

aunts or several paternal uncles or aunts even if related through the father alone the nephew will take no inheritance.

### Article 937.

If the deceased has left neither paternal uncles or aunts nor maternal uncles or aunts, their children take inheritance in their stead; and the portion of each stock will be the portion of that person through whom the stock claims descent from the deceased.

### Article 938.

In all the cases recorded in this subsection, the surviving spouse take his or her 'share' from the original estate, and this 'share' means one half of the original estate for the deceased's husband and one-Quarter for the deceased's wife.

A person related through the mother takes his portion from the original estate, and the remainder belongs to the persons related through the father; and if there be a deficiency, it will be borne by the persons related through the father.

### Article 939.

In all the cases mentioned in this subsection and the two previous subsections, if the heir be a hermaphrodite and be one of a group of heirs which are such that the males take twice the portion of the females, his portion will be determined as follows:-

If the indications of masculinity are the greater, he takes the portion of one boy of his degree; if the indications of femininity are the greater, the hermaphrodite takes the portion of one girl of that degree; and if neither the masculine nor the feminine indications be preponderant, the hermaphrodite will take one half of the sum of the portions of one boy and one girl of his degree.

belongs to the maternal uncles and aunts of the same father and mother, or of the same father, who also divide it among themselves in equal shares.

### Article 935.

If the deceased leaves one or more paternal uncles or aunts together with one or more maternal uncles or aunts, one-third of the estate goes to the maternal uncles and aunts, and two-thirds to the paternal uncles and aunts.

The division of the third among the maternal uncles and aunts will be in equal portions, but if, among the maternal uncles and aunts, there be one related only through the mother, one-sixth of the portion of the maternal uncles and aunts goes to the person; if there be several related only through the mother, one-third of that portion will be given to them, and in that case there will be an equal division among them.

In the division of the two-thirds part among the paternal uncles and aunts, the portion of the males will be twice that of the females; but if there be one person of the paternal uncles and aunts who is related through the mother only, one-sixth of the portion of the paternal uncles and aunts goes to him; and if there be more than one such person related through the mother only, one-third of that portion will go to them; in that case they will divide that third portion equally.

In the division of the five-sixths or the two-thirds which remains after deducting the portion of the paternal uncles and aunts, it will be divided among the paternal uncles and aunts related by father and mother or those related by the father only, in such a way that the portion of each male is twice that of each female.

### Article 936.

If there be living paternal uncles or aunts or maternal uncles or aunts, their children do not inherit, except when the heirs are confined to one nephew from a paternal uncle by father and mother, together with one paternal uncle related only on the side of the father; in that case only, the nephew deprives the uncle of an inheritance: but, if, in addition to the nephew from a paternal uncle related by father and mother, there be a maternal uncle or

and mother, the uncles and annts related through the father take their portion.

### Article 931.

If the heirs of the deceased consist of several paternal uncles or of several paternal aunts, the estate will be divided among them equally, provided that they are all related through father and mother, or all through the father, or all through the mother.

If there be paternal uncles and paternal aunts, all of them being from one mother, they will divide the estate equally; but if all of them are from the same father and mother, or from the same father only, the portion of the males will be twice that of the females.

### Article 932.

If there be paternal uncles of the same mother, and also paternal uncles of the same mother and father and of the same father only, the paternal uncle or aunt of the same mother, if alone, takes one-sixth of the inheritance; if they be several, they take one-third of the estate and divide this third equally among themselves; and the rest of the estate goes to the uncles of the same father and mother, or of the same father, and in the sharing males take twice the portion of the females.

### Article 933.

If the heirs of the deceased consist of several maternal uncles or of several maternal aunts, or of several maternal uncles and maternal aunts together the estate is divided among them equally, whether all are of the same father and mother, or all of the same father, or all of the same mother,

### Article 934.

If the heirs of the deceased consist of a maternal uncle and aunt from the same father, or from the same father and mother, together with a maternal uncle and aunt from the same mother, if the relation of the same mother be one only he or she takes one-sixth of the estate; if there be more than one, they take one-third of it and divide it equally among themselves, and the remainder

of the half blood on the mother's side, the brothers and sisters of the half blood on the father's side, the brothers and sisters of the half blood on the father's side will be excluded from the inheritance.

### Article 927.

In all the cases mentioned in this subsection, which ever one of the married pair remens takes his or her 'share' from the original estate; and this 'share' signifies the half of the original estate for the husband, and a quarter thereof for the wife.

The 'shares' of the relations of the mother, whether ancestors or descendants (Kaláleh), are taken from the original estate.

