

Document X

General Description

Title: No title¹⁶

Size: 63×43cm

Number of deeds: 13 (11 deeds on the front side; 2 deeds on the reverse)

Date: 1146–1240/1734–1825

A document drawn up on the occasion of the purchase of a house in al-Lamfī alley called *Dār al-Labbānāt* in the Andalus bank of Fès, by Fāḍila (X-a4), daughter of Muḥammad (X-a1), from Ruqayya (X-b1) and Fāṭima (X-b2), daughters of ‘Alī al-Labbān, on 1 Dhū al-Ḥijja 1146/5 May 1734 (X-2). Along with the purchase deed itself (X-2), a related deed (X-1) was copied on Document X.

‘Umar b. Mas‘ūd al-Baṭīwī (X-c2) then purchased this house from Fāḍila (X-a4) and her sons (X-a13 and X-a14) (X-3). After the death of ‘Umar al-Baṭīwī (X-c2), the whole ownership of this house was inherited by Muḥammad b. M’ḥammad al-Zawāwī (X-c1) (X-4-2). Aḥmad b. Muḥammad al-Gharnāṭī al-Andalusī (X-a15) purchased the house from Muḥammad al-Zawāwī (X-c1) (X-5).

After that, Būṭayyib b. ‘Isā al-Khalḫī al-Wuraytanī (X-d1) and the husband of his daughter ‘Abd al-Raḥmān b. Muḥammad al-Saghrūshnī (X-d2) purchased it from Aḥmad al-Gharnāṭī (X-a15) (X-6).

‘Abd al-Wahhāb b. ‘Abd al-Raḥmān al-Qaṣṣābī (X-e1) then purchased the house from Būṭayyib al-Wuraytanī (X-d1) and ‘Abd al-Raḥmān al-Saghrūshnī (X-d2) (X-7), after which ‘Abd al-Salām b. ‘Abd al-Raḥmān al-Zagīmaṭ (X-f1) purchased it from ‘Abd al-Wahhāb al-Qaṣṣābī (X-e1) (X-8).

After the transfer of ownership of the house to ‘Abd al-Salām al-Zagīmaṭ (X-f1), it may be supposed that Document X was inherited by the Zagīmaṭ family, as Deeds 9, 10, and 11 describe the transfer of ownership and property distribution within that family. Deeds 12 and 13 are also the certification of properties owned by the Zagīmaṭ family. The house was inherited by Ṭāhira (X-f4), wife of ‘Abd al-Salām b. ‘Abd al-Raḥmān al-Zagīmaṭ (X-f1) and transferred to her son Muḥammad al-‘Arabī (X-f5), and her daughter Manāna (X-f7) by purchase.

Deed 1 (X-1)

Date: end of Dhū al-Qa‘da 1146/April–May 1734

No. of lines: 25

Notaries: signature X-S1
signature X-S2

¹⁶ Some words are written on the reverse side, but they are unclear. The words “Ben Suda,” written in Roman characters, also appear on the reverse side, but no related words can be found in the text of this document.

A deed which establishes that Ruqayya (X-b1) and Fāṭima (X-b2), daughters of ‘Alī al-Labbān, purchased the house in al-Lamṭī alley in the Andalus bank of Fès from the inheritors of Muḥammad b. ‘Alī al-Gharnāṭī al-Andalusī (X-a1).

It consists of copies of three deeds that were drawn up and transcribed on the original documents (X-i and X-ii); Naṣṣ 2 (X-1-2) was transcribed on the original document (X-ii) when Naṣṣ 3 (X-1-3) was drawn up on it. And the chief qadi of Fès ‘Alī b. ‘Abd al-Wāḥid al-Bū‘inānī al-Ḥasanī¹⁷ affixed an apostille on the notification (*a‘lama*) concerning Naṣṣ 2 and Naṣṣ 3 in the original document (X-ii).

