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TRACT SABBATH.

CHAPTER I.

REGULATIONS REGARDING TRANSFER ON SABBATH.

MISHNA I.: There are two acts constituting transfer [1](#) of movable things (over the dividing line of adjoining premises, based on biblical statutes). The two acts are, however, increased to four on the inside and to a like amount on the outside of the premises (by the addition of rabbinical statutes). How so? A mendicant stands outside and the master of a house inside. The mendicant passes his hand into the house (through a window or door) and puts something into the hand of the master, or he takes something out of the master's hand and draws it back (toward him). In such a case the mendicant is guilty (of transfer) and the master of the house is free. If the master of the house passes his hand outside and puts a thing into the hand of the mendicant, or takes something out of the mendicant's hand and brings it into the house, the master of the house is culpable and the mendicant is free. [2](#) If the mendicant extends his hand into the house and the master takes something out of it, or puts something into it which is drawn to the outside by the mendicant, they are both free. If the master of the house extends his hand outside and the mendicant takes something out of it, or puts something into it which is drawn to the inside by the master, they are both free.

GEMARA: We were taught (Shebuoth, IV. 2): "The acts

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of transfer on the Sabbath are two, respectively four." Why is this teaching here specified as two respectively four on the inside, and two respectively four on the outside, and there no such specification was made? Said R. Papa: Here the special subject of treatment is the Sabbath, and the Mishna enumerated the cases which involve guilt and those which do not involve guilt; while there the principal subject of treatment is a different one, and he mentions only the cases that involve guilt, leaving the cases that do not involve guilt untouched. But the cases that involve guilt are those by which acts of transfer are committed, and such are only two? Nay, there are two acts of transfer from within and two from without. But the Mishna says, "Yetziath" (which in a literal sense means transfer from within)? Said R. Ashi: The Tana calls transfer from without by the same term. And for what reason? Because every act of removing a thing from its place is called Yetziah. Said Rabbina: The Mishna also bears out this sense; for it speaks of Yetziath and immediately illustrates its remark by citing a case from without. This bears it out. Rabha, however, says: He (the Tana) speaks about divided premises (whose line of division is crossed), and in this case there are only two (in each of which there may be four acts of transfer).

Said R. Mathna to Abayi: Are there not eight, even twelve (instances of transfer over the line of division)? 1 And he rejoined: Such transfers as involve the obligation of a sin-offering are counted; but those that do not involve such an obligation are not counted.

"*They are both free.*" Was not the act (of transfer) committed by both? Said R. Hyya bar Gamda: The act of removing the thing was committed by the joint efforts of both, and they (the rabbis) said: "It is written in the law, when a person did it" 2--*i.e.*, when one person commits the act he is culpable, but when an act is committed by the joint efforts of two persons, they are both free.

Rabh questioned Rabbi: If one were laden by his friend with eatables and beverages and carried them outside (of the house), how is the law? Is the removing of his body tantamount to the removing of a thing from its place, and therefore he is culpable, or is it not so?

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Said Rabbi to him: He is culpable. And this case is not like the case of removing his hand. Why so? Because (in the latter case) the hand was not at rest, while (in the former) the body (before and after removal) was entirely at rest. 1

Said Rabbi Hyya to Rabh: Descendant of nobles! Did I not tell thee that when Rabbi is engaged with a certain tract ask him not about a subject (that is treated) in another tract, for he may not have that subject in his mind! And if Rabbi were not a great man thou mightest cause him shame, for he would give thee an answer which might not be right. In this instance, however, he gave thee a correct answer; as we have learned in the following Boraitha: If one was laden with eatables and beverages while it was yet light on the eve of Sabbath, and he carried them outside after dark, he is culpable; for his case is not like that of removing the hand mentioned above.

Abayi said: From all that was said above it is certain to me that the hand of a man (standing on the street) is not treated as public ground. 2 And I also see that (if a man stands on private ground) his hand is not to be treated as-, private ground. Would it be correct, then, to regard the hand as unclaimed ground? If so, would the penalty imposed by the rabbis in such a case, namely, that one should not move his hand (containing a movable thing) back (during the Sabbath day), apply in this case or not?

Come and hear the following Boraitha: If a man has his hand filled with fruit and he extends it outside (of the premises where he stands), one said he is not permitted to draw it back, and another Boraitha says he is allowed to do so. May we not assume that this is their point of dispute: the former holds that the hand is treated as unclaimed ground, and the latter thinks that it is not like unclaimed ground? Nay, it may be that both agree that the hand (as spoken of in our Mishna) is like unclaimed ground, and yet it presents no difficulty. One of the Boraithas treats of a man who had extended his hand unintentionally, and the other one treats of a man who had put forth his hand intentionally. In the former case the rabbis did not

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fine him, and in the latter case they did. And if you wish, it may be said that they both speak of a case when the act was done unintentionally, and their point of differing is as to the varying premises, whether the hand may be drawn back to the ground where the man stands, or to other

(private) ground that adjoins it? As Rabha questioned R. Na'hman: If the hand of a man was filled with fruit, and he extended it outside, may he draw it back to the same ground where he stands? And he answered: He may. (And may he remove his hand) to other (private) ground? Nay. And to the question, "What is the distinction?" he said: If thou wilt measure a whole kur of salt and present me with it, I shall tell thee the answer. (See footnote, Erubin, p. 79.) In the former case his design was not accomplished; in the latter, however, his design was accomplished (and it is prohibited for fear that it should be repeated).

R. Bibi bar Abayi questioned: If one has put bread into the oven, is he allowed to take it out before (it is baked and) he becomes liable to bring a sin-offering, or not?

Said R. A'ha bar Abayi to Rabhina: What does the questioner mean? Unintentionally and without remembering (that it is Sabbath), then what does the expression "allowed" mean? To whom? He is still not aware of it. On the other hand, if he did it unintentionally and afterward he remembered of the Sabbath, how can he be liable to a sin-offering; did not a Mishna state that the liability to bring such a sacrifice applies only when the failing was begun and accomplished unintentionally? Should it be understood that the act was done intentionally, then it would not involve the liability of a sin-offering, but it would constitute a crime that involved capital punishment. [1](#)

Said R. Ashi: Say, then, it is a crime that involves capital punishment. R. A'ha, the son of Rabha, taught so plainly. R. Bibi bar Abayi said: If one put bread into the oven, he is allowed to take it out before it may involve a case of capital punishment.

"*The mendicant extended his hand,*" etc. Why is he culpable? (To complete the act) there must be a transfer from a place that is four ells square and a depositing into a place of the same area, and such was not the case here. Said Rabba: Our

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[[paragraph continues](#)] Mishna is in accordance with R. Aqiba's opinion, who holds that as soon as the air of a place surrounds a thing it is equal to the thing being deposited in that place. But may it not be that depositing does not require four ells, for the reason stated above, but removing does? Said R. Joseph: The teaching of this paragraph agrees (not with the opinion of R. Aqiba), but with that of Rabbi, as we have learned in the following Boraitha:

If one threw an object from one street into the other, and there was a private ground between them, Rabbi declared him culpable, and the sages freed him. Hereupon R. Jehudah in the name of Samuel said: Rabbi declared the man guilty of two offences: one for having removed the thing from its place, and one for having deposited it in another place. Hence in both, the four ells in question are not required.

But with reference to this it was taught that both Rabh and Samuel said that Rabbi's declaration of culpability treated of a case where the private ground (that divided the two streets) was roofed, for the assumption is that a house must be regarded as a solid object that fills out all the space it occupies, but not when it was unroofed?

Therefore said Rabha: (All these views can be dispensed with, as) the hand of a man (because of

its value) is considered as a piece of ground four ells square. And so, also, was declared by Rabin, when he came from Palestine, in the name of R. Johanan.

