

makes a total of (54) twenty *bahārs*.³⁹ Kindly take delivery of one-half of this, too, (55) and sell it for your servant for whatever price God, the Exalted, apportions. (56) Please keep the account for this apart,⁴⁰ since it is exclusively for me, your servant.⁴¹

(Here the manuscript breaks off. A short marginal note is incomplete and not connected with the text translated above.)⁴²

³⁹ Here the *bahār* is taken as weighing 300 pounds, which was indeed the standard at that time and place. But see 597, n. 13.

⁴⁰ {Arabic *nāhiya*. Cf. Dozy, *Supplément*, 2:647, *min/ft nāhiya*, 'à quelque distance.'}

⁴¹ And not in partnership with Bilāl. The other half of the cinnamon probably went farther west, e.g., to Palermo or al-Mahdiyya.

⁴² {In it Maḍmūn expressed his hope that Abu 'l-Khayr al-Barqī, who was delayed somewhere in the Far East, would return that year and that they would meet in 'Aydhab. This is the only evidence we have for Maḍmūn's traveling away from Aden.}

II, 33–34 *Memorandum from Maḍmūn b. Ḥasan to Ḥalfon ha-Levi b. Nethanel*

Aden {ca. 1135}

II, 33. TS 8 J 37, f. 1

II, 34. TS Arabic 5, f. 2

Two bifolia, each containing two leaves or four pages, sown together to form a booklet, so that II, 33 contains sides a, b, g, h, and II, 34 sides c, d, e, f. Since the two bifolia were in different collections {i.e., in different locations in the Taylor-Schechter Collection at Cambridge}, their real nature was totally unknown and they were wrongly folded. However, the page order as presented below is undoubtedly correct, as is borne out by the content.

Each page is 15 cm long and 10.5 cm wide. Tiny holes for a cord are discernible at the fifth and tenth centimeter from the top. The paper, once light brown in color, is now mostly dark brown, even gray. The paper is torn in several places, especially on sides g–h.

The memorandum is written in the hand of Maḍmūn b. Ḥasan of Aden. Side a contains the heading only, in the form of a book's title page. Side h is empty.

Unlike a letter, in which the text is usually continuous and uninterrupted in any way from beginning to end, this list is divided into paragraphs, sometimes with headings (e.g., side b, lines 3, 15), and quite far apart, sometimes by several empty lines (side c, line 7; side d, line 3).

This document is a typical memorandum. The famed Old Cairo India merchant, Abū Sa'īd Ḥalfon b. Nethanel al-Dimyāṭī, while in Aden, received detailed instructions from the local representative of the merchants, requiring him to take various actions upon returning to Old Cairo. The purpose of the present list was to remind him of the details. We have already seen (II, 32, line 51) how Maḍmūn gave a similar memorandum to another merchant traveling from Aden to Cairo. Other merchants also refer to such memoranda, e.g., in V, 6, line 7; and VII, 50 is a document of the same type, although the word *tadhkira* ('memorandum') does not appear at the top as it does here {similarly, for example, III, 2}.

Maḍmūn calls his memorandum *mubāraka*, 'blessed,' both on the title page and in the opening line of the text; cf. below, 385, n. 45. Perhaps this was because its first concern is with gifts sent to various religious functionaries in Old Cairo. Alternatively, the appellation might have been considered auspicious, like Maḍmūn's 'blessed' ship {al-Mubarak}, see above, II, 20, line 31; the 'blessing' in question would then be that the

memorandum should safely reach its destination and have the desired effect. Since the same adjective is used of IV, 3, where no gifts or meritorious deeds are mentioned, the second explanation seems the more plausible. {The phrase *tadhkira mubāraka* also appears in II, 43 and II, 50, the latter in Arabic script, and in memorandums for trade in the Mediterranean (e.g., TS 13 J 36, f. 7: *tadhkira mubāraka munjaḥa*, 'a blessed, successful memorandum,'¹ as well as in Arabic documents from thirteenth century Quṣayr.² According to Buzurg, *'Ajā'ib al-Hind*,³ when a trader gives merchandise to a traveler and asks him to buy goods for him, he says, "Bring me a blessing (*baraka*)."³ Consequently, there is no doubt that a memorandum was called *mubāraka*, in hope that God would bless the venture. See also page 520, concerning 'the blessed Kārim.'}

The memorandum was written in the thirties of the 12th century. {See the continuation.}

In secs. B–D of the memorandum, gifts to be delivered to the Palestinian Gaon at Cairo and to other scholars are listed. The Head of the Yeshiva was to receive costly aromatic wood and oriental spices, then worth approximately 31 dinars, as well as three additional gifts whose monetary value I cannot for the moment determine, although they appear to be quite rare and important: a basket with a set of six tumblers made of transparent Chinese porcelain; two garments made of *lālas*—a red silk from India, made in (or exported from) the city of Kūlam (Quilon) in southern India—and one hundred cubes of an as yet unidentified Chinese material. The instructions are accompanied by a halakhic question (sec. G) as to whether transparent Chinese porcelain falls into the same category as glass or as pottery.