At the end is a testimony about the collation of copies with the originals and the authorization of the copies’ authenticity (*istiqlāl*) by the deputy chief qadi (*nā‘ib qādī al-jamā‘a*) of Fès (X-Q1) at the end of Dhū al-Qa‘da 1146/June 1734.

This text was copied on Document X, probably on the occasion of the purchase of the house of Deed 2.

Naṣṣ 1 (X-1-1)

Date: 8 Muḥarram 1139/5 September 1726

Notaries: Mas‘ūd b. Muḥammad al-Jaznā‘ī

Muḥammad b. Maṣṣūr al-Mazgharī

A deed which established that Ruqayya (X-b1) and Fāṭima (X-b2), daughters of ‘Alī al-Labbān, purchased the house from Muḥammad b. Yūsuf (X-a7).

The deed first describes the inheritance situation of the house after the death of Muḥammad b. ‘Alī al-Gharnāṭī al-Andalusī (X-a1). According to the deed, his property was inherited by his wife Fāṭima bint Aḥmad al-Gharnāṭī (X-a2), his two daughters Manāna (X-a3) and Fāḍila (X-a4), and his agnate (*‘aṣaba*), his nephew ‘Abd al-Karīm b. ‘Abd al-Qādir (X-a5). The deed then describes the inheritance situation after the death of Fāṭima (X-a2). Her property was inherited by her two daughters Manāna (X-a3) and Fāḍila (X-a4) and her brother M’hammad (X-a6), who delivered (*taslīm*) his inherited portion to Manāna (X-a3) and Fāḍila (X-a4). After that, the deed also describes the purchase of the house by Ruqayya (X-b1) and Fāṭima (X-b2) from Muḥammad b. Yūsuf (X-a7) for the price of 19 *mithqāl* less five-eighths *ūqīya* and 4 *fals*. It is probable that the description of the inheritance situation from Manāna (X-a3) to her son Muḥammad b. Yūsuf (X-a7) is missing from the deed.

Naṣṣ 2 (X-1-2)

Date: 3 Sha‘bān 1144/31 January 1732

Notaries: ‘Abd Allāh b. ‘Abd al-Raḥmān al-Ḥurayshī

Muḥammad b. ‘Abd al-Qādir Binnīs

A deed of testament by ‘Abd al-Karīm b. ‘Abd al-Qādir (X-a5) in which he appoint-

¹⁷ A jurist of Fès. See MIURA Toru and SATO Kentaro ed., *The Vellum Documents in Morocco in the Sixteenth to Nineteenth Centuries*, Part I, Tokyo: Toyo Bunko, 2015, p. 112, Note 108.

ed his wife Ruqayya bint ‘Abd al-Wāḥid Hārūn (X-a10) as the testamentary guardian (*waṣī*) of their children Aḥmad (X-a8) and al-Ḥasan (X-a9).

By the time the Naṣṣ was transcribed on the original Document (X-ii), the second notary Muḥammad b. ‘Abd al-Qādir Binnīs had died. Accordingly, his signature (*shakl*) was verified on the occasion of Naṣṣ 3 being drawn up on Document X-ii on 7 Rajab 1146/14 December 1733.

Naṣṣ 3 (X-1-3)

Date: 7 Rajab 1146/14 December 1733

Notaries: ‘Abd Allāh b. ‘Abd al-Raḥmān al-Ḥurayshī
Muḥammad b. Aḥmad al-Fāsī

A deed of purchase of the house by Ruqayya (X-b1) and Fāṭima (X-b2) from Ruqayya (X-a10) and her three children (X-a8, X-a9, X-a11). The deed first describes the inheritance of the house in the same way as the description in Naṣṣ 1 (X-1-1). After the death of ‘Abd al-Karīm (X-a5), his property was inherited by Ruqayya bint ‘Abd al-Wāḥid Hārūn (X-a10) and their four children Aḥmad (X-a8), al-Ḥasan (X-a9), Fāriḥa (X-a11), and ‘Ashwa (X-a12). The deed then says that after the death of ‘Ashwa (X-a12), her property was inherited by her mother Ruqayya (X-a10) and her three brothers (X-a8, X-a9, X-a11). Finally, Ruqayya (X-a10) sold the house to Ruqayya (X-b1) and Fāṭima (X-b2) for 22 *mithqāl* and 9 and one-eighth *ūqīya* and 4 *fals* (the price of the whole house was 110 *mithqāl*) to pay off her debt. It was drawn up on Document X-ii below Naṣṣ 2.

