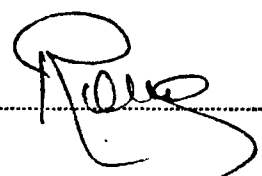
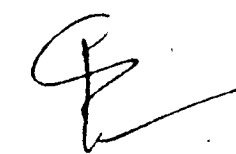


(1) Number of Pages 16(2) Date of repair 22. 11. 67(3) Initials of the Referencer 23. 2. 68**MADRAS RECORD OFFICE****GOVERNMENT OF MADRAS** **DEPARTMENT**

G.O. No.

B.P. No. 571126

Press

Mis. →Dated 28. 2. 1967
Not to be folded or roughly handled

11/13

*Proceedings of the Madras Government, Revenue Department,
28th July 1875.*

No. 302. Read the following Proceedings of the Board of Revenue, dated 3rd June 1875, No. 1,494:—

Read again Board's Proceedings, dated 26th January 1875, No. 171.

Read also the following papers:—

From G. D. LEMAN, Esq., Collector of the Kistna District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 8th March 1875, No. 326.

I HAVE the honor to reply to Board's Proceedings, No. 171, dated 26th January 1875.

2. That the evidence that induced me to the opinion that Syed Fakr-ud-deen was illegitimate was that of all the four witnesses that I examined. It was of course hearsay, but at this distance of time appeared the best procurable. Syed Pacha was unable to produce any rebutting evidence. The probability of illegitimacy which was created by this testimony was strengthened by the fact that it was the only cause alleged of his having been passed over.

3. I have no record of the inquiry mentioned by the Board; it was most likely, if there ever was a copy kept, lost in the cyclone; and Mahomed Hyat did not hint that the inquiry was one ordered by the Board, but one made by the Nawab Suo Motu.

4. The Board have not sent me the record of the inquiry to which they refer; if they will do so, I shall perhaps be in a position to explain the discrepancy between the statements given in 1849 and in 1874. *Prima facie* those of 1849, where the facts were more recent and therefore better known, are better evidence than those of 1874, which, as I have said, are hearsay.

5. The Board say, in their paragraph 3, that Fakr-ud-deen's hereditary claim was recognised in 1849. That being the case, I am of opinion that to establish the illegitimacy far better evidence than I have recorded is necessary. I forward copies of the statements for the Board's information.

—
ENCLOSURE No. 1.—Petition.
—

ENCLOSURE No. 2.—Statements of Witnesses.

Proceedings of the Madras Government, Revenue Department,
28th July 1875.

From the same officer, dated Masulipatam, 14th September 1874, No. 1,513.
Tabular Statement showing the Particulars of the Under-mentioned Yeomiah connected with the Masulipatam Mosque recommended to be renewed in the Kistna District.

Case	Taluk and Village.	Extent or Value of the endowment or Yeomiah.	When and by whom granted.	By what name confirmed by Government.	Nature of the Grant, Charities, or Services, if any, or Nature of the Duty prescribed by the Grant.	Name of the Original Grantee.	Name of the Last Holder and Relationship in which he stood to the Grantee, and Date of his Death.	Share enjoyed by the Deceased, and that held by other Members.	Family left by the Deceased, and Names and Age of the Parties.	Their Circumstances and the Means of Subsistence possessed by the Family.	Recommendation of the Collector and the grounds on which it is made.	Recommendation of the Board.	Decision of Government.
1	Kistna District, Pader Taluk, Masulipatam.	Rupees 40-7-0 per annum.	By the Nizam (vide Board's Order, 14th November 1831).	By Board of the Nizam confirmed by Government.	Service Yeomiah, hereditary, granted for services as Tarabkhan to the Jama Masjid at Masulipatam.	Sayed Muhammed.	Sayed Fakr-ud-deen, son of the original grantee. He died on the 9th November 1873 at Masulipatam (Inguduru).	Share enjoyed by the Deceased, and that held by other Members.	(1) Syed Pacha, eldest son of the deceased, aged 38. (2) Meer Shahab-ud-deen, second son of the deceased, aged 35. (3) Syed Fakr-ud-deen, third son of the deceased, aged 27.	No. 1 has been recently appointed as Khatib in the Great Mosque at Masulipatam; No. 2 is a Rajah, No. 3 is a Rajah, and No. 4 is a Rajah.	This is a hereditary grant allowed for service to be rendered as Tarabkhan in the Jama Masjid at Masulipatam in lieu of the endowment lands resumed. The allowance was last enjoyed by Sayed Fakr-ud-deen, who deceased. I propose renewing it in the name of the deceased's second son Mr. Shahab-ud-deen, who is now a Naig in the 15th Regiment, but who tells me he is about to retire. The service meantime will be performed by his son assisted by Syed Pacha, eldest son of the deceased, recommended by me for the Khatib's place in the Mosque—vide tabular statement, No. 1,339, of 7th August 1874. Sanction is also requested for the payment of the arrears due to the deceased (Rupees 2-6-1) to his legal heirs. The payments which have accrued since his death will be paid to the party who may have actually discharged the service.		

