300 works. Religious dogmatism based on dialectics and deduction was strictly observed in the madrasah. And the teaching of Fiqh (law) was based on religious and legal traditions and academic approaches.

During the colonization of Central Asia, the presence of various temporary charters and the absence of a single normative act created a number of difficulties in administrative management. Measures to overcome this condition are being taken by the megalopolis[3] through various studies, in particular inspections. In 1882, F.K. conducted an audit in the region. In his report, Girs states: "the military-people's administration, due to the fact that it has outlived its time and cannot meet the current needs of the country, should carry out general management based on local conditions" [5, p. 67].

Deputies and investigators are appointed to the magistrates of Russia to consider and investigate cases of sins and misconduct. In counties where deputy justices of the peace were present, the audit and investigative work was carried out by these judges themselves.

One justice of the peace was appointed in each county and city of Tashkent. There was a provincial court in each province[4, C. 1]. Muslim citizens in the Turkestan region were interrogated and convicted in accordance with Russian law during the commission of sinful acts recorded in the "law"\*:

- first, the opposition to the Christian (Christian) religion\* ;
- the second one, if he resists the affairs of the Russian Empire;
- the third, if he resists the government order;
- Fourthly, if someone, being in the service of the tsar, betrays in these matters, standing in the cause chosen by the people;
- Fifth, when the kingdom resists in terms of fees, taxes;
- the sixth, when the royal estate betrays the treasure;

- the seventh, if he violates the law and order established by the leaders of the government to combat the epidemic at the time of the outbreak of infectious diseases among citizens and animals;
- the eighth, if a person resists the order of the people's world, acts illegally for selfish purposes, helps thieves, perjures about someone, perjures about matters related to the interests of tsarist Russia, harbors a fugitive or violates the order,
- the ninth, when a person lies, showing himself by someone's origin, name;
- tenth, if someone intentionally kills, injures, beats and dies from injury, attacks his wife and daughter, detains or imprisons contrary to the law;
- eleventh, forcible disposal of someone else's land and property (in the sense of seizure), damage or destruction of badges installed for actions such as Chicora\*, intentional appropriation of someone else's property, piracy, robbery and theft of royal property.

Cases that entail prosecution that are not specified in article 141 of the Regulations on the Government of the Country set out above, if the Muslim people of the Turkestan Territory commit these cases on the territory of the Russian Empire, are investigated and condemned by judges and biy in accordance with the laws of the colonial government without request[4, v. 1].

The claims of the Turkestan region against sedentary and nomadic peoples, except for the Muslim people, are transferred to magistrates and regional courts for interrogation under the laws of the Russian administration of scandals and claims made by Russian government officials. In case of disagreement between judges, biy, investigators, magistrates' courts and their deputies as to who owns the initiation of the claim, the investigation, this conflict is resolved by the regional court.

The establishment of a fine in the amount of no more than fifty rubles for material or moral damage caused in relation to various punishments imposed orally, and in the case of detention for a period of no more than seven days was carried out by a verdict of magistrates [4, C. 2]. But the events mentioned in article 157, which supplements this provision, may be desirable for the purposes of reviewing the jury's verdict imposed in accordance with the punishment. The material or moral damage caused by the unfinished sentences of the magistrates had the opportunity to appeal to the regional court on appeal in connection with the prosecutor's disagreement with the sentences passed by the judges. In cases involving sentences handed down by the magistrates' courts, appeals were sent by mail in the form of statements and various letters of paper. If these cheap letters were delivered to the post office before their expiration date, they are considered overdue, even if their validity expired upon arrival at the desired institution[4, C. 3].

**Conclusion.** The regional court sets deadlines for the consideration of cases, examines and responds to letters about causing material and moral harm. A sin that is the basis for arrest for material and moral harm, or according to the law, the case and investigation are not terminated if the accused does not appear in court. The prosecutor, the person who committed or committed the event, as a result of which material and moral damage was caused to the crime scene, stops the interrogation of witnesses. The regional court has the right to summon witnesses needed in interrogations to the county court closest to the witness.

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