Deed 2 (X-2)

Date: 1 Dhū al-Ḥijja 1146/5 May 1734

No. of lines: 9

Notaries: signature X-S1
signature X-S2

A deed of purchase of the house by Fāḍila (X-a4) from Ruqayya (X-b1) and Fāṭima (X-b2), joint owners, for 620 *ūqīya darāhim qadīma sikkat ta’rīkh-hi*. Fāḍila (X-a4) paid only 600 *ūqīya* and the remainder of the payment, 20 *ūqīya*, was offset by some defect in the house. In this purchase, Fāḍila (X-a4) was just the agent (*nā’ib*) of her sons (X-a13, X-a14), and she had no portion from it. Finally, Fāḍila (X-a4) clarified the share and consolidated the ownership of the whole house with her two sons, with half the house for Fāḍila (X-a4) and a quarter for each son.

Deed 3 (X-3)

Date: 10 Jumādā I 1150/5 September 1737

No. of lines: 9

Notaries: signature X-S3
signature X-S4

A deed of purchase of the house by Muḥammad b. Mḥammad al-Zawāwī (X-c1)

from Fāḍila (X-a4) and her sons Idrīs (X-a13) and al-‘Abbās (X-a14) for 500 *ūqīya darāhim qadīma sikkat ta’rīkh-hi*. 300 *ūqīya qadīma* was offset by a debt of Fāḍila (X-a4), and Idrīs (X-a13) received the remainder of the payment of 200 *ūqīya* from Muḥammad al-Zawāwī (X-c1). Muḥammad al-Zawāwī (X-c1) was just a agent in this purchase, being the deputy of his relative in marriage ‘Umar b. Mas‘ūd al-Baḥwī (X-c2), and he had no portion of this purchase. Thus ‘Umar al-Baḥwī (X-c2) received the sole ownership of the house.

Deed 4 (X-4)

Date: 1 Dhū al-Ḥijja 1155/27 January 1743

No. of lines: 7

Notaries: signature X-S5
signature X-S3

A deed which establishes the situation of inheritance and purchase of ‘Umar b. Mas‘ūd al-Baḥwī’s (X-c2) properties, which included the house of al-Labbānāt.

It consists of copies of three deeds that were drawn up and transcribed on the original document (X-iv). Naṣṣ 1 (X-4-1) was transcribed from the original document (X-v) when Naṣṣ 3 (X-4-3) was drawn up.

At the end is a testimony on the collation of the copies with the originals and the authorization of the copies’ authenticity (*istiqlāl*) by the deputy chief qadī (*nā’ib qādī al-jamā’a*) of Fès (X-Q1), on 1 Dhū al-Ḥijja 1155/27 January 1743.

This text was copied on Document X, probably on the occasion of the purchase of the house of Deed 5.

Naṣṣ 1 (X-4-1)

Date: 17 Jumādā I 1150/12 September 1737

Notaries: ‘Abd al-Qādir ‘Adlūn¹⁸

Muḥammad b. ‘Abd al-Qādir ‘Adlūn

A deed of testament by ‘Umar b. Mas‘ūd al-Baḥwī (X-c2) in which he appointed his brother Aḥmad (X-c4) as the testamentary guardian (*waṣī*) of his daughter ‘Ā’isha (X-c3).

