

CHAPTER IV.

REGULATIONS CONCERNING WORK WHICH MAY AND SUCH AS MUST NOT BE PERFORMED ON THE DAY PRECEDING THE FESTIVAL OF PASSOVER.

MISHNA: In places where it is customary to work till noon on the day preceding the Passover, work may be done; but not in places where it is not customary to work on that day. If a person should go from a place where the said custom prevails to another place where it does not, or the reverse, he is subject to the rigor of the custom, either of the place he came from or of that to which he went. Thus it is always proper not to act differently from the established customs of a place, on account of the disputes to which such conduct may lead.

Likewise, when a person brings fruit of the sabbatical year from a place where it is no longer to be found in the fields (and in consequence must not even be kept in the house), to another place where it is still to be found in the field (and may be kept in the house), or the reverse, he is obliged to remove the same. R. Jehudah, however, says: "Such a person may be told to go and fetch for himself similar fruit, and eat."

GEMARA: Why does the Mishna particularly mention the day preceding the *Passover*? is it not a fact that no work may be performed after the Minchah prayer on the day preceding Sabbath or any other festival? for have we not learned in a Boraitha, that "whoever performs any work after the Minchah prayer on the day preceding a Sabbath or a festival shall find no blessing for his work"? The Boraitha only states that he shall find no blessing for his work, but not that he should be put under a ban; while a man who performs work after the Minchah prayer on the day preceding the Passover (in places where it is not customary to do so) may be put under a ban.

The text of the Boraitha states further: "One who performs work after the Minchah prayer on the day preceding a Sabbath or a festival, or on the night when the Sabbath or a festival has drawn to a close, or on the night following the Day of Atonement,

or at any time when there can be the faintest suggestion of a transgression, as for instance on a day which had been designated as a fast-day for the sake of (praying for) rain, shall find no blessing for his work."

Rabha propounded a contradictory question: "It is written [Psalms lvii. 11]: 'For great, even *unto* the heavens, is thy kindness,' and further, it is said [ibid. cviii. 5]: 'Be thou exalted *above* the heavens, O God.' How can the two passages correspond?" The inference is, that the first passage refers to one who fulfils a religious commandment, because it is customary to do so and his parents before him did so, while to one who fulfils such a commandment for the honor of the Lord, the kindness of God is manifested even higher than the heavens, and this is in accordance

with R. Jehudah's opinion, who said in the name of Rabh: "A man should always occupy himself with the Law and with religious duties, even if he bear not in mind always that he does so for the honor of God; for thereby he becomes accustomed to doing thus, and it will eventually be for the honor of the Lord."

The rabbis taught: "He who depends upon the earnings of his wife or upon the proceeds of a hand-mill will never perceive the sign of a blessing." What is meant by the earnings of his wife? If his wife go about with scales, relying upon others to use them and pay for their use. The same applies to the proceeds of a hand-mill: if he rely upon others to use it and pay for its use. If, however, he use the hand-mill himself for the obtainment of his sustenance, or if his wife is actually engaged in traffic, he may even be proud of her, for it is written [Proverbs xxxi. 24]: "Fine tunics she maketh, and selleth them."

The rabbis taught: "From the proceeds of four professions one can never perceive a sign of blessing, and they are: the professions of the scribes, the criers, those who earn their money from orphans, and the men who carry on their traffic at sea" The reason the criers perceive no blessing for their work is because their work (of repeating the words of the rabbis) is generally done on the Sabbath, and those who earn their money from orphans perceive no blessing because they cannot be forgiven if they take the least advantage of orphans; the reason the men who carry on their traffic at sea see no blessing for their work is because a miracle does not occur every day (that a ship should reach port in perfect safety); but why should this also apply to scribes? Said R. Jehoshua ben Levi: "Twenty-four

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days the members of the Great Assembly fasted and prayed that the scribes of Scrolls, Tephilin, and Mezuzoth should not become wealthy; for if they did, they would not write any more.

