EARLY MODERN WORKSHOP: Jewish History Resources

Volume 2: Jews and Urban Space, 2005, University of Maryland

Law, Boundaries, and City Life in Early Modern Poland-Lithuania

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ABSTRACT: The dynamics of relations within cities thus are shaped not only by class or religious or ethnic membership but also by the legal framework. In the Polish-Lithuanian Commonwealth, divisions between the private and royal domains within cities disrupted not only their legal coherence but also that of Jewish communities themselves, sharpening economic competition and often also conflict. This is what the 1711 decree of the Lithuanian Tribunal against the kahal of Minsk highlights--legal distinctions sometimes exacerbated urban tensions.

This presentation is for the following text(s):

- Decree of the Lithuanian Tribunal against the Kahal of Minsk

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Introduction to Decree of the Lithuanian Tribunal against the Kahal of Minsk

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The dynamics of relations within cities thus are shaped not only by class or religious or ethnic membership but also by the legal framework. In the Polish-Lithuanian Commonwealth, divisions between the private and royal domains within cities disrupted not only their legal coherence but also that of Jewish communities themselves, sharpening economic competition and often also conflict. This is what the 1711 decree of the Lithuanian Tribunal against the *kahal* of Minsk highlights--legal distinctions sometimes exacerbated urban tensions.

The document here concerns a conflict over jurisdiction of the *kahal* in the city of Minsk, and the *kahal*'s apparent encroachment on the rights of a nobleman, Jarosz Mackiewicz, an owner of a section in town exempt from municipal taxation and obligations. The case after evidently having been heard by lower courts was forwarded to the Lithuanian Tribunal, the highest instance for the nobility in Lithuania. This text exemplifies a triangular conflict involving Jews of the city of Minsk, Jews living in a privately owned section of the city (*jurydyka*), and a nobleman, the owner of the *jurydyka*. Complicated financial relations between Jews and the Catholic Church, here most specifically Jesuits, play a role too.

Minsk was a royal town. Until about mid-fourteenth century, Minsk was a capital of the Minsk Duchy, after that it became part of the Duchy of Lithuania. After Lithuania joined in the union with the Polish Crown, in the second half of the fourteenth century, Minsk became part of the royal domain. Catholicism was introduced to Minsk at that time. In 1496 Minsk received the Magdeburg law, which created a legal framework for the city administration similar to that of other cities in the Polish Crown. In 1552, Minsk's municipal rights were extended by King Sigismund August, allowing it to establish a permanent date for a fair, underlining Minsk's growing importance as a center on the eastern trade route with Moscow. In 1568, the Minsk *województwo*, or palatinate, was formally created, giving the region formal representation in the Polish Senate. Becoming the capital of the Minsk *wojewodztwo*, the city also became an administrative

and judicial center of the region. From then on the *sejmiki* [local dietines], land courts [*sądy ziemskie*] gathered there. Beginning in 1581 Minsk became one of the three cities where the Lithuanian Tribunal met; the other two were Wilno and Nowogródek.

As the town grew in prominence, Jews became increasingly important players in Minsk economy. But Jews as all inhabitants of the city were not immune to the vicissitudes of wars and disasters that plagued this region in the early modern period. At the time of the case Minsk had been in the middle of both political and natural disasters. As part of the military operations during the Northern War (1700-1721), Russian troops entered the city, as allies of Poland against Sweden, in 1706. In 1708, Swedes occupied it, and were only pushed out in 1710 by Russian troops. That year, due to severe winter, there was famine in the city, and putting additional pressure on the city to provide for the various military forces entering the city. Looting and plundering took place. Additional taxes were imposed on the local population to support the war efforts. It is against this background that the *kahal* had borrowed money from the Jesuits. Whether or not they did it to fulfill their fiscal obligations is unclear, we do not have their side of the story.

Jesuits arrived in Minsk sometime in late 1650s and 1660s, after the devastating wars with Sweden and then Russia. The Bishop of Smolensk bequeathed in his will to them a house on the main square that was later on to develop into a major Cathedral and a college. By the late seventeenth century, the Jesuits had become very prominent. In 1700 they began to build their new church, which was formally consecrated in 1710 even though the construction work continued. Additional buildings were also constructed that were to serve as the Jesuit college. After the dissolution of the Jesuit order in 1773, the church became a parish, and then in 1798 was elevated to become a Cathedral of the Virgin Mary; it existed till 1948 when it was taken over by the Soviet government and turned into a sports complex. In 1951 it was totally restructured. But in 1994, after the collapse of the Soviet Union, restoration work began and in October 1997 the restored Cathedral was re-consecrated.

