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Some Notes Concerning the Apprehension of Runaway Slaves
in the Ottoman Empire

The present article is devoted to a rather minor subject related to the problem of desertion of slaves in the Ottoman Empire, particularly in a period extending from the second half of the fifteenth up to seventeenth century. Our main sources are several documents belonging to the category of *kânûn-nâme*¹.

Regulations similar to those, which will be quoted later, can be found in numerous documents of this kind. This proves that the problem was an important one at the time. Indeed, the fate of slaves was always uneviable and an opinion that "their servitude carried with it scarcely any social inferiority"² can be applied exclusively

¹ The following editions were used: M. Â r i f (ed.), *Kânûn-nâme-i Âl-i 'Osmân*, "Ta'rih-i 'Osmânî Encümeni Mecmu'ası" ('ilâvesi), İstanbul 1329 (1911); Ö. L. B a r k a n, *XV ve XVI-ıncı asırlarda Osmanlı İmparatorluğunda ziraî ekonominin hukukî ve malî esasları*, c. I, *Kanunlar*, İstanbul 1945; F. B a b i n g e r, *Sultanische Urkunden zur Geschichte der osmanischen Wirtschaft und Staatsverwaltung am Ausgang der Herrschaft Mehmeds II. des Eroberers*. I. Teil: *Das Qânûn-nâme-i sultânî ber müdscheb-i 'örf-i 'osmânî (Handschrift ancien fonds turc 39 der Bibliothèque Nationale zu Paris) eingeleitet und herausgegeben* von [...], München 1956; a French interpretation of the latter was also consulted: N. B e l d i c e a n u, *Les actes des premiers sultans conservés dans les manuscrits turcs de la Bibliothèque Nationale à Paris*, I, *Actes de Mehmed II et de Bayezid II du ms. fonds turc ancien 39*, par [...], Paris — La Haye 1960; A. С. Т в е р и т и н о в а, *Книга законов султана Селима I. Публикация текста, перевод, терминологический комментарий и предисловие* [...], Москва 1969; N. B e l d i c e a n u (ed.), *Code de lois coutumières de Mehmed II, Kitâb-i qâvânin-i 'örfiyye-i 'osmânî*, édité par [...], Wiesbaden 1967.

² H. A. R. G i b b and H. B o w e n, *Islamic Society and the West. A Study of the Impact of Western Civilization on Moslem Culture in the Near East*, vol. I,

to a privileged group among them. Although the manumission of slaves was recommended by the Islamic faith, as a matter of fact desertion, at least for some of them, offered the only possibility to break off their bondages. The Ottoman administration on its part sought to prevent it and to protect rights of their masters. Several measures were taken to this effect. The duty to apprehend runaway slaves was imposed on the *derbentçis*³. Various officials like *kâdîs*, *sancağbegs* and *subaşıs* were also concerned with the matter.

We would like to present a legal procedure which was applied when a runaway slave was caught. Although our paper is based on the *kânûn-nâmes* which embodied various regulations issued by the Ottoman Sultans, it must be born in mind that these were, at least to some extent, dependant on a broader set of ideas, namely that of the *şerî'a* law of Islam. Accordingly, in order to understand *kânûns* it is sometimes necessary to refer to the principles contained in the sacred law of Islam⁴. The problem of runaway slaves is treated by the *şerî'a* on the same ground as other kinds of found property (*lukata*), which can not become a property of the finder. "Ownership, as Joseph S c h a c h t says, can never be acquired by finding; the finder is only entitled to make a charitable gift (*şadaka*) of the found object when the legal term for giving public notice elapsed without result; if he is poor, he is entitled to use the object himself; but it is better to hold it on trust (as *amāna*), which implies the intention of returning it to the owner; if this is lacking, its retention becomes usurpation"⁵.

On the whole, the attitude taken by the Ottoman administration on the issue agreed with the aforementioned principles of the *şerî'a*⁶. For instance, we know that if someone has found something and did not give public notice of it, he was subject to penalty: *Eger bir kişi yabanda tavara bulsa yâhûd ziyâdece (آبادى) nesne bulsa, çağrtmasa — gani ise kırk akçe, veset-ül-hâl ise yigirmi akçe, fakîr ise on akçe cürm alına*⁷. 'A person which found cattle or anything more [valuable] in the wilderness and did not give public notice of it will be fined; rich persons — 40 *akçes*, persons of average wealth — 20 *akçes*, and poor people — 10 *akçes*.' And even if he has given public notice and nobody claimed the found object, the finder was

Islamic Society in the Eighteenth Century, part I, Oxford University Press, London—New York—Toronto 1951, p. 43.

