Shehitah

A STUDY IN THE CULTURAL AND
SOCIAL LIFE OF THE
JEWISH PEOPLE

JEREMIAH J. BERMAN, D.H.L.

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Shehitah

To

the memory of my grandfather

MOSES Z. FINESILVER

RABBI IN ISRAEL

Acknowledgments

I am neither a shohet, nor the son of a shohet. My attention was drawn to the high worth of the practice of Shehitah by Professor Moses Hyamson, who was rabbi of the synagogue where I was worshipping. He presented me with a reprint of an address he had delivered before the 1922 Convention of the American Humane Association at St. Paul, Minn. The paper, entitled, "The Jewish Method of Slaying Animals: From the Point of View of Humanity" demonstrated Shehitah to be one of the kind and beneficent ordinances of the Torah. Later, I studied the laws of Shehitah under Professor Hyamson when I attended the Jewish Theological Seminary from 1924 to 1928.

My first rabbinical post was in Rochester, New York, where I had an opportunity to see the practice of Shehitah from an additional standpoint, as a factor in the organization and functioning of the Jewish community. Rochester Jewry had years before established a representative board to direct the production and sale of kosher meat. The board collected slaughtering fees and with the proceeds subsidized the slaughterers, the overseers of the meat shops, the orthodox rabbis, the Hebrew School, and the ritual bath. That arrangement was to be found in most communities of the Old World; it had never been instituted in my native New York.

In this study I was guided by my teachers at the Seminary, Professor Moses Hyamson and Professor Louis Ginzberg. Professor Hyamson read and corrected the entire manuscript. I received valuable suggestions from Professor Salo W. Baron of Columbia University, the Rev. Dr. Leo Jung, and Dr. Boaz Cohen of the Seminary.

I obtained information and data concerning Shehitah management in the modern Old World communities through personal interviews with distinguished rabbis and laymen

who came to New York to escape the Nazi fury, as well as by means of correspondence with Jewish officials in many places. The names of the persons who kindly provided me with data concerning Shehitah management in cities all over the world are listed at the back of the book.

Information concerning modern European anti-Shehitah legislation was received from Professor Bruno Kisch, formerly of the University of Cologne, and from Moses Moskowitz of the American Jewish Committee.

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JEREMIAH J. BERMAN

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Introduction

Shehitah: A Jewish Religious Practice of Sociological and Ethical Consequence.

Shehitah is the animal slaughtering method ordained by Jewish religious law. In this method the slaughterer dispatches the animal by cutting its throat with an exceedingly sharp smooth knife. The act of slaying must be performed with defined precision, however, and in practice it is executed only by a specially trained man known as a shohet (plural, shohetim).

The Jewish slaughtering prescriptions, though purely ritualistic in intent, most profoundly affect the social and ethical life of Jews.

Shehitah is a factor that causes Jews to reside together in compact masses. The Jew desirous of observing his dietary laws requires the services of a shohet, and to this end he must make his home in a Jewish settlement.

The Jew who travels, unless he be prepared to forego the taste of meat or make some extraordinary private provision to obtain kosher meat, must plan his route to include the home or hostelry of a coreligionist. A keen, though non-Jewish observer of Jewish life, has remarked, "The most important thing for the Catholic or the Protestant when he is traveling is to find a church, a chapel, a priest to say mass, or a clergyman to preach a sermon. In the eyes of the most devout Jew the synagogue is a secondary consideration: the vital thing is the butcher shop and the shohet."[1]

Sir Moses Montefiore, celebrated English Jew of the nineteenth century, provided himself with kosher meat on his long trips to distant countries by taking along his shohet, Mr. Tarachi.[2] The Jewish peddlers, who in the 1830's

hawked their wares through an English countryside devoid of Jewish homes and hotels, would supply themselves with kosher meat for their Sabbath meals by organizing themselves into Sabbath clubs. Each club would arrange to spend its Sabbath at a designated and necessarily gentile-owned inn. Early Friday morning, as instructed, one of its members would arrive at the place to prepare the meals for the entire group. This person, who had to be a qualified shohet, would kill the required number of cattle and fowl, and have the food ready for serving before sundown. For the day he had spent in preparing the food he would be compensated by the brotherhood with an amount equivalent to the profits of one day's business.[3]

The shohet is the most indispensable individual in the traditional Jewish community. Our records show that in practically every new settlement in America the first group act of Jews was that of taking title to a separate burial place, and the second that of engaging a shohet. To this day in many a diminutive Jewish settlement the sole religious functionary is the shohet.

The Jewish community dares not leave its shohet to his own devices. It is to be feared that the slaughterer will pass non-kosher meat as kosher, especially if the shohet also acts as a meat dealer or as the hireling of a meat dealer. The community removes its shohet from any financial interest in the meat he produces; it organizes itself to employ the shohet as its own paid, controlled, and protected official.

As soon as the shohet becomes a communal officer, the production of kosher meat becomes a community monopoly. The community then uses this monopoly to establish its authority upon all Jews within its jurisdiction, as well as to collect a tax from kosher meat. The revenues enable the community to engage overseers over the meat shops, to maintain the rabbi and the teachers, and to assist the poor. The Shehitah tax, known variously in different countries as gabela, as hakdish, or as in Czarist Russia as korobka, is a feature of the typical Jewish community.

In the ritual slaughter and examination of meat, a considerable quantity is found to be non-kosher. Such meat

may not be consumed by Jews, but it may be sold to gentiles. Non-kosher meat has been vended to gentiles for centuries, in a trade which has been of advantage to both buyer and seller. At different times this commerce has been hindered by non-Jewish authorities. In the thirteenth, fourteenth, and fifteenth centuries the sale of meat by Jews to Christians was formally restricted or banned in many sections of Europe. During the past fifty years the Jewish method of slaughtering has been made illegal in a number of European countries—Switzerland, Norway, Germany, Sweden, Italy, Hungary—and since the outbreak of the present war in German occupied territories. The practice of Shehitah is specifically safeguarded by law in England, Scotland, Eire, Finland, and the Union of South Africa.

Jewish communities in the United States have been slow to establish proper controls over the production and sale of their kosher meat. Here in most instances the communities are without power, the authority of the rabbi is not respected, and the shohet has become a workman paid by the butcher. The result is that in many American cities, not only does the Jewish community not receive the benefit of strictly kosher meat and the revenues of a Shehitah tax, but it is treated to spectacles of irresponsible rabbinical bans, strikes, lockouts, and even the perpetration of crimes. State legislatures have been called upon to prohibit the grosser frauds in the kosher meat trade, and at this writing Kosher Laws are to be found on the statute books of fifteen states and the District of Columbia.

Jewish slaughtering involves higher issues, matters of importance for the faith and morale of Jews. Shehitah serves the moral and physical well-being of man. More effectively than any other mode of slaughter it rids meat of its blood, so that the Jew in eating Shehitah slain flesh does not bring any to his lips. Shehitah is the most humane of all slaying methods. It produces meat which is more hygienic. The rules of Shehitah bar Jews from the cruel practice known as the sport of hunting. Shehitah, like many other ordinances in the Torah, promotes the good life in man.

To what extent do contemporary Jews adhere to the dietary laws? In answer we may cite estimates made of the number of Jews who purchase kosher poultry and of the quantity of kosher poultry consumed in New York City. In a case before the Supreme Court of New York State an expert called by the court with the approval of counsel declared in an undisputed statement that the number of buyers of kosher killed poultry (he would not pass upon their religious convictions) in New York City was from 1,250,000 to 1,500,000.[4] In the report rendered by the Mayor's Fact Finding Commission on Kosher Poultry[5] in January 1940 it was stated that approximately 2,000,000 pounds of kosher poultry were consumed in New York City each week and at a cost to the public of about $750,000.

Jews cling to their dietary rules with extraordinary tenacity. This is a subject for the religious psychologist. Many Jews will violate Sabbaths and festivals and neglect their prayers, but will shrink from contaminating their lips with non-kosher food.

The devotion shown by the Jew to his food laws is brought out strikingly in the story of the languishing Jewish community in Kai-fung-fu, China. In the year 1865 the Christian missionary, Dr. W. A. P. Martin, made his way to that city in the interior of China. There he discovered a strange and forlorn sect numbering about 400 souls. It was regarded by the Chinese as a Moslem group, but distinguished by the curious custom of porging (extracting specified veins from) the meats it ate. In consequence it was dubbed "Tiao Kiu Kiaou," the sect that extracts the sinews. It was a body of Chinese Jews. Eighteenth century missionaries had inspected the ancient synagogue ruins and had noted that adjoining the northern wall was a recess in which the porging operation had been conducted. The Kai-fung-fu Jews had lost contact with their brethren in other lands, and had given up almost every vestige of their inherited religion. The last remaining conspicuous Jewish usage among them was one concerned with the preparation of kosher meat.[6]

TERMINOLOGY, AND GENERAL RULES OF SHEHITAH

The word "Shehitah" is defined in Jastrow's Dictionary as "cutting the throat, slaughtering according to the Jewish ritual."

The talmudic teachers labored to trace the etymology of the word. Samuel suggested[7] that the term was related to the word "shahut," meaning "shot forth horizontally," employed in that sense in the verse, "Their tongue is like an arrow shot forth."[8] This interpretation would account for the rule that the Shehitah cut must be made horizontally.

The School of Ishmael connected the term with the word "shahut," meaning "beaten" or "drawn," used in the verse, "And King Solomon made two hundred targets of beaten gold."[9] This interpretation would explain the requirement that the Shehitah blade be drawn, not hacked with.

The Shehitah mode of killing is mandatory for all mammals and fowl intended to be eaten. Obviously, this regulation can apply only to those species which biblical law allows as food. This classification embraces, in the case of mammals, all creatures that ruminate and display cloven hoofs. The group takes in the bovine species, the sheep, the goat, and the deer. Due to the practical difficulty of capturing deer alive and unhurt, and bringing them through the exacting procedure of Shehitah, they rarely figure in Jewish killing. A shohet[10] who served in abattoirs in New York City for forty-nine years informed the author that he could recall only one or two deer being killed for kosher food in his places of employment during all that period. The fowl which may be consumed by Jews are generally of the domestic or barnyard varieties. To be more specific, they are birds concerning which there is a distinct and authoritative tradition that they belong to the permitted species.

Valid Shehitah has three requirements, an eligible and qualified performer, a proper instrument, and a correctly administered killing stroke. The slaughterer, or shohet should be a pious Jew, thoroughly versed in the laws pertaining to his task, and command the manual skill to execute

them. The work demands a strong and steady hand and a delicate sense of touch. In prevailing practice, the shohet must be the recipient of a written license, or kabbalah. This document testifies that he has been tested and approved by a rabbi. When a shohet takes up residence in a new city he is required to secure a renewal of his kabbalah from the rabbi of the community before he may undertake slaughtering there.

The instrument, known as the hallaf, is a smooth sharp knife, its cutting edge honed to a smoothness that will not betray the slightest nick, and to the sharpness of a razor. The blade is tested for these properties before and after each act of slaughtering. The cutting edge is considered free of fault only after the examiner has passed the fleshy tip and then the nail of his finger over it and has sensed no indentation. The testing act calls for unusually steady and sensitive fingers. Because of this, shohetim work in pairs. One man does the fatigue producing killing, the other examines the blade. In small settlements where but one shohet is employed this procedure, of course, cannot be followed.

The death-dealing stroke is closely governed by the codes. To begin with, it must place the lethal incision within a clearly defined area of the frontal part of the throat. Measured on the trachea, the upper limit of the area is where the thyroid cartilage begins to protrude, a point marked by two berry-like structures. The lower limit is the point where the tip of the uppermost lobe of the lungs reaches the trachea proper when inflated. Measured on the oesophagus, the region extends from a point just below the portion which shrinks when cut, down to the place where the inner surface is hairy and shredded like the inner lining of the stomach.

The Shehitah stroke must be administered with precision and with a rapid and unhesitating to-and-fro motion. Five listed mis-movements are to be avoided. They are:

1. Shehiah—pausing: This is committed when the knife, in its to-and-fro motion, is halted momentarily, even for the fraction of a second.



GERMAN JEWISH SLAUGHTERING-YARD OF THE EIGHTEENTH CENTURY.
(From Bodenschatz, "Kirchliche Verfassung," 1748.)

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GERMAN JEWISH SLAUGHTERING YARD OF THE EIGHTEENTH CENTURY

2. Derasah—the application of pressure: This is ruled when the knife, instead of being moved lightly, cutting as it is passed back and forth, is pressed downward.

3. Haladah—burrowing: This, when the knife instead of beginning its work at the surface and moving inward with successive movements, is first dug beneath the skin, or between the trachea and oesophagus, and made to move toward the surface. By this movement, the organs are slashed in reverse. The same mis-movement is ruled when the blade, though wielded correctly, is hidden from the sight of the shohet by a piece of garment or other obstruction.

4. Hagramah—deviating: This is committed when the cutting knife moves out of the prescribed section of the throat and places the major part of the incision either above or below it.

5. Ikkur—tearing: This is ruled when the knife, instead of severing the trachea and oesophagus cleanly, cuts them after dislodging them from their normal positions. Also when a nicked blade is employed in the slaughtering.

The Shehitah incision should be deep enough to sever at least a major portion of the cross sections of both the trachea and oesophagus, but not so deep as to graze the animal's backbone. In case of fowl, only the major portion of either the trachea or oesophagus need be cut. After each act of killing the shohet is required to view these organs to make certain that they have been cut sufficiently. When the organs referred to are severed, the jugular veins and carotid arteries are sundered with them. The effect of this is to bring on a sudden and voluminous evacuation of the blood vessels, an acute anemia of the brain, unconsciousness, and then death.

Failure to fulfill any one of the above mentioned requirements concerning the blade, the place of the incision, or the mortal stroke makes the killing invalid. The meat then is pronounced nebelah, or carrion. It is as if the beast had perished of itself.

In the case of mammals a post-mortem examination is necessary. This is to make certain that the animal in life did not harbor any fatal malady. As soon as the victim's

post-mortem reflex movements have ceased, a ventral incision is made in its chest cavity. Through the opening thus made the shohet inserts his hand to examine the lungs by touch. He feels the lungs for symptoms of lung disorders—unusual hardness or softness, missing parts, displacements, and above all, the common resultants of partially healed perforations, adhesions. The lungs are thus tested while still intact in the carcass, because preliminary removal would tear away any adhesions connecting them to the inner cavity wall. The examination by touch (the internal examination) is followed by visual inspection (the external examination). The lungs are cut out and viewed for abnormal color and other disqualifications. Lung diseases are the commonest of bovine afflictions, and if the carcass shows no symptoms of them, it is assumed to be healthy. In such case the shohet will pronounce the carcass "kosher" (literally, "fit"). There are stated abnormalities the appearance of which calls for further examination. When a carcass is found to be unsound in certain specified respects it is declared "terefah"; and its meat may not be eaten by a Jew. The term "terefah" applies to a properly slaughtered animal that is found to have suffered in life from a fatal disease or lesion.[11]

Following the slaughter of fowl or deer, the blood which has dripped to the ground is covered with earth or sawdust. A special benediction is recited preliminary to this act.

An atmosphere of piety pervades the abattoir. The shohet works with covered head, a sign of reverence, and proceeds to his task only after pronouncing a benediction in Hebrew. The translation is "Blessed art Thou, O Lord our God, King of the Universe, Who has commanded us concerning Shehitah."

In Judaism the act of animal slaying is not viewed as a step in the business of meat preparation. It is a deed charged with religious import. It is felt that the flame of animal life partakes of the sacred, and may be extinguished only by the sanction of religion, and only at the hands of one of its sensitive and reverential servants. The performance of Shehitah is, as every Jew who follows the tradition senses, a significantly religious act.

PART ONE

In Early Times

1

Biblical Times

We know exceedingly little about the beginnings of Shehitah. The Bible tells us that beasts, prepared for sacrifice or food, were killed by the Shehitah method. It uses the word "shahat" (verb form of "shehitah") to denote such killing.[12]

Though the Bible records the existence of Shehitah, and tells us that it was employed in the killing of beasts for food, it does not tell how Shehitah was to be performed. It does not mention the lethal instrument used, how it was wielded, or at which part of the anatomy it was directed. Notwithstanding these vital omissions, indirect data in the Bible provides us with material sufficient to reconstruct a picture of ancient Shehitah. The central feature of the Tabernacle sacrifices was the sprinkling of the blood upon the altar.[13] This could not have been achieved, from a practical standpoint, without a method of slaughter that would produce extensive discharge of blood. It is established that great blood release can result only from openings made in large blood vessels; and furthermore, that the most accessible of such vessels are to be found in the throat. It may therefore be concluded that in biblical times slaying of the victim for the altar was done by slashing its throat, a procedure characteristic of Shehitah as we know it today.

Just why blood discharge was aimed at, is easy to explain. Blood was regarded as the "life", and was to be devoted only to sacred uses. The blood of the sacrificial offering was to be sprinkled upon the altar. The blood of the animal meant for food was not to be eaten.[14]

The regulation against eating blood was deemed of great importance. The Israelite who did so violated an interdiction stated seven times in the Pentateuch.[15] The blood prohibition was embodied in outstanding chapters in the Bible. One promulgation was written in the ninth chapter of Genesis, a section so majestic that rabbinic tradition read into it the "seven commandments for the children of Noah," the heptalogue for the pre-Mosaic as well as post-Mosaic gentile world. Another statement appeared in the nineteenth chapter of Leviticus, of which chapter the Sifra said, "It was taught in public, because the essentials of the Torah are summarized therein." A third statement was written in the fifteenth chapter of Deuteronomy, a portion concerned with the exalted themes of economic justice and liberty.

The direst of penalties was meted out to the Israelite who partook of blood. He was to suffer excision, being cut off from the community of Israel. Ezekiel classed the offence of tasting blood with the sins of idolatry and murder. For this triad of transgressions he warned Israel would suffer exile.[16] "Wherefore say unto them: Thus saith the Lord God: Ye eat with the blood, and lift up your eyes unto your idols, and shed blood; and shall ye possess the land?"

The use of the Shehitah mode of killing enabled one to avoid eating blood. To the extent that the blood interdiction was one of the gravest in Israel, Shehitah was one of its most solemn usages.

In the minds of the rabbis in later centuries, Shehitah had been practised in biblical days with all the detailed regulations with which they were familiar. They found Shehitah commanded in the verse,[17] "Thou shalt kill of thy herd and of thy flock which the Lord hath given thee, as I have commanded thee." To what could that closing phrase have referred, they reasoned, if not to the conveyance by God to Moses of some unrecorded instruction concerning slaughtering? That instruction, they did not doubt, embraced the laws of Shehitah. Declared the Talmud,[18] "Moses was commanded concerning the rules of Shehitah and was even instructed that the trachea and oesophagus be severed, both organs in the case of mammals, and either organ in the case

of fowl." They contended also that the five listed mismovements that invalidate Shehitah were made known to Moses.[19] In their view, Moses taught the Shehitah regulations to his people by word of mouth, and they in turn transmitted them orally from generation to generation.

The Shehitah laws were put into writing for the first time during the talmudic period.

2

Talmudic and Gaonic Times

Rabbinical Controls

The first five centuries of the common era are known as the talmudic period. Our knowledge of the age is extensive, reflected in the contemporary literature—the Mishnah, Tosefta, Talmuds, and Midrashim. From these vast sources we learn much about the life of Jews in Palestine and Babylonia, prior to the year 500. Discussions concerning Shehitah are found mainly in tractates entitled "Hullin" found in the Mishnah, the Tosefta, and the Babylonian Talmud.

In the period under review slaughtering of beasts for food was performed by professional experts, known as tabbahim (singular, tabbah), literally, "slaughterers." Concentration of animal killing in professional hands was fostered by the rules of liability. By the accepted rule, only a paid slaughterer could be held responsible for rendering a beast nebelah. This legal principle had been enunciated by R. Johanan (Palestine, died about 279 at an advanced age): "An expert tabbah who does not carry out the slaughter properly is liable for damages."[20] The rule was interpreted to apply only where the slaughterer had been engaged for hire.

Once an unpaid slaughterer was haled before R. Johanan in the synagogue of Maon to make good the damage he had caused by incorrect killing. R. Johanan ruled that the man did not have to pay, so long as he could prove that he was qualified to kill. "Go and bring evidence," said the judge, "that you are capable of slaughtering hens correctly and you will not be held liable."

Common prudence would therefore impel the man with an animal to kill, to entrust it to a paid slaughterer. "Exactly as R. Zera advised: If one wants a tabbah to become liable for damages, let him give the tabbah a denar (equivalent to a shilling or mark) beforehand." Professionalization of the slaughtering craft became so complete that it could be stated as a general rule,[21] "When a tabbah renders an animal unfit, he is liable to pay damages, for he is classed as one who takes payment for his services."

The tabbah served as both slaughterer and meat vendor. He would kill the beasts and offer the meat for sale in his shop.

We are given a picture of the meat shop in talmudic times. We are told how the customers or their servants jostled each other as they clamored to be waited upon. R. Ada bar Abba was an impatient customer. When the servant of Rabah was given attention before him he would object vehemently and belittle Rabah. For this presumption, says the Talmud, he met an untimely death. Rabah bemoaned the passing of the scholar, and said,[22] "It is through me that he has been punished, because when he went to the tabbah's market to buy meat he used to say to the tabbahim, 'Serve me before the servant of Rabah, because I am above him.' "

Business customs varied in the different cities. The tabbahim in places like Sura, where Rab dwelt, would sell only for cash. In Mata Mehasia, on the other hand, they sold on credit, and then went out to collect the money owed. "What constitutes profanation of the Name? Rab said: If I take meat from the tabbah and do not pay him at once. Abaye said: This applies only in a place where they do not go out to collect payment, but where they do, there is no harm in it. Rabina said: Mata Mehasia (suburb of Sura, city of Rabina) is a place where one goes out to collect payments due. Whenever Abaye bought meat from two partners, he paid money to each of them, afterwards bringing them together and squaring accounts with both, by taking more meat."[23]

A visitor at the tabbah's would see only men. Men purchased meat, and delivered it to their womenfolk at home. The housewives had the task of porging, salting, and soaking

it. Rabah spoke disapprovingly of those men who sent unporged beef to their wives on Friday afternoons, when the women did not have time to porge it properly.[24]

Only custom assigned the task of porging to the housewives. The rabbis, with the exception of R. Meir, felt that the tabbahim could be trusted to do the porging with the required exactitude.[25]

The Talmud[26] gives the benediction the tabbah was required to recite before slaughtering. It reads, "Blessed art Thou, O Lord our God, King of the universe, Who has commanded us concerning Shehitah."

Though the tabbah was a private craftsman and merchant, the nature of his wares rendered him and his business matters of public concern. As producer and dispenser of meat he was in a position to inflict that most grievous damage, to cause the multitude to sin.

To appreciate this point, and it is basic for an understanding of the subject of kosher meat control, we must comprehend Judaism's concept of the commission of sin. By that concept, the violation of a religious rule is sin, irrespective of the motive prompting it. In consequence, a Jew who eats a piece of terefah meat, not knowing it to be terefah, commits a transgression. To be sure, his misdeed is not as grave as it would be were he to commit it deliberately; but it is sin, nevertheless.

This point was elucidated by Professor George Foot Moore[27] as follows:

"It is a consequence of the fundamentally religious (*i.e.* non-moral) idea of sin that to constitute a sin it is not necessary that a man should know the rule of the law nor be aware that he is infringing it, still less that the intention to do an unlawful act should be present. Protestants in particular are so habituated to associate the word sin exclusively with the so-called moral law, and to regard knowledge and intention as of the essence of sin, that it requires some effort to put ourselves at the point of view of the Old Testament, consistently maintained by Judaism, of which none of these things are true.

"With the multitudinous and minute regulations of the laws, it was inevitable that they should sometimes be infringed in ignorance or by mistake. For such cases the law itself creates a special category of sins committed 'unwillingly,' or through inadvertence. For various sins of this class special forms of ritual expiation are prescribed. The opposite is sinning 'with a high hand,' wilfully and defiantly, or arrogantly and insolently. For such sins no expiation is provided."

The reason Judaism attaches some guilt to sins committed in ignorance or by mistake is that it sees in such wrongdoing a degree of negligence. It assumes that they might have been avoided through greater care in religious observance. The only sins to which no blame is attached are violations committed through unavoidable accident or compulsion.

In consequence of this view, a Jew who purchased terefah meat from a tabbah and ate it, having been led to believe it to be kosher, committed a transgression. The purchaser could not absolve himself by saying, "The sin is on the head of the deceiver, the falsifier, the dishonest meat dealer, and I in my ignorance am blameless." Not so. The lying meat dealer as well as his unsuspecting customer were culpable.

There was ample reason to fear that the tabbah might represent terefah meat as kosher, for the tabbah had a financial stake in the permissibility of his meat. As kosher, his meat would fetch a high price; as terefah, it would have had to be sold to gentiles at a lower price, or, failing that, be fed to the dogs.

Here was the rub. It was up to the tabbah himself to declare whether a particular piece of meat was kosher or terefah. It was for the tabbah to state whether he had paused with or exerted pressure upon the knife in killing. It was for him to state whether there were adhesions upon the lungs, when he examined the carcass. Exposing the dishonest tabbah was difficult, for the only tangible evidence, the meat, told nothing: kosher and terefah meat look alike.

No public, fearsome of sin, could long tolerate such an arrangement. No general body could be expected to entrust

its spiritual welfare to men whose financial interest tempted them constantly to jeopardize that welfare. The obvious remedy was to set up controls over the tabbah.

An instrumentality of control was found in the person of the rabbi. The rabbi was eminently fitted to undertake the role of supervisor of slaughtering. He was a man of unquestioned piety, and a master of Jewish law. But more, his position in the community enabled him to initiate control over the tabbah. As a rabbi, he had the right to the deference of all. Armed with this right, the rabbi proceeded to demand that the tabbah submit to his supervision.

To enable the rabbi to direct the tabbah the more intelligently, he was admonished to master the technique of Shehitah himself. "R. Judah said in the name of Rab: A scholar should acquire three abilities, handwriting, Shehitah, and circumcision."[28]

As an initial step, the rabbi demanded of the tabbah the right to inspect his knife at will. The Talmud reads, "Did not R. Johanan say: The reason the tabbah must show his slaughtering knife to the rabbi is because of the respect due the rabbi."[29] Exercise of the rabbinical prerogative in this detail was of monumental consequence in Shehitah management. It served as an entering wedge for rabbinic control in the abattoir, and made it impossible for the slaughterer henceforth to claim independence in his own sphere.

The rabbis did not treat their right to inspect the knives of the tabbahim as an empty formality. They developed a number of ingenious methods for testing the blades.[30] "In Palestine they inspected the knives with the aid of the sun's rays. (They would hold the edge of the blade against the sun and observe the evenness of the shadow cast.) In Nahardea, with water. (They would allow a drop of water to trickle down along the sharp edge on the flat of the blade. The drop of water would fall off where an indentation was encountered.) R. Sheshet, with the feel of the tip of his tongue. R. Aha bar Jacob, by passing over the edge a strand of hair. In Sura they said: The knife is intended to cut flesh, therefore it should be tested for indentations with flesh. R. Pappa said: The knife should be examined with the fleshy tip of the

finger and with the nail (to correspond to the fleshy and to the cartilagenous tissues to be met by the blade in the animal's oesophagus and trachea respectively).

"Rabina and R. Aha, son of Rabah, were seated before R. Ashi, (talmudic scholars living at the end of the fourth and beginning of the fifth centuries). A tabbah's knife was brought to R. Ashi to be tested. He said to R. Aha, son of Rabah: Examine it. The latter tested it by passing his finger tip and nail over the three sides of the cutting edge. R. Ashi said: Thou hast done well."

The rabbis imposed dire punishment upon tabbahim who would not produce their knives for inspection.[31] "R. Huna said: The tabbah who refuses to show his knife to the rabbi (even in such case where the knife is later found to be satisfactory), we excommunicate. Rabah added: When his knife is found to be defective, we forbid him to sell meat and proclaim that all his meat is terefah. Rabinah said: When we find his knife defective, we soil his meat with dung, so that he should not be able to sell it, even to gentiles.

"There was a tabbah who would not show his knife to Rabah bar Hinninah. The latter excommunicated him, deposed him, and proclaimed his meat to be terefah. Mar Zutra and R. Ashi chanced to be there. He said to them: Will you please investigate this case further? Perhaps you can find extenuating circumstances in behalf of this man, for he has dependent children. R. Ashi examined the knife, found it satisfactory, and pronounced the tabbah fit. Mar Zutra said to him: Do you not fear to contradict Rabah bar Hinninah, who has already disqualified the tabbah? R. Ashi answered: I have only done his bidding." R. Ashi had acted in accordance with the rule that a tabbah who has failed to show his knife to a rabbi and whose knife is later found to be satisfactory is to receive no greater punishment than excommunication.

Excommunication by a rabbi was not received lightly. The Talmud relates,[32] "A tabbah had been insolent to R. Tobai b. Matnah (circa 280-338). Abaye and Rabah, appointed to investigate the man, found him guilty, and ex-

communicated him. The tabbah hastened to apologize to R. Tobai."

The rabbis set up standards of eligibility and qualification for tabbahim. Eligibility rules weeded out of the tabbah's calling the gentile, persons of unsound or immature mind, and the Jew of unorthodox belief or lax observance.

The gentile had been barred by the earliest codes. The Tosefta[33] declared, "The slaughtering done by a gentile is invalid." Similarly the Mishnah,[34] "What is slaughtered by a gentile is deemed nebelah (carrion, like a beast that had died of itself)." Since Shehitah was regarded as a Jewish religious function, it could not be performed by one to whom a Jewish religious function had no meaning.

The sages banned slaughter by persons of unsound or immature mind, comprising the deaf mute, the imbecile, and the minor. It was feared that in slaughtering, persons in these categories might "pause with the knife, exert pressure upon it, or burrow with it."[35]

Rabbinical rules of eligibility excluded from the tabbah's calling the sectarian, member of any of the unorthodox cults on the fringe of Judaism. Thus slaughter by a "min" (member of one of the numerous Judeo-gnostic sects) was branded invalid, as akin to the killing of idolatrous sacrifices.[36]

The eligibility of the Samaritan defied such simple disposition. Though outside the pale of Jewry, the Samaritan observed all the laws commanded in Scripture and some of those based upon Jewish tradition.

Shehitah was one of the laws the rules of which were not indicated in the Torah, yet it was conceded by all that a Samaritan complied with them most scrupulously in providing meat for his own sect. The question was whether a Samaritan might be trusted in preparing meat for Jews. The rabbis differed. Rabban Simeon ben Gamliel[37] took the most lenient stand with the declaration, "The non-biblical laws, which the Samaritans have adopted, they observe more scrupulously than do the Jews." R. Eleazar contended that even were the rules of Shehitah written in the Bible, the Samaritans were not to be trusted to observe them. The accepted judgment was that a Samaritan might slaughter for

a Jew provided he be watched not to trick Jews into eating terefah meat. "The rabbis taught: The slaughtering of a Samaritan is valid, in such case where an Israelite stands by. If however the Israelite enters and finds the beast already slaughtered, he feeds the Samaritan an olive's bulk of the flesh. If the Samaritan eats it, the meat is permitted. If the Samaritan refuses, the meat is forbidden."[38]

The relationship of mistrust prevailing between Jew and Samaritan was to give way to hopeless cleavage after the unsuccessful revolt under Bar Kokhba in 132. The Samaritans, who joined with the Jews at the beginning of the revolt, appeared to yield too readily to the Romans. Because of this show of half-hearted support in the fight for Jewish liberty the Jews broke with them.

Subsequently, the court of Rabban Gamliel (son of Judah Ha-Nasi) issued an ordinance to the effect that the Shehitah of Samaritans be regarded as invalid. The regulation was not followed generally, for when R. Zera came from Babylonia to Tiberias in Palestine, he was puzzled to find Rabban Gamliel's ruling unobserved.[39] The issue was settled finally, when in the early part of the fourth century R. Ammi and R. Assi proclaimed the Samaritans to be like gentiles.

Excluded from the tabbah's calling were also those lax in their religious observance.[40] Included in this category were Jews who violated the Sabbath publicly and those who ate terefah meat in a spirit of defiance. Still others were the Jews whose sole transgression was that they would eat improperly slaughtered meat to appease their appetites; but these were permitted to slaughter under specified conditions. "Rabah said: A Jew who is non-observant, in that he eats improperly slaughtered flesh because of appetite, may slaughter in such case where a pious Jew examines the blade and gives it to him. If the pious Jew gave him the blade without examining it and the non-observant Jew slaughtered with it, then the blade may be examined afterward. If it is then free of a nick, the meat may be eaten. Otherwise it is forbidden."[41] . . . "Rabah said: Why do we trust him under these conditions? Since he had the equal choice of performing the slaughter in legal or illegal fashion. In this

situation he would have no reason to prefer to do it in illegal fashion. If this is his state of mind, why the necessity of giving him an inspected blade? He would not trouble himself to go so far as to inspect the blade himself."[42]

In addition to requirements of eligibility there were standards of qualification. The tabbah had to be learned in the principle laws of Shehitah and to be endowed with strong nerves. "Said R. Judah in the name of Samuel: It is forbidden to eat of the slaughtering of a tabbah who does not know the laws of Shehitah . . . Even if he has slaughtered two or three times in our presence correctly, he is still not to be relied upon. Sometime he might pause with the knife or exert pressure upon it and not be aware of it himself."[43] Rabina likewise demanded that tabbahim be versed in the law.[44]

A tabbah was expected to have strong nerves, that is, not to faint while slaughtering. He was regarded as free of this weakness after "he had slaughtered twice or thrice in our presence, without fainting." It was an accepted principle that when an established tabbah declared he had not fainted in a slaughtering act he was to be believed.[45]

The rabbis adopted measures to safeguard the delivery of kosher meat from the shambles to the home of the consumer.

Tabbahim who sold terefah meat as kosher were rigorously prosecuted. The Talmud says,[46] "There was a tabbah who sold the forbidden fat on the flank as permitted fat. Rabah penalized him and forbade him to sell even nuts. R. Pappa asked him: Whose opinion do you follow? R. Judah's? If you accept the opinion of R. Judah, you should have forbidden him to sell even water or salt. We must conclude, then, that Rabah accepted the principle of R. Simeon, that the punishment should apply only to those things involved in the transgression. Rabah had acted properly, therefore, when he forbade the untrustworthy dealer to vend nuts. He had in mind the possibility that his children might use nuts to bribe the children of other meat dealers in order to secure forbidden fat for him to sell as permitted fat."

(Rabah strove to close to the transgressor every possibility of reentry into the meat business.)

"A tabbah had passed terefah meat as kosher. R. Nahman disqualified and deposed him. Thereupon he went and let his hair and nails grow (as a sign of mourning for his transgression and of penitence). Seeing this, R. Nahman considered reinstating him. Rabah said to him: It is possible that he is only pretending repentance. If he wishes to perform a genuine penance, let him follow the course of R. Iddi b. Abin, who said: He who has passed terefah for kosher cannot be rehabilitated until he moves to a place where he is unknown, and there (proves his honesty) by returning a lost article of considerable value, or of condemning as terefah meat of considerable value belonging to himself."

The sale of nebelah and terefah meat to gentiles was also regulated by the rabbis.

Permission to sell nebelah to non-Jews had been granted in the Torah. "Ye shall not eat of any thing that dieth of itself; thou mayest give it unto the stranger that is within thy gates, that he may eat it; or thou mayest sell it unto a foreigner; for thou art a holy people unto the Lord thy God."[47] "Any thing that dieth of itself" was taken to refer to nebelah.

The right to vend terefah to non-Jews was not written, but implied. Taken literally, the Bible had ordered terefah meat to be cast to the dogs. "And ye shall be holy men unto Me; therefore ye shall not eat any flesh that is torn of beasts in the field; ye shall cast it to the dogs."[48] "Torn of beasts" is the literal rendering of terefah.

This verse, however, was given a moral interpretation, so that it did not prohibit the sale of terefah meat to gentiles. As explained in the Mekilta (halakhic Midrash on the Book of Exodus), "Can the words 'ye shall cast it to the dogs' be taken literally? Is it not an argument from the major to the minor? If we may benefit from nebelah, which is so ritually unclean that it conveys ritual uncleanliness to the bearer, may we not benefit from terefah, which does not convey ritual uncleanliness at all? Why then the allusion to the dog? To teach the lesson that God rewards every deserv-

ing creature. In Egypt, the dog aided the Israelites: 'But against any of the children of Israel shall not a dog whet his tongue.' God said: For this let him be rewarded."[49]

The Jerusalem Talmud gave the verse this interpretation: "A tabah in Zepphoris would sell Jewish people nebelah and terefah. Once on the eve of a Sabbath he drank much wine, went up to the roof, fell off and died. The dogs came and licked his blood. They asked R. Hanninah's permission to remove the corpse from before the dogs. R. Hanninah replied: Let it be. The dogs eat of what belongs to them. It is written, 'Ye shall not eat anything that is torn of beasts in the field; ye shall cast it to the dogs.' And this man robbed the dogs of that meat, and fed it to Jews."[50]

The traffic in nebelah and terefah harbored two dangers. It promoted deception; for the Jewish seller would be inclined to conceal from the gentile buyer that the meat in the transaction was forbidden to Jews. It exposed the Jewish community to the peril of receiving back the forbidden meat; for the gentile buyer might turn about and sell the terefah meat to Jews. The Talmud declares, "For two reasons, the sages declared, one should not vend nebelah and terefah to gentiles: the first, because he deceives them; the second, because they might sell it back to Jews."[51]

To prevent deception, the rabbis ordered Jewish sellers of terefah meat to apprise gentile purchasers that they were receiving meat forbidden to Jews. To forestall the resale of terefah meat to Jews, the rabbis resorted to the institution of the public proclamation.

The public proclamation was applicable only in those towns of mixed Jewish-gentile population where the meat business followed a peculiar pattern. There all the slaughtering was performed by Jews, and the vending of the meat was conducted by both Jewish and non-Jewish retailers. In such towns, Jews were allowed by the rabbis to make their purchases in any shop they chose, for it was certain that all available meat had originated with Jewish slaughterers. "Rabbi said: In a place where there are gentile markets and where the slaughterers are Jews, meat found in the hands of gentiles is permitted."[52]

The liberty to purchase meat from gentiles was withdrawn on such days that nebelah or terefah was discovered in the local abattoir. A public proclamation would be made, apprising the Jews that forbidden meat was about in the city, and warning them not to buy any meat from gentiles that day. The forbidden flesh would be taken from the abattoir and delivered to the non-Jewish shops, where as a consequence of the proclamation only gentile customers would come to buy. In the course of the day all the terefah meat would find its way into gentile homes. The next day the Jews were again free to purchase where they willed.

The form of the proclamation has come down to us. "How do they announce? R. Isaac bar Joseph said: Meat has fallen into the hands of the soldiers (men of the non-Jewish garrisons). Why do they not announce: Terefah has fallen into the hands of the soldiers? In that case, the non-Jews would not purchase it. But does not this announcement deceive them? They deceive themselves."[53]

It is possible that Jews in the talmudic period may have sold to non-Jews also the hind-quarters of cattle. The meat of these sections may be eaten by Jews, but only after being porged. Jews may have preferred to sell the uncut hind-parts outright rather than trouble themselves to porge them. An intimation of such commerce is found in the Mishnah: "One may send to a gentile the thigh wherein is 'the sinew of the hip,' since its place is known."[54]

If this trade had indeed flourished in the period, they had no need to fear the resale of hind-quarter meat to Jews. An uncut thigh could be seen as an unporged hind-quarter. A cut up thigh would betray the gentile hand that did it. The talmudic statement on this point,[55] "The cut of the gentiles is recognizable," was explained by Rashi as follows: "The gentiles cut the hind portion indiscriminately. The Jews cut it along the line where 'the sinew of the hip' lies."

Rab (or Abba Arika, Babylonian teacher, who died in 247) felt that the measures adopted by the rabbis did not insure the delivery of kosher meat. He urged consideration of the possibility that an unguarded piece of kosher meat

might at any time be interchanged with terefah meat, through the agency of man, beast, or bird. He voiced the principle, "Meat once out of sight is forbidden."[56]

An incident, related in the Talmud, indicates to what lengths Rab would go on this point. "Once Rab went to visit R. Hanan, his son-in-law. As he approached the latter's door, he noticed through the opening a piece of meat hanging within. He knocked, and all the people in the house, including a tabbah, came forth to greet him. Rab did not look at them but kept his eyes fixed upon the meat. He said to his son-in-law: Ye feed forbidden meat to my grandchildren. Rab refused to partake of the meat."[57] Rab regarded the meat as forbidden because it had been out of sight in the short interval of time taken by the people of the house to greet him.

The extreme position taken by Rab led the Talmud to ask, "Under what circumstances would Rab allow himself to eat meat?" The answer given was, when he kept the meat in sight, or when he could recognize upon it a design, seal, or mark. He accepted the method of Rabbah bar R. Huna who would mark his meat by cutting it into triangular shapes.[58] R. Huna, Rab's successor as principal of the Babylonian college at Sura (died 297), once asked his master whether holes in a piece of meat might serve to identify it. He was answered in the affirmative.

R. Huna enforced the stringent requirements of his predecessor, but qualified them to allow a man to claim a piece of recovered meat where he could recognize it by its general appearance. Thus, when he was asked by R. Hiyya bar Abin whether he might eat some large intestines he had recovered, R. Huna put the question, "Can you identify the meat by some mark?" When R. Hiya said he could not, he asked, "Can you recognize it by its general appearance?" R. Hiya said he could, and R. Huna allowed him to eat it.[59]

Rab's dictum, "Meat once out of sight is forbidden," was taught by his successor, but rejected by the talmudic scholars as a whole. Centuries later it was to be accepted by all the authorities.

The indications are that the measures adopted by the sages to enforce a satisfactory observance of Shehitah in talmudic days proved effective.

The tabbahim, generally speaking, were high class men. The Talmud accepted the principle, "Most of the people engaged in slaughtering are expert." In some localities tabbahim attained unusual excellence. "As skilled as the tabbahim of Zepphoris," reads the Talmud.[60] So schooled were the tabbahim of Matha Mehasia that R. Ashi would invite ten of their number to sit with him to judge cases involving terefot (lesions) in cattle "in order," as he said, "that each of us might hold up only a chip of the beam (a share of the responsibility for a wrong decision)."[61]

An oft quoted statement in the Mishnah has led many into the error that the ancient tabbah was a man of base character. The statement attributed to R. Judah reads, "The most seemly among tabahim is a partner of Amalek."[62] The interpretation commonly given this remark is that the tabbah dispensed terefah for kosher with the same treachery that Amalek exhibited when he struck down the Israelitish stragglers in the wilderness. A reading of the context belies this interpretation. In the complete passage we recognize a panegyric on the study of the Torah. In comparison with that activity a number of worldly occupations, including that of the tabbah, are disparaged. Since the calling of the tabbah was beset with the temptation to do wrong, it was denounced by R. Judah with hyperbolic force. The complete mishnah follows:

"Abba Gorion of Zaidan says in the name of Abba Guria: A man should not teach his son to be an ass-driver or a camel-driver, or a barber or a sailor, or a herdsman or a shopkeeper, for their craft is the craft of robbers. R. Judah says in his name: Ass-drivers are most of them wicked, camel-drivers are most of them proper folk, sailors are most of them saintly, the best among physicians is destined for Gehenna, and the most seemly among tabbahim is a partner of Amalek. R. Nehorai says: I would set aside all the crafts in the world and teach my son naught save the Torah, for a man enjoys

the reward thereof in this world and its whole worth remains for the world to come."

The Talmudic sages felt confident that no Jew would pass terefah as kosher. This they revealed in cases where they were asked to decide whether a piece of meat of unknown origin was kosher or not. Where the evidence pointed toward the probability that the meat originated with Jews, the rabbis ruled the meat to be kosher. That Jews might produce, sell, or keep terefah meat was a possibility too far-fetched for their consideration.

Meat found in the streets of a city of mixed population would be ruled kosher if the Jewish butchers there outnumbered the gentle ones. The Mishnah says, "If he found meat in a city, they determine whether it is meat belonging to Israelites or gentiles, by which of them have the greater number of tabbahim."[63] The same decision was rendered in a case where ravens had brought meat from an unknown place, but on the day preceding the Day of Atonement, when meat was eaten by Jews in considerable quantity. The Talmud states, "R. Nahman of Nahardea chanced to be at R. Kahana's at the mouth of the stream on the eve of the day preceding the Day of Atonement. Suddenly ravens appeared and dropped livers and kidneys. He said: You may take and eat them, because permitted meat is the more common today."[64]

The ancient rabbis assumed that even a Jewish thief would conform strictly to the regulations of Shehitah. The issue was raised in cases where animals had been stolen alive and recovered slaughtered. The question was whether it might be assumed that the thief had taken the trouble to kill them, or have them killed, correctly. The sages would accept that assumption and pronounce the recovered meat kosher. They ruled the meat to be otherwise only where it was recovered from a refuse heap. This circumstance would be taken to mean that the thief or his agent had rendered the animal nebelah and, unwilling to eat or keep it, had cast it away. As stated in the Tosefta, "If one's chicken or cow has been stolen and then recovered slaughtered, R. Hannaniah the son of R. Jose the Galilean declares the killing valid (and

the meat kosher). R. Judah declares it invalid. Rabbi said: It appears that the words of R. Hannaniah apply to a case where the meat was recovered in a house (its location serving as evidence that the slaughterer had considered it properly killed), and that the words of R. Judah apply where the meat was found on a refuse heap (an indication that the slaughterer had cast it away because he had regarded it as improperly killed)."[65]

The assumption that no Jew would undertake to slaughter an animal, except to do it correctly, guided the judges in the two cases about to be cited.

"R. Dimi placed this question before R. Nahman: A man instructed his agent to kill his animal. Subsequently the owner found his beast slaughtered but could not locate the agent to inquire of him whether he was the one who had killed it. May the meat be considered kosher? Replied R. Nahman: The meat is kosher. It may be assumed that either the agent, or another who had overheard the owner's instructions to the agent, had gone and slaughtered the beast. It may be assumed further that that individual did the slaughtering correctly, for it is an accepted principle that most men engaged in slaughtering are experts."[66] R. Ammi once found some slaughtered pigeons on the road between Tiberias and Zepphoris (a highway frequented by Jews). He appeared before R. Assi to inquire if he might eat them. He was told that he might.[67]

From the foregoing it is clear that during the talmudic epoch the state of Shehitah observance was highly satisfactory. One cause may have been the orderliness and stability which characterized Jewish life in Palestine and Babylonia at the time. Jewish religious authority was honored by Jews and recognized in the main by the civil powers. Under the circumstances a system of supervision for Shehitah was unnecessary, the few controls introduced by the sages proving ample. In the talmudic era, tabbahim in the overwhleming majority of cases were scrupulous in their work, and kosher meat was kosher meat.

EARLY CHURCH REGULATIONS CONCERNING ANIMAL SLAUGHTER

Animal slaughter was an object of religious regulation not only among the Jews, but also among gentiles.

Pagan religions required the slaughterer to invoke the name of his diety as he delivered a beast to death. The killing techniques varied in different parts of the heathen world. The Semites would slay animals by a mode resembling Shehitah while the idolaters in Graeco-Roman lands slew by a method involving strangulation of the victim.

Judaism and Christianity alike forbade their followers to taste pagan killed meat. Centuries later the Koran was to dictate the same prohibition for all Moslems.

The Mishnaic prohibitions[68] read, "If a man slaughtered in honor of mountains, hills, seas, rivers, or wildernesses, what he slaughters is invalid," and "Meat brought in unto an idol is permitted; but what comes forth is forbidden, for it is as 'the sacrifices of the dead.' "[69] R. Eliezer, in opposition to the majority of the rabbis, took the extreme stand that a Jew should under no circumstances kill an animal for a gentile, for a gentile so served would intend such slaughtering as a tribute to his pagan god. To quote the Mishnah, "If a man slaughtered for a gentile, what he slaughters is valid, but R. Eliezer declares it invalid. R. Eliezer said: Even if he slaughtered it with the intent that the gentile should eat but the midriff, it is invalid, since an unexpressed intention in a gentile is directed to idolatry."[70]

Idolatrous meat presented no problem to the Jewish authorities. Jews ate only such meat as came from their own tabbahim, and it could be assumed that no tabbah would be so abandoned as to call upon a heathen god when killing an animal.

The early Church also set its face against meat killed under idolatrous auspices. James, head of the Jerusalem Church, ruled authoritatively that converts to the new faith must abstain from flesh slaughtered in honor of pagan deities, flesh killed by strangulation, and flesh not cleared of

blood. This decision was rendered in answer to the question whether gentile converts need be circumcised to gain admission to the Church. James' ruling, known as the Apostolic Decree, said that circumcision was not mandatory, but that a number of regulations, including some relating to meat food, were. The Decree read, "That they abstain from pollutions of idols, and from fornication, and from things strangled, and from blood."[71]

Emphatic as was the New Testament's ban on forbidden meats, no provision was made for supplying properly killed meat. The Church did not institute its own tabbahim. The new proselytes, drawn mainly from gentile races, had little choice but to purchase their meats from the markets they had patronized before their conversion. Meats dispensed there were as a matter of course killed in honor of pagan gods and strangled in Graeco-Roman fashion. Then again, the gentile convert was bound to be served forbidden meat in the homes of his old heathen associates. Paul, who embodied the Church's missionary zeal, recognized the burden the dietary clauses in the Apostolic Decree imposed upon the new proselytes. In consequence, he taught that the requirements of the Decree might in good conscience be passively evaded. He recommended that a Christian, served meat in a heathen home, should abstain from it if informed that it came from an idolatrous offering; if told nothing about it, however, he should ask no questions and eat. Paul, in fact, saw no wrong in eating idolatrous meat. Since an idol was to be accounted nothing, he reasoned, the act of eating meat killed in its name was likewise to be considered nothing and hence constituted no offense. The Christian was to abstain from indulging in idolatrous meat deliberately and overtly only in order to avoid misleading the "weaker brother." The open enjoyment of such meat is lawful, he declared, but in view of the Christians with tender consciences, not expedient.[72]

Paul's compromise on the question of idolatrous flesh weakened but did not end the Church's concern with animal slaughtering. Hundreds of years later Church leaders were still admonishing their followers not to eat blood, or the

meat of animals killed without desanguination.[73] Christian sensibilities on the point however grew duller with time until Churchmen ignored the whole subject of animal slaughter.

ASCETIC VEGETARIANISM

Vegetarianism, like all forms of asceticism, is strange to the Jewish way of life. Yet a wave of vegetarianism set loose in the period under review threatened to become ascendant in Israel and to send Shehitah into desuetude. The cause was the destruction of the Temple in the year 70. That catastrophe set afoot ascetic proclivities, among which was the fashion of many Jews to deny themselves meat, or meat and wine. The Talmud tells us, "Following the destruction of the Second Temple, the number of recluses who would not eat meat or drink wine increased in Israel."[74] R. Judah ben Bethera adds, "When the Temple was standing our joy was in the eating of meat, as it is written, 'Thou shalt kill of they peace offerings and eat them there and rejoice before the Lord thy God.' Now when the Temple is destroyed we rejoice only in the drinking of wine, as it is written, 'And wine that maketh glad the heart of man.' "[75]

The sharp and effective opposition registered by the rabbis to this maudlin vegetarianism is of more than historic interest. It serves to illumine the this-worldly character of Judaism.

R. Joshua who voiced the opposition to this asceticism showed that the ideas of the extremists, if pursued to their logical conclusions, called for impossible results. His argumentation is thus recorded: "R. Joshua said to them: Why do you abstain from meat and wine? They replied: May we eat meat, from which was offered sacrifices on the altar, and wine, from which were poured the libations? R. Joshua countered: If so, how may we eat bread, from which was presented the meal offerings? They replied: True, we should abstain also from bread; and this is practicable because we can eat fruits instead. But, R. Joshua continued, by your reasoning fruits also should be forbidden, because from them

were offered the First Fruits. What might we eat then? They replied: Not all fruits would be forbidden. We would be required to abstain only from seven species, the species from which the First Fruits were separated. R. Joshua then said: By your logic we may not drink water, because it was poured out in the water libations on the Feast of Tabernacles. His opponents were silenced. Then R. Joshua declared: It is impossible to refrain from mourning altogether in view of the ruin visited upon us. But it is also impracticable to impose mourning usages that are too stringent. Regulations that are too onerous for the community to bear should not be imposed."[76]

R. Ishmael ben Elisha, in the same passage, also called attention to the impracticability of prohibiting meat and wine. He said, "Since the destruction of the Temple, we should deny ourselves meat and wine. But we should not impose an ordinance unless the community can abide by it."

R. Akiba and R. Ishmael disputed vegetarianism on the stronger foundation that the right to eat meat after the destruction had been specifically granted by Mishnaic law. This right they found in the second phrase of the statement, "All may slaughter, and at any time."[77]

Vegetarianism as a form of national mourning could not be erased altogether. It survives to this day in the rule that Jews may not eat meat nor drink wine in the period preceding the ninth of the month Ab, the anniversary of the destruction.

According to the Talmud the prohibitions against meat and wine were to apply only to the day itself and the last meal preceding it. "Of him who eats meat and drinks wine on the ninth of Ab, Scripture says, 'And their iniquities are upon their bones.' "[78] "One is not permitted to eat meat or drink wine at the meal, intended to be the last before the ninth of Ab."[79]

Later authorities extended the period of the ban. The Shulhan Arukh, a sixteenth century code, says "Some authorities declare that we should not eat meat nor drink wine during the entire week preceding the ninth day of Ab. Others

say, from the beginning of the month of Ab; while still others say from the seventeenth day of Tammuz."[80]

The rule accepted by Jews today is found in Solomon Ganzfried's "Abridged Shulhan Aruk." "It is the practice in all Jewry not to eat meat nor drink wine on any of the nine days from the New Moon till after the Ninth of Ab. It is forbidden to partake even of a dish in which meat, or fat, or flesh of fowl has been cooked. Those, however, who are sickened by milk dishes may be allowed to eat flesh of fowl; nevertheless, they should abstain from meat from the seventh of Ab on. So it is the practice that women in confinement abstain from meat and wine from the seventh of Ab, for on that day the gentiles (Romans) entered the Temple."[81]

The practice of abstaining from meat and wine as an act of mourning for the Temple was adopted by some of the schismatics. In the eighth century the messianic pretender Abu Isa Obadiah and his disciple Yudghan launched a sectarian movement, given to ascetic exercises and abstention from meat and wine. Shortly thereafter Anan ben David broke with rabbinic tradition and prepared the way for the Karaite schism. Anan adopted some of Abu Isa's mourning usages and forbade as food all meat except deer and all fowl except pigeons.[82] Succeeding Karaite teachers approved the prohibitions, until by the time of Kirkisani in the tenth century the bulk of the Karaites throughout the world refrained from eating meat.

In the course of time, however, the ban against meat was limited to Jerusalem.[83] When entering into a marriage with a Rabbinite, a Jerusalem Karaite would insist that the Rabbinite partner promise and state in the ketubah, or marriage contract, that he or she would abide by the prohibition against eating meat. A Karaite ketubah made out in Jerusalem read, "They shall not eat the meat of oxen and sheep in Jerusalem until the altar of the Lord is established."[84]

The Jerusalem ban discouraged the settlement of Karaites in the city. In consequence, attempts were made by Jerusalem Karaites to prove that the meat prohibition was not obligatory. The ban was in force as late as the year

1744, for we find a noted Karaite writer then arguing against it.

Abstention from meat for the purpose of self mortification is not in keeping with the modern temper. Vegetarianism in recent years is motivated by solicitude for animal life. As vegetarianism for humaneness has the sympathy of many well-intentioned persons it would be profitable at this point to make clear the traditional Jewish attitude on the subject of the enjoyment of meat.

It is correct to say that Judaism has always looked upon the eating of meat as a wholly justified indulgence. Cases made out from scanty talmudic references for a Jewishly inspired vegetarianism[85] are labored. To Judaism meat eating and wine drinking are natural and sanctioned by God. The earth and all its fullness are conceived as given to man to enjoy.

The rabbis inveighed against these delights only when they were indulged in to hurtful excess. A case in point is the explanation given for the law of "the stubborn and rebellious son." Scripture commanded the death of "the stubborn and rebellious son" without supplying a complete reason.[86] The sages supplied this reason by explaining that the offending youth was to be sentenced to death because he had indulged in eating and drinking to excess and had thus formed habits that lead inevitably to a career of crime. "R. Jose the Galilean said: Did the Torah decree that 'the stubborn and rebellious son' be brought before the Bet Din and stoned merely because as a child he had eaten a tartemar (approximately 175 grammes) of meat, and had drunk a log (equivalent to the contents of six eggs) of Italian wine? Indeed, for the Toah foresaw his ultimate end. It foresaw, that after dissipating his father's wealth to satisfy his gluttonous and bibulous cravings, he would need more and more money, and eventually stand at the crossroads to rob."[87]

Another savant warned fathers not to permit their sons to overindulge in meat and wine, because such practice was bound to lead to penury. "Mar Zutra son of R. Nahman said concerning the passage 'Be thou diligent to know the state

of thy flocks. . . . And there will be goat's milk enough for thy food. . . . And maintenance for thy maidens'[88] A man should not accustom his son to the eating of meat and the drinking of wine."[89]

Meat in moderate measure was considered by Maimonides the rabbi-philosopher-physician (Egypt, 1135-1204) to be wholesome, and like vegetables the natural food of man. He wrote, "The natural food of man consists of vegetables and of the flesh of animals; the best meat is that of animals permitted to be used as food. No doctor has any doubts about this."[90]

Talmudic law looked upon meat eating as an indulgence necessary to participation in a normal social life. A man who found that his bride had come to him burdened with a vow to abstain from meat (of which he had not been apprised) might complain that she had come to him unprepared to share in normal social activities. He was given the right by talmudic law to divorce her and to withhold her dowry.[91]

We know that in the days of the Talmud Jews partook of meat in no inconsiderable quantity. This was especially true at festival times. The Mishnah tells us that the four busiest days of the year for the tabbah were the eve of the last day of Tabernacles, the eve of the first day of Passover, the eve of Pentecost, and the eve of the New Year. According to R. Jose the Galilean there was a fifth day, the eve of the Day of Atonement in Galilee, where the custom was to eat a rich, heavy meal in preparation for the fast.[92]

On the listed heavy slaughtering days one of the rules of appropriation was suspended. That rule provided that the legal possession of an object should pass to the receiver not upon his payment of money but upon his taking the object in hand. On the four or five days referred to the rule was suspended to allow a man to acquire from a tabbah any amount of meat of an animal not yet killed, by the simple payment of money. Following such payment neither party to the transaction was permitted to withdraw. The tabbah was obliged to kill the animal, though there be not another customer for the remainder of the meat. The purchaser

might not claim his money back if the beast perished before it could be slaughtered.[93]

Meat for the meals of the first festival day would be killed on the day preceding. Meat for the second day would have to be killed on the festival itself. This was necessary because in the absence of refrigeration meat decomposed quickly in the warm climate of Palestine and Babylonia. On festival days the tabbah was allowed to deliver meat to his customers but without weighing it or discussing its price. "Rab Judah said in the name of Samuel: A skilled tabbah may not on a festival day calculate the weight of a piece of meat even by lifting it in his hand, or by weighing it in water."[94] "On a festival day a man may go to a tabbah whom he generally patronizes and say to him: Give me one shoulder or one leg; provided he does not mention any measure. R. Simeon b. Eleazar said: Provided he does not mention any sum of money."[95]

The meat repast is still the feature of Jewish festivals and also of the Sabbath. The Shulhan Arukh says, under "Laws of Preparation of Sabbath Meals," "One should increase the quantity of meat, wine, and delicacies as much as he can afford."[96]

Legal recognition is given to the contribution by the meat meal to the delight of the Sabbath and festivals. When called to pass upon the permissibility of meat intended for such days the rabbi may and does rule leniently. Thus Rabbi Solomon ibn Zimra (Egypt, 1479-1589) decided in the following case.[97] It was on a Friday afternoon in the slaughterhouse. A number of sheep had been killed, pronounced kosher by the shohet, dismembered, and sold. Only half a sheep was left. Suddenly, a perforated stomach was discovered lying near by. It could not be determined from which sheep the stomach had come. The question asked of Rabbi Solomon ibn Zimra was how many of the sheep were to be ruled kosher. The rabbi called them all kosher with the exception of the half carcass left in the abattoir. Among his reasons for this lenient decision was, "The incident occurred just before the Sabbath. There was no time left to slaughter other animals. If all the sheep were declared

terefah there would be no meat for the Sabbath, and that would have taken away the joy of the Sabbath."

Likewise Rabbi Yair Hayyim Bachrach (Germany, 1639-1702).[98] A shohet employed by three Jewish villagers fell sick just before the Passover. One of the householders was learned in the laws of Shehitah, but had never received a kabbalah, or license. Rabbi Bachrach was asked whether the unlicensed man might slaughter for the needs of the three households. The rabbi allowed this under stated safeguards, "because it was in preparation for the Festival of the Passover."

The stand taken by the talmudic teachers against vegetarianism has had its effect upon all subsequent Jewish life. The Jewish Sabbath and holiday feast is still marked by its rich meat and sparkling wine. The Jew never lost these table delights. As meat retained its important place in the living scheme of the Jew, Shehitah was bound to share it.

Toward the end of the gaonic period—which extended roughly from the years 500 to 1000—the first signs of organized communal control over Shehitah began to appear. Between the years 975 and 1018 in both Ramlah, Palestine, and Fustat, Egypt, there were communal officials appointed to supervise slaughtering in the Jewish bazaars. The officials in Ramlah were nominated by the Gaon while those in Fustat were designated by the local Haber of the community.[99]

PART TWO

Since 1000 in Europe and the Orient

Preliminary Note

The year 1000 saw Israel on the brink of critical changes. It marked the close of the Babylonian period. In Babylonia Jews had enjoyed a long period of freedom. In that country they had written the Babylonian Talmud; and after that literature was closed about the year 500, they had further developed the Jewish law in the gaonic academies. Babylonian Jewish life had gone on with comparative serenity, oblivious to the profound changes which had occurred in the West—the collapse of the Roman Empire, the spread of Christianity, and the emergence and triumphant sweep of Islam. A time came when Babylonia was devastated by repeated invasions, and religious persecution began to lift its head. Coincidentally the Jewry of Palestine, which had long been dwarfed by that of Babylonia, was suffering a similar decline. That Jewish settlement was soon to be totally effaced by the Crusades.

It was at this period that Jews sought new homes, and new homes beckoned in the West. Many Jews migrated to Spain, where the Mohammedan Moors were laying the foundations of a lofty culture and civilization. Spain, blessed with arts and sciences as well as material prosperity, received the Babylonian Jews with friendliness. Within a short time the Jewish star which had waned in Babylonia rose resplendent in golden Spain.

Jews were attracted also in northwestern Europe—to France, England, and Germany. No high civilization was there, but its economic inducements were not to be gainsaid. European society, then divided into nobility and peasantry, was in dire need of a trading class. This the Jews provided. They approached through Italy and set up trading routes into the lands of the sleepy and isolated castles and manors of northwestern Europe. Jewish settlements arose, small but strategically placed, to bring to the Christian peoples luxuries for the rich and comforts for the poor. Some of the Jewish newcomers at first tried their hand at agriculture,

but circumstances as well as unfriendly legislation drove them into commerce and money lending.

Much as the Jews participated in the commercial life of Europe, they lived as a people apart. They had their own corporate communities which represented, assisted, taxed, and judged them. The community, or kehillah as it was called, was directed by a small board which appointed the rabbi, judges, slaughterers, and other officials. Religious enactments adopted by the kehillah were given the force of religious law within its own jurisdiction. Jews in different parts of Europe underwent persecution and exile. They witnessed many outward political and social transformations. Their inner life went on unchanged within the framework of their own kehillahs.

One of the major concerns of the European kehillah was that of directing the production and sale of kosher meat. In the course of centuries of kehillah supervision the shohet became a communal official, the meat vendor a closely watched and licensed tradesman, and slaughtering fees an important element in community finances.

3

The Shohet and the Community

Shohet and Meat Dealer

The Jewish communities in the period under review abolished the vocation of the tabbah. That functionary, who in talmudic days exercised the double role of slaughterer of animals and purveyor of meats, was now frowned upon. It was recognized that the tabbah's combination of tasks was conducive to dishonesty, that a slaughterer who was at the same time the owner of the meat was tempted to rule leniently in his examination of it.

The communities decreed that the work of the ancient tabbah be divided, and entrusted to two separate functionaries. The killing became the task of a specialist to be known as a "shohet" (literally, slaughterer), a designation elaborated into "shohet ubodek" (literally, slaughterer and examiner). The selling of the meat became the business of a dealer called a "kazzab" (literally cutter).[100]

Henceforth we speak not of tabahim, but of shohetim and meat dealers. Authorities from the thirteenth century on were insistent that no man engage in both the killing and selling of meat.

Rabbi Asher b. Jehiel (Spain, 1250-1327) said, "In the olden days the meat dealers would slaughter their own animals, but now nowhere in all the diaspora do we trust them to do so. Today we appoint reputable men specially for the purpose of slaughtering. Though the practice is not entirely proper we still do allow a private individual to slaughter for his personal requirements."[101]

Rabbi Joseph Karo (Palestine, 1488-1575) wrote, "We do not buy meat from any dealer who slaughters and sells for himself unless his reputation for kashrut has never been impugned."[102]

Rabbi Joseph b. Leb (Turkey, sixteenth century) declared, "In the days of the Talmud the shohetim owned the meat they slaughtered. In our time, the animals do not belong to the shohetim, and so our shohetim are not subject to temptation."[103]

Rabbi Gershon Ashkenazi (Germany, seventeenth century) ruled severely against shohetim who presumed to engage in selling meat. When once a malefactor before him, charged with passing terefah for kosher meat, offered the defense that he had done so in error, the rabbi rejected the plea. Rabbi Ashkenazi explained that a shohet might be excused for passing terefah for kosher once or twice, only in such case where he had not tainted himself with trafficking in meat; that only then might he enjoy the benefit of the principle, "No man commits a sin for the benefit of another."[104]

The rule that a man may not act as a shohet and kazzab at the same time became universal. It has been enforced down to the present day. It was incorporated, for example, in this section of the Shehitah ordinances adopted for the Jewry of Wurttemberg in the year 1903:

"No butcher may perform slaughtering. Exceptions may be made, with the approval of the chief Jewish religious authorities, in communities which are incapable either by themselves or in collaboration with neighboring communities to employ a shohet."[105]

We have the story of a meat vendor who refused to abide by the ordinance of his community forbidding him to slaughter. Joshua by name, he had hailed from Seville, Spain. Some time after 1391 we find him the holder of a meat sale concession in Volnisiah, Algiers. Ignoring the warning of the Volnisiah authorities not to engage in slaughtering, this man would take it upon himself to go early to market to kill for his own business needs. On one occasion on the eve of

the second day of Rosh Hashanah, Joshua, in contravention of the communal rules, killed a cow. A gentile meat dealer stood by and slit open the carcass to enable Joshua to examine the lungs. By error the gentile had opened the body cavity against the heart instead of opposite the lungs. Not noticing this in the dim light Joshua inserted his hand, felt the viscera, pronounced the carcass terefah, and turned to go. A curious lad standing among the meat dealers brought a light to see the signs of terefah and discovered that the carcass had been opened wrongly. Joshua was recalled, reexamined the carcass, and declared it to be kosher. This action was in violation of the principle that one may not declare permitted, that which had once been formally pronounced forbidden.

When the incident was brought to light next day the entire community of Volnisiah was aroused. The leaders summoned Joshua to explain his misdeed. Joshua appeared and defiantly challenged the right of the communal authorities to forbid him, as holder of a meat concession, to slaughter. Unimpressed by his petulance the leaders issued the following pronouncement, "The fact that Joshua has practiced slaughtering in our community for many years does not establish his right to do so. No man may slaughter other than those appointed by the commonalty. When the commonalty sold to Joshua a concession to sell meat it did this with the understanding that he was to dispense only such meat as came from the hands of the communal shohetim. The purpose of this regulation was precisely to forbid the concessionaires from slaughtering, for they were suspected of exercising leniency in examination, to their own benefit. The ruling is certainly to be enforced in the case of this respondent Joshua, for he is a man who owns the meat he kills (though he sells it through a gentile agent) and in addition is so incompetent as not to know where a carcass is to be slit open for examination."

The community action was approved by Rabbi Isaac b. Sheshet Barfat (Algiers, 1326-1408), who said in part, "It is to be wondered at that the kehillah had permitted others than its own official shohetim to slaughter until then. In

all the communities in Israel where there are shohetim appointed by the corporation none other dares lift his finger to slaughter in the markets. Let the shohetim of Volnishiah be punctual in their attendance at the market, so that no meat concessionaire will have any excuse to do his own slaughtering."[106]

Not only would the authorities refuse to allow one man to act as both shohet and kazzab, but they even raised the question whether a man might be permitted to serve as shohet in a community in which a relative of his was engaged as kazzab. Rabbi Abraham Hamburg (Germany, 1770-1850) was asked whether a kehillah might properly elect as its shohet a man whose father was an established meat vendor in the place. He replied that the younger man might be given the post only on condition that he was not financially dependent upon his father, received no wage from him, and was not in partnership with him.[107] A later authority, Rabbi Jacob Tennenbaum (Hungary, latter part of the nineteenth century), took a more stringent view. A shohet's son sought his approval to enter the business of retailing meat with the intention of purchasing it from the dealer who employed his father. Rabbi Tennenbaum denied the petition, saying in part, "In strict law, a shohet may engage in the business of selling the meat of his own slaughter so long as his reputation for kashrut has never been impugned. In practice, however, shohetim have not done so for a long time past."[108]

The authorities had adopted measures to separate the functions of the shohet and butcher. They realized that this action would fail of its purpose unless accompanied by provisions to protect the shohet from browbeating by the meat vendor.

One form of kazzab domination was that of hurrying the slaughterer in his work. It is clear that a driven shohet cannot exercise the composure necessary to perform Shehitah accurately.

In a case tried before Rabbi Meir b. Baruch of Rothenberg (Germany, 1215-1293), a number of kazzabim brought suit against a newly appointed local shohet for damages caused by his alleged dilatoriness. The shohet, unfamiliar

with the customs of the town, had tarried one day in examination of the animals he had killed. Gentile meat dealers who had come that day to buy the terefah meat lost patience waiting and departed without making their purchases. The kazzabim, left with terefah meat on their hands, then sued the slow shohet for their loss.[109]

A report of a butcher hurrying a slaughterer was heard in a case tried by Rabbi Moses Schreiber (Hungary, 1763-1839). The defendant was the shohet of the town of Petzl, who while critically ill confessed that on a number of occasions during his four years of service in Petzl he had slaughtered with a nicked blade. He explained that he had done so because the owners of the animals had pressed him and he did not possess sufficient will power to assert himself and to take the time necessary to resharpen his knife.[110]

Another form of kazzab domination was that of influencing the decision of the shohet in examination of the carcass.

Instances were noted in which it was suspected that meat dealers had tampered with the lungs of carcasses before the shohet had had an opportunity to inspect them.

This suspicion prompted the question addressed to Rabbi Solomon b. Abraham Adret (Spain, 1235-1310), whether a shohet might leave a carcass in care of a gentile meat dealer before examining the lungs. The apprehension stated was that the gentile might insert his arm through the Shehitah incision, reach the lungs, and with his fingers rub away possible lung adhesions. In his reply Rabbi Adret recalled that certain Jewish meat dealers had been found guilty of committing that offense, and had been displaced because of it. He ruled however that it was perfectly proper to entrust an unexamined carcass with a gentile dealer so long as he was known to be incapable of tampering with lung adhesions.[111]

Rabbi Moses of Trani (Palestine, 1505-1585) was called upon to deal with the same issue. In a case before him a kazzab was suspected by the rabbi as well as by the shohetim of removing lung adhesions before the shohetim had an oppotunity to inspect the carcass. No witnesses could be produced to state that they had seen him in the act. The verdict

given was that since the local rabbi and the shohetim concurred in their suspicion of the kazzab there was ample cause to remove him as a community meat dealer.[112]

In order to protect the shohet from the domination and interference of the butcher, Jewish communities in Lithuania and Poland adopted ordinances requiring the kazzab to stay away from the abattoir while his animals were being examined by the shohet. An enactment on the subject adopted in Slutzk in the year 1671 read, "Let not the meat dealer be present in the shambles at the time the shohetim inflate or examine the lungs of the carcasses. The shohet should not proceed to examine the lungs as long as the meat dealer stands by him. The sin falls upon the shohet if the above regulation is not followed."[113]

This rule was expressly approved by many eminent rabbis. In the year 1852 Rabbi Joseph Nathanson addressed a letter to his nephew, the more famous Rabbi Joseph Saul Nathanson, informing him that years before a distinguished scholar had collected and printed the signed statements of illustrious rabbis, to the effect that a shohet should not proceed to view the lungs of a carcass in the presence of the owner of the carcass, the holder of the meat tax lease, the banker, or any other person who might have a financial interest in the meat, lest to win their favor he judge the meat leniently. He requested his nephew to reprint the collected opinions and to add his own statement of approval. This Rabbi Joseph Saul Nathanson (Poland, 1808-1875) did. In arguing the issues involved, Rabbi Nathanson admitted that neither the Talmud nor the Codes knew the rule, but that the circumstances of the times made it necessary. He said, "There is barely a city free of violent controversy among the shohetim. Every shohet seems to impute to his fellow the most shameful things, for the purpose of degrading him and making him hated by the holder of the meat tax lease, the meat dealers, and the people of the city. We are justified in suspecting that a shohet will seek to win the favor of the tax farmer by showing that he can find reasons to rule carcasses kosher while his less resourceful colleague pronounces them terefah. This rule is to be considered as valid as any other regulation

laid down by leading rabbis of any generation. It has binding force as long as the reason for its enactment has not been obviated."[114]

THE SHOHET: A COMMUNITY OFFICIAL

The unswerving aim of the Jewish authorities was to render the slaughterer free of every temptation and influence. For this reason they had forbidden him to participate in the vending of the meat he killed; for this reason too they had given him immunities against the power of the meat dealer. The next step by the authorities in this direction was to make the shohet an appointee of the corporate community. It was calculated that only by elevating him to the position of a kehillah official could he be made truly independent of every favor-seeking individual.

As early as the thirteenth century a Spanish community had placed a ban upon the slaughtering done by all men other than its own designated shohet. A man who had violated this edict challenged the corporation's right to enforce it. Rabbi Asher b. Yehiel (Germany and Spain, circa 1250-1328) was appealed to and upheld the action of the community. The community, he reasoned, had the authority to restrain men from practising slaughtering within its jurisdiction on the general apprehension that some men might be unqualified. Such action would be in the interest of religious observance; and for that reason, he held, an organized kehillah had the right to brand as forbidden that which had previously been regarded as permitted.[115] Rabbi Samuel Di Medina (Turkey, 1506-1590) was called upon to decide an almost identical case and rendered a similar verdict.[116]

The practice of entrusting Shehitah only to communally appointed men soon became universal. In Algiers in the fifteenth century while any qualified individual had the right to slaughter fowl, only the kehillah shohetim were allowed to dispatch cattle.[117] The community shohet flourished in sixteenth century Poland. Rabbi Moses Isserles (Poland, 1520-1572) wrote, "There is the practice in some localities

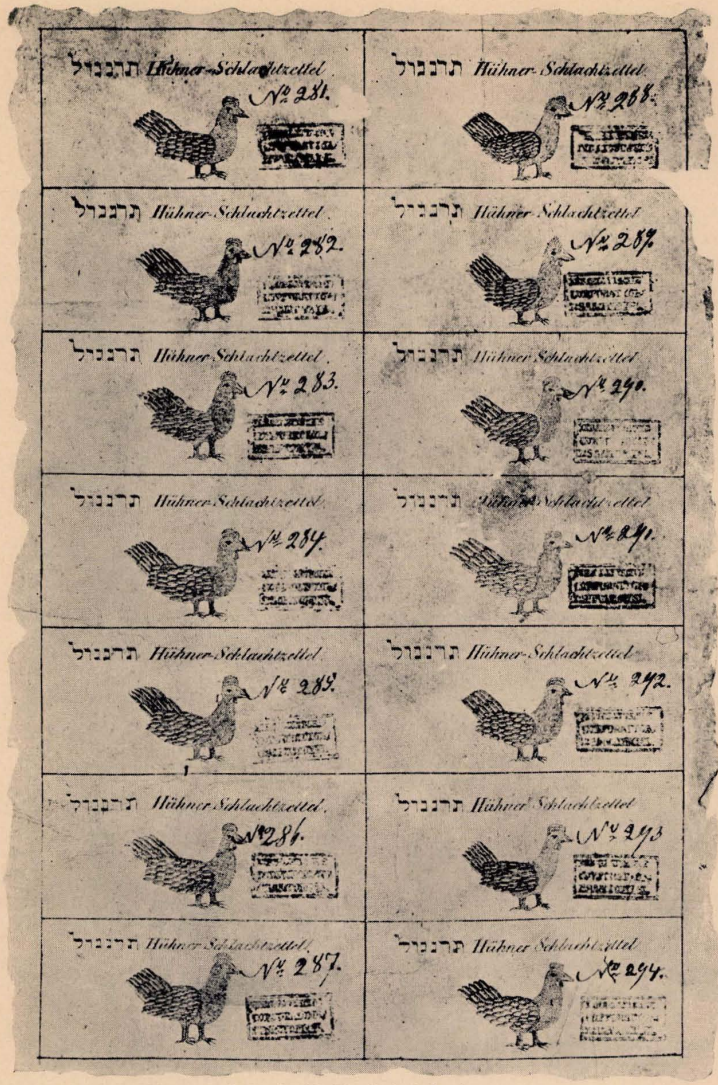
that the only ones who engage in slaughtering are those appointed by the kehillah."[118] Rabbi Zechariah Mendel of Belz, who lived in Poland two centuries later, qualified this statement by saying that it applied only to killing for the trade. A private person familiar with the technique of Shehitah, he explained, had the right to slaughter for the needs of his own household.[119]

At first the communities simply appointed the shohetim, allowing them to be paid by the meat dealers or other individuals who might seek their services. By the seventeenth century many communities came to feel that even this arrangement left the shohetim subservient to the meat dealers. They concluded that the only way to make the shohet completely free and unfettered was to remove him from all financial dealing with the kazzab. To accomplish this they made the shohet a paid employee of the kehillah. Under the new system the slaughterer was allowed a fixed wage from the corporation for all his labor, and the kazzab who sought his services was obliged to make application and payment therefor at the kehillah office.

The kehillah shohet arrangement was adopted in Venice, where "among the permanent paid officials was the 'sagatino' who slaughtered meat according to the Jewish rites."[120] In Berlin in the eighteenth century, those who wanted animals killed were obliged to pay the fee in advance to the kehillah cashier, receive a receipt, and deliver this to the shohet. The shohet was not permitted to slaughter except upon receiving the ticket. He was specifically forbidden to accept money.[121]

The kehillah shohet functioned in the province of Posen in the year 1800, for we possess tickets issued by the communities to be given to the shohet for slaughtering fowl. A sheaf of these tickets may be seen in the Museum of the Jewish Theological Seminary of America. Each bears the legend "Hühner Schlachtzettel," under which is the representation of a chicken.

In London the meat dealer or private person seeking slaughtering service was required to make advance payment to the Shehitah Board. As stated in the Board regulations,



Courtesy of the Museum of the Jewish Theological Seminary

HÜHNER SCHLACHTZETTEL

A sheaf of tickets for slaughtering fowl, used in the province of Posen about the year 1800. Each person who brought a fowl to the shohet for slaughtering was required to present a ticket

"No shohet shall kill poultry except on the delivery of a ticket."[122]

The community shohet was the rule in the Kingdom of Wurttemberg in 1903. The following section taken from the Wurttemberg Shehitah ordinances adopted at the time read: "It is desirable that the shohet be paid only by the gemeinde and that he should not receive any payment from butchers or private persons. In the situation where this is not possible the fees to be received by the shohet should be fixed in his contract with the gemeinde."[123]

At the present day throughout the entire Eastern Hemisphere, Jewish slaughtering is performed only by men appointed by the Jewish community.

This was true in cities in every part of Europe, prior to the outbreak of the present war. It is instructive to cite a few examples. In Vilna, until 1939, all shohetim were appointed and paid by the Vilna Kehillah, and none other was permitted to enter the municipal abattoir to do Jewish slaughtering. In Paris prior to 1940, though there were a number of Jewish communities in the city, every shohet was in the pay of one of the boards of those communities. In The Hague until 1940 there were three shohetim and one assistant shohet, all in the employ of the Gemeente. The Hague shohetim were permitted to serve only those meat dealers who were approved by the Chief Rabbi and the Community Administration. Notices were posted in the synagogues stating when poultry might be slaughtered at the homes of the shohetim. The slaughtering fees established by the Hague Gemeente were: for a dove 10 cents, for a chicken 15 cents, for a duck 20 cents, and for a goose or turkey 30 cents.[124]

To turn to the other continents, the kehillah shohet functions at present in Cairo, Egypt. A letter, received by the author from Hayyim Nahoum Effendi, Chief Rabbi of the city, and dated August 5, 1940, reads as follows, "Here in Egypt, Shehitah is under the supervision of the Kehillah Board. The Chief Rabbinate appoints the shohetim and the supervisors. Each shohet holds from the authorities individual written credentials, to which must be attached his

photograph. He must show these credentials when he enters the slaughterhouse. None may enter the slaughterhouse except those appointed by the Kehillah and the Chief Rabbinate, and approved by the civil authorities."

The community shohet is the rule in Sydney, Australia, a city of approximately 11,000 Jewish inhabitants. All the shohetim in Sydney are appointed and paid by the Great Synagogue, Mother Congregation of New South Wales.

The community shohet is the rule, in Shanghai, China. There, the Sephardic shohetim receive their salaries from the Sephardic Jewish Communal Association, a body supported by taxes levied upon the seatholders of the two Sephardic synagogues. The Ashkenazic shohetim are paid by the Ashkenazic Communal Association, which is maintained by subscriptions.

The communal shohet serves also in Randfontein in the Transvaal. One of the by-laws of the Randfontein Hebrew Congregation, adopted February 19, 1911, gives these rules to govern his work: "Whoever shall act as Shochet for the Congregation shall be under the supervision of the Ecclesiastical Authorities of the Congregation, and shall carry out the duties of killing, marking, and porging meat, and killing poultry, at such times and places as the Executive shall appoint."

Shehitah is a synagogue concern in Dunedin, New Zealand, where in 1931 a Mr. Goldstein, the assistant minister, acted as shohet.[125] In Cochin, India, both among black and white Jews, each synagogue has its own shohet.[126]

In recent years in some countries civil laws have had the effect of further strengthening Jewish ecclesiastical control over the shohetim. This is true in Scotland, England, the Irish Free State, and the Union of South Africa. In these countries, the Jewish method of slaughter is prohibited by law except when performed by a person authorized by designated ecclesiastical authorities.

The Scottish law passed in 1928, allows Jewish slaughtering only "where an animal is slaughtered for the food of Jews by a Jew duly licensed for the purpose by the Chief Rabbi."[127]

In consequence of this, a shohet who fails to secure the approval of the Chief Rabbi and kills an animal in Scotland, breaks the law of the land.

When a similar provision was proposed for England, a number of Jews voiced opposition to having this power entrusted to the Chief Rabbi alone. Parliament heeded this opposition and when it framed its law on the subject in 1933, provided that Jewish slaughtering be permitted only when done "by a Jew duly licensed for the purpose by the Rabbinical Commission, constituted in accordance with the provisions of the First Schedule of this Act."

The First Schedule reads: "The Rabbinical Commission for the licensing of Shohetim (Jewish ritual slaughterers) shall be forthwith set up, constituted as follows:—The Chief Rabbi of the United Hebrew Congregations of the British Empire, for the time being, who shall be the permanent chairman; One member to be appointed by the Spanish and Portuguese Synagogue (London) who shall be a vice chairman; Three members to be appointed by the Beth Din, appointed by the United Synagogue (London); Two members to be appointed by the president for the time being of the London committee of deputies of British Jews, to represent provincial congregations."[128] In England, therefore, every shohet, on pain of violating the law of the land, must secure the approval of a central legally constituted committee before he may undertake slaughtering.

A law resembling the Scottish statute was adopted in Eire in 1935. By its provisions Jewish slaughtering is allowed only when performed "by a Jew who is for the time being approved in that behalf by the Chief Rabbi of the Irish Free State for the time being, or in his absence by the board of Shehitah of the Jewish Community of Dublin."[129] Thus, a shohet who kills an animal without first securing the authorization of the Chief Rabbi, is answerable to the civil authorities.

The laws of the Union of South Africa provide that no butcher or person on behalf of a butcher may kill a bovine animal for human consumption unless:—

"(a) he kills the animal instantaneously by means of an instrument in proper working order, in which the force applied to inflict the fatal injury is a force other than human muscular energy: or

"(b) he kills the animal in any manner immediately after it has been rendered insensible by means of an instrument in proper working order, in which the force applied to inflict the stunning injury is a force other than human muscular energy."

The laws provide, however, that the local authorities may grant exemption certificates to individuals "capable of slaughtering in accordance with the Jewish or Mohammedan method of slaughtering," exempting them from these requirements "when killing a bovine animal in accordance with the method specified in that certificate, for consumption by Jews or Mohammedans."[130]

The local Johannesburg Municipal By-Law, which controls slaughtering in accordance with religious rites, was promulgated in 1930, and reads as follows:

"Every bull, bullock, cow, heifer, steer, or calf shall be stunned by means of a shooting apparatus with an anchored bolt:

"Provided that this requirement shall not be deemed to apply to any member of the Jewish faith, duly licensed by two ecclesiastical members of the Johannesburg Schechita Board as a slaughterer, when engaged in slaughtering of cattle intended for the food of Jews according to the Jewish method of slaughtering, if no unnecessary suffering is inflicted.

"And further provided that this requirement shall not be deemed to apply to any member of the Moslem faith duly licensed by two ecclesiastical members of the faith as a slaughterer, when engaged in slaughtering of cattle intended for the food of Moslems according to the Moslem method of slaughtering, if no unnecessary suffering is inflicted."

TENURE OF THE SHOHET

Making the shohet a communal appointee freed him from the domination of the kazzab but rendered him subject to a new and most capricious master, the public. As a public servant the slaughterer was exposed to the gossip, intrigue, and whimsical action that flourish in most groups of people. Rarely can the communal employee be an untrammeled man. To protect the kehillah shohet from tyrannical or fickle community action the rabbinical authorities granted him guarantees. Chief of these was the right to a fair election, and in the absence of proved incompetency or misconduct perpetual tenure in office.

We read that in fifteenth century Aragon in Spain the authorities threatened with excommunication those who might invoke royal or other gentile influence in the election of a shohet. The resolution of the representatives of the Aragon communities meeting at Valladolid in 1432, runs: "No person of the children of Israel shall have the right to avail himself of any letter of grace or privilege, or other order, whether written or oral of our lord the King or our lady the Queen or any other lord or lady, or have himself appointed rabbi or to obtain any agreement or emolument from any of the communities, or to be appointed clerk or shohet or minister or teacher or messenger of the court, or to obtain any other office in the gift of the communities, without the consent of the communities or the community in which the office is to be held. Nor may he secure the agreement of the communities or the appointment by threats or the intimidation of gentiles or any one gentile. Whoever transgresses this ordinance shall be anathema and excommunicated."[131]

Once inducted in office the shohet was granted "hazzakah," or legal possession of his post. By this right he was given perpetual tenure, freedom from the requirement to stand for reelection, and the right not to be dismissed except for proved incapacity or misconduct. His post was a possession that might be claimed by his heir. The hazzakah or tenure right of the shohet was defined by Rabbi Joseph Saul

Nathanson in these words, "As long as no flaw is found in either the work or the religious conduct of a shohet, and he has not entered into any agreement as to the length of time he is to be employed, his tenure is perpetual."[132]

The shohet's tenure did not end with his death, for his son if qualified might come forward to claim his position. Rabbi Abraham Oppenheim (Germany, died before 1786) was asked to rule upon the disposition of the tenure rights of a shohet who died leaving children, none of whom was old enough to continue his work. He replied, "When a shohet, who has tenure rights in his position, dies and leaves young children as his only surviving issue, and another man comes and occupies his post and its tenure rights, and years later the surviving children grow up and lay claim to the tenure rights of their father, their claim is invalid. A son takes precedence over all others in the vacated post of his father only when he is capable and prepared to take his place at the time the vacancy occurs."[133]

The hazzakah rights of the shohet would in many instances remain a family possession for generations. Son would follow father as communal shohet in an unbroken line. It was said of Schneor Zalman, one of the two shohetim serving in Smargon near Vilna in Poland in the year 1888, that he was the seventh in his family line occupying his post. At the present time in Jerusalem there are two families in which the shohet's position has passed from father to son for generations, the Meyuhas family among the Sephardic Jews and the Shiminovitch family among the Ashkenazim. A similar line is the Hayon family in Istanbul, Turkey. Another such family is to be found in Mogador, Morocco. There Dayan Abraham ben Attar passed on his position as community shohet to his son-in-law, Rabbi Joseph ben Attar, who left it in turn to his son Abraham, the present incumbent.

Circumstances would sometimes lead a shohet or his heir to surrender the hazzakah. In most cases this would be done for a financial consideration. Illustrative of this was the case of Moses ben Zevi, shohet in Galatz, Poland. In 1857 he became the center of a hopeless communal controversy,

and agreed to yield his post for a cash payment and a letter recommending him to another position.[134] This was indicated again in the town of Hadriv, Poland, where the shohet's widow gave up her late husband's hazzakah on written promise of the new shohet to give her one-third of his earnings.[135]

Once a kehillah had accepted a man as shohet it was without power to discharge him on grounds of expediency. The point was made by Rabbi Moses Hagiz (Palestine, 1671-1750). A man had offered a kehillah a sum of money on condition that it elect him as shohet. To make place for him it was necessary to dismiss the incumbent. Rabbi Hagiz, asked whether the corporation might discharge its shohet under the circumstances, branded the suggestion as "encroachment upon the vested rights of another" and forbade the community to entertain it.[136] A similar situation was presented for the judgment of Rabbi Isaac Elhanan Spektor (Lithuania 1817-1896). The townsfolk of Mush Hodesh had a communal shohet who did not possess the talents of a cantor. The slender finances of the kehillah did not permit it to engage a cantor in addition. The proposal was made to discharge the incumbent and engage a new man at an advanced salary to serve as both shohet and cantor. Rabbi Spektor, asked to approve the suggestion, cited the law that the tenure of a shohet during his good behavior and competency was perpetual, and that at his death his son takes precedence above all others in filling his position, and that beyond all doubt the shohet in question might not be dismissed for the reason presented.[137]

A kehillah shohet might be removed only for cause, that is, for proved incompetency or misconduct. He had the right to a fair trial before a competent Bet Din, a religious court of three judges. In that court he enjoyed the full rights belonging to every defendant.

When the fifteenth century community of Heliopolis, Egypt deposed Zedakah, one of its shohetim, the proclamation stated that the man had been found guilty "by clear testimony." It read: "The Community has decreed in the presence of the august judge, the elders, the scholars, and the

disciples upon this act. None may eat of the slaughtering of Zedakah, who holds the post of shohet. He has been accused of misconduct and convicted by clear testimony, for which cause he has been restrained from serving as a public officer. The issue came before the illustrious teacher and rabbi, Moses Maimonides, and on another occasion before the illustrious teacher and rabbi, Isaac bar Sheshet. Both ruled against retaining his like in public office. Banned shall be those who reappoint him to a position of communal trust as well as those who eat the meat of his slaughtering. Upon this and in the name of the Community we place our seal. Phineas the judge, and the scholars."[138]

Among the guaranteed rights enjoyed by the accused shohet was the presumption of innocence until proved guilty by the testimony of two qualified witnesses. This principle was discussed by Rabbi Joseph Colon (Italy 1420-1480) in an oft-quoted responsum. He said that where a single individual had accused a shohet of wrongdoing in his work, which charge the shohet denied, the accusation was to be thrown out of court and all, including the accuser himself, might eat thereafter of the killing performed by that shohet. Rabbi Colon made a fine point in this decision. He allowed the accuser to eat of the shohet's future slaughtering, since his accusation applied only to the slaughtering done in the past.[139]

The accused shohet had the right to be confronted by those testifying against him. This point was made by a Turkish rabbi who refused to admit testimony against a shohet presented in writing. The accused man was a shohet in Sidrukafski, Turkey, and was charged with passing terefah for kosher. The plan was to make the shohet stand trial before the rabbi of Salonika, to have one of the witnesses repair to Salonika to testify against him in court, and to have the second witness forward his testimony in writing. Rabbi Isaac b. Samuel Adrabi denounced the contemplated procedure. He ruled, "Let the community of Sidrukafski set up court and let it judge the shohet there in the physical presence of the two accusing witnesses."[140]

Rabbi Joseph S. Nathanson in another case rejected the testimony of two qualified witnesses, Ori and Jacob Samuel of Stanislavtsik, for the reason that they were brothers. It is a principle of Jewish law that brothers may not be joined to form a pair of witnesses.[141]

When the kehillah shohet became old and his work had to be assigned to others, provision was generally made for his declining years. In many cases he would be given part of the earnings of his successor. We are told how the superannuated shohet of Nizniv, Poland, was provided for in this way, how he broke his agreement with his successor, and how he still was allowed his share. It was in the year 1855 that the shohet of Nizniv had grown so old that the rabbi recommended that a younger man be engaged to assist him. The aged slaughterer resented the newcomer's presence and sharing of the proceeds, and a dispute ensued. A rabbi of repute, called in to settle the question, ruled that the townsfolk be charged one quarter extra for Shehitah, and that out of the total proceeds the elder shohet receive two-thirds and the younger man one-third. This arrangement was conceived to assure to the aged man an income but little less than his former earnings. Shortly thereafter the aged shohet violated the agreement, slaughtered alone, and kept the full fees. When asked to explain, he replied by belittling the younger man. Rabbi Nathanson, asked to judge the case, replied that the unseemly conduct of the elder shohet warranted his dismissal, but that out of pity for his advanced age he be punished only mildly. He wrote, 'Let the shohet stand by idly while the younger man does all the work. Let him receive but one half of the proceeds, and this only out of consideration for his dependents. Then, when he proves himself penitent, let him draw two-thirds, as stipulated in the agreement."[142]

At the present day, Liverpool and London have well developed superannuation schemes for their shohetim. In Liverpool, though not in London, the shohetim are required to contribute from their salaries toward their superannuation and pension fund. In the year 1935 the London Shehitah Board expended close to 6,500 pounds for these purposes.

COMPENSATION OF THE SHOHET

Consistent with their efforts to remove from the shohet every temptation to dishonesty, the authorities directed their serious attention to the shohet's compensation. They were aware that payment could be made on such terms as to have the effect of bribery.

Their disapproval was directed first at the old and vicious fee system, which allowed the shohet a stipend only for the animals he killed and pronounced kosher. Under that arrangement the shohet was given nothing for the killing of animals declared terefah.

This system was not without some justification from the kazzab's point of view. When the carcass he owned was adjudged terefah by the shohet, he was obliged to dispose of it to gentiles at a reduced price. He felt that where his venture had proved so profitless the shohet should be satisfied to receive nothing.

From the standpoint of kashrut, however, that system placed a premium on leniency if not on dishonesty. Under it the examining slaughterer could not be oblivious to the fact that were he to rule kosher he would be paid, and that were he to rule terefah he would go unpaid.

Recognizing that this plan placed a strain upon the integrity of the shohet, the rabbis proceeded to change it. Their first remedial measure was a mild one. It required that the shohet receive something (it did not specify how much) for the killing of animals pronounced terefah. The regulation was incorporated into the law. As stated by Joseph Karo (Palestine, 1488-1575), "A shohet should receive compensation for the slaying of animals pronounced terefah, as well as for animals pronounced kosher."[143]

Evidently the enactment was not universally obeyed, for we learn that in a Turkish community in the seventeenth century the shohetim received no pay for the killing of animals they pronounced terefah. Rabbi Meir b. Abraham Boton, who is authority for this information, related the circumstances under which that kehillah corrected this abuse. The occasion was the discovery, two months earlier, that the

shohetim had been guilty of malfeasance in their examination of their knives and the lungs of the animals. For these offenses they had been suspended by the communal directors for a period of two months.

The kehillah resolution on the subject read: "From early days it has been the custom in our city for the shohetim to act as vendors of meat either themselves or through others. At times they would receive a 'grush' for each pound of meat, sold either for resale or consumption. This has been the cause of complaint for many years. It has been feared that since they benefit from pronouncing meat kosher they might, God forbid, be tempted to allow, in ruling upon the lungs or the blade, that which the Torah has forbidden. Therefore we, scholars and leaders of this city and officials of this holy community, have all as one man arisen and decided to place a 'fence around the Torah,' and to take upon ourselves and upon those who cleave to us that from this day henceforth no son of Israel shall permit any shohet, whether he be an inhabitant of our city or one who has come from another city to dwell among us, to slaughter any large or small animal, on condition that he receive pay for it only if it be pronounced kosher. He may slaughter only on condition that he receive a fixed weekly stipend. Should a shohet transgress against this decision, God forbid, whether unwittingly, being in ignorance of this decision, or wittingly, from now henceforth the meat of his slaughtering shall be considered by us and by all Israel our brethren dwelling in this city as forbidden fat and blood. This decision is understood to permit no possible repeal; it has been made out of love of the truth, the Torah, and the commandments to be eternally kept. We have decreed this with the penalty of excommunication and under the authority vested in us by the holy community. From now henceforth we place under the ban and excommunicate every man or woman who shall deliberately disobey these our words; and peace be to those who hearken. We affix our signatures unto it."[144]

As late as the year 1818 Rabbi Moses Schreiber reported a town in Hungary where the shohet was paid for the slaughter of only those animals that were pronounced kosher.[145]

Many communities desired a more drastic corrective measure. They were not satisfied that the slaughterer receive some payment for terefah, but wanted him to receive a fee for terefah equal to that given for the killing of beasts pronounced kosher. Rabbi Isaac Lampronti (Italy, 1679-1756) reported how in his city of Ferrara some of the people sought the adoption of the equal payment plan and how they failed to secure it. He wrote, "In the city of Ferrara we stood up to be counted in the great Yeshibah and decided to forbid and to hold guilty any shohet who would accept greater compensation for animals declared kosher than for those declared terefah. We did not succeed, however, because of those powerful persons who listen not to the word of the Lord and who do not bow their shoulders to the yoke of the commandments of our God."[146]

In the course of time the overwhelming majority of kehillahs succeeded in stamping out the abuse. How the good people in one nineteenth century Polish town accomplished this was related by Rabbi Joseph Saul Nathanson. The principal in this story was a shohet who, people whispered, would accept bribes from the meat dealers. The custom of the place at the time was for the shohet to collect a higher fee when the carcass was pronounced kosher. One kazzab who objected to this arrangement was bold enough to refuse to pay the usual extra fee for the kosher. In retaliation this shohet pronounced his carcasses terefah. The aroused meat dealer then countered by haling the shohet to court, and soon controversy convulsed the town. The result was that the kehillah adopted an ordinance providing that no extra money be paid for slaughtering declared kosher. The unscrupulous shohet then entered into a secret arrangement with one of the meat dealers, one of his own ilk, to receive the extra and illicit compensation. But that was not all. It was the established practice in that town that none ate of an animal unless its lungs were found to be perfectly smooth, that is, entirely free of adhesions. A witness declared that he heard this shohet say to a meat dealer, "If you give me two pounds of fat, I can assure you that the lungs will be smooth." Another witness caught the venal shohet

about to pronounce a carcass kosher when fully one-fourth of its lungs was lacking, and only when the onlooker cited the law did the shohet rule it terefah. Another witness, highly reputed for his piety, was prepared to swear that he saw rust on the knife of the shohet. This witness had already cautioned the people to avoid the meat killed by the shohet. Still another witness said that on one occasion the mercenary slaughterer, while about to rule upon a carcass he had slain in a village, kept his hand inserted in it and asked the meat dealer standing by, "Do I receive the fat around the heart?"—and then said, "Kosher."

The issue before the court was whether the testimony of all these single witnesses, each testifying to a separate incident, might be combined to make out a case for the dismissal of the shohet. Rabbi Joseph Saul Nathanson ruled that they might be. He wrote, "Let that shohet be dismissed. Let the whole background of the case be thoroughly investigated, and especially the reprehensible conduct of the kazzab who conspired with the guilty shohet."[147]

Kazzabim in some towns would pay the shohet more for kosher by the device of giving him a percentage of the selling price of the meat. As kosher meat fetched the higher price, the fee for slaughtering and pronouncing an animal kosher was correspondingly higher.

This plan, which was in operation in a Polish town in 1855, was presented for the judgment of Rabbi Joseph Saul Nathanson. The rabbi admitted that by strict law the usage was unassailable, since the law forbade only that arrangement whereby the shohet received pay exclusively from the kosher. He denounced the practice, however, pointing to its special dangers in the smaller towns, where terefah meat, in the absence of many gentile customers, was exceedingly cheap, and where supervision, with the shohet acting as his own rabbi, was practically nil.[148]

Rabbi Solomon Kluger (Poland, 1783-1869) had occasion to refer to the "bad practice in that community where the shohet receives a percentage of the value of the meat."[149]

The compensation of the shohet usually included a gift or bonus of a specified part of every kosher animal he killed.

This was determined by the custom of the town. In most places the gift was the tongue, the spleen, or the large intestines.