Naṣṣ 2 (X-4-2)

Date: 14 Jumādā II 1150/9 October 1737

Notaries: ‘Abd al-Qādir ‘Adlūn

Muḥammad b. ‘Abd al-Qādir ‘Adlūn

A deed of *mukhārāja* partition of inheritance of the properties of ‘Umar b. Mas‘ūd al-Baḥwī (X-c2) which included the house of al-Labbānāt. These properties were

¹⁸ The ‘Adlūn family is a famous family in Sefrou. al-Jam‘īya al-Maghribīya lil-Ta’līf wal-Tarjama wal-Nashr ed., *Ma’lamat al-Maghrib: Qāmūs murattab ‘alā ḥurūf al-hijā’ yuḥīṭu bil-ma’ārīf al-muta’alīqa bi-mukhtalīf al-jawānīb al-ta’rīkhīya wal-jughrāfiya wal-bashariya wal-ḥaḍārīya lil-Maghrib al-Aqṣā*, 24 vols., Salé, 1989–2005, vol. 18, pp. 6002–6004.

shared with Muḥammad al-Šāfi (X-c1) until ‘Umar al-Baṭīwī (X-c2) died. After the death of ‘Umar al-Baṭīwī (X-c2), his properties were inherited by his wife ‘Ā’isha bint Belqāsīm (X-c5), their three daughters, that is, Fāṭima (X-c6), Šafīya (X-c7), and ‘Ā’isha (X-c3), and his two brothers and two sisters, that is, Muḥammad (X-c8), Aḥmad (X-c4), al-Zahrā’ (X-c9), and Fāṭima (X-c10). According to the deed, Muḥammad al-Šāfi (X-c1) obtained sole ownership of the house of al-Labbānāt and the majority part of the properties of ‘Umar b. Mas‘ūd al-Baṭīwī (X-c2) by *mukhāraja* partition among the other inheritors (X-c3, X-c4, X-c5, X-c6, X-c7, X-c8, X-c9, X-c10, X-c11).

The deed also states that ‘Umar (X-c2) left one third of his property as a bequest for his daughters (X-c6, X-c7, X-c8). After his death, the representative (‘*arīf*’) ‘Abd al-Raḥmān Agmīr was appointed as the testamentary guardian for them. The qadi of Sefrou ‘Abd al-Salām ‘Adlūn checked the deed and certified that the condition of the *mukhāraja* partition was correct. An apostille on the application of the deed (*a‘maltu-hu*) was affixed.

It was drawn up on Document X-iv below Naṣṣ 1.

Naṣṣ 3 (X-4-3)

Date: 14 Ramaḍān 1150/5 January 1738

Notaries: Muḥammad al-‘Arabī ‘Azūz

‘Abd al-Qādir b. al-‘Arabī Būkharīš al-Fīlālī

A deed which establishes the sale of two mules (*baghl*), which ‘Ā’isha (X-c5), Fāṭima (X-c6), Šafīya (X-c7) and ‘Ā’isha (X-c3) obtained by *mukhāraja* partition in Naṣṣ 2 (X-4-2), to Muḥammad al-Šāfi (X-c1).

The deed first states that ‘Ā’isha (X-c5), Fāṭima (X-c6), Šafīya (X-c7) and ‘Ā’isha (X-c3) consigned the handling and feeding of two mules to Muḥammad al-Šāfi (X-c1) because of some unspecified difficulties. Finally, Muḥammad al-Šāfi (X-c1) purchased the mules at the price on the occasion of the *mukhāraja* partition (45 *mithqāl*).

It was drawn up in the right margin of Document X-iv. After the deed, an apostille on the authorization of the copy’s authenticity for the deeds above (Naṣṣ 1 to Naṣṣ 3) was affixed.