³ А. Стојановски, *Дервенството во Македонија*, Скопје 1974, p. 33.

⁴ In studies on the Islamic law it is essential to take into account two inter-related systems of it: the legal theory of the *şerî'a* and regulations promulgated by the rulers of the Islamic states. See, J. K. Kramers, *Droit de l'Islam et droit islamique*, "Archive de l'Histoire du Droit Oriental", vol. I, 1937, re-edited in: *Analecta Orientalia*, vol. II, Leiden 1956, pp. 63 ff.

⁵ J. S c h a c h t, *An Introduction to Islamic Law*, Oxford 1964, p. 137.

⁶ See, M. T. G ö k b i l g i n, *Rumeli'de Yürükler, Tatarlar ve Evlâd-i Fatihân*, İstanbul 1957, pp. 46—47.

⁷ А. С. Т в е р и т и н о в а, *Книга законов султана Селима I*, p. 94 (facs. 5 a). For the translation see *ibid.*, pp. 37—38.

not allowed to use it himself, but he had to hand it over to a person called *yuvacı*: *Ammâ şağırtsa, şâhibi bulunmasa, yuvacıya* (يُوَاچِيه) *vereler*⁸.

Similar rules concerned apprehended slaves. Examining the legal procedure followed in case of apprehension we may distinguish several stages:

1. If someone has caught a runaway slave he was obliged to address the *kâdî* who would look into the case and record it in his *sicill*⁹.

2. The slave was handed over to an official or an agent whose duty consisted in taking care for runaway slaves as well as for lost cattle and horses¹⁰. The person charged with this task was called *yâveci* or *yavacı* or *yuvacı*. The first and the second of these terms are obviously derived from Persian *yâve* (يَاوِ) and *yevâ* (يَوِ)¹¹ respectively. But it seems worth-while to pay attention to the third variant which is less known and not without interest from the linguistic point of view.

In the *kânûn-nâmes* belonging to the end of the fifteenth as well as to the sixteenth centuries *yuvacı* (يُوَاچِي)¹² is used repeatedly along with a word *yuva* written يُوِ¹³ or يَوِ¹⁴ which evidently formed its basis. Both occur in clearly vocalized texts, the

⁸ Ibid. The translation of the clause is not the one which I can accept: 'Если же он попросит прокричать, а хозяин [потерянного] не обнаружится, то пусть сдают зрителям султанских питомников [ловчих птиц] (юваджи)', Твeритинова, op. cit., p. 38. It is highly improbable that the officer mentioned here would be a person whose duty consisted in providing the Court with young falcons. For the term *yuvacı* in this meaning see: M. Z. P a k a l ı n, *Osmanlı tarih deyimleri ve terimleri sözlüğü*, c. III, fasikül 24, ikinci basılış, İstanbul 1972, p. 639. But it is evident that we have here to do with another *yuvacı*.

⁹ The regulation concerning this usage is contained in several documents, e.g.: *Ve her yerde ki kaçkun esîr dutulursa ol yerüñ kâzuları ma'rifetiyle görüb [...]* (F. B a b i n g e r, *Sultanische Urkunden*, p. 79); *Her kangı çeribaşılığda kul ve câriye dutulsa müseccel olunduktan sonra (...)* (Ö. L. B a r k a n, *Kanunlar*, p. 243); *Ve serbest timarlânda kul ve câriye dutulsa müseccel olunduktan sonra (...)* (Ibid., p. 276) etc. etc.

¹⁰ See, above, n. 7. Further evidences are to be found in the kanuns collected by B a r k a n, op. cit., pp. 233, 243 and 276.

¹¹ I. A. V u l l e r s, *Lexicon Persico-Latinum etymologicum*, vol. II, Bonnae ad Rhenum 1864, p. 1509: يَاوِ coll. يَوِ 'amissus, perditus'. F. S t e i n g a s s, *A Comprehensive Persian-English Dictionary*, 2nd edition, London 1930, p. 1528: "يَاوِ, *yâva* — lost, ruined; vain, foolish, futile, absurd, stupid; men or things whose origin is not known; fictions, foolish expressions". Cf. also J. T h. Z e n k e r, *Dictionnaire turc-arabe-persan (Turkisch-Arabisch-Persisches Handwörterbuch)*, vol. II, Leipzig 1876, p. 957.

