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Elements of Jewish Ethical Wills in the Archival Documents of Warsaw Notaries from the First Half of the Nineteenth Century*

Abstract: The article examines elements of the ethical will present in documents notarized for Warsaw Jews in the first half of the nineteenth century. Research shows that both Jews belonging to the wealthy upper class, as well as craftsmen and merchants, voluntarily included moral instruction in their wills. This type of content had a long tradition in Jewish culture. It took the form of dispositions regarding *tzedakah*, organization of the funeral, instructions on saying prayers for the deceased, and the guidelines for preserving memory of the deceased. The function of wills was not limited to disposing of one's estate, but also comprised transmitting moral guidance. The article emphasizes that despite the formal notarial requirements in force, traditional forms of Jewish writing and customs were carried over and integrated into official documents which proves the resilience and universality of these values in Jewish life.

Keywords: ethical will, testament, notary, *tzedakah*.

Słowa kluczowe: testament etyczny, testament, notariat, *cedaka*.

Scholars of Jewish Studies often hesitate to undertake a comprehensive examination of notarial records, including last wills, because of their sheer bulk and because it is a highly time-consuming enterprise. To date, publications on Jewish testamentary deeds have featured single documents

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or juxtaposed such documents with Christian wills.¹ One publication by a German researcher who examined the last wills deposited with notaries in Altona and Hamburg stands out² alongside earlier works regarding last wills of Jews in New York.³

Wills are egodocuments, a genre that includes all manner of autobiographical writing.⁴ They also reproduce the tropes of printed Jewish ethical literature (Hebr. ספרות המוסר, *sifrut ha-musar*) whose purpose was to provide moral guidance in line with Jewish religious law.⁵ Jewish Studies research on wills made by Jews has so far focused on a single type—the ethical or the notarized will. We still lack comparative analyses of different types of testamentary deeds. Jews had a broader range of possibilities than Christians in this regard. They could leave behind three types of wills: the ethical will (Hebr. צוואה מוסרית, *tzavah mussarit*); a will drawn up according to Jewish inheritance law (Hebr. הלכות נחלות, *hilchot nachalot*), subject to the decisions of a rabbinical court⁶; and a will made according

¹ See: Dariusz Złotkowski, „Wiedząc dobrze to z wyroków Boga Najwyższego, iż kto się rodzi, umierać musi...” testamenty z pierwszej połowy XIX wieku w świetle akt notariuszy częstochowskich, parts 1–2 (Częstochowa, 2005–2006); id., „Wiedząc dobrze to z wyroków Boga Najwyższego, iż kto się rodzi, umierać musi...” testamenty z połowy XIX wieku w świetle akt notariuszy częstochowskich, 1834–1865, part 3 (Częstochowa, 2011); id., “Wills of Częstochowa Jews from the Years 1834–1865 as the Picture Their Economic and Social Activity,” in Jerzy Mizgalski, Jerzy Sielski (eds.), *The Jews of Częstochowa: The Fate of Częstochowa Jews 1945–2009* (Toruń, 2012), 169–188; Katarzyna Justyniarska-Chojak, “Testament i inwentarz pośmiertny Izaaka Berka Sankowicza z Ożarowa (1803),” *Kwartalnik Historii Żydów* 4 (2008), 521–529; Sebastian Piątkowski, “Aktywność gospodarza ludności żydowskiej Radomia w latach 1815–1862,” *Biuletyn Kwartalny Radomskiego Towarzystwa Naukowego* 32 (1997), 1–2:79–94. Documents from the Warsaw notary records were used by Anna Wiernicka. See, for example: Anna Wiernicka, “The House of Herman Epstein: Contribution to the History of Warsaw Bourgeoisie in the mid-19th Century,” *Acta Poloniae Historica* 94 (2006), 165–172.

² Doreen Kobelt, *Was bleibt? Die letzte Gabe als Spiegel von innerfamiliären Beziehungen nach jüdischen Testamenten des 19. Jahrhunderts aus Hamburg und Altona* (Berlin-Brandenburg, 2019).

³ Lee M. Friedman, *Wills of Early Jewish Settlers in New York* (New York, 1915).

⁴ See remarks on the perception of egodocuments and their historical value: Marcin Wodziński, “Ego-Documents,” in Marcin Wodziński (ed.), *Studying Hasidism: Sources, Methods, Perspectives* (New Brunswick, 2019), 108 ff.

⁵ S. Daniel Breslauer (comp.), G. E. Gorman (adv. ed.), *Contemporary Jewish Ethics: A Bibliographical Survey* (Westport, 1985).

⁶ Since 1822, making a halakhic will was illegal in the Kingdom of Poland due to the abolition of *kahals* and, by the same token, of rabbinical courts. On the abolition of *kahals*, see *Dziennik Praw* 7 (1822), 275–278, as well as published fragments from the same sources in: Artur Markowski, “The Kingdom of Poland, 1815–1915,” in François Guesnet, Jerzy Tomaszewski (eds.), *Sources on Jewish Self-Government in the Polish Lands from Its Inception to the Present* (Leiden-Boston, 2022), 385–387.

to the law of the country or region where they lived (such as a notarized will). Ethical wills, made mainly by men who had a thorough education in Jewish law, such as rabbis and other religious leaders, stood out starkly among this group. They contained moral instructions and did not treat estate matters. For this very reason, they were circulated within the family and did not end up in notaries' files. Moreover, they were also often copied and disseminated among the rabbi's disciples, thus becoming universal writings. Wills drawn up according to national law or Jewish inheritance law were made by both sexes regardless of educational background. They would be dictated, depending on the type of will in question, to a notary or *kahal* official (or a synagogue council official as of 1822). If testators were able to write, they could write the will themselves, as did the wife of Yechezkel Kotik.⁷

In the present article, I put forward the claim that some of the wills of Jews from Warsaw, which ended up in notarial records, contain elements of the ethical will. My purpose is to identify which ideas and values present in ethical wills from earlier centuries appear in estate wills made according to the law of the Kingdom of Poland and Jewish inheritance law in the nineteenth century. In my view, estate wills comprising ethical elements were vehicles of transmitting selected aspects of Jewish culture and strengthening these aspects among various circles within the Jewish community, both among men and women. I would like to show that the ethos of ethical literature may have influenced the practice of will-making, including a person's decision to leave additional moral guidance, which was not obligatory. It is worth highlighting that choosing a particular framework for the composition of one's last will pointed to the values that the testator may have subscribed to as well as the norms that he was attached to and wanted to pass on.

Wills made by Jews from Warsaw and preserved in the records of Warsaw notaries from 1815–1862 shall be my main source, with ethical wills proper serving as an auxiliary source. I shall compare specific types of last will. In my view, a comprehensive study not just of different types of wills, but also of the strategies (such as moralizing) employed by will-makers to maximize the execution of their will, chiefly by loved ones, as they envisioned it, can give us a better understanding of the transfer or

⁷ Jecheskiel Kotik, *Moje wspomnienia*, vol. 2, trans., comm. Agata Reibach (Warszawa, 2019), 125.

cultivation of specific customs and religious norms within the framework of Jewish culture.

Research on ethical wills

The literature regarding the subject matter at hand is widely scattered. Because I am using ethical wills as an auxiliary source in this article, it is worth providing a brief overview of the state of research in this area. The first scholar to embark on the study of ethical wills was Israel Abrahams, co-founder of *The Jewish Quarterly Review*,⁸ in which he published articles on ethical wills and wills themselves. In 1891, he wrote an article titled “Jewish Ethical Wills,” in which he summarized and organized what was known about these types of documents, while providing an extensive bibliography. That same year, David Jacob Simonsen published a supplement to this list, and in 1892, he made further additions.⁹ The editing and publication of these types of documents was part of a broader effort undertaken at this time to edit Jewish religious literature for the use of English-speaking Jews in the United States. The Jewish Publication Society of America (henceforth: JPS) played an important role in this endeavor, *inter alia* by publishing the Hebrew Bible in English in 1917—the first English-language translation made by a team of scholars. While completing this translation, the JPS began work on a series of publications of texts related to the Biblical Canon. The book *Hebrew Ethical Wills* was published as part of the series in 1926. It contained a selection of ethical wills (in Hebrew, with an English translation) selected and annotated by Israel Abrahams.¹⁰ During the interwar period, Bernhard Wachstein (Berel Dov Ber ben Moshe), a historian and librarian based in Vienna, was

⁸ [Israel Abrahams, Claude Montefiore], *The Jewish Quarterly Review* 1 (1889), no. 1.

⁹ Israel Abrahams, “Jewish Ethical Wills,” *The Jewish Quarterly Review* 3 (1891), 3:436–484; D[avid Jacob] Simonsen, “Additions to Bibliography,” *The Jewish Quarterly Review* 4 (1892), 2:343–344. Also published at the same time were the ethical wills of Abraham Sommo Portaleone, Leb Norden and information about the ethical will of Eleazar ben Samuel Levita. They were featured in the same volume of *The Jewish Quarterly Review*. David Kaufman, “Testament of Abraham Sommo Portaleone,” *The Jewish Quarterly Review* 4 (1892), 2:333–341; Israel Abrahams, “Testament of Leb Norden,” *ibid.*, 341–342; *id.*, “The Testament of Eleazar ben Samuel,” *ibid.*, 342–343.

¹⁰ Israel Abrahams (sel., comm.), *Hebrew Ethical Wills*, vol. 1 (Philadelphia, 1926), 1–6. *The Holy Scriptures According to the Masoretic Text: A New Translation with the Aid of Previous Versions and with Constant Consultation of Jewish Authorities* (Philadelphia, 5677/1917), see “Preface.”

the first to systematically collect information on published wills, creating indexes together with a brief note on the author and the publication in which the document had been featured. His findings were published by *Kiryat Sefer*.¹¹ Wachstein's index was expanded by other scholars, including Isaac Rivkind (in the 1920s), who made several corrections and added more items. In the 1950s, Abraham Yaari also published ethical wills.¹² The following years saw the publication of several academic studies and works for the general public. Scholarly interest in ethical wills has waned in recent times. However, some important works on ethical wills have been published by Avriel Bar-Levav.¹³ Individual publications whose aim was to provide a critical edition of a particular source have also come out.