Like most royal cities in Poland-Lithuania, Minsk was divided up into different jurisdictions, which may have exempted certain areas from municipal and royal taxes. Areas owned by the nobles, for instance, would have been exempt from taxes and municipal jurisdiction. There were two main categories of exemptions: *Jurydyki* - private districts sometimes within the royal city, sometimes, established just outside the city; a *jurydyka* was a subject to separate communal organization, independent of the city; e.g. there might be a separate "city council" or courts, or even a separate town-hall; the *jurydyka* served the interests of its owner not the interest of the city, sometimes represented competition to the city. The so-called *libertacje* were another category that challenged the city jurisdiction over its residents. They exempted from the city jurisdiction of specific houses or tracts of land. Such exemptions were obtained from the king. In some cities the majority of the properties may have been in fact not a

subject to the city jurisdiction. Most salient example of this trend is Cracow, in which in 1667 over 71% of the land/buildings within city walls were subject to such exemptions. 55% belonged to the Church and 16.7% to the nobility. That is only just over 28% was subject to the municipal jurisdiction.

Such divisions of jurisdiction influenced the dynamic of live in the city and interactions between its residents. But the complex patterns of city jurisdiction are grounded in the Polish legal system, in which several sets of law applied to different populations:

- The nobility (*szlachta*) was subject to the land law (*prawo ziemskie*). The Crown Tribunal established in 1578 was the highest level in the judicial system of the nobility. Modeled on the Crown Tribunal, in 1581, Lithuanian Tribunal was established for the eastern (Lithuanian) territories of the Polish-Lithuanian Commonwealth.
- Clergy was subject to ecclesiastical jurisdiction.
- Christian town dwellers were subject to the municipal/Magdeburg law.
- Jews were subject to Jewish law in cases involving Jews or royal courts for cases involving Jews and Christians. Still, that does not mean that they did not use non-Jewish courts for cases involving other Jews. In fact, the Jewish court decisions could be appealed in the *sąd wojewodziński,* a royal palatine court. The *kahal* generally considered itself to be the representative of local Jews, but as this case suggest, that authority was at times challenged by Jews living in private domains. Jews living in the private domains were not to be a subject to legal framework operating within royal domains.
- Peasants--subject to rural law (*prawo wiejskie*)

These legal divisions between private/noble and royal jurisdiction began to emerge in the sixteenth century. In 1519, the nobility gained absolute power over peasants in their domains; in 1539 over Jews; and in the 1560s absolute power over the towns in their domains. Practical consequences of these divisions were most acute in issues involving taxation and other obligations, leading to tensions, particularly within royal cities. Minsk is an example.

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Decree of the Lithuanian Tribunal against the Kahal of Minsk
Lithuanian Tribunal, 1711

Translated by Magda Teter, Wesleyan University, USA

In the year one thousand seven hundred eleven, in the month of July, fourth day.

Here before us, the chief judges of the Tribunal in the Great Duchy of Lithuania, elected for the year 1711 from the provinces, lands, and districts [*powiatów*], has come a case, in the registered order, of lord Jarosz Mackiewicz--the warden of the Minsk province--regarding harm done to Jews, burghers [*mieszczanie*] of his *jurydyka* in the town of His Highness the King, Minsk, against the infidel Jews and citizens of the said town of His Highness the King, Minsk, Judka Moyżeszowicz, Mowsza Kisielewicz, Jankiel Borkowicz, Janchiel Janckiewicz, Eliasz Kisielewicz, and Giec Moyżeszowicz on account of the claim that the above mentioned infidel Jews [*niewierni Żydzi*] having borrowed money from the most reverend fathers Jesuits of the Minsk monastery to satisfy their needs of whatever kind, have committed to pay interest and to supply bricks and stone for the construction of the church. And violating common law and the *sejm* constitutions concerning landed properties, *jurydyki*, and legal exemptions, and despite the over 150-years-old exemption from the municipal jurisdiction of the *jurydyka* in Minsk owned by the plaintiff, this year, 1711, in numerous months and days, they [the above mentioned Jews] illegally and unjustly abused the [common] duty to provide horse and cart for the needs of the city [*podwody*] and sent Jews living in the [plaintiff's] *jurydyka*, which is in perpetuity subject to land law [*prawu ziemskiemu podlegaiąca*], to the reverend in God Jesuit fathers, and forced [the Jews] and the servants from this *jurydyka*, which does not belong to them [the accused Jews] or the city, to carry bricks and stones with their horses during the day, and at night they took them to their homes or held them in a private prison, and the following day forced them again to carry bricks for the reverend in God Jesuit fathers. They have unjustly burdened the inhabitants of his *jurydyka* with a demand to provide carts and horses, and demanded payments of 200 zlotys from them, threatening them with expulsion, and leading the *jurydyka* to ruin.