Besides the Gaon, there was a gift for Nathan the Fellow (of the Yeshiva), that is Nathan, 'Diadem of the Fellows (of the Yeshiva),' son of Samuel, Fellow (of the Yeshiva), a well-known friend of the poet Judah ha-Levi: three *mithqāls* (gold dinars), a satchel containing two *raṭls* of the oriental spice *jawza*, worth that year approximately two dinars, as well as Indian cloth of the *lālas* type (see above). The cantor and court scribe, Ḥalfon ha-Levi b. Manasseh Ibn al-Qaṭā'if, was to receive two *mithqāls* and two *raṭls* of *jawza*. The large gift for the Gaon was undoubtedly

¹ [Gil, *Ishmael*, 2:640, no. 219.

² See Guo, *Commerce*, 103. The text on page 260 reads *tadhkira mubāraka in shā 'llah*, 'a blessed memorandum, God willing.'

³ Buzurg, *'Ajā'ib al-Hind*, 96 (= Tibbetts, *Arabic Texts*, 47–48).

intended, among other things, for the sustenance of poor Yeshiva students. This was also common practice in Muslim religious academies: The principal of the institution would receive a stipend from which he was also supposed to feed his students.

The term of office of Maṣliḥ Gaon in Egypt lasted from 1127 to 1139, while Ḥalfon ha-Levi b. Nethanel was in Aden in 1134. It seems likely, therefore, that the above gifts were sent in the course of that year. Most probably, Ḥalfon did not return to Yemen before 1139.⁴

{There is some difficulty in establishing the date with precision. The last known year of Ḥalfon ha-Levi b. Manasseh's activity, 1138, can be taken as a *terminus ad quem*. In all likelihood, Ḥalfon ha-Levi b. Nethanel was on his way to the East before November–December 1130 (see IV, 2). In January 1132 he was in Fustat, Egypt (I, 33). Abū Zikrī Kohen wrote from Fustat to Ḥalfon in Aden in January 1133 (V, 1). In his letter from January–February 1134, Abū Zikrī wrote Ḥalfon and urged him not to tarry in Aden or return to India, but leave Aden for Egypt with Maḥrūz (V, 2); but it is not certain that Ḥalfon followed this advice. In January 1136 Ḥalfon was in Egypt after having recently returned from India (V, 3). From that time until 1139 he seems to have been in Egypt, North Africa and Spain. His travels will also be discussed in II, 42 and further in the Introduction to chap. 4. Here, in II, 33–34, Ḥalfon carries from Aden to Egypt gifts and letters for Maḥrūz. Maḥrūz was in Egypt in 1131/2 (II, 60). In the aforementioned letter from January 1133 (V, 1), it is noted that he had just arrived there from Aden. In January–February 1134, he was probably on his way from Aden to Egypt again (V, 2). He was in Fustat in March 1135 (II, 59). As we shall in chap. 4, relations between Maḍmūn and Maṣliḥ were probably somewhat strained in 1131. Accordingly, I tentatively suggest that our letter was written (ca.) 1135.}

Translation

[A. Heading and opening]

[Side a, II, 33] (1) Blessed memorandum⁵ (2) by {alt. tr.: for} Maḍmūn b. Ḥasan.

⁴ I have added the last three paragraphs on the basis of Goitein, *Yemenites*, 26.

⁵ For the meaning of these words see introductory comment.

[Side b] (1) A blessed memorandum by {alt. tr.: for} Maḍmūn b. al-Ḥasan,⁶ borne by the most illustrious Sheikh, (2) my lord Abū Saʿīd al-Dimyāṭī⁷—may God decree that he arrive safely!

[B. Instruction to sell medicinal herbs, to make a gift of part of the proceeds to two members of the Old Cairo rabbinical court, and with the balance to buy pure white silver]

(3) What was sent separately:⁸

(4) Eight *manns* of rhubarb⁹ and half a *mann* of *māmūrān*.¹⁰ (5) Upon safe arrival, everything is to be sold, and when (6) cash is received for it all, there should be delivered from it to the most illustrious Sheikh, my lord (7) Nathan, *Fellow* (of the Yeshiva),¹¹ *Diadem of the Fellows* (of the

⁶ Note the apparent inconsistency: the writer himself gives his father's name once (II, 33, side a, line 2) without the definite article *al*, but immediately thereafter with *al*. This was because at that time the patronymic was always written in Arabic as 'al-Ḥasan' (cf. the Arabic addresses preserved above: II, 14; II, 17, II, 25), whereas the preferred spelling in Hebrew transcription was 'Ḥasan.' Nevertheless, in the address in Hebrew script of II, 17 Maḍmūn writes, as here, 'al-Ḥasan.' {Al-Ḥasan is used in Hebrew script elsewhere; see the address of II, 12, II, 28, line 1, II, 44v, line 19.}

⁷ Ḥalfon ha-Levi b. Nethanel.

