

CHAPTER IV.

REGULATIONS CONCERNING VICTUALS, WHERE THEY MAY OR MAY NOT BE DEPOSITED TO RETAIN THEIR HEAT FOR THE SABBATH.

MISHNA I.: Wherein may hot vessels be deposited (to retain the heat) and wherein may they not? Depositing in Gepheth (olive waste), dung, salt, lime, and sand, either wet or dry, is not allowed. In straw, grape-skins, wool-flocks, or grass it is permitted, provided they are dry, but not when they are still wet.

GEMARA: A question was propounded: "Is the use of olive waste only prohibited, but the use of the oil-cakes allowed; or does the Mishna allude to oil-cakes and still more so to olive waste (for it produces more heat)?" For the purpose of depositing in, both kinds are not allowed; (but if the victuals have been deposited in a permissible thing and were subsequently placed on oil-cakes no wrong was done, because) oil-cake does not produce heat; olive waste produces heat.

Rabba and R. Zera once met at the Exilarch's house; they saw there a servant putting a can (with warm water) on top of a kettle (containing cold water), and Rabba rebuked him. Said R. Zera to him: "In what particular does this case differ from that of putting one pan on top of another?" Answered Rabba: "Here heat is produced, but there it is only preserved." Another time they saw (the servant) spreading a turban over a pitcher and putting a cup on top of it. Again Rabba rebuked him. R. Zera asked for the reason, and Rabba answered: "You will soon see him wringing 1 the turban," which he did. R. Zera again asked: "In what particular does this case differ from that of a spread cloth?" Answered Rabba: "Here he is particular (lest it become wet and he will wring it), while there he is not."

"*In straw.*" R. Adda b. Masna questioned Abayi: "May wool-flocks, in which (victuals) were deposited, be handled on Sabbath?" Abayi answered: "Because of a lack of straw,

would a man sacrifice a valuable lot of wool-flock?" (When placing victuals in straw no intention to make further use of the straw exists, and it becomes part of the pot itself; with wool-flocks the case is different, for they are intended for further use and therefore must not be handled on Sabbath.)

R. Hisda permitted the replacing of waste (fallen out) of a pillow on Sabbath.

R. Hanan b. Hisda objected to him from the following: "Untying the opening (for the neck) of a shirt is permitted on Sabbath, but cutting it is prohibited, and waste must not be placed into a pillow or bolster on a biblical feast day, much less on a Sabbath."

This presents no difficulty. Placing new waste in a pillowcase is not allowed, but replacing old waste is allowed. And so also we have learned plainly in a Boraitha, that when they fall out they may be replaced even on Sabbath, and much the more on a feast day.

R. Jehudah in the name of Rabh said: "Whosoever makes an opening (for the neck in an unfinished shirt) on Sabbath is liable to a sin-offering."

R. Kahana opposed, saying: What is the difference between an opening for the neck and a bunghead (in a barrel)? Rabha answered: A bunghead is not attached to the barrel (*i.e.*, it forms no part of it), but an opening for the neck is made by an incision in the shirt, and hence is part and parcel of same. In Sura the following doctrine was taught in the name of R. Hisda, and in Pumbeditha the same was taught in the name of R. Kahana or Rabha: "Who was the Tana in whose name the sages taught that the part and parcel of a thing is on a par with the thing itself?" Said R. Jehudah in the name of Rabh: "It is R. Meir (of the Mishna, Kelim, VIII.) who holds that the attachment built on a hearth is on a par with the hearth itself and becomes unclean when touched by an unclean thing."

"*When wet.*" A question was propounded: Naturally or artificially wet? Come and hear. The Mishna says: "Not with straw, nor with grape-skins, nor with wool-flocks, nor with grass when wet." It is right only if we accept the theory that they became wet, but should we venture to think them naturally wet, how is this to be imagined? Can wool-flocks be naturally wet? The sweaty wool under the hips may be meant. Did not R. Oshia teach we may deposit in dry cloth and dry fruit, but not in wet cloth or wet fruit? How is naturally wet

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cloth to be imagined? This may also mean cloth made from the sweaty wool under the hips of the sheep.

MISHNA II.: It may be deposited in cloth, fruit, pigeon feathers, shavings, and fine flaxen tow. R. Jehudah forbids the use of fine, but permits the use of coarse flaxen tow.