R. Abhin in the name of R. Ila'a, quoting R. Johanan, said: If one threw a thing and it rested in the hands of another man, he is culpable.

Why the repetition--has not R. Johanan declared above, already, that the hand of a man is considered as a space of four ells square? Lest one say that this is only when he *intended* to put it into his hand (and the intention makes it valuable as the space in question), but not otherwise. Therefore the repetition.

The same said again in the name of the same authority: If one remains standing in his place when he receives a thing, he is culpable; but if he was moving away from his place when he received it, he is free. And so also we have learned in a Boraitha in the name of the anonymous teachers.

R. Johanan asked the following question: If one threw a thing and then moved from his place and caught it, is he culpable or not? How is this question to be understood? Said R. Ada bar Ah'bah: The difficulty is concerning the exercise

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of two forces by one man, and the question was thus: If two forces were exercised by one man (in committing a prohibited act), should both parts of the act be accounted to the same, so that he should be declared culpable, or should each part of the act be considered separately, as if there were two individuals concerned, and then he is free? This question is not decided.

R. Abhin in the name of R. Johanan said: If one put his hand into the yard of his neighbor, got it full of rain water, and withdrew it, he is guilty. But to make one guilty of the act, it must consist of removing a thing from a place of four ells square, which is not the case here. Said R. Hyya b. R. Huna: It means that he took the water as it was running down a slanting wall, as Rabba taught elsewhere that removing a thing from a slanting wall made the man culpable. But (in speaking of removing an object from a slanting wall) Rabba treated on the question of removing a book, which is a stationary thing. Is it analogous to removing water that can never become stationary?

Therefore said Rabha: Our case treats when he dipped the water out of a cavity (in the wall) in question. Is not this self-evident?

Lest one say that water standing upon water is not considered stationary,, he comes to teach us that it is. And this is in accordance with his theory, as follows: Water standing upon water is considered stationary; a nut, however, lying upon the surface of water is not considered so.

The same said again, in the name of the same authorities: One who was laden with eatables and beverages, entering and going out the whole day, he is not culpable until he rests. Said Abayi: And even then only if he stops for the purpose of resting; but not when he stops merely to adjust his burden on his shoulders. Whence is this deduced? From what the master said: "he stopped within the limit of four ells to rest he is free, but if he stopped to adjust the load on his shoulders

he is culpable. Beyond four ells, if he stopped to rest he is culpable, but if he stopped to adjust the burden on his shoulder he is not culpable. What does this imply? It implies that one cannot be culpable unless his intention of removing was before he stopped.

The rabbis taught: If one takes anything from his store into the market through the alley-way (where the benches of market-men are situated), he is culpable; it makes no difference whether he carries, throws, or pushes it with his arm. Ben Azai, however,

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said: If he carries it in or out he is not culpable, but if he throws or pushes it in or out he is culpable. The same we have learned in another Boraita.

The rabbis taught: There are four kinds of premises as regards the Sabbath--viz.: private ground, public ground, unclaimed ground, and ground that is under no jurisdiction. What is private ground? A ditch or hedge that is ten spans deep or high and four spans wide--such are absolutely private grounds. What is public ground? A country road or a wide street, or lanes open at both ends--such are absolutely public grounds. [So that in these two kinds of premises nothing must be carried from one to the other; and if such was done by one unintentionally, he is liable to a sin-offering; if, however, intentionally, then he is liable to be "cut off," or to suffer the extreme penalty (at the hands of human justice).]

A sea, a valley of fields, the front walk (before a row of stores), and unclaimed ground are neither like public nor like private ground. [Nothing should be carried about there to start with; but if one has done it, he is not culpable. Nor should anything be taken out of these grounds into public or private ground, or brought in from the latter into these grounds; but if one has done so, he is not culpable. In adjoining courtyards of many tenants and alleys that are open at both ends, where the tenants have made it communal property, 1 carrying things is allowed; however, it is not allowed when such is not done. A man standing on the door-step 2 may take things from or give things to the master of the house; so also may he take a thing from a mendicant in the street or give it to him; but he must not take things from the master of the house and hand them over to the mendicant in the street, nor take from the latter and transmit to the former. Still, if this was done, all the three men are not guilty. Anonymous teachers, however, say that the door-step serves as two separate grounds: when the door is open it belongs to the inside, and when the door is closed it belongs to the outside. But if the door-step is ten spans high and four spans wide, it is considered as a premises in itself.]

The master said: "Such are absolutely private grounds."

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What does he intend to exclude (by this emphatic declaration)? To exclude that which R. Jehudah taught about Erubhin ([p. 25](#)).

"These are absolutely public grounds." What does it mean to exclude? To exclude another instance of R. Jehudah's teaching, concerning the enclosure of wells. (Ibid., p. 40.)

Why does not the Boraitha count the desert also, for have we not learned in a Boraitha: Public ground is constituted by public roads, wide streets, alleys that are open at both ends, and the desert? Said Abayi: It presents no difficulty. There the law was expounded as it existed when Israel dwelt in the desert; here, however, the law is taught as it prevails at the present time.

The master said: "If one has brought in or taken out a thing unintentionally," etc. Is not this self-evident? He means to say that if the culprit did it intentionally, "he is liable to be cut off," etc. Also this is self-evident? He comes to teach, because of the following statement of Rabh, who said: "I found mysterious scrolls in the possession of my uncle, R. Hyya, which read: Aysy ben Jehudah says: There are forty less one principal acts of labor. A man, however, cannot be guilty of performing but one. And to the question, How is this to be understood? the answer was: It should be corrected and read: There is one of those acts of labor for which a man is not guilty. (In consequence, however, of the omission just what particular act of labor is excluded, all of the thirty-nine remained doubtful); and the Boraitha teaches that the labor mentioned is not one of the doubtful."

Again, the master said: "A sea, a valley of fields," etc. Is that so? Have we not learned (Taharoth, VI. 7) that a valley is, in summer time, to be regarded as private ground with reference to the Sabbath, and as public ground with reference to defilement; in the rainy season, however, it is private ground in all respects? Said Ula: As a matter of fact it is unclaimed ground, but by calling it private ground the Boraitha only means to distinguish it from public ground. R. Ashi, however, said: He speaks of a valley in which there are partitions. [1](#)

"And unclaimed ground." Are not all the above-mentioned unclaimed ground? When R. Dimi came he said in the

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name of R. Johanan: The mention of "unclaimed ground" in this case is required merely to imply a corner (of a private plot) that adjoins public ground; for although at times (when the street is crowded) many people are forced into this corner, it is considered as unclaimed ground, as the public use of it is not regarded with favor. He said also in the name of the same authority: The space between the pillars and the buildings (on the side of the street) is considered by the law as unclaimed ground. Why so? Because although many walk there, still, since one cannot make his way in such space freely (the row of pillars being irregular or in a broken line), it is like unclaimed ground.

R. Zera in the name of R. Jehudah said: The benches in front of pillars are regarded as unclaimed ground (even if they are ten spans high and four spans wide). The one who holds that the space between the pillars is considered as such, will so much the more agree that the benches in front of the pillars are considered such; but he who says that the benches are so considered, may hold that this is so because the encroachment upon them is not regarded with favor. The ground between the pillars, however, which is usually trodden by many people, is like public ground.