¹² N. B e l d i c e a n u (ed.), *Code de loi coutumières de Mehmed II*, fol. 63 r^o; Твeритинова, op. cit., p. 94 (facs. 5 a). See above, p. 2 and n. 8.

¹³ F. B a b i n g e r, *Sultanische Urkunden*, pp. 75 and 81; B e l d i c e a n u (ed.), op. cit., fol. fol. 16 v^o and 43 v^o.

¹⁴ Твeритинова, op. cit., pp. 116—117 (facs. 16 a—б). This form is to be found in numerous *kânûn-nâmes* edited by Ö. L. B a r k a n, op. cit., pp. 13 (n. 1), 29 (n. 1) and so on. The meaning of *yuva* is 'lost (cattle), stray (animal)'. Sometimes, however, the word is found applied also to 'runaway slave'. See, for instance, *yava kul*, ibid., p. 13.

possibility of accidental mistakes being thus excluded. Unfortunately some scholars are inclined to neglect the fact and to replace *yava* for *yuva*, sometimes without any comment. Thus, the following heading of a *berât* included in a manuscript from the Bibliothèque Nationale, Paris (Ms. *fonds turc ancien* No 39): روم ایلنوک موققائی¹⁵ ویواسی و قاشقونو ve qaçquni¹⁶ has been transcribed this way: “Rümelinuñ mevqûfâtı ve yavâsı ve qaçquni”¹⁶.

Other scholars care to retain the original form. For example, Halil İnalçık while correcting a clause in Nicoară Beldiceanu's translation takes a more acceptable attitude: “The *yuva* (correct form *yava*)...”¹⁷ Nevertheless this solution is not fully convincing, too, since it does not explain why the form *yuva* should be considered as uncorrect. In fact, we have other evidences corroborating the reading *yuva*¹⁸. The word is known even in our days in Anatolian Turkish¹⁹. There is no place here to discuss its etymology. However we may suggest that this etymological problem can be solved only if a whole group of words is examined. In Old Ottoman *yava*, *yavı* and *yavu* are used together with *kıl-* for ‘to lose’ as well as *var-*²⁰ for ‘to be lost’. Similar forms occur in contemporary Anatolian dialects: *yava*, *yavu*, *yağa* and *yavı*²¹. A word *yova* (or perhaps *yuva*) existed in Kiptchak. We find it in a thirteenth century Kiptchak-Arabic dictionary explained by Arabic عائر ‘stray (animal)’²². In this connection it may be added that also a verb *yuvun-*, *yuvın-* was

¹⁵ Babinger, op. cit., p. 75.

¹⁶ N. Beldiceanu, *Les actes des premiers sultans*, p. 89, n. 1. A similar amendment we meet in an Index by the same author. See N. Beldiceanu (ed.), *Code de lois coutumières de Mehmed II*, p. 38.

¹⁷ H. İnalçık, *Notes on N. Beldiceanu's Translation of the Kânûn-nâme, fonds turc ancien 39, Bibliothèque Nationale, Paris*, “Der Islam”, Bd. 43, Heft 1—2, 1967, p. 143.

¹⁸ *Tarama Sözlüğü*, VI, Ankara 1972, pp. 4398—4399: *yava* (*yavu*) ‘1. Zayı, yitik, kaybolmuş. 2. Başiboş gezen, sahipsiz’.

¹⁹ See *Türkiye’de Halk Ağzından Söz Derleme Dergisi*, c. III, L = Z, İstanbul 1942 (1947), pp. 1554: “*yuva* — 1. sahipsiz, başiboş: *yuva* hayvanları Belediye satar; nüfusa geçmeden büyümüş ve askerlik, evlenme gibi medenî işlerde saklı kalmış: şu adam *yuva* imiş tutmuşlar asker yapmışlar”.

²⁰ References are to be found in: *XIII. Asırdan Günümüze Kadar Kitaplardan Toplanmış Tanımlarıyla Tarama Sözlüğü*, c. I—IV, İstanbul—Ankara 1943—1957 (abr. as TTS).

²¹ A. Tietze, *Persian Loanwords in Anatolian Turkish*, “Oriens”, XX, 1967, p. 158. The author while deriving these words from Persian *yāva* has neglected the variant *yuva*, though it is also used in Anatolian Turkish, see above, n. 19.