The rabbis taught: The scribes, who write Scrolls, Tephilin, and Mezuzoth; those that deal in them, and those that sell them to the people, and all those who occupy themselves with religious works, even those who sell the blue wool for the show threads, do not perceive any blessing for their work. If, however, they occupy themselves with such work in honor of the Lord (not for gain) they will perceive the blessing.

It was the custom of the inhabitants of Baishan never to go from Tyre to Zidon on the day preceding Sabbath. Their descendants came to R. Johanan and said: "Our fathers could afford to dispense with that journey, because traffic was better in their days; but we cannot. What shall we do?" and he answered: "From the fact that your ancestors already took it upon themselves not to do this, ye cannot act differently, as it is written [Proverbs vi. 20]: 'Keep, O my son, the commandment of thy father, and reject not the teaching of thy mother.'"

The inhabitants of Huzai were wont to separate the legal first dough (due to priests) from rice. This was told to R. Joseph, and he said: "Let an ordinary Israelite take that separated first dough and eat it before their very eyes." Abayi objected: "We have learned: Such acts as are permissible but were regarded as prohibited by some people must not be committed in the presence of such people," and R. Joseph replied: "Was it not reported that R. Chisda said that this refers only to Samaritans?" Why must this not be done in the presence of Samaritans? Because they would take advantage of it and commit acts that are truly prohibited. Is this not

also the case with the inhabitants of Huzai, who are also ignorant and might construe the action to imply that they need not separate the first dough even from grain?" Therefore," said R. Ashi, "let us see how the inhabitants of the city of Huzai do? If the majority of them eat only rice, then the first dough thereof which they have separated should not be eaten by an ordinary Israelite in their presence, lest they forget about the law of first of dough entirely; but if the majority of them eat grain, then an ordinary Israelite should eat the first dough which they have separated from the rice in order to demonstrate to them that they need not do this, and warn them that if they separate the first of the dough from

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rice to serve also for grain, they will commit a transgression of the law."

When Rabba bar bar Hana came from Palestine to Babylon, he ate the fat around the stomach of an ox; this fat is, however, not eaten in Babylon. While he was eating this, R. Abhira the elder and Rabba the son of R. Huna entered the room. As soon as he perceived them, he covered up the fat. When they came out Abayi said to them: "He treated you like Samaritans."

Does not Rabba bar bar Hana hold that a man is subject to the rigor of the place whence he came and to which he went? How could he allow himself to eat that fat? Abayi replied: "This rule applies to such persons as go from one city in Babylon to another, or from one city in Palestine to another, or even from Babylon to Palestine; but not to such as go from Palestine to Babylon; for we are under their protection and should do as they do." R. Ashi, however, said: "Even were the rule to apply to one who comes from Palestine to Babylon, Rabba bar bar Hana would still have been permitted to follow the custom in Palestine, for he did not intend to remain in Babylon, but to return to Palestine; hence the customs of Babylon need not concern him."

Rabba bar bar Hana said to his son: "The fat which thou seest that I eat, thou shalt not eat, neither in my presence nor in my absence. I allow myself to eat it, because I saw R. Johanan do so, and he is worthy that I should depend upon him even in his absence; but thou must not depend upon me; hence thou shouldst not eat it in my presence nor in my absence." By this statement, however, he contradicts himself, for he said: R. Johanan bar Elazar related: "I was going with R. Simeon ben R. Jose ben Lakunia in a garden in a sabbatical year (after the crops were removed from the field), and he picked up an aftergrowth of a cabbage, ate part himself, and gave me some, saying: 'My son, in my presence thou mayest eat it, but not in my absence; for I saw R. Simeon ben Jochai do this, and he is worthy that I should depend upon him either in his presence or in his absence; but I am not worthy of being depended upon in my absence.'"