In one community in Hungary a local ordinance granted to the shohet the tongue of every kosher carcass owned by Jews. An issue was raised when the slaughterer killed an animal owned jointly by a Jew and a Mohammedan. The partners refused to leave the tongue with the shohet, contending that the carcass was not Jewishly owned. Rabbi Ephraim ha-Kohen (Poland and Hungary, 1616-1678) was appealed to and awarded the tongue to the shohet.[150]

Rabbi Ishmael ha-Kohen (Italy, 1724-1811) reported a town where the custom was to present the shohet with the spleen of every carcass pronounced kosher. He disapproved of the practice, however, seeing no point in the argument that the spleen was so cheap an article that for its sake no shohet would call a terefah animal kosher. He declared, "How are we to determine the size of the inducement that will sway a shohet to do wrong? Ultimately that must depend upon how rich or poor the shohet happens to be. A destitute shohet might well be tempted by the spleen. Only in this situation may we look upon the spleen as a gift of no consequence, where upon one animal being pronounced terefah the meat dealer will order another animal to be killed. In that case the shohet will not hesitate to rule strictly upon the first head of cattle. He will act thus because of the knowledge that should the first beast prove terefah, his gift of the spleen will come from another animal. Strictness in his examination will bring him no greater hardship than that of the necessity of dispatching an extra animal. It may safely be assumed that no shohet will pronounce a terefah animal kosher only to spare himself the trouble of killing a second."[151]

Generally speaking, the rabbis lent their approval to the practice of the shohet accepting a part of every kosher carcass as a bonus. Rabbi David b. Samuel ha-Levi Segal (Poland, 1586-1667) expressed the view that the gift of the large intestines was too inconsequential in value to corrupt a shohet. He brought out that in the days of Rabbi Jacob

b. Asher, who lived in Spain from 1280 to 1340, the practice was allowed.[152] Rabbi Shabbetai b. Meir ha-Kohen (Poland, 1621-1662) felt that the custom was not only to be sanctioned but commended. He reasoned that a shohet, no matter how careless he might be in feeding terefah to others, would hesitate to partake of it himself. Were he to receive the large intestines of a carcass, the kashrut of which he doubted, he would sell it rather than eat it himself. His offering of the intestines for sale would arouse suspicion, and people would refrain from eating the meat. The presentation of the intestines to him would serve to challenge him to eat that which he offered to others.[153]

Rabbi Zechariah Mendel of Belz (Poland, eighteenth century) stood virtually alone in his condemnation of the shohet's bonus. He quoted Rabbi Isaac bar Sheshet Barfat, who lived in Spain and Algiers from 1326 to 1408, to the effect that we may not distinguish between large gifts and small gifts: a gift is a bribe.[154]

In Berlin during the eighteenth and part of the nineteenth centuries "the shohetim received only the spleen and throat, no more, neither money, value, breast, red meat, fat, with or without the consent of the meat dealer."[155] In Smargon, as in many towns in Poland about the year 1880, custom gave the shohet the large intestines and spleen of all the kosher animals he killed. In modern Hungary the shohetim received as gifts special internal parts of all kosher carcasses. In present day Yemen the shohet is given a small piece of each organ in the carcass. Typical is the sight of the Yemenite shohet with his basket, in which he collects these pieces. Shohetim in small German communities down to the year 1933 would be permitted to retain for themselves all the receipts of the fowl tax paid in during the period from the New Year to the Day of Atonement.

In recent times and especially in the larger kehillahs this subject has become a dead issue. Questionable compensation arrangements have been almost universally abolished. The shohet has been given a fixed salary or a fixed pay rate. This has been true whether the employer has been the organized kehillah, or a private meat dealer or packing company.

Fixed salaries for shohetim have been in force in London for decades. The weekly scale of wages as published in the year 1880 shows that every shohet received a uniform wage with increments added with length of service. The wage scale was as follows:[156]

	General shohetim	Poultry shohetim
at engagement	40 shillings	30 shillings
after 1 year's service	45 "	35 "
" 4 " "	50 "	40 "
" 6 " "	70 "	50 "
" 10 " "	80 "	60 "

The twelve cattle shohetim in Johannesburg, South Africa, receive not fixed but equal salaries, the size of which depends upon the total volume of killing performed. In that city the shohetim are banded together in their Union of Abattoir Shohetim. All the wholesale packing firms, Jewish as well as Christian, which cater to the kosher trade, make their individual arrangements with the Union to pay the Union a monthly amount based upon the services rendered them by the shohetim. At the end of the month the combined proceeds are divided equally among the slaughterers. In 1939 the share of each man was about 35 pounds per month.

In Valletta, Malta, a community of about one hundred Jewish souls, the rabbi-shohet Nissim Ohayon receives a fixed salary from the congregation and receives no fee for slaughtering.

THE DOUBLE-SHOHET ARRANGEMENT

In the course of the centuries the communities gave increasing attention to the conduct of the abattoir. The practice grew for the rabbi and the dayanim (community judges) to pay periodic as well as unexpected visits to the shohet at work. A time came when even this did not set the public

conscience at rest. There was the apprehension that in the hours of ecclesiastical absence the solitary shohet might fall into error or trangress in his labor. The idea took hold that it was not good for a man to be alone in Shehitah. The result was the rule in many places that at least two shohetim should be present at every act of slaughtering. It was anticipated that under this arrangement each shohet would observe and correct his partner in his work.

The plan was adopted at first in cases where there was reason to suspect the accuracy of the work of the shohetim.

We read how Rabbi Joseph Nazir b. Hayyim Moses ha-Levi (Egypt, 1650-1719) introduced the double-shohet arrangement in one instance. In an Egyptian community a number of shohetim were found guilty of malfeasance. The terms of their service were not commendable, for they were paid only for the killings pronounced kosher. According to the law a shohet engaged under such conditions, who had committed a single violation, was not to be rehabilitated until he had undergone the penance of exile. In due course the shohetim were adjudged guilty and informed that they could not be restored to their calling until they had fulfilled the prescribed penance. The condemned men, however, did not possess the financial resources to undertake removal to another city, and so they remained haplessly at home. Forty days went by; they continued unemployed and in dire circumstances. In desperation they addressed an appeal to Rabbi Joseph Nazir, inquiring if there might not be some penalty they might suffer in place of exile.

The question was a knotty one. The Talmud was clear on the point that a guilty tabah could not be rehabilitated except by transferring himself to a strange city, going about in black there, and remaining until an occasion arose to prove himself penitent. He might prove his remorse by voluntarily sustaining some financial loss in the interest of honesty, such as returning to its owner a lost article of considerable value.

Rabbi Joseph Nazir reviewed the opinions of the older authorities. All of them with one exception offered no

alternative. Their general view was, "Even if the condemned man undergo many fasts, lashings, and rollings in ashes, this penance cannot suffice, for he may have performed them only to deceive." Rabbi Joseph Nazir, however, felt that great weight might properly be given to the minority view of Rabbi Solomon Luria: "Since our generation is a lawless one we are without power to enforce the law strictly. Therefore when a rabbi sees that a condemned shohet cannot undergo the penance of exile because of the stress of poverty, because little children are dependent upon him, or because a marriageable daughter is in the house, the rabbi may assign him a penance of equal severity, one which he can fulfil while he is in his own place."

With Luria's opinion as his basis Rabbi Joseph Nazir rendered the following decision, "Let each of the condemned shohetim go down to the market only when accompanied by one of his fellow slaughterers. For this purpose one of the guilty men may not serve to accompany the other. Let this rule apply only where the killing of cattle is concerned, for it is mainly in the cattle markets with their great amount of slaughtering, their din and bustle, and their shohetim hurried by impatient gentile meat dealers, that violations abound. In the slaughtering of fowl each condemned man may be trusted to work alone, for with fowl, cheap in price, illegalities are not committed in their slaughtering."

The remedy that Rabbi Joseph Nazir offered for the guilty shohet had been suggested to him in a written statement made by a Rabbi Abraham. That statement related that a shohet in a kehillah in Egypt had rendered a sheep nebelah and then had pronounced it kosher. The Bet Din (religious court) had deposed him, and a few days later had restored him with the promulgation of a new ordinance on the subject of slaughtering. The new order called for the shohetim to work in pairs, with one man examining the blade for his partner and collaborating with him in the examination of the lungs.[157]

Rabbi Joseph Saul Nathanson (Poland, 1808-1875) tells us the circumstances under which the two-shohet arrangement was introduced in a Polish town. There a shohet,

Hayyim by name, in defiance of the opinion of Rabbi Solomon Kluger that carcasses with rotted or blistered lungs should be declared terefah, took it upon himself to pronounce them kosher. When the community was apprised of this it engaged an additional shohet and instructed the disobedient Hayyim not to dare slaughter except in the company of the new man. With the command went the warning that should Hayyim not obey, the meat of his killing would be regarded as terefah.[158]

The purpose of the double-shohet plan was not only to control the malefactor but also to enable good shohetim to work together to their mutual benefit as "iron sharpens iron." This purpose was emphasized by Rabbi Solomon Kluger (Poland, 1783-1869) when he was asked to pass judgment upon a shohet who, working under the two-shohet arrangement, had stubbornly refused to show his knife to his partner. Rabbi Kluger said, "It is clear that this shohet is not a God-fearing man. If he were he would appreciate it as an advantage to show his knife to his colleague and to have his partner thus protect him from the commission of error. For this display of impiety he deserves removal from his post."[159]

Though the double-shohet arrangement had the approval of all the later authorities it was acknowledged that the rule was not in the codes but in many local kehillah regulations. The distinction governed the decision rendered by Rabbi Ezekiel Landau (Bohemia, 1713-1793) in the following case. It was in a town wherein a local ordinance forbade shohetim to slaughter singly on pain of having their meat declared terefah. One shohet transgressed. The question of the status of the offender was raised before Rabbi Landau. The ruling given was that the guilty man had not lost his standing as a shohet, for he had not broken any of the laws of Shehitah. In consequence the rabbi said the guilty man might repair to another city and there take up again the work of a shohet. As for his standing in his own city, since he had infringed one of its ordinances, he was subject to punishment at its hands.[160]

Rabbi Solomon Kluger, who likewise favored the two-shohet provision, acknowledged that it was not based upon

strict Jewish law but upon discovered principles of sound Shehitah management. He said, "According to strict law it is sufficient to have one shohet in a city. Nevertheless it is a specially meritorious thing to have two shohetim."[161]

The double-shohet rule had the strong approval of Rabbi Moses Schreiber (Hungary, 1763-1839). This he indicated in the following case. One of two shohetim in a town, where the two-shohet provision was in force, fell gravely sick. In the course of his illness he became obsessed with the groundless fear that he had lost the fine sense of touch required in a slaughterer. Pious man that he was, he was harried by the apprehension that he might not have the will power to resist the temptation to resume slaughtering. To guard against this he made a vow never to serve as a shohet again. The man recovered completely and apprised the townsfolk of his vow. This left the kehillah with but one shohet, for they could find no man to replace him. The question was put directly to Rabbi Schreiber. Was it better that the vow be kept and the town be left with one shohet, or was it preferable that the vow be annulled and the town abide by its excellent rule that two shohetim always serve together. The rabbi decided, "The vow may be annulled and the shohet return to his work. The annulment is executed to make possible the observance of a praiseworthy rule, that two men collaborate in every act of slaughtering. God who is the other party to the vow, will undoubtedly acquiesce."[162]

The double-shohet arrangement was evidently favored by a rabbi in Kurdistan in the latter part of the eighteenth century. This religious leader had given his authorization to a number of shohetim employed in one settlement. On one occasion he sent his representative Mordecai to repair thither and to instruct the shohetim not to slaughter except when working in pairs. One of these, Moses by name, took it amiss when asked to bring along his colleague Judah. Moses communicated his chagrin to his father Abraham, who wrote a letter to the rabbi slandering the legate Mordecai. The rabbi wrote back that Mordecai was acting in accordance with his instructions.[163]

The question was raised whether two shohetim assigned to slaughter together might properly be related to each other by family ties or be associated as teacher and pupil. Rabbi Solomon Kluger replied that they might, and gave this explanation: "Shohetim in the course of their work are not called upon to answer questions of law. They are expected simply to render judgments upon the basis of their impressions. When two shohetim disagree the impressions reported by one do not reflect upon the knowledge or the prestige of the other. The impressions of the elder or the more learned are accorded no more weight than those of the less learned or the junior. The intent of the regulation is merely to bring more than one man's experience to every decision in Shehitah. It cannot be said that one man in this situation will exercise undue influence upon the judgment of his partner."[164]

In one town where the double-shohet provision was in force the people expressed doubt as to the extent of its application. Specifically, the officials were not sure whether the rule was meant to cover the slaughter of large cattle only or smaller cattle as well. It is to be noted that signs of terefah appear more commonly in large cattle and hence their examination is the more exacting. Rabbi Isaac Elhanan Spektor (Lithuania, 1817-1896), to whom the question was addressed, replied that the two-shohet rule governed the killing of all cattle irrespective of size.[165]

Rabbi Moses Schreiber (Hungary, 1763-1839) had entertained a similar question some years before. The question had come from the town of Shtampi, where the double-shohet arrangement had been in force for many years. In the year 1817 Rabbi Mordecai Benet, spiritual leader of the town, had secured the adoption of an ordinance extending application of the arrangement to cover the killing of small cattle. He undertook this fully aware that their examination did not call for the care required with larger cattle. After the ordinance had been in operation about four years some of the townsfolk arose to challenge it and to demand its abrogation. The issue was placed before Rabbi Schreiber.

He was asked whether the ordinance was a proper one, and under what circumstances it might be annulled. Rabbi Schreiber upheld the ordinance, and in presentation of his opinion described the practices in vogue in the communities he knew. He wrote:

"In Frankfort on the Main (his native city) Rabbi Phineas Horowitz of blessed memory had instituted the rule that two shohetim be present at every act of slaughtering in order to inspect the blade. This applied even in the case of the killing of fowl, certainly in the case of large or small cattle. Here in Pressburg we require the presence of two shohetim only in the killing of large cattle, except for the killing of the 'kapparah' fowl (dispatched the day preceding Atonement). Nevertheless the fear of the rabbi is always upon our shohetim, and we are accustomed as a Bet Din to come unexpectedly into the slaughter house, whether it be the place where cattle or fowl are killed, to examine the knives and to investigate the actions of the shohetim, in order that at all times 'their garments be white.' In addition every shohet at the beginning of every month must submit his knife for the approval of the rabbi. Just why they did not introduce the double-shohet provision for small cattle in Pressburg, I do not know. Granted that small cattle do not suffer generally from lung adhesions, still the knife requires the same examination with them as it does for large cattle. I took no action to change the rule."

Rabbi Schreiber went on to say that the ordinance sponsored by Rabbi Mordecai Benet was a desirable one, that it might not be nullified, and that of those shohetim who would deliberately ignore it, "It could almost be said that their slaughtering is invalid."[166]

At the present time the double-shohet plan is in force in all large cities throughout the Jewish world. It is applied to the killing of cattle of all sizes but not to the killing of fowl. In towns where but one shohet is employed the plan is necessarily not in operation.

FATE OF THE SHOHET IN A DIVIDED COMMUNITY: THE HASIDIC-MITNAGDIC CONTROVERSIES

The position of the shohet was as secure as the solidarity of the kehillah he served. So long as the authority of his kehillah was unified and unchallenged the official shohet was proof against every corrupting and damaging element—the browbeating butcher, dictatorial kehillah leader, intruding outside shohet, and malicious town gossip. The slaughterer had nothing to fear, for he could always count upon the kehillah administration to honor and protect his rights.

When, however, his commonalty was torn by factionalism, the authority of the administration might be impaired, he might become the center of communal wrangling, and a dissident faction might undertake to set up a rival shohet. In such a situation the official slaughterer would be obliged to summon all his political resources, particularly his family and his friends, to aid in defending his position. If he marshaled sufficient support he could restrain or oust the interloper. If he could not, he would be forced to come to terms with his rival. In any case, whenever a kehillah was rent asunder by factional strife, the probability was strong that the controversy would involve the management of Shehitah.

Moses Maimonides (Egypt, 1135-1204) furnishes us with the experiences of a shohet in a divided and calumny ridden kehillah in twelfth-century Egypt. The shohet of the settlement had been the subject of so much complaint and had engendered so much controversy "that it appeared as if Shehitah would have to be abolished in that kehillah altogether." Some of the people suggested that the post be given to the local cantor, a man of piety, humility, and distinguished lineage. When it was offered to him the cantor declined, excusing himself on the ground of ill health. Three young men, pupils of the cantor and themselves aspirants to the positions of communal shohetim saw their opportunity. They induced the cantor to reconsider the offer and accept the place, promising him that they would assist him when needed.

In due course the cantor was appointed, and then discovered that the work was not as arduous as he had feared. In consequence a year and a half passed by without his calling upon his pupils for help. Disappointed at the turn of events, the three plotters adopted new tactics, proceeding to circulate stories defaming the work of the cantor-shohet. As the evil reports mounted against him the cantor-shohet quite unhesitatingly laid down his task and recommended to the kehillah that it reelect the original shohet. The suggestion was taken, but the original shohet did not last long. He was promptly besmirched by even more unsavory reports and was soon deposed. The community then turned to one of the ambitious trio to undertake the work of slaughtering. His stay in office was shortlived, however. He fell a quick victim to the calumnies of his two disappointed companions.

Finally the kehillah called upon the remaining two men to become the shohetim, each to serve a week in turn. Peace reigned at last in the city. The cantor went about his business of leading the prayers in the synagogue to the satisfaction of all. Such good will prevailed that when the two shohetim were unusually busy they would call in the cantor to assist. Then some of the people recalled the earlier complaints leveled against the cantor, when he had served for a short time as shohet, and charged that he was unfit to perform slaughtering. Moses Maimonides, asked to render judgment upon the status of the cantor as shohet, reviewed the sordid details of the case and vindicated the right of the cantor to slaughter, to examine, and to porge.[167]

Intra-communal strife involving Shehitah affairs was common in Eastern Europe during the eighteenth and nineteenth centuries. It was the period when the Hasidic movement arose, when the Enlightenment was propagated, and when bitter poverty was rife in the Jewish settlements. Many a shohet was then beset by the evil of intruders.

In some cases the established slaughterers proved powerful enough to force the interlopers to desist.

Rabbi Joseph Saul Nathanson (Poland, 1808-1875) has recorded the agreement which the shohet of Mashitsk drew up and upon which he secured the signature of a trespassing

shohet. The Mashitsk slaughterer had suffered a diminution of income since the stranger had come into his territory and begun slaughtering in a nearby village. The agreement read:

"I the undersigned take upon myself by handclasp[168] and with solemnity and under the penalties imposed by oath, not to slaughter any living thing requiring Shehitah for any individual, whether gratis or for compensation, in any part of the territory which belongs to Mashitsk without the consent of the rabbi and the shohet of that place, except that I may slaughter one fowl each week for my own household. If I, God forbid, violate this agreement, may the meat I slaughter be adjudged carrion and the dishes brought into contact with it be considered as terefah as the vessels of non-Israelites. I dedicate the benefit of the use of my hands to their Creator and abjure them from ever again engaging in Shehitah, if I, God forbid, transgress the above agreement. The above is clearly expressed; it is without ambiguous or hidden meaning. It is accepted without any mental reservation and in accordance with the understanding of the Almighty and the rabbi."

The shohet who affixed his signature to the agreement subsequently broke it and then questioned its validity in court. Rabbi Nathanson upheld the written document.[169] Rabbi Nathanson sustained a similar agreement in behalf of the shohet of Helitsch[170] and described how in another case trespassing shohetim were ousted by a decision of the Bet Din.[171]

In some situations established shohetim could not dislodge interloping shohetim and had to come to terms with them. From Rabbi Moses Schreiber (Hungary, 1763-1839) we learn that the shohet of Zalkavi was obliged to divide his territory with a successful intruder, and enter into a mutual oath with him that one would not engage in slaughtering in the district of the other.[172] Rabbi Solomon Kluger (Poland, 1783-1869) recorded a mutual oath taken by two shohetim that one would not slay an animal except in the presence of the other.[173]

How an intruder insinuated himself into the post of kehillah shohet in one Galician town is related by Rabbi Kluger.

In that settlement three shohetim had been regularly employed, when one resigned. One faction in the town desired to fill the vacancy with a local man, who was the holder of a kabbalah (written certificate) and who had performed slaughtering in a number of places. The opposing faction would not hear of him. His protagonists took it upon themselves to send him fowl to be slaughtered. When the matter was brought before the local Bet Din and the judges disagreed, his followers proclaimed that he had been officially sanctioned. However, since he could not gain access to the shambles belonging to the pacht (farmers of the meat tax), and since Shehitah was not legal when performed outside of it, he did not presume to slaughter cattle. Later his adherents took courage, and with the connivance of the pacht secured for him a place in the pacht's slaughtering quarters. Then he began to slaughter cattle as well and remained one of the recognized shohetim of the kehillah.[174]

A shohet employed in an unstable community would teach slaughtering to others only under the most careful safeguards. As a prerequisite he would in many cases require the learner to agree in writing not to trespass upon his territory.

Reproduced below is a typical written understanding signed by a pupil shohet for the benefit and protection of his teacher:

"The writing which Dov the shohet has given to R. Hayyim the shohet: Let this be a true sign and evidence in the hand of Rabbi Hayyim, son of Rabbi Joseph of blessed memory of Zbarov, that I sign below and agree not to slaughter either alone or in company with any other shohet except Rabbi Hayyim mentioned above, except with his knowledge, approval, and good will. I forbid myself to slaughter either large or small cattle, large or small fowl, or doves or pigeons, either in the holy kehillah mentioned above or in the villages in the area within the jurisdiction of Rabbi Hayyim, either for my personal use or for that of others, whether for pay or gratis. Likewise I forbid myself to inspect a knife or the lungs, whether internally or externally, whether alone

or in collaboration with others, except with the aforementioned Rabbi Hayyim, lest it be against his knowledge or good will. I forbid myself to cause any evil, God forbid, whether by word or act, whether in this matter or in other matters, whether directly or indirectly, to the aforementioned Rabbi Hayyim from this time to the last day of my life. I take this upon myself as a vow in the presence of God and man, a vow which can never be annulled. I take this upon myself with the weightiest oath by the Pentateuch I now hold in my hand and by that which is written therein. I take this upon myself with the force of the gravest ban, one which can never be annulled, with my whole heart and under no duress or compulsion. If I should violate the agreement stated above and act as shohet in the territory defined above without the consent of the aforementioned Rabbi Hayyim, then I forbid to myself and to all others the meat of my slaughtering and of my inspection: may such meat be regarded as swine's flesh and carrion, and may I be judged as one who violates oath, ban, and vow. I accept this outspokenly and clearly and according to the understanding of God, the people, and Rabbi Hayyim, waiving any claim of duress or reservation or any plea for annulment. For proof, the sixth day of the week, the 15th day of Ab 5597 (1837) here in Zbarov; the words of Abraham Dubarish, innkeeper."

Dov the shohet subsequently violated and challenged the agreement. Rabbi Moses Schreiber, who was called upon to decide the question, upheld the validity of the document.[175]

Among the most bitter communal controversies involving Shehitah were those which raged in Eastern Europe between the Hasidim and Mitnagdim. There were two phases to this long and acrimonious quarrel. Between the years 1770 and 1790 the dispute was on a public scale and concerned the use of burnished slaughtering knives. After the year 1815 the controversy smoldered in separate communities as a feud between Mitnagdic rabbis and Hasidic shohetim.

The use of a highly polished blade for Shehitah was one of the innovations sponsored by the Hasidim (participants in a religious movement emphasizing the mystic, which began

in the Carpathian region in the eighteenth century and spread to several East European lands). They adopted this type of slaughtering knife on the basis that only from a finely ground cutting edge could every indentation be honed away. Their point of view was stated by Rabbi Shneor Zalman b. Baruch of Laidy (Lithuania, 1747-1812) in these words: "Most of the shohetim at the present time employ a blunt and heavy knife. They are obliged to sharpen it much, in order to eliminate every nick from the cutting edge and to make it keen enough to cut without pausing. Even then most of the shohetim do not obtain satisfactory results; for it is difficult to produce a flawless edge on a dull knife. We therefore favor the fine and highly polished blade. This decision of ours should not be taken to reflect upon the kashrut of meat slaughtered by shohetim who use the heavier knife."[176]

The Mitnagdim (opponents of the Hasidim) objected to the use of highly polished knives, contending that such instruments were prone to denting. They argued that finely ground blades were liable to become nicked upon first contact with the skin of the creature about to be slaughtered, and thus cause the animal to become nebelah.

The Mitnagdim could find support for their contention in a case tried centuries before by Rabbi David b. Solomon ibn Zimra (Egypt, 1479-1589). Then a shohet employing an unduly sharp blade had rendered an animal nebelah. The knife had been inspected before slaughter and found flawless. When tested after the killing it was found to be dented. The rabbi held the shohet liable for the loss he had caused. The decision said, "He should have taken heed not to slaughter with a knife that was too sharp."[177]

The Hasidim were aware that the burnished blade was prone to render the victim nebelah, but they could see no religious objection in that fact. They argued that should nebelah result, the post-mortem examination of the blade would betray it, and Jews would abstain from the meat of the carcass. To this the Mitnagdim replied, "Why adventure with an uncalled for instrument that is prone to cause

nebelah? Then again, admitted that nebelah can always be detected before it is eaten, why bring on an increase of nebelah and cause the loss of money to Jews?"

In terrifying public proclamations of excommunication the Mitnagdim banned the Shehitah of the Hasidim. The ban, announced at the fair in Brody on the 20th day of Sivan in the year 1772 at the behest of the Vilna community, read: "They make for themselves polished Shehitah knives, not called for by the Talmud or the rabbinical authorities, knives which all the shohetim say cannot be used without 'burrowing,' 'cutting outside the prescribed area,' and 'tearing.' These burnished knives, may they not be mentioned in all the borders of our kehillahs and their environs, are of a certainty blemished with the taint of heresy. Meat slaughtered by these burnished knives are nebelah and terefah. All the people of the kehillahs are warned against eating such meat. When one of our community chances to be in a strange town, let him inquire whether they employ these burnished knives there. If this is so let him not eat their meat or partake of any meat course, for even their dishes are nebelah and terefah. We command our shohetim sternly: Let them not produce their knives for any stranger, but only for a known rabbi of a known community and with the approval of the monthly administrator."[178]

On the second day of Elul in the year 1781 the entire community of Zelve assembled in the market place and listened with dread to a proclamation which quoted the Vilna ban and added the following: "We place them in extraordinary excommunication: they shall not count toward a quorum in the synagogue; none shall give them lodging; their Shehitah is forbidden; none may transact business with them, marry with them, or take part in their burial."[179]

The Slutzk kehillah placed under the ban those "who eat meat from cattle killed with polished knives such as are used by the Hasidim."[180]

On December 31, 1786 the community of Shklov in Moghilef, White Russia, issued the following manifesto: "What their (the Hasidic) shohetim kill may not be eaten; it is

carrion. The instruments they use are polluted and forbidden. Meat brought into one city from another place is to be regarded as carrion unless it be accompanied by a certificate from a reliable individual who is not a member of the Hasidim."[181]

The point of view of the Mitnagdim was summarized in a letter dated the eighth of Tammuz 1784 and sent by Rav Gallil of Brisk and Rabbi Abraham Katzenellenbogen from Warsaw to Rabbi Levi Isaac in Zilehov. It read: "Why do the Hasidim cast reflection upon sacred things and place the taint of reproach upon our Shehitah knives, established as correct from olden days, generation after generation without break or question. Now in their lusty pride they pronounce these proper knives unfit and they refuse to eat of the Shehitah performed with them. They interchange wrong for right and right for wrong, to slaughter their animals with over-sharp and polished knives. What they kill is prone to nebelah, for when the blade is too keen it may easily be dented by the skin. As to their argument that they cannot fall into the sin of eating nebelah since the shohet reinspects the blade after slaughtering, our reply is, why should they cause the moneys of Jews to be lost for no cause. Why should they invent a new mode, one which our fathers never knew, and by it stamp Jews as eaters of forbidden meat? What has led to this foolishness if not that they do it to glorify themselves before the masses, who themselves are innocent and scrupulous in the observance of the commandments?"[182]

In the course of a few decades the controversy over the highly polished knives died down. Shohetim of both Hasidic and Mitnagdic groups had taken to a new blade, one made of finer steel and more easily sharpened. But Shehitah was to figure once more as a basis for Hasidic-Mitnagdic wrangling.

After the year 1815, especially in Galicia, the Hasidim began to employ shohetim to break the power of the Mitnagdic rabbis. At that time Hasidism had triumphed to such an extent that it had won over virtually all the masses

in Galicia as well as in other sections of Eastern Europe. Only a number of rabbis remained to resist the movement. One of the methods employed by the Hasidim to sweep away this ecclesiastical opposition was to install their own adherents as shohetim under the opposition rabbis, and to have these shohetim undermine the position of the rabbis.[183]

The tactics used by one Hasidic shohet to annoy and harass his Mitnagdic rabbi are described in a responsum of Rabbi Joseph Saul Nathanson. The principal was a shohet, Hayyim by name, and employed in a Galician town, who presumed in defiance of the written opinion of Rabbi Kluger to pass as kosher carcasses with rotted and blistered lungs. When Hayyim's misconduct was brought to light the community engaged an additional shohet and ordered Hayyim not to slaughter thenceforth, except in company of the new man. Hayyim disobeyed the order, and contended in explanation that his new partner did not know how to prepare the knife. When the local rabbi reexamined the new shohet and found him adequate, Hayyim proclaimed that all the city, including the rabbi, were "stuffing themselves with terefah." The local rabbi hesitated to take direct action against the insubordinate Hayyim, and instead asked the shohetim to enter into a mutual agreement not to perform slaughtering without each other. To this Hayyim replied that he desired first to seek the advice of his (Hasidic) rabbi, the Rebbe of Kasiv. When Hayyim failed to do even this and continued to slaughter by himself, sixty householders joined their rabbi in a signed manifesto that they would not eat meat killed by Hayyim until he yielded.

In this impasse one of Hayyim's Hasidic partisans succeeded in inducing the pacht men (holders of the slaughtering tax lease) to have Hayyim do all the slaughtering. The action of the excise men however did not settle the issue, and Rabbi Nathanson was called upon to pass judgment upon Hayyim. The rabbi wrote, "It is a wonder to me how a Jewish community can countenance such a wicked, brazen, libelous, and untrustworthy man. He should be straightway discharged from his post. Better eat meat from gentile

shops, which is but terefah, than eat the meat of this man's slaughtering, which is both terefah and the work of a man who violates his oath."[184]

Time has healed the scars of the Hasidic-Mitnagdic controversies over Shehitah. But general communal wrangling over Jewish slaughtering remained as a feature of East European kehillah life. This fact should be seen, however, in its proper perspective. Shehitah controversies were common only in Eastern Europe, and only in the past 200 years. As viewed throughout the Jewish world and over the centuries, Shehitah affairs were conducted harmoniously, and the typical shohet was a secure and honored personage.

4

The Shohet and His Qualifications

KNOWLEDGE—SKILL—PIETY

The key to proper Shehitah is the shohet himself. In fact, the purpose of all the measures set forth in the preceding chapter was to create conditions under which the shohet might remain free and incorruptible. Considering the grave responsibility placed upon the shohet and the rights and privileges with which he was invested, it was but natural for the kehillah authorities to choose as their shohetim only men of high caliber. They sought knowledge, skill, and piety.

How much knowledge was the shohet expected to possess? Rab Amram (Gaon at Sura, Babylonia, from 869 to 881) declared that the slaughterer should be versed in the twenty-four books of the Bible and in some sections of the Talmud, and should be familiar with all the seventy cases of terefah.[185] Rabbi Joseph Karo (Palestine, 1488-1575) put the scholarship requirements of the shohet in another way. He said, "It is not necessary that the shohet know all the fine points of the law. He is deemed to be sufficiently learned if, when confronted with a difficult case, he says: On this matter I am in doubt and I will ask. If however, he pronounces a forbidden thing permitted, he is not deemed to be sufficiently learned."[186]

Rabbi Jacob b. Samuel (Turkey, 17th century) set a higher standard. He once ordered the removal of a slaughterer who had erred on the safe side and had pronounced a kosher carcass forbidden.[187] Rabbi David b. Samuel ha-Levi

Segal (Poland, 1586-1667) ruled that the shohet should know the Shehitah laws by heart.[188]

When during the nineteenth century shohetim's manuals had come into vogue the rabbis were satisfied if a shohet had mastered any one of these. Rabbi Jehiel Michael Epstein declared, "In our day when hand books on Shehitah have multiplied, particularly the book 'Tebuot Schor,' which is accepted in all the far-flung settlements in Israel and in which shohetim are versed,—since most of the difficulties that arise in Shehitah are considered therein, the man who applies for a kabbalah should be versed in it."[189]

The "Simlah Hadashah," a commentary on the "Tebuot Schor," remarks that the shohet should be at least a fair talmudic scholar. "A shohet," it reads, "should be capable by himself of reading the Talmud, with the commentary of Rashi, understandingly."[190]

In general the shohet was not expected to be an expert in the laws of Shehitah. That was looked for in the rabbi. It was expected that the shohet would be familiar only with the commonly encountered cases, and that when confronted with an unusual case he would bring it to his rabbi.

What degree of manual skill was looked for in the shohet? Sufficient to perform correctly three skilful operations, to sharpen the knife, to cut the throat of the animal, and to examine its lungs.

Rabbis would test established shohetim by asking them simply to sharpen their blades. There were two reasons for the ecclesiastical authorities making this the standard routine test. First, the consideration of conveniece. A rabbi might at any time order the slaughterer to produce and sharpen his blade. He might not, however, at will call upon a shohet and ask him to slay an animal and examine its lungs, for in the smaller settlements cattle were not at all times standing ready to be killed. Then, the preparation of the knife constituted the most difficult test. It might be assumed that a shohet who possessed the digital control to prepare his blade was capable of cutting the animal's throat and of examining the lungs. Chief among the requisites for the preparation of the knife was the ability to perceive by touch the tiniest in-

dentation upon its cutting edge. How exacting was this task was attested by Rabbi Joseph Karo (Palestine, 1488-1575), who wrote, "The examination of the knife requires composure and piety; for you will sometimes see that one will examine a blade three times and not sense a small nick upon it, and then afterward detect one, only because of greater concentration at the last test."[191]

What was the measure of piety looked for in the shohet? The slaughterer was expected to be orthodox in belief and scrupulous in religious observance. These matters, however, were not subject to test. Judaism had never developed an inquisitorial technique. The Jew who sought the kabbalah of a shohet was not required to face interrogations concerning his religious conduct. Nor was he after being admitted into office required to answer questions concerning religion in the rabbi's routine examination. It was taken for granted that he was true to Judaism. Only where witnesses had reported him committing an impious or immoral act did the Bet Din make his character the subject of formal scrutiny.

THE KABBALAH

It appears that prior to the year 1100 the authorities were satisfied that the contemporary slaughterers were up to standard, that they were possessed of requisite knowledge, skill, and piety. At least we know of no steps they took to inquire into the capacities of the slaughterers. Shohetim then were allowed to enter upon their work without examination or license, and were permitted to continue without being subjected to systematic review.

It was Moses Maimonides (Egypt, 1135-1204) who made the suggestion that slaughterers should practise under the guidance of rabbis before undertaking Shehitah. He wrote, "A man, though versed in the laws of Shehitah, should not undertake to slaughter alone until he slaughters many times in the presence of a rabbi and thus attains proficiency. Should he slaughter alone without first practising before a rabbi, his Shehitah is still valid."[192]

In the following century the idea became current that a shohet should be tested by a rabbi or expert before being allowed to engage in slaughtering.

A German synod convened sometime before 1220 resolved, "That no man shall act as shohet except after examination by a rabbi or an expert." A meeting of representatives of Rhine communities in the same century proclaimed, "We have ordered that no one shall act as shohet unless he presents himself to the expert or the rabbi for trial."[193]

Rabbi Solomon b. Abraham Adret (Spain, 1235-1310) was severe with shohetim who had never taken an examination. In one case a shohet of long service was found deficient. He was brought to trial before Rabbi Adret. The rabbi ruled that the respondent, despite his long experience, had never acquired the status of a shohet, in consequence of which all the meat that he had killed as well as the dishes in which that meat had been cooked were prohibited.[194]

The practice of examining all shohetim periodically was instituted in Germany in the fifteenth century. Rabbi Jacob Weil (Germany, died before 1456) would administer tests himself, or through a representative, to every shohet within his jurisdiction. He wrote in one communication, "Now concerning the others as to whether they are learned in the laws of Shehitah—I have just sent a trustworthy man to the province of Necker and to all its surroundings to examine the shohetim. If it were not for the fact that I am about to come to your place I would send a representative likewise to your place. It is a serious breach, and it is your responsibility to repair it."[195]

The following century saw the introduction of the kabbalah, or shohet's license. To receive it the candidate had to pass a test in slaughtering given by a rabbi. At first kabbalahs were issued by veteran shohetim or rabbis, in oral or written form. Later the only accepted kabbalah was one conferred by a rabbi and put into writing. The usage prevailing in the early days of the kabbalah was stated by Rabbi Moses Isserles (Poland, 1520-1572) as follows, "It is the practice that no man engages in slaughtering unless he holds a kabbalah issued by a rabbi, and no rabbi confers a kab-

balah until he is satisfied that the candidate is conversant with the laws of Shehitah and has acquired the needed manual proficiency. In some localities there is the more stringent requirement that the shohet present as proof of his status a kabbalah in written form."[196] At that time the kabbalah was called a "reshut" (literally, permission or authorization). In Sephardic countries the shohet's license has come to be known as a "semikhah" (literally, laying on of hands, or ordination).

In the course of time a uniform procedure for the testing of candidates for the kabbalah was developed. Three grades of kabbalahs were issued, authorizing their recipients to kill respectively fowl, small cattle, or large cattle.

The man who aspired to become a full-fledged shohet would at the outset have to be of unimpeachable religious and moral character, be known to the rabbi of the local community either directly or by recommendations from responsible people, and come up to a high standard of education. Generally he would undertake first to obtain the kabbalah authorizing him to slaughter fowl. He would then attend upon a veteran shohet for instruction. After this apprenticeship and after satisfying his mentor that he was capable of killing fowl correctly, he would be presented by his tutor to the rabbi. The rabbi would then question the candidate in the laws of Shehitah, order him to sharpen the knife, and then ask him to kill three fowl. If the candidate did all correctly he would be given a kabbalah for the killing of fowl. Further training and the passing of a second examination give him a kabbalah for the slaying of calves, sheep, and goats. Additional training and the meeting of a third, the most difficult test, brought him the highest kabbalah, the one authorizing him to slaughter large cattle.

Practical and legal considerations governed details of the kabbalah test. The examining rabbis, we are told by Rabbi Shabbethai b. Meir ha-Kohen (Poland, 1621-1662), would in his day include at least one male among the three birds, in order to test his capacity to master a strong bird. It was Rabbi Shabbethai who said that the examining rabbi might not accept the candidate's gift or monetary fee, or

keep for himself the poultry killed in the test. The slaughtered poultry was to be given to the poor.[197] He disagreed with Rabbi Hillel b. Naftali Hertz (Lithuania, about 1570), who regarded it as proper for the examining rabbi to accept a fee, though not to retain the slaughtered poultry. Rabbi Hillel's reasoning was as follows: The examining rabbi is in the legal position of a witness. The witness may accept a fee for testifying in court, provided it is offered before the trial. The fee is given to him to cover expenses incurred in coming to court. On the other hand he may not accept a fee after the trial, for then it would be considered payment for testimony, and testimony that is paid for is null and void. The examining rabbi, to follow the analogy through, may receive a fee before he passes upon the candidate, but not afterward. He may never accept the slaughtered poultry because that can not be offered except after the test, for the moment the rabbi pronounces the slain bird kosher the examination is over. For the rabbi then to accept a gift of the slain fowl would be to invalidate his own testimony concerning the candidate.[198]

In Wurttemberg, by the Shehitah ordinances adopted July 20, 1903, the fees of the rabbi for examining the shohet were fixed as follows: for the examination in fowl slaughtering, 5 marks; for the examination in cattle slaughtering, 10 marks; for a reexamination, no fee.[199]

A practical question involving apprenticeship in Shehitah was, "By what right might the learner, who of course is not yet a holder of a kabbalah, practise at slaughtering?" The question came up before Rabbi Ezekiel Landau (Bohemia, 1713-1793) in the following case. There was a superannuated shohet who had begun to lose his fine sense of touch. His fingers were sufficiently sensitive to test the lungs but not sensitive enough to examine the blade. He had a pupil who possessed the complementary capacities. The young man could prepare the knife and kill cattle, but not examine the lungs. Rabbi Landau was asked to pass judgment upon the propriety of the two men working together. Rabbi Landau replied that he could find no objection to the arrangement, and said, "Let the young man prepare the knife and do the

slaughtering. He may do this though he holds no kabbalah, as long as he does so in the presence of his mentor. Let the older man examine the lungs, his advanced age will not be of disadvantage to him in that. It may be assumed that in time the young man will learn also how to examine the lungs."[200] A similar question was put to Rabbi Solomon Kluger (Poland, 1783-1869). It read, "Might a man who holds no kabbalah but who acts as assistant to a shohet slaughter in the presence of his superior?" Rabbi Kluger replied that he might "if he does so only for the purpose of practising and if the meat will be disposed of to gentiles."[201] We read of Simeon b. Benjamin Halevi, dayan of the city of Imadiya in Kurdistan about the year 1764, who sent one Moses b. Yedidyah to the town of Gla to serve as shohet. Moses was not given a written authorization, because he was in need of practice, but he was allowed to slaughter temporarily under the supervision of two local scholars, Ashael and Phineas.[202]

The validity of a kabbalah was not regarded as impaired by the relationship existing between its giver and receiver. This point was made by Rabbi Moses b. Jacob Hagiz (Palestine, 1671-1750) in answer to the question whether a rabbi might grant a shohet's kabbalah to his son. In his verdict allowing this, Rabbi Hagiz explained that a kabbalah was a purely religious instrument, and that in religious matters the customary strict requirements for testimony did not apply. He said, "In religious matters, we accept the testimony of a single individual, a woman, a person related to the principal, or that of a man concerning himself. In Shehitah we constantly and necessarily accept the word of a shohet concerning his own work."[203]

By the sixteenth century the shohet's kabbalah was required in all the countries where Ashkenazic practices were followed.[204]

Rabbi Yair Hayyim Bachrach (Germany, 1639-1702) stoutly upheld the principle that only the recipient of a kabbalah might be allowed to perform Shehitah. He permitted exceptions to this rule only in the most extreme

cases. His unwavering attitude on this point can be read in his decisions rendered in the cases that follow.

In a German village three Jewish householders maintained a teacher-shohet. Just before Passover he fell sick, and the little settlement faced the prospect of a meatless festival. One of the householders, a man versed in the Shehitah laws but who had never practiced slaughtering, offered to do the killing, and inquired of Rabbi Bachrach whether he might be permitted to do so under the circumstances.

In his extended reply Rabbi Bachrach stated that by strict interpretation of the law the petitioner did have the right to perform Shehitah. He said:

"The shohet's kabbalah is a device only of the later authorities. For this reason it has been accepted that where a man without a kabbalah has engaged in slaughtering for a number of years and then upon examination is found to know the rules, all the meat of his previous killing is pronounced kosher.

"Another point to favor the petitioner is that he seeks permission to slaughter in order to fulfill a meritorious purpose, to provide meat for the festival; and there is no joy of the festival except in the taste of meat.

"With all this, I must still my heart in order to allow him to slaughter.

"In these generations, alas, the stumbling in Shehitah matters is grievous among the villagers in Germany. There the high function of the shohet, to our humiliation, has fallen into the hands of the ignorant and the immature. In such places, how can we entrust Shehitah to one who does not possess a kabbalah!

"When I was still a junior judge in the Bet Din of Coblenz I received an inquiry from a man, Tal by name, a respected householder from the village of Mend on the Rhine River. He earned a livelihood by selling terefah meat (when it came into his hand) and hind-quarter meat to the gentiles there. He employed a young man as shohet. Once this shohet was away at another village, a mile distant, and lin-

gered there. The next morning the village people crowded around Tal's house asking for meat. Tal was learned in the laws of Shehitah, but had never received a kabbalah, and he asked me whether he might slaughter for the needs of the gentiles. He explained that it was not his intention to eat of the meat and that he would refrain from pronouncing the blessing over the slaughter. I would not grant him permission, for it was 'a strange thing.' By strict law this should have been allowed, for he was familiar with the Shehitah laws and was to use a flawless blade, but my permission in that case would have resulted in an increase of laxity.

"In the case before us let the petitioner slaughter one or more fowls at the home of the sick shohet (even though the taste of fowl does not awaken the joy of the festival as does the taste of beef). He might even slaughter a head of cattle, but let him be forewarned that should the least abnormality appear in the lungs and it is impossible for the sick shohet to help in examining them, then the carcass must be pronounced terefah. The petitioner is regarded unqualified to decide borderline cases in the examination of the lungs, because the performance of that examination calls for a fine sense of touch as well as long practice. After the petitioner executes the slaughter, let him undergo a fast as a penance. Then let him give some charity in order to make public the fact that a man who is without a kabbalah may not slaughter in every emergency. In this case I am moved to give the petitioner the right to slaughter because of the needs of the festival; and providing for the festival is a praiseworthy act.

"But an hour after receiving the question under discussion, I was addressed on a similar matter by a Jew engaged in the meat business. It was on a gentile festival that his gentile neighbors received permission from the official in charge of food to force him on pain of twenty Reichthalers fine to slaughter for them. The Jew hesitated to do so because he was not the holder of a kabbalah, and consulted me. I ruled in that case that it was preferable for the Jew to

have the animals butchered by a gentile than that he should presume to slaughter while he had no kabbalah."[205]

The kabbalah authorized its recipient to slaughter for any Jew anywhere. Nevertheless, by the eighteenth century kehillahs came to insist that their shohetim receive, irrespective of any license acquired elsewhere, a kabbalah from the local rabbi. In one community where this rule was in force, a shohet refused to seek a new kabbalah from the rabbi of the town. Rabbi Ezekiel Landau (Bohemia, 1713-1793) pronounced the meat of that shohet terefah.[206]

The regulation requiring the shohet to hold a kabbalah from the local rabbi was in effect in the village of Vinik, a day's journey from Carilsburg, Poland. It was reported by Rabbi Solomon Kluger that a shohet from Hungary had been engaged in the village to slaughter fowl for the household needs of an official named Joseph. The shohet had received kabbalahs from a number of eminent Hungarian rabbis, but upon his arrival at Vinik he was not permitted to slaughter until he had taken a kabbalah from the rabbi of the place.[207]

By rules in force in Wurttemberg in 1903 every shohet was obliged to obtain a kabbalah from the district rabbi.[208]

Never was the kabbalah intended to give the shohet the irrevocable right to slaughter. Never was it accepted that "Once a shohet, always a shohet." It was understood that even the most qualified man might lose the capacity to slaughter correctly, and for two reasons. The first, that the shohet might forget the Shehitah laws; the second, that he might lose his manual proficiency.

The possibility that a licensed shohet might forget the laws led Rabbi Moses Isserles (Poland, 1520-1572) to issue the warning, "Let every shohet, even though he has received a kabbalah, review the laws of Shehitah periodically, until he is thoroughly conversant with them, lest he forget them."[209]

The authorized slaughterer who had forgotten the laws was disqualified, but was not deprived of the benefit of his previous status. In practical terms that meant that he had been a rightful shohet up to discovery of his ignorance, and so all the meat that he had killed and the utensils in which

that meat had been cooked remained kosher. As stated by Rabbi Isserles, "In the case of the shohet who is found to be ignorant of the laws, if he possesses a kabbalah we say that he once knew the laws, but that he forgot them an instant before he was questioned in them. He is to be deposed as shohet, but the meat of his past slaughtering remains kosher. If he does not possess a kabbalah we say that he never knew the laws. He is not only to be deposed as shohet, but also the meat of his past slaughtering as well as the vessels in which it was cooked are to be regarded as forbidden."[210]

Rabbi Hayyim Joseph David Azulai (Palestine, 1724-1807) related how in one town he found a number of shohetim all recipients of kabbalahs but withal unfamiliar with the laws. It was in a town where the shohet had resigned to move away and enter another business. New men, each holder of a kabbalah, were elected to succeed him. Soon the communal directors had cause to be dismayed when the new shohetim proceeded to pronounce many animals terefah. The perturbed leaders discharged the slaughterers and induced the original shohet to return. Whereupon the local rabbi barred him on the ground that "he had been appointed to his post only in order to increase the supply of meat." Rabbi Azulai was invited to review the situation. He examined the original shohet and found him to be well versed and skilled. He tested the other shohetim and found their knowledge meager even in the matter of examination of the blade. Rabbi Azulai gave the first shohet his written approval. The others he ordered suspended "until such time as they shall attain the requisite knowledge."[211]

To guard against shohetim growing hazy in the laws, some rabbis would insert in the kabbalah an admonition to the recipient to review the laws regularly.

An illuminated kabbalah (on display in the Museum of the Jewish Theological Seminary) issued by three rabbis of Mantua, Italy, to one Eleazar Menahem Maroni in 1773 contains this clause: "Let him review the abridged laws once a month for the coming three years, in order that he

should not forget them. Let him show his knife to a scholar or to his rabbi once each week and also when he goes forth on the road."

Another illuminated kabbalah (also on display in the Museum of the Jewish Theological Seminary) issued by Rabbi Simha Kalimani in Venice to Samuel Luzzatto in 1774 reads: "I admonish him, since men are prone to forget, to review the above-mentioned laws from time to time and to keep the 'Shulhan Arukh' before him. I am sure he will do so."

Some rabbis at the time of issuing the kabbalah exacted a promise from the recipient that he would review the laws regularly. The kabbalah issued by Jacob S. Solis to Benjamin Etten Hays at Mt. Pleasant, New York, on November 11, 1813 stated, "The same Benjamin Etten Hays has promised me that he will look over the same Denim (sic) once a month to keep in memory the said Denim."[212]

Another danger noted by the rabbis was the tendency of some shohetim once in possession of a kabbalah to grow careless in performance of their duties. Rabbi Shabbetai b. Meir ha-Kohen (Poland, 1621-1662) declared, "We should contend against the shohetim in our time who inspect the knife with haste and lack of concentration, until they become more careful and punctilious in this matter."[213]

A grave danger recognized by the ecclesiastical authorities was that the shohet, after he had passed all the tests leading to the kabbalah, might suffer a loss of the necessary manual skill or digital sensitivity. This condition might result from lack of practice, but also from the effects of drunkenness, old age, or chronic illness.

The authorities had to reckon also with the fact that kabbalahs were sometimes granted to unqualified persons. As stated by Rabbi Schneor Zalman of Liady (Lithuania, 1747-1812), "At the present time when the rabbis, who issue kabbalahs without thorough investigation, have increased, the pious man should take heed to eat meat slaughtered only by a shohet whom he knows to be fit and God-fearing, or who serves in a city where the communal directors are God-fearing and investigate the shohetim scrupulously, or



Courtesy of the Museum of the Jewish Theological Seminary

AUTHORIZATION TO PRACTISE SHEHITAH WRITTEN AND ILLUMINATED ON PARCHMENT

Granted to Samuel Luzzatto by Simha Kalimani in Venice in 1774. In this document the right to perform slaughtering and to examine the lungs are given as two separate authorizations

whose knife he is capable of examining himself. He should also inquire of the shohet's townsfolk whether the shohet is a drunkard or indulges in other wrongdoing."[214]

In view of these circumstances possession of a kabbalah might not be taken as absolute evidence of competency in Shehitah. It was an indication only that the person named had passed a shohet's examination before a particular rabbi upon a stated day.

THE ROUTINE EXAMINATION

The fitness of the shohet at all times could be assured only by a system of occasional or regular testing. At the Synod of Frankfort in 1603 a resolution was adopted, providing for the examination of all shohetim within the jurisdiction of the synod. "It has often been found that men engaged in Shehitah lack adequate authorization, or having received authorization fail to review their studies and forget the law, thus causing their fellow-Jews to eat forbidden food. Moreover, many fail to examine the knife in the proper manner. We therefore urge the head of each province and settlement to send an investigator, so far as possible, to review the necessary laws with the shohetim."[215]

Rabbi David b. Samuel ha-Levi Segal (Poland, 1586-1667) tells us that because the shohetim in his day were not zealous in reviewing the laws the great rabbis would investigate and reprove them, despite the fact that they were recipients of kabbalahs.[216]

The Lithuanian kehillahs went further and established the examination of shohetim upon a regular and routine basis. A conclave of Lithuanian communities held in 1632 resolved: "Let no kehillah or settlement install a shohet unless he has in his hand a written kabbalah issued by the chief rabbi of the chief kehillah, or by the chief rabbi of the kehillah nearest to him, or by any renowned rabbi. Let every shohet in our territories appear at least once a year before the chief rabbi of his kehillah (or before the chief rabbi of a nearby kehillah, if there is none in his own kehillah) to be questioned in the laws of Shehitah and in the

examination of the carcass. In any case, let every shohet appear without delay when summoned by the chief rabbi of the chief kehillah."[217]

In 1639 representatives of the Lithuanian communities in meeting assembled voted that the knives of all the shohetim be inspected at least once a week. "The chief rabbi in each community should bestir himself to inspect the knives of the shohetim at least every Wednesday, and may blessing descend upon him who does it the oftener. In such places where there is no rabbi let them appoint for the purpose a man fit and God-fearing."[218]

A measure adopted in 1691 provided that the shohetim renew their kabbalahs every three years. "We issue this in order to remove the stumbling-block from before the shohetim found in all the cities and villages, may they increase. Let the rabbis summon them, test them thoroughly, order them to review the laws regularly, and renew their kabbalahs once every three years."[219]

In the year 1761 regulations were drawn to govern the periodic examination of the shohetim. From the resolution we learn that in Lithuania at that time shohetim were examined once yearly, the city shohetim by their rabbi and the village functionaries by the shohet of the nearest city. "The beginning of wisdom is the fear of the Lord, a good understanding to all that fulfill them. Let no man act as a slaughterer unless he be at least eighteen years of age (and married), learned, and God fearing. Let him present himself once each year to the rabbi of his territory to be examined. For any examination given by the rabbi to a shohet (other than for the test given for the first kabbalah) it smacks of the forbidden for the rabbi to receive more than three groschen. Likewise for the examination given by a city shohet to a village shohet, let the former take no more than one tenner."[220]

Though the routine examination of shohetim was the accepted practice in Lithuania through the seventeenth and eighteenth centuries it was not the rule in Polish settlements in the nineteenth century. Nevertheless even in Polish towns public opinion would occasionally force established

shohetim to submit to reexamination. Two illustrations of this are provided by Rabbi Solomon Kluger.

The first case occurred in the town of Manistristch. Many of the householders had complained that the shohetim were not sufficiently proficient in sharpening their knives and had demanded that the shohetim submit to reexamination. The people of the town were divided on the subject, and Rabbi Kluger was asked to decide. The issue was whether authorized shohetim might be obliged to undergo retesting. Rabbi Kluger ruled that they might be, and explained that the established status of a shohet did not exempt him from reexamination where there were grounds to question his competency.[221]

The other case concerned a shohet who had served with satisfaction in a small town for a number of years. A number of people began to complain against him, saying that he never showed his knife to a rabbi. Heeding this, the shohet prepared his knife in the presence of the rabbi of Dinuv, who to the shohet's surprise and dismay declared it faulty. When the shohet's townspeople received the report they decided not to eat of his slaughtering. The distracted shohet then had his preparation of the knife judged by other rabbis, all of whom pronounced it satisfactory. The standing of the shohet was put up to Rabbi Kluger. His decision was as follows: "One rabbi may not disqualify a shohet on the ground that his knife is faulty. It may well be that the rabbi is less capable of testing the blade than the shohet, for the latter has more experience in handling the knife. Certainly this shohet is not to be disqualified on the ground that his knife was found to be faulty by the rabbi of Dinuv. The adverse opinion of the rabbi of Dinuv was more than counterbalanced by the favorable judgments of many other rabbis. If the shohet on trial is known to be pious, and if he has not already done so, let him sharpen his blade three times in the presence of three rabbis, and if judged satisfactory let his status as a qualified shohet be unquestioned."[222]

The system of examining all shohetim periodically prevailed in Germany in the first half of the eighteenth century. Rabbi Jonathan Eibeschutz (Germany, 1690-1764) wrote:

"In the city of Metz and its environs all the shohetim are required to go to the rabbi of the city every two or three years to be reexamined in the laws, because of the apprehension that they might have forgotten them. This is a commendable practice. At the beginning it was my own practice when I gave a kabbalah to a shohet to write in it that it was valid for only two or three years. Because of the wrath of jealous opponents I could not hold fast to my practice, but he who is favored of God and secure in his position will receive his reward if he follows this practice."[223]

In 1850 the Minister of State of the Duchy of Saxe-Meiningen addressed an inquiry to the Royal Minister of Church and Education of Wurttemberg, asking whether the Jewish law required repeated reexamination of the shohet. The latter authority submitted the question to the Royal Israelitic High Synagogue Council of Wurttemberg and received this reply: "The repeated reexamination of a shohet has no basis in the Jewish ritual code. The first examination suffices for all time. Wherever such a custom exists it has been introduced only by hyper-orthodox rabbis. In the Kingdom of Wurttemberg neither are the shohetim obliged to submit to a repeated examination nor are the rabbis authorized to ask for it."[224]

In every well organized community at the present time every shohet is required to sharpen his knife periodically for the approval of the rabbi or inspector. In pre-Hitler Vienna, for example, by the rules of the kultus-gemeinde (Jewish religious community), every shohet was obliged to show his knife to a rabbi at least once a month, in addition to the head mashgiah (chief inspector) when the latter made his weekly visit to every fowl market.

DECISIONS OF THE COURTS

The qualifications demanded of the shohet were not empty expectations, voiced in code books, kehillah resolutions, and rabbinical exhortations. They were enforced by the Jewish courts of law. The shohet found deficient in knowledge, skill,

or piety faced discipline if not disqualification at the hands of judges, rarely wanting in zeal to uphold the law.

A word as to the organization and functioning of the Bet Din, or religious court. It consisted of three (in rare instances, five) judges. One of these would be the town rabbi, the others either dayanim (professional judges) or scholarly laymen. The Bet Din would honor only such charges as were sustained by the testimony of two qualified witnesses; no man might testify against himself. There was no counsel in a Bet Din trial; the participating judges did all the questioning of the plaintiff, defendant, and witnesses. The law followed was that embodied in the Jewish codes, as well as in the precedents established by acknowledged rabbinical authorities; the decision was by a majority vote of the judges. Cases would sometimes be taken on appeal from a local Bet Din to a widely recognized rabbi or to a higher court. The consulted rabbi's decision, known as a responsum, would in almost every instance be accepted with finality by the parties. The responsa of the most eminent authorities became a permanent part of Jewish law.

The cases about to be cited will show how Jewish courts enforced the high standards of the shohet's calling. We must read them with caution. We must guard against the impression that the slaughterers reported therein were representative of their vocation. These men were in fact most atypical. The shohetim whose names were dragged into courts and consequently into the responsa literature were men in whom there was discovered some serious defect or delinquency. It should never be forgotten that the shohet ordinarily went about his business humbly, faithfully, and quietly. His constancy was accepted as part of the Jewish scene, and like all normal things went unrecorded.

One of the things which invoked court action against a shohet was discovery of his blade in a dented condition. This was taken to mean that its owner lacked the digital sensibility needed to test it.

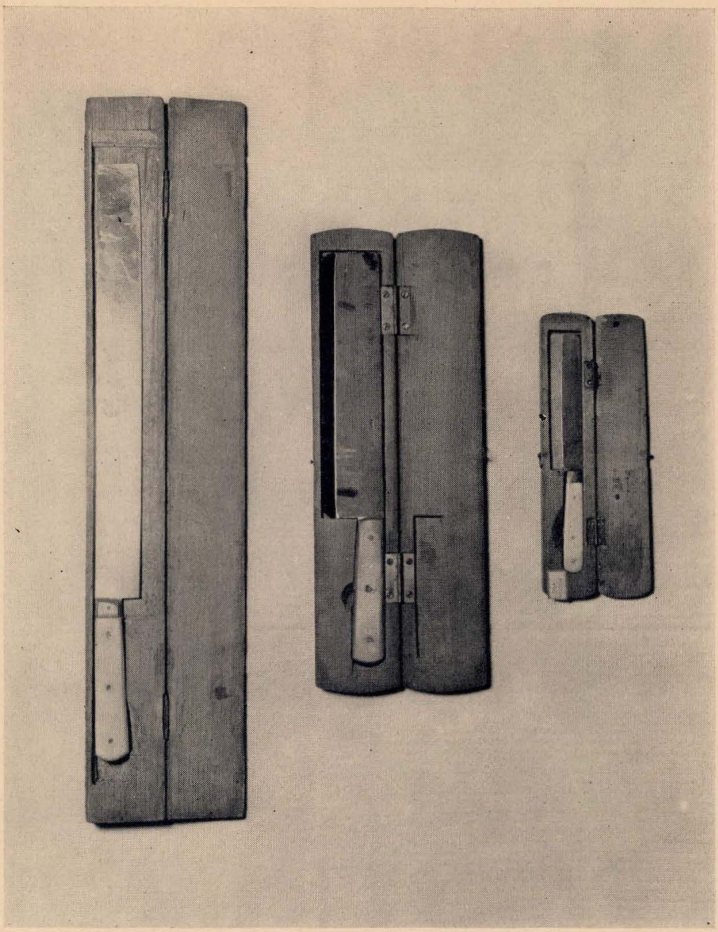
In Spain of the thirteenth century a shohet was found to have a blade with a good sized notch toward its tip. When called to account the slaughterer said that the indentation

came when he employed the knife as a spade, to dig earth with which to cover fowl's blood. (Covering the blood spilled in slaughtering fowl is a requirement of Jewish law.) He insisted, however, that when he used the knife for its proper purpose he would make certain to avoid the dented portion of the blade. Rabbi Solomon b. Abraham Adret was asked to pass upon the shohet's explanation, rejected it, and ordered the respondent dismissed from his post.[225]

In a Polish town there was a shohet whose knife was found in a nicked condition, though not when being used. Rabbi Meir b. Gedaliah, the Maharam of Lublin (Poland, 1558-1616) was consulted. He replied that this circumstance might not serve to prove that the defendant had employed the knife in that condition. The blade, he pointed out, might have been flawless when last used, and its discovered defects might have arisen subsequently. His decision read: "If he is otherwise pious and trustworthy, let him be suspended for a period. Then let him appear before a court of three men, consisting of a rabbi and two scholars, and in its presence receive words of reproof. Let him promise the court that he will in the future be most scrupulous in examination of his knife, as well as in compliance with all the laws of Shehitah, and that he will at all times keep his blade in a guarded place and in a properly sharpened condition. In any case, let a qualified individual in the community be appointed to observe his work in the future."[226]

Sometimes courts, as they disqualified shohetim who had betrayed incapacity to perceive a nick upon the blade, would comment upon the cause of the failing. This they said was the effect of excessive drinking, old age, or chronic illness.

Rabbi Abraham b. Wolf Hamburg (Germany, 1770-1850) in one case attributed the shortcoming to liquor. The defendant, who was well versed in the laws, possessed a kabbalah and was reputed for strict observance of kashrut, failed upon examination to detect nicks upon his knife. Rabbi Hamburg not only disqualified the man, but also pronounced the meat of his past killing forbidden. The rabbi reasoned that the digital insensitivity of the shohet had taken some time to develop, and that in consequence he must have



Courtesy of the Museum of the Jewish Theological Seminary

SHEHITAH KNIVES

Used by a shohet in Eastern Europe in the nineteenth century. The largest knife was used for the slaughtering of large cattle; the smaller one for calves, sheep, and goats; and the smallest one for fowl. Each knife was kept in a case to protect its cutting edge from denting

killed with a nicked blade for an appreciable time in the past. Rabbi Hamburg noted that the defendant was a habitual drinker, though he never became completely drunk, and observed that "drinking produces heaviness in the hands."[227]

Old age likewise, it was observed, robbed the fingers of their needed sensibility. This was brought out in a case involving the expert and venerable shohet of the town of Reitz in Hungary. On one occasion two witnesses came to the Bet Din to state that two months previously they had observed that the blade of the shohet was nicked immediately after he had slaughtered with it. Two other witnesses arose to refute the allegation. This was sufficient to bestir the court to test the aged slaughterer. He was found, because of his advanced age, to be incapable of perceiving a nick upon his blade. Rabbi Moses Schreiber (Hungary, 1763-1839), who was asked to pass judgment, disqualified him, and pronounced unfit all the meat of his slaughtering, as well as the vessels in which it was cooked, from the day concerning which the first pair had testified.[228]

In another case the question was put to Rabbi Schreiber —whether the insensibility in a shohet's fingers might be attributed to temporary physical strain, and therefore might be overlooked. The defendant was found to show signs of digital insensibility at the conclusion of every killing, and his knife was always found nicked. The defense pleaded that the peculiar failing represented temporary physical strain, and was not to be considered a fixed failing. Rabbi Schreiber rejected the argument and disqualified the man.[229]

Rabbi Schreiber was asked also to pass upon the question whether epilepsy rendered a shohet unfit. This was the case of R. Wolf, cantor-shohet of the town of Lugash in Hungary in the year 1828. He was a venerable man, gifted with a musical voice, a skilled shohet, and by common consent possessed of all virtues. On occasion while leading the morning prayers he would be seized with convulsions. The congregation would be thrown into consternation. Physicians expressed the opinion that the cantor's fits came on because he had eaten nothing before the morning service.

There were two questions in the minds of the kehillah. Might this man act as a shohet in view of the apprehension that he might render animals nebelah? Might he serve as cantor, especially on the Holy Days? If not, should he also be barred from attending the synagogue altogether, since his convulsions created a depressing effect upon the weak and the children? Some of the people were eager to retain him in both capacities, out of respect for his knowledge and integrity, because of the pleasure they derived from his singing, and out of pity for his poverty.

Rabbi Schreiber, asked to rule upon the man, replied first, that he might continue as a shohet, insomuch as the local rabbi, the questioner, had already made provision that the shohet always be accompanied by another shohet in the slaughterhouse. Rabbi Schreiber ruled even that he might slaughter fowl, even though unaccompanied. He pointed out that should the shohet experience any slight convulsion during the dispatching of a fowl he would feel it more violently during the ensuing half hour. The onset of the convulsions would indicate that the shohet had trembled when he killed the bird, and the owner might then be told to refrain from eating it. There would always be ample time to warn the owners of the fowl, because poultry could not be made ready for the table directly after the killing.

Rabbi Schreiber ruled also that the man on trial might act as cantor. He wrote, "As this man's affliction is held by the physicians to be aggravated by lack of nourishment, he can avoid distress by partaking of food before daybreak on those mornings he intends to lead the prayers. On New Year's Day he may make sanctification over the wine before the Musaf Prayer. On the Day of Atonement he may chant the Kol Nidre (which is read at the beginning of the fast, long before the pangs of hunger are felt), but he should avoid acting as reader in the Musaf. On that day let him remain in the room adjoining the synagogue, so that the congregation may not witness his affliction, should it come. Retain the man as cantor. No leader in prayer can be more effective in winning mercy than this man who suffers from

a dread malady, knows the pangs of poverty, and has dependent children."[230]

The courts were aroused to action against shohetim discovered to have trembling hands. Rabbi Meir b. Zebi Hirsch Margoliot (Poland, died 1790) noted in his day that shohetim of advanced years would sometimes suffer from trembling of the hands and themselves be unconscious of it. He wrote, "It appears to me that in these generations when the physical strength of men is abated, that the safeguard should be instituted that aged shohetim, although they possess their undiminished vigor and though they exhibit the sensibility to examine the knife, should not be permitted to slaughter. Even before shohetim attain the age of seventy they should be examined thoroughly. As shohetim grow old, the rabbis should see that they appear for periodic examination. I can testify that I have seen shohetim whose hands trembled and they were not aware of it. When I called the fact to their attention they swore that they did not realize it; and they ceased to perform slaughtering from that day."[231]

Trembling hands were sometimes deceptive. A shohet with this affliction, or even because of it, might perceive indentations on his blade with uncanny precision. A shohet who suffered from trembling of the hands stood trial before Rabbi Ezekiel Landau, insisting that his affliction did not mar his work, and that in the course of his slaughtering he had never paused with or exerted pressure upon the blade. The rabbi was not impressed with his contentions, and pronounced him unfit.[232]

Rabbi Solomon Kluger was asked to render judgment upon a shohet exhibiting the same weakness. He was the veteran shohet of the town of Neflemitz, with an unblemished record of twenty years' service. For the six years that the incumbent rabbi had ministered there, he had met every test with satisfaction. One point, however, disturbed the rabbi. When the shohet appeared for the periodic examination his hands trembled. When asked for an explanation, the shohet said that his hands trembled because of nervousness brought on by the examination and the presence of the rabbi, and that when he was alone his hands did not tremble. In truth,

no other person had reported this failing. The rabbi then asked the shohet to tarry for an hour or so, and did observe that after that lapse of time the trembling subsided appreciably. Because of this the rabbi was inclined to accept the shohet's statement that his hands did not tremble ordinarily; and in order not to endanger the man's livelihood confided his findings to no one. But, as the rabbi's mind was not completely at rest, he decided to invite the opinion of Rabbi Solomon Kluger.

Rabbi Kluger replied that the questioner, rabbi of Neflemitz, had erred, that the shohet should have been examined thoroughly, and that he should have been free of the failing at all times. "Trembling in the hands," explained Rabbi Kluger, "does not hinder the shohet in examination of the knife. In fact, it often makes him keener to detect a nick. But it has another, an undesirable consequence. It makes the shohet pause in the midst of the slaughtering stroke. He is to be judged as one worse than a shohet prone to faint. The slaughtering of the latter is regarded as kosher, if he declares his certainty that he did not faint. This man cannot be aware of his own hesitation. He should be watched most carefully."[233]

A shohet whose hands trembled at times was made the subject of a question addressed in 1900 to Rabbi Abraham Aaron Yudelevitz (Russia, England, United States). He was Moses Jacob Pines, a learned and pious shohet in Kapulia, Russia. It was observed that when he was engaged in performing a circumcision or in writing, his hands shook. He explained that the trembling came upon him only in moments of weakness. He declared further that he could sense such moments and would then make certain to refrain from slaughtering. Rabbi Yudelevitz disqualified the man.[234]

Rabbi Yudelevitz was asked also to rule upon a kehillah shohet who had been afflicted with and had recovered from a spell of insanity. The unfortunate subject was a community shohet in Blackburn, England, early in the century. One summer he was seized with a fit of insanity and placed in an asylum. After two months he was adjudged sane and released. He then instituted action to reclaim his position.

Rabbi Yudelevitz ruled that the community was under no obligation to reinstate him. He explained that when the claimant had lost his mental health, the communal responsibility to retain him had ceased. As for the shohet's contention that the community had previously accepted him with his affliction, for it had appointed him at a time when he was already insane (though unaware of the fact), the rabbi countered that had the kehillah been cognizant of the shohet's state it beyond doubt would not have accepted him. The decision said that the community was under no obligation to reinstate the claimant as its own shohet, but that since he had been restored to mental health, he might be reestablished as a shohet in general. Rabbi Yudelevitz then questioned the man in the laws and tested him in the sharpening of the knife, and finding him satisfactory in both issued a new kabbalah. As the shohet had not prepared a blade used in the killing of cattle, the rabbi gave him a kabbalah authorizing only the slaughter of fowl, but granting a status equal to that of any shohet in Israel. The rabbi recommended that in the hot days of summer the shohet "be observed, lest he suffer again from the same affliction. May the Lord send him a complete recovery."[235]

Shohetim found incapable of producing a flawlessly sharp-edged knife would sometimes be declared disqualified and sometimes ordered to have their blades approved by the local rabbi or a designated shohet before setting out to their work.

The shohet of Galnitsa was haled to court after many complaints had been registered against his work. Upon recommendation of Rabbi Nathanson that functionary was made to accept the declaration, "As long as Samuel Bardow (another shohet) shall be in Galnitsa I shall be obligated each day before I begin slaughtering to show my knife to him and to use only that knife that day."[236]

The inability of a shohet to prepare his knife would sometimes indicate other gross deficiencies. This was strikingly revealed in the following amazingly sordid story. It was in 1853 in a Polish town that the cantor-shohet was summoned by the rabbi to produce his knife for approval. When the

shohet came and showed himself unable to sense a nick upon his blade, the rabbi told him not to dare slaughter with it on any day without showing it first either to himself or to a former shohet. Then the rabbi questioned the shohet in the laws and drew from that functionary the admission that he was incapable of answering questions on Shehitah without referring to the book; and that in fact while in the slaughterhouse he depended upon his attendant in such matters.

The first impulse of the rabbi was to deal severely with the man, but as he realized that the shohet had dependents, including a marriageable daughter, he required instead that the shohet vow never to go to the abattoir except in the company of a supervisor.

The supervisor soon learned that his charge had serious shortcomings. On two occasions, when the shohet had presumably prepared the knife, the supervisor found it dented. Only because the supervisor had compassion for the man he did not then report him. When, however, he found that the shohet had passed as kosher a sheep in which the lungs were attached by adhesions to the inner wall of the carcass, he could no longer remain silent. Confronted with the supervisor's charges before the rabbi, the cantor-shohet pleaded guilty to every one of them.

More revelations were to come. It was said that the cantor-shohet in his youth had committed a number of indiscretions, that he had lain with his sister, had relations with a gentile woman, been suspended for a number of weeks by the Bet Din of the city of Pest because he had solemnized the marriage of a kohen (descendant of Aaron, first high priest) to a divorcee, and scoffingly and in public drunk wine prepared by gentiles.

The rabbi ordered him deposed as cantor and shohet. Then some of the townsfolk, who had always taken delight in the guilty man's singing in the synagogue, assailed the rabbi for being too severe. In reply the rabbi said that he would place the entire case before the leading rabbis of Moravia and Hungary. The presumptuous among the people countered with the assertion that that procedure would be

unfair to their cantor-shohet, "since rabbis are prone to flatter each other" and the consultants would beyond doubt uphold the local rabbi. The kehillah then ruled to have the case reviewed by Rabbi Joseph Saul Nathanson. The latter endorsed the shohet's dismissal in sharp and definite terms.[237]

Any shohet disqualified for incompetency was not left without hope. He knew that he might win reinstatement at any time by meeting the required standards of his calling. There was a slaughterer in a Syrian community. Called by the officials to be examined, he sharpened his blade for them three times in succession. In each instance the examiners found it nicked. Only when he had honed it the fourth time did he succeed in smoothing the cutting edge. When the examiners beheld this spectacle of incompetency, they decreed that he should slaughter no longer except in the company of two designated young men who were beginners in Shehitah work. They apprised him also that he might be reestablished as a fully authorized shohet by appearing before them again, and sharpening his knife three times in their presence correctly. Ignoring the action of the examiners, the shohet killed two sheep by himself and pronounced them kosher. For this breach the kehillah authorities proclaimed him to be disqualified.

Years passed and the shohet resolved to gain reinstatement. He went to another city and appeared before an eminent rabbi who was likewise a shohet. In the presence of and to the satisfaction of this scholar he prepared his knife correctly three times in succession. The rabbi penned a testimonial stating that the recipient was both well versed and skilled and that he was most proficient in detecting a nick on a blade. The local rabbi, shown the written testimonial, inquired of Rabbi Isaac Abulafia (Syria, third quarter of the nineteenth century) whether it was to be honored as a statement of the shohet's rehabilitation. Rabbi Abulafia replied that it was.[238]

The Jewish courts were ever zealous to apprehend and convict the dishonest shohet. It was recognized that in no

field was integrity so indispensable as in the realm of Shehitah. The shohet, no matter how closely guarded, works unseen. None can tell whether or not he pauses with or presses upon the knife as he kills. None can tell whether or not he obliterates the lung adhesions as he holds his hand in the carcass to examine the lungs. In these things the shohet is alone with his conscience.

Rabbi Zechariah Mendel b. Aryeh Loeb of Belz (Poland, eighteenth century) quoted from the "Sefer ha-Yirah" to the effect that the rabbi should be careful to give the kabbalah only to God-fearing men.[239] He gave no indication, however, as to how the rabbi was to recognize such men. In fact one searches in vain through all the literature for tests or questions that a rabbi might apply to establish piety in a shohet. As has already been stated, Judaism never developed an inquisitorial technique. The kabbalah was bestowed without any formal investigation into the devoutness of the candidate. The routine examination was conducted with the same omission. Nor was there any oath of honesty exacted.

This point is noteworthy in light of the fact that the Christian slaughterers in medieval Florence were obliged to take an oath of honesty. There "butchers, slaughterers, and innkeepers, selling recently killed meat and cooked joints, were required to appear before the authorities of the Market in the month of January each year. They had to deposit a security of fifty lire and swear that they would exercise their calling honestly and loyally."[240]

The Jewish shohet was assumed to be pious and honest. He was not subject to character examination, nor bound by oath. Yet when competent and qualified witnesses reported misbehavior in a shohet the courts were quick to bring him to book. Malfeasance in the shohet was punished whether perpetrated in connection with slaughtering or not. The courts insisted that the shohet be of thoroughgoing probity.

The cases to follow concern slaughterers tried for that arch offense, the passing of terefah meat for kosher.

Rabbi Meir b. Baruch of Rothenberg (Germany, 1215-1293) said in regard to such wrongdoers, "A shohet discovered to have passed terefah for kosher twice or thrice should

be 'annulled' and should be forbidden to examine carcasses until he performs the penance prescribed by R. Idi bar Abin in the Talmud."[241]

Rabbi Simeon b. Zemah Duran (Algiers, 1361-1441) made the above decision apply only where the malefactor had committed the misdeed deliberately. Where the offender had done so inadvertently, Rabbi Duran required him simply to promise in the presence of three men that he would exercise greater care in the future.[242]

How was the Bet Din to determine whether an offending slaughterer had acted deliberately? To this there was the reply that the shohet's intent was to be gathered from his demeanor in court, his reputation, the financial terms under which he was employed, the circumstances under which he committed the offense, and the degree of knowledge he possessed.

Rabbi Solomon b. Abraham Adret (Spain, 1235-1310) placed great emphasis upon an offending shohet's deportment while on trial. In a case reviewed by him, Reuben and Simeon (in Jewish law discussions, unnamed parties are referred to as Reuben, Simeon, Levi, Judah, through the names of all twelve sons of Jacob), appointees of the kehillah to slaughter cattle, were at work in the market. Said Reuben to Simeon, "Examine this blade for me." Simeon performed but two of the twelve required blade tests and handed it back to Reuben. The latter was about to use it when Levi, an onlooker, observing the superficiality of the test, intervened, took the blade away, and in the presence of two men examined it and discovered two nicks upon its cutting edge. When haled to court Reuben contended that it had not been his purpose to use the knife as it was, but to examine it first himself.

The question was whether Reuben had or had not indicated wrong intent. Rabbi Adret ruled, "We do not accept the bald assertion of an offending shohet that he transgressed unwittingly, for every scoundrel would take refuge in that defense. The court should sift the circumstances of the misdeed to see whether they betray deliberate wrongdoing. If they do not, then the court should inquire into the

reputation of the offender. If his name has always been an honorable one, then let him receive words of reproof in the presence of three scholarly and religious men. His demeanor should be observed as words of admonition are administered to him. Should he exhibit sincere remorse and sigh as he is spoken to he may be reinstated. Should he fail to give evidence of contrition, let him be deposed. Let this penalty apply even if it be his first offense."[243]

Rabbi Isaac b. Sheshet Barfat (Algiers, 1326-1408) attached importance to the circumstances of the case in establishing the intent of the wrongdoer. In a case he reviewed, the culprit, one of two shohetim engaged by a kehillah, had killed a sheep and pronounced it kosher. The lungs were subsequently cut out and sold. The second shohet thought that he had observed the lungs attached by adhesions to the ribs. He proceeded to investigate on his own, traced the lungs to their purchaser, and as he had suspected, found them with their adhesions. He cut off a few sections of the lungs and showed them to the local rabbi. The latter ordered the carcass brought to him, but by the time it arrived the first shohet had cut away all the adhesions hanging from the ribs. When questioned by the rabbi, the defendant explained that the adhesions were of the hanging variety. When pressed to explain why he had cut them off the shohet hung his head, abashed. The local rabbi suspended the shohet, awaiting Rabbi Barfat's judgment. Rabbi Barfat said, "As a community employee, a shohet is deemed to be forewarned and hence answerable even for a first offense. His conduct indicated that he broke the law intentionally."[244]

Rabbi Joseph b. Moses Trani (Turkey, latter part of the sixteenth century) held that an offending shohet's intent might be inferred from his reputation. He applied this principle in reviewing the act of a veteran shohet who had been tested and approved by noted rabbis. Having slaughtered an animal and pronounced it kosher, he was followed by another, who reinspected the carcass and disclosed an adhesion upon a lung. They said to the shohet, "See this lung." "That is clearly terefah," he replied. "Take notice," they said; "this lung was taken from the sheep you pronounced kosher."

The shohet hastened to appear before the judges of the city, made a clean breast of the incident, and said that he was willing to suffer his punishment. Rabbi Joseph b. Moses Trani, asked to advise the local court, suggested that it be guided in its judgment by the man's ascertained character.[245]

Rabbi Samuel Di Medina[246] (Turkey, 1506-1590), in judging the intent of offending shohetim, would take into consideration the financial terms under which they labored. He contended that the shohet who worked under arrangements that gave him a financial stake in the kashrut of the meat had reason to be dishonest, and that when he transgressed it was to be assumed that he had done so deliberately.

He was asked to review the case of a slaughterer whose piety for some time past had been questioned by some of the people. For this reason a number of the townsfolk had refrained from eating the meat he killed. Subsequently he was charged with having passed terefah for kosher on three separate occasions. When the accusations were substantiated in a trial before the local rabbi, the shohet was duly deposed. After a lapse of about a week some of the people resumed eating the meat he slaughtered, arguing that he was a poor man and without any other source of income. They contended furthermore that the deposed shohet had received words of reproof, and was therefore entitled to reinstatement. Rabbi Di Medina, called upon to treat the issues in the case, said that he could see nothing to favor the defendant. He explained that the rule enunciated by Rabbi Adret, which said that a convicted shohet might be reinstated upon his acceptance of words of reproof administered by three men, applied only where the offending shohet was reputed for his piety, which was not the case with the shohet under discussion. Then again, he explained, Rabbi Adret's rule applied only to a shohet employed by the kehillah at a fixed salary. The shohet under discussion was a private individual, accustomed to receive a higher fee for meat pronounced kosher than for meat pronounced terefah—an unsavory arrangement and one fraught with temptation to dishonesty. He declared that the shohet had been properly disqualified even though it was his first offense, and that there

was no basis in the law for showing him mercy. The "Tur" made the point clear, he added, in this pronouncement: "When a man under circumstances of money temptation sells a forbidden article, though it be for the first time, he is to be deposed and excommunicated."[247]

Rabbi Ishmael ha-Kohen of Moduna (Italy, 1724-1811), took the same point of view. He was asked to judge a shohet, reputedly pious, who had pronounced a carcass kosher. After it was sold, an adhesion was found upon the lungs. The accused slaughterer pleaded that he had passed it unwittingly. Rabbi Ishmael ha-Kohen summarized the principles upon which he based his decisions in such cases: "Where the accused shohet does not enjoy a reputation for probity, he must undertake the penance of exile to be reinstated. Where he has the reputation of honesty, but where the terms of his employment are fraught with temptation to dishonesty, again he is obliged to undertake the penance of exile. Where the shohet enjoys an unblemished record and where his salary arrangements are not conducive to corruption, then he may be rehabilitated by the acceptance of reproof. What constitutes a situation involving money temptation? Where the shohet, like most of the slaughterers of our time, derives some special benefit from kashrut, though it be so small as the gift of the spleen from every carcass pronounced kosher."[248]

Rabbi Samuel Di Medina upheld the penalizing of a shohet who had passively allowed the passing of terefah meat for kosher. The transgressor was one of two shohetim employed in the market. On one occasion he examined the blade and noted a slight indentation. Without a word he handed it to his colleague. The latter examined the blade, found nothing, and slaughtered with it all that day. At nightfall the first shohet spoke up and disclosed the illegality of the blade. When pressed by the court to explain why he had maintained his iniquitous silence, he said that he wished that some of the purchasers, who were his bitter enemies, should eat nebelah. The court disqualified the man and invited Rabbi Samuel Di Medina's judgment.

Rabbi Di Medina acknowledged that by a strict interpretation of the law the evidence was insufficient to convict

the shohet. The only proof of his wrongdoing had come from his own lips, and it was a fundamental principle that no man might incriminate himself. On the other hand, he contended, it was reasonable to assume that no honorable man would impute to himself so base an act unless he was actually guilty. Rabbi Di Medina wrote, "His wrongdoing is no less reprehensible because his part was a passive one, for like any other onlooker, on the accepted rule that 'thou shalt not place a stumbling block before the blind,' he was in duty bound to intervene and to give warning when he observed the other shohet about to fall into sin. By keeping silent he merited disqualification." The other shohet, against whom a charge of deliberate wrongdoing could not be made, was admonished for his failure to exercise sufficient care in his examination of the blade, and was duly reproved in the presence of three honored men.[249]

There was the rule that a shohet might not pronounce a piece of meat terefah and then reverse himself to declare it kosher. A shohet who transgressed this regulation had been disqualified by a Bet Din with the approval of Rabbi Joseph b. Moses Trani (Turkey, latter part of the sixteenth century). It was just before the Sabbath; the shohet had slaughtered an animal and said to another standing by, "Examine this carcass for me: I must go to my work." The other inspected the carcass and found it to be kosher, whereupon some of the meat was sold. When the first shohet returned within the hour he was duly apprised that the animal had been pronounced kosher. The shohet then went into the street, where he encountered one of the buyers and informed the latter that the meat was forbidden, and that the reason he had not troubled to examine the carcass was precisely because he had already rendered it nebelah. When the buyer learned this he gave the meat to the dogs. Another buyer who was given the same report did likewise. The shohet then called at the home of a third buyer and informed the woman of the house that the meat was perfectly kosher.

When the Bet Din learned of the inexplicable doings of the shohet, it summoned him and solemnly admonished him against again committing the offense of pronouncing meat

first terefah and then kosher. It was not long before the irresponsible slaughterer repeated the wrong. When questioned again by the Bet Din, the shohet denied the charge, but witnesses were on hand to substantiate it. The court disqualified him.[250]

The Responsa record cases in which shohetim charged with violations succeeded in proving in court that they had done unwitting wrong. In such cases, and where the violations had not been repeated too often, the courts would absolve the respondents with a solemn warning to exercise greater care in the future.

The courts exercised leniency only where they had cause to believe that the wrongdoing shohet had committed his offense in error. Rabbi Gershon Ashkenazi (Poland and Germany, seventeenth century) absolved one offender because he could read innocence in his misdeed. The defendant had killed four calves and pronounced them kosher. Three of them were then sold, cut up, and eaten. A second slaughterer in the abattoir then noticed that there were adhesions upon the lungs of the fourth and remaining calf and straightway reported it to the rabbi. When the evidence was shown to the first shohet he acknowledged its correctness, but pleaded that he had passed the calf unintentionally, for he had not perceived the adhesions.

The question was whether the shohet's plea was to be accepted. Rabbi Ashkenazi, replied that it was, on the ground that the actions of the respondent lent credence to his words. The rabbi wrote, "When Rabbi Adret said that we do not honor the allegation of a wrongdoing shohet that he offended in error, because every rogue might enter that plea, he applied it only where the defendant entered the plea without factual support. In the case before us the defendant enters the plea with a valid reason to sustain it. In support of his plea is the fact that had he been a deliberate malefactor he would have taken the precaution to cut off the tell-tale adhesions from the lungs of the fourth and remaining calf. At the worst the defendant is to be held guilty of negligence in his examination. We need not assume that he had been equally negligent in his inspection of the three already

consumed calves. In consequence the vessels in which the meat of the three calves was cooked are to be regarded as kosher."[251]

The same principle guided Rabbi Abraham Aaron Yudelevitz in the following case. It was in Paterson, New Jersey, that a shohet had killed a head of cattle and pronounced it kosher. Later it was discovered that the slaughterer had severed neither the trachea nor the gullet. The shohet contended that he had committed the wrong unwittingly, and gave the following explanation. He said that he and the meat dealer had gone down to the abattoir at night to have the animal killed. The meat dealer held the light while he slew the animal. Immediately thereafter the meat dealer took the light away and left him in the dark. He went over to feel whether the trachea and gullet had been cut and left with the impression that they were.

Rabbi Yudelevitz, in ruling that the defendant was not to be discharged from his post for this infraction, said, "The explanation of the defendant is reasonable. Were he aware that he had failed to sever the trachea and gullet and were it his desire to hide that fact, he could easily have cut those organs himself later. That they remained uncut is proof that the defendant knew nothing of their state. He was careless. If he be reputed a pious man let him promise in the presence of three scholarly men of the city that he will exercise greater care in the future. Let him them be suspended from his position for a period of a month or two."[252]

In some cases the offense of a shohet could be recognized as due to his ignorance of the laws. The Bet Din would then order the defendant suspended from his post until such time as he acquired the requisite knowledge.

Rabbi Joseph Karo (Palestine, 1488-1575) tells of a shohet charged with representing terefah meat as kosher. When the man was questioned it was established that he was grossly unfamiliar with the laws. Rabbi Karo ruled that the shohet might not be disqualified for his offense. "If he be a man of reputed piety let him be retained with the promise that he will perfect himself in his knowledge of the laws of Shehitah."[253]

Rabbi Isaac Abulafia (Syria, nineteenth century) ordered the retention of a shohet whose misdeed was that he had ignored a local Shehitah usage. It was in Aleppo, Syria, where to this day the shohetim before slaughtering fowl examine them for fractures of the thighs, shoulders, and wings. The shohet concerned was, like all the shohetim in the city, in the pay of the kehillah, receiving compensation for killing whether the meat was pronounced kosher or terefah. Like them also he would receive from the meat dealers a special gift known as the "mulee zus" for the killing of every carcass later declared kosher. For slaughtering a fowl he would receive five "prutos."

Once he slaughtered three fowls at intervals, neglecting in each instance to perform the ante-mortem inspection required in that city. Subsequently fractures were found in the thighs of the fowl. The negligent shohet, when faced with the slain birds, acknowledged them to be terefah, but declared that he had passed them unwittingly. His unthinking neglect, he alleged, was due to an unsettled state of mind, caused by his troubled affairs. Rabbi Abulafia decided in favor of the shohet, but on other grounds.

First, the rabbi disposed of the suggestion that the defendant be considered guilty on three counts because he had committed the offense three times, in the killing of each of the three birds. The rabbi ruled that so long as no admonition was administered to the respondent between these unlawful acts they were to be viewed as one offense.

The violation itself, said Rabbi Abulafia, was not a grievous one. He explained that the custom of examining fowls for broken bones was local in nature and had no warrant in Jewish law. He said that the usage arose in places where they would chase and catch fowl for slaughtering by throwing stones at them, in which case the possibility of injuring the birds was great; but that in Aleppo, where the procedure was to catch fowl while roosting at night, that possibility was negligible.

The rabbi considered the contention that ante-mortem inspection protected the poor from loss, since it determined the kashrut of the poor man's bird before it was slaughtered.

Also the contention that ante-mortem inspection served the ignorant folk who knew not how to inspect fowl themselves. To these propositions Rabbi Abulafia gave the reply that there were poor and ignorant Jews everywhere, and yet the Jews of Germany, France, and Turkey, as well as the Ashkenazim of Safed, did not know the custom. "Still," he wrote, "let the shohet on trial be admonished to conform to the customs of his place."[254]

The act of passing terefah for kosher was a serious breach. Its penalty was severe. Jewish judges had to make certain when this violation was charged that the complaint was sustained by sound evidence. They had to reckon with the possibilty that the shohet standing accused before them might be the target of lying and malicious enemies. For an example of a shohet so maligned we may turn to the next case.

A shohet referred to as Reuben worked in a meat market in Aleppo which served all the meat dealers of the city. A fellow shohet, referred to as Simeon, brought reports against him to the rabbi. Somewhat later Simeon's son also contributed to the talebearing. He told how he had observed Reuben render an animal nebelah and tell no one about it, and how that meat, after the lungs were inspected by other shohetim, was delivered to a shop as kosher, and how it was recalled only through his own intervention. Reuben was summoned to explain. He admitted the truth of the charge, but explained that he had failed to announce the nebelah only because he had been confused by the gentile meat dealers in the abattoir, each one of whom was clamoring for his attention.

No sooner was this accusation laid at rest than Simeon presented additional charges. The rabbi did nothing for a week, then convened a court. Its membership embraced three scholars related to each other, one of whom was interested in having his own son appointed to the post of shohet. The rabbi himself was also a prejudiced party. He had entertained a grudge against the shohet since the time, long since, when that functionary had been instrumental in breaking down the operation of the gabela, or meat tax,

which the rabbi had introduced. The rabbi had been biding his time for an occasion such as this to depose Reuben.

The other shohetim in the city were invited to bring their charges against Reuben. As it turned out, all the complaints fell down with the exception of the charge brought by Simeon's son, and admitted by Reuben and passed upon in an earlier action. Nevertheless the Bet Din disqualified Reuben.

Reuben then repaired to his own consul (he enjoyed foreign citizenship) to intercede with the rabbi. When summoned the rabbi explained that the shohet's disqualification was not of his doing, that it had been the work of the Bet Din. The consul then addressed himself to the Bet Din, inquiring if there might not be some means by which Reuben might secure reinstatement. He was apprised that Reuben might be reinstated by doing penance, that is, by accepting words of reproof, by preparing his blade flawlessly three times in an official test, and by passing an examination in the eighteen types of terefah. When the rabbi learned that the Bet Din had opened up this possibility for Reuben, he was angered, and commanded the court to appear before him. The Bet Din refused and controversy convulsed the community.

Rabbi Isaac Abulafia, asked to review the entire case, made the following statement: "The accusations leveled by the shohetim against Reuben may all be discounted. Even if single assertions damaging to Reuben had been agreed upon by all the shohetim they may be ruled out. We recognize the bias of their authors, 'for every craftsman hates his fellow.' The accusers had good reason to desire the disqualification of Reuben, for with him out of the way they would have been in a position to get and divide his earnings. Only one charge stands up, the one made by Simeon's son and sustained by the defendant's admission. All that is required of Reuben to rehabilitate himself is to do penance. The Bet Din acted properly when it so advised the consul. Let Reuben perform his penance and be returned to his post."[255]

Jewish courts disqualified not only the shohet who had committed the cardinal illegality of passing terefah meat as

kosher, but also the slaughterer who performed acts of a generally base nature. The Bet Din would eliminate any shohet convicted of thievery.

How the judges were to act with the thievish shohet touched a question involving the religious psychology of Jews. The issue was: which sin did the typical Jew feel to be the more grievous, breaking the laws of Shehitah or stealing? In talmudic days it was clear that Jews looked upon the violation of Shehitah as the worse of the two. Not that the Jews of that period viewed the transgression of stealing lightly, but simply that they entertained a special and peculiar dread of any infringement upon the religiously ordained dietary regulations. The authorities of the time took the reasonable position that the purloiner was not necessarily to be mistrusted in the work of slaughtering. In the course of centuries, however, many Jews lost the old-time awe of Shehitah. It became evident to the courts that the type of man who had no scruples about stealing would have scant regard for the solemn injunctions concerning slaughtering. It was the judiciary of more recent times therefore which adopted the view that a thief was unfit to serve as shohet.

Moses Maimonides (Egypt, 1135-1204), reflecting the earlier point of view, forbade a thieving slaughterer to continue at his work, but on the ground that the misconduct of the man sullied the fair name of his office and that of the Jewish people. "It has long been established in the minds of gentiles that we appoint to the office of shohet only men of high character. This is equally true as regards the offices of the rabbi, the cantor, and other community officials. This practice is appreciated by the gentiles, and because of it they hold us in high honor and esteem. When, therefore, stories such as the aforementioned are circulated concerning a Jewish official, it behoves all who believe in the Torah of Moses and cherish the glory of their Creator to prevent that official from acting as a shohet even if he does penance, for his misconduct has constituted a desecration of God's name in public. Let him never serve as a community shohet again. Should he perform penance he may continue to slaughter in private for those individuals who may seek his services."[256]

Rabbi Jacob b. Asher (Spain, about 1280-1340) also reflected the earlier special awe of Shehitah when he wrote, "A man suspected of thievery is not necessarily suspected of transgressing the rules of Shehitah."[257]

By the nineteenth century the Jewish courts recognized that a man who would stoop to steal would not be at all squeamish about sinning in Shehitah. Rabbi Mordecai Michael Jaffe (Germany, first half of the nineteenth century) reported the case of a shohet in his community who had been convicted of attempted larceny. The culprit had come to court with a false note, attempting to collect money not owed him. After the trial Rabbi Jaffe was asked to pass upon the status of the convicted shohet. The rabbi, following the older law, ruled that the offence of attempted larceny did not constitute sufficient cause to disqualify him. The community rose against their rabbi's lenient decision. Thereupon Rabbi Jaffe put the matter before Rabbi Joseph Yeaski of Loslau. The latter declared the shohet unfit and said in part, "In our time we place slaughtering in the hands of only those men who are trustworthy in all things. Only because of this have the rabbis conveyed to them a portion of their authority."[258]

Rabbi Solomon Kluger (Poland, 1783-1869) handed down a number of decisions touching the credibility of thieves in Shehitah matters. Three are reviewed here. In each instance he took into consideration the religious psychology of the respondent.

The first case concerned a Jewish vagrant who had come to the village of Talchik, a place two miles distant from the city of Zbariz, on a Wednesday six hours past noon, before the Sabbath when the portion "Hukkat" was to be read in the synagogue. In his hand was a slaughtered fowl. He knocked on the door of a house and asked the servant girl to salt and cook the fowl for him. The maid obliged. After she had already cooked the fowl in the pot, she was dismayed to note, as it appeared to her, that the wind pipe and gullet of the fowl had never been cut. Instead it seemed that the fowl had two stab wounds in its neck. The vagrant was summoned before the rabbi, and when questioned insisted that

the fowl had been slaughtered by Isaac, community shohet of Zbariz, two days before. The fowl did look less than three days old, but it was established that Isaac the shohet had not been in Zbariz on the indicated day. The question as to whether the pot in which the fowl had been cooked was permitted for further use was addressed to Rabbi Kluger.

The rabbi said in his reply, "We must enter into the vagrant's mind. It may be assumed that he stole the fowl from some other village and before the loss was reported had it killed in that place. The shohet was evidently not of the most expert. When the vagrant was summoned before the rabbi of Talchik and questioned, he sought to conceal his most recent whereabouts and at a venture said that he had just come from Zbariz, and that the Zbariz shohet had killed the fowl. The old law said that a man may be suspected of thievery and still not be suspected of violating the laws of Shehitah. It is apparent that this vagrant was one of those Jews who would steal without hesitation but would not dare eat meat not correctly slaughtered. The pot is kosher."[259]

Another decision by Rabbi Kluger touching this point was rendered in connection with a shohet who, to spite and damage meat dealers whom he hated, would either refuse to inspect the carcasses they owned or when he did so would pronounce them terefah without cause. The question put to Rabbi Kluger was whether the dishonest conduct of the shohet made him untrustworthy regarding his Shehitah.

He said in reply, "By a strict interpretation of the law, a man found guilty of stealing is not necessarily disqualified as a shohet: but that ruling is no longer applied in our day. In our time it is unheard of for Jews to eat meat slaughtered by a thief. We have adopted this restriction because we see how lightly our contemporaries commit sin. In our generation we find that a man who perpetrates one offense does not hesitate to commit any other. We no longer make a distinction between the man who breaks the law 'because of appetite' and he who offends 'in a spirit of defiance.' All men who sin today are deemed to be offenders 'in a spirit of defiance.' It is forbidden to eat of his Shehitah."[260]

Rabbi Kluger enlarged upon the point in the next case. A slaughterer had given his word and hand to the pacht men (holders of the meat tax lease) that he would not slaughter in their territory. Subsequently he did slaughter in the villages within the proscribed boundaries. Rabbi Kluger, who upheld the disqualification of the shohet, wrote, "We may not treat the failings of shohetim lightly. In earlier generations, when most of the world was God-fearing and truth-seeking, a rabbi might have been lenient with a slaughterer in a responsum or in a reprimand. A shohet then might have transgressed because of a desire to make a livelihood, but his conscience still troubled him; the thought of breaking the laws of Shehitah appalled him. He knew too that were he to transgress a second time no man would stand up for him. Not so now. The earth is sinful, may the good God forgive. Every shohet now is like the most lax among the most lax. When he is called to account he calls upon his family, his friends, and the people who love falsehood, and they come to his aid; they rush eagerly to strengthen the hand of deceit. Therefore we must exercise the greatest care in our time to see that we select shohetim who are more pious than those before us, and for the slightest infraction to drive them out of their calling. According to the older writings one was permitted to eat meat slaughtered by a thief. Now it is universally recognized that a thief is to be suspected of violating any law in the Torah."[261]

Rabbi Jacob Tennenbaum (Hungary, latter part of the nineteenth century) lived in more recent years, but he served in a section of Europe where traditional attitudes were strong. In judging the status of shohetim convicted of thievery he inclined toward the older law.

A case he reported concerned a shohet who had lent sixteen gulden to a widow, on a note and some articles as security. When the borrower came to redeem the articles the shohet produced a note calling for eighteen gulden. The figures on the note had been changed from 16 to 18. When the illegal act of the shohet was brought to light, he explained that the widow's deceased husband had owed him two gulden which were never paid, and that in order to

collect them he had instructed his daughter to change the figures on the note. Rabbi Tennenbaum, asked to pass upon the status of the shohet, declared that a thievish shohet might be disqualified only when he had misappropriated meat from an abattoir or shop, in which case his act constituted a desecration of God's name, but for stealing in general there was not that penalty. It happened, however, that the shohet on trial was found guilty of other offenses which, taken all together, were considered sufficiently grave to deprive him of the right to act as a slaughterer.[262]

In another case reviewed by Rabbi Tennenbaum, a shohet was charged with stealing synagogue candles. A man and woman came to the Bet Din to state that they had been in the home of the shohet on a Friday evening and there saw candles burning, which they recognized as the property of the synagogue.

Rabbi Tennenbaum pointed out first that the complaint was invalid because it had not been sustained by the testimony of two male witnesses; and because it was based upon a supposition and not an observed act of wrongdoing. He said furthermore that were it proved that the defendant had committed the offense of stealing the synagogue candles, that misdeed would not have justified his disqualification as shohet. He expounded the rule for disqualifying a shohet for stealing: when his misdeed touches a Shehitah law, the shohet is to be pronounced unfit at the first offense; when the lapse involves "desecration of God's name," at the second offense; and when the violation is stealing in general, at the third offense.[263]

The Jewish courts eliminated shohetim found to have broken their solemn word.

Rabbi Ephraim Zalman Margolis (Poland, 1762-1828) reviewed the trial of a shohet who had with the approval of the local rabbi entered into a mutual compact with a fellow shohet not to slaughter alone. Subsequently he broke his word. Rabbi Margolis wrote that he approved of the disqualification of the transgressor, because his conduct proved him an untrustworthy character.[264]

Rabbi Solomon Kluger expressed the same view. A community which already had one shohet engaged an additional one. The two appointees entered into a written agreement and swore that one would not slaughter without the other being present. Subsequently one of the parties did slaughter alone and kept the fee for himself. Rabbi Kluger, in approving the disqualification of the man who violated his oath, wrote, "By a strict interpretation of the law the defendant is fit to continue as a shohet. From the standpoint of public morals, however, he is not. A man who will break his oath will not hesitate to commit other infractions. I do not know a kehillah which will accept as a shohet a man who swears falsely. In fact kehillahs see to it that they engage as shohetim persons who are most scrupulous in their religious observances. The shohet should remain disqualified. This decision may be set aside if the local Bet Din establishes that the defendant has shown by his past behavior that he is a man of devoutness, that he has dependents, and that he committed his transgression in a moment of great need. Then the Bet Din may require the defendant to accept censure and warning, and rule that he be retained as a shohet."[265]

Rabbi Kluger passed judgment also in a case involving a shohet charged with slander. The respondent was the Bukshevitz shohet, who carried a report to his rabbi, Joel Ashkenazi, that a certain man had pronounced his own terefah goose kosher and had eaten it. The talebearer averred that he had opened the goose with his own knife and had seen it to be terefah. Later it was disclosed that the calumniator had never opened the goose in question, and furthermore that the goose was kosher.

