

**JEWISH CODE OF
JURISPRUDENCE: ELEMENTS OF
THE TALMUDICAL, COMMERCIAL
AND CRIMINAL LAW; PART I, II**

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חשן המשפט

JEWISH CODE OF JURISPRUDENCE

ELEMENTS OF THE
TALMUDICAL, COMMERCIAL and CRIMINAL
LAW

BY
RABBI J. L. KADUSHIN
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אגרות תוספת

PART I.

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APPEAL TO THE READER.

The Lord created the earth and everything therein, and after he was done he created Adam and Eve and their children. There was one language until the flood. After this the people were divided and everybody spoke a different language. Each man is different from the other in three things, namely, in the face, in the voice and in the thinking, therefore the people are like the fishes. The largest and most powerful swallow the weaker ones, thinking that they are right even if it is a great injustice, therefore the Lord gave us The Holy Law which teaches what is right and what is wrong. If we follow the right path of The Holy Law we are saved from all danger and sorrow. The Holy Law commanded us the following: Thou shalt not wrest the judgment of thy poor in his cause. Keep thyself far from a false speech, and him who hath been declared innocent and righteous thou shalt not slay; for I will not justify the wicked.

And thou shalt take no bribe, for the bribe blindeth the clear-sighted, and perverteth the words of the righteous. Neither shalt thou countenance a poor man in his cause. (Exodus XXIII.)

Judges and officers shalt thou appoint unto thyself in all thy gates, which the Lord thy God giveth thee, throughout thy tribes: and they shall judge the people with a judgment. Thou shalt not wrest judgment; thou shalt not respect persons and thou shalt not take a bribe; for the bribe blindeth the eyes of the wise, and perverteth the words of the righteous. Justice, only justice, shalt thou pursue; in order that

you mayest live, and retain possession of the land which the Lord thy God giveth thee. (Deuteronomy, XVII.)

The judges must consider a long time before the decisions are given. In criminal cases man's, the children's and the grandchildren's lives, depend upon the judges' truthfulness and honesty. Even in civil suits the Talmud says "Be deliberate in judgment, and be very searching in the examination of witnesses, and be heedful of thy words, lest through them they learn to falsify."

If he judges a right judgment he brings peace on the world and he is like a partner to the Lord in the creation of the world. And, if he judges wrongly he is like a robber to the parties and to the Lord. Therefore, I found the right to publish for you the book with the name: "The Jewish Code of Jurisprudence." The Holy Law of the Lord which was given by the dear teacher Moses and Talmud, Alfas Rambam and Choshben Mischpot.

The Law of Judges, Witnesses, Loans, Oaths, Mortgage, Messenger, Indorser, Buying and Selling, Hiring Laborers, Employes, Borrowing, Accidents, Murder Cases, Honoring the Parents, Teacher, Charity, etc. Translated into English.

This law is suitable for all times and for all places. You, judges and lawyers, I am sure you will bring my book into your homes, and you will study it because you will find in there everything that is right and sensible. Even you private people, if you study this book, you will be guarded in business from all mistakes and all misfortunes, you will be saved from all trials and claims because you will know the law which is like the law of this country.

"He who maketh peace in His high places may He make peace for us and for all the world."

The question of peace is a current topic to-day, brought to our attention more strongly because of the great war which is now raging in some countries of the world. If people could only appreciate the value of peace and the advantage of arbitration this wasteful bloodshed would never occur.

It is my earnest prayer that this terrible war may soon end and that it may be the last this world will ever witness.

In the name of the Lord who giveth wisdom to the wise and knowledge to the understanding, I pray and I hope that He will guard me from all mistakes, and that I will find good grace in His eyes and in the eyes of all mankind. I pray for this country, O Lord, and save us from all sorrow and danger. Protect and guard our glorious land, the United States, our honorable president, his cabinet and officials and our noble army and navy, bless them with health and prosperity so that they may prosper in everything that they may undertake. In all our days let us have the prophet Isaiah's blessing (Chapter II), namely, that swords shall be beaten unto ploughshares, that nations shall not lift up swords against nations, that the wolf shall dwell with the sheep, that leopards shall lay down with the kid and the calf, so that a young lion and a small boy shall lead them. Amen.

As Editor of the "Jewish Code of Jurisprudence" I voice expressions of gratitude and appreciation to ex-President Taft, Prof. H. Stone, Dean of the Columbia Law School, Prof. Schechter, President of the Jewish Theological Seminary and all those who have encouraged me in my labor.

EDITOR.

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