

testimony by giving a history of the land parcel that was the subject of conflict. He said he had inherited from his father three feddans of land in Khallat Jawrat Sālim, located in Wadi al-Afrānj, which were part of the village's farmlands. The land belonged to the Ibrahimī waqf, and 'ushr (tithe) was charged on the crops and paid to the waqf.³⁷⁴ Khalīl said his father had received the three feddans when the village had divided its communally owned lands,³⁷⁵ and he had then registered them in the tapu register. His father's share of village lands, as reported by Khalīl, was one-sixtieth. Khalīl further testified that his father had worked this land for four or five years before passing away. When Khalīl inherited them, he began to work them and continued to do so for fifteen years, then decided to lease part of them to his fellow villager, the defendant in this case, Jibrān b. 'Aṭīyya al-Zayr. Khalīl testified that he had been leasing land to him in Khallat Jawrat Sālim for the previous seven years.³⁷⁶ Khalīl said he had been receiving a portion of the land's harvest as payment and now wanted to terminate the lease, but Jibrān refused to relinquish his hold on the land.

³⁷⁴ The Ibrahimī waqf refers to the waqf endowed to the main mosque in Hebron, the Haram al-Ibrahimī, named after the father of monotheism. Inside the mosque is Abraham's cenotaph marking his grave below the mosque, along with those of his wife Sarah, his sons Isaac and Jacob, and their wives, Rebecca and Leah.

³⁷⁵ The original reads, "بعد القسمة بينه <والد خليل> وبين اهالي قرية ادنا", i.e. after the division between him and the people of the village of Idna. This can be understood to mean that Khalīl's father opted out of communal lands *before* the town divided its lands, but since he also refers to this action as *al-qisma* (the division), and in light of the defendant's rebuttal, I understand this to mean the division of lands took place among all villagers and all lands.

³⁷⁶ There are no 'Aṭīyyas or Jibrān b. 'Aṭīyyas in the tax register. Given the facts of this case, that Jibrān was leasing another's lands, his absence from the register may indicate he was not a property owner.