Rabbi Kluger declared that any shohet found to have testified falsely should be disqualified. He said that such was the opinion he had rendered in similar cases sent him from the towns of Drobitch and Belz. He added, "The shohet who testifies falsely to the effect that his neighbor has eaten terefah should be weeded out of the profession. The one who speaks is worse than the one who acts. In the case at hand, however, the defendant may not be punished so

severely because he did not utter his lie before a regularly constituted tribunal. From the evidence it appears that when he spoke, the Bet Din was not in session and that it had not summoned him. The offense with which he may be charged is slander, which in the eyes of the people is not as grievous a misdeed as passing terefah meat as kosher. Consequently it does not follow that because a shohet will perpetrate the lesser wrong of slander that he will not hesitate to commit the greater wrong of misrepresenting terefah meat. A shohet may not be disqualified for perpetrating slander. It is clear, however, that a shohet who defames another is not God-fearing and should be punished by at least a thirty day suspension from work. And how much better it would be if Jews could be protected from his Shehitah altogether!"[266]

In general it may be said that though the judges of the past century or two acknowledged that the Jewish law did not call for the disqualification of the shohet who broke his oath, testified falsely, or perpetrated slander, they nevertheless made every effort to effect such disqualification. Disturbed by the widespread decline in piety about them, they adopted the point of view that a man who was not to be trusted in other matters was not to be trusted in Shehitah.

The Jewish courts eliminated the shohet who had committed sexual offenses or acts of impiety. Rabbi Moses Schreiber (Hungary, 1763-1839) was requested to pass upon a shohet who, during a critical illness in which he anticipated death, had confessed to a number of offenses. He stated then that in his youth he had cohabitated with a gentile woman, that he had drunk gentile-prepared wine, and that more than once he had pronounced a carcass kosher, when the blade he had used was found dented after the killing. When asked to explain what moved him to call the terefah carcasses kosher, he replied that it was his need to earn a livelihood (evidently he was compensated for the killing only when the carcass was pronounced kosher). The shohet unexpectedly recovered from his illness, and Rabbi Schreiber was asked whether the confession was to be believed, and

if so whether the shohet was to be retained. Rabbi Schreiber replied that the confession was to be taken as true, but that the repentant shohet might be allowed to resume slaughtering "under the strictest and long continued supervision until his return to righteousness is beyond doubt." The rabbi said further that he would not assign a penance, because that was not his practice.[267]

Rabbi Schreiber was asked to judge another depraved character, a cantor-shohet who was charged with being the father of the unborn child of his wife's sister. When both his wife and the girl testified against him before the rabbi and the kehillah council, he acknowledged his guilt. The following day the accused man retracted and said that he had made his admission the day before only because it was his intention then to leave the town in any case; but that as he had since resolved to stay he wished to brand the accusation as false.

Rabbi Schreiber expressed surprise that any community should consider retaining an official who was shameless enough under any circumstances to make the admission the respondent did. "Still let the man be given a trial before three rabbis to ascertain the facts in the case, and in the interim let him be suspended from his duties."[268]

Rabbi Solomon Kluger rendered decisions affecting shohetim of the same ilk. In one case there was a shohet whose maidservant charged him with being father of her unborn child. He denied the imputation vehemently, declaring that his enemies had coached the girl to say so. It was established in the Bet Din that on a number of occasions when his wife was away from the house at night the shohet was alone with the maid. But it was also brought out that at those times another maid slept in the house, and that the room in which the shohet remained with the maid was open to another room in which a number of men slept. On the basis of these facts some of the townsfolk wanted the shohet declared unfit.

Rabbi Kluger declared that the only established fact concerning the defendant, that he had been alone with the maid, was not sufficient to incriminate him. He wrote, "Let

the Bet Din investigate the defendant's entire past and character. His past actions will cast light upon his intentions."[269]

In another case Rabbi Kluger was called upon to weigh the charge against a cantor-shohet by his brother's widow (whom he might not marry in any case), that he was the father of her child. The accused man denied the imputation categorically.

Rabbi Kluger ruled that the status of the cantor-shohet had not been impaired; first, because no two witnesses had been produced to sustain the complaint; and second, because by strict interpretation of the law a man convicted of sex transgressions did not thereby lose his trustworthiness in Shehitah. In fact, he said that even the woman complainant was allowed to eat the meat he slaughtered. He added, "But it is a disgrace to eat of his Shehitah and to listen to his prayers. If meat of his Shehitah came to me I would throw it in his face."[270]

The decisions cited above indicate that while no clear law could be found to bar the sex offender from the shohet's field of activities, the people as well as their judges felt that that malefactor was not to be trusted with Shehitah.

The courts listened to many complaints against shohetim, some of them grave, some trivial. In these charges we see reflected the high standard the Jewish people set for their slaughterers.

Rabbi Solomon Kluger wrote of a shohet, "Unworthy acts are imputed to him, that he prays in the villages without a talit (prayer shawl) and with borrowed phylacteries, and that he commits other acts befitting people empty-minded and lax in their observances."[271]

Rabbi Tennenbaum was asked to pass judgment upon a shohet who "would send cooked food to others through an unsupervised gentile servant."[272]

Rabbi Tennenbaum was asked to weigh the following charges against a slaughterer: "That he rinsed frozen meat (meat not salted in preparation for cooking within 72 hours of the time of the slaughtering is permitted only if it has

been rinsed; meat in a frozen state is not affected by rinsing), that he drank gentile-prepared wine, and that he allowed his daughter to dance with a gentile. In fact, not only did he not reprove her, but even encouraged her to do so." "For these offenses," Rabbi Tennenbaum replied, "the shohet may not be dismissed. Let him, however, be reproved by his rabbi and be made to appear once a week before the rabbi to have his knife examined." [273]

Another shohet was characterized by Rabbi Tennenbaum as follows: "He depended only upon the internal examination in his ruling upon the kashrut of sheep, and afterwards blister-like adhesions were found upon lungs he had pronounced kosher. . . . He and his family on a number of occasions ate meat which his gentile maidservant carried unsealed from the meat shop. . . . Once on the occasion of a wedding he left the wedding hall after the dinner to go to a house where men and women danced together. . . . Though his home was in the precincts of the synagogue, often, because of indolence, he failed to join the congregation in prayer, until doubt arose one day as to whether he had put on his phylacteries at all."[274]

Rabbi Tennenbaum tells us of a shohet Eleazar who was denounced before the Bet Din for cursing, using God's name, in the Hungarian language. The shohet's defense was that he had been in the heat of a quarrel and angered, and that he could not recall whether or not he had resorted to the language attributed to him. Rabbi Tennenbaum said in his decision, "The defendant may not be dismissed for the infraction charged. As he is the only shohet in his town, to suspend him would penalize the town as much as it would him. Let him repent in earnest and henceforth guard his tongue and spirit."[275]

A century earlier Rabbi Jacob Reischer (Bohemia, eighteenth century) had in one of his responsa punished a shohet for his display of temper. The subject on one occasion had stood in the butchery ready to slaughter but holding his hand incorrectly. Bystanders, who noted this, remonstrated with him to allow another shohet to do the killing. Offended

by their interference, the shohet slaughtered the animal, tore out the gullet and wind pipe, and departed with them. It was then observed by the bystanders that the defendant had rendered the animal nebelah.

Upon being consulted, Rabbi Reischer ordered the shohet dismissed, on the ground that he had failed to inspect the gullet and wind pipe immediately after the slaughtering. In reply to the excuse of the defendant that he had been derelict in his duty because he was enraged, the rabbi said, "The fact that he was in anger may not be offered in extenuation. On the contrary, when a man yields to wrath he commits an enormity equal to worshiping idols. Let him remain dismissed until he undergoes genuine penance."[276]

Frivolous conduct, gambling, and drinking were considered unbecoming for shohetim, and cases are reported in which examples of such misbehavior were made the bases of court actions against them.

Rabbi Jacob Tennenbaum was called upon to judge a shohet who owned a printing press. A man came to court to testify that once he passed by the shohet's house and through the window observed the shohet's assistant within, printing, of all frivolous things, visiting cards. Others came to court to say that he played at cards. Rabbi Tennenbaum wrote that insufficient evidence had been produced to justify the shohet's disqualification.[277]

Rabbi Moses Hagiz (Palestine, 1671-1750) was asked to pass upon a shohet accused of gambling with dice. He replied, "By a strict reading of the law this misbehavior of the shohet does not render him unfit, but should the community desire to 'build a fence around the law' and adopt an ordinance to forbid a shohet to gamble, it has the power to do so."[278]

Rabbi Solomon Kluger was invited to pass upon the standing of the shohet Zelig, "who drinks liquor, though not to the stage of Lot's drunkenness. Sometimes he tipples as much as a quart a day." The rabbi disqualified the man with these words, "The people of our generation are not as pious as those of early days. In former times the drunken

shohet who chanced to press with his knife when killing would be sure to speak up and acknowledge it. As long as he was not inebriated to the condition of Lot he might have been trusted to do so. In our sinful generation this is no longer true."[279]

Exacting a general oath of obedience and piety from shohetim was not in keeping with Jewish practice. Yet Rabbi Solomon Hirschel, who served as Chief Rabbi at London from 1799 to 1842, felt that the conditions of his time made such an oath necessary. He would require every shohet at the time of his authorization to make the following declaration: "I herewith undertake by giving my hand to the Rabbi that I shall not slaughter any animal in a place already assigned to another shohet authorized by the Reverend Rabbi of London. I shall not engage in slaughtering in that place even for my own use. Should the Rabbi forbid me, at any time, even by word of mouth, to slaughter, I shall obey him wherever I may be. I promise further not to shave my beard and not to drink wine that is not specially prepared for the use of Jews."[280]

The Jewish courts expelled shohetim who would not yield obedience to the authority of the rabbi, or to regulations instituted by rabbis generally.

A seventeenth century Turkish shohet refused to abide by one of the regulations laid down by the rabbinical authorities. On a certain point, the rabbis decided that the shohet should rule stringently; the shohet insisted that a shohet should rule leniently. It was up to the Bet Din to decide whether the contumacious shohet might be entrusted with slaughtering under the supervision of others, who would see to it that he acted in compliance with the rabbinical decree. Also to decide whether he might be allowed to slaughter unsupervised, with the promise that he would comply with the decree. The Bet Din placed the matter before Rabbi Jacob b. Samuel, who wrote in reply that the shohet was not to be trusted in any case. The rabbi's statement was, "If the defendant had done wrong because of ignorance, we might have let him off with the admonition 'to go and learn.' But the defendant is a learned man, and he presumes to rule leniently

in cases where the rabbinical authorities have decreed that the shohet should rule strictly. He is to be accounted a wicked man. If the defendant believes that he can see a fine distinction in the law which the rabbis have overlooked, let him speak up and cite his reasons. But as long as he takes it upon himself to lay down the law in Shehitah matters, let him not be permitted to continue as a slaughterer."[281]

Rabbi Joseph Saul Nathanson approved the dismissal of a shohet who did not obey the instructions of his own rabbi. The defendant Zalman had slaughtered an ox and pronounced it kosher. A man then came and informed Zalman that the ox was terefah. He explained that he had heard from the gentile cattle dealer who had sold the ox to the Jewish butcher that a veterinary had pierced the ox while yet alive between its ribs through to the stomach, for the purpose of deflating it. Zalman disbelieved the story, regarding it as the pure fabrication of his informant and designed to damage the Jewish butcher. Nevertheless, Zalman reported the story, as he heard it, to his rabbi and added his own impression. The rabbi felt that the story was not to be ignored, and instructed Zalman to investigate it—specifically, to inspect the hide of the carcass for any sign of the alleged veterinary's incision. This the shohet failed to do.

The story of the pierced ox persisted until it was brought to the rabbi's attention again by a second shohet and others. The rabbi then dispatched a messenger of his own to investigate the case at the place where the ox had been bought. There the messenger verified the story, located the veterinary who had performed the operation, and even saw the instrument, still stained, that was used. When the rabbi heard his messenger's report, he himself went to view the hide, and in it he saw an incision surrounded by an area hard to the touch and corresponding in size to the sharp edge of the veterinary's instrument.

Rabbi Nathanson's opinion said in part, "Since the shohet Zalman did not heed the rabbi, he is deemed guilty of deliberate transgression and deserves dismissal from his post."[282]

Rabbi Solomon Kluger recommended dismissal of a shohet who had treated the decision of his rabbi lightly. The

respondent had dispatched a head of cattle, made the required internal examination of the lungs (by hand), and had pronounced it kosher. The lungs were then brought to the rabbi, who examined them externally (by visual inspection), and called the carcass terefah. The rabbi detected adhesions upon the lungs and felt unnatural softness of the lung tissue. The shohet then left the abattoir and announced that the carcass was kosher, upon the strength of which people bought some of the meat. When called upon to explain his conduct the shohet offered as defense that he had not told the people to buy the meat, but that the people themselves had bought the meat upon the basis of his earlier and erroneous report that it was kosher.

Rabbi Kluger wrote, "How can one conceive of tolerating such a shohet? He committed two offenses. He failed to detect the adhesions on the lungs. Then, after the rabbi had ruled the meat terefah, he had the effrontery to assert that it was kosher. Even had the rabbi's judgment been wrong, the shohet had no right to contradict the rabbi, for it is an accepted principle, 'When one rabbi declares a matter forbidden, his colleague may not declare it permitted.' Certainly the shohet, who is neither his colleague nor a scholar nor a rabbi, may not."[283]

Rabbi Jacob Tennenbaum upheld the dismissal of a shohet who would secretly consult in Shehitah matters a rabbi other than his own. The shohet referred to had thus slighted the authority of his superior, Rabbi Moses Judah Grinfeld of Rima Setch. In addition, the shohet did wrong in that he depended upon the internal examination of the lungs in doubtful cases. Rabbi Tennenbaum approved of Rabbi Grinfeld's action in removing the shohet.[284]

INFORMERS AND MARRANOS

Medieval persecution created two perverse types among Jews, the informer and the crypto-Jew.

The informer was a Jew who, with the hope of securing immunity or reward for himself, or out of sheer desire to hurt another Jew or Jews, denounced his co-religionists

to gentiles in power. No personage was more execrated by medieval Jewry. The question was raised whether one might trust the Shehitah of an informer and eat the meat he had slaughtered. Eminent authorities differed. Rabbi Isaac Alfasi (Morocco and Spain, 1013-1103) answered in the negative, while Rabbi Solomon b. Abraham Adret (Spain, 1235-1310)[285] and Rabbi Joseph Karo (Palestine, 1488-1575)[286] replied in the affirmative.

The crypto-Jew or Marrano was a Jew who under the threat of death, exile, or persecution had embraced Christianity or Mohammedanism while retaining in his heart a loyalty to Judaism. He was to be found at various periods in Spain, Portugal, Morocco, England, Mexico, and South America. Publicly he would declare his belief in the dominant creed, while in the privacy of his home and in secret meetings with his confreres he practiced Judaism. Because of the extent to which a Marrano compromised with his religion, the question arose whether he was to be trusted as a shohet and whether one might eat the meat he had slaughtered.

Rabbi Joseph Karo said, "We trust the slaughtering of the anusim (apostates by coercion) who remain in their country because they cannot flee to a land where they may serve the Lord, but who are scrupulous in observance of the dietary laws among themselves."[287]

It appears that among the Marranos of the first generation, the dietary laws were quite generally observed. Occasionally a shohet would be found continuing his work although baptized. As time went on, however, detailed observance in so public an activity as animal slaughtering became too dangerous to be continued. Marranos thenceforth clung only to two regulations governing the preparation of kosher meat. Whenever they could without arousing suspicion, they would porge their meats; and whenever they had fowl killed at home they would chop off the heads instead of wringing the necks of the birds, thus approximating the ritual requirements.[288]

Marranos observed the dietary laws under trying and dangerous circumstances. We know of one Beatriz Fer-

nandes, member of a Marrano group which flourished under cover in Bristol, England, from 1545 to 1555, of whom it was said she "would not eat anything but what Jews are accustomed to eat according to their rites."[289] From the records of an Inquisition trial held in Mexico City in 1642 we learn of a Marrano woman in Mexico who kept the dietary laws and also imparted instruction in them to her son. To safeguard herself against being innocently betrayed by her son, this woman raised him in his childhood years in complete ignorance of his ancestral faith. Then when the lad, Gabriel de Granada, turned thirteen she summoned him and secretly revealed to him that he was a Jew and that it was his obligation to keep the whole law of Moses. Among other things, says the record, "His mother then taught him that in the observance of the said law of Moses, fowl that were to be eaten must have their heads cut off with a knife."[290]

The usage of Shehitah could not survive the harsh conditions of Marranism. According to Lucien Wolf, among the existing forlorn and religiously degenerate remnants of the old Marranos of Portugal "circumcision and Shehitah and the dietary laws have been completely forgotten."[291]

The rabbinical authorities had in mind the tragic and maddening experiences which drove some Jews to renounce their religion for other faiths in deciding that repentant apostates might be admitted as shohetim. Rabbi Jacob Tennenbaum (Hungary, second half of nineteenth century) quoted an accepted dictum when he wrote, "An apostate who repents sincerely may be admitted as a shohet."[292]

THE WOMAN SHOHET

The old law laid down no sex requirements for slaughterers. Women must have butchered animals in talmudic times, for the Mishnah reads, "If she had slaughtered a beast, a wild animal, or a bird."[293] Rabbi Joseph Karo, whose code reflected the usages in Sephardic countries, wrote, "All persons have the right to slaughter, even women."[294]

It appears that at one stage women engaged in butchering in all Oriental lands, but that in the course of time they were forbidden to do so everywhere except in Italy. In any case the evidence is abundant that the woman shohet has flourished in Italy for 400 years.

There is a record that on January 13, 1556 Rabbi Isaac b. Immanuel de Lattes of Mantua, Italy, gave a shohet's authorization to a maiden lady, and on the March 12th following, to a married woman.[295] Rabbi Hayyim Joseph David Azulai (Palestine, 1724-1807) reported that on his extensive travels he had seen a "reshut" (shohet's certificate) written on parchment, dated 1576, and issued by Rabbi Abraham Samson Bazila of Mantua to a girl, giving her the right to slaughter.[296] Rabbi Isaac Lampronti (Italy, 1679-1756) wrote:

"I have seen many women who received authorizations to slaughter from venerable rabbis and who did engage in slaughtering. One of them is still alive, and she is the matron Susanna, second wife of the scholar R. Judah Kohen of Ferrano the scribe in the Yeshiba of Ferrara. Now she does not perform slaughtering any longer because of her advanced years."[297]

The Museum of the Jewish Theological Seminary of America possesses a written certification issued to a woman and dating from the year 1614. It was granted to Isotta, daughter of Elhanan da Fano of Mantua.

Dr. Charles Duschinsky writes that Professor Dessau of Perugia told him in 1931 that there were religious ladies in Italy who had mastered the laws of Shehitah and who had been authorized to kill fowl for their family use.[298] Dr. Kalman Friedman, formerly rabbi in Florence, informed the author that in 1938 there were two women there licensed to slaughter fowl. Their authorizations allowed them to kill fowl only for their individual households. One of the women was Signorina Milka Casuto, recipient of a Ph.D. degree and daughter of the eminent Professor Umberto Casuto. Her license was granted by Rabbi Elia Artom of Florence. The other was Signorina Genazzani, teacher in

the Hebrew School and sister of one of the maskilim (synagogue officials). Her authorization was bestowed by Rabbi Zalman H. Margulies of Florence.

The existence of women shohetim in Italy is explained by the special circumstances prevailing there. In Italy, where most cities are unbearably hot in summer, many women and children retire to the cooler hill country for a summer respite. In the vacation places shohetim are not available. Some Italian rabbis have therefore permitted women to study and perfect themselves in the slaughtering of fowls, so that they may supply themselves and their families for the duration of their holiday.

The Ashkenazic authorities would not countenance women as shohetim. The Tosafot, composite commentary on the Talmud, produced in northern France in the thirteenth century, remarks, "It is written in the 'Laws of the Land of Israel' that women may not slaughter, because they are of delicate constitution."[299] Said Rabbi Moses Isserles (Poland, 1520-1572), "There is an opinion that we do not permit women to slaughter, since they have been forbidden by long established usage. It is the rule that women do not slaughter."[300]

Rabbi Zebi Hirsch Spira of Munkacs, Hungary, has summarized the reasons of leading Ashkenazic authorities for excluding women from Shehitah. They are:

1. A woman cannot be sufficiently learned in Shehitah laws.

2. A woman might faint during the act of slaughtering.

3. They are careless.

4. They are lazy and so would not learn the rules properly.

5. There is some doubt in the matter, and doubt in biblical law is always decided on the stricter side.[301]

It was inevitable that women should be excluded increasingly from the work of the shohet. The feeling grew stronger with time that Shehitah should be entrusted only to members of a highly trained and pious profession.

Courtesy of the Museum of the Jewish Theological Seminary

AUTHORIZATION TO PRACTISE SHEHITAH
GRANTED TO A WOMAN

Issued to Isotta, daughter of Elhanan da Fano of Mantua, Italy in 1614. In modern times women have performed Shehitah only in Italy

THE CANTOR-SHOHET

The typical Jewish settlement was too small and its slaughtering needs too meager to warrant the maintenance of a full time shohet. It would therefore in most cases select as its shohet a man capable of taking on other, preferably communal, duties. It is noteworthy that the supplementary work usually assigned to the slaughterer was that of the highly honored functionary, the cantor. The combination of cantor and shohet was a logical one. The work of each of these functionaries called for a degree of Jewish scholarship, and deep piety.

The cantor-shohet was met with during the twelfth century in Egypt and in the thirteenth century in Germany.[302] He must have been common in Poland in the sixteenth century, for Rabbi Moses Isserles felt called upon to lay down a rule to govern him. "If the cantor is likewise a shohet, he may not lead in prayer garbed in his soiled or malodorous clothes. Should he refuse to change his clothes for the synagogue service, he may be dismissed from his post."[303]

A cantor-shohet-teacher served in Sugenheim Town in Franconia in the eighteenth century. In that tiny community of twelve householders a constitution was adopted in 1756 which read in part, "The Hiring of a Cantor: The majority of the votes of the Jewish residents of the town and those who have children to teach shall decide in the hiring of the cantor. However, they must select an able person, one who can serve well as the schoolmaster and understands Shehitah thoroughly. He must also be able to account for his origin and for his conduct in the past by means of the proper documents."[304]

Typically, a cantor-shohet-teacher served as the only Jewish functionary in the small settlement of Chaux de Fondes, Switzerland, in the year 1874. The community of eighty Jewish families there was so small and poor that it was obliged to utilize a renovated building as synagogue and school house.[305]

The cantor-shohet was a familiar figure in the smaller communities all over Europe prior to the rise of Hitlerism.

He was to be found in Wiener-Neustadt, Austria, Florence, Italy, and Bordeaux, France. The cantor-shohet-teacher served in Bremen, Germany.

Evidently some of the cantor-shohetim in the nineteenth century began to emphasize the musical side of their work to the neglect of their Shehitah duties. Those who did so drew the criticism of the contemporary Rabbi Jehiel Michael Epstein of Navhardak: "In our time in the small towns they engage men to act as both shohet and cantor. This is a proper arrangement, on condition that the functionary does not devote too much attention to the art of music, for if he does so, especially in connection with a choir, he will not give the required attention to Shehitah. It should be noted too that in small towns there is no rabbi to supervise him. Women and ignorant men delight when the cantor produces music with a choir, but they do not understand that by this the conduct of Shehitah is impaired. Let the man lead in prayer in a simple manner without musical embellishment, and let his attention be directed to the matter of Shehitah."[306]

Some communities combined the functions of shohet and teacher. The teacher-shohet was reported in Algiers some time after 1391.[307] Likewise in Germany in the seventeenth century, we read of a tiny settlement of three householders maintaining a teacher-shohet.[308]

Finally some kehillahs employed the rabbi-shohet. That combination was represented in the town of Barsach, Algiers, in the fifteenth century. There we are told that a Joseph Said succeeded David Halawi as rabbi, reader, and shohet.[309] Rabbi Joseph Saul Nathanson is authority for the information that in the smaller towns in Poland about the year 1855 it was common for the shohet to perform the functions of the rabbi.[310] At the present day, Valletta, Malta, a city of 100 Jewish inhabitants, has a rabbi-shohet in Rabbi Nissim Ohayon. Auckland, New Zealand, a city counting 1,200 Jews, has one shohet who serves as assistant reader and teacher in the synagogue.

No more eloquent proof of the high place the shohet held in the estimation of the Jew can be furnished than to say

that in many communities the shohet was also the cantor, teacher, or rabbi.

THE TRIBUTE OF LITERATURE

There is a compelling contrast between the conventional gentile butcher and the Jewish shohet. The common butcher is fleshy and coarse, the shohet characteristically mild-mannered, refined, and sensitive. This contrast is heightened in the light of references in general literature to these antithetical personages.

Thomas Hood wrote of the typical butcher:

> "Look at his sleek round skull,
> How bright his cheek, how rubicund his nose is,
> His visage seems to be
> Ripe for beef-tea;
> Of brutal juices the whole man is full—
> In fact, fulfilling the metempsychosis,
> The Butcher is already half a Bull."[311]

In medieval Christian Florence, we are told, "no citizens were considered of less estimation than the indispensable breeders and slaughterers of cattle."[312]

Markedly different are the characterizations of the shohet. Joseph Opatoshu wrote of one shohet in "In Polish Woods": "Among Jews the slaughterer is considered a personage learned in the Law, and one who wouldn't harm a fly. He had soft eyes, a soft tread, and when he slaughtered an animal, it was in the fear of God. He approached his task silently, like a high priest, pronounced a benediction, drew out his gleaming knife, and swish, swish—it was slaughtered in the name of God!"[313]

Thomas Mann has written in "The Magic Mountain":[314] "His father had been the village shohet, or slaughterer—a calling different indeed from that of the gentile butcher, who was a laborer and tradesman, whereas Leo's father was an official, and the holder of a spiritual office. Elie Naptha, after being tested by the rabbi in his pious proficiency, had

been empowered by him to slaughter suitable animals after the Mosaic law and according to talmudic prescription. The performance of his ritual task had imparted something priestly to his being; and the blue eyes which the son described as sending out gleams like stars, had held in their depth a wealth of silent spiritual fervor. The solemnity of his bearing spoke of that early time when the killing of animals had been in fact a priestly office. Leo had been allowed to watch in the courtyard while the father carried out his task. Standing near the victim, which was hobbled and bound indeed, but not stunned, he would lift the mighty slaughter-knife and bring it to rest in a deep gash close to the cervical vertebra; the child looked on at the sight with that childish gaze which often pierces through the sense into the essential, and may have been in an unusual degree the gift of starry-eyed Elie's son. He knew that Christian butchers had to stun their cattle with a blow from a club before killing them, and that this regulation was made in order to avoid unnecessary cruelty. Yet his father, so fine and so intelligent by comparison with those louts, and starry-eyed as never one of them, did his task according to the Law, striking down the creature while its senses were undimmed, and letting its life-blood well out until it sank. He saw that his father had not chosen his bloody trade out of the same brutal tastes that moved the lusty gentile butcher to find gratification in it, but rather on spiritual grounds, and in a sense bespoken by the starry eyes."

Shakespeare could well have spoken for the shohet fraternity when he wrote, "Let us be sacrificers, but not butchers."[315]

5

The Meat Dealer

The Traditional Meat Dealer

All the measures taken to insure correct slaughtering of meat would have been pointless had the Jewish authorities neglected the matter of its delivery. The authorities had established controls over the shohet. They established controls also over the meat dealer, or kazzab.

In the field of meat delivery the chief evil to be feared is the possibility that the kazzab may vend terefah meat for kosher. Three circumstances contribute to this fear.

The first is that the Jewish butcher of necessity has terefah meat in his possession. No kazzab can avoid the possession of carcasses pronounced terefah, unporged hind quarters, forbidden fat, sections of meat with forbidden veins unremoved, and sometimes meat not rinsed more than 72 hours after the killing. The presence of forbidden meats in the same establishment with permitted meats fosters intermixture.

The second is that the butcher knows that kosher meat brings a higher price than terefah meat. This is especially true in the smaller towns, where terefah meat can be disposed of to the poor local non-Jewish population only at depressed prices. This fact serves as constant temptation to the kazzab to represent terefah meat as kosher.

The third is that the business of the Jewish shop places two tedious tasks upon the butcher, to remove specified veins and fat from all meats and to rinse all meats within 72 hours

of the time of slaughter. Sheer indolence may make the kazzab neglectful.

Because the authorities were alert to such conditions in the meat mart they would allow meat to be sold only by a "ne'eman," a trustworthy man. The man who sold kosher meat had to be, and was, an individual of impeccable piety.

The traditional Jewish meat store would be a thing of astonishment to a Jew of modern Berlin, London, or New York. It displayed no sign with Hebrew characters. The meats were without tags and markings to indicate whether they were kosher or terefah. On one counter kosher meat would be offered to the Jewish customers, on another table terefah to the gentile buyers. The kazzab alone would see that the respective meats were not intermixed. The owner needed no license, and no overseer came to observe the conduct of his establishment. No one doubted the kashrut of the place, for all, including the rabbi himself, had implicit trust in the religiously grounded honesty of the proprietor.

Rarely did one hear of negligence or malfeasance in the management of the meat shop. When such was reported the community was shocked and aroused. The Bet Din would be convened quickly and proceed on the most thorough investigation. In the unusual case where the kazzab was found to have transgressed, the court deprived him completely of the right to engage in selling meat.

In the cases about to be reviewed we shall see how the Jewish authorities dealt with kazzabim reported remiss in performance of their duties.

In sixteenth century Turkey a kazzab and his partner operated a meat shop. The kazzab would stand in the store proper to serve the customers, while the partner sat in an adjoining room and handed out the meat through a connecting window. On one occasion the partner handed him a quantity of meat in which was mixed a piece of terefah. The terefah was recognizable, because it was part of a non-kosher shoulder, which in that province was marked with a special sign. The kazzab did not see the terefah mark, but a shohet and another meat vendor chancing by did, and straightway reported to the Bet Din. The kazzab, sum-

moned before the tribunal, entered the defense that the mixing of the meats was not of his doing, that the terefah meat in the inner room of his shop was kept in a separate container, and that it was his partner who had taken it out. He explained his failure to note the terefah mark on the meat because it came to his hand while he was occupied with many customers. Rabbi Joseph b. Leb considering the defense, wrote as follows: "The kazzab is absolved, provided it be shown that he has always enjoyed a reputation for piety. The partner is the culpable party in the case. Let him be deprived of his right to traffic in meat until he shall have done penance."[316]

A meat dealer in Germany in the seventeenth century was summoned by the Bet Din to answer why he had sold unrinsed meat more than 72 hours old. Meat in this condition is forbidden if it is only kashered (soaked and salted) and cooked. But it is permitted if first broiled, for broiling removes the dried blood it contains. The offending kazzab had failed, however, to apprise his customers of the state of the meat. Rabbi Gershon Ashkenazi, asked to fix the penalty, ruled that since the kazzab had violated a rabbinic rather than a biblical law, he was not to be deprived of his right to sell meat. Rabbi Ashkenazi explained that when the Talmud in a classic decision disqualified a tabbah for selling a forbidden article, this article was forbidden fat, the eating of which is prohibited by the Bible. "Since the defendant had transgressed but a rabbinic law, his right to continue in the meat business remains unimpaired. Nevertheless, let him be warned not to treat the rinsing requirements lightly."[317]

A butcher in the town of Greiding, Poland, in the nineteenth century had more than once offered meat for sale without troubling himself to remove the specified veins in the inner part of the carcass. Before the Bet Din he pleaded this was not his fault and declared that he would undertake to perform the vein extraction more scrupulously in the future. The judges were not impressed with his defense and forbade him to continue handling meat. The plight of the

accused kazzab and his little children moved the local rabbi, Isaac Joshua, to pity; and when he heard of the decision he addressed Rabbi Joseph Saul Nathanson, inquiring whether there might not be a basis upon which to reinstate the condemned meat dealer. Rabbi Nathanson replied that he could not comment upon the proceedings until he first received information about the piety of the convicted man. (The final disposition of this case is not published.)[318]

In the second half of the nineteenth century a woman in a Hungarian town made her purchase at the butcher's, and observed as he was extracting the veins that the fat upon the meat had an unusual appearance. She took up the meat and brought it to the rabbi, who called in experts to examine it. The experts established that the fat was forbidden. When called upon to explain, the meat vendor offered the defense that he was drunk when he sold it. The local rabbi suspended him for a number of weeks, required him to pay a fine to go to charity, and warned him that should he repeat the offense he would be permanently forbidden to operate a meat store. Rabbi Jacob Tennenbaum added his approval of the decision.[319]

Where the traditional law was respected the meat merchant feared the action of the Bet Din. He was aware that the court might not only count upon the backing of the rabbi and the support of the people, but that it might also order the shohetim not to slaughter for him. We read of a butcher in Turkey in the seventeenth century who refused to obey the communal authorities, and the officials commanded the shohetim not to serve him. In that instance the action of the kehillah was soon regretted, for it was learned that the refractory kazzab owned a suckling calf which demanded killing, because its mother had been slaughtered a day or so earlier. The local authorities appealed to Rabbi Jacob b. Samuel, asking whether out of consideration for the little creature they might revoke their order. Rabbi Jacob b. Samuel denied the community the right to reverse itself. He said, "Once a corporate body, such as a kehillah, adopts a resolution the purpose and effect of which is to check religious

violations it is without power to withdraw it. Some other agency than the community shohet will have to be found to put the suffering creature out of its misery."[320]

Kosher meat was also sold by gentile dealers. This was true especially in towns with a small Jewish population. The gentile meat dealer had the advantage over the Jewish kazzab in that he could dispose of his terefah meat at better prices and might also deal in pork. He set aside a counter in his shop at which at specified times during the week the shohet or some other trusted Jew would stand and sell the kosher meat to the Jewish patrons. Since the kashrut in the gentile owned meat establishment was really in the hands of the shohet, Jewish authorities had no objection to the arrangement.

Kosher meat was sold in gentile owned establishments in many small Hungarian towns down to the year 1938. At the present day this is done in Sydney and Shanghai. In Sydney there is only one meat shop, wholly kosher, owned by a Jew. There are, on the other hand, three kosher-terefah meat shops and four kosher-terefah poultry shops, all owned by gentiles. In Shanghai the kosher meat is sold in shops owned and operated by Chinese non-Jews, but under the supervision of shomerim (overseers).

Until the past few decades there was no poultry business, as such. The Jewish householder who desired to purchase fowl did not go for it to a meat vendor. He or his wife went to market and bought a live bird, generally from a gentile peasant. It was then brought to the shohet to be killed. When brought home the bird would be plucked, opened, examined for signs of terefah, eviscerated, and put into the pot. If the housewife was in doubt whether the viscera of the fowl were free of terefah indications she would bring it to the rabbi for his expert judgment.

THE MODERN BIG CITY MEAT DEALER

THE KOSHER-TEREFAH SHOP

The small Jewish community in which everyone knew the kazzab intimately, has in the past century been supplanted

by large city Jewries, in which the meat dealer and his antecedents and personal life are a closed book to most of his clientele.

This change was accompanied by a general falling in religious standards. It was realized that the old type pious and trustworthy kazzab had yielded to an ordinary butcher, who might not have a feeling for the sanctities of his vocation.

Jewish authorities in all big cities, outside of the Orient, concluded therefore that the kosher meat merchant was no longer to be relied upon personally, that he needed regulation and supervision.

In the large communities the rule was adopted that the kazzab should vend only such meat as was kosher. The new order was not meant to forbid the butcher to dispose of any terefah meat he happened to possess to gentiles outside of his shop. To this day the kazzab everywhere is allowed to arrange with a non-Jewish dealer to take terefah carcasses and hind-quarter meat off his hands. The new order was intended only to abolish the arrangement whereby the Jewish butcher carried on a double business, that of selling terefah meat to gentiles at one counter in his shop, and kosher meat to Jews at another counter.

The purpose of the new rule was expressed by Rabbi Samuel Ehrenfeld (Hungary, nineteenth century), when in the year 1872 he reviewed charges made against a Jewish butcher. The defendant, who operated a market in which both kosher and terefah meat were sold, was accused of selling meat openly on the festivals, of dealing in swine's flesh without revulsion, and of consorting with a company of thieves. The charges were based on hearsay, for witnesses could not be produced to sustain them in the Bet Din.

Rabbi Ehrenfeld replied that he could place no credence in unsubstantiated charges, but that he would deal with the question whether a Jew might be allowed to operate a kosher-terefah meat store. "I have always wondered why Jews tolerate the existence of markets in which the bad usage prevails of selling both kosher and terefah in one place. It creates a situation conducive to error and confusion and hence

to sin. This arrangement may be workable where the proprietor is a man of unusual piety and scrupulousness, but in the event that he is not so, stumbling and transgression must ensue. The defendant is evidently of such a questionable character that I would not trust him to operate even an exclusively kosher market. How can one think of relying upon him to manage a kosher-terefah shop? My decision is, that if the defendant promises to forsake his evil ways, he be allowed to operate a meat shop to sell only kosher meat and this only under the constant watch of a mashgiah (overseer). I may say that pious folk will not trust him even with these safeguards.

"In the towns in our neighborhood one may find many markets devoted exclusively to the sale of kosher meat. I insist that even in these stores the meat be kept in one place so that the mashgiah may see it at any time. I forbid the meat dealer to sell or distribute meat from his own residence. I furthermore instruct the shohet to exercise care with the porging and to see to it that meat more than 72 hours old is not sold."[321]

Rabbi Jacob Tennenbaum (Hungary, latter part of nineteenth century) was asked whether it was proper for Jews to purchase meat from a kosher-terefah store. He replied that they might do so only if they knew that the proprietor of the market did not desecrate the Sabbath in public, that he abstained from forbidden foods, and believed in the words of the rabbis; and if the kosher and terefah meat in his store were kept apart and cut with separate knives. "Better, however," he wrote, "let the shopkeeper give up such a business, and God will provide him a livelihood out of permitted things."[322]

The authorities frowned upon the kosher-terefah market, because it fostered the inadvertent mixing of meats and aided the fraudulent passing of terefah for kosher. These evils are illustrated in the cases that follow.

In a kosher-terefah meat shop in nineteenth century Poland pieces of meat became indistinguishably intermixed. In the total there was less kosher meat than terefah. A man came forward with the assertion that he could single out

some of the kosher pieces and some of the terefah pieces. The question arose whether the unsupported word of the man might be taken and his offer accepted. Rabbi Joseph Saul Nathanson, to whom the question was put, replied that the word of the single person might be taken. He explained, "The issue is not that of one witness seeking to upset a 'hazzakah,' a legal status, but a 'rob,' a presumption based upon the rule of majority." Where a majority of mixed articles are known to be forbidden, then all are forbidden, on condition that none can be identified. If, however, a witness claims that he can identify some as kosher, his claim is valid.[323]

Another kosher-terefah meat market in nineteenth century Poland provided the meat cutter there employed the opportunity to ply a fraudulent side trade in terefah tongues. The culprit would purchase terefah tongues from his proprietor's wife and dispose of them as kosher to the keeper of an inn. The testimony before the Bet Din reported the following conversation as having taken place some months before. The witness asked the meat cutter, "What do you do with all the terefah tongues you buy from your employer's wife?" "I sell them to gentiles." "But how is it that you have so many gentiles to buy tongues?" "Well, I sell them also to Jews who eat terefah." "Don't you know, that even though a Jew eats terefah, you are not allowed to sell him terefah?" "What do I care! What my employer orders me to do, I do."

Rabbi Joseph Saul Nathanson, called upon to fix the penalties, ordered that the meat cutter be forbidden to work in a meat shop until the following festival of Shabuot, that the wife of the proprietor be forbidden to enter the store until Shabuot, and that the kazzab himself, since his reputation had hitherto been unblemished, retain his status as an approved meat dealer, but that he be given some penalty and also required to take oath never again to sell terefah meat from his shop.[324]

Wherever the proverbially pious kazzab disappeared, and this was true in many large cities and towns, Jews would no longer tolerate the kosher-terefah meat shop. The author-

ities began to insist that the Jewish butcher deal only with kosher meat. Rabbi Joseph Saul Nathanson tells us how in one Polish town the pressing demand of the householders brought about the closing of the kosher-terefah meat store. In this establishment both kosher and terefah meat were dispensed, but at different hours of the day. One day a number of men arose in the synagogue, interrupted the service just as the Torah was about to be read, and voiced the demand that an exclusively kosher meat shop be opened in the town. They stressed the argument that porging could not be performed correctly in the existing establishment. After they spoke, a majority of the assembled congregation joined in an oath to abstain from meat until the desired shop would be opened. Subsequently many of the people were troubled because they did not know to whom and to what the mass oath applied.

They consulted Rabbi Nathanson, who told them that the restriction applied to the entire community, insomuch as a majority of the householders had accepted it. He explained, however, that the ban involved only the eating of beef, for a prohibition of poultry would have caused undue hardship, upon such as the sick and women in confinement, who required soup. He concluded, "Let the prohibition stand, observed for the sake of God and not in a spirit of controversy, provided of course that it is not in violation of the law of the land."[325]

In all the larger towns of Europe (prior to the rise of Hitlerism) one could barely find a single approved shop *owned by a Jew* in which both kosher and terefah meat was sold. The gentile owned kosher-terefah shop did survive, but under safeguards to be described below.

THE MASHGIAH

As the authorities in the larger European communities came to realize that their butchers were wanting in the solid religiousness of the old time kazzabim they decreed a system of supervision for all meat shops. The surveillance was entrusted to a functionary known as a mashgiah, or overseer.

The idea of overseership in the handling of kosher meat was not new, but theretofore it had been applied only where the handling was done by a gentile. It had been accepted by the leading authorities that meat might not be eaten unless continuously watched by a Jew. Rabbi Isaac b. Sheshet Barfat (Algiers, 1326-1408) intimated that in his time a Jew would send a mashgiah along whenever he had his gentile servant deliver meat.[326] In later centuries we hear of the mashgiah employed in supervising gentile meat dealers who dispensed kosher meat.

In some cities gentile butchers who supplied kosher meat were required to conduct their businesses in a single building or hall, so that they might all be under the closer surveillance of the mashgiah. This was the rule in Furth, Germany, down to the year 1914. The kosher meat hall in Furth was known as the "Scharre" (literally, a place set aside for the cutting of meat). It stood in the synagogue yard and contained five or six stalls from which gentile butchers sold kosher meat. A mashgiah was stationed at the entrance of the Scharre and did not allow any but kosher meat to be brought in. The gentile servant girls who came to take up meat for their Jewish mistresses would receive this meat in special woven bags, which were then sealed by the mashgiah as they left the Scharre. No Jewish housewife would use the meat brought to her by her servant unless it was contained in the bag with the seal unbroken. The Scharre butchers had additional shops, providing terefah meat for their gentile clients in other parts of the city.

The Scharre system broke down in Furth when a number of Jews entered the kosher meat business there. At first they rented stalls in the Scharre, but later they opened additional stores elsewhere in the city at locations more accessible to their customers. The housewives transferred their patronage to the new stores, reasoning that they were conducted just as well as the Scharre stalls under the same ownership. In vain the rabbi expressed his disapproval of Jews purchasing kosher meat in scattered places. The trend could not be resisted, and in time the Scharre was abandoned.

Berlin too had its Community Meat Hall, standing in the courtyard of the synagogue. It was erected some time before 1728 and was torn down in 1856.[327]

In the year 1792 a central meat hall was proposed for London. The representatives of the three German synagogues presented a plan calling for the construction of a meat hall to contain twenty stalls, to be let to meat dealers. It was intended that the arrangement bring a profit to the four London synagogues participating in the project. The Portuguese synagogue rejected the proposal on the ground that the meat hall "would be inconvenient for families living at a distance, that on Sundays it would prove a scandal to Christian neighbors, and that non-Jewish meat dealers would refuse to pay the tax levied upon them." The German synagogues persisted in the scheme and made vain efforts to raise funds for the building. The meat hall was never erected in London.[328]

Amsterdam had its "Vleesh-hal." In fact, at one time the city had two of them. One situated next to a synagogue was used until shortly after the year 1930. While cattle meat was sold only in the Vleesch-hal, the internal parts, as well as poultry, was sold outside.

In Vilna the kosher butcher shops were grouped in special markets. A mashgiah representing the Kehillah was assigned to each market. This arrangement obtained down until 1940 when the city came under control of the Soviet Union.

As long as traditionalism reigned in the kosher meat marts the mashgiah was used only to supervise gentiles. No one then would have dreamed that it was necessary to supervise a Jew. But when in the past century or two the authorities in the larger communities witnessed the religious deterioration of their meat sellers, they adopted the mashgiah plan for Jewish dealers as well.

The function of the mashgiah was to pay periodic and also unexpected visits to all the meat stores in his assigned territory, to make certain that they were conducted in accordance with religious laws and rabbinical regulations. In the many

kehillahs the duties of the mashgiah were delegated variously.

In London the work of the overseer was assigned to professional men known as "shomerim" (singular, shomer, a watchman). These were appointed and paid by the Shehitah Board. In 1880 London employed seven such functionaries.[329] In Florence (prior to the anti-Shehitah regulations in 1938) the task of the mashgiah was an honorary one, and was given to a respected member of the community. His charge was to supervise the one kosher meat shop in the city. In Munich the task of the mashgiah devolved upon the several rabbis of the city. Though mashgihim in the various large kehillahs may have differed in their terms of service, they were alike in that every one of them represented and was responsible to the corporate Jewish community.

Through the mashgihim the communal authorities received first hand and expert intelligence upon the conduct of the meat stores. This information the authorities weighed and conveyed to the purchasing public.

Communities differed in the means they took to apprise the public of the meat dealers they approved. The London Shehitah Board used the device of the license. The butcher who met all the requirements of the Board was given a permit to display in his establishment. The "Laws of the Board for Administering the Affairs of Shehitah in London" published in 1880 read:

> "No persons preparing or selling meat or poultry for the use of Jews shall be recognized by the Board or by the Ecclesiastical Authorities as being authorized so to do in the Metropolis, unless holding the license of the Board.
>
> "A license, signed by the Secretary of the Board, shall be issued to every applicant approved by the Ecclesiastical Authorities and by the Board, such license to be revocable, if deemed necessary, by the Board.
>
> "No Butcher or Poulterer shall have meat or poultry killed or porged by persons other than those who are in the employment of the Board, and have been em-

powered by the Ecclesiastical Authorities, under penalty of forfeiture of his license.

"Should the Ecclesiastical Authorities decide for religious reasons, that any person licensed should no longer hold such license, the Board on the representation of the Ecclesiastical Authorities, shall revoke the license issued to such person."[330]

London in the year 1880 had 85 meat dealers and 25 poulterers licensed by the Shehitah Board.

The Amsterdam kehillah (prior to the Nazi invasion) also guided its purchasing public by the device of the license. It gave every approved meat dealer a display card bearing the letters O.R.T. (Onder Rabbinal Toesicht, under rabbinical control). The kehillah of the Hague and Scheveningen in the Netherlands supplied each approved meat vendor with a license and in addition posted his name in the synagogues.

The Hague community booklet reads:

"Kashrut

"Mashgihim appointed by the rabbinate supervise the kashrut of meats and other foods.

"A list of the names and addresses of the suppliers of these foods who are under rabbinical supervision is posted in every synagogue.

"In the Hague and Scheveningen only those stores are under rabbinical supervision which display in their windows a card showing the current Jewish year and the signature of the Chief Rabbi. In the butcher shops the cards should also show the signature of the Chief Rabbi of the Dutch-Portuguese Jewish Congregation.

"Stores which display a sign reading Kosher, whether the letters be in Hebrew or not, are not at all assumed by that fact to be selling ritually permissible items."[331]

The gemeinde of Munich notified the public of its approved meat dealers by publishing their names in the community annual almanac.

While many kehillahs like Bialystock, Dublin, St. Petersburg, and Vilna created the visiting mashgiah, some adopted the device of the single-assignment mashgiah. The overseer was instructed to stand in one meat shop and observe its management as long as it was open. In fact, the standing overseer was given the only key to the establishment, and in the event that he was obliged to leave the premises for a short time he would close its doors.

The standing shomer was known also to London, but was resorted to only where a butcher fell under the suspicion of the Shehitah Board. The suspected meat dealer was obliged to contribute not less than thirty shillings a week toward the expense of the stationed shomer.[332]

The stationed mashgiah was the standard in pre-Hitler Berlin, Breslau, Vienna, and Bratislava. The Berlin authorities reckoned with the possible resentment that a meat dealer might feel toward an inactive mashgiah (paid for from kosher meat revenues) standing in his shop, and they instructed their mashgihim to assist the shopkeepers with certain duties.

Each of the approximately 36 kosher meat shops in pre-Hitler Vienna had a standing mashgiah. In Vienna the overseers were rotated in order to prevent the development of too close an intimacy between any one butcher and his supervisor. In that city there was the added provision that the head mashgiah should visit every meat store at least once a week. The heavy cost of the extensive supervision in Vienna left that gemeinde with no profit from Shehitah.

Budapest established the most thoroughgoing control over the sale of meat. In that city the kehillah owned all the kosher meat shops and in addition supplied them with kosher meat. The kehillah leased each meat store to an operator, whose business it was to purchase the meat from the kehillah and sell it to the public. To make certain of the kashrut of each shop there was an individual standing mashgiah assigned. In a letter written to the author by Rabbi Hugo

H. Klein, the Budapest system is described as follows: "Kosher butcher shops are owned, but not operated by the Jewish Kehillah of Budapest. These shops, set up in different parts of a city like Budapest, are leased out to the operator. He purchases his requirements from the Kehillah. In a sense, these stores are practically owned by the Kehillah, as the keys are held in the hands of trusted mashgihim, who do not leave the premises until the meat is sold."

THE PLOMBE

Kosher and terefah meat, generally speaking, look alike. This fact was no cause for apprehension among Jews as long as traditionalism held sway, for then Jews knew that their meat dealers were to be trusted to exercise the vigilance needed to keep the two sorts of meat separate. When, however, the larger Jewries in the past century saw with dismay the rise of butchers of questionable piety, they realized that their meat dealers might not be trusted in this matter. They then decreed that every section of kosher beef and every fowl should bear its own indelible mark indicating it to be kosher.

The identification device widely adopted was a leaden disc upon which was stamped the word "kosher" and the date of the slaughtering. This disc, known as a plombe (Latin, plumbum, meaning lead: German, plombieren, to seal with lead), was generally secured to the meat by metal wire. When a section of beef was found without a plombe it was regarded as terefah. As an added precaution the larger kehillahs adopted an identification sign for terefah meat. This generally was a criss-cross mark cut by the shohet into several parts of the carcass while the meat was still fresh and soft.

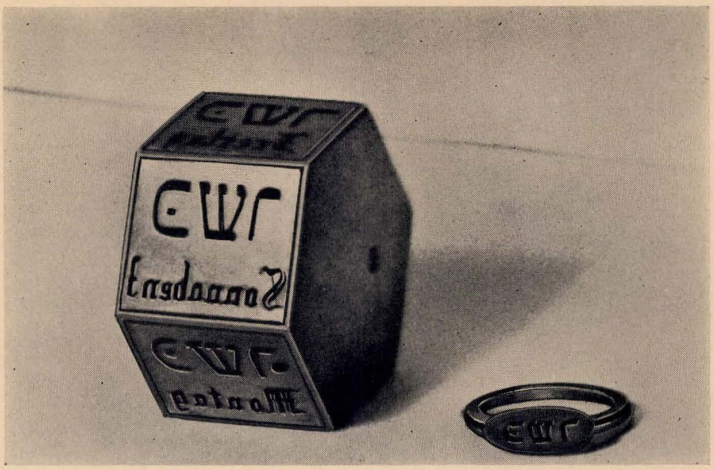
The practice of marking meat for identification purposes was centuries old, but hitherto had been resorted to only when meat was left unguarded or placed in the custody of a gentile. It was deemed unnecessary to mark meat when entrusted to a Jew, for it was universally conceded that no Jew would ever deliberately or through carelessness intermix kosher and terefah meat.

The problem of identifying meat in earlier centuries came up when a piece of meat of unknown origin was found in the street, when meat was lost in a public place and then recovered, or when meat was left in the custody of a gentile and received back. In each case there was the apprehension that the original piece of kosher meat had been replaced with terefah. When such meat was found with an affixed plombe no one questioned its kashrut. When it bore other and less certain indications of kashrut the rabbis were consulted.

Talmudic teachers dealt with the question of unmarked meat of unknown origin found in the street. They decreed that such meat was to be regarded as terefah, except where found in a city wherein only kosher meat was obtainable. Later authorities abolished the exception. Rabbi Joseph Karo declared (Palestine, 1488-1575): "The rabbis have long since pronounced forbidden all meat found either in the street or in the hands of gentiles. This rule applies even in a city where all the meat dealers and all the slaughterers are Jews."[333]

Rabbi Solomon b. Isaac (known more popularly as Rashi, Northern France, 1040-1105) was asked whether discovery of a Shehitah-like incision in the throat of a slain fowl might be taken to prove that the fowl was kosher-killed. A gentile had brought in a slaughtered fowl asserting that it was kosher. The bird bore no seal or distinguishing mark. The local rabbi examined the throat incision, concluded that the cut could have been produced only by a shohet, and ruled the fowl kosher. (Fowl, unlike cattle, need only be slain correctly to be considered kosher. They are not examined for signs of terefah until eviscerated by the housewife.) Rabbi Solomon b. Isaac, who was invited to review the local rabbi's verdict, reversed it. He acknowledged that a Shehitah-like incision implied a shohet's killing in Christian lands, for there only the Jews used the Shehitah method; but he pointed out that such an incision did not signify a shohet's killing in Mohammedan countries, where both Jews and Moslems used virtually the same method. Since the rabbinical authorities did not feel free to enforce one rule in Christian lands and

DEVICES USED TO IDENTIFY KOSHER MEAT AND POULTRY IN GERMANY, MALTA, AND THE UNITED STATES



Six sided brass stamping device to mark meat as kosher and to indicate also on which one of the six days of the week it was slaughtered. There is a stamp mark for Saturday and none for Sunday, indicating that because of civil regulations, the shohet who owned this device did slaughtering on Saturday evenings and not on Sundays. Used in eastern Germany in the late eighteenth and early nineteenth centuries. (Museum of the Jewish Theological Seminary.)

Brass signet ring to stamp poultry as kosher. Used in small German towns during the nineteenth century. (Museum of the Jewish Theological Seminary.)



Circular rubber stamp mark reading "Behemah Kesherah" (kosher cattle), with Hebrew letter "bet" in the center to indicate that the slaughtering had taken place on the second day of the week. Used in Valletta, Malta in 1939

Rubber stamp mark placed upon kosher meat. To prevent the employment of a counterfeit device the owner of this stamp made several secret mutilations in it. He made one "gimel" look like a "nun," cut off the leg of each "lamed," and broke the date line in two places. Used in Wilmington, N. C. in 1938

another in Mohammedan territory, he ruled that the fact that a carcass showed a Shehitah-like incision might not be taken to mean that it had been dispatched by a shohet.[334] Rabbi Meir b. Baruch of Rothenburg (Germany, 1215-1293) concurred in Rashi's opinion. "One should not send through a gentile messenger slaughtered poultry bearing no identification mark. The incision made at the slaughtering does not serve to distinguish it as kosher."[335] The sages in the Talmud had ruled that a piece of unmarked meat was to be accepted as kosher where a Jew asserted that he could recognize it by its general appearance. Rabbi Meir b. Baruch of Rothenburg qualified this ruling with the decision that none but a scholar might be trusted to identify a piece of meat, upon the basis of his memory of the original.[336]

Rabbi Solomon b. Abraham Adret (Spain, 1235-1310) was called upon to judge the validity for identification purposes of a proper seal or the letters of the word "kosher" found on meat, but put there by unknown persons. The rabbi replied that such identification marks were acceptable, as it might be assumed that they were the work of Jews.[337]

Rabbi Moses b. Jacob Hagiz (Palestine, 1671-1750) was asked to pass upon the kashrut of a fowl that had dropped out of sight for a short time; because it was not identifiable by some clear mark he ruled it to be terefah. In this case a man had brought six fowls to a shohet to be killed. After they were dispatched the man started home with them, not noticing until he arrived at his house that he had dropped one on the way. Quickly he retraced his steps to recover his loss, and did find a slaughtered fowl at the entrance of the shohet's yard. The bird resembled the one he had dropped, though he acknowledged that he had no clear mental picture of the original. Rabbi Hagiz was asked whether the recovered fowl might be considered kosher.

The rabbi summarized the circumstances, to sustain the conclusion that the bird recovered by the questioner was the one that he had lost. One fowl was lost and one was found. The fowl was recovered at the entrance to the shohet's yard, whence the questioner had come. The recovered fowl exhibited the kosher indications of trachea and gullet being

properly cut. The shohet asserted that not one of the fowl he had killed that day had been rendered nebelah.

Against all these circumstances Rabbi Hagiz cited the principle expounded by Rab in the Talmud and accepted by Alfasi and Maimonides, "Meat once lost from view is forbidden." In consequence, wrote Rabbi Hagiz, since the claimant could neither identify the lost fowl by a clear mark nor recall it by a clear mental picture of it, he was obliged to declare it non-kosher. He acknowledged, however, that the "Pri Hadash," seventeenth century Sephardic commentator, might be cited to warrant a more lenient decision in this particular case.[338]

Problems of identification were created when Jews left unmarked meat with their gentile servants. Without a dissenting voice the authorities held that not even the most trustworthy gentile was to be relied upon to guard kosher meat from substitution.

Rabbi Solomon b. Abraham Adret (Spain, 1235-1310) was asked to rule upon a piece of unmarked and hence unidentifiable meat entrusted for a short time to a gentile servant. The meat had been purchased by a Jew in the market and handed over unmarked to his servant to carry home. The Jewish master had indiscreetly informed his man that he was in haste to depart from the city. The meat was brought home, and the question arose whether it was the same meat. When shown the meat later the Jew could not recognize it. He also acknowledged that he had no mental picture of the original piece.

Rabbi Adret stressed the importance of the notification of departure made by master to servant. That action, he held, had the effect of inviting the employee to tamper with the meat, and so had rendered the meat forbidden. The meat might be accepted as kosher, he ruled, only if it could be shown that the length of time elapsing between the servant's receipt of the meat and its delivery at the master's home was so short as to have made substitution impossible.[339]

Rabbi Isaac b. Sheshet Barfat (Algiers, 1326-1408) was asked to pass upon meat left in a somewhat similar situation. A man celebrating his son's wedding had had a calf slaugh-

tered and portions of it delivered to his friends through his gentile servant. The pieces of meat were not marked, the gentile servant was not accompanied by a Jewish overseer, and the question arose whether the recipients of the meat might accept it as kosher. Rabbi Barfat ruled the meat forbidden, saying, "Only in the following case may the meat be eaten—if it can be established that the calf from which the meat originated was the only calf slaughtered in the city that day."[340]

Rabbi Jacob Tennenbaum (Hungary, latter part of nineteenth century) reviewed the case of a shohet charged with a number of offenses, among them that he and his family had eaten unsealed meat which his gentile maid had brought from the meat shop.[341]

Jewish housewives would send their gentile maids to the shohet with poultry to be slaughtered and require the maids to bring back proof from the shohet that he had indeed dispatched their fowl. Slaughterers in some German towns furnished proof by stamping upon the head of each fowl thus delivered the word "kosher". The stamp was applied with a brass signet ring, one of which is now in the Museum of the Jewish Theological Seminary. This ring on display was used by a shohet in a village near Koenigsberg in the first half of the nineteenth century. At the present day, when the Jewish housewife in Bombay, India, sends a new gentile servant to the shohet to have fowl killed, on the first few occasions the slaughterer will send the servant back with a note written in Arabic.

The manner in which the plombe was utilized in identifying meat handled by gentiles was illustrated in the city of Bremen, Germany (prior to the rise of Hitler in 1933). The 1,300 Jews of that city were supplied with kosher meat by four shops, three of which were owned by gentiles. The meat would be slaughtered on Tuesday mornings, sealed as kosher, and delivered immediately to the shops. At a specified hour on Thursday mornings one of the shohetim would appear at each of the gentile shops, note the seals on the kosher meat, and sell of it to the Jewish customers. At the conclusion of the hour devoted to the sale the shohet would detach the

seals from all unsold meat and leave it with the proprietor as terefah. At all other times the three gentile stores conducted a regular terefah business.

Meat, to be regarded as kosher, had to be either sealed, or continuously watched by a Jew. The question was put to Rabbi David b. Solomon ibn Zimra (Egypt, 1479-1589), whether a young Jewish child was deemed competent to guard unmarked kosher meat. The issue arose in a city where it was the custom to send children on errands with slaughtered fowl, meat, and cooked foods. Some people contended that children were not to be relied upon to guard meat in the city streets. Rabbi Zimra replied that a normal child was capable of exercising the required guardianship. He wrote, "It may be assumed that should a gentile attempt by force to take away from a normal child the kosher meat in its care and substitute terefah meat, the child would scream, weep, resist, or subsequently tell its mother . . . . One is allowed to send a child to the shohet with a live fowl to be slaughtered, even if the child is obliged to pass through gentile streets on the way."[342]

During the past century or two in virtually every larger European kehillah the practice was adopted of placing an identification device upon kosher meat, even when such meat was intended to be handled exclusively by Jews.

The earliest reference to an ordinance calling for the compulsory marking of meat—without regard to the individuals who were to handle it—was furnished by Rabbi Joseph b. Leb (Turkey, sixteenth century). He told of a province, presumably in Turkey, where they placed a special symbol upon the shoulder of every carcass pronounced terefah.[343]

The first order calling for affixing a seal upon all meat pronounced kosher was given in Emden, Germany, in the second half of the eighteenth century. There, according to Rabbi Ezekiel Landau (Bohemia, 1713-1793), Rabbi Abraham Helma, rabbi of the city, required the shohetim to promise by handclasp not to pronounce a carcass kosher without affixing a seal as sign of kashrut. He exacted the promise "because the meat dealers were suspect in his eyes."[344]

The action of Rabbi Helma was not without grave consequence, for it had the effect of pronouncing unsealed kosher meat terefah when the law had always regarded such meat as kosher. Rabbi Landau was asked to rule whether a kehillah had the right to pronounce forbidden that which the law had held to be permitted. Rabbi Landau replied that an organized Jewish community had that right in the interest of religious observance.

The regulation, first adopted in Emden, requiring a plombe upon all kosher meat was in the course of a few decades enacted in practically every large kehillah in Europe.

The ruling was introduced into London at the beginning of the nineteenth century. The regulations of the Shehitah Board read, "The Shomerim shall seal all meat which is pronounced kosher by the shohetim."[345] In some cities a new functionary known as a plombirer appeared. His task was to affix seals to kosher meat. In Brussels (until the Nazi invasion) the orthodox community employed four shohetim, four mashgihim, and three plombirers.

As we survey the practices followed in the various communities in Western Europe today we note the use of different types of plombes or identification marks. In present day Liverpool the plombe is a leaden disc. A shomer, required to be present at every slaughtering, affixes it to the forequarters of the carcass. He places a spiral wire through certain parts of the carcass, inserts the two ends of the wire into holes in a leaden disc, and grips the disc with a sealing machine, on the die of which is the seal of the Liverpool Shehitah Board and the Hebrew letter indicating the day of the week. Liverpool Jewry employs nine shohetim to do the slaughtering and eight sealers to affix the seals.

In Johannesburg, South Africa, in compliance with the ruling of the Bet Din, the plombe gives the name of the shohet, the date of the killing, and the personal signatures of the members of the Bet Din. In Valletta, Malta, the required mark on the kosher meat is made with a rubber stamp and blue ink. Within its periphery the stamp reads "Behemah Kasherah" (kosher cattle). In its center appears the Hebrew letter indicating the day of the week.

The stamp used in The Hague until the invasion indicated the hour, 72 hours after the killing, at which time the meat would become terefah if unrinsed. The community rules read, "All meat sold must bear a tag upon which is stamped the day and hour at which the meat becomes terefah. This tag is sealed with a lead seal bearing on one side the name of the community in Hebrew and on the other the letters B. D. (evidently Bet Din). The date is stamped on the tag breadth-wise. After the meat is once rinsed, a second date (72 hours ahead) is then stamped on the tag, this time length-wise."[346] When the second date was reached the meat became forbidden automatically. No Jew was then permitted to eat of it unless it was first broiled over a flame of fire to draw forth the blood.

Practically all large European communities adopted the criss-cross as the sign for terefah meat. This was either cut into the carcass with a knife or marked with blue ink.

The past century witnessed the emergence in the larger cities of Europe of a new trade, the poultry business. Hithertofore the Jewish housewife had purchased a fowl alive, had it killed by the shohet, and taken it home to be plucked, singed, eviscerated, kashered (soaked and salted), and placed in the pot. Modern trade methods entered the field to supply the housewife with already slaughtered, eviscerated, and even kashered poultry. As Jewish authorities in the larger cities observed that the meat of fowl had become an article of butcher's merchandise like beef, they decreed extension of the already developed safeguard, the plombe. They ruled that all fowl killed by a shohet should have a plombe attached.

In the year 1883 the Jewish community of Vilna adopted a ruling declaring all poultry not bearing a plombe forbidden meat.[347]

The plombe took one of several forms among the many large kehillahs—the metal disc, the tag attached to some part of the anatomy, or the mark of a rubber stamp upon the flesh.

The metallic plombe was adopted in Amsterdam, Netherlands; Antwerp, Belgium; Auckland, New Zealand; Berlin,

Germany; Brussels, Belgium; Cologne, Germany; Free City of Danzig; Dublin, Eire; The Hague, Netherlands; Johannesburg, South Africa; Liverpool, England; St. Petersburg, Russia; Sydney, Australia; Vilna, Lithuania.

In Amsterdam the plombe consisted of a metal tag inserted through the foot of each slaughtered fowl and snapped closed. Upon the tag appeared the word "kosher" and the date of killing.

The facts concerning the Amsterdam plombe were confirmed by the Chief Rabbi Elazar Sarlouis who, under date of April 15, 1940, wrote to the author as follows, "All fowl slaughtered under our supervision have a sign of kashrut placed upon the leg, upon which sign is indicated the month, the day, and the hour the fowl was killed."

In Antwerp the plombe was a metal disc secured by cords attached to the leg of the slaughtered bird. In Berlin and in Cologne the plombe was secured about the throat.

In The Hague the plombe consisted of a tag. When fowl was sold eviscerated, the bird carried a second tag bearing the word "Opened." The second tag indicated that the fowl had been opened and eviscerated by persons designated by the rabbinate.[348]

In Johannesburg, the plombe consists of a ticket attached to a metal ring clamped around one foot of the slaughtered bird. The ticket gives the date of the killing, the name of the shohet, and the personal signatures of the members of the Bet Din.

In Liverpool the plombe is a leaden disc which bears the seal of the Shehitah board. It is attached by plain leaden wires inserted through the beak of the fowl.

The rubber stamp as a mark of kashrut was adopted in Alexandria, Egypt; Ashaffenburg, Germany; Budapest, Hungary; Cairo, Egypt; Helsinki, Finland; London, England; Nuremberg, Germany.

In Ashaffenburg and Nuremberg the shohetim marked the fowl with an adjustable date stamp.

In Budapest the shohetim followed arrangements which may best be stated by quoting from a letter to the author by Rabbi Hugo H. Klein, formerly of Budapest. "There is a

siman (sign of) kashrut on the fowl, not necessarily a (metal) plombe. This refers only to fowls slaughtered for resale. The individual who takes the fowl to the shohet needs nothing in the way of a siman kashrut."

The present arrangements in Cairo were set forth in a letter to the author by Hayyim Nahoum Effendi, Chief Rabbi of that city, as follows: "As regards the slaughtering of fowl here, it is our practice to assign streets to each shohet of fowl. Each shohet slaughters only in the streets assigned to him. He has an individual seal with which he seals upon every fowl he slaughters the word kosher and the date."

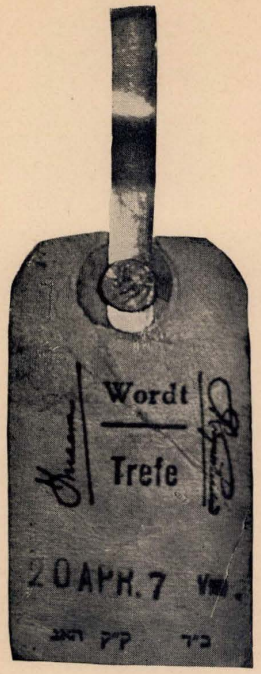
In Helsinki, as stated to the author by Dr. Simon Federbusch, Chief Rabbi of Finland, the shohet stamps upon the thigh of every fowl the word kosher and the date. This is the civil, not the Hebrew date. Thus, fowl slaughtered on the 27th day of Ellul in 1939 (which coincided with September 11) were marked 11/9. According to Dr. Federbusch, everywhere in Finland the Jewish housewives purchase their poultry already slaughtered.

The arrangements in present day London were explained in a letter to the author by Dr. Charles Duschinsky: "The kasher fowls are stamped with a rubber stamp on the fowl itself or on a paper attached to it, but no plombe or metal ring is used for identification purposes. I do not think, however, that every kasher fowl has to be stamped like that, and I believe it is assumed that the shomer at the kasher shop sees to it that no other fowls are sold in every shop, as all the shops are under the supervision of the Bet Din and the London Shehitah Board."

A new branch of the kosher poultry industry was developed when large cities began to receive ready slaughtered fowl from distant towns. Prague, Bratislava, Budapest, and Vienna consumed large quantities of poultry killed in the country and shipped into town. Jewish authorities in these cities required that each bird, so brought in, be marked for identification purposes.

Prague received shipments of kosher killed geese and chickens from Moravia and Slovakia. All fowl thus despatched had plombes attached. Budapest received slaugh-

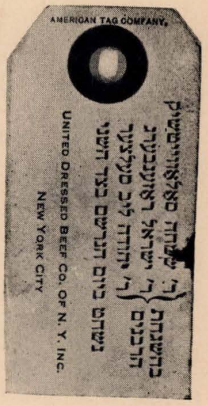
DEVICES USED TO IDENTIFY KOSHER MEAT AND POULTRY IN THE NETHERLANDS, AUSTRALIA, AND THE UNITED STATES



Tag affixed to kosher meat. Indicates both that it is kosher and also the day and hour at which the 72 hour period will elapse. Used in The Hague, Netherlands, prior to 1939



Leaden disc, or plombe, affixed to kosher poultry. Used in Sydney, Australia in 1940



Tag affixed to kosher meat in New York City. Twenty such tags are pinned to various parts of the forequarters of each carcass



Metal ring clasped around feet of kosher slaughtered fowl. Used in New York City since 1934

tered fowl from a number of approved points in Hungary, from the town of Derecske, among others. The birds were slaughtered at the places of origin and packed and sealed in special containers. On each was indicated the number of fowl contained. Upon arrival in Budapest each receptacle would be opened, the fowl counted, and a Budapest mark placed upon each bird.

Vienna likewise bought quantities of killed poultry from certain points in Hungary. Once each week prior to the day of killing, mashgihim employed by the Vienna Gemeinde would travel to each town where killing was scheduled, stay over to watch the slaughtering, and affix a Vienna plombe to each fowl they saw killed. The Vienna plombe, which was secured to the foot of the slaughtered bird, told both the day and the hour of killing.

The author addressed a letter to Dr. Michael Munk, who for more than ten years was the head of the Jewish Central Organization for the Defense of Shehitah in Germany, requesting a statement on the use of the plombe on fowl throughout Germany before the rise of Hitlerism. He received the following reply from Dr. Munk written from London, July 22, 1940: "The strict rule prevailing in all the communities, especially the orthodox ones, was that upon all slaughtered fowl, just like on all cattle, a plombe, seal, or ring had to be placed. This applied equally to the slaughtering at home until 1933 and to the imports from abroad later on."

The use of a plombe for fowl was adopted in all the large cities. It remained unknown in small towns as well as in the more pious corners of Eastern Europe and the Orient. Investigation by the author has revealed that the plombe was never made mandatory for fowl in Bombay, India; Holic, Czecho-Slovakia; Jerusalem, Palestine; Le Touquet, France; Mogador, Morocco; Slabodka, Lithuania; Smargon, Poland; Salonika, Greece; Valletta, Malta.

The author invited informed persons to comment upon the failure of these communities to require a plombe on properly slaughtered fowl. The answer from a venerable rabbi who had presided over a Jewish community in Bes-

sarabia before the Bolshevik Revolution and who preferred that he remain unnamed, was, "God forbid! Our shohetim and our butchers were pious men. A Jew was trusted. All that you had to know about meat was that a Jew handled it. They had no plombes on chickens, nor on meat. There were no mashgihim. Yes, we did have supervision,—of a perfunctory kind, because the Russian government ordered every rabbi to supervise the meat stores in connection with the collection of the meat tax. So the rabbis used to go through the motions of supervising the shops. But for the sake of kashrut, never!"

Mr. Benjamin I. Sargon, formerly of Bombay, explained that in that city identification marks were not required on fowl, because the customers followed the old practice of bringing their live fowl directly to the shohet for killing. The Rev. Dr. Isidore Fisch, who ministered in Le Touquet, France, gave the same reason for the failure of the Jews in that town to adopt the plombe for fowl.

Rabbi Bedrich Moeller, speaking for the town of Holic, Czecho-Slovakia, wrote, "A plombe wasn't necessary, because there was no market in the town. People came to the shohet to have their poultry slaughtered. When a gentile person brought the poultry, the shohet put a stamp on the bird."

Rabbi Meir Levi, in explanation of the usage in Slabodka, Lithuania, wrote, "They don't need a plombe because everybody himself brings his chicken to the slaughterhouse and brings it home himself when it is killed."

Nissim Ohayon, rabbi-shohet in Valletta, Malta, wrote, "Only very little fowl is slaughtered and generally at the home of the customers, so no metal ring is used."

Mr. N. Fred Nissim of Shanghai reported that in his city, when a live fowl is brought to the shohet by gentile servants, the shohet, before handing back the slain bird, stamps the word kosher upon it with indelible ink.

Repeated inquiries by the author confirmed the conclusion that throughout the Eastern Hemisphere the plombe or some other identification device was adopted in practically every city where slaughtered poultry was handled in the shops, as well as where slaughtered poultry was entrusted to a gentile.

UNUSUAL SCRUPULOUSNESS

We cannot capture the true spirit of Shehitah observance without noting types of compliance which took exaggerated forms. We refer to conduct stricter than the law and motivated by a piety greater than that of the rabbi. Reference to this behavior will tend to correct the false impression that long recitals of Shehitah transgressions may have left with the reader. When seen in perspective, violations of Shehitah laws by Jews represented the abnormal. So much space has been devoted to their telling only in order to reveal how alert the Jewish community was to uncover this brand of wrongdoing and how vigorously it prosecuted it. As we tell the stories of Jews who undertook to live by kashrut standards, not demanded by the law, we come closer to the spirit of the typical pious Jew.

Rabbi Jacob b. Samuel (Turkey, seventeenth century) was asked to comment upon the action of an over-religious man who refused to partake of the meat killed in his community because the shohet there was incapable of detecting as fine a nick on the blade as he was. The rabbi wrote, "There is a principle that, since the Torah was not given to angels, one need not attempt to do the impossible. If a shohet be God-fearing and prepares his knife properly, though another man be found whose touch is finer and who therefore can perceive a tinier nick upon the blade, the slaughtering of the shohet remains valid. There would be no end if we went about perpetually comparing the digital sensibilities of shohetim. Piety is not at all served by this man's abstaining from meat. It is certainly not served when an individual denies himself meat in general. Our Torah commanded us to eat meat, when it ordered every Israelite to partake of the pascal lamb. It authorized the delights of the Sabbaths and the festivals, which come only with the taste of meat."[349]

Rabbi Joseph Nazir b. Hayyim Moses ha-Levi (Egypt, 1650-1719) was invited to judge a saintly person who took it upon himself to abstain from the meat slaughtered in his city. He did so because rumors had come to his ears that

the local shohetim took their tasks lightly. The individual concerned had lived by a standard so high that he would not partake of food in any place outside his own home.

Rabbi Joseph Nazir replied that the step taken by this man was not to be commended. He declared: "We assume a shohet to be satisfactory as long as no evidence to the contrary has been produced. We accept a meat dealer as satisfactory as soon as he has positively established his standing as a man to be trusted in kashrut. Now, since the Bet Din has invested shohetim and meat vendors with their respective privileges, it is an affront to the Bet Din to presume to treat their meats as forbidden. It is to be taken for granted that if there was substance to the rumors circulated against the shohetim the Bet Din would have taken cognizance of them.

"If the excessively pious man, who is the subject of this inquiry, has any reason to doubt the correctness of the work of the shohetim, let him present his complaint against them to the Bet Din, and it will lend its ear. If, however, he refuses to do so and still insists upon abstaining from meat, let him abstain only in the privacy of his home, so that his conduct may not send rumors afloat and awaken controversy among the people. On Sabbaths, however, he may not refrain from meat. When invited to dine at another man's home he may decline, and none will suspect his reason for so doing. But at a wedding feast he may not refuse to eat meat, lest he offend the families of the groom and the bride. Likewise when in the company of great rabbis partaking of meat he may not refuse, for the man who presumes to assume special stringencies in the presence of more important personages deserves excommunication. As one of the famous scholars put it, 'Though a man be noted for his religiosity and all his works be for the sake of Heaven let him not undertake austerities which constitute affronts to the Bet Din'. Better that he eat meat in their company and not be overrighteous; for he who increases, decreases. It is enough for us to avoid the things which the Torah has forbidden. May the Blessed One in His mercy enable us to perform that."[350]

Rabbi Hayyim Joseph David Azulai (Palestine, 1724-1807) concurred in the opinion that a Jew has the right to

deny himself meat slaughtered by a shohet in whom he reposes no confidence, but that he may not give publicity to his action. Rabbi Azulai said, "A man who entertains doubts concerning a shohet may take upon himself the stringency of not eating the meat that shohet kills, and the shohet may not complain. I once met a famed individual who came as a visitor to a large city of many scholars and stayed on for several years. For some reason he was not given the opportunity to examine the shohetim of that community, and he abstained from eating meat all the years he sojourned there; but he did this without publicity. In my youth I once met a rabbi who would eat no meat except that of fowl, and before he had a fowl slaughtered he would have three men examine the slaughtering knife."[351]

6

Shehitah: A Community Asset

The Ban on Outside Slaughtering

Every measure adopted to improve the conduct of Shehitah meant an increase in the power and authority of the kehillah. The right granted the commonalty to appoint shohetim and approve meat dealers gave it monopolistic control over all kosher meat within its jurisdiction.

Organized communities were aware of this power and were not loath to employ it to restrain insubordinate members. An instance of such use was reported by Rabbi Jacob Weil (Germany, died before 1456). A number of Jews in the city of Neustadt (near Vienna) sought to separate themselves from the kehillah in order to avoid paying their share of the collective taxes imposed by the king. They emphasized their will to detach themselves from the Jewish corporation by taking their litigations to the gentile courts. The Neustadt kehillah passed a resolution against them which included this formula, "To those who transgress shall the benefits of Shehitah, praying with the congregation, and all other sacred services be denied, with the force of ban and excommunication." Rabbi Weil sanctioned the community action.[352]

Communal control over the supply of kosher meat was still short of absolute, because though each kehillah directed all the meat slaughtering and distributing agencies within its own jurisdiction it had done nothing to prevent its members from providing themselves with kosher meat from other jurisdictions. This flaw in air tight control was rectified when, beginning with the seventeenth century, many of the communities placed an embargo on outside slaughter-

ing, that is, on meat brought into the community from the outside.

A number of reasons moved kehillahs to institute this ban. Nickolsburg, Moravia, enforced an embargo on carcasses examined outside the city, because it doubted the trustworthiness of the shohetim in the neighboring villages. Those slaughterers, in contravention of the Jewish law, acted in the dual capacity of shohetim and meat dealers. They were therefore required by the Nickolsburg ordinance, when they brought meat into town, to bring it in as carcasses with the lungs attached. The Nickolsburg inspectors would then examine the lungs and rule upon the kashrut of the attached sides. Acting in compliance with the Nickolsburg law, the village shohetim would slaughter in their scattered towns, cut off the hind-quarters of the carcasses for gentile buyers, and bring into the city the fore-part with lungs attached.

Once one of these mistrusted village shohetim killed a sheep, declared it to be kosher, and sent it with his partner to Nickolsburg to have it approved by the kehillah inspector. The latter examined the carcass, observed that the lungs were connected by adhesions to the fat of the heart, and pronounced it terefah. The village shohet did not learn of the ruling of the Nickolsburg inspector until the end of the day, and by that time he had killed three other sheep and had sold them as kosher. The animals had been dispatched two or three hours apart but it could not be ascertained in which sequence.

Rabbi Menahem Mendel b. Abraham Krochmal (Moravia, 1600-1661), called upon to pass on the kashrut of the three sheep, declared them all terefah. He explained that had the sheep, examined by the Nickolsburg inspector, been the one killed first, at the instant of its slaughter the shohet had forfeited his standing as a shohet and all the animals killed subsequently were nebelah. Rabbi Krochmal wrote, "To be exact, this man never had the status of a shohet even before his first recorded misstep. He transgresssd by acting as both shohet and meat dealer. In addition there was the regulation of the Nickolsburg kehillah which implied that his examination was not to be trusted. Consequently, every-

thing he had killed in the past was without the name of kashrut."[353]

Some cities, like Lemberg in the nineteenth century, placed an embargo on outside meat because the age of such meat could not be determined. There was the fear that it might be 72 hours old and unrinsed, and no one would be aware of its status.

With this apprehension in mind the "seven good men of the city" of Lemberg, with the approval of their religious leader Rabbi Joseph Saul Nathanson (1808-1875), convened and decided that meat of large or small cattle slaughtered outside Lemberg should not be brought into the city. The ban was publicly proclaimed. Subsequently, four of the seven leaders assembled again and voted to extend the embargo to include poultry.

The ordinance encountered difficulty. In the words of Rabbi Nathanson, "Because of our many sins, many of the people transgressed. Some of them in their ignorance could not comprehend how it was possible for a piece of meat to be regarded as kosher in the town where it was slaughtered, and then to be pronounced terefah when brought into Lemberg. Other people transgressed deliberately when they found that outside meat was sold more cheaply and was also delivered to their homes."

The failure of the Lemberg directors to proclaim publicly that poultry was included in the ban caused confusion. A well meaning individual, unaware of the Lemberg embargo, had many geese slaughtered outside the city. Some he and his family ate, and others he distributed among the poor. When told about the ban he inquired of Rabbi Nathanson whether it might be annulled retroactively, so as to free him from the unwitting sin committed when he ate the geese.

Rabbi Nathanson declared that the ban was not revocable so long as it represented the act of the kehillah and was adopted to fulfil a meritorious religious purpose, besides having the merit of giving the local shohetim and meat dealers the Lemberg meat business. The rabbi said that it might not be argued against the embargo that it raised the

price of meat for the poor, because it was clear that the kehillah directors realized this when they voted the embargo.[354]

Many kehillahs instituted the ban on outside meat for the bald purpose of preventing anyone from evading the kehillah tax levied on locally slaughtered meat.

Rabbi Solomon Kluger (Poland, 1783-1869), referring to the embargo on outside meat adopted in one town, averred, "The purpose of the regulation is to protect the income of the pacht."[355]

This was the reason for the adoption of the ban and its unpopular reception in the town of Trenchin, Hungary, in the year 1831. The kehillah council had voted a tax upon every pound of meat slaughtered locally, with the provision that the tax be farmed out to a number of collectors. When a number of the people evaded payment by buying their meat secretly from neighboring villages, the kehillah council, acting in contravention of the views of their religious leader Rabbi Ber, proclaimed a synagogue ban against all meat killed non-locally. When announcement of the ban was made, a number of individuals jumped to their feet to register their protest. Most of the people, however, did not trouble themselves to speak up in the synagogue but subsequently violated the ban anyway.

Rabbi Ber's problem in the situation was singular. It had long been his personal practice to partake only of such meat as had come from carcasses in which the lungs were found to be absolutely clear of adhesions or lumps. He would go down to the slaughterhouse himself, pass among the carcasses, and select one from which alone he would take meat for himself and his family. When the people in Trenchin proceeded to buy their kosher meat elsewhere, the slaughtering in Trenchin was much reduced, and Rabbi Ber could not find a sufficient number of carcasses in the abattoir from which to make his choice. He did not want to violate a kehillah ordinance, no matter how ill-advised, without first consulting a greater authority. He therefore wrote to Rabbi Moses Schreiber (Hungary, 1763-1839), asking if he might be permitted under the circumstances to buy his meat from out of town.

Rabbi Schreiber not only informed his questioner (Rabbi Ber) that he had the right to purchase meat outside of Trenchin, but that the adoption of the ban itself was irregular. He pointed out that the ban, which was given the force of religious law, had been inaugurated without approval of the rabbi. The action had therefore been taken by council members who were appointed from year to year, against the judgment of the rabbi who was a permanent official. The ordinance would have been regarded as improper, therefore, even if a majority of the householders had approved it.[356]

The Trenchin case should not lead us to believe that the ban on outside meat was a measure disapproved of generally by rabbi or layman. The fact was the contrary. The embargo was commonly found in kehillah regulations. As a point of fact Rabbi Schreiber, who himself had rendered the decision against the ban in the Trenchin case, as rabbi in the town of Mattesdorf in the province of Burgenland had instituted the embargo on outside slaughtering for every kehillah in the province. The embargo was adopted also in Bratislava (Pressburg) when Rabbi Schreiber came subsequently to minister there. The regulation in both the Burgenland province and Bratislava remained in force until Hitler annexed both places. When the vast majority of the kehillahs adopted the rule proscribing outside meat the concentration of Shehitah control became complete. Within the orbit of the kehillah's monopolistic control came the shohetim, the meat dealers, and the purchasing public.

About the year 1910 there was a general shortage of cattle for kosher slaughtering in London. The proposal was made that kosher beef be imported from Denmark, Holland, and the Argentine. The London Bet Din refused to accept imported meat as kosher unless it was slaughtered by shohetim sent from London. Shohetim were thereupon sent to Copenhagen and to Argentina to prepare meat for the London market. The Argentinian beef was cut up into pieces not exceeding eight pounds in weight, kashered (soaked and salted), chilled, and shipped to England, where it was sold mainly to restaurants. The Jewish butchers in London preferred to handle locally slaughtered meat at high prices

rather than foreign meat at lower prices, and the importation was discontinued. Since the Dutch Jewish authorities objected to the London shohetim slaughtering within their jurisdiction even for London's needs, the London community did not import any meat from the Netherlands.[357]

The Jewish authorities in Mannheim, Germany, were equally scrupulous about Shehitah jurisdiction. In 1923 some of the meat vendors in Mannheim had animals killed by shohetim attached to another kehillah. The Mannheim Synagogue Council instructed its own shohetim not to render any service to the delinquent meat vendors. The written order containing these instructions, sent to Hermann Epstein, one of the Mannheim shohetim, read as follows:

"Because the meat dealers Bernhard Hirsch, Ludwig Mannheimer, Josef Reinmann, Leopold Levy, Benno Baum, Rudolf Hirsch, and Adolph Schott have, in spite of our requests, not had all their meat requirements slaughtered through our agency, we prohibit you to slaughter for them."

The step taken by the Synagogue Council had its effect, for subsequent dispatches to Hermann Epstein indicated that some of the offending meat dealers had submitted to the demands of the Council. The next written order read:

"The meat dealers Rudolf Hirsch and Benno Baum have agreed in the presence of Rabbi Dr. Oppenheim on the 14th of the month that they would in the future have all their cattle slaughtered by our agency. Because of this assurance you may again slaughter for these meat dealers."

A later order to Hermann Epstein apprised him that the meat vendor Josef Reinmann had also appeared before Dr. Oppenheim and had made the same promise.

The Mannheim Kehillah honored the control of other kehillahs in their Shehitah affairs. When in the year 1925 Hermann Epstein rendered service to a meat dealer whose place of business was within another rabbinical jurisdiction he was instructed not to slaughter for that meat dealer again. The written order sent him said:

"We hereby order that you shall no longer slaughter for the Christian meat dealer of Schifferstadt, for whom you once slaughtered an animal; because the sale of meat in

Schifferstadt is not under control of this rabbinate, but under control of the rabbinate of Durkheim."[358]

The Shehitah ordinances of Wurttemberg, adopted July 20, 1903, read, "The shohet, who is appointed by the gemeinde, is a subaltern of the gemeinde. He is permitted to perform slaughtering only for butchers approved by the authorities of his gemeinde.

"In the event a shohet does not abide by the rule to slaughter only within the district authorized for him, the district rabbi has the right to declare the meat of his slaughtering terefah."[359]

THE SHEHITAH TAX

GABELA

As the kehillahs tightened their control over the slaughtering and distribution of kosher meat within their jurisdictions they came to recognize in kosher meat a ready and convenient source of revenue. Eventually Jewish communities all over the world levied fees upon slaughtering services, using the revenues to pay the salaries of shohetim, inspectors, and rabbis, as well as to underwrite educational, charitable, and other communal endeavors.

There were a number of reasons why the tax on kosher meat became a favorite device for raising kehillah funds. The levy had these merits: it was invisible, easily borne, logical, readily enforced, and to the extent that a consumer's tax might be so, equitable.

The Shehitah tax was invisible, since it was absorbed in the price of meat. It was easily borne, since it might be met with small payments (the householder purchasing meat twice a week, for example, contributed his annual share in about 100 small payments). It was a logical levy, for the man who purchased kosher meat thereby demonstrated his adherence to Jewish religious law and was reasonably expected to donate to a fund expended mainly for religious purposes. It was easily enforced, for it was collected by the shohet (who as a salaried employee of the kehillah was

certain to cooperate) at the time of slaughtering. It was equitable to a degree, because the rich who ate more meat paid more tax, while the poor who ate less paid less tax.

It has not been established when the Shehitah tax was first levied. An impost on slaughtering may have been in operation in Babylonia in the tenth century, when that country was under Islamic rule. An unexplained statement made by the contemporary historian Nathan ha-Babli reads, "The dayan (judge) receives from the tabahim (shohet-meat dealers) one zuz weekly. Also the Exilarch receives, with the consent of the civil government, twenty zehubim from the same source annually."[360] It is not clear why the tabahim were required to pay the Jewish officials the indicated sums. The payments may have represented Shehitah revenues, or simply license fees for the privilege of operating their businesses.

The earliest unmistakable reference to a Shehitah tax comes from twelfth century Castile. We read that in Castile a levy was placed upon Jewish slaughtering to provide funds for the maintenance of teachers and students of the Torah. A resolution adopted at Valladolid in the year 1142 reads:

"The first of our decisions and the beginning of our takkanot (regulations) has for its object the maintenance of the students of our Torah. For it is upon the Torah that the world is founded, as the sages say: On three things the world stands, on the Torah, on divine service, and on kindly acts. Whereas we have seen that the hands of the students of the Torah are slackened in most places, and that they obtain their livelihood only with extreme pain, and that for this reason the pupils are becoming constantly fewer, and even the children of the primary school are idle in many places, because their parents cannot afford to pay the salary of those who might teach them the Torah, and the Torah would almost have been forgotten in Israel because of these reasons, and in order to 'bring back the crown to its ancient glory' and that there may be found scholars in Israel and that the students may increase in the communities; therefore do we ordain that each of the communities of the whole kingdom of Castile shall be obliged to establish and pro-

vide a voluntary fund for Talmud Torah (teaching of the Torah) in the following manner. For every head of big cattle which is slaughtered as kosher among them and for them, they should pay for Talmud Torah five maravedis; for every calf or heifer which weighs one hundred pounds, which is equivalent to twenty-five arreldes, they should pay for Talmud Torah two maravedis; and for each head of small cattle, a wether, a sheep, a he-goat, or a she-goat, they should pay one maravedi. For each small goat or sheep weighing less than four arreldes they should pay for Talmud Torah one coronado. If it weighs four arreldes or more, they should pay five pence."[361]

We hear of the Shehitah tax a century later in Spain, and find that it was transferred by the Spanish Jews to their new homes when they went as exiles to Algiers, Italy, Turkey, Palestine, and Syria.[362] Throughout most the Sephardic world, the Shehitax tax was known as gabela (Spanish word for "tax").

We note that one of the administrative features of the kehillahs established by the Spanish exiles in Algiers after the year 1391 was the "sisas" levy, the tax on meat and wine. This, as in Spain, was farmed out to one or more individuals upon the payment of a lump sum.[363]

In the fifteenth century in Malta, and evidently in Sicily as well, the Jewish communities were maintained by poll taxes and levies on meat and wine.[364]

The Shehitah tax flourished in Palestine in the sixteenth century. In one Palestinian community in that period there was a devoted scholar who had incurred great financial losses through bearing the civic burdens. He labored in this fashion until his situation became acute, and he was faced with the necessity of selling his books and the houses in which he and his sons dwelt, in order to meet his debts. At this point the leaders and honored men of the community convened and voted that the man be assisted with a specified sum of money to be taken out of the meat revenues. They instructed the collector of the meat tax to pay it out in six or seven monthly payments.

A month later, because of some kehillah issue, a rift occurred between the beneficiary and some of the directors. The directors, some of whom had placed their signatures upon the grant of assistance, then ordered the collector of the gabela to desist from further payment. Rabbi Moses of Trani (Palestine, 1505-1585) was asked to pass upon the question, whether the kehillah had the power to withdraw the promise of assistance it had made. In his opinion the rabbi said that the undertaking of a kehillah, whether entered into by all its members or by their representatives, was irrevocable. The words of such a promise, he said, were to be regarded as "put into writing and delivered." This held true even in the present instance, where the monies voted were not yet in existence, as they were to come only with the daily collections of the meat tax.[365]

The gabela obtained in the seventeenth century in Turkey. Rabbi Meir b. Abraham Boton was asked to pass judgment upon meat vendors who were charged with evading the Shehitah tax. The accused men would kill animals in non-Shehitah fashion and sell the meat to gentiles. Rabbi Meir, who held them blamable, wrote as follows, "No Jew may traffic in nebelah or terefah except in such case where the forbidden meat comes undesignedly to his hand. (As, for example, where a meat dealer has an animal killed with the hope that it will be pronounced kosher and it is found to be terefah.) Such meat he may sell to gentiles, but not at a price to bring him a profit. Furthermore, no Jew may lead a gentile purchaser to believe that he is receiving kosher meat when he is actually getting terefah. Let the transgressors be warned. Should they persist in their evil way, let their property be confiscated by the Bet Din and let them be excommunicated."[366]

We have a record of the Shehitah tax lease as it operated in Turkey in the eighteenth century. A shohet, referred to as Reuben, had passed terefah for kosher on no less than five occasions. When the Bet Din was apprised of the offenses it resolved to reexamine all the shohetim of the city. Thereupon Reuben induced another shohet, referred to as Simeon, to join him in resisting the Bet Din and to take an

oath not to slaughter for the community. The Bet Din suspended both men for a term of two years, and a marked diminution in slaughtering resulted. When the holders of the gabela lease observed the fall in their revenues they petitioned the Bet Din to reinstate the shohetim. Two scholars who were consulted advised the local court that it might reinstate Simeon.

Rabbi Meir b. Shem Tob Melamed was appealed to, and upset the opinion of the two scholars. He agreed that Reuben was disqualified and might be rehabilitated as a shohet only upon the performance of extraordinary penance. But he held that Simeon also was unfit. He reached this conclusion even though it was shown that Simeon had passed terefah for kosher only once, for he observed that Simeon labored under terms of "money temptation" (receiving pay for slaughtering only when the carcass was pronounced kosher) and applied the accepted principle that where a shohet works under terms of money temptation the commission of the first offense renders him unfit.[367]

The gabela was collected in Italy. We have a record of the tax which was levied upon the slaughtering of fowl in Rome at the beginning of the nineteenth century. The record consists of two tokens in the collection of Jewish medals and tokens owned by Samuel Friedenberg of New York City. They have been identified as tokens that householders in Rome would give to the shohet when they brought fowl to be killed. On one of these pieces, the obverse face reads "B. 3" (three baiocchi) "l'shehitat of gadol" (in Hebrew characters, for the slaughtering of a large fowl) "follo grande" (large fowl). The reverse side reads "Tav, Tav" (Hebrew initials of "Talmud Torah"; Religious school). The other token is smaller in size and reads correspondingly —"B. 1½, l'shehitat of koton" (for the slaughtering of a small fowl) "follo piccolo" (small fowl), "Tav, Tav". We can date the tokens only approximately. "Baiocchi" (represented by the letter B on the tokens) is the plural of "biacco," which was the papal centime, 1/100 of the scudo in value. The biacco was used in the Papal States beginning with the year 1547. It was struck for the last time in 1849. The



From the Samuel Friedenberg Collection of Jewish Medals and Tokens

ITALIAN SHEHITAH TOKENS

Used in the Papal States in the early part of the nineteenth century. Each person who brought a fowl to the shohet for slaughtering was required to present a token. The money raised from the sale of the tokens went to the religious school

tokens prove, therefore, that in Rome a tax was levied on the slaughtering of fowl for the benefit of Jewish education for some time after 1547 and possibly as late as 1849 if not later. The Shehitah tokens in the Friendenberg collection are in good condition and are evidently less than 150 years old.

The gabela was in operation in Syria. In the latter part of the nineteenth century a Shehitah tax was inaugurated in the city of Aleppo under leadership of the rabbi. Shortly thereafter some of the leaders of the kehillah sought to undermine it. They induced one of the shohetim to slaughter cattle for them on the premises of a gentile, where they were able to omit payment of the gabela fee. The rabbi attempted to close off this avenue of tax evasion by exacting an oath from all shohetim not to slaughter outside the usual places. The shohetim did not keep their word, and the gabela was broken in Aleppo.[368]

In Palestine the Shehitah tax was formally sanctioned by the Ottoman authorities down to the beginning of the twentieth century. When Rabbi Elijah Moses Panigel was inaugurated as Chief Rabbi of the Sephardic community in Jerusalem in 1907, the firman (decree) issued by the Turkish government, investing him with the powers of his office, read, "All Jews are under obligation to pay the annual governmental taxes, as well as the taxes for the charity fund and the gabela taxes."[369]

The Shehitah tax is to be found in almost all Sephardic countries at the present day. In Istanbul, Turkey, a gabela is levied on both meat and cheese.[370] In Yemen the hide and fat of every carcass slain by the shohetim is taken by the kehillah. In Bagdad, Iraq, one of the chief sources of communal revenue is the gabela. Collected at the rate of 10 fils on every kilogram of kosher meat, this tax yields approximately $750,000 a year.[371]

The gabela is collected in Greece. In the city of Salonika in the year 1938-9 approximately 335,500 drachmas was realized from the Shehitah tax, the monies going into the kehillah treasury to be expended for general, that is for both religious and secular, purposes.

The Shehitah tax is collected in Egypt. In Alexandria it yields a large revenue which is used for Jewish charitable and communal purposes. In Cairo, where the levy is one "grush" on each "ookah" of meat, the receipts are used to pay the salaries of shohetim, mashgihim, and shomerim.

The gabela is met with in Gibraltar, where the 150 Jewish families pay a penny (2¢) tax on every pound of beef. Fowl are tax free.

The gabela has been discontinued in isolated instances in Sephardic kehillahs. Yannina, Greece, gave up collection of its Shehitah tax in 1905. Kastoria, Greece, did likewise about a century ago, when that Jewish community fell heir to a large bequest made by an exceedingly wealthy member. The shehitah tax is unknown at present in the Italian kehillahs. The communities of Florence and Perugia not only do not secure a revenue from Shehitah, but lose money on it to the extent that they subsidize kosher meat to sell at the price of terefah.

HAKDISH

The Shehitah tax in present day Morocco is known as the hakdish (Hebrew word for "that which is dedicated to a sacred purpose").[372]

In the city of Mogador (where Jews constitute 4,000 persons out of a general population of 10,000) the hakdish rate is 1½ francs per kilo of beef. Fowl are tax free. A paid representative of the Consistoire (organized Jewish community) stands in the Jewish section of the slaughterhouse and superintends the weighing of beef for tax purposes. Approximately 180,000 francs are collected yearly by means of the tax. The Mogador municipal authorities enforce a general maximum price on meat, but allow Jewish meat dealers to charge a bit more, so as to enable them to pay the hakdish. The Shehitah tax receipts are used to pay the rabbis and shohetim and to assist the many poor of the city.

The hakdish is collected also in the cities of Fez and Casablanca.

KOROBKA

The Shehitah tax in Poland and Russia was known as the korobka (Russian word for "box"). The term came to suggest the kosher meat tax, because the person who came to pay the fee to the shohet was required to deposit it in a special "korobka," or "box."

The Shehitah tax was not instituted in Poland until the middle of the seventeenth century. At that time the collective levies of the Polish government on the Jewish people had been greatly increased; and the Jewish communities, sorely pressed to meet these levies, inaugurated taxes on articles of consumption, the great korobka on meat and the small korobka on milk, bread, honey, and brandy. At first the tax was small. In the year 1651, for example, the slaughtering impost on a head of cattle was ten groschen. By 1774 the charge was as high as thirty-one zlotys on an ox, two zlotys on a calf, ten groschen on a goose, and three groschen on a chicken. Lissa, incidentally, taxed dowries, the sale of houses, the ritual bath, and legacies—besides slaughtering.[373]

In the year 1753 the Jews of the town of Drobitsch paid korobka on no less than seventy-one items.[374]

Some Jewish settlements were located on lands belonging to individual noblemen. These kehillahs paid taxes not to the king but to the gentry. In this case too the korobka on meat was used to provide money for payments to the landlord. Ber of Bolechow, Polish Jewish diarist, wrote in 1767, "Our community had to pay to the treasury of the landlord eighty ducats yearly out of the revenue of the gabelle, or slaughter tax."[375]

Exactly when the Shehitah tax was introduced into Berlin is not known, but we do find it a flourishing institution in 1723. In that year the Berlin kehillah leased the meat tax collection to a Herr Man for 550 Reichthalers per annum, with the stipulation that each purchaser of meat be charged one pfennig per pound and that out of the proceeds Man pay the costs of slaughtering and tax collection. Two

years later the lease was taken by a Herr Hirschel Joseph, who paid 800 Reichthalers a year for it. When the second lease expired in 1728 the community itself undertook to collect the meat tax.

