

## SOME *WAQF* DOCUMENTS FROM LAMU

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The eight documents that follow were transcribed by Hunwick in the course of a brief visit to Lamu on the Kenyan coast in the summer of 1980. The first three documents are preserved in the Lamu Museum, while the rest are in the possession of Dr. J. de Vere Allen. We are grateful to both the Museum and to Dr. Allen for permission to publish them in preliminary fashion in the *Bulletin*. We would also like to thank Dr. Allen for his comments on the first draft of this paper

Although neither of us is competent to discuss their local historical significance, we have thought their publication in this form worthwhile for two reasons. First, because few documents, by comparison with Arabic or Swahili literary texts, from the East African coast have as yet been published and, secondly, because there appear to be few published examples of this genre of *waqfiyya*, or deed of endowment, namely the endowment of parts of the Qur<sup>ʿ</sup>ān or of other devotional or learned works.

The deeds, which are generally recorded on the last folio of the work concerned, date from the late nineteenth and early twentieth centuries; the earliest, no. 6, is dated 1866, and the latest, no. 1, bears the date 1922. In content and form the documents present few exceptional features. Men—and in two cases women—place their treasured texts in mortmain for the benefit of their own descendants, with the final reversion (before God who is the ‘best of Inheritors’) generally going to the Muslim community; no. 3 has particularly detailed stipulations to ensure that the book remain within the ‘family’ in the broadest possible sense. No. 8 differs in that four copies of one particular chapter of the

Qur<sup>ʿ</sup>ān, *Sūrat al-Kahf*, are dedicated, not to descendants, but to the users of the Faza congregational mosque.

In regard to the format of these *waqfiyyas*, the following appear to be the principal elements of the dedication, though most of the present sample of documents lacks one or more of these elements:

- {1} *Basmala*.
- {2} *Ḥamdala*.
- {3} *Taṣliya*.
- {4} Identification of the donor (*al-wāqif*), often prefaced by a stereotyped passage on the transience of life.
- {5} Formula of endowment, incorporating an identification of the text endowed.
- {6} Identification of the beneficiary or beneficiaries (*al-mawqūf lahu/lahum*).
- {7} Identification of the person(s) to whose account the reward for this pious act is to be ascribed.
- {8} Statement of the lawfulness and immutability of the endowment, grammatically linked to the formula of (5) by a cognate accusative: *waqqafa / waqqafat / waqqaftu ... waqf<sup>an</sup> ṣaḥīḥ<sup>an</sup> ... sharī<sup>can</sup>*.
- {9} Statement of stipulations inherent in a *waqf* and an admonition against changing them, often quoting Qur<sup>ʿ</sup>ān 2:181.
- {10} Identification of the administrator (*nāzir*) of the endowment and who replaces him/her on his/her death.
- {11} Identification of the scribe.
- {12} Date of drawing up the deed.
- {13} Terminal invocation.

To facilitate study of the documents each such element will, in the translations below, be numbered and placed on a separate line, a blank being left if the element does not feature in the document. The elements do not always appear in exactly the order given above.

*Document 1*

(Lamu Museum)

An endowment by °Alī b. Muḥammad al-Shaykh al-Awā'ilī of the third seventh (*sub°*) of the Qur'ān for the benefit of his children and their descendants.

بسم الله الرحمن الرحيم الحمد لله وحده  
 وصلى الله على من لا نبي بعده واله وصحبه وسلم  
 وبعد ان علي بن محمد بن الشيخ الاوائل لما رأى وعلم ان  
 الدنيا دار ممر لا دار مقر وموضع عبور لا موضع قصور بادر  
 ونهض في انشاء الخير بوقف السبع الثالث من القرآن العظيم  
 لاولاده واولاد اولاده وما تناسلوا الى يوم الدين وجعل ثوابه  
 للوالديه<sup>1</sup> والناظر هو علي المذكور ثم من يقوم مقامه من  
 اولاده وقفا صحيحا ثابتا شرعيا لا يباع ولا يرهن ولا يوهب  
 ولا يؤجر ولا يورث حتى يرث الله الارض ومن عليها فمن  
 بدله بعد ما سمعه فانما اثمه على الذين يبدلونه ان الله  
 سميع عليم  
 كتبه عمر بن احمد بن يونس بامر علي المذكور وشهد بذلك  
 الشريف عبد الله بن سيد احمد الشيخ عال وشي بن محمد  
 بن الشيخ الاوائل والله خير الشاهدين

1 . لوالديه Recte .