Deed 5 (X-5)

Date: beginning of Dhū al-Ḥijja 1155/January–February 1743

No. of lines: 4

Notaries: signature X-S5

signature X-S3

A deed of purchase of the whole house by Aḥmad b. Muḥammad al-Gharnāṭī al-Andalusī (X-a15) from Muḥammad al-Šāfi (X-c1) for 25 *mithqāl darāhim qadīma*. The contract of the purchase itself was made four months earlier than the date of the deed, and the payment was not completed at the same time. It was afterwards writ-

ten down on Document X on the occasion of the completion of that payment.

Deed 6 (X-6)

Date: last day of Rabī' II 1176/18 November 1762

No. of lines: 4

Notaries: signature X-S6
signature X-S7

A deed which establishes that Būṭayyib b. 'Īsā al-Khalḫfī al-Wuraytanī (X-d1) purchased the whole house on behalf of himself and his daughter's husband 'Abd al-Raḥmān b. Muḥammad al-Saghrūshnī (X-d2), each owning one half, from Aḥmad b. Muḥammad al-Gharnāfī (X-a15) for 1,200 *ūqīya darāhim qadīma*. The seller (X-a15) received only 100 *mīthqāl* and 80 *ūqīya*, and the remaining 12 *mīthqāl* was cleared by offsetting.

Deed 7 (X-7)

Date: 1 Ṣafar 1179/20 July 1765

No. of lines: 4

Notaries: signature X-S8
signature X-S9

A deed of purchase of the house by 'Abd al-Waḥḥāb b. 'Abd al-Raḥmān al-Qaṣṣābī al-Andalusī (X-e1) from Būṭayyib (X-d1) and his daughter's husband 'Abd al-Raḥmān b. Muḥammad al-Saghrūshnī (X-d2) for a thousand and some *ūqīya darāhim qadīma*. 'Abd al-Waḥḥāb (X-e1) paid by *riyāl* and *dirham*.

Deed 8 (X-8)

Date: 10 of the same month of Deed 7 (X-7) (10 Ṣafar 1179/29 July 1765)

No. of lines: 4

Notaries: signature X-S9
signature X-S10

A deed of purchase of the whole house by 'Abd al-Salām b. 'Abd al-Raḥmān al-Zagīmaṭ (X-f1) from 'Abd al-Waḥḥāb al-Qaṣṣābī (X-e1) for 1,505 *ūqīya darāhim qadīma sikkat ta`rīkhi-hi*. The seller (X-e1) received the payment by 167 *riyāl* and 8 *mawzūna*.

Deed 9 (X-9)

Date: 8 Muḥarram 1194/15 January 1780

No. of lines: 3

Notaries: signature X-S11
signature X-S12

A deed of purchase of a quarter of the house by Muḥammad b. M'ḥammad al-Ḍanfāsh (X-f2) from 'Abd al-Salām b. 'Abd al-Raḥmān al-Zagīmaṭ (X-f1). This

purchase was established in another deed by the testimony of the two notaries of this deed (*bi-shahādat shahīday-hi fī ghayr-hi*), which is not included in Document X.

Deed 10 (X-10)

Date: 25 Sha‘bān 1195/16 August 1781

No. of lines: 5

Notaries: signature X-S11

signature X-S13

A deed of purchase of the other quarter of the house by Muḥammad b. M’ḥammad al-Ḍanfāsh (X-f2) from ‘Abd al-Salām b. ‘Abd al-Raḥmān al-Zagīmaṭ (X-f1). This purchase was established in another deed by the testimony of the two notaries of this deed (*bi-shahādat shahīday-hi fī ghayr-hi*), which is not included in Document X.

Deed 11 (X-11)

Date: 15 Sha‘bān 1209/7 March 1795

No. of lines: 6

Notaries: signature X-S14

signature X-S11

A deed of purchase of the half of the house which Muḥammad b. M’ḥammad al-Ḍanfāsh (X-f2) purchased in Deed 9, 10. The deed first describes the purchase of the house by al-‘Arabī b. ‘Abd al-Salām al-Zagīmaṭ (X-f3) from Muḥammad al-Ḍanfāsh (X-f2). Then Aḥmad b. ‘Abd al-Karīm al-Ḥājǰī al-Gazūlī (X-g1) purchased half of the house from al-‘Arabī al-Zagīmaṭ (X-f3). This purchase was established in another deed by the testimony of the two notaries of this deed (*bi-shahādat shahīday-hi fī ghayr-hi*), which is not included in Document X.