The new order was necessitated by the fact that in 1728 the Prussian government had increased the taxes levied upon the Jews; it required the 179 Jewish rate-payers in Berlin to meet total levies of 3,543 Reichthalers. The kehillah responded by ordering each of its members to contribute ten Reichthalers as a direct sum and to pay the remainder of his share through the meat excise. The kehillah directors set the tax on beef at four pfennings per pound (in 1734 this was raised to five pfennigs) and doubled the previous charge on the meat of fowl, goats, and lambs. They provided that an exact accounting be kept of the amounts paid by each householder. A man who consumed less meat and so paid less in meat taxes was required to make up his quota at the end of each quarter by a direct payment; the man who ate an excessive amount of meat and thus contributed more than his share through the meat excise was given credit at the end of the quarter. Only at the year end was such credit not allowed.

The sale of meat and the bookkeeping were conducted in the Community Meat Hall, in the courtyard of the synagogue. There stood two officials. One received the meat from the dealers, weighed it, saw it sold, and saw to it that the tax went to the cashier. The other took care of the books and kept track of the cashier's receipts. There was a ledger with a page for each member of the kehillah, on the credit side of which was recorded the pounds of meat he had taken in the week past, and on the debit side the quantity he was expected to purchase. At the end of the quarter the cashier recorded the difference, in which case the householder was either taxed for unbought meat, or given credit for extra money he had paid through the meat tax.

No member was permitted to purchase meat for another. The penalty for breaking this rule was a fine of ten Reichthalers, half to go to the poor fund and half to the king. Meat bought by one man for another was declared religiously

forbidden. (This regulation was instituted to prevent speculation.)

Meat purchased from outside Berlin was also taxed. It had to be brought to the Community Meat Hall to be weighed and its tax calculated. Meat bought for a restaurant was also subject to the impost, though the proprietor might not make a claim for a reduction of his personal direct tax on the basis of the monies he had contributed in such meat tax payments.

The Prussian Edict of 1812 abolished the special taxes levied on the Jews, and the only financial obligations left for the kehillah were to pay the officials, maintain the synagogue and other institutions, and to provide for the reduction of debts. Still the kehillah maintained the meat excise at its previous high level. As was to be expected, the advantageous combination of low expenditures and high tax revenues began to make the kehillah rich. In 1816 the communal budget called for only 9,873 Reichthalers, while its income was 19,659 Reichthalers. Of this income fully 12,409 Reichthalers came by way of the meat impost. In fact, in that year 3,297 Reichthalers had to be credited to householders for overpayments. The enormous surplus was used to reduce old kehillah debts. In 1818 the Royal Prussian Government made an inquiry into the operation of the meat excise among Berlin Jews. An official report rendered to Oberpräsidenten von Heydebreck contained the following comment: "The meat excise is by no means an additional indirect tax levied for the benefit of the Jewish community, but a method to enable the individual member to pay his taxes to the Government. It has these advantages: it lightens the burden of the taxpayer, by enabling him to pay in small amounts; it enables the cashier to have ready money; it enables the community to supervise the meat dealers by having all meats received, weighed, and distributed to the meat dealers through one of its own officials."

With the spread of Reform Judaism, under the influence of which many Berliners ceased eating kosher meat, the revenues declined. In 1847 the kehillah ruled that its mem-

bers should in the future meet their assessments by direct payments instead of through the kosher meat tax.

In that year it resorted once more to the leasing of the meat tax, as it had prior to 1728. The sale of meat in the Meat Hall was undertaken by two vendors on their own account. They paid the kehillah for the kosher monopoly and for use of the hall—2½ pfennigs for every pound of meat and 1 sgr. for every pound of fat, and 2½ Thaler weekly for porging money. The income derived by the kehillah through this arrangement, however, failed to cover the salaries of the shohetim and the Meat Hall officials. In fact, in the year 1853 the kehillah was obliged to contribute 737 Thaler to cover the deficit incurred in operation of the meat tax lease. In 1856 that lease was given up, the Meat Hall was torn down and the sale of kosher meat thrown open to free competition.

The tax on the slaughtering of fowl was not abolished. It continued in operation down to the year 1933, though its yield on the basis of ten pfennigs per bird, was small.[376]

The Shehitah tax was inaugurated in Hamburg by the Portuguese congregation in the eighteenth century. The Portuguese yielded their control to the German synagogue in later years, with the understanding that they receive one-fourth of the total proceeds. In 1856 by agreement the share of the Portuguese was reduced to one-eighth.[377]

Until the year 1933 the Adath Jeshurun Gemeinde (Orthodox Community) in Cologne as well as the Community of Bremen derived a profit from their management of Shehitah. In Bremen, where slaughtering was conducted also to provide kosher meat for transatlantic liners, the Shehitah revenues were large, enough to cover three-fourths of the salaries of two communal functionaries, each of whom served as a shohet-cantor-teacher.

In most German cities in recent years, however, the management of Shehitah brought little or no profit to the kehillahs. In cities such as Frankfort-on-the-Main and Munich Shehitah was conducted at a loss. In those places there was the kosher meat subsidy; gemeinde funds would be allotted to meat shops to enable them to provide kosher

meat at prevailing terefah prices. The purpose of the measure was to assist and encourage those who desired to eat kosher meat.

The Shehitah tax was adopted in Austria at about the same time as in Poland, in the second half of the seventeenth century. The kehillah of Vienna imposed a tax, known as the meat-penny, in the year 1668.[378] That impost was collected down to the time Austria was annexed by Hitler. While it was large enough in 1850 to help defray some of the gemeinde expenses, in later years it covered only the costs of kashrut supervision.

Other Austrian cities in recent years did report profits from their management of Shehitah. Wiener-Neustadt, capital of Lower Austria, a community of 2,000 Jews, raised 10,000 shillings toward its budget of 35,000 shillings from kosher meat rates. The charge for slaughtering was ten shillings for a head of large cattle, five shillings for a head of small cattle, one shilling for a goose, and fifteen groschen for a chicken. Wiener-Neustadt could realize large sums from Shehitah taxes because its shohetim did a great deal of slaughtering for nearby Vienna. Baden-near-Vienna, a summer resort, with a permanent Jewish population of about 300 families, also had a Shehitah tax. Prior to 1931 the kehillah raised enough money each year from this source to cover the cost of Shehitah operations and to leave a profit of approximately 10,000 shillings. A Shehitah tax was also collected in Klagenfurt.

Merano, an Austrian city which after the World War was transferred to Italy, collected a Shehitah tax until 1938. Located in the South Tyrol, Merano was a winter resort with 500 permanent Jewish families and serving approximately 6,000 guests every winter. It was organized as an Italian Jewish community, and was probably the only kehillah in Fascist Italy which collected a Shehitah tax. That levy covered 12,000-15,000 lire in a communal budget of 80,000-100,000 lire. The slaughtering charges were 40 lire for an ox, 20 lire for a calf, and 1.80 lire for a fowl.

In three stages of Poland's partition between 1772 and 1795, Polish Jewry was divided among Prussia, Austria, and Russia. In each part of the sundered country Jewish communities continued to raise funds from tolls on meat.

In the Province of Posen, seized by Prussia, we hear of the operation of the Shehitah tax in Kurnick, Schwersenz, and Santomischel. There is a report of a meeting of the heads and other notables of the Kurnick Kehillah, at which a new rabbi was elected and at which it was unanimously agreed that the rabbi's salary be paid out of the Shehitah chest at the rate of fifteen Reichthaler per week; that provision be made similarly for the support of his sons and daughters; and that a dowry of 200 Reichthaler be given to each of his daughters at marriage. It was also agreed that upon the death of the rabbi, his widow should receive a pension of three Reichthaler weekly as long as she lived in the community. The kehillah obligated itself also to maintain for the rabbi no less than eight scholars. To cover these disbursements the officials agreed to supplement the fund of the Shehitah chest, each one in accordance with his means, and to pay the added assessments annually on the first day of the month of Nisan. In the community of Schwersenz the Shehitah fund at one time was used to repay a loan of one thousand gulden, which the rabbi had extended to the kehillah.[379]

The portion of Poland annexed by Austria was the province of Galicia. There the Shehitah tax assumed great importance, to become the concern of the kehillahs, the pacht men, and the Austrian government.

Most kehillahs in Galicia would farm out the kosher meat excise to professional tax gatherers for a lump sum, generally to the individual who put in the highest bid. The man awarded the pacht, or Shehitah tax lease, was expected to make a down payment before being allowed to collect.

We read of a man who was awarded the pacht in a Galician community, and who was not in a position to make the required down payment. He had accepted the express understanding that he was not to begin to collect taxes until he

had deposited the sum of 310 crowns in the kehillah treasury. To make certain that the money would be forthcoming, the kehillah officers had made the shohetim promise in writing not to slaughter until the excise man had produced the stipulated sum. When the tax farmer failed to make payment on time, the shohetim were distressed at the realization that they would be forced to remain idle. They were therefore quite willing to colloborate with the pacht man in the following transaction. They lent him 310 crowns, receiving as security government receipts covering 341 crowns. The excise farmer paid the 310 crowns to the kehillah trustee, fulfilling his obligation. The trustee then gave the 310 crowns to the shohetim, receiving in turn the government receipts. By this device, the pacht man paid in receipts instead of in currency, and the shohetim were enabled to go about their business of slaughtering. The local rabbi lent his approval to the transaction, but when some people criticized it the matter was placed before Rabbi Joseph Saul Nathanson (Poland, 1808-1875) for judgment. Rabbi Nathanson declared that the transaction was improper, that the shohetim had no right to take up their work until the stipulated 310 crowns had been delivered in currency. He explained, however, that the shohetim had not been rendered disqualified by their improper act, because they had returned to their work with the consent of their rabbi, even though that consent was ill-advised.[380]

The pacht system presupposed that the kehillah would cooperate to stamp out tax evasion. Pacht holders would ask community directors to pass ordinances designed to insure them absolute control over the slaughtering and sale of meat within the leased jurisdiction. Revenue farmers insisted for one thing that there be a communal ban against meat killed outside of the community. They also demanded that kehillah shohetim be ordered not to render any slaughtering service to any meat dealer or private individual except upon receipt of a ticket from the pacht men. Rabbi Nathanson told of a kehillah where the two shohetim were obliged solemnly to undertake, with grasping of hands and the penalty of excommunication for violation, that they

would not slaughter for any person unless he produced a ticket issued by the tax farmer.[381] Rabbi Solomon Kluger (Poland, 1783-1869) reported the case of a shohet, Abraham by name, who had been disqualified because of violating the ban proclaimed in his town not to slaughter in surrounding villages without consent of the local rabbi and holders of the pacht. Later the Bet Din of Tarnapol wrote that the pacht man had given permission to all shohetim to slaughter in the villages. The disqualified shohet then gave voice to the hope that the new ruling had restored him to his former status. Rabbi Kluger disillusioned him, apprising him that the pacht was without power to restore any man as shohet.[382] Rabbi Kluger told of one town in which the excise men had been given the privilege to have all the slaughtering done on their premises, evidently to enable them to keep better watch on Shehitah operations.[383]

The pacht man was interested primarily in the steady flow of his tax receipts. When, as sometimes happened, the ecclesiastical authorities suspended offending meat dealers or shohetim, to the stoppage or diminution of the sale of meat and the consequent payment of Shehitah taxes, the excise man would use his influence to have the suspended dealers or shohetim reinstated.

This was illustrated in the case of a meat vendor who had sold terefah for kosher in the town of Bilagrod, and had then repeated the transgression in the town of Linsk. When this was brought to light the Bet Din forbade the offender to continue selling meat. When the guilty meat vendor failed to fulfill a penance assigned to him the Bet Din kept his shop closed. The other meat dealers of the town, incensed at the disciplinary action, together resolved not to sell any meat. When the pacht men saw that closing all the meat stores would result in a loss of revenue to themselves they made haste to propose a solution. Their suggestion was that the suspended butcher be allowed to reopen his shop, but that the sale of kosher meat in the place be conducted by a mashgiah (overseer); that the meat dealer provide the money for the purchase of the animals; and that he be allowed to sell only terefah and that only to gentiles. Some of the towns-

folk protested against the reinstatement of the guilty meat dealer under any conditions.

Rabbi Nathanson conceded that the suggestion of the pacht holders was not without merit. He wrote, "The plan is allowable under the following terms: that the mashgiah stand in the shop day and night as long as it is open, that he keep the sole key to the establishment in his possession, and that he place his own seals upon the meat; that it be announced that none might purchase meat except when the mashgiah stands by; and that the mashgiah chosen for this assignment be a man of established piety. Two objections have been advanced against the plan. The first is that the proposal makes the meat dealer a purveyor of terefah meat; that objection is groundless. The meat dealer is to sell only such terefah meat as comes undesignedly into his possession, namely, the meat of animals which he hopes will prove kosher but which is pronounced terefah. The second objection is that the plan does not mete out sufficient punishment. That too is without foundation. In truth no penalty is severer than this, that the guilty meat dealer must bear the cost of maintaining the mashgiah stationed in his shop, and in addition endure the ignominy of having it announced that none may purchase meat in his store except through the overseer."[384]

Pacht men in their anxiety to preserve the flow of their revenues would sometimes go so far as to influence the selection of shohetim. A case in point was recorded by Rabbi Solomon Kluger. In a certain town the post of shohet was vacant. One faction in the kehillah advanced its candidate, whom the other side stoutly opposed. When the matter came before the local judges even they were at loggerheads. The excise farmers, sensing that their collections would suffer while the shohet's position remained unfilled, suggested to the partisans of the candidate that they give him slaughtering work to do surreptitiously. This they did, and when the candidate's opponents learned that he was already at work, their opposition melted away. The new shohet remained permanently.[385]

The pacht man occasionally thwarted the rabbi in his efforts to enforce kashrut, but more often and to a greater

extent he was a factor making for order and kashrut. Motivated by his desire to collect the full measure of taxes, he was always on the alert to ferret and stamp out any clandestine, unsupervised slaughtering. The usefulness of the excise man in this respect was brought out when the pacht system was abolished in Lemberg. At the time the civil authorities had been collecting a tax on the slaughtering of cattle. As all Jewish slaughtering had been taking place in the butcheries operated by the pacht holders, the government agents had been accustomed to repair to those places to take up the revenues. When the pacht was discontinued the meat dealers, in order to evade the government tax, had their slaughtering done in undisclosed places. The result was that it could no longer be supervised by the religious authorities. Rabbi Nathanson characterized the state of affairs thus: "The meat dealers who commit theft by evading the government excise cause great stumbling. Slaughtering is now done in secret without the knowledge of the rabbi. Who knows who slaughters—and when—and where!"[386]

While most Galician kehillahs farmed out the Shehitah tax some employed simpler fiscal arrangements. Rabbi Nathanson referred to one Jewish community which received its revenue from Shehitah in the form of a stated sum contributed by the shohetim from their earnings.[387]

The Shehitah tax, which proved to be a boon to Jewish kehillah life everywhere, was unhappily abused in Galicia under Austrian rule. As soon as Austria annexed the province it saw in the tax a source of funds for implementing its own Jewish policies. Regulations under the heading of "Kosher Meat Tax Control" were introduced by Emperor Joseph II. That ruler wanted the Shehitah revenues to be used in part to maintain the schools for German and elementary subjects, which by his decree were to be established in all Jewish communities.

As the Austrian government misappropriated the Shehitah revenues, the kosher meat tax rate was raised from time to time, until by the year 1816 kosher meat sold at double the market price.

In the following fifteen years many Jews, especially adherents of the Hasidic group, resisted the high meat taxes by cursing and excommunicating the Jewish tax farmers and by proclaiming bans against the consumption of meat. Some Jews abstained from meat even on Sabbaths and holidays. Other Jews abstained for the simpler reason that they could not afford the high prices.[388]

Problems and conflicts notwithstanding, the Shehitah tax was the financial backbone of the kehillahs as long as Galicia was under Austrian rule. This may be illustrated in the typical small town of Galigura, a Jewish community of 300 souls. During the years 1910 to 1914 Galigura enjoyed the services of a rabbi, a shammas (beadle), and two shohetim, and the use of a ritual bath and a steam bath. All these were paid for from the Shehitah tax.

When Russia annexed the major portion of Poland it came into possession of a long established Jewry, with traditions and institutions of self-government and a system of fund raising represented by the korobka.

The Shehitah tax had been introduced into Poland at first to enable the kehillahs to meet the heavy collective taxes imposed by the Polish government. (Similarly, the kehillah of Minsk in 1797 inaugurated the korobka to enable it to meet the taxes of the Russian government.) But in virtually all communities a considerable part of the korobka proceeds, with the passage of decades, came to be used also for Jewish communal purposes.

From the beginning the Russian government cast covetous eyes upon the korobka revenues and took steps to appropriate them all to itself. In 1809 the Russian Senate ruled that income from the korobka (which the Minister of Justice then established at six Polish groschen on every pound of meat) should be used only to pay off old kehillah debts. In 1826 a ukase was issued that the tax should be expended only for the reduction of old kehillah debts and to discharge the unpaid poll taxes of indigent, deceased, and missing Jews, and the unpaid taxes of Jews generally. The effect of this decree was to leave the kehillahs nothing from their

own korobka taxes. The item, "The unpaid taxes of missing Jews," represented a heavy drain upon the kehillah budgets, for the missing Jews in many cases were those who had removed themselves from the smaller towns to larger cities and of whose permanent departure the authorities refused to take account. The ukase also provided that the korobka in each community be placed under control of the governor. Already in 1823 the korobka in Volhynia had been put under governmental direction.

The Jews adopted measures to defeat the government's effort to seize the korobka funds. In the government of Moghilef no Jew would take the meat tax lease, and for three years the korobka remained uncollected. Finally in 1829 the Moghilef authorities appealed to the National Council to allow Jewish communities moderate sums from their korobka to be used for religious functions, and that such functions be supervised. The Moghilef Jewish boycott of the korobka made the Russian authorities realize that the korobka might not be misappropriated at will. From that time on the government always allowed part of the korobka proceeds for specifically Jewish needs.

After 1829 the Russian government sought to establish a uniform base as well as a uniform rate for the korobka. At that time the korobka showed the widest variations. The tax in many localities fell upon items besides meat, such as salt, wood, cereals, hay, candles, baths, and—terefah meat. In Grodno the korobka was collected from items imported and sold by Jews, on rents, and on billiard rooms. On veal in Grodno there were as many as six taxes. The tax rate on meat varied from place to place. For a pound of meat the rate in Konotop was 1½ kopeks, in Gouvernement Chernigov 2 kopeks, and in Negin 3½ kopeks. The levy on a goose was in Konotop 6 kopeks, in Borzna 7 kopeks, in Chernigov 11 kopeks, in Sosnitsa 12 kopeks, and in Mglin 20 kopeks.

The Law of 1835 provided that Russian officials should handle the korobka revenues, that they should auction off the tax leases, receive the stipulated payments from the tax farmers, and disburse these sums. All tax lease contracts were to be signed in the Russian administrative buildings.

The permanent policy of the Russian government in the matter of the korobka was crystallized in the ukase of Czar Nicholas I, entitled "Regulation Concerning the Korobka Tax" and issued on December 19, 1844. That mandate provided for a general korobka to be levied on (1) the slaughtering of cattle and fowl and (2) on the sale of kosher meat by the pound. The korobka on beef was therefore to be collected twice, first at the time of slaughtering and again at the time the beef was bought by the consumer. The ukase provided also for an additional korobka to be levied on Sabbath candles, on distinctively Jewish garments (yarmulkes and kaftans), on bequests, and on monies paid as rents for ships. Exempted from the payment of korobka taxes were Christians, and Jewish soldiers and university graduates.[389] The tax farmer was given the support of the police in his work, the right to exclude meat slaughtered outside his jurisdiction, and the right to demand the names of all the shohetim employed in his territory. Disbursement of the korobka proceeds was left in the hands of the Russian governors (in accordance with the Law of 1835), who were instructed to apply the revenues, first to cover the fiscal arrears of the Jews, then to support the official promotion of agriculture among Jews, and lastly to assist local Jewish communal institutions.[390] The Russian officials were instructed to fix the allocations to the kehillahs once every four years, upon the basis of budgets submitted by the kehillah leaders.

In the hands of the Russian governors the korobka revenues in many instances were badly misappropriated.[391] Under the heading of monies given for Jewish communal needs sums were diverted for outrageously improper purposes. In Vilna, for example, funds in this category were allowed for the increase of the size of the fire brigade; in Moghilef, for a secular high school; in Ekaterinoslav, for the cure of Jews in the municipal (non-Jewish) hospital; in Kishinev, to the extent of 35,000 rubles, for the building of a gymnasium (secular school for classical subjects); in Brest-Litovsk for the construction of a boulevard, and in the amount of 35,000 for a hospital for Christians; in Odessa

in the amount of 20,000 rubles for additional salaries to the police; in Belaya Tserkov 20,000 rubles for paving streets; in Bratslav 3,000 rubles for a school for Russian (Christian) primary school teachers; and in the government of Volhynia to the extent of 84,000 rubles to cope with a cholera epidemic. The misuse of korobka funds by Russian administrators is indicated in the following statement of expenditures, covering the municipality of Boguslav, Government of Kiev, in the year 1908.

Provincial expenses	797	rubles	66	kopeks
Subvention to city administration	100	"	62	"
For maintenance of the police	844	"		
Fire Department	900	"		
Street lighting	300	"		
Street cleaning	100	"		
Vaccination for poor children	20	"		
Medical service for the poor	100	"		
Village synagogue	30	"		
Hospital	1,400	"		
Talmud Torah	1,100	"		
Registration book	16	"	22	"
Cash on hand	9	"	50	"
	5,718	"		

The misappropriation of korobka revenues was the subject of an address on one occasion by Deputy Friedman in the Duma. The deputy cited the following as some of the expenditures made by authorities of the Province of Volhynia in the years 1906 to 1910.

To maintain the rabbinate	742	rubles	40	kopeks
To pay Jewish government expert for the province	300	"	25	"
To pay Jewish government expert for the local governor	300	"		
To pay 15 government rabbis	3,600	"		
Subvention to police for Jewish matters	13,000	"		

Subvention to governor's administrative council	2,500	rubles
Subvention to governor's personal council	2,000	"
Secretary's expense	180	"
Printing books for tax on candles	130	"
Printing blank forms for korobka	1,000	"

In 1891 it was suggested, though never acted upon, that money from the Shehitah excise be used to accelerate the emigration of Jews from the country. In the city of Kiev from 1891 to 1894, 14,550 rubles were appropriated annually from korobka proceeds to engage extra police to raid unprivileged Jews residing illegally in the city. The expenditure for this extra "police work" appeared also in later budgets.[392]

There were other abuses of the korobka besides that of governmental misuse of the proceeds. In some cases tax farmers would bribe police officials to permit them to collect more than the legal rates. An instance of this was reported in the following excerpt from the "Jewish Chronicle" of February 13, 1891: "The tax is farmed out, and the contractor is allowed to make a profit on it. In the town of Berditshev the legal tax on the Jews for the slaughter of animals and birds amounts to 5,500 pounds a year, while in reality they pay, in consequence of an illegal conspiracy between the tax farmers and the police authorities, 27,500 pounds a year."

Other cases of abuse involved tax farmers and dishonest kehillah leaders, who would work hand in hand to raise tax rates and pocket the extra income. These malefactors were denounced by the literary genius, Solomon J. Abramowitch. Writing under the pseudonym Mendele the Book-Seller, he published in 1867 his "Die Taxe oder die Band Stadt-Baale-Tobot" (the Meat Tax, or the Gang of Community Benefactors). The book treated the abuses of the korobka as solely the work of tax gatherers working in cahoots with grafting kehillah leaders. One searches in vain for a single reference to the Russian government. Written in simple

language and style, the book was read avidly by the Russian Jewish masses and stamped Abramowitch as one of the foremost Yiddish writers of his time. "Die Taxe" helped to awaken the hatred of the masses against their wealthy and respectable communal leaders, a feeling that accounts in great measure for that anomalous creature, the Jewish communist of a half century later.

While, as has been amply illustrated, the korobka in many instances was diverted to improper uses, in general it proved a sound and beneficial institution. Without it maintenance of ecclesiastical and eleemosynary functions in many centers would have been impossible.

The value of the korobka was demonstrated when the Jewry of Berditshev on November 11, 1862 dedicated its new Jewish hospital in the former palace of Prince Radzivil. The indigent sick were transferred that day from a wooden tumble-down house to buildings with marble walled rooms and large enough to accommodate 100 patients. We are told that the 110,000 silver rubles used to purchase the palace were realized from the korobka collections of twenty years, levied at the rate of one half a kopek on every pound of meat.[393]

In Kherson in the year 1881, 31,000 rubles were received from meat revenues. Of this sum 3,800 rubles were allocated to the two large synagogues and an equal sum to the ten small prayer houses. A fixed proportion of the korobka was given for the support of the Jewish hospital.[394]

In 1898 the korobka in Yekaterinoslav yielded 74,000 rubles. Of this sum the Russian authorities allowed 43,067 rubles for the hospital, maternity home, dispensary, free loan association, lodging house, and the clerk's mutual aid society.[395]

The korobka of Kishinev in 1900 brought in 58,526 rubles. From this sum 35,000 rubles were allocated for the maintenance of the Jewish hospital and dispensary, and 10,000 rubles for the support of the Talmud Torah.[396]

In the year 1890 the Kiev Russian authorities granted, out of the 89,000 rubles they received from the korobka—31,000 rubles to the Jewish hospital, 4,000 for the Jewish cem-

etery, 3,000 for the education of orphans, 2,000 for the government rabbi, and 1,000 rubles for the small prayer houses.[397]

In 1907 the Kovno korobka yielded 33,000 rubles. Of this sum, the Russian authorities allocated 11,800 rubles to the Jewish hospital, 3,300 to the poor house, 2,000 to the Talmud Torah, 3,900 to the two primary schools, 800 to four private schools for girls, 50 to the night school for girls, 1,200 for additional salary for teachers, 100 to the orphan asylum, 1,000 for Passover necessities for the poor, 600 to the liberal synagogue, 900 for the government rabbi, 600 for the registration of births, marriages, and deaths, 500 for the municipal administration of the korobka, and 7,000 rubles for the rabbis.[398]

The korobka of Odessa in one of its late years yielded 300,000 rubles. (The rate had been raised from 2 to 2½ kopeks a pound because the returns had been showing decreases.) Sums were distributed as follows: 3,600 rubles to the Mayor's Council, 95,000 to the Jewish hospital (10% of the patients of which were Christian), 29,000 to the orphan asylum, 4,300 to the maternity hospital (for Jews and Christians), 1,500 to the kindergartens and infant homes, 2,500 for assistance to the poor, 6,600 for fuel and Passover necessities, 3,400 for the soup kitchens, 15,000 to the poorhouse, 800 for summer camps for boys, and 800 for summer camps for girls.[399]

Where Russian officials were niggardly with Jewish institutions the kehillah had two ways in which to secure more generous allotments of korobka monies. It might threaten the authorities with a boycott of meat and a consequent drying up of all meat revenues. It might on the other hand ignore the Russian authorities and deal directly with the tax farmers. In the latter case it would ask the excise man to deposit stipulated sums from his collections into the kehillah treasury or else find the Jews within his territory abstaining from meat, or taking their meat from other places. Some kehillahs, and this was common among the smaller ones, would bid for the taxing leases themselves, holding these in the names of their rabbis and sub-leasing them to professional tax farmers, or collecting the taxes themselves.

How a kehillah might obtain korobka funds by dealing directly with the tax farmer was illustrated in the case of the city of Warsaw. After 1770 only privileged Jews were permitted to reside in that city. To enable these Jews to have kosher meat the civil authorities allowed them one shohet and one Jewish restaurant. The shohet and restaurateur were required to lease the privilege of operating in Warsaw from the municipal government; and the leases were awarded to the highest bidders. The first man to hold the shohet's lease paid 600 gulders annually to the Warsaw municipality. With time the Jewish population of Warsaw increased until the shohet's lease brought the city government as much as 10,000 gulders per year. At about that time a combination of Christian butchers in partnership with a Jew, Simeon ben Henoh, offered 18,000 gulders at one bidding and obtained the Jewish slaughtering privilege. They were required to charge no more than eight gulders for slaughtering an ox. (The value of an ox was then between 20 and 25 gulders.) Eventually that combination of lease holders employed ten shohetim in Warsaw. The Jewish restaurant in Warsaw grew into a number of restaurants and showed comparable profits.

The Jews in Warsaw were increasingly dissatisfied with this arrangement, by which their kosher meat was taxed for the sole benefit of the municipality and non-Jewish leaseholders. In the year 1806 a Jew, Shmelke Aaron Wagner, approached the Warsaw Kehillah with the proposal that he take the lease and from its proceeds pay a stated sum into the kehillah treasury,—if the kehillah gave him a monopoly of the kosher meat trade by adopting a ban on outside slaughtering. The kehillah agreed. Wagner outbid the combination of Christian butchers, and thereafter the Warsaw Kehillah received an income from the Shehitah excise. A year later the exceptional occurred when the tax lease was taken up by the philanthropist Reb Berka, who donated all his profits to the kehillah.[400]

With the close of the World War in 1918 Russian Jewry under Bolshevism lost its religious character. Jewish life

continued virile, however, in the lands detached from Russia—the newly constituted Poland and Lithuania, as well as Czecho-Slovakia, Hungary, and Romania. In each of the new countries the Shehitah tax was a feature of community life.

In the post-bellum Polish Republic, Article 3d of the "Laws of the Jewish Communities" provided that the production and distribution of kosher meat was a function solely of the Jewish community, that the shohet should receive his wages from the community as one of its religious functionaries, and that the butchers were to be private tradesmen but under supervision of the community. Provision was made for a tax on kosher meat, the proceeds to go in their entirety to the Jewish communities. The tax rate in each province was to be regulated by the governor but ratified by the central government. A maximum fee of eight zlotys for the slaughtering of a large head of cattle was set by the central authorities. To spare the non-Jewish portion of the population from contributing indirectly to the Jewish communities through slaughtering fees, it was provided that terefeh meat sold by Jews to non-Jews was to be offered 30% to 40% cheaper than the prevailing market price of similar cuts of kosher meat. The system of tax farming conspicuous in Austrian Galicia and in Czarist Russia was not revived in the new Poland.

From the official reports rendered by the Polish kehillahs to their government we note the amount collected by them in Shehitah taxes, the purposes the revenues served, and the substantial benefits derived from these taxes by the Jewish communities in Poland.[401]

We find that in 1926 all the kehillahs (with the exception of Warsaw, which did not include Shehitah operations in its budget) in Congress (former Russian) Poland received a total of 6,014,766 zlotys in the form of Shehitah fees. In that year they expended 2,932,692 zlotys on Shehitah operations, making a profit of 3,082,074 zlotys. From non-Shehitah sources the kehillahs derived 5,612,105 zlotys. Because of the Shehitah tax, therefore, the kehillahs were enabled to spend on non-Shehitah services—instead of 5,612,105

zlotys—the sum of 8,694,179 zlotys. In other words, because of the Shehitah tax the kehillahs in Poland were enabled to increase their expenditures on non-Shehitah services by 54%.

The benefits of the Shehitah tax, while enjoyed by communities of all sizes, accrued most to those in the middle group. Settlements of from 3,000 to 5,000 Jewish population were enabled to double their appropriations for non-Shehitah services because of the tax. This is shown in the following table.

Communities with Jewish populations	Shehitah fees	Expenditure on Shehitah operations	Profit from Shehitah	Kehillah receipts from other sources	Extent by which non-Shehitah services were increased because of Shehitah tax
Up to 500 persons..	165,023	93,565	71,458	144,899	49%
500 to 1,000.....	531,126	270,980	260,146	374,095	69%
1,000 to 3,000.....	1,700,255	886,999	813,256	964,614	84%
3,000 to 5,000.....	1,335,098	601,215	733,883	719,049	102%
5,000 to 10,000....	1,214,727	577,076	637,651	793,416	80%
above 10,000	1,068,535	502,855	565,680	2,616,034	21%
City of Warsaw	.....	.....	.....	1,782,774	0%
Totals	6,014,766	2,932,692	3,082,074	5,612,105	54%

Translated into terms of communal functions benefited, we find that because of the Shehitah tax the Polish kehillahs were enabled to spend:

824,273 extra zlotys for rabbis
264,527 " " " synagogues
199,947 " " " cemeteries
249,050 " " " public schools
177,970 " " " private schools
438,293 " " " charities
227,122 " " " medical care
192,284 " " " baths
13,496 " " " subventions for Palestine
513,422 " " " administration

The Shehitah tax, where it was known as the gabela, was a feature of kehillah life in Hungary. Rabbi Moses Schreiber reported the tax in operation in a Hungarian town in 1831.[402] In Polata, near Budapest, in 1898 the kehillah prof-

ited from kosher meat by having the local meat dealer contribute to the rabbi's upkeep, by providing him with three pounds of meat or its equivalent daily. When Rabbi Michael Duschinsky assumed the duties of rabbi at Polata in 1898 his salary grant stipulated that he receive the three pounds of meat or its equivalent each day. Sajoszentpeter, near Mieskolic, a community of 120 Jewish families, had both an income and a Shehitah tax. When in 1935 some of the householders had difficulty in meeting their income tax payments, the kehillah allowed them to pay their rates through the kosher meat excise. In the town of Derecske the Shehitah tax accounted for 10,000 out of the 18,000 penga received by the kehillah yearly. The Shehitah fees in force in that town prior to 1938 were 30 filler per kilo for cattle, 80 filler for a goose, and 40 filler for a chicken. The kehillah of Derecske, a Jewry of 150 persons, maintained from its gabela revenues a rabbi, dayan, shohet-cantor, shohet-beadle, and a ritual bath.

The place and importance of the Shehitah tax in Hungary down to the time of the anti-Shehitah regulations of 1938 were stated in a letter to the author by Rabbi Hugo H. Klein, formerly of Budapest, as follows: "The entire function of the Hungarian Jewish kehillahs was sustained from revenues derived from kosher meat and Shehitah, known as the gabela. The exact figure is not known to me. You may be safe in stating that all institutions, employees of the kehillah, charitable and otherwise, are kept going on such funds."

Lithuanian kehillahs too leaned heavily upon Shehitah revenues. According to Rabbi Meir Levi, who studied in the talmudical schools at both Slobodka and Telsh, virtually all the communities derived substantial profits from their Shehitah operations. In the larger towns the income was used for varied communal purposes, while in the smaller settlements the Shehitah fees were divided equally between rabbi and shohet.

Shehitah in Czecho-Slovakia presented an uneven picture. In Bohemia in the western part of the republic it did not occupy an important place in Jewish communal affairs. Prague Jewry derived no profit from its kosher meat, while

communities like Pilsen and Eger had no local Jewish slaughtering at all. Czech Jews as a whole were too far removed from traditional Judaism to make the institution of a gabela possible. The eastern sections of Czecho-Slovakia, on the other hand, followed the typical East European pattern. Holic, like the overwhelming majority of Moravian and Slovakian communities, had a flourishing gabela.

The kehillahs in Romania also leaned heavily on the gabela. As stated by D. M. Hermalin, referring to the period about 1900, "The administration of Jewish communal affairs in Romania differs very little from that in southern Russia; and it has remained in almost the same state from time immemorial. There is the gabela (meat tax) from which the rabbis and synagogues are supported, as well as the Jewish hospitals, Hebrew free schools, etc."[403]

Jews emigrating from the old centers in Eastern Europe and establishing themselves in new lands would in some instances reinstitute the Shehitah tax in their new communities.

Jews coming mainly from Galicia established two kehillahs in Antwerp, Belgium, and inaugurated a tax upon Shehitah in each. This tax, the rate of which was 175 Belgian francs for the slaughtering of a head of cattle, provided the Antwerp Jewish communities with the major part of their income. Immigrants from Poland constituted the bulk of the Jewish settlement of Brussels. There a Shehitah tax was also put into force. Collected at the rate of 125 francs for the slaughtering of a head of cattle, 50 francs for the slaughtering of a calf, ¾ to 1 franc for the slaughtering of a fowl, the Shehitah tax in Brussels was also the chief source of revenue for the two Jewish kehillahs in that city.

On the other hand, East European Jews who made their homes in Johannesburg, South Africa; Auckland, New Zealand; Sydney, Australia; Shanghai, China; and Nairobi, Kenya were not able to establish Shehitah as a revenue producing communal enterprise in their new homes. Dr. I. Porush, Chief Minister of the Great Synagogue at Sydney, wrote to the author, "The Great Synagogue (which appoints

and pays the shohetim) not only derives no profit from Shehitah, but has to balance a deficit of several hundred pounds yearly." The situation at Nairobi was thus set forth for the author by Mr. E. A. Ruben, a former president of the synagogue there: "Here we are most slack in observing kashrut, and the irony of this whole position is that the elderly Jews, born in Eastern Europe, are just as slack and will not bother to keep a kosher kitchen, and certainly begrudge even a nominal extra amount to be added to the cost of kosher meat."

East European Jews, who make up the bulk of Jewry in England, Scotland, and Eire, conduct revenue producing Shehitah administrations in London, Liverpool, Manchester, Glasgow, and Dublin. The Shehitah Board in each of the five cities collects the fees from the wholesale butchers, and from these funds pays shohetim and overseers, and donates to Jewish educational and charitable causes.

The London Shehitah Board in the second half of 1890 collected 3,687 pounds in Shehitah fees. Expenditures totaled 3,442 pounds, of which 2,691 pounds went for salaries and superannuation. Out of the 400 pounds surplus accumulated at the year end 300 pounds were appropriated to the United Synagogue and 100 pounds to the Spanish and Portuguese Synagogue. [404]

In the second half of 1936 the excess of income over expenditure was 1,617 pounds, while in the corresponding period in 1937 the figure was 1,026 pounds.[405]

At the present time the London Shehitah Board collects about 50,000 pounds in fees, which represents a drop from preceding years. The monies are used to pay the shohetim and other employees of the Board. 1,000 pounds are allocated to the Bet Din for rabbinical supervision and 1,100 pounds for district supervision. The remainder is divided, three-fifths going to the United Synagogue, one-fifth to the Spanish and Portuguese Synagogue, and the remaining fifth to the Federation of Synagogues—for educational purposes. Ten pounds a year is paid to the Western Synagogue, Alfred Place, for similar purposes. The slaughtering fees charged

by the Board are: for large animals, one pound per head; for sheep, 3/6 each; for fowl, 1½ d. each.

The Liverpool Shehitah Board collects slaughtering fees from the wholesale meat dealers. From these it pays the shohetim. From fees for the killing of poultry it sets aside three-eighths for distribution among local Jewish educational and charitable institutions.

The year 1928 showed a surplus of 951 pounds. The Board voted that 200 pounds be placed in the Depreciation Account and that 500 pounds be distributed among local institutions.[406]

The year 1929 produced a revenue of 6,434 pounds, expenditures of 5,799 pounds, and a surplus of 886 pounds. The Board at the end of that year voted that 500 pounds be distributed among the following organizations:[407]

Jewish Board of Guardians	50	pounds	
Talmud Torah School	75	"	
Liverpool Yeshivah	60	"	
Charity Funerals Board	50	"	
Somekh Noflim	40	"	
Lehem Aniyim	40	"	
Gemilut Hasadim	40	"	
Hebrew Provident Society	30	"	
Jewish Temporary Shelter	30	"	
Hebrew Schools	30	"	
Ladies Bikur Holim Society	26	"	5 s.
Hakhnasat Kallah	10	"	10 s.
Transmigrants Aid Committee	15	"	
Jewish Children's Soup Kitchen	5	"	5 s.
Hebrew Ladies Benevolent Institution	4	"	10 s.
Jewish Children's Holiday Fund	4	"	4 s.
Society for the Protection of Girls and Women	4	"	4 s.
Hebrew Children's Clothing Fund	4	"	4 s.
Florhilda Sewing Guild	3	"	5 s.
Aid Work Society	3	"	3 s.

In 1939 the Shehitah Board inaugurated a tax on meat to raise funds to assist the victims of Hitlerism. The "Jewish Chronicle" of February 17, 1939 reported, "The Liverpool Shehitah Board voted to levy one half-penny per pound on meat for the benefit of the funds of the local Refugee Committee. Estimated that 1,000 pounds per annum would be raised. Butchers objected but agreed to give it a month's trial."

The scope of operation of the Manchester Shehitah Board was indicated in an annual statement, reported in the "Jewish Chronicle" of May 20, 1938. This showed that in the year 1937-8 over 1,000 pounds had been granted to various causes, that the income was 800 pounds less than in the previous year, and that the deficit for the year was 480 pounds 13 shillings. The meeting that heard the report authorized the executive to increase the Shehitah charges to meat and poultry dealers.

At a meeting held about a month later the Manchester Shehitah Board voted an additional 250 pounds to be given to the Refugee Fund, besides a special grant of 40 pounds to the Home for Aged and Needy Jews, an institution which had taken in a number of refugees as inmates.[408]

The Glasgow Shehitah Board was established in 1929. The treasurer's report for the year 1937 listed as:[409]

Income	3,452	pounds
Wages & Salaries	2,539	"
Donations to various local charities.	145	"

The treasurer's report for 1938 showed an income of 3,480 pounds and expenditure of 3,262 pounds. The statement indicated that in its nine years of existence the Glasgow Shehitah Board had distributed approximately 650 pounds among Jewish causes in the city.[410]

The Shehitah Board of Dublin levies charges upon Shehitah, and from the receipts maintains shohetim, overseers, and the rabbinate, and contributes from the surplus to the Dublin Hebrew School.

7

The Sale of Meat to Gentiles

Kosher meat would be extremely costly were it not for the existence of a side traffic, the sale of nebelah and terefah meat to non-Jews.

Much of the meat of the live animals led to the Jewish butchery to be converted into kosher beef proves to be forbidden to Jews. The amount of nebelah (imperfectly slain) is negligible, since most shohetim are highly skilled in their tasks, but the quantity that proves to be terefah is considerable. In older cattle at least one in every four carcasses exhibits one of the listed lesions that make it terefah.

Happily the Jewish meat dealer need not throw away the nebelah or terefah he finds in his possession, for the Jewish law allows him to sell it to gentiles. This privilege has one restriction. The Jewish meat dealer may offer for sale only that forbidden meat which comes into his hand undesignedly, that is, of carcasses which he had hoped would be found kosher but which the shohet has ruled to be terefah.

The question was put to Rabbi Jacob b. Samuel (Turkey, seventeenth century) whether a Jew who had terefah meat in his possession might dispose of it to a second Jew, to sell it in turn to gentiles. The reply was that he might not, except in special circumstances, because the transaction would make the second Jew a dealer in terefah. The responsum read: "The first Jew is permitted to sell the terefah meat to a coreligionist, only if he (the first Jew) is not a meat dealer and would feel embarrassed to vend the meat himself in the market. Also on condition that the second

Jew does not realize a profit from the transaction, for the chief objection to having Jews sell terefah meat to one another is that of having Jews profiting from forbidden things."[411]

It was asked of Rabbi Samuel Ehrenfeld (Hungary, second half of the nineteenth century) whether it was allowable for a Jew to purchase terefah meat from a Jewish market, cook it, and sell the prepared product to non-Jews. The local rabbi had been disposed to approve the business, on the ground that one Jew may under specified circumstances buy terefah meat from another to vend it to gentiles. Rabbi Ehrenfeld forbade the business on the principle that the process of cooking added something to the forbidden article, and though a Jew might sell terefah meat he was not allowed to add to its preparation.[412]

There is a report of a Jewish meat dealer who placed a gentile employee in his shop to sell terefah meat for him. When he observed that the gentiles preferred to purchase their meats in the same shops where they bought their swine's flesh, he though of adding pork to his wares. Rabbi Jacob Tennenbaum (Hungary, second half of the nineteenth century) was asked to pass upon the proposal and forbade it. He wrote, "Technically, if the Jew stayed away from the shop, so that he would not touch or even see the swine's flesh, and would not receive the money from the customers, but would take it from his non-Jewish employee at the end of the day, the plan might possibly be allowed, on the principle that his part in the business would not mislead Jews into eating forbidden meat. Still, it is shocking to think of pig meat being sold, even by a gentile, in a Jewish shop. Such business is forbidden."[413]

In the course of the centuries the sale of nebelah and terefah to gentiles was supplemented in many localities by the sale of the unporged hind parts of cattle. It appears that up to the sixteenth century Jewish meat dealers themselves performed the tedious chore of removing the intertwined forbidden veins and fat from the hindquarters. Jewish authorities of the time expressed their satisfaction with the manner in which the porging of meats was conducted.

Rabbi Joseph Karo (Palestine, 1488-1575) wrote, "The tabahim are trustworthy in their removal of the sinew of the thigh."[414] His opinion was echoed by Rabbi Moses Isserles (Poland, 1520-1572): "Most men engaged in porging are expert."[415]

Beginning with this period, however, Jews proceeded to sell the hind sections to the gentiles outright, unporged. Some of the rabbis had begun to doubt the skill or the scrupulousness of the meat dealers in their performance of the operation. Rabbi David b. Solomon ibn Zimra (Egypt 1479-1589) wrote that it was the usage in his country for the meat vendors to section the carcasses in the abattoirs and to leave the hind parts there for Mohammedan dealers. He declared furthermore that this was a practice to be commended, "because few persons are capable of porging correctly."[416] Rabbi Mendel b. Abraham Krochmal (Moravia, 1600-1661) reported that the shohetim in the villages around Nickolsburg did likewise.[417] Rabbi Yair Hayyim Bachrach (Germany, 1693-1702) wrote that Jews in his time would sell to gentiles both nebelah and hindquarters. He mentioned the name of a Jew, Tal, who lived in the village of Mend on the Rhine River and who earned his livelihood in this traffic.[418] Rabbi Zechariah b. Aryeh Leb (Poland, eighteenth century) refers to the existence of "menakrim," men whose function it was to porge the hind sections, and he expresses his personal distrust of them. "I myself have heard and seen that though most of our menakrim are scrupulous in cutting out the main trunk of the forbidden sinew, they are careless and lax, because of their haste, in extracting the forbidden fat and the branches of the sinew. Therefore my practice is not to eat porged meat until I show it to another menaker, to have him inspect it and tell me whether it had been thoroughly porged."[419]

Rabbinical authorities, as time went on, continued to place strict safeguards around the practice of porging. In many communities they forbade it altogether. Where they allowed it they permitted performance only by men who had received special training and a special written license. The result was that by 1914 the usage of porging had disappeared from

great sections of the Ashkenazic countries. In 1914 porging was practised only in London; in Tarnapol, Lemberg, and Brody in Galicia; in the larger Russian cities such as Odessa, Kiev, and Kishinev; and in many cities and towns in Lithuania. Generally speaking, there was a shortage of menakrim. Some branches of the Hasidic group would not permit themselves to eat meat that had been porged.

After the War of 1914-1918 the usage of porging practically died out in Poland and Lithuania. It was to experience a short lived revival as result of the Polish Shehitah Law of 1936. That measure limited the number of heads of cattle to be killed by the Jewish method. This in turn produced a shortage of kosher meat, which could be made up only by utilization of the hindquarters. The Polish rabbis, especially those of the Hasidic group, were most reluctant to permit the reinstitution of porging, but were obliged to yield. Houses of porging were established in Vilna, Warsaw, and other places. In Vilna all the porging was conducted in one building, and a lead plombe placed upon each piece of porged meat. The house of porging in Warsaw was referred to in an item of the 1938 budget of the Kehillah, as follows, "Because of the establishment of a central house of porging, without which it would be impossible to be assured of kosher meat, the religious item in the budget has been increased by 101,406 zlotys."[420] At the present writing the only city in all the European Ashkenazic world in which porging is conducted is London.

Evidently porging of the hind parts of cattle is practised in Sydney, Australia. There hindquarters of all cattle slaughtered by shohetim are stamped with the words, "Not kosher till porged."

The usage was continued in Sephardic countries. It flourishes in Morocco, Greece, Turkey, and Palestine. We must enter this qualification, however. Even in Sephardic countries, in those communities in which kashrut standards are not of the highest, porging is forbidden. Thus, while porging is allowed in Salonika, Greece, it is not permitted in Yannina, Greece.

There is no present demand for the revival of porging in western countries. Aside from rabbinical opposition, the modern butcher does not favor it. The task is tedious and time consuming, hence uneconomical. Furthermore, porging leaves the meat in a badly cut condition, a state unsightly to the fastidious western customer.

With Jews selling the hind parts of cattle to gentiles the sale of meat to non-Jews has grown to formidable proportions. While at first this involved only nebelah and terefah, in the past few hundred years it has included nebelah, terefah, and hindquarters. To appreciate how much is thus involved, it should be noted that the hindquarters embrace almost one-half the dressed weight of a carcass.

The trade could not have existed unless Jews had offered these forbidden meats at bargain prices, and one of the consequences of the business was to win for the Jewish people an invaluable measure of gentile contacts and gentile good will.

Rabbi Yair Hayyim Bachrach (Germany, 1639-1702) is authority for the statement that the rabbis of earlier centuries would render decisions favorable to the business of selling meat to gentiles in order to preserve the friendly feelings which that trade fostered. He made the point in the following case. A Jew and a gentile were partners in the tanning business. The Jew would favor his associate by supplying him with terefah and hindpart meat, charging it to the latter's account in the business. When the gentile married a Jewish woman who had forsaken her religion doubt arose in the mind of the Jew whether it was right for him to continue to supply his gentile partner with meat, knowing that the latter was bound to give it to his apostate wife.

He inquired of Rabbi Bachrach, and was told that it was improper for him to continue to deliver the meat. The rabbi's opinion followed this reasoning: The action of the Jew in withholding the meat would engender enmity. The ill-will in this case would be the greater since it would be fed by that apostate woman, who would beyond doubt run true to form and use the occasion to revile the Jews. The

matter of enmity is an important consideration, for the early rabbinical authorities ruled leniently in cases connected with the sale of meat to gentiles, moved as they were by the desire to avoid gentile animosities. The case involves the added consideration that the Jew, by refusing to continue supplying his associate with meat, would disrupt the business partnership and ruin the source of his own livelihood. All the foregoing considerations are outweighed, however, by the clear transgression committed in providing a Jew (though she be an apostate) with forbidden meat. The arrangement between the partners enables the gentile and his apostate wife to obtain the meat more readily, because it allows them to receive it without cash payment.[421]

The commerce in terefah meat was advantageous to both Jew and gentile. To the Jew it represented a means of realizing some money from the meat his religious law did not allow him to eat. To the gentile it was a source of good meat at sharply reduced prices. This centuries-old and mutually advantageous traffic between Jew and gentile was curbed during certain periods by the prejudiced feelings, religious fears, or religious restrictions of different gentile groups.

Whether the pagan religions (which themselves had sanctioned slaughtering rites) forbade their devotees to partake of Jewishly slaughtered meat we do not know. The restrictions imposed by Christians and Mohammedans, however, are matters of record.

CHRISTIAN RESTRICTIONS

For the first ten centuries the Church entertained no objection to its members purchasing and eating Jewish meat. During that period it strove to have its followers abstain from idolatrous and from blood-filled meat; meat slaughtered according to the Jewish ritual was neither. The objection of early Christianity was to the abominable blood eating habits of the contemporary Romans. Tertullian (born before 160 and died after 220) said, in rebuking the Romans, "You ought to blush with shame before us Christians, who do not

consider even animal blood as an eatable dish and therefore abstain from the flesh of strangled and expired animals in order to be in no way polluted with blood, not even with that which is in the intestines either." Tertullian recalled the fact that Romans in their evening parties, when they suspected a clandestine Christian in their midst, would test him by having black pudding served. The hidden Christian would betray himself by refusing the dish.[422]

For centuries Church preachment was directed against tasting meat from which the blood had not been drained, that is, from the meat of animals that had perished without effusion of blood.

The Penitential of Cummean, Irish abbot, about the year 650, read: "He who eats of the flesh of a dead animal, of whose manner of death he is unaware, shall live the third part of a year on bread and water and the rest of it without wine and flesh."[423]

The Penitential of Theodore of Tarsus, Archbishop of Canterbury 668-690, read, "Of the Use or Rejection of Animals: Animals which are torn by wolves or dogs are not to be eaten, nor a stag nor a goat if found dead, unless perchance they were previously killed (when alive) by a man, but they are to be given to swine and dogs.

"Birds and other animals that are strangled in nets are not to be eaten by men; nor if they are found dead after being attacked by a hawk,—since it is commanded in the fourth chapter of the Acts of the Apostles to abstain from fornication, from blood, from that which is strangled, and from idolatry."[424]

The Canons of Adamnan, Abbot of Iona (Iro-Scottish Church 679-704) read:

"Cattle that fall from a rock, if their blood has been shed, are to be taken; if not, but if their bones are broken and their blood has not come out, they are to be rejected as if they were carrion.

"Animals that have died in water are carrion, since their blood remains within them.

"A half alive animal seized by sudden death is carrion, or if an ear or other part is cut off.

"Things drowned in water are not to be eaten, since the Lord hath prohibited the eating of flesh that contains blood. For in the flesh of an animal drowned in water the blood remains coagulated. This the Lord prohibits, not because in those days men ate raw flesh, since it would be none too sweet, but because they had been eating drowned and carrion flesh. And the Law, written in metrical fashion, says, 'Thou shalt not eat carrion flesh.'

"Likewise he forbids the eating of stags, although we observe that, because the legs have been broken, a little of their blood has flowed about the feet; affirming that they are carrion, from the fact that the higher blood has not flowed, which is the guardian and seat of life, but was clotted within the flesh. Although the extremity of the blood has been shed through some extreme member, nevertheless the thicker and denser blood in which the life has its seat remains clotted within the flesh. But if then he has not disturbed the seat of life by reason of a wound that is inflicted, it is not shedding of blood but only an injury to an extreme part. Therefore, also he who eats this blood shall know that he has eaten the flesh with the blood; since the Lord has forbidden this, it is not the cooking of the flesh but the shedding of the blood that is lacking."[425]

The Penitential of Halitgar, Bishop of Cambrai about 830 said:

"If any dog or fox or hawk dies for any cause, whether he is killed by a cudgel, or by a stone or by an arrow which has no iron, these are all 'things strangled'. They are not to be eaten, and he who eats of them shall fast for six weeks.

"If a wolf tears an animal, and if it dies, no one shall eat it. And if it lives and a man afterward kills it, it may be eaten."[426]

The Confessional of Egbert (about 950-1000) read: "Birds and other animals which are strangled in nets are not to be eaten; not even if a hawk has eaten of them are they afterward to be eaten, if they are found dead, since it is commanded in the Acts of the Apostles: 'Ye shall keep yourselves from fornication and from things strangled, and from blood, and from idolatry'."[427]

In the moral courts of justice conducted by the German bishops in their dioceses at the time of Charlemagne (ruled 768-814) one of the questions asked was whether the respondent ate the blood or meat of dead animals, or of an animal torn by another.[428]

The year 1000 saw an altered picture. The Church had allowed the prohibition against the eating of blood and blood filled meat to fall into desuetude. There are two possible explanations for this. The first is that the clergy dropped the blood interdiction when they came to the belated and reluctant realization that the ban against eating blood was foreign to the mode of living of the majority of European Christians, that it had never been obeyed by them, and that it was useless to attempt to enforce it. The second explanation and the one offered by Fred C. Conybeare is that the clergy discarded the blood prohibition because it was a Jewish regulation and they sought to remove their followers from every Jewish influence.[429]

While the loathing of blood remained strong in Jewry, it withered away in Christendom. Today Christians partake of blood in various forms without revulsion. Witness this statement from a modern text book on food preparation: "Blood which has been collected under carefully controlled aseptic conditions from inspected animals may be used in blood sausage and similar products, or it may be made into blood albumin. For the latter purpose the blood is defibrinated by stirring with a clean sterilized rod and later subjected to chemical treatment and a final dehydration process which leaves a dry almost colorless powder, which may be used in place of egg albumin for baking purposes. It may also be used as an adhesive."[430]

About the time the Church dropped its insistence upon the observance of the blood prohibition, some of the clerics began to look with disfavor upon Christians buying meat from Jews. They saw in the traffic two insidious dangers to the faith, the first, that it fostered an undesired friendliness between Jew and Christian; second, that it reflected upon the standing of Christians, for in that commerce Jews sold to Christians the meat that they would not eat themselves.

The man who first gave forceful expression to this awakening disapproval of the sale of Jewish meat to Christians was Agobard, Archbishop of Lyons (ruled 816 to 840). About the year 829 he addressed to the Emperor Louis the Pious an epistle entitled, "On the Insolence of the Jews." That document included the complaint, "For one knows that when the Jews slaughter an animal, having a defect, they sell the meat to Christians, and in their pride call the animals, meat for Christians, 'christina pecora.' "[431] Agobard was voicing a sentiment which had moved the Council of Vannes in Gaul in 465 to prohibit the clergy taking part in Jewish banquets, "because they considered it undignified that Christians should eat the viands of the Jews, while the latter refuse to eat of Christian dishes, thus making it appear as though the clergy were inferior to the Jews."[432] The Emperor, who was favorably disposed toward his Jewish subjects, paid no regard to the charges of the archbishop, and so the effort of Agobard to curb traffic in Jewish meat in the Holy Roman Empire in his day failed. From that time on, however, the superstition became current that before selling meat the Jews had their children urinate on it.[433]

The agitation against the sale of Jewish meat had proved effective by the eleventh century, for when Rudiger Huotzmann, Bishop of Speyer, granted a liberal charter to his Jews in the year 1084, he felt called upon to specify, "Slaughtered meat which according to their law they are not permitted to eat, they may sell to Christians and Christians may buy it."[434]

The contemporary Rabbi Solomon b. Isaac (Northern France, 1040-1105) gave expression to a growing Christian sentiment when he wrote, "The gentiles regard it as a disgrace to purchase from us the meat that we will not eat."[435]

In the following century Church as well as royal authorities began to restrict or prohibit the vending of meat by Jews to Christians.

In 1197 Bishop Odo of Paris issued a canonical constitution in which he included the rule, "They shall forbid by excommunication that butchers permit Jews to slaughter meat for them, unless the Jews retain it all."[436]

On January 17, 1208 Pope Innocent III sent to the Count of Nevers a letter containing this passage, "Another scandal of no mean consequence is created by them in the Church of Christ, in that, while they themselves shrink from eating as unclean the meat of animals killed by Christians, yet they obtain it as a privilege from the favor of the princes to give the slaughtering of the animal over to such who cut the animals according to the Jewish rite, and then take of them as much as they desire, and offer the leavings to the Christians."[437]

The Council of Avignon in 1243 decreed that the meat of an animal slaughtered in the Jewish fashion should be sold only in the Jewish district.[438] The Council of the Province of Beziers on April 19, 1246 passed the resolution, "Moreover, meat which they (the Jews) prepare they shall sell privately in their own homes and not in Christian markets."[439] In 1247 Louis IX of France (known to history as St. Louis) ordered his Seneschal in Carcassone not to permit Jewish meat to be sold in the Christian markets.[440] The Council of Albi proclaimed in 1254, "Also the meat which they prepare in their houses they shall not try to sell in the Christian market places. Also, since in disdain of us Jews do not use our food or drink, we strictly forbid any Christian to use theirs."[441] The Church Council of Breslau in the year 1266-7 introduced the canonical laws in the oldest Polish diocese, that of Gnesen. Among its rulings it barred Christians from buying meat and other eatables from Jews, "since the sellers might treacherously put poison in them."[442] Robert of Anjou, King of Naples and Count of Provence (ruled 1309-1343), otherwise a staunch defender of his Jews, ordered the separation of Jewish from Christian slaughterhouses, and forbade Jews, lepers, and prostitutes to touch with the fingers meat exposed for sale.[443]

Church and royal decrees of the period not only forbade Jews to dispose of their meat to Christians but also prohibited Jews from eating meat on Christian fast days. The Council of Avignon, presided over by the papal legate Milo, ruled on September 6, 1209, "Nor shall they (the Jews) eat meat on days of abstinence."[444] The Council of the Province

of Narbonne, which met in March and April, 1227, resolved, "Nor shall they (the Jews) publicly enjoy meat, nor sell it on days when Christians abstain from it." The Mandate to the Justices assigned to the Custody of the Jews, issued by King Henry II of England on January 31, 1253, forbade among other things that Jews eat meat during Lent.[445] When it was proposed in 1361 to allow Jews to resettle in France a number of the clergy drew up a suggested charter to govern them. Among the seventeen points in the instrument were that no Jew should be allowed to sell meat to a Christian or to eat meat on a Christian fast day; and that when a Jew touched any eatable for sale in a Christian market he should be obliged to buy it at once.

Beginning with the fourteenth century German towns passed ordinances, many of them vituperatively worded, curbing the sale of Jewish meat within their jurisdictions.

The charter of the town of Zwickau, drawn up in the year 1348, read, "No butcher shall offer for sale in the meat booths measly meat, or any meat which has been cut by Jews. All such meat shall be sold outside the booths."

An ordinance of Landshut issued in 1401 said, "Butchers shall sell Jew meat and measly meat nowhere except between the meat tables. Neither measly nor Jew meat shall be offered as good meat."

In 1414 the butchers in Ulm drew up a resolution to be offered to the council for adoption. Their proposal was that the traffic "in measly pork, bull meat, and Jew meat" be regulated, and that whoever offered such meat for sale be prohibited from selling any other meat at the same time.[446]

Seven years later the city of Ulm adopted the rule, "Cattle purchased by Jews in the market, or meat sold by them, may be examined only in the courtyard of the synagogue."[447]

Jewish slaughtering and vending of meat was a subject of governmental decree in the city of Cologne, and after the expulsion of 1426 in the Electorate of Cologne. In 1372 the Archbishop Frederick allowed new Jewish settlers in Cologne a number of privileges, among which was, "they may employ a rabbi, a synagogue watcher, and a shohet. These, however,

as well as the pupils of the rabbi, shall not engage in business and in return shall not pay taxes." On June 5, 1400 the City Council withdrew from the Jews the privilege of preparing their meat in the city's meat market. The Jews were asked to rent a house of their own for the purpose, as they had in former days. On December 13 of the same year the Council decreed that the Jews pay a tax on the cattle they bought for slaughtering.

In the year 1452 a regulation issued in the Electorate of Cologne read, "The purchase and sale of meat is permitted to the Jews only in accordance with old custom. On weekday markets they shall enjoy no right of preemption." A ruling by the Elector Ferdinand of Bavaria made in 1614 read, "They may slaughter cattle, but only for their own needs." A decree of the Elector Maximilian Heinrich in 1686 read, "They shall sell cattle and meat only insofar as their own household needs make it necessary, otherwise they shall suffer confiscation and punishment." The Elector Joseph Clement issued this order in 1700, "Jews may slaughter cattle and sell meat. In cities where a butcher's guild exists, the animal brought by a Jew for slaughter must remain standing for an hour in public view in a place to be indicated by the local authorities."[448]

During the fifteenth century in many German cities Jews were assigned special meat stands from which Christians were forbidden to buy. In many places during the Lenten season Jews were not permitted to purchase fish for fear that they might cause a rise in the price. In 1433 the City Council of Frankfort passed an ordinance allowing Jews to purchase cattle only in the period between October 28 and November 25.[449]

In Schwiebus in 1590 Shehitah was banned entirely. The local ordinance read, "The Jewish method of slaughter shall be entirely forbidden, and any master of inspection who shall permit a Jew to slaughter according to their custom, whether a large or a small animal, shall forfeit his office."[450]

In Rome the old law governing the slaughtering of animals was revived in 1523. By its provisions Jews were allowed to sell only live cattle; they were not permitted to

slaughter in the Christian abattoirs nor in the presence of Christians; nor were Christians permitted to buy slaughtered cattle from Jews.[451]

The sale of meat by Jews to Christians was prohibited in the Papal States down to the middle of the nineteenth century. The restriction was based upon an old papal edict reaffirmed in the year 1775. The purpose of the edict, according to its preamble, was "to remove from Christians the peril of the injury which they may derive from too great familiarity with Hebrews." The edict read, "Hebrews may not distribute, give, deliver, or sell meat of any sort to Christians, whether killed or caused to be killed by them, under a penalty of 100 scudi, or imprisonment at will; and on the other hand, Christians may neither buy nor receive such meat, under a penalty of 20 scudi, or imprisonment equally at will."[452]

In 1893 Russian authorities ordered all the shohetim to leave the city of Moscow. The purpose of the decree was to cause hardship and annoyance to the privileged Jewish merchants of the first guild who resided in Moscow, by depriving them of kosher meat. It was contemplated at the time to impose a special octroi tax upon all meat imported by rail.[453]

Jewish slaughter and sale of meat might have been completely barred in Europe under clerical, royal, and municipal edicts were it not that the Jews themselves demanded and received the privilege of producing and selling their meats. Jews refused to settle in localities where they were not allowed to vend forbidden meat to gentiles. The attitude of the Jews was something to be reckoned with in Europe, where they were a valuable economic asset; and the rulers generally acceded to such demands. As stated by James W. Parkes, "Every Jewish settlement inevitably demanded of the Christian authorities and received from them legal sanctions of Jewish customs * * * Judaism demands the killing of meat by a particular method. By the law of the land the Jews were entitled to their special meat markets or their special place in the municipal abattoirs. They were even entitled to sell to Christians meat which they found ritually unfit for their own use."[454]

Noblemen and burghers were obliged to swallow any ill feeling they might have entertained against Jews and allow them the meat slaughtering and selling privileges they demanded. We have had occasion to refer to Bishop Rudiger Huotzmann of Speyer, who in 1084 granted a charter to the Jews allowing them to sell their forbidden meats to Christians. The bishop, in addition to his church prerogatives exercised the powers of a temporal ruler, and it was as a secular ruler that he sought to encourage the settlement of Jews in his possessions, by permitting them the meat selling privilege. The same motive governed James I of Aragon when in 1273 he conceded to the Jews of Mallorca the right to slaughter and to prepare animals for Jewish use in the Christian market place.[455] In 1320 the Infante Alfonso of Aragon, seeking to encourage Jews to settle in Alcolea, issued a charter which allowed them "to slaughter cattle in Christian slaughterhouses whenever and as often as they like."[456]

In Prague during the fifteenth and sixteenth centuries, while Jews were not permitted to engage in any of the other trades of the town, they were allowed to act as butchers. The butchers of the ghetto had a guild of their own, their coat of arms being the lion of Bohemia, with the superscription in Hebrew, "Kosher."[457]

A regulation of the city of Lemberg issued in 1569 stated, "The right is retained by the Jews to kill their cattle and sell them to Christians and to any others as they will, in compliance with the customs practised among other Jews, as those of Cracow, Posen, and Lublin."[458]

The charter granted to the Jews of Halberstadt on May 1, 1650 expressly allowed Jewish slaughtering. The proclamation issued May 21, 1671 readmitting the Jews into Brandenburg read, "We permit them to slaughter meat in their homes, and to sell that part of the slaughtered animal, which they do not require for their own use, or which their laws do not allow them to eat."[459]

The royal regulations for the Jews of Metz proclaimed by King Louis XV of France on July 19, 1718 read, "480 families and their descendants may reside in Metz on the following conditions * * * that they shall be permitted to

have separate butcheries for the supply of their families, but the Jewish butchers are not allowed to slaughter a larger number of animals than is absolutely necessary for the subsistence of their families; nor to sell to Christians any meat, except the hindquarters of the animals slain by them, or those beasts which may exhibit such blemishes as render them unfit food for the Israelites, according to their laws and customs. Penalty 1,000 livres to be paid by all offending."[460]

A late document which still breathed the older spirit was the charter granted to the Jews of Prussia on April 17, 1750. It said, "The slaughter of meat for their own consumption is permitted the Jews, if they kill the animals in Christian slaughterhouses. But they may not sell meat to non-Jews, nor deal in domestic cattle."[461]

The sale of meat by Jews to gentiles created a trade pattern in which the meat dealer was a Christian and the slaughterer a Jew. This arrangement was known as early as the twelfth century[462] and persists to the present day. The Christian became the meat dealer because he was allowed to sell and to make a profit from both kosher and terefah; the Jew was not permitted by his law to make profit from terefah. The Jew became the shohet, because meat of his killing might be eaten by all people; meat dispatched by a Christian might not be eaten by a Jew.

The shohet, employed to provide meat for Christians, has been a common figure in Europe for several centuries past. Rabbi Yair Hayyim Bachrach (Germany, 1639-1702) refers to a Jew, Tal, who lived in the town of Mend on the Rhine River. Tal employed a shohet to provide him with meat, the terefah and hindquarters of which he would sell to the local gentiles. One day his shohet was detained at a village, and Tal was left without any meat to sell. The next day, which was a Christian festival, the gentile villagers crowded around Tal's house and clamored for meat. When Tal informed them that none was available they went to the food administrator, who ordered Tal to provide meat on pain of twenty Reichthalers fine.[463]

A shohet who was engaged by a gentile meat dealer to supply meat for both Jews and gentiles was the central figure in the following case reviewed by Rabbi Ezekiel Landau (Bohemia, 1713-1793). It was on the eve of the festival of Shabuoth. The shohet had killed three heads of cattle for a gentile meat dealer located in a nearby village. Most of the meat had been sold to Jews, but the inwards of one of the carcasses had been sold to a gentile inn keeper. The publican was standing in his tavern engaged in cutting up the first and second stomachs when in walked a Jew to get a drink of liquor. The Jew looked on and noticed that the inn keeper drew a long pointed object out of the first stomach. He drew closer and observed that the stomach was perforated through and through, and that on the reverse side the congealed blood had formed a blister.

"Where did you buy that meat?" asked the Jew.

"Oh, from so and so, the meat dealer, for whom the Jewish shohetim kill regularly," replied the inn keeper.

The Jew took the pointed object found in the stomach and brought it to the local rabbi. The rabbi dispatched his representative to the tavern to view the stomach, but by the time he arrived, the stomach had been cut up beyond recognition. The rabbi's representative then repaired to the gentile meat dealer, who apprised him that the inwards delivered to the tavern keeper had originated from the first of three animals slaughtered that day (the carcasses had been marked by the shohet to indicate the order in which they had been killed). Rabbi Landau was asked whether only one or all three carcasses were to be regarded as terefah. The questioner indicated that should all be ruled terefah there would be a shortage of meat among the Jews for the approaching festival, since the meat dealer did not intend to have any more animals slaughtered at that time. Rabbi Landau's verdict was that only the first animal was terefah.[464]

The shohet engaged to provide for both Jewish and gentile needs had a delicate problem on the festivals. It was accepted that slaughtering, like cooking or any other phase of food preparation, might be done for the benefit of Jews on a festival. To supply Jewish needs on the second day of

each holiday, shohetim would slaughter on the evening preceding. The question was whether shohetim might slaughter on a festival to accommodate gentiles.

The issue was involved in a case heard before Rabbi Abraham Hamburger (Germany, 1770-1850). Soldiers had been quartered in a number of Jewish homes during a festival. The soldiers had come with their own cattle and flour, but had expected the householders to prepare the food. The question put to Rabbi Hamburger was whether the Jews might slaughter, cook, and bake on the festival days for the wants of the gentile soldiers. Rabbi Hamburger replied that they might not. He quoted the "Hasheb Yaakob" to the effect that a shohet might not kill a gentile owned animal on a festival even with the expectation that Jews would buy of it. The apprehension stated in that work was that the gentile owner, to assure himself of gentile customers for the hind sections, might sell all the carcass to gentiles. Then, finding himself with no meat for his Jewish customers, he would order another animal killed. It would then turn out that the shohet had slain the first creature on the festival to supply the wants of non-Jews, an act in violation of Jewish law. Rabbi Hamburger added that a shohet might kill a gentile owned beast on a festival only in a city where a government official administered the Jewish meat market. There, when a meat vendor ordered an animal slaughtered for Jewish needs, he was answerable to the mayor, on pain of being fined to deliver the meat of the animal to Jews. In answer to the original question whether the Jews might slaughter on the festival for the wants of the quartered soldiery, Rabbi Hamburger replied that assuredly they might not.[465]

In another case a shohet was asked to kill for gentile needs on a festival day. There were no Jews to share the meat. The question addressed to Rabbi Jacob Tennenbaum (Hungary, second half of the nineteenth century) was whether it was preferable for the shohet to kill the animal and make the act legal by eating an olive's-bulk of the meat himself, or whether it was preferable for him to have the animal dispatched by non-Jews and the non-Jewish method. Rabbi Tennenbaum ruled in favor of the second alternative.

He said, "In our time we do not do it even for the Jewish needs on the festival, nor even to save the meat of a dying animal."[466]

By the end of the nineteenth century in Europe shohetim had discontinued the practice of slaughtering cattle on the festivals, though they did continue to dispatch fowl.

In Bombay at the present day shohetim still kill cattle on festival days, doing this work in the early hours of the morning.

Shohetim did a disproportionately large share of the slaughtering in Europe in late years. In Germany shohetim were to be found at work in 404 out of 730 existing butcheries.[467] Though Jews constituted but one per cent. of the population of Germany, their slaughterers dispatched fully fifteen per cent. of the animals in 148 abattoirs.

Shohetim killed:

In Cologne-Mulkeim, 40% of cattle, 30% of calves.
In Neuweid, 46% of cattle, 30% of calves.
In Bad Mergentheim, 50%* of animals.
In Gelnhausen, 50% of animals.
In Freystadt, 60% of animals.
In Babenhausen, 75% of animals.
In Gronau, 80% of sheep.
In Eschwege, 90% of cattle.
In Aurich, 100% of animals.
In Buchau, 100%* of animals.

*Corresponding to the Jewish proportion of the population.

The fact that shohetim did a disproportionately large share of the slaughtering in Poland was used as justification for the restrictive measures adopted in 1936 against Shehitah. It was argued that when shohetim killed meat destined for gentile consumption they were depriving gentile slaughterers of work.

The meat dealer of years ago in most instances was a gentile, who dispensed kosher meat to Jews and terefah meat to gentiles. He was allowed to deal with kosher meat only because he worked under the watchful eye of the shohet or mashgiah. As Jewish communities grew in size, as in

the past century, the trade in kosher meat in individual localities became great enough to warrant the entrance of Jews into the butcher business. At first Jewish vendors handled both kosher and terefah meat, but within the past few decades, except in the smallest communities, Jewish meat vendors have sold only kosher meat.

The gentile wholesale butcher has remained and to this day occupies a dominant place in the kosher meat industry. In the larger cities he usually operates a large sized plant and employs shohetim to perform a great part of the slaughtering. The carcasses pronounced kosher are cut approximately in half, the foreparts going to Jewish stores and the hindparts to gentile shops.

The rough worker in the Jewish abattoir has been for a long time and still is a gentile. We have the record of one such individual, employed in a butchery where a shohet worked, to skin carcasses, wash the intestines and stomachs, and remove the dung. Once while he was engaged in cleaning out a stomach a Jew came by. Said the gentile worker to him, "See this iron nail. I found it stuck in this stomach." "What was its position?" asked the Jew. The gentile demonstrated that the nail was wedged lengthwise in that part of the stomach where the inner lining was scaly and hairy. If the testimony of the worker were acceptable, the nail did not render the carcass terefah. The question addressed to Rabbi Meir b. Gedaliah Lublin (Poland, 1558-1616) was whether the testimony of the gentile was to be accepted. The reply was in the negative. The rabbi pointed out that the word of a gentile was acceptable only when it led to greater stringency; in the case under consideration it called for a lenient decision. He indicated that since the position of the nail in the stomach could no longer be determined by examination, as it had been removed, there was no alternative but to pronounce the carcass terefah.[468]

MOHAMMEDAN RESTRICTIONS

Islam, like Judaism, has its slaughtering method. This is a rough approximation to Shehitah. Rabbi Solomon b. Isaac (Northern France, 1040-1105) observed that "the

Ishmaelites eat only meat cut as in Shehitah."[469] The Islamic method calls for cutting the victim's throat with a sharp knife, though not with the precision nor with the flawless instrument mandatory in Jewish Shehitah.

In early days there were two additional Mohammedan rules. One was that the victim should be laid down for killing with its head pointed in the direction of the Kaaba in Mecca. The other was that before making the mortal cut the slaughterer should recite the formula, "Bismillah r-rahman r-rahim," "In the name of Allah, the beneficent and the forgiving One."

The origin of Moslem slaughter is not known. It may have stemmed from an ancient Arabic slaughtering rite, or been borrowed from Jewish Shehitah, or represent a combination of both. In ancient pagan Arabia the slaughterer would plunge his knife into the throat of the victim and recite a religious formula known as the "Tahlil."[470]

Carrion, meat produced under idolatrous auspices, and meat slain by any method other than that of direct slaughtering were all forbidden as food in a number of Koran passages. One of these passages reads, "Forbidden to you is that which dies of itself, and blood, and flesh of swine, and that on which any other name than that of Allah has been invoked, and the strangled animal and that beaten to death, and that killed by a fall, and that killed by being smitten with the horn, and that which wild beasts have eaten, except what you slaughter."[471]

The requirement that the Mohammedan slaughterer invoke the name of the Deity comes from old Islamic traditions. "It is related of Abu Tha' labahu l' Khushami that he said: I said, O Prophet of God, we are in a land of game; and I hunt with bows and with dogs which have not been trained, as well as with those that have. Then what is the right course of conduct for me? He replied: "What thou huntest with the bow, and hast mentioned the name of God over, eat." "It is related of Abu Tufail: God has cursed the one who slaughters without repeating the name of God." "It is related of Adin bin Hatim that he said: I said, O Apostle of God, inform us, if one of us takes game, and he

has no knife with him, may he kill it with a lump of stone or a piece of stick? He replied: Cause the blood to flow with whatever ye like, and mention the name of God."[472]

To this day the Mohammedan slays his animal with the recitation of the "Bismillah." Witness this statement written by a contemporary woman traveler in her book on Arabia, "Another freightened little beast was brought in . . . I bought it for 4 s. 6 d., and in two minutes the name of Allah was pronounced over its death in the courtyard."[473]

When the Moslems introduced the practice of orientating their victims before slaughter we do not know. By the thirteenth century, however, it was in force, and Rabbi Solomon b. Abraham Adret (Spain, 1235-1310) voiced his disapproval of shohetim who conformed thereto.[474] Two centuries later Rabbi David b. Solomon ibn Zimra (Egypt, 1479-1589) was asked whether the opinion of Rabbi Adret was to be heeded in Egypt. The reply, in the negative, was worded as follows:

"When Rabbi Adret denounced the practice of orientation of the victim of slaughtering he had in mind the circumstances under which the Spanish shohetim followed it. In Spain, the shohet prepared to slay an animal lying in one direction, when a Moslem would come and forbid him to proceed until he had turned the creature's head eastward, toward the Kaaba. When the shohet complied, it appeared as though he was drawn toward their false religion. In Egypt the circumstances are different. Here we give no thought to the matter of orientation of the victim before slaughtering. It so happens that all the abattoirs in Egypt have been designed by their Mohammedan builders in such a way that an animal brought to the killing must face eastward. To the onlooker the position of the creature is dictated by the necessities of the place. The objection to the shohet orientating the animal arises only when he does so on the basis of some religious intention. We in Egypt orientate the animal purposelessly.

"We have added reason for not being too exacting on this point. We have business dealings with the Mohammedans in the sale of meat. We take away from the butcheries only

the foreparts of the carcasses, leaving the hindparts with them. This we do, because we find it too difficult to porge the hindparts. Our custom is to be recommended, because few people are capable of porging correctly. In addition, we leave with the Mohammedans the nebelah and the terefah. Should we undertake now to refrain from slaughtering when the animal is turned eastward the Mohammedans would note the fact and henceforth refuse to eat of our meat. The earlier rabbinical authorities raised no question against the casual compliance with this Mohammedan ordinance, and the practice in Egypt has been in consonance with their opinion."[475]

Rabbi Joseph Karo (Palestine, 1488-1575) declared: "When a Jew is forced by the Mohammedans to slaughter his animal in accordance with their rites and to turn the head of the animal towards the Kaaba, that is, eastward, it is not considered like offering a sacrifice to idolatry. Nevertheless we should abolish the practice and rebuke Jews who follow it."[476]

Since the shohetim in most Moslem lands would not conform to the Mohammedan rule of orientating the victim, some Mohemmedans refused to purchase meat from Jews. In those countries Jews who were left with nebelah or terefah meat on their hands could do nothing except feed it to the dogs. This fact was taken into consideration by the Sephardic rabbis when they judged the kashrut of meat. Uniformly they were more lenient in their decisions than their Ashkenazic contemporaries.[477]

It appears that by the sixteenth century Moslems no longer insisted that the meat they ate should come from beasts orientated at slaughter, and they began to purchase Jewish meat freely. They must have utilized the services of Jewish slaughterers at that period, for Rabbi Samuel Di Medina (Turkey, 1506-1590) reports a question addressed to him by a shohet, asking whether it was permissible to use a nicked blade in slaughtering for the wants of non-Jews. His reply, in the affirmative, said in part:

"There are two fears to be considered in this connection, and both are groundless. The first, that onlookers might observe the shohet slaying with a notched knife and be led

to conclude that all slaughtering may be performed with such an instrument. The second, that it violates the dictum of Rabbi Joseph, who said that no man may pour out upon the ground water that others might make use of, i.e., that one may not kill an animal with a notched blade because while the meat becomes available for gentiles, it is rendered worthless for Jews. Both objections are invalid. In this instance, everyone is aware that the animals used belong to gentiles and are meant for gentile consumption. No Jewish onlooker would make the mistake of believing them to be correctly slaughtered, and no Jew would look forward to eating their meat."[478]

The sale of Jewish meat to Mohammedans is indicated in a decision rendered by Rabbi Meir b. Abraham Boton, (Turkey, seventeenth century). The case involved Jewish meat dealers engaged in vending meat to gentiles, who had animals killed in non-Shehitah fashion in order to evade payment of the Shehitah tax.[479]

The general use of shohetim in Mohammedan lands in the seventeenth century was intimated in a responsum issued by Rabbi Ephraim ha-Kohen (Hungary, 1616-1678, when that country was under Mohammedan rule). He told of a Mohammedan and a Jew who owned an animal in partnership and who brought the animal to a shohet to be killed.[480]

Rabbi Ephraim ha-Kohen cited the question of a Jew who was required to slay cattle for the needs of gentile—presumably Mohammedan—civilians and soldiers. The Jew was not versed in the laws of lung examination, and he could find no one who was. It was his plan to kill the animals properly, but to leave the carcasses unexamined, in which case the meat would be terefah. His question was whether he was obliged to cite the regular benediction over such slaughtering. Rabbi Ephraim ha-Kohen informed him that it was improper to pronounce a blessing over food which might not be eaten by a Jew.[481]

While most Mohammedans by the seventeenth century purchased and partook of meat slaughtered by Jews, there were some who did not. Rabbi Jacob b. Samuel, who lived in Turkey in the seventeenth century, reported that the

Mohammedans of "Salonika and some other places" would not buy meat from Jews.[482]

Mohammedans living in Jerusalem in the middle of the nineteenth century would purchase meat from Jews, provided it was killed by Sephardic shohetim.[483] The Moslems would seek only three qualifications in the slaughterer: that he be a believer in one God, that he believe in divine revelation, and that he pronounce a benediction over the slaughtering. They acknowledged that all descendants of Abraham, Isaac, and Jacob met these three qualifications, and so they ate the meat slaughtered by any man who could establish that he was of Jewish seed. Knowing that the Haham Bashi (Sephardic Chief Rabbi) of Jerusalem issued the slaughterer's certificate only to men of Jewish blood, they accepted ownership of such a certificate as proof of Jewish descent. As no Ashkenazic slaughterer possessed a shohet's certificate from the Haham Bashi, the Mohammedans refused to purchase meat killed by the Ashkenazim.

This attitude of the Moslems created a hardship for the Ashkenazic Jews when they began to settle in Jerusalem in the second half of the century. They found when they took up residence in the city that kosher meat was slaughtered under the auspices of the Sephardic kehillah. The kosher meat was sold to the Jewish inhabitants subject to a gabela or kehillah tax of three grush a rottel. The meat found terefah was disposed of to Moslem meat dealers, in summer at 16½ grush a rottel, and in winter at 21 grush a rottel, at an average year round price of 19 grush per rottel. The kehillah leased out the taxing privilege, and with approval of the Haham Bashi and the kehillah directors granted the tax gatherer a monopoly. There was only one Jewish meat shop at this period, located on the Jews' Street near the Hurba Synagogue. When the Ashkenazim first came they patronized the sole Sephardic meat shop, but there they found themselves flagrantly discriminated against. Each morning the door of the shop would be kept closed and only Sephardic customers admitted. Only after the lapse of several hours, after all Sephardic patrons had been attended to

and the best portions of the meat dispensed, was the door opened to the Ashkenazim.

Some revolted at this mistreatment and attempted to set up slaughter and sale of meat on their own. But when they sought to make arrangements with Mohammedan dealers to buy their terefah meat, they learned that Mohammedans would not buy meat from Jews except when killed by shohetim named by the Haham Bashi. In vain the Ashkenazim argued that they were descendants of Abraham, Isaac, and Jacob, just like the Sephardim.

In the year 1874 the Ashkenazim felt strong enough to establish their own Shehitah system. They approached a rich Arab with an offer to sell him their terefah meat at a price of 18 grush a rottel (one grush less than the price asked by the Sephardim). The Arab hesitated, for he was apprehensive that the Moslems might not buy the meat killed by Ashkenazic slaughterers. The Ashkenazim then proclaimed in their synagogue that none should purchase meat from the Sephardic meat shop, that they use poultry instead. (Poultry could be slaughtered by the Ashkenazic shohetim.) The boycott caused the Sephardim to kill less cattle, and in consequence to have less terefah meat to sell to the Mohammedans. This in turn produced a meat shortage among the Moslems, who clamored that the Sephardim produce more meat. When the Sephardim pleaded that they could not in view of their shrunken kosher trade, the Moslems decided to recognize the Ashkenazim as children of Abraham, Isaac, and Jacob, and to accept the meat killed by their shohetim.[484]

At the present day in most of the Islamic world Moslems purchase Jewish meat, though they will not buy Christian meat. This is true in Istanbul, Bombay, Beirut, Jerusalem, and Mogador. Contemporary Moslems in these cities consider Jewish slaughtering as fulfilling all requirements of their law, while they regard the slaughtering performed by Christians as done in contravention thereof.

In Yemen, where more primitive Moslems live, Jewish meat is not acceptable. When the Jews there find meat terefah, they either make it up into sausage and export it to countries where Christians live, or feed it to dogs and cats.

8

Modern Anti-Shehitah Legislation

Passage of the Laws

Switzerland

A movement to make Shehitah illegal began in Europe toward the close of the nineteenth century. It was based upon the allegation that the Jewish method of slaughter was inhumane.

The accusation was adroit. It fed and was fed by the medieval belief that the Jew was cruel and bloodthirsty. To a Europe whose inherited folklore was haunted by the specter of the fiendish Jew it was reasonable to suppose that Jews killed their animals in torturous fashion.

The accusation was sustained by superficial observation. When an animal perishes as the result of Shehitah, it goes through a torrential gory discharge, after which it performs a definite and characteristic series of post-mortem convulsive movements. The uninformed onlooker is prone to regard these movements as signs of agony suffered by a living and sensitive victim; for to most people movement in a body is evidence of life. It has been stated by a noted investigator in child psychology that at a certain stage a child will regard anything that moves as animate.[485] Of course, informed people know that the bodily movements referred to are reflex in nature and have no connection with conscious-

ness or pain. The anti-Shehitah agitators were not deterred by the repeated revelation of this fact. They knew that they could depend upon the European masses remaining in ignorance of the elementary physiology involved.

If the enemies of Shehitah were followers of Jesus they chose to ignore the fact that Jesus was familiar with that killing mode and had entertained no objection to it. Not only did Jesus partake of the Passover lamb (slaughtered by the Jewish method) but even ordered Peter and John to kill it.[486] Evidently the anti-Semites of the nineteenth century felt that they had more compassion for the dumb creatures than did Jesus!

The land in which the lie about the inhumanity of Shehitah was fabricated was Switzerland, a country in which Jews had been unwelcome and few in number for centuries. So strong was anti-Jewish feeling there in the nineteenth century that it was not until 1874 that Jews were admitted to Swiss citizenship. In 1833 France, soon followed by Great Britain, the United States, and the Netherlands, broke off diplomatic and commercial relations with the Canton of Basel, because that sovereignty had insisted upon visiting the same discrimination upon the Jews of other nations as upon its own.

To the Canton of Aargau, however, belongs the dubious distinction of having adopted the first anti-Shehitah law. It is important to note the anti-Jewish temper that surged in that little state at this period. In 1860 the government of Aargau presented for consideration a bill granting full enfranchisement to its Jews. In any other country in Western Europe this would have been looked upon as a mild proposal. Not so in Aargau. Opposition in the form of serious disorders flared up throughout the canton. When the government ignored this expression of popular indignation and adopted the measure on May 15, 1862, to become operative July 1, a popular referendum reversed the government and repealed the law. (It was not until 1874, when the Swiss Constitution was revised, that restrictions affecting

Jews were finally abrogated.) Such was the mood in little Aargau during the period when Shehitah restriction was being discussed.

Anti-Shehitah propaganda was evidenced in Switzerland as early as 1860. In that year the rabbi of St. Gall published a booklet defending Shehitah against the charge that it represented an inhumane method of slaughtering. In 1867 Jewish slaughtering was prohibited by law in Aargau and St. Gall. When the Swiss Constitution was revised in 1874 (granting civic equality to Jews) the question arose whether the restriction against Shehitah was not contrary to the spirit of Article 50:1, which granted religious liberty. In 1886 while this issue was still being debated, the Aargau Society for the Prevention of Cruelty to Animals sanctimoniously addressed itself to the government and petitioned that a humane slaughtering act be passed. It advocated that in the interest of kindness to animals, the law require that all cattle be stunned before slaughter. This suggestion was an oblique assault upon Shehitah. When an animal is stunned by blows upon the head its brain and brain membranes may be damaged, in consequence of which it becomes terefah, and though it be slaughtered correctly afterward, its meat may not be eaten by a Jew. In the following year the Jews of Swiss Baden presented a counter petition.

In the course of this discussion the restrictionists seized upon the statements of two German reform rabbis, Leopold Stein of Frankfort and J. Stern of Stuttgart, in which they had permitted themselves to say that Shehitah was not a religious practice. The words of the German divines were quoted when the Councils of Berne and Aargau resolved, "Shehitah is not a religious rite, and therefore may not enjoy the protection of Article 50:1 of the Federal Law." The "American Hebrew" of May 29, 1891 commented bitterly, "Whether the prohibition which this resolution contemplates will be sanctioned by the Federal Government remains to be seen. But if the Jews of Switzerland are prevented by law from securing kosher food, they have to thank in great measure these two rabbis for the deprivation." Finally the

confederal government ruled that while Shehitah restriction might contravene liberty of worship, the several cantons were free to adopt regulations to prevent cruelty to animals. Thereupon in 1891 the government of Aargau voted to submit the adoption of an anti-Shehitah law to a referendum of the people. A referendum was conducted in Aargau and the restrictionists won.

Flushed with their victory in this canton, the anti-Semites agitated for the abolition of Shehitah throughout the republic. They urged that an anti-Shehitah measure be made the subject of a national plebiscite. To achieve this under the Swiss Constitution they were required to secure 50,000 signatures. The restrictionists presented a petition signed by 82,000 persons, and the National Council arranged for a nation-wide plebiscite to be held on August 20, 1893.

The pre-referendum discussion was marked by misinformation and bigotry. Most of the voters knew nothing about the subject, and the Jewish population of Switzerland was too small to enlighten them. In the year 1889 all Switzerland had but 8,386 Jewish souls.[487]

Responsible elements in the country urged the rejection of the anti-Shehitah proposal. Professor Hilty of the University of Berne wrote an article in defense of Shehitah.[488] The Swiss Consul in America sent this report to his government, "During the last few years, slaughtering as ordained by the Mosaic Law, i.e., Shehitah, has found its way into the Christian slaughterhouses here in the United States, it being the most rapid mode of killing and in full harmony with the spirit of the Animal Protection Societies' Regulations, which aim at the prevention of all cruelty to animals."[489] After listening to this report on March 27, 1893, the National Council sitting at Berne voted 61 to 49 to recommend to the people not to vote for the anti-Shehitah measure.[490]

With the referendum impending, August tenth was declared a fast day for Jews by Rabbi Cohn of Basel, Rabbi Ehrmann of Baden, Rabbi Engelbert of St. Gallen, Rabbi Wertheimer of Geneva, and Rabbi Wolff of La Chaux de Fond.[491] Only 45% of the electors participated in the pleb-

iscite, and the restrictionists triumphed by a vote of 188,668 to 116,592.[492]

The result was interpreted as an anti-Semitic victory. "The Jewish Messenger" of September 8, 1893 commented, "The result is due to a wave of anti-Semitism." "The American Hebrew" of December 1, 1893 said, "It is stated that this majority was obtained chiefly in the German cantons and among the Lutheran population, where the anti-Jewish feeling runs the highest." The report of the Anglo-Jewish Association observed, "To the credit of the Roman Catholics it should be stated that their votes were solidly cast against the new clause, their priests having made it known that the movement was a religious attack on the Jews."[493]

A provision prohibiting Shehitah was incorporated as Article 25 into the Federal Constitution. It read, "It is expressly forbidden to bleed meat animals without preliminary stunning. This regulation applies to all methods of slaughtering and to all species of animals."

The Swiss act became the model for all subsequent Shehitah prohibitions. It has never been explained why—if it be true that throat cutting without preliminary stunning inflicts pain upon the victim—the Swiss as well as all other anti-Shehitah measures have been made to apply only to bovine animals, and not to fowl. In any case, Switzerland is the only country in the world in which anti-Shehitah legislation is to be found in the constitution itself.

At the height of the Swiss agitation against Shehitah, anti-Semites in Saxony stole a march on their Swiss confreres, and on March 21, 1892 secured an order from their Minister of the Interior declaring Shehitah illegal throughout their kingdom.[494] When the Jews of Saxony petitioned against the anti-Shehitah order, they were treated to the following specious and biting reply from the Interior Minister: "There is no good reason to make an exception, as has been requested by the Jews, in case of the provision concerning the moral status of the matter, which is not all concerned with religion, but simply with the consideration of the prevention of cruelty to animals; for it is apparent that any ritual custom, of however long standing, and having its

origin in variable human decrees, does not deserve any consideration if it is calculated to give moral offense, or if it is at variance with the general laws of the government. The Ministry of the Interior cannot decide to allow the petitioner exceptional treatment of Jewish slaughtering, especially since it would be considered by the great majority of the people as an unjustifiable favor to an isolated minority."

Agitation against Shehitah waxed strong in Germany and Russia at the time. Expert opinion, however, was on the side of Shehitah. In 1890 a special veterinary commission reported to the Prussian Government on the subject. The commission, comprising Prof. Gerlach and Prof. Thiernesse of the Royal Veterinary College in Berlin, M. H. Boulley, Inspector General of the Veterinary Colleges of France, Prof. Chauveau of the Academy of Lyons, Prof. C. Fuchs of Carlsruhe, and Prof. C. Fick of the University of Wurzburg, reported favorably on the Jewish method of slaughtering.[495] In 1894 the Jewish Society for the Defense and Furtherance of Shehitah published the "Gutachten uber das jüdischerituelle Schlachtverfahren," a collection of opinions rendered by eminent experts in favor of the Jewish mode of animal slaughtering. The "Gutachten" cited 253 authorities, among whom were 50 university professors, 14 directors of great schools of veterinary medicine, and 151 medical specialists on animal pathology. (Subsequently Dr. Hirsch Hildesheimer published in Berlin the "Nachtrag zu der Gutachten—Sammlung" in 1902, and the "Neue Gutachten" in 1908.) In Russia Dr. Isaac A. Dembo, as member of a special commission appointed by the Standing Central Committee of the Russian Societies for the Prevention of Cruelty to Animals, undertook the most exhaustive scientific investigation of slaughtering methods ever reported. His "The Jewish Method of Animal Slaughter" published in 1894 showed that Shehitah, instead of representing an inhumane killing mode, was on the contrary *the most humane* of all slaughtering methods. His work is still the classic on the subject. Following the issuance of these expert statements the agitation against Shehitah subsided. In 1910 Saxony repealed its anti-Shehitah order.[496] In 1911 the Russian Czar

abolished by decree an anti-Shehitah law which had been adopted in Finland.[497]

The practice of Shehitah received a major setback in November, 1917, when Russia came under domination of the Bolsheviki. Though the new regime took no direct action against Jewish slaughtering, its attitude toward religious observances and its nationalization of the meat industry militated strongly against the performance of Shehitah.

The Shehitah question was brought up in England, when in 1922 the National Veterinary Medical Association of England forwarded to the Minister of Health a resolution favoring a government inquiry into slaughtering methods. The London Shehitah Board requested that if an investigation committee be formed, it be represented.

Attacks upon Shehitah thereupon appeared in the "Manchester Guardian" and were the subject of a series of vitriolic articles in the "Evening Standard" in 1923. The motives behind these attacks were thinly disguised. Often they were accompanied by disparging remarks about Jews and Zionism. The anti-Jewish "Morning Post" and "Evening Standard" were foremost in fanning the agitation.

When Sir A. Shirley Benn introduced a bill into the House of Commons empowering the Minister of Health to forbid Shehitah, fact-finding commissions were appointed to study the subject. The report of Professor T. B. Wood, Professor Joseph Bancroft, and Mr. L. F. Neuman, Director of Agriculture, all of Cambridge University, rendered in 1925, said that there was "no cause for complaint on humanitarian grounds against the Jewish method of slaughtering, if efficiently carried out, as was usually the case." The "Veterinary Journal" declared that Shehitah was "practically and physiologically the best method." The National Federation of Meat Traders conducted a demonstration of various slaughter methods at Birmingham, and announced through its representatives that apart from prejudice the Jewish method of slaughter was the best.

The action of Parliament was foreshadowed when late in 1925 the "Royal Association for the Prevention of Cruelty to Animals" declared that it approved the inclusion of a provision in the pending legislation protecting the Jewish method.

Parliament did not pass upon the subject until April 3, 1928, when it adopted "An Act to Provide for the Humane Slaughter of Animals in Scotland," to come into operation on the following January 1. This act provided that every animal be either instantaneously slaughtered, or instantaneously rendered insensible by stunning prior to being slaughtered. It made exceptions for slaughtering done by Jews for the food of Jews, and for slaughtering done by Mohammedans for the food of Mohammedans.[498]

Similar protection was given the Shehitah method when Parliament on July 28, 1933 passed "An Act to Provide for the Humane and Scientific Slaughter of Animals" for England proper, a law which went into force on January 1, 1934.[499]

Legislation to the same effect was adopted in the Union of South Africa in 1934.[500]

In recent years reports have been circulated to the effect that under the sponsorship of one Mr. Patrick Belton an ordinance forbidding the practice of Shehitah was adopted in County Dublin in Eire. To verify these reports the author wrote to John K. Davis, American Consul General in Dublin, and received this reply, dated April 19, 1940:

> "In reply I have to state that upon receipt of your letter the Consulate General communicated with Mr. Patrick Belton of Belfied Park, Drumcondra, County Dublin, a member of Dail Eireann (the Irish Parliament), who is believed to be the person referred to in your letter, asking whether there is any such legislation in County Dublin; and a reply has been received from him in which he states that at a Board of Local Authorities it was decided that if it were cruelty and contrary to law for Irish people to slaughter

animals by pole-axing or cutting their throats it was equally cruel for Jews to adopt this manner of slaughtering, and that it was decided to prohibit the Jewish method of animal slaughtering in Dublin. Mr. Belton states that he moved the motion, which was adopted. However, apparently this ruling has not yet become law, as the latest slaughter of animals act, which is dated 1935, authorizes the slaughter of animals for consumption as food by Jews, where such slaughter is carried out according to the Jewish method."[501]

NORWAY

Anti-Shehitah legislation was projected next in Norway. In June, 1929 the Storting had before it a law, the effect of which was to make Shehitah illegal. The debate upon the measure was bitter, even though but a handful of deputies arose to oppose it. One of these, Fjaerli by name, delivered a speech, in which he said:

"Then we have in this country the most gruesome method of slaughter that exists anywhere. This is the slaughter of reindeer. The animal is caught by lassoing, the slaughterer then sits on it, and plunges his knife into its left side. The deer begins to bleed until its lungs are full of blood, so that it catches its breath with difficulty. The slaughterer then drags it along, and it often happens that the animal gets up to stagger a few paces and falls time after time. It fights out eight minutes in full consciousness. This is by far more inhuman than Shehitah. In Finnmark about 15,000 deer are thus killed every year. When one watches the Press propaganda, it does not seem as if anyone troubles about this matter. We have strong reasons to look into our own methods of killing, before we tamper with those of other people."[502]

The measure was passed on June 21, 1929, to become effective January 1, 1930. It provided that cattle and reindeer be stunned before being bled in slaughter. To this there was the proviso that in the case of reindeer, the king might order

that the law should not be applied to certain parts of the country for the first three years. Exempted from the law was the slaughtering of poultry and rabbits. There was a declaration that the king might issue decrees concerning the killing of dogs, cats, silver foxes, and other fur-bearing animals.[503]

Lucien Wolf, Secretary of the Joint Foreign Committee of British Jews, in the report referred to above, made the following comment upon the act, "There can, indeed, be no doubt in the mind of any reasonable student of the terms and history of the new Law that it constitutes an act of religious oppression, and that within the scope of its own provisions, it is inequitable and unjust. Shehitah has not been prohibited on account of any demerits it may possess. That being so, the Law can only be regarded as a discrimination against the Jews, and, as its effect is to restrain them in their religious observances, it is an act of religious persecution. It is also unjust because, while it permits the non-Jewish slaughter of tame reindeer, by a method which is universally acknowledged to be of the utmost barbarity, it abolishes the Jewish method of slaughtering cattle on an unproved allegation that it causes unnecessary suffering."

