

Med. People vol. I

B II

Tax farming
and

Lease of Land

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For the

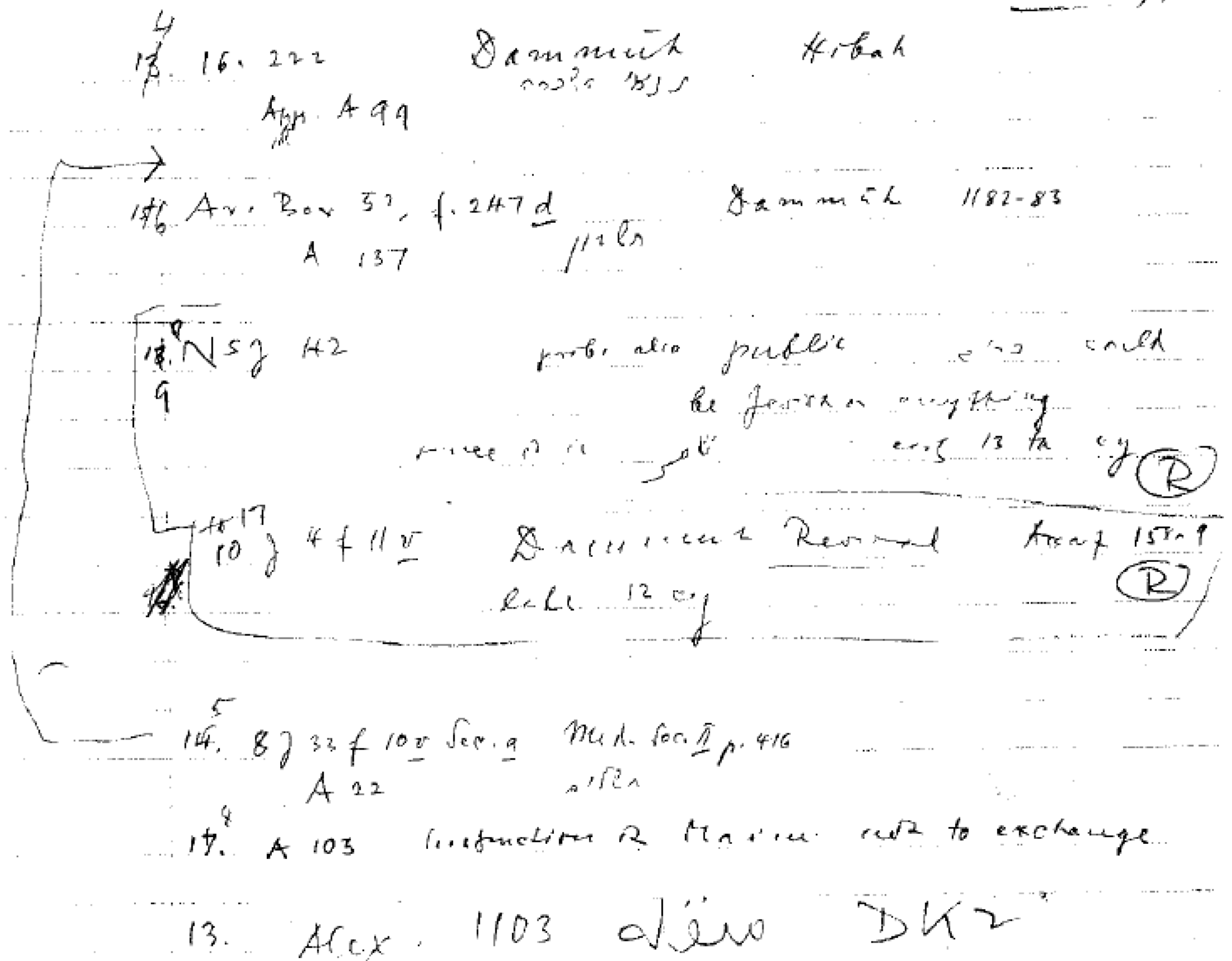
Indication

Number 16,172

1. The land is situated in the village of ...

2. The land is situated in the village of ...

Mik Peoples vol. I Part B II Taxation
 Lease of Land 100% P.T.



20 + 19 Two letters to an Administrator reporting
 21 20 about the dealings with Lessees of the
 addresses properties

111
Nos. 12-14 deal with orchards leased from the J.C.

D.F. Cedar similarity with Taffanung

same term 060

LEASE OF LAND

13. Two Christians lease from a Muslim two thirds of a vegetable garden on the outskirts of Alexandria. June, 1104³.

This document, written, of course, in Arabic characters by a Muslim notary, is of interest for several reasons, see Med. Soc., I, pp. 119-120. Particularly noteworthy is this: payment is made not at the end and not in instalments, as was also customary, but in one sum of the year of lease, as was Muslim (and Jewish) law, ~~not~~ in the eighth month after its inception. Various reasons could be adduced for such a stipulation.