"If a person should go from a place," etc. It would be correct to say, that a man who comes from a place where the custom to work on the forenoon of the day preceding the Passover prevails to a place where the custom does not prevail should

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hold to the more rigorous custom of the place in which he arrived, to prevent any possible strife; but if he come from a place where the custom does not prevail to a place where it does, what is meant by saying that he should act so as to prevent strife? That he should work on the forenoon the same as the others? Then how can the rigor of the custom peculiar to the place whence he

came be applied to him? Said Abayi: "The injunction to prevent disputes applies only to the first instance, *i.e.*, if he comes to a place where it is not customary to work during that time." Rabha, however, said: "Nay; it applies even to the instance, and the injunction of the Mishna to prevent disputes implies, that no disputes will arise from the fact of the man not working, as his idleness will not be considered as the carrying out of a religious duty, but will be attributed to his want of employment, there being many who have no occupation."

Said R. Saphra to R. Abba: "May we, who are well versed in the calendar, perform work on the second day of a festival (in exile)? I do not ask concerning a place where it is not customary to do so, in order to cause any dispute; but I refer to the desert, where there are no other inhabitants?" and he answered: "So said R. Ami: "In the cities it is prohibited, but in the desert it is allowed."

R. Nathan bar Assia went from his college to Pumbaditha on the second day of Pentecost. R. Joseph punished him for it. Said Abayi to R. Joseph: "Why doth not the Master put him under a ban; for did not Rabh and Samuel both say, that the violation of any of the festivals (in exile) is punishable in that manner?" R. Joseph answered: "This is the case where the offence is committed by a man of the common people, but a young scholar should be dealt with as leniently as possible. In Palestine it is the custom to cast votes for the punishment of a young scholar, but no votes were cast to put him under a ban."

"Likewise, when a person brings fruit of the sabbatical year," etc. Does not R. Jehudah hold, that the man is subject to the rigor of the custom both of the place whence he came and of that where he arrived? Said R. Shesha the son of R. Idi: In this case another matter is concerned: R. Jehudah teaches as follows: If a man came from a place where the fruit was not yet removed from the field, into a place where the same condition existed; but in the meantime had been advised that in the place whence he came the fruit had been removed, he should under

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ordinary circumstances be in duty bound to act likewise. Such is the opinion of the first Tana. Whereupon R. Jehudah said to this first Tana: "The man may be told to go to a place where the fruit is not yet removed and fetch his fruit, for at the time when he left his home the fruit had not yet been removed."

The rabbis taught: Fruit of the sabbatical year which has been brought from within the boundaries of Palestine to a place without may be destroyed wherever found; but R. Simeon ben Elazar said: "Nay; it must be destroyed in Palestine proper, even if it has to be brought back, for it is written, 'In thy lands.'

R. Saphra journeyed from Palestine to a place without the boundaries and had with him a measure of wine made of fruit of the sabbatical year. R. Huna the son of R. Ikha and R. Kahana accompanied him, and he said to them: "Has one of you heard whether the Halakha prevails according to R. Simeon ben Elazar or not?" R. Kahana replied: "R. Abbahu declared that the Halakha prevails according to R. Simeon ben Elazar"; but R. Huna the son of R. Ikha rejoined: "Thus said R. Abbahu: 'The Halakha does *not* prevail according to R. Simeon ben Elazar.'" Said R. Saphra: "Under all circumstances the decision of R. Huna must be abided by, because he was very exact in his decrees, which he learned from his master Rahabha of Pumbaditha."

R. Ilayi pruned green dates on the sabbatical year. How was it possible that he should have done this? Is it not written, that for eating purposes they may be gathered, but they must not be removed wantonly? Lest, however, it might be assumed that such is only the case with ripe, edible fruit, but not with such as are unfit--did not R. Na'hman say in the name of Rabba bar Abbahu, that the peel surrounding the dates of uncircumcised trees must also not be used, notwithstanding the fact that it only serves to preserve the dates and cannot be considered fruit itself? Thus we see that, although the peel surrounds dates only when the latter are not yet ripe, still he calls such dates fruit, and in consequence it cannot be said that R. Ilayi pruned dates which were not to be considered fruit?

R. Na'hman holds with R. Jose, who maintains that green fruit is prohibited (during the sabbatical year), because it is considered fruit; but the sages differ with him.