Proceedings of the Madras Government, Revenue Department,
28th July 1875.

SUBMITTED for the orders of Government with reference to the endorsement, dated 24th October 1874, on petition No. 2,610.

2. These papers relate to two yeomiahs for religious service in the Great Mosque at Masulipatam—one a grant of Rupees 129-14-0 attached to the office of Khatib, and the other an allowance of Rupees 40-7-0 a-year for an inferior office called Tarabkhan. The right of succession to the former is disputed by three rival claimants, viz., (1) Bisha Bibi, widow of Golab Sheriff, the last incumbent, who claims on behalf of her minor son Ameer-ud-deen; (2) Syed Pacha and (3) Mahomed Hyat, who claim as descendants of the original grantee (see annexed genealogical table).

3. Syed Pacha's claim is opposed by the other two on the ground that his father Fakr-ud-deen was illegitimate, and that his claim was for this reason disallowed on a former occasion.

4. The occasion referred to is the dispute as to succession that occurred in 1849 on the death of Syed Mahomed Dervish, when the matter was referred to the Nawab and the Kazi of Masulipatam. Fakr-ud-deen, who then held the office of Tarabkhan, claimed the office of Khatib on behalf of his son Syed Pacha. According to the evidence recently taken and submitted with the Collector's last letter, the claim was rejected because Fakr-ud-deen's illegitimacy had been proved and admitted at the inquiry held by the Nawab and the Kazi. The Board observe that in the report on the result of that inquiry there is not a word about the alleged illegitimacy, but on the contrary there is a distinct recognition of the hereditary right of Fakr-ud-deen and his heirs. The report shows that Syed Pacha was then passed over because he was too young (fifteen years) and otherwise incompetent, and it contains a recommendation that, on the occurrence of future vacancies, Fakr-ud-deen's heirs should be appointed if found qualified. This is wholly inconsistent with the assertion that Fakr-ud-deen's illegitimacy was then proved and admitted, and clearly shows that the evidence recently taken by the Collector is false.

5. The next point to be considered is which of the three claimants has the best right to the office. In regard to the first, Ameer-ud-deen, it is observed that his father Golab Sheriff, the last incumbent, had no hereditary claim to the office. He was the brother of his predecessor's widow, and was appointed, on the recommendation of the Nawab and Kazi, because he was competent to discharge the duty and was acceptable to the community. In these circumstances, his son's claim seems inadmissible. A reference to the genealogical table shows that Syed Pacha's claim is preferable to that of Mahomed Hyat. The former is a lineal descendant in the male line of the original grantee's eldest son, while the latter is the son of a female descendant of the original grantee's second son.

6. It seems doubtful whether Syed Pacha is competent to discharge the duties of the office (see Collector's letter, dated 27th October 1874), but the Board do not consider this of much importance, as he can employ a competent substitute. They accordingly recommend that the allowance of Rupees 129-14-0 per annum be continued to Syed Pacha. If Government approve of this proposal, the grant of Rupees 40-7-0 a-year lately held by Fakr-ud-deen should be continued to his second son Meer Shahab-ud-deen—vide tabular statement above recorded.

*Proceedings of the Madras Government, Revenue Department,
28th July 1875.*

7. The Board also recommend that payment of the arrears be sanctioned as proposed by the Collector.

8. Copies of the orders referred to in column 12 of the tabular report, dated 7th August 1874, No. 1,329, will be furnished to the Collector as requested.

(True Copies and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

No. 303. ORDER THEREON, 28th July 1875, No. 1,136.

Miscellaneous.