⁸ Arabic *al-munfaḍh* [.] *khāṣṣa*, with traces of *l* or *al* discernible where we have inserted brackets. The writer obviously means items that were sent in small packages, separate from the main shipment, which was packed in large sacks for camel loads. {*Khāṣṣa* apparently designates merchandise belonging exclusively to one merchant rather than shared by partners; here it may have been packed separately as well. See 285, n. 9 and II, 32, line 56; for *al-khāṣṣa* see III, 28a, line 11.}

⁹ Arabic *rāwand*, Chinese rhubarb. According to VII, 36v, lines 13–14, the price in Cairo of one *mann* of good, old *rāwand* was five dinars. {Goitein, "R. Ḥananel," 382: "Rāwand—Chinese rhubarb—was an important medicinal plant, which Yemenite notables in Aden used to send as a gift to Cairo grandees and scholars..." On the cultivation of Chinese rhubarb, its medicinal uses and trade in it, see Akira, "Rhubarb." Cf. Serry & Amar, "Medicinal Materials" (the translation of the passage quoted there on page 74, *rāwand shāmī*, *mā yujʿalu badalan minhu idhā ʿadīma al-rāwand al-ṣīnī*, should be corrected: 'there is no substitute for Syrian rhubarb, when the Chinese rhubarb is not to be had'). See Lev & Amar, *Medicinal Substances*, 218. For trade in the Geniza papers in *rāwand*, cf. Gil, *Ishmael*, 4:932 (Index).}

¹⁰ A medicinal herb with potent tonic properties, see Maimonides-Meyerhof, no. 241 {cf. Maimonides, *Lexicography*, ed. Muntner, 72}. In VII, 60v, margin, line 58, two and one half *manns* of *māmūrān* are sent to Cairo from Maʿbar on the eastern coast of southern India.

¹¹ Nathan (b. Samuel), Fellow of the Yeshiva, was a member of the Old Cairo Rabbinical court and scribe of the Fustat Yeshiva, who signed his name together with Ḥalfon ha-Levi b. Manasseh—mentioned below, who was also a scribe—e.g., in TS 10J 26, f. 11; see Mann, *Jews*, 2:275. He was still living in 1151, see *ibid.*, 366. From the present document we learn that he was already in office under Maṣliḥ Gaon, that is, before 1139 {as already mentioned above, this list may have been written in 1135}. R. Judah ha-Levi,

Yeshiva),¹² three Egyptian *mithqāls*, (8) and to the most illustrious Sheikh, my Lord Ḥalfon ha-Levi b. Manasseh¹³ (9) the *cantor*, Ibn al-Qaṭāʿif,¹⁴ two Egyptian *mithqāls*, for a total of five.¹⁵

(10) The balance shall be used to buy pure white bar silver.¹⁶ (11) Also sent with him {lit., 'Also appended'} are five and a half *manns* of *ṣūlī*¹⁷ threads.¹⁸ The proceeds (12) for everything are to be collected in a single place.¹⁹

when in Egypt, dedicated poems to him (Brody, *Dīwān*, 1:112, no. 78; 2:280, no. 56), and also sent him a rhymed letter (*ibid.*, 2:214–216). For further details concerning this person see Mann, *Jews*, 1:225. However, the letter attributed to him by Mann, *ibid.*, 2:277–279 [= IV, 80], was not written by him. {For Nathan b. Samuel *Nēzer ha-Ḥavērim*, see Fleischer, "Dīwān."}

¹² An honorary title, meaning: the most excellent among the fellows of the Yeshiva.

¹³ Ḥalfon ha-Levi b. Manasseh is already familiar to us as the writer of several documents in this book. More legal documents penned by this man than anyone else have been preserved in the Geniza. For further details on him see the description of II, 11a, which he wrote.

¹⁴ Most probably a family name. *Qaṭāʿif* was a condiment made of sugar, almonds and dough; see Dozy, *Supplément*, 2:376b. The form of this name is rather strange. If the intended meaning were 'a person who makes *qaṭāʿif*,' one would expect the name *qaṭāʿifī*. 'Son of *al-qaṭāʿif*' may mean: a person whose words are sweet as *qaṭāʿif* {cf. Goitein, *Med. Soc.*, 4:246, 441 n. 151}.

¹⁵ Gifts in the very same amounts are sent from Aden to Old Cairo in II, 44, lines 28–30, that is: three *mithqāls* to Nathan the Fellow and two to Ibn al-Qaṭāʿif. See below, side c, lines 8–12; side d, lines 1–3.

¹⁶ Most likely for the manufacture of ornaments and vessels; see above, II, 26, line 15. Below, in II, 44, line 27, the recipient of a memorandum in Old Cairo is similarly requested to buy silver with the remaining money. The literal meaning of the phrase here translated as 'bar metal' is 'stone metal,' for which usage see above, II, 26, line 15, and below, VI, 49, margin, line 1, in relation to gold. {See Piamenta, *Dictionary*, I, 83, s.v. *hajar* in the sense of a silver coin. For *hajar*, 'jewel,' see Shy, "Terms," 234, and see III, 21, sec. b, lines 7, 16. The adjective *naḍīf* translated here 'pure' can also mean 'impure.' See Hava, *Dictionary*, 777; Dozy, *Supplément*, 2:682.}

