

XXVI. YERUSHALMI SANHEDRIN 4:4

[A] IN PROPERTY CASES ALL [JUDGES AND EVEN DISCIPLES] ARGUE EITHER FOR ACQUITTAL OR CONVICTION. IN CAPITAL CASES ALL ARGUE FOR ACQUITTAL, BUT ALL DO NOT ARGUE FOR CONVICTION. IN PROPERTY CASES ONE WHO ARGUES FOR CONVICTION MAY ARGUE FOR ACQUITTAL, AND ONE WHO ARGUES FOR ACQUITTAL MAY ALSO ARGUE FOR CONVICTION. IN CAPITAL CASES THE ONE WHO ARGUES FOR CONVICTION MAY ARGUE FOR ACQUITTAL, BUT THE ONE WHO ARGUES FOR ACQUITTAL HAS NOT GOT THE POWER TO RETRACT AND TO ARGUE FOR CONVICTION.

1. I:1: Rabbi said, “[But the rule that people may not switch sides applies] only in a case in which what is now lacking is [merely the reading of the verdict,] saying ‘So-and-so, You are innocent,’ or ‘you are guilty.’ But if they lacked yet the full working out of the arguments in the case, it is not in such a case [that a judge is forbidden from switching sides].”

XXVII. YERUSHALMI SANHEDRIN 4:5

[A] IN PROPERTY CASES THEY TRY THE CASE BY DAY AND COMPLETE IT BY NIGHT. IN CAPITAL CASES THEY TRY THE CASE BY DAY AND COMPLETE IT [THE FOLLOWING] DAY.

1. I:1: What is the source of this rule [that the completion of a property case may take place after dark]? “And let them judge the people at all times” (Ex. 18:22). And is it [possible to interpret the verse only] with reference to that which already has taken place, [that is, to assume that the verse speaks of completing the trial and giving the decision after dark on the same day on which the trial has taken place]? [Perhaps it speaks of commencing a trial, not completing the court process.]

XXVIII. YERUSHALMI SANHEDRIN 4:6

[A] IN PROPERTY CASES THEY COME TO A FINAL DECISION ON THE SAME DAY [AS THE TRIAL ITSELF], WHETHER IT IS FOR ACQUITTAL OR CONVICTION.

1. I:1: It was taught: A witness does not give an argument either for acquittal or for conviction [cf. M. San. 5:4C] [T. 9:4C]. How do we know it? As it is said, “And [one witness will not [suffice to] give