

final

45. WILL OF A RICH WOMAN, MADE DURING THE ABSENCE OF HER HUSBAND

(Apri 1143)

This remarkable deathbed declaration, on the one hand, shows the cosmopolitan character of Fustat: the daughter of a druggist called "the Alexandrian," was married there to a merchant "from Aleppo." On the other hand, it betrays an extraordinary attachment of the testator to her paternal family and to local customs and concepts.

The dying woman's husband was a tājir, or great merchant, who traveled far and was expected to be away from home for several years. He probably was on a business trip to India. She had a little boy from a former marriage, who lived with her parents. As his guardian and her own executor she appointed a brother of her former husband. The main purpot of the will was the legal protection of her parents, brother, and boy against her present husband and providing a sumptuous burial for herself. She wanted to have Muslim wailing women, presumably because the cries and shrieks of Jewish women exercising the same profession were not shrill enough for her taste. The most impressive detail is her wish to be buried together with "one of her family" meaning her father, mother, or brother. To these she was attached by "natural ties;" with her husband she was connected solely by a "contract."

TS 13 J 3, f. 3.¹

This testimony was given in our presence, we, the witnesses signing at the end of this will. This happened on Wednesday, the 26th lyar of the year 1454 of the era of the documents (= April 13, 1143), in Fustat, which is under the authority of our lord Samuel, the great Nagid, may his name endure forever.

We entered the house of the elder Abu 'l-Munā, the druggist, the Alexandrian, and found his daughter Sitt al-Ahl,² the wife of Abū Naṣr of Aleppo, the merchant, ill and confined to her bed - after having properly taken cognizance of her.³ She was in possession of her faculties and made her declaration in clear language and with sound mind. This is what she said to us:

When my father gave me this large house in the Ḥabs Banān⁴ a year and a half ago, a document about this gift was made out before Muslim authorities. But before this he imposed on me the condition that he, my mother, and my brother, the elder Abu 'l-Surūr, should never be forced to leave the upper floor, as long as they lived in this world. (Above the line: My father should stay in that apartment as long as he lived).⁵ I wish now that this stipulation should be carried out unchanged, for it was made in the presence of my husband, the elder Abū Naṣr.⁶

When that which is ordained for me will come to pass, I wish to be buried in this house in which I am now and not be carried out (to the cemetery) except when one of my family dies, I mean my father, mother, or brother. Then I might be carried out together with the one who will die.

The maidservant Fūq⁷ does not belong to him (her husband); but my mother gave me money with which I bought her. She has a daughter, who belongs to my mother, not to me.⁸

My boy shall stay with my mother as he does now. No one shall separate him from them.⁹

I receive (from my husband) 2 1/2 dinars per month for expenses, which makes 30 dinars a year, as well as 12 irdabb¹⁰ wheat. Of this, I relinquish to him (the husband) 4 irdabb and ~~of~~ half a dinar per month, so that he will have to pay to my son Mūsā (Moses) 2 dinars every month and 8 irdabb wheat a year.

The rent for the middle floor, where Hiba lives, will be given to my mother until my husband returns. I possess a document¹¹ assigning the rent to me during his absence.

I wish to have a (new) burial attire, since I have none with which I am satisfied. There should be bought for me a robe of fine Dabīqī linen with a hood, a mantle, and a cloak, and nisāfī¹² material for the burial couch and braid. All this to cost about 25 dinars. And a coffin costing 9-10 dinars.¹³

Wailing should be done by Muslims.

I wish to have the daughter of my brother Abu¹⁴ 'l-Surur for my boy Mūsā.

After having made all these declarations in our presence, she appointed as her executor our master Aaron, ha-Kohen, the honored [elder], son of our master Joshua, ha-Kohen, the elder, (may he) (rest in) E(den),¹⁵ concerning all this and¹⁶ concerning her will, and [said: "He is my representative] after my death and my executor also with regard to my father and mother."

When [we heard what she said] we wrote it down on the aforementioned date, so that our testimony should serve as a document conveying rights. The word ...¹⁷ is erased and should not be considered. All the rest is confirmed.

She accepted the aforementioned Abū Mūsā Hārūn,¹⁸ the Kohen, as trustworthy as two witnesses admitted in court with regard to all his actions in matters of her will. Of this the (expenditure for) the seven days of mourning for me to be taken from the expenses due me,¹⁹ since he is the executor for the son of his brother.

Everything is correct, valid, and confirmed. She further declared in our presence that she kept nothing (belonging to anyone else) in her home. She also said: I release my mother, my father, and my brother Abu 'l-Surūr from all claims and suits which may be brought against them in my name. No one is entitled to molest them by asking them to give an oath of any kind.

Confirmed.

Written between the lines: "She said I"

Confirmed.

Also written between the lines: "My father should stay in that apartment as long as he lived."

Everything is confirmed.

Joseph ha-Leví, son of Thābit, (may he) r(est in) E(den).

Solomon, son of Nathan he-hāvēr, (may he) r(est in) E(den).²⁰

1. Ed. S. D. Goitein, Sefunot, 8 (1964), 122-125.
2. "The Queen of the House," a common name.
3. For this phrase see A14, n. 4, above.
4. A market near the north-east corner of "the Fortress of the Candles," the old city of Fustat. It was called also Ḥabs Banāna, TS Arab. Box 40, f. 53, col. II, or Banānāt, Casanova, Reconstitution, p. 19.
5. This interlinear note does not contain anything additional.
The witness repeated the dying woman's words verbatim.
6. Who had concurred.
7. Meaning: "exceedingly tall."
8. The old lady would bring up the slave child, free her later (usually on deathbed), and provide her with some means.
About such pious deeds see Med. Soc., I, 135.
9. Meaning her parents.
10. In medieval Egypt an irdabb comprised about 150 pounds of wheat, see Hinz, Masse, p. 39.
11. The Heb. term shetār is used here in midst of the Arabic text, which means that this document was made out by a Jewish authority. The preceding word is bdlk (bīdhalika) not kdlk, which is a misprint.
12. "Half-and-half," that is, silk and linen woven together, see Dozy, Supplément, s.v. The braid was needed for keeping the corpse in proper position.
13. I read now ts' 'ly y (=10). The expenditure on the burial equipment by far exceeds that commonly found in Geniza documents.

Hilla probably was a close relative

14. Abū was erroneously omitted by the printer. At the time of this will the boy ^{and} ~~the~~ the girl must have been mere children.
15. Different, of course, from his contemporary namesake Aaron B. Joshua Ibn al-‘Ammānī, Jewish chief judge of Alexandria, who was not a Kohen.
16. Omitted by the printer.
17. Because of the bad preservation of the manuscript it is not clear to which word this note refers.
18. The Ar. form of the name Aaron.
19. The devines reciting prayers and the poor paying their respects during the seven days of mourning had to be fed and remunerated.
20. The document was written (which means also: formulated) by the prominent judge Nathan B. Samuel he-hāvēr, see Med. Soc. II, p. 513, sec. 18. The witnesses probably were friends of the family.

Deathbed declarations often end with a note stating when the testator died. Shall we assume that our Sitt al-Ahl survived and was finally reunited with her widely traveled husband?