¹⁷ According to Yāqūt, *Geographical Dictionary*, 3:435 (see also 1:439), *Ṣūl* was a Kharzar city, not far from Darband, between the coast of the Caspian Sea and the Caucasus Mountains. Dunlop, *Kharzars*, 18, 23, 165, in fact identifies it with Darband, the famous gateway from the southern European plains to the Middle East. Some types of thread and textile may have been named for this *Ṣūl*, as may in fact be indicated by a passage by al-Washā (fl. ca. 900), in his book *al-Muwashshā*, referring to *ṣalūlī* headgear made in the Persian town of Qumis; see Serjeant, *Islamic Textiles* [214]. That text is corrupt, and one should apparently read *ṣūlī* for *ṣalūlī*. {While it indeed seems more probable that our text reads *ṣūlī*, one might also read here *ṣūlī*, for which cf. II, 32, line 53, and 375, n. 38.}

¹⁸ Arabic *ghazl*. Maḍmūn {as was his practice} places a dot on *g* to represent the Arabic *ghayin*. Judging from the material assembled by Serjeant, *Islamic Textiles* (as specified in the Index), thread was not a routine export commodity. {For *ghazl* for flax in the Geniza see Goitein, *Med. Soc.*, 4:208, 408. For trade in *ghazl*, see Ben-Sasson, *Sicily*, 699, Index, s.v. spinning thread; Gil, *Ishmael*, 4:935 (Index). See also below, II, 47, line 13.}

¹⁹ The last sentence is an addition to the original text.}

[C. List of gifts of Oriental spices, perfumes and textiles, as well as Chinese porcelain, for the Palestinian Gaon, the highest religious functionary in Egyptian Jewry]

(13) And the shipment that is for our lord, the most illustrious *Rayyīs*,²⁰ my master (14) and lord Maṣṭīḥ ha-Kohen, *Head of the Pride of Jacob Yeshiva*,²¹ (15) is as follows:

(16) A satchel containing one *mann* of {alt. tr.: of one *mann* of processed} heavy aromatic wood²² made of: (17) *ashbāh*, *kalatūn* and [*qā*]qullī.²³ And a satchel containing [side c, II, 34] (1) one *mann* cloves.²⁴ And a satchel containing one *mann* (2) mace.²⁵ And a satchel containing five *manns* nutmeg.²⁶ (3) And a satchel containing one hundred Chinese *k'b* *sh'ī*,²⁷ (4) and a satchel containing two kerchiefs of *lālas* silk²⁸ made in Kūlam,²⁹

²⁰ *Rayyīs* is used here as the title of the Head of the Palestinian Yeshiva, whose regular seat was in Eretz Israel; the institution, however, had moved to Egypt after the Syro-Palestine region had been ravaged by the Crusaders and others. Maṣṭīḥ b. Solomon Gaon fled from the seat of the Yeshiva, then in Ḥadrak, near Damascus, to Egypt, where we find him active in the years 1127–1139; see Mann, *Studies*, 1:255 and references cited there {Goitein, *Med. Soc.*, 1:260, etc.}. The material being published in this volume considerably enhances our information about this major office of Jewish leadership. {See Goitein, *ibid.*, 2:5ff.}

²¹ The Palestinian Academy.

²² {Arabic *'ūd thaqīl ma'mūl*. According to Jāhīz, *al-Tabaṣṣur*, 16, "it is claimed that the best Indian aromatic wood is that of heavy weight that sinks in water."}

²³ These species of aromatic wood appear elsewhere in these documents. {For *ashbāh*, see 256, n. 12. For *'ūd qāqullī* see Dozy, *Supplément*, 2:296a; Maimonides, *Lexicography*, ed. Muntner, 92, no. 325.}

²⁴ See above, II, 1, line 6.

²⁵ Arabic *bisbāsa*. See Maimonides-Meyerhoff, no. 38 {Maimonides, *Lexicography*, ed. Muntner, 25; Lev & Amar, *Medicinal Substances*, 148}.

²⁶ Arabic *jawza*, probably identical with *jawzal al-ḥīb*; see Maimonides-Meyerhoff, no. 71 {Maimonides, *Lexicography*, ed. Muntner, 32; Lev & Amar, *ib.*; al-Qazwānī, *'Ajā'ib*, 288}. *Jawza* is found elsewhere in our documents. Since *bisbāsa* and *jawza* came from the same tree, they were sent together. {They also are mentioned together in II, 53. Maimonides mentions together the use of both to increase sexual potency in his autograph manuscript TS Ar. 44, f. 79.}

²⁷ Not identified.

²⁸ Frequently mentioned in our documents; also below, line 9 and side d, line 6 {see 307, n. 10}.