The rabbis taught: "On the sabbatical year grapes may be eaten until the bunches of grapes are all plucked from the vines,

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and should there be vines that still contain bunches, grapes may be eaten until even the latter are plucked. Olives may be eaten until the last of them fall off the trees in the city of Thequa. R. Eliezer said: 'Until the last of them fall off the trees in the city of Gush-Halob.' This means to say, that if a poor man goes to seek olives he cannot find any, neither on the branches nor at the roots of the tree. Figs may be eaten until the last fall off the trees in Beth-Hini."

Dates may be eaten until the last fall off the trees in Tzoar. R. Simeon ben Gamaliel said: "They may be eaten when some are to be found among the unripe dates, but not if some are found among the bad dates which have fallen off the trees."

MISHNA: In places where it is customary to sell small cattle (sheep, goats, etc.) to Gentiles, it is lawful to do so, but not in places where this is not customary. Large cattle must not be sold to Gentiles at all, 1 nor calves nor foals of asses, either sound or broken-legged. R. Jehudah permits the sale of the latter and Ben Bathyra permits the sale of a horse.

In places where it is customary to eat roasted meat on the night of the Passover, it may be eaten, but not in places where this custom is not observed. In places where it is usual to burn a light on the night of the Day of Atonement, it may be done; but not in places where this custom does not exist. The synagogues and colleges, however, may be lighted, as may also dark alleys and (rooms) occupied by sick people.

GEMARA: R. Jehudah said in the name of Rabh: "A man must not say: 'This animal shall serve for the Passover meal,' because, by thus specifying the purpose for which he intends to use it, he virtually consecrates the animal, and consecrated things must not be eaten outside of the Temple." Said R. Papa: "This refers only to flesh, but wheat may be designated for use on the Passover; (because by being thus designated it will not become consecrated, but it will simply be preserved)."

An objection was raised: Flesh must not be designated? Have we not learned that R. Jose said:

"Thodos of Rome instituted the custom among his co-religionists in Rome, that they should eat roasted goat-meat on Passover, and the sages sent him the following message: 'Wert thou not Thodos, thou wouldst have been put under a ban for thy action, since thou

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inducest Israelites to eat consecrated things outside of Jerusalem'? How can they say consecrated things? Say rather, similar to consecrated things." Hence we see, that only roasted flesh may be considered as consecrated; but how can this refer to raw flesh? When roasted flesh is eaten it appears of itself as if it were consecrated, without being designated expressly for use on the Passover, whereas raw flesh is considered so only when it is expressly specified.

The schoolmen propounded a question: "Was Thodos really a great (learned) man or was he simply a very influential citizen, and hence the sages were afraid to put him under a ban?" Come and hear: "Furthermore related Thodos, the man of Rome: 'What justified Hananiah, Mishaël, and Azariah to permit themselves to be thrown into the fiery furnace? They derived their justification from the following *a fortiori* conclusion: As the frogs [mentioned Exod. vii. 28], which were in no wise obliged to honor the name of the Lord, did not hesitate to enter the ovens which, as they still contained the dough, were hot, so much the more should a man who is in duty bound to honor the name of the Lord not hesitate to throw himself into a fiery furnace.'"

R. Jose bar Abhin said: "Thodos of Rome would give wares to the scholars in order to enable them to procure a livelihood by traffic, and R. Johanan said, that he who gives wares to scholars, so that they are enabled to gain a livelihood and study in peace, will merit the privilege of sitting in the colleges of learning in the world to come, as it is written [Ecclesiastes vii. 12]: 'For under the shadow of wisdom (a man is equally well as) under the shadow of money.'"

"*In places where it is usual to burn a light,*" etc. Said R. Jehoshua: Rabha lectured: It is written [Isaiah IX. 21]: "And thy people, they all will be righteous, forever shall they possess the land." From this may be inferred, that all the people were righteous; and those that burned a light on the night of the Day of Atonement as well as those that did not, all had the same purpose in view, namely, to prevent a man from having intercourse with his wife on that night (some believing that when there was a light this would be avoided, while others thought that the light would rather stimulate the desire).