²² A. Caferoğlu (ed.), *Abû-Hayyân, Kitâb al-İdrâk li-lisân al-Atrâk* (original text in Arabic), İstanbul 1930, p. 99:

يُوا (خ) — العائر يقال (بُو قَيْنُ يُوادِر)

It would be rightful to suggest this meaning, namely ‘stray (animal)’, to replace A. Caferoğlu's rendition: “Sürüden ayrılıp yalnız kalan koyun” in the Turkish translation of Abû-Hayyân published in İstanbul 1931, p. 128.

known in Old Ottoman²³. Taking these into account we are entitled to seek for a Turkic etymology for the words listed above.

3. The *yuvacı* paid to the finder of the slave 20 *ağşes*²⁴. This payment was termed *müjde* or *müjdegâne*²⁵.

4. The slave could be reclaimed in a period of three months. Such a period was termed '*iddet*'²⁶ or *müddet-i 'örfiyye*²⁷ or simply *müddet*. A similar legal period applied to lost cattle, being usually a shorter one, namely one month, but sometimes if a highly priced animal was concerned it could be prolonged to the half of '*iddet*' for runaway slaves²⁸.

5. If the claimant has arrived in this period and was able to assert his rights before the *kâdî*, the slave was to be returned to him on paying:

(a) the *muştuluk* or an award for giving public notice. The sum was growing proportionally to the distance from the place where the runaway slave was caught to the place where he belonged. If it was a distance of one day — 30 *ağşes*; two days — 60 *ağşes*; three days — 90 *ağşes*; the sum could amount up to 100 *ağşes*²⁹.

(b) The *nafağa* meaning literally 'maintenance', i.e. the owner of the slave was required to reimburse sums spent for the apprehended slave.

(c) The *hıfz behâsi* or a reimbursement for guarding the slave.

The amount of both *nafağa* and *hıfz behâsi* was controlled by the *kâdî*³⁰.

6. After the period of '*iddet*' the slave had to be auctioned. It was done under the *kâdî*'s control, and the contract was recorded in his *sicill*. The money obtained was

²³ TTS, c. IV, Ankara 1957, p. 909: "Yuvunmak, (Yuvınmak) (1) [...]: kaybolmak, gizlenmek".

²⁴ In a *kânûn-nâme* attributed to Mehmed II it is said: *Ve 'abd-i âbîk tutulsa yuvacı olan 'abd-i âbîkî tutub getürene yigirmi ağşe vermek 'adet olmuştur*. 'And if a runaway slave will be caught, it became customary for the *yuvacı* to pay 20 *ağşes* to this one who had caught the slave and brought (him)'. Farther on we are told that the custom was altered to this effect during the reign of Murad II, whereas in older times the payment was levied from the master of the runaway slave, N. Beldiceanu, *Code de lois coutumières de Mehmed II*, fol. fol. 62 v^o—63 r^o. The passage is almost verbatim repeated in the so-called *kânûn-nâme* of Süleymân Kânûnî, Ârif, op. cit., p. 67. See, also Ö. L. Barkan, *Kanunlar*, p. 43.

²⁵ See, e.g., Ârif, *ibid.*; Ö. L. Barkan, *Kanunlar*, p. 199.

²⁶ Another meaning of this term is 'a waiting period for a woman after termination of marriage, J. Schacht, *An Introduction to Islamic Law*, p. 299 (Glossary of Arabic Technical Terms).

²⁷ This term may be held to indicate an Ottoman origin for the usage, according to the meaning of the '*örf*' (Ar. '*urf*'), which connotated legislative initiative of the Sultan. See e.g., H. A. R. Gibb and H. Bowen, op. cit., vol. I, part I, p. 23.

²⁸ Ârif (ed.), op. cit., p. 20. In the same passage included in N. Beldiceanu's, *Code de lois coutumières de Mehmed II*, fol. 17 r^o we find the word *müddet* repeated two times. Thus, it is not clear, whether a full *müddet* for a slave (*müddet-i âbîk*) was meant or else a half of it.

²⁹ See e.g. Beldiceanu (ed.), *ibid.*, fol. fol. 62 v^o—63 r^o, Ârif, op. cit., p. 67, Ö. L. Barkan, *Kanunlar*, pp. 43, 243.