Citing common law, *sejm* constitutions, exemptions from local jurisdiction, and preservation of the rights of Jews inhabiting in his *jurydyka*, which is not subject to municipal law, and is independent of the local *kahal* in Minsk, and is in perpetuity subject to the land law, the plaintiff has thus demanded that the above mentioned Jews be punished for the violation of these privileges; [he demanded] a temporary banishment; infamy and other penalties to compensate [for sustained losses], for the imprisonment of the plaintiff's Jews and his servants; reimbursement of the unjustly collected duties of two hundred zloty,...as all of this has been presented to us, the court and has been recorded.

And so on the said day mentioned above, Mr. Michał Frąckiewicz, the cup-bearer of Smolensk and a warden of the region of Minsk, having been summoned to court by the bailiff, arrived legally representing Mr. Mackiewicz; but the summoned infidel Jews of Minsk did not come before the court, and did not inform the court about their absence. Therefore, the above mentioned representative of the plaintiff through the summons against the Jews of Minsk delivered by the bailiff Jerzy Namowicz into the hands of Jews of the royal city of Wilno coming out Jewish school [synagogue] has testified according to law before the scribe of the Wilno tribunal proving the urgency of the court summons, and explaining the reasons for the accusations. Having explained the reasons for the accusations, he read, in support of his claims, all the royal privileges and exemptions granted in perpetuity to the plaintiff more than 150 years ago, and still valid in the city of Minsk, that state that the [*jurydyka*] is subject to the land law and not to the magistrate. And he recorded the claim against the above mentioned infidel Jews of Minsk for unjustly subjecting Jews and burghers in his *jurydyka* to municipal laws in the court of the Minsk region [*xiągi grodzkie woiewodztwa Minskiego*], whose excerpt has been released on the day and month of 1711 when the record was made. After these documents were produced, he demanded in accordance with the summons against the infidel Jews, who were in violation of the law...that the privileges and exemptions granted by their Majesty Kings for this *jurydyka*, which is located in Minsk and is now in perpetual possession of Mr. Mackiewicz, the warden of Minsk, be confirmed. [He further demanded] that in accordance with the power of these privileges, exemptions, and other documents concerning this *jurydyka* in Minsk, which is in perpetuity subject to the land law, and exempt from municipal duties and from demands by the Jews and the whole Minsk kahal, to which it does not belong from the old times, that the accused infidel Jews and the whole kahal not preoccupy itself with this *jurydyka* and not commit any illegal violations there.

And so he further demanded that the pressing and unjust abuse of the duty to provide horse and cart for city, and the collection of 200 zlotys to the injury of the *jurydyka*, and sending it to the Jesuit fathers of the monastery in Minsk, be compensated in the amount of 450 zlotys, and for the aggravation and ruin of the *jurydyka* through threats

125 zlotys; and for the losses, and court expenses recently spent in this case 200 zlotys to cover fees of registering the case [*wpisne*] and judge's fees [*pamiętne*] [to be extracted] from Jews, their houses, merchandise, sale stands, with a possibility of their arrest and confiscation of goods despite their seal. [He demanded that they may also be extracted] from other goods wherever and with whomever they might be found. And Jews themselves should be sentenced to a temporary banishment for making threats on the plaintiff's *jurydyka*; and to infamy [i.e. stripping of any rights] for the imprisonment of the servants of the Jews living in the plaintiff's *jurydyka* and the abuse of the duty to provide horse and cart for the city. [And he demanded] that the court bailiff proclaim and announce these condemnations and the demands of extraction of the above mentioned sum from the summoned Jews' landed properties, houses, merchandise, selling stands, and their monetary assets in all land or city courts in the region of Minsk and all other regions and districts, where these Jews or their goods might appear...