Rabba b. Shila in the name of R. Hisda said: If one throw or plaster (an adhesible) thing against the side of a brick that is standing up in the street, he is culpable; but if he throw or plaster a thing on top of it, he is not. Abayi and Rabha both said: Provided the brick is three spans high,

so that people do not step upon it; with bushes or briars, however, even if less than three spans high, one is not culpable. And Hyya bar Rabh said: Even a bush or briar must be three spans high. [1](#)

Rabba, of the school of R. Shila, said: When R. Dimi came from Palestine, he said in the name of R. Johanan: No space can be considered unclaimed ground unless it has an area of four spans square, and R. Shesheth added that it holds good up to ten spans square. What does it mean? Shall we assume that only if it has a partition of ten spans it is unclaimed ground? Has not R. Giddell in the name of R. Hyya bar Joseph, quoting

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[paragraph continues] Rabh, said: A house that is not ten spans high, but which is raised to that height by the ceiling, one may handle on the roof over its entire area; inside of the house, however, only within four ells square? Therefore we must say that the statement: "It holds good up to ten spans," implies that the law of unclaimed ground is valid when the height does not exceed ten spans. As Samuel said to R. Jehudah: "Ingenious scholar! treat not on laws of the Sabbath exceeding ten spans in height." And to what does it apply? To private ground it could not apply, as it is known that private ground is so considered to the sky; hence it is only to unclaimed ground that above ten spans does not exist, as the rabbis have invested unclaimed grounds with the lenient regulations pertaining to private ground--viz.: If the place have an area of four spans square, it is unclaimed ground; if it has a lesser area, it is not subservient to any jurisdiction. And with the lenient regulations of public ground--viz.: The place is regarded as unclaimed ground only to the height of ten spans; beyond that it ceases to be unclaimed ground.

The text says: "In a house the inside of which is not ten spans high," etc. Said Abayi: If, however, one has cut in it an excavation four ells square, so as to complete the height of ten spans, one may handle things freely in the whole house. Why so? Because in such a case the entire space of the house (around the excavation) would be considered like holes on private ground, and it has been taught that such holes are regarded the same as the private ground itself. As to holes on public ground, Abayi said: They are like public ground. Rabha, however, says that they are not. Said Rabha to Abayi: According to your theory, holes on public ground are to be considered the same as the ground itself. In which respect, then, does this case differ from what R. Dimi said above ([p. 8](#)) in the name of R. Johanan? Let, according to thy opinion, such a corner be considered as a hole in public ground. Nay, the use of the corner is not considered favorable by people, while no one objects to the use of a hole in the street.

R. Hisda said: If a person erected a pole on private ground and threw something at it, if that thing rested on top of the pole, and be that pole a hundred ells high, the person is culpable, for private ground is absolutely unlimited in height. Shall we assume that R. Hisda holds in accordance with Rabbi of the following Boraitha: "If one threw a thing (in

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the street) and it rested upon the smallest cornice [1](#) (of a house), according to Rabbi he is culpable, and the schoolmen say that he is not." Said Abayi: In private ground all admit the decision of R. Hisda. The case, however, in which Rabbi and the sages differ was a tree that stands on private ground with its branches reaching out into public ground, and one threw a

thing which rested on a branch. Rabbi holds that the branch is part and parcel of the root, but the sages opine that we need not assume such to be the case.

Abayi said: If one threw a bee-hive which was ten spans high, but not six spans wide, into the street, he is culpable; if, however, the bee-hive was six spans wide, he is free (because it is considered a piece of private ground in itself). Rabha, however, said he is not, even if it be less than six spans wide. Why so? Because it is impossible for twined reed not to exceed the given height. ² In case he threw the bee-hive ³ with its mouth down, even if the hive is a trifle over seven spans high, he is culpable; but if it is seven and a half spans high, he is not. R. Ashi, however, said: He is, even if it is seven and a half spans high. Why so? Because the enclosing rim of the bee-hive is made for the purpose of containing something within, and not to be attached to the ground; hence it is not included in the *Lavud* class. ⁴

Ula said: A post nine spans high, which stands in the street, and people use it to shoulder (their burdens) on, if one threw a thing and it rested on the top of it, he is culpable. Why so? Because a thing that is less than three spans high is stepped upon by many; a thing between three and nine spans high is not used either to step or to shoulder a burden on; but if it is nine spans high, it is surely used to shoulder burdens on.

Abayi questioned R. Joseph: What is the law of a pit (of similar depth)? Said he: The same (as of the post). Rabba,

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however, said: A pit of similar depth is not governed by the same law. Why so? Because the use (which is made of a thing) through compulsion is not called (a customary) use.

R. Adda bar Mathna objected to Rabha from the following Boraitha: If one intended to keep the Sabbath on public ground and deposited his Erubh in a pit less than ten spans (below the ground), his act is valid. "If he deposited it more than ten spans below the ground, his Erubh is of no value." Let us see how was the case. If the pit was more than ten spans deep, and by the saying "he deposited it less than ten spans below the ground" is meant that he raised the Erubh to a higher place, and by the saying "more than ten spans" is meant on the bottom of the pit, then, at all events, the Erubh could not be of any value; as he is in public ground, and his Erubh is in private, therefore we must say that the case was of a pit less than ten spans deep, and nevertheless the Erubh is valid; hence we see that the use of a place through compulsion can at times be considered as customary use.

The answer was that the Boraitha is according to Rabbi, who says that against things which are prohibited only rabbinically because of rest (Shebuoth) no precautionary measures are taken when they are to be done at twilight, and the prescribed time for depositing an Erubh is twilight; therefore, although the use of the pit which was less than ten spans deep was compulsory, the Erubh was nevertheless valid, because respecting twilight the rabbis are not particular.

R. Jehudah said: If one moves a bundle of reeds by raising one end and throwing it over, then raising the other end and throwing it over, he is not culpable, unless he lifts the entire bundle off the ground.

The master said: "A man standing on the door-step," etc. What is that step? If it is the step of the street, how may he "take from the master of the house"; does he not transfer from private ground into public ground? If it is the step of the house, how may he "take from the mendicant (standing in the street)"? Does he not transfer from public into private ground? And if it is unclaimed ground, how may he "take and give intentionally," since a direct prohibition to that effect exists?

Nay, the door-step is a place concerning which the law has no provision; as, for instance, it is not four spans square. It is said elsewhere by R. Dimi in the name of R. Johanan that such a thing is not under the jurisdiction.

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The master said: "All three are not culpable." Would this not be an objection to Rabha, who said if one transfer an object (in public ground) from one to the other limit of four spans, even if he moves it over his head (*i.e.*, above ten spans from the ground), he is culpable? In the above-mentioned case, however, he is not.

Anonymous teachers say "a door-step," etc. Is such the case even if there is no side-beam to it? Has not R. Hamma bar Gorion in the name of Rabh said that if it is inside the door, and not even four spans square, there must still be a side-beam to make it a free place? Said R. Judah in the name of Rabh: Here the doorstep of an alley is treated of, the half of which is roofed, and the other half not roofed, and the roofing is toward the inside. In this case when the door is open it is considered like the inside, when it is closed it is like the outside. R. Ashi, however, said: The case was of a door-step of a house, but the door was topped by two beams, each of which was less than four spans wide, and between them the space was less than three spans wide, the door itself being in the middle, so that the law of Lavud applies only when the door is open, and not when it is closed; therefore when it is open the door-step is considered as the inside, and when it is closed the door-step is regarded as the outside.

"If the door-step is ten spans high," etc. This supports the theory of R. Isaac bar Abbimi, who said that R. Mair used to say: Wherever thou findest two distinct grounds belonging to the same premises (*i.e.*, to which the law of premises regarding the Sabbath applies equally), like a post in private ground, that is ten spans high and four wide, it is prohibited to shoulder (a burden) on it. As a precautionary measure (enacted by the rabbis), for fear that the same would be done with a rock of the same size that may be found in the street, and it is biblically prohibited to shoulder upon it.

MISHNA II.: One shall not sit down 1 before the hair-cutter at the approach of the time for afternoon devotion, 2 before

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reciting his prayers. Nor shall he enter a bath-room or a tannery (the same is the case with any factory or large business), or sit down to eat, or start pleading a case (before a judge). But if he has started, he need not be interrupted. One must quit his work to read Shema, but he need not stop working in order to pray.

