

An Embezzler ~~Money~~

~~Record of a Court Session on a Complicated Case Involving Adliyya Dinars~~

Fustat, May 14, 1086

T.-S. 16.148

* (Only) The record of one out of certainly many sessions about this case has been preserved in full, and is translated below. Of the preceding record, only the end, and this in a very much damaged form, appears on the top of the same sheet. From it we learn that Ma^oālī b. Khalaf sued his brother Abū Naḡr Maḡūr in connection with a deal in flax linen, valued between 40 and 50 dinars. There is also reference to a claim by Japheth b. Abraham, the manager of the Mint, mutawallī dār al-darb, against one of the brothers or the two of them ~~(see below)~~.

The beginning of l.6 reads as follows: "He showed him dinars buried in a mosque situated in a Jewish neighborhood, Tarbin 34 (1965), p. 251 the neighborhood of the Mosque of the Cupola, al-qubba", the rest, like that of the preceding and following lines is torn away. Only the last deposition made in court in that session is fully preserved.)

Finally, there appeared before us Barakāt b. Khalaf¹) and made the following deposition: Ma^oālī b. Khalaf brought me to the house of Japheth b. Abraham and gave me a basket with gold-dust, which I carried to the house of his brother Maḡūr at night time. On the following morning, Maḡūr b. Khalaf sifted the dust, which I had carried to him, brought a Muslim customer and sold it to him for about three dinars in my presence.²) We have written down what has been said before us and signed, so that it may serve as an instrument of securing rights and as a proof.

(No signatures follow, but after an interval of one line, a record of the next meeting is given:)

27

On Thursday, the ~~twenty-seventh~~ of the month of Iyyar of the year ⁴⁸⁴⁶ ~~four thousand eight hundred and forty-six~~ of the Creation of the World, there appeared in court Manasseh b. Jacob ³ and made the following deposition: Many years ago, during the life time of our Lord, the Nagid, of blessed memory, ⁴ ~~4~~) Manşūr, the brother of Ma°ālī, came to me, accompanied by two Muslims, who demanded from him payment for ^{flax} linen which he had bought from them. He produced dinars, kept by him, and handed them over to me to weigh them, so that he could deliver them to the Muslims. I examined them and found among them fifteen or seventeen °Adliyya dinars which frightened me, ⁵ ~~5~~ as dinars like these were not available to the public. ⁶ ~~6~~ I weighed them for him and handed them ^{flax} over to the Muslims as payment for the ~~linen~~. Later on, I asked one of the Muslims to exchange three or four of these dinars with me, which he did. Then I talked to Abū Naşr Manşūr in the way of a friendly advice and out of care for him and said: "If you have more of these, do not show them in public, but dispose of them secretly, for you may get into troubles on account of them."

We (the court) asked Manşūr: "What did you answer him?" He replied: "I said to him that I did not possess any of those dinars, but had borrowed them from my brother."

Two weeks later, the affair of his brother Ma°ālī and his embezzlement in the household of Japheth b. Abraham, the manager of the mint, came to light.

Likewise, there appeared in court, in the same meeting, Nethan⁷el ha-Levi b. Mevassēr⁷) and made the following deposition before the court:
Manḡūr, the brother of Ma°ālī, came to me, accompanied by two Muslims, who demanded from him payment for ^{flax} linen. He produced dinars and handed them over to me to weigh them in the presence of the two parties. I weighed and examined them, finding among them fifteen °Adliyya dinars. He handed them all over to the Muslims as a payment for the linen. They went and returned^{*} to Manasseh b. Jacob and gave him in exchange four of these dinars. I regretted very much to have missed that bargain, for at that time each of those dinars was worth three.

Afterwards, the affair of his brother Ma°ālī and his embezzlement in the household of Japheth b. Abraham, the manager of the Mint, came to light.

Continue on bottom of p. 5
Overleaf

Notes

- 1
a) ~~This man was~~ ^N ~~not~~ a brother of the litigants, ^{Since} ~~as~~ no close relatives were admitted in a Jewish court as witnesses.
- 2
b) This testimony obviously indicates that in addition to the embezzlement of the °Adliyya dinars, witnessed upon in the next record, Manşūr, who seemed to have been employed by the manager of the Mint, also committed minor frauds. For Adliyya dinars see p.
- 3
c) This man was an assayer of money, ~~nagid~~, or simply a so-called money-changer, ~~sairafi~~.
- 4
d) ~~The reference is to~~ Judah b. Saadya, who was Nagid, or Head of the Jews ^{see Med. Soc., II, Index, s.v.} in the Fatimid empire ca. 1065-1079, ~~(see p.)~~.

~~e) See Note on~~

- 5 ✓
- 6 ✓
- 7 ✓

Another money-changer. Because of the unusual look of the dinars the Muslims wanted to have them checked by two experts.

on p. 5
"

Comments

5 Ms. fk³fny, to be understood as fa³akhāfanī, the first Alif being omitted, either by mistake (not likely) or because the copyist pronounced fakhāfanī.

