

II, 73 *Quittance by the Rabbinical Court of Fustat for Money sent by Maḏmūn II*

Fustat {probably March 13, 1214}

TS NS J 242

A quittance issued by the rabbinical court of Fustat to the Nagid Maḏmūn II for 173<sup>7</sup>/<sub>24</sub> dinars, representing the estate of Petaḥyā, a merchant drowned 'near Yemen,' which was salvaged by the Nagid and sent by him with a Muslim (a Qadi) to the dead man's heir in Alexandria.

{The sum involved indicates that this was the estate of a successful merchant. This document does not state that Petaḥyā drowned near Yemen, and Goitein's remarks are obviously based on the assumption, which he made explicit in his discussion of II, 74, that these two documents refer to the same man; see further evidence of this there.

The document gives a glimpse of a fascinating spirit of cooperation, which crossed religious and geographical boundaries. A Muslim Qadi, probably himself a trader and close business associate of the Jewish Nagid of Yemen (called here by his Hebrew name Shemaryāhū), carries to Fustat the proceeds from the estate of an Alexandrian Jew. Probably no Jewish traders were traveling that year to Fustat, so Maḏmūn used the good offices of the Qadi. See the introduction to II, 74 for the date.

Translation

(1) On Monday, 12 Nisan [...] <sup>1</sup> (2) in Fustat Egypt, *situated on the Nile river, [in the jurisdiction of our lord Abraham...]* (3) *the strong hammer, the western lamp, banner of the rabbis, unique [of his generation...]* <sup>2</sup> (4) There appeared before us, *we the undersigned, our master and lord Eleazar the [distinguished] elder [b... and master and lord]* (5) *Josiah the distinguished elder b. our master and lord Japheth—may his memory by a blessing!*—the agents, whom [were appointed... and made] (6) agents to accept payment of the money left by *our master and lord Petaḥ[yā...]* (7) He left a minor

<sup>1</sup> {The formula in line 3 appears regularly in documents issued in Abraham Maimuni's jurisdiction between 1213–37 (see Friedman, "Responsum on *Reshut*," 333–34.) During that period these particulars of the day in the week and month correspond to the years 1214, 1218, 1221, 1228, 1231, 1234 and 1235.

<sup>2</sup> See the preceding note.

orphan //whose name is Abu 'l-Ḥasan<sup>3</sup>// who has the right to his inheritance according [to the Torah<sup>4</sup>... and... appointed] (8) them in the port city of Alexandria. They said to us:

Perform with us the symbolic act of obligation and testify [to us...one to] (9) another (?), and we collected and took payment from the Qadi al-Sadīd<sup>5</sup> 'Alī b. Maḥmūd known as Ibn al-Muḥtasib<sup>6</sup>—may his honored position be permanent!—(10) good, verified, weighed Egyptian gold coinage, 173<sup>7</sup>/<sub>24</sub> dinars, (11) Egyptian gold coins, good, confirmed, weighed, Egyptian standard *mithqāls*,<sup>7</sup> which had been sent with him to carry as a trust (12) by our lord the most illustrious Sheikh, *his honor, great and holy master and lord Shemaryāhū*,<sup>8</sup> *the distinguished prince (sar), the important Nagid, the Nagid (13) of the land of Yemen, who is good before God and trusted by men*,<sup>9</sup> which had been deposited with him for the heirs of our *master Petaḥyā, mentioned above*. (14) He proceeded to send them (the funds) to them, intending that a quittance from the responsibility be issued him, for today and the future. Now perform with us the symbolic act of obligation (15) and testify to us, that each of us has released *our master and lord Shemaryāhū the distinguished prince mentioned above* and his heirs after him (16) from responsibility for thus sum, which we have received from the aforementioned Qadi 'Alī—a complete, final, ultimate release. (17) Nothing will discredit it, no condition will invalidate it, and no interpretation will nullify it, a release for payment and full collection, as we were entrusted to do by [...]

<sup>3</sup> In all likelihood Petaḥyā's father was the India trader Abu 'l-Ḥasan 'Iwād, known from Maimonides, *Responsa*, 1:99–102, no. 63 (see the introduction to II, 74). As usual, a boy was named after his paternal grandfather (see Goitein, *Med. Soc.*, 3:6). This boy is likely the individual intended in the note added on the back of a letter, TS NS J 544v: "Sheikh Abu 'l-Ḥasan b. Futūḥ collected 19½ dirhems." See the introduction to II, 74 on the correspondence of the names Petaḥyā and Futūḥ.

<sup>4</sup> From II, 74, it appears that the dead man's brother was disappointed that he did not receive a share of the estate.

<sup>5</sup> 'The Sound.' On this honorific, see 274, n. 1. Goitein, *Med. Soc.*, 5:271: "It should be noted that a Jewish *kātib*, or government official, and a Muslim judge, doing business on the trade route to India bore the same title." Cf., ib., 582, n. 80, where for the Muslim judge this document is cited.

<sup>6</sup> Market Supervisor, which could here refer to the Qadi's father or serve as a family name associated with an earlier ancestor.

<sup>7</sup> Pleonasm is common in this context.

<sup>8</sup> Goitein, *Med. Soc.*, 5:598, n. 5, citing this document (correct there: line 12): "The Nagid is called Shemaryā (Protected by God), which is the Hebrew equivalent of his Arabic name Maḏmūn (II)," etc. On the identity of Maḏmūn and Shemaryā, see the introduction to II, 74.

<sup>9</sup> Goitein, *Med. Soc.*, 5:333: "In general, a person's religiosity was the measure of his reliability and probity in his relations with his fellow men... *Being good before God and trusted by men*' was a praise said of a Nagid of the land of Yemen, who had saved the property of a dead India trader for his orphans." The reference (598, n. 5) is to this document.