تاريخ يوم الجمعة [ ] ١ حج سنة ١٣٤٠ .

*Translation*

- {1} In the name of God, the Compassionate, the Merciful.  
 {2} Praise be to God alone,  
 {3} and may God bless him after whom there is no prophet, his family and his Companions and grant them peace.  
 {4} Thereafter: when °Alī b. Muḥammad b. al-Shaykh al-Awā'ilī perceived and realised that the world is but a transient domain, not an enduring abode and that it is a place of passage rather than a place of confinement, he hastened to perform [an act of] goodness  
 {5} by placing in mortmain the third seventh of the Mighty Qur'ān,  
 {6} for [the benefit of] his children and his children's children and whomsoever they beget until the Day of Judgement  
 {7} assigning the reward [for this pious act] to his parents;  
 {10} and the administrator is [himself] the aforementioned °Alī, and after him whomever of his children takes his place [as head of the family?],  
 {8} [it being] a properly constituted (*sahīḥ*) and immutable (*thābit*) endowment, [enacted] in accordance with the Sharī'a.  
 {9} [This endowed portion of the Qur'ān] is not to be sold, pledged, given away, hired out or inherited until God inherits the earth and those upon it. 'And whoever alters it after having heard it [should be aware that] the sin of so doing devolves only upon those who alter it. Surely God is Hearing, Knowing.'<sup>2</sup>  
 {11} This was written by °Umar b. Aḥmad b. Yūnus at the behest of the aforementioned °Alī and was witnessed by the *sharīf* °Abd Allāh b. Sayyid Aḥmad al-Shaykh °Āl Washī

2 Qur'ān 2:181. The same quotation occurs in all other documents published here, except nos. 7 & 8.

[?] b. Muḥammad b. al-Shaykh al-Awā'ilī, and God is the best of witnesses.

{12} Dated Friday 1[... Dhū 'l-]Ḥijj[a] 1340.<sup>3</sup>

### *Document 2*

(Lamu Museum)

An endowment by °Abd Allāh b. Abī Bakr of an as yet unidentified commentary on the *Alfiyya*<sup>4</sup> of Ibn Mālik (d. 672/1273) to his children and their descendants.

الحمد لله حقّ حمده والصلاة والسلام على رسول الله محمد  
صلى الله عليه وسلم  
اما بعد فقد وقفت وتصدقت وسبلت وحبست هذا الكتاب  
المكود انا الفقير الى رحمة الله تعالى ورضوانه عبد الله بن ابي  
بكر على اولادي واولاد اولادي والمسلمين وقفا صحيحا ثابتا  
شرعيا لا يباع ولا يوهب ولا يرهن ما دام شرع المصطفى على  
وجه الارض فمن بدله بعد ما سمعه فانما اثمه على الذين  
يبدلونه ان الله سميع عليم واغفر اللهم لواقفه وقارئه وناظره  
وسامعه وجميع المسلمين والحمد لله رب العالمين .

### *Translation*

{2} Praise be to God as is meet that He be praised.

{3} Blessings and peace be upon the Messenger of God, Muḥammad, may God bless him and grant him peace.

3 Either 26 July or between 5-13 August 1922.

4 A thousand verses on grammar, v. *GAL*, I, 298, S I, 521.

{5} Thereafter: I have placed in mortmain, charitably donated, piously dedicated and inalienably bequeathed this colligated [? *mukawwad*] book,

{4} I, a poor seeker after the compassion and good pleasure of God, °Abd Allāh b. Abī Bakr,

{6} for the benefit of my children and my children's children, and the Muslims,

{8} [it being] a properly constituted and immutable endowment [enacted] in accordance with the Sharī°a,

{9} [which is] not to be sold, given away or pledged so long as the law of the Chosen One [*sc.* Muḥammad] endures upon the face of the earth. 'And whoever alters it after having heard it [should be aware that] the sin of so doing devolves only on those who alter it. Surely God is Hearing, Knowing.'<sup>5</sup>

{13} O God, grant pardon to him who endowed it, to him who shall read it, to him who shall look upon it<sup>6</sup> and to him who shall hear it and to all the Muslims. Praise be to God, Lord of the worlds.