And so, we the court gathered to judge the case of Mr. Jarosz Mackiewicz, the warden of the Minsk region, considering that the infidel Judka Moyzeszowicz, Mowsza Josielewicz, Jankiel Borkowicz, Janchielow Janckiewicz, Eliasz Kisielewicz y Giec Moyzeszowicz, Jews and citizens of the royal city of Minsk have not appeared in court, despite having been summoned before our court and ordered by the bailiff to arrive numerous times, we thus view them in contempt of court ... and confirm in accordance with the plaintiff's claims the above mentioned privileges and exemptions concerning the *jurydyka*, which is now possession of the plaintiff, Mr. Mackiewicz in perpetuity, produced in our court with dates given on which they had been granted by their Majesty Kings. In accordance with these privileges, exemptions, and other documents, this *jurydyka* in the city of Minsk, with all its inhabitants, without exception, is subject to land laws, and is exempt from all municipal duties, contributions, duties to provide horse and cart, and all demands of the accused infidel Jews and the whole Minsk *kahal*, since [the *jurydyka*] is not subject to the magistrate and the Minsk *kahal*, on account of its exemptions from old times and confirmed by us now. And we order, under penalties, that the infidel Jews and the whole *kahal* leave it alone, and dare not to commit any illegal violations there.

And so for the pressing and unjust abuse of the duty to provide horse and cart, and sending them to the Jesuit fathers of the Minsk monastery, and thus incurring losses amounting to 200 zlotys [the plaintiff shall be reimbursed] amply with the amount of 450 zl for additional aggravation and ruin of the *jurydyka*, and threats; and 150 zloty for the losses on account of the fines imposed; 200 zloty for the court expenses, which include the registration fee and the judge's fees paid in court; together 785 zlotys [sic] to be extracted from the summoned infidel Jews, their homes, merchandise, selling stands, with an authority to arrest and confiscate these goods, despite seals; [this also applies] to other real property, and monetary possessions, wherever and with whomever they might be. And we sentence these Minsk Jews themselves to a temporary banishment for further ruining the plaintiff's *jurydyka* through cunning ways and for abusing the duty

to provide horse and cart, as well as for making threats. Furthermore, we sentence the accused to infamy for imprisoning Jews and servants living in the plaintiff's *jurydyka*, forcing them to provide carts and horses [to carry bricks and stones]. We order that this decree be publicized. And we refer the execution of the decree in respect to the monetary fines imposed on the houses, merchandise, businesses, selling stands, monetary assets, and other property of the infidel Jews to the magistrates and land courts under whose jurisdiction the property and the accused may find themselves, and to any office, which Mr. Mackiewicz, the warden of the region of Minsk may want to use. We also impose further penalties on the opponents of this decree. And on the 29th day of July of the present year this decree shall be publicized, and the court bailiff Jerzy Namowicz satisfying the common law and our decree shall announce, proclaim, and publicize in court and in public the infidel Judka Moyżeszowicz, Mowsza Kisielewicz, Jankiel Borkowicz, Janchiel Inackielewicz, Eliasz Kisielewicz and Giec Moyżeszowicz, Jews and citizens of the royal city of Minsk to be temporarily banished and [to be under] infamy. And his actions shall be recorded in the court records of the tribunal of the Great Duchy of Lithuania.

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Roku tysiąc siedmsetnego iedynastego, mca Julij dwudziestego czwartego dnia.