~~2. Text: mithlūhā lā yuqdar alaihi fī yadayi l-nās.~~

"I handed them over" "he"

6 For dafa^otuhā, one expects dafa^oahā, as below in the story of the second money-changer.

~~4. Text: °ādū, which might perhaps be translated "they went over to."~~

~~It is not evident whether the second witness contradicts the first, or whether the payment for the linan was made in two installments before two different assayers of the gold paid.~~

Overleaf, rests of another court record, written by another scribe, are preserved, in which our Japheth presents various claims against the above mentioned Manṣūr, among them one for fifteen

°Adliyya dinars. This record is duly signed by three, among them

the scribe Eli b. Hillel (see p.) and the well-known Parnas Eli

ha-Kohen b. Yahyā, whose handwriting is rather shaky (see p.)

Med. Soc., II, Index.

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Record of a Court Session on a Complicated Case Involving ^oAdiyya Dinars

Fustat, May 16, 1086

T.-8. 16.148

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The beginning of 1.6 reads as follows: "He showed him dinars buried in the neighborhood of the Mosque of the Cupola, al-qubba" (the rest, like that of the preceding and following lines is torn away). Only the last deposition made in court in that session is fully preserved.)

Finally, there appeared before us Barakī b. Khalaf^a) and made the following deposition: Ma^oAli b. Khalaf brought me to the house of Japheth b. Abraham and gave me a basket with gold-dust, which I carried to the house of his brother Maḡūr at night time. On the following morning, Maḡūr b. Khalaf sifted the dust, which I had carried to him, brought a Muslim customer and sold it to him for about three dinars in my presence.^b) We have written down what has been said before us and signed,
a title
so that it may serve as an instrument of securing rights and as a proof.

(No signatures follow, but after an interval of one line, a record of the next meeting is given:)

On Thursday, the twenty-seventh of the month of Iyyar of the year four thousand eight hundred and forty-six of the Creation of the World, there appeared in court Manasseh b. Jacob⁵) and made the following deposition: Many years ago, during the life time of our Lord, the Nagid, of blessed memory,^d) Mangūr, the brother of M⁶III, came to me, accompanied by two Muslims, who demanded from him payment for ^{flax} linen which he had bought from them. He produced dinars, kept by him, and handed them over to me to weigh them, so that he could deliver them to the Muslims. I examined them and found among them fifteen or seventeen ⁶Adliyya dinars which frightened me,¹ as dinars like these were not available to the public.² I weighed them for him and handed them³ over to the Muslims as payment for the linen. Later on, I asked one of the Muslims to exchange three or four of these dinars with me, which he did. Then I talked to Abū Nagr Mangūr in the way of a friendly advice and out of care for him and said: "If you have more of these, do not show them in public, but dispose of them secretly, for you may get into troubles on account of them."

We (the court) asked Mangūr: "What did you answer him?" He replied: "I said to him that I did not possess any of those dinars, but had borrowed them from my brother."

Two weeks later, the affair of his brother Ma^oAli and his embessie-
ment in the household of Japheth b. Abraham, the manager of the mint,
came to light.

Likewise, there appeared in court, in the same meeting, Nathan^oel
ha-Levi b. Nevassir^o) and made the following deposition before the court:
Mangur, the brother of Ma^oAli, came to me, accompanied by two Muslims,
who demanded from him payment for ^{flax}linen. He produced dinars and handed
them over to me to weigh them in the presence of the two parties. I
weighed and examined them, finding among them fifteen Adliyya dinars.
He handed them all over to the Muslims as a payment for the linen. They
went and returned⁴ to Manasseh b. Jacob and gave him in exchange four of
these dinars. I regretted very much to have missed that bargain, for at
that time each of these dinars was worth three.

Afterwards, the affair of his brother Ma^oAli and his embessie-
ment in the household of Japheth b. Abraham, the manager of the Mint, came to
light.

* Cf. Aft Layla Nigra 353 (I, 531)
Woman paid in the time of
al-Hakim with dinar weight of
2 1/2 dinars

Notes

- a) This man was not a brother of the litigants, as no close relatives were admitted in a Jewish court as witnesses.
- b) This testimony obviously indicates that in addition to the embossment of the Adliyya dinars, witnessed upon in the next record, Mangur, who seemed to have been employed by the manager of the Mint, also committed minor frauds.
- c) This man was an assayer of money, naqqād, or simply a so-called money-changer, sairaff.
- d) The reference is to Judah b. Saadya, who was Nagid or Head of the Jews in the Fatimid empire ca. 1066-1079 (see p.).
- e) See Note c.

Comments

1. Ms. fk'fny, to be understood as fa'akhāfanī, the first Alif being omitted, either by mistake (not likely) or because the copyist pronounced fakhāfanī.
2. Text: mithlūhā lā yuqdar alaihi fī yadayi 'l-nās.
3. For dafa tuhā, one expects dafa'ahā, as below in the story of the second money-changer.
4. Text: ʕādū, which might perhaps be translated "they went over to."
It is not evident whether the second witness contradicts the first, or whether the payment for the linen was made in two installments before two different assayers of the gold paid.

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