### *Document 3*

(Lamu Museum)

An endowment by Burhān b. °Abd al-°Azīz of a portion of the *Miftāḥ al-°ulūm*<sup>7</sup> to his children and their descendants. Burhān was apparently given the book by his father °Abd al-°Azīz and subsequently placed it in mortmain for the benefit of his children. He drew up the deed of endowment which he was then asked to read aloud. The person who asked him to read it out (perhaps his son) was then called upon to bear witness and this section recording the review of the document and the witnessing was set down by Burhān's father. The document falls into three parts: prologue, dedication and

5 Qur°ān 2:181. Elements 10-11-12 are not used in this document.

6 Or, perhaps, 'him who shall administer it (*nāzirihī*)'.

7 A work on philology and grammar by Sirāj al-Dīn al-Sakākī (d. 626/1229), see *GAL*, I, 294, S I, 515.

review.

هذا الكتاب من فن البديع من كتاب مفتاح العلوم  
 اوهبنيه والدي العلامة ابو برهان عبد العزيز الاموي هبة  
 شرعية لفظا بقبض واقباض  
 وبعد ما صار ملكي وقفته لله على اولاد(ي) واولاد اولادي  
 ما تناسلوا الذكور منهم سوى الانبات العلماء دون الجهال  
 ثم اذا انقرضوا فلاولادي<sup>8</sup> اولاد الانبات منهم ثم الاقرب  
 فالاقرب منهم نسبا وحسبا ثم على علماء قبيلتنا الاقرب  
 منهم فالابعد وق[فا] ماتدا<sup>9</sup> لا يباع ولا يورث حتى يرث  
 الله الارض وهو خير الوارثين  
 كتبه برهان بن عبد العزيز الاموي القرشي تاريخ هلال ربيع  
 الاول سنة ١٢٩٨ و[...]<sup>10</sup> ولد النجيب برهان بن عبد  
 العزيز الاموي  
 هنا استقراته فقراه لفظا واشهدني على نفسي فشهدت عليه  
 بذلك فمن بدله بعد ما سمعه فانما اثمه على الذين يبدلونه  
 ان الله سميع عليم

8 *Sic.*

9 Not understood. Read مؤبداً, for مؤبداً, *in perpetuo*.

10 Indecipherable.

كتبه عبد العزيز بن عبد الغني بن طاهر بن نور الاموي  
القرشي تاريخ هلال ربيع الاول سنة ثمان وتسعين بعد الف  
ومائتين .

### *Translation*

#### *Prologue*

This [piece of] writing is from the [section on the] art of rhetoric, taken from the book *Miftāḥ al-<sup>c</sup>ulūm*, [which] was given to me by my father, the learned Abū Burhān <sup>c</sup>Abd al-<sup>c</sup>Azīz al-Amawī,<sup>11</sup> as a gift in accordance with the Sharī<sup>c</sup>a, words indicative of giving and receiving having been uttered.<sup>12</sup>

#### *Dedication*

{5} After it became my property, I placed it in mortmain for [the sake of] God,

{6} for the benefit of my children and my children's children for as long as they shall multiply (*mā tanāsalū*), the males among them rather than the females and the scholars in preference to the ignorant. However, if they [*sc.* the descendants of males] die out, then [it shall pass] to the children of the children of the females, then to the closest and next closest in lineage and repute. Thereafter [it shall pass] to the scholars of our clan (*qabīla*), those most closely related [to us] among them and then those more distant.

{8} [It has been established as] an endowment *in perpetuo*,<sup>13</sup>

{9} which is not to be sold or inherited until God inherits

11 Or al-Amuwī, for al-Lāmuwī, the man from Lamu.

12 The transfer of property by gift (*hiba*) is regulated by Islamic law and is only valid if accompanied by words indicating donation on the one hand and acceptance on the other.

13 Reading *ma<sup>c</sup>bad<sup>an</sup>* for *mu<sup>c</sup>abbad<sup>an</sup>* where text appears to have *mātid<sup>an</sup>*

the earth, and He is the Best of Inheritors.<sup>14</sup>

{11} This was written by Burhān b. °Abd al-°Azīz al-Amawī al-Qurashī.