Przed nami sędziami głownemi na trybunał w w. x. Lit. z woiewodztw, ziem i powiatów na rok teraznieyszy tysiąc siedmsetny iedynasty obranemi, gdy z porządku regestrowego ku sądzemi przypadła sprawa imć pana Jarosza Mackiewicza--strażnika woiewodztwa Minskiego, tylko w dowodzeniu krzywdy żydom--mieszczanom na iuryzdyce mieszkaiącym y całey iuryzdyce imści w mieście i.k. mci Minsku będącey, z niewiernemi Judką Moyżeszowiczem, Mowszą Kisielewiczem, Jankielem Borkowiczem, Janchielem Janckielewiczem, Eliaszem Kisielewiczem y Giecem Moyżeszowiczem--żydami y obywatelami miasta i.kr. mci Minska, za pozwem przed nasz sąd wyniesionym, mieniąc o to, iż obżałowani niewierni żydzi, wziowszy y pożyczywszy na swoie potrzeby iakoweś u wielebnych ichmw xięży iezuitów konwentu Minskiego sumę y onym prowizią płacić y od siebie do zwożenia cegieł, kamieni na murowanie kościoła podwody dawać postąpiwszy y opisawszy się, czyniąc na convulsią prawa pospolitego y constytucyi seymowych dobrach, iuryzdykach ziemskich y libertowanych opisanych, mimo libertacią od lat pułtoraset iuryzdyki w posessyi żałuiącego w mieście Minsku będącey uczynioną, posponuiąc libertacie, niesłusznie y nienależycie za dług od siebie u w Bogu wielebnych ichmw xięży iezuitów Minskich zaciągniony y onym winny, iuryzdykę żałuiącego wieczystą, ziemskiemu prawu podlegaiąc, z oney od żydów temecznych na iuryzdyce mieszkaiących niesłusznie y nienależycie, ustawicznie w roku teraznieyszym tysiąc siedmsetnym iedynastym różnych mscy y dni gwałtownie podwody biorąc, w Bogu wielebnym ichmć xięży iezuitom Minskim daią, sami czeladź i iuryzdyki żałuiącego, z końmi do wożenia cegieł, kamieni przymuszaiąc, która przez dzień cegły, kamieni y co im każą wożą, na noc do domów swoich zabieraiąc, w prywatnym więzieniu przez noc trzymaiąc, na zaiutrz do wożenia cegieł do w Bogu wielebnych ichmw xięży iezuitów, nic sobie y do miasta nienależącą, zaprowadzaią y onych przymuszaią, pismem swoim iuryzdykę żałuiącego niesłusznie podwodami onerowali y w zabieraniu podwod iuryzdyczan żałuiącego do

szkody na złotych dwieście y daley przywiedli y ieszcze dalsze odpowiedzi zruinowaniem iuryzdyki, z niey mieszkaiących żydów y mieszczan różnemi wymyślnemi swoiemi sposobami wypędzeniem grożąc, czynią.

Zaczym przy prawie pospolitym, constytuciach seymowych y libertaciach aktora y iuryzdyke onego conservowania od takowey impetycyi obżałowanych żydów teyże iuryzdyki żałuiącego, mieskiemu niepodległey prawu y do kahału obżałowanych Minskiego nienależącey, iako wieczystey żałuiącego y do prawa ziemskiego należącey, vigore constytucyi y libertacyi do uwolnienia, za naruszenie przywileiów paen, a za udziałaną odpowiedź banicyi doczesney, za prywatne zaś więzienie z iuryzdyki żałuiącego od żydow czeladzi infamij y innych paen do wskazania, za poczynione w zabieraniu niesłusznie podwod złotych dwieście z sowitością, do zapłacenia, zostawiwszy o dalsze pretensie, dla zapozwania y tey żałoby do mieliorowania salvum ius, teraz tylko oto, iako się wyż pomieniło, żałuiący aktor niewiernych żydów Minskich pozwem, w ktorym wszystka rzecz dostateczniey iest opisana y wyrażona przed nas sąd zapozwał.