When the Norwegian anti-Shehitah law went into effect on January 1, 1930 the Jewish community of Drondheims, at the behest of its religious leader Rabbi Jacobson, set aside a number of days for mourning prayers.[504]

GERMANY

Shehitah was made illegal in Germany coincidentally with the rise to power of the Nazis. As soon as Bavaria came under the control of the Nazi Party in 1930, Shehitah was banned in that territory. The Bavarian Diet passed its anti-Shehitah law on January 29, 1930, to take effect October 1.[505]

Jewish slaughtering was made illegal in Baden on April 6, 1933, by decree of its Reich Commissar. The Baden decree forbade both the practice of Shehitah within, and the importation of kosher meat into Baden. The penalty for violation

was placed at a minimum prison term of one month, and a money fine of from 150 to 1500 Reichsmarks.[506]

Jewish slaughtering was abolished in the entire Reich at a Cabinet meeting held on April 21, 1933, effective May 1.[507]

The Jewish slaughter method came up for discussion in Finland in 1934, when the Eduskunta (Diet) was considering a law for the Protection of Animals. When an act was passed on April 14, 1934 it called for stunning before slaughtering, with the curious proviso that in Jewish slaughtering the stunning might be administered after the bloodletting. Paragraph 4 of the statute reads, "It is forbidden to slaughter domestic animals—that is to draw their blood—without preliminary stunning. In cases where religious reasons call for it and in the abattoirs approved by the Ministry of Agriculture, it is permissible to postpone the stunning until immediately after the blood vessels are cut. At each such killing the veterinary of the abattoir must be present. Poultry and foxes are to be killed in accordance with special regulations."[508]

SWEDEN

Shehitah was made illegal in Sweden in 1937. In June of that year a law, the effect of which was to abolish Shehitah, was presented to the Riksdag by Karl G. Westman, Minister of Justice. It was passed on June 4, 1937, and went into force July 1, 1938.[509]

The law made stunning mandatory before the drawing of blood in slaughtering, but made it apply only to cattle, not to fowl and rabbits, and not to reindeer "until the king shall so decide". For violation, provision was made for fines, the money to go to the crown.

HUNGARY

Shehitah was abolished in Hungary in 1938. The regulation calling for stunning before slaughtering came by way

of a ruling of the Department of Agriculture.[510] Since the ruling did not prohibit the kosher killing of poultry, its effect was not so much to deprive the Jewish population of 400,000 of kosher meat as it was to ruin those in the kosher beef business, and to hurt the Jewish communities which relied heavily upon the Shehitah tax. The law had an adverse effect upon certain elements in the Christian economy. A report on July 13, 1938 said, "Delegation of Christian cattle breeders informs Ministry of Agriculture that the prohibition of kosher slaughtering has caused a decline in the consumption and export of meat."[511]

ITALY

Shehitah was made illegal in Italy in the Fall of 1938, when that country cemented its alliance with Nazi Germany. The prohibition was imposed by means of a simple police order.

"The New York Times" of October 20, 1938 reported:

> "Turin, Italy, Oct. 19. The newspaper Gazzetta del Popolo today announced that kosher killings of animals for Jewish consumption had been prohibited in Italy. It said an order to that effect had been communicated by the government to local prefects in a 'circular telegram.'
>
> "The order meant that henceforth all animals must be killed in accordance with the 1928 law, that provides that killing must be as speedy as possible, either by shooting or stunning with a blow. Hithertofore exception has been conceded to Jews that they might eat meat prepared according to their religious ritual.
>
> "The Gazzetta del Popolo, without mentioning the government's anti-Jewish campaign, said the municipal officials and the Turin society for the protection of animals had called 'the barbarous practice' to the government's attention.
>
> " 'After tomorrow Jews, who do not wish to become vegetarians, must place themselves on the same

level as all Italians as far as animal food is concerned,' the newspaper declared."

"The New York Times" carried this item on October 21:

"Rome, Italy, Oct. 20. Official orders were issued by telegraph to-day to all prefects to see that no slaughter house in Italy tolerates kosher slaughter of animals.

"Slaughtering of animals is regulated by law, which requires the most expeditious and painless method. Hitherto it had always been taken for granted that kosher slaughtering did not conflict with the law. Now it has been suddenly discovered that such rites are, in the words of the Giornale d'Italia 'a spectacle unworthy of a civilized race and such as to cause the most profound disgust.' Therefore the order has gone out that they are to be discontinued forthwith."

POLAND

The anti-Shehitah legislation calculated to cause the greatest hurt was that planned in Poland. Its effect would have been to cause humiliation and discomfort to a settlement of three million Jews, then the second largest in the world, a Jewry which preserved and valued the Jewish traditional usages. Anti-Shehitah legislation in Poland would also have cut down the Shehitah tax revenues, upon which the Jewish kehillahs greatly depended.

The agitation against Shehitah in Poland was fueled by the undisguised animosity toward Jews which dominated much of the population at the time. Also by the belief, sedulously cultivated and spread by anti-Semites, that the institution of Jewish slaughtering worked to give jobs to Jews which would otherwise go to Christians. Attention was directed to the fact that shohetim killed meat for all the Jews as well as for a considerable part of the Christian population. This fact was stressed at a time when a move-

ment was afoot in Poland to replace Jews with Christians in business and in the professions, when Jews were being systematically squeezed out of the tobacco and liquor business, and excluded or expelled from the law and medical schools.

On February 7, 1936 the deputy Madam Janina Prystor introduced a bill in the Sejm, the intent of which was the abolition of Jewish slaughtering. As amended and passed in April the measure stipulated that all cattle be stunned before slaughter, with the proviso that a number of animals be set aside monthly for the needs of religious minorities, the animals to be killed in accordance with the religious tenets of those minorities. The quota of animals allotted to the Jews was set temporarily at 60% of all the cattle to be slaughtered. The insincerity of the proponents of the legislation was betrayed by the fact that the law which was adopted for the alleged purpose of safeguarding animals from the cruelties of Shehitah, allowed the unrestricted Jewish slaughtering of meats intended for export. On January 1, 1937 the law went into effect. By February 4 the quota of animals assigned to the Jewish butchers had been reduced; by the end of the year the quota was placed at 23%; in 1938 at 20%.

The law proved disadvantageous to both Jews and Christians. The reduction in Jewish slaughtering deprived many shohetim and Jewish butchers of their livelihood. According to the 1938 report of the American Jewish Committee, approximately 20,000 Jewish families engaged in the meat trade thus lost their means of subsistence. The lessened Jewish slaughtering cut down the revenues of the kehillahs, practically all of which leaned heavily upon their Shehitah taxes. Reduced Jewish slaughtering produced an acute shortage of Jewish meat, which caused a rise in its price, and also forced the Jewish butchers to utilize the hind-parts of the cattle. The last entailed reintroduction of the long forgotten and expensive process of porging.

The reduction in Jewish slaughtering, while it provided jobs for a number of Christian slaughterers, damaged the Christian meat trade. Christian butchers encountered an

undersupply of the desirable hindquarter meat (because the Jews now porged it, instead of selling it to them) and an over-supply of the undesired fore-meat (which the Jews would not buy from them because it came from non-Jewish slaughtering). Dissatisfaction with the law was widely expressed. The promised increase in Christian employment and fall in terefah meat prices did not materialize. Some critics favored the restoration of Shehitah as it was; the majority of the Christian Poles who spoke up felt, however, that the evils in the meat business could be removed only by prohibiting Shehitah altogether. In response to their demand, Jules Poniatowski, Minister of Agriculture, declared on March 9, 1937, "The law has been in force only two months, and it is impossible that during such a short time it should have had the desired result. Thanks to the law, 50% of the meat trade has already been taken out of Jewish hands. I can assure you that before long the larger part of the meat trade will be found in Polish hands. We must have patience and wait."

On January 31, 1938 Deputy Dudzinski introduced a bill in the Sejm calling for the abolition of Shehitah. Despite Government disapproval, the Sejm passed it. The Senate, it was believed, would have done likewise, but in the face of the September 1938 Czecho-Slovakian crisis precipitated by Nazi Germany, Parliament was dissolved. Shehitah was momentarily spared in Poland.

Following the elections of November, 1938 Deputy Dudzinski again introduced his anti-Shehitah bill. The position of the Jewish deputies was voiced by one of their number, Dr. Emiel Somerstein, when he said in the course of the debate, "The proposed law is in violation of Jewish equality, which is guaranteed by the Constitution. The Jews of Poland will defend their rights, their freedom, and their religion, and are prepared to offer the greatest sacrifices to uphold them."

In the meantime, in order to impress the Sejm delegates with the economic havoc that interference with the production of kosher meat would bring, the Polish rabbinate organized a Jewish boycott of meat. It ordered all Jews to abstain

from meat for the sixteen days from March 14 to 30. The Warsaw rabbinate published meatless menus in the Jewish newspapers and ordered Jewish fishmongers on pain of excommunication not to raise the prices of fish during the period. The boycott was solemnly observed throughout the country. It represented the first time in the history of modern Poland that a decision of the rabbinate received the unanimous approval and support of all circles in Polish Jewry, including even that of the Socialist groups. The effect of the Jewish meatless days were felt at the Polish Meat Exchange. In Warsaw alone on the first meatless day, the number of cattle slaughtered was 320 less than that on the corresponding day of the previous week.

On March 22, 1939, that is, in the midst of the Jewish meat boycott, the bill came to a vote in the Sejm and was passed, to take effect at the end of the year 1942. When the result of the vote was announced the Jewish deputies arose in protest and left the hall.

Again the Senate was not given the opportunity to act on the Shehitah law. Poland was once more in the throes of a national crisis brought on by German aggression. The Government feared that the passage of anti-Shehitah legislation might divide the country at a time when national unity was most essential, and therefore did not bring the Shehitah bill before the Senate. In September, 1939 the Polish Republic fell, its land divided between the German Reich and the Soviet Union. The Polish Republic had never abolished Shehitah.

Jewish slaughtering has been prohibited in every country seized by Nazi arms. In July, 1939, it was declared illegal in Slovakia.[512] On October 26, 1939 it was banned in German-occupied Poland by decree of the German officials assigned to govern that territory. The order differed from all previous anti-Shehitah measures in one respect. All earlier decrees had prohibited Shehitah indirectly by requiring that all animals be stunned before slaughtering. The German decree in Poland cast aside all pretense and called for the abolition of Shehitah by name. The decree said, "In

accordance with Section 5, Clause 1, of the decree of the Fuehrer and Reich Chancellor regarding the administration of the occupied Polish territory, of October 12, 1939, I order:

> "Section 1: In any territory under German rule, cruelty to animals of any kind is not permissible. Effective immediately, I therefore forbid shechita, that is, the painful slaughter of animals by means of gradual draining of blood for the purpose of the so-called kosher meat consumption.
>
> "Section 2: (1) Any person guilty of shechita is punishable by imprisonment of not less than one year. (2) Accessories, instigators, and assistants are subject to the same punishment as the violator. (3) An attempt is subject to the same punishment as an actual violation. (4) The prison sentence may be served in concentration camps."[513]

Shehitah was outlawed in German-occupied France on July 27, 1940[514] and in the German-occupied Netherlands, on August 4, 1940[515] Shehitah was proscribed on July 22, 1940 in Romania, when that country came under Nazi domination.[516]

PROCURING MEAT UNDER ANTI-SHEHITAH LAWS

SWITZERLAND

The Swiss anti-Shehitah measure adopted in 1893, much as it constituted a defamation of a beneficent and time-honored religious rite and an assault upon the religious liberty of Jews, caused little practical hardship to Swiss Jewry. The law still allowed Jews to slaughter fowl in accordance with their religious rules, and also to import kosher meat from neighboring countries. This was true incidentally of the legislation passed in Norway, Sweden, Hungary, and Italy. In each case the slaying of poultry by the Shehitah method at home as well as the importation of kosher meat from abroad was not interfered with.

During the World War, 1914-1918, the performance of Shehitah was temporarily allowed in Switzerland. That country, entirely surrounded by warring nations, could not obtain supplies of kosher meat from abroad. Therefore the Bundesrat, which had been granted special powers for the duration of the war, temporarily set aside the anti-Shehitah article in the Constitution and permitted Jewish slaughtering to take place.

When war broke out again in Europe in September, 1939, Swiss Jews again found that they could not secure kosher meat. In the spring of 1940 representatives of the Jewish Communities and of the Rabbinical Assembly met at Berne with officials of the Veterinary Department of the Swiss Government, to discuss the possibility of having Shehitah allowed once more. At this meeting the Veterinary Department indicated that it would approve Jewish slaughtering only when preceded in each case by the application of a narcotic to render the animal unconscious. The representatives of the Rabbinical Assembly replied that such a condition was tantamount to a prohibition, since all methods of rendering animals unconscious by narcosis that had been used until then were regarded as not meeting the requirements of the Jewish law.

A fortnight later the head of the Veterinary Department met privately with Dr. T. Lewenstein, Chief Rabbi of the Orthodox Community of Zurich, and a tentative agreement was reached to have experiments carried on with a view of having Shehitah performed upon animals that had first been rendered unconscious by narcosis and then had showed signs of reawakening.

Such experiments were conducted over a period of several months, the narcosis used being one that had been employed in surgical operations upon man and beast. Following this, the Rabbinical Assembly decided to submit to nine of the greatest talmudic authorities residing in different countries a question as to the permissibility from the standpoint of the Jewish law of this procedure. Favorable answers were received, and the Rabbinical Assembly with one dissenting

vote decided to approve the method under the following conditions:

1. That it was to be employed only in Switzerland;

2. That it was to be understood that it had been instituted only because of the special conditions existing then in Switzerland;

3. That it was to be followed only as long as meat could not be imported from abroad;

4. That it was to be followed only as long as the present approved shohetim and the present rabbis were functioning in their present posts; and

5. That it was to be employed only as long as no three of these rabbis forbade it.

The first act of Shehitah following this procedure was to be performed in October, 1940. "Then," writes the Rev. Dr. T. Lewenstein of Zurich, "such practical obstacles appeared *here in Switzerland* that it never came to an act of Shehitah." A few days later three rabbis of the Rabbinical Assembly pronounced the procedure forbidden.

THE SOVIET UNION

There is no law which makes the practice of Shehitah illegal in the U. S. S. R. To make certain of this fact, the author wrote to the Embassy of the Soviet Union in Washington, D. C. and from C. Oumansky, then Chargé d'Affaires, received this reply dated April 20, 1939, "The information requested is not available, since the practice in question is a private concern of the individual citizen in the Soviet Union."

Nevertheless, Shehitah has been suppressed in the Soviet Union, and by that inexorable process by which all religion has been put down in that country.

For the first five years after the Revolution, that is immediately after 1917, Shehitah was virtually not practised in Russia mainly because there were no meat animals to be had. The unbridled nihilism which destroyed the nobility and the bourgeoisie, suppressed trading, and deposed religion, had paralyzed the production and transportation of all foodstuffs, including meat.

In 1922 the powers in Moscow came to the realization that a more conservative economic course was imperative, and instituted the N. E. P. (New Economic Policy), which was pursued for the following seven years. In this period trading was allowed. The practice of religion was permitted, though subjected to government approved adverse propaganda. Supplies of food and other necessaries began to appear in the cities as a regular thing. Meat was available and Shehitah was practiced without interference. The revival of business in Russia began to produce a new bourgeoisie. This caused great concern to the communist leaders and in 1927 they proceeded to levy heavy taxes upon business. Two years later they ended the N. E. P.

The next two years saw the destructive forces of Communism unleashed again. The new bourgeoisie was destroyed, and every religious manifestation, including that of Shehitah, crushed. Religious persecution, taking the cruelest forms, was instituted. Rabbis and priests were herded into labor camps or sent to perish on Arctic tundras. At first some of the shohetim sought to protect themselves from the rising atheist fury by claiming, as laborers, to be part of the proletariat; and to make their claim the more convincing some even joined in the cleric hunt. The communists were not to be deceived by these expressions and included the shohetim among their victims. Rabbis and shohetim found life perilous in the small towns and fled to the big cities where they were unknown. Jewish religious life, to the extent that it survived, was driven underground.

Religious persecution in its violent form came to an end at the close of 1930, when the Five Year Plan was inaugurated. At that time the existing Soviet religious policy was adopted. Under it, synagogues and churches were allowed

to reopen, and ministers of religion were permitted again to conduct religious worship and to teach the adults. Shohetim were once more allowed to slaughter animals in accordance with the rules of Shehitah. But this grant was meaningless, for the following reason. By communist theory all animals, as well as all abattoirs in which they might be dispatched, are the property of the State. It is a firm Soviet principle that no religious practice may be conducted on property belonging to the State. The shohet is restrained from performing Shehitah, therefore, by the regulation that he might not perform a religious rite on a State-owned beast on State-owned property.

Because of this indirect ban on Jewish slaughtering, brave and pious Jews organized surreptitious Shehitah. Religiously observant Jews residing in Moscow received kosher beef killed by shohetim at points as far distant as twenty versts from the city. They were obliged to pay heavily for the illegal commodity, 400 rubles to the shohet to kill an animal worth 2,000 rubles, and 100 rubles to the farmer to allow the killing to take place on his land.

The slaughtering of fowl baffled all efforts at governmental control. Shohetim slaughtered birds for Jewish consumption in considerable quantities and in innumerable places. In October 1932 the "Emes" complained bitterly of the government's inaction in the face of continuing religious observance by Jews, especially in the colonies. The journal asserted in particular that the wives of colonists went to the towns in order to have their poultry slaughtered by shohetim.[517] The authorities saw in the uncontrolled widespread kosher killing of fowl at least the loss to the State of the feathers of the birds. To check this loss they decided to allow the kosher slaughtering of birds, but to have it take place only in government buildings and under government management. They set up special abattoirs for this purpose in Moscow and in some cities in the Ukraine. In these slaughtering establishments they put shohetim to work, but enforced the regulation that all fowl killed by them be plucked on the spot and the feathers left behind for the

uses of the State. Two such butcheries were put into operation in Moscow in 1930.

Mr. David L. Meckler, editor of the (New York) "Jewish Morning Journal," made a tour of the U. S. S. R. in the year 1935 in order to study general conditions and particularly the fate of Judaism in that land. In a book setting forth his impressions he devoted considerable space to the subject of Shehitah. The following excerpt from that book describes a shohet functioning in a part of the Soviet Union where no Shehitah was allowed.[518]

> "I found myself in a private home in a little town in the Ukraine; the people of the house were away one day and I was left there alone. The door opened and a Jew appeared, in appearance about fifty years of age, with his blond beard interspersed with gray hair, his clothes old and patched, and his shoes torn. He was carrying a wooden case under his arm. He looked at me surprised to have found a stranger in the house. After I assured him of my identity, he told me his astonishing story.
>
> "The man who appeared to be fifty was in fact a man of thirty, prematurely aged. 'When one has to endure such persecution, as I have, one becomes an old man at thirty,' he remarked.
>
> " 'But what is your work?' I was curious.
>
> " 'Not very much. My concern is that none should eat terefah, and that Jewish children should not grow up without Torah and good deeds.'
>
> " 'In what way?'
>
> " 'I am a shohet, a son of a shohet, descended from a family of shohetim for ten generations.'
>
> "His grandfathers, uncles, and other relatives had been shohetim at the courts of noted Hasidic rabbis and in great Jewish communities. His family considered Shehitah not simply a means of earning a livelihood, but a sacred calling.
>
> " 'We have a tradition that none in our family should give up this hallowed occupation. We have

always married into the families of shohetim. My father-in-law himself was an eminent shohet.'

"This aged young man regarded it as his sacred task to go from house to house, and where the need arose to slaughter a fowl and occasionally a sheep or even a head of cattle. It is understood that he went only to those homes where he knew kashrut was desired and where none would betray him. He had an additional line of work. He imparted religious instruction to children, where possible. He was also a mohel (circumciser), the work of which he of course performed in secret.

"The little wooden case was his disguise. It contained the tools of a glazier, and proclaimed that his calls at different homes were for the purpose of replacing broken panes and tightening loose frames.

" 'Were they to catch me slaughtering animals or teaching children, they would throw me into prison, or send me away to some unknown destination. Of that I would not be afraid. It might be even desirable to sanctify God's name in this way, but I wonder in that case if there would be found another to take my place. I was formerly a shohet in a neighboring town, where I was persecuted so relentlessly that I had to pull up my stakes and leave. The rabbi and the other religious functionaries also had to give up. But without a rabbi, a Jew can get along. Without a teacher, perhaps also. But without a shohet? Judaism, God forbid, would then disappear altogether!' "

Mr. Meckler in the following excerpt tells of the government abattoirs, in which the legalized kosher killing of fowl was conducted.[519]

"It was in Kiev. At the bazaar, I saw a middle aged woman going about with a plucked fowl calling to every passerby, 'Twenty two rubles, only twenty two rubles!'

"What attracted me was not the price nor the fowl, but that the fowl, as I observed it, had a severed throat, as if it had been slaughtered by a shohet.

"The woman, noticing that I looked at her wares, came closer and said, 'Real fresh', lifting the fowl before me, 'Just slaughtered'—(literally, 'slaughtered according to Shehitah rules').

" 'Are you Jewish?' I asked.

" 'Need I tell you?' she replied. 'But why do you ask?'

" 'Because I would like to know how that fowl was slaughtered.'

" 'How? Like all fowl. By a shohet!'

" 'By a shohet!' I was amazed. 'And you are not afraid to reveal the secret?'

" 'What fear? and what secret?' and the woman eyed me.

" 'I mean but this,—that it is possible to slaughter fowl openly and then to take them out on the market to sell?'

" 'Whether selling it on the market is kosher, I do not know, but that the Shehitah is kosher, that I can guarantee.'

"Then the woman informed me that Shehitah in the city of Kiev had been allowed for a long time, that fowl were slaughtered in official government slaughter houses. This was so new to me that I could hardly believe it, so I asked the woman to give me the address of one of these slaughter houses.

" 'In 40 Shevtshenka you will find such a place,' she assured me.

"With no time lost I was off to 40 Shevtshenka. The fact was that a day before I had been in 14 Shevtshenka, where the Nar Kompros (Commissariat on Education) was located and where I had sought the Division of Jewish Education. It was therefore the more incredible to me. From 14 Shevtshenka, so to speak, there spreads forth all the communist education, Jewish and non-Jewish, and in 40 Shevtshenka

stand shohetim who slaughter fowl, as slaughtering should be!

"Coming to the number, not far from the entrance I saw the slaughter room for fowls. A shohet with beard and side-curls and with a skull cap on top of his head was standing with rolled sleeves and slaughtering fowl with a shining knife.

"Women, young and old, and even men were coming to him with fowl in their hands and giving them over to be slaughtered,—as if nothing in all Soviet Russia had ever changed. In the forward room sat a Jewish woman as cashier. She collected a ruble as Shehitah money for every fowl, for which she gave a receipt. I went over to the shohet.

" 'Undoubtedly you slaughter fowl in accordance with the Jewish religious law?'

"He countered, 'Why do you wonder? This is not a hidden place. It is completely a government enterprise; we, the shohetim, receive our salaries from the government like all other government officials.'

" 'But since when has Shehitah been legalized in Soviet Russia?' I asked him.

"The shohet, who gave his name as Joshua Levberg, and who told me that I was free to use it, was slightly amused. I learned the following.

"For the purpose of obtaining feathers for export the Ukrainian Soviet authorities have opened slaughterhouses for the kosher killing of fowl. A rule of these establishments is that the slaughtered birds must be plucked on the premises and the feathers left behind. The butcheries are cooperative and under direct control of the government, which takes as its share the feathers besides twenty percent of the income. In each abattoir there is a cashier who collects the Shehitah money and keeps the count. The cashier and the shohetim are members of the cooperative. After the government takes its share and after the rent is paid the members of the cooperative divide the remainder.

"'What do you earn on an average?' I asked the shohet.

"'We are two shohetim here. After all expenses are paid, we receive about 150 kerblach each.'

"I discovered that in Kiev there are several such slaughterhouses, in all of which are employed no less than 21 shohetim. The shohetim, no matter how difficult is their lot, are satisfied. For the first time since the Revolution, they have an official status and are accounted government officials.

"These slaughterhouses are under supervision of the government bureau devoted to the collection of outworn and discarded material, which means that the purpose as far as the government is concerned is to collect feathers and at the same time to have an extra source of income through Shehitah money.

"The signs over these slaughter places read 'Riezki Ptish' in Ukrainian. Later I learned that Kiev is not the only place where the kosher slaughtering of fowl is permitted. There are other such places in the Ukraine.

"It is understood that since the motive is the collection of feathers that the foregoing only applies to fowl. No slaughtering of cattle (by shohetim) is permitted, either private or under government control. The trade in meats is entirely a government business, and the government has no desire to deal with Shehitah, which is a religious matter.

"There was a plan, which the officials of 'Torgsin' in several cities favored, to permit the kosher slaughtering of cattle in order to be able to sell meat for 'valuta.' The thought was, that foreign Jews might send more money to their relatives in the Soviet Union if they knew that their kin could procure kosher food. The Jewish communists protested and the proposal was shouted down.

"I learned from reliable sources that even members of the Communist Party bring their fowl to the shohet to be slaughtered. Why? A shohet supplied

the answer. Many of them really relish a kosher bite. They have a good excuse for using the shohet. They say that they do so that the State may have the feathers. Then again they haven't the nerve to chop off the head of a fowl themselves. Some gentiles also use the shohet for the same reason. A shohet in Moscow explained to me that even in cities where all manner of Shehitah is forbidden many employ shohetim secretly. That this is not done more extensively is due to the fact that few can afford to buy fowl, especially live fowl, and fewer have the opportunity to bring them to a shohet.

"A woman in Leningrad (where kosher killing is not permitted) explained, 'Do you think that I do not prefer a bite of kosher poultry? But see what I must do in order to get it. First, I must ride to the market to buy a live fowl. Then a live fowl is not easy to get, because the peasants find it more convenient to bring their poultry to town already killed. Then I must carry a live fowl through crowded tram cars in search of a shohet. On top of that the shohet and also the one who patronizes him take a great risk.'

"Kosher meat of cattle, calf, or sheep is virtually impossible to obtain. If one does get such meat in the larger cities it comes from the smaller towns, where it is sold secretly."

NAZI GERMANY

On April 21, 1933 Nazi Germany adopted an anti-Shehitah law for the entire Reich. The terms of the act provided that it become operative on May 1. A shortage of kosher meat developed almost immediately, for we note that the April 20, April 27, May 4, May 6, and September 7 issues of the "Israelitishes Familienblatt" already carried under the heading "Kuchenzettel fur die einfache fleischlose Kuche" (menus for the meatless kitchen), suggested meatless menus for an entire week. During the summer of 1933

the Nazi officials in many places, apparently to be assured of the law's enforcement, confiscated the knives of the shohetim.

To a certain extent Jewish slaughtering was driven underground, to flourish as what was known in Germany as "black Shehitah." This illegal and secret performance of Shehitah was not widespread, for the majority of orthodox Jews in Germany would not eat meat produced in this way, and for two reasons. First, because "black Shehitah" was of doubtful kashrut, since it could not receive adequate rabbinic supervision; and second, because it was deemed unethical to enjoy meat that had been produced at the peril of another, in this case the shohet.

The first of these objections to "black Shehitah" was voiced in a news item carried in the "Israelitishes Familienblatt" of December 23, 1933. This reported the arrest and sentencing to two months imprisonment of two unnamed Jewish meat dealers in Wiesbaden who had violated the anti-Shehitah law. The offenders had slaughtered an animal in accordance with the Jewish law and then, to cover up their deed, had shot the carcass immediately. The journal observed that that carcass could not have received the religiously required post-mortem examination, and that therefore the incident served to confirm the view that "black Shehitah" meat was generally terefah meat. That issue of the publication carried another list of meat-less menu suggestions, this time under the slightly varied heading "Kuchenzettel fur die jüdische Kuche" (menus for the Jewish kitchen).

While many Jews accepted with finality a fish-eating vegetarianism, others directed their efforts to secure kosher meat under the law, in two ways—by means of a new slaughtering technique that would satisfy the requirements of the law, and by the importation of kosher meat from abroad.

In their effort to evolve a killing mode to comply with the Torah and German law, the Jews were favored by the wording of the anti-Shehitah decree. The law did not forbid Shehitah, in fact it did not use that term. The decree ruled

simply that the victim in the shambles be rendered insensible before being slaughtered. Theretofore that requirement had banned Shehitah because animals had always been rendered unconscious in gentile practice by a blow over the skull with a mallet, a blow which invariably injured the brain membranes or the brain itself and made the creature terefah. Some of the German-Jewish investigators set out to discover some means of rendering an animal insensible without inflicting this injury. In their search for this method they experimented with a number of desensitizing procedures.

One method investigated was that of rendering animals unconscious by electricity, a method with which Dr. Solomon Lieben of Prague had experimented for a number of years past. The "Israelitishes Familienblatt" of October 11, 1933 carried the report that Dr. Jacob Hoffman, rabbi in Frankfort-on-the-Main, had declared that the "Traditionel-Gesetzestreue Rabbiner Vereinigung in Deutschland" had again taken up the matter of stunning by means of electricity, that experiments conducted with electricity in Berlin had not given satisfactory results, and that experiments conducted in Frankfort with improved apparatus had yielded somewhat better results. He said in the name of the "Rabbiner Vereinigung" that the body would go into the matter deeper, but that at the moment he was obliged to state that no meat killed in Germany might be declared kosher. When the results of the experimentation with electricity were tabulated, they failed to convince the German rabbis that the electrical shocks did not produce lesions in the brain of the victim. It should therefore be stated that the investigations in electrical stunning conducted in Germany were inconclusive.

In 1938 another group of investigators were at work in Copenhagen on the effects produced in animals when rendered unconscious by breathing nitrogen. The sensory reaction to the breathing of nitrogen is well known. It is the sensation experienced by aviators caught without oxygen masks at great altitudes, a painless sinking into unconsciousness. The results of the experiments were insufficient

to lead German rabbis to approve nitrogen stunning as a method meeting the requirements of Jewish law.

The desensitizing method which seemed to fulfill the requirements was that developed by Bruno Kisch, professor of experimental pathology and bio-chemistry at Cologne University. It called for an intravenous injection of the drug eunarcon. Two conditions demanded fulfillment, that the drug produce unconsciousness (to comply with the Nazi law), and that it cause no injury (to comply with the Jewish law). That eunarcon possessed the property of causing insensibility was unquestioned, because that drug had been long in use as an anesthetic in human surgery. Tens of thousands of people operated upon under its influence could testify to that property. The pertinent question was whether the drug also caused injuries which might make the animal terefah. There was good reason to discount this possibility, because no permanent ill effects had been reported in the thousands of human beings thus anesthetized. A point to be considered was whether the victim might not be injured and rendered terefah by the prick of the needle through which the eunarcon was administered. It is to be remembered that the minutest perforation in the esophagus constitutes an impairment sufficient to make a creature terefah. This danger was averted by having the eunarcon injected into a vein in the ear: by Jewish law no injury to the ear of a victim renders it terefah.

The eunarcon method was sound in principle. Prof. Kisch set out to show by means of demonstrations that it was also practicable. In the presence of rabbis on a Jewish farm at Neuendorf near Berlin, Prof. Kisch injected several heads of cattle with eunarcon. Because of the existing anti-Shehitah law, the experiments had to stop short of actual slaughtering. The injected animals fell over unconscious and remained so for a definite period of time, a few minutes in each case, and then stood up, walked about, and displayed no signs of discomfort or impairment of function. The only objection voiced was the general one that under the eunarcon method a foreign substance was introduced into the body. The local police soon interfered with operations on the farm,

so it was decided to continue the experiments outside the country.

The new field for the experimentation was Prague. In April, 1937, at a demonstration, four heads of cattle were treated with eunarcon. They fell into unconsciousness and were then slaughtered by a shohet. They exhibited all the post-mortem reflex movements normally seen in all animals after Shehitah. It was thus demonstrated that the eunarcon did not produce any organic or neural impairment and hence did not render the animals terefah. In July, 1937, Prof. Kisch was apprised that the principle underlying the eunarcon method had apparently found no ritualistic objections among some of the orthodox rabbis, but that their final acceptance of the method would have to await a larger number of successful experiments.

The violent outburst against the Jews in November, 1938, discouraged all further investigations in this field. It was made clear by events that the Nazi authorities were not of a mind to countenance Shehitah even if it could be made to conform to the law of the land.

While researches were being conducted to find a desensitizing method that would make Shehitah legal under Nazi laws, steps were taken to secure supplies of kosher meat from abroad. The importation of kosher meat was begun in April, 1933.

Numerous were the restrictions upon kosher meat importation. Existing laws did not allow beef to be brought in from Poland, Lithuania, Czecho-Slovakia, Hungary, Yugoslavia, or Rumania, on the principle that cattle in these countries might be diseased; though fowl were admitted from Hungary and Yugoslavia. These regulations left but a few countries from which Jews might procure meat. At the outset they obtained kosher meat mainly from Denmark and the Netherlands. During 1936 and 1937 frozen kosher meat was imported from Uruguay and Argentina.

An additional restriction was that the foreign purchasing of meat had to conform to the German barter scheme. Under that arrangement imports were to be paid for in

export credits instead of cash. The Nazi regime was quite willing at first to grant the Jews the privilege of bringing in kosher meat within the general barter arrangements, because they hoped that this would lead them to use their best offices and connections to stimulate the foreign buying of German goods. The Jews organized the "Reichszentrale fur Schachtangelegenheiten" to import and distribute kosher meat. The "Reichszentrale" was trusted in the matter of kashrut by the most pious, as it was headed by the venerable Rabbi Ezra Munk of Berlin and his energetic son, Rabbi Michael Munk. The corporation was recognized by the Nazi government and allowed a specified amount of import credits.

The barter system functioned at its best until December, 1935. Beef was imported from Denmark and poultry from Denmark, Holland, Hungary, and Yugoslavia. Veal, because of its tendency to spoil quickly, had to be purchased from nearby localities. Most of the kosher meat was obtained from Denmark, because as against the meat in Holland its price was cheaper.

During this period, that is, until December, 1935, the average weekly importation of meat from Denmark consisted of approximately 200 carcasses. Since the law required that entire animals be imported, the "Reichszentrale" brought in complete carcasses, severed them upon arrival, retained the forequarters, and sent the hindquarters on to Italy or back to Denmark "in transit" in order to avoid the importation tax. That tax, which was one Reichsmark per kilo and an additional tax of 40 pfennigs per kilo, made it impossible to sell this meat at less than three to four marks a kilo. The total monthly importation from all countries during this period amounted to 120,000 kilograms of beef and veal, a figure which represented 15% to 20% of the amount of kosher beef consumed in Germany in an average month prior to Hitler's rise.

After December, 1935 the German government introduced new restrictions, abolishing the Jewish share of the barter with Denmark. Flesh supplies for all were dimin-

ishing, and the government wanted all available meat to go to the non-Jews. The new measures cut down imports of both kosher beef and poultry.

In 1936 the "Reichszentrale" petitioned the Ministry for Food to allow a share of the barter, at least for Jewish hospitals. This was refused for the double reason that all barter was being curtailed, and because rumors had reached the ears of the Ministry that Jews were receiving gifts of meat in considerable quantities from abroad.

The "Reichszentrale" then busied itself to uncover new sources of meat supply. It negotiated on its own with governmental authorities in Denmark, Holland, Uruguay, and Argentina, with the hope of making new barter arrangements, which it then might submit to the German government for approval. A Dutch minister expressed his interest, but nothing resulted from it. During that year much poultry still came in by way of barter, while from Upper Silesia much kosher meat arrived in the form of small private shipments.

In 1936 a committee consisting of Rabbi Michael Munk, the Rev. Dr. Jacob Hoffman, and Herr Adolf Schoyer went to London to secure the first large gift of kosher meat from abroad. From funds they raised in London they purchased, while abroad, 40,000 kilograms of fresh Danish beef, 10,000 kilograms of fresh Danish calf meat, and 30,000 kilograms of frozen beef from Uruguay.

The "Jewish Friends' Food Fund" was then established in London as an agency to coordinate outside efforts and measures to supply German Jews with kosher meat. That organization received money donations from the Jews of many countries, with instructions to supply kosher meat either to Jewish institutions or to Jewish individuals in Germany. The managers of the "Fund" would purchase the kosher meat, generally in South America, and deliver it in a "kashered" (already soaked and salted) and frozen state to the "Reichszentrale" in Germany. The "Reichszentrale" would then distribute it either to institutions or to private individuals as ordered.

At first the "Jewish Friends' Food Fund" bought most of its meat in Denmark and had it delivered fresh. As time went on it was forced to buy meat where it was cheaper, and so it turned to Uruguay and Argentina, for delivery of frozen flesh. During 1936 the "Fund" supplied 151 Jewish institutions with 15,750 kilos per month. In fresh Danish beef that quantity would have cost 12,500 marks, in frozen South American beef but 7,000 marks. During each month in 1936 kosher meat was distributed among 151 German Jewish institutions in the following amounts:

No. and type of institutions	No. of inmates provided for	Amount of kosher meat received in kilos
24 hospitals	2616	5,570
33 homes for the aged	2388	3,420
13 orphanages	726	770
29 children's homes	1747	1,490
30 general institutions	1890	2,050
22 public (non-proletarian) kitchens	4012	2,450
151 Totals	13,379	15,750

(The above distribution allowed each inmate the following quantity of kosher meat per week: in hospitals, 1 lb.; in homes for the aged, ¾ lb.; in children's homes, ½ lb.; in public kitchens, ¼ lb.) From February 11 to August 1, 1937 the "Fund" received the sum of 4,000 pounds to supply German Jewish institutions and 16,500 pounds to supply German Jewish individuals. In the entire year of 1937 the "Fund" purchased and shipped into Germany 600 tons of beef, which took care of the needs of inmates of institutions as well as approximately 25,000 private persons. During that year about 6% of the donations for the purchase of meat came from Great Britain, while approximately 60% came from the United States.[520]

A private individual in Germany would receive his kosher meat in the following way. He would have a relative or friend living abroad send a sum of money to London to the

"Jewish Friends' Food Fund" with the statement that he wished kosher meat delivered to a named person in Germany. The "Fund" would communicate with the "Reichszentrale" to notify the intended recipient that kosher meat had been ordered for him and asking him to state in which form he desired to receive the meat. The recipient would fill out a form and in a specified number of days call at one of the controlled meat distribution centers to claim the meat. On the opposite page appears a copy of form B3, sent June 6, 1937 by the "Reichszentrale fur Schachtangelenheiten" to Prof. Dr. B. Kisch of Koln, notifying him that the "Jewish Friends' Food Fund" had received a sum of money from Richard Kirchenberger of Prague to supply him with kosher meat. The recipient was asked to fill out the form specifying the kind of meat he desired. The indicated choices were: 13 kilograms of fresh Danish beef with bones; a quantity weighing one quarter less, without bones; 22 kilograms of frozen beef; 9 kilograms of veal. It was stated that should fresh meat be chosen the delivery would be made in seven days, but in the event that frozen meat was selected the meat would not be delivered before August.

In November, 1936 the government lowered the import tax on kosher beef. Earlier a serious meat shortage had begun to develop in the Reich, and the Ministry of Food had established maximum meat prices to prevent profiteering. It was then feared that with general meat prices much lower than kosher meat prices, Jews might be induced to buy terefah meat and to that extent reduce the amount of meat available for non-Jews. The tax on the importation of kosher meat was therefore lowered, and a retail price of 1 Mark 40 to 1 Mark 60 was set on kosher meat.

Until this period the kosher hospitals in Germany had with heroic efforts maintained the serving of kosher food exclusively. In November 12, 1936, at a conference of Berlin hospital directors, the suggestion was put forward that due to the enormous difficulties involved in the procuring of kosher meat, the hospitals yield and become terefah, but maintain kosher departments for those patients who might ask for kosher food. The proposal was vigorously de-

Reichszentrale
für
Schächtangelegenheiten

Fernsprecher: 39 94 15

Berlin NW 87,
Siegmundshof 15

6 JUN 1937

Absender: Berlin NW 87, Siegmundshof 15

Vorläufige Bezugsnummer 8779
(in allen Zuschriften anzugeben)

Herrn / Frau *Prof. Dr. J. Kisch*
Köln
Kaiserstr. 14

Laut soeben eingegangener Mitteilung des „*Jewish Friends' Food Fund*", London, hat Herr *Richard Kirchenbergen*
in *Prag, Glauba Nr. 25,*
zu Ihren Gunsten eine Schenkung in Höhe von

13 kg frischem dänischen Rindfleisch (mit Knochen)
— bei knochenfreiem (schierem) Fleisch 25% weniger —

vorgenommen.

Anstelle von 13 kg frischem **Rindfleisch** können, **insoweit örtliche Lieferungsmöglichkeit besteht,**

entweder 22 kg Rindergefrierfleisch
oder 9 kg Kalbfleisch

Gefrierfleischer ab August liefert

bezogen werden. Eine gleichzeitige Belieferung mit mehreren **Fleischsorten** im Rahmen **einer** Schenkung ist leider nicht möglich.

Wir bitten, beiliegenden Vordruck „B 3" genau auszufüllen. Der voraussichtliche Bedarf ist genau zu errechnen. Die erste Zuteilung kann frühestens 7 Tage nach Eingang des Vordruckes „B 3" erfolgen. Nachträgliche Abänderungen sind schwer und nur unter **gesonderter Spesenerhebung** durchführbar.

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Erst nach Eingang des von Ihnen vollständig ausgefüllten und unterzeichneten Schreibens (Vordruck „B 3") kann die Zuweisung an Sie veranlaßt werden. Sie erhalten rechtzeitig Benachrichtigung unter gleichzeitiger Uebersendung der Fleischanweisungen.

Reichszentrale für Schächtangelegenheiten

Postscheckkonto: Felix Streck Sonderkonto Berlin Nr. 140308

Courtesy of Professor Bruno Kisch

KOSHER MEAT ORDER BLANK USED IN NAZI GERMANY IN 1937

Under the anti-Shehitah edict in Germany, an individual might obtain kosher meat only as a gift from abroad. He was obliged to have someone living abroad pay and instruct the "Jewish Friends' Food Fund" in London to purchase the meat for him. When the money was received in London, an order blank was sent to the recipient in Germany to indicate his choice of meat

bated and turned down. Only in 1938, when the economic situation had taken a turn for the worse and when government restrictions had multiplied, did some of the kosher hospitals turn terefah, though still retaining kosher departments.

It appears that since 1938, with kosher meat unobtainable, pious Jews in Germany have resigned themselves to a fish-eating vegetarianism.

(The writer is indebted to Prof. Bruno Kisch for the data, including dates and figures, given in the foregoing section. Prof. Kisch, who participated actively with leading representative German Jews both in the experimentation on methods of stunning animals before slaughter and in the importation of kosher meat between 1933 and 1938, supplied the information from original documents brought with him when he came to New York. These documents, which he kindly showed to the author, are in his possession.)

NORWAY, SWEDEN, AND HUNGARY

In the face of anti-Shehitah legislation in their countries, Jewish leaders in Norway and Sweden sponsored the development of desensitizing techniques to be employed upon animals preceding slaughter. Between 1935 and 1937 Chief Rabbi Marcus Ehrenpreis of Sweden encouraged experimentation with electricity to this end. These experiments did not produce satisfactory results.

The technique of rendering animals unconscious by having them inhale nitrogen was also tried, and evidently this method won rabbinical sanction in both Norway and Sweden. Dr. Simon Federbush, former Chief Rabbi of Finland, stated to the author that Norwegian and Swedish Jews have accepted, with the approval of rabbinic authorities consulted, the permissibility of desensitizing animals before Shehitah by means of nitrogen. Dr. Federbush stated that pious Jews in Norway and Sweden eat meat so produced without question. Further confirmation of this fact came to the author from Rabbi Meir Levi, who spent some time in Stockholm

with Rabbi S. Wolbe of that city in 1939. Rabbi Levi declared that the pious Jews of Stockholm eat the meat of animals killed after being rendered unconscious with nitrogen.

The Jews of Hungary have evidently taken no steps to investigate or adopt a stunning method to enable them to perform Shehitah under the law. The recommendation of the Koffka machine as an electrical stunning device, made by the Hungarian Department of Agriculture in its official bulletin,[521] is to be viewed only as a pronouncement made to taunt the Jews.

On Feb. 9, 1940 the Hungarian government announced that henceforth all importation of kosher meat from Carpatho-Ukraine, where the practice of Shehitah was still legal, into other parts of Hungary, was prohibited. The motive given was that Jewish butchers were trying to make a thriving business out of the ban on Jewish ritual slaughter in the rest of Hungary.[522]

It should be said at this point that the development of a satisfactory desensitizing procedure is beset with many difficulties. The commonly employed anesthetics, unless administered in carefully controlled doses, are apt to kill the animal rather than simply render it unconscious. Furthermore, most anesthetizing drugs, such as chloroform and chloral hydrate, render the meat inedible.

In the employment of electricity it is difficult to calculate the voltage required to produce unconsciousness short of death. Furthermore, it has been found by investigators that electric shocks produce symptoms of pain, that they cause innumerable injuries to the internal organs, and that they hinder thorough desanguination of the body after death.[523]

PART THREE

America

Jews came to the New World almost with the earliest settlers. They came in small numbers at first, to make their homes in the West Indies, Mexico, Brazil, and in the British possessions in North America. Wherever they settled they strove to recreate in America the institutions they knew in their native lands. Three things every Jewish group of settlers sought to acquire as soon as it could, a Jewish burial place, a synagogue, and a shohet. These were communally acquired, owned, and managed; for in early America every religious activity was conducted by the group. The first American Jewish settlements were replicas, in sadly attenuated form, to be sure, of the organized Jewish communities known to all Europe. It was as a group that the first American Jews prayed, assisted the poor, buried the dead, baked unleavened bread for the Passover, and provided kosher meat. The shohet, first Jewish religious functionary in America, belonged to the group; to be more specific, to the synagogue representing the group.

9

Shehitah in New York: Past History

Colonial Times

The first Jews to come to Nieuw Amsterdam arrived by boat from Brazil in 1654. For the first six years they could not legally obtain kosher meat. The slaughtering privilege in the colony had been leased by the Dutch authorities to a number of tax farmers, on certain conditions. One was that only three named and licensed slaughterers were to kill animals in the colony, and another that none of these might refuse to dispatch an animal brought to him for killing. Jews could not obtain kosher meat then, because none of the official slaughterers was Jewish.

In the year 1660 the general need for meat in the colony had so increased that individuals petitioned the Council to license additional men as butchers. The Council granted the petition when on October 15th of that year, at a meeting in the City Hall, it swore in a number of new men. Among the new butchers was a Jew, Asser Levy Van Swellen. Before being sworn he had asked to be exempted from the requirement to slaughter every beast brought to him for killing. He explained that his religion did not permit him to slaughter hogs. This request the Council allowed. The Council record read, "Then Asser Levy requests to be excused from killing hogs, as his religion does not allow him to do it; which was granted him. And they accordingly took the following Oath except Asser aforesaid, who took the oath, which the Jews are accustomed to take."[524]

Two weeks later a second Jewish butcher was sworn in. The fact was noted in the Council record under the date of

October 29, 1660, as follows: "Moses Lucena appears in Court requesting to be a sworn butcher, which was granted him according to oath to be taken on the instruction of sworn butchers, and he has taken the same at the hands of the Officer agreeably to the oath of the Jews, having first requested not to be bound to kill any hogs; which was allowed him."[525]

Asser Levy took an active part in the meat business. There is a record that when in 1678 the old slaughterhouse proved inadequate, Levy was permitted by the English authorities to build an abattoir for the use of all the city, at what is now the east end of Wall Street.[526] In 1683, a year after he died, two Jews, Symon and David Valentine Van der Wilden, were authorized by the English administration to act as slaughterers.

Little is known of Shehitah arrangements prior to the year 1728. In that year we note that the shohet in New York was already an established official in the sole existing synagogue, the Spanish and Portuguese Congregation Shearith Israel. The shohet was given a fixed salary by the congregation and was subject to examination by the minister or his representative. The congregational shohet would do all the kosher slaughtering, and the meat would be sold to the Jewish householders through certain Christian dealers.

The first recorded shohet of the Shearith Israel Congregation was Benjamin Elias. When he first undertook his duties we do not know, but we have evidence that he was honorably retired and pensioned after years of service on February 9, 1728.

For a full century the only shohet employed in New York was the one engaged by the Shearith Israel Congregation. During that period the synagogue trustees were obliged to give much attention to three problems relating to the supply of kosher meat. These concerned the engagement of qualified shohetim, exportation of kosher meat to other American settlements, and sale of kosher meat in the local Christian-owned stalls.

When we first hear of the congregation's shohet, he was under the direction of the minister, or hazan, as he was called.

The shohet was tested by the minister or his representative at the time of appointment, and also at renewal of his term of office. This is indicated in the following excerpts from the congregation's Minutes:—February 9, 1728: "He (the newly elected shohet Samuel bar Meyr) shall submit to be examined in the Dinimz (laws) by the Hazen and any other Bodeck (shohet) said Hazen shall choose"; April 22, 1765: ". . . after proper examination, Jonas Philips was unanimously Elected Shohet for this Kaal (Congregation)." The secretary wrote on January 7, 1774, "Agreed to let Hart Jacobs kill under the direction of Mr. Raphael Jacobs and when approved by the Haham (minister) Hayyim I. Caragel." The trustees resolved on November 13, 1808, "Rev. G. Seixas, N. Judah, Jacob Hart Senior appointed to examine Jacob Abrahams Shohet, if found competent his contract to be renewed by Parnas for 1 year." On May 9, 1824 Bernard Hart, clerk of the congregation, wrote a letter to the Rev. Mr. Peixotto requesting him, together with Rabbi A. H. Cohen and Mr. G. S. Gomperts, to examine Mark Solomons on his qualifications as a shohet.

The election of the synagogue shohet was rarely contested. Though the congregation at all times contained a number of men capable of slaughtering few desired the post. Usually the lone candidate was a new arrival from Europe who would serve only until he had acclimated himself to the new land. He would then resign to enter business. Illustrative was the case of Jonas Phillips, born in Germany in 1736. At the age of twenty he landed at Charleston, S. C., and made his way to New York, where he was elected synagogue shohet. He resigned a few years later, to achieve success in the mercantile world and to establish an illustrious line in American Jewry.[527] The congregation membership had a goodly number of qualified but non-professional shohetim when Hazan David Mendez Machado in 1736 granted Shehitah authorizations to a number of individuals. A statement penned by Machado on the fly-leaf of one of his books reads:[528] "Licenses that I gave 5496 (1736) Zachary Polak Bedika, Solomon Hays, J. Hart, Jacob Isaacs, Abraham Triste, David Gomez, Moses Ramos, Migores Muyors (Myers),

David Seby, Haim Bun, Benjamin Pereira—Shehita. Solomon Hart for the Kaal, Jacob Pinto, Moses Lopez Ramos, Joseph bar Selomo, Daniel a'Cohen, J. Nunez Henriques, Abraham Pinto Bodek ditto Kaal—Shochet and Bodek."

In early 1775 the Congregation could find no one willing to take the post of shohet. After a month of fruitless searching, the officials were obliged to write to Rhode Island and Philadelphia, requesting public announcement in their synagogues to "enquire if there were any persons that was duly qualified and willing to serve this Congregation in said office."

Because of the difficulty of replacing a shohet, the Congregation made Hart Aaron agree when he took office on November 25, 1770 that should he "ever desire to leave office of Shohet must give three months notice."

The rapid turnover in New York shohetim is indicated in this fragmentary record:[529]

Feb. 9, 1728...Benjamin Elias retired.
1729?..Samuel bar Meyr Cohen elected, dismissed in 1730.
1730...Solomon bar Meyr elected.
1734...Solomon Hart elected, served for remainder of the year.
Aug. 5, 1759...Johanan Jacobs elected, later resigned.
Apr. 22, 1765...Jonas Phillips elected, later resigned.
Mar. 25, 1770...Hart Aaron elected, later dismissed.
Oct. 12, 1770...Moses bar Eliezer elected.
Dec. 23, 1771...Moses Lazarus elected, later resigned.
Nov. 8, 1772...Abraham Chavas elected, later resigned "being incapable."
Jan. 7, 1774...Hart Jacobs elected, later resigned.
Aug. 20, 1794...Application of Isaac Levi for place of shohet.
Jan. 27, 1796...Letter to Alexander Harris to act as shohet.
Oct. 18, 1803...Marks Solomons resigned; Jacob Abrahams elected.
Feb. 1813...Jacob G. Berlin elected.
1834...Gustavus Poznanski.
1836...Eleazar Metz elected.

The salary of the synagogue shohet, far from munificent, varied from decade to decade. Samuel bar Meyr Cohen, elected in 1728, was voted 20 pounds per annum, which was raised to 30 in the following year. Solomon Hart, elected in 1734, received 20 pounds annually, besides eight cords of wood and matzos. In 1759 the wage was 25 pounds; in 1765, 35 pounds. In 1768 it was agreed to give the shohet 10 pounds extra for wood at Rosh Hashanah, "if he behaves so as to deserve it." In 1770 the salary was put at 25 pounds, "with the benefit of the tongues as usual and no other." At that time there was included a provision that he was "to have no other demand on the sedaka (charity fund)." In 1774 the salary was raised to 35 pounds, which in the following year was raised once more, to 50 pounds. A letter dated January 27, 1796, written by Alexander Harris, stated his willingness to act as shohet for $5 a week. The synagogue may not have paid its shohet handsomely, but it did see its duty to assist him when in need. When the shohet, Benjamin Elias, was too old to continue his work, the congregation pensioned him at 20 pounds per year, a sum equal to the wage they allowed his successor. As stated in the quaint language of the resolution adopted on February 9, 1728, "That Benjamin Elias shall have Twinty Pounds Salary pr. annum in concideration of his haven served as Bodick and his age and circumstance requiring assistance and we authority unto the Parnaz that he may receive such Sums wch divers persons perticulerly have subscrive for that perpose, he shall also have cords of wood & passover cakes." In another case the synagogue pensioned its shohet's widow thirty pounds annually, which was above the current salary for the office. As stated in the record dated October 13, 1743, "We have agreed by the Consent of the Yahidim of the Congregation, That in Consideration that Solomon Myers, Deceased, did serve as Sohet and Bodeck for some years past to our Congregation, to allow his widow Judith Myers and Family Thirty Pounds annually and Massoth on account of the Sinagogue—and Eight Cord Wood."

Occasionally shohetim would be charged with incorrect performance. In each case the synagogue authorities took

steps to investigate the charge, acting on the principle that a shohet found incompetent or guilty of malfeasance was to be dismissed from his office.

This was demonstrated in the following case. On December 23, 1771 the shohet Moses Lazarus was accused of mixing terefah and kosher tongues. When he exonerated himself before a meeting of the parnas and assistants, he was retained with the warning, "that if he ever makes any other mistake in regard to killing, examination or sealing or in anything else belonging to his office that he then shall be discharged from being Shohet to this Congregation."

A more difficult case involved the shohet Hart Jacobs. On October 17, 1774 the widow Hetty Hays complained to the "Parnass President" that she had bought in the market a quarter of lamb, which was properly sealed but which had not been correctly slaughtered. The President summoned his assistants and also invited "Rabby" Samuel bar Isaac Keyser, a savant late of London and holder of credentials from Haham Moses Cohen De Asavado, to attend. At the hearing Isaac Marcus, who had formerly served as shohet in Holland and who was then residing at the home of Hetty Hays, expressed the opinion that the lamb had not been killed in accordance with the rules of Shehitah. The local Rabbi Moses bar Eliezer agreed. The London scholar, Rabby Samuel, however, convinced those present that there was not sufficient evidence before them to remove the shohet. The meeting broke up with the decision that the shohet "attend Rabby Samuel at his lodgings to be examined by him, who should determine whether he is fit to be shohet for congregation."

This the shohet refused to submit to. He took his killing knife, pinchers, seals, and hone, and left them at the home of the President with the declaration that he would not be examined by Rabby Samuel, Rabbi Moses, or by Isaac Marcus. He said that he would appear for a test only before any three or six shohetim of the Congregation. The parnasim were adamant, and the shohet resigned.

Later the headstrong shohet changed his mind, and on November 6th the Parnass President reported that the shohet

had visited Rabby Samuel, been examined by him, and had passed the test. The President returned to the shohet the implements left at his home.

All had not been smoothed out, however. For a number of days during the deadlock between shohet and congregation there had been no slaughtering, no meat for the householders, and no salary for the shohet. Hart Jacobs the shohet put in an application for pay for the days he had been idle. This was turned down, with the words, "It was his own fault that he sustained any loss by his obstinately refusing to be examined before he was."

On October 10, 1808, at a meeting of the Trustees, Joseph Andrew complained against the shohet Jacob Abraham for declaring the haslet of a calf kosher. Mr. Abrahams replied that if the haslet then exhibited was the same that he had sealed, it was kosher; and further that the haslet in view had every indication of being kosher. A committee of investigation, consisting of Jacob Hart, Senior, Naph. Phillips, and I. B. Kursheedt, examined the lungs of the calf and pronounced it kosher.

The Shearith Israel trustees were beset with the difficulties occasioned by the extensive exportation of kosher meat from New York to other American settlements. Individuals in the colony of New York would send meat in large quantities to Jews in Curacao, Jamaica, Surinam, and Barbados. The meat was shipped by boat, preserved, packed in sealed barrels, and accompanied by certificates issued by the Shearith Israel Congregation testifying to its kashrut. The exportation business was profitable, and after 1740 it grew to such proportions that exporters would often leave the New York Jews without kosher meat. Shohetim had to be instructed from time to time to slaughter enough to supply the members of the congregation. A clause in the agreement entered into by the synagogue shohet in 1743 read, "that he shall kill sufficient Meat of all kinds fitting for the use of the said Congregation." In 1765 and in 1770 the shohet's contract read, "The said Elected Sochet is to use his best endeavors to keep the Markets sufficiently furnish'd with

Meats for Supplying of this Congregation." A letter written by the parnas to the shohet on July 7, 1786 contained the following, "Sir: Since you are not pleased to act in conformity to the instructions given you by the Junta in consequences of which many of the Congregation who are not in Market being 8 o'clock go without meat, unless they put up with the refuse in the stalls."

The heavy exportation of kosher meat moved the congregation on April 10, 1752 to adopt a less costly device for marking meat, and also to levy a tax upon all meat packed for export. The old marking device had been the lead seal affixed to every piece of kosher beef; the new device was to be a brand. The newly adopted exportation tax was to be three pence per barrel if shipped by a resident of New York, and six pence per barrel if shipped by a non-resident. As stated in the Congregation's Minutes, "As the farriages of out Sohet and supplying him with Leads to seal the meat is at present a very expensive article, in order to make it as easy as Possible to the Publick, it is unanimously agreed that from & after the first day of Tamuz (June 13) next Insuring all beef that shall be made in this town and exported beyond the Sea, shall be branded with the Brand (K. Sh. 1 Casher) the Branding Iron to be kept for that purpose by the Hazen for the time being, who is to see, or order the same to be done, In a regular method, & every Cask of Beef so made and branded as aforesaid, either small or large shall pay three-pence Currt: money of New York; provided said beef be made & exported by any person or persons, Living and residing in the Colony. But if the said Beef be made & exported by any person not living & residing in this Colony shall pay Six pence Like money for the same, for the use aforesaid, & all beef that shall be made & exported without being first branded & the said duty of three pence and six pence being first paid to the Parnas for the time being, shall be deem'd and Lookt upon as treffo Beef."

Evidently the levying of the tariff did not bring about an appreciable curtailment in the shipment of meat, for a few months later the meat shortage was again complained of. On September 13, 1752 the Congregation adopted a rule

forbidding any member on penalty of fine to purchase any meat for exportation purpose or sale before a Sabbath or festival. The Minute Book records: "Complaint being made to the Parnasim & Elders of this K. K. that the Congregation is often left without Beef & fatt for the use of their families occasion'd by the great Exportation thereof & therefore in order to remedy the same for the future & that the Kaal may be fully supply'd it is agreed by the Parnasim & Elders aforesaid, that whoever takes any beef or fatt on any fryday or Hereb Yomtob for Exportation or Sale shall be subject to a fine of Forty Shillgs for every such offense. Neither shall any beef or fatt be taken on a Thursday Ev'ning that is intended for frydays Market & if they presume so to do shall be liable to pay the aforesaid fine of 40/ and shall not be allow'd a Certificate for the sd beef bot on the aforesd days, and that no person may plead Ignorance for the time being, it is agreed that this shall be read and published on Saturday next."

The Shearith Israel Congregation could control and tax the meat intended for export because it alone issued the certificates of kashrut which accompanied every shipment. In 1758 some shipper sent 40 casks of kosher beef to Curacao with a certificate calling only for 10. The arrival of the meat elicited this inquiry from the Congregation of Curacao, dated September 6, 1758; "We should be very much obliged if you please to inform us of the person who shipt 40 Cask from hence with only certificate for 10, that we may take proper notice thereof."

The congregations at both Jamaica and Curacao wrote to New York, inquiring why the New York synagogue did not employ a shomer (overseer) in the market and why it did not have seals attached to the meats exported out of the colony. In the reply dated September 6, 1758 it was pointed out that lead seals were attached to every quarter of beef intended for sale in New York, and that within the colony the meat was cut up and distributed with care, and that these precautions made a shomer unnecessary. The reply indicated also that the meat meant for export was packed in barrels, which were closed and sealed with wax. As stated

in the letter: "To the Parnassim, Gabay, Adjuntos and the Revd Haham of the K. K. Mikve Israel at Curacao. We have rec'd your esteem'd favor of the 4th Yiar acquainting us that the K. K. of the Kehila of Jamaica had wrote to your K. K. complaining of the manner of puting up & Shiping of Beef from this place, the said Gentleman had also wrote to us on that subject and we now annex the coppy of our letter to him as an answer there to:

"Answer to the Haham of Jamaica:

"* * * As to a Somer, every Quarter is seal'd with Led & the persons who put up Beef take care to see it cut up and properly sent to the House, so that they answer the end of having a Somer in the Market, as to putting Leds on every piece of beef, it wou'd be attended with too great charge here, it is generally tied up after being pack'd in the Barrels with a seal of wax at each head, so that not any can be taken out without it being perceivable."

The same letter stated that in the future no certificate for the exportation of kosher meat would be issued to a gentile.

"We think it right that no Goy should be concern'd and no certificates hereafter, be granted to such."

The shipping of kosher meat from New York City to other American points continued into the middle of the nineteenth century. An advertisement in "The Asmonean" of October 1, 1852 read:

"Phillip Friedman
9 Essex St. and 131 Elizabeth St.
New York
Smoked meats, sausages, tongues,
spiced beef.

Put up in the best condition
for Country or Foreign Trade

Orders for the West India
Islands put up in a style
that will ensure support."

The final concern of the Shearith Israel Congregation in kosher meat matters was that of the vending of kosher meat in the local Christian-owned stalls. The only purveyors of kosher meat all through this period were gentiles, who handled both kosher and terefah. The meats they offered as kosher bore the seal of the congregation affixed by the shohet. The attachment of the seals was in conformity with a resolution of the congregation passed at a meeting in the Spring of 1758: "At a meeting of the Elders order'd that the Sochet shall put no less than Three Seals to each quarter of Beef and two Seals to each quarter of Mutton & Veal, that is the forequarters and a letter for each day of the week." The Jewish purchasers would make it a point to look for the synagogue seal on all meat they bought.[530]

On two occasions, once in 1796 and again in 1805, gentile meat vendors were found to have affixed false Jewish seals upon terefah meat and to have offered it for sale as kosher. In each instance the municipal authorities dealt with the cases as acts of fraud, revoked the licenses of the guilty dealers, and did not restore them until assurance had been given to the trustees of the Congregation Shearith Israel that the offenses would not be repeated. The disposition of the case of Nicholas Smart, the first of these offenders, is indicated in the following three entries in the Minutes of the Common Council of the City of New York:

"August 3, 1796

"On a complaint that Nicholas Smart butcher has fraudulently affixed false Jewish seals to meat for sale in the Public Market. Ordered that he attend this Board at the next meeting on Wednesday afternoon the tenth instant to answer for his conduct."

"August 15, 1796

"On further consideration of the subject of complaint against Nicholas Smart butcher it was Ordered that his license be suppressed."

"Sept 26, 1796

"Ordered that Nicholas Smart butcher be restored to his office."

The other malefactor was Caleb Vandenburg, a non-Jewish butcher in the Fly Market. The complaint against him had been registered by the synagogue authorities. The Minutes of the Common Council said under date of August 12, 1805, "A petition of the Congregation Shearith Israel stating that Caleb Vandenburg had improperly used a seal resembling theirs to affix upon meat referred to the Market Committee."

The Market Committee, in recommending the revocation of Vandenburg's license, stated the principle upon which the authority of the municipality was to be invoked to stamp out fraud in the sale of kosher meat. The record continues, "The Market Committee to whom was referred the memorial of the President and Trustees of the Congregation of Shearith Israel report that they have examined the Subject and have conferred with Caleb Vandenburg who acknowledges he put the seals on the Meat, but did it in a joke, but the affidavits of two of the Congregation declare that he offered the Meat for sale as Cosher or fit for that Congregation to eat, and as we do not see any good cause why this Board ought not to protect this religious people in their religious Rights when not inconsistent with the Public Rights. We therefore are of opinion that Caleb Vandenburg be Suspended of his License as a Butcher.

"New York — George Janeway
"September 2, 1805 — Ja Drake."

Until the year 1813 the production and sale of kosher meat in New York proceeded smoothly. All Jewish slaughtering was done by one man, the elected shohet of the Shearith Israel Congregation. The meat was distributed through a number of Christian meat dealers who had entered into contracts with the Congregation. In 1812 there were eleven such dealers. This orderly state of affairs was to

end in 1813, when the Congregation failed to reelect its shohet Jacob Abrahams. The latter during his ten years of office had been the subject of much complaint. When he came up for his annual reelection in 1813 the synagogue, wearied by his long-continued unsatisfactory work and unreasonable attitude voted to put Jacob G. Berlin in his place. Thereupon Abrahams proceeded to slaughter without warrant of the Congregation and for butchers with whom the Congregation had no contract. The Congregation then sent a petition to the Common Council, dated Jan. 29, 1813, which said in part, "—in violation of ancient customs and wholesome regulations of the said Society (Shearith Israel) certain persons who are not employed by the Trustees of the Congregation have killed and sealed meat, and that the same has been exposed for sale in the public markets by Butchers without the authority of the Society aforesaid for so doing.—"

The Common Council replied to this petition by passing an ordinance which gave to Congregation Shearith Israel the exclusive right to designate meat dealers to dispense Jews' meat, and to its shohet the exclusive right to seal meat as kosher. The act read as follows, "An Ordinance to prevent impositions in the sale of Jews Meat in the public Markets, passed the 1st of February 1813.

"Be it Ordained by the Mayor, Aldermen and Commonality of the city of New York in Common Council convened, that no Butcher, or other person, shall hereafter expose for sale in the public Markets any Meat sealed as Jews Meat, who shall not be engaged for that purpose by the Trustees of the congregation Shearith Israel; and unless the meat has been sealed by a person, employed by the Trustees of the said Congregation, for that purpose called a Shohet, under the penalty of twenty five dollars for each offense.

"Signed I. Morton
"C. C. C."

The next day a number of individual members of the Congregation, instigated by the rejected Jacob Abrahams, petitioned the Common Council to repeal the ordinance,

"which we humbly conceive to be an encroachment on our religious rites and a restriction of those general privileges to which we are entitled."

In response to the second petition, the Common Council on February 8, 1813 repealed its ordinance of a week before. By a vote of 10 to 9 it had decided not to refer the subject to a special committee. This action of the Council deprived the Trustees of Shearith Israel of the opportunity to discuss fully before the municipal authorities the fundamental issues involved.[531]

SYNAGOGUE SHOHETIM

As long as New York Jewry had but one synagogue it functioned as a typical organized European community. All Jews abode by the same religious leadership, ate meat of the same slaughtering, and bought it at the same meat dealers. The religious unity of New York Jewry was broken when in 1825 a second house of worship, the Congregation B'nai Jeshurun, was established. B'nai Jeshurun comprised English, German, and Polish Jews who followed the Ashkenazic ritual, a form of worship which differed from that observed in the older Spanish-Portuguese synagogue.

B'nai Jeshurun set up independent slaughtering arrangements. It engaged its own shohet and contracted with meat dealers to handle its meat. As stated in a study of the period, "The shohet, responsible directly to the Board of Trustees, was regarded as a functionary of the Congregation. At first, there was no salary attached to the office. The shohet received his compensation directly from those who used his services. Beginning with 1830, however, a special Shohet Fund was raised by private subscription among the congregants, so that he received a small salary directly from the Congregation. The first shohet of the Congregation was A. Van Gelder, who had received his certification from the Hakam in Amsterdam. By a resolution of 1839, Electors of B'nai Jeshurun pledged themselves to purchase meat only as shall be killed by the Congregation's shohet, and arrangements for distribution were accordingly made with butch-

eries in various parts of the city. If a butcher was discovered misrepresenting meat as being kosher, a warning was issued to the public."

There was a measure of cooperation between the older Shearith Israel and the newer B'nai Jeshurun in kosher meat matters. When in September, 1832 a meat dealer was discovered passing terefah for kosher, the information was communicated by the Spanish-Portuguese Congregation to B'nai Jeshurun and that body made public announcement thereof at its religious services.[532]

As each new congregation was established in New York it followed the custom of having its own shohet and its own meat dealers. The result is easy to imagine; the more synagogues there were in New York the more was Shehitah decentralized.

The Spanish and Portuguese Congregation Shearith Israel continued to supply its own constituency with kosher meat down to the year 1871. On September 8th of that year "The Jewish Messenger" carried an advertisement for a shohet inserted by the Congregation, then on West 19th Street.

In conformity with the synagogue constitution, adopted on June 24, 1805 and never revised, which reads, "Article 2, Section 3: There shall always be a Hazan (minister), Shohet, and Shammas chosen by the Congregation to perform the services required of them in their special departments," the office of shohet is still filled in Shearith Israel. That office, however, is not an active one. The title of shohet is purely honorary, and is held at present by Mr. Meyer Friedman.

In 1852 the Congregation Rodoph Sholom inserted an advertisement for a cantor and shohet to serve at a $600 annual salary.[533] In 1863 and again in 1865 the Congregation Beth Israel of Brooklyn sought a man to act as its cantor, reader, shohet, teacher, and mohel;[534] while in 1870 it advertised for a person to perform the tasks of cantor, shohet, and teacher.[535] In 1865 the Beth ha-Medrash Hagodol (the first Russian-Jewish Congregation) was torn by controversy over the issue of the election of Aaron Friedman as its shohet. In 1870 the Hasidim stuebel at 21 Delancey Street engaged

Asher Lemil Harris as its shohet at $20 a month.[536] In 1874 the Congregation Amuno Israel had as its cantor and shohet a Rev. Mr. Cohen. At that time the congregation entered into a contract with the meat dealer, P. Stahl of West 39th Street, to supply kosher meat for members and non-members at market prices. The Rev. Mr. Cohen was assigned to daily attendance at the store.[537]

The evil of decentralized Shehitah made possible the scandal which disgraced New York in the period between 1854 and 1862.[538] Reference is made to the improper practice of bleeding animals preliminary to slaughter. This practice, denounced by the leading rabbinical authorities of the day, was for a time continued in New York because it had the approval of a single rabbi and his shohet.

The background of the case was that calves, destined for killing in New York, used to be shipped from great distances on open boats. While the creatures stood exposed to the sun en route they would ofttimes contract a malady which could be relieved only by bleeding. Blood would be drawn from the necks of the sick animals. Some people questioned the permissibility of bleeding a creature before slaughtering, and so addressed themselves to European rabbis. Rabbi Solomon Adler of London sanctioned the procedure, and from Poland it was learned that the veterinarians there were required by the law of the land to bleed the cattle. It was furthermore brought out that a shohet in Stavisk under the supervision of Rabbi Abraham Stavisk had allowed it, but then only because it was performed by an expert.

In 1854 the shohet Aaron Zevi Friedman landed in New York and was shocked to note the practice of bleeding cattle. He conveyed his misgivings to Rabbi Judah Mittleman in New York, and together they wrote to Rabbi Joseph Saul Nathanson of Lemberg on the subject. His answer explained that the usage had already been approved by Rabbi Moses Schreiber (Hatam Sofer) and by Rabbi Abraham Zevi of Pitrekov, and furthermore, that in Europe cattle were bled. "Only this," warned Rabbi Nathanson; "it must be done by an expert."

Rabbi Mittleman and Friedman misapplied the permission to bleed animals before slaughtering. It was granted by the European scholars only in order to relieve sick animals. Mittleman and Friedman permitted the vicious practice of bleeding animals extensively, in order that after killing their meat should come out white and tender. By sanction of the rabbi and shohet, cattle would be bled for several successive hours before being led to slaughter. The process was followed in both summer and winter. A wound would be made in the animal and kept open until the blood no longer spurted and began to drip. Then, to save the creature's life the wound would be stopped. By this process cattle were so weakened that in most cases they could not eat, and had to be assisted in order to rise.

When Rabbi Abraham Rice of Baltimore and the rabbis of Cincinnati heard of this practice they branded it as contrary to Jewish law. In 1858 the usage was made a subject of inquiry of the rabbis of Jerusalem. They also forbade it, explaining that in bleeding an animal there was the danger of rendering it nebelah.

Still the practice went on. When Rabbi Moses Aaronson arrived in New York City in 1862, he was shocked to see that many Jews were eating the meat of cattle that had been severely bled before being killed. He reopened the arguments against the illegal usage, pointing out that there was the danger of drawing the life blood as well as that of perforating the gullet, and also that the procedure brought pain to the animal. He invited the opinions of Rabbi Zevi Mecklenberg of Koenigsberg, Rabbi Samson R. Hirsch of Frankfort-on-the-Main, Rabbi Eleazar Hurwitz of Vienna, Rabbi Solomon Kluger of Brody, Rabbi Isaac Dob of Wurtzberg, Rabbi Samuel Salant and his religious court in Jerusalem, Rabbi Abraham Samuel of Russia, and Rabbi Mordecai Ettinger. The replies were unanimous in denunciation of the practice.

The anarchical state of Shehitah affairs made possible about the middle of the century the emergence in New York of the private shohet. This was a man who in the overwhelming majority of instances had received his original

authorization to slaughter from a proper source, a rabbi. He hired himself out, however, not to an organized community or synagogue, but to a private dealer,—a slaughterhouse operator or butcher. In that capacity he was not an independent religious functionary, as the Jewish law had planned him to be, but a paid hireling of the butcher with a financial interest in his work. The private shohet represented a clear and gross violation of Jewish law.

The illegal private shohet who began to infest New York soon after 1850, and supplanted all synagogue shohetim before the year 1875, was thus characterized by an anonymous writer in a New York Anglo-Jewish publication early in 1863: "The shohetim who in this city officiate in that capacity are neither authorized by the congregations nor by the ministers; some have probably certificates from European Rabbis, but some are never reexamined to ascertain whether they are still competent to perform those duties. The butchers, Christians as well as Jews, are thus made the only judges of their qualifications, for they are the men who employ, pay and discharge the shohetim."[539]

Decentralized Shehitah control in New York made possible also the badly conducted meat shop. Kosher meats were vended in stores, most of which were owned by gentiles, and in which terefah meat was also sold. The sides of kosher beef bore lead seals, but when the large sections were cut up the smaller pieces became indistinguishable from the terefah pieces lying about in the place. To quote the same writer: "We see, on entering the butcher's shop, that there are several heads of cattle offered for sale, some kosher (at least marked so), others terefah, and as long as they are not cut up we may distinguish one from the other, but what reliance can be placed on the word of the butcher's boy when he tells you that this or that piece, though not marked, is part of the kosher cattle. The shop is filled with terefoth, including hogs, oysters, crabs and clams. The boy is the only authority present who can distinguish the kosher from the rest."

The obviously deleterious state of kashrut in New York led the several synagogues in the city to take common action. On April 24, 1863 representatives of a number of congrega-

tions convened in the vestry of the Greene Street Synagogue, to establish a single representative body to deal with kosher meat matters. They created the Association of the United Hebrew Congregations, and elected as its president Barnet L. Solomon. They resolved that the Association test all the shohetim, pass upon and license the butchers, and adopt a uniform seal for meat.[540]

The Association held a number of meetings during 1863 for the purpose of reexamining all shohetim. The slaughterers who appeared before the Shehitah Board of the Association at these meetings were: M. Friedman, Israel Fry, I. Friedman, M. Eckstein, M. Leventhal, J. Benjamin, W. Stamper, M. Bernheimer, P. Faber, A. Silverberg, Rev. Simeon Seelig (cantor of Shaaray Tefilah Congregation), Isaac Woolf, Rev. L. Cantrowich (of Cong. Poel Tsedeck), and Hertz Hecht. It was observed that "several persons who are practising as shohetim have not as yet made their appearance after pledging themselves to present themselves." Regulations for the government of the shohetim were drawn up, and a form of license, written in Hebrew and English, was adopted.

A meat shop that won the approval of the Association was that conducted by Levy Arnheimer at 179 West 30th Street.

The Association took up the subject of identification seals. Shohetim in New York had been affixing lead seals to kosher carcasses since colonial times. In the early days the seal used bore the imprint of the Spanish-Portuguese Congregation. In later years, with the multiplication of synagogues, those used were of various, some of unsatisfactory, types. At the same time improved kinds of seals had been invented and placed on the market.

Witness the following advertisement carried in 1852 in a New York Anglo-Jewish journal:[541]

"To Congregations

"The subscriber has invented a new article for the purpose of marking 'Cosher' Meat. The advantages possessed over the old style is that the day of the month and week can

be distinctly marked by Dies and Tongs made for the purpose. For further information apply to the inventor Samuel Lyons No. 78 Union St. Phila. or to Jonas N. Phillips No. 85 Pike Slip N. Y."

The Association, after studying the seals in use, adopted a uniform lead seal to indicate the title of the Association, the number of the shohet, and the usual Hebrew and English characters for the day of the week. Seals of this kind were ordered for the exclusive use of the licensed shohetim.

On motion the Board was authorized to give necessary publicity to the names of the licensed shohetim, the butchers by whom they were employed, and the shops where meat under the seal of the Association of the United Hebrew Congregations might be obtained.[542]

At the beginning the Shehitah Board of the Association enjoyed prestige not only in New York but also in surrounding cities. We learn that in early 1864 the Jewish community of Kingston, New York, ordered its shohet, Mr. Fischer, to repair to New York to obtain a kabbalah from the New York Shehitah Board.[543]

The well-laid plans of the Association were nullified, however, by the indifference of the purchasing public. Already in April, 1864 it was reported at an Association meeting "that many Israelites continue to purchase meat without investigating whether the seal of the Association is attached."[544]

During February, 1867 an Anglo-Jewish weekly carried this item: "The Shehitah Board is not in practical operation; it was not adequately sustained. People continued to buy of their favorite butchers, whether Jew or Gentile, licensed or unscrupulous; the Board examined a large number of shohetim, and declined to give some certificates, but their efforts were neutralized by the carelessness and indifference of the community.

"We say it very plainly, rather buy of a Christian who sells meat killed by an authorized shohet, and bearing his seals, than of a Jew who violates the Sabbath. Our congregations should again take action on this question."[545]

Letters to the editor appearing in subsequent issues told of unnamed Jewish butchers who kept open on the Sabbath and who sold pork as well as so-called kosher meat. One correspondent wrote of "a certain butcher who keeps his shop open Sabbaths. He can be seen by his customers reading his prayers in a back room, and although he will not cut the meat himself he gives directions to his man to do so."[546]

About the year 1872, in utter disregard of Jewish law, a man undertook to act as both shohet and meat dealer. He was Jacob Mansberg, of 205 West 20th Street. He had the brazenness to publicize his illicit combination of vocations when soliciting business in the Anglo-Jewish press.[547]

The use of the lead seal to distinguish kosher meat fell into abeyance before the year 1888. The Rev. Dr. Bernard Drachman and Mr. Judah D. Eisenstein, who both recall the period, informed the author that the lead seal was not attached to kosher meat by the shohetim in the years immediately preceding 1888.

Checking the growing abuses became more and more difficult as independent synagogues increased in number (in 1886 there were over 25 congregations)[548] and as many New York Jews, who were predominantly German in origin, became Reform and ceased to observe the dietary laws.

RABBI JACOB JOSEPH

After the year 1880 Russian Jews began to stream into New York in great numbers. They came with a picture in their minds of the pious kehillahs in their native land, where the slaughtering and vending of kosher meat were holy and honored tasks. They looked with horror upon the New York arrangements, where the shohet was a hireling of the meat dealer and where kashrut had sunk to the level of a crass business. The Russian Jews were growing in numbers and strength, and by the year 1887 they counted no less than eighteen congregations. Many of them began to speak of inaugurating a kehillah presided over by a chief rabbi through which kashrut would be administered in accordance with European standards.

On May 6, 1887 Rabbi Ash, who for many years had ministered at the Beth ha-Medrash Hagodol, the largest Russion-Jewish synagogue, passed away. Following the funeral the members of the congregation voted to name as their new religious leader the man who would be acknowledged as New York's Chief Rabbi. Representatives of the eighteen Russian-Jewish congregations then convened to establish the Agudat ha-Kehilloth (Associated Congregations). At the first meeting they expressed the need for a religious leader who by his standing and ability would unite the Jews of the city and bring order into all departments of Jewish religious life, including kashrut. They sent a letter to a number of eminent rabbis in Europe seeking guidance in the delicate task of selecting the Chief Rabbi. That letter said in part, "We have assembled the membership of the congregations, and with one voice have decided to extend a call to a rabbi, who shall be learned and pious, and be reputed as a gaon and as a glory among our people. His function shall be to lift up those who have stumbled upon the path of our people, to unite the hearts of our brethren of the House of Israel and direct them to the service of our God, to supervise with vigilant eye the shohetim and all the sacred matters upon which the House of Israel leans. For, to our sorrow, there are many transgressors, many who bring blemish upon us. This is because we have no teacher and leader, honored by all the people; and each one decides the law for himself." After replies from Europe were received, the field of prospective candidates was carefully surveyed, and the man selected was a great scholar of sterling character, the world renowned Jacob Joseph, rabbi in the city famed for its scholarship and piety, Vilna.

In order to enable the new Chief Rabbi to deal with the problems of kashrut effectively, the Associated Congregations wrote into the rabbi's contract terms that shielded him from contact with the financial phase of kashrut. It was stipulated that the Chief Rabbi should receive neither fee nor emolument from any shohet or meat dealer. "We undertake to pay him $2,500 per year in monthly payments, to furnish him with a home and furnishings befitting his position,

and to pay for light and heat to the value of not less than $1,000 a year. He is to have the income from weddings, circumcisions, and holiday gifts. Excluded from his income shall be divorce fees, payments for endorsement of the kashrut of purveyors of foods, and fees for the granting of shohet certifications. We make the condition distinctly that he derive no benefit from them. The Bet Din (religious court) which shall be under the Chief Rabbi shall issue divorces, kashrut endorsements, and shohet certifications. The Associated Congregations shall set the fees to be charged for them . . . The Chief Rabbi shall not grant an endorsement to any dealer in meats or wines until there shall be brought in a favorable report from an investigating committee, to the effect that the endorsee is a proper person and worthy of trust in matters of kashrut . . . 14th day of Ab, 1888."

The Associated Congregations was inaugurated most auspiciously. The Chief Rabbi arrived in New York on July 7, 1888 in an atmosphere charged with high expectation and acclaim. His first few addresses in New York synagogues were delivered before overflowing congregations.[549]

In early August, the Associated Congregations held its elections and designated Henry Jones as president, Morris Alexander as vice-president, and N. Hutkoff as treasurer. The thirty-one trustees were M. L. Abraham, H. Bernstein, S. L. Brody, Moses Bukowsky, Moses Cohen, Cramer, M. Friedman, L. Goodman, Gutterman, Guinzburg, B. Harris, M. Jarowicz, D. Horowitz, Herzberg, P. Kaash, N. Lewin, M. Louis, M. Livingston, M. Lubetkin, A. Pellerman, A. Perlman, Medalla, Rafelson, H. Rosinsky, Rothstein, A. Samuelson, D. Schnitzer, A. Tannenbaum, M. Wechsler, Jonas Weil, Schopransky.[550]

When the Chief Rabbi arrived in New York he found the kosher slaughtering done in approximately fifteen small butcheries, owned in the main by German Jews. Many of the slaughterhouses employed shohetim who were deficient in learning or competency. In the majority of these abattoirs the rabbinical supervision was either non-existent or defective. In most the external, or visual, examination of the lungs was dispensed with altogether, because the oper-



Courtesy of the Rabbi Jacob Joseph School, New York

RABBI JACOB JOSEPH

Chief Rabbi of the Russian Jewish synagogues in New York from 1888 to 1902. Associated with an unsuccessful effort to introduce effective controls in the production and sale of kosher meat in New York City

ators of the establishments would not allow the shohetim the time required to perform it.

Rabbi Joseph was powerful enough to eliminate these evils. He tested all the shohetim and replaced unqualified men with others, principally shohetim newly arrived from Eastern Europe and familiar with the higher standard of Shehitah followed there. In some abattoirs Rabbi Joseph ordered the engaging of additional shohetim; his reorganization of slaughterers' staffs resulted in an increase of between thirty and forty shohetim in New York. He ordered that the lungs be examined visually, as required by the religious law, and instructed shohetim to affix plombes or lead seals to all carcasses pronounced kosher. The seals were to indicate that the carcass was kosher, as well as the day of the week it was killed. The Chief Rabbi designated two rabbis to serve as overseers, to make the rounds of the slaughterhouses, and to inspect the knives of the shohetim.

Rabbi Joseph dealt also with the chaotic conditions prevailing in the chicken markets. In those establishments rabbinical supervision had been lax, if not non-existent. The Chief Rabbi, with the approval of the trustees of the Associated Congregations, ordered the shohetim to attach a plombe or lead seal as identification mark upon every bird they killed. The seal was to be secured to the leg of each fowl by means of a string, the two ends of which were to be joined and fastened in the lead seal. The plombe was to be affixed irremovably, and was to bear the imprint of the Associated Congregations.

The supervision that the Chief Rabbi introduced into the chicken markets involved a cost equal to five cents per fowl. (The cost of slaughtering was three cents.) The Associated Congregation hesitated to impose the full cost of its supervision upon the consumers of kosher poultry and so it charged but one cent for supervision. It had in mind the establishment of a central abattoir for the killing of all fowl, where great economies in slaughtering and supervision could be effected, and where the total cost for slaughtering and its own proper supervision would be but two cents.

Finally the Chief Rabbi and the Associated Congregations set up governing rules for meat shops. The meat vendors who submitted to their direction were given signs certifying to the fact, to display in their shop windows.

The system of kosher meat control instituted by the Chief Rabbi was for reasons of practicability put into force only in the downtown neighborhoods. Pious Jews living uptown wanted Rabbi Joseph's system extended to cover the stores in their own vicinity. To bring this about they arranged a meeting at Bloomingdale Rooms, 60th Street between Third and Lexington Avenues, for February 17, 1889. Among the sponsors of the meeting was Dr. De Sola Mendes, Dr. H. Pereira Mendes, Dr. Bernard Drachman, and Mr. Henry Chuck. Mr. Simon Roeder presided at the gathering. A few weeks later an Anglo-Jewish journal carried this notice, "Uptown Kosher Meat Supply. Wanted—Retail butchers for the above, East or West Side. Any willing to open stores under the regulations of the Board of Shehitah will please apply by letter to Rev. Dr. Drachman, 329 East 51st Street, acting Sect'ry."[551]

The Chief Rabbi and the Associated Congregations gained added strength when the scholarly Dr. Philip Klein arrived in New York in 1890. Dr. Klein came as rabbi of the First Hungarian Congregation, and straightway became a pillar of support to Rabbi Joseph.

Despite all the forces supporting it, the Associated Congregations was not destined to last. It succumbed to the cumulative opposition of self-seeking and anti-religious elements, as well as to its own financial difficulties.

The self-seeking elements were disgruntled shohetim, discharged upon representation of the Chief Rabbi; abattoir and chicken market proprietors and butchers, irked by the rigorous supervision inaugurated by the Chief Rabbi; and rabbis who were disappointed in not being chosen chief rabbis themselves. From the beginning these individuals did all in their power to hamper the Chief Rabbi in his work. In September, 1888, when Rabbi Joseph had been in office but two months, a committee of butchers addressed a protest against the plombe requirement to the Board of Health. In

October disgruntled persons conducted a meeting in protest against the plombe in a hall at 177 East Broadway. This gathering was addressed by the Rev. Zinsler and the Rev. Brodsky in German, and by a Mr. Fleischhauer in English. In January, 1889 they held a mass meeting in denunciation of Rabbi Joseph in Phoenix Hall. In that month some of their number visited the District Attorney to ask him to restrain Rabbi Joseph.[552]

The anti-religious Jews took delight in heaping ridicule upon the Chief Rabbi, who to them was a symbol of hated religious authority. In their radical press they kept up a persistent volley of vilification and vicious insinuation—"It's a money grab for those around the pot!" "Oho, the leaden seals!" "It's another korobka!"

The Associated Congregations replied to its critics by authorizing Joshua Rothstein, one of its trustees, to write several European kehillahs inviting their judgment upon the program of Rabbi Joseph and especially his institution of the plombe. Joshua Rothstein did as instructed, and astonishment and sorrow were to be read in every reply. A letter over the seal of the Vilna Community said, "We cannot put on paper the pain we feel at the sorrow of our scholarly and God-fearing Rabbi Jacob Joseph in New York, after the honor and glory he received in our community. . . . The complaints heard against him are both false and stupid. How can one say that this great rabbi has instituted a new Torah! How can one say that he has introduced a revolutionary thing when he insists that there be identifying signs placed upon meat in a situation where many dealers are suspected of selling terefah for kosher!"

It was in the face of malicious attacks that could not be stopped that the Associated Congregations hesitated to charge to the consuming public the full cost of the supervision it had instituted. The result was that it incurred constant deficits. These were written off in part by munificent friends. Chief among these benefactors was Henry Chuck, a German Jew, who underwrote over $10,000 for the Associated Congregations. Unfortunately Mr. Chuck passed away on May 13, 1890, at the age of 61.

By the year 1894 the Associated Congregations began to disintegrate. Toward the end of that year the packing firm of Weston and Levi deliberately replaced its shohetim approved by the Associated Congregations with men not so sanctioned. It was the intention of the company to dispose of its meat through shops supervised by rabbis in opposition to Rabbi Joseph. The Associated Congregations met the challenge by inserting the following paid notice in the "Yiddishe Gazetten": "The slaughterhouse of Weston and Levi has broken its agreement and has engaged unqualified shohetim. We have heard that one of them is a deposed shohet. We summoned him to appear to be interrogated and he refused to come. We have therefore been obliged to depend upon the testimony of witnesses given in his absence. Upon the basis of qualified witnesses we have established that the shohet Moses Kemilhar, who is now employed by Weston and Levi on East 44th Street, has been found guilty of knowingly and wilfully passing terefah meat for kosher. Our verdict is that he is a disqualified shohet and that it is forbidden to eat of the meat he slaughters. Witness our seal, Thursday, the 18th day of Kislev, 1894. New York.

"Jacob Joseph, Chief Rabbi
"The Bet Din
"Hillel ha Kohen, known also as Dr. Klein."

A few days later the "Yiddishe Gazetten" carried this paid rejoinder:

"To inform all buyers of meat that the wholesale meat firm of Weston and Levi, East 44th Street, employs two shohetim learned in the Torah, pious, and competent in Shehitah. Slaughtering is conducted under my scrupulous supervision. Every Jew, even the most religiously exacting, may eat of this slaughtering.

"Witness my seal, Sunday the 21st day of Kislev, 1894. New York.

"Rabbi Joshua (Siegel), son of the Gaon Moses Joseph, Chief Rabbi of the Congregations of Israel."

In 1895 Rabbi Joseph fell ill, to be confined to bed for the remaining seven years of his life. His malady developed

into a paralysis. His family kept from him the fact that the Associated Congregations had collapsed, that the packing houses, chicken markets, and butchers were in control of kashrut once more, and that the shohetim were their hirelings again.[553]

In May, 1902 New York Jewry was agitated by a totally different aspect of the kosher meat business, the rising price of meat. Most of the slaughter houses in the city had come under control of the large Chicago packing firms, which allegedly formed a "Beef Trust." In any case, soon after the Chicago concerns took over the ownership of most of the New York abattoirs the price of meat went up.

The 1,500 New York kosher butchers sought to fight the price rise by a boycott. They resolved, beginning with Saturday night, May 10th, to keep their stores closed until the "Beef Trust" lowered prices. When the shop of D. Kepfer, at 19 Essex Street, was found open the first night, it was mobbed by butchers and their sympathizers. Sunday found the butchers meeting in force in the New Irving Hall on Broome Street, and the next day they forced all kosher meat shops to remain shut. These manifestations drew from the New York abattoirs the reply that the rise in the price of meat was due simply to the advance in the cost of live stock, and that if the New York butchers wanted lower prices they should present their demands to the cattlemen. This reply led the meat dealers to give up the boycott, open their stores, and raise their prices. New Irving Hall was then the scene of a women's indignation meeting directed against the butchers. On Thursday night, May 15th, rioting broke out, in which angered women wrecked butcher stores, destroyed meat, and terrorized would-be purchasers—disturbances which required no less than 500 policemen to quell. The rioting abated somewhat on Friday, and then on Saturday night it broke out again, this time in the Williamsburg section in Brooklyn. The Williamsburg disturbances did not subside until 400 policemen put them down. The next day a group of protesting women came together to establish the Ladies Anti-Beef Trust Association. They spoke of opening

cooperative stores in the event that the prices of meat were not brought down to the 10¢ to 12¢ per pound level of the year before. The new body elected Mrs. Caroline Schatzberg, chairman, and Mrs. Pauline Frickel, treasurer. The following Thursday night, May 22nd, women rioters again invaded kosher butcher shops in various parts of the city, and for the first time in Jewish sections in Boston and Newark. In some stores they poured kerosene over the meat and set it afire.[554]

Two months later, on Tuesday, July 29, 1902, Chief Rabbi Jacob Joseph passed away. A pall fell upon the Jewish community. On the morrow, the day on which the funeral was conducted, virtually every Jewish place of business in the city was closed. By police estimate, 50,000 persons marched in the funeral procession. Men and women lined the streets to see the hearse go by and fought with the police for the privilege of touching its wheels. The highways became impassable because of the unmanageable crowds, and when the police learned that 75,000 persons were waiting for the funeral cortege along Broadway, Brooklyn, they had it rerouted. When the hearse reached Cypress Hills Cemetery 15,000 mourners were awaiting it. New York has not elected a chief rabbi since.[555]

THE KEHILLAH

Six years passed. The evils attending lack of community organization were apparent in every field. In the fall of 1908 General Bingham, then police commissioner of New York, made the statement that the Jews contributed 50% of the criminals of New York City. As the result of many protest meetings conducted by individual Jewish organizations, the unfounded accusation was retracted. The incident, however, made many realize that the Jewry of New York was without an accredited spokesman. The formlessness of the Jewish settlement had become more accentuated as the stream of new immigrants continued unabated. An index of the disjointed character of New York Jewry was

the multiplication of its synagogues, since each Jewish house of worship formed an independent religious center. In 1918 there were as many as 826 Jewish congregations in the city—632 in Manhattan and the Bronx, and 194 in the other three boroughs.[556]

On October 11, 1908 a group of prominent and representative Jews, determined to correct these evils, convened in Clinton Hall under the leadership of Rabbi Judah L. Magnes. Their purpose was to establish in New York a united and organized Jewish community, or kehillah. They formed the Kehillah, the purpose of which they stated in the constitution to be "to further the cause of Judaism in New York City and to represent the Jews of this city with respect to all local matters of Jewish interest." The Kehillah was chartered on April 5, 1914.

Early in 1915 the New York State Legislature passed the so-called Kosher Law, and the next convention of the Kehillah recommended that a special committee within the Kehillah be appointed to regulate kashrut in New York. In his invitations to serve on that committee Dr. Magnus wrote the following under date of May 14, 1915:

"At the sixth annual convention of the Kehillah it was decided to appoint a committee of 100 prominent Orthodox Baale Battim (laymen), representing different parts of the city, who shall endeavor to organize into a Federation the Orthodox Synagogues and Congregations, so that there may exist a responsible body fit and able to take charge of religious matters generally and the regulation of kashrut in particular.

"As a communal worker, you are surely familiar with the present conditions with relation to kosher meat and similar religious matters. As long as the question of kosher meat was a purely local one, *i.e.*, a matter with which only observant Jews are concerned, the necessity for organizing such a Federation might not have been so apparent.

"Now, however, that the State Legislature has enacted the Kosher Bill into law, we must expect that the question of kashrut may be dragged into court in one form or another, and it is our duty to see that the enforcement of that law

be carried out in an orderly and dignified manner. This would be impossible if irresponsible persons are permitted to deal with the question.

"It was decided at the last Convention that the Kehillah should not handle this question, but that it be turned over to the Orthodox Jews of this city, who will admit that the Orthodox Jews of this city be organized in a Federation, so that order may be brought out of the present chaotic condition which exists in religious matters."

Dr. Magnes presided at the first meeting of the Committee of One Hundred Baale Battim on May 20, 1915.

The Committee soon set to work. It elected Nathan Lamport, chairman; Isaac Allen, vice-chairman; J. S. Scheff, treasurer; and Benjamin Koenigsberg, secretary. Its plan was to have the Committee serve as an agency to engage all the shohetim and overseers and to provide slaughtering services to all that might desire it. The Committee therefore invited all shohetim, overseers, and supervising rabbis at the expiration of their existing contracts to leave their positions and to enter the employ of the Committee. It guaranteed every individual who would do so that his salary from the Committee would be no smaller than his former remuneration. The Committee invited the abattoirs and chicken markets to cease employing private shohetim and to have the Committee supply its slaughtering needs. The Committee called upon the butchers to submit to its supervision and to receive as evidence of the Committee's approval a card to display in their shop windows.

The Committee planned to set up a supreme religious authority in all kashrut matters in a High Bet Din to comprise the five leading rabbis of the city. To this end it invited Rabbi M. Z. Margolis, Rabbi S. E. Jaffe, the Rev. Dr. Philip Klein, and Rabbi Gabriel Zev Margolis to serve as four of the judges and to select the fifth member. The Committee asked forty-one additional New York rabbis to organize into local courts of three so that every district in New York would be provided with a local Bet Din.

The Committee's affairs were taken care of in an office within the Kehillah offices, with Rabbi S. H. Glick in charge.

The plan was never put into force in its entirety. In the year that it functioned in part, many of the shohetim and all the local rabbis joined. These received regular weekly salaries (the local rabbis each received $10 weekly) for the period of a year, though they had little work to do. The slaughterhouses, operated mainly by the great packing companies, ignored the Committee and continued to employ their private shohetim. Approximately one-third of the butcher shops sought the Committee's approval and license.[557] The result was that the Committee had a large payroll and little income, and soon found itself accumulating deficits. These were written off partly by Mr. Samuel R. Travis, a member of the Committee, who made personal contributions totalling $57,500.[558]

The Committee received a severe blow in 1916. It was reported at a meeting on March 23, 1916 that a Yiddish newspaper had carried the story that Rabbi Gabriel Zev Margolis had organized a new rabbinical body. The report was true. Back of that story was that Margolis was the religious head of the Adath Israel, a large society engaged primarily in the sale of graves, but which had branched out into kashrut supervision. Chicken market men who were influential in the society, fearful lest the Committee succeed in establishing control over their markets, had induced Rabbi Margolis to withdraw from the Committee and to set up a rabbinical body of his own. His defection was the immediate cause for the speedy decline and the not long delayed collapse of the Committee and its work.

10

Shehitah in New York: Present Arrangements

The Meat and Poultry Industries

The breakdown of the Kehillah Kashrut Committee in 1916 dashed all immediate hopes of bringing the kosher meat field under Jewish communal control. Not until 1931 was New York Jewry aroused again to attempt controls in the production and distribution of kosher meat. In the meantime the kosher meat field increasingly took on the tone of a common American business. It exhibited developments typical of an American industry, the growth of trade unionism among the workers and the intervention of government to stamp out the more flagrant abuses.

Before we set forth the further attempts made by New York Jews to improve the kosher meat business, it would be profitable to describe that business as it operates at the present time. For all purposes, the present kosher meat industry in New York may best be considered as two separate and distinct businesses, one concerned with the killing and sale of (cattle) meat, the other with the killing and sale of poultry.

The slaughter of cattle is conducted in four large packing plants and in approximately ten lesser ones. The four big plants which do most of the killing are owned by great packing firms with main offices in Chicago. These companies came into New York by absorbing a number of existing abattoirs about the year 1900. The primary reason for slaughtering in the metropolitan district is to supply New

York Jews with kosher meat. Religiously observant Jews insist that their meats be killed locally: first, that the killing may be the more strictly supervised; and second, that the meat may be delivered to the consumer within 72 hours of the time of the slaughtering so that rinsing should not be made necessary. In addition, Jews by habit prefer their raw meats fresh.

Live cattle are shipped into New York by train, and are all dispatched by shohetim. The foreparts of the carcasses pronounced kosher are sold to the Jews; the hindparts of the same carcasses, and all carcasses declared nebelah or terefah, to gentiles. The foreparts on the carcass include the twelfth rib, and constitute about 52% of the dressed weight; the hindparts, embracing the thirteenth rib, make up the remaining 48% of the dressed weight. Animals in New York abattoirs are found to be terefah in 15% to 20% of cases. This is a low average and is due to the fact that most of the large cattle slaughtered in the metropolis are no more than three years old and are consequently freer from lung diseases.

With the exception of a small number of lambs, all cattle killed in the metropolitan district are dispatched by shohetim. The lambs referred to are mainly those slain by gentile abattoir workers on Jewish Sabbaths and festivals, when the shohetim will not labor and when there is a demand for terefah meat. This killing is done by throat cutting, but the mutton so produced is, of course, nebelah. This practice explains Department of Agriculture notices such as the following: "October 18, 1940 (Friday: second day of the festival of Sukkot—the second in a series of three days on which shohetim would not labor)—Lamb: Only two of the large packers were slaughtering today. These kills were very light for Friday." "October 25, 1940 (Friday: festival of Simhat Torah, also second in a series of three days on which shohetim would not labor)—"Because of Jewish holidays, there were no cattle nor calves slaughtered today. There was a light lamb kill in most houses to take care of the non-kosher trade."[559]

The slaughtering in each butchery in New York is directed by a rabbi; in the case of the larger plants by a triumvirate of rabbis. These rabbis are chosen and paid by the abattoir ownership. They guarantee by their name and word that all slaughtering operations conducted within their jurisdiction are performed in compliance with the religious law. They recommend to the companies the names of shohetim to be hired. It appears that the slaughterhouse owners in New York are not disposed to tamper with Shehitah requirements, and allow the directing rabbis a free hand in instituting any arrangements they see fit to insure correct slaughtering and the marking of carcasses.

Approximately 103 shohetim[560] are employed in the New York abattoirs. In the vast majority of cases these men are possessed of scholarship and practical competency, a good sampling of the shohetim engaged in Europe and Palestine. They are not subject to any pressure to make them do their work improperly; they are free to pronounce as many carcasses terefah as their judgments dictate. They receive fixed weekly wages, irrespective of the amount of work they do or the number of animals that leave their hands kosher. They are fairly paid and enjoy a sense of security. Many of them have held their positions for many years. They are not organized in a labor union.