THE Government concur in the opinion expressed by the Board of Revenue in paragraphs 4, 5, and 6 of their Proceedings, and accordingly sanction the grant of the allowance of Rs. 129-14-0 to Syed Pacha and Rs. 40-7-0 to Meer Shahab-ud-deen.

2. They sanction also the payment of the arrears as proposed in paragraph 7.

(True Extract.)

(Signed) A. MACGREGOR,
Acting Secretary to Government.

To the Board of Revenue.
„ the Accountant-General.

Exd. J. W. Fischer.

No. 1,494.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd June 1875.

Read again Board's Proceedings, dated 26th January 1875, No. 171.

Read also the following papers:—

From G. D. LEMAN, Esq., Collector of the Kistna District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 8th March 1875, No. 326.

I HAVE the honor to reply to Board's Proceedings, No. 171, dated 26th January 1875.

2. That the evidence that induced me to the opinion that Syed Fakr-ud-deen was illegitimate was that of all the four witnesses that I examined. It was of course hearsay, but at this distance of time appeared the best procurable. Syed Pacha was unable to produce any rebutting evidence. The probability of illegitimacy which was created by this testimony was strengthened by the fact that it was the only cause alleged of his having been passed over.

3. I have no record of the inquiry mentioned by the Board; it was most likely, if there ever was a copy kept, lost in the cyclone; and Mahomed Hyat did not hint that the inquiry was one ordered by the Board, but one made by the Nāwab Suo Motu.

4. The Board have not sent me the record of the inquiry to which they refer; if they will do so, I shall perhaps be in a position to explain the discrepancy between the statements given in 1849 and in 1874. *Prima facie* those of 1849, where the facts were more recent and therefore better known, are better evidence than those of 1874, which, as I have said, are hearsay.

5. The Board say, in their paragraph 3, that Fakr-ud-deen's hereditary claim was recognised in 1849. That being the case, I am of opinion that to establish the illegitimacy far better evidence than I have recorded is necessary. I forward copies of the statements for the Board's information.

ENCLOSURE No. 1.—Petition.

ENCLOSURE No. 2.—Statements of Witnesses.

Cont. of 1875

REVENUE.

TO BOARD OF REVENUE.

By, Secy. to the Bd.

Dated July 1875.

To, Secy. to the Bd.

By, Secy. to the Bd.

G. D. LEMAN, Esq., Collector of the Kistna District.

JULY.

NO. 302-303.

Remains of the same for the purpose of the services in the Great Mosque of the Kistna District. —Continued in Board's opinion expressed in paragraph 1, 2, 3, and 4 of these Proceedings regarding the same. The grant of the allowances of Rs. 100-11-0 to Syed Pacha and Rs. 10-7-0 to Mohd. Shaitan-ud-Din, and the payment of the same as the same in paragraph 7.

From the same officer, dated Masulipatam, 9th September 1874, No. 1,513.

Tabular Statement showing the Particulars of the Undermentioned Yeomiah connected with the Masulipatam Mosque recommended to be renewed in the Kistna District.

Case.	1	2	3	4	5	6	7	8	9	10	11	12	13	14
		Talag and Village.	Extent or Value of the endowment or Yeomiah.	When and by whom granted.	By Sanad of the Nizam confirmed by Government.	Nature of the Grant, Char-ity, or Service; if Ser-vice Yeomiah, hereditary, granted for services as Tarab-khan in the Jama Masjid at Masulipatam.	Name of the Original Gran-tee.	Name of the last holder and Relationship in which he stood to the Grantee.	Share enjoyed by the De-ceased, and that held by other Members.	Family left by the Deceased, and Names and Age of the Parties.	Their Circumstances and the Means of Subsistence possessed by the Family.	Recommendation of the Collector and the grounds on which it is made.	Recommendation of the Board.	Decision of Government.
		Kistna District, Bander Talag, Masulipatam.	Rupees 40-7-0 per annum.	By the Nizam (Fata Board's Order, 14th November 1831).	By Sanad of the Nizam confirmed by Government.	Service Yeomiah, hereditary, granted for services as Tarab-khan in the Jama Masjid at Masulipatam.	Sayed Muhammed.	Sayed Fakr-ud-deen, son of the original grantee. He died on the 9th November 1873 at Masulipatam (Inguduru).	The whole.	(1) Syed Pacha, eldest son of the deceased, aged 35. (2) Syed Fakr-ud-deen, second son of the deceased, aged 35. (3) Syed Khatib-ud-deen, third son of the deceased (deceased), aged 27.	No. 1 has been recently appointed as Khatib in the Great Mosque at Masulipatam; No. 2 is a Naigun, No. 206, D Company of 10th Regiment, N. I.; No. 3 is a mad man.	This is a hereditary grant allow- ed for service to be rendered as Tarabkhan in the Jama Masjid at Masulipatam in lieu of the endowment lands resumed. The allowance was last enjoyed by Sayyid Fakr-ud-deen, the de- ceased. I propose renewing it in the name of the deceased's second son Mir Shahab-ud-deen, who is now a Naigun in the 15th Regiment, but who tells me he is about to retire. The service meantime will be performed by his son as- signed by Syed Pacha, eldest son of the deceased, recommended by me for the Khatib's place in the Mosque—vide tabular statement, No. 1,351, of 7th August 1874. Sanction is also requested for the payment of the arrears due to the deceased (Rupees 4-6-1) to his legal heirs. The payments which have accrued since his death will be paid to the party who may have actually discharged the service.		

