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PETITION FROM MR. HAGI IUSUF ALI IUSUF CONCERNING SOMALILAND  
 UNDER ITALIAN ADMINISTRATION

(Circulated in accordance with rule 85 of the rules of procedure  
 of the Trusteeship Council)

To the Secretary-General of the United Nations - Mogadiscio  
 To the United Nations Advisory Council - Mogadiscio  
 Italian Trusteeship Administration of Somalia - Mogadiscio

The undersigned Somali, HAGI IUSUF ALI IUSUF, son of the late Commendator, former Sultan of Obbia and Alula, about 48 years of age, resident in Mogadiscio, Hamarueine Village, member of the Great Somalia League political party, informs your Excellency of the following:

The undersigned owned a brick house in Mogadiscio, located at Hamarueine in front of the building of the Italian Trusteeship Administration of Somalia, which he inherited from his deceased father but the Italian Trusteeship Administration of Somalia denies his right to the inherited property. He requests Your Excellency to be given, together with the building in question, the rent due for it from the Italian Trusteeship Administration of Somalia which occupied it since 5 November 1938. This abolishment of convention is due to the Judicial Authority which has not recognized up to now, the validity of the judgement.

He now requests Your Excellency to consider the matter and to render a wise judgement so as to obtain his legitimate right as heir.

The claimant encloses the following documents:

- (1) Statement No. 27 of 14 August 1937, concerning his father's death and his will drawn up by the Qadi of Mogadiscio, Scek Mohamed Scek Muhieddin;
- (2) Full power of attorney No. 48, drawn up by the First Qadi;
- (3) Contract No. 28 for purchase and sale;
- (4) Request addressed to the Qadi;

(5) Document No. 254 dated 11 October 1957, of the First Qadi of Mogadiscio, Hussen Sceek Abubacar;

(6) Request addressed to the President of the Court of Justice

Hoping that my request will be favourably examined, I am your respectful servant.

(Signed) Hagi Iusuf Ali Iusuf

Mogadiscio, 12 January 1960

COPY

To The President of the Court of Justice - Mogadiscio

The undersigned Somali, Hagi Iusuf Ali Iusuf, requested the office of the Qadi of Mogadiscio for a certified copy of a power of attorney which should have been registered in the power of attorney's register of 1937 under No. 48, dated 29 May 1937 and the power of attorney No. 59 of 11 August 1937.

The Qadi of Mogadiscio, Hussen Scek Abubacar, by document No. 254 dated 11 October 1957 informs that: "Registration of the above mentioned power of attorney does not appear on the register as some pages which were previously torn out are missing." The undersigned has reasons to doubt of the above mentioned statement as he denies to have ever granted the above mentioned power of attorney and, if such document exists, it must have been drawn up illegally on his behalf.

He asks Your Excellency to provide for a control of documents from No. 1 to No. 59 of the above register so as to ascertain whether some pages, which might have been previously torn out, are missing or whether there is a power of attorney under No. 48 of the 1937 register and moreover to provide for an investigation of the case as the judgement No. 27 of August 1937 and the power of attorney No. 59 of 11 August 1937, concerning the same matter, can be found among the documents of the register while the power of attorney which the undersigned considers false, is missing.

I beg you, Hon. President of the Court of Justice, to ask the Qadi, Hussen Scek Abubacar to bring before you the above mentioned register so that you may see what they are hiding.

Thanking you.

(Signed) Hagi Iusuf Ali Iusuf

Mogadiscio, 11 October 1957

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COPY

Translation from Arabic into Italian of document No. 254

1st Qadi of Mogadiscio, Hussen Scek Abubacar

On 11 October 1957,

I, the Qadi of Mogadiscio, declare that, at the request of Mr. Hagi Iusuf bin Ali Iusuf, on the question of power of attorney No. 48 of 29 May 1937, I have been informed by the Secretary of Qadis, Scek Ishia Saddik, that he searched for the original document on the "Business" register of Scek Mohamed Scek Mohieddin and that he did not find the registration of the above mentioned power of attorney as some pages, which were previously torn out, are missing, and that I, the Qadi, have seen the registration of the above power of attorney, as the Secretary said; and that the pages were torn out at the time of the British Occupation as there were no archives for keeping documents.