²⁹ As already noted, this is the southern Indian town known to the Portuguese as Quilon. {Kūlam is the southernmost port city on the Malabar Coast; see Bosworth, "Kūlam" and Goitein, "Portrait," 459, n. 46, and the literature cited there. As far as I have seen, the literature on Kūlam does not mention that textiles manufactured there were exported to Islamic countries, and the information in our document may be unique.}

one (5) with red edges and another with green edges. (6) And a small basket³⁰ containing a *dast*³¹ of Chinese porcelain tumblers, numbering six (7) tumblers.³²

[D. Details of gifts of spices and textiles for the abovementioned two scholars]

(8) And what is set aside for the most illustrious Sheikh, my lord Nathan, *Fellow* (of the Yeshiva),³³ (9) *Diadem of the Fellows* (of the Yeshiva): a piece of fine *lālas* silk, wrapped (10) in a piece of cloth; and a satchel containing one *mann* nutmeg; (11) and that is besides the three gold *mithqāls*. Deliver to him (12) of all this. [Side d] (1) And what is set aside for the most illustrious Sheikh, Ḥalfon ha-Levi b. Manasseh (2) *the cantor*:³⁴ A satchel containing one *mann* nutmeg; and that is besides (3) the two gold *mithqāls*. Deliver all this, when God brings you there safely.³⁵

[E. Details of a shipment of gifts and letters to Maḥrūz b. Jacob of Aden and to his sister, who was married to the local representative of merchants]

(4) And a shipment to Maḥrūz b. Ya'qūb,³⁶ of Aden, from his mother: (5) A satchel containing aromatic wood and a satchel containing a kerchief made of (6) *lālas* silk and two letters, one to him and the other to his sister, (7) the wife of Abū Zikrī ha-Kohen. And on the aromatic wood and the kerchief is (8) written the name 'Maḥrūz b. Ya'qūb.' (9) These two things should be delivered to him, when God the Exalted, Sublime and Glorified brings you there in safety.

³⁰ Arabic *shat*, pronounced in modern Yemen *shatt*; see above, II, 23, line 44.

³¹ A *dast* was a certain quantity that made a set of a particular item; cf. 304, n. 9.

³² {See Goitein, *Med. Soc.*, 4:146, 393, n. 52, citing this document.} At this point there is a space of three and a half lines before the next paragraph.

³³ See above, side b, line 7.

³⁴ See above, side b, line 8.

³⁵ At this point there is a space of three and a half lines before the next paragraph.

³⁶ On Maḥrūz b. Jacob, see pages 48–51.

[F. Power of attorney to collect from Dāfir b. Burayk of Alexandria a debt owed to Maḍmūn's late brother; request to persuade the Gaon to intervene if necessary]

[Side e] (1) Please be so kind as to act as my (your servant's) representative³⁷ against Dāfir b. Burayk of Alexandria³⁸ (2) and collect from him fifty-five and a half Egyptian *mithqāls*, (3) for the principal that Dāfir owed was one hundred and fifty (4) *mithqāls*, which he had received from Barakāt b. Mukhtār, servant of (5) the *Rayyis*.³⁹ Now Dāfir claimed that the deceased,⁴⁰ my brother Bundār—*may he find mercy!*—(6) told him to pay from that sum to a certain merchant 92 (7) *mithqāls*. So says Dāfir. And Dāfir further claimed (8) that he is owed for Muḥammad the weigher⁴¹ two and a half *mithqāls*. The total to his credit is 94½.⁴² (9) Dāfir's remaining debt is 55½ *mithqāls*. Please be so kind, my lord, as (10) to act as my (your servant's) representative to receive this (sum) and

³⁷ Maḍmūn is here representing the heirs of his brother, Bundār b. Ḥasan b. Bundār, as below, II, 35, lines 22, 24. His deceased brother had entrusted Dāfir with the sum of 150 *mithqāls*, through the agency of Barakāt b. Mukhtār; of this sum, 94½ *mithqāls* had been spent, with the deceased's consent, leaving the sum of 55½. First and foremost, Maḍmūn wanted Dāfir to admit the debt (lines 12–13). The demand to collect the debt of 55½ *mithqāls* was made in a 'note' (Arabic *ruq'a* {see n. 44}) delivered previously by Abu 'l-Surūr Faraḥ ha-Kohen (lines 14 ff.). Maḍmūn requests Abū Sa'īd Halfon ha-Levi b. Nethanel to take the note from Faraḥ ha-Kohen and provide the latter with a receipt for it, if he so demands (line 18—side f, line 5). Dāfir, too, was to be given a receipt and a guarantee that once the above sum had been paid he would be released of all obligations.

³⁸ Probably a son of Burayk b. Sāsōn of Alexandria, who is mentioned in TS 28.19. [For the name 'Burayk' see 169, n. 4.]

³⁹ Because of the general use of the honorific *rayyis*, we cannot identify this dignitary with certainty. Nevertheless, as the present document refers three times to Maṣliḥ Gaon by that title, he is probably being referred to here as well. According to the available information, Maṣliḥ ha-Kohen was a nephew of the Palestinian Gaon Evyatar; see Mann, *Jews*, 1:196, line 9. This Evyatar had a slave, who acted as his agent, named Mukhtār—a rare name, actually unique to Eretz Israel and Syria; see above, page 283, and Mann, *ibid.*, 2:363. It is quite possible that the son of Evyatar's agent was in the service of his father's master's nephew Maṣliḥ, who succeeded Evyatar (although not immediately) as Palestinian Gaon.