Deed 12 (X-12)

Date: 2 Rabi‘ II 1227/15 April 1812

No. of lines: 16

Notaries: signature X-S15

signature X-S16

A deed which describes the inheritance situation of the property of ‘Abd al-Salām b. ‘Abd al-Raḥmān al-Zagīmaṭ (X-f1) which is the other half of the house mentioned above. This property was inherited by his wife Ṭāhira bint ‘Abd al-Qādir al-Ḥabbābī¹⁹ (X-f4) and their three children Muḥammad al-‘Arabī (X-f5), ‘Ā’isha (X-f6) and Manāna (X-f7).

¹⁹ The family of al-Ḥabbābī was a famous family in Fès. ‘Abd al-Kabīr al-Kattānī, *Zahr al-ās*, vol. 1, pp. 334-340.

After the death of ‘Ā’isha (X-f6), her property was inherited by her husband Idrīs b. Muḥammad b. al-Ḥājj al-‘Amrāwī²⁰ (X-f8), their two children Muḥammad (X-f9) and ‘Ā’isha (X-f10), and her mother Ṭāhira (X-f4).

After the death of Ṭāhira (X-f4), her property was inherited by her second husband ‘Abd al-Hādī b. Abī Bakr al-Būḥumaydī al-Ḥasanī al-Sijilmāsī (X-f11), their daughter Fuṭaym (X-f12), and the other children mentioned above, Muḥammad al-‘Arabī (X-f5) and Manāna (X-f7). Ṭāhira (X-f4) had debts which amounted to 24 *mithqāl* less 2 *ūqīya*. Finally, the deed states that Muḥammad al-‘Arabī (X-f5) purchased his mother Ṭāhira’s (X-f4) share of the house from her inheritors.

Deed 13 (X-13)

Date: beginning of Rajab 1240/February 1825

No. of lines: 4

Notaries: signature X-S17

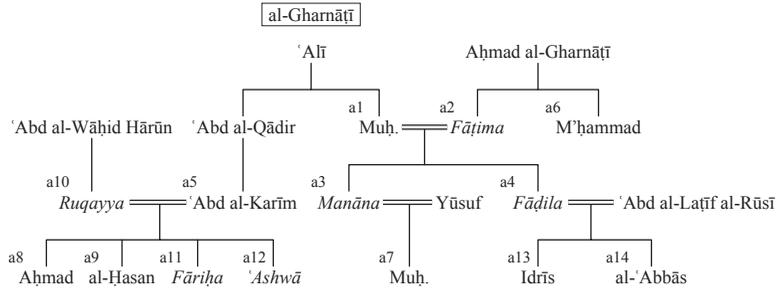
signature X-S18

A deed of purchase of a part (4 *mawzūnāt*) of the house by Manāna (X-f7) from his brother Muḥammad al-‘Arabī (X-f5) for 80 *mithqāl darāhim sikkat ta’rīkhi-hi*. The seller (X-f5) received 200 *ūqīya* in 5 *mudd kabīr* of good wheat and 600 *ūqīya* in cash.