In keeping with sound Shehitah practice under modern big city conditions, all meat leaving the shambles as kosher is clearly marked. While formerly the identification device was a plombe, or lead seal, now it is a paper tag attached to a brittle metal contraption pinned into the meat. When the metal contrivance is removed or tampered with it breaks apart and cannot be used again. The advantage of this device over the previously used lead seal is that it is less costly, and also that it answers the objections of those who allege that lead seals transmit lead poisoning to meat. The tag plombes are used liberally in the New York slaughterhouses. The forepart of each carcass pronounced kosher receives no less than twenty. Two are attached to the neck and liver; one to each side of ribs, and to each shoulder, breast and plate; and one to the tongue, brains, sweet breads, lungs,

spleen, tenderloin, small intestines, and large intestines. The tags are affixed by special functionaries known as "plombirers." There is a mark also for terefah carcasses. This is a criss-cross incision made in certain organs while the meat is still fresh and soft. Six such terefah indications are made in all—one into the liver, tongue, lungs, and spleen and one into each side of ribs.

Kosher meats generally fetch a higher price than terefah meat. The opposite is true only in the case of the hindquarters of lamb and veal; the hindquarters of lamb and veal cost more than the forequarters of the same animals.

The comparison in prices between kosher and terefah meats is indicated in the official wholesale market quotations given below. These quotations, given in cents per pound, have been taken from the "Daily Report of New York Meat Trade Conditions and Wholesale Quotations," published by the United States Department of Agriculture, Agricultural Marketing Service, New York, N. Y.

STEER BEEF PLATES—CHOICE QUALITY

Date	Kosher	Terefah
November 9, 1939	10½ to 11	8½ to 9
March 14, 1940	9½ to 10½	6½ to 7
October 9, 1940	14 to 15	10 to 10½
November 26, 1940	16 to 17	10½ to 11
December 12, 1940	13½ to 14	8½ to 9½
December 30, 1940	12½ to 13½	8½ to 9
January 10, 1941	14½ to 15½	9 to 9½
February 14, 1941	13 to 13½	8½ to 9
March 6, 1941	12 to 12½	9½ to 10
March 31, 1941	13½ to 14½	9½ to 10
April 22, 1941	10 to 11	9 to 9½
May 5, 1941	9½ to 10	8 to 9

LAMB #4—CHOICE QUALITY

Date	Foresaddles	Hindsaddles
January 3, 1941	18 to 20	20½ to 21½
March 31, 1941	16 to 18	21½ to 22½
April 23, 1941	17 to 18	22½ to 23½
May 5, 1941	18 to 19	24 to 25

VEAL—ALL WEIGHTS—WITH SKIN OFF

August 16, 1940

Quality	Kosher Foresaddles	Terefah Foresaddles	Hindsaddles
Choice	17 to 20		23 to 25
Good	12 to 16	10½ to 11	19 to 22
Medium	11 to 12	10 to 10½	18 to 19

The disparity in price between kosher and terefah is most marked in special items such as tongues, liver, brains, and sweetbreads. New York Jews in recent years have shown a strong preference for these parts and pay inordinately high prices for them. Jews desire these items, it appears, because they are the only soft meats in the forepart of the carcass, hence the only tender kosher flesh available, and the present day consumer prefers soft meat. An added explanation for the Jewish demand for liver is the discovery that this meat is rich in certain vitamins, and that Jews, who are proverbially health-minded, make it a point to purchase it.

Since to a great extent in New York kosher and terefah meat are taken from the same animal (when the carcass is pronounced kosher, the fore part is kosher and the hind part non-kosher), the price of one affects the other. When, for example, the terefah meat market is weak, the price of kosher meat must be raised correspondingly, to warrant slaughtering the animal. When the terefah market is strong, the price on kosher meat is correspondingly relaxed. Kosher meat is higher than usual before Jewish holidays, when there is a strong kosher demand, and also in the winter months when gentiles eat more poultry and less meat. The kosher part of the animal is made to bear the higher price because it must be disposed of within the 72 hour limit.[561] The non-kosher part of the carcass may be kept in storage to await more favorable prices.

The comparative prices of kosher and terefah meat cannot be judged by those posted in the retail shops. Different prices may refer to different qualities of beef, and there is no ordinance in New York requiring the vendor to state the

grade he offers for sale. The U. S. Department of Agriculture list as many as six grades of beef—prime, choice, good, commercial, utility, and canner. An advertised retail meat price which does not tell the quality tells little. The extent to which meats of various grades differ in price is indicated in the following wholesale quotations. October 25, 1940:

	Choice	Good	Commercial	Common
Kosher lamb foresaddles	17-20	16-18	15-16	13-15
Lamb hindsaddles	20-21	18-20	18-19	17-18

The comparative prices of kosher and terefah meat are not accurately indicated in shop windows also because the pound measure has different meanings with Jewish and non-Jewish meat vendors. By custom of the trade the Jewish butcher first cuts away the fat and bones and then weighs off a pound. The non-Jewish dealer first weighs off the pound and then cuts away the fat and bones. This variation in custom makes a difference, of course, only with those cuts which contain fat or bones.

The item of kosher killing and marking, represented by the salaries paid to shohetim, plombirers, and directing rabbis, is too negligible to affect the price of meat. This cost is not public property, but it may easily be computed upon the basis of available data. The most liberal estimate places it at about one-tenth of a cent per pound.

The figure is arrived at in this way.

During the years 1935 through 1939 the average annual kill in the New York metropolitan area was[562]

365,956 steers
58,292 cows
41,496 bulls
766,532 calves
3,156,400 lambs

All these animals were slaughtered by shohetim, that is by the approximately 103 shohetim then employed in the abattoirs of New York. Each shohet therefore killed an annual average of

3552 steers
566 cows
402 bulls
7442 calves
30,644 lambs

A correction should be made for the number of lambs. On Jewish holidays a number of lambs were dispatched not by shohetim, but by gentile workers. This number is more than accounted for when we place it at 10% of the lambs slaughtered. Let us make this liberal concession and correct the annual lamb kill of each shohet to read 27,580.

The average dressed weight of a steer is over 700 pounds
. . . cow 400-550 pounds
. . . bull over 750 pounds
. . . calf over 100 pounds
. . . vealer (milk fed calf) over 70 pounds
. . . lamb 35-55 pounds

Each New York shohet therefore killed on an annual average

2,664,000 lbs. steer meat
268,850 lbs. cow meat
321,600 lbs. bull meat
632,570 lbs. calf meat
1,241,100 lbs. lamb meat

5,128,120 lbs. Total

Each shohet received on an average approximately $3,000 per year. He was paid this to slaughter 5,128,120 pounds of meat. In reduced figures he was paid .05 cent to kill each pound.

The expenditure for plombirers was far less than for shohetim, for the number employed was fewer, and individually the plombirers were paid less. Let us put down this expense as .03 cent per pound for tagging the meat.

The expenditure for directing rabbis could not have exceeded the expenditure for plombirers. It may be assumed

that a maximum of fifteen rabbis directed the slaughtering in all the New York abattoirs, since in most instances the same rabbis were employed in several establishments. At the most exaggerated guess each of these rabbis was paid a salary of $10,000 per year. This would make for an annual cost of $150,000 for rabbis. As 528,196,360 pounds of meat were killed each year, the expenditure for rabbis amounted to .027 cent per pound.

The highest possible kosher costs per pound were therefore

.05 cent for shohetim
.03 cent for plombirers
.027 cent for rabbis

.107 cent Total

The estimated total of approximately one-tenth a cent per pound for the services of shohetim, plombirers, and rabbis should not be put down all to kosher expense. This one-tenth of a cent includes the cost of dispatching the animal, an item which must also be met in a slaughterhouse conducted in the non-Jewish manner. If kosher meat is comparatively high-priced, the fact is not to be accounted for by the costs of Jewish killing and supervision.

In considering the prices charged for meat killed in the metropolitan area, due allowance must be made for the great cost of transporting cattle alive from the West. Meat slaughtered out West and received already dressed is naturally less costly.

The cattle slaughtering part of the New York kosher meat industry exhibits, from a Jewish point of view, two objectionable features.

First, the responsibility for correct Shehitah under the existing scheme lies with the packing companies, and not with any constituted religious authority. It is the abattoir ownership which selects and pays its directing rabbi. It is the abattoir ownership which engages and pays the shohetim. If at present the visitor finds a high grade personnel engaged in slaughtering, it is due to the happy circumstance that New

York packers prefer to conduct an unimpeachably kosher business. If the visitor finds these shohetim doing their work well, it is to be credited to a kind of momentum by which they continue to live up to the high standards of their honored craft. There is no assurance that the standard of the shohetim will not deteriorate. Centuries of experience with Shehitah has taught that the shohet should be the employee not of the meat dealer but of the constituted Jewish community.

The second objection to the present system is that it brings no monetary benefit to Jewish communal agencies. While most Jewries of the Old World and some in the New World have derived substantial revenues from Shehitah, the Jewry of New York does not. Shehitah in New York, which should be a great and profitable public Jewish enterprise, has been permitted to fall into private hands.

The fowl killing part of the kosher meat business, in contrast to its cattle slaughtering division, is a model of disorganization. Fowl are slain in approximately 265 so-called chicken markets scattered throughout the city.[563] A chicken market may engage in the wholesale or retail business, or both. In a wholesale market quantities of fowl are killed for the retail shops. In a retail market individual birds are killed for the consumers who purchase them there. The proprietors of these establishments, known as marketmen, are in most instances Jews. Live fowl are brought into New York, generally from the Middle West, in special railroad cars. Upon their arrival the birds are crated in coops, which are in turn loaded on trucks and delivered to the chicken markets.

Since fresh poultry is demanded mainly by Jews, an estimated minimum of 90% of all live chickens shipped into New York are "cut" by shohetim. Approximately 370 shohetim are employed on and off in the many chicken markets. Three hundred of them are enrolled in the Shohetim's Union, American Federation of Labor, Local 370, while approximately seventy of them belong to the Knesset ha-Shohetim, C. I. O. Local 112.

The members of the Shohetim's Union are paid under a Collective Wage Plan. By that arrangement they receive their pay not from their employers, the marketmen, but through their own union, which receives and distributes all pay checks. The shohetim are graded by their union according to age, skill, and experience, and receive the salaries allotted to each grade. Salaries range from $18 to $52 a week. The employers pay the union on the basis of one-half cent per pound. The union spreads the available work among its members by not allowing any shohet to kill more than 12,000 pounds of poultry weekly. The Mayor's Committee of 1939 commented upon the Collective Wage System as follows, "This system, though almost unique in the history of American Labor, has its merits as an effective instrument for the distribution of employment among union members, and should be retained as long as it receives the consent of the majority of the union membership, and provided means are found for the prevention of abuses."[564]

The shohetim associated in the Knesset ha-Shohetim are employed less steadily and receive their pay directly from their employers.

The kosher poultry brought alive into New York and killed there is 10¢ to 12¢ higher in price per pound than the terefah poultry killed in the Middle West and shipped in dressed. Kosher chickens are bought from the farmer at about 17¢ per pound and are sold, slaughtered and plucked, to the New York consumer at 34¢ to 36¢ per pound. Most of the differential is absorbed by the unionized laborers who handle each chicken after it reaches New York. (Each chicken is crated and driven to a chicken market by workers of the Patent Carmen Union, A. F. L. Local 435. It is handled in the chicken market and delivered already slaughtered to a shop by the Drivers, Helpers, and Chauffeurs Union, A. F. L. Local 167. It is slaughtered by the Shohetim's Union, A. F. L. Local 370. It is plucked and sold in the shop by the Poultry Workers Union, A. F. L. Local 662.) The share of the shohet is one-half cent per pound. The Jewish public of New York spends approximately $37,500,000 for kosher poultry annually.

A certain amount of dressed kosher poultry comes in from Philadelphia and St. Louis. Since the Jewish consuming public wants only fresh killed poultry, this is sold mainly to kosher caterers.

The fowl slaughtering part of the kosher meat industry exhibits three flagrant evils.

The first is the lack of provision for the reexamination of shohetim. It is to be feared that some of the slaughterers, though competent at the time they first received their authorizations, have since, through consequence of sickness or superannuation, lost their competency. But since most of the chicken markets are without supervising rabbis, there is no one qualified and authorized to retest the shohetim.

The second evil is the failure of fully 90% of the chicken markets to identify with a plombe the fowl they kill. Under such circumstances, for aught anyone can tell, a so-called kosher fowl may have been a crippled or a half-dead bird (which an honest shohet would not slaughter), killed by the marketman himself; or a fowl which the shohet had pronounced nebelah or terefah and set aside, which the marketman nevertheless threw in with the kosher chickens.

The third evil is one that was noted in the cattle slaughtering division. It is that no Jewish communal agencies derive any funds from fowl slaughtering operations.

A new development in New York is the use of kosher meat, killed and dressed in the West and shipped in by train. This business, begun in 1935, is carried on now only on a small scale, but it bids fair to challenge the New York slaughtering industry in the future.

Meat slaughtered out West and sent in by train can be offered at lower prices than locally killed meat. The transportation cost, involving the shipping of dressed beef instead of live cattle, is less; and the slaughtering cost, with cheaper slaughtering facilities, is also less.

This traffic was not undertaken in the past because Jews then all preferred their meats fresh. In recent years, however, many Jews have come to want their meats somewhat aged or tenderized. Such consumers have no objection to

the time taken to transport their meat from the Western shambles to their local New York butcher shop.

The business is obliged to take account of the religious requirement that meat may not be eaten after 72 hours, unless it has been koshered (soaked and salted) or rinsed within that period. To meet this requirement the shipper has the meat rinsed just before it is loaded into the cars bound for New York. To each piece of meat is a tag testifying to the operation and stating the day and hour it was performed. The meat is sent by trains that reach New York in less than 72 hours. (Trains carrying meat from Kansas City cover the distance in 65½ hours.) When a train is delayed for any reason beyond the 72 hour limit, the meat upon its arrival in New York is sold as terefah.

It is reported that outside kosher meat comes to New York from Philadelphia, Baltimore, Cincinnati, Indianapolis, Minneapolis, Memphis, St. Louis, Kansas City, Dubuque, and Omaha.[565]

To meet the heavy Jewish demand for tongues, liver, brains, and sweetbreads, some packing firms outside New York have all their livestock killed kosher, send the above-mentioned parts to New York for the Jewish trade, and retain the rest of the carcasses for the local gentile trade. Livers and tongues bearing kosher tags come in reportedly from Baltimore, St. Louis, Chicago, St. Paul, and other places.

The Rabbinical Board of Greater New York has called attention to the dangers involved in the business of bringing meat to New York from great distances. In a ban issued in conjunction with the Union of Orthodox Rabbis it has pronounced terefah all meat that originates from cities more than 72 hours distant and from cities where supervision is defective.[566]

The sale of outside meat in New York makes available to New York Jews kosher meat at lower prices. However it magnifies existing difficulties many fold. It renders supervision harder, and militates against the desired inauguration of a tax on slaughtering for the benefit of Jewish communal endeavors in New York.

In New York there are a number of associations of marketmen and butchers. As business men's bodies they are without any constructive program. They do nothing to promote the increased use of kosher meat; they contribute no funds, for example, toward educating the public in the unique values of kosher meat.

As an interesting sidelight in New York Shehitah, we may note the steps being taken to prepare colored men as shohetim.

At present the approximately 3,000 families of New York colored Jews, who hail mainly from Ethiopia and West Africa, obtain their kosher meat from shops owned by white Jews. The plan is to have colored shohetim and presumably colored butchers supply that meat.

To this end, under the leadership of Rabbi W. A. Matthew, seven colored men are being trained to perform the tasks of Shehitah. The men meet at their synagogue at 87 West 128th Street in Harlem three evenings a week. On Monday and Thursday evenings they study Hebrew and the laws of Shehitah under the guidance of Rabbi Matthew, and on Wednesday evenings they study the technique of Shehitah with a white shohet. The course has been given since the fall of 1937. It was hoped that two of the men will qualify and receive their kabbalahs from white rabbis in January 1941. If this has eventuated, they are, as far as we know, the first colored shohetim in New York City.

According to Rabbi Matthew, Falasha kashrut rules differ from those of other Jews in that they require the shohet to examine the heart and liver in addition to the lungs, and that they list the meat of the duck as forbidden food.

A variation in Shehitah practice is observed on occasion by the Sephardic Jews, approximately 50,000 of whom make their homes in New York City. Sephardic shohetim, before killing a fowl, examine it for fractures of the wings and thighs, in keeping with the usage prevailing in Turkey, Syria, Greece, Yemen, and probably other Sephardic lands. This rule is not adhered to on all occasions by American

Sephardic Jews, if for no other reason than that they do not count a single professional shohet in the entire country. The usage is observed, however, when they have their kapparahs, or atonement fowl, killed.

Sephardim offer kapparahs on a number of occasions. Like the Ashkenazim, they have atonement fowl killed the day preceding the Day of Atonement. In the morning of that day in Sephardic Jewish neighborhoods large quantities of fowl may be seen offered for sale both in regular chicken markets, and in grocery and other stores that have taken in added stock. In each shop stands a qualified but non-professional Sephardic shohet. He serves as shohet for the day. Following the Sephardic usage, he examines each bird before slaughtering for fractures of the wings and thighs. The offerer of the kapparah donates the slaughtered fowl and an accompanying sum of money to the poor.

Sephardic Jews offer kapparahs also on special occasions, as when one of their number is critically ill, or when two persons in the same family or in the same house die in the same year. A Sephardic shohet is called in to slay the atonement bird either at the home of the offerer or at a local chicken market. The slaughterer first examines the bird for fractures of the wings or thighs. The head, wings, and feet of the slain fowl are then cut off and buried in a cemetery. The flesh of the fowl and a money contribution are sent to the poor. A kapparah chicken is killed also when one completes the building or purchase of a home. The fowl is slaughtered ceremoniously in front of the house, and a few drops of its blood are poured in the front and back of, if not all around, the house. The flesh of the fowl is, of course, given to the poor. Following varied family traditions some Sephardim have atonement fowl killed when they have a bad dream, immediately preceding a marriage, and on the morn of Hoshanah Rabbah (seventh day of the Feast of Tabernacles) for the sake of the souls of the deceased. At the present time, while offering the kapparah before the Day of Atonement is observed by most of the Sephardim, the special kapparahs are offered by only a few of them.[567]

The idea of placing a tax upon slaughtering for the benefit of Jewish communal endeavors has been in the minds of New York Jewish leaders. While such a levy has been a feature of Jewish kehillah organization almost everywhere else for the past three centuries, it has never been inaugurated in New York. This is to be regretted. Shohetim slaughter each year over 500 million pounds of meat and over 100 million pounds of poultry. Of this quantity fully 200 million pounds of meat and the 100 million pounds of poultry go to the Jewish trade. A tax of one cent per pound on the meat and poultry eaten by Jews would hardly be burdensome, and yet it would yield a sum of $3,000,000 per annum. That amount could serve to maintain a rabbinate of 200 men at an annual salary of $3,000 each, and in addition subsidize 100 selected religious schools to the amount of $24,000 per year each. Such a levy and disbursement would lift the financial burden that handicaps Jewish religious functioning in New York.

The idea of placing a one cent tax on kosher meat and poultry for Jewish needs has already been acted upon in a limited way by the United Jewish Appeal. In its 1939 campaign for funds for the relief of distressed Jews abroad, that organization appealed to purchasers of kosher meat to buy a one cent "Refugee Aid Stamp" with every pound of meat or poultry. The meat dealers' associations cooperated by urging members to ask their customers to buy the stamps. In the 1939 campaign the "Refugee Aid Stamp" sale was conducted in a limited section of the Bronx and for a period of only two weeks. In the 1940 appeal for funds the stamp sale was carried out throughout the metropolis and for a four week period beginning May 29th.

THE SHOHETIM'S UNION

The synagogue shohet in old New York was an honored official. He was selected and paid by the congregation, and as long as he performed his required tasks properly he was retained. He had both position and security.

By the year 1870, with the multiplication of synagogues and the consequent decentralization of Shehitah in New York, the congregational shohet had all but disappeared. In his place appeared the private shohet, hired man of the slaughterhouse proprietor. This functionary was without status, good working conditions, and security. He came to realize that he could improve his lot only by joining with his fellows in demanding better working conditions from his employer. The first reported union of shohetim was that founded in 1886 under the title Zibhe Tamin (Unblemished Slaughterers).[568] That association was short-lived.

After 1888, by direction of Rabbi Jacob Joseph, many of the shohetim were replaced. In many cases the new slaughterers were recent arrivals from Eastern Europe, and unfamiliar with the language spoken by their gentile or German-Jewish employers. In their New York positions they suffered humiliation and difficult working conditions. They had come from cities and towns in the Old World where the shohet was treated and spoken to reverently: in New York they found themselves ordered about gruffly. They were put to work at long hours in bad working quarters. The abattoirs in those days were barn-like sheds, open from opposite sides, and in winter frightfully cold. No room was provided in which the shohetim might change their clothes or sharpen their knives. The Rev. Abraham J. Kaplowitz, who served as a shohet then, wrote:

"The Shohetim would tremble in the frigid air as they changed their clothes; and they were obliged to warm their chilled boots over fires of straw before they could draw them on. They had to keep a pan of water over a kerosene stove to provide warm water, in which to dip their frost bitten fingers before testing the knife, and also to pour over the sharpening knife to keep the knife from freezing."

The Shohetim worked long hours. In some establishments the working day began at three o'clock in the morning and did not end until nine at night. For this the slaughterer received between $5 and $8 a week.

In 1892 the shohetim revolted against the humiliating and harsh conditions under which they labored. Encouraged

by Chief Rabbi Jacob Joseph and the Rev. Dr. Philip Klein, they organized themselves into a new society, known as the Melekhet ha-Kodesh (Holy Work), and struck for and won improved working conditions.

One of the policies of the Melekhet ha-Kodesh was to keep newly arrived European shohetim from taking up slaughtering in New York. The society would induce all such newcomers to seek work out of town. We read how on the second day of Adar in 1894 the Melekhet ha-Kodesh secured the signature of the shohet Feibish Zevi Gross to an agreement not to slaughter in any shambles in New York City or its environs, whether for his own wants or for the wants of others, without consent of the society. Later Gross proved through witnesses before Rabbi Moses Weinberger that he had signed the agreement under duress. Rabbi Weinberger declared the agreement invalid.[569] The Melekhet ha-Kodesh had little to do after 1900, when many of the small abattoirs in New York came under control of the large packing companies. The big packers treated the shohetim well; the society dropped its militant labor program and continued only as a social group. Today the cattle shohetim have no labor organization.

A union of chicken slaughterers was attempted for the first time in 1913. In that year many of the fowl shohetim went out on strike to gain recognition as a labor union, but were unsuccessful. Two years later they tried again, and again their strike was unsuccessful. In that year, however, the American Federation of Labor granted them a charter. For over a decade the union was split by sharp factionalism, but by 1928 differences were resolved, and the union counted on its rolls practically all the chicken slaughterers.

New York Jewry was shocked and mortified in 1929 when it was established in a federal court that the shohetim's union, known then as the Official Orthodox Poultry Slaughterers of America, had entered into a conspiracy with racketeers to extort money from the kosher chicken trade. The unsavory details showed how the union had come under

control of lawbreakers and how these individuals had used the shohetim to extort money from the chicken market operators.

The shohetim's union started on its evil way when it elected as its delegate one Charley Herbert. He was not and had never been a shohet. In fact, like his notorious brother, Arthur "Tootsie" Herbert, he had a police record. We can only guess why the shohetim's union made Charley its delegate. Possibly someone had convinced the union leaders that the purposes of the union would be furthered if they adopted the strong arm methods employed in other labor unions, and that Charley Herbert was the man to put these methods into force. To Charley the function of the shohet was no more sacred than the job of the truckmen was to his brother Tootsie, delegate of the truckmen's union.

A conspiracy was hatched by a group embracing Charley Herbert, Tootsie, and scores of others, to collect from the marketmen a tribute of a penny on every pound of kosher poultry sold. The weapon they adopted was the walkout: the members of Charley's shohetim's union and Tootsie's truckmen's union were to refuse to work for marketmen who would not pay. The extortion ring adopted the high sounding name, "The Greater New York Live Poultry Chamber of Commerce."

The case against them opened on October 7, 1929 before Judge John C. Knox in the United States District Court for the Southern District of New York. The charge was that of organizing a conspiracy in restraint of trade, a misdemeanor under federal law. Israel B. Oseas was appointed special United States attorney to prosecute the case. As there were no less than 84 defendants to be tried simultaneously, special bleacher seats were constructed for them facing the jury box.

The testimony brought out that the conspirators used both violence and the walk-out to force the marketmen to yield to their extortions. In summing up the evidence of threats of violence, assault, and destruction of property, the prosecutor said, "The conspirators made it as much as a man's life was worth to go down to Washington Market

in defiance of their regulations and attempt to buy poultry." It was stated that during the time that the conspiracy was effective, tribute to the amount of $13,000 to $16,000 was collected each week.

The shohetim lent themselves to the conspiracy by obeying Charley Herbert and quitting work in those chicken markets which resisted the exactions of the ring. This was brought out in the testimony reproduced below.

Testimony of Mack Hartnett, a market man (he had refused to hire unnecessary loaders as Tootsie Herbert had demanded; the next morning Herbert appeared at his market and told the shohet to quit work—the shohet obeyed) :

"On that morning after I left the association I had some trouble with men . . . While we were unloading the poultry from baskets to coops, Arthur Herbert and Walker and two other men came over to my place and they said to me, 'Why don't you take four union men?' And I told them I did not need four union men, I am not hiring any scabs, but if I ever need any union men, I will surely take union men and nothing else. And then I left. The next morning about 5 o'clock when the killing was supposed to start, Charley Herbert came in that morning and called the shohet out of the place. That was on several occasions, when my shohet and the man was taken out of my place just before the killing was supposed to start. There was one, right after we left the association. Thursday is the busiest day, and the first Thursday right after we left the association, the men were taken out of the place. Two men, the workman and the shohet."[570]

Testimony of Louis Sorkin, a marketman (he had failed to pay $185 to the extortioners. Herbert ordered the shohetim not to slaughter for him) :[571]

> Q. At the time when you made the payment to him, what did he say to you?
>
> A. He said if I don't pay him, I won't get any poultry.
>
> Q. Before you paid the $185, did you get poultry?
>
> A. I was stopped.
>
> Q. Until you paid who?

A. I believe I paid Koslow.

Q. How about your shohetim, did anything happen with regard to them on that day?

A. They were ordered not to kill the poultry.

Q. Who ordered them not to kill the poultry?

A. The delegate.

Q. Who was the delegate?

A. Charley Herbert.

A method employed by the conspirators to obtain maximum tribute from the marketmen was to confine each one either to the wholesale or to the retail business. The shohetim aided also in accomplishing this. A shohet assigned to slaughter for a marketman, whom the conspirators listed as a retailer, was expected to kill only fowl brought by consumers and not those brought by retail dealers.

Testimony of Benjamin Rothchild, a shohet (he had been sent by Benjamin Simon, head of The Greater New York Live Poultry Chamber of Commerce to Kalman Shapiro, president of the shohetim's union, to get a job as a shohet; and was given a position in a retail market with strict instructions to slaughter for consumers, but not for retail dealers):

"When I told Mr. Shapiro that Mr. Benny Simon told me I should get a job, he said, 'You will get a job but you will not be able to slaughter for butchers'. So I asked him why, and he would not say any more, but he went into another room. Then Roseman came out and he handed me the card and said, 'But remember, for no butchers'. I asked him the reason why. He said, 'Do not ask any questions, but as long as you slaughter for even one butcher you will be taken away from your job.' "[572]

On November 22, 1929, sixty-six of the defendants, including the Official Orthodox Poultry Slaughterers of America, were convicted. The sentences imposed were light because the offense charged was only a misdemeanor. The shohetim's union and its president, Kalman Shapiro, received suspended sentences. Charley Herbert was sentenced to serve two weeks in jail and to pay a $500 fine, which sum was suspended. "I hope," said Judge Knox in imposing sentence,

"that some day, somehow, some one high in the Jewish community of this town will take the poultry industry in hand."

(The complete testimony of this case was kindly made available to the author by Israel B. Oseas, who as special United States Attorney prosecuted it.)

The verdict did not end Charley Herbert's connection with the shohetim's union. In 1935 William Fellowes Morgan, Jr., Commissioner of Markets, undertook a campaign to oust Charley from the poultry industry, and in August of that year succeeded in having him removed from his position as business agent of the union, which was known then as the Poultry Shohetim's Union A. F. L. Local No. 440 (associated with the Amalgamated Meat Cutters of North America). A year later, by a manoeuvre which Mr. Morgan said he could not explain, Charley Herbert obtained a new American Federation of Labor charter for a shohetim's union to be known as Local 370—while his brother "Tootsie" put pressure on the marketmen, through control of the helpers, to recognize the new union.[573] Only in 1937, after relentless prosecution by District Attorney Thomas E. Dewey, was the hold of Charley and Tootsie Herbert over the kosher poultry business broken.

Activities of the shohetim's union has included publication (1932—) of a Yiddish-Hebrew paper, Shohetim Stimme (Voice of the Shohetim) and sponsorship of a convention of the shohetim of the United States and Canada in March, 1933. The convention, held at the Broadway Central Hotel in New York, attracted 200 delegates, some coming from distant cities.

In November, 1937 the union won the right of collective payment of salaries. Under that arrangement wages of all shohetim are paid by the marketmen into the union office, whence they are disbursed to the shohetim. The individual is paid at the rate of one-half cent for every pound of poultry he kills, but he is not permitted to slaughter in excess of 12,000 pounds per week. He may not work more than thirty hours a week. From his salary the union deducts certain

amounts for a fund out of which it pays unemployment insurance and sick benefits.

In late 1939 the Kashrut Association demanded that the poultry slaughterers desist from working in markets in which the plombe of the Association was not in use. The union, speaking for the shohetim, refused to obey, as indicated in its formal reply:

"If the shohetim leave the markets at this time, other shohetim will be installed in their places, and the union will be powerless to prevent it, because the agreement which the Shohetim's Union Local 370 made with the market men would then be broken.

"The shohetim recall the events of three years ago when they left their places at behest of the rabbis. The shohetim dropped their work in all places where the plombes were not in use. What was the result? Shohetim lost wages and virtually suffered starvation, and at the end had to return to work in futility and embarrassment.

"Let the world judge if we are not in the right when we protect ourselves against loss of our livelihoods.

"We have always been on the friendliest terms with the rabbis, and now stand ready to comply with all they request. They must, however, find some other means to accomplish the ends of kashrut, one which will not expose the shohet to the danger of losing his livelihood. The shohet should not be treated as 'hefker,' rightless, upon whom a ban, with which he has nothing to do, is foisted. There is no basis in the Torah for disqualifying a shohet unless a flaw be found either in his slaughtering or in his conduct as a pious Jew. This may be established through trustworthy testimony. No rabbinical power in the world may perpetrate such injustice. Had the Gaon, R. Hayyim Ozer of Vilna, heard the shohetim's side of the case, he would not have issued the responsum he did. He was not apprised of all the issues involved, for he heard only the side presented by the rabbis. We stand willing, after being given the opportunity to state our case, to hearken to the Gaon's reaction.

"After all, did not the rabbis eat of the slaughtering of the shohetim in the past, and was it not kosher enough for

them? Why now only overnight has it suddenly become terefah and banned!

"We declare publicly and without reservation that we shohetim have nothing to do with the general ban. We do our slaughtering in accordance with the religious law. The supervision is the most proper, because the union sees to that. Under present arrangements a sufficient number of shohetim are provided for every market. The shohet observes every regulation set down in the Shulhan Arukh, and the market men do not interfere.

"Furthermore, it should be noted, all the shohetim are learned and God-fearing. Among them are found many rabbis who occupy positions in synagogues. Many of them are great scholars who would never under any circumstances disobey a religious law. They themselves know the law, and need not the judgment of the rabbis in this issue. We know, finally, that among the very members of the Vaad Hakashrut there are some rabbis who join in the opinion held by the shohetim."[574]

Shehitah in New York has strayed far when a shohetim's society can state formally, "The supervision is the most proper, because the union sees to that," and "They themselves (some of the shohetim, who are said to be rabbis and great scholars) know the law, and need not the judgment of the rabbis in this issue."

To most Jews the idea of shohetim organized in a labor union is offensive. By ancient and unbroken tradition, the task of slaughtering animals for food is sacred, priestly. The unionized shohet is a creature of the chaos produced in New York when slaughtering ceased to be a synagogue function and became a private business.

Shohetim are organized in labor unions also in Chicago, Cleveland, St. Louis, and Newark.

THE STATE KOSHER LAW

Early in 1915 a number of Jews, distressed by the bold and unchecked sale of terefah meat for kosher in New York, sought the passage of state legislation to make such action

a state offense. They prepared a so-called Kosher Bill which was introduced by Nathan D. Shapiro, assemblyman from the 6th District of Kings. The measure, known as Chapter 233 of the Laws of 1915, amended Section 435 of the Penal Law to read, "A person, who, with intent to defraud: . . . Sells or exposes for sale any meat or meat preparation and falsely represents the same to be kosher, or as having been prepared under, and of a product or products sanctioned by, the orthodox Hebrew religious requirements; or falsely represents any food product or the contents of any package or container to be so constituted and prepared, by having or permitting to be inscribed thereon the word 'kosher' in any language, is guilty of a misdemeanor."

The act became a law on April 7, 1915 and took effect on September 1 following. The law was amended to strengthen and amplify its provisions in 1922, by acts introduced by Samuel Dickstein, assemblyman from the 4th district of New York (Chapters 580 and 581 of the Laws of 1922); and in 1926 by an act introduced by Samuel Mandelbaum, assemblyman from the 4th district of New York (Chapter 287 of the Laws of 1926).

The New York State Kosher Law as of the year 1940 reads as follows:

§ 435. *False labels and misrepresentations in the sale of food products.* A person, who, with intent to defraud:

1. Puts upon an article of merchandise, or upon a cask, bottle, stopper, vessel, case, cover, wrapper, package, band, ticket, label or other thing, containing or covering such an article, or with which such an article is intended to be sold, or is sold, any false description or other indication of or respecting the kind, number, quantity, weight or measure of such article, or any part thereof, or the place or country where it was manufactured or produced or the quality or grade of any such article, if the quality or grade thereof is required by law to be marked, branded or otherwise indicated on or with such article; or,

2. Sells or offers for sale an article, which to his knowledge is falsely described or indicated upon any such package,

or vessel containing the same, or label thereupon, in any of the particulars specified; or,

3. Sells or exposes for sale any goods in bulk to which no name or trademark shall be attached, and orally or otherwise represents that such goods are the manufacture or production of some other than the actual manufacturer or producer, in a case where the punishment for such offense is not specially provided for otherwise by statute; or,

4. Sells or exposes for sale any meat or meat preparation and falsely represents the same to be kosher, or as having been prepared under and of a product or products sanctioned by the orthodox Hebrew religious requirements; or falsely represents any food product or the contents of any package or container to be so constituted and prepared, by having or permitting to be inscribed thereon the word "kosher" in any language; or sells or exposes for sale in the same place of business both kosher and non-kosher meat or meat preparations who fails to indicate on his window signs and all display advertising, in block letters at least four inches in height, "kosher and non-kosher meat sold here;" or who exposes for sale in any window or place of business both kosher and nonkosher meat or meat products who fails to display over such meat or meat preparation so exposed a sign in block letters at least four inches in height reading "kosher meat," or "non-kosher meat," as the case may be

Is guilty of a misdemeanor.

§ 435-a. *Sale of kosher meat and meat preparations.* A person who, with intent to defraud, sells or exposes for sale any meat or meat preparation, article of food or food product and falsely represents the same to be kosher, whether such meat or meat preparation, article of food or food product be raw or prepared for human consumption, or as having been prepared under and of a product or products sanctioned by the orthodox Hebrew religious requirements, either by direct statement orally or in writing, or falsely represents any food product or the contents of any package or container to be so constituted and prepared, by having or permitting to be

inscribed thereon the word "kosher" in any language; or sells or exposes for sale in the same place of business both kosher and non-kosher meat or meat preparation, either raw or prepared for human consumption, who fails to indicate on his window signs and all display advertising, in block letters at least four inches in height, "kosher and non-kosher meat sold here"; or who exposes for sale in any show window or place of business both kosher and non-kosher meat or meat preparations, either raw or prepared for human consumption, who fails to display over each kind of meat or meat preparation so exposed a sign in block letters at least four inches in height reading "kosher meat," or "non-kosher meat," as the case may be, or who displays on his window, door, or in his place of business, or in handbills or other printed matter distributed in or outside of his place of business, words or letters in Hebraic characters or any sign, emblem, insignia, symbol or mark in simulation of same, the display of which might reasonably be calculated to deceive or lead a person to believe that a representation, express or implied, is being made that the meat or meat preparation exposed for sale is kosher and in conformity with prescribed orthodox Hebrew religious requirements, is guilty of a misdemeanor.

(*As amended by Chapter* 619 *of the Laws of* 1936; *Chapter* 626 *of the Laws of* 1938; *and Chapter* 795 *of the Laws of* 1939; *effective September* 1, 1939.)

§ 435-b. *Sale of kosher meat and food in hotels and restaurants.* A person who with intent to defraud, sells or exposes for sale in any hotel, restaurant or other place where food products are sold for consumption on the premises, any meat or meat preparation or any article of food or food preparations and falsely represents the same to be kosher or as having been prepared in accordance with the orthodox Hebrew religious requirements, either by direct statements, orally or in writing, or by the display of the word "kosher" in English or Hebrew letters, or by the display of any sign or mark in simulation of such word, or by the display of any insignia, six-pointed star, or any mark which might reasonably be calculated to deceive or lead a reasonable person to

believe that a representation is being made that the food sold is kosher or prepared in accordance with the orthodox Hebrew religious requirements; or sells or exposes for sale in such hotel, restaurant or such other place both kosher and non-kosher food or food preparations for consumption on the premises not prepared in accordance with the Jewish ritual or not sanctioned by the Hebrew orthodox religious requirements and who fails to display on his window signs and all display advertising in block letters at least four inches in height "kosher and non-kosher food served here"; or who displays within or outside such hotel, restaurant or other place or on a window or door thereof, or in handbills or other printed matter distributed in or outside such hotel, restaurant or other place, words or letters in Hebraic characters or any sign, emblem, insignia, symbol or mark in simulation of same, the display of which might reasonably be calculated to deceive or lead a reasonable person to believe that a representation is being made that the food sold or offered for sale is kosher or prepared in accordance with the orthodox Hebrew religious requirements, shall be guilty of a misdemeanor.

(*As amended by Chapter* 626 *of the Laws of* 1938 *and Chapter* 795 *of the Laws of* 1939; *effective September* 1, 1939.)

§ 435-c. *Fraudulent identification of meats, meat preparations and food products.* A person who: 1. Wilfully marks, stamps, tags, brands, labels or in any other way or by any other means of identification, represents or who causes to be marked, stamped, tagged, branded, labeled or represented as kosher or as having been prepared in accordance with the Hebrew orthodox religious requirements or as having been approved or sanctioned by or prepared under the direction or supervision of a rabbi or other person vested with or designated by rabbinical authority, any meats, meat preparations, articles of food or food products not kosher, not so prepared or not so approved, sanctioned or prepared, as the case may be, or

2. Wilfully removes, defaces, obliterates, covers, alters or destroys or causes to be removed, defaced, obliterated, covered, altered or destroyed the original slaughter-house plumba or any other mark, stamp, tag, brand, label or any other means of identification customarily affixed to meats, meat preparations, food or food products to indicate that such meats, meat preparations, foods or food products are kosher or have been prepared in accordance with the Hebrew orthodox religious requirements or have been approved or sanctioned by or prepared under the direction of a rabbi or other person vested with or designated by rabbinical authority, or

3. Knowingly sells, disposes of or has in his possession, for the purpose of resale to any person as kosher, any meats, meat preparations, food or food products not having annexed thereto the original slaughter-house plumba or any other mark, stamp, tag, brand, label or other means of identification customarily employed to indicate that such meats, meat preparations, food, or food products are kosher or have been prepared in accordance with the Hebrew orthodox religious requirements or any meats, meat preparations, food, or food products to which such plumba, mark, stamp, tag, brand, label or other means of identification has or have been fraudulently affixed, or

4. Does or causes to be done any of the acts mentioned in subdivisions one, two or three, for the purpose or with the intent of violating or causing to be violated the provisions of sections four hundred thirty-five, four hundred thirty-five-a or four hundred thirty-five-b of the penal law, is guilty of a misdemeanor.

(*As added by Chapter* 626 *of the Laws of* 1938 *and amended by Chapter* 795 *of the Laws of* 1939; *effective September* 1, 1939.)

Some Jews, strongly conscious of the long tradition of Jewish self-government in religious matters, expressed the opinion that Jews should not have invoked civil legislation to curb wrongdoing in the kosher meat trade. Their point of

view did not prevail. It was clear that fraud in every field was a concern of the civil government, and that cases involving the sale of kosher meat were bound to come before the courts in any event.

In 1788 the Court of Common Pleas in London listened to a suit for slander brought by a Jewish butcher, Rodriguez by name, against a Mr. Levy, for accusing him of selling terefah meat. Rodriguez had been licensed to sell meat in London by the Sephardic Bet Din, and it was before that body that Levy had aired his accusations. The charges were investigated, Rodriguez's license was revoked, and the decision was in the ordinary course announced from the synagogue pulpit. Rodriguez then brought an action for libel against Levy and claimed heavy damages. The court decided in favor of Levy.[575]

In 1869 in London a similar action was brought. This time the plaintiff was the meat dealer, Moses Schott, a Dutch Jew, and the defendant Dr. Nathan M. Adler, the Chief Rabbi himself.[576]

In New York in 1796 the meat vendor Nicholas Smart, and in 1805 the meat vendor Caleb Vandenburg, had their licenses revoked by the Common Council for representing terefah meat as kosher. In 1815 the Common Council passed, and shortly thereafter repealed, an act conferring upon the sole synagogue then existing, exclusive right, through its shohet, to seal meat as kosher and to designate meat dealers to sell it.

In 1924 the constitutionality of the New York State Kosher Law was tested in the Supreme Court of the United States. The Law had been challenged on the ground that the term "kosher" as applied to an article of food was indefinite and uncertain. The state was represented by Samuel H. Hofstadter. The Supreme Court upheld the law, ruling that the term "kosher" had a meaning well enough defined to enable one engaged in the trade to apply it correctly, at least as a general thing.

The appeal was from the decree of the District Court, which had dismissed a bill brought by the Hygrade Provision Co. to enjoin New York authorities from proceeding

against them under Chaps. 580 and 581, Laws of N. Y. 1922, respecting the sale of kosher meat and meat preparations.

The decision read:

"The specific complaint is that the word 'kosher' and the phrase 'orthodox Hebrew religious requirements' are so indefinite and uncertain as to cause the statutes to be unconstitutional for want of any ascertainable standard of guilt. It is in support of this assumption that appellants allege they are unable to determine with any degree of certainty whether a particular meat product is kosher, and when called upon, at their peril, to make a determination and label the product accordingly, they have decided and will continue to decide that all of the products sold by them are non-kosher.

"But obviously the statutes put no such burden upon them, since they expressly require that any representation that a product is kosher must not only be false but made with intent to defraud . . . By engaging in the business of selling kosher products they in effect assert an honest purpose to distinguish to the best of their judgment between what is and what is not kosher. The statutes require no more. Furthermore, the evidence, while conflicting, warrants the conclusion that the term 'kosher' has a meaning well enough defined to enable one engaged in the trade to correctly apply it, at least as a general thing. If exceptional cases may sometimes arise where opinions might differ, that is no more than is likely to occur, and does occur in respect of many criminal statutes either upheld against attack or never assailed as indefinite."

Mr. Justice Brandeis took no part in consideration of the case.[577]

In 1934, in order to make the Kosher Law more effective, the Legislature of the State of New York set up a Bureau of Kosher Law Enforcement in the Department of Agriculture and appropriated for its work the sum of $32,500. In the following year the Commissioner of the Department of Agriculture invited seven men to serve on an Advisory Board to guide him in enforcement of the Law. The Advisory

Board, as first constituted, consisted of the Rev. Dr. Leo Jung, designated chairman, the Rev. Dr. Max Drob, Dr. Moses L. Isaacs, Rabbi Nachman H. Ebin, Rabbi Mordecai Shuchatowitz, Mr. Max M. Yellin of Buffalo, and the author. The appropriation for the Bureau has been renewed yearly in the budget and the Advisory Board has functioned uninterruptedly. The Bureau, which employs twelve inspectors at present, is headed by Rabbi Shepherd Z. Baum.

Between May 1934 and May 1941 officers of the Bureau arrested 510 persons for violation of the Kosher Law. Of these, 310 were found guilty, 25 were dismissed on their own recognizance, and the cases of 30 others are still pending. During the year 1940, jail sentences totalling 330 days were imposed, and fines totalling $4,010 collected.

The New York State Kosher Law has had a salutary effect, beyond doubt. As appraised by the Mayor's Kashrut Committee in its report submitted December 1, 1931:

"It helped to eliminate a large number of petty merchants who brazenly sold non-kosher stuff and nevertheless kept their windows adorned with large Hebrew letters to the effect that their product was kosher. The Law also had the effect of removing a certain helplessness which, prior to 1915, was generally manifested by the defenders of kashrut. The exhortations of rabbis and other pious Jews sound now more convincing, since it is generally known that the State is ready to prosecute all offenders against the Kosher Law."

Still, not even the most sanguine will claim that the Kosher Law has brought kashrut to New York. The task of observing the conduct of thousands of butcher shops and delicatessen stores, as well as numerous hotels in the mountain and seaside resorts, is too great for the number of inspectors assigned. The work of the inspector is made more difficult by the fact that most poultry in New York bears no mark of identification. The pious Jew therefore still attaches no weight to the legend "Kosher Meat" on the shop window or to the words "Dietary Laws" in hotel or restaurant advertisements.

Other states have followed New York in the enactment of kosher laws. Practically all of them have used the New York legislation as a model, even in the matter of text. The years in which these laws were passed, the states which have adopted them, and their designations follow:

1918—Connecticut
Sec. 6353 Laws of 1918,
"Offenses Against Public Policy"

1920—New Jersey
Annotated Statutes
Vol. 2. Chap. 131. Sec. 5, 6, 7
Approved Mar. 15, 1928

1920—Maryland
Bagby: Maryland Annotated Code
Frauds—Advertisements
Article 27-Sec. 185, page 1031

1921—Ohio
General Code of Ohio
Section 13111-1
Approved May 17, 1935

1923—Illinois
Jones Illinois Statutes Annotated
Vol. 2, Chap. 15, Article 30
Amended July 3, 1931

1924—Virginia
Code of Virginia
Section 4463a

1925—Missouri
Missouri Statutes Annotated
Vol. 6. Chap. 93 Article 2
Section 13038

1926—District of Columbia
Code of District of Columbia
Title 6—Crimes and Criminal
Procedure. Chap. 10. Sec. 261

1929—Massachusetts (amended)
Annotated Laws of Massachusetts
Vol. 3. Chap. 94. Sec. 156
Regulation of Trade

1929(?)—Pennsylvania
Penal Code
Act No. 375 Sec. 864
1939 Session

1931—California
Penal Code
Section 383b
Assembly Bill 130—1931

1935—Wisconsin
Wisconsin Statutes 1937
Chap. 97. Sec. 56

1937—Rhode Island
General Laws of Rhode Island 1938
Chap. 613, entitled "Offenses Against Hebrew Dietary Laws"

1939—Michigan
Sections 297 a, b, c, d of Act No. 328 of Public Acts of 1931

(?)—Tennessee
Official Code of Tennessee
Sections 6595 and 6596.

While Kosher laws are to be found on the statute books of a number of states these laws are practically in every instance ineffective. In almost every case no funds are appropriated for their enforcement. It is clear that the passage of kosher laws in itself cannot bring kashrut. Only when the Jews in America develop workable communal instrumentalities for the control of kashrut will the kosher laws become truly efficacious.

THE KASHRUT ASSOCIATION

Early in 1931 a number of prominent New York Jews, striving to correct the improprieties in the kosher meat field, sought the assistance of the city government. They addressed themselves to Mayor James J. Walker, who responded by appointing on May 25 a Mayor's Committee on Kashrut. The committee, which came eventually to consist of 68 rabbis and laymen with Samuel Rottenberg as chairman, was delegated "to ascertain the facts with reference to kashrut observance on the part of the manufacturers and dealers of kosher meats and other kosher products, with a view to strengthen the enforcement of the Kosher Law of the State of New York and to establish such safeguards as would eliminate the possibility of fraud arising from the substitution of non-kosher for kosher foods and other products."

The report of the committee, rendered on December 1, 1931, said in part: "Only a comparatively small number of retail butchers are supervised by rabbis. Many others try to create the appearance of supervision by placing questionable signs in their windows . . . The chicken markets as well as the retail chicken stores are virtually without any supervision. In other words, there is nothing definite to indicate whether any fowl was slaughtered according to ritual law . . . Some of the chicken markets pay a nominal sum to a rabbi who strolls in occasionally to examine the knives of the slaughterers, and that is about all . . . Even in the branches where there is supervision, there is one cardinal defect: namely, that the supervisor, whether a rabbi or a rabbi's representative, is the employee of the one supervised. This relationship cannot possibly be productive of very strict discipline."

The committee recommended that a General Kashrut Board, to consist of every rabbi affiliated with an orthodox synagogue or with an orthodox rabbinical organization and fifty prominent laymen, be established. It suggested that the Board out of its treasury engage rabbis and trained supervisors to be stationed at every point where kosher food was manufactured, and itinerant supervisors to cover the

retail dealers. It recommended that all producers of and dealers in kosher meat be licensed, and that the licenses be granted only upon certification of the General Kashrut Board. The Board's work was to be financed by the license fees collected. The report added: "The plan will bring about two greatly needed reforms. In the first place, supervisors will no longer be employed by those whose products are being supervised, since the fees of rabbis and of all others employed by the General Kashrut Board will be paid from its general treasury. The second reform which this plan will bring about will be the supervision of all products intended to be kosher, continuously, from producer to consumer . . . The strongest argument in favor of this recommendation is the feeling that the possibility of revoking an offender's license will act as a most effective deterrent against offense. At the same time, it was borne in mind upon the committee that the licensing of dealers in kosher food could only have beneficient results if it will be done in close cooperation of the law enforcement body with a central organization responsible for Kashrut supervision. In other words, it was felt that the body for Kashrut supervision about to be created should have the exclusive privilege of certifying to the fitness of all applicants for licenses."

The only tangible result of the work of the Mayor's Committee on Kashrut in 1931 was that it gave inspiration to the creation of the Kashrut Association.

In the summer of 1934 the kosher poultry industry faced a crisis. Differences had arisen between the shohetim and the marketmen. A new agreement was to be negotiated at the end of the summer, and the shohetim were apprehensive that the marketmen might attempt to break the bargaining courage of the shohetim by locking them out for the duration of the slow summer period. They conveyed their fears to Mayor Fiorello H. La Guardia and asked him to mediate the differences between the shohetim and the market owners. The mayor appreciated that a summer lockout would not only hurt the shohetim, but would also deprive the kosher

eating public of poultry; and he appointed Judge Otto A. Rosalsky to act as mediator.

Hearings were held. It was disclosed that the 167 shohetim who worked in the wholesale markets were receiving substantial wages. In accordance with the terms of the contract in force,

1	shohet	was	paid	at	the	rate	of	$70	per	week.
36	"	"	"	"	"	"	"	$65	"	"
24	"	"	"	"	"	"	"	$60	"	"
3	"	"	"	"	"	"	"	$58	"	"
34	"	"	"	"	"	"	"	$55	"	"
36	"	"	"	"	"	"	"	$50	"	"
1	"	"	"	"	"	"	"	$48	"	"
32	"	"	"	"	"	"	"	$45	"	"

But the "speed-up" system was in force. Many slaughterers were driven to produce unconscionably large quantities of poultry, working long hours at terrific speed. "Keppel Shehitah" (head Shehitah) it was called among the shohetim. In this arrangement an attendant held the fowl with neck exposed for the shohet to cut. One shohet who labored under this system testified before Judge Rosalsky that his hands became so wearied by the strain of rapid killing that he would be obliged to dip them in vinegar to relieve them. Another declared, "We shohetim cannot assume responsibility for our own Shehitah."

When these facts were stated it was clear to the mediator that the difficulties in the poultry industry were not only monetary. There was the question whether the shohetim were producing kosher poultry: a wearied shohet cannot perform correct Shehitah.

Judge Rosalsky desired to ascertain the time required by a shohet to kill a fowl in conformity with religious law, and for answer he turned to the rabbis represented in the Kashrut Association. That body called an extraordinary conference of its membership at the Hotel Pennsylvania on August 27, 1934 to make reply. It adopted resolutions which went beyond the scope of Judge Rosalsky's inquiry. These

said that a shohet might not be expected to kill more than 12,000 pounds of poultry a week, that the kashrut of a bird could not be guaranteed unless it had a plombe affixed, and that one cent should be paid by the marketman for every pound of poultry killed, half to go to the shohet and half to the Kashrut Association to provide supervision and plombes.

On August 30 Judge Rosalsky rendered his decision. It recommended:

1. That no shohet should slaughter in excess of 12,000 pounds of poultry a week.

2. That the pay to the shohet should be at the rate of ½¢ per pound.

3. That the shohet in a wholesale market should be guaranteed a minimum wage of $45 per week.

4. That the shohet in a retail market should be guaranteed a minimum wage of $35 per week.

5. That every poultry market should have rabbinic supervision provided by the Kashrut Association.

6. That a plombe, supplied by the Kashrut Association and affixed by a mashgiah (overseer), should be affixed to all kosher slaughtered poultry, as a sign that it was killed in accordance with religious law.

7. That to defray the cost of supervision the marketmen should pay to the Kashrut Association at the rate of one cent. per fowl (approximately ¼¢ per pound) on all fowl slaughtered by shohetim.

8. That all orthodox rabbis in New York City should join the Kashrut Association.

The requirements of the plombe on all properly slaughtered fowl had won the approval of an impartial mediator appointed by the mayor. The rabbis now wanted to give that requirement religious force. This they proceeded to do by placing an "issur" (religious prohibition) upon all poultry not bearing the plombe of the Kashrut Association.

The steps taken to adopt the issur followed the traditionally approved procedure. On September 25 the United Rabbinate, a loosely organized assembly of New York rabbis, met and appointed a Bet Din of 23 rabbis and authorized it to draw up the issur. On October 24, the Rabbinical Board of Greater New York met and approved it as drawn up. On October 29 the United Rabbinate met again, with a recorded roll call of 219. It heard, discussed, and adopted the issur.

On November 5, 1934 it was promulgated publicly in the Bet ha-Medrash Hagodol on Norfolk Street, the house of worship in which Chief Rabbi Jacob Joseph had come to preside almost a half century before. The regulation said in part: "That each bird slaughtered as kosher must be marked with a plombe, such mark to be affixed by a person authorized by the rabbinate . . . We solemnly declare, pronounce, issue, and publish an issur on poultry not bearing an authorized token, declaring that such poultry is forbidden to be consumed by Jews . . . Any shohet who will slaughter birds without supervision or without a token of kashrut affixed, will lose his status of reliability in regard to kashrut and be disqualified as a shohet . . ."

The plombe on fowl was at long last a reality in New York. During the winter of 1934-5 most of the poultry bore the plombe, a metallic leg band affixed by representatives of the Kashrut Association. At that time they were being affixed to fowl at the rate of 400,000 a week, providing identification for approximately 80% of those sold as kosher.[578]

The right of the rabbis to declare "un-plombe'd" fowl terefah was challenged soon afterward in the civil courts. The S. S. and B. Live Poultry Corporation, located in the Bronx and catering almost exclusively to the Jewish trade, brought an action in the Supreme Court of the State of New York against the Kashrut Association, claiming that it had been injured and was faced with ruin by the conduct of the Association. It accused the Association of "interfering with the plaintiff's contractual rights by procuring religious edicts prohibiting the faithful from buying, and plaintiff from selling, ritually slaughtered fowl without certain forms of supervision and means of identification not required by

the Jewish law, notably the plombe, or seal." The chief and most effective weapon specified was the issur, promulgated by a large number of orthodox rabbis.

The judgment was rendered for the defendant, the Kashrut Association. In his opinion, rendered January 27, 1936, Mr. Justice Philip J. McCook declared in part:

"One point remains for consideration: the claim of monopoly by the defendant. One who enters the field of the kosher trade assumes certain obligations, not usual in other lines; so much is admitted by the plaintiff, who concedes that supervision by rabbis is a prerequisite and is firmly established in New York law, having been enacted into our Penal Law (Secs. 435, 435a, 435b). Kosher poultry costs more than non-kosher. It would be inequitable to permit its sale by anyone as kosher unless in truth kosher. Whether it is so or not is a religious matter for the rabbis to determine. An overwhelming majority of them support the Issur. The plaintiff cannot obtain the advantages of his business without assuming the disadvantages which necessarily accompany it. In the very nature of things, Kashrut *must be a monopoly* in the hands of those best qualified to administer it. By definition and tradition those persons are the rabbis and their decree is final . . . If the plaintiff does not like the result of having disagreed with the views of the Orthodox Jews there remain the plain alternatives of either once more complying or abandoning the field of kosher poultry sales.

"There is another reason for denying the plaintiff relief. Its last rebuttal witness testified that the association of marketmen, of which plaintiff's president and chief lay witness is a director, have already taken the matter into their own hands and determined to proceed as they see fit, discarding the Issur and disregarding the United Rabbinate. Their plan provides for independent supervision, for which they have retained seven rabbis, of whom four as experts testified for the plaintiff. This court is asked to overturn an Issur, carefully prepared, duly authorized and valid in substance and form, and give the stamp of approval to one of the very persons who organized what is at best their own method of ac-

complishing the same end. Equity will not come to their assistance by indirection, will give no affirmative relief, and leaves them where it finds them."[579]

The Kashrut Association plombe had scored a ringing victory in court. Almost immediately thereafter it was to succumb to a whispering campaign conducted by marketmen and butchers. These dealers proceeded to circulate stories among their customers that the plombes were not affixed by responsible persons, that they were being passed about in the markets by the pocketful, and that they were conceived only to line the pockets of the rabbis. The whispering campaign was effective and the use of the plombes fell off drastically.

In 1939 the shohetim in the poultry markets were again at odds with the marketmen over provisions in a contract about to be signed. The point at issue was the collective wage system. The marketmen desired abrogation of the practice of paying the shohetim through their union. The mayor was asked to mediate, and appointed Dr. Samuel Margoshes, Mr. Nathaniel Zalowitz, and Mr. David Meckler, representing the three most influential Yiddish dailies in New York, to serve as a commission to ascertain the facts and make recommendations.

Like the late Judge Rosalsky five years before, they went beyond the scope of the immediate issue. They conducted eighteen hearings, entering into every aspect of the kosher poultry industry. In their report, rendered in January 1940, they upheld the collective wage system, and made the following recommendations regarding the use of the plombe:

"1. The only valid rabbinical supervision, in our opinion, is that of the collective rabbinate, and not that provided by the individual rabbi, who, remunerated by the marketman or the butcher, is therefore subject to pressure from the employer.

"2. The best visible method of guaranteeing the kashrut of the poultry is through the use of the leg band or plombe, which has received the support not only of the overwhelming

majority of the rabbinate of New York, but also of the outstanding rabbis of Europe.

"3. To guarantee that the proceeds resulting from the use of the plombe are not diverted to other than the proper purposes, and that the charges for its use are not excessive, the revenue from the sale of the plombes should be supervised by a joint committee, consisting of representatives of the collective rabbinate, the marketmen, the butchers, the shohetim, and the public."

About this time New York State inspectors, in the course of enforcing the kosher laws, arrested a Joseph Gordon for selling a chicken to which no plombe was affixed, charging him with violation of section 435a of the Penal Law. A lower court found Gordon guilty. Gordon appealed, and in the Supreme Court, Appellate Division, Second Judicial Department, secured a reversal. The decision, handed down by Justices Lazansky, Hagarty, Johnston, Adel, and Taylor on January 15, 1941, was unanimous. It said in part:

"It is admitted that the Issur applies only to fowl slaughtered in New York City, and that the Kashrut Association is a private corporation, organized under the Membership Corporation Law. It is not disputed that the chicken sold by the defendant was slaughtered according to the traditional Hebrew ritual and under the supervision of an ordained orthodox rabbi, and therefore it was kosher as that term has been understood for centuries. But the defendant, having conceded that the chicken was not slaughtered under the supervision of the Kashrut Association and that it did not bear the certifying plombe of that Association, the court found he had violated the statute. Assuming that the decisions of ecclesiastical judicatories as to their own jurisdiction are binding upon the parties and courts (Connitt v. R. P. D. C. of N. Prospect, 54 N. Y. 551), the People failed to establish that the so-called Rabbinate was a tribunal clothed with power to act and to decree that a fowl not slaughtered according to the regulations specified in the Issur, and not

bearing a token as above described, is not kosher, and therefore, forbidden to be consumed by Jews.

"Furthermore, in view of the conceded fact that poultry slaughtered outside of the City of New York according to the traditional ritual, and brought into the city and sold without a plombe, is considered kosher, a regulation adopted by a group of orthodox rabbis of the City of New York which forbids the consumption of poultry killed in the City of New York under traditional Hebrew rites, unless there be attached thereto a plombe authorized and issued by the Rabbinate, cannot be considered an orthodox Hebrew requirement. It is purely a local regulation which seeks to provide the evidence that a killing has been kosher."

At this writing (summer of 1940) the Kashrut Association plombe is affixed to approximately 8% of the so-called kosher poultry slaughtered in New York City. In Astoria, a local district in the Borough of Queens, a different plombe is in use. It is a leaden disc upon which is stamped the initials of the Astoria Kashrut Board and the day of the week the fowl was slaughtered. The disc is secured to one wing of the fowl by means of wires, which are run through the wing and the ends of which are held in the disc.

11

Shehitah in Other Cities of the United States: Past History

Colonial Times

The earliest American settlement outside New York to have the services of a shohet was colonial Newport, Rhode Island. There prior to 1695 the synagogue shohet, and every early American shohet was a synagogue official, was Isaac Naphtaly.[580]

The Newport slaughterer provided not only for the needs of the local Jews, but also for those of other settlements scattered on the American continent. We possess a letter sent by a Jamaica Jew to Newport in the year 1770 asking for a shipment of kosher meat. The writer indicated that kosher meat was available in Jamaica, but that it was poor in quality and high in price.

"Jamaica, St. Anns, 8, July 1770

"Henry Isreall to Aaron Lopez,

"Sir,

"Meeting with this favourable opportunity have embraced it I am hopefull you'll excuse my taking the Liberty in troubling of you in this Letter. I live in the Country and we are obliged to live very hard as we cant gitt such sort of provisions as is suitable to our Religion without sending to the Towns in Jamaica. It is then a great lenght and chargeable and what we gett is very poor Stuff and dear. I would therefore be kindly oblige to you if you would be so kind as to take the Trouble found in sending by the Return of Cap-

tain Potter for Saint Anns, Two good large Barrell of good Beeff (fatt and prime pieces) and will send you the Payment by the Return of the same Vessell. I must also beg you'll send me it as reasonable as possible, as I have a large Family, and I have enough to do to support 'em genteelly. If you'll please enquire of Capt. James Potter, of me or of Captain Hefferron, they will tell you, or of any other of the Captain's that trades here. I have been in this Parish going on Forty-two years. Captain John Freebody, Jun'r, who was here in the year Fifty-three at a Circumcission of one of my Sons, can tell you. I am onacquainted with your Person or Familty but I hope they enjoy their Health. I am with Esteem, Sir, Your most obedient Servant

"Henry Isreall

"N.B.—If you can, or if it would be agreeable, I would be much (obliged) to you to have packed up in one of the Barrells a few Tongues."[581]

During the Revolutionary War, Newport was occupied by British troops and the city was left without a shohet. The Newport Jews were then obliged to obtain their kosher meats from neighboring places through Providence, an arrangement attended with great difficulties. All through this period Leicester was plentifully supplied with kosher provisions.

Following the British evacuation of Newport in 1779 a synagogue shohet was again engaged for the community. The new slaughterer, Hillel Judah by name, provided meat not only for local wants but also for exportation. In 1789, during his incumbency, Newport did a flourishing business in the shipment of kosher meat to Jamaica, Surinam, and Barbados. Every barrel sent out of Newport was sealed as kosher and accompanied by a written certification. The certification would be made out within the walls of the Newport house of worship and would bear the signature of either the minister or the shohet. A copy of one of these attestations follows:

"I, the undersigned, certify that the 40 kegs of beef and two geeze pickled that are shipped by Mr. David Lopez on

Board of the brigantine Hannah, Captain William Howland, from this port for Surinam marked over the covers with the mark stamped Kosher M. B. and inside with four pieces of tape with the mark Kosher on each cover, are Casser, and that any Jew may without the least scruple eat of them; as they are prepared according to our holy law, and that is true I sign this with my hand in Newport, Rhode Island on the 23rd of Elul in the year 5547 (1787) in the Holy Congregation Jeshuat Israel."

In 1790 the shohet Hillel Judah left the city. His post was occupied for a while by Joseph Jacobs, who also pursued the calling of a silversmith. The last Newport shohet was Benjamin Seixas, who was otherwise regularly employed as a teller in the Bank of Rhode Island.[582] Newport Jewry was dwindling rapidly, and when by 1822 every Jew had left the city the story of Shehitah in early Newport was ended.

Shohetim were to be found at work in a number of settlements during the Revolutionary War. We know of one who received his authorization in the city of Lancaster, Pa., on April 18, 1782. His kabbalah (shohets' certification) is in the Museum of the Jewish Theological Seminary. It states that Solomon Etting (then eighteen years old) was authorized by Barnard Gratz to perform slaughtering, but for his own needs only. Of Solomon Etting, Isaac Rivkind wrote, "His is the distinction of being the first native North American Jew to perform the function of shohet and the first American whose ordination took place on the soil of the United States by another American."[583]

EARLY AMERICAN SHOHETIM

The shohetim were the first Jewish religious functionaries in practically every settlement in America. A group of Jews taking up residence in a new locality would form a religious society, acquire a piece of ground for burial purposes, and then engage a shohet. The shohet was obliged to perform a number of religious functions, to lead the congregation in prayer (generally in the home of one of the members), teach

the children, circumcise the eight-day-old males, and of course, slaughter cattle and fowl. The shohet, not the rabbi, was the Jewish religious guide in pioneer days in America. Concerning the early settlers and their religious leadership, Simon Glazer wrote, "The only kind of religious authority they were able to maintain was a shohet, and usually the shohetim were fairly well versed in the ordinary laws of Judaism, which, indeed, was all the poor pioneers could observe."[584]

Communal organization was simple. The shohet was the sole synagogue official. There was no rabbi to supervise the work of the shohet and few laymen capable of judging it. There was no Jewish butcher to dominate the shohet; kosher meat was dispensed at special counters in shops owned by gentiles. The early American shohetim were not the most expert. They were ill-paid, and many of them pursued other vocations in addition.

The first Philadelphia shohet whose name we know was the Rev. Jacob Raphael Cohen. He served as minister, shohet, and mohel (circumciser) in Congregation Mikveh Israel from 1784 to 1811. His salary was fifty pounds per annum. Some years after his demise the duties of minister and shohet in that congregation were separated, and Leopold Sulzberger acted in the capacity of synagogue shohet for many years.[585]

The newly organized Rodeph Shalom Congregation of Philadelphia in 1819 engaged as its reader, sexton, shohet, and mohel the Rev. Jacob Lippman, lately arrived from Charleston, S. C. As he could not maintain himself upon the synagogue stipend of $50 a year, he operated a clothing store on the side. The Rev. Lippman, who was known also as "Rabbi Jacky," had a stormy career. In 1822 he was obliged to stand trial on the charge that he was not a properly authorized shohet. He was cleared of this accusation, and stayed on until 1833. There is a record that in 1824 a Mr. Joel Angell had offered his services as shohet to the entire community. In 1841 the Rodeph Shalom Congregation elected Mr. M. Rau as its reader and shohet at an annual salary of $100.[586]

Shohetim serving in Philadelphia in the year 1861 were, among others, P. Hamberg, L. Sulzberger, A. Sulzberger, E. Nathan, S. Koster, and H. Polano.[587]

The Congregation Beth Elohim of Charleston, S. C. had both a shohet and a shomer (inspector of meats in the market) as early as 1800. In that year the shohet was Israel Davis, employed at 60 pounds per annum, and the shomer was Hyam Jacob, engaged at 20 pounds per annum.[588] In 1883 the shohet of the St. Philips Street Synagogue in Charleston was Josiah Kaminitsky.[589]

Cincinnati, Ohio had the first Jewish Congregation west of the Alleghenys. In 1823 it had as its shohet Jonah B. Menahem, known also as Jonas Levy. Levy had received his authorization from the Chief Rabbi in London.[590]

Baltimore, Md. had a Mr. Wolf Marschutz as shohet about the year 1830. He was employed by the Nidhe Israel Congregation (later the Baltimore Hebrew Congregation).[591] In 1852 the same synagogue had two shohetim, in Jacob Uhlfelder and M. Weiman.[592]

Louisville, Kentucky's first reported shohet came to the Congregation Adath Israel in 1831.[593] Seventeen years later, Mr. Moses Lieberman was elected shohet "to enable Mr. Gotthelf to devote more time to his clerical duties."[594] In 1860 the Polish Congregation Beth Israel elected the Rev. Isaac Marks as cantor, reader, shohet, and mohel,—to replace him within the year by the Rev. Ephraim Wohlgemuth.[595]

A shohet was sought in Richmond, Va. in 1844, when the Portuguese Congregation Beth Shalome of that city advertised for "a person capable of filling the offices of shohet and shammas (sexton) who can act as mohel."[596] In 1856 a congregation comprising 31 members, evidently a newly established synagogue of German Jews, utilized the gratuitously offered services of Mr. F. Bendan, who acted as cantor and shohet.[597] In 1850 the Congregation Keneseth Israel elected the Rev. M. Rosenbarg (formerly of Baltimore) as cantor and shohet.[598]

Norfolk, Va. in 1846 enjoyed kosher meat because of Mr. Umstetter, who served as shohet without pay. The situation

in Norfolk at the time is thus described by a traveling reporter of an Anglo-Jewish monthly:

"Whilst lately on a short tour through a portion of Virginia, we stopped a day at Norfolk, and were rejoiced to find that the Israelites assembled there during the last holydays for worship. One of the people has kindly undertaken to kill twice a week; so that kosher meat can be procured by all; and we are pleased to learn that several who before the settlement of Mr. Umstetter, did not keep strict house, now do so, availing themselves of the services of this worthy Israelite."[599]

Thirteen years later, in 1859, the Rev. Joseph Oppenheim was elected cantor, shohet, and teacher in Norfolk.[600] He served there until 1868, when he went to take up the work in Cumberland, Va. His Cumberland service was short. He died in 1871, at less than 35 years of age.[601]

New Orleans, La. was in the field for a shohet in 1846 when the Congregation Shaaray Hesed advertised for a minister and shohet who should be "a gentleman of good, moral, and religious character, who can give a good English discourse, is well versed in the Holy Tongue, and capable of giving instruction in the same."[602] Ten years later the shohet in New Orleans was the Rev. Mr. Kaufman.[603]

The year 1846 saw the first settlement of Jews in Rochester, N. Y. Mr. Joseph Steefel was engaged as reader and shohet.[604] Three years later, when the congregation consisted of eighteen members, it elected the Rev. Marcus Tuska as rabbi, reader, shohet, and mohel. Rev. Tuska, a native of Hungary, had just landed in New York.[605].

Chicago, Ill. had its first shohet in 1847. Jews came to that city in 1838, held their first organized religious services during the high holy days in 1845, and on November 5, 1847 as Congregation Anshe Maarabh they elected the Rev. Ignatz Kunreuther as their rabbi, shohet, and reader.[606] Rev. Kunreuther resigned in 1853. His place was filled by the Rev. Isidor Lebrecht, who was assigned the duties of teacher, reader, and shohet.[607] In 1854 twenty Polish Jews organized a second congregation known as B'nai Sholom. The Rev.

Ed Meirs, late of St. Louis, volunteered to act as reader and shohet gratuitously for one year.[608]

Buffalo, N. Y. engaged its first shohet also in 1847. The Buffalo Congregation embraced but 24 families when it took on a shohet and cantor.[609]

St. Louis, Mo. had its earliest recorded cantor and shohet in the person of the Rev. Nathan Davidson in 1849. A contemporary report stated his labors were "more than usually arduous."[610] In that year in Mobile, Ala. Mr. B. M. Emanuel was said to be serving as cantor and shohet pro tem.

In Cleveland, Ohio, by the year 1850 there was a shohet engaged by the Congregation Tifereth Israel. The constitution of that synagogue provided that the shohet, like the cantor and the teacher, was to be chosen only with the approval of the rabbi and his two assistants.[611] In the same year San Francisco, Cal. elected its first shohet when the Emanu-El Congregation engaged Mr. Isaac Goldsmith. Article XI of the synagogue constitution made provision for the election of a minister, sexton, and shohet. By the year 1855 there were five or six slaughterers serving the Jews of San Francisco, two in the employ of Emanu-El. The Emanu-El shohetim were required to submit to an examination before a congregation committee once a year to have their licenses renewed.[612]

In 1850 the Congregation Beth El of Detroit, Michigan was founded, and engaged as teacher and shohet the Rev. Samuel Marcus, late of New York.[613] A letter received from Detroit two years later described the circumstances under which these steps were taken.

"Several men having moved here with their families some time last year, the total want of all opportunities for the religious instruction of their children was severely felt, especially as their business called them away from home most of the time. Subsequently, at a meeting called among those few Jews residing here, twelve in number, it was resolved to engage a teacher and shohet, and also to buy a piece of ground for a burial place."[614]

The Rev. Marcus served until 1854, when he was carried off by cholera. His place was taken by the Rev. Liebman

Adler, a native of Germany. The Rev. Adler, who received an annual salary of $400, stayed on until 1861, when he was called to a more munificent post in Chicago.[615]

That year 1851 saw New Haven, Conn. appoint Mr. Maylander; Hartford, Conn. engage the Rev. M. L. Strauss;[616] and Lafayette, Ind. organize a congregation and select a cantor and shohet.[617] In that year also Augusta, Ga., chose the Rev. E. Marcussohn,[618] only to replace him the following year by the Rev. Mr. Shatz.[619] At that time Utica, N. Y. appointed a man who was thus depicted: "The minister is a learned Polish Rabbi, who wears the national costume. His name is Rabbi Pesach Rosenthal and he officiates as cantor, preacher, and shohet, and attends to other duties besides."[620]

The first Pittsburgh, Pa. cantor and shohet was the Rev. Mr. Sulzbach, who came in 1852. In March, 1855 the cantor, teacher, and shohet was the Rev. William Armhold.[621] In 1852 Savannah, Ga. installed a shohet. A contemporary report said:

"Although the congregation of this place has not yet secured a minister, they have engaged Mr. Hirshberg, if we have understood the name correctly, as shohet. Mr. H. is reported a good scholar and pious man, and capable to act as mohel. This is a right beginning to a permanent organization, and we sincerely hope that a regular minister may soon be found to guide the people in the right path."[622]

In the same year a news item said that "The Israelites of Quincy, Ill. commenced a congregational organization by electing a shohet."[623] Five years later the cantor and shohet at Quincy was listed as the Rev. Israel Worenski.[624]

In 1852 a traveling reporter of an Anglo-Jewish monthly told of southern communities in which there was not a shohet to be found. He mentioned Wheeling, Va. and Montgomery, Ala. as well as a cluster of towns including Atlanta, Ga. He wrote: "If our advice would avail, we would recommend that our friends of Griffin, Newman, Athens, Marietta, and Atlanta form a union to have at least a shohet in common, and meet at all events on the holydays for public worship."[625]

Columbia, S. C. also had no regular shohet then.[626] Three years later Columbia was to enjoy the services of the Rev.

Samuel M. Laskey as its cantor and shohet.[627] In 1867, when Columbia was the post-bellum desolated capital of South Carolina, its cantor and shohet was Mr. Saft.[628]

An advertisement in 1852 said that the Congregation Beth Jacob of Albany desired to engage a man as cantor, reader, shohet, and teacher. His salary was to be $175 per year, with a free dwelling and a schoolroom for the pupils of the congregation. It was promised that his income would be increased by Shehitah fees, tuition fees, and other resources.[629] In 1852 reports told of a developing Jewish life in California. A European newspaper was quoted to the effect that a boat load of Israelites, including a shohet, had set out from Le Havre for California. On September 3 of that year a synagogue was established in Sacramento.[630] Three years later the Sacramento Congregation elected the Rev. Mr. Galland its cantor and shohet.[631]

In 1853 Montgomery, Ala. elected the Rev. Mr. Myer as cantor, shohet, and teacher.[632] Claiborne, Ala., a community of fifteen members, engaged the Rev. Leopold Maas, late of Europe, as its cantor, shohet, and mohel; and Memphis, Tenn. reported that a Mr. Jonas Levy, late of Little Rock, Ark., was acting for the time as its cantor and shohet.[633] Nashville, Tenn. in the year 1853, when its congregation counted 30 members, employed the Rev. Mr. Iser as cantor, shohet, and teacher.[634] Four years later the Nashville functionary was the Rev. Emanuel Marenson.[635] In 1859 the Nashville Congregation Mogen David elected the Rev. Heilbron, formerly of Poughkeepsie, N. Y., as cantor, shohet, and mohel.[636] A year later the Rev. Heilbron's wife died; he resigned and returned to New York.[637]. In 1864 the congregation inserted this advertisement:

"Wanted—A competent Hebrew teacher, capable of acting as shohet, mohel, and reader from the Torah. Salary $800 besides perquisites. If qualified to teach English in all its branches $200 more will be allowed."[638]

Lancaster, Pa. (which had a Jewish settlement at the time of the Revolutionary War), a community of 30 members, took on a cantor-shohet in 1854.[639]

Providence, R. I. advertised for a cantor-shohet in 1855.[640] In 1859 the Rev. Moses Cohen, who had served as cantor, reader, and shohet in Providence, was discharged, to be succeeded by the Rev. D. Kantrowitz.[641] In 1870 the Congregation Sons of Israel advertised for a cantor, shohet, and teacher who should be "one who is familiar with the customs of the present time. Salary $700."[642] From 1877 to 1880 the rabbi, shohet, and mohel in Providence was Rabbi Moses Ziskind Finesilver, grandfather of the author. In 1885 Harrisburg, Pa., elected a Mr. L. Bernhard as its cantor and shohet,[643] and Memphis, Tenn., engaged the services of a cantor-shohet-teacher.[644]

In 1856 Adrian, Mich. selected Mr. Ehrman[645]; Washington, D. C. chose the Rev. Mr. Melle[646]; and St. Paul, Minn. engaged the Rev. Mr. Leon.[647] Six years later the St. Paul functionary was the Rev. E. Marcuson.[648]

The year 1857 saw Pottsville, Pa. take the Rev. Isaac Strouse,[649] and Dayton, Ohio, take the Rev. L. Lipman.[650] A report concerning La Porte, Ind. that year said, "La Porte has a number of Jewish families, and we learned that they were discussing the propriety of making some organization and at least appointing a shohet to commence with."

In 1858 Samuel Adler left Philadelphia, Pa. with his bride to make his home in Van Buren, Ark. Realizing that there might not be a shohet in Van Buren, before setting out he prepared himself to act as such. He took instruction in the slaughter of fowl from the Philadelphia shohet, Leopold Sulzberger. Samuel Adler remained in Arkansas until a few months after his celebrated son Cyrus was born there in 1863. Two slaughtering knives that were used by Samuel Adler in Arkansas are in possession of the Jewish Theological Seminary, a gift of Mrs. Cyrus Adler.

In 1859 Bridgeport, Conn., a congregation of twenty members, advertised for a cantor-shohet.[651] The following year the post of cantor, shohet, and teacher was filled at Lafayette, Ind. by the Rev. Joseph Solomon, and at Fort Wayne Ind. by the Rev. M. Rosenthal, formerly of Pittsburgh, Pa. At the same time the Congregation Shaaray Chased of

Baton Rouge, La. advertised for a cantor, shohet, and teacher "who can lecture in English and German. Salary $600."[652]

On March 3, 1862 the B'nai Israel Congregation of Davenport, Iowa engaged the Rev. H. Lowenthal as its cantor, shohet, and teacher. By agreement he was to attend to slaughtering cattle twice a week during the summer, and three times a week during the winter, to teach six hours per day, four days out of every week in the year, and to officiate as reader whenever services were held by the congregation. His salary was set at $350 per annum.[653] In that year Hagerstown, Md. inserted an advertisement for a cantor, shohet, and teacher.[654]

Elmira, N. Y. in 1863 was reported to have had a shohet for many years. Between 1863 and 1867 the cantor, shohet, and teacher was the Rev. Levi Rosenblatt. In 1867 the Rev. Rosenblatt left to take the post at Galesburg, Illinois.[655] From 1872 through 1876 the rabbi, shohet, and mohel in Elmira was Rabbi Moses Ziskind Finesilver, grandfather of the author.

In 1863 Dubuque, Iowa had a minister besides a shohet.[656] The next year on April 8 the Jews of Keokuk, Iowa elected Mr. J. Falk of New York as their shohet at a salary of $300. On Oct. 13 sickness forced him to resign. A Mr. Berman applied for the post.

The rudimentary state of ecclesiastical organization was revealed in what followed. There was no rabbi to pass upon the fitness of the applicant, so the congregation resolved that should Mr. Berman be able to prove his authority and prepare his knife to the satisfaction of Mr. Falk, the old shohet, he would be elected. Mr. Berman succeeded, and received the appointment.[657]

The same year the following advertisement appeared: "Wanted at Frederick, Md. Our Hebrew Congregation wish to obtain about the 10th of Mar. next a gentleman as teacher, cantor, and shohet at a salary of $500. He must come well recommended and show his certificates from Germany. His meat will be furnished gratis by the butchers. A married man preferred."[658]



Courtesy of the Museum of the Jewish Theological Seminary

SHEHITAH KNIVES USED BY AN AMERICAN PIONEER

Used by Samuel Adler, father of Cyrus Adler, while he lived in Van Buren, Arkansas in 1858

In 1864 Kingston, N. Y. had a Mr. Fischer as its shohet, while Leavenworth City, Kansas was served by a Mr. H. Freundlich.[659]

In 1866 there was a shohet in Plattsburg, N. Y., while an item in an Anglo-Jewish monthly in 1867 said that in Galveston, Texas "they have a sort of organization, a shohet-cantor, but no regular synagogue as yet."[660] In 1868 a shohet serving in Long Branch, N. J. was Mr. L. Marks. 1871 found shohetim in Meridian, Miss., Troy, N. Y., Corry, Pa., and Charlottesville, Va., while 1872 saw a shohet in Petersburg, Va.

We observe that the advertisements for shohetim in the Anglo-Jewish press at this period had to be repeated often before men were obtained. In some cases positions were advertised for as long as a year before they were filled. Either there was not a sufficient number of religious functionaries to meet the demand, or what was more probable, the religious functionaries were reluctant to go to the small and distant Jewish communities. The October, 1856 issue of "The Occident" warned communities against engaging unauthorized shohetim.

The rabbi, shohet, and teacher in Lowell, Mass. in 1890 was Rabbi Elias Wolfson. The man and his duties were thus presented in an issue of the "Lowell Evening Star": "Although there are only about 100 families of Jews in this city, they make their slender resource go a great way in providing them with all the things which they desire and venerate. Recently a Rabbi Elias Wolfson came from Russia to look after the religious instruction of the young and old Jews of the city. He cannot speak English, and he receives $10 a week for the duties he performs. It is his duty to carry on the religious exercises in the part of the building numbered 322 Middlesex Street which is devoted to the uses of a synagogue. He also looks after the killing of all animals to be used for food by the Jews of the city."[661]

Until about 1860 Shehitah affairs ran smoothly in the vast majority of communities. Most Jewish settlements had but a single synagogue, which served as the center of all its

religious and communal activity. The synagogue selected and paid the shohet, who in most cases exercised all religious functions. This simple arrangement broke down in the face of two developments, Reform Judaism and the rising tide of immigration from Europe.

Reform Judaism discarded the practice of Shehitah with its rejection of the dietary laws. Reform gained its first foothold in America in Charleston, S. C. in 1835, and by the year 1860 many communities, especially those in the Middle West and the South, were torn asunder by the Orthodox-Reform controversy. In the synagogues where they triumphed, the Reformers abolished the office of synagogue shohet. Where they were defeated, the Reformers seceded, to establish temples of their own in which Shehitah had no place. In any case, during the course of the Orthodox-Reform controversy, the synagogue shohet was fought over and congregational Shehitah became one of the storm centers. The battle between Orthodox and Reform factions over the synagogue shohet is reflected in the contemporary advertisements for shohetim, excerpts of some of which are given below:

"Wanted

"Immediately by the Cong. Shaaray Shamayim of Pittsburgh, Pa. a person capable to act as a shohet and reader. He must be a married man, strictly orthodox, and come well recommended.

"The salary will be $200 besides perquisites, which will increase it—if the applicant is capable of teaching Hebrew—to $400 or $450 per annum.

"Chas. Arnsthall.
"Pittsburgh, Pa."[662]

"The Hebrew Cong. Brith Shalom in Charleston, S. C. want a Cantor, Shohet, Mohel and Reader. He must be a real Orthodox. Salary at present $300 per annum, besides perquisites."[663]

"Wanted

"By the Indianapolis Hebrew Congregation, a gentleman of moderate reform to act as Teacher, Chasan, and Shohet, at a salary of $700 per annum and perquisites.

"Candidates coming on trial will have to bear their own expenses. Applications to be directed to

"Moses Myer,
"Indianapolis, Ind."[664]

Congregational Shehitah in many places was disrupted also by the new immigration, which assumed tidal proportions after 1880. The new arrivals might have been a source of strength to the congregations if they had originated from the same localities in the old world. As it was, most of the earlier settlers were German Jews, while the newcomers were mainly Russian, Hungarian, and Galician. The immigrants did not, or were not made to, feel at home in the established synagogues, so they organized houses of worship of their own, with their own shohetim, and eventually with their own rabbis. The provincial spirit which prevailed in many of the synagogues of the period is reflected in the following notice: "Wanted—By K. K. Adas Israel of Cincinnati, a Cantor and Reader. This being a Polish Congregation a Polander would be preferred."[665]

Shehitah in many a community became decentralized. Established shohetim were confused by the divided state of religious authority. One such shohet, Hayyim David by name, employed in Leavenworth, Kansas some time between 1895 and 1900, had a question of law to put to a rabbi, and was obliged to address it to Rabbi Shalom Elhanan Jaffe in New York City. His letter, that follows, tells how the rabbi in Kansas City was without honor because he hailed from Lithuania and many of the people were Hasidim from Galicia.

"I was sent here by the Chief Rabbi. I am young. I do not receive more than twenty dollars a month in wages. I have no more than bread and water. When questions arise in Shehitah, I have no one to consult except a rabbi who is a

'rebellious son' himself. I am driven from the four ells of the Law. Is it good for a man to bear the sins of Israel like the scapegoat sent to Azazel, for the sake of stolen bread and water? To whom shall I turn? To the Chief Rabbi? He is a sick man. To the rabbi of Kansas City? He is held in low esteem by the people of his city because they are Hasidim from Galicia and he comes from Lithuania. If I consult the rabbis of Europe, it will be a reflection upon us."

The question he asked was whether the shohet might pluck the hair from the neck of the sheep before slaughtering. The sheep in his vicinity, known as Wallachian, had thin hair around their throats, and when these were plucked the creatures would sometimes bleed. Rabbi Jaffe replied that the hair might be removed, and the shohet was not to be concerned if the skin was torn thereby.[666]

The growth of the Jewish population created the Jewish butcher. Until the time of his first appearance, which was about 1860, kosher meat was vended by gentile dealers who dispensed it from special counters in their shops. These non-Jewish butchers submitted willingly to the direction of the local synagogues. Not so the Jewish meat dealer. He emerged at a time when synagogal control over Shehitah was divided and weakened. He sensed the growing impotence of each separate synagogue, and arrogated to himself the privileges of a private and independent merchant. He began to dominate the synagogue shohetim and to treat them as private employees. When the shohetim or rabbis refused to submit to his will, he would in some cases bring in his own shohet and rabbi. In some instances, in flagrant violation of Jewish law, the butcher—if he had at one time acquired a kabbalah—would act as his own shohet. There were situations in which one man presumed to act as butcher, shohet, and rabbi. It was reported of the Congregation Anshe Isaac in Burlington, Iowa in 1904, "A kind of a shohet, who also conducts a meat market and grocery store, is their spiritual leader."[667]

In many a community control of Shehitah passed from the hands of the synagogue into those of Jewish butchers. The

shohet who had been the respected synagogue official became the hireling of the meat dealer.

It became clear to most communal leaders that the butchers and shohetim could not be managed by the individual synagogues; that they could be controlled only by all the synagogues in each city working in concert. Philadelphia was one of the first cities to achieve united synagogal action in Shehitah affairs. Between 1849 and 1872 the Board of Hebrew Ministers regulated Shehitah in Philadelphia. The Rev. Gabriel Pape, rabbi of Congregation Beth Israel, served as president of the Board for many years.[668] The Board attempted to institute the system under which all shohetim would be reexamined annually. It ordered them to affix seals to all meat, whether meant for Jewish or gentile butchers. In 1861 it issued the following notice:

"We inform the public that at the invitation of the Board of Ministers issued to the Shohetim, the following presented themselves, were examined, and received certificates licensing them for one year to slaughter for Israelites: P. Hamberg, L. Sulzberger, A. Sulzberger, E. Nathan, S. Koster, and H. Polano. They have been admonished to affix seals to all cattle they kill, whatever the religion of the butcher may be. It is hoped that the few among the Shohetim who have hitherto refused to attend will reflect and present themselves soon for examination. No one disputes the authority of any rabbi, but the Israelites of Philadelphia must watch over their own religious interests without interference from abroad."[669]

That the Philadelphia shohetim did mark kosher meat for identification purposes in the year 1875 is attested by the following excerpt from an article which appeared under the heading, "The Jewish Butcher," in the "Philadelphia Press" at that time: "And having discharged this duty conscientiously and found the animal healthy, the shohet stamps the meat with the mystic characters, signifying sound; adding also in Hebrew characters, the date and hour of slaughter."[670]

A sporadic attempt to deal with the kosher meat problem on a community scale was recorded in San Francisco in 1880.

Some of the butchers had sold terefah meat for kosher. A meeting of the several congregations was held to prevent a recurrence.[671]

Efforts to establish communal boards to direct the production and distribution of kosher meat were hampered by the butchers, as well as by some rabbis who were in the pay of the butchers to supply supervision and approval. One such rabbi, in his blustering autobiography, tells how he aided the butchers under his wing to thwart an effort to establish communal control over them. The vaunted accomplishment, which took place about the year 1896, is best told in his own words:

"I was elected rabbi of the place. The shohetim agreed to come under my supervision. Likewise the meat dealers were under my supervision. Nothing was done without first consulting me and securing my approval.

"It happened once that some of the members of the synagogues organized a meeting at which they asked all the meat dealers to be present. They requested that I also come and give over to a community committee, the supervision I had exercised over the meat dealers — with the understanding that that committee would conduct the supervision and also set the price of kosher meat. By this means (levying a tax) it would be enabled to strengthen the Talmud Torah and other Jewish community needs. As for me, I would receive a salary from the community treasury.

"The meat dealers and shohetim pleaded with me, 'Rabbi, do not join them.' One of the leaders of the group had already declared that all the meat dealers would be obliged to come under the community committee, and that should anyone refuse he would be forced to leave town and sell meat elsewhere. The meat dealers were very much disturbed.

"I inquired of the meat dealers which shop that particular leader patronized, and was told by one of them that it was his shop, and that he would have been happier not to have had such a customer. I advised them all to refuse to sell meat to the leader. 'Let him purchase meat from some

other city,' I said; 'You may go home in peace.' With these words I left the meeting to the sound of general applause. The leader himself came to me and promised meekly that henceforth he would never mix in such matters. The meat dealers then sold him meat with good will. . . . Thus they all went with me, following my counsels."

Citywide control of kashrut could not be denied. In many a community after the year 1900 representatives of all the orthodox synagogues convened to establish a Vaad ha-Kashrut (Kashrut Board) or a Vaad ha-Ir (City Board). Their model was the organized Jewish kehillah of the Old World. The Board undertook to hire shohetim as well as overseers, and to require butchers to apply for its license. In a word, it took the conduct of slaughtering and the sale of kosher meat out of the hands of private persons and placed it again under communal control, where by long Jewish usage it belonged. In some instances it levied a tax on meat and poultry, to use the funds to pay shohetim, overseers, and rabbis, and in some cases to support the religious school and the ritual bath.

Illustrative of this was the development in Rochester, N. Y. In that city in the year 1911, twenty-two men, representing the eight orthodox synagogues and the two orthodox prayer-houses, assembled, and established the Rochester Vaad ha-Kashrut. The rules adopted for the production and sale of kosher meat in their city follow:

"1. Henceforth, let no dealer in kosher meat engage a shohet to slaughter for his needs other than one appointed by the Kashrut Board with the approval of the rabbi of the city. Let no shohet slaughter any head of cattle or fowl in the city or its environs without permission of the Board and the rabbi. Should any shohet transgress and slaughter without this consent, let the meat of his slaughtering be regarded as forbidden food.

"2. Every dealer in cattle or fowl meat is required to pay to the treasury of the Kashrut Board, to meet the costs of the shohetim, the inspectors, and such like, according to the amount that shall be set: and the Board shall pay the

salaries of the shohetim and the overseers, according to the figures that shall be set. In this way a prime evil will be removed; the shohetim will no longer be dependent upon the meat dealers, but upon the community and the rabbi. As shohetim, let there be appointed men who are competent in their work and God-fearing, in accordance with the practice prevalent in all the diaspora, and in keeping with the laws written in the Shulhan Arukh.

"3. Let the Kashrut Board appoint one or two inspectors as needed, men who are qualified for this work, that is, men of learning, God-fearing and of strong will, men who show favor to no man. They shall go forth daily to visit the shops in which kosher meat is sold, to see that all is conducted in accordance with the Torah and the regulations stated below.

"4. In the shops in which kosher meat is sold there should not be found terefah meat, or drippings, or terefah fat, and such like, without first consulting the rabbi and the inspector.

"5. Any meat over which there has passed more than the time allotted for three rinsings, that is, more than eleven days and twenty-one hours, may not be sold, except in the shops where terefah meat is dispensed.

"6. Concerning the porging of the fore-quarters for the removal of forbidden fat and blood veins, the meat dealers are required to perform this porging while the meat is still in the form of complete ribs and not in little pieces, as has been the practice until now. Only when there is appointed an overseer learned in porging will the meat dealers be permitted to porge meat that is cut up into small pieces.

"7. The slaughter and examination of cattle may not be conducted with less than two shohetim participating. On slaughtering days more shohetim may be assigned, as the rabbi and head shohet shall deem necessary. The head shohet shall determine the number of shohetim required on any one occasion, and which shohetim shall work together. Slaughtering or examining by a single shohet is forbidden, except in

the case of the slaughter or examination of calves in the villages, which may be done by one shohet, after the rabbi is consulted.

"8. Some time after these rules shall have been put into force the Board shall take counsel to establish three designated and fixed places in the city where fowl may be slaughtered, and not to permit slaughtering to be conducted in scattered places in all sections of the city, as at present. The reason for confining the fowl killing to a limited number of places is to make it possible to increase supervision, and also to have two shohetim assigned to each slaughtering place, so that one shohet may inspect the knife of the other.

"Additional regulations:

"1. No meat dealer is permitted to open a shop for the sale of kosher meat without consent of the Kashrut Board; and every shop which is authorized to sell kosher meat should display a sign issued by the Kashrut Board testifying that it is under the supervision of the Board. (It is understood that when a new meat dealer applies for permission to open a kosher meat store that the Board should investigate him to determine whether he is worthy of trust.) The Board shall present a new sign to each shop every month. Should a meat store be without a Kashrut Board sign, it is evidence for all the people of the city that the Kashrut Board is not responsible for the kashrut of that shop.

"2. No shohet is permitted to pluck the feathers of fowl, or to sell meat; and no meat dealer is permitted to act as a shohet.

"3. The rinsing of meat before the lapse of three days, and the preparation of the meat to make wurst or pickled meat, must be performed under supervision of an overseer.

"4. Kosher meat before it leaves the slaughterhouse must have inscribed upon it the word kosher, the time it was slaughtered, and the name of the shohet who slaughtered it. The seal of the Kashrut Board shall be placed upon each

side of beef in five places so that all may see it. The seal of the Kashrut Board is required also upon the 'drob' (viscera) and the intestines.

"5. He who has a fowl slaughtered is required to pay the fee before the slaughtering, and should receive from the shohet the ticket marked with the seal of the Kashrut Board.

"6. Every shohet is required to show the rabbi his knife at any time that the rabbi asks it of him.

"7. Every congregation should reempower its representatives every year or appoint new representatives every year to serve upon the Kashrut Board.

"8. The Kashrut Board may amend the above regulations in accordance with its own judgment as new conditions arise.

"Adopted with the approval of the entire community and its rabbi, Rabbi Solomon Sadowsky, after many meetings, and after a large mass meeting conducted under the guidance of Rabbi Gabriel Zev Margolis, Chief Rabbi of Boston, Mass. and its environs."[672]

Recent years have seen the increased use of the plombe or stamp mark to identify kosher meat and poultry. These were employed upon kosher meat sold in the gentile shops in the early days. What is noteworthy is that toward the end of the nineteenth century Jews began to insist that seals be affixed to, or marks made upon kosher meat, even when sold in shops operated by Jews. In 1861 the Philadelphia Board of Jewish Ministers admonished shohetim "to affix seals to all cattle they kill, whatever the religion of the butcher may be."[673]

In 1890 in St. Louis, the shohetim stamped the word 'kosher' with lead seals upon all carcasses they so adjudged. On one occasion a St. Louis shohet had slaughtered an animal and ruled it to be kosher, but had neglected to stamp it as such. He contended, however, that he could identify the carcass by a mark on the neck. Two rabbis were asked to pass upon the kashrut of the meat. Rabbi Zechariah Joseph

Rosenfeld of St. Louis said that the meat was kosher, while Rabbi Shalom Elhanan Jaffe of New York pronounced it non-kosher.[674] At the present time, in practically every American community, kosher cattle meat is sealed, stamped, or tagged for identification purposes.

The use of the plombe, stamp, or tag to mark kosher *poultry* has been instituted only in recent years. In the past such a token was not necessary, for then the Jewish housewife brought the live fowl to the shohet to be killed, and herself carried the slaughtered bird home. Now even in the smallest towns many Jewish housewives buy their poultry already slaughtered, plucked, and even eviscerated.

Another tag to make its appearance is that used to mark meat that has been rinsed. The tag generally reads "hudah" (rinsed), and gives the day and hour the rinsing operation was performed. It is employed when meat is shipped great distances. Meat slaughtered in Kansas City and destined for New York, is rinsed and tagged before loaded into the railroad cars. Meat originating in Chicago and shipped by rail to Miami Beach, Florida is stopped en route at Atlanta, Ga., where it is taken from the cars, rinsed, tagged, and then reloaded.

12

Shehitah in Other Cities of the United States: Present Arrangements

At the present time in the United States, Jewish communities follow various systems of Shehitah management. Each city may be said to pursue one of these six Shehitah plans—synagogue controlled Shehitah, vaad controlled Shehitah, private Shehitah, the visiting shohet, fowl Shehitah, or no Shehitah.

Synagogue controlled Shehitah, which is characteristic of the communities of the southeastern part of the country, is a survival of the plan which existed throughout the entire country a century ago. It is found mainly in the smaller places. Under this arrangement the shohet is a salaried official of the synagogue, and acts generally in some or all of the additional capacities of rabbi, cantor, mohel (circumciser), and teacher of children. In some cities, and this is true especially of the southeastern states, the meat is dispensed to consumers under safeguards through non-Jewish meat dealers. The principal cities in which synagogue controlled Shehitah is found are:

City	*Jewish population*
Amsterdam, N. Y.	655
Augusta, Ga.	950
Bangor, Me.	1,650
Beaumont, Texas	1,280
Beaver Falls, Pa.	415
Bellingham, Wash.	154
Beverly, Mass.	1,115
Charleston, S. C.	2,540

City	*Jewish population*
Charlotte, N. C.	720
Clarksdale, Miss.	412
Columbia, S. C.	680
Columbus, Ga.	735
Corsicana, Texas	360
Elmira, N. Y.	1,280
El Paso, Texas	2,250
Fayetteville, N. C.	148
Grand Forks, N. D.	485
Greensboro, N. C.	535
Greenwood, Miss.	300
Hamilton, Ohio	410
Hazelton, Pa.	1,700
High Point, N. C.	210
Knoxville, Tenn.	1,700
Lafayette, Ind.	300
Lansing, Mich.	500
Lewiston, Me.	1,100
Lynchburg, Va.	520
Madison, Wis.	1,350
Manchester, N. H.	1,350
Meridian, Miss.	350
Middletown, Conn.	510
Mobile, Ala.	1,050
Nashville, Tenn.	4,200
New London, Conn.	2,070
Newport News, Va.	1,950
Oklahoma City, Okla.	2,100
Peekskill, N. Y.	920
Pensacola, Fla.	730
Raleigh, N. C.	334
Reno, Nev.	245
Roanoke, Va.	470
Rockford, Ill.	720
Salt Lake City, Utah	2,535
San Diego, Cal.	3,000
Shreveport, La.	2,180
Spokane, Wash.	1,208

City	*Jewish population*
Terra Haute, Ind.	1,100
Waukegan, Ill.	1,100
Wichita, Kan.	1,315
Wilmington, N. C.	330
Winston-Salen, N. C.	315
Woonsocket, R. I.	1,080
York, Pa.	935

The manner in which kosher meat is produced and handled under the synagogue controlled Shehitah plan in a southeastern community was illustrated in Wilmington, N. C. in the period from 1938 through 1940. There the kosher slaughtering was performed by Rabbi Joseph Goldberg. The orthodox synagogue, which embraced approximately forty families, paid him a fixed salary to act as rabbi, cantor, shohet, mohel, and teacher. During Rabbi Goldberg's incumbency the kosher meat was sold by a non-Jewish dealer, who offered it from his stall in the public market once a week. The stall displayed no sign indicating that kosher meat was for sale.