GEMARA: What time of Min'ha does the Mishna mean? Does it mean the high afternoon 1

time? Why should a man not be allowed, since the day is still young? Does it mean the lesser time, and still hold that (if the man had started the work) he need not discontinue it? Shall this be taken as an objection to the opinion of R. Joshua ben Levi, who said: "When the time of afternoon prayer draws nigh, one must not partake of anything before performing his devotion"? Nay, he speaks here of the high time, and yet one shall not begin cutting his hair, as a precaution against accidents, lest his scissors break; a bath to sweat, lest he grow exhausted; a tannery, lest he notice some damage to his wares and become confused; nor shall he sit down to eat lest the meal be protracted; pleading a case of justice, lest argument be advanced that overthrows all previous arguments, and until all this is settled the Min'ha prayer will be forgotten.

From what moment does the act of hair-cutting begin? Said R. Abhin: From the moment the barber's cloth is spread over him. The act of bathing begins from the moment the coat is pulled off; tanning begins from the moment the working-apron is tied around the shoulders; a meal begins from the moment the hands are washed, so said Rabh; but R. Hanina said, from the moment one takes off his girdle. And they do not differ. Rabh spoke of the custom of his country, and R. Hanina spoke of the custom of his country.

Abayi said: According to him who holds that the evening prayer is discretionary, our Babylon colleagues, as soon as they take off their girdle for the meal, they must not be troubled to pray before meal; however, according to him who holds that even this prayer is obligatory, they must be troubled. But is

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not the afternoon prayer obligatory by all means, and nevertheless our Mishna teaches that "if he began (his meal) he need not be interrupted," to which R. Hanina said that the loosening of the girdle (is the beginning)? In the case of the afternoon prayer, since the time for it is fixed, (we assume) that the man will hasten and will not fail to pray in time, while for evening prayer, the time for which extends through the entire night, it is feared that he may not hasten, and neglect it.

R. Shesheth opposed: Is it so much trouble to put on one's girdle? Furthermore, cannot one stand up (without a girdle) and pray? Nay! As it is written: "Prepare thyself to meet thy God, O Israel!" [Amos, iv. 12]; and as Rabha b. R. Huna used to put on stockings when he stood up to recite prayers, saying: It is written: "Prepare thyself," etc. Rabha, however, used to throw off his mantle and fold his hands when he prayed, speaking as a slave before his master. R. Ashi said: I have observed R. Kahana. In times of trouble he threw off his mantle and folded his hands when he prayed, speaking like a slave before his master. In times of peace he dressed and fitted himself up carefully, saying: "It is written, Prepare thyself to meet thy God, O Israel." Rabha noticed that R. Hamnuna spent much time at his prayers. Said he: "Thus they quit eternal life and busy themselves with transient life." ¹ He, R. Hamnuna, however, thought that the time spent in prayer is a thing by itself, and the time devoted to study is also a thing by itself. R. Jeremiah was sitting before R. Zera discussing a Halakha. The day was breaking and time for prayer came, and R. Jeremiah hastened for the purpose of praying. Said R. Zera to him: "When one turneth away his ear so as not to listen to the law, even his prayer becometh an abomination" [Prov. xxviii. 9].

At what moment does the work of dispensing justice commence? R. Jeremiah and R. Jonah--one said: "From the moment the judges put on their mantles"; the other said: "From the moment the

litigants begin pleading." And they do not differ. The former speaks of the instance of opening court; the latter of the instance when the court was in session and the judges were engaged in deciding other cases.

Up to what time should court be in session? R. Shesheth

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said: "Up to meal time." Said R. Hama: From what scriptural passage have we this? From "Happy art thou, O land! when thy king is noble-spirited, and thy princes eat in proper time, for strengthening and not for gluttony!" [Eccl. x. 17]; *i.e.*, for the strength of the law and not for indulgence in wine.

The rabbis taught: The first hour (of the day) is the time the Lydians eat (the Lydians were cannibals); in the second hour robbers eat; in the third hour (rich) heirs eat; the fourth hour is eating-time for the people in general; in the fifth hour laborers eat; in the sixth hour scholars eat; from the last hour onward, eating is like throwing a stone into a barrel (rather injurious than beneficial). Said Abayi: This is the case only when one has tasted nothing in the morning; but if he did so, it does not matter.

R. Ada bar Ahba said: One may say his prayers in a new bath-room, which has not been used. R. Hamnuna said in the name of Ula: One is not permitted to call Shalom to another man in a bath-room, for it is written: "He called the Eternal Shalom" [Judges, vi. 23]. ¹ If so, the saying of the word "faith" should also be prohibited, for it is written, "the faithful God" [Deut. vii. 9]. And lest one say so it is, has not Rabha bar Mehasia said in the name of R. Hama bar Gorion, quoting Rabh, that "faith" may be mentioned? In the latter case the name itself is not so designated, as it means as it is translated above. But in the former case it (Shalom) is a designation of the name itself.

The same says again in the name of the same authority: If one bestows a gift on his friend, he should let him know it; as it is written: "To know that I, the Eternal, made you holy" [Ex. xxxi. 13]. And there is a Boraitha which states as follows: "The Holy One, blessed be He, said unto Moses, I have a good gift in my storehouse; its name is Sabbath, which I wish to bestow on Israel; go and announce it to them." From this R. Simeon ben Gamaliel said: One who gives a child some bread should announce it to its mother. How shall he do this? Said Abayi: He should put some ointment around its eyes and stain it with dye.

Is this so? Has not R. Hama b. Hanina said: He who bestows a gift on his friend need not announce it to him, for it is written: "Moses knew not," etc. [Ex. xxxiv. 29]. This

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presents no difficulty. The latter instance represents a thing that is to become known by itself; the former instance treats of a thing that cannot become known by itself.

But was not the Sabbath a thing that was to become known? Aye, but the reward (for keeping the Sabbath holy) that attends it was not to be known.

R. Johanan in the name of R. Simeon b. Yohayi said: All the commands that the Holy One, blessed be He, gave unto Israel, were given with publicity, excepting the Sabbath, which was given in privacy, for it is written: "Between me and the children of Israel it is an everlasting sign" [Ex. xxxi. 17]. If such is the case, the idolaters need not be punished for its sake. The Sabbath was made known, but the additional soul (a new impetus of life) which comes with the Sabbath was not made known to them. Thus R. Simeon b. Lakish said: "The Holy One, blessed be He, bestows an additional soul on man on the eve of the Sabbath, and takes it back again when the Sabbath departs." [1](#)

R. Hisda held in his hand two gifts [2](#) from the flesh of an ox, and said: "I will give this to the man who will tell me some new teaching in the name of Rabh." Said Rabha b. Mehasia to him, thus taught Rabh: "He who bestows a gift on a friend should let him know it." And R. Hisda gave him the meat. Said the former again: Art thou so fond of the teachings of Rabh? "Aye, aye," he answered. Said he: This is like that which Rabh said: A silk garment is precious to the wearer. Rejoined R. Hisda: Did Rabh indeed say so? This second thing is even better than the first; if I had other gifts I would bestow them too.

Rabha b. Mehasia in the name of the same said again: One should never show preference for one child above his other children, as for the sake of two selas' weight of silk, which Jacob bestowed on Joseph in preference to his other sons, the brothers became jealous of Joseph, and the development brought about our ancestors' migration into Egypt.

Again he continued: One should always endeavor to seek a dwelling in a city of recent settlement, for the settlement being recent, the sins are few. As it is written: "Behold, this city is

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near to flee thereunto, and it is little" [Gen. xix. 20]. What does it mean, it is near and small? Could not he see this himself? But it means its settlement is recent and therefore its sins are not many.