SUBMITTED for the orders of Government with reference to the endorsement, dated 24th October 1874, on petition No. 2,610.

2. These papers relate to two yeomiahs for religious service in the Great Mosque at Masulipatam—one a grant of Rupees 129-14-0 attached to the office of Khatib, and the other an allowance of Rupees 40-7-0 a-year for an inferior office called Tarabkhan. The right of succession to the former is disputed by three rival claimants, viz., (1) Bisha Bibi, widow of Golab Sheriff, the last incumbent, who claims on behalf of her minor son Ameer-ud-deen; (2) Syed Pacha and (3) Mahomed Hyat, who claim as descendants of the original grantee—(see annexed genealogical table).

3. Syed Pacha's claim is opposed by the other two on the ground that his father Fakr-ud-deen was illegitimate, and that his claim was for this reason disal- lowed on a former occasion.

4. The occasion referred to is the dispute as to succession that occurred in 1849 on the death of Syed Mahomed Dervish, when the matter was referred to the Nawab and the Kazi of Masulipatam. Fakr-ud-deen, who then held the office of Tarabkhan, claimed the office of Khatib on behalf of his son Syed Pacha. Accord- ing to the evidence recently taken and submitted with the Collector's last letter, the claim was rejected because Fakr-ud-deen's illegitimacy had been proved and admitted at the inquiry held by the Nawab and the Kazi. The Board observe that in the report on the result of that inquiry there is not a word about the alleged illegitimacy, but on the contrary there is a distinct recognition of the hereditary right of Fakr-ud-deen and his heirs. The report shows that Syed Pacha was then passed over because he was too young (fifteen years) and otherwise incompetent, and it contains a recommendation that, on the occurrence of future vacancies, Fakr-ud-deen's heirs should be appointed if found qualified. This is wholly incon- sistent with the assertion that Fakr-ud-deen's illegitimacy was then proved and admitted, and clearly shows that the evidence recently taken by the Collector is false.

5. The next point to be considered is which of the three claimants has the best right to the office. In regard to the first, Ameer-ud-deen, it is observed that his father Golab Sheriff, the last incumbent, had no hereditary claim to the office. He was the brother of his predecessor's widow, and was appointed, on the recommend- ation of the Nawab and Kazi, because he was competent to discharge the duty and was acceptable to the community. In these circumstances, his son's claim seems inadmissible. A reference to the genealogical table shows that Syed Pacha's claim is preferable to that of Mahomed Hyat. The former is a lineal descendant in the male line of the original grantee's eldest son, while the latter is the son of a female descendant of the original grantee's second son.

6. It seems doubtful whether Syed Pacha is competent to discharge the duties of the office (see Collector's letter, dated 27th October 1874), but the Board do not consider this of much importance, as he can employ a competent substitute. They accordingly recommend that the allowance of Rupees 129-14-0 per annum be continued to Syed Pacha. If Government approve of this proposal, the grant of Rupees 40-7-0 a-year lately held by Fakr-ud-deen should be continued to his second son Meer Shahab-ud-deen—*vide* tabular statement above recorded.

7. The Board also recommend that payment of the arrears be sanctioned as proposed by the Collector.

8. Copies of the orders referred to in column 12 of the tabular report, dated 7th August 1874, No. 1,329, will be furnished to the Collector as requested.

(True Copies and Extract.)