The non-Jewish dealer purchased live cattle on Friday mornings and brought it to Rabbi Goldberg to be killed. The rabbi collected the fee, which was $3.00 for slaughtering a cow and fifty cents for killing a calf or sheep—which fees he subsequently turned in to the synagogue—and then slaughtered the animal. He examined the carcass, and if it proved kosher he stamped it with his individual rubber stamp, besides making a number of identifying incisions. The dealer then took up the kosher meat, placed it in his own refrigerator, and on Monday morning produced it for sale to his Jewish customers. Rabbi Goldberg would be present that morning to make certain that the meat bore his own stamp, that it was rinsed (since 72 hours had elapsed from the time of slaughter), and that the specified veins were removed. Because of the inferior quality of cattle raised in the South, the beasts killed in Wilmington, mainly cows, proved to be terefah in approximately 50% of the cases. The

carcasses found terefah were sold by the dealer to his non-kosher trade.

Rabbi Goldberg slaughtered fowl thrice weekly—on Tuesday, Thursday, and Friday mornings. He would be present at a designated yard for a half-hour period on each of these mornings, to slaughter fowl brought to him by poultry dealers and private housewives. For this service Rabbi Goldberg charged no fee; and to make certain that no poultry dealer offered for sale fowl not slaughtered by him, he affixed a special metal band to a leg of each bird be killed. The leg band, similar to the New York plombe, he ordered from a manufacturer in Newark, N. J. In 1940 the gentile dealer gave up the kosher meat business, and it was taken over by a Jewish grocer.

The operation of the synagogue controlled Shehitah system is illustrated also in Winston-Salem, N. C. As described for the author by Rabbi Theodore Shabshelowitz in a letter dated November 30, 1939:

". . . I am the only shohet here . . . Our community numbers about one hundred families, half of which belong to the reform congregation who eat terefah. It is the orthodox group that maintains the shohet, and he is paid a small yearly salary for all the services combined. . . . We have no Jewish butcher shops at all. The sale of kosher meats is handled by a non-Jew (butcher) at his butcher stall in the City Market twice a week, under the rabbi's supervision. This butcher has the cattle slaughtered at his expense (*i.e.* the abattoir fee, not for the shohet) and then sells the meat so much per pound. We have our own knives and other tools and a separate block. I do also the porging (removal of the forbidden veins in the fore-part of the carcass), and stamp each package.

"The general slaughtering in the City abattoir is done following the non-Jewish usage, that is by hitting the animal's head with a hammer. For our Shehitah, of course, everything is done properly in accordance with the Jewish religious law. The abattoir workers are quite familiar with

our requirements and comply with them in a respectful manner.

"There is of course no one here to prevent a Jewish grocery dealer from selling various delicatessen brought from other towns, such as frankfurters and sausages, bearing some kind of a testimonial. One is left free to use his judgment in these matters."

The arrangements in Pensacola, Fla., as described by Rabbi Theodore Shabshelowitz in a letter dated January 28, 1941, are as follows: "The shohet is engaged and paid by the orthodox congregation, which consists of about thirty families. His moderate salary, $1800 per annum, covers the all-around services required by this small community. He receives no other compensation from private persons for the Shehitah. The kosher meat is handled here by a Jew who sells it twice a week in his grocery. The cutter is a non-Jew. But the rabbi is present at the shop so long as the meat sale goes on. The kosher meat is served behind the meat counter, where terefah meat too is sold. But we have a separate block on which terefah meat is never placed, and also separate tools used for the kosher meat only. The kosher meat is brought directly to the block. It is not put in the ice-box, where the non-kosher meats are. No kosher meat is sold after the rabbi leaves the shop. Whatever is left over is then mixed with the terefah.

"The chickens are killed in the back yard of the synagogue. The women themselves bring and take their fowl, and sometimes the colored servants bring them. We place no tokens on the legs, as these servants are perfectly trusted. They are brought back to the house to have the feathers plucked, and every housewife recognizes her chicken. Only in case where the party is not known or when the housewife so desires, we use an indelible pencil to mark on the leg."

Cities under the synagogue controlled Shehitah plan in which the kosher meat is sold through gentile meat dealers are:

Bellingham, Wash.
Columbia, S. C.
Charleston, S. C.
(until recently)
Corsicana, Texas
El Paso, Texas
Fayetteville, N. C.
Greensboro, N. C.
High Point, N. C.
Lafayette, Ind.
Lynchburg, Va.
Mobile, Ala.
(until recently)
Raleigh, N. C.
Roanoke, Va.
Rockford, Ill.
Wilmington, N. C.
(until recently)
Winston-Salem, N. C.

Under the synagogue controlled Shehitah system the congregation generally enters into an arrangement with a butcher, Jewish or gentile, to vend the kosher meat. In return for the services of the shohet the butcher pays the congregation either a stipulated sum or an amount corresponding to the number of animals he has killed. In Augusta, Ga. the butcher pays the synagogue a lump sum of $1,000 annually. In Mobile, Ala. the meat dealer pays the synagogue $600. In Peekskill, N. Y. the butcher contributes $25 weekly to the synagogue, toward the shohet's weekly salary of $35. In Lynchburg, Va. the right to buy kosher meat is one of the privileges of membership in the congregation.

Some communities in which Shehitah is a synagogue function permit their shohet to do that which is contrary to Jewish law, to act as a butcher. This is the usage in Clarksdale, Miss., as indicated to the author in a letter by the Rev. Mordecai Lichtenstein, dated August 22, 1940:

"I am a refugee from Milan, Italy, where I was engaged in religious work for eight years. During the past year God had mercy upon me and my driven family, and I was fortunate to come to the United States. Soon I secured the post of shohet and cantor in this place.

"There dwell here, with God's help, sixty Jewish families, most of them Lithuanian Jews. My predecessor was an aged man who served as shohet and cantor for thirty years. Last year he was called to his Maker. He used to sell the meat himself, and for that reason there is no kosher meat shop here, and no kosher meat dealer. Cattle are slaughtered in

the general slaughterhouse. Out of the carcasses that are kosher, I purchase meat sufficient for our needs. The remainder is left with the owner of the carcass.

"My wages as shohet are paid by the congregation. As stated above, I receive additional small income from the sale of the meat."

Synagogue employed shohetim are permitted to sell the kosher meat in

Beaumont, Texas
Charlotte, N. C.
Clarksdale, Miss.
Lansing, Mich.
Rockford, Ill.
Shreveport, La.
York, Pa.

In some cities the synagogue monopoly over the production and sale of kosher meat has been broken by private Jewish butchers, who have set up their own shohetim in defiance of the synagogue. Needless to say, slaughtering done by shohetim who are private employees of butchers is in violation of Jewish practice.

Synagogue controlled Shehitah is challenged by a private insurgent shohet-butcher in Beaver Falls, Pa. The circumstances are related in a letter written by Mrs. Harry Markson of that place to the author, dated January 3, 1941:

"We have two shohetim in Beaver Falls, one independent and one employed by a woman butcher who is the widow of a former shohet. The shohet employed by the butcher woman is the congregation shohet and cantor. He receives a straight salary of $35 per week; for that he is the cantor all year, including the High Holydays, and teaches the children in the Hebrew School. He is the only teacher the Hebrew School has. The instruction consists of reading Hebrew in the Prayer Book, writing Yiddish, and preparing the boys for Bar Mitzvah, with the singing of the Haftarah. He kills the chickens for the widow's shop; the money for killing the chickens goes to the congregation; that includes his salary. He does private slaughtering wherever he is called, whether in Pittsburgh or neighboring towns. He

takes care of Yahrzeits, funerals, weddings, is invited to entertain at affairs, since he is a nice singer, and all that is his private income. Neither of the shohetim are mohels. He has no interest in the butcher shop. We have no tags, rings, or lead seals on the chickens they kill. Usually every housewife comes to the butcher shop to buy a dressed chicken. They ask no questions, we simply trust our butchers (no one is particular here).

"The independent butcher is also a cantor and he used to be with the congregation years ago, but was 'discarded' and is for himself, kills for his own trade, and also does slaughtering outside of Beaver Falls; and for the holidays he acts as cantor in some small communities."

Insurgent Shehitah is reported also from Newport News, Va. A letter from that city says: "There are two shohetim, one officially designated by the orthodox congregation, to which he remits 5¢ out of every 10¢ fee he charges per fowl; the other is an employee of a local private meat packer, and also has customers among individuals who for personal reasons do not care to take their fowl to the synagogue shohet."

In October, 1931, the synagogue at Madison, Wis., acting under the leadership of Rabbi Isaac Madnick, voted the levying of a two cents a pound tax on kosher meat for the benefit of its Hebrew school. The tax was collected for a time; then a new and non-cooperative butcher moved into Madison. He refused to pay the impost, undersold the kosher meat market, and made collection of the tax impracticable.[675]

Synagogue controlled Shehitah is beset by the competition of unauthorized private Shehitah also in Charleston, S. C., Hazelton, Pa., and York, Pa.

Vaad (board) controlled Shehitah is to be found in middle-sized Jewish communities, located mainly in the northeastern states. The vaad is a permanent committee made up of the representatives of all orthodox synagogues in a given city. The vaad engages and pays all shohetim, licenses all kosher meat shops, and in most instances also

employs overseers to visit and observe the conduct of the butcher stores. It obtains its funds from fees levied on slaughtering. In some cities the vaad collects enough money from Shehitah fees to contribute to the support of the rabbi; and in a few places enough to contribute also toward upkeep of the Hebrew School and the ritual bath. Vaad controlled Shehitah represents correct Shehitah management.

Under it the shohet is made independent of the butcher and placed under surveillance of the rabbi. Under it too the butcher is made to conform to the rules laid down by the vaad and is placed under the watchful eye of the overseer of the vaad. This system too enables the orthodox community to raise funds for the maintenance of overseers, the rabbinate, the Hebrew School, and the mikvah (ritual bath).

Vaad controlled Shehitah is reported in

City	*Jewish Population*
Albany, N. Y.	9,400
Altoona, Pa.	1,800
Atlantic City, N. J.	12,800
Burlington, Vt.	1,000
Elizabeth, N. J.	11,700
Fall River, Mass.	5,900
Hartford, Conn.	23,360
Johnstown, Pa.	1,300
Kingston, N. Y.	1,950
Lowell, Mass.	2,420
Minneapolis, Minn.	20,700
New Britain, Conn.	3,300
New Brunswick, N. J.	4,900
New Haven, Conn.	24,700
Newport, R. I.	950
Paterson, N. J.	24,000
Portland, Me.	3,650
Providence, R. I.	23,800
Rochester, N. Y.	23,400
St. Louis, Mo.	51,000
Savannah, Ga.	3,900
Scranton, Pa.	9,800

City	*Jewish population*
Toledo, O.	10,500
Trenton, N. J.	9,650
Utica, N. Y.	3,650
Wilkes-Barre, Pa.	6,200
Worcester, Mass.	13,350
Youngstown, O.	8,650

A vaad which raises enough money from Shehitah fees to pay shohetim and overseers and to help maintain the four orthodox rabbis, two schools, and the ritual bath is that of Rochester, N. Y. That body collects license and slaughtering fees from the butchers and a ten cent fee from every chicken brought to be slaughtered.

The Financial Report of the Vaad (known as the Rochester Hebrew Dietary Association), covering the period February 27, 1934 to February 26, 1935, showed these disbursements:

Salaries—8 Shohetim	$15,994.00
4 Rabbis	3,660.00
2 Overseers	1,428.00
Secretary	540.00
Rent	780.00
Printing	105.30
Bank charges and bank taxes	64.97
Miscellaneous	444.40
Contributions to:	
Rochester Hebrew School	5,327.93
Beth Hatvilah (ritual bath)	520.00
Workmen's Circle Yiddish School	280.00
Hebrew Sephardic Organization	10.00
Hebrew Library	5.00
Bikur Holim Society (Care of the sick)	5.00
Jewish Transient House	5.00
Ladies Free Loan Society	5.00
Young Israel Synagogue	5.00

The Vaad of Worcester, Mass., organized in 1922, levies a tax on cattle and fowl, charging ten cents for every fowl, $1.50 for every head of cattle slaughtered for consumption by Jews, 25¢ per head of cattle slaughtered for gentile consumption, and $1.00 for every "set" (lung, liver, and trimmings). From these levies the Vaad raises between fourteen and sixteen thousand dollars per annum, of which about $9,000 goes to the shohetim, and the remainder is divided among four orthodox rabbis, who are also subsidized by their respective congregations; the Hebrew educational fund; and the maintenance of the Mikvah.

The Vaad of Scranton, Pa. contributes also toward the support of Jewish education. From $175 received each week from seven meat dealers, it pays shohetim, overseers, and the orthodox rabbinate, and contributes $14.50 each week to the local Hebrew schools.

Other cities in which Shehitah revenues help maintain Shehitah functionaries, rabbis, and Jewish religious education are Fall River, Mass.; New Britain, Conn.; Johnstown, Pa.; Portland, Me.; Providence, R. I.; and Utica, N. Y.

In St. Louis the vaad income is used only to pay the shohetim, overseers, and rabbis. The vaad in St. Louis employs sixteen shohetim, whom it pays individually $31 per week; and eight overseers. It levies a tax of two cents on every pound of kosher meat, 1½¢ of which goes for shohetim's salaries, and the remaining to pay overseers and rabbis. One cent is charged for the metal identification ring affixed to the foot of every kosher slaughtered fowl. By the rules of the St. Louis Vaad, divorces and certifications of kashrut may be issued only by the Bet Din (religious court of three rabbis) of the vaad, the fees going to the vaad.

Cities in which the vaad helps maintain overseers and rabbis (but not religious schools) are Atlantic City, N. J.; Elizabeth, N. J.; Hartford, Conn.; Paterson, N. J.; St. Louis, Mo.; and Wilkes-Barre, Pa.

Cities in which the vaad maintains overseers (but not rabbis or religious schools) are Altoona, Pa.; Minneapolis, Minn.; and Youngstown, O.

In New Brunswick, N. J. there is a fee of ten cents charged for the slaughtering of every fowl. Of this five cents goes to the rabbi and five cents to the shohet.

In Kingston, N. Y. part of the Shehitah proceeds are used to provide board and lodging for transients.

Private Shehitah, the system under which the shohet performs slaughtering as the paid employee of the private butcher or packer, is the commonest arrangement in the United States. It is found in fully one-half the communities reported in this study, and is the rule without exception in the largest cities. This clearly improper system is unknown in the Old World, and did not exist in America before the year 1860.

These are the cities which tolerate private Shehitah.

City	*Jewish Population*
Akron, Ohio	8,400
Annapolis, Md.	570
Asbury Park, N. J.	1,840
Atlanta, Ga.	12,000
Baltimore, Md.	73,000
Bayonne, N. J.	12,900
Benton Harbor, Mich.	870
Binghamton, N. Y.	2,900
Birmingham, Ala.	5,300
Boston, Mass.	118,000
Bridgeport, Conn.	13,765
Buffalo, N. Y.	21,800
Butler, Pa.	325
Camden, N. J.	8,600
Cedar Rapids, Iowa	735
Charleston, W. Va.	1,500
Chester, Pa.	2,200
Chicago, Ill.	363,000
Cincinnati, Ohio	21,800
Cleveland, Ohio	90,000
Coatesville, Pa.	630
Columbus, Ohio	9,250

City	*Jewish Population*
Denver, Col.	18,400
Des Moines, Iowa	4,000
Detroit, Mich.	90,000
Easton, Pa.	1,800
Erie, Pa.	1,900
Evansville, Ind.	1,765
Fairmont, W. Va.	235
Fargo, N. D.	473
Farrell, Pa.	690
Fort Wayne, Ind.	1,960
Fort Worth, Texas	2,200
Galveston, Texas	1,200
Gary, Ind.	2,450
Gloversville, N. Y.	1,375
Grand Rapids, Mich.	1,720
Green Bay, Wis.	440
Hammond, Ind.	1,930
Harrisburg, Pa.	4,900
Haverhill, Mass.	4,100
Houston, Texas	13,500
Indianapolis, Ind.	10,850
Jacksonville, Fla.	4,820
Jersey City, N. J.	21,600
Kalamazoo, Mich.	400
Kansas City, Mo.	25,250
Kenosha, Wis.	950
Lincoln, Neb.	1,200
Louisville, Ky.	13,800
Macon, Ga.	850
Memphis, Tenn.	13,350
Middletown, N. Y.	950
Milwaukee, Wis.	29,600
Montgomery, Ala.	2,400
Muscatine, Iowa	215
Newark, N. J.	73,000
Newcastle, Pa.	850
New Orleans, La.	8,700
Norfolk, Va.	8,500

City	*Jewish Population*
Norristown, Pa.	675
Norwich, Conn.	2,000
Omaha, Neb.	11,500
Peabody, Mass.	1,250
Peoria, Ill.	1,570
Philadelphia, Pa.	293,000
Phoenix, Ariz.	1,000
Pittsburgh, Pa.	52,000
Pontiac, Mich.	550
Portland, Ore.	10,700
Portsmouth, N. H.	350
Portsmouth, Va.	1,875
Pottstown, Pa.	635
Pottsville, Pa.	935
Poughkeepsie, N. Y.	2,250
Richmond, Va.	7,500
Rutland, Vt.	250
St. Joseph, Mo.	3,200
San Antonio, Texas	6,900
San Francisco, Cal.	40,900
Schenectady, N. Y.	3,750
Sedalia, Mo.	200
Sheboygan, Wis.	1,000
Sioux City, Iowa	3,500
South Bend, Ind.	2,850
South Norwalk, Conn.	.....
Springfield, Ill.	1,120
Springfield, Mass.	12,270
Stockton, Cal.	1,235
Syracuse, N. Y.	14,500
Superior, Wis.	900
Tampa, Fla.	1,730
Taunton, Mass.	760
Troy, N. Y.	3,120
Tulsa, Okla.	2,850
Waco, Texas	1,150
Waterbury, Conn.	5,800

City	*Jewish Population*
Waterloo, Iowa	420
West Palm Beach, Fla.	500
Wheeling, W. Va.	1,150
Wilmington, Del.	6,200

Private Shehitah spells Shehitah without control. The shohet is placed in a position of dependence upon the butcher or meat packer, and in consequence is influenced to pass as kosher, meat that is terefah. Nevertheless, communities harboring private Shehitah have made efforts, generally ineffectual, to bring order into the kosher meat field. Some have established kashrut boards which, armed only with a vague support of the consuming public, attempt to supervise the production and distribution of kosher meat. The kashrut boards in both Boston and Buffalo are given a measure of power to supervise slaughterhouses, but it is a power granted only by the proprietors of those establishments. The Boston Kashrut Board (established in 1927) receives $1,000 per annum from each cattle abattoir in the city, to supply supervision. The money received is paid out to the rabbis. The twenty cattle shohetim and twenty-five fowl shohetim in Boston are paid by their employers. The Buffalo Kashrut Board is given $200 a month by one of the large local packing plants, to select and direct the shohetim and provide general supervision. The money received goes to the rabbis. The twelve shohetim in Buffalo receive their salaries from their employers. In addition the Buffalo Kashrut Board collects two cents from every fowl slaughtered by the shohetim, allocating the proceeds to the Buffalo Hebrew School. This Jewish education tax has been in force in Buffalo since 1915.

Private Shehitah reaches the anarchical stage when the shohet presumes to act as his own meat dealer. The temptation to wrongdoing in that case is obvious. The shohet who is at the same time the owner of the carcass is induced to pass it as kosher under all circumstances.

Shohetim acting as butcher shop owners are reported in:

Benton Harbor, Mich.	Memphis, Tenn.
Birmingham, Ala.	Montgomery, Ala.
Chester, Pa.	Muscatine, Iowa
Des Moines, Iowa	Omaha, Neb.
Erie, Pa.	Phoenix, Ariz.
Easton, Pa.	Pontiac, Mich.
Fort Wayne, Ind.	Portsmouth, N. H.
Green Bay, Wis.	Rutland, Vt.
Houston, Texas	San Antonio, Texas
Kalamazoo, Mich.	Waco, Texas
Macon, Ga.	Wheeling, W. Va.

Of the two shohetim operating in Portsmouth, N. H., it is written, "They both have groceries, food stores where they sell meat as well as all other kinds of food. One of them has a license to sell beer."

Years ago every Jewish community required a shohet. Refrigeration was unknown and transportation facilities were poor, and unless a settlement of Jews was satisfied to do with pickled meats it had to have its slaughtering done locally. Today a Jewish settlement may receive its meats fresh from afar. There has been a sharp tendency therefore for small communities to dispense with local Shehitah in part or altogether. Small communities are found which utilize the services of a visiting shohet, or maintain a shohet only for the slaughtering of fowl, or have no kosher slaughtering at all.

The visiting shohet is to be found in:

City	*Jewish Population*
Beacon, N. Y.	335
Goldsboro, N. C.	143
Hattiesburg, Miss.	215
Marshalltown, Iowa	175
Tacoma, Wash.	900

A letter from Rabbi Max Posnansky of Beacon states: "We have no shohet this year. The shohet from Newburgh comes to Beacon whenever the butcher needs him. The butcher pays the shohet for slaughtering services; and for supervision he pays to the synagogue, because the rabbi visits the butcher shop daily. The kosher meat is sold by the only kosher butcher in town."

The Shehitah situation in Goldsboro was thus described by Mr. A. M. Shrago of that city: "We have a shohet who comes Tuesday and he kills poultry and beef, and on Wednesday morning all the families who keep kosher buy their meat supplies for a week. The shohet lives in Raleigh, N. C., and he comes to Goldsboro and also to Wilson, N. C. (Jewish population, 70). Raleigh has another shohet who is paid by the congregation. The shohet places a stamp on the meat and the meat is handled by a gentile, a very pious Christian. He keeps separate tools and a separate block where the meat is cut, and when he gets through with the kosher meats Wednesday noon, he tells if anyone comes that he has no more.

"I will give you a little information about our city. We have here a small reformed congregation and they keep a reformed rabbi. We have eleven orthodox families, among whom are four heads of families who come from the old country. If they would take an interest, as they should, we would have a shohet and a teacher to teach our children. Two years ago I have tried and had a plan to get a shohet and a teacher for the two towns in co-partnership, Wilson and Goldsboro, but at the end someone was the cause of it to break up my plans. There is a great deal I could write about the small towns in North Carolina and which they could have if they just would want to."

A note from Hattiesburg, Miss., says, "Up to a year or so there was a shohet who came weekly. Now only for the High Holydays and Passover, from Meridian, Miss. For many years until five years ago there was a shohet who was the teacher. The meat was sold in a non Jewish store and the shohet was paid by the congregation."

Marshalltown, Iowa has a visiting shohet who comes once a week to slaughter fowl. This he does in a local grocery store. The kosher beef is received from Des Moines, Iowa, a distance of sixty miles, packed in dry ice and shipped by parcel post. Tacoma's visiting shohet comes twice a week to slaughter fowl. Beef is slaughtered in Seattle and is sold in Tacoma by a local Jewish meat dealer.

Cities that are reported to keep a permanent shohet but only for the slaughtering of fowl are:

City	*Jewish Population*	*Where the kosher beef is obtained*
Alexandria, La.	585	Shreveport, La.
Bethlehem, Pa.	1,140	Allentown, Pa.
Bloomington, Ill.	215	Peoria or Springfield, Ill.
Champaign, Ill.	380	Danville, Ill.
Elgin, Ill.	566	Chicago
Huntington, W. Va.	810	
Iowa City, Iowa	130	
Lorain, O.	935	Cleveland, Ohio
Miami Beach, Fla.	1,200	Chicago
New Kensington, Pa.	735	Pittsburgh, Pa.
Ogden, Utah	175	Salt Lake City
Pueblo, Colo.	650	Denver
Sioux Falls, S. D.	425	Sioux City, Iowa
Warren, Ohio	635	Youngstown, Ohio
Washington, D. C.	18,350	Baltimore, Md.
Watertown, N. Y.	460	Syracuse or Utica, New York

The Shehitah arrangements in Bloomington, Ill. are thus described by Rabbi Herbert J. Wilner of that place:

"There are about 60 Jewish families and a dozen or so unattached single young men who are living here away from their families. Approximately eight families make an attempt at kashrut observance. Half of these, four, are recent German refugees. There are no Jewish meat markets in

town. One large gentile firm obtains kosher meat for customers who request it. There is a shohet, a recent German arrival, but he only slaughters fowl since there is not sufficient demand for anything else. His remuneration consists of fees paid him by individuals. In addition he serves as the janitor for the synagogue and has a small poultry and butter and egg business. Once or twice a week kosher meat is purchased at, or sent by special delivery from either Peoria or Springfield, both about 50 miles away."

Concerning the Shehitah arrangements in Warren, O., its religious leader, Rabbi Leon Stitskin writes:

"We have in Warren 150 Jewish families. About 75% of them use kosher meats. Every Jew who uses kosher meat contributes weekly towards the maintenance of the shohet. The fee is 25¢ weekly per family and the money is collected by the butcher, who adds the 25¢ to the regular bills of his customers. While generally our shohet slaughters only fowl, occasionally he also slaughters cattle, for which the butcher pays him. Most of the meat, however, he gets from Youngstown."

The Rev. Jacob Kaplan of Champaign, Ill. writes:

"Our community in Champaign-Urbana is a small one. I am the shohet and Hebrew teacher. I slaughter in Champaign chickens only. The meat is received from Danville, Ill. from Margolin Packing Co. There too they have a shohet and the congregation is similar in size to ours. I supervise and sell the meat received from Danville to our community."

Miami Beach, Fla. does not have kosher beef slaughtered locally, because it cannot obtain cattle of good quality in its own part of the country. Ogden, Utah has its kosher poultry killed by a local shohet, who is a German refugee. It receives its kosher beef from Salt Lake City, a distance of three hours.

According to Rabbi Mordecai L. Brill, the shohet in Bethlehem, Pa. who is a man of seventy and who has served in his position for thirty years, receives $10 per week from the synagogue for his services as reader. He has ceased to

act as a mohel because of his advanced age, and he slaughters only fowl. Meat is brought in from Allentown.

Cities reported in this study in which there is no Shehitah at all are:

City	*Jewish Population*	*City from which kosher beef and poultry are obtained*
Albuquerque, N. M.	450	El Paso, Texas
Amarillo, Texas	335	Fort Worth, Texas
Ardmore, Okla.	110	
Athens, Ga.	90	Atlanta, Ga.
Auburn, N. Y.	340	Syracuse, N. Y.
Aurora, Ill.	540	Chicago, Ill.
Batavia, N. Y.	160	Buffalo, N. Y.
Berkeley, Cal.	460	Oakland, Cal.
Billings, Mont.	70	
Bloomington, Ind.	35	Indianapolis, Ind.
Bluefield, W. Va.	210	Chicago, Ill.
Blytheville, Ark.	100	Memphis, Tenn.
Butte, Mont.	570	Seattle, Wash.
Chapel Hill, N. C.	32	Durham, N. C.
Charlottesville, Va.	85	Lynchburg or Richmond, Va.
Colorado Springs, Colo.	550	Denver, Colo.
Columbia, Mo.	115	St. Louis or Kansas City, Mo.
Corpus Christi, Texas	645	San Antonio, Texas
Evanston, Ill.	460	Chicago, Ill.
Fort Lauderdale, Fla.	123	Miami or Miami Beach, Fla.
Fort Smith, Ark.	350	
Fresno, Cal.	935	
Geneva, N. Y.	60	Rochester or Syracuse, N. Y.
Helena, Mont.	56	
Hornell, N. Y.	70	

City	*Jewish Population*	*City from which kosher beef and poultry are obtained*
Ithaca, N. Y.	424	Meat from Rochester, N. Y. Fowl from Elmira, N. Y.
Jackson, Miss.	235	New Orleans, La.
Jefferson City, Mo.	90	Sedalia or St. Louis, Mo.
Kilgore, Texas		
Leavenworth, Kansas	420	Kansas City
Minersville, Pa.	75	Pottsville, Pa.
Mishawaka, Ind.	155	South Bend, Ind.
Morgantown, W. Va.	132	Uniontown, Pa. or Pittsburgh
Muskogee, Okla.	155	Tulsa, Okla.
Natchez, Miss.	125	
Niagara Falls, N. Y.	1,200	Buffalo
Paducah, Ky.	600	
Petersburg, Va.	393	Richmond, Va.
San Bernardino, Cal.	500	Los Angeles
Santa Monica, Cal.	1,335	Venice, Cal.
Springfield, O.	475	Dayton
Sunbury, Pa.	230	Shamokin, Pa.
Tallahassee, Fla.	98	
Topeka, Kan.	675	Kansas City, Mo.
Tuscaloosa, Ala.	300	Birmingham, Ala.
Vicksburg, Miss.	378	

The Shehitah situation is reported from Billings, Mont. as follows: "We have no shohet here in Billings. We haven't had one for the last 15 years. It seems they can't make it go. We don't get any kosher meat from the outside. They seem to get along without a shohet very nicely. The only town in Montana where they have a shohet is Butte."

The report from Butte says: "We have no shohet; the orthodox synagogue has no funds at present. We obtain

our meat from Seattle. Formerly the orthodox synagogue engaged a shohet who performed the functions of rabbi, cantor, mohel, and operator of a meat shop."

A letter from Blytheville, Ark. declares: "There is no shohet in Blytheville. The people do not eat kosher meat. Several families will order kosher meat for Passover from Memphis, Tenn. In a nearby small town one family has kosher meat sent from Memphis. A kosher delicatessen man comes here once a week to sell delicatessen."

A statement from Kilgore, Texas reads: "The kashrut problem has been solved here. It's altogether passed over." A note from Fresno, Cal.: "Jews of Fresno do not import kosher meat. Terefah meat is used. The western communities do not support the kosher shops." Rabbi Harry Jolt of Lincoln, Neb. states: "The shohet problem in a small community is rather serious. We have no agency within the community that is willing to guarantee a shohet his salary. The synagogue contributes one-fourth of his salary. The butchers here resent being burdened with a shohet, because by ordering meat from Omaha they can get choicer cuts for their customers."

The shohet has tended to disappear from many of the small towns. One reason is that with improved shipping facilities small Jewish communities can receive their kosher meats in perfect condition from larger Jewish centers. Mr. Henry Wechsler, who has traveled extensively through the Middle West, reported to the author that in the year 1926 there were a number of kosher meat firms, notably the Feinberg Sausage Company in Minneapolis, the Kosher Star Sausage and Sinai Sausage Companies in Chicago, and Kopperman in St. Louis, which did an extensive business supplying kosher meat to many diminutive Jewish settlements, as well as isolated Jewish households as far west as Nebraska. They made their shipments by Railway Express, generally on Wednesdays.

An added reason for the disappearance of the shohet in many small places has been the marked decline in observance of the dietary laws. This has been true especially in the Southwest and Far West.

The result has been that in the United States today there is many a community which has a rabbi but not a shohet—a situation inconceivable a half century ago.

During the past few years a number of communities have established improved control over the production of poultry by instituting identification devices on all kosher slaughtered fowl. Four types of identification devices are in vogue: the plombe, or metal ring clamped around a foot of the fowl; the tag attached to a foot of the fowl; an indelible stamp mark made upon the flesh of the fowl; and the shohet's slip sent along with the fowl. The plombe is used in:

Akron, O.
Altoona, Pa.
Asbury Park, N. J.
Atlanta, Ga.
Atlantic City, N. J.
Boston, Mass.
Camden, N. J.
Charleston, W. Va.
Cincinnati, O.
Haverhill, Mass.
Kansas City, Mo. (only upon poultry shipped out of the city)
Louisville, Ky.
Lowell, Mass.
Miami Beach, Fla.
Middletown, N. Y.
New Britain, Conn.
New Brunswick, N. J.
Paterson, N. J.
Peabody, Mass.
Poughkeepsie, N. Y.
Raleigh, N. C.
St. Louis, Mo.
Savannah, Ga.
Syracuse, N. Y.
Tacoma, Wash.
Taunton, Mass.
Waterbury, Conn.
Wichita, Kan.
Wilmington, N. C.

The tag is in use in:

Bangor, Me.
Columbus, Ga.
Gary, Ind.
Grand Rapids, Mich.
Hamilton, O.
Harrisburg, Pa.
Houston, Texas
Newport, R. I.
Phoenix, Ariz.
Sioux Falls, S. D.
Trenton, N. J.

The indelible stamp on the flesh is in use in:

Bellingham, Wash.	Huntington, W. Va.
Burlington, Vt.	Johnstown, Pa.
Coatesville, Pa.	Lewiston, Me.
Denver, Colo.	Manchester, N. H.
El Paso, Texas	Newport News, Va.
Farrell, Pa.	Pontiac, Mich.
Fayetteville, N. C.	Pottstown, Pa.
Fort Worth, Texas	Roanoke, Va.
Grand Forks, N. D.	Sheboygan, Wis.
Hammond, Ind.	Waukegan, Ill.
High Point, N. C.	Wheeling, W. Va.

Accompanying slips are issued in:

Charleston, S. C.	Niagara Falls, N. Y.

Some identification device is used also in San Diego, Cal.

Years ago the identification device for poultry in Cincinnati, O. was a tag bearing the date of the slaughtering and signature of the shohet. It had been introduced by Rabbi Hayyim Fishel Epstein in 1926 or 1927. At present the device is a metal foot ring, instituted by Rabbi Eliezer Silver.

The identification contrivance on kosher killed poultry aids the rabbi or overseer to detect non-kosher poultry should it appear in the shops. In addition it enables the Jewish community to levy and collect a tax upon the slaughtering of fowl. The one cent plombe in Boston, the two cent plombe in Miami Beach, and the plombe in Cincinnati provide funds for overseers. The two cent plombe in Akron, O., as well as the plombes in Asbury Park, N. J. and Camden, N. J., provide sums for both overseers and rabbis. The five cent plombe in Louisville, Ky. raises money for the Hebrew School. (In Louisville a half-cent tax on each pound of kosher meat goes toward maintenance of the orthodox rabbi.)

Baltimore, Chicago, and Detroit have made efforts, thus far unsuccessful, to bring about the use of the plombe. A

prominent Jewish leader from Baltimore writes, "We have tried to impose a tax on chickens for the purpose of identifying properly slaughtered fowl and of deriving a revenue for kashrut purposes. But we met with the determined opposition of the meat dealers and the sabotage of certain selfish rabbis."

Because of the religious nature of his training and work the shohet in America, like his Old World counterpart, performs religious tasks besides that of slaughtering. In 156 communities it was found that the shohet served as:

Cantor	in 39	instances
Cantor-mohel	" 22	"
Cantor-mohel-teacher	" 3	"
Cantor-mohel-rabbi	" 2	"
Cantor-mohel-sexton	" 1	"
Cantor-teacher	" 12	"
Cantor-teacher-rabbi	" 7	"
Cantor-rabbi	" 6	"
Cantor-sexton	" 4	"
Mohel	" 18	"
Mohel-rabbi	" 1	"
Mohel-teacher	" 1	"
Rabbi	" 6	"
Rabbi-teacher	" 1	"
Sexton	" 4	"
Reader	" 2	"
Scribe	" 1	"
Synagogue janitor	" 1	"
Cantor-mohel and assistant in a meat shop	" 1	"
Performer of all synagogue and school duties	" 11	"

It has been found that in the 249 cities in the United States reviewed in this chapter

Synagogue controlled			Shehitah	is found in	53	cities
Vaad	"	"	"	"	28	"
Private	"	"	"	"	101	"
The visiting shohet			"	"	5	"
The fowl shohet			"	"	16	"
No shohet			"	"	46	"
			Total		249	cities

In the 203 cities in which slaughtering operations are reported in this study, kosher slaughtered poultry is identified by some device in 65 cities.

13

Shehitah in Canada and Other American Countries

The first shohet to serve in Canada was the Rev. Jacob Raphael Cohen, who came from London. He performed the functions of rabbi, reader, shohet, and teacher for the newly organized Congregation Shearith Israel of Montreal from 1777 to 1784.[676]

Toronto's first shohet was the Rev. Mr. Goldberg, who came to Toronto from Buffalo in 1856. He was paid 75 pounds a year to serve as reader, shohet, and mohel of the Toronto synagogue. One of the privileges of membership in that congregation was that of obtaining kosher meat at prices fixed by the synagogue trustees. The synagogue had an arrangement with a non-Jewish meat dealer to dispense the kosher meat.[677]

The first man to do Jewish slaughtering in Ottawa was Moses Bilsky. Bilsky had worked for a while as a miner in North Bay, and in 1857 came to make his home in Ottawa, as its first Jewish resident. There he prospered, becoming in turn trader, jeweler, and banker. After a number of other Jews had established themselves in Ottawa, Bilsky went to Montreal, sought out a shohet there, studied Shehitah under him, and returned to Ottawa to do the Jewish slaughtering. In 1890 Ottawa engaged a Rev. Mr. Mirsky to act as rabbi, cantor, shohet, mohel, and teacher. The Rev. Mirsky had come from Pinsk, and at the time of his engagement was living in New York.[678]

The first shohet to come to Calgary, Alberta was H. Sissinsky who arrived in 1906, and the first Jewish slaughterer

to appear in Saskatoon was the Rev. Mr. Selchenko, who was engaged in 1910 by the Saskatoon Hebrew Congregation. Prior to the year 1913 the Jews of Regina, Saskatchewan went for their slaughtering to a farmer named Wasserman.[679]

At the present time in Canada, Shehitah arrangements in the several Jewish communities present a rather uniform picture. Practically in every city the production of kosher meat is the function of the synagogue or vaad (representative board). Private Shehitah is tolerated in no more than two places.

Synagogue controlled Shehitah prevails in

City	*Jewish Population*
Cornwall, Ont.	
Edenbridge, Sask.	120 (approximate)
Edmonton, Alta.	1,057
Glace Bay, N. S.	395
Kingston, Ont.	232
North Bay, Ont.	
Peterborough, Ont.	139
Prince Albert, Sask.	
St. John, N. B.	683
St. John's, Newf.	70 (approximate)
Sherbrooke, Que.	
Timmins, Ont.	400 (approximate)
Quebec, Que.	435
Vancouver, B. C.	2,407

In Cornwall the shohet is paid from contributions made weekly by members of the congregation, each assessed in accordance with his ability to pay. In St. John, N. B. the two kosher butchers each pay a $500 annual license fee to the synagogue, for which they receive the services of the shohet free. They are required to pay extra, however, for the slaughtering of chickens. In Quebec the kosher butcher contributes $20 each week to the synagogue, toward maintenance of the shohet. The shohet earns approximately $35 per week, receiving $25 from the synagogue and about $10 from fowl

slaughtering fees. The slaughtering charges are: ten cents for a chicken, five cents for a spring chicken, and twenty cents for a goose or turkey. In Prince Albert the kosher butcher contributes $10 each month to the synagogue, for support of the shohet.

In Vancouver, kashrut affairs are managed by the Shehitah and Kosher Meat Board of the Congregation Shaare Zedek, founded in 1915. Two shohetim are employed; one is rabbi and cantor of the congregation, his assistant a cantor. Both are paid exclusively by the synagogue. The synagogue, after paying shohetim and overseers, realizes a profit from Shehitah and uses it for its general needs. The shohetim affix paper tags to all fowl they slaughter. While no kosher meat is sold in shops owned by non-Jews, an estimated half of the kosher poultry is dispensed from such establishments.

The shohet in St. John's, Newfoundland is the Rev. M. Katz, a recent arrival from Germany. The circumstances of his work are thus set forth by him in a letter to the author dated April 10, 1940: "Here in St. Johns are 23 Jewish families. Besides this there are 30 families scattered over the island of Newfoundland which also belong to this congregation. There is one shohet, myself; the shohet is paid by the congregation. A stamp is put on meat as well as on chickens. The meat is sold by a non-Jewish butcher, as there is no Jewish butcher here. Kosher meat is shipped regularly to those Jewish families in the country who are interested in getting it, as far distant as 400 miles from St. Johns."

Vaad controlled Shehitah is the system prevailing in

City	*Jewish Population*
Hamilton, Ont.	2,636
Montreal, Que.	58,031
Ottawa, Ont.	3,316
Regina, Sask.	1,010
Toronto, Ont.	45,205
Windsor, Ont.	2,219
Winnipeg, Manitoba	17,153

In Montreal, Shehitah is under control of the Vaad ha-Ir (Jewish Community Board) established in October 1922. The Vaad supervises the affixing of plombes upon all properly slaughtered poultry, and collects a tax on poultry as well as 1½¢ per pound tax on meat. From the monies thus received it pays the salaries of shohetim and overseers, and contributes a specified amount toward maintenance of the rabbis. Whatever is left is distributed among a number of Jewish educational institutions. From January 1, 1933 to July 1, 1939 the Montreal Vaad disbursed approximately $70,000 for Jewish educational purposes.[680] The Montreal Vaad employs twenty-two shohetim for the slaughtering of cattle and thirty-five for slaughtering fowl.

Shehitah in Hamilton is managed by the Board of Kashrut of Hamilton Jewry. Four shohetim are employed. Out of the Shehitah profits, the Board contributes toward the upkeep of certain local Jewish institutions.

Shehitah in Regina is directed by the Regina Hebrew Federated Community. This body collects the Shehitah fees, and pays the salaries of the shohetim and also contributes toward the upkeep of the Hebrew School therefrom.

The Vaad in Windsor employs three shohetim and from Shehitah fees gives to the maintenance of the Hebrew School. Kosher meat is sold in Windsor in three shops owned by Jews, as well as in a number owned by non-Jews.

According to reports control of the Vaad is challenged by opposition parties in Toronto and Windsor.

Private Shehitah is countenanced in London, Ont. (283 Jews), and in Saskatoon, Sask. (691 Jews). London has two shohetim; one serves as rabbi and teacher in one synagogue, while the other acts as cantor in another. They are paid for their services by private meat dealers. London has two Jewish butchers. Saskatoon likewise has two shohetim, and both are employed by private meat dealers.

Some Canadian communities are too small to warrant employment of a shohet, and Jews residing there obtain their meat from nearby larger cities. Jewish settlements without shohetim are:

City	*Jewish Population*	*Receives Meat from*
Englehart, Ont.	39	Kirkland Lake or Toronto, Ont.
New Glasgow, N. S.	53	Halifax, N. S.
Oshawa, Ont.		Toronto, Ont.
Vegreville, Alta.		Edmonton, Alta.

Properly slaughtered poultry is identified by some device in most Canadian communities. In Montreal it is a metallic foot band, and in Ottawa an indelible stamp besides a metal seal. The tag is used in Vancouver, while indelible stamp marks are employed in Cornwall, Glace Bay, Kingston, St. John, N. B., St. John's, Newf., Sherbrooke, Peterborough, Edmonton, and Windsor. No token is placed upon kosher poultry in Quebec, because, as its rabbi writes, "There is no need here of any of these signs." None is used in Timmins. The Rev. W. Linder, shohet in that town, states, "Ninety per cent. of the Jews bring slaughtered fowl from Toronto. I slaughtered but few fowl here, and when one wants me to slaughter a fowl he phones me and I go to his house to do so." No identification device is used in the farmer's settlement at Edenbridge.

Indelible stamp marks are used on kosher poultry in Hamilton.

Canadian shohetim, like their counterparts all over the world, perform other ritual functions besides that of slaughtering. Many serve as cantors and mohelim, while some act as rabbis or teachers.

Kosher meat is dispensed in gentile owned shops in the following cities:

North Bay, Ont., under supervision of the shohet.
Peterborough, Ont.
St. John's, Newf.
Sherbrooke, Que.
Vancouver, B. C. (only poultry)

Jewish settlements in American countries outside the United States and Canada are among the oldest and newest

in the Western Hemisphere. Sephardic Jews established the earliest settlements on the islands between North and South America. There one can still see remnants or monuments of one time flourishing communities. In most cases the surviving Sephardic Jews live only with proud memories. Shehitah, as well as many other religious practices, has died out among them.

New Jewish strength came to the Americas in the newer waves of immigration. In the 1880's Jews proceeded in numbers to the Argentine, and following the passage of the United States Immigration Act in 1922, to Cuba and Mexico. With the rise and spread of Hitlerism after 1933 Jews sought refuge and residence in numerous and scattered places throughout all the Americas. While many of the twentieth century immigrants have little regard for the sanctities and are satisfied to lead a non-religious existence in their new homes, a number have taken steps to establish the basis for complete Jewish living. In most of the new Jewish settlements shohetim are to be found. In a few, communally controlled Shehitah, in accordance with the approved Old World pattern, has been set up.

Looking back a century ago, we find the Sephardic synagogues in both Barbados and the Island of St. Thomas employing shohetim. The by-laws of the Kaal Kadosh Nidhe Israel of Barbados adopted in the year 1838 gave these as the duties of the "Shohet and Shomer": "He shall attend the market or elsewhere whenever called upon for the purpose of killing oxen, and be there every morning to kill sheep, calves, and goats, after which he shall remain at home till 12 o'clock at noon, to kill poultry.

"On beef proving caser, he shall give notice thereof to every housekeeper of the congregation, and then return to the market to seal each piece, as also the veal, mutton, etc.; but he shall not engage or purchase any meat for any person whomsoever, and when he returns from the market he shall attend synagogue."

Under "Duties of Minister," the by-laws read, "* * * and whenever the Shohet is incapable of attending to his duty from any temporary cause, he shall act in his stead."

The Code of Laws for the Government of the Israelite Congregation in the Island of St. Thomas, sanctioned by his Gracious Majesty Frederick VII of Denmark, February 17, 1848 reads: "Section 33: The salaried or paid officers of the Congregation are—the Minister, the Assistant Reader, the Doctor, the Secretary, the Slaughterer, and the Sexton."[681]

It appears that the practice of Shehitah has disappeared from among remnants of the old Sephardic West Indies settlements. Rabbi M. D. Sasso writes from the Island of St. Thomas, January 21, 1941:

"Since the 1870's we have no Shohet, as the congregation has dwindled to a very small community and can hardly afford to pay even me a salary. Our meats are subjected to government inspection and we have to be satisfied.

"It may be of interest to you to know that our community here dates back to over 250 years ago and is still Sephardic Orthodox in its customs and service. We have a beautiful Synagogue (the third one) which is 125 years old and in the Echal can be seen a Sefer Torah which is 171 years old and in perfect condition. I have been officiating here for the past 27 years and on account of being a small congregation paying me no salary, I am bound to be in business, but every Shabat and Holy day I am closed. Wish it were possible to do only synagogue congregational work, as business is very bad here now. But I trust implicitly in our Good Lord; He will never forsake me."

The Shehitah situation in Curacao, Netherlands West Indies was described for the author by Abram E. Salas, a resident, in a letter dated February 1, 1941:

"The Jewish community in our island is divided into three sections, the so-called orthodox (which in many European countries would be called reformed), the reformed, and a separate section of Polish, Rumanian, and other Eastern European Jews which settled in this island only in the last ten years. The two former are Sephardic Jews whose families can be traced back to Brazil, Holland and from there to Spain and Portugal, while the latter as I say only settled here a relatively short time ago. Now, the two older com-

munities do not use a shohet at all; we have come to the conclusion that sanitary laws, being as strict as they are here (and for that matter in any Netherlands territory), and since we are not orthodox in the strict sense the use of a shohet can be dispensed with. The Eastern European Jewish community, however, still has a shohet but only for fowl while meat from slaughtered animals is bought in the city's general market. You can therefor safely say that no kosher meat is had in this island. This shohet makes this his private business and besides he is employed as cantor in the separate synagogue of this community. No special identification mark is placed on the fowl."

In most countries of Central and South America and in outlying possessions Shehitah arrangements leave much to be desired. There are a few exceptional places in which Shehitah is managed by the Synagogue or by the organized Jewish community. Synagogue controlled Shehitah prevails in both Colon and Panama City. In each of these cities the Oriental Jewish synagogue employs a functionary who serves as rabbi, cantor, mohel, teacher, and dispenser of kosher meat. Buyers of kosher meat who are not members of the congregation contribute from time to time toward maintenance of this functionary. In Lima, Shehitah affairs are directed by the Kehillah (Union Israelita del Peru). In that city of 2,200 Jews one of the privileges of membership in the kehillah is the service of the shohet. The Lima shohet, who is a paid official of the kehillah, acts also as rabbi and mohel. Shehitah is communally controlled in the Sephardic kehillah in Buenos Aires (Colectividad Sefardi Buenos Aires). That body, inaugurated in 1920 by Jews who came mainly from Syria, not only produces kosher meat, but also sells it and at a profit. The profit varies, because the selling price of the meat may not exceed the maximum figure set by the municipal authorities. After deducting for slaughtering and handling expenses, the kehillah realizes an annual profit of from 12,000 to 20,000 Argentinian pesos, which it allocates for the support of religious education.

Private Shehitah is the rule in Bogota, Buenos Aires (Ashkenazic community), Georgetown, Havana, Manila,

Mexico City, Monterrey, Montevideo, Rio de Janeiro, and Sao Paulo.

Bogota, a settlement of 3,000 Jews, most of them recent arrivals from Germany, has one shohet. He serves in the added capacity of mohel, earns some extra money as a customer peddler, and is paid for his slaughtering by private meat dealers.

The Ashkenazic Jews in Buenos Aires are served by many shohetim, paid by the wholesale butchers. The poultry slaughterers stamp for identification purposes all fowl they kill.

Georgetown, a community of fourteen Jews, is served by the Rev. Maurice Faerman. This functionary received his authorization to practice Shehitah from Rabbi Landau of the city of Beldze in Serbia, acted as shohet in Navaselitz, Romania for twenty years, and in 1939 came with his mother, sister, wife, and two children as refugees to Georgetown. The Rev. Faerman has little slaughtering to do, for most of the Georgetown Jews have no scruples about purchasing their meats in the gentile shops. He has a scroll of the Torah in his home, and on holidays assembles the Jews for prayer.

Havana has a number of shohetim, most of whom serve also as cantors and mohelim. One group of shohetim operate a meat shop.

Mexico City has three shohetim employed to slaughter beef and five shohetim to slaughter poultry. Indelible stamp marks are placed upon all properly slaughtered fowl.

Monterrey, a settlement of about seventy Jewish families, is served by the Rev. Jacob Fostick. This functionary acts as shohet, cantor, and mohel, and also dispenses the kosher meat.

Montevideo has eleven shohetim, five of whom are engaged to slaughter cattle. While they are in the pay of the butchers, a general overseership is provided by the rabbi, who receives his entire salary from the kehillah (Consejo Religioso de la Comunidad Israelita). Montevideo exported kosher meat to Germany during the years 1936 and 1937, and to Palestine

from the beginning of 1938 until the outbreak of the war in Europe in the fall of 1939.

Numbers of shohetim are to be found in both Rio de Janeiro and Sao Paulo.

Manila has a shohet who slaughters only poultry. He receives fees from the six or seven families who use him. There are no meat dealers in Manila who handle kosher meat or poultry. The Shehitah situation in Manila was thus summarized for the author by Mr. Morton I. Netzorg:

"Our Jewish community prior to the influx of refugees contained no one who was pious according to the formalities of orthodoxy. We were all lost souls, which apparently shocked some of the arrivals from Europe who were desirous of continuing to live according to the traditions of their faith. They secured a sum of money from the Agudat Yisrael of New York which permitted one of the refugees to go to Shanghai where he took the necessary steps to qualify himself to serve as a shohet.

"On his return to Manila he found that there were only half a dozen families who are willing to undertake the trouble and expense involved in having their poultry slaughtered according to the ritual. I should state that this is a surprise to me who, as secretary of the Manila Jewish Refugee Committee, had heard such loud and widespread complaints of the absence of kosher diet. It probably turned out that everybody was making a fuss for somebody else. There are a few who maintain the ancient custom with considerable sacrifice, using no meat at all, and very few chickens. Fortunately the Manila markets offers excellent fish at low prices. Others resort to vegetarianism, contrary to medical advice, but earning great merit thereby."

Shohetim, whose terms of service were not reported to the author, are to be found also in the cities of Mendoza and Cordoba in the Argentine and in Ciudad Trujillo in the Dominican Republic. In Mendoza the chief shohet serves also as rabbi and mohel, and his assistant acts as sexton of the synagogue. In Ciudad Trujillo the shohet is a Rev. Steinmetz. The

Sosua Settlement, a settlement of German and other refugees in the Dominican Republic, has a number of persons who observe Sabbath and kashrut. One of them has taken special instruction from Rev. Steinmetz and acts as shohet for the settlement.

Shohetim evidently do not function in some of the new and far-flung American settlements. A letter from M. B. Goldman of Honolulu, written January 24, 1941, states:

"Honolulu proper and the Hawaiian Territory in general never had and presently has no shohet, rabbi, or mohel, and no kashrut is being observed by the Jewish people in the Territory. We here are located over two thousand miles away from the United States mainland and although we have here in Honolulu quite a number of orthodox and conservative Jews, we still are unable to support a rabbi who could function also as a shohet. Up until about two years ago there was no house of prayer in Honolulu. I am quite sure you most likely read in the Jewish papers of the establishment of the first synagogue in Honolulu."

A letter from Guatemala City reads, "There is no shohet in our city. The Jews of this city don't obtain any kosher meat."

There is evidently no shohet in all Alaska. No shohet is located at Juneau, though some Jews live there. The Rev. J. B. Bentley, Episcopal Suffragan Bishop of Alaska, wrote from Fort Yukon under the date of February 7, 1941: "I must inform you that there is no synagogue here, and that there is not a single Jewish citizen in the community. While there are some Jews in Alaska, I think that we do not have a synagogue in the Territory." Mr. Henri P. Projansky of Rochester, New York who traveled through Alaska in 1940, reported: "Most of the Jews whom I met in Alaska are of the sturdy pioneering type, and naturally you would classify them in the group of 'am-ha-arazim', so that not much of the information you seek can be had from them."

14

Anti-Shehitah Incidents in America

On January 9, 1866 Henry Bergh, founder and president of the New York Society for the Prevention of Cruelty to Animals, addressed this letter to Henry Westheimer, operator of an abattoir in which Jewish slaughtering was conducted:

"An employee in the service of this Society reports to me that the cruelty inflicted—needlessly—on dumb animals while slaughtering them at your establishment is of the most barbarous, revolting, and wicked character.

"This statement has before been communicated to this Society; and it is proper that I call your attention to the fact, with a view to its immediate correction.

"You are forbidden by the laws of this State, as well as that higher law of God, thus to mangle and torture his creatures.

"You should, at least, so far feel for the miserable lot, of the creatures which support, and in so many ways contribute to the well being of mankind; by killing them with merciful dispatch—and in no way can this be so perfectly done as by a blow from a pointed axe upon the head.

"At any rate, these horrible scenes must end, and you must not suppose that the laws of this State, are to be daily violated by you, without responsibility, any more than by any other citizen.

"If you believe that there is a God in Heaven—tremble! for you may be certain that misfortune will overtake you sooner or later, for these infractions of his natural laws.

"I desire to hear from you on this subject; before addressing myself to the public authorities; which I shall do, if un-

heeded by you; but I trust that, this appeal will obtain a share of that mercy and pity, which you yourself will one day ask of your Maker."[682]

The letter drew a lengthy reply from Aaron Zevi Friedman, who represented himself as a rabbi, and a shohet of over thirty years' experience. Friedman's defense of Shehitah was based upon what appears to us rather bizarre physiology, but it was adequate to convince Henry Bergh that his complaint was baseless. Bergh did not express himself against Shehitah thereafter.[683]

In 1885 a report said that the Society for the Prevention of Cruelty to Animals of Philadelphia had voiced its disapproval of Shehitah "although Mr. Henry Bergh of New York stated his approval of it."[684]

In the year 1903 a woman preacher went about the country inveighing against the Jewish method of animal slaughter. While her remarks failed to make an impression generally, she did succeed in affecting the atmosphere in the cities of Detroit and Denver. Close upon her visit to Denver, the shohet Wolf Heller, employed at the Colorado Packing Company in that city, was placed under arrest. The charge levied against Heller was based upon a complaint filed by Oliver E. Tuft, an officer in the State Bureau of Child and Animal Protection of Colorado. The complaint said that Wolf Heller on October 5, 1903 "did torture, torment, unnecessarily and cruelly beat and needlessly mutilate beef cattle . . . by choking said animals with ropes around their necks until their tongues protruded and hung out . . . and by jerking them off their feet by means of a steam derrick and an iron chain and hooks attached thereto . . . and by means of said derrick, chain and hooks cruelly suspending said animals in mid-air until contents of undigested food and other substances were forced out of their bodies through their mouths and noses . . . (and causing the animals) to beat and thrash their heads and horns upon a brick floor . . . till their heads were sore and bruised and cut and gashed, on account of which the blood of the animals oozed out . . . and unlawfully and cruelly gouging out the eyes of said animals."[685]

It appears that the alleged incident was being used by the Bureau to justify prohibition of Shehitah. Dr. Charles E. H. Kauvar, a local rabbi, then invited a number of representative lawyers, physicians, and newspaper men to a conference, and explained the purpose and technique of Shehitah. The press exposed the absurdity of the charges against Heller and the complaint was withdrawn.[686]

In early 1911 the Massachusetts S. P. C. A. sponsored the introduction of a bill in the state legislature, entitled, "An Act Relative to Humaner Methods in the Slaughtering of Animals." As House Bill 738 it read in part:

"Section 1. No animal shall be slaughtered for food, or for rendering or other disposal, unless such animal is first effectively stunned or otherwise deprived of sensation before being cut or bled; and such stunning or deprivation of sensation shall be done in as humane a manner as practicable and so as not to cause such animal unnecessary pain or fright. No animal in the process of slaughter shall be caught up or hung up, by its legs, ears, tail or otherwise, before it is so stunned or deprived of sensation. The word animal herein shall not be deemed to include fish or fowl."

A public hearing was held before a committee of the Legislature in March. Dr. Francis H. Rowley, president of the Massachusetts S. P. C. A., spoke in favor of the measure. The most expert testimony Dr. Rowley invoked was that of replies to a questionnaire circulated among slaughterhouse directors in a number of German cities. The bill was not passed.[687]

The issue of Shehitah came before the courts in Halifax, Nova Scotia in 1913. On March 19 of that year, Abraham Leivitt, a shohet, had killed an animal in his accustomed way in James Shortell's slaughterhouse. The following day, Andrew Williamson, agent for the Society of Prevention of Cruelty to Animals, laid an Information before George H. Fielding, Stipendiary Magistrate, charging that Abraham Leivitt did "unnecessarily ill-treat a domestic animal, to wit, a heifer, by causing the said heifer unnecessary pain and

suffering while he, the said Abraham Leivitt, was slaughtering the said heifer."

At the trial before the Magistrate on March 26, six witnesses appeared for the prosecution; the shohet alone spoke in his defense. Andrew Williamson, the S. P. C. A. agent, testified that cutting the throat causes pain to an animal, while stunning with a pole-axe does not. He admitted, however, the pigs were killed by being stuck in the breast; and acknowledged that he thought that lambs and calves were killed by the cutting of their throats. Dr. Philip Gough, a veterinary who saw the killing, said that the victim was ten to fifteen minutes in pain. He expressed the opinion that death comes in one-fifth of the time if stunning is employed. Sydney R. Tucker testified that stunning produces instantaneous and irretrievable loss of consciousness. James Shortell, who owned the slaughterhouse, testified that the shohet would never allow anyone to stun the creatures he was about to kill. James F. Farley, who was employed as a slaughterer at McLeod's place and claimed fourteen year's experience, said that the Jewish method causes pain. Herbert Cross testified that it takes fifteen minutes or so for an animal to die after its throat is cut, and only three to four minutes when it is stunned.

The shohet, in his own behalf, said that he had had thirty years experience as slaughterer in England and Canada. He declared that he did not know how long it took a slaughtered creature to die, but that as a usual thing an animal killed by Shehitah dies in about two to five minutes. He said that he thought the Jewish method more humane, and that the victim feels no pain after its throat is cut.

On basis of the evidence presented the Magistrate on April 21 convicted the shohet and adjudged him to pay $6 penalty and $7.65 costs.

The shohet, Abraham Leivitt, appealed to the County Court, and on June 13 was heard before Judge Wallace. For the prosecution the witnesses called were Williamson, Dr. Gough, Tucker, Farley, Cross, already mentioned, and

James Shaw. For the defense, besides the shohet himself, were Dr. H. McFatridge, a veterinary, Rabbi Simon Glazer, and Prof. D. Freaser-Harris of Dalhousie University. After hearing the argument of counsel, the Judge allowed the appeal and discharged the defendant.[688]

In 1913 and again in 1922 the American Humane Association was addressed on the subject of Shehitah at its annual convention. On October 13, 1913, Professor Louis Ginzberg of the Jewish Theological Seminary addressed the Association at its 37th annual meeting at Rochester, New York on the topic, "The Humanity of the Jewish Method of Slaughter." On October 4, 1922, at the convention at St. Paul, Minn., the subject was treated by another member of the Seminary faculty, Professor Moses Hyamson. His paper, "The Jewish Method of Slaying Animals: From the Point of View of Humanity," was subsequently printed in the American Jewish Year Book.[689]

Only one state legislature in the United States ever acted adversely upon Shehitah. That was the law-making body of the State of Connecticut. On January 23, 1929 Mr. De Lacour of Stratford introduced into the State Legislature, of which he was a member, House Bill No. 135 entitled, "An Act Concerning Cruelty to Animals." The measure called for the stunning of all animals about to be slaughtered and provided penalties for violation.

The bill was referred to the Committee on the Judiciary. A substitute bill was passed by the House on March 22 and by the Senate on April 2, and in due course transmitted to the Engrossing Clerk. In the meantime the Synagogue Council of America and other representative Jewish bodies conveyed to the Legislature the import of the act. Thereupon by Senate Joint Resolution No. 49 the bill was recalled from the Engrossing Clerk. Both houses reconsidered their former action in passing the bill, and finally rejected it on May 7. Apparently it never reached the Governor. The records show that it was recalled from the office of the Engrossing Clerk, which would indicate that it had not been transmitted by him to the Governor.[690]

In 1933 reports were circulated that the Jewish method of slaughter had been declared illegal by the Municipal Council of Bernascony in the Argentine. In fact, the American Jewish Year Book carried the item, with the comment, "This was the first time in the history of Argentina that such action had been taken, and it aroused widespread resentment among the Jewish population."[691]

The author sought to establish the truth of the report and addressed an inquiry to Monnett B. Davis, American Consul General at Buenos Aires. A reply dated July 20, 1939 said:

"The Consulate General has brought the question to the attention of Dr. M. Goldman, of Buenos Aires, who is the president of an important local Jewish organization. Dr. Goldman has agreed to investigate the matter and advise this office of his findings."

The author then received a letter from Mr. Davis, dated July 25, 1939 which contained the following: "Dr. Goldman, referred to in the Consulate General's letter of July 20, has just reported that there are no laws or regulations in this country forbidding the Jewish method of animal slaughter. In Bernasconi a municipal ordinance provides for a tax of 1.50 pesos per animal, excluding fowls, slaughtered by this method, the purpose being to offset the cost of time consumed by the ritual. According to Dr. Goldman similar taxes may be in effect in other Argentine municipalities, but nowhere in this country is the practice of Shehitah forbidden."

PART FOUR

Modern Palestine

15

Modern Palestine

Government Regulated Shehitah

When the British took over administration of Palestine in 1918 they found Shehitah playing an important part in the functioning of the Jewish communities. There was a gabela or tax on kosher slaughtering which had been collected with the express approval of the Turkish authorities, and which had provided a substantial portion of the revenues in most communities. In Jaffa in the year 1912-3 the gabela brought in approximately 19,000 out of the 25,264 francs which represented the total income of that commonalty. At that period the communal funds were expended mainly for religious purposes. In Jaffa in the year cited 16,337 out of the budget of 25,264 francs were allocated to maintain rabbis, shohetim, and overseers of meat shops. It may be said that in the years preceeding 1918, Shehitah revenues provided the chief support for the ecclesiastical organization in most Palestinian settlements.

The new administration in Palestine looked with favor upon the continuation of the Shehitah tax and the use of its revenues for religious purposes, but desired that the levy be systematized and controlled by law. As the Palestine Government found it, Shehitah was under control of different agencies in the various Jewish centers. In the unified and better organized communities operations were directed by the community itself. In Jerusalem, Tiberias, and Safed, where the Jewries were divided into separate Ashkenazic and Sephardic bodies,[692] Shehitah affairs were managed by autonomous boards set up by those bodies. There was diversity

also in the slaughtering fees charged in the various communities, and also in the purposes for which Shehitah revenues were appropriated.

With the aim of bringing order into this sphere, the Palestine Government in 1922 appointed a Jewish Commission headed by Judge Frumkin, Jewish member of the Supreme Court in Palestine, to report on the existing system of licensing the shohetim, the fees charged for slaughtering, and the disbursement of those fees. The Commission was asked also to report on "what steps should be taken to regulate the licensing of shohetim by the Jewish Communities and to secure for the Jewish Communities in Jerusalem and elsewhere the revenues derived from the slaughter of animals." The Commission reported in January, 1923, and its findings formed the basis of the rules concerning Shehitah incorporated into "The Regulations of the Jewish Community," adopted on December 30, 1927.[693]

The "Regulations" made the following provisions concerning Shehitah.

That Shehitah operations in each city shall be under the control of a single board.

"*Section 26.* (1) A board shall be constituted in each local Community to control the affairs of ritual killing and matters pertaining thereto.

"(2) The composition of the board shall be determined by rules to be made jointly by the General Council (Vaad Leumi) and the Rabbinical Council (the legally recognized supreme religious authority in Palestine)." (That authority consists of the Ashkenazic Chief Rabbi and the Sephardic Chief Rabbi; and three Ashkenazic rabbis, three Sephardic rabbis, and three laymen elected by the Rabbinical Assembly.)

(In the year 1931 it was promulgated that each local Shehitah board should consist of from five to seven men, selected by the Committee of each Community from a panel of fourteen names submitted by its own Rabbinical Office.)

That the Sephardic group as well as any other separatist group in the city should be given proportional representation on the board.

"Provided that, in any place in which there is a Sephardic Congregation (more accurately, an organized grouping) consisting of persons registered as members of the community, representation in proportion to the number of its members shall be given to such Congregation."

"(3) The rules shall ensure the representation on the board, in proportion to the number of its members, of any Congregation consisting of persons not registered as members of the Community which desires to be represented."

(On the strength of this clause, the Agudat Yisrael, the extremely scrupulous Ashkenazic group, which instituted its own Shehitah early in 1926, was given representation on the board in Jerusalem.)

That each Congregation represented on the board might engage its own shohetim, butchers, and overseers.

"(4) Any such Congregation may appoint killers who shall slaughter according to its special rites for butchers of the Congregation and under the supervision of inspectors of the Congregation."

(This clause made provision for the functioning of the individual Shehitah systems of the Ashkenazim, the Sephardim, and the Agudat Yisrael within the framework of the Jerusalem board.)

That the board might engage a paid manager.

"(5) Where the board considers it necessary it may appoint a manager who shall receive a salary to be fixed by the board."

That the board should function through two committees; one to engage the shohetim and to make rules for the conduct of the meat shops, the other to fix salaries, to collect the slaughtering fees, and to license the meat shops.

"(6) The board shall act through two committees:

"(a) for ritual affairs;

"(b) for administrative affairs.

"(7) The functions of the ritual committee shall be (subject to the provisions of subsections (1) to (4)):

(a) the appointment and dismissal of persons exercising ritual functions in the killing of animals, and the distribution of work amongst them;

(b) the issue of rules to satisfy ritual requirements in the slaughter house and butcher shops.

"(8) The functions of the administrative committee shall be—

(a) to fix the salaries of all the officials of the board;

(b) to appoint and dismiss lay officials and distribute the work amongst them;

(c) to provide for the collection of fees levied on the meat;

(d) to license butchers for the sale of meat ritually killed."

(In March, 1932 the General Council, by virtue of the power vested in it by Section 13 (3) of the "Regulations" "to require or authorize a local community to levy upon its members a rate or rates for specific purposes," fixed the scale of fees to be charged for slaughtering. This was approved by the High Commissioner in May of that year.

In 1936 the General Council fixed the slaughtering fees again. The official order read:

"The Jewish local Communities are empowered to levy the following fees:

"A. Shehitah

"1. Slaughtering fees for cattle or sheep shall be fixed according to the weight or head, as follows.

"a. The fee by weight shall not exceed 50 mils (approximately 2½¢ in American money) for every 'rottel' (approximately six American pounds) of meat of the fore part.

"b. The fee by head of cattle shall not exceed one Palestinian pound for every head of cattle of native breed, and two Palestinian pounds for every head of cattle of foreign breed. The fee for a head of sheep shall not exceed 200 mils.

"2. The slaughtering fee for a fowl shall not exceed 10 mils (½¢ in American money).

"3. The Shehitah tax shall be paid to the local Community Council by the butchers.")[694]

That the slaughtering revenues should go first to the board to cover its administrative expenses, and then to the Community to pay the shohetim and the overseers and to allocate the balance for the maintenance of the Rabbinate.

"(9) The revenues from the slaughtering fees shall be applied, in the first place, to pay the salaries of the officials concerned, other than the killers and inspectors; the balance of the fees shall be divided between the local Community and each Congregation, composed of persons who are not members of the Community but which is represented on the board in proportion to the number of its adult members; the first charge on the share allocated to the local Community shall be the payment of the salaries of the killers and inspectors of the local Community; any balance remaining shall be allocated

(in such proportions as the General Council, subject to any resolutions of the Elected Assembly and subject to the provisions of these rules, may direct), to the maintenance of the Rabbinical Council and the local Rabbinical Office or Rabbi.

That the board should comply in ritual matters with the Rabbinical Council.

"(10) (Subject to the unrestricted exercise by the Congregations referred to in subsections (2) to (4) of the rights conferred upon them), the board shall comply in ritual matters with any rules or directions which may be made or given by the Rabbinical Council.

That any Congregation should have the right to institute its own Shehitah outside of the province of the board, but that its slaughtering fees should be the same as those charged by the board.

"(11) Nothing in this rule shall derogate from the right of any Congregation, to carry out ritual killing independently of the board; Provided always that any such Congregation shall levy fees on the meat killed by its slaughterers at the same rates as are prescribed by the board."[695]

At the present time (1939) in Jerusalem the Shehitah board represents and directs three Shehitah systems, those of the Ashkenazim (the General Community), the Sephardim, and the Agudat Yisrael. The shohetim of the Ashkenazim do approximately one-half the kosher killing in Jerusalem, while the shohetim of the Sephardim and of the Agudat Yisrael each do a quarter. The Ashkenazim and the Sephardim patronize different meat stores. In the Ashkenazic districts virtually every meat shop displays a sign indicating the supervision either of General Shehitah or of Agudat Yisrael Shehitah. In Jerusalem slaughtering fees supply the major portion of the 7,000 pounds which constitute its Religious Budget. That budget provides for the



Courtesy of Rabbi Jacob Kassin, Brooklyn, New York

AUTHORIZATION TO PRACTISE SHEHITAH GRANTED BY THE SEPHARDIC BET DIN OF JERUSALEM

Issued to Rabbi Jacob Kassin in 1936 by the Sephardic Bet Din, and attested by the Sephardic Chief Rabbi and the Chief Rabbinate of Palestine

maintenance of the three Shehitah systems, the two religious courts, and the Rabbinate.

Tel Aviv, united in its community affairs with the 15,000 Jews of neighboring Jaffa, enjoys a single Shehitah system. The Ashkenazim and the Sephardim of that city have accepted the decision of the rabbis abrogating the slight differences in Shehitah practice which divided them. Shehitah fees in Tel Aviv produce the major part of the approximately 21,500 pounds of the Religious Budget of the city.

Haifa likewise has one Shehitah system, serving both the Ashkenazim and the Sephardim. There are signs of a rift, however, within the Sephardic ranks: a minority of the Sephardim have been demanding a separate Shehitah system. This demand has no ideological basis, but represents a clash of personalities within the Sephardic group. The Religious Budget in Haifa is about 4,000 pounds.

Tiberias has enjoyed a united Ashkenazic-Sephardic Shehitah organization for decades. In recent years a division has been fostered by the Agudat Yisrael. The line of demarcation does not follow the common Ashkenazic-Sephardic division, for Ashkenazim and Sephardim are to be found in both camps. The rift has brought about the existence of two Rabbinical Offices, though oddly enough the united Shehitah system has remained. Safed similarly has a single Shehitah organization. Even the small branch of the Agudat Yisrael which exists in that city is served by it. Tiberias and Safed, which are poor communities, have Religious Budgets which together amount to about 1,500 pounds annually. Afuleh with its small and purely Jewish population has one Shehitah system and a Religious Budget of approximately 1,000 pounds.

In these cities about 38,500 pounds is expended annually for religious purposes. These amounts, which are raised mainly from Shehitah fees, are distributed as follows:

To the General Ashkenazic Shehitah and Rabbinate	35,500 pounds
To the Sephardic Shehitah and Rabbinate in Jersualem	1,500 "

To the Agudat Yisrael Shehitah and Rabbinate in Jerusalem and Rabbinate in Tiberias	1,500 pounds
Total	38,500 pounds

The Shehitah boards in the five cities of Jerusalem, Tel Aviv, Haifa, Tiberias, and Safed employ about 236 workers in their ritual departments. They count 20 to 22 shohetim (paid individually from 7 to 25 pounds a month), 15 porgers (paid individually from 7 to 16 pounds a month), and 200 overseers, to supervise abattoirs and shops (paid individually from 4 to 12 pounds a month). There are a number of additional porgers engaged by butchers on their own. (It is to be noted that porging of the hind parts of cattle is practised in present day Palestine, as it is in many cities in the Orient. The fact that this usage is allowed by the rabbis in Palestine enables the Jews to obtain larger quantities of meat in a country generally short of cattle. To meet the heavy demand for meat, Palestine in 1938 and 1939 was obliged to resort to the importation of large amounts of frozen kosher meat from Uruguay. This importation was suspended upon the outbreak of the war in Europe on September 1, 1939.)

Of the approximately 300 Jewish agricultural colonies in Palestine about 200 have shohetim for the slaughtering of cattle and fowl. The remaining colonies depend upon the slaughterers in neighboring settlements. The shohetim in the colonies receive wages ranging from five to eight pounds a month. An established Rabbinate is to be found in Petah Tikvah (population 20,000), Hedera (10,000), Rehobot (5,000), Rishon le Zion, Zikhron Yaakob, Raananah, Kefar Saba, Herzliah, Magdiel, Rosh Pinah, Jabniel, and Nathaniah. Maintenance of the shohetim and the rabbis in the agricultural colonies is provided for in Religious Budgets, the combined totals of which approximate 10,000 pounds yearly.

In some of the settlements, which are either too small to afford the services of a shohet, or because of anti-religious

bias are opposed to all religious functionaries, there are slaughterers stationed and subsidized by the World Mizrahi Organization.

There is no law in Palestine which prohibits the production or sale of terefah meat in any settlement in the country. Administrative rules, however, require the vendor of terefah meat to describe his product. Butchers selling non-kosher meat are obliged to display a sign, reading "Terefah Meat Sold Here."[696]

With Shehitah matters in Palestine regulated by civil law there is an absence of the jurisdictional controversies found in some European, and in many American cities. In modern Palestine, Shehitah affairs present an appearance of orderliness.

The allocation of Shehitah fees to the maintenance of the rabbinate is a happy arrangement. It enables ecclesiastical officials to function without recourse to the general public funds, or to the acceptance of voluntary contributions. It would have been unfortunate in the present religious state of Palestine if the rabbis were supported from general communal funds. The irreligious elements would certainly have resisted every religious appropriation. Under existing law the rabbis are maintained through Religious Budgets which are covered in the main through Shehitah fees. The irreligious person who desires to give no support to religion is free to eat non-kosher instead of kosher meat, and thus avoid paying the fee. There can be no doubt that the maintenance of a free, independent, and secure rabbinate is a factor making for a sound religious development in the country.

MIZRAHI SHOHETIM

Prior to 1926 there were to be found among the many far-flung Jewish colonies in Palestine some which were entirely without religious ministers. A number of these settlements were too small and poor to afford a rabbi or shohet. Others had been established in a spirit of antagonism to all religious manifestations, including religious officials.

The Mizrahi Organization, which had been founded for the purpose of cultivating traditional Judaism in Palestine, undertook in 1926 to place rabbis and shohetim, at least shohetim, in the religiously barren colonies.

The project achieved conspicuous results. It was found in general that the Mizrahi shohet assigned to an irreligious settlement was greeted at first with coldness, if not with resentment. Inevitably as time went on the colonists, who disliked the gruesome task in any case, would begin to call upon him to do their slaughtering. As he was increasingly patronized the shohet came to earn enough from local Shehitah fees to get along without the Mizrahi subsidy. In the colony the Mizrahi shohet became a force for traditional Judaism. He would attempt to organize worship and classes in religious instruction. His first response was among the older folks, generally those men and women who had followed their children from Europe into Palestine. In time in many instances his influence extended over the others as well. The Mizrahi shohetim may well be termed "pioneers among the pioneers."

The extent of the Mizrahi accomplishment in this field may be garnered from a report entitled "When Thou Shalt Enter the Land," published by the Palestine Mizrahi Fund.[697] The report said:

"Kfar Yehezkiel—Worker's settlement in the Emek: People opposed to any religious influence. Mizrahi at its own expense installed a shohet. Abraham Feldstein, a farmer in the place, assisted. In ten years a synagogue was established. A ritual bath was also built.

"Gebat—Communal colony. Rabbi and shohet placed. A kosher kitchen established.

"Kinneret—Shohet teaches a group Mishnah and Shulhan Arukh, and provides kosher meat to all the communal colonies round about in the Jordan Valley.

"Sigrah—Shohet established a ritual bath, an eruv, and a synagogue in which he conducts a daily Talmud lesson.

"Kiryat Hayyim—Notorious for its opposition. Rabbi placed.

"Beth Shean—Settlement of Kurdistan Jews; Too poor to pay for a religious leader. Shohet placed.

"Shohetim placed in the following 24 settlements:

Kfar Yehezkiel
Balfouria
Be'er Yaakob
Bath Shlomo
Pekiin
Tel Adat
Sigrah
Neshes Yigur
Kinneret
Ain Hai
Ayelet Hashahar
Goat
Kfar Ita
Moza
Nahalah
Bet Shean
S'dai Yaakob
N'vai Yaakob
Pardes Hanah
Yabniel
Kiryat Hayyim
Nahalat Ganim
Afuleh
General Hospital in the Emek."

The Mizrahi shohet placed in the colony of Givat Ada was a Mr. Boyarsky. He sent a letter to the author describing his experiences as a Mizrahi shohet. Excerpts from a translation follow:

"In 1923 I came to Palestine. I had studied for six years in the Yeshivah at Grodno, Poland. In Jerusalem I studied for two and a half years in Rabbi Kook's Universal Yeshivah. When I then undertook the responsibilities of a family, I went to Jerusalem shohetim to learn the laws and technique of Shehitah.

"About that time Rabbi Wolf Gold came from America to visit Palestine. He undertook to tour the country in order to strengthen religion and to investigate the possibilities of placing shohetim and rabbis in places where they did not exist.

"When he returned to Jersualem, I offered to become a shohet in one of the unserved places. Rabbi Gold arranged that I work in the colony of Givat Ada, to serve both as shohet and secretary, to receive three and a half pounds per month from the Mizrahi Organization, and three pounds per month and free rent from the colony.

"Givat Ada was in an isolated corner of Samaria, not connected by road with any of the surrounding settlements. During the rainy season one could not stir from the place months on end. It was plagued by malaria, and the thirty families living there made a meager living by raising poultry. They could not afford a shohet. Only when Rabbi Gold induced them, did they discharge their original secretary, who was one of the farmers, to combine his function with that of the shohet.

"When I arrived at Givat Ada I found neglect in all religious matters, no prayer quorum, even on Sabbaths and festivals.

"While some of the settlers sent to the Binyaminah shohet to have slaughtering done, others utilized the services of a local farmer, who used his own razor as a slaughtering instrument. Upon my coming, all with one exception had their slaughtering done by me. The children of Givat Ada had so little conception of what a real shohet was, that when they were sent by their parents to have a fowl killed by the shohet, they would ask which shohet to go to—meaning, to the farmer who used the razor or to me.

"After two months that farmer ceased killing and even sent his chickens to me to be killed. I did slaughtering gratis, in order that money should not be an obstacle to the introduction of proper Shehitah in the place. I then proceeded to establish Sabbath services. This required the greatest and most unpleasant efforts. Friday afternoons I would start to assemble a prayer quorum for the evening service. After dark they were still in the stables milking cows. I would have to urge them, and by the time they washed and dressed, it would be an hour past sunset. Sometimes our services would end two or three hours after nightfall. I had to do the same persistent urging to gather the Sabbath morning prayer quorum. After some months the men came to prayers without being called, and after two years we had steady Sabbath services and even Selihot services before the New Year. In the meantime a synagogue was built for the colony from Rothschild funds.

"I must tell about the farmer who used to slaughter before I came. Siberia-born, he was a rabid Socialist, and had taken part in the Russian Revolution of 1905. He was so estranged from religion, that though his home was directly opposite the synagogue, he did not enter it even on the Day of Atonement. After speaking with me, he became interested in legends, and I secured for him a copy of Bialik's Book of Legends. He would consult me from time to time about it. In the second year he came to the synagogue for the New Year and Day of Atonement services, and even bought the privilege of going up to the Reading of the Law. When he left the synagogue after nightfall he said that for fifteen years past he had eaten and smoked on the Day of Atonement. He declared that if he could have afforded it, he would have taken in new pots and dishes in his household.

"I called the attention of the people to the inadequate instruction the children were receiving at the hands of the woman teacher there. The discussions that ensued brought about the engagement of a new teacher, a fine religious young man. For a short time the Abridged Shulhan Arukh was taught.

"In the first year I received 80% of my promised salary from the Mizrahi, after which the salary fell off. This was evidently in line with Mizrahi's policy to subsidize shohetim only at the beginning. What was worse, the colony was not punctual in its payment. Because of the malarial air I had to leave the place from time to time.

"After four years I left Givat Ada for Binyaminah. At that time Mizrahi owed me eighty pounds. I feel no ill will. I understand the policy of that organization. By that policy we succeeded in bringing many shohetim into settlements. Now many of them are supported by the colonies, especially since many of the colonies have grown and prospered. Some colonies even derive profit from the operation of Shehitah.

"It was much more difficult to establish shohetim in the labor settlements, where ideological opposition was encountered. There Mizrahi had to support them more fully, and there the shohetim suffered spiritually. Some of them suc-

ceeded. I know of one expert and God-fearing shohet who was sent to Kfar Yehezkiel. The people would not send chickens to him to be killed. It even happened that the butcher there slaughtered cattle in his presence in order to vex him. The shohet patiently went from house to house asking the people to patronize him. He won out. They not only began to use his services, but even to show him a measure of respect. From all neighboring settlements they came to have animals killed by him. He became a religious force in the colony."

PART FIVE

Religious Considerations

16

Religious Considerations

Humane Slaughter

All the foregoing has been devoted to a treatment of the social effects of the institution of Shehitah upon Jewish life. These effects in the main involved Jewish communal controls, the collection and disbursement of slaughtering taxes, and Jewish-gentile relations.

The remainder of this book will be concerned with the psychological effect of the institution upon Jews. It may be stated thus; the law of Shehitah has served to make Jews place a higher evaluation upon Judaism.

It is a simple truism that men cling to a religion to the extent that they regard it as promoting their welfare, both physical and spiritual. Jews have displayed an uncommon loyalty to their ancestral religion because they sensed that the laws of the Torah were good for men. Intuitively Jews felt that the commanded Sabbath rest was revitalizing; that the Jewish marriage laws promoted connubial harmony; the dietary laws, health and sobriety; the business regulations, justice and good will; and the mandates concerning study and prayer, refinement of manners and the dignifying of man. They felt too that the Shehitah mode of slaughter was, by ethical standards, a superior practice.

It is not contended here that the prime or immediate motive for religious obedience is the desire to partake of the good life. The religious man does not ask the reason for any religious mandate. He submits to the Higher Will even to his own hurt. The conforming Jew observes the Torah because it is the revealed divine law. What is asserted is that

even the pious man judges his religion ultimately upon whether it contributes to the well-being of humanity.

Rab, third century Babylonian teacher, pointed out that Shehitah, in common with all the laws of the Torah, served this special purpose. "The commandments were given only for the purpose of disciplining and refining man. What concern is it of the Holy One, Blessed be He, whether an animal is slaughtered at the throat or at the nape of the neck? Know ye that the laws were given only to discipline and refine men."[698] Rab did not specify how the practice of Shehitah spiritualized people. He may have meant simply that its exacting requirements checked wanton appetite. He may on the other hand have recognized that Shehitah represented the most humane method of dispatching living creatures, and that a slaughterer limited to this method was shielded from the brutalizing experience of inflicting pain upon living things.

In any case Rabbah the son of Abahu, another third century Babylonian teacher, was aware that cutting the throat, which is the central feature of Shehitah, produced the easiest death. This he stated when he ruled that criminals condemned by the sword should receive the mortal incision in the neck. To quote the Talmud[699], "Whence do we learn that those who are condemned to death by the sword should receive the fatal cut in the neck? R. Nahman replied in the name of Rabbah the son of Abahu: From the verse, 'Thou shalt love thy neighbor as thyself'—[700] which contains the implication that when thy neighbor is condemned thou shouldst select for him the easiest death." The term "easiest death" was interpreted by Rabbi Solomon B. Isaac, the eleventh century commentator, "with a blade on the side of the neck where the vital organs are, in order that he should die the more quickly."

Moses Maimonides (Egypt, 1135-1204)[701] noted that Shehitah was intended to induce an easy death, and that to accomplish this the slaughterer was required to employ a well sharpened blade. "The commandment concerning the killing of animals is necessary, because the natural food of man consists of vegetables and of the flesh of animals; the best meat

is that of animals permitted to be used as food. No doctor has any doubts about this. Since, therefore, the desire of procuring good food necessitates the slaying of animals, the law enjoins that the death of the animal should be the easiest. It is not allowed to torment the animal by cutting the throat in a clumsy manner, by poleaxing, or by cutting off a limb whilst the animal is alive. There is some reason for these regulations. For as it has become necessary to eat the flesh of animals, it was intended by the above regulations to ensure an easy death and to effect it by suitable means; and in order to ensure an easy death our sages insisted that the knife should be well sharpened."

The view of Maimonides received wide currency. Stated by R. Leb, it was quoted in popular shohetim's manuals as follows: "Why indeed is Shehitah performed in the throat and not in another part of the anatomy? Because the perpetration of cruelty to animals is forbidden in the Bible itself; and there is no death attendant with less pain than that which comes with being slaughtered at the throat, because then death comes most quickly."[702]

This conviction that Shehitah represented the most humane slaughtering method strengthened Jews in their belief that their Torah was "a law of kindness" and therefore worthy of their loyalty and obedience.

Shehitah continues to function psychologically in this way because the findings of contemporary physiology confirm the claims of the Jewish teachers that Shehitah induces a painless death. The recent findings of physiology reveal more. They demonstrate—what was evidently not known in the past—that an animal dispatched by the Jewish mode yields a more wholesome quality of meat.

The chief reason that Shehitah produces the two desirable results of a death that is painless and meat that is hygienic is that the incision causes an almost instantaneous torrential outpouring of blood from the animal. In fact, the Shehitah method stands alone as the most effective bleeder. Why this alone achieves copious blood discharge is explained in the pages that follow.

Death by common violence is not generally accompanied by extensive bleeding. A creature killed by drowning or asphyxiation will yield up practically none of its life fluid; one that is clubbed to death, provided that none of its large blood vessels is ruptured, will lose but little. In nature animals rarely perish "in a pool of blood."

Creatures retain their vital fluid under the most violent conditions, because they are equipped with blood-saving mechanisms. One of these is clotting. When a small or medium sized blood vessel in an animal is moderately ruptured, the blood within, in the vicinity of the breach, loses its free flowing character and assumes a jelly-like viscosity. The clot formation stuffs the breach and shuts off further blood leakage without interfering with the flow of blood through the center of the vessel. The clot holds until the vessel undergoes self-repair. (When a larger vessel is punctured, the flow within may be too great to permit clot formation.)[703]

Another blood-saving mechanism is the lowering of the blood pressure. When a vessel is punctured, a hemorrhage results which in turn causes lowered blood volume. In consequence there is a diminished venous return to the heart, which means that the heart has less blood to pump. The result is lowered pressure. In the face of this danger a number of compensatory reactions take place, chief among them a reflex arterial constriction. As bleeding continues, this phase soon passes away, to result in a definite lowering of blood pressure. If not too great, the fall in pressure is advantageous, since it slows down the flow and hence the escape of blood.[704]

A condition that will accentuate blood retention is an injury to the vaso-motor center of the brain. With such a lesion, even when the vessels are ruptured extensively, little blood will surge out of the victims body. This is due to the fact that the vaso-motor center controls the constriction and in consequence also the dilation of the blood vessels. When the center is struck and paralyzed there is an immediate and temporary fall in blood pressure, due to loss of vaso-constrictor impulses from that center. This is partly overcome shortly thereafter by an attempt of independent vaso-

motor centers located in the spinal cord to act as substitute vaso-motor centers, but this mechanism is soon exhausted and the full consequence of a fall in blood pressure ensues. This vaso-dilatation results in a generalized stagnation and pooling of the greater part of the circulating blood in the smaller blood vessels and extensive capillary beds, particularly in the large splanchnic capillary bed in the abdomen. Therefore the effect of the loss of vaso-motor impulses is primarily to cause a capillary paralysis which markedly slows down and stagnates blood flow.

The Jewish slaughtering method accomplishes voluminous blood discharge because it circumvents the blood saving mechanisms in the body of the animal. The Shehitah incision is made in the throat where it cuts open the giant carotid arteries and jugular veins. The blood flow in the carotids is under such powerful pressure that the vital fluid streams out before the blood saving mechanisms—blood clotting and favorable pressure changes—have an opportunity to function. The incision is accomplished with speed, for the sharp blade of the shohet encounters only the cartilaginous rings of the trachea, intervening muscle tissue, and soft fleshy parts; and the speed with which the cut is made adds to the effects of the hemorrhage. As put by Samson Wright, "The effects of hemorrhage depend not only on the amount of blood which is lost, but also on the *rate* at which this loss occurs. The compensatory powers of the body are very great, but they take time to develop their maximum effect, so that a sudden large hemorrhage is more serious than a greater loss spread out over a more prolonged period."[705]

In fact, after the Shehitah incision is made, the reactions of the organism tend toward increasing the bleeding. The organism is stimulated to shunt more blood into its circulatory system to make up for the loss, and the effect is increased blood escape. The fall of the blood pressure in the head causes an anaemia of the brain, which in turn stimulates the vaso-motor center to bring about a constriction of the splanchnic and cutaneous arterioles. The spleen contracts and discharges into the general circulation a large number of red corpuscles (stored in the pulp). The pulse rate quickens

in an attempt to increase the circulation rate and to use what blood is available to greater advantage. The lungs continue to function. The reflexes manifest themselves strongly, so strongly that the victim will kick its legs with vigor. All this post-traumatic activity aids in the further squeezing out of the blood. All in all, an animal slain by the Shehitah method is in a short time well drained out.

As evidence that the victim's heart and lungs continue to function through most of the bleeding we find that the escaping blood is bright red, a sign of good oxygenation. In contrast, the blood issuing from an animal stunned before being killed is darker in color. I. A. Dembo writes, "It is generally known that the more oxygen there is in blood, the brighter it is, and the less there is in it of that gaseous body the darker the color of the blood. Now one need only witness a few cases in which the one and other method is applied to be convinced that in the Jewish method the blood is of a bright scarlet color, and in all methods of stunning, dark purplish red."[706]

Horace S. Eakins writes, "The blood from a kosher cattle is bright red and the heart action is not impaired during most of the bleeding. . . . The blood from the stunned animal is dark and the bleeding is largely due to gravity."[707]

To bring about the removal of the blood after the animal is dead (that is, after its heart action has ceased) is difficult. The blood, which is suffused throughout the entire carcass, filling the tiniest capillaries and bathing every bit of tissue, cannot be squeezed out except through some propelling force, and with the blood pressure down to zero (as in death) such a force is absent.

It is clear that the best results in blood removal are obtained when it is done simultaneously with the killing, when the heart action of the animal assists in the process.[708]

I. A. Dembo noted and measured the quantity of blood retained in a carcass after Shehitah and that left in one killed after being stunned. "Not long ago I remarked in the slaughterhouse of Zurich a very interesting fact, serving to show how great is the quantity of blood left in the carcasses of animals stunned before the slaughtering. About half an

hour after the killing, when the blood is still more or less liquid and the carcass is hung up, one saw when the hind-quarter was being cut off, and the hipjoint and the big vessels there (the femoral arteries and veins) divided, that a great amount of blood was still left in those vessels, and was streaming to the ground in large quantities—a thing that never happens in the Jewish method of slaughter.

"Further proof of the insufficiency of the bleeding in the case of stunning may be seen in the fact, that in this method of slaughter the blood vessels on the inner and smooth walls of the cavities of the body are seen to be widely dilated, and that even the small branches of them, which are usually not to be seen at all, become visible, because they are filled with blood. This is never the case in the Jewish method."[709]

Dembo checked his observations by experiment. He killed two rabbits in the Veterinary College in Berlin, one with preliminary stunning, the other by the Shehitah method. The first subject released approximately 29% of its total blood volume, the second about 72%. He repeated the experiment in Leipsig. The rabbit killed after being stunned lost 20 grams of blood, the other 90 grams. Dembo wrote, "The Jewish method leaves the least quantity of blood in the body, since during the whole time of bleeding the nerve-centers regulating the flow of blood in the vessels are not interfered with. Whereas in the case of stunning, and particularly in the case of the neck-stab with injury to the spinal cord, as in all other methods depending for their effect upon an injury to the nervous system, the case is different altogether, since as Koch, Filehne, Wittkowsky, and others have proved scientifically, destruction of the brain causes paralysis of the vaso-motor centers, and this paralysis in its turn would entail a stoppage of the blood within the blood vessels."[710]

Much space has been given to show that Shehitah causes greater and more rapid blood release than any other possible killing mode, because the fact is basic for what follows. Precisely because Shehitah causes thorough and speedy blood letting, it

1. induces a practically painless death for the animal; and

2. produces wholesome meat.

Evidence for the practical painlessness of death by Shehitah is voluminous, but easily summarized. It is guaranteed by the smoothness and keenness of the blade, which causes it to produce almost no sensation as it slits open the giant blood vessels in the animal's throat; by the fact that the incision divides the pneumo-gastric nerve (n-vagus) above the point where its sensory branches to the larynx are given off; and by the fact that the torrential discharge of gore attendant upon the cutting renders the brain anaemic, hence insensible. The animal, immediately after being cut, sinks into a fainting spell from which it never emerges.

Concerning the sensation produced in the victim by the cut of the shohet's blade, Dembo added: "In the Jewish method the only pain felt by the animal is that caused by the cut through the soft parts of the neck. That pain can only be very slight, as the knife used is exceedingly sharp, and we know that even man may be cut in a part very plentifully supplied with nerves without feeling too great pain, provided the instrument be very sharp. Apart from this, the sensibility of mammals, and particularly that of the herbiverous mammals, is far below that of the human being. Moreover, the anatomical fact that in the Jewish method of slaughtering the pneumo-gastric nerve (n-vagus) is divided above the point where its sensory branches to the larynx are given off, that thus the sensory branches need not be divided at all, is a circumstance which of course goes far to lessen the pain of the animal. . . . It is a fact that those very sensitive nervous filaments are not severed by the knife in the Jewish method of slaughtering."[711]

Concerning the effect of blood release upon the functioning of the brain, Dembo said: "For the smooth working of the cerebral centers, or, in other words, for the psychical functions of the brain, it is not only necessary that the element which contains the food for the brain—i.e., the blood

carrying oxygen, should be supplied regularly and uninterruptedly, but it is also essential that the blood should be continually circulating in order to carry away waste products and replace them by fresh material.

"Of all parts of our body, the outer layer of the brain is that which is most in want of food, and which is least able to stand even the slightest interference with its supply.

"This too is the reason why, in the case of great excitement, when the heart stops for a time, and the circulation of blood in the cerebral centers is brought to a standstill, we often lose consciousness and all power of motion (fainting fit). Nay, sometimes the plugging of a single vessel in a certain part of the brain is sufficient to cause instantaneous loss of consciousness, a fact which is often seen in an apoplectic fit. Where the arteries of the neck are divided in such a manner, as in the Jewish method of slaughter, so enormous a quantity of blood escapes from the four gaping mouths of the vessels during the very first seconds, and the blood pressure in the brain falls so rapidly, that consciousness is at once and irretrievably lost."[712]

The unconsciousness produced by Shehitah comes with certainty; it supervenes in 100% of cases. The rapid and voluminous release of blood causes an inevitable brain anaemia which spells immediate loss of sensation. This may not be said for the unconsciousness produced when animals are struck on the skull as a preliminary to being slaughtered. In preliminary-stunning procedures reliance is placed either upon a mechanical device, which is subject to getting out of order, or upon a blow of the hammer, which too often misses its mark.

Observers testify to the uncertain results obtained in all the preliminary-stunning methods. Lord Lister wrote, "The use of the poleaxe effectively is only acquired by a pretty long apprenticeship; and it not unfrequently happens that the blow has to be repeated again and again."[713] On the use of the iron headed mallet Albert Leffingwell averred, "As a rule care is taken to strike the animal immediately over the brain; but sometimes one moved its head at the critical moment, and there were scenes over which the

memory does not care to linger."[714] Horace S. Eakins wrote, "Knocking should be conducted with the utmost humaneness. Due to an animal suddenly moving its head during the knocking operation, a horn may be knocked off or an eye badly injured."[715] Also Prescott and Proctor: "Slaughter of Cattle:—In some cases the animals are stunned or 'knocked' by hitting them on the forehead with a round headed sledge hammer. This procedure, *if used by experienced employees,* should render the animal unconscious immediately."[716]

So uncertain are the results obtained by the hammer method that in the Union of South Africa it is banned by law. There, unless an animal is slaughtered by the Jewish or Mohammedan method, it may be killed only "instantaneously by means of an instrument in proper working order in which the force applied to inflict the fatal injury is a force other than human muscular energy" or "in any manner immediately after it has been rendered insensible by means of an instrument in proper working order in which the force applied to inflict the stunning injury is a force other than human muscular energy."[717]

William Shakespeare (who according to some authorities was the son of a butcher, and in his youthful period had occasion to see only non-Shehitah slaughtering) must have had methods like these in mind when he penned the lines:

> "Thou dost then wrong me,
> as that slaughterer doth,
> Which giveth many wounds
> when one will kill."[718]

The failure of the hammer to stun in every instance is due not only to the unexpected head movements of the victim, and the possible clumsiness of the performer. It results also from a number of other considerations, most of which are anatomical. To quote Dembo: "Theoretically it cannot be denied that a blow struck on the head of a man, and capable of producing concussion of the brain, will indeed cause immediate loss of consciousness. But, as I have pointed out

scientifically, the brain of the ox is comparatively very small as compared with the big skull in which it is contained, and is protected by a double bony case. As the brain is thus not so easily concussed, it would indeed be a feat of skill to unfailingly stun the animal at the first blow. The success does not depend solely on the skill and strength of the man, but on a whole series of accidental circumstances—e.g., the angle at which the blow falls on the head, the evenness of the skull, and other points differing in different oxen."[719]

The fact that the Shehitah mode of killing is painless, and painless in every instance, moved Lovat Evans, professor of physiology in the University of London, to write, "I should be happy to think that my own end were likely to be as swift and painless as the end of these cattle killed in this (the Jewish) way, undoubtedly is."[720]

HYGIENIC MEAT

Shehitah causes thorough desanguination: this fact assures hygienic meat. That meat killed in accordance with Shehitah rules is less subject to spoilage was not noted in the earlier Jewish writings: this was left for our time to discover. Now, it is commonplace that bloodless meat (and Shehitah killed meat is that to an extreme degree) is the more wholesome.

All the authorities point to the advisability of bleeding the carcass as thoroughly as possible.

Horace S. Eakins: "Cattle should be bled for at least six minutes and longer if possible (up to twenty-five minutes) before any further operation is attempted. As the keeping qualities of meat depend considerably on thorough bleeding, this should be as complete as possible."[721]

Robert V. Ostertag: "The slaughter of animals should be performed rapidly and with the avoidance of unnecessary pain. The usual methods employed aim at obtaining the greatest possible keeping quality in the meat by evacuating as much blood as possible by opening the large vessels of the neck or entrance to the thorax, as the blood undergoes putrefaction in a comparatively short time."[722]

Prescott and Proctor: "Regardless of what killing method is used, it is essential that the animal be bled as completely and as rapidly as possible, because the quality of the final products is dependent on this."[723]

Paul I. Aldrich: "It is important to have the killing house arranged so that the animal may have plenty of time on a bleeding rail, as it is a prime requisite that the animal be well bled. Cattle should be bled for at least six minutes before any further operation is attempted, and longer if possible up to 20 or 25 minutes. This will allow a thorough bleeding and yield a whiter carcass."[724]

Why blood in meat hastens decomposition is explained by Dembo. "The blood being a fluid of alkaline reaction, and with a great proneness to decomposition, it must, according to what has been said above, be an excellent nutrient medium for bacteria. Therefore the more there remains of it in the slaughtered animal, the more rapidly the micro-organisms grow in the latter, and the sooner putrefaction ensues. With these facts for a guide, we see that a method of slaughter which would leave no blood whatever in the body would be hygienically an ideal one; but it is unfortunately quite impossible for such a method to be found.

"We know that the more blood meat contains, the more rapidly will decomposition set in, it having been proved that the good keeping of meat depends upon the amount of blood it contains. Schmidt-Muhheim, the well-known authority on matters of meat, therefore rightly remarked that 'the flesh of animals properly killed should contain no blood whatever.'

"Of all the tissues of the body, the blood is known to be the 'youngest' and the least stable one, that is, a tissue which decomposes very easily. But as long as it is contained within the walls of the tubes of the blood system—i.e., as long as it flows within the blood vessels—the blood remains unaltered. It is not the place here for a theoretical examination and explanation of this phenomenon, whether it be due to the influence the living elements of the walls exercise on the composition of the blood or to any other cause. At any rate,

it is a well known fact, that if the blood leaves the vessels, or if the body in which it is contained dies, the blood soon congeals and begins to decompose. Now it is obvious that the more blood there is left in the meat, the sooner the meat will become spoiled—this connection between the quantity of the blood and the preservation of the meat being an incontestable scientific axiom. It is for this reason that those who have special knowledge in the matter of meat prefer, as far as hygiene and good quality are concerned, the method of slaughter, which leaves the least quantity of blood in the meat, to any other."[725]

Tests have shown that Shehitah killed meat is less prone to decomposition than meat killed after preliminary stunning. Dembo reported two such tests. In one, he used as his gauge the time consumed by a carcass before its "rigor mortis" relaxed. (He had previously demonstrated that the relaxation of rigor mortis is an accompaniment of the setting in of decomposition.) He killed two rabbits, one by the Shehitah method, through simple section of its neck; the other, after preliminary stunning. The subjects were placed side by side and kept at a temperature ranging from 37 to 44 degrees Fahrenheit. The rabbit killed by the Shehitah method did not relax completely until the end of 18 days; the rabbit killed "Berlin-fashion" relaxed in all its parts in 13 days.[726]

In his second experiment Dembo used as his measure the increase of ammonia found in meat. (It is known that ammonia is an excretory product of bacteria, and hence a product of decomposition. A piece of meat giving off more ammonia may be assumed to be the more decomposed.) Dembo placed 5 gram samples of meat, some from Shehitah-killed animals and others from stunned and killed animals, into glass flasks each containing 100 cc. of distilled water. Some of the flasks were kept at a temperature ranging from 37 to 43 degrees Fahrenheit. The quantity of ammonia in each flask could be measured by noting the amount of decinormal solution of oxalic acid required to neutralize it. The results are indicated in the following table, the numbers representing the number of cubic centimeters of decinormal solution of oxalic acid added.