The same said again: A city whose roofs are higher than that of the synagogue will ultimately be destroyed, as it is written: "To raise high the house of our God," etc. [Ezra, ix. 9]. However, this refers only to the roofs of the houses, but as to the tops of towers and palaces, it does not concern them. Said R. Ashi: *I* have prevented Matha Mehasia from being destroyed (as he had made the prayer-house and the college higher than other houses). But was it not destroyed later? Yea, but not for this sin.

He also said: [1](#) It is better to be dependent on an Israelite than on an idolater; on an idolater than on a Persian; on a Persian schoolman [2](#) than on a scholar; on a scholar than on a widow or an orphan.

He also said: Rather any sickness than sickness of the bowels; rather any pain than pain of the heart; rather any disorder than a disorder in the head; rather any evil than a bad wife.

Again he said: If all the seas were ink, if all the swamps were producing pens, if the whole expanse of the horizon were parchment, and all the men were scribes, the (thoughts that fill the)

void of a ruler's heart could not be written in full. Whence is this deduced? Said R. Mesharsia: "The heavens as to height and the earth as to depth, and the hearts of kings cannot be fathomed" [Prov. xxv. 3].

"*To read Shema*," etc. Was it not stated before that they need not be interrupted? This sentence applies to study, as we have learned in a Boraitha: "Scholars that are engaged in studying the Law must stop for the reading of Shema, but they need not stop for prayer." Said R. Johanan: Such is the case with men like R. Simeon b. Yo'hai and his colleagues, for learning was their profession; but men like ourselves must stop for prayer also. But have we not learned in a Boraitha: "As (students) need not quit (their studies) for prayer, so they need not stop them for Shema"? This applies only to the study of

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the establishment of leap year; as R. Ada b. Ahba, and so also the sages of Hagraunia in the name of R. Elazar b. Zadok, declared: "When we were engaged in fixing a leap year at Yabne, we did not quit (our work) either for Shema or for prayer."

MISHNA III.: A tailor shall not go out with his needle when it is nearly dark on Friday, lest he forget and go out (carrying it about with him) after dark; nor a scribe with his pen; nor shall one search for vermin in his garments or read before the lamp-light (Friday night). Of a verity it is said, an instructor may follow the children when they read, but he shall not read himself (before the lamp-light). In a similar manner it is said that one afflicted with gonorrhœa should not eat from the same plate with a woman that has the same disease, lest they become accustomed to one another and come to sin.

GEMARA: "*A tailor shall not go out*," etc. Does not the Mishna mean when the needle is stuck in the garment? Nay, it treats of the case when (the tailor) holds it in his hand.

Come and hear. "A tailor shall not go out with the needle sticking in his garment." Does this not treat of the eve of the Sabbath? Nay, it treats of the Sabbath itself.

But is there not another Boraitha: "A tailor shall not go out with the needle sticking in his garment on Friday when it is nearly dark"? This was taught according to R. Jehudah, who holds that a laborer (carrying a thing) after the manner of his profession is culpable; as we have learned in the following Tosephtha: "A tailor shall not go out with his needle sticking in his garment; nor a carpenter with his ruler behind his ear; nor a cloth cleaner with the spanning cord behind his ear; nor a weaver with the stuffing cotton behind his ear; nor a dyer with samples around his neck; nor a money changer with the dinar in his ear. If, however, they did so, they are free, though they ought not to start it; so is the decree of R. Mair. R. Jehudah, however, says: The laborer only (going out) after the manner of his profession is culpable; but not common men."

In the school of R. Ishmael it was taught: "One may go out with the phylacteries on his head at twilight on the eve of Sabbath." Why so? As Rabha b. R. Huna said: One must feel the phylacteries on his head at all times, and in consequence he will be reminded, through feeling the phylacteries, that he must remove them before the Sabbath.

There is a Boraitha: A man must examine his garments on Friday evening, when it is getting dark, to see whether there is

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anything in them that must not be carried about on the Sabbath. Said R. Joseph: This is an important ordinance concerning the Sabbath.

"*One shall not search for vermin,*" etc. Does it mean one shall not search for vermin in the day-time (of a Sabbath) lest he destroy any; and he shall not read before a lamp-light lest he snuff (the wick); or are both ordinances connected with each other so as to make the ordinance prohibiting the snuffing of the wick binding? Come and hear. "One shall not search for vermin nor read before the lamp-light." What can we understand from this Boraitha better than from our Mishna? Come and hear another Boraitha: "One shall not search before the lamp-light; also, one shall not read before it." These two ordinances are among the other established Halakhas in the attic of Hananiah b. Hyzkiyah b. Gorion. From this is to be inferred that both cases were prohibited for the same reason, that they may entail snuffing the wick.

R. Jehudah in the name of Samuel said: One must not try to distinguish even between his own and his wife's garments (before the lamp-light). Said Rabha: This is said only for the inhabitants of Ma'hoza, 1 but among the dwellers of rural places the garments can easily be distinguished. And even among the inhabitants of Ma'hoza, only the garments of old women cannot easily be distinguished from those of the men, but not of young women.

The rabbis taught: One shall not search for vermin in the street out of self-respect. In the same wise, R. Jehudah or R. Ne'hemiah taught that one shall not vomit in the street out of self-respect. The rabbis taught: One who searches his garments and finds a louse shall not crack it, but simply rub it with his fingers and throw it away (on the Sabbath). Says R. Huna: This should also be done even on week days, out of self-respect.

We have learned, R. Simeon b. Elazar said: "One shall not kill vermin on the Sabbath." So said Beth Shamai; Beth Hillel, however, allowed this. R. Simeon b. Elazar used also to say in the name of R. Simeon b. Gamaliel: "One is not allowed to negotiate marriage engagements for children, nor to engage teachers or artisan masters for children, nor to pay visits of condolence to mourners, nor to visit the sick on the Sabbath. Such is the decree of Beth Shamai; Beth Hillel, however, allows all this.

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The rabbis taught: If one comes to visit the sick on the Sabbath, he shall say: "It is Sabbath and we are not to cry, but relief is drawing nigh." R. Mair said, one should say: "The Sabbath (if respected) may bring mercy." Rabbi Jehudah said: "May the Omnipotent have mercy with thee and toward the sick of Israel." R. Jose said: "May the Omnipotent bestow mercy on thee *amongst* the sick of Israel." Shebhna the Jerusalemite when he entered (a sick-room on the Sabbath) said, "Shalom"; on leaving he said: "To cry! it is Sabbath; nevertheless, relief is nigh. As His mercies are great," and "Rest ye in peace."

According to whom is what R. Hanina said: "He who has a sick person in the house should

include him (in his prayers) amongst the sick in Israel"? It was in accordance with R. Jose. R. Hanina also said that it was with difficulty that the rabbis allowed visits of condolence to be paid to mourners and to visit the sick on a Sabbath. Rabba b. b. Hana said: When I accompanied R. Eliezer while visiting the sick, I sometimes heard him say (in Hebrew): "May the Omnipotent mind thee in peace," and sometimes (in Aramaic): "May the Merciful remember thee in peace." How could he do this? Did not R. Jehudah say: "One should never pray for what he needs in the Aramaic language"? And also R. Johanan: "The angels of service do not listen to one's prayer in the Aramaic tongue, for they know not that language." The case of a sick person is different, as *Shekhina itself* is with him. (This will be explained in Tract Nedarin in the proper place.)

"*One shall not read before the lamp-light.*" Rabba said: It is the same even if the lamp is placed two (men's) heights (from the ground); even two stories high, or even if it is on top of ten houses, one above the other. "*One shall not read,*" but *two* may? Have we not learned, "Neither one nor two"? Said R. Elazar: This presents no difficulty. Our Mishna treats of two reading one subject; and there it treats of two reading different subjects. Said R. Huna: Around the hearth-fire even ten persons shall not read together. Rabba, however, said: A prominent man may read, as he would not degrade himself by stirring the fire.