{12} The date is the new moon of Rabī° I in the year 1298<sup>15</sup> and [...],<sup>16</sup> the son of the illustrious Burhān b. °Abd al-°Azīz al-Amawī.

### *Review*

Hereupon I asked him to read it out and he did so verbatim. He caused me to be my own witness and I bore witness to it accordingly. ‘And whoever alters it after having heard it [should be aware that) the sin of so doing devolves only on those who alter it. Surely God is Hearing, Knowing.’

This was written by °Abd al-°Azīz b. °Abd al-Ghanī b. Ṭāhir b. Nūḥ al-Amawī al-Qurashī. The date is the new moon of Rabī° I in the year twelve hundred and ninety-eight.

### *Document 4*

(Dr. Allen)

An endowment of a portion of the Qur°ān by Āmina bint bānī/ā M.h.n. S.mālī (Somali?) for her children and their descendants. The portion of the Qur°ān endowed runs from the beginning of *Sūrat al-Isrā°* (17) to the end of *Sūrat al-Furqān* (25) and corresponds to almost exactly one seventh of the entire text.

بسم الله الرحمن الرحيم الحمد لله وصلاة والسلام على رسول  
الله صلى الله عليه وسلم

فليعلم كل من نظر هذا الكتاب من المسلمين ان امنة بنت

14 Cf. Qur°ān 21:89.

15 2 February 1881.

16 Indecipherable.

بانی مهن سمالی قد وقفه <sup>17</sup> علی اولادها فاولاد اولادها فما  
 تناسلوا وجعلت الناظر نفسها وثوابه لابویها وقفها صحیحا  
 ثابتا شرعیلا لا یباع ولا یوهب ولا یورث حتی یرث الله  
 الارض ومن علیها وهو خیر الوارثین فمن بدله بعد ما سمعه  
 فانما اثمه علی الذین یبدلونه ان الله سمیع علیم .

*Translation*

- {1} In the name of God, the Compassionate, the Merciful.  
 {3} Blessings and peace be upon the Messenger of God,  
 may God bless him and grant him peace.  
 {4} Let every Muslim who looks at this book know that  
 Āmina bint bānī/ā [= *bwana?*] M.h.n. S.mālī  
 {5} has placed it in mortmain  
 {6} for the benefit of her children and her children's  
 children and whomsoever they beget.  
 {10} She has appointed herself as administrator  
 {7} and [given] the merit to her parents,  
 {8} [it being] a properly constituted and immutable en-  
 dowment [enacted] in accordance with the Sharī<sup>c</sup>a.  
 {9} [This endowed portion of the Qur'ān] is not to be  
 sold or given away or inherited until God inherits the earth  
 and those upon it, and He is the Best of Inheritors. 'And  
 whoever alters it after having heard it [should be aware that]  
 the sin of so doing devolves only on those who alter it.  
 Surely God is Hearing, Knowing.'

*Document 5*

(Dr. Allen)

An endowment by *bwana* Mkubwa<sup>18</sup> b. al-Shaykh b. Abī Bakr al-Khātīmī of a copy of the commentary called *Fath al-mu<sup>°</sup>īn* on the *Qurrat al-<sup>°</sup>ayn fī muhimmat al-dīn*, for the benefit of all the Muslims. Both the *Qurrat al-<sup>°</sup>ayn* and its commentary are by Zayn al-Dīn b. Ghazzāl al-Malībārī (fl. 10th/16th cent.)<sup>19</sup> a Ḥanāfī whose *nisba* suggests that he came from the Malabar coast of southwestern India.

The copy endowed here was written by Shārū b. <sup>°</sup>Uthmān b. Abī Bakr, probably in Lamu, and was completed on Monday 30 Jumādā I 1263/23 March 1852. The document of endowment was written out in two versions—the first apparently a draft—on a single sheet of paper. It was found inside an envelope addressed to Sayyid Muḥammad Saqqāf Riyazā at Lamu. Only the second version is translated here.