Ula rode on an ass. R. Abba walked to the right of him and Rabba bar bar Hana to the left. Said R. Abba to Ula: "Is it true that both of you, thou and Rabba bar bar Hana,

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said in the name of R. Johanan, that a benediction is not pronounced over fire except at the close of the Sabbath-day, for at that time was fire created?" Ula glared at Rabba bar bar Hana and said to R. Abba: I did not quote R. Johanan in this connection, but in the following instance: A certain Tana taught in the presence of R. Johanan: "R. Simeon ben Elazar said: 'When the Day of Atonement falls on a Sabbath, even in such places where it is not customary to burn a light on the night of the Day of Atonement, this should be done in honor of the Sabbath.'" R. Johanan, however, replied that the sages prohibit this.

Rabba bar bar Hana assented, and said: "Yea; such was the statement made by R. Johanan." Commenting upon this, R. Joseph applied to these two sages the passage [Proverbs xx. 5]: "Like deep water is counsel in the heart of man; but the man of understanding will draw it out." "Like deep water," R. Joseph compares to Ula, who, though not knowing what Rabba bar bar Hana might have said, did not reprove him, but merely glared at him; and "the man of understanding will draw it out" is applied to Rabba bar bar Hana, who immediately understood what was passing in Ula's mind and at once assented to his statement.

If, then, R. Johanan did not make the statement attributed to him by R. Abba, whence do the people adduce that a benediction must be pronounced over a light at the close of Sabbath? From the statement of R. Benjamin ben Japheth, who said in the name of R. Johanan: "A benediction must be made over a light both at the close of Sabbath and on the night of the Day of Atonement." And such is the general custom.

An objection was made: Have we not learned, that a benediction over a light should be made only at the close of Sabbath, because at that time fire was created, and as soon as fire is perceived the benediction must be pronounced? R. Jehudah, however, said, that at the time the benediction which is made over the goblet (of wine) the one over the light should also be made, and R. Johanan declared the Halakha prevails according to R. Jehudah?

This presents no difficulty: On the night of the Day of Atonement, according to R. Johanan, a benediction should be pronounced over a light that had been burning all day, but not over one that had just then been made.

We have learned in one Boraitha that over fire arising from

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wood or stone a benediction should be pronounced, while in another Boraitha we are taught to the contrary, that no benediction must be pronounced. This also presents no difficulty: The former Boraitha refers to the close of the *Sabbath*, while the latter refers to the night of the Day of Atonement.

Rabbi would as a rule scatter his benedictions at the close of the Sabbath, pronouncing them as the occasion demanded; *i.e.*, if he perceived fire first, he would pronounce the benediction pertaining to fire, and then accordingly over spices, the goblet, etc. R. Hyya, however, would wait until the goblet was brought to him, when he would pronounce all the necessary benedictions together. Said R. Itz'hak bar Abdimi: "Although Rabbi would scatter his benedictions, he nevertheless repeated that over the goblet, for the purpose of fulfilling the duty of the family."

Is it a fact that fire was created at the close of the Sabbath? Have we not learned in Abhoth, where it is stated that ten things were created at twilight on the day preceding the Sabbath, that R. Nehemiah added fire and the mule to the ten things? This presents no difficulty. The fire which we use was created at the close of Sabbath, while the fire of Gehenna was created at twilight on the eve of Sabbath.

Was the fire of Gehenna then created on the eve of Sabbath? Have we not learned in Tract

Nedarim that seven things were created even before the world was created, and among the seven was also the Gehenna? The atmosphere of the Gehenna was created before the world, but the fire of Gehenna was created at twilight on the eve of Sabbath.

Still, was the fire of Gehenna really created on the eve of Sabbath? Did not R. Banaha the son of R. Ula say, that the reason it is not written, in the passages referring to the things created on the second day, that "the Lord saw that it was good," is because on that day the fire of Gehenna was created? Therefore we say, that the atmosphere of Gehenna was created before the world, the fire of Gehenna was created on the second day of the week, and the fire which we use was to be created on the eve of Sabbath, but the creation was postponed; as we have learned in a Boraitha, R. Jose said: "Two things were postponed to be created on the eve of Sabbath, but they were not created until the close of Sabbath: they are fire and the mule"; and at the close of the Sabbath the Lord put into Adam's mind to produce fire by striking two stones against one another

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and to pair two different animals (the ass and the horse) and thus produce the mule.

