

whether he held a document of title.³²⁷ Articles 54-56 established that the children of owners of *miri* (i.e. state) land (and, in the absence of children, the father and in some cases the mother of the deceased) inherited the land without paying a fee.³²⁸ This provision of free inheritance would be upheld by Article 1 of the Land-Inheritance law of 17 Muharram 1284 (21 May 1867), which dealt with the inheritance of *miri* and piously endowed (*mevkufe*) lands possessed by tapu. This Article extended the right of inheritance without fee to the full chain of those eligible to inherit shares of a deceased's estate according to Islamic law, in the case that there were no living children of the deceased.³²⁹ Before 1858, land had been inheritable only by sons, in contradiction to sharia laws of inheritance.³³⁰

Article 8 of the Tapu Law of 8 Jumadi II 1275 (13 January 1859) and Article 8 of the Regulations on Tapu Certificates (*seneds*) issued on 7 Sha'ban 1276 (29 February 1860) detailed the fees inheritors needed to pay in order to obtain tapu certificates. Individuals who could prove *hakk-ı karar*, including by means of inheritance, could obtain a tapu certificate of title for a fee equivalent to five percent of the value of the land if they approached the tapu offices within six months of the promulgation of the law. After that period, according to the latter law, these fees would double to ten percent of the assessed

³²⁷ Ongley: 41-42.

³²⁸ *Ibid.*, 28.

³²⁹ *Ibid.*, 158.

³³⁰ Anton Minkov, "Ottoman Tapu Title Deeds in the Eighteenth and Nineteenth Centuries: Origin, Typology and Diplomats", *Islamic Law and Society*, 7/1 (2000): 73.