(a) *First version*

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ الْحَمْدُ لِلّٰهِ رَبِّ الْعَالَمِیْنَ وَصَلَاةٌ وَالسَّلَامُ  
عَلَى رَسُوْلِ اللّٰهِ صَلَّى اللّٰهُ عَلَيْهِ وَسَلَّمَ  
وَبَعْدُ لِيَعْلَمَ كُلُّ مَنْ نَظَرَ عَلٰی هَذَا الْخَطِّ مِنَ الْمُسْلِمِیْنَ بِأَنَّ بَانَ  
كُوْبُ بن الشیخ بن ابی بكر الحاتمی قد وقف وحبس وسبل  
هذا الكتاب {فتح للعین}<sup>20</sup> على اولاده واولاد اولاده ثم ما  
تناسلوا وتناسبوا علیه {وجعل الناظر}<sup>21</sup> وقفا صحیحا ثابتا

18 Written *bān kūb* or *bān kub* in the Arabic text which we have interpreted as the Swahili title or name given above.

19 *GAL* II, 417, S II, 604.

20 *Sic*, written superscript.

21 This phrase has been crossed out.

شرعيا لا يباع ولا يوهب ولا يورث والله خير الشاهدين  
 وجعل الناظر سيد محضار بن عيدروس بن محضار من آل  
 شيخ علي بن ابي بكر

اللهم اغفر لكاتبه ولوالديه ولجميع المسلمين وصلى الله على  
 سيدنا محمد وآله وصحبه وسلم

*(b) Second version*

بسم الله الرحمن الرحيم الحمد لله رب العالمين وصلاة والسلام  
 على رسول الله صلى الله عليه وسلم

وبعد فليعلم كل من نظر على هذا الخط من المسلمين بان بان  
 كوب بن الشيخ بن ابي بكر الخاتمي قد وقف وحبس وسبل  
 هذا الكتاب فتح المعين شرح قرّة العين على المسلمين وقفا  
 صحيحا ثابتا شرعيا لا يباع ولا يوهب ولا يورث والله خير  
 الشاهدين وجعل الناظر سيد محطار بن عيدروس بن  
 محطار بن الشيخ علي وبعد فقهاء من اولاد بان كب شيخ  
 اللهم اغفر لكاتبه ولوالديه ولجميع المسلمين وصلى الله على  
 سيدنا محمد وآله وصحبه وسلم .

*Translation*

{1} In the name of God, the Compassionate, the Merciful.

{2} Praise be to God, the Lord of the worlds.

{3} Blessings and peace be upon the Messenger of God, may God bless him and grant him peace.

{4} Thereafter: Let every Muslim who sees this writing know that *bwana* Mkubwa b. al-Shaykh b. Abī Bakr al Khātīmī

{5} has placed in mortmain, inalienably bequeathed and piously dedicated this book, *Fath al-mu<sup>°</sup>in*, a commentary on the *Qurrat al-<sup>°</sup>ayn*

{6} for the benefit of all the Muslims, as

{8} a properly constituted and immutable endowment (enacted) in accordance with the Sharī<sup>°</sup>a.

{9} It may not be sold, given away or inherited and God is the Best of Witnesses.

{10} He has appointed as administrator Sayyid M.ḥṭār<sup>22</sup> b. <sup>°</sup>Aydarūs b. M.ḥṣār b. al-Shaykh <sup>°</sup>Alī, and after him [*sc.* after his death] the scholars of law (*fuqahā<sup>°</sup>*) among the offspring of *bwana* Mkubwa Shaykh.

{13} O God, grant pardon to the writer and to his parents and to all the Muslims. May God bless our master Muḥammad, his family and Companions and grant them peace.

### Document 6

(Dr. Allen)

An endowment by <sup>°</sup>Abd al-Raḥmān b. Yūnus b. Abī Bakr al-Siwī<sup>23</sup> of an unspecified gloss (*ḥāshiya*) on the poem in praise of the Prophet, known as the *Burda*.<sup>24</sup>

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ الْحَمْدُ لِلَّهِ وَصَلَّى اللَّهُ عَلَى مَنْ لَا نَبِيَّ

بعده

22 Spelt M.ḥḍār in version 1 as is also the name of his grandfather; possibly to be read ‘Miḥḍār’ ‘a swift runner’.

23 That is, from Siu on the island of Pate.

24 Its formal title is *al-Kawkab al-durriyya fī madḥ khayr al-bariyya*; its author is Sharaf al-Dīn al-Būṣirī al-Ṣinhājī (d. 694/1294), see *GAL S II*, 467-8.