The topic of ethical wills is not present at all in Polish research. This has to do with how difficult it is to obtain such sources. Traditionally, they were in family archives, handed down from generation to generation. But because of the Shoah, hardly any family documents from territories that were part of interwar Poland have come down. Attempts to search surviving papers may not yield a representative sample.¹⁴ Contemporary

¹¹ I am grateful to Prof. Avriel Bar-Levav for bringing this scholar to my attention. Dober Wachstein, "Mafteach ha-tsava'ot," *Kirjath Sepher* 11 (Yerushalaim, 5694 [1934/1935]), 235–244, 372–383; id., "Mafteach ha-tsava'ot," *Kirjath Sepher* 12 (Yerushalaim, 5694 [1935]), 98–108. It is also worth mentioning other publications from the same period: Samuel Rapaport, "Aus dem religiösen Leben der Ostjuden," *Der Jude* 7 (1923), 281–292, 335–355; Isaac Rivkind, "Ha-mischach ve-tsava'ot musar," *Ha-do'ar* 9/10 (1930), 208–209, 222–224.

¹² Isaac Rivkind, "Shiurei sefer: 'Le-mafteach ha-tsava'ot,'" *Kirjath Sepher* 13 (Yerushalaim, 5696), 502–505. Abraham Yaari, "Tsrer tsava'ot: Yotse la-or al pi kitvey yad be-tseruf tosefet le-Mafteach ha-tsava'ot," *Kirjath Sepher* 34 (Yerushalaim, 5719 [1959]), 368–387. Around the same time, Eliezer Steinman published fragments of ethical wills and other writings of a religious nature in his work. Eliezer Steinman (ed.), *Sefer ha-maalot: Parshiyot mechayey anshey shem be-Israel, megilot, teudot ve-tsavaot* (Tel Aviv, 1956), 24 ff., 150–154.

¹³ He highlighted the main features of ethical wills known from moral literature, such as their significance as moral guidance and as a way of promoting change in the Jewish community. Avriel Bar-Levav, "'When I Was Alive': Jewish Ethical Wills as Egodocuments," in Rudolf Dekker (ed.), *Egodocuments and History: Autobiographical Writing in Its Social Context since the Middle Ages* (Rotterdam, 2002), 45–59; and the translation: id., "'Ganz so wie zu meinen Lebzeiten': Jüdische ethische Testamente als Ego-Dokumente," in Désirée Schostak (collab.), Birgit E. Klein, Rotraud Ries (eds.), *Selbstzeugnisse und Ego-Dokumente frühneuzeitlicher Juden in Aschkenas: Beispiele, Methoden und Konzepte* (Berlin, 2011), 27–46; an edited and expanded edition 'When I Was Alive': Avriel Bar-Levav, "Egodokumentim be-tsavaot musar," in Amir Horowitz, Ora Limor, Ram Ben-Shalom, Avriel Bar-Levav (eds.), *Ha-avar ve-meever lo: eyonim be-historia ve-be-filosofia: Shai le-Eliezar Wajnrub* (Raananan, 2006), 263–282; id., "Ritualization of Death and Life: The Ethical Will of Rabbi Naphtali ha-Kohen Katz," in Lawrence Fine (ed.), *Judaism in Practice* (Princeton, 2001), 155–167.

¹⁴ Some examples of family document collections can be found in the holdings of the YIVO Institute for Jewish Research, including the Rabbinical and Historical Manuscripts

references to ethical wills include those made by Anna Rutkowski in the introduction to the Polish edition of Glikl of Hameln's writings. In addition, Jan Doktor published a translation of Israel Baal Shem Tov's will.¹⁵ It should be noted that we do have surviving ethical wills, mainly from rabbis and *tzaddikim*, which have been published in print and online by the National Library of Israel, HebrewBooks.org, or in the Central Judaic Library (www.cbj.jhi.pl). The above overview of the state of research on ethical wills shows a lack of comprehensive contemporary publications or critical editions of sources.

Features of ethical wills

For this publication, I have used ethical testaments published by Israel Abrahams as well as Jack Riemer and Nathaniel Stampfer. These mostly come from the nineteenth and earlier centuries. I have also drawn on other collections of such sources. Jack Riemer and Nathaniel Stampfer qualified ethical wills created up to the nineteenth century as "traditional," as they tended to focus on norms and commandments associated with traditional Judaism.¹⁶

The purpose of the ethical will was to pass down moral or ethical instruction to the younger generations, especially one's children. This type of transmission has its roots in the Hebrew Bible, in Jacob's words to his sons (Gen. 49).¹⁷ Rabbinic literature, in particular the Talmud and the Midrashim, also informed the formulation of these testaments to a significant degree.¹⁸ The ethical will was usually composed by the father and may have included references to the family's history. Some ethical wills

collection (1567–1930), and in The Central Archives for the History of the Jewish People: the Matthias Bersohn collection (1845–1908), the Jakob Tugenhold papers (1828–1850). A search conducted in the last two did not yield any wills.

¹⁵ Glikl, *Siedem ksiąg. Pamiętniki z lat 1691–1719*, trans., introd. Anna Rutkowski, ed. Anna Jakimiszyn-Gadocha (Warszawa, 2021), 34–36. Jan Doktor (introd., trans., comm.), *Cawaat ha-RIWaSz. Testament rabiego Izraela Baal Szema* (Warszawa, 2022).

¹⁶ Jack Riemer, Nathaniel Stampfer (eds.), *Ethical Wills & How to Prepare Them: A Guide to Sharing Your Values from Generation to Generation*, Harold S. Kushner (pref.), 3rd edition (2015), XIV, 1, 39, 53, 87.

¹⁷ *Ibid.*, XIII; Kerry M. Olitzky, Ronald H. Isaacs, *The Complete How to Handbook for Jewish Living: Three Volumes in One*, illus. Dorcas Gelabert (2004), 255. For more examples tracing the roots of the ethical testament to the Hebrew Bible and the Talmud see: Abrahams, "Jewish Ethical Wills," 447–451.

¹⁸ Lawrence Fine, "Introduction," in Israel Abrahams (sel., ed.), Judah Goldin (forw.), Lawrence Fine (introd.), *Hebrew Ethical Wills*, vols. 1–2 (Philadelphia, 2006/5766), 3–4.

were written by women.¹⁹ This type of document tended not to include directions as to the distribution of assets, nor did it specify to whom real estate or movable property was to be handed down. It could moreover be transmitted to its addressees when the writer was still alive, making it akin to the morality letter.²⁰

The main difference between an ethical will and a property will was that the former was not submitted to the state authorities or the *kahal*. An ethical will could include additional provisions that did not invalidate the provisions of an estate will. There was a rule in the Kingdom of Poland that, if a new official will had been drawn up, only the provisions of any earlier will that had not been repealed by the newer document remained in force.²¹ Ethical wills were occasionally drafted with a thought to publication; the moral obligations they preached, therefore, had to be more widely applicable and universal. This trend was in evidence among well-known spiritual leaders, and the wills of Israel ben-Eliezer (the Besht), Alexander Suesskind, Joel Ben Abraham Shemariah, and Naphtali ha-Kohen Katz were published.²²

Individuals in the Kingdom of Poland wrote their own estate and ethical wills, but we do not know the full scale of this practice. Arie Isachar Leibush Davidson, for instance, left both a notarial will and two ethical wills.²³ Those making ethical wills often tried to persuade their children that the possessions and money they were leaving to them were of little worth.²⁴ By contrast, going to a notary and setting down instructions regarding the posthumous distribution of one's estate implied that the transmission of material assets was important to the testator, although this could have been a way of pre-empting inheritance disputes in the family. The

¹⁹ See the ethical will of Rebecca, wife of Hayim Sintzheim: Joseph Bloch, "Le testament d'une femme juive au commencement du XVIIIe siècle," *Revue des études juives* 90 (avril-juin 1931), 180:146-160.

²⁰ *Ethical Wills & How*, XIII; Olitzky, Isaacs, *The Complete*, 255; Abrahams, "Jewish Ethical Wills," 439.

²¹ The Napoleonic Code, no. 1036. Cited after: Stanisław Zawadzki (publ.), *Prawo cywilne obowiązujące w Królestwie Polskim*, vol. 1 (Warszawa, 1860).

²² *Hebrew Ethical Wills*, vol. 2 (2006), 296, 327, 343. Avriel Bar-Levav, "Rabi Aharon Berachiah mi-Modeina ve-Rabi Naftali ha-Kohen Kac: Avot ha-mechabrim Sifrei Cholim ve-Metim," in Meir Venayahu (ed.), *Asufot: Sefer Shana le-Madaei ha-Yehadut*, vol. 9 (Yerushalaim, 1995), 199-201.

²³ Ezriel Nathan Frenk, J. Ch. Zagorodski, *Di Familie Davidzohn. Mit bilder un faksimilyen* (Varshe, 1924), 98-101, XXVI-XXVIII. Rabbi Salomon Kluger of Body (then in Galicia) similarly left two types of will, as he informs in his ethical will. See: *Ethical Wills & How*, 7.

²⁴ Abrahams, "Jewish Ethical Wills," 467.

obvious purpose these two types of wills served may appear different, but the fact that elements of the ethical will are found in the majority of the notarial wills examined suggests that those leaving last will deeds were not concerned exclusively with temporal matters.