If, owing to the Intervention of the husband or the wife, there be a deficiency in the available inheritance, this deficiency will be borne by the brothers and sisters of the full blood or of the half blood on the father's side or by the paternal ancestors.

### SUBSECTION THREE

### ON THE PORTIONS OF INHERITANCE OF THE HEIRS OF THE THIRD DEGREE

### Article 928.

If there be no heir of the second degree left by the deceased, his estate goes to the heirs of the third degree.

### Article 929.

Each one of the heirs of the third degree, if he is the person of the description, takes the whole of the inheritance; and if there be more than one such person, the estate will be divided among them in accordance with the following articles.

### Article 930.

If the deceased leaves uncles or aunts related through both father and mother the uncles and aunts related through only one parent do not inherit.

If there be no uncles or aunts related through both father

third of the estate goes to the grandfather or grandmother on the mother's side, that third part will be divided equally among them all; and the remaining two-thirds will go to the grandfather or grandmother on the mother's side; and if there be more than one such ancestor, the portion of a male in that two-thirds part will be twice the portion of a female.

#### Article 924.

If the deceased leaves ancestors and brothers and sisters (Kaláleh), two-third of the estate goes to the heirs which have relationship on the side of the father; and in dividing up this portion the males take twice the portion of the females: and one-third goes to the heirs which have relationship on the mother's side, and is divided among them equally; nevertheless, if the relations on the mother's side consist of only one brother or one sister on the mother's side, he or she will only be entitled to one-sixth of the estate.

#### Article 925.

In all the cases dealt with in the foregoing articles, if the deceased leave neither brothers nephews and nieces are their legal representatives, and take inheritance with the ancestors; in that case, the division of the inheritance in regard to the nephews and nieces will take place by way of their sex, that is to say, each sex takes the portion of that person through whom he or she claims relationship with the deceased, hence, the children of full or half brothers and sisters will take the portion of the full or half brothers and sisters on the father's side, only, and the children of brothers and sisters on the mother's side take the inheritance of the brothers and sisters on the mother's side,

In dividing the inheritance among the individuals of one sex, if the children of the full or the half blood on the father's side be alone, the males take twice the portion of the females; and if they descend from brothers and sisters on the mother's side, the portion will be shared equally.

#### Article 926.

If there be in existence both brothers and sisters of the full blood, and those of the half blood on the father's side, and these



**Article 920.**

If the heirs of the deceased consist of several full brothers and sistres, or of several half-brothers and half-sisters on the father's side, the share of a male will be twic that of a female.

**Article 921.**

If the heirs consist of several brothers on the mother's side, or of several sisters of the mother's side, or of several brothers and sisters on the mother's side, the estate will be divided among them equally.

**Article 922.**

If there be full brothers and sisters, and also brothers and sisters from the monther's side, the division will be performed in the following way:-

If the brother or the sister on the mother's side be one peron only, he or she takes one-sixth of the estate, and the rest belongs to the brothers and sisters of the full or half blood on the father's side, who will divide up the rest in the manner laid down above.

If there are several brothers and sisters on the mother's side (*Kaldleh*), one third of the estate belongs to them and is divided among them equally, and the rest belongs to the brothers and sisters of the full or the half blood on the father's side and is divided among them in accordance with the dispositions laid down above.

**Article 923.**

If the heirs consist of grandfathers or grandmothers the estate will be divided among them in the following manner:-

If there be a sole grandfather or grandmother, whether paternal or maternal, he or she takes the whole of the estate,

If there be more than one granfather and grandmother, and if both be paternal, males take twice as much as females, and if they be both on the maternal side, the estate is divided among them equally.

If there be both grandfather or grandmother on the father's side and grand father or grandmother on the mother's side, one

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**Subsection 2**

**ON THE PORTIONS OF INHERITANCE OF THE SECOND DEGREE**

**Article 916.**

If the deceased leaves no heirs of the first degree, his estate goes to the heirs of the second degree.

**Article 917.**

Each one of the heirs of the second degree if the only one takes the whole of the estate; and if there are more than one, the estate will be divided among them in accordance with the following Articles:-

**Article 918.**

If the deceased leaves full brothers or sisters, halfbrothers or sisters do not inherit.

If there is no full brothers or sisters, half-brothers and half-sisters on the father's side take their portion of the inheritance.

Neither full brothers and sisters nor half-brothers and half-sisters deprive the mother's brothers and sisters from the inheritance.

**Article 919.**

If the heirs of the deceased consist of several full brothers, or of several half-brothers on the father's side, or several full sisters, or of several half-sisters on the father's side, the estate will be divided among them equally.