The rabbis taught: Seven things are concealed from man: The time of his death, the time of his contentment, the depth of judgment (according to another version, the depth of divine judgment), the thoughts of others, the source of profit, the time of the reestablishment of the kingdom of David, and the time of the downfall of the kingdom of Rome.

The rabbis taught: Three things were intended to be instituted, and if they were not intended to be instituted, it would be well if such were still the case. They are: that a corpse should putrefy, that the dead should be forgotten after a certain period, and that grain should rot (by exposure). Others add a fourth thing, namely, that coins should be minted, for without them traffic would be impossible.

MISHNA: In such places as it is customary to work on the 9th of Abh, work may be performed; but not where such is not the custom. The scholars, however, must in every place avoid working on that day. Rabbon Simeon ben Gamaliel said: "Every man should in this respect consider himself a scholar (Talmud-chacham)." The sages, however, said: It was customary in Judæa to work until noon on the day preceding Passover; but in Galilee no work was performed on that day. As for the night preceding that day, the school of Shammai prohibit work to be done thereon, while the school of Hillel permit it until sunrise (of the day following). Said R. Meir: Every occupation which had been commenced prior to the 14th (of Nissan) may be finished on that day; but no new work may be commenced, even if it can be finished on that same day. The sages, however, are of the opinion, that the three following crafts may pursue their usual calling until noon on that day, namely: tailors, barbers, and clothes-washers. R. Jose ben Jehudah says that shoemakers may also do so.

GEMARA: Samuel said: "There is no fast-day, imposed by the community upon its members in Babylon, except the ninth day of Abh." 1 Shall we say that Samuel by this statement means to assert, that eating at twilight on the eve of that day is also prohibited? Have we not heard that Samuel held to the contrary? Shall we assume, that at twilight on the eve of

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any fast-day imposed by the community eating is permitted? Have we not learned in Tract Taanith, that on the day preceding congregational fast-days eating is permitted only while it is yet day; and thence we may adduce that as soon as dusk sets in it is prohibited? Nay; the statement that eating is only permitted while it is yet day signifies, that when night sets in eating is prohibited, but as for dusk (twilight), the prohibition does not apply.

We have learned in a Boraitha: "There is no difference between the ninth of Abh and the Day of Atonement as fast-days, except that in the doubtful time of the latter eating is prohibited, while in that of the former eating is permitted." Shall we assume, that by doubtful time the Boraitha refers to the twilight, when it is not known whether it is yet day or not, and thus would be a support to the opinion of Samuel, who permits eating at twilight on the eve of the ninth of Abh? Nay; by "doubtful time" the Boraitha refers, as R. Shesha the son of R. Idi said elsewhere, to the doubt existing whether the day was really the proper day according to the calendar.

Rabha preached: "Pregnant and nursing women must fast on the entire day of the ninth of Abh in the same manner as if it were the Day of Atonement; also, that at twilight on the eve of that day eating is prohibited." This decree was also attributed to R. Johanan. How could R. Johanan have said this? Did he not say elsewhere, that the ninth of Abh is not equal to a congregational fast-day? Must it not be assumed that he holds eating on the eve of the ninth of Abh to be permitted? Nay; R. Johanan means to state, that the ninth of Abh differs from a congregational fast-day only as concerns the number of benedictions to be recited. On a congregational fast-day the number is twenty-four, while on that day it is not so.

An objection was raised: The difference between a congregational fast-day and the fast of the ninth of Abh is merely that on the former no manner of work may be performed, while on the latter, in those places where it is customary to work on that day, this may be done. Hence are they not alike in all other respects? Said R. Papa: "All the Boraithoth quoted only cite the more lenient observance of the ninth of Abh as compared with congregational fast-days and the Day of Atonement, but do not mention the more rigorous observance."