We can distinguish two main types of ethical wills, based on the types of issues they treated. The first was characterized by references to universal matters not peculiar to the author's time period or geographical context. The second, meanwhile, focused on topical issues and addressed specific problems and challenges that testators were grappling with at the time of composing their will. Topics pertaining to a specific time and place included, for example, recommendations for choosing the right spouse, wearing appropriate attire, and wearing wigs and praying at the synagogue. Some wills even included remarks on dancing or newly emerging games.²⁵ Universal issues touched on in ethical wills included handling the corpse after death, *tzedakah*, praying for the soul of the deceased, as well as all sorts of thoughts on death as the inevitable end of human life. As my research demonstrates, these issues also appeared in property wills. A brief description of both types is provided below.

Dispositions regarding funeral-related matters were common to both types of wills. In her ethical will, Rebecca Sintzheim requested that psalms be recited after she died until her burial, that the gravesite be paid for just before the funeral, and that her name and surname be recorded in the funeral book. She also indicated that her coffin should not be fully open.²⁶ Other testaments, e.g., the last will of Eleazar ben Samuel Levita or that of Masus ben Judah Loeb, contained instructions on how to prepare the body for burial.²⁷ Some people found it important to request not to be addressed directly or praised during the funeral; this was the case with Rabbi Salomon Kluger.²⁸

In an elaborate ethical will, Rabbi Salomon Kluger, requested that his wife and child be instructed not to accompany the funeral procession to the cemetery as his body was carried out of the house. Relatives were also advised to keep within about two meters of the grave for twelve months. They could come closer after this period ran out.²⁹ Instructions to exclude the wife and children from various funeral-related tasks are

²⁵ *Ibid.*, 458, 462, 476–480.

²⁶ Bloch, *Le testament*, 149, 152.

²⁷ Abrahams, "Jewish Ethical Wills," 464, 468.

²⁸ *Ethical Wills & How*, 4–5.

²⁹ *Ibid.*, 3–4.

frequently featured in ethical wills.³⁰ One of the reasons for this was that the deceased did not want the burial of his body to cause human suffering—one's closest family being most affected—such suffering being considered a potential obstacle to the soul's ascent to heaven.³¹

Another issue touched upon in ethical wills included gravestones and epitaphs. Rabbi Salomon Kluger left such dispositions, with a detailed explanation of why he preferred the particular wording he chose in reference to specific Torah passages. He forbade that any designations praising his virtue or titles he bore when alive be used on his gravestone.³² Rabbi Akiba Eger of Poznan did likewise, asking that his tombstone be inscribed with the words "Here lies R. Akiba Eger."³³

Requests to say specific prayers and to study religious writings such as the Mishnah or the Talmud were another important feature of morality wills.³⁴ The author usually chose a specific person or people to perform this task. Rabbi Salomon Kluger asked that prayers be said by his eldest son, whom he also appointed to recite the *Yehi Ratzon*.³⁵ Arie Isachar Leibush Davidson specified the number of hours his son should devote daily to the study of holy books, with three hours dedicated to the Talmud.³⁶ Sometimes, testators asked that ten scholars say the requisite prayers for a period of time. The wills of Rebecca Sintzheim and Naftali Hirsch Tzetzeminer contain such dispositions.³⁷

The authors of ethical wills also specified on what occasions or how often the will ought to be read. Family members were requested to do so every day, once a month or once a year, often on the *Yahrzeit*—the anniversary of the person's death.³⁸ Here, it was essential to remember the date of death according to the Jewish calendar in order to fittingly fulfil the obligation. The Gaon of Vilna asked that his will be read in the

³⁰ Abrahams, "Jewish Ethical Wills," 468. For other requests regarding funerals, see: *Hebrew Ethical Wills*, vol. 2 (2006), 217–218.

³¹ Bar-Levav, *Rabi Aharon*, 208–209, 229. Cf. the beliefs described by Kotik: Jecheskiel Kotik, *Moje wspomnienia*, vol. 1, trans. Agata Reibach, introd. David Assaf (Warszawa, 2018), 61–62.

³² *Ethical Wills & How*, 6.

³³ Abrahams, "Jewish Ethical Wills," 471. See also information about the Warsaw rabbi Chaim Davidson who also asked that titles and praises not be put on his gravestone. Frenk, Zagorodski, *Di Familie*, 48.

³⁴ Abrahams, "Jewish Ethical Wills," 469.

³⁵ *Ethical Wills & How*, 5, 8.

³⁶ *Ibid.*, 15.

³⁷ Bloch, *Le testament*, 150; Frenk, Zagorodski, *Di Familie*, 14.

³⁸ Abrahams, "Jewish Ethical Wills," 469.

presence of his mother, as it “contains advice derived from the word of the living God.”³⁹ Rebecca Sintzheim asked that the will, read on her Yahrzeit, remain a memento for her children; additionally, once it had been read out, those listening were to express contrition for their sins.⁴⁰

We come across requests to burn lights at home, in the synagogue or in the house of prayer where the testator once sat. Naftali Kochen asked that candles be burned at his spot in the synagogue for one year from his death and at his house for thirty days.⁴¹

Charity occupied an important place in these morality texts. Addressees were strongly encouraged to help the poor.⁴² One example was Rabbi Moshe Yehoshua Zelig ha-Kohen, who ordered his son to give half a kopek to charity before each morning service. He advised that he should keep the money in a separate pocket, so he could use it as needed.⁴³ It is worth pointing out that bequests to Christians sometimes appeared in ethical wills; for instance, this practice can be observed in the will of Naftali Hirsh Tzentzemer, who had connections to Warsaw and Kraków and died in 1811.⁴⁴

Ethical wills gave a great deal of attention to books, book ownership, care, and study, which illustrated the major role books played in Jewish life.⁴⁵ Particular emphasis was laid on studying specific religious texts in specific circumstances.

Another recurring topic was the authors’ attitude to death. In the preface to his ethical will, Mordechai Mottel Michelson wrote that, being old, he was aware that death was inevitable, which prompted him to compose an ethical will for his children.⁴⁶ Similarly, the testament of the Gaon of Vilna alludes to the vanity of earthly life.⁴⁷ It was important for those writing their wills to tell their children what principles they should

³⁹ *Hebrew Ethical Wills*, vol. 2 (2006), 324. See also: Abrahams, “Jewish Ethical Wills,” 469.

⁴⁰ Bloch, *Le testament*, 151.

⁴¹ Bar-Levav, “Rabi Aharon,” 232. See also: Abrahams, “Jewish Ethical Wills,” 470; Bloch, *Le testament*, 152.

⁴² Abrahams, “Jewish Ethical Wills,” 474–475. See also the ethical will of Solomon ben Izaac, in which he stated how he would perform *tzedakah* which he terms *Mitzvah*: *Hebrew Ethical Wills*, vol. 2 (2006), 224–225.

⁴³ *Ethical Wills & How*, 12.

⁴⁴ Frenk, Zagorodski, *Di Familie*, 13.

⁴⁵ Bar-Levav, “‘When I Was Alive,’” 52. See: *Hebrew Ethical Wills*, vol. 2 (2006), 226–227.

⁴⁶ *Ethical Wills & How*, 25.

⁴⁷ *Hebrew Ethical Wills*, vol. 2 (2006), 313.

follow and embody during their lives. The ethical will, in its very essence, was intended to provide such guidance, especially when addressed by a parent to his or her children. As Jonah Landsofer argued, a child was more apt to heed the words of his or her father than those of a stranger, even a man of character.⁴⁸ Rabbi Salomon Kluger asked his son not to lean toward modernity or extremes in Judaism, but to take the moderate path, as he himself had done.⁴⁹ Rabbi Moshe Yehoshua Zelig ha-Kohen, in turn, commanded his children and friends to obey the commandments of Torah and wrote down over sixty precepts.⁵⁰ It is worth noting that instructions were additionally addressed to every reader, thus extending the testator's message beyond the family circle.⁵¹

We also find requests addressed to those wronged by the testator, who are asked to pardon the offence and forgive him. Salomon Kluger commanded the executors of his will to ask forgiveness on his behalf from those attending the funeral as his body was being carried out of the Bet Tahara. Each person was asked to quietly say that they forgive him. Kluger stated that he had also forgiven them.⁵² Naftali Hirsh Tzentzemer asked forgiveness of anyone he had wronged and forgave others their misdeeds.⁵³

Integral to ethical wills were various kinds of references to God as well as requests for His blessing upon the testator or those named in the will. God was invoked in every single ethical will. Joel, son of Abraham She-mariah, gave instructions for weekly Shabbat observance and emphasized the importance of giving glory to God: "Everything must be done to the limit of the possible, with joy and for the glory of God."⁵⁴ The ethical will of the well-known mystic Alexander Suesskind is particularly abundant in references to God, e.g., the phrase "Creator and Maker, blessed be His name."⁵⁵ Rebecca Sintzheim also made copious references to God and asked for blessings for her family.⁵⁶

⁴⁸ Ibid., 286.

⁴⁹ *Ethical Wills & How*, 5.

⁵⁰ Ibid., 14.

⁵¹ See the ethical wills of Alexander Suesskind, Eleazar ben Samuel Levita and Jakob Hurwitz: *Hebrew Ethical Wills*, vol. 2 (2006), 208, 254, 328.

⁵² *Ethical Wills & How*, 4.

⁵³ Frenk, Zagorodski, *Di Familie*, 19.

⁵⁴ *Hebrew Ethical Wills*, vol. 2 (2006), 347.

⁵⁵ In Hebrew: "Yotsrenu u-vroenu yitbarech shmo." *Hebrew Ethical Wills*, vol. 2 (2006), 328 ff.

⁵⁶ Bloch, *Le testament*, 160.