H. E. M.

Acting Secretary.

To the Acting Secretary to Government, Revenue Department,

with copy of Board's Proceedings, dated 26th January 1875, No. 171, Petitions

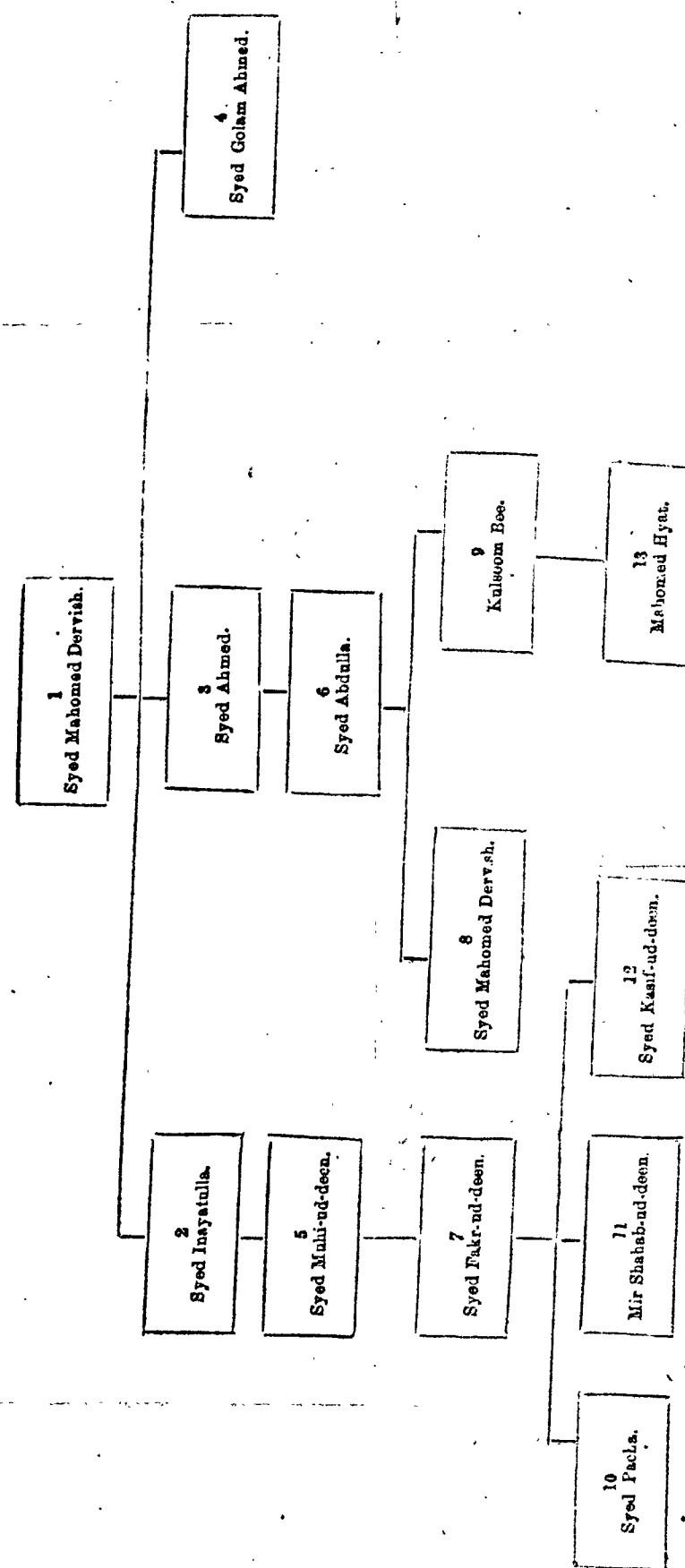
Nos. 1,925 and 2,000 of 1874, and statements of witnesses to be returned.

Copy to the Collector of the Kistna District, with copies of G. O.,

dated 6th November 1850, and Board's Proceedings,

dated 27th January and 22nd December 1823.

Exd. J. W. Fischer.



Note.—No. 1 was succeeded by No. 2, then came No. 5, and after him No. 6 (No. 7 being then absent). No. 6 was succeeded by No. 6, and after him came his wife's brother Gulab Sherif, the last incumbent in 1849, when No. 10, Syed Facla, was passed over on account of his youth. The present claimants are Nos. 10, 13, and Gulab Sherif's son, a minor.