Na terminie tedy ninieyszym, wysz dacie pisanym, za przywołaniem przez ienerała stron do prawa od imć pana Mackiewicza--strażnika woiewodztwa Minskiego, patron imsci za mocą prawną sobie do tey sprawy daną, imć pan Michał Frąckiewicz--podczaszy Smoleński, oczewisto do rozprawy prawney stawał, a pozwani niewierni żydzi Minscy, iako sami przed niemi do prawa niestawali, tak y żadney wiadomościu o niestaniu swoim, na sądowi y stronie swey przeciwney nieuczynili, zatym tenże wyż wyrażony aktora patron podanego pozwanym niewiernym żydom Minskim oczewisto w ręce ty w mieście i.kr. msci Wilnie wychodzącym z szkoły żydowskiey przez ienerała Ierzego Namowicza pozwu, zeznaniem onego oczewistym przed wielmożnym imć panem pisarzem trybunalskim Wilenskim, kollego naszym, uczynionym, słusznie prawnie dowiodszy y pilność troyga wołania na tym pozwie napisaną okazawszy, oraz żałobę z niego o rzecz wyż wyrażoną przełożywszy, na dowod samey rzeczy providuiuąc czytał przed nami sądem przywileie y libertacie od naiaśnieyszych królów ichmć polskich od lat pułtoruset y daley w mieście Minsku będącey aktorowi wiecznością należącą y pod ziemskie prawo, a nie pod mieską podległą nadane, oraz o niesłuszne pomienioney iuryzdyki ziemskiey do miasta przez niewiernych żydów pociąganie a y na oney żydów y mieszczan turbowanie, protestacią od żałuiącego aktora na niewiernych żydów Minskich do xiąg grodzkich woiewodztwa Minskiego zaniesioną y extraktem z tychże xiąg pod datą roku teraźnieyszego tysiąc siedmsetnego iedynastego, msca y dnia w niey inserowanego wydaną, po których produkowaniu pozwanych niewiernych żydów, iako prawy nieposłusznych w roku zawitym na upad w rzeczy wzdania, a zatym według prawa y propozycyi pozewney, przywileiów libertacy od nayiasnieyszych królów ichmć na iuryzdykę teraz w posessyi wieczystey u żałuiącego imć pana Mackiewicza-strażnika Minskiego, zostaiącą, w mieście Minsku będącą służących, ze wszystką w nich wyrażoną rzeczą utwierdzenia; vigore których przywileiów libertacyi y innych dokumentów iuryzdyki w mieście Minsku będącey, iako wieczystey, ziemskiemu prawy podległey, od

wszelkich ciężarów mieskich y impetycyi niewiernych żydów obżałowanych y całego kahału Minskiego nienależącey y z dawnych czasów libertowaney y teraz uwolnienia, y aby obżałowani niewierni żydzi y cały kahał do oney nie interessował się, żadnego bezprawia y violencyi pomienioney iuryzdyce nie czynił, nakazania.

A zatym za gwałtowne y niesłuszne z iuryzdyki żałuiącego podwod brania, a ichm xięży iezuitom conventu Minskiego dawanie y przez to do szkod na złotych dwieście iuryzdyce uczynienie, sowito z winą gwałtowną czterechset piąciudziesiąt złotych, za udziałaną iuryzdyki dalszemi wymyslnemy sposobamy agrawowaniem y runowaniem odpowiedź y pochwałkę winy pochwałkowey sta dwudziestu piąciu złtych za szkody, nakłady prawne, z okazyi obżałowanych recenter na prawo spendowane dwuchset złotych z wpisnym y pamiętnym, cum lucris należącym, na pozwanych niewieruych [sic-niewiernych] żydach, domach, towarach, kromach, handlach, z wolnym onych aresztowaniem, a krom pieczętowaniem y innych dobrach leżących ruchomych, sumach pieniężnych, gdzie y u kogokolwiek będących, a samuch niewiernych żydów Minskich za udziałaną na iuryzdykę aktora odpowiedź y pochwałkę, na doczesną banicią, a za prywatne więzienie czeladzi u żydów, na iuryzdyce aktora mieszkaiących, do podwod biorąc u siebie trzymanie, na infamią aktorów wskazania, wywołać y proklamować nakażania y dla proklamowania tych kondemnat ienerała sądowego przydania, a za wskaz wyż wyrażoney summy dla uczynienia na dobrach, domach, towarach, handlach, kromach, summach pieniężnych y innych dobrach pozwanych niewiernych żydów exekucyi do urzędów ziemskich lub grodzkich woiewodztwa Minskiego y innych wszelkich tych woiewodztw y powiatow, pod ktoremi dobra y same osoby pozwanych niewiernych żydów okażą się, a którego sobie imć pan strażnik woiewodztwa Minskiego do tey exekucyi z urzędu użyć zechce, z założeniem na sprzeciwnych dalszych paen prawnych, odesłania u nas sądu prosił y domawiał się.