"Every man should in this respect consider himself a scholar."

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[paragraph continues] Here we see that R. Simeon ben Gamaliel has no objection to a man vainly assuming that he is a scholar, whereas (in Tract Berachoth) concerning the reading of the Shema (prayer) he says, that not every man who so chooses may assume to be (or act like) a scholar. Said R. Johanan: "Transpose the names in the Mishna, so that the statement attributed to the sages should be that of R. Simeon ben Gamaliel and the dictum of R. Simeon ben Gamaliel should be that of the sages." R. Shesha the son of R. Idi, however, said: This is not necessary. There is no difficulty either as to the sages or as regards R. Simeon ben Gamaliel. According to the sages, a man who would not work when all others do, would leave the false impression that he is a scholar, although he is not, while in the instance quoted, concerning the reading of the Shema, a man who is a bridegroom may (on his wedding-day) read the Shema, because all others do likewise, and he cannot be accused of being presumptuous. According to R. Simeon ben Gamaliel, however, premeditation being necessary for a man who is to read the Shema, and it being a known fact that a bridegroom on his wedding-day cannot have the necessary premeditation--if he nevertheless persists in reading that prayer, he does so merely to gratify his

vanity and to demonstrate that he is a scholar; hence it should not be permitted. In the case treated of in the Mishna, however, it is different. The fact of his not working will not give others the impression that he wishes to pose as a scholar; for are there not a number of men who lack employment and are idling in the markets?

"*The school of Shammai prohibit work to be done,*" etc. So far the Mishna has been dealing with the customary usages, and suddenly prohibitions are cited? Said R. Johanan: This presents no difficulty. The decisions pertaining to customary usage are all rendered upon the authority of R. Meir, but R. Jehudah actually prohibits work to be performed in those places where it is not usually done, as we have learned in the following Boraitha: R. Jehudah said: "In Judæa work was done on the day preceding the Passover until noon, while in Galilee no work at all was performed on that day." Said R. Meir to him: "To what purpose dost thou cite the customs of Judæa and Galilee? Is it not a rule that, wherever it is customary to perform work on that day, it may be done, and wherever it is not customary it should not?" Thus, if R. Meir's reply to R. Jehudah dealt with customary usage, it is obvious that R. Jehudah

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must have directly prohibited work in places where it was not usually done.

The schoolmen propounded a question: Does that part of the Mishna, which states that every occupation which was commenced prior to the 14th of Nissan may be finished on that day refer only to such occupation as was necessary for the due observance of the festival, but if it is not necessary for that purpose, it must not even be completed on that day, or does it refer to such occupation as was not necessary for the festival; but if it was, it is even allowed to commence *and* finish it on that day? Or, on the other hand, does it refer to occupation which is even necessary for the festival and still it may only be finished but not commenced on the day preceding the festival?

Come and hear: R. Meir said: "Every occupation necessary for the due observance of the festival may be *completed* on the day preceding the festival, but if it was not necessary for that purpose it must *not* be finished. Wherever it is customary, work may be done on the day preceding the festival until noon." Thus we see, that only wherever it is customary work may be done until noon of the day preceding the festival but otherwise it must not, and only when the work is needed for the festival may it be completed on that day but otherwise it must not.

"*The sages, however, are of the opinion, that the three following crafts,*" etc. We have learned in a Boraitha: Tailors may pursue their occupation, because any man may, if necessary, mend his garments on the days intervening between the first and last days of the festival. Barbers and clothes-washers may pursue their calling, because those that arrive from a sea-voyage or those that are released from imprisonment may trim their hair and wash their clothes on the days intervening between the first and last days of the festival.

R. Jose ben Jehudah says, that shoemakers may pursue their calling, because the pilgrims who journey to Jerusalem for the festivals mend their shoes on the intervening days. Upon what point do R. Jose and the former Tana'im differ? The former Tana'im hold, that permission to commence a certain act of labor cannot be derived from the fact that it may be completed; *i.e.*, while shoes may be mended, it does not follow that it is permitted to make new shoes, while R.