It is noteworthy that ethical wills were rarely written during illness.⁵⁷ Instead, they were often drawn up at a late age,⁵⁸ as in the case of Mordechai Mottel Michelsohn's will.⁵⁹ It is worth mentioning that such documents included information about the exact time of their composition according to the Jewish calendar. We see this in the wills of Salomon Kluger and Mordechai Mottel Michelsohn.⁶⁰

The universal themes touched upon in ethical wills are also found in other areas of Jewish religious life, whether we are talking about men or women. The presence of these themes is evidence of how deeply rooted they were in the collective consciousness. One issue worth noting is the extent to which different Jewish communities put emphasis on specific types of matters. This differentiation will be explored in the section devoted to ethical elements appearing in notarized wills.

Property wills

In the Kingdom of Poland, Jews could make a will that would end up in the state notary chancery.⁶¹ Making a last will became increasingly common in the first half of the nineteenth century, especially among wealthy and moderately well-to-do Jewish families; however, documents from individuals of limited means have also been passed down. As Joanna Hensel points out, Jews' contacts with the state administration intensified particularly in the fourth and fifth decades of the nineteenth century.⁶² To be legally binding in the Kingdom of Poland, a will had to meet certain standards. If drawn up by the testator himself, it had to be dated and signed solely by the individual in question. It was then taken to a notary, either by the

⁵⁷ One special example of this kind is the ethical will of the renowned mystic Alexander Suesskind of Grodno, who died in 1794. *Hebrew Ethical Wills*, vol. 2 (2006), 327–328.

⁵⁸ Abrahams, "Jewish Ethical Wills," 439.

⁵⁹ *Ethical Wills & How*, 25.

⁶⁰ For more, see: *ibid.*, 6, 27.

⁶¹ For a list of Jewish wills from the Polish lands up until the nineteenth century, see: Anna Dybała-Pacholak, "Starajcie się o dobre imię, o spokojność sumienia' – testament Tekli Kronenberg," *Studia Judaica* 21 (2018), 2:407–408. This list should be expanded to include published fragments of the will of Tekla Kronenberg: Jacob Tugendhold, *Rys myśli poważnych poświęcony pamięci osób zgasłych, zasłużonych zakładom dobroczynnym i szpitalom, bez różnicy wyznania a między niemi I. S. Rosena obywatela poczesnego i bankiera warszawskiego* (Warszawa, 1848), 61–70. I am grateful to Prof. Marcin Wodziński for bringing this publication to my attention.

⁶² See Table 3 in: Joanna Hensel, *Burżuazja warszawska drugiej połowy XIX w. w świetle akt notarialnych* (Warszawa, 1979), 39.

testator himself or posthumously by his family. If a person was unable to draw up a will by hand, he or she could have one drawn up by a notary public.⁶³ Another type was the secret will, which could be written down by the testator himself or dictated to another person in the presence of at least six witnesses, who signed the document.⁶⁴ It is worth noting that, in order for individual bequests to be legally binding, they had to comply with legal provisions that specified what proportion of one's estate could be bequeathed depending on the number of surviving ascendants and descendants.⁶⁵ Under the law of the Kingdom of Poland (based *inter alia* on the earlier Napoleonic Code), inheritance law applied even if a last will existed. For example, if in her last will, a mother made a bequest to a child, then upon her death that child would receive the bequest, but also the portion due him or her under the law of the Kingdom.

Another type of will could be drawn up in line with Jewish inheritance law, which regulated inheritance issues according to the *halakha* or local *minhagim* (Hebr. customs). The *halakha* specified in what order inheritance passed to those alive. This order was: 1) sons, 2) descendants of sons, 3) daughters, 4) descendants of daughters, 5) father, 6) brothers, 7) descendants of brothers, 8) sisters, 9) descendants of sisters, etc. If a man had sons, his property upon death passed only to them, and, if the sons were dead, the property devolved to their descendants. Daughters could not inherit if there were living male heirs. The only circumstance in which a daughter could inherit was if there were no sons or if the sons had died heirless. If a man had no children, his property passed to his father, brothers, etc., in the order laid out above. A wife could not inherit from her husband, but a husband could inherit from his wife.⁶⁶ Wills made according to Jewish inheritance law were kept in family or *kahal* archives, hence the difficulty researchers face when it comes to locating them. However, over a dozen such wills have survived in the archival records of Warsaw notaries. In some cases (likely due to conflicts within the testator's family), rather than take the will to the Jewish religious community (this

⁶³ In exceptional cases, the notary would come to the testator and take down the last will in the presence of witnesses.

⁶⁴ The Napoleonic Code, nos. 967–977.

⁶⁵ *Ibid.*, nos. 913–919.

⁶⁶ Dayan Y. Grunfeld, *The Jewish Law of Inheritance: Problems & Solutions in Making a Jewish Will* (Jerusalem–New York, 1987), 3, 10–11. Mojżesz Mendelson, *Obrzędowe ustawy Żydów co do spadków, opiek, testamentów i stosunków małżeńskich, o ile się te dotyczą własności: Z polecenia dworu Pruskiego po niemiecku ułożone*, trans. Nepomucen Janowski (Warszawa, 1830), 14 ff.

became illegal after 1822, due to the abolition of the Rabbinical Courts, though it still occurred), individuals close to the person would bring the will, composed in accordance with Jewish inheritance law, to the President of the Warsaw Court to be executed. Thanks to this practice, the documents were preserved in official notarial records.⁶⁷

Features of notarized wills of Warsaw Jews

For the purposes of this article, the author carried out detailed research examining the records of Warsaw notaries from the period 1815–1862.⁶⁸ One-hundred-fourteen wills made by Jews living in Warsaw were found. Of these, 87 were written in Polish (the vast majority had been dictated to a notary at the latter's office), 12 in Hebrew (including wills composed in accordance with Jewish inheritance law), 11 in German, and 4 in Yiddish. Traditional Jews were dominant among this group, which also included proponents of the Haskalah and Maskilim. They ranged in social status from poor, through the middle-income bracket (the most sizeable group), to the financial elite. Out of this group, over half of the testators (67) had employed elements of the ethical will.

The vast majority of wills found in the archival records of Warsaw notaries incorporate elements characteristic of the ethical will. I have broken each will down into identifiable components. The most frequently occurring components were provisions regarding *tzedakah*, found in over 60 percent of the documents examined.⁶⁹ Next in number were dispositions regarding books and Torah scrolls, as well as instructions regarding the funeral and references to God—each of these groups appeared in about 40 percent of the wills. The most infrequent requests concerned prayers for the soul of the deceased, the study of religious texts, saying Kaddish, marking the Yahrzeit, or burning candles (15–20 percent). Further breakdowns refer

⁶⁷ See, for example, the will of Szaia Szmulowicz Zelniker: Archiwum Państwowe w Warszawie, Akta Notariuszów Warszawskich (The State Archives in Warsaw, Warsaw Notary Records) [henceforth: APW, ANW], Jan Dzieciałkiewicz, file 11, no. 782; the will of Maier Halevi Herszsohn, APW, ANW, Jan Wincenty Ostrowski, file 58, no. 104; or the will of Noah (Nuche) Jakub Kalsbrun: APW, ANW, Antoni Nowicki, file 6, no. 7.

⁶⁸ The search for Jewish wills covered all notarial offices operating in Warsaw in 1815–1863. The indexes for the period specified above were searched and, wherever they were missing, repertories were used. In addition, searches were carried out to find Jewish legacy inventories and Christian wills.

⁶⁹ These percentage estimates only illustrate certain trends and should not be treated as a statistical picture of reality.

to the features of each of these elements, showing how they functioned in different circles within Warsaw's Jewish community.

Funerary and burial rites

The testamentary deeds found in the notary records sometimes contained curt provisions pertaining to the funeral and burial. One such rare case was Ewa Lesser's will, which was deposited with a notary, stated that she wished to set aside 200 złotych (30 roubles) for a funerary garment for herself and for alms for the poor begging in the cemetery.⁷⁰ Similarly, Wolf Berfeld ordered that 600 złotych (90 roubles) be distributed "to the poor during the cleaning of his corpse."⁷¹

The amount to be spent on the funeral was also sometimes noted. Rywka Rozenweig *née* Lewartowska, who ran a shop that she inherited from her late husband, allocated 45 roubles for her funeral.⁷² Instructions were also left to pay out funds to specific individuals or organizations. For example, Joel Izaak Ettinger bade his executors pay remuneration to the gravedigger,⁷³ while Józef Filip Granas set aside funds for the Chevra Kadisha.⁷⁴ Instead of allotting precise amounts, movable assets might also be set aside for sale in order to cover the cost of the funeral. Jcyk Wolf Wulfsohn wanted his wardrobe, linens, and bedclothes to be sold, for instance.⁷⁵ Testators also chose a person to carry out their instructions regarding burial. Elkan Eliazs indicated that all his funeral rites were to be left to the discretion of his wife. This was evidence of great trust, since women were not always designated as executors.⁷⁶ Szmul Baraban, meanwhile, instructed his son to pay for his funeral.⁷⁷

Dispositions regarding modesty, broadly understood, also featured in wills. Judyta Jakubowicz *née* Lewin wanted to be buried "in silence" in the cemetery of her choice, in the Praga district.⁷⁸ This may have been due to her aversion to the traditional funerary oration in which the virtues of the

⁷⁰ APW, ANW, Józef Jeziorański, file 33, no. 1145, l. 183.

⁷¹ APW, ANW, Teofil Brzozowski, file 6, no. 283, l. 118v.

⁷² APW, ANW, Michał Rapacki, file 27, no. 2170, l. 165v–166.

⁷³ APW, ANW, Jan Jasiński, file 4, no. 374, l. 170v.

