

~~Will of a Dying Woman, Freeing Her Two Maiden Slaves and Providing~~  
~~for them for the Rest of Their Lives~~

~~T.-S. 13 J 22, p. 2~~

~~The testator~~

~~(This lady was the wife of the judge and prominent public figure,  
Nathan b. Samuel, whose signature appears on many Geniza documents written  
in Old Cairo during the years 1128-1153). He bore the title "Diadem of the  
Favorim," meaning, approximately, "the most excellent scholar," which was  
abbreviated, as in this document, to "the Diadem." He was normally ad-  
dressed by this title (see p. 105).~~

~~Our incomplete document is not a formal will, but a memo written down  
by a person in whose presence the dying lady made her last dispositions.~~

~~Since the will was made  
As this was done on a Saturday, when writing is forbidden according to  
Jewish religious law, it was not possible to record the main points of  
the will in the presence of the testator, as was usual.~~

~~well organized, but more lively acc. of the happenings.  
In 1145, a "maidservant," wasifa, three years old and bearing the  
name Dhahab, "Gold," the same as the first of the two girls mentioned  
here, was given by the widow of a prominent scholar in Fustat to her  
brother. The relevant document, T.-S. 12,140, was written and signed  
by the judge, Nathan b. Samuel, and the persons involved must have been  
close friends or acquaintances of his. It stands to reason, therefore,  
that the same person is referred to in the two documents (especially as  
no other instance of the occurrence of the name Dhahab is known to the  
present writer from the twelfth century). If so, the background of~~

After the  
Sabbath

Notes

- a) About the meaning of this title, see p.
- b) A family name most probably derived from Ramle in Palestine and not from the little town of Ramle - today a favorite summer resort - east of Alexandria.
- c) A man performing the ritual killing of animals, Ar. dhabbāh.
- d) A Jewish husband was permitted to practice continence, if his wife consented to it.<sup>3</sup>
- e) The Arabic name, known also from Muslim sources, of Samuel b. Hananiah, then the head of the Jewish community in the Fatimid empire (see p. ).
- f) "Gold" (see above) and "The Queen of the copper-skinned." The quarter of that house was given to them as a means of maintenance, while a part of the testator's home was to serve them as domicile (see Section C).  
The name Dhahab occurs again in a marriage contract written in 1292, about 140 years later than our document, when it was borne by a free woman of a noble family (T.-S. 16.76).
- g) A quarter in Fustat, frequently mentioned in the Geniza papers (cf. Ernest James Norman, JQR 18 (1906), p. 28ff).
- h) The paragraph seems to indicate that the husband was entitled to use the part of the house donated to the community during his lifetime, with the exception of the room reserved for the freed girls.
- i) The reference is to the two Kohanim named last. The first Kohen,



Judah b. Jacob, was a notable serving as witness. It is interesting to note that one of the signatories of her marriage contract had not been known to the dying lady and had to be introduced to her (see Section B).

- k) Most probably that property had been confiscated, when its proprietor was dismissed from a government job.
- l) For burial expenses, cf. p. . A Jewish husband was bound to bear the expenses for his wife's burial. The special disposition here was an act of piety on the testator's side.
- m) The word used, gumāsh, which in a later period was confined to the meaning "textiles," was at the time of our document a general designation for objects other than money. Therefore, it could have also included here furniture and other household goods, such as kitchen utensils. However, the differentiation between gumāsh suitable for women and men suggests the translation given above.
- n) On Saturday, all transactions, including those of a mere symbolic character, are strictly forbidden.
- o) As the husband is held responsible for the property of his wife, he has to confirm her legal disposition<sup>s</sup> (see p. ).

Comments

1. Literally, "the sanctuary," Hebrew qodesh (see p. ).
2. Text: ~~yakūnū yahūd al-haiba~~, a rare expressions
3. See Note d. Text: yifrōsh (so. min ha-ishshā, Hebrew). The manuscript clearly has, in the two cases, in which the phrase occurs, a dot above the right side of the letter, indicating that sh, and not s, is to be read. In addition, yifrōs, which, if said of a Kohen, could mean "he spreads out" (his hands for the priestly blessing, see Numbers 6:23-27), is not the word normally used in this connection.