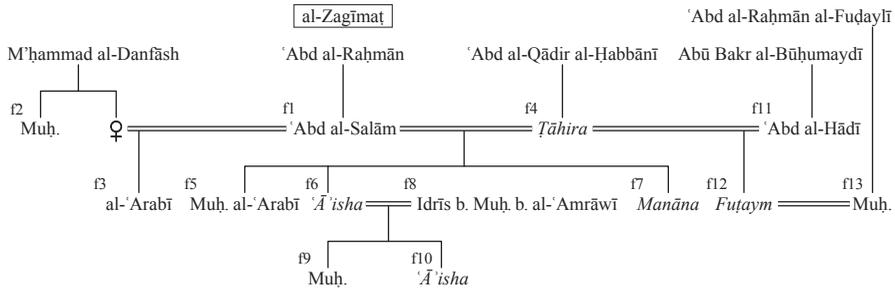
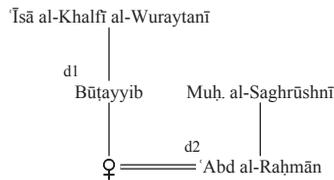
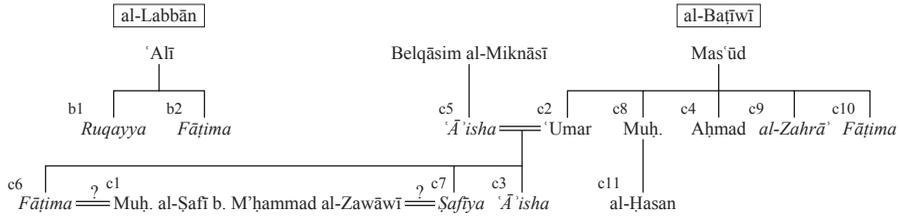
(YOSHIMURA Takenori)

²⁰ He was a notary in Fès. The family of Ibn al-Ḥājj al-‘Amrāwī, also called Ibn Idrīs, was a famous family of Fès. Among members of this family, the most famous was his son, Muḥammad b. Idrīs b. Muḥammad (X-f9) (d. 1264/1847) who was a man of letters and also a vizier of the ‘Alawid sultan ‘Abd al-Raḥmān b. Hishām (r. 1238–1276/1822–1859). ‘Abd al-Kabīr al-Kattānī, *Zahr al-ās*, vol. 1, pp. 73–76, 328–329.

Families in Document X



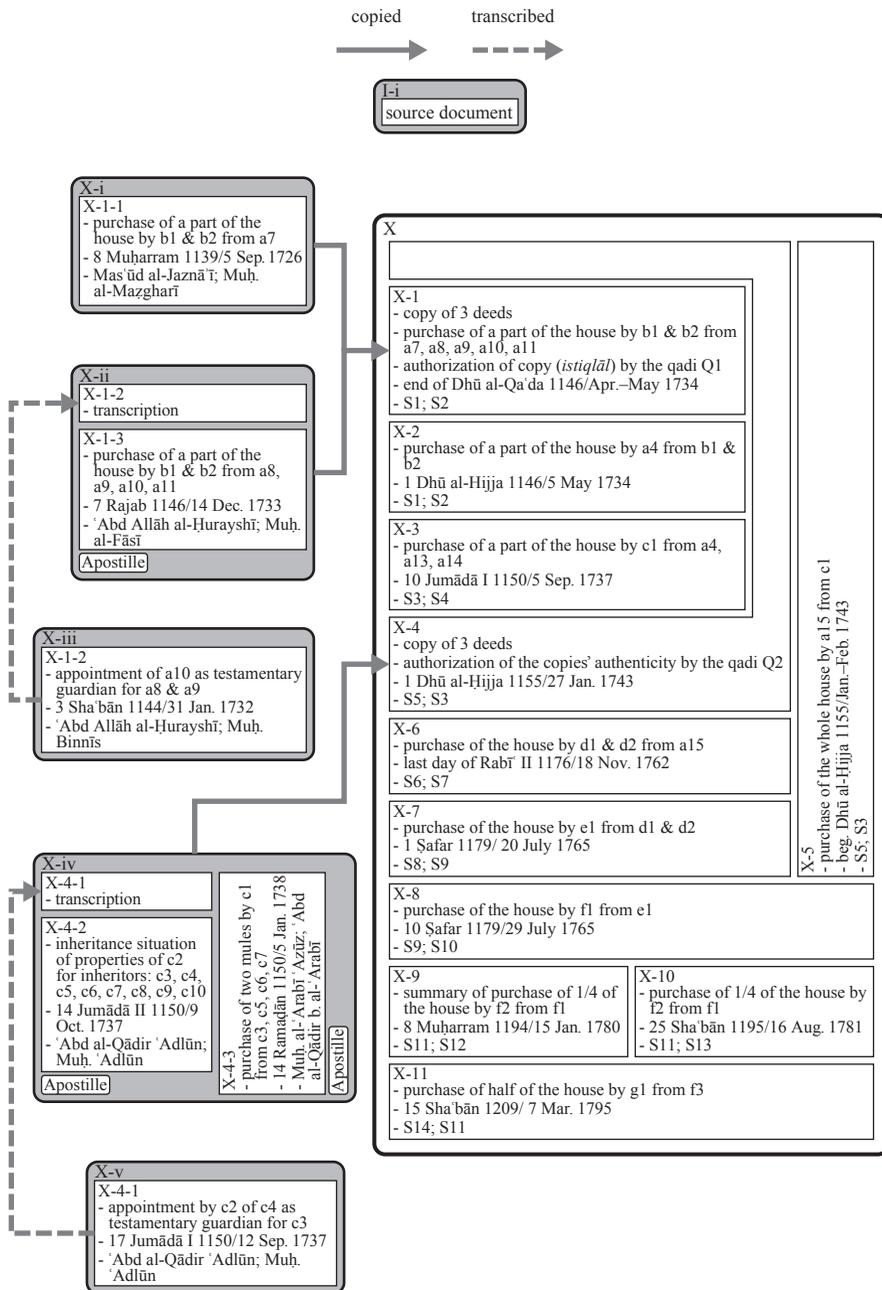
al-Gharnāṭī a15: Aḥmad b. Muḥ.