An objection was raised from the following: One should not read before a lamp-light, lest he snuff the wick. Said R. Ishmael b. Elisha: "I will read and not snuff it." Once he actually read and was tempted to snuff the wick. And he exclaimed:

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[paragraph continues] "How great is the saying of the sages, that one should not read before a lamp-light." R. Nathan said: He actually snuffed the wick and noted in his diary: "I, Ishmael b. Elisha, have read before the lamp on Sabbath, and have snuffed the wick. When the holy temple shall be rebuilt, I will bring a fat sin-offering." Said R. Aba: With R. Ishmael b. Elisha it is different, for while studying the Law he always considered himself common.

There is one Boraitha: A servant may examine cups and dishes (to see, if they are clean, before the lamp); and another, that he may not. This presents no difficulty. The former treats of a servant in permanent engagement; 1 the latter of one who performs occasional service. And if you wish, it may be said that both Boraithas apply to a permanent servant: the latter in the case of a lamp which is fed with oil, the former in the case where it is fed with naphtha. (Naphtha emits a bad odor; he will therefore not be tempted to touch it.)

The schoolmen propounded a question: May a servant that is not permanently engaged (examine his utensils) before a lamp fed with oil?

Said Rabh: The rule is laid down (that he may), but we do not practise it. R. Jeremiah b. Aba, however, said: So is the rule, and so we practise.

Once R. Jeremiah b. Aba took (his Friday night meal) at the house of R. Assi. His servant (R. Jeremiah's retainer, who was at the time doing occasional service in R. Assi's house) proceeded to examine (the dishes) before the lamp. Said the wife of R. Assi (to her husband): "You, my master, do not approve of this." "Let him be," answered R. Assi; "he acts according to the opinion of his master."

"Of a verity they said, an instructor," etc. Was it not said, "He may see"? For what purpose should he do this but to read? Nay; he should see in order to watch the sequence of paragraphs. So also said Rabba b. Samuel: "He may arrange the sequence of paragraphs." Consequently, may he not read the paragraphs through? Would this not oppose the statement of R. Simeon b. Gamaliel, who said: "Children in their rabbi's house used to arrange their paragraphs and read before the lamp-light"? With children the case is different; out of fear for their master they will not be led to adjust.

MISHNA IV.: And these are some of the regulations

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enacted in the attic of Hananiah b. Hyzkiyah b. Gorion, when the rabbis came to visit him. They called the roll and found that the disciples of Shamai were more numerous than those of Hillel, and they enforced eighteen regulations on that day.

GEMARA: Said Abayi to R. Joseph: Does the expression "and these," etc., refer to the things that were mentioned, or is "these" used with reference to things to be mentioned farther on? Come and hear. "One shall not search for vermin or read before a lamp-light; *and these* are some of the regulations," etc. From this it is obvious that "and these" is the correct version.

The rabbis taught: The "Roll of Fasts" was written by Hananiah b. Hyzkiyah and his company, for they thought with fondness of the troubles (which their race had experienced). Said R. Simeon b. Gamaliel: We also think with fondness of the troubles; but what shall we do? If we were to record (all the troubles our race has experienced since that time) we would never finish. It may also be said: A fool never feels trouble, or (more pointedly) a dead member on a living body feels not the lancet. [1](#)

MISHNA V.: The Beth Shamai said: Ink, dye material, or fodder (for animals) shall not be put into water (on Friday) unless there is still time for them to soak through while it is day. The Beth Hillel, however, permits this. The Beth Shamai prohibits putting bundles of linen thread (to bleach) into the oven unless there is sufficient time left for them to become heated through while it is yet day, or wool into a dye-kettle unless there is still time for it to be soaked through the same day. The Beth Hillel permits this. The Beth Shamai says: Traps shall not be set for animals and birds, or nets for fishes (on Friday), unless there is still time for them to be caught before sunset. The Beth Hillel permits this. The Beth Shamai says: One shall not sell anything to a Gentile (on Friday) or help him load his animal, or help him shoulder a burden unless he (the Gentile) can reach (with his load) the nearest place while it is yet day. The Beth Hillel permits this. The Beth Shamai

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says: Hides shall not be given to a tanner nor clothes to a Gentile washer (on a Friday) unless there is still sufficient time left for him (the Gentile) to finish it while it is day. The performance of all these acts of labor heretofore mentioned was permitted by the Beth Hillel (on Friday) while the sun was still shining. Rabbi Simeon b. Gamaliel said: At my father's house it was the custom to give out white clothes to a Gentile washer three days before the Sabbath. Both

schools, however, agree that the presses may be put on olives and grapes in the press-pits (as long as it is still daytime).

GEMARA: Who is the Tana that maintains that putting water on ink constitutes the final work on it? Said R. Joseph: (It is Rabbi of the following Boraitha: "If one put flour (in a vessel) and another one put water on it, the latter is culpable (of the act of kneading); so is the decree of Rabbi." R. Jose, however, says that one is not culpable until he kneads it.

The rabbis taught: At twilight on the eve of Sabbath one may make an opening in a spring, so that the water run into the garden the whole day (of the Sabbath). He may also put smoking incense underneath garments, so that they hold the fragrance the whole day. It is also allowed to put burning sulphur under enamelled vessels, so that its smoke work on the paints the whole Sabbath day. It is also allowed for one to put a balm on the eye and a plaster on a wound, so that the healing process continue throughout the Sabbath; it is prohibited, however, to put grain into a water-mill, unless there is yet enough daytime left for it to be ground. Why so? Said R. Joseph: Because one is obliged to give rest even to tools on Sabbath.

Now since it was said that the resting of tools is obligatory according to the decision of the Beth Hillel, why did they permit putting sulphur and incense to smoke, or linen thread to bleach during the Sabbath? Because no act was being done, and (the tools were practically) at rest. But do not traps set for animals, birds, and nets for fishes work? Why, then, did they allow these? Here, too, they treated only of fishers' rods and traps, which do no work (but into which animals work themselves).

Now, as R. Oshia has declared in the name of R. Assi, that only the Beth Shamaï holds that there is a biblical obligation for the resting of tools, but not the Beth Hillel, all the acts enumerated above are permitted by the latter, even in the event of the tools performing work.

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Who is the Tana of what the rabbis taught anonymously as follows: "A woman shall not put dried lentils and peas into the oven on Friday when it is getting dark and leave them there (to get soft); and if she needs them for after the Sabbath she shall not use them, unless she waits the length of time required to cook them afresh. In the same wise a baker shall not put a vessel with water in the oven on Friday when it is getting dark; and if he needs (the hot water) for after the Sabbath, he shall not use it unless he waits the length of time it would require to boil it afresh." Shall we assume that this is in accordance with the Beth Shamaï, but not with Beth Hillel? It may also be in accordance with the Beth Hillel, as the prohibitions were made as precautionary measures lest one stir the coals. If such is the case, the burning of incense and sulphur (as mentioned in our Mishna) should also be prohibited for the same reason. There is to be feared that the coals might be stirred, while here is no fear of that, as when the coals are stirred smoke may arise and injure the enamel or the garments. In the case of the linen thread also, no precautionary measure was necessary, because the draught caused by the admission of air into the oven would prove injurious to the thread, and therefore one would not open the oven to stir the fire. Then let the placing of wool into a (dye) kettle be prohibited as a precautionary measure? The Mishna treats of a kettle that stands at some distance from the fire; so says Samuel. Still, the apprehension exists that he may stir the dye. Nay, we speak of a kettle whose cover is sealed with clay.

Now that the master said that the prohibitions (of the Boraitha) are only precautionary measures, to prevent one from stirring the coals, a cold pot may be put in the oven on Friday when it is getting dark. Why so? Because the victuals in it cannot be used the same evening, and he (the cook) will never think of stirring the coals.