⁴⁰ {Arabic *ḥayāt*, an Arabic cognate of the Hebrew *ḥay*, used by Yemenite Jews in referring to a deceased person. See below 394, n. 31.}

⁴¹ He is owed as payment for what he has paid out to Muḥammad the weigher. {Lit., 'he is owed by M., the weigher' (that is, the official of the customs house charged with weighing goods).}

⁴² The text reads here $\text{צ}7$ (= 4 + 90 + ½), with the Hebrew letters in the reverse of the usual order; similarly, the next line reads $\text{ז}7$ (5 + 90) instead of $\text{ז}7$. See above, II, 26, line 16, and 355, n. 18.}

to be surety to him (to Dāfir) (11) for the responsibility of {alt. tr.: after} delivering this (sum) to you.⁴³

This Dāfir's only excuse (12) concerning delivery of this gold is that he says (13) that there is against him a wr[itten] promissory note⁴⁴ [with] witnesses who attested (14) that he had received it.⁴⁵ And the promissory note is in the hands of Sheikh Abu 'l-Surūr (15) Faraḥ b. Yeshū'ā ha-Kohen. So if Sheikh Abu 'l-Surūr should happen to be (16) in Fustat, please, my lord, be so kind as to take the promissory note from him (17) and deliver it to Dāfir, so that he pay the gold, and thereby (18) the claim against him {alt. tr.: his claim} will be annulled.

And if Sheikh Abu 'l-Surūr should demand that there be drawn up for him [side f] (1) a promissory note in exchange for that one (that he had delivered), with witnesses and the account of the facts, that is, (attesting) that he had delivered (2) the promissory note⁴⁶ and the release (= receipt) to the person who had paid the gold, as is written (3) in the promissory notes, let him draw up a promissory note and have (witnesses) testify (4) to that effect. And it is not such a large sum that one might be concerned (5) here for such a serious matter.⁴⁷

Furthermore, if (6) Sheikh Abu 'l-Surūr should be present (in Old Cairo) and (you) my lord (are willing to) be surety in my stead to Sheikh

⁴³ That is, to guarantee that the heirs or other plaintiffs would not demand the above sum, or part thereof, from Dāfir. {Arabic *wa-yatakaffal labu al-darak ba'd taslim*. Cf. below, side f., line 8. Arabic *darak* (also there) has a range of meanings, including 'claim' and 'responsibility for a claim.' *Darak* and *ḍamān darak*, 'responsibility for a claim,' appear frequently in various forms in Judeo-Arabic legal sources (including the documents in this book). For its use in Jewish sources and in Islamic law and for the influence of the latter on the former, see Bloomberg, "Terms," 78–81; Libson, "*Ḍamān darak*." For these terms in Islamic law and the likelihood that the Arabic *darak* reflects influence of the Talmudic *adrakhta*, see further Khan, "Background," 214–23 (cf. Sokoloff, *Dictionary JBA*, 82–83). I believe (see Friedman, *Polygyny*, 199, n. 11a) that a similar meaning could be reflected in the Hebrew *drk* in the Massada scroll to Ben-Sira 42:3: *l'ḥsbwn šwtp wrk* (for a discussion of this passage with references to earlier literature see Kister, "Contribution," 351–52).

⁴⁴ Arabic *ruq'a*, literally, 'note,' 'piece of paper.' For this use see Goitein, *Med. Soc.*, 1:242.

⁴⁵ The translation given above is mine. Goitein translated lines 11–14: "And Dāfir is under no obligation (necessarily) to deliver (thi)s gol(d), but he is required to admit his debt on the grounds of a bl(essed [?]) writ (and to bring) witnesses who will attest concerning him that he had received that sum." His translation depends on reading 'lh in line 11, 'alā (cf. Blau, *Grammar*, 28, 45), 'under obligation.' In my translation I read 'illa, 'excuse.'

⁴⁶ Here and in the next line (the first appearance) the Arabic *rq'* (vocalization is uncertain) is used apparently as a singular form. This form for the singular is found in several other documents, all from Yemen.}

⁴⁷ That is, concern that the debt might be denied, after Abū Sa'īd Halfon gives Abu 'l-Surūr Faraḥ ha-Kohen a writ in which he releases him from his obligation to serve as agent for recovery of the debt.

Ḍāfir (7) in the matter of payment of the sum that he still owes, please be surety in my stead (8) and at my expense for responsibility for anything that might happen to him (to Ḍāfir) (9) in any conceivable manner. And this writ of mine attests for me in every respect that (you) my lord (10) will be surety in my stead to Sheikh Ḍāfir b. Burayk and that (you) my lord will take from him (11) the aforementioned sum that he owes and deliver it to (12) me, your servant, Maḍmūn [b. Ḥasa]n.⁴⁸

Please be so kind as to try (13) to recover thi[s money] in any possible way (14) and to be surety in my stead in this matter. And request *his excellency*, our lord, (15) *our Gaon*, the illustrious *Rayyis*, my lord and master Maṣṭīḥa ha-Kohen, (16) *Head of Pride of Jacob Yeshiva*, to help in this matter (17) and in recovering the money in any possible way. And the [explanatio]n of the matter (18) may be found with you together with the account of the *rāwand*⁴⁹ {alt. tr: And it should be with you together with the proceeds of the *rāwand*},⁵⁰ and it is of you, my lord, [side g, II, 33] (1) a favor.⁵¹ And I [... have sent] another writ (2) and in the hand of [...] to Ḍāfir t[wo] le[tters], one in (3) condemnatory terms, and