al-Qaṣṣābī e1: 'Abd al-Waḥḥāb b. 'Abd al-Raḥmān

al-Gazūlī g1: Aḥmad b. 'Abd al-Raḥmān al-Ḥājījī

Chart for Document X



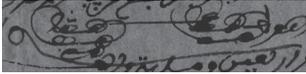
X-12
- inheritance situation of half of the house after the death of f1; final inheritors: f5, f7, f8, f9, f11, f12
- purchase of the share of f4 from her inheritors by f5
- 2 Rabi' II 1227/15 Apr. 1812
- S15; S16

X-13
- purchase of 1/10 of the house by f7 from f5
- beg. Rajab 1240/ Feb. 1825
- S17; S18



Signatures of Document X

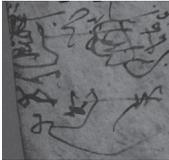
X-1
(X-Q1)



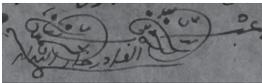
(X-S1)



(X-S2)



X-2
(X-S1)



(X-S2)



X-3
(X-S3)



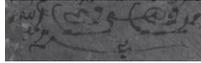
(X-S4)



X-4
(X-Q2)



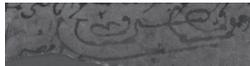
(X-S5)



(X-S3)



X-5
(X-S5)



(X-S3)



X-6
(X-S6)



(X-S7)



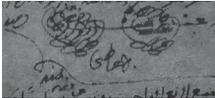
X-7
(X-S8)



(X-S9)



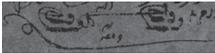
X-8
(X-S9)



(X-S10)



X-9
(X-S11)



(X-S12)



X-10
(X-S11)



(X-S13)



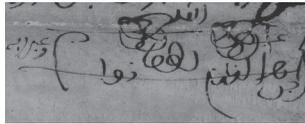
X-11
(X-S14)



(X-S11)



X-12
(X-S15)



(X-S16)



X-13
(X-S17)



(X-S18)