وبعد فقد وقف هذا الكتاب حاشية البردة عبد الرحمن بن  
يونس بن ابي بكر السوي وهو لما علم [ ان الديننا ]<sup>25</sup> دار ممر  
لا دار مقر ومنزل عبور لا موضع قصور بادر الى تقديم البر  
ونهبض [ الى ]<sup>25</sup> انشاء الخير بوقف هذا الكتاب من اوله الى  
اخره

[ ... ]<sup>26</sup> وقفا ثابتا شرعيا لا يباع ولا يوهب ولا يؤجر ولا  
يورث حتى يرث الله الارض ومن عليها وهو خير الوارثين  
فمن بدله بعد ما سمعه فانما اثمه على الذين يبدلونه ان الله  
سميع عليم تقبل الله ذلك واجعله خالصا لوجهه الكريم  
والناظر محمد بن ابي بكر بن محمد بن خطيب الخطيب  
بتارخ سنة ١٢٨٢ في شهر شوال ست في عشرين.<sup>27</sup>

### Translation

{ 1 } In the name of God, the Compassionate, the Merciful.  
{ 2 } Praise be to God,  
{ 3 } and may God bless him after whom there is no  
prophet.

{ 4/5 } Thereafter: °Abd al-Raḥmān b. Yūnus b. Abī Bakr  
al-Siwī has placed in mortmain this book, a gloss on *al-Burda*.  
Now when he realised [that the world is]<sup>28</sup> but a transient

25 Left edge of the page worn away.

26 One and a half lines have been obliterated

27 *Sic*.

28 Reconstructed text; the lefthand edge of the page is worn away.

domain and not an enduring abode, a place of passage rather than a place of confinement, he hastened to perform [an act of] righteousness and embarked [upon]<sup>29</sup> the enactment of a good deed, by the endowment of this book, from its beginning to its end.

[...] <sup>30</sup>

{8} [it being] an immutable endowment, [enacted] in accordance with the Sharīc'a,

{9} [this book] is not to be sold, given away, hired out or inherited until God inherits the earth and those upon it, and He is the Best of Inheritors. 'And whoever alters it after having heard it [should be aware that] the sin of so doing devolves only on those who alter it. Surely God is Hearing, Knowing'.

{13} May God accept this and account it [as having been done] purely for His Noble Sake.

{10} And the administrator is Muḥammad b. Abī Bakr b. Muḥammad b. Khaṭīb, the preacher (*al-khāṭib*).

{12} The date is the year 1282, in the month of Shawwāl, the twenty-sixth.<sup>31</sup>

### Document 7

(Dr. Allen)

An endowment by *mwana* Āmina bint *bwana* Sa<sup>c</sup>d of the second half of the Qur<sup>o</sup>ān for the benefit of her brother's son *bwana* Sa<sup>c</sup>d b. *bwana* <sup>c</sup>Aliyū.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ الْحَمْدُ لِلَّهِ الَّذِي <sup>32</sup> وَحْدَهُ صَلَاةٌ

29 Reconstructed text; the lefthand edge of the page is worn away.

30 One and a half lines of text have been erased; no doubt they included the beneficiary's name.

31 14 March 1866.

32 *Sic*.

والسلام على من لا نبي بعده  
ثم لما علمت مان امنة بنت بان سعد السمالية بان الدنيا دار  
ممر لا دار مقر وموضع عبور لا موضع قصور بادرت الى وقف  
النصف الثاني من القرآن العظيم من سورة مريم الى اخره  
وقفت وحبست ابتغاء مرضات الله وغفانه وان يسكنها في  
داره القرار<sup>33</sup> وجعل<sup>34</sup> ثواب هذا القرآن لوالديه<sup>35</sup> بان سعد  
بن بان أوب السمالي وامها ياي بنت بان عليو السمالية  
والموقوف له ولد اخيها بان سعد بان عليو  
وجعلت الناظر نفسها ثم من يقوم مقامها من ورثتها الذكور  
وما تناسلو [ا]  
وكتبه الحقيير ولدها القاضي كال بن [بجانه]<sup>36</sup> مؤكو بن  
شغال بن ايوب بيده الفانية .

### Translation

{1} In the name of God, the Compassionate, the Merciful.  
{2} Praise be to God alone.  
{3} Blessings and peace be upon him after whom there  
is no prophet.

