

Once inheritance rights were proven by the string of witnesses who stepped forward, the judge ruled that the complainants were entitled to their claim of 850 kuruş, and Husayn was ordered to pay Ismaʿīl. As recorded in the court record, the proceedings had been overseen and their validity endorsed (*tazkiyya*) by the two *mukhtars* of the neighboring village of Idhna, al-Shaykh Jābir b. Salāme Ṭamayza and ‘Awdatallah b. Khalīl al-Baṭrān.

The Significance of the Lawsuit: Reading between the lines

The court record implies there was no true conflict between Husayn and the other Taffuḥ villagers. The matter in question was merely one of demonstrating chains of inheritance through witness testimony. It is not unreasonable to conclude, therefore, that this was a dispute of pretense, and that there was an ulterior motive for this case to be brought before the court. I would argue that the real cause for the proceedings was that the complainants wanted a document proving the legitimacy of their inheritance claims. With such a document, inheritors were eligible to obtain tapu certificates for a fraction of the cost they would otherwise be charged.

According to Article 78 of the Land Code of 7 Ramadan 1274 (21 April 1858), an individual with *hakk-ı karar*³²⁶ was entitled to obtain a tapu certificate *gratis*, regardless of

³²⁶ *Hakk-ı karar* (right of decision or permanence) is defined in Article 78 of the 1858 Land Code. It is a prescriptive right to the land proven through ten years’ uncontested possession. (Ongley, 42.) See also, “hakk-ı karar” in Hayrettin Gültekin, ed., *Osmanlıca Tapu Terimleri Sözlüğü* (Ottoman-language Tapu-Terminology Dictionary) (Ankara: Tapu ve Kadastro Genel Müdürlüğü, 2007).