"*One shall not sell a thing to a Gentile,*" etc. The rabbis taught: The Beth Shammai said: One shall not sell a thing to a Gentile, nor lend it to him, nor help him carry it, nor lend him nor present him with any money on Sabbath eve unless there is time enough for the recipient to reach his house before night comes on. The Beth Hillel said (all this may be done) if there is time enough to reach his house at the wall of the city where he lives. R. Aqiba, however, says: It is sufficient if there is time enough for the Gentile to leave the house of the Jew.

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[paragraph continues] Said R. Jose b. Jehudah: "R. Aqiba contends that his teaching does not contradict that of the Beth Hillel, but merely explains the latter's real intent."

The rabbis taught: One may put down eatables on his own grounds for a Gentile (on the Sabbath). If the latter takes the eatables and carries them off, he need not prevent him.

The rabbis taught: One shall not hire out his tools to a Gentile on Friday, but he may do so on Wednesday or Thursday (even if he knows positively that the Gentile will use them on Sabbath). In the same manner, it is prohibited to transmit a letter by a Gentile on Friday, but it may be sent on Wednesday or Thursday. It was said of R. Jose the Priest, according to others the Pious, that his handwriting was never found in the hands of a Gentile (for fear that it might be carried on the Sabbath).

The rabbis taught: One shall not send a letter by a Gentile on Friday unless he stipulated a certain sum for the delivery. If such a stipulation was not made, the Beth Shammai says it must not be delivered, unless the messenger has time to reach the house in which it is to be delivered (before sunset); the Beth Hillel, however, maintains: He may do it if the messenger has time to reach the house nearest to the wall of the city where the letter is to be delivered. Was it not taught at first that "one shall not send" at all? This presents no difficulty. In the first part the case treats of a town which has no post-office; in the latter part the Boraitha speaks of a town which has one.

The rabbis taught: One shall not embark on a vessel less than three days before the Sabbath. This is the case if one goes (to sea) on private business, but if he goes for a meritorious act, he may do so. He may make a stipulation with the owner of the boat that it shall rest on Sabbath, although he is aware that he will not do so; so is the decree of Rabbi. R. Simeon b. Gamaliel, however, maintains that such a stipulation is not necessary. To travel from Tyre to Zidon (a journey of a few hours) one may embark even on Friday.

The rabbis taught: Siege shall not be laid to Gentile cities less than three days before the Sabbath, but when the siege is laid it need not be interrupted. So also Shammai used to say: It is written, "until it is brought down" [Deut. xx. 20], *i.e.*, even on a Sabbath day.

"R. Simeon b. Gamaliel said," etc. There is a Boraitha:

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[paragraph continues] R. Zadok said: "It was the custom at the house of Rabban Gamaliel to give white clothes to the washer three days before the Sabbath, but colored clothes even on a Friday." From this we have learned that it is harder to wash white clothes than colored ones. Abayi gave colored clothes to the washer and asked: How much wilt thou take for washing them? "As much as for white clothes," answered the washer. Said Abayi: "The rabbis have preceded thee with their declaration" (that white clothes are harder to wash).

"Both schools agree," etc. Why did the school of Shamai enforce precautionary measures in all the previous cases, but in the case of wine and oil presses they did not do so? They prohibited the performance of such labor as involves the obligation of a sin-offering, if performed (unintentionally) on the Sabbath, or on a Friday when approaching darkness; but for the putting of press beams on grapes or olives, which does not involve the obligation of a sin-offering even if done on the Sabbath, the precautionary measure was not necessary.

From this it may be inferred that work which continues by itself may well be started (late on Friday). 1 Who is the Tana that holds so? Said R. Jose: R. Ishmael of the Mishna (Ediath, II. 7): "Garlic, unripe grapes, and green grain-stalks which were crushed (on Friday) while yet day, may be put under pressure at sunset; so is the decree of R. Ishmael. R. Aqiba, however, says: "It must not be done." R. Elazar (b. Pedath), however, said that the Tana in question is R. Elazar (b. Samoa) of the following Mishna: "Honeycombs that were crushed on Friday shall not be put in the press (at sunset), so that the honey run out by itself; R. Elazar, however, permits it." R. Jose b. Hanina has practised in accordance with the theory of R. Ishmael.

The oil and the covers of the small oil-presses Rabh prohibits to handle on the Sabbath. Samuel, however, permits it. The same is the case with reed-cloth; Rabh prohibits, and Samuel permits (to handle). Covers that are used on board of a vessel to cover the deck Rabh prohibits, and Samuel permits the handling of.

R. Na'hman said: "A goat that is kept for its milk, a sheep that is kept for its wool, a hen that is kept for its eggs, an ox

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that is kept for the plough, and dates that are put up for the market, are prohibited for use at a biblical feast," according to Rabh; Samuel, however, said it was permitted. The point of their differing is the law of *Muktza*, in which R. Jehudah and R. Simeon differ. (It is explained farther on that, according to the latter, no *Muktza* exists.)

A disciple in 'Harta of Argis 1 decided cases according to R. Simeon's teaching, and R. Hamnunah put him under the ban. But have we not adopted the opinion of R. Simeon? Yea, but 'Harta was within the jurisdiction of Rabh, and he (the disciple) should not have done as he did against Rabha's teaching.

MISHNA VI.: Meats, onions, and eggs shall not be put to roasting on the eve of Sabbath, unless they can be done while it is yet day.

Bread shall not be put in the oven or a cake upon live coals, unless the crust can be formed while it is yet day. R. Elazar says it is enough if the bottom crust is formed. The Passover sacrifice may be turned around in the oven (on Friday) when it is getting dark. In the heating-house of (the sanctuary) the fire was fed at eventide. The fires in the rural districts may be fed until the flames envelop the greatest part (of the fuel). R. Judha says: "Where coals were already burning more fuel may be added, even when Sabbath is quite near at hand."

GEMARA: When should such victuals be considered done? Said R. Elazar in the name of Rabh: "When they are done like the victuals of Ben Drostai." [2](#) As we have learned in a Boraitha: Hananiah says all victuals that are done like the victuals of Ben Drostai may be left upon the hearth, even if the fire in the hearth is not stirred up and full of ashes.

"*Bread shall not be put,*" etc. The schoolmen propounded a question: ("Does R. Elazar speak of the crust that is formed near the wall of the oven, or the crust formed (on the side of the loaf, that is turned) to the fire?")

Come and hear. R. Elazar says: "It is sufficient if the surface is crusted, which lies close to the wall of the oven."

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"*The Passover sacrifice may be turned,*" etc. Why so? Because a company (when preparing a sacrifice in the temple) is very cautious.

But if this were not the case, would it not be allowed? Has not the master said: A (sacrificial) kid may be used, well done or not well done? Aye, but in that case it is cut in pieces; in our case it could not be cut in pieces. [1](#)

"*The fire in the heating-house,*" etc. Why so? Whence is this deduced? Said R. Huna: It is written [Ex. xxxv. 3]: "Ye shall not kindle any fire throughout your habitations upon the Sabbath day." *Your* habitations excluded the sanctuary. R. Hisda opposed: If it is so, then they may do so on Sabbath itself; therefore he explains thus: The cited verse excludes only the parts of the members which are already upon the altar, and the reason of our Mishna is because priests are very careful.