³⁰ For instance, Barkan, *ibid.*, p. 26, Beldiceanu (ed.), *ibid.*, loc. cit.

considered as a kind of *emânet*. This is explicitly stated in the *kânûn-nâmes*: Müddet-i 'örfiyyeleri temâm olduğdan sonra bâzârlarda kâzî ma'rifetiyle bey'-i men yezîd olunub şatılan kuluñ ve câriyenün ve deve ve atın behâları eşhâbî zâhir olunca bir emin yerde hıfz olunmak kânûn-i kadîmdür³¹. 'According to the old *kânûn* the money obtained from the sale of a slave, slave-girl, a camel and a horse auctioned on bazars under the *kâdî*'s supervision after the legal period expired, had to be kept in a safe place, until the owner appears.' Similar clauses are included in other *kânûn-nâmes*³². It is worth to be observed that in the *kânûn-nâme* of Selîm I the words *emin yerde* are replaced by *emin katında*, i.e. by the *emin*³³.

I have given here only the main stages, without going into details. As a matter of fact, however, the legal procedure varied according to some rules introduced by the legislators. These were couched as follows: (1) *Ve re'âyâ dutmasında i'tibâr serbest tîmârdur.* (2) *Ve serbest olmayan tîmârlarda kendü re'âyâsiyle gayrun re'âyâsı tutmasında fark yokdur.* (3) *Defterde bu huşûş ta'yın olunmaduğı tağdırce mir-livâya veyâhîüd şubaşılara veyâ ma'mûl olgeldüğü üzere taşarruf olunur.* (4) *Defter i'tibârda akvâdur.* (5) *Andan sonra ma'mûl olgeldüğü üzere 'amal olunmak mer'îdür.* (6) *Ve yaya ve müsellim ve yürükler tutmaları dahî bu üslûb üzere ma'mûldür.* (7) *Amma sancakbeğine müte'allik olduğı huşûşda kendülerün sancağı begine müte'allikdur*³⁴. '(1) And concerning the apprehension by the *re'âyâ*, it is considered (whether it happened in) the free *tîmâr*. (2) And in the unfree *tîmâr* there is no difference between the apprehension by one's own *re'âyâ* and by the *re'âyâ* belonging to somebody else. (3) In the case the matter is not stated in the *defter*, it is liable to be disposed by the *mîr-livâ* or by the *şubaşıs* or according to the current usage. (4) *Defter* is considered more valid. (5) In other cases it is proper to proceed according to the current usage. (6) The same procedure is applied where the apprehension by the *yayas* and *müsellims* and *Yürüks* is involved. (7) But as far as their dependance on a *sancakbeg* is concerned, they are to depend on the *sancakbeg* of their own.'

It would be useful to add here an order (*hükm*) included in the *kânûn-nâme* ascribed to Süleymân the Lawgiver³⁵: *Ba'dehu hükm-u şerîf vârid olub kaçkun toprağa tâbi'dur, kanğı toprakda dutıldıysa cu'ul anuñdur, ikrâr gayri toprakda idüğüne*

³¹ Beldiceanu (ed.), *ibid.*, fol. 16 v°.

³² Ârif (ed.), *op. cit.*, p. 20.

³³ Тверитинова, *op. cit.* facs. 16 a—16 б; for the Russian translation see, *ibid.*, pp. 58—59, where the following clause is, in my opinion, wrongly translated: „А до той поры пока выкуп за них не станет известен пусть их содержат у эмина (...)”

³⁴ Beldiceanu (ed.), *ibid.*, fol. 17 r°. Almost the same text is contained in the *kânûn-nâme* of Selîm I, Тверитинова, *ibid.*, facs. 16 a—16 б. For the translation see, *ibid.*, p. 59, where the passage is, as it seems to me, misinterpreted: „В отношении поимки райятами в несвободном тимаре чужих райятов различия не существует”.

³⁵ For a recent study on Süleyman's legislative activity, see H. İnalcık, *Suleiman the Lawgiver and Ottoman Law*, "Archivum Ottomanicum", I, 1969, pp. 105—138.

*i'tibâr olunmaya deyü fermân olunmuşdur*³⁶. 'Afterwards the august order has been issued and it was commanded that (the procedure in the case) of a runaway slave is to depend on (the status of) the earth. On whatever earth he has been caught the *cu'ul*³⁷ is to belong to the holder of the earth (lit. 'to it', i.e. to the earth). Claims based on other ground that earth will not be considered.'

