

Oaths when there are Disagreement in Partnerships

Ref: *Sefer Kinyan, Hilchot Shluchin Veshutafin, Chapter 10*

When there are disagreements in the partnership, circumstances will dictate what oaths need to be taken.

Some principles

- A *shvuah* of partners has to involve minimally 2 *maah*.
- A *shvuat hesset* can involve any amount.
- If both partners are active then either can make the other take an oath. If not, only the involved partner can be required to take an oath.
- One can only take a *shvuat hesset* if the defendant would be required to pay money.
- A *gilgul shvuah* is one where the plaintiff can include any other area of contention.
- When a partner takes an oath it does not give him the power to collect money from the defendant. It allows him to be free of responsibility or to retain property in his possession.