No. 1106
The Government concurs in the opinion
expressed by the Board of Rs. in paras 4, 5 & 6 of
their Proceedings, & accordingly sanction the grant
of the allowances of Rs. 129-14-0 to Syed Facla
& Rs. 40-7-0 to Mir Shahab-ud-deen
They sanction also the payment of his arrears
as proposed in para 7—

14th Dec 1874
6th Dec 1874

28 July 1875

Board of Revenue,
MADRAS.

1875.

12504-12578

Dec 1875

PROCEEDINGS, 3RD JUNE 1875, No. 1,494.

22 July

22 July

JUNE.
No. 1,494.

Technical allowances—of Rupees 129-14-0
and Rupees 40-7-0 per annum for certain reli-
gious services in the Great Mosque at Masulipatam
in Kistna District.—Continuance of the
first allowance of Rupees 129-14-0 to Syed Facla,
a lineal descendant of the original grantee, and
of the second to Mir Shahab-ud-deen, Syed
Facla's brother, recommended to Government,
and their sanction requested for payment of
arrears in the manner proposed by Collector.

undermin

Ch. 1106. 28 July 1875

Mr. 504/75
Rev 5/25/18/95

No. 171.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 26th January 1875.

Read the following papers:—

From G. D. LEMAN, Esq., Collector of the Kistna District, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Masulipatam, 7th August 1874, No. 1,329:—

Tabular Statement showing the particulars of the under-mentioned person connected with a Yeomiah in the Collectorate of Kistna.

Case.	Taluk and Village.	Extent or value of the entire Inam or Yeomiah.	When and by whom granted.	Sanads or other documents in support of the grant.	Nature of the grant, charity, or service; if service, nature of the duty prescribed by the grant.	Name of the original grantee.	Name of the last holder, and relationship which he stood to the grantee, and date of his demise.	Share enjoyed by the deceased, and that held by other members.	Family left by the deceased, and names and age of the parties.	Their circumstances, and the means of subsistence possessed by the family.	Recommendation of the Collector, and the grounds on which it is made.	Recommendation of the Board.	Decision of Government.
I.	Bunder Taluk, Masulipatam.	Rs. 4. 2. 129 14 6 per annum.	By the Nizam.	Sanad of the Nizam, confirmed by Government.	For services as Khadib in the great mosque at Masulipatam.	Syed Mubid-din.	Galat Sheriff died on 21st September 1873. He was connected by marriage, that is, brother-in-law of Syed Darwish, who was the son of Syed Abdullah, youngest son of the original grantee.	The whole.	Sherriff Ameer-ud-din, minor son of the deceased, aged 7 years. Biba Beebee, widow of the deceased, aged 30 years. Hamidunnesa, daughter of the deceased, aged 3 years.	They have no other means of livelihood.	This is a hereditary grant allowed for services to be rendered as Khadib in the great mosque at Masulipatam in lieu of resumed lands. The allowance should, therefore, continue to be paid as long as service is rendered in the mosque. The allowance was last enjoyed by Galat Sheriff, a distant relative of the original grantee, Syed Mubid-din. Galat Sheriff being now dead for thirteen months, as reported in my letter, dated 22nd October 1873, No. 1,122, I have appointed Syed Pacha, eldest grandson of the original grantee, as the Khadib, and recommend that the allowance be registered in his name in future. Sanction is also requested for payment of the arrears of allowance remaining undrawn to the party who may have actually discharged the services since the demise of the deceased. It is requested that copies of G. O., dated 6th November 1850, regarding the grant, and of Board's Proceedings, dated 27th January and 22nd December 1828, transferring the Yeomiah from the late Rajahmundry District, may be furnished. They cannot be found amongst the records in the office.		

From G. D. LEMAN, Esq., Collector of the Kistna District, to J. GROSE, Esq.,
Secretary to the Board of Revenue, dated Masulipatam, 27th October
1874, No. 1,738.

In reply to the Board's endorsement on petitions (returned) Nos. 1,740 and 1,925 of 1874, I have the honor to report that the inquiry I have made leads me to the belief that the allegation of Mahomed Hyot that Syed Pacha's grandmother was not married to his grandfather, is true.

2. The matter was, however, not mentioned in the first inquiry I made, although I was then endeavouring to find out why Syed Pacha's father, Syed Fakruddeen, was passed over on the death of Syed Darvish.

