

and Wife by

A Man Provides for his ~~Wife's~~ Children, Parents, ~~and~~ ¹⁴
~~Will of a Descendant~~, Appointing His Mother-in-law

as Sole Executor

~~Old Cairo~~, July-August 1137

Vienna, Erzherzog Rainer Collection Heb. 22

(The appointment of women as executors is in accordance with ancient Jewish law (see the recent discussion by S. Lieberman, Tosefta Ki-Fshuṭah, New York, 1955, I, p. 304). What is remarkable in the present will is the fact that the testator appoints his mother-in-law, although his wife had already borne him three children and although his own parents were still alive. Clearly, the mother-in-law had already conducted his affairs during his last illness (see below, Section B). The document is instructive with regard to several other points.)

A. This testimony was given before us, we, the undersigned witnesses.

Thus it was: We were asked to call on M. and R. Joshua, by-named

Abu 'l-Ḥasan, son of M. and R. Samuel, the elder, the chorister, by-

named Abu 'l-Riḏā, which we did. We found him ill, confined to his

bed, but his senses were functioning and his mental faculties ^{unimpaired,} com-

plete; he spoke correctly, understanding what he said and what was

said to him, being aware of his affairs just as anyone walking on

his feet in the markets; he recognized each of us fully, by his

name, person, and family name. We asked him about the time, the

place, and the date, and a number of other things, the like of

which a man in his state should be asked, and he answered appropriately