33 Sic.

34 Recte وجعلت .

35 Recte لولديها .

36 Reading uncertain.

{4} Thereafter: when *mwana*<sup>37</sup> Āmina bint *bwana*<sup>38</sup> Sa<sup>c</sup>d, the Somali [woman], realised that the world is but a transient domain and not an enduring abode, a place of passage rather than a place of confinement,

{5} she hastened to place in mortmain the second half of the Mighty Qur<sup>o</sup>ān, from *Sūrat Maryam*<sup>39</sup> to the end. She placed it in mortmain and bequeathed it inalienably, desiring God's good pleasure and His pardon and in order that he might make her to dwell in His everlasting abode.

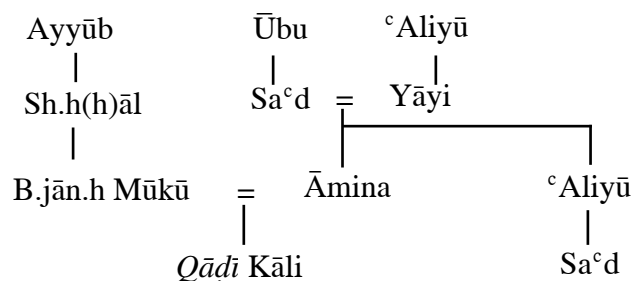
{7} She has assigned the reward [of endowing] this Qur<sup>o</sup>ān to her father, *bwana* Sa<sup>c</sup>d b. *bwana* Ūbu the Somali, and to her mother, Yāyi bint *bwana* °Aliyū, the Somali [woman].

{6} The beneficiary (*al-mawqūf lahu*) is her brother's son, *bwana* Sa<sup>c</sup>d b. *bwana* °Aliyū.

{10} She has appointed herself as administrator, then [after her death] whomsoever stands in her place among her male heirs and whomsoever they beget.

{11} It was written by the humble one, her son, the *qāḍī* Kāli b. B.jān.h [?] Mūkū b. Sh.h(h)āl b. Ayyūb in his own mortal hand.

This document is unusually interesting in that it enables us to reconstruct in part the genealogy of a coastal (and probably Lamu) family over four generations. It should eventually be possible to identify the *qāḍī* Kāli, who, by virtue of his position as judge, would have been a local notable.



37 Reading *mān* as the Swahili title 'lady'.

38 Reading *bān* as the Swahili title 'master'.

39 The nineteenth chapter.

*Document 8*

(Dr. Allen)

The following formula is written on f. 1r. of four copies, each measuring approximately 16 x 11.5 cm, of the same Qur<sup>ā</sup>nic chapter, *Sūrat al-kahf* (18).

وقف وحبس وسبل هذه الكهف العبد الفقير الراجي عفو  
 ربه علام الغيوب ذاك شيخ محمد بن شيخ ابو<sup>40</sup> بكر بن  
 شيخ عبد الله بن شيخ محمد بن امام بن ابو<sup>40</sup> مر بن امين  
 الخالدي الشافعي<sup>41</sup> على من يدخل من المسلمين في مسجد  
 جامع فاز وقفا صحيحا شرعيا لازما الوقف لا يباع ولا يوهب  
 ولا يورث حتى يرث الله الارض ومن عليها وهو خير  
 الوارثين.

*Translation*

{4} The humble servant who hopes for the forgiveness of his Lord, the Knower of the transcendental, the Shaykh Muḥammad b. Shaykh Abī Bakr b. Shaykh °Abd Allāh b. Shaykh Muḥammad b. Imām b. Abū M.r. b. Amīn al-Khālidi al-Sāfi<sup>cī</sup>,<sup>42</sup>

{5} has placed in mortmain, inalienably bequeathed and piously dedicated this [copy of *Sūrat*] *al-Kahf*,

{6} for the benefit of those Muslims who enter the con-

40 *Recte* ابي .

41 *Recte* الشافعي .

42 For 'al-Shāfi<sup>cī</sup>'.

gregational mosque (*masjid jāmiʿ*) of Fāza,<sup>43</sup>

{8} [it being] a properly constituted and binding endowment, [enacted] in accordance with the Sharīʿa,

{9} not to be sold, given away or inherited until God inherits the earth and those upon it, and He is the Best of Inheritors.

43 A town on Pate Island.