

## The Will of a Silk-weaver

(Old Cairo, December 7, 1188)

Oxf. Bodl. Ms. Hebr. a2 (Catal. 2805), f. 9

A. On Wednesday, the fifteenth of Kislêv, in the year one thousand five hundred of the era of the documents, the following occurred here in Fustat, which is situated on the Nile river, under the jurisdiction of our lord, our Gaon Sâr Shâlôm ha-Levi - may his name endure forever:

We were asked to visit Sheikh Abu 'l-Faql, the silk-weaver, the son of Abu 'l-Barakât, who is known by the name Ben al-Maqdisi (the son of the Jerusalemite). We found him ill, confined to his bed, but his mind was sound, and he knew what he said and what was said to him. We asked him what time it was and about the identity of the persons present, to all of which he answered in clear language and with a sound mind.

B. Then he said to us: "May it be known to you that the whole half of my<sup>a</sup> entire house in the Fajîb quarter<sup>b</sup> of Fustat, which is known as my home, is the property of my son Abu 'l-Barakât, and is not mine, as I have sold it to him.<sup>c</sup>) The other half<sup>d</sup> I hereby bequeath to Bayân and Bahâ, my sons, in two equal shares, on condition that if - God forbid - my son Bahâ should die without child, the share remaining in his property, he not having disposed of it, shall revert to his brother Bayân to the exclusion of his other

brothers.<sup>d)</sup>

C. Furthermore, I bequeath to my son Bayān the entire equipment of the silk-weaving workshop, which I own. However, the rest of my property, namely yarn, silk, warps, and all the outfit of the house, indeed all my property, shall be sold. From the proceeds shall be paid the expenses for my burial; to my wife Sitt al-Riqā shall be paid the sum due to her according to her marriage contract, namely fifteen Egyptian gold dinars, in addition to three dinars which she owes me.<sup>e)</sup>

D. Of the remainder of the proceeds, five Egyptian gold dinars shall be paid to my son Abu 'l-Ḥasan, to be held in trust by my son Abu 'l-Barakāt, and he shall be responsible for them until they come into the possession of my son Abu 'l-Ḥasan.<sup>f)</sup>

The final residue of the proceeds shall be divided in equal parts between my son Bayān and my son Bahā.

E. The selling of the yarn and the outfit and the rest of what I own shall be entrusted to my son Abu 'l-Barakāt and to Abu 'l-Ṭahir, the son of the elder Maḥfūḥ, the beadle of the synagogue of the Palestinians - may it stand firm and secure.<sup>g)</sup>

F. All that will accrue to my son Bayān from all I bequeath to him, of both immobile and mobile property, shall be in the trust of his brother Abu 'l-Barakāt, until he will attain his majority and

prove his maturity. However, all that will accrue to my son Bahā from the proceeds of the property sold shall be entrusted to the Court of Justice, which will provide for his maintenance.<sup>h)</sup>

- G. To my wife belong the following copper vessels: a mortar, a pail, a wash basin, a bucket, an oil jug, and a bowl.

The aforementioned Abu 'l-Faql departed from this life out  
of his illness to his eternal home <sup>abode</sup> and left behind him life for  
the divines and all Israel.<sup>i)</sup>

The word "my" was added and is correct.<sup>k)</sup>

All is herewith ratified, confirmed and valid.

Solomon, son of Nissim, n(ay he rest in) E(den)

Levi ha-Levi, son of Abraham, th(e memory of the) r(ighteous  
is) b(lessed)

Notes

- a) This word (li) is written above the line (see below).
- b) This quarter is frequently mentioned in the Geniza documents. It was situated to the east of the Qasr al-Sham<sup>6</sup>, the ancient Byzantine fortress (see p.      and the map of Fustat in EI, s.v. Cairo).
- c) As this son does not receive anything, it seems that the "selling" to him of one-half of the house, while each of his two brothers got one quarter, was a mere formality to ensure that he, the first-born and right hand of his father, should get a double share (see p.      ).
- d) It is evident that Bayān must have had a child by that time, although legally he was still a minor (see below). 15
- e) I.e. she was not to repay them to the legal heirs, the sons.
- f) Obviously, this son lived in a distant country and had little contact with the rest of the family.
- g) About this man, see p.      .
- h) Bayān, who must have been a boy of 15-6, was nearing maturity and would soon be able to take care of his property himself. However, Bahā was a minor, the guardianship for whom was confided to the Jewish court of justice, which, in its turn, would appoint a relative to look after him under its supervision (cf. p.      ).
- i) This confirms that our document was a deathbed will, which was irrevocable.

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k) See above, Note a).