⁴⁸ Here, where this memorandum is supposed to serve as a legal document, Maḍmūn once again specifies the debtor's full name, as well as his own. {In his memorandum, II, 44v, line 15, Joseph b. Abraham *signs* his name in a similar context. Here, lines 5–12, the writer's indiscriminate use of the third person to refer to four different persons—himself, the recipient Ḥalfon, the debtor Ḍāfir, and the bearer of the writ, Abu 'l-Surūr—makes it quite difficult to understand his intention. In order to clarify his meaning, Goitein added the phrase 'my lord' four times; and he apparently read the last four words of line 9, '*alayya 'an kull man*, as '*alayya 'an kull mā*, translating accordingly. Perhaps the passage may be translated otherwise: "Furthermore, if (6) Sheikh Abu 'l-Surūr should be present (in Fustat) and will be surety on your servant's (= my) behalf to Sheikh Ḍāfir, (7) in the matter of payment of the sum that he still owes, please be surety (to Abu 'l-Surūr) on your servant's (= my) behalf, (8) and your servant (= I) will take responsibility for anything that might happen to you, (9) in any conceivable manner. And this document, written in my hand, attests for me on behalf of anyone (10) who will assume responsibility in my name to Sheikh Ḍāfir b. Burayk and will take from him," etc.}

⁴⁹ For 'account,' Arabic *qīma*; perhaps we might better read *qā'ima* {or *qayyima*}. In other words, Maḍmūn wrote all the details of the abovementioned debt on a separate piece of paper, which he put together with the account that contained the details of the *rāwand* shipment. {See next note.

⁵⁰ The reading of the original at the end of the line 17 and the subsequent translation are uncertain. Goitein read there *wa[bayā]n*, 'explanation.' I suggest *waya[kū]n*. According to the alternate translation, which I have offered, Maḍmūn asks Ḥalfon to hold the money to be recovered from Ḍāfir together with the proceeds (*qīma*) remaining from the sale of the *rāwand* (see above, side b, line 10), and perhaps carry them with him on a return trip to Aden.

⁵¹ I shall consider this on your part as a favor. {Arabic *li-mawlāya al-faḍl*. For this phrase, see page 426, n. 67.}

⁵² Here we see that a third person, besides Abu 'l-Surūr Farah ha-Kohen and Ḥalfon ha-Levi b. Nethanel, was involved, and that two further letters were sent to the debtor.

another in mild terms,⁵³ [that he] deliver what he owes (4) to you. *And [peace]*.

[G. A request to Maṣṭīḥa Gaon for a halakhic opinion concerning the use of Chinese porcelain vessels by a menstruating woman and the susceptibility of such vessels to impurity]

(5) Please be so kind, my lord and master, to a[sk our l]ord—may God protect him and keep him alive!—(6) concerning the Chinese vessels, the transparent porcelain China, and all (7) the transparent Chinese tableware ('bowls'), whether it is permissible (8) for a *menstruating* woman to use them and wash them, [or] whether they will then be ritually unclean. (9) Furthermore, a Chinese bowl which is [glazed]⁵⁴ without and within, (10) if some (unclean) thing should fall into it, whether that will render it unfit or if it is permissible to wash it (11) and it will (then) be fit for use.⁵⁵

Please be so kind as to obtain for me (12) fro[m our lord an answer] in this matter, so that we may act accordingly. *And peace*.

In addition, the Head of the Yeshiva was asked to intervene in the suit. Perhaps Ḍāfir was a particularly difficult person; alternatively, some doubt may have been involved.

⁵³ Arabic *waḥī* is an adjective describing soft, low ground; see Wahrmund, *Wörterbuch*, 2:1198: 'gut dressiert.' {Cf. Wehr, *Dictionary*, 1080, *waḥī*: 'low, muffled, subdued, soft (voice)'; Piamenta, *Dictionary*, 526: 'humble, modest, meek.' I assume the intention is that the letter to be delivered to Ḍāfir depended on his behavior.}

⁵⁴ Arabic *al-mukallasa*, as restored on the basis of the context by Prof. P. Kahle in his letter to the author (October 5, 1955), based on al-Bīrūnī, *Kitāb al-Jawāhir*, 226, where the following account of Chinaware is given: "After they have been dried in the air, one suffuses them outside and inside with that lime (Arabic: *kils*) and then places them in the kiln." The technique of glazing has long been known in the Near East and is mentioned several times in the Talmud, where glazed vessels are called *mane de-qonya*; see Krauss, *Archeology*, 2:284, no. 8; Brand, *Ceramics*, 512. (The Aramaic word *qonya* is a loanword from the Greek κová, which also has the meaning of lime and plaster.) Glazed vessels fall into the same Halakhic category as metalware. Some Geonim, that is, the heads of the Babylonian (= Iraqi) Talmudic academies of the 8th and 9th centuries, dealt with such vessels in their responsa; see *Otzar ha-Geonim*, 3:29–31, nos. 60 ff. Their comments are undoubtedly of interest for scholars studying Iranian pottery but are surely irrelevant for Chinese porcelain.