DK 2. Facsimile in Med. Soc., I, after p. 20, no. 4.

In the name of God, the All-merciful. And may God pray for our lord Muhammad, his prophet, and his family, and greet them with peace.

Marzūq¹ b. Mufrij², the Christian, and Zurayq³ b. Makhlūf⁴, the Christian, leased in equal shares from Abū 'Alī Ḥammūd al-Yamēni⁵ the entire //two thirds//⁶ of the land of the vegetable garden of which he claimed it was his property.

That garden is found on the outskirts of the city of Alexandria on the northern bank of ~~the~~ its Khalīf⁷, and these are its boundaries:

Beyond it⁸, the Khalīf;

To its north, the vineyard of the shaykh Abū 'Abd Allāh Muhammad b. Aḥmad b. Ibrāhīm al-Hādī;

To its east, the water channel of Ibn 'Abd al-Ḥākim;

To its west, the bridge⁹ separating it from the vineyard of Jabbāra and Ismā'il.

The outside //of the four borders belongs to the rights of this//¹⁰ this¹⁰ land; and its borders, "castle"¹¹, well, wooden irrigation

wheel, which is fixed in it, and all rights belonging to it, both inside and outside of it, have been leased to them by a legally valid and binding lease for the duration of one entire year of successive months, beginning with the first of Shawwāl of the year 496 (July 8, 1103) against a payment of 6 dinars of excellent gold ^{of} ~~and~~ full weight on condition that the two lessees will pay to the lessor this entire lease in the month of Ṭoobeh¹², which is the fifth month of the year 467, without delay and without counter-claims against this contract of lease.

The lessor has ... and delivered¹³ to the lessees two thirds of the land of this vegetable garden. They have received it and [acknowledged its receipt] and their taking possession of it by right of their lease until its termination on condition that they plant on it, as long as this lease is in force, ...¹⁴ all kinds of vegetables and sorts of greens.

The parties have ~~had~~ confirmed these obligations by witnesses after the contract was read out to them and acknowledged by them while they were in good health and full command of their faculties.

This happened on the 7 nineteenth of Ramaḍān of the year 496 (June 26, 1103).

(There follows a note that the words added between the lines, see notes 6 and 10 above, were essential parts of the document. No signatures are attached. The reverse side is used for a private letter written in Hebrew characters.)¹⁵

¹"Given by God."

²"One who brings relief, comfort."

³"Little blue-eyed."

⁴Given as substitute" (for a previous child who had died). These four names were found among Muslims, Christians, and Jews alike.

⁵The manuscript clearly has two dots under the first Y. But, to the best of my knowledge, no Yamīnī exists in Arabic. Therefore I take the word as denoting Yamānī (from Yamāna, a country in Arabia), pronounced with imāla, that is, ē for ā. One could assume a scribal error (the two dots written beneath instead of above), which would give the rather common Yamīnī. But I believe the notaries were quite exact.

⁶⁽¹¹⁾Two thirds" is written (in one word) above the line.

⁷The khaliḥ ^{(of} Alexandria, the large waterway which connected that city with the Nile.

⁸Ar. dūnahā, meaning, away from Alexandria to the south.

⁹I am not sure whether the word should be read ḥisr, bridge, or ḥadd, border.

¹⁰Because of the addition of the words above the line the word "this" is erroneously written twice.

¹¹Ar. qasr, which goes ultimately back to the same English word as English "castle", designates also a primitive agricultural building; see Grohmann APEI. I, no. 72, pp. 268, 270, and below p. .).

¹²This is the fifth month of the Coptic (Christian) year, which, in 1104, partly coincided with the fifth month of the Muslim year, which then began on Jan. 31. The Coptic month begins on the 8th or 9th of January, see, e.g. Lane, Modern Egyptians, p. 225. (The dates in Westenfeld-Mahler-Spuler, p. 45, are according to the Julian, ^{the} not our, /Georgian, calendar).

¹³Another, short, legal term, certainly meaning the same, precedes this word.

¹⁴Two words, partly effaced, which I have not yet been able to identify.

¹⁵^{B.}Mr. ~~Kiyas~~ Shufani, who in 1962 was a research assistant of mine, made a copy of this document, after having discussed it with me.

Naturally, much has been learned about it and the Geniza in general, ~~x~~ since.