Length of time after killing	37° to 43° Fahrenheit		97° to 100° Fahrenheit	
	Shehitah	Stunning	Shehitah	Stunning
2½ hours	2.3	1.5		
1 day	6.1	5.8	9.4	12.5
2 "	6.9	9.9	12.7	Flask burst
3 "	9.1	12.4	14.6	23
4 "	10.6	13.2	14.8	21.2
5 "	12.2	13.7	17.7	30.4
6 "			19.9	35.7

It is to be observed that the stunned meat required more decinormal solution of oxalic acid at almost every stage, an indication that it had bred the more bacteria. That meat compared most unfavorably in the testing of the samples placed in the incubating oven—at blood heat.[727]

An animal killed by the Shehitah method goes through characteristic post mortem convulsive movements. Dembo noted that these movements promote the keeping qualities of the meat. "The epilepiform convulsions that unfailingly accompany the rapid escape of blood in the Jewish method are likewise of extreme importance for the further chemical process in the meat—

(a) by advancing the formation of lactic acid in the meat,

(b) by diminishing the alkalinity of the blood that has been retained in the meat,

(c) by promoting the escape of blood from the small blood vessels, and

(d) by accelerating the onset of rigor."[728]

Dr. David I. Macht of Baltimore has conducted investigations in the comparative toxicity of Shehitah killed and stunned carcasses. His experiments, three of which are here reviewed, demonstrate that Shehitah killed carcasses, from the instant of slaughter, show signs of less toxicity than carcasses dispatched after being stunned. The explanation given

is that the act of stunning injures the brain, and from it sets into circulation toxic bodies which may be detected in both the blood and tissues.

Macht took samples of the blood of different animal species, shed in each case after throat cutting (Shehitah) after decerebration (stunning), and after asphyxiation—and compared them for toxicity. He obtained quantitative results by placing samples of the whole blood or blood sera of each species into test tubes, in each of which lupinus albus seedlings were growing in soil of moist finely ground sphagnum moss, and noting the effects of the samples of blood upon the growth of the seedling roots. (It had been previously established that toxins and various metabolic products elaborated by animals, and found in the blood, will retard the growth of living plant protoplasm and living plant tissues.) The comparative toxicity of each sample was shown in the retarding effect it had upon the growth of the lupinus albus seedlings. The ratio of growth of each specimen to the growth of the control seedlings was called by the experimenter the "phytotoxic index." The samples which were freer from toxicity allowed the seedlings to grow the longer roots and were correspondingly higher in the phytotoxic index. The table that follows shows that in every instance, samples drawn from Shehitah-killed animals rated higher.

Animal	*Kind of blood sera*	*Phytotoxic Index*
White mouse	Freshly drawn	63
	After decerebration	33
Rat (mus norvegicus)	Freshly shed	66
	After blow on head	45
Guinea pig	Freshly shed	69
	After blow on head	54
Pigeon	Freshly shed	67
	After breaking neck	58
Hen	Freshly shed	57
	After decerebration	50

Animal	*Kind of blood sera*	*Phytotoxic Index*
Rabbit	Freshly drawn arterial.....	77
	In extreme asphyxia.....	66
	Decerebrated	51
Cat	Freshly drawn arterial.....	70
	Extreme asphyxia.....	56
	Decerebrated but oxygenated.	54
	Decerebrated and asphyxiated	50
Dog	Freshly drawn arterial.....	68
	Extreme asphyxia	61
	Decerebrated but oxygenated.	53
	Decerebrated and asphyxiated	49

Macht concluded, "The greater toxicity of blood after injury to the head, and more particularly after decerebration or pithing of the brain, is probably due to the setting free in the circulation of toxic bodies either from the brain itself or, perhaps, indirectly as a result of such injury from other organs, such as the glands of internal secretion, etc."[729]

Macht conducted a similar experiment to determine the effect of different modes of killing upon the toxicity of muscle tissue. In this test he measured the effect of samples of muscle extracts, taken from different species of animals, killed variously, upon the growth of lupinus albus seedlings. As in the previous experiment the less toxic samples permitted the seedlings to grow the longer roots, and were rated higher in the phytotoxic index. In the following table in every instance the samples drawn from Shehitah-killed animals received the higher ratings.

Animal	*Method of Slaughter*	*Phytotoxic Index*
Frog	Decapitation	56
	Decerebration	41
Goldfish	Decapitation	71
	Decerebration	56
Carp	Decapitation	56
	Decerebration	46

Animal	*Method of Slaughter*	*Phytotoxic Index*
Turtle	Decapitation	65
	Decerebration	58
Domestic hen	Arteriotomy	60
	Decerebration	53
Domestic duck	Arteriotomy	58
	Decerebration	40
Pigeon	Arteriotomy	72
	After breaking neck	59
Opossum	Ether—before decerebration	79
	Ether—after decerebration	55
Mouse	Decapitation	86
	Crushing head	73
Rat	Arteriotomy	65
	Blow on head	54
Guinea pig	Arteriotomy	66
	Asphyxiation (ether)	58
	Blow on head	53
Rabbit	Arteriotomy (ether)	73
	Decerebration (ether)	61
	Electrocution (ether)	60
Kittens	Arteriotomy (ether)	70
	Decerebration (ether)	50
	Asphyxiation (ether)	58
Cat	Arteriotomy (ether)	66
	Asphyxiation (ether)	59
	Decerebration (ether)	44
	Electrocution (ether)	46
Dog	Arteriotomy (ether)	75
	Asphyxiation (ether)	64
	Decerebration (ether)	48
	Femoral artery ligated before decerebration (ether)	63

Animal	*Method of Slaughter*	*Phytotoxic Index*
Sheep	Arteriotomy (Shehitah)	65
	Blow on head	56
Calf	Arteriotomy (Shehitah)	60
	Blow on head	53
Ox	Arteriotomy (Shehitah)	61
	Blow on head	49

The experimenters' conclusions were as follows: "It will be noted that in every case the toxicity of the muscle extracts obtained after arteriotomy (opening of arteries) was less than that of the muscle extracts prepared after decerebration. . . . The extract made after asphyxiation was more toxic than that obtained after arteriotomy. This was to be expected in view of the findings already published in connection with the toxicity of blood sera after arteriotomy and asphyxiation. Part of the difference in toxicity between exsanguinated and sanguinated muscle must be due to the presence of blood in the latter, because the authors have found that normal blood itself, as studied on living seedlings, exhibits an appreciable toxicity for plant protoplasm. The difference in toxicity between the muscle extracts from decerebrated and non-decerebrated animals must be attributed to the setting free in the circulation of toxic bodies either from the brain itself or perhaps indirectly as the result of such injury, from other organs. Positive evidence supporting the view that toxic substances have their origin in the destroyed brain tissue was secured by the authors in experiments on cats and dogs, in which the femoral artery of the leg was ligated before decerebration. When extracts of muscle tissue from such a ligated limb after decerebration was compared with similar extracts prepared from muscle tissue of the opposite limb, which was not ligated, it was found that the former was much less toxic. On the other hand, when the ligature was loosened after decerebration, while circulation and respiration were still maintained so as to allow the blood to pass through the previously ligated limb, muscle extracts obtained from

that member were found to be very toxic, thus indicating that poisonous substances had been carried to it by the circulation. . . . The difference in toxicity is undoubtedly due to the setting free in the circulation of toxic bodies produced by the trauma, which products are carried to the muscles by the blood stream before the heart stops beating. . . . In case of electrocution experiments, another factor must undoubtedly be involved in the increased toxicity of the muscle extracts. In all such experiments the muscles exhibited prolonged clonic and tonic contractions, which involved the formation of abnormal metabolic products. These products probably explain the difference in toxicity between electrocuted muscle and normal controls. . . . The data obtained are obviously of considerable interest from the standpoint of wholesomeness of meats obtained by various methods of slaughter."[730]

Macht conducted an experiment to determine the comparative toxicity of Shehitah killed and stunned carcasses, also by the method of measuring their post-mortem muscle and nerve reactions. He took nerve-muscle preparations from animals slaughtered variously and measured their response to chemical irritants and electric currents. He measured the length of time various samples continued to show signs of viability and also the distance they contracted when irritated. His findings were that samples taken from decapitated animals exhibited signs of viability for a shorter length of time and responded less vigorously to irritants than did samples taken from decerebrated animals.

Life of sciatic nerve:

In decapitated rats (cut blood vessel)—52 minutes;
In decerebrated rats (injury to brain)—91 minutes.

Life of gastrocnemius:

In decapitated rats—97 minutes;
In decerebrated rats—123 minutes.

Average height of contraction by epinephrine of 50 vasa deferentia:

From decapitated animals—55 mm.;
From decerebrated animals—87 mm.

The investigators concluded: "The data adduced above indicate that the method of slaughter exerts a definite influence on the reactions of surviving nerve and muscle preparations. This was found to be the case with the sensory nerve endings of the frog's skin, the sciatic nerve, and gastrocnemius muscles of both frogs and rats, and with the smooth muscle of the vas deferens of the rat. It was found in each case that an extensive destruction of or injury to the brain prolonged the viability of those organs or tissues, as compared with the duration of life of the same tissues taken from decapitated or exsanguinated animals. The reason for this phenomenon is not altogether clear. It may be partly due to the greater loss of blood in the decapitated animals, but the most obvious hypothesis suggesting itself is that the destruction of brain tissue leads to the formation of some products of decomposition which the blood carries around the body before the heart has come to a standstill. Thus, for instance, in case of the vas deferens, such abnormal products of decomposition may be regarded as sensitizing the organ to the effects of epinephrine."[731]

An incidental disservice rendered by the practice of preliminary stunning, depending for its effectiveness upon injury to the brain, is that it makes impossible the production of thromboplastin, a product of great use to man. This substance can be made only from the uninjured brain tissue of cattle. Concerning the uses and manufacture of thromboplastin, Rudolf A. Clemen writes, "A pharmaceutical product which has proved of great use as a blood coagulant is thromboplastin, a specific hemostatic agent made exclusively from the brain tissue of cattle. However, due to the fact that the stunning of cattle in ordinary slaughter operations injures the brain tissues, rendering them unfit for the manufacture of thromboplastin, the material for its production comes from koshered cattle which are slaughtered without stunning."[732]

THE SPORT OF HUNTING

Shehitah confers an additional benefit: it bars the Jew from participating in the so-called sport of the chase. The

effect of this is to fortify in the mind of the Jew the association between Judaism and kindness.

The Jew is restrained from hunting, first, because he may not enjoy its results. He may not taste the meat of an animal unless it has been dispatched by the exacting method of Shehitah. Then, he may not hunt and slay an animal for sheer pleasure (with no intention of eating it) for as Rabbi Solomon b. Isaac (Northern France, 1040-1105) rules, "One may not render an animal terefah, even with the intention of deriving no benefit from it."[733] Finally, in keeping with the Jewish law, a Jew may not kill a beast in the haphazard and tormenting fashion of the chase, for this would violate the rule forbidding perpetration of cruelty upon any living creature.[734] As a consequence of these rules the vogue of tracking down and destroying animals as a sport never flourished in Israel, as it did among many other peoples both in ancient and modern times.

Both Christianity and Mohammedanism placed restrictions upon hunting, but none calculated to abolish the practice.

Christian teachers for a number of centuries had placed minor restrictions upon venery. Some Church leaders would not allow game to be eaten unless the blood had flowed out at the time the animal had perished.[735] Some churchmen would not sanction hunting on Sundays, and some would not allow clerics to hunt at all. In the words of the Laurentian Penitential, based on the Council of Orleans held in the year 538: "On the Lord's day . . . men shall neither carry on rural labors—the cultivation of vineyards or the planting of hedges, or the setting out of groves or the felling of trees—nor assemble to the tribunals; nor shall trading take place, nor hunting be engaged in."[736]

The Burgundian Penitential (700-725) read: "If anyone practices any kind of hunting, a cleric shall do penance for a year, a deacon for two years, and a priest for three."[737] The Capitulary of Carloman (following a synod held under Boniface in 742): "And we also forbid to all the priests of God those huntings and wanderings with dogs in the woods; likewise let them not have hawks and falcons."[738] The Peni-

tential of Silos (Burgos, Spain, 800): "If any bishop engages in hunting with hounds or hawks, he shall do penance for five years; a cleric for three years."[739] The Penitential of Halitgar (Bishop of Cambrai, about 830): "If anyone engages in hunting, if he is a cleric he shall do penance for one year; a deacon shall do penance for two years; a presbyter for three years."[740]

The prohibition against hunting by priests has been interpreted to apply only to hunting in large and boisterous parties. At the present time, therefore, Roman Catholic priests are forbidden to indulge in hunting in large groups; they may engage in unobtrusive hunting. As stated in the rules governing the conduct of priests:

"Clerics must absolutely abstain from all things that are unbecoming to their state; they must not practice unbecoming arts, nor play games of chance for money, nor carry weapons (unless there is just cause for fear), nor indulge in hunting (never in hunting associated with much display and publicity), nor visit saloons or other places of that nature except in cases of necessity or for any other just reason approved by the Ordinary (Canon 138)."[741]

The Church has considered the following question on the point. "Can the bishop forbid the clerics of his diocese to engage in quiet hunting under *ipso facto* suspension? Answer: No, he cannot, unless there are grave and special reasons for such a severe prohibition. According to the former law, the Ordinary can absolutely forbid his clerics even the quiet hunting and this authority is not restricted by the Code, but grave and special reasons must exist if he wants to enforce his prohibition with so severe a penalty. This decision was given in an appeal of the priests of the Archdiocese of Gnesen-Posen, Poland, against the prohibition of the archbishop to his clergy to go hunting under pain of suspension *ipso facto*. The Sacred Congregation of the Council declared that quiet hunting is *per se* permitted to the clergy, and becomes unlawful only through scandal or peculiar local circumstances. In the latter case penalties may be inflicted with the prohibition of hunting, but not sus-

pension *ipso facto.* The hunting by Canon Law is the so-called 'venatio clamorosa' (Sacred Congregation of the Council, June 11, 1921. Acta Ap. Sedia XIII 498)."[742]

In the absence of religious disapproval the delights of the chase became part of the storied and sung mores of Christian Europe. Hunting in Europe became the subject of conversation, the mark of the gentleman, the sport of kings.

The old Oxford Toast said, "Hounds stout, horses healthy, earths well stopped, and foxes plenty."[743]

Samuel Pepys reported, "Good and much company and a good dinner; most of their discourse was about hunting." Dryden wrote, "Hunting has now an idea of quality joined to it and is become the most important business in the life of a gentleman,"[744] while William Somerville in 1738 referred to hunting as "the sport of kings."[745]

Adam L. Gordon wrote:

> "Yet if once we efface the joys of the chase
> From the land, and outroot the stud,
> Good-bye to the Anglo-Saxon race,
> Farewell to the Norman Blood!"[746]

George Bernard Shaw has written: "Everybody can see that the people who hunt are the right people, and the people who don't are the wrong ones."[747] What sentiment of hero worship is packed in that line in Scott's "Lady of the Lake" —"Huntsman, rest! thy chase is done."[748]

The Koran forbade Moslems to engage in hunting only during the time of the pilgrimage to Mecca:[749] "O you who believe! do not kill game while you are on pilgrimage." This prohibition has been explained as "a token of respect for the sanctity of the Kaaba, in addition to being a measure necessary for the safety of life in such a large gathering, where liberty to hunt would most probably lead to dangerous accidents to human life and limb."[750]

Islam did have strict rules governing animal slaughtering, rules which if strictly interpreted would have made game unlawful food for Moslems. But Islamic law made concessions for the benefit of the hunter. The regulations for the

huntsman are: "Game killed by means of beasts and birds of prey taught to hunt is allowed. When, however, the beast or the bird is sent after the prey, the name of Allah should be mentioned. Game killed by an arrow or by a shot is allowed, subject to the same condition. In either case, if the game is not killed before it falls into the hand of the hunter, it should be slaughtered; if it is already killed, it is lawful in that condition."[751]

Osa Johnson relates that on one occasion when her party in the depths of Africa was without food, her husband went out of camp alone and shot and brought back a gazelle. To the astonishment of the Johnsons, the blacks in the party greeted the prize with dejection. "No good," they said discouragedly. "What's the matter with it?" asked Martin Johnson. In the words of Osa Johnson, "They told him it has not been 'hallalled.' Being Mohammedans, they were forbidden to eat the flesh of an animal that had not had its throat cut before it was dead. They would make a slight compromise, it seemed, and eat the flesh if the ceremony was performed immediately after the animal had been killed, but obviously this one had been dead at least two hours and they could not touch it as food."[752]

As long as Moslems abstained from hunting during the pilgrimage season and as long as they cut the throat of the prey as soon as it was brought down, they were permitted to indulge in the chase and eat the meat it brought.

The place of the chase in the mores of contemporary America may be read in an estimate, made at the 1940 Wildlife Conference in Washington, that approximately 7,000,000 men turn out with their guns every Autumn to hunt.[753]

Jews, in contrast, have been strange to the delights of venery. There appears to be but one reference in the entire Bible to an Israelite pursuing game—in the verse, "for the king of Israel is come out to seek a single flea, as when one doth hunt a partridge in the mountains."[754] Israelites in biblical times seem to have been trappers, taking their quarry alive, rather than hunters. Scripture speaks of the bird caught "in the snare of the fowler,"[755] of the antelope caught in a net,[756] and of the lion taken alive in a pit.[757] It must

have been as a skilful trapper that Samson caught three hundred foxes alive.[758]

Jews in the talmudic period also appear to have been trappers rather than hunters. Traps were employed to catch wild animals, birds, and fish.[759] The Mishnah refers to the situation, "if a man hunted a bird and drove it into a tower-trap."[760] The Talmud refers to a trap "made with little joists (passive instruments that allow the animal to go in but not out)."[761]

The Talmud has given us one of the strangest hunting tales of all annals. It tells of a rabbi who would engage in venery in strict conformity with all the regulations of Shehitah. His name was R. Jonah bar Tahlifah, and he was credited with being able to throw correctly sharpened instruments at birds in full flight, and with those instruments slaughter the birds in accordance with the rules of Shehitah. In the words of the Talmud,[762] "R. Jonah bar Tahlifah would have Rabah examine his darts for indentations upon the cutting edges, and with those darts R. Jonah would perform Shehitah upon birds while in flight. What assurance did R. Jonah have that the dart he threw had not burrowed into the flesh of the bird's throat and made it nebelah? He would inspect the neck of the victim to make certain that the feathers at the neck of the victim were cleanly rent and that the incision was exposed. What provision did R. Jonah make to comply with the rule of covering the blood with dust? If you reply that he covered the blood after the killing, did not R. Zera say in the name of Rab that the slaughterer is obliged to cover the blood both underneath and above, for it is written, 'and cover it with (literally, in) dust'?[763] R. Jonah would have dust prepared underneath by hunting only over a dust covered terrain."

Among Jews hunting was only for wondermen like R. Jonah bar Tahlifah: for all others it was barred. The rabbis disparaged the huntsman, listing in that classification the proverbial arch enemies of the nation, Nimrod, Esau, and Herod.

This question was addressed to Rabbi Ezekiel Landau (Bohemia, 1713-1793):[764] "I have been favored by God with a

large estate consisting of villages and forests, the latter swarming with wild animals. Is it permitted me to hunt these animals as a mere pastime? Will such activity violate the law against perpetrating cruelty to animals?"

Rabbi Landau expressed the traditional Jewish attitude toward the so-called sport of hunting. "Rabbi Moses Isserles in his Responsa has already considered this problem. He showed that the law against cruelty to animals applies in every case except where an animal is killed outright, or killed for a material benefit to man. So much for the legal aspect of the problem. But I am surprised that you were moved to ask such a question. In the Torah the sport of hunting is imputed only to fierce characters such as Nimrod and Esau, never to any of the patriarchs or their descendants . . . I cannot comprehend how a Jew could even dream of killing animals merely for the pleasure of hunting, when he has no immediate need for the bodies of the creatures . . . Some have tried to justify the hunting of wild beasts on the ground that they are dangerous to man, basing their view on the dictum of Rabbi Eliezer 'Whoever is early in destroying them does a meritorious act.'[765] This opinion is incorrect. First, because Rabbi Eliezer's view is not accepted; second, because (as Resh Lakish explained) Rabbi Eliezer referred only to animals that have already shown their ferocity towards man.

"Some have advanced the argument that we may not kill those beasts that have owners, since they are under care and to some extent tamed, but that we may slay ownerless beasts since they are in a ferocious state and liable to do harm—that we may kill them even on the Sabbath. This argument is erroneous, and does not touch our case. We may kill wild animals found in places inhabited by man, where the beasts constitute a menace to man. But it is certainly no act of merit to pursue wild beasts in their haunts. It is rather a lustful occupation.

"A distinction is made for the man who makes his livelihood by hunting, and selling the furs and skins of his quarry. His work is proper, for the animal world has been subordinated to man to provide for his needs. A man may take the life of clean animals for food, or unclean animals for

their furs and hides. But when the act of killing is prompted by that of sport, it is downright cruelty."

THE JEWISH LAW AND THE WELFARE OF MAN

In the light of the material in the Talmud and the Codes, Shehitah was instituted only in order to achieve the riddance of blood from meat. Yet upon physiological and sociological study we discover that Shehitah confers at least three additional benefits. 1. It provides the most painless of all slaughtering methods. 2. It aids in rendering meat more hygienic. 3. It serves to banish from among Jews the brutalizing sport of hunting.

Were Shehitah the only Jewish law to harbor such boons these discoveries would mean little for the faith of the Jew. Shehitah, however, is found to be but one of a number of Jewish enactments, each one of which is salubrious in its effects. The good in some of these regulations has come to light only in recent years, in the findings of physiology and in the experience of medicine. When we place these beneficial Jewish laws together their cumulative effect cannot but impress deeply the student of Jewish Law.

One of the most important Jewish regulation is that requiring the circumcision of all males on the eighth day of their lives. Its purpose as stated in the Bible is religious. It is to serve as a sign of the covenant between God and the children of Abraham: "And ye shall be circumcised in the flesh of your foreskin; and it shall be a token of a covenant betwixt Me and you."[766] It is noteworthy that both the Christian Church and Reform Judaism rejected the rite of circumcision.[767] Abraham Geiger, outstanding leader of Reform Judaism, wrote to Leopold Zunz in 1845, "Circumcision is a barbarous bloody act which has only custom and fear as its supports."[768]

It is now recognized by medical men that circumcision is a sound prophylactic measure. Some medical men, like Dr. Abraham L. Wolbarst,[769] claim for circumcision that:

1. It is a great aid to personal cleanliness.
2. It is a prophylactic against phimosis and paraphimosis and their sequelae.
3. It is a strong prophylactic against syphillis and chancroid.
4. It is a prophylactic against venereal warts.
5. It is a prophylactic against masturbation, convulsions, and other reflex irritative phenomena.
6. It is a prophylactic against local complications in venereal disease.
7. It is 100% prophylactic against the "fourth venereal disease."
8. It is a prophylactic against tropical bladder and urethal infection.

Other medical men, like Dr. Edwin F. Patton, deny most of these benefits. Dr. Patton wrote, "The results of circumcision, aside from relief of local irritation, facilitation of erection, improvement of access for cleanliness, and cosmetic appearance, are practically nil."[770]

It may be said that the generally accepted opinion of medical men on the subject is that expressed by Drs. V. E. Lloyd, N. L. Lloyd, and Thomas B. Gay. The Drs. Lloyd wrote: "The hygienic value of circumcision in the male infant has been generally acknowledged over a very long period. All will agree that such conditions as acute balanoposthitis and carcinoma penis are seldom, if ever, seen in the circumcised."[771] Dr. Gay declared, "The differences of opinion are due to lack of definite data on the subject involved and further study is indicated. The weight of the evidence thus far is in favor of the opinion that routine circumcision at birth is warranted."[772]

The Jewish law not only calls for circumcision, but it requires the rite to be performed on the eighth day of life. Among all the peoples who practice circumcision, only the

Jews appear to perform the rite in early infancy. Mohammedans circumcise as late as the time of puberty. The wisdom of circumcising early, which is the Jewish usage, is expressed by Dr. Patton, "The time to circumcise is as young as possible. The younger the patient the less the scarring, and the more favorable the course and result. Babies up to three months of age can be operated upon without anesthesia; between three and six months anesthesia is optional; after the age of six months anesthesia is required." Some physicians have pointed out that when circumcision is deferred beyond the period of a few months diseased conditions are given an opportunity to develop.

Jewish law permits circumcision to be postponed under certain conditions. The Talmud speaks of Jews who remained uncircumcised because "their brothers had died in consequence of circumcision."[773] The Novellae Aguddah (a fifteenth century work, based on Alexander Suskind ha-Kohen, who died in Germany before 1349) ruled that when two brothers of one mother die as a result of circumcision, all the brothers born subsequently of that mother need not undergo the rite in their youth.[774] Rabbi Joseph Karo (Palestine, 1488-1575) added that when the son of a woman died in consequence of circumcision, and a son of her sister died of the same cause, then the sons of all the sisters should not be circumcised before maturity.

"Yorah Deah 263b: A woman whose first son died in consequence of circumcision, for it weakened his strength; and then also the second son died as a result of circumcision, then all her sons are classed as those who die in consequence of circumcision. The same law applies whether the sons are of one father or of two—the third son is not to be circumcised until he grows up and becomes stronger. The same law applies to one father whose first and second sons died in consequence of circumcision—whether of the same or of another mother, the third son is not to be circumcised (until he grows up and becomes stronger). Some authorities differ and maintain that this rule does not apply to sons of one father, but only to sons of one mother (Novellae Aguddah. "Ture Zahab" explains—"because the blood comes from the

mother.") Since this is a matter of life and death, we should follow the lenient rule (and not take a risk).

"c. The same law applies when a woman had her son circumcised and he died in consequence, and her sister likewise had her son circumcised and he died in consequence, then all the sisters in that family should not have their sons circumcised until their sons grow up and became stronger."

The fact is uncanny, but we recognize in these centuries-old rules for deferring circumcision a measure to guard against the effects of the odd malady of hemophilia. This disease, celebrated as the affliction which has cursed the Spanish royal house, is an inherited anomaly (a tendency toward bleeding) usually transmitted by females, who themselves show no symptoms, to males who manifest signs of the disease.[775]

Jewish law forbids Jews to eat the meat of listed animal species, among them flesh of the swine: "And the swine, because he parteth the hoof, and is cloven-footed, but cheweth not the cud, he is unclean unto you. Of their flesh ye shall not eat." (Leviticus 11:7)

It was for modern medicine to discover that pork is a ready source of infection in man, to be guarded against only by an amount of heating or refrigeration of the meat not usually resorted to. J. Todd and A. Sanford wrote: "Infection in man occurs from eating of pork which contains encysted larvae and is insufficiently cooked. Ordinary 'curing' of pork does not kill them. According to Winn, heating to 55°C for fifteen minutes for each pound of meat is sufficient to kill all larvae. Six days refrigeration at 0°F (—17.7°C) is also effective. Protection against infection must be secured through such measures as these; meat inspection is of little value unless every part of the carcass be examined, and this of course is impracticable."[776]

That millions of Americans suffer from infections resulting from the eating of raw or undone pork is now an alarming fact. On January 24, 1939 at a conference of the Metro-

politan Health Officers Association in New York City, Dr. Thurlow C. Nelson, Professor of Zoology at Rutgers University, reported that trichinosis, a disease caused by eating raw or underdone pork, particularly pork in frankfurters and hamburgers, had infested 17,000,000 persons in the United States and was resulting in several thousand deaths annually. "Particularly disturbing," he declared, "is the fact that the medical profession as a whole does not recognize this parasitic infestation but writes down a diagnosis of typhoid, intestinal flu, pleurisy, or may even operate for appendicitis. In all, some sixty diseases have been confused with trichinosis."

The paper, which was featured in "The New York Times" next morning, was based upon the report "Studies in Trichinosis, 1-7" rendered by Prof. Maurice C. Hall and Benjamin J. Collis, and published by the United States Public Health Service in 1937.[777] It was found on the basis of the routine post-mortem examination of the diaphragms of 300 persons, who had died in hospitals from all causes, that 13.67% showed signs of trichinous infection. On the basis of this proportion 17,000,000 persons in the United States were estimated to be harboring this infestation.

More recent investigation places the estimated proportion even higher. An article in the "Consumers Union Reports" of March, 1940[778] states that from 17% to 18% of the American population, or from 22 to 23 million persons in the United States, harbor trichina parasites in their muscles. The article reported these findings.

Date and area of survey	*Percentage found to have had trichinosis*
1934, Minneapolis	17.1
1936, San Francisco	24.0
1937, New Orleans	5.0
1937, Rochester, Minn.	7.7
1937, St. Louis	15.3
1938, Alabama	33.0
1938, North Carolina	2.8

Date and area of survey	*Percentage found to have had trichinosis*
1938, Cleveland	36.0
1939, Washington, D. C., Baltimore, and eastern naval and marine hospitals	17.3
1939, Chicago	15.9
1939, Los Angeles	18.2

The author communicated with Prof. Nelson, and received a letter which contained the following unsolicited postscript, "May I make a suggestion to you. The practice of some butchers of putting quantities of pork into hamburgers should be very strictly forbidden. Undoubtedly your people who deal with kosher butchers are perfectly safe, but there is always a possibility of their eating hamburgers containing pork. You in your position can do your people a great service if you will warn them in this matter."

Can any one deny that the religious law which prohibits Jews to eat swine's flesh has promoted the physical health of Jews?

The Jewish law prohibits Jews from eating shellfish: "And all that have not fins and scales in the seas, and in the rivers, of all that swarm in the waters, and of all the living creatures that are in the waters, they are a detestable thing unto you, and they shall be a detestable thing unto you; ye shall not eat of their flesh, and their carcasses ye shall have in detestation."[779]

The diseases which come from consuming shellfish occasionally reach epidemic proportions, and have become a subject of government notice. (In recent years the problem of diseases resulting from eating shellfish has become more serious. Shellfish beds are located at the mouths of rivers, in the path of the sewage of cities flowing into the sea. With many cities increased in population, sewage has polluted many rivers and shellfish beds.)

Dr. R. W. Dodgson, formerly Director of Shellfish Services in the British Ministry of Agriculture and Fisheries, writes, "That shellfish from polluted beds are potential vec-

tors of typhoid fever and other diseases, and consequently a standing menace to the public health, is a proposition which I think has passed the stage of legitimate controversy.

"Disbelief still manifests itself in some quarters, notably amongst the fishermen, who are sceptics almost to a man, and amongst the less instructed vendors, with whom the wish is father to the thought.

"The incidence of typhoid is now reduced to such relatively small portions that the role of shellfish in its dissemination and perpetuation is liable to be somewhat overlooked. There is, however, a definite dribble of individual cases or minor epidemics attributed by medical officers of health, in many instances after very careful analysis of the circumstances, to the consumption of both mussels and oysters.

"Small though the actual number of cases may be, they acquire a more definite significance when we consider the relatively small number of shellfish consumers in relation to the population as a whole, especially in respect to some expensive luxury oysters, which have a very strong indictment to meet."[780]

Dr. Dodgson adds: "The conclusion that we must accept a gross and constantly increasing sewage pollution of shellfish beds as an accomplished and unalterable fact is inescapable. Twenty-one years of study of shellfish and close association with the shellfish industry have confirmed my original conclusion that the only solution of the problem lies in the application of a satisfactory system of purification."[781]

Dr. Dodgson in the excerpt that follows presents the system of purification of shellfish which he deems effective.

"Briefly, the process consists of spreading the mussels on wooden grids in large concrete tanks; hosing them thoroughly before, mid-way through, and at the end of the process, exposing them for two successive periods of 24 hours to water sterilized by chlorine, but from which all trace of active chlorine has been removed by sodium hyposulphite, and, finally sterilizing the shells by a bath of water containing three parts per million active chlorine."[782]

Consider the process needed to render shellfish safe to eat, and the conclusion is unavoidable that the Jewish law which prohibits shellfish as food is generally wise and beneficent.

Jewish law forbids intercourse between husband and wife during the period of the menses and the seven days that follow.[783]

There is modern medical opinion that maintains that intercourse during the period of menstruation invites special dangers of infection. It is held that disease germs that lie dormant in the genital passages receive rich nutriment from the warm menstrual blood and increase rapidly at the time. These germs may then be imparted to the male. As stated by Th. H. Van de Velde: "Gonococci may lurk in the genital passages of both men and women from a previous, perhaps forgotten or unconscious, infection, and may have lost their active virulence for a while. *But they may renew this virulence in the menstrual secretions,* and pass with such secretions into the male urethra, and *there renew acute symptoms of gonorrhea.* Thus an old infection which has been latent and imperceptible for years may suddenly 'flare up' after a sexual act during menstruation."

The female genital passage is prone to infection at this period as a result of the tiny lacerations that tend to occur then. To quote Van de Velde, "During menstruation there is a special vulnerability of the local tissues, so that vulva and vagina may, more easily than at other times, sustain slight lacerations. This is due to the combined congestion of the tissues and effect of the mucus secretions during some successive days. Its significance in normal cases, lies almost wholly in the danger of infection through tiny lacerations. And menstruation gives special liability to infections! Moreover, serious lacerations may occur more easily under adverse conditions. . . . Most micro-organisms and germs find a particularly favorable medium in the menstrual secretions and proliferate with enormous rapidity and virulence. This is the case both with germs already latent in the feminine organs and those introduced during coitus, from outside.

"The tendency of latent, chronic or sub-acute illnesses is to 'flare' during menstruation. Where there are any morbid or inflammatory infections of the genitals, this tendency is greatly increased by menstrual coitus."[784]

The separation of husband and wife during the menses serves not only the physical health of the partners, but also the freshness of mutual interest necessary to the preservation of connubial bliss. As stated in one of the passages in the Talmud: "Rabbi Meir used to say: Why did the Torah command the husband to refrain from physical contact with his wife for seven full days after her menstrual flow has ceased? Because, since the husband is accustomed to his wife he becomes indifferent to her. Therefore the Torah said, let her be forbidden to him for seven days in order that she should be beloved by him as at the time when she entered the nuptial canopy."[785]

Jewish law commands the laving of the hands on a number of listed occasions. Rabbi Joseph Karo (Palestine, 1488-1575) ruled: "At these times one is required to lave his hands with water: when he rises from his bed, leaves the privy or the bath house, after he cuts his nails, loosens his shoes, touches his feet, rubs his head, touches a corpse (some authorities add, after he walks between two corpses), searches his garments for vermin, cohabits, touches a louse, or touches his hand to his body. . . . One should not touch his unwashed hands to his mouth, his nose, his ears, or to his eyes. . . . When one is about to eat bread, he is required to lave his hands, even though there is no uncleanliness upon them."[786]

These regulations were written down centuries before Pasteur was born and the world came to know of the action of bacteria. Their health value is too obvious to require comment.

Another prophylactic Jewish measure is that providing for the speedy interment of the dead. Rabbi Joseph Karo wrote:

"It is forbidden to keep a corpse unburied until the next day except for purposes of rendering it honor, or to provide a coffin and shrouds, or mourners, or to enable kinsfolk to arrive, or to notify the cities.

"It is praiseworthy to bury the dead speedily. It is shameful to do so, however, when the dead are one's parents, except in such case where it is the eve of a Sabbath or festival, or where rains pour down upon the bier."[787]

Most peoples we know of, both in ancient and modern times, have pursued the custom of keeping the bodies of their dead for days on end. The diseases in periods of plague from which Jews are spared, by their religious rule of quick burial, can never be calculated.

Jewish law commands the Sabbath rest. The weekly day of cessation from toil is Jewish in origin. It had no parallel in the ancient pagan world, so much so, that the keeping of the Sabbath was regarded as the sign of a Jew. As the prophet said, "I gave them my sabbaths, to be a sign between Me and them that they might know that I am the Lord that sanctify them."[788]

Today nowhere in the western world do people question the value of abstaining from labor one day in seven.

Whence did all these salubrious measures come? What gave birth to the rules of Shehitah, circumcision, abstaining from swine's flesh and shellfish, the law forbidding intercourse during the menses, regulations concerning laving of the hands, speedy interment of the dead, and the institution of the Sabbath? Did they originate in the brains of superthinkers in ages past? That is hardly possible. The measures we speak of imply medical knowledge that could come only with extensive clinical observation and the keeping of accurate medical records, developments which did not exist in the ancient world on any extensive scale.

At the time these health producing Jewish laws were promulgated most people attributed the onset of disease to the operation of dark forces, curses, evil eyes, witchcraft, or

sin, rather than to physical causes. Scientific investigation of disease was limited. Even today, followers of the cult known as Christian Science, many of whom are ostensibly informed persons, refuse to acknowledge that physical ills spring basically from physical causes. To say, for instance, that Moses noted the ravages of trichinosis in his day and therefore forbade consumption of the pig is to say that he was a better diagnostician than some of the physicians in the United States in the year 1937, who, according to Prof. Nelson's report, mistook trichinosis for one or another of sixty different disorders. These great beneficial Jewish religious laws are not so easily accounted for. They cannot be attributed to accumulated human knowledge for the simple reason that such knowledge has not been accumulated until recent times.

To say that such laws are the result of sheer chance is to fail to meet the question that modern research makes increasingly insistent, "How does it come about that the Jewish code contains so many such happy coincidences?"

The wondrous provisions of these laws are bound to make more Jews incline to the view that in their ancient code there is the working of a Higher Intelligence and a Mighty Beneficence.

The final effect of the institution of Shehitah upon Jewish people, therefore, is to strengthen in them the belief in the unparalleled value of their Torah, to foster in them the sentiment expressed in the Talmud:[789]

"The Torah in its entirety was given only for the welfare of society; as it is written 'Her ways are ways of pleasantness, and all her paths are peace.' "[790]

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Notes

[1]Anatole Leroy—Beaulieu, "Israel Among the Nations," translated by Frances Hellman, New York 1895, page 133.

[2]Paul Goodman, "Moses Montefiore," Philadelphia 1925, page 214.

[3]Israel Solomon, "Records of My Family," quoted by Frank I. Schechter, "An Unfamiliar Aspect of Anglo-Jewish History." "Publications of the American Jewish Historical Society." Baltimore 1917, Vol. 25, page 69.

[4]S. S. & B. Live Poultry Corporation vs. Kashrut Association of Greater New York, "New York Law Journal," January 28, 1936.

[5]The Commission consisted of Dr. Samuel Margoshes, David Meckler, and Nathaniel Zalowitz.

[6]A. Neubauer, "Jews in China," "Jewish Quarterly Review." Vol. 7, Old series.

[7]Talmud, Hullin 30b.

[8]Jeremiah 9:7.

[9]I Kings 10:16.

[10]Rev. Abraham J. Kaplowitz.

[11]A thorough treatment of the subject is given in English in Levin and Boyden, "The Kosher Code of the Orthodox Jew," Minneapolis 1940.

[12]Genesis 37:31, Exodus 12:21, Leviticus 1:5.

[13]Leviticus 1:5.

[14]Deuteronomy 12:16 and 24, 15:23.

[15]Genesis 9:4, Leviticus 3:16, 7:26, 17:14, 19:26, Deuteronomy 12:23, 15:23.

[16]Ezekiel 33:25.

[17]Deuteronomy 12:21.

[18]Hullin 28a.

[19]Talmud, Hullin 27a.

[20]Talmud, Baba Kamma 99b.

[21]Talmud, Baba Batra 93b.

[22]Baba Batra 22a.

[23]Talmud, Yoma 86a.

[24]Talmud, Haggigah 5a.

[25]Mishnah, Hullin 7:1.

[26]Pesahim 7b.

[27]"Judaism in the First Centuries of the Christian Era; The Age of the Tannaim," Cambridge 1927. Vol. 1, page 463.

[28]Talmud, Hullin 9a.

[29]Hullin 17b.

[30]Talmud, Hullin 17b.

[31]Talmud, Hullin 18a.

[32]Moed Katan 16a.
[33]Hullin 1:1.
[34]Hullin 1:1.
[35]Talmud, Hullin 2b.
[36]Toseftah 2:20.
[37]Talmud, Hullin 4a.
[38]Talmud, Hullin 3b.
[39]Talmud, Hullin 5b.
[40]Talmud, Hullin 5a.
[41]Talmud, Hullin 3a.
[42]Hullin 4a.
[43]Talmud, Hullin 9a.
[44]Talmud, Hullin 3b.
[45]Talmud, Hullin 3b.
[46]Bekhorot 29b.
[47]Deuteronomy 14:21.
[48]Exodus 22:30.
[49]Exodus 11:7.
[50]Terumot 8:3.
[51]Hullin 94a.
[52]Talmud, Hullin 95a.
[53]Talmud, Hullin, 94b.
[54]Hullin 7:2.
[55]Hullin 94a.
[56]Talmud, Hullin 95a.
[57]Hullin 95b.
[58]Hullin 95b.
[59]Talmud, Hullin 95b.
[60]Baba Kamma 99b.
[61]Horayot 3b.
[62]Mishnah, Kiddushin 4:14.
[63]Makhshirin 2:9.
[64]Hullin 95b.
[65]Hullin 2:5. Edited by Moses S. Zuckermandel, Pazevalk 1881.
[66]Talmud, Hullin 12a.
[67]Talmud, Baba Meziah 24b.
[68]Hullin 2:8 and Abodah Zarah 2:3.
[69]Term used in Psalms 106:28.
[70]Mishnah, Hullin 2:7.

[71]Acts 15:20. Varied versions in Acts 15:29 and Acts 21:25, and a suggestion of the Decree in Revelation 2:14.

[72]I Corinthians 8:4-13 and 10:18-31.

[73]McNeill and Gamer, "Medieval Handbooks of Penance," New York 1938, pages 131 and 133.

[74]Baba Batra 60b.

[75]Talmud, Pesahim 109a.

[76]Baba Batra 60b.

[77]Mishnah, Hullin 1:2.

[78]Ezekiel 32:27. Taanit 30b.

[79]Talmud, Taanit 30a. See, however, Palestinian Talmud IV, 1, 30 d.

[80]Orah Hayyim 551:9.

[81]122:8.

[82]Margolis and Marx, "History of the Jewish People," Philadelphia 1927, pages 259 and 261.

[83]Jacob Mann, "A Tract by an Early Karaite Settler in Jerusalem," "Jewish Quarterly Review," Vol. 12, No. 3, page 271. Jacob Mann, "Texts and Studies in Jewish History and Literature," Philadelphia 1935, Vol. 2, page 6.

[84]Louis M. Epstein, "The Jewish Marriage Contract," New York 1927, page 280.

[85]Jacob Cohn, "The Royal Table," New York 1936, page 1. Joseph Hurewitz, "The Care of Animals in Jewish Life and Lore" in Jung, "Jewish Library," First Series, New York 1928, page 112. Aaron H. Frankel, "Thou Shalt Not Kill—or the Thorah of Vegetarianism," New York 1896.

[86]Deuteronomy 21:21.

[87]Talmud, Sanhedrin 72a.

[88]Proverbs 27:23-27.

[89]Talmud, Hullin 84a.

[90]"Guide for the Perplexed," translated by M. Friedlander, London 1928, page 371.

[91]Talmud, Ketubot 72b.

[92]Hullin 5:3.

[93]Mishnah, Hullin 5:4.

[94]Talmud, Bezah 28a.

[95]Talmud, Bezah 29b.

[96]Orah Hayyim 250:2.

[97]"Teshubot Radbaz," Sadilkav 1836, Part 5, Resp. 2, 179.

[98]"Hawwot Yair," Frankfort on the Main 1699, Resp. 178.

[99]Jacob Mann, "The Jews in Egypt and in Palestine under the Fatimid Caliphs," London 1920, page 261.

[100]The term "kazzab" appears in the Mishnah, Ketubot 2:9, Sotah 5:1, and Eduyot 8:2, referring in each case to Zechariah son of the kazzab. Also in the Talmud, Bezah 25a, where the reference is evidently to meat dealers.

[101]Comment on Talmud, Hullin 18a.

[102]Shulhan Arukh, Yoreh Deah 65:14.

[103]"Teshubot Maharibal," Amsterdam 1726, part 2, resp. 39.

[104]"Abodat ha Gershuni," Frankfort on the Main 1689, resp. 54.

[105]Alfred Gunzenhaufer, "Sammlung der Gesetze . . . der Israeliten in Wurttemberg," Stuttgart 1909, page 296.

[106]"Teshubot ha Ribash," Vienna 1879, resp. 497.

[107]"Simlat Binyamin," Furth 1860, page 6a.

[108]"Nahare Afarsemon," Paks 1898, resp. 39.

[109]"Teshubot Maharam d'Rutenberg," Edited by Moses Bloch, Budapest 1895, resp. 90.

[110]"Hatam Sofer," Pressburg 1860, resp. 22.

[111]"Teshubot ha Rashba," Vienna 1812, resp. 258.

[112]"Teshubot ha Mabit," Lemberg 1861, resp. 137.

[113]Simon M. Dubnow, "Pinkes ha-Medinah o Pinkes Vaad ha-Kehillot ha-Reshit bi-Medinat Lita," Berlin 1925, page 266.

[114]"Shoel u Meshib," Lemberg 1869, part 2, resp. 48.

[115]"Teshubot ha Rab Rabbenu Asher," Vilna 1881, resp. 7.

[116]"Teshubot ha Rashdam," Lemberg 1862, resp. 1.

[117]Isidore Epstein, "The Responsa of Rabbi Simon b. Zemah Duran," London 1930, page 61.

[118]Note on Shulhan Arukh, Yoreh Deah 18:18.

[119]"Be'er Heteb" on Shulhan Arukh, Yoreh Deah 18:18.

[120]Cecil Roth, "Venice," Philadelphia 1930, page 123.

[121]Moritz Stern, "Zur Geschichte der Fleischgebuhren in der Berliner Judischen Gemeinde," Sonderdruck aus den Soncino Blattern, Berlin 1927.

[122]No. 51. "Laws of the Board for Administering the Affairs of Shehitah," London 1880.

[123]Alfred Gunzenhaufer, "Sammlung der Gesetze . . . der Israeliten in Wurttemberg," Stuttgart 1909, page 296.

[124]"De Nederlandsch—Israelietische Gemeente te s' Gravenhage," page 39. (In Dutch)

[125]"The Jewish Times," Wellington, New Zealand, June 22, 1931.

[126]David G. Mandelbaum, "The Jewish Way of Life in Cochin," "Jewish Social Studies," October 1939.

[127]"1928: The Public General Acts, London," Chapter 29.

[128]"1932-33: The Public General Acts," London, Chapter 39, page 608.

[129]"Slaughter of Animals' Act," 1935, Dublin, No. 45 of 1935, Section 15.

[130]"Slaughter of Animals' Act," 1934. Clauses 1 and 3 (1).

[131]Louis Finkelstein, "Jewish Self-Government in the Middle Ages," New York 1924, page 367.

[132]"Shoel u Meshib," Lemberg 1876, collection 3, part 1, resp. 221.

[133]"Eshel Abraham," commenting on Shulhan Arukh, Orah Hayyim 53:25.

[134]"Shoel u Meshib," Lemberg 1876, collection 3, part 1, resp. 4.

[135]"Shoel u Meshib," Lemberg 1869, resp. 50.

[136]"Halakhot Ketanot," Krakow 1897, resp. 39.

[137]"Be'er Yizhak," Koenigsberg 1858, resp. 3.

[138]"Teshubot ha Rambam," Edited by Alfred Freimann, Jerusalem 1934, page 83.

[139]"Teshubot Maharik," Warsaw 1884, resp. 33.

[140]"Dibre Ribot," Sudzilkow 1763, resp. 281. Rabbi Ephraim Zalman Margolis ("Bet Efraim," Lemberg 1815, resp. 1), Rabbi Moses Schreiber ("Hatam Sofer," Pressburg 1860, resp. 11), and Rabbi Joseph Saul Nathanson ("Shoel u Meshib," Lemberg 1876, collection 3, part 1, resp. 244) all reported cases in which only one witness could be produced against an accused shohet and in each instance they ruled against honoring the testimony.

[141]"Shoel u Meshib," Lemberg 1879, collection 5, part 1, resp. 276.

[142]"Shoel u Meshib," Lemberg 1869, resp. 55.

[143]Shulhan Arukh, Yoreh Deah 18:18.

[144]"Teshubot Maharam di Boton," Ozmir 1660, resp. 6.

[145]"Hatam Sofer," Pressburg 1860, resp. 4.

[146]"Pahad Yizhak," Lyck 1874, under "Tabah."

[147]"Shoel u Meshib," Lemberg 1869, resp. 51.

[148]*Ibid.* . . . part 2, resp. 15.

[149]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 25.

[150]"Shaar Efraim," Sulzbach 1688, resp. 65.

[151]"Zera Emet," Livorno 1796, resp. 1.

[152]"Ture Zahab" on Shulhan Arukh, Yoreh Deah 18:18.

[153]"Sifte Kohen" on Shulhan Arukh, Yoreh Deah 18:18.

[154]"Be'er Heteb" on Shulhan Arukh, Yoreh Deah 18:18.

[155]Moritz Stern, "Zur Geschichte der Fleischgebuhren in der Berliner Judischen Gemeinde," Sonderdruck aus den Soncino—Blattern, Berlin 1927.

[156]"Board for Administering the Affairs of Shehitah," London 1880, page 15.

[157]"Matteh Yosef," Constantinople 1711, resp. 8.

[158]"Shoel u Meshib," Lemberg 1869, resp. 56.

[159]"Tub Taam vo Daat," Lemberg 1884, collection 3, resp. 35.

[160]"Noda bi Yehudah," Vilna 1899, resp. 1.

[161]"Tub Taam vo Daat," Lemberg 1884, collection 3, resp. 20.

[162]"Hatam Sofer," Pressburg 1860, resp. 10.

[163]Jacob Mann, "Texts and Studies in Jewish History and Literature," Cincinnati 1931, Vol. 1, page 490.

[164]"Tub Taam vo Daat," Lemberg 1884, collection 3, resp. 44.

[165]"Be'er Yizhak," Koenigsberg 1858, resp. 1.

[166]"Hatam Sofer," Pressburg 1860, resp. 13.

[167]"Teshubot ha Rambam," Edited by Alfred Freimann, Jerusalem 1934, page 83.

[168]Tekiat Kaf: The equivalent is the word "promise" from "promittere manum," handclasp, equal to an oath among the early Romans. Note by Professor Moses Hyamson.

[169]"Shoel u Meshib," Lemberg 1869, resp. 50.

[170]"Shoel u Meshib," Lemberg 1876, collection 3, part 2, resp. 119.

[171]*Ibid.* . . . Collection 3, part 1, resp. 37.

[172]"Hatam Sofer," Pressburg 1860, resp. 6.

[173]"Tub Taam vo Daat," Lemberg 1884, collection 3, resp. 6.

[174]*Ibid.* . . . Collection 3, resp. 7.

[175]"Hatam Sofer," Pressburg 1860, resp. 9.

[176]"She'elot u Teshubot" following text of his "Shulhan Arukh," Vilna 1924, resp. 7.

[177]"Teshubot ha Radbaz," Venice 1749, resp. 280.

[178]Simon M. Dubnow, "Toledot ha-Hasidut," Tel Aviv 1930, Vol. 1, page 120.

[179]*Ibid.* . . . page 146.

[180]*Ibid.* . . . page 150.

[181]Jacob R. Marcus, "The Jew in the Medieval World," Cincinnati 1938, page 276.

[182]Simon M. Dubnow, "Toledot ha-Hasidut," Tel Aviv 1930, Vol. 1, page 155.

[183]Raphael Mahler, "The Austrian Government and the Hasidim during the Period of Reaction, 1814-1848," "Jewish Social Studies," April 1939.

[184]"Shoel u Meshib," Lemberg 1869, resp. 56.

[185]"Bet Yosef," commenting on "Arbaah Turim," Yoreh Deah 1:1.

[186]Shulhan Arukh, Yoreh Deah 1:2.

[187]"Bet Yaakob," Dyhernfarbh 1696, resp. 31.

[188]"Ture Zahab" on Shulhan Arukh, Yoreh Deah 1:1.

[189]"Arokh ha Shulhan," Warsaw 1901, page 4.

[190]1:6.

[191]"Shulhan Arukh," Yoreh Deah 18:17.

[192]"Mishneh Torah," Laws of Shehitah 4:3.

[193]Louis Finkelstein, "Jewish Self-Government in the Middle Ages," New York 1924, page 61.

[194]"Teshubot ha Rashba," Vienna 1812, resp. 218.

[195]"Teshubot ha Mahariw," Hanau 1630, resp. 50.

[196]Note on Shulhan Arukh, Yoreh Deah 1:1.

[197]"Sifte Kohen" on Shulhan Arukh, Yoreh Deah 1:1.

[198]Cited in "Be'er Heteb" on Shulhan Arukh, Yoreh Deah 1:1.

[199]Alfred Gunzenhaufer, "Sammlung der Gesetze . . . der Israeliten in Wurttemberg," Stuttgart 1909, page 296.

[200]"Noda bi Yehudah," Vilna 1899, resp. 3.

[201]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 9.

[202]Jacob Mann, "Texts and Studies in Jewish History and Literature," Cincinnati 1931, Vol. 1, page 487.

[203]"Halakot Ketanot," Krakow 1897, resp. 30. Rabbi Jacob Reischer had rendered a similar decision, reported in his "Shebut Yaakob," Lemberg 1897, resp. 44.

[204]Rabbi Moses Isserles, Poland 1520-1572, note on Shulhan Arukh, Yoreh Deah 1:2.

[205]"Hawwot Yair," Frankfort on the Main 1699, resp. 178.

[206]"Noda bi Yehudah," Vilna 1899, resp. 48.

[207]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 13.

[208]Alfred Gunzenhaufer, "Sammlung der Gesetze . . . der Israeliten in Wurttemberg," Stuttgart 1909, page 296.

[209]Note on Shulhan Arukh, Yoreh Deah 1:1.

[210]*Ibid.* This distinction was maintained in decisions rendered by Rabbi Jacob b. Samuel ("Bet Yaakob," Dyhernfarbh 1696, resp. 4) and by Rabbi Jacob b. Joseph Reischer ("Shebut Yaakob," Lemberg 1897, resp. 51).

[211]"Hayyim Shoal," Leghorn 1789, resp. 36.

[212]"Publications of the American Jewish Historical Society," Baltimore 1920, Vol. 27, page 327.

[213]"Sifte Kohen" on Shulhan Arukh, Yoreh Deah 18:17.

[214]"Shulhan Arukh," Vilna 1924, page 3b.

[215]Louis Finkelstein, "Jewish Self-Government in the Middle Ages," New York 1924, page 260.

[216]"Ture Zahab" on Shulhan Arukh, Yoreh Deah 1:1.

[217]Simon M. Dubnow, "Pinkes ha-Medinah o Pinkes Vaad ha-Kehillot ha Reshit bi Medinat Lita," Berlin 1925, page 531.

[218]*Ibid.*, page 74.

[219]*Ibid.*, page 225.

[220]*Ibid.*, page 265.

[221]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 79.

[222]*Ibid.* . . . collection 3, part 1, resp. 2.

[223]"Kereti u Peleti," Novellae on Shulhan Arukh, Altona 1764, page 2a.

[224]Alfred Gunzenhaufer, "Sammlung der Gesetze . . . der Israeliten in Wurttemberg," Stuttgart 1909, page 294.

[225]"Teshubot ha Rashba," Vienna 1812, resp. 620.

[226]"Teshubot Maharam mi Lublin," Warsaw 1881, resp. 76.

[227]"Simlat Binyamin," Furth 1860, resp. 3.

[228]"Hatam Sofer," Pressburg 1860, resp. 2.

[229]*Ibid.* . . . resp. 3.

[230]*Ibid.* . . . resp. 7.

[231]"Meir Netibim," Polnoi 1791, resp. 76.

[232]"Noda bi Yehudah," Vilna 1899, collection 3, resp. 1.

[233]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 26.

[234]"Bet Ab," New York 1918, collection 3, resp. 1.

[235]*Ibid.* . . . collection 3, resp. 2.

[236]"Shoel u Meshib," Lemberg 1869, resp. 54.

[237]*Ibid.* . . . resp. 269.

[238]"Pene Yizhak," Aleppo 1871, resp. 5.

[239]"Be'er Heteb" on Shulhan Arukh, Yoreh Deah 1:1.

[240]Edgcumbe Staley, "The Guilds of Florence," London 1906, page 301.

[241]"Teshubot Maharam de Rutenberg," Edited by Moses Bloch, Berlin, 1891, resp. 294. Talmud, Bekhorob 29b.

[242]"Teshubot ha Radbaz," Venice 1749, part 3, resp. 172.

[243]"Teshubot ha Rashba," Vienna 1812, resp. 594.

[244]"Teshubot ha Ribash," Vienna 1879, resp. 113.

[245]"Teshubot ha Mabit," Venice 1629, resp. 15.

[246]"Teshubot ha Rashdam," Lemberg 1862, resp. 41.

[247]Yoreh Deah 119.

[248]"Zera Emet," Livorno 1796, resp. 1.

[249]"Teshubot ha Rashdam," Lemberg 1862, resp. 47.

[250]"Teshubot Maharit," Lemberg 1861, resp. 13.

[251]"Abodat ha Gershuni," Frankfort on the Main 1689, resp. 54.

[252]"Bet Ab," New York 1918, collection 3, resp. 15.

[253]"Abkat Rohel," Salonika 1791, resp. 207.

[254]"Pene Yizhak," Part 2. Livorno 1886, resp. 8.

[255]*Ibid.* . . . resp. 2.

[256]"Teshubot ha Rambam," Edited by Alfred Freimann, Jerusalem 1934, page 82.

[257]"Arbaah Turim," part Yoreh Deah, Chapter 1.

[258]"Teshubot R. Mordecai Michael Jaffe," Hamburg 1852, responsa 44 and 45.

[259]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 45.

[260]*Ibid.* . . . collection 3, part 1, resp. 25.

[261]*Ibid.* . . . collection 3, part 1, resp. 33.

[262]"Nahare Afarsemon," Paks 1898, resp. 42.

[263]*Ibid.* . . . resp. 145.

[264]"Bet Efraim," Lemberg 1815, resp. 2.

[265]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 6.

[266]*Ibid.* . . . collection 3, resp. 22.

[267]"Hatam Sofer," Pressburg 1860, resp. 4.

[268]*Ibid.* . . . resp. 8.

[269]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 5.

[270]*Ibid.* . . . collection 3, part 1, resp. 27.

[271]*Ibid.* . . . collection 3, part 1, resp. 25.

[272]"Nahare Afarsemon," Paks 1898, resp. 146.

[273]*Ibid.* . . . resp. 99.

[274]*Ibid.* . . . resp. 130.

[275]*Ibid.* . . . resp. 109.

[276]"Shebut Yaakob," Lemberg 1897, resp. 52.

[277]"Nahare Afarsemon," Paks 1898, resp. 155.

[278]"Leket ha Kemah," Amsterdam 1707, page 3a.

[279]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 35.

[280]Charles Duschinsky, "Rabbinate of the Great Synagogue, London," London 1921, page 116.

[281]"Bet Yaakob," Dyhernfarbh 1696, resp. 96.

[282]"Shoel u Meshib," Lemberg 1876, collection 3, part 3, resp. 96.

[283]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 12.

[284]"Nahare Afarsemon," Paks 1898, resp. 106.

[285]Cited by Rabbi Moses Isserles, note on Shulhan Arukh, Yoreh Deah 2:9.

[286]Shulhan Arukh, Yoreh Deah 119:10.

[287]Shulhan Arukh, Yoreh Deah 119:12.

[288]Cecil Roth, "A History of the Marranos," Philadelphia 1932, page 178.

[289]Lucien Wolf, "Jews in Tudor England," "Essays in Jewish History," London 1934, page 87.

[290]"Publications of the American Jewish Historical Society," Baltimore 1899. Vol. 7, page 16.

[291]Lucien Wolf, "The Marranos of Portugal," "Essays in Jewish History," London 1934, page 375.

[292]"Nahare Afarsemon," Paks 1898, resp. 142.

[293]Hullin 8:2.

[294]Shulhan Arukh, Yoreh Deah 1:1.

[295]Charles Duschinsky, "May a Woman be a Shoheteth?", "Gaster Memorial Volume," London 1936, page 139.

[296]"Sheure Berahah," Leghorn 1789, on Shulhan Arukh, Yoreh Deah 1:1.

[297]"Pahad Yizhak," Lyck 1874, under "Shehitah."

[298]"May a Woman be a Shoheteth?" "Gaster Memorial Volume," London 1936, page 102.

[299]Annotation on Talmud, Hullin 2a.

[300]Note on Shulhan Arukh, Yoreh Deah 1:1.

[301]"Darke Moshe," quoted by Charles Duschinsky.

[302]"Teshubot ha Rambam," Edited by Alfred Freimann, Jerusalem 1934, page 83. "Teshubot Maharem de Rutenberg," Edited by Moses Bloch, Budapest 1895, resp. 90.

[303]Note on Shulhan Arukh, Orah Hayyim 53:25.

[304]Jacob R. Marcus, "The Jew in the Medieval World," Cincinnati 1938, page 212.

[305]"The Jewish Messenger," January 23, 1874.

[306]"Arokh ha Shulhan," Warsaw 1901, page 5.

[307]Isidore Epstein, "The Responsa of Rabbi Simon b. Zemah Duran," London 1930, page 61.

[308]"Hawwot Yair," Frankfort on the Main 1699, resp. 178.

[309]Isidore Epstein, "The Responsa of Rabbi Simon b. Zemah Duran," London 1930, page 101.

[310]"Shoel u Meshib," Lemberg 1869, part 2, resp. 15.

[311]"A Butcher," "Works of Thomas Hood," Edited by Epes Sargent, New York 1865, page 421.

[312]Edgcumbe Staley, "The Guilds of Florence," London 1906, page 305.

[313]Joseph Opatoshu, "In Polish Woods," translated by Isaac Goldberg, Philadelphia 1938, page 266.

[314]Page 556.

[315]"Julius Caesar," Act II, Scene I.

[316]"Teshubot Maharibal," Amsterdam 1726, part 2, resp. 39.

[317]"Abodat ha Gershuni," Frankfort on the Main 1689, resp. 15.

[318]"Shoel u Meshib," Lemberg 1869, resp. 268.

[319]"Nahare Afarsemon," Paks 1898, resp. 83.

[320]"Bet Yaakob," Dyhernfarbh 1696, resp. 129.

[321]"Hatan Sofer," Paks 1912, resp. 19.

[322]"Nahare Afarsemon," Paks 1898, resp. 57.

[323]"Shoel u Meshib," Lemberg 1876, collection 3, part 3, resp. 38.

[324]*Ibid.* . . . collection 3, part 1, resp. 81.

[325]*Ibid.* . . . collection 3, part 3, resp. 84.

[326]"Teshubot ha Ribash," Vienna 1879, resp. 73.

[327]Moritz Stern, "Zur Geschichte der Fleischgebuhren in der Berliner Judischen Gemeinde," Sonderdruck aus den Soncino-Blattern, Berlin 1927.

[328]"Laws for Administering the Affairs of Shehitah," London 1880, page 4.

[329]*Ibid.* . . . page 6.

[330]*Ibid.* . . . page 15.

[331]"De Nederlandsch-Israelietische Gemeente te s'Gravenhage," page 40. (In Dutch.)

[332]"Laws for Administering the Affairs of Shehitah," London 1880, page 16.

[333]Shulhan Arukh, Yoreh Dear 63:1.

[334]Joel Miller, "Teshubot Hakhme Z'rafat ve Lutir," Vienna 1881, page 9.

[335]"Teshubot de Maharam de Rutenberg," Edited by Moses Bloch, Berlin 1891, resp. 2.

[336]*Ibid.* . . . resp. 8.

[337]"Teshubot ha Rashba," Vienna 1812, resp. 109.

[338]"Halakot Ketanot," Krakow 1897, resp. 292.

[339]"Teshubot ha Rashba," Vienna 1812, resp. 107.

[340]"Teshubot ha Ribash," Vienna 1879, resp. 73.

[341]"Nahare Afarsemon," Paks 1898, resp. 130.

[342]"Teshubot ha Radbaz," Venice 1749, part 2, resp. 508.

[343]"Teshubot Maharibal," Amsterdam 1726, part 2, resp. 39.

[344]"Noda bi Yehudah," Vilna 1899, resp. 1.

[345]"Laws for Administering the Affairs of Shehitah," London 1880.

[346]"De Nederlandsch-Israelietische Gemeente te s'Gravenhage," page 39. (In Dutch.)

[347]Responsum of Rabbi Hayyim Ozer Grodzensky of Vilna to the Rabbinical Board of New York, July 30, 1939. Published in "Hamsilah," New York October 1939.

[348]"De Nederlandsch-Israelietische Gemeente te s'Gravenhage," page 39. (In Dutch.)

[349]"Bet Yaakob," Dyhernfarbh 1696, resp. 95.

[350]"Matteh Yosef," Constantinople 1787, part 2, resp. 2.

[351]"Sheure Brohah," Leghorn 1789, 1:6.

[352]"Teshubot Mahariw," Hanau 1630, resp. 140.

[353]"Zemah Zedek," Amsterdam 1675, resp. 73.

[354]"Shoel u Meshib," Lemberg 1876, collection 3, part 2, resp. 22.

[355]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 7.

[356]"Hatam Sofer," Pressburg 1860, resp. 5.

[357]Statement of Professor Moses Hyamson, Senior Dayan of the London Bet Din from 1900 to 1913.

[358]The Mannheim written orders, quoted above, were kindly provided the author by the Rev. Hermann Epstein.

[359]Alfred Gunzenhaufer, "Sammlung der Gesetze . . . der Israeliten in Wurtenberg" Stuttgart 1909, page 296.

[360]Adolf Neubauer, "Seder ha Hakhamim v'Korot Hayomim," Oxford 1895, vol. 2, page 86.

[361]Louis Finkelstein, "Jewish Self-Government in the Middle Ages," New York, 1924, page 350.

[362]Isidore Epstein, "The Responsa of R. Solomon ben Adreth of Barcelona 1235—1310," London 1925, page 9.

[363]Isidore Epstein, "The Responsa of Rabbi Simon b Zemah Duran," London 1930, page 61.

[364]Cecil Roth, "The Jews of Malta," "Transactions of the Jewish Historical Society of England: Sessions 1928-1931." 1931, page 200.

[365]"Teshubot ha Mabit," Lemberg 1861, part 2, resp. 153.

[366]"Teshubot Maharam di Boton," Ozmir 1660, resp. 5.

[367]"Mishpat Zedek," Salonika 1799, part 2, resp. 2.

[368]"Pene Yizhak," Livorno 1886, part 2, resp. 2.

[369]Phineas Grayevsky, "Aderet Eliyahu," Jerusalem 1938, page 16.

[370]I. Broyde, "Constantinople," "Jewish Encyclopedia."

[371]Arthur Settel, "Jews of Arabistan," "The American Hebrew," May 16, 1941.

[372]Pronunciation of the word influenced by the Arabic.

[373]M. Vishnitzer, "General View of the Political and Social History of the Jews in Poland and Lithuania" in "History of the Jewish People in Russia," a collection of monographs, Moscow 1914, page 153 (in Russian). Samuel Baeck, "Lissa," Jewish Encyclopedia.

[374]I. Bornstein, "Budgets of the Jewish Religious Communities in Poland," Gtowny urzad Statystyczny, Kwartalnik Statystyczny, Warsaw 1929, Vol. 6, No. 3—4, page 1361. (In Polish.)

[375]M. Vishnitzer, "The Memoirs of Ber of Bolechow," London 1922, page 162.

[376]Moritz Stern, "Zur Geschichte der Fleischgebuhren in der Berliner Judischen Gemeinde," Sonderdruck aus den Soncino—Blattern, Berlin 1927.

[377]Alfred Feilchenfeld, "Hamburg," Jewish Encyclopedia.

[378]Max Grunwald, "Vienna," translated by Solomon Grayzel, Philadelphia 1936, pages 106 and 220.

[379]Michael M. Zarchin, "Jews in the Province of Posen," Philadelphia 1939, page 30.

[380]"Shoel u Meshib," Lemberg 1877, collection 4, part 2, resp. 149.

[381]"Shoel u Meshib," Lemberg 1869, resp. 275.

[382]"Tub Taam vo Daat," Lemberg 1907, resp. 15.

[383]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 7.

[384]"Shoel u Meshib," Lemberg 1869, part 2, resp. 170.

[385]"Tub Taam vo Daat," Lemberg 1884, collection 3, part 1, resp. 7.

[386]"Shoel u Meshib," Lemberg 1876, collection 3, part 2, resp. 22.

[387]"Shoel u Meshib," Lemberg 1869, resp. 52.

[388]Max Grunwald, "Vienna," translated by Solomon Grayzel, Philadelphia 1936, page 268. Raphael Mahler, "The Austrian Government and the Hasidim during the Period of Reaction, 1814—1848," "Jewish Social Studies," April 1939.

[389]"The Menorah," November 1890.

[390]Simon M. Dubnow, "History of the Jews in Russia and Poland," translated by I. Friedlander, Philadelphia 1918, Vol. 2, page 61.

[391]Y. Gessen, "Korobka Collection," Yevreyskaya Entsiklopediya," St. Petersburg, Vol. 9. (In Russian.)

[392]Simon M. Dubnow, "History of the Jews in Russia and Poland," translated by I. Friedlander, Philadelphia 1918, Vol. 2, page 419.

[393]"The Occident," March 1863.

[394]J. G. Lipman, "Kherson," Jewish Encyclopedia.

[395]S. Janovsky, "Yakaterinoslav," Jewish Encyclopedia.

[396]Herman Rosenthal, "Kishinev," Jewish Encyclopedia.

[397]Y. Gessen, "Kiev," Yevreyskaya Entsiklopediya (In Russian).

[398]Y. Gessen, "Kovno," Yevreyskaya Entsiklopedia (In Russian).

[399]A. Rabinovitch, "Odessa," Yevreyskaya Entsiklopedia (In Russian).

[400]E. N. Frenck, "The Meat Tax in Warsaw," "Hatekufah," Warsaw 1919. Book 4, page 453. (In Hebrew.)

[401]I. Bornstein, "Budgets of the Jewish Religious Communities in Poland," Gtowny urzad Statystyczny, Kwartalnik Statystyczny, Vol. 6, No. 3-4, Warsaw 1929, pages 1376, 1383, 1384. (In Polish.)

[402]"Hatam Sofer," Pressburg 1860, resp. 5.

[403]"Rumania," Jewish Encyclopedia.

[404]"The Jewish Chronicle," February 6, 1891.

[405]"The Jewish Chronicle," March 4, 1938.

[406]"The Jewish Chronicle," February 1, 1929.

[407]"The Jewish Chronicle," January 31, 1930 and February 21, 1930.

[408]"The Jewish Chronicle," June 30, 1939.

[409]"The Jewish Chronicle," February 4, 1938.

[410]"The Jewish Chronicle," February 17, 1939.

[411]"Bet Yaakob," Dyhernfarbh 1696, resp. 42.

[412]"Hatan Sofer," Paks 1912, resp. 49.

[413]"Nahare Afarsemon," Paks 1898, resp. 134.

[414]Shulhan Arukh, Yoreh Deah 65:14.

[415]Note on Shulhan Arukh, Yoreh Deah 65:13.

[416]"Teshubot ha Radbaz," Venice 1749, resp. 162.

[417]"Zemah Zedek," Amsterdam 1675, resp. 73.

[418]"Hawwot Yair," Frankfort on the Main 1699, resp. 178.

[419]"Be'er Heteb" on Shulhan Arukh, Yoreh Deah 65:14.

[420]M. Meisel, "Budget of the Warsaw Community," "Kehillah Stimme," Warsaw, Vol. 2, No. 9. (In Yiddish).

[421]"Hawwot Yair," Frankfort on the Main 1699, resp. 185.

[422]Joseph S. Bloch, "Israel and the Nations," Berlin 1927, page 524.

[423]John T. McNeill and Helena M. Gamer, "Medieval Handbooks of Penance," New York 1938, page 112.

[424]*Ibid.* . . . page 207.

[425]*Ibid.* . . . page 131.

[426]*Ibid.* . . . page 313.

[427]*Ibid.* . . . page 248.

[428]Robert Ostertag, "Handbook of Meat Inspection," New York 1905, page 13.

[429]"Myth, Magic, and Morals," London 1909, page 257.

[430]S. C. Prescott and B. E. Proctor, "Food Technology," New York 1937, page 196.

[431]Charles J. Hefele, "Histoire des Conciles," Vol. 4. Edited by Leclercq, Paris 1911. Quoted from Migne P. L. t 104 col 69 ff.

[432]Heinrich Graetz, "History of the Jews," Philadelphia 1894. Vol. 3, page 36.

[433]Solomon Grayzel, "The Church and the Jews in the Thirteenth Century," Philadelphia 1933, page 72 note.

[434]David Philipson, "Old European Jewries," Philadelphia 1894, page 37.

[435]Comment on Talmud, Hullin 94b.

[436]Solomon Grayzel, "The Church and the Jews in the Thirteenth Century," Philadelphia 1933, page 301. Heinrich Graetz, "History of the Jews," Philadelphia 1894, Vol. 3, page 407.

[437]Solomon Grayzel, "The Church and the Jews in the Thirteenth Century," Philadelphia 1933, page 127.

[438]*Ibid.* . . . page 72.

[439]*Ibid.* . . . page 333.

[440]*Ibid.* . . . page 72.

[441]*Ibid.* . . . page 335.

[442]*Ibid.* . . . page 72. Simon M. Dubnow, "History of the Jews in Russia and Poland," translated by I. Friedlander, Philadelphia 1916, Vol. 1, page 48.

[443]Robert Ostertag, "Handbook of Meat Inspection," New York 1905, page 29.

[444]Solomon Grayzel . . . l. c. . . . page 305. Heinrich Graetz . . . l. c. . . . Vol. 3, page 503.

[445]Cecil Roth, "A Jewish Book of Days," London 1931, page 26.

[446]Robert Ostertag, "Handbook of Meat Inspection," New York 1905, page 17.

[447]Schulim Ochser, "Ulm," Jewish Encyclopedia. The location of the Jewish abattoir in the courtyard of the synagogue was by no means unknown. About the year 1646 the German Jews in Amsterdam sought permission to build a synagogue and a slaughterhouse as an annex. Herbert I. Bloom, "The Economic Activities of the Jews of Amsterdam in the Seventeenth and Eighteenth Centuries," Williamsport 1937, page 27.

[448]Adolph Kober, "Cologne," Philadelphia 1940, pages 119, 128, 143, 144, 148, and 152.

[449]Otto Stobbe, "Die Juden in Deutschland," Braunschweig 1886, page 171.

[450]Robert Ostertag, "Handbook of Meat Inspection," New York 1905, page 20.

[451]Schulim Ochser, "Rome," Jewish Encyclopedia.

[452]"The Occident," December 1844.

[453]"The Jewish Messenger," June 16, 1893.

[454]"The Jew in the Medieval Community," London 1938, page 258.

[455]Solomon Grayzel, "The Church and the Jews in the Thirteenth Century," Philadelphia 1933, page 72 note.

[456]James W. Parkes, "The Jew in the Medieval Community," London 1938, page 189.

[457]Schulim Ochser, "Prague," Jewish Encyclopedia.

[458]A. S. Waldstein, "Lemberg," Jewish Encyclopedia.

[459]Jacob R. Marcus, "The Jew in the Medieval World," Cincinnati 1938, page 77.

[460]De Sola, "History of the Jews of France," "The Jewish Messenger," February 24, 1871.

[461]Jacob R. Marcus, "The Jew in the Medieval World," Cincinnati 1938, page 89.

[462]L. Rabinowitz, "The Social Life of the Jews of Northern France in the Twelfth to the Fourteenth Centuries," London 1938, page 131.

[463]"Hawwot Yair," Frankfort on the Main 1699, resp. 178.

[464]"Noda bi Yehudah," Vilna 1899, resp. 20.

[465]"Simlat Binyamin," Furth 1860, resp. 99.

[466]"Nahare Afarsemon," Paks 1898, resp. 23.

[467]Robert V. Ostertag, "Text Book of Meat Inspection," American Edition, Chicago 1934, page 21 note.

[468]"Teshubot Maharam mi Lublin," Warsaw 1881, resp. 66.

[469]Comment on Talmud, Hullin 39b.

[470]Charles C. Torrey, "The Jewish Foundation of Islam," New York 1933, page 136.

[471]Maulvi Muhammad Ali, "The Holy Quran," Surrey 1917, part 7, chapter 5, section 1:3, page 251.

[472]William Goldsack, "Selections from Muhammadan Traditions," Madras 1923, page 215.

[473]Freya Stark, "The Southern Gates of Arabia," New York 1936, page 105.

[474]Cited in Shulhan Arukh, Yoreh Deah 4:7.

[475]"Teshubot ha Radbaz," Venice 1749, resp. 162.

[476]Shulhan Arukh, Yoreh Deah 4:7.

[477]Ben Zion Katz, "M'zekenim Esbonan," Warsaw 1894, page 16.

[478]"Teshubot ha Rashdam," Lemberg 1862, part 2, resp. 50.

[479]"Teshubot Maharam di Boton," Ozmir 1660, resp. 5.

[480]"Shaar Efraim," Sulzbach 1688, resp. 65.

[481]*Ibid.* . . . resp. 57.

[482]"Bet Yaakob," Dyhernfarbh 1696, resp. 31.

[483]The Jews who live in Mediterranean and Near East countries are known as Sephardim. Those who reside in Germany, Poland, and adjacent lands are called Ashkenazim.

[484]Joshua Yellin, "Zikhronot l'Ben Yerushalayim," Jerusalem 1924, pages 99-106.

[485]Jean Piaget, "The Child's Conception of the World," translated by Tomlinson, New York 1929, pages 171-193.

[486]Luke 22:7, 8.

[487]Zurich had 1,416; Berne 1,247; Basel 1,243; and Aargau 1,064. "The Jewish Messenger," July 26, 1889.

[488]Twenty Second Annual Report of the Anglo-Jewish Association, London 1892-1893.

[489]Isaac A. Dembo, "The Jewish Method of Animal Slaughter," London 1894, page 84.

[490]Twenty Second Annual Report of the Anglo-Jewish Association, London 1892-1893.

[491]"The Jewish Messenger," September 1, 1893.

[492]Simon M. Dubnow, "Dibre Yeme Yisroel b'Dorot ha'-Aharonim," Berlin 1924, Vol. 3, page 175.

[493]Twenty Third Annual Report of the Anglo-Jewish Association, London 1893-1894.

[494]Isaac A. Dembo, "The Jewish Method of Animal Slaughter," London 1894, page 44. Robert V. Ostertag, "Handbook of Meat Inspection," New York 1905, pages 142 and 145. Twenty Second Annual Report of the Anglo-Jewish Association, London 1892-1893.

[495]"The Jewish Messenger," September 19, 1890.

[496]"The Jewish Daily Bulletin," February 27, 1931.

[497]Forty First Report of the Anglo-Jewish Association, London 1911-1912.

[498]"1928: The Public General Acts," London, Chap. 29, page 210.

[499]"1932-33: The Public General Acts," London, Chap. 39, page 608.

[500]"Slaughter of Animals' Act," 1934. Clauses 1 and 3 (1).

[501]"Slaughter of Animals' Act," 1935. Dublin, No. 45 of 1935, part 2, Section 15.

[502]"The Jewish Minority in Norway," "Report and Documents relating to the Norwegian Law on the Slaughter of Domestic Animals," Published by the Joint Foreign Committee of British Jews, 1929.

[503]"Norges Lover," Oslo 1938, page 1674. (In Norwegian)

[504]"The New York Times," February 9, 1930.

[505]"The New York Times," February 16, 1930.

[506]"Israelitisches Familienblatt," April 13, 1933.

[507]"Reichgesetzblatt: 1933," Vol. 1, page 203.

[508]"Suomen Asetuskakoelma," No. 163. (In Finnish).

[509]"Svensk Forfattningssamling: 1937," No. 313. (In Swedish).

[510]"Foldnulesujyi Kozlony," April 6, 1938, No. 21.700/1938. (In Hungarian).

[511]"Contemporary Jewish Record," Vol. 1, No. 1, page 70.

[512]"American Jewish Year Book," 1940, Vol. 42, page 354.

[513]"Verordnungsblatt des Generalgouverneurs fur die Besetzen Polnischen Gebiete," No. 1, October 26, 1939.

[514]According to a London report printed in the New York "Jewish Morning Journal," July 28, 1940.

[515]"Contemporary Jewish Record," New York, Sept.-Oct. 1940, page 542.

[516]*Ibid.* . . . page 548.

[517]"American Jewish Year Book," Vol. 34, page 79.

[518]David L. Meckler, "Mentsch un Maschin in Soviet-Land," Warsaw 1936, page 322.

[519]*Ibid.* . . . page 90.

[520]"The Jewish Chronicle," February 4, 1938.

[521]"Foldnulesujyi Kozlony," March 10, 1939. Ruling No. 42/701/1939. IV B.—2. (In Hungarian).

[522]"The American Jewish Year Book," Vol. 42, page 360.

[523]Oskar Rabinowicz, "Einleitung in die Probleme des Rituellen Schlachtens," Vienna 1939, page 63.

[524]"The Records of New Amsterdam," Edited by Berthold Fernow, New York 1897. Vol. 7, page 259.

[525]*Ibid.* . . . page 261.

[526]Thomas F. De Voe, "The Market Book," New York 1862, page 55.

[527]"Publications of the American Jewish Historical Society," Baltimore 1894, Vol. 2, page 51. Henry S. Morais, "Jews of Philadelphia," Philadelphia 1894, page 27.

[528]"Publications of the American Jewish Historical Society," Baltimore 1894, Vol. 2, page 48.

[529]"Publications of the American Jewish Historical Society," Baltimore 1913 and 1920. Vol. 21, page 237. Vol. 27, "Items Relating to Congregation Shearith Israel." David de Sola Pool, "The Crosby Street Synagogue of the Congregation Shearith Israel," New York 1934.

[530]"The Earliest Extant Minute Book of the Spanish and Portuguese Congregation Shearith Israel in New York," "Publications of the American Jewish Historical Society," Baltimore 1913, Vol. 21.

[531]Samuel Oppenheim, "The Question of the Kosher Meat Supply in New York in 1813," "Publications of the American Jewish Historical Society," Baltimore 1917, Vol. 25.

[532]Israel Goldstein, "A Century of Judaism in New York," New York 1930, pages 83 and 74.

[533]"The Asmonean," September 17, 1852.

[534]"The Jewish Messenger," December 31, 1863, and May 19, 1865.

[535]*Ibid.* . . . January 21, 1870.

[536]J. D. Eisenstein, "History of the First Russian American Jewish Congregation," "Publications of the American Jewish Historical Society," Baltimore 1901, Vol. 9.

[537]"The Jewish Messenger," September 13, 1874, and May 8, 1874.

[538]J. D. Eisenstein, "Ozar Zikhronatai," New York 1929, page 349.

[539]"The Jewish Messenger," February 14, 1863.

[540]"The Occident," May 1863.

[541]"The Asmonean," November 12, 1852.

[542]"The Jewish Messenger," October 30, November 6, November 27, 1863: March 18, May 27, 1864.

[543]*Ibid.*... January 22, 1864.

[544]*Ibid.*... April 20, 1864.

[545]*Ibid.*... February 8, 1867.

[546]*Ibid.*... February 15 and 22, 1867.

[547]*Ibid.*... October 16, 1872.

[548]"The American Hebrew," December 10, 1886.

[549]"The Jewish Messenger," July 13, 1888.

[550]*Ibid.*.... August 7, 1888.

[551]*Ibid.*.... February 15, February 22, March 8, 1889.

[552]*Ibid.*.... September 28, October 5, 1888; January 18, 1889.

[553]J. D. Eisenstein, "Ozar Zikhronotai," New York 1929, pages 254-271.

[554]"The New York Times," May 11, 12, 13, 16, 17, 18, 19, 23, 1902.

[555]*Ibid.*.... July 31, 1902. The funeral was marred by disturbances when the procession passed R. H. Hoe & Co., a factory on Grand Street, at the lunch hour. The non-Jewish employees of the factory hurled missiles at the Jews, who fought back. When the police came upon the scene they dealt more severely with the Jews than with their aggressors. This was the cause for subsequent Jewish meetings of protest.

[556]"The Jewish Communal Register," published by the Kehillah, New York 1918, pages 145-285.

[557]Estimate made by the Rev. Leb Bitterman, one of the overseers.

[558]The sum verified for the author by Benjamin Koenigsberg, who had deposited the checks.

[559]"Daily Report of the New York Meat Trade Conditions and Wholesale Quotations," Agricultural Marketing Service of the United States Department of Agriculture.

[560]Figure supplied by Rabbi Israel Rosenberg, one of the rabbis directing slaughtering operations.

[561]If kosher meat is not consumed within 72 hours of the time of the slaughtering, it must be rinsed; otherwise it becomes non-kosher automatically. When meat is rinsed it darkens somewhat and becomes less attractive, and so butchers refuse to pay the full price for it.

[562]According to figures supplied by Mr. C. F. House of the Agricultural Marketing Service of the Livestock, Meats, and Wool Division of the United States Department of Agriculture.

[563]The figure represents the number of chicken markets holding licenses from the New York Department of Public Markets, Weights, and Measures. The number varies. Toward the end of 1939 the number was 285.

[564]"An Investigation into the Kosher Poultry Industry," report of the Fact Finding Commission appointed by Mayor Fiorello H. La Guardia, and consisting of Dr. Samuel Margoshes, David Meckler, and Nathaniel Zalowitz. Report rendered January 1940.

[565]This could not be verified by the author.

[566]"Hamsilah," published by the Rabbinical Board of Greater New York, October 1939.

[567]Information provided by Rabbi Jacob S. Kassin.

[568]Moses Weinberger, "Ha Yehudim v'ha Yahadut b'Nuyork," New York 1887, page 17.

[569]J. D. Eisenstein, "Ozar Zikhronotai," New York 1929, page 350.

[570]Transcript of Record. Folio No. 203.

[571]Stenographer's minutes.

[572]*Ibid.*

[573]"The New York Times," July 6, 1936.

[574]"The Jewish Morning Journal," December 1, 1939.

[575]Albert M. Hyamson, "A History of the Jews in England," London 1908, page 238.

[576]"The Occident," February 1869.

[577]266 U. S. Reports, page 497. Hygrade Provision Co. vs. Sherman, as Attorney General of the State of New York. Appeal from the U. S. District Court for the Southern District of New York. No. 104. Argued November 20, 1924. Decided January 5, 1925.

[578]It was stated in the Supreme Court in the action brought by the S. S. and B. Live Poultry Corporation vs. the Kashrut Association that plombes were sold during that period at the rate of $200,000 per annum at 1¢ each. "New York Law Journal," January 28, 1936.

[579]"New York Law Journal," January 28, 1936.

[580]Morris A. Gutstein, "The Story of the Jews of Newport," New York 1936, page 39.

[581]Cecil Roth, "Anglo-Jewish Letters," London 1938, page 163. ("Commerce of Rhode Island," Vol. 1, page 338.)

[582]Morris A. Gutstein, "The Story of the Jews of Newport," New York 1936, pages 188, 190, 214, 218.

[583]"Early American Hebrew Documents," "Publications of the American Jewish Historical Society," Baltimore 1937, Vol. 34, page 68.

[584]"The Jews of Iowa," Des Moines 1904, page 249.

[585]Henry S. Morais, "The Jews of Philadelphia," Philadelphia 1894, pages 19 and 58.

[586]Edward Davis, "History of Rodeph Shalom Congregation," Philadelphia 1926, pages 38, 33 and 35.

[587]"The Occident," August 1861.

[588]Barnett A. Elzas, "A History of Congregation Beth Elohim of Charleston, S. C. 1800-1810." Reprinted from "Charleston News and Courier," November 1902.

[589]"The Jewish Messenger," July 10, 1885.

[590]Charles Duschinsky, "Rabbinate of the Great Synagogue, London," London 1921, page 265.

[591]Isidor Blum, "The Jews of Baltimore," Baltimore 1910, page 9.

[592]"The Occident," November 1852.

[593]"The Occident," January 1848.

[594]"The Occident," December 1854.

[595]"The Jewish Messenger," February 17, 1860 and May 11, 1860.

[596]"The Occident," July 1844.

[597]"The Occident," November 1856.

[598]"The Jewish Messenger," September 2, 1859.

[599]"The Occident," November 1846.

[600]"The Occident," January 1859.

[601]"The Jewish Messenger," May 5, 1871.

602"The Occident," November 1846.

603"The Occident," February 1856.

604Benjamin Goldstein, "History of Temple Brith Kodesh, Rochester," Congregational record.

605"The Occident," June 1854.

606"Publications of the American Jewish Historical Society," Baltimore 1905, Vol. 11, page 122.

607"History of Kehillath Anshe Maarabh," Chicago 1897, page 29.

608"The Occident," September 1854.

609"The Occident," August 1847.

610"The Occident," December 1849.

611"The Occident," December 1850.

612"Chronicles of Emanu-El," San Francisco 1900, pages 27 and 147.

613"History of Congregation Beth El," Detroit 1900.

614"The Occident," April 1852.

615"The Occident," September 1857.

616"The Occident," October 1851.

617"The Occident," November 1851.

618"The Occident," September 1851.

619"The Occident," June 1852.

620"The Occident," October 1851.

621"The Occident," March 1855.

622"The Occident," November 1852.

623"The Occident," April 1852.

624"The Occident," October 1857.

625"The Occident," May 1852.

626"The Occident," June 1852.

627"The Occident," July 1855.

628"The Occident," June 1867.

629"The Asmonean," February 13, 1852.

630"The Occident," November 1852.

631"The Occident," July 1855.

632"The Occident," April 1853.

633"The Occident," September 1853.

634"The Occident," June 1853.

635"The Occident," December 1857.

636"The Jewish Messenger," April 29, 1859.

637"The Jewish Messenger," August 24, 1860.

638"The Occident," March 1864.

[639]"The Occident," October 1854.
[640]"The Asmonean," May 4, 1855.
[641]"The Jewish Messenger," August 5, 1859.
[642]"The Jewish Messenger," April 1, 1870.
[643]"The Occident," February 1855.
[644]"The Asmonean," May 4, 1855.
[645]"The Occident," April 1856.
[646]"The Occident," August 1856.
[647]"The Occident," December 1856.
[648]"The Occident," December 1862.
[649]"The Occident," February 1857.
[650]"The Occident," September 1857.
[651]"The Jewish Messenger," September 9, 1859.
[652]"The Jewish Messenger," September 28, 1860.
[653]Simon Glazer, "The Jews of Iowa," Des Moines 1904, page 220.
[654]"The Occident," September 1862.
[655]"The Jewish Messenger," December 18, 1863, "The Occident," April 1867.
[656]"The Occident," June 1863.
[657]Simon Glazer, "Jews of Iowa," Des Moines 1904, page 223.
[658]"The Occident," March 1864.
[659]"The Jewish Messenger," January 22, 1864.
[660]"The Occident," June 1867.
[661]Reprinted in "The American Hebrew," August 22, 1890.
[662]"The Jewish Messenger," May 4, 1860.
[663]"The Jewish Messenger," December 28, 1860.
[664]"The Occident," March 1864.
[665]"The Jewish Messenger," December 28, 1860.
[666]J. D. Eisenstein, "Ozar Zikhronotai," New York 1929, page 350.
[667]Simon Glazer, "The Jews of Iowa," Des Moines 1904, page 309.
[668]Henry S. Morais, "The Jews of Philadelphia," Philadelphia 1894, page 85.
[669]"The Occident," August 1861.
[670]Quoted in "The Jewish Messenger," October 13, 1875.
[671]"The American Hebrew," May 21, 1880.
[672]Gabriel Zeb Margolis, "Haruze Margoliot," Jerusalem 1912, page 128b.
[673]"The Occident," August 1861.
[674]J. D. Eisenstein, "Ozar Zikhronotai," New York 1929, page 350.
[675]"The Jewish Daily Bulletin," November 12, 1931.
[676]Arthur D. Hart, "The Jew in Canada," Montreal 1926, page 18.

[677]*Ibid.* . . . page 105.

[678]M. H. Arnoni, "The First Jewish Settlers of Ottawa," "Canadian Jewish Year Book," Vol. 2, 1940-1941, page 117.

[679]Arthur D. Hart, "The Jew in Canada," Montreal 1926, pages 147 and 155.

[680]"Canadian Jewish Year Book, 1939-1940," Montreal 1939, page 307.

[681]Published Philadelphia 1848, page 21.

[682]Aaron Zebi Friedman, "Tub Taam," New York 1875, page 1.

[683]"The Menorah," December 1903, Vol. 35:6.

[684]"The Jewish Messenger," December 4, 1885.

[685]Filed in the County Court, November 27, 1903. People of the State of Colorado vs. Wolf Heller. No. 34036.

[686]"Denver Post," November 7, 8, 13, 14, 15, 22, 1903. "Rocky Mountain News," November 7, 1903. "Denver Times," November 7, 9, 13, 16, 1903.

[687]"Our Dumb Animals," Publication of the Massachusetts S. P. C. A., Boston, April 1911.

[688]The case is on file in the County Court, Halifax, and is numbered E 1913 A M 17886. A summary of the proceedings in this case was made and kindly provided the author by Sir Joseph Chisholm, Chief Justice of the Supreme Court of Nova Scotia.

[689]Vol. 25.

[690]Information supplied by Helen Coffin, Chief, Legislative Reference Department, Connecticut State Library.

[691]Vol. 35, page 65.

[692]The Ashkenazim, generally speaking the occidental Jews, have come into Palestine in appreciable numbers only since 1880. They hail mainly from Russia, Poland, and Hungary. The Sephardim, generally speaking the Mediterranean and oriental Jews, are in great part indigenous to Palestine.

[693]Moshe Burstein, "Self-Government of the Jews in Palestine Since 1900," Tel Aviv 1934, pages 264, 246-248.

[694]"Palestine Gazette," November 26, 1936. No. 648. Supplement No. 2, Regulation 4.

[695]Robert H. Drayton, "The Laws of Palestine," Revised Edition, Vol. 3, page 2142.

[696]The information relating to the production and sale of kosher meat in present day Palestine was kindly provided the author by Rabbi M. Ostrovsky, a member of the General Council of Palestine.

[697]E. M. Genachowski, "When Thou Shalt Enter the Land," Jerusalem 1934.

[698]Midrash, Genesis Rabbah 44:1.

[699]Talmud, Ketubot 37b.

[700]Leviticus 19:18.

[701]"Guide for the Perplexed," translated by M. Friedlander, London 1928, pages 371 and 311.

[702]Quoted by Benjamin Winternitz in his commentary on Jacob Weil's "Shehitot u Bedikot," and by the "Lekitat Yizhak" on the "Ohel Yizhak."

[703]Carl J. Wiggers, "Physiology in Health and Disease," Philadelphia 1934, page 252. Ernest G. Martin and Frank W. Weymouth, "Elements of Physiology," Philadelphia 1928, page 275. Samson Wright, "Applied Physiology," third edition, London 1929, page 193.

[704]Samson Wright, "Applied Physiology," third edition, London 1929, page 190.

[705]*Ibid.*

[706]"The Jewish Method of Animal Slaughter," London 1894.

[707]"Military Meat and Dairy Inspection," Baltimore 1924, page 44.

[708]Shehitah will not produce absolute desanguination. It will cause blood evacuation only from the large and fair sized blood vessels. An appreciable quantity of blood will be left in the spleen and liver, and lesser quantities in the heart, the muscles, and in the remoter regions of the carcass. The Jewish law prescribes measures for the removal of this blood. A number of specified veins are required to be cut or pulled out: Yoreh Deah 65a. The heart and liver require special treatment: Yoreh Deah 72a and 73a. The spleen, like the general meat, requires soaking in water and salting: Yoreh Deah 67a and b. For the action of salt on blood see Talmud, Hullin 113a and Sanhedrin 91b, and Hans Zinsser, "A Textbook of Bacteriology," sixth edition, New York 1930, page 21.

Blood cells are sensitive to the salinity of the medium. Unless that medium exhibits a salinity of close to .85% the cells break down. When the concentration is in excess of this figure, the blood cells are dehydrated and shrivel up; when the concentration is less, the cells swell and burst. A flame of fire is even more destructive of blood cells. The Jewish law prescribes broiling for ridding the liver of blood.

[709]"The Jewish Method of Slaughter," London 1894, page 73.

[710]*Ibid.*.... page 56.

[711]*Ibid.*.... page 12.

[712]*Ibid.*....pages 6 and 8.

[713]Quoted in Moses Hyamson, "The Jewish Method of Slaying Animals," "American Jewish Year Book," Vol. 25.

[714]"American Meat," New York 1910, page 14.

[715]"Military Meat and Dairy Inspection," Baltimore 1924, page 43.

[716]"Food Technology," New York 1937, page 184.

[717]"The Slaughter of Animals Act," 1934. Clause 1, a and b.

[718]Henry VI, Act 2, Scene 5.

[719]"The Jewish Method of Animal Slaughter," London 1894, page 16.

[720]Letter published in the London "Jewish Chronicle," April 19, 1929.

[721]"Military Meat and Dairy Inspection," Baltimore 1924, page 44.

[722]"Textbook of Meat Inspection," Chicago 1934, page 18.

[723]"Food Technology," New York 1937, page 185.

[724]"The Packer's Encyclopedia," Chicago 1922, page 13.

[725]"The Jewish Method of Animal Slaughter," London 1894, pages 72, 40 and 56.

[726]*Ibid.*.... page 64.

[727]*Ibid.*.... page 69.

[728]*Ibid.*... page 81.

[729]David I. Macht, "Comparative Toxicity of Blood after Arteriotomy, Asphyxiation, and Injuries to the Brain," "American Journal of Physiology," 1931. Vol. 96, page 662.

[730]David I. Macht and Helen M. Cook, "Toxicity of Muscle Extracts after Arteriotomy, Asphyxiation, Injuries to the Brain, and Electrocution," "American Journal of Physiology," 1931. Vol. 97, page 662.

[731]David I. Macht and Mary E. Davis, "Quantitative Comparison of Some Muscle and Nerve Reactions after Decerebration and Decapitation," "American Journal of Physiology," 1932. Vol. 102, page 138.

[732]"By-products in the Packing Industry", Chicago 1927, page 229.

[733]Commentary on the Talmud, Abodah Zarah 11a.

[734]Talmud, Baba Meziah 32b. The rule forbidding the perpetration of cruelty upon a living creature is regarded by the Rabbis as a biblical prohibition.

[735]John T. McNeill and Helena M. Gamer, "Medieval Handbooks of Penance," New York 1938, page 134.

[736]*Ibid.*... page 353.

[737]*Ibid.*... page 276.

[738]*Ibid.*... page 388.

[739]*Ibid.*... page 289.

[740]*Ibid.*... page 307.

[741]Stanislaus Woywod, "Practical Commentary on the Code of Common Law," London, 1932, page 57.

[742]Woywod, Appendix III 9. d.

[743]W. Gurney Benham, "Book of Quotations," London 1924, page 461b.

[744]"Preface to the Pastoral."

[745]"The Chase."

[746]"Ye Wearie Wayfarer."

[747]"Heartbreak House." Act 3.

[748]Stanza 32.

[749]Maulvi Muhammad Ali, "The Holy Quran," Surrey 1917, part 7, chapter 5, section 13.

[750]*Ibid.*, page 278, note 735.

[751]*Ibid.*, page 253, note 665. See also William Goldsack, "Selections from Mohammedan Traditions," Madras 1923, page 215.

[752]Osa Johnson, "I Married Adventure," New York 1940, page 216.

[753]"Topics of the Times," "The New York Times," March 21, 1940.

[754]I Samuel 26:20.

[755]Hosea 9:8, Amos 3:5, Psalms 91:3, 124:7, Proverbs 1:17, 7:23.

[756]Isaiah 51:20.

[757]II Samuel 23:20, Ezekiel 19:4, Psalms 35:7.

[758]Judges 15:4.

[759]Mishnah, Bezah 3:2; Talmud, Shabbat 17b.

[760]Shabbat 13:5.

[761]Shabbat 18a.

[762]Hullin 30b.

[763]Leviticus 17:13.

[764]Quoted in Leo Jung, "Jewish Library," First Series, New York 1928, page 107.

[765]Talmud, Sanhedrin 15b.

[766]Genesis 17:11.

[767]Acts 15:5-7, 24-29. 21:21-25.

[768]"The American Hebrew," October 3, 1890

[769]"Does Circumcision in Infancy Protect Against Disease?" "Virginia Medical Monthly", 60:723-728, March 1934.

[770]"California and Western Medicine," 40:253, April 1934.

[771]"British Medical Journal," 1:144-146, January 27, 1934.

[772]"Routine Circumcision at Birth," "Journal of the Medical Association of Georgia." 18:218-221, May 1929.

[773]Hullin 4b.

[774]Cited in the Shulhan Arukh, Yoreh Deah 263b.

[775]Samson Wright, "Applied Physiology," London 1929, 3rd edition, page 198. The point was called to the attention of the author by Dr. Menny Rapp.

[776]J. Todd and A. Sanford, "Clinical Diagnosis," Philadelphia 1931, page 522.

[777]Dr. Hall's reports may be obtained by sending 35c to the Superintendent of Documents, Washington D. C. and asking for "Studies in Trichinosis 1-7."

[778]Vol. 5, No. 3.

[779]Leviticus 11:10, 11.

[780]"Shell Fish and the Public Health," "Proceedings of the Royal Society of Medicine," June 1938, Vol. 31, page 925.

[781]"British Medical Journal," July 25, 1936, Vol. 2, page 169.

[782]"Public Health," London 1937, Vol. 50, page 279.

[783]Leviticus 20:18; Talmud, Niddah 31b.

[784]"Ideal Marriage," translated from the Dutch by Stella Browne, London 1930, page 291.

[785]Talmud, Niddah 31b.

[786]Shulhan Arukh, Orah Hayyim 4:18, 4:3, 158:1.

[787]Shulhan Arukh, Yoreh Deah 357:1 and 2.

[788]Ezekiel 20:12.

[789]Gittin 59b.

[790]Proverbs 3:17.

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