On the other hand, the celebrated R. David b. Zimra, in a manuscript responsum, no. 401, cited in the commentary *Peṭi Ḥādāsh to Oraḥ Ḥayyim, Hilkhot Pesah*, para. 451, reports seeing a responsum of the Geonim concerning porcelain, in which it was ruled that such vessels are categorized as pottery (I owe this information to Prof. E. E. Urbach). However, given the vagueness of the source, no conclusions can be drawn.

⁵⁵ See the comment below. {On this query, cf. Goitein, "Chief Justice," 192; idem, *Med. Soc.*, 1:421, n. 67.

Comment

For a proper appreciation of these two halakhic questions in sec. G concerning the everyday use of Chinese porcelain ware, one should note the previous reference (side c, lines 6–7) of a set of Chinese porcelain tumblers sent from Aden to the Palestinian Gaon in Cairo, in terms indicating that such gifts were by no means unusual. We have already seen that Maḍmūn makes special mention of particularly rare or hard-to-get gifts (see II, 14, line 20; II, 16^v, line 32; II, 24, lines 9–11).

The history of imports of Chinese porcelain into Muslim countries was thoroughly studied by Paul Kahle, particularly in his articles: (1) "Islamische Quellen"; (2) idem, "Chinese Porcelain"; (3) idem, "Chinese Porcelain" (1953). [Cf. Carswell, "*Ṣīnī*" and the sources and literature cited there.]

It emerges from these studies that expensive chinaware was being sent as gifts to Muslim rulers at a very early stage of history. According to a relatively late Persian source, Harūn al-Rashīd (ruled 786–809) already received a gift of twenty pieces of imperial porcelain and 2,000 pieces of ordinary Chinese porcelain from the ruler of Khurāsān in northeast Iran; see Kahle (3), 6. Pottery from the Tang period has been discovered at Sāmarrā', Iraq (the capital of the Islamic kingdom in 838–83 {836–92}), at Nishapur in Khurāsān, and elsewhere; see Kahle (3), 6. Ca. 1000, however, the famed Muslim scholar al-Bīrūnī (973–1048) describes staying at the home of a friend, a rich merchant from Isfahan who lived in the town of Rayy (south of present-day Teheran), where he was amazed to see that the domestic utensils, ranging from bowls and plates to lamps and candlesticks, were all made of Chinese porcelain; Kahle (3), 7. In all these cases the porcelain had been brought from China by land. However, if we find the palaces of the Fatimid caliphs of Egypt in the 11th century full of porcelain (Kahle [3], 10), we may assume that they had been imported via the sea route.⁵⁶ It is not surprising, therefore, that Maḍmūn, representative of merchants, in the 12th century, used that route to send gifts to the Palestinian Gaon in Cairo [see Goitein, *Med. Soc.*, 4:146]. It may perhaps be inferred,

⁵⁶ Buzurg, *Ajā'ib al-Hind*, 108, describes a ship from China that arrived in 'Umān in 900 C.E. with a cargo of riches that included Chinese porcelain. For a report of a Chinese source from the twelfth century that describes seagoing vessels leaving with their decks crowded with glazed ceramics, see Digby, "Maritime Trade," 141.]

however; from the halakhic queries at the end of the letter, that *everyday* use of porcelain was only then becoming common.

As to Maḍmūn's first question, whether porcelain would be defiled if used by a menstruating woman, the following remark is in order: According to normative Jewish law as formulated in the Babylonian Talmud and later halakhic literature, there is no place for such a question, since no utensil is rendered unclean by a menstruating woman's touch. Only in Eretz Israel, where attempts were still made to observe the laws of purity and impurity as in the time of the Temple, were menstruating women forbidden to touch household utensils. See Margulies, *The Differences*, 79. In the Muslim period, however, perhaps under external influence (see below), one finds the stringent Eretz-Israel practice being observed in other Eastern countries as well, such as Iraq and Egypt (see Margulies, *ibid.*, 114–17), and—as we see here—Yemen, whereas in the Muslim West, in Europe, and even in Eretz Israel itself, the more liberal mainstream Jewish law was practiced (see Maimonides, *Responsa* [Freimann], no. 99, 95–96 [ed. J. Blau, no. 320, 588–89], and Margulies, *ibid.*). [See also Friedman, "Menstrual Impurity," 20, where the manuscript under discussion here is cited.]

Muslim authors who rebuked the Jews for their harsh treatment of menstruating women (see Goitein, "The Stern Religion," 156) were perhaps thinking of the aforementioned practices in Iraq and Egypt. They may well have been correct in attributing these practices to Persian influence (possibly reaching Judaism through Karaism, which had developed largely on Iranian soil).

Maḍmūn's question is based on the halakhic distinction between pottery and glassware, to which the transparent Chinese porcelain was compared; see Maimonides, *Mishne Torah*, "*Hilkhot Kelim*" 1:5, and sources and commentators, *ibid.*

Thus the present document provides interesting evidence for the everyday use of Chinese porcelain ware in the homes of India merchants, and for the halakhic questions arising against that background.