(Signed) 1st Qadi of Mogadiscio  
Hussen Scek Abubacar

Original copy issued on 11 October 1957  
at the request of Hagi Iusuf

THE QADI  
(Signed) Hussen Scek Abubacar

COPY

To The Office of the 1st Qadi - Mogadiscio

Subject: Request for a certified copy of an original written on the register of the Qadi pages No. 48 and 59 dated 29 May and 10 August 1937.

The undersigned Hagi Iusuf Ali, Osman Mohamed tribe, son of the late former Sultan of Obbia, has the honour to submit again a continuous and respectful request to the competent office of the 1st Qadi of the District of Mogadiscio, so that he will be granted and given a certified copy of the original of the full power of attorney registered in the Qadi's register on page 48, drawn up by the 1st Special Qadi, Scek Mohamed Scek Moheiddin, on 29 May 1937, that is 18 Rabiul - Aual 1356.

2nd - and the full power of attorney written on the Qadi's register on page 59 on 10 August 1937.

3rd - I ask your Excellency for a certified copy of the original judgement concerning all the heirs of his deceased father, drawn up by the same Qadi in the month of May 1937

Hoping that his request will be favourably received with a written statement.

Most respectfully,

(Signed) Hagi Iusuf Ali Iusuf

Mogadiscio, 15 September 1957

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Number 48

Translation of a full power of attorney drawn up by the 1st Special Qadi of Mogadiscio Residency in the name of H.M. Vittorio Emanuele III, by the grace of God and the will of the Nation, King of Italy and Emperor of Ethiopia.

Iusuf, Mohamed, Salah, Ali Nasar and Saida, sons of the late Sultan Ali Iusuf bin Ali, Osman Mohamed tribe, Rer Bah Yacub, and Cadigia binti Yassin, Ascias binti Hassan, wife of the late Sultan Ali Iusuf, establish and appoint their procurator in the upright and law abiding person of Jassin bin Ali bin Iusuf bin Ali, to preserve, control and settle all properties belonging to them as a result of the late Ali Iusuf's inheritance, whether they be in Mogadiscio or in any other locality to dispose of these properties in respect of sale and purchase, to collect and request all their rights from any person and in any place, under whatever title they be whether in accordance with the Sciaria or traditional customs; to do with their properties whatever he deems good and in their interest; to carry out whatever has been considered to be in their interest; to sign on their behalf in all offices; to rent their properties, to provide for maintenance and repairs to the same; to request, be paid and collect rents; to pay, on their behalf fees, taxes and any sum due to the Authorities or to other persons. Moreover Ali Iusuf had appointed Yassin Ali guardian of Ascias binti Ali Iusuf, to preserve and guard the properties belonging to them as a result of the inheritance left by their father Ali Iusuf; to dispose of their properties with the power to sell and buy; that is, Hagi Jassin bin Ali shall be the procurator of the sons and daughters of the deceased who have attained majority and the guardian of the minors; he has full right to collect and receive all the inheritance left; to rent it, to pay off anything ascertained to be due by the deceased; to give execution to the will, to provide for sales and purchases on behalf of all heirs; he therefore is the procurator and legal representative fulfilling all the requirements of Islamic law and the rightful guardian. He has full power to act and decide in any way and in any locality. He has duly accepted the power of attorney. The parties concerned and the witnesses have signed the Register. Parties concerned: Iusuf, Salah, Ali Nasser and Saida, sons of Ali Iusuf; Cadigia binti Jassin, Ascias binti Hassan wife of the deceased; witnesses: Ahmed Iusuf, Ascias bin Ali Averghedir,

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Scenif Ali Aba Deiah, Osman Hagi Iusuf. Signed Qadi Scek Mohamed Scek Moheddin,  
Monday 29 May 1937, i.e., 18 Rabiul - Anal 1356 - translator, Signed: Scek Gemal.

The Resident - (Signed) Soleri

Residency of Mogadiscio - Tax on Business

A fee of \$40.00 has to be paid (Art. 29) and was collected as can be  
seen under No. 12959 of collection register, on 29 January 1938.

(Signed) for the Resident - G. Di Cera

Copy of the original issued at the request of Hagi Iusuf Ali Iusuf,  
Osman Mohamud tribe, Rer Bah Yacub.

Mogadiscio, 21 March 1947

The Procurator  
(Signed) illegible

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