

Agreement to the Effect That the Case of Abraham the Andalusian Would
Be Dealt with by Three Prominent Judges, on Condition That no Appeal
Would Be Made Either to the Public or to a Muslim Court

(Old Cairo, December 18, 1027)

T.-S. 13 J 5, f. 1

From a double leaf of the Recordbook of the Court

There appeared before the Court in the synagogue of the Jerusalem-
ites in Fustat, on Monday, the sixteenth of Tēvēth in the year 1339 of
the (era of the) documents, Abraham b. Samuel, the Andalusian, and
Joseph b. Benjamin, together with his attorney Japheth b. Tobias, and
there assembled a number of the elders - ma(y the Allmerciful) pr(eserve
them) - to consider their case, some of them strongly disapproving of
the frequency of appeals to the public, in the synagogues and elsewhere.

When they assembled, the aforementioned Abraham asked the Court
about the note sent to Samuel, "the Delight of the Academy." In reply,
the latter apologised to the assembled (for being unable to attend),
owing to the pressure of work and other reasons. Then Abraham asked to
defer the case until Samuel, "the Delight of the Academy," would be able
to attend, since it had been resolved at the previous meeting that in
this case the following three should act as judges: R. Ephraim, the Fel-
low of "the Great Assembly," R. Samuel, the Head of the Community, and
R. Samuel, "the Delight of the Academy."

Upon this, a formal agreement was made with Japheth b. Tobias and
(his client) Joseph that they would not undertake anything which would

harm this Abraham and that they would not apply to a Muslim court until the end of this month, unless their opponent did so; and with Abraham, that he would not appeal to the public in the synagogues, until R. Samuel, "the Delight of the Academy," would be present, whereupon the Court would be complete and the elders would also be present to carry the case through. The agreement on all this was validated by the act of symbolic purchase.

However, the attorney Japheth b. Tobias mentioned that this Abraham had secured a rescript (from the Caliph), ordering the prefect of the police¹ to convene the Jews and to help him to obtain his right. Abraham was asked about this, but said: "This is true, but I have done so only in order to obtain my right according to the laws of Israel."

(Five signatures, headed by that of the Head of the Community)

Comments

1. Istanjas tawqī' ila 'l-qā'id.