

estimate of the size of the land in dunams (*miqdār taḥrīrhā takhmīnān 16 dūnam*).¹¹⁶

Although the word tapu was not explicitly mentioned in the court record, we can understand from the information entered into the court record that this villager had registered his land with the tapu and more than likely had brought his tapu certificate to court with him, as was required by the 1860 *Taḥrīr-i Emlāk ve Nufūs*. The number 255 can only refer to the parcel's serial number in the tapu register. It indicates, also, that there had been 254 property registrations before this plot had been registered, sometime previous to the sale. The estimation of the plot in dunams is further indication that the land had been registered. As was explained in the previous section, estimation of plot-size in dunams was an innovative requirement as of 1859.

The question of venue in which the sale was recorded is worth pausing to consider. As we have seen, the reform laws did not exclude and, in some cases, dictated that land matters be handled in the sharia courts. Nevertheless, the resort to traditional forums over the new ones has been viewed by some scholars as signaling the “failure” of reform. According to this argument, “the land code played a key part in the process of centralizing authority in so far as it attempted to ensure that disputes over property were relegated to the administrative domain.”¹¹⁷ Iris Agmon and Avi Rubin have each separately characterized

¹¹⁶ JM 345 / 61 / 2 (10 Jumadi I 1278 / 13 November 1861). The parcel's relative borders were also recorded in the court record. The share – by calculation, 6 dunams – was sold for 4,500 kuruş asadi.

¹¹⁷ Martin Bunton, *Colonial Land Policies in Palestine, 1917-1936* (Oxford: Oxford University Press, 2007), 33.