3. The present inquiry shows that it was in consequence of his ignorance and illegitimacy, and that, apparently in 1850, an inquiry was made by the then Nawab of Masulipatam, in which the latter was proved, and that he himself admitted he was illegitimate.

4. Syed Pacha alleges himself to be incapable of rebutting the evidence of the illegitimacy. I do not really think that the matter is any bar to his doing his duties properly or to his taking the appointment; but there is great difference of opinion among the Mussulmen here; and, of course, there is a rivalry among them to get the man they want.

5. He is not a scholar, and therefore his office is done by a deputy.

ENCLOSURE No. 1.—Petition.

From the same officer, dated Masulipatam, 12th December 1874, No. 2,034.

In returning the enclosed endorsement of Government, dated 24th October 1874, No. 2,610, I have the honor to refer you to my letter to the Board of Revenue, dated 27th October 1874, No. 1,738, and to my tabular statement, dated 7th August 1874, No. 1,329, containing the information required by the Government endorsement.

ENCLOSURE No. 1.—Petition.

THE first point to be determined in this case is whether Syed Pacha's father, Fakruddeen, was illegitimate and on that ground excluded on a former occasion from the office of Khatib, as asserted by the rival claimants Mahomed Hyot and Bisha Bi.

2. The Collector says the present inquiry shows that such is the case, and that, in an inquiry held in 1850 by the Nawab of Masulipatam, the illegitimacy was proved and admitted.

3. The records of this office show that on the death of Syed Mahomed Darvish in 1849, there was a dispute in regard to succession to the office of Khatib. The chief claimants were Syed Fakruddeen on behalf of his son Meer Pacha (the present Syed Pacha), and Galab Sheriff the late incumbent. The matter was referred to the Nawab of Masulipatam and the town Kazi for inquiry

and report. This is no doubt the inquiry referred to by the Collector. In the report of the Nawab and Kazi there is not a word about Fakruddeen's illegitimacy, but, on the contrary, there is a good deal in support of his hereditary right to the office, which is inconsistent with his supposed illegitimacy. It appears from the report that the office of Khatib was successively held by Fakruddeen's great grandfather, Syed Mahomed Darvish, his grandfather, Syed Mayatulla, and his father, Syed Muhi-ud-din, and the latter was succeeded by his cousin Syed Abdulla, not on account of Syed Fakruddeen's illegitimacy as now stated by the Collector, but because the latter was then absent and employed as a sepoy in the army. Syed Abdulla was succeeded by his son Syed Mahomed Darvish, on whose death without issue in 1849 the dispute as to succession was referred to the Nawab and Kazi. They distinctly admitted the hereditary right of Syed Fakruddeen's son, Meer Pacha, to the office, but they rejected his claim on that occasion because he was too young (fifteen years) and otherwise incompetent. They suggested the appointment of Galab Sheriff, brother-in-law of Syed Mahomed Darvish, as he was competent to discharge the duty and was acceptable to the community. At the same time, however, recognizing Fakruddeen's hereditary claim, they recommended as just and reasonable that on the occurrence of future vacancies his heirs should be appointed if found qualified.

4. As this report of the inquiry held in 1849 is wholly inconsistent with the Collector's statement in regard to the illegitimacy of Syed Fakruddeen as being then proved and admitted, he is requested to explain the apparent discrepancy, and to state on what recent evidence he has arrived at the conclusion that Fakruddeen was illegitimate. The Board observe that under Mohamedan law the presumption is in favor of legitimacy, and very strong evidence is required to establish illegitimacy.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

To the Collector of the Kistna District, with two petitions, to be returned.

Exd. W. H. French.

1875.

Board of Revenue,
MADRAS.

PROCEEDINGS, 26TH JANUARY 1875, No. 171.

Received

Recd 1/2578/75 Encl.
Per 524/75

JANUARY.

No. 171.

Yeomiah Pension—of Rupees 129-14-0 per annum, enjoyed by late Galab Sheriff of Bunder Talug, Kistna District, for services of Khathib in great mosque of Masulipatam, and recommended by Collector to be continued in name of Syed Pachu, eldest grandson of original grantee.

—Collector requested to explain certain discrepancy in regard to alleged illegitimacy of Syed Fakruddeen, father of Syed Pachu, and to state on what recent evidence he has arrived at the conclusion that Fakruddeen is illegitimate.