The question was important, since it implied financial matters. Now, apart from the terms mentioned above, another one passes in the fiscal terminology current in the Ottoman Empire, namely *yuva/yava ve kaçkun resmi*³⁸ (or a tax concerning lost cattle and runaway slaves) which would appear as synonymous with our *muştuluk*, *müjde*, *müjdegâne* and *cu'ul*³⁹. The tax belonged to the category of *bâd-i havâ*⁴⁰. And according to the principles quoted above it was granted to the holders of the so-called free timars (*serbest tîmâr*) who were responsible for the public order in their estates⁴¹. Taxes for lost cattle and runaway slaves caught in the unfree *tîmârs* were collected by the *sancağbeg* or else by the *subaşı*. The procedure was more complicated where some special groups of population like the *yaya* (*piyâde*), *müsellim*, *Çoyun eris*, *Yürüks* and *Tatars* were concerned. In such cases the *yuva* and *kaçkun* had to be handed over to their own *sancağbegs* and *çeribaşıs*, even if these had been found or apprehended within the boundaries of a free timar, and as a matter of course, also the taxes were collected on behalf of the said officials⁴².

³⁶ Ârif (ed.), op. cit., p. 20.

³⁷ Concluding from the usage we think that the word *cu'ul* 'payment' can be regarded as synonymous with *muştuluk*. On *cu'ul* see Ârif (ed.), op. cit., p. 20, n. 1. The explanation given by Pakalın, op. cit., c. I, fasikül 4, p. 311, is thoroughly borrowed from Ârif.

³⁸ See on it Gökbilgin, op. cit., pp. 46—47; Pakalın, op. cit., c. III, fasikül 24, p. 607 (*yâve resmi*).

³⁹ Cf. M. Akdağ, *Türkiye'nin iktisadî ve ictimâî tarihi*, c. II, 1453—1559, Ankara 1971, p. 275.

⁴⁰ See, *ibid.* Numerous regulations dealing with the *bâd-i havâ* are included in the *kânûns* edited by Barkan, op. cit., *passim*.

⁴¹ Akdağ, *ibid.*, p. 66.

⁴² See Ârif, op. cit., p. 20 (loc. cit.); Barkan, op. cit., pp. 247, 287; Gökbilgin, op. cit., pp. 47 (also the text quoted in n. 2), 245—246. Sometimes, however, the tax concerning lost cattle and runaway slaves was farmed out as a *mukata'a*. Such a case is mentioned in a *berat* included in the Ms. fonds turc ancien No 39, Bibliothèque Nationale, Paris: *Ve koyun erile Tataruñ yuvası subaşılardıur. Kaçkunsu bunlar müteşarrıf olalar*. Babinger, op. cit., p. 81. N. Beldiceanu's translation (*Les actes des premiers sultans*, I, p. 90) runs as follows: "Les subachi auront la jouissance de bêtes égarées des Qoyuneri, des Tartares (et ils auront également la jouissance) des fuyards." This has been corrected by H. İnalçık, op. cit., p. 143: "The yuva (correct form *yava*) of the Koyuneri and Tatars is to belong to their own subaşıs." But the second part of the clause: *Kaçkunsu* (...) remains. In my opinion, N. Beldiceanu appears to have misunderstood the pronominal *bunlar* 'these ones'. The persons referred to are not the *subaşıs*. Even if we consider these two clauses on a syntactical level there is something to suggest that N. Beldiceanu's translation is wrong, namely the suffix *-sa* after *kaçkun* implying some

Runaway slaves apprehended in the *hâşşes* of the Sultan, as a rule, were to be handed over to the *emîns* or official agents⁴³. The well-known system of *mukata'a* was also applied to this purpose⁴⁴.

The problems dealt in this paper are perhaps not without interest owing to the fact that they enable us to see another aspect of the apparatus of the Ottoman State. But some questions involved could not receive satisfactory solutions. For instance, as yet we are not sure whether the *yuvacı* was an official agent (*emîn* or *kul*) or an unofficial one (*'amil*). We may add that it seems also possible that he was termed *yuvacı* independently from the legal basis concerning his actions. It is to be hoped that farther studies will bring an answer to this question, too.

opposition, which is lacking in the translation. And it becomes clear after we analyse the whole text. We find then a passage showing that as *bunlar* the persons to whom the *berat* was granted are referred, in other words the *'âmils*: *Ve her yerde ki kaçkun esîr dutulursa ol yerün kâşıları ma'rifetiyle görüb bunlara teslim edeler. Bunlar dahî çağirdalar*, B a b i n g e r, *ibid.*, p. 79.

⁴³ Runaway slaves caught in the *hâşşes* of the Sultan had to be handed over to the *emins*. See, Ö. L. B a r k a n, *Kanunlar*, p. 199.

⁴⁴ See, the *berat* mentioned above, n. 42. Cf., A k d a ğ, *op. cit.*, pp. 310—311.