A tak my sąd w tey sprawie imści pana Iarosza Mackiewicza--strażnika woiewodztwa Minskiego, bacząc to, iż niewierni, Judka Moyzeszowicz, Mowsza Josielewicz, Jankiel Borkowicz, Janchielow Janckiewicz, Eliasz Kisielewicz y Giec Moyżeszowicz, żydzi y obywatele miasta i. Kr. Msci Minska będąc o rzecz wyż wyrażoną przed nasz sąd zapozwanemi, za pokilkakrotnym z nakazu naszego ieneralskim przywoływaniem przed nami do prawa niestawali, przeto onych iako prawu nieposłusznych w roku zawitym na upad w rzeczy wzdawszy, według prawa propozycyi pozewney y domawiania się aktora patrona wysz pomienione y u sądu naszego produkowane przywileia, libertacie od naiasnieyszych królów ichmć datami w nich wyrażonemi na iuryzdykę teraz w posessyi wieczystey u żałuiącego imć pana Mackiewicza--strażnika Minskiego ostaiącą, w mieście Minsku będącą, służące, ze wszytką w nich wyrażoną rzeczą utwierdzami; vigore których przywileiów, libertacyi y inych dokumentów iuryzdyke w miescie Minsku będącą, ze wszystkiemi mieszkańcami, nemine excepto, iako wieczystą ziemskiemu prawu podległa, od wszelkich ciężarów mieskich, kontrybucyi, podwod y impetycyi niewiernych żydów obżałowanych y całego kahału Minskiego, iako mieskiemu prawu niepodległą, do kahału

Minskiego nienależącą y z dawnych czasów libertowaną y teraz in perpetuum uwalniamy y aby obżałowani niewieni żydzie y cały kahał do oney nieinteresował się, żadnego bezprawia y violencyi pomienioney iuryzdyce żałuiącego nieczynił sub paenis nakazuiemy.

A zatym za gwałtowne niesłuszne z iuryzdyki żałuiącego podwod brania, a ichmc xięży iezuitom conwentu Minskiego dawanie y przez to szkod na złotych dwieście iuryzdyce żałuiącego uczynienie, sowito wespół z winą gwałtowną cztyrysta piędziesiąt złotych, za udziałaną iuryzdyki dalszemi wymyślnemi sposobami agrawowaniem y ruinowaniem, odpowiedź y pochwałkę,winy pochwałkowey sto dwadzieście pięć złotych za szkody, nakłady prawne z okazyi obżałowanych na prawo spendowane dwieście złotych, z wpisnyw [sic] y pamiętnym cum lucris na sądowi danym y zapłaconym wszystkiego summą siedemset ośmdziesiąt pięć złotych polskich na pozwanych niewiernych żydach, domach, towarach, kromach, handlach, z wolnym onych aresztowaniem, a krom pieczętowaniem y innych dobrach leżących, ruchomych, summach pieniężnych gdzie y u kogokolwiek będących, a samych niewiernych żydów Minskich za udziałana ruinowaniem, dalszemi wymyślnemi sposobami iuryzdyki aktora y braniem podwod odpowiedź y pochwałkę na doczesną banicią, a za prywatne więzienie czeladzi y żydów na iuryzdyce aktora mieszkaiących, do podwod biorąc u siebie trzymanie, na infamią aktorowi wskazuiemy, wywołać y proklamować nakazuiemy, a za wskazaną wyż wyrażoną summę dla uczynienia na domach, towarach, handlach, kromach, summach pieniężnych y innych dobrach pozwanych niewiernych żydów, exekucyi do urzędow ziemskich lub grodzkich woiewodztwa Minskiego y innych wszelkich tych woiewodztw y powiatów, pod któremi dobra y same osoby pozwanych niewiernych żydów okazą się, a którego sobie imć pan Mackiewicz strażnik woiewodztwa Minskiego do tey exekucyi z urzędu użyć zechce, założywszy na sprzeciwnych temu dekretowi naszemu dalsze paeny prawne odsyłamy. A gdy dzień dwudziesty dziewiąty tegoż msca Iulij anni praesentis dla publikowania tych condemnat przypadł, tedy ienerał sądów naszych pilnuiący Ierzy Namowicz dość czyniąc prawu pospolitemu y dekretowi naszemu, niewiernych Iudke Moyżeszowicza, Mowsze Kisielewicza, Iankiela Borkowicza, Ianchiela Inackielewicza, Eliasza Kisielewicza y Gieca Moyżeszowicza żydów y obywatelów miasta i. K. Mści Minska za banitów doczesnych y infamisów w izbie sądowey et in foro publico obwołał, proklamował y relacyią publikacyi swey a loco publikacionis rediens iudicialiter zeznał. Która sprawa do xiąg głownych trybunału w. x. Lit. iest zapisana.

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