"*In the rural districts,*" etc. What does "the greatest part" mean? According to Rabh: "The greatest part of each piece"; and according to Samuel: "Until no more small wood is needed to make the heap burn." R. Hyya taught the following Boraitha in support of R. Samuel: "The flame should continue rising by itself, and not by the assistance of anything else." And to only one log of wood? -until the fire catches most of its thickness; and according to others, the most of its circumference, was the decision of Rabh. Said R. Papa: To comply with both views just mentioned it is right that the fire should catch both, the most of its thickness and the greatest part of its circumference. However, regarding this law Tanaim of the following Boraitha differ. R. Hyya says: Until it is so burned that it is unfit for any carpenter's work. R. Judah b. Bathyra says: Until the fire catches both sides. And although this cannot be substantiated by evidence

(from Scripture), there is a hint of this--viz.: "Both ends are consumed by the fire and the inside is scorched; is it fit for any work?" [Ez. xv. 4].

It was taught: R. Kahana said: Reeds, if they are tied together, must (have enough daytime on Friday) to burn over half; if not tied together, less is sufficient. *Granum* must have enough time for the fire to catch their greater part; if they are put in a fire-pot, they need not. R. Joseph taught four substances

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[paragraph continues] (used as fuel) need not (have time until the fire catches) the greater part--viz.: pitch, sulphur, cheese, and running fats. In a Boraitha it was taught that straw and (wood) shavings belong to the same category. R. Johanan said that the same is the case with fuel in Babylon. What does it mean? According to R. Joseph hast, and according to Rami b. Aba branches.

APPENDIX.

[Explanatory to p. 8, line 2 (Erubhin, p. 25).]

There is a Boraitha in addition to the last Mishna of Chap. IX., *ibid.*, p. 226, as follows: "More than this said R. Jehudah: 'He who has two houses, one on each side of public ground, may add to each a beam or a side beam (for a sign), and this allows him to carry things from one house into the other.' To which the rabbis answered that such an *erubh* does not suffice for public ground." (The reason of R. Jehudah's statement is that biblically two partitions suffice to turn premises of public ground into private ground, with which the rabbis do not agree.) [1](#)

Footnotes

[1:1](#) See Jer. xvii. 21, 28, and Neh. xiii. 19. This Mishna treats of the prohibition, so strongly inculcated by the prophets, of transferring things over the line of division between various grounds or premises.

[1:2](#) The difference between the violation of the biblical statutes and that of the rabbinical statutes is marked by the prescription of the penalties of sin-offerings, shortening of life and capital punishment for the first-named violation, while no penalties are attached to a violation of the last-named statutes. (See Introduction.)

[2:1](#) Rashi explains at length how eight or even twelve instances of transfer could occur, but, not being essential to the subject, we omit the explanation.

[2:2](#) Lev. iv. 27.

[3:1](#) Students of the Talmud will remember that while it) the act of walking a man cannot be guilty of the transgression of carrying movable property. The body must be at rest. The removal of a thing by means of the hand implies a disturbance in the rest of the body.

[3:2](#) As illustrated in our Mishna; for if he did not deposit the thing that he had passed from the street into the house, he was not culpable.

[4:1](#) All the labors that were performed at the construction of the tabernacle in the desert, as is taught in a Mishna farther on, if done on the Sabbath intentionally, involved capital punishment. The intention becomes apparent when there are witnesses to warn the perpetrator of his wrong and he does not heed them.

[7:1](#) The technical expression is "to make an Erubh," *i.e.*, to mix their possessions as if they were partners, as explained in Tract Erubin, I. 2.

[7:2](#) A door-step is regarded as ground of which the religious law takes no cognizance.

[8:1](#) According to Rashi, R. Ashi means to state that even when the capacity of the valley was more than two *saoth* and no dwelling was near, which is always considered as unclaimed ground in regard to this, nevertheless it is considered as private ground, and whoever carries from it into public ground is guilty.

[9:1](#) Any space that is less than ten spans high from the ground is considered by the law as unclaimed ground, and there things may be handled on the Sabbath only as above, while on private ground things may be handled freely within the whole area over which it extends.

[11:1](#) The cornice which is spoken of above should be like the branch in this instance.

[11:2](#) The space above ten spans does not enter within the jurisdiction of public ground.

[11:3](#) Here a bee-hive is spoken of which is not six spans in circumference, *i.e.*, less than four spans square.

[11:4](#) There is a law of Mosaic origin determining that every object that is not farther from the ground than three spans must be considered "Lavud," *i.e.*, attached to the ground. In the above case, when a bee-hive seven spans or a trifle over seven spans high is thrown to the ground, it does not become [positively](#) "Lavud" when within three spans from the ground, and is thus considered ten spans in all. The margin is too small. It must be seven and a half spans high, and when reaching the ground within three spans the hive becomes "Lavud," and being positively over ten spans high is treated as a piece of private property.

[13:1](#) The reference made here, that one should not sit down before the hair-cutter near the time for the afternoon prayer is a simple precaution. The exact specification for the time is to be found in Berachoth, Perek IV., M. 1.

[13:2](#) The following discussions may seem to have no direct connection with the ordinances pertaining to the Sabbath; however, they are included in the tract on account of their connection with the succeeding Mishna, which commences: "A tailor shall not go out with his needle when it is nearly dark on Friday." Incidentally, the injunctions concerning the time for the Min'ha are given, in order that prayer time shall not be forgotten.

[14:1](#) High afternoon (Min'ha) was the time when the regular afternoon sacrifice was offered at the temple, about an hour after midday. The lesser afternoon time was about an hour before sunset. Because the time for afternoon devotion was calculated by the offering of the "gift-sacrifice," the name of that sacrifice, "Min'ha," is used by the rabbis as a technical term to designate both the afternoon devotion and the time when it is to be performed.

[15:1](#) The rabbi thus regarded prayer as a thing belonging to transient life, because it benefits only the individual. Study, on the other hand, is regarded as an object that concerns eternal life, for by its results future generations may be benefited.

[16:1](#) Translated literally. Leeser, however, translates differently according to the sense, but his translation is not correct.

[17:1](#) Transposed from Tract Betzah, p. 16*b*.

[17:2](#) He was an Aaronite, and in his time they used to give the Aaronites their meat-offerings. In the time of R. Hisda the descendants of the priests still received their titles.

[18:1](#) These somewhat abstruse distinctions are made for the reason that a dependent of a scholar, orphan, or widow is liable to incur greater punishment for an injury done his master than were his master an Ishmaelite, Persian, etc.

[18:2](#) The title "Habher" is the exact equivalent of "fellowship" as a college position in our time; we translate it "schoolman."

[20:1](#) Large cities where the men are effeminate and wear garments like the women.

[22:1](#) A servant in permanent engagement is more careful about his dishes, for fear that he may lose his position. He is therefore more apt to adjust the wick.

[23:1](#) The Gemara discusses here the eighteen precautionary measures which were enacted in the attic referred to, and tried also to find them out, as what they were is not mentioned in the Mishna at all. As none of them, except the two mentioned in the Mishna (which is not discussed at all), belong to Sabbath, we have omitted the whole discussion. However, we have named all of them in the appendix to this tract [Vol. II., pp. [381](#)-390, *q. v.*], and we have shown that all of these enactments were political and of great necessity at that time.

[27:1](#) Without requiring the labor of man when once started, as is the case with wine and oil presses, in which case the beams, once put on grapes or olives, force the fluids to run down of

their own accord.

[28:1](#) Argis was the man who built the city of 'Harta and R. Hamnunah lived in that city. The cave in which he is buried is still in existence there. So I have found written in an answer of a Gaon. (Rashi.)

[28:2](#) A notorious highwayman, who could never stay in one place long enough to cook his meals, and was wont to do only the third part of cooking they required.

[29:1](#) See Ex. xii. 9, 46, where it is explicitly ordained that the paschal lamb should not be dismembered, and no bone should be broken.

[30:1](#) This Boraitha was omitted in Tract Erubhin. Here, however, to render the above-mentioned passage clearer for the reader, we deem it necessary to translate it.

[Next: Chapter II: Regulations Concerning The Sabbath And 'Hanukah Light](#)