GEMARA: "*Shavings.*" A question was propounded: Does R. Jehudah forbid the use of fine *shavings* or fine flaxen tow? Come and hear. We have learned in a Boraitha, R. Jehudah says: Fine flaxen tow is the same as dung, which increases heat; therefore the conclusion is that he means flaxen tow.

MISHNA III.: It may be deposited (wrapped) in skins, and they may be handled; in shorn wool, and must not be handled. How can this be done? The lid is raised and it (the shorn wool) falls down. R. Elazar b. Azarya says: The vessel is bent sideways lest it be taken out and cannot be replaced, but the sages say it may be taken out and replaced.

GEMARA: A question was propounded by R. Jonathan b. Akhinayi, R. Jonathan b. Elazar, and R. Hanina b. Hama: Does the Mishna allude to skins [belonging](#) to private men only, hence skins belonging to an artisan, who is particular with them, may not be handled under any circumstances; or perhaps the Mishna allows even an artisan's skins? Answered R. Jonathan b. Elazar to them: It is reasonable to accept that it applies only to those belonging to private men

but not to artisans, because they (the artisans) are particular. Said R. Hanina b. Hama to them: Thus said R. Ishmael b. Jossi: "My father was a tanner, and he said, 'Bring some skins here to sit on.'"

An objection was raised: Boards of private men may be handled, but not those of artisans (if, however, the intention is to serve a meal on them for guests both kinds may be handled)? With boards it is different. Even private men are particular with boards.

On this point the following Tanaim differ: Skins belonging to private men may be handled, but not those of artisans. R. Jossi says both kinds may be handled.

While they were sitting together another question was propounded by them: The forty less one principal acts of labor on Sabbath, where are they taken from? Said R. Hanina b. Hama: "From the acts of labor performed at the tabernacle." R. Jonathan b. Elazar, however, said: Thus said R. Simeon b. Jossi b. Laqunia: From the thirty-nine times the words "work," "his work," and "work of" are to be found in the Pentateuch.

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R. Joseph questioned Rabba: Is the term "his work" which is found in the passage "and Joseph came into the house to do his work" [Gen. xxxix. 12] also of the number or not? Abayi answered him: "Let us bring the book and count," and he rejoined: "I am in doubt whether the verse 'and the work was enough' [Ex. xxxvi. 7] is of the number, and the former verse is to be explained 'he came in to do his business,' or whether the former is of the number and the latter is to be explained 'the task was completed.'" (Both verses cannot be counted among the thirty-nine, because if they are there will be forty in all.) This question remains unanswered.

It is proven by a Boraitha that the adduction of the thirty-nine acts is made from the acts performed at the tabernacle, for we were taught: One is culpable only for the performance of such work as was done at the building of the tabernacle. They have sown, but ye must not sow; they have harvested, but ye must not; they have loaded the boards from the ground upon wagons, but ye must remove nothing from public into private ground; they have unloaded from the wagons to the ground, but ye must not remove from private into public ground; they have transferred from one wagon into another, but ye must transfer nothing from private into private ground. "From private into private ground." What wrong is committed by that? Both Abayi and Rabha, and according to others R. Adda b. Ahabha, said: "From private into private ground by way of public ground."

"*In shorn wool and may not be handled.*" Rabha and Rabhin in the name of Rabbi (Jehudah Hanassi) said: "It is only taught, when not designated for the purpose of depositing in them, but if designated for that purpose they may be handled." Rabhina says that the teaching of the Mishna is applicable to shorn wool taken from stock (of a store).

The following Boraitha is in support of this: Shorn wool taken from stock is not to be handled, but if prepared by a private man for a purpose it may be handled.

Rabba b. b. Hana taught before Rabh: Palm branches, if cut off for use as fuel and finally intended for sitting purposes, must be tied together (before the Sabbath). R. Simeon b. Gamaliel

said it needs not tying. He who taught this has himself declared that the Halakha prevails in accordance with R. Simeon b. Gamaliel.