⁷⁴ APW, ANW, Marcin Ciechanowski, file 45, no. 3415. We find here instructions similar to Lewek Jeszaja Hopengarten. Dzieciątkiewicz, file 5, no. 224, l. 14v.

⁷⁵ APW, ANW, Andrzej Wiliam, file 13, no. 609, l. 25.

⁷⁶ APW, ANW, Jan Marczyński, file 29, no. 858/5346, l. 201v.

⁷⁷ APW, ANW, Napoleon Stępowski, file 7, no. 712.

⁷⁸ APW, ANW, Czesław Kowalewski, file 8, no. 675, l. 176v.

deceased were extolled, especially if the person had been a public figure. Lewi Saulsohn, a proponent of the Haskalah, bade his immediate family not to spend lavishly on his funeral and to use his titles sparingly.⁷⁹ Abstaining from excessive spending or from praising the dead person during the funeral rite may have stemmed from a belief that restraint in such matters protected the soul from torment.⁸⁰ As Israel Abrahams suggested, such arrangements were meant to prevent people from making exaggerated claims when extolling the merits of the deceased, thus preventing the person delivering the sermon from telling a lie or committing flattery. Moreover, they sprang from humility and a desire to emphasize the testator's lowliness.⁸¹ These measures corresponded to precepts, expressed in ethical wills, preaching humility, even after one's death.

We see, in the above examples, a connection between funeral rites and *tzedakah* at the cemetery. Dispositions setting down specific amounts to cover the cost of the funeral were prevalent.

Setting up a gravestone

There were precise instructions in ethical wills regarding what was to be put on one's gravestone. Notarized wills, on the other hand, chiefly stated the amounts to be spent on it.⁸² For example, Jakub Epstein wrote in his last will: "For my grave and the erection of a monument, I will give eighteen times one hundred zlotys, i.e., one thousand eight hundred Polish zlotys [270 roubles] to the superiors of the brotherhood."⁸³ Wolf Berfeld allocated 1000 zlotys (150 roubles) for his gravestone.⁸⁴ His wife

⁷⁹ APW, ANW, Dzięciałkiewicz, file 13, no. 1107, l. 404v.

⁸⁰ The Gaon of Vilna wrote of this in his ethical testament. See: *Hebrew Ethical Wills*, vol. 2 (2006), 320.

⁸¹ Abrahams, "Jewish Ethical Wills," 469.

⁸² See, for example, the case of Judka Nachumowicz: APW, ANW, Dzięciałkiewicz, file 15, no. 1310, l. 138v; or Mordka Nerwe Szymanowicz: APW, ANW, Maciej Sadowski, file 17, no. 632, n.p.

⁸³ Nineteenth-century translation from the Yiddish: J[ehuda] Rosenblum. APW, ANW, Brzozowski, file 10a, no. 566, l. 20–20v. This was quite a large sum. To provide some idea, compare the prices of the following commodities: in 1849, a *korzec* (128 litres) of wheat flour cost about 5 roubles 20 kopeks, regular groats 2 rs 50 kop, potatoes 90 kop. The daily wages of a bricklayer in 1849 were 1 rouble 10 kopeks. See: "Średnie ceny żywności na ostatnich targach Warszawy i Pragi," *Gazeta Handlowa, Przemysłowa i Rolnicza* 8 (1849), no. 8; Stanisław Siegel, *Ceny w Warszawie w latach 1816–1914. Z 4. diagramami* (Poznań, 1949), 259.

⁸⁴ APW, ANW, Brzozowski, file 6, no. 283, l. 120v.

set aside a smaller sum of 120 roubles for her tombstone.⁸⁵ Ewa Lesser specified that her headstone, “made of stone is to be placed on my grave for the price of my pair of diamond earrings, which are to be sold.”⁸⁶ Only a handful of people left instructions as to their gravestone inscription. Joel Oettinger indicated that he wanted the most common gravestone, and that the inscription, in Hebrew, was to read “here rests Joel son of Mr Yitshak Ettinger.”⁸⁷

The above examples demonstrate that instructions regarding grave-stones focused primarily on the amount of money to be spent on them and the information they were to feature. Nonetheless, the very act of providing information on this point proves that the issue was important to testators.

Prayers for the deceased to be said after death, and study of the holy writings of Judaism

Requests to say prayers and to regularly study religious texts (chiefly the Mishnah and the Gemara) were important aspects of estate wills. It was essential for prayers to be said on the anniversary of one’s death. Tekla Kronenberg instructed: “May the memorial of my passing be renewed in perpetuity on the day of my death, may the poor at least repeat their prayers for my soul to the Almighty in the synagogue.”⁸⁸ Testators often stipulated that ten scholars should study religious books. Jakub Epstein, who had ties to Warsaw, asked that ten Torah scholars sit from the time of his death until his funeral and study the Mishnah. They were to receive 18 złotys (2.7 roubles) for this task: “From the moment of my death ten theologians are to sit until my funeral and engage in the study of Mishnah.”⁸⁹ Moses Eisenberg (a supporter of the Haskalah) requested that prayers for his soul be said by a “religious” Jew.⁹⁰ Wolf Berfeld donated 100 Polish złotys (15 roubles) to ten Jewish students who were to sit Shiva in his flat and say Kaddish for him.⁹¹ The Mishnah was also to be studied by one

⁸⁵ APW, ANW, Rapacki, file 10, no. 649, l. 190.

⁸⁶ APW, ANW, Jeziorański, file 33, no. 1145, l. 183.

⁸⁷ Own translation. APW, ANW, Jasiński, file 4, no. 374, l. 170v.

⁸⁸ APW, ANW, Józef Noskowski, file 82, no. 11100, l. 292. See also the published will with commentaries by Dybała-Pacholak, “‘Starajcie się,’” 405–423.

⁸⁹ Nineteenth-century translation from the Yiddish J[ehuda] Rosenblum. APW, ANW, Brzozowski, file 10a, no. 566, l. 20v.

⁹⁰ APW, ANW, Ciechanowski, file 27, no. 1928, l. 277r.

⁹¹ A similar disposition was given by his wife Brajndla. APW, ANW, Rapacki, file 10, no. 649, l. 190.

person at morning and evening services during the eleven-month period of mourning following Berfeld's death (in exchange for 300 złotych, the equivalent of 45 roubles).⁹² Eidel Ettinger *née* Horowicz requested that Kaddish and *El Malei Rachamim* be said at the synagogue or a cheder on the anniversary of her death. Similar instructions were left by her husband, who also commanded that these prayers be said for his parents.⁹³ Maurycy Lesser, in turn, asked his nephew, whom he had legally adopted (he had no other children), to say Kaddish for him.⁹⁴ Most testators did not specify what kind of Kaddish they wanted to be said; presumably, it was Kaddish Yatom, commonly known as the mourner's Kaddish, to be recited by the eldest son, as was the custom. We can see that, in the absence of children, other individuals were called upon to perform this duty. It did sometimes happen, however, that testators indicated what Kaddish they wanted to be said for them. Mordka Maier Markus Szteingrun prescribed that it be the Kaddish D'Rabbanan, which included an additional passage asking God to bless rabbis and scholars.⁹⁵

Additional safeguards were sometimes put in place to ensure that one's last will regarding prayers would be respected. Mordka Maier Markus Szteingrun wrote explicitly that he had appointed a relative, Faiwel Hersz Finkielgrund, to make sure that matters relating to the salvation of his soul were attended to.⁹⁶ Perhaps all these requests were prompted by the fear that inadequate, mindless prayer would be recited by an outsider, which could adversely affect the testator in the afterlife. Prayers played an extremely important role, including purifying the soul of its sins, as Moizeszowicz Salomon Muszkatyn emphasized in his will.⁹⁷ Cwi Hersz Jakobsztam also requested that prayers be said around the clock for the safety of his soul.⁹⁸

Warsaw testators believed that prayer (in addition to *tzedakah*) contributed to the salvation of the soul. It was especially important to them that prayers be said during the Yahrzeit.

⁹² APW, ANW, Brzozowski, file 6, no. 283, l. 118v, 119–199v.

⁹³ APW, ANW, Rapacki, file 33, no. 2889, l. 308v–309, 310, 311.

⁹⁴ APW, ANW, Ciechanowski, file 74, no. 9244, l. 16v. Nephews were also asked to say Kaddish, as in the case of Kalman Tenenberg. APW, ANW, Jasiński, file 26, no. 2584, l. 286v.

⁹⁵ APW, ANW, Wiliam, file 55, no. 2712, l. 34v.

⁹⁶ *Ibid.*, no. 2712, l. 39.

⁹⁷ APW, ANW, Gaspar Rutkowski, file 7c, no. 1097, l. 9v ff.

⁹⁸ APW, ANW, Dzieciałkiewicz, file 32, no. 4473/4474, l. 252v.

Reading the will after the testator's death

A less frequent motif in official wills was the injunction to read the will at strictly appointed times. Jacob Epstein ordered his children to read his testament each year on the anniversary of his death, giving this justification: “and perhaps, in the distant future, your children might derive some benefit from it.”⁹⁹ It is worth noting that the injunction to copy morality writings, the assumption being that they would thus be more widely circulated and read by a greater number, is also found in memoir literature, for instance in Jaakow ha-Lewi Lewin.¹⁰⁰

Burning lights

Certain individuals wanted to have lights burned in memory of them after they died. Jakub Epstein instructed that, during the thirty-day period of mourning known as *shloshim*, services be held in his home and that a light be kept lit “in the place where I sat.” Burning lights was particularly important to Epstein, as he also left instructions for a light to be lit by his portrait at the Jewish Hospital. This was to burn continuously for 30 days and 30 nights. He donated 30 zlotys (4.5 roubles) toward this end.¹⁰¹ Eidel *née* Horowicz Ettinger asked for candles to be lit at the synagogue or the cheder she founded every year on the anniversary of her death. Her husband, Abraham Mendel Ettinger, did likewise in a will made on the same day and with the same notary.¹⁰² Wolf Berfeld devoted a third of the interest from his endowment fund toward the purchase of candles to be burned on his Yahrzeit in Warsaw synagogues.¹⁰³

Of significance here is a passage from the last will of Maier Aizykowicz Cohn, who, having no wife or descendants, wrote to his nephew Józef Hersz Davidson that he “is obliged to burn candles or oil at the Synagogue for my Soul for thirty days and have a decent prayer said every Saturday so that my name will not be fully extinguished in this world, and

⁹⁹ Nineteenth-century translation from the Yiddish J[ehuda] Rosenblum. APW, ANW, Brzozowski, file 10a, no. 566, l. 23v.

