

Court
(Cairo 10/1) 10/13/10/15

**Two Contradictory Depositions in Court Concerning a Sum of 48
Dinars, a Minor Slave Girl, and an Apartment**

(August 28, 1098)

S J 4, f. 14a

(Business was largely done on the basis of mutual help and personal friendship, with no written documents (cf. p.). When friendship broke down, the two sides often had very different ideas about the agreements actually made. This state of affairs is reflected in the many grotesquely contradictory depositions in court, preserved in the Cairo Geniza. The following is a typical example.)

Monday, the twenty-eighth of the month of Elul, in the year 1409 according to the era used by us in Fustāt, Egypt, which is situated on the Nile River.

M. Thiqaḥ b. R. Anan appeared in a session of the court and claimed from M. Shelah b. R. ʿAyyash forty-eight dinars, which he had sent to him to Damietta^a) through Abu 'l-Muḥajjib b. Abū Saḥl Thiqaḥ al-Mulk.^b) He had asked him to take this sum with him to Palestine and Syria and to buy merchandise for him there; now he had come back, but had not delivered anything to him. Furthermore, he claimed expenses for a slave child of tender age, whom he had brought up for him. Finally, he demanded rent for an upper story and a mezzanine for a duration of two years and three months to the amount of 9 qirāṭs per month.

When inquired about this, M. Shelah replied as follows: "The forty

eight dinars are my property and my own; they are the equivalent¹ of Murābiti dinars;²) the aforementioned M. Tiqā received them from the Aleppo money-changers in Old Cairo and transferred them to me to Damietta. Not one single penny of them belongs to him.

As to the expenses for the slave girl, I left her with them³) on condition that they cover their expenses by making use of her services, while I had only to pay for her clothing.

As far as the upper story and the mezzanine are concerned, I have not rented any of those, but I had left with him some of the goods which he had owed me."

These statements were made in our presence, and we have written and signed them, so as to establish a claim and a proof.
that they may serve as a title of rights

(Signed by the two permanent judges of Old Cairo of those days, Isaac b. Samuel (from Spain), Abraham b. Shema⁴ya (from Palestine), with Hissin, son of the famous Baharai (from Tunisia), as adjunct. The document, as many others, is in the handwriting of the scribe Hillel b. Eli.)

Notes

- a) From this eastern port of Egypt, one sailed to Palestine.
- b) This is the well-known banker, Sulaimān b. Saul (cf., e.g., No. [S J 3, f. 1]).
- c) Cf. p. about these coins, which were called Moravidī in Europe.
- d) Vis. with M. Tiquā's family.

Comments

- 1. The translation assumes that the scribe intended to write ḡn, i.e. ḡn. What is visible in the manuscript looks more like ḡyn, i.e. ḡayn, "cash in gold." However, as the sum was taken from money-changers to a banker, it is highly probable that the Moravidis had been changed into a currency more in use in Palestine.