It was taught: (In relation to sitting on palm branches cut

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off for use as fuel) Rabh said (it must be) tied. Samuel said: The intention on the eve of Sabbath suffices; and R. Assi said: Sitting (on them before the Sabbath), even if not tied nor previously intended for sitting purposes on the Sabbath, is sufficient. It is clear that Rabh holds with the first teacher and Samuel holds with R. Simeon b. Gamaliel, but whom does R. Assi's opinion agree with? He is in accordance with the Tana of the following Boraitha: It is permitted to go out (on Sabbath) with a flax or wool plaster (on a wound) when dipped in oil and tied with a string, but it is not permitted when the plaster is not dipped in oil or tied with a string; but if one went out with it only a little before the Sabbath, even if not dipped in oil and tied, it is permissible. Said R. Ashi: "We were also taught in a Mishna in support of this; but who is the teacher that does not agree with R. Simeon, b. Gamaliel?" It is R. Hanina b. Aqiba, for when R. Dimi came from Palestine he said in the name of Zera, quoting R. Hanina: R. Hanina b. Aqiba once went with his disciples to a place and found some palm branches tied together to be used as fuel; he said to his disciples: "Make up your minds to sit on them tomorrow." I do not know whether there was to be a wedding or a funeral that following day, but the inference from this narration is: Only in the case of a wedding or funeral, when people are busy (and could not tie them up), the intention is sufficient, but otherwise tying together is necessary.

R. Jehudah said: "One is permitted to carry in a box of sand on the Sabbath for the purpose (of covering up an unclean place) and use the remainder for any purpose whatever. Mar Zutra, in the name of Mar Zutra the Great, interpreted this--providing he singled out a corner for it. Said the rabbis before R. Papa: "Is this teaching (of the great Mar Zutra) in accord only with the opinion of R. Simeon b. Gamaliel, but not with that of the rabbis who require action rather than intention?" R. Papa answered: It may even be in accord with the rabbis, who require action only where it is possible, and this action (tying together or sitting on sand) is impossible (as reserving a corner for them is not considered an act, but an intention only).

R. Jehudah permits the use of the dust of incense on the Sabbath. R. Joseph permits poppy-seed waste. Rabha permits pepper dust and R. Shesheth *Barda*, to wash the face with. What is *Barda*? Said R. Joseph: A powder of one-third

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aloe, one-third myrrh, and one-third violet. R. Nehemiah b. Joseph also permits *Barda*, provided it does not contain more than a third part of aloe.

R. Shesheth was asked if it was permitted to crush olives on Sabbath? He answered: "Is it permitted on week days?" He is of the opinion that the spoiling of food is not allowed.

Barda was brought to Ameimar, Mar Zutra, and R. Ashi. Ameimar and R. Ashi washed themselves with it, but Mar Zutra did not. They asked him: "Do you, Master, not hold with R. Shesheth, who permits the use of it?" Said R. Mordecai to them: Leave out the master in this

question, for he does not even use Barda on week days. He holds with the following Boraitha: "One is permitted to scratch off crust of excrement and of wounds only for the purpose of relieving pain, but not for the purpose of beautifying the person." And the above-mentioned rabbis agree with the teaching of the following: One should wash his face, hands, and feet daily out of respect for his Creator, as it is written [Prov. xvi. 4]: "Every thing hath the Lord wrought for its destined end." [1](#)

"*The vessel is bent sideways*," etc. Said R. Aba in the name of R. Hyya b. Ashi, quoting Rabh: If the cavity formed by the vessel got out of shape it is not permitted to replace (the vessel). There is an objection from our Mishna: "And the sages say it may be taken out and replaced." How shall this be understood? If the cavity remained intact the rabbis did well by telling us that the replacing of the vessel was allowed; but if the cavity got out of shape, is it not self-evident that replacing is not permitted? Nay; they still maintain that the cavity did not get out of shape, and the controversy (in the case) is as regards precaution. One maintains that this precaution is to be taken (lest we replace the vessel when the cavity is out of shape), while the others contend this is not necessary.

R. Huna said: "A fragrant plant used after meals in place of burnt spices, if it was taken out of and replaced in the flower-pot before Sabbath, it may be taken out, used, and replaced on Sabbath, but not otherwise. Samuel said that the same is the case with a knife that was preserved between the bricks. Mar Zutra, according to others R. Ashi, said that a knife may be preserved between the branches of the root. And

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[[paragraph continues](#)] R. Mordecai said to Rabha that R. Qatina has objected to the above rabbis, who said that if it were not replaced before Sabbath it must not be used, from a Mishna (Kilaim, I. 9), which states plainly that it may be taken out on Sabbath. This question remains.