¹⁰⁰ Jaakow ha-Lewi Lewin, *Wspomnienia z dni polskiego buntu, 1830–1831*, trans., introd., comm. Jagoda Budzik (Warszawa, 2022), 118–119.

¹⁰¹ Nineteenth-century translation from the Yiddish J[ehuda] Rosenblum. APW, ANW, Brzozowski, file 10a, no. 566, l. 20.

¹⁰² APW, ANW, Rapacki, file 33, no. 2889, l. 308v; *ibid.*, no. 2890, l. 310v.

¹⁰³ APW, ANW, Brzozowski, file 6, no. 283, l. 120.

have a gravestone put up in due time.”¹⁰⁴ As wills show, burning lights, especially on the Yahrzeit, was very important to testators. This ritual act was supposed to perpetuate the memory of the deceased.

Tzedakah (‘benevolence’)

Tzedakah (Pol. *dobroczynność*; benevolence, as sources from the period termed it) occupied an important place in Jewish testaments.¹⁰⁵ Children were usually tasked with disbursing specific amounts of money toward a given purpose or with donating specific movable property or money to organizations or individuals named. Braindla Berfeld, for example, ordered that 45 roubles be distributed “to poor who are ashamed to beg.”¹⁰⁶ She also issued an unusual disposition, ordering that 15 roubles be spent on sugar and oranges for the poor at the Jewish hospital. One must wonder what prompted this strange request. Regina Liliental described a situation in which the family of a dying patient used alms to purchase oranges. Giving oranges to the sick was believed to bring about the forgiveness of sins.¹⁰⁷ In Braindla’s case, however, the link between *tzedakah* and oranges could have been different, even banal. Oranges, which were known in nineteenth-century Warsaw, may have been seen as suitable to give as a gift.¹⁰⁸ There were also forms of charity addressed specifically to poor relatives and, in their absence, to the poor who were not related to the testator. Occasionally, impoverished relatives of the spouse were also designated as recipients of charity.¹⁰⁹

Charitable bequests to specific institutions and charitable societies were also quite common. Topping the list were various Warsaw synagogues, the Jewish Hospital, the Brotherhood providing clothing for Jewish orphans and the poor, the Brotherhood subsidising religious instruction for poor

¹⁰⁴ APW, ANW, Wincenty Julicki, file 3, no. 147, l. 206r ff.

¹⁰⁵ On charity in Warsaw, see: Elżbieta Mazur, *Dobroczynność w Warszawie XIX wieku* (Warszawa, 1999). Research into various aspects of charity is currently being done by Anna Michałowska-Mycielska, see, for example: Anna Michałowska-Mycielska, “Działalność dobroczynna kobiet w gminach żydowskich w Rzeczypospolitej w XVI–XVIII wieku,” *Studia Judaica* 24 (2021), 2:277–293.

¹⁰⁶ APW, ANW, Rapacki, file 10, no. 649, l. 190.

¹⁰⁷ Marek Tuszewicki, *A Frog under the Tongue: Jewish Folk Medicine in Eastern Europe* (New York, 2021), 175.

¹⁰⁸ See an opinion in a newspaper from the period about oranges as fruit that can easily be offered as a gift: *Dziennik Warszawski* 7 (26 Jan. 1870), 11:99.

¹⁰⁹ APW, ANW, Jasiński, file 31, no. 3035, l. 100v.

Jewish children, the Brotherhood lending money to poor Jews against pawns and at no interest, and the Brotherhood supporting sick and poor Jews.¹¹⁰ There were also bequests to non-Jewish organizations, such as the Institute for the Deaf and Mute, which became a popular addressee of charity following the affair involving the execution of Berek Sonnenberg's will. According to Marcin Wodziński, Sonnenberg's family was forced to contribute a certain amount to the Institute because of a provision in his will. This provision spoke of endowing members of the Jewish community, which the government authorities over-interpreted as also endowing Christians. A dispute ensued, and Sonnenberg's inheritors eventually paid funds to the Institute for the Deaf and Mute. This ushered in the practice, particularly among acculturated Jews, of making donations to non-Jewish institutions.¹¹¹ Donations were also made to the poor, for example, regardless of religion, or to the Warsaw Charitable Society.¹¹² It is worth noting that ethical wills from earlier periods contain injunctions to support non-Jewish communities as well.

Wealthy Jews often set up endowment funds, and the interest accrued on these was normally paid out annually toward various causes, such as the poor, widows, orphans, impoverished girls of marriageable age, or others in need of assistance. Jakub Epstein commanded that, on the first anniversary of his death, a certain amount be paid to purchase a workshop for a Jewish apprentice:

On the first anniversary of my death, the amount of nine hundred Polish zlotys [135 roubles] is to be used to purchase a workshop for a Jewish journeyman learning a useful craft, such as carpentry, locksmithing, blacksmithing, saddle-making or another craft. It is my wish for him to add the inscription "Epstein's workshop" to his shop sign, for according to the teachings of our holy books, I hold in high esteem every man who earns his living by the work of his hands.¹¹³

Wolf Berfeld had part of his endowment fund allocated "to support the poor with a monetary allowance for the necessities of life at Easter

¹¹⁰ See, for example: APW, ANW, Brzozowski, file 6, no. 283, l. 119–120.

¹¹¹ For the details of the case, see: Marcin Wodziński (trans., annot.), "Legat Berka Sonnenberga czyli o zaskakującej karierze mimowolnego dobroczyńcy," *Studia Judaica* 7 (2004), 1:139–162. Marcin Wodziński has also published and annotated the Hebrew version of the will: id., "Tsavato shel Berek Zonenberg: Ha-karierah ha-maftiyah shel nadvan al korho," *Gal-Ed* 22 (2009), 143–158.

¹¹² See the will of Moses Eisenberg: APW, ANW, Ciechanowski, file 27, no. 1928, l. 277v.

¹¹³ Nineteenth-century translation from the Yiddish J[ehuda] Rosenblum. APW, ANW, Brzozowski, file 10a, no. 566, l. 21v–22.

[i.e., Passover – author’s note].”¹¹⁴ Eidel Ettinger *née* Horowicz, a traditional Jewish woman, wanted the interest from her endowment fund to be donated to found and maintain a religious school for young boys.¹¹⁵ We can also cite the example of Abraham Mendel Ettinger, her husband, who allocated

nine thousand silver roubles to a perpetual fund, the interest from which [was] to be turned over for the establishment and maintenance of a separate school in Warsaw, independent of other schools, in which young Jewish male children will learn nothing but Hebrew prayers, the Bible with Rashi’s commentary, and the initial teachings of the Talmud known as the “Mishnayes,” while no other subjects shall be taught at this school, and this I expressly forbid.¹¹⁶

The first thing that Mortka Markus Lichtenbaum stipulated in his will was the establishment of an endowment fund worth 3300 silver roubles for charitable institutions. From this money, he ordered that sums be paid out toward the maintenance of a Talmud Torah religious school in Warsaw.¹¹⁷ Supporting Jewish schools from endowment funds also featured in notarial wills, which speaks to the importance of this type of endeavor to testators.

Philanthropy was a significant component of estate wills and was supposed to bring about one’s salvation. Bequests to persons or institutions were made in nineteenth-century Warsaw. Setting up perpetual funds that could sustain *zedakah* for many years into the future was also popular.

The attitude toward books and Torah scrolls

Wills deposited with Warsaw notaries also raise the issue of books and their fate after the death of the testator. Tekla Kronenberg dictated the following to the writer of her last will: “May all the Hebrew books in my possession, along with other movable property, be sold at public auction.”¹¹⁸ Her husband, meanwhile, instructed in his last will that the academic and religious publications purchased for each of his sons be excluded from the joint inheritance, each of them to keep them for himself.¹¹⁹ The merchant

¹¹⁴ Ibid., file 6, no. 283, l. 120.

¹¹⁵ APW, ANW, Rapacki, file 33, no. 2889, l. 308v.

¹¹⁶ Ibid., l. 310.

¹¹⁷ Ibid., file 63, no. 6368, l. 97v.

¹¹⁸ APW, ANW, Noskowski, file 82, no. 11100, l. 293v.

¹¹⁹ APW, ANW, Walenty Skorochód-Majewski, file 45, no. 3399, l. 218. This is the first known will of Samuel Kronenberg written in Polish. He also left another one in German. Ibid., file 144, no. 13122/149.