MISHNA IV.: (A vessel) not covered during daylight must not be covered after dark. If, after having been covered, it became uncovered, it is permitted to cover it again. A pitcher may be filled with cold victuals and put under a pillow (to keep it cool).

GEMARA: R. Jehudah in the name of Samuel said: "It is permitted to store cold victuals (to protect them from the sun)." Said R. Joseph: "What news came he to teach? Have we not learned this in the above Mishna?" Abayi answered: "A great deal! From the Mishna I would infer that only such things as are not usually stored are permissible (for in that case no precaution lest one put warm victuals under a pillow or bolster for the purpose of generating heat is necessary); he informs us, however, that even such things as are usually stored are permissible also." R. Huna in the name of Rabbi, however, says: "It is prohibited." Were we not taught that Rabbi has permitted this? This presents no difficulty. In the former instance he did so when he was not as yet aware of the following decision of R. Ishmael b. Jossi. Rabbi at one time decided that it is forbidden to store cold victuals. Said R. Ishmael b. Jossi to him: "My father permitted it," whereupon Rabbi said: "If this sage has once permitted it, so shall it be done." Said R. Papa: Come ye and note the mutual respect: Had R. Jossi been alive, he would have had to show respect to Rabbi; as R. Ishmael, who succeeded his father in every respect, also has acknowledged Rabbi's superiority. Still Rabbi accepted his decision.

R. Na'hman said to his slave Doru: "Store some cold victuals for me and bring me warm water from a Gentile cook-shop." R. Ami heard this and was angry. Said R. Joseph: "What was the reason of his anger? Did not R. Na'hman act in accordance with the teachings of the great masters, Rabh and Samuel?" R. Jehudah in the name of Samuel said: It is permitted to store cold victuals, and R. Samuel b. R. Itz'hak said in the name of Rabh: Anything that may be consumed raw is not included in the prohibition relating to cooking by a Gentile; he (R. Ami), however, was of the opinion that, although it is

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allowed, a man of note should not practise it (because the layman seeing such things of the scholar he might allow himself still more).

The rabbis taught: "Although the sages said it is not allowed to deposit (warm victuals) after dark, even in such receptacles as do not increase the heat, still, if already deposited, it is permitted to add more cover. How can this be done? R. Simeon b. Gamaliel says: "In cold weather the covering sheet may be taken off and a blanket substituted; in warm weather the blanket may be taken off and a sheet substituted." Furthermore said the same: "The sages prohibited (to deposit warm victuals) only in the same pan in which they were cooked, but if emptied into another pan it is permitted; and there is no fear of one coming to cook (on the Sabbath); for (the act of) emptying (the victuals) from the cooking-pan (into another) proves (that there is no such intention).

If one deposited a pot (containing victuals) in material that may be handled on the Sabbath, and covered it with the same, or even deposited it in non-permissible material, but covered it with permissible, he may take out the pot and replace it; but if he deposited it in non-permissible material and covered it with the same, or even deposited it in permissible, but covered it with non-permissible material, he may take out the pot, but can replace it only if the pot was but partly covered. Otherwise, he must not replace it at all.

It is permitted to put one cooking-pan upon another, and also one earthen pot upon another, but not an earthen pot upon a cooking-pan, or a cooking-pan upon an earthen pot. (Even on Sabbath) the cover of a pot may be fastened down with dough (kneaded on Friday before dusk). In the case of putting one pan or pot upon another, this may be done only to preserve the heat, but not for the purpose of heating the upper pot by means of the lower one.

The same as it is forbidden to store warm (victuals), so it is also forbidden to store cold (victuals) on the Sabbath; but Rabbi permitted the latter to be done. Even so is it prohibited to chop ice on Sabbath in order to obtain cold water, but ice may be put into a vessel or a pitcher without fear of the consequences.

Footnotes

[83:1](#) Wringing (in Hebrew, Se'hitah) is prohibited on the Sabbath.

[88:1](#) The expression in Hebrew is *lema'anehu*; literally, "for his own purpose." Leeser translates for the purpose of the things created; the Talmud, however, takes it literally.

[Next: Chapter V: Regulations Concerning What May and May Not Be Worn by Animals on the Sabbath](#)