Tobiasz Jacobsohn left his prayer books to the Daniłowiczowska Street synagogue in Warsaw (commonly known as the German Synagogue) with the proviso that “[t]hese books may be sold and the funds thereby obtained are [then] to be set aside for a service titled ‘Kaddish,’ to be held every morning and evening for one year.”¹²⁰ Cwi Hersz Jakobsztam expressed the wish that his book collection be apportioned to one of his sons through an auction in which his sons-in-law could also take part. Jakobsztam did not want his library to wind up in the hands of strangers.¹²¹ Samuel Nachman Zelnikier left his entire book collection to his son Jakub, whom he described as his most helpful child. The 87 religious titles (some consisting of several volumes) were to be an additional reward for supporting his parents.¹²² Eventually, the books were auctioned off after Zelnikier’s death, which might indicate that his family was not attached to them. On the other hand, members of Zelnikier’s family bought some of the items during the auction. Selling a book collection after the death of a family member was not rare. It may be that for the relatives, the books were of no value as such, and what mattered more was obtaining capital to secure life’s basic needs. There may also have been other family members who insisted that such items be sold for cash.¹²³

Special treatment, however, was afforded to Torah scrolls (referenced in the sources as Pol. *rodady*, from the German *Rodel*) or the Ten Commandments, which held a special status with testators. They were mentioned in wills and bequeathed to family members or institutions. For example, Lewin Tylbor bequeathed one Torah scroll to his granddaughters, Chaia Rywka and Estera Malka, and one scroll to each of his three sons.¹²⁴ We find another instance in the will of Pinkus Kaduk, who instructed that his Torah be gifted to his brother-in-law. This choice was probably due to not having offspring.¹²⁵

¹²⁰ APW, ANW, Rapacki, file 41, no. 3847, l. 268v.

¹²¹ APW, ANW, Dzięciałkiewicz, file 32, no. 4473/4474, l. 261r. Another strategy to distribute scrolls among sons was by lot. See the will of Salomon Zalman Nisson: APW, ANW, Jan Feliks Wilski, file 39, no. 287, l. 160.

¹²² APW, ANW, Antoni Sikorski, file 22, no. 1168, l. 264v; *ibid.*, file 25, no. 1325, l. 47–49; *ibid.*, file 27, no. 1437, l. 61 ff.

¹²³ See the division of the estate of Aron Rotkier: APW, ANW, Józef Kalasanty-Przysiecki, file 25, nos. 199, 133, 220.

¹²⁴ APW, ANW, Rapacki, file 56, no. 5429, l. 309v.

¹²⁵ Quote: “My holy ‘Sefer Toyre’ at the Synagogue I leave to my wife’s brother, Izrael Pawilon.” *Ibid.*, file 28, no. 2286/154, l. 176v.

It is possible to identify a group of Jews who donated Torahs to synagogues and houses of prayer. One such example is Wolf Berfeld, who designated for the Wolf Popper Synagogue in Kraków a “the bigger [scroll], along with a silver plate and a silver pointer [*yad* – author’s note] as well as four elbows of cloth embroidered with gold to make a curtain, that is, the veil for the Ark in which scrolls are usually put away.” He wanted the smaller scroll to be given to a Warsaw synagogue, to be chosen by his wife, Braindla Berfeld. At the same time, he wanted an inscription on each *parokhet* and on each *tas* stating that he and his wife had donated these items. It should be noted that Berfeld’s wish was to transfer the scrolls only after his wife’s death, prior to which she would reserve the right to keep them for her own use.¹²⁶

What seems to stand out in the case of those who made a last will deed with a notary is the fact that they left Torah scrolls to women: wives, daughters, and sisters.¹²⁷ Women were not barred from owning this most important Jewish book. They were also often entrusted with its management after the death of male testators, which shows that they were regarded as equal owners on par with men. It is worth mentioning that Jewish women from Warsaw were less likely to make any mention of books or Torah scrolls in their wills. This may have been because, in their case, we have a much smaller sample. On the other hand, the estate inventories examined by the author during a preliminary search do include information about book collections owned by women.¹²⁸

Book collections were an important part of the lives of both male and female testators. Like Torah scrolls, they were owned by men and women alike. Warsaw Jews left their books and scrolls both to kin and to religious institutions.

¹²⁶ APW, ANW, Brzozowski, file 6, no. 283, l. 116v–117. See another example of leaving a Torah to a synagogue of the testator’s choice in the will of Moses Eisenberg: APW, ANW, Ciechanowski, file 27, no. 1928, l. 278r.

¹²⁷ For example, Jeyk Wolf Wulfsohn left all his books and a Torah only to women—his sisters and his wife. APW, ANW, Wiliam, file 13, no. 609, l. 25.

¹²⁸ These inventories were found and studied by the author during a test search. See the estate inventory of Golda Tanenbaum: APW, ANW, Nowicki, file 9, no. 154. We find information about books in the posthumous inventories of Bluma Etinger *née* Szmul Kolaczek or Sura Pessa Rychter. APW, ANW, Nowicki, file 10, no. 12; APW, ANW, Kalasanty-Przysiecki, file 28, no. 403, l. 348v–349.

Death as an inescapable part of human life

Warsaw testators used specific expressions pertaining to death. In notarial wills, the end of life was portrayed as something inevitable that had to be accepted. In official last wills, testators associated the end of life with a sense of being old and sick, but also being of “sound mind” or “mentally agile,”¹²⁹ or in “command of one’s mind,” a term often employed in Hebrew-language wills.¹³⁰ Moses Eisenberg said: “I know full well that every man must die sooner or later, and that God Almighty predestines every man to end in death, and that at seventy years old I should not tarry to dispose of my estate.”¹³¹ Death was described as a duty one would be called to perform unexpectedly.¹³² We find a positive representation of death from Dorota Kohen *née* Flatau, who described it as the time when one moved from the earthly world to a better life.¹³³

There were also those who manifested a striking desire to delay the moment of death. Rywka Elkanowka Goldsobel stated before the notary: “in case of, God forbid, my death”—a kind of incantation to postpone the event.¹³⁴

Righteous conduct

Both notarized and ethical wills contained exhortations regarding righteous conduct. Tekla Kronenberg addressed her children thus:

This is my last will. Dear children! Carry it out devoutly, even if it seems burdensome to you. I am not leaving you a large fortune, but I believe that I have set you an example: that by being self-governed, hard-working, and frugal, you can make a fortune. Follow my example then, and you will easily acquire worldly possessions,

¹²⁹ See the will of Szymon Dawid Maier Hazenfisz: APW, ANW, Tomasz Rudnicki, file 47, no. 438, l. 352; and that of Salomon Zalman Nisson: APW, ANW, Wilski, file 39, no. 287, l. 151v.

¹³⁰ “Ve-be-da’at meyushevet” (ובדעת מיושבת). This phrase recurs in rabbinical writings, e.g., in *Shiltei Ha-Giborim on Bava Batra*, 64a:2 by Joshua Boaz ben Simon Baruch. See: Sefaria, https://www.sefaria.org/Shiltei_HaGiborim_on_Bava_Batra.59b.1?vhe=Vilna_Edition&lang=he [received: 28 Nov. 2022].

¹³¹ APW, ANW, Ciechanowski, file 27, no. 1928, l. 275v.

¹³² Maria Fajgenbaum’s will: APW, ANW, Józef Przeździecki, file 12, no. 521, l. 357v.

¹³³ APW, ANW, Ksawery Józefowicz, file 27, no. 4193, l. 543.

¹³⁴ Her husband used a similar expression. APW, ANW, Skorochód-Majewski, file 124, no. 11122/279, l. 77v; *ibid.*, no. 11121/278, l. 73v.

but above all strive for a good reputation, for peace of conscience, since that is man's greatest good.¹³⁵

Meanwhile, her husband, Samuel Kronenberg, in his first will deed, asked his children to carry out his testament; otherwise, they would lose his "parental blessing."¹³⁶ In his second will, he changed his attitude and attenuated his requests, asking God to bless him, his wife, and his children, "exhorting them in a fatherly manner to honor and help their dear Mother always."¹³⁷ Abraham Jakub Stern, a well-known inventor, also gave his children instructions on how they should conduct themselves in life. He asked them to follow religious precepts, to love their neighbor, and to deal fairly with non-Jews.¹³⁸ Samuel Kronenberg also makes a gesture of forgiveness. Kronenberg stated that he forgave his enemies (if he had any—as he pointed out) "with all his heart."¹³⁹

In notarized wills, as in ethical wills, the moral admonitions and instructions set out above—obedience to the still-living parent, observing the principles of Judaism—were largely addressed to children or spouses.

References to God

References to God, as well as requests for His blessing, were not foreign to Warsaw Jews. Leon Goldstand delivered his wife, children, and those close to him to God's blessing. In addition, he asked for an easy death and to go to heaven.¹⁴⁰ It was common for testators to wish God's blessing upon those close to their hearts.¹⁴¹ It is worth mentioning here Jakub Epstein's

¹³⁵ APW, ANW, Noskowski, file 82, no. 11100, l. 293v.

¹³⁶ APW, ANW, Skorochód-Majewski, file 45, no. 3399, l. 219. Similar provisions were dictated to a notary by Bluma Raizla Rosen *née* Lipster: APW, ANW, Kalasanty-Przysiecki, file 26, no. 4309/409, l. 371; and Zendel Sztadfeld: APW, ANW, Rudnicki, file 87, no. 1311, l. 16.

¹³⁷ APW, ANW, Skorochód-Majewski, file 144, no. 13122/149, l. 197.

¹³⁸ APW, ANW, Franciszek Ksawery Masłowski, file 22, no. 1102, l. 6v. For injunctions to love one's neighbor, see the ethical wills of Alexander Suesskind and Joel Shemariach, who recommend keeping peace with all men, including non-Jews. *Hebrew Ethical Wills*, vol. 2 (2006), 340, 344.

¹³⁹ APW, ANW, Skorochód-Majewski, file 144, no. 13122/149, l. 197.

¹⁴⁰ APW, ANW, Brzozowski, file 107, no. 5560/15, l. 69.

¹⁴¹ For example, in Joel Oettinger's will (associated with the Haskalah). APW, ANW, Jasiński, file 4, no. 374, l. 171. Judyta Jakubowicz blessed her children. She entrusted the members of her family to God: "May God preserve the members of my family to lead a moral and principled life until we meet in that better world." Trans. from the German by Agnieszka Zimmer. APW, ANW, Kowalewski, file 8, no. 675, l. 177.

last will, which includes many references to God. Of particular interest is the first paragraph, in which the testator asked for his sins to be forgiven:

It is bliss to the one who always remembers that God will one day call him unto Himself, it is therefore just and right to think of one's will while one is sound of body and mind; as for me, I have made the following disposition in which I have included some charitable bequests, while sound of mind. May God graciously accept this small offering and forgive me my sins. Amen.¹⁴²

Berek Sonnenberg made ample references to God in his Hebrew-language will, dictating the following: "With God's help, may there be blessings!¹⁴³ I thank God with my lips, and I shall be among the many to adore Him."¹⁴⁴ Maier Mordka Markus Szteingrun asked God for help by uttering a similar expression: "B'ezrat Ha-Shem," which means "With God's help."¹⁴⁵ Invoking the name of the Creator demonstrated the important role He played in the lives of those drafting the wills or, at least, how strong this tradition was. What template was used in making a will was up to the testator, who selected the elements to be included in the will and whether it was to be written according to the notarial standard of the time, which made no reference to God or to ethical principles. We may hypothesize that the capital of the Kingdom, Warsaw, may have given its inhabitants a greater sense of anonymity, and this in turn may have reduced the influence of religious leaders such as rabbis on their lives. This state of affairs could then have led to fewer references to God.

The meaning of dates

In reference to the date of death, an important event often alluded to by testators was the Yahrzeit. It was at this time that the will was to be read out and prayers for the soul of the deceased were to be said.¹⁴⁶ Traditional Jews observed the Yahrzeit according to the Jewish calendar. The anniversary of a death was also when charitable donations were to be made

¹⁴² Nineteenth-century translation from the Yiddish J[ehuda] Rosenblum. APW, ANW, Brzozowski, file 10a, no. 566, l. 18.

¹⁴³ Hebrew: "B'ezrat Ha-Shem yitbarech."

¹⁴⁴ A paraphrase of Ps. 109, 30. APW, ANW, Ostrowski, file 56, no. 39, l. 323. See also: Wodziński "Legat Berka," 153; id., "Tsavato," 154. Cf. the ethical will of Aleksander Susesskind. *Hebrew Ethical Wills*, vol. 2 (2006), 329.

¹⁴⁵ APW, ANW, Wiliam, file 55, no. 2712, l. 31v.

¹⁴⁶ As in the case of Jonasz Goldberg Kiwka. APW, ANW, Sadowski, file 48, no. 781, n.p.

on behalf of the testator to contribute to the salvation of his or her soul.¹⁴⁷ *Tzedakah* could consist, for example, in paying for the dowry of a poor orphan within or outside the family circle.¹⁴⁸

Notarized wills were largely made in old age and during illness. Sometimes they were composed at the bedside of an ill person or in other rooms in the home. Ewa Lesser summoned a notary to her home on Nalewki Street to draw up her will, as she was so weak after a bout of cholera that she was unable to go out. Moreover, she had lost her sight, which probably made it difficult to get around the city.¹⁴⁹ Maier Herszsohn was ill when dictating his will:

We the undersigned [witnesses] testify, as we came to visit the ill Mr Maier, son of Rabbi Hersz Halewi Hirszsohn, we found him lying in bed sick, miserable, and sound of mind as any man walking around the city, and he replies with sense, and so he said to us: I demand of you that you witness this.¹⁵⁰

Mortka Lichtenbaum, on the other hand, went to the notary Michał Rapacki on his own two feet in order to draw up his last will, as his health was not in the best condition and he feared he might soon die.¹⁵¹ We see in these cases that illness had an impact on the decision to leave a last will.

We also cannot fail to mention wills made with no connection to a past or ongoing illness. They were made for a variety of reasons, e.g., Rywka Rozencweig *née* Lewartowska, who had no descendants, wanted to have a say in the distribution of her estate after her death, so she went to see a notary public.¹⁵² For some Warsaw testators, it was possible to determine their age at the time of making a will, which ranged from 40 to 70 years old. The sample is very small, but when we compare it to information gleaned from other wills, we note that notarial will deeds tended to be made toward the end of life or in middle age. This is evidenced by statements that testators had been married for a long time but did not have children—one may therefore infer that they were of non-reproductive age, which motivated them to make a will, e.g., the aforementioned Rywka

¹⁴⁷ APW, ANW, Ciechanowski, file 27, no. 1928, l. 277r.

¹⁴⁸ As in the case of Salomon Zalman Nisson. APW, ANW, Wilski, file 39, no. 287, l. 152.

¹⁴⁹ APW, ANW, Jeziorański, file 33, no. 1145, l. 182.

¹⁵⁰ Nineteenth-century translation from the Yiddish S. Nussbaum. APW, ANW, Ostrowski, file 58, no. 104, l. 188.

¹⁵¹ APW, ANW, Rapacki, file 63, no. 6368, l. 97.

¹⁵² *Ibid.*, file 27, no. 6368, l. 165.

Rozencweig or Sara Jacobsohn *née* Stern.¹⁵³ The merchant Peretz Tirmont stated his age, which was 62 at the time of making the notarial will, as did Rywka Rozencweig *née* Lewartowska, who put her age at 73.¹⁵⁴ Ajzyk Dawidowicz Poleniak mentioned that he was “burdened with age,” but unfortunately did not specify how old he was.¹⁵⁵

In notarial wills, the date on which the document was made played a very important role. This information allowed executors to determine which bequest was valid in case two documents existed. Berek Sonnenberg also used the Jewish temporal framework in his will, left with Warsaw notary Jan Wincenty Ostrowski and written in Hebrew. A translation of this nineteenth-century last will deed, surviving in the records of the Central Religious Authority, has a translator’s note stating the date according to the Gregorian calendar. This should be duly noted, because by examining only the translation of the will, one could mistakenly attribute the Gregorian calendar date to Sonnenberg himself.¹⁵⁶ The importance of the Jewish calendar to the traditional Jews of Warsaw is also reflected in their wills, e.g., Abraham Mendel Ettinger dictated the dates of his parents’ deaths according to the Jewish calendar.¹⁵⁷

Conclusion

A qualitative analysis of the material shows that there was a group of Warsaw Jews whose wills, made in the first half of the nineteenth century in Warsaw notaries’ offices, incorporated elements of the ethical will whose roots went back to earlier centuries, which is evidence of the fact that such transmissions were, in a sense, timeless. This happened regardless of whether the individual in question was a Haskalah supporter or a traditionalist, a member of the financial elite or a person of modest means. We find among this group petty craftsmen, merchants, as well as entrepreneurs and bankers alike. The introduction of ethical content

¹⁵³ *Ibid.*, no. 2170, l. 165; *ibid.*, file 41, no. 3848, l. 269.

¹⁵⁴ Of course, we have to wonder whether the person giving his or her age knew it accurately or only approximately, as knowledge of one’s date of birth was not so common at the time. *Ibid.*, file 16, no. 1103/93, l. 73; *ibid.*, file 27, no. 2170, l. 165.

¹⁵⁵ *Ibid.*, file 42, no. 3870, l. 59.

¹⁵⁶ Wodziński, “Legat Berka,” 157; APW, ANW, Ostrowski, file 56, no. 39, l. 324v; compare the translation of the will with *ibid.*, l. 325–333. For the original Hebrew, see: Wodziński, “Tsavato,” 157.

¹⁵⁷ APW, ANW, Rapacki, file 33, no. 2890, l. 311.

was voluntary and was not required or part of the standard notarial templates at the time. We see similar liberties taken in testaments drawn up in accordance with Jewish inheritance law, which did not always include a moral or didactic component.¹⁵⁸ This phenomenon confirms that there was an established tradition of incorporating ethical components into wills among some Jews. The scope of such content differed and depended on the individual needs and intentions of testators. We find in wills: dispositions regarding *tzedakah*, the organization of the funeral, instructions on putting up a gravestone, dispositions of books and Torah scrolls, requirements for saying prayers and studying religious texts to assist the salvation of the soul, as well as a cultivation of the memory of the deceased—as seen, for instance, in reading out the will (usually on the anniversary of death) or burning memorial lights. Wills also frequently included reflections on death as the inevitable end of human life, references to God, as well as parental blessings and moral teaching and injunctions. The fact that notarial wills incorporated certain issues typically found in ethical wills may indicate the latter's universal importance to Ashkenazi Jews in the Kingdom of Poland.

Elements of the ethical will appearing in the records of Warsaw notaries may suggest that, despite the imposition of a certain will structure or format on Jews by the notary, a transmission of forms of writing peculiar to Jewish culture into official documents did take place. Most of the Jews studied transferred their customs, cultural codes, and emotional expressions and incorporated them into official written forms from the wider society, such as notarized wills. Ethical wills were in regular circulation. They were published and reprinted, as well as read in families. The categories mentioned in this article were similarly distributed across all wills, whether made by men or women. It should be borne in mind that the actions and behaviors described in ethical wills are part of Jewish culture and are still present in various spheres of Jewish life, including synagogues, cemeteries (gravestones), sermons, community prayers, and personal prayers.

This study has sought to demonstrate that, in constructing property wills, Jews also saw them as an opportunity to transmit moral and spiritual principles, elements traditionally associated with ethical wills. It is noteworthy that values were the common denominator of Jewish collective

¹⁵⁸ As in the case of Szaia Szmulowicz Zelniker, see: APW, ANW, Dzięciałkiewicz, file 11, no. 782.

thinking. The wills deposited with Warsaw notaries were authored not only by prominent individuals but also by lesser-known and economically modest members of the community. These diverse testators exhibit varying degrees of familiarity with the tradition of ethical wills and, in some cases, they consciously incorporated similar themes and ideals into their final bequests.

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