Jose maintains that it makes no difference, and as shoes maybe mended, new ones may be made also.

MISHNA: Fowls may on the day preceding the Passover be

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placed in hatching-coops; a brooding hen which had run away (from her eggs) may be replaced on them, and if the hen had died another may be put on the eggs in her place. It is permitted to remove the stable-dung on the 14th (of Nissan) from between the feet of cattle; but it may only be removed to one side during the middle days (the days intervening between the first and last days of the festival). It is also permitted to carry, to and from the houses of mechanics, vessels and other articles, even though they be not needed for use during the festival.

GEMARA: If a fowl may be placed in a hatching-coop on the day preceding the festival, why should it be necessary to state that she may be replaced on the eggs which she had abandoned? (Is this not obvious?) Said Abayi: "The clause permitting the replacing of the hen does not refer to the 14th (of Nissan) but to the middle days." R. Huna said: "When is it allowed to replace a hen on the eggs which she had abandoned? If she had already been hatching the eggs for three days prior to her escape and three days had not elapsed since she had escaped; *i.e.*, if the eggs had already become spoiled and at the same time retained warmth, so that when the hen is replaced she can still complete the hatching with success. If, however, the hen had not yet been hatching the eggs for three days and they had not become spoiled, or if three days had elapsed after she had abandoned them, so that it would be impossible to hatch them with success, the hen must not be replaced." R. Ami, however, said: "Even if the hen had not been hatching the eggs for three days and they had not yet become spoiled, she may nevertheless be replaced."

In which point do R. Huna and R. Ami differ? The former holds, that on account of serious damage only may work be done on the middle days, while the latter maintains that even on account of slight damage this may be done.

"*It is permitted to remove stable-dung,*" etc. The rabbis taught: The dung contained in the yard must be removed to one side, and that contained in the stable and in the yard may be entirely removed. How can this latter part be understood? What is meant by dung contained in the stable and in the yard? Said Rabha: "This signifies, that if the yard became like a stable, filled with dung, the dung may be entirely removed."

"*It is also permitted, etc., to carry vessels,*" etc. R. Papa said: Rabha wished to examine us and said: "In our Mishna it is stated, that on the 14th (of Nissan) vessels may be carried to

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and from the houses of mechanics, etc., even though they be not needed for the festival, and this is contradicted by a Boraitha, which decrees that vessels must not be carried from the house of the mechanic; and if there is danger of their being stolen, they may be deposited in another court?" We replied: This presents no difficulty, as the Boraitha refers to the middle days, while our Mishna has reference to the 14th (of Nissan). We can also give another reason, namely: Both the Boraitha and the Mishna may refer to the middle days, and it merely depends upon

whether the mechanic has sufficient confidence in his master to leave his tools with him; for if he has not, he may remove them.

MISHNA: The inhabitants of Jericho were wont to do six things; three of these were done contrary to the wishes (of the sages) and three were done with the sanction (of the sages). The following were done with the sanction of the sages: They would graft palm-trees the whole day of the 14th (of Nissan), they would read the Shema (prayer) with an additional verse (or without interruption), and they would heap up new corn (into sheaves) before acquitting the "omer" (first-offering) thereof. All these things were done with the sanction of the sages; but the following were contrary to their wishes, namely: They would make use of plants (buds) growing on or near consecrated trees; they would eat fruit on Sabbath which had dropped off the trees on that day, and they allowed herbs to remain in the field as Peah. 1 All these things were contrary to the wishes of the sages.

Six things were done by King Hezekiah, 2 three of which met with approval and three with disapproval: He caused the bones of his father to be transported on a litter of ropes, 3 and this was approved of; he caused the brazen serpent to be broken to pieces, and this was approved of; he secreted the book of medicine, and it was also approved. The following, however, are the three things done by him which were *not* approved of: He cut off (the gold) from the gates of the Temple, and sent it to the King of Assyria; he stopped up the upper mouth of the

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waters of Gihon, and made the month of Nissan intercalary--all of which were not approved of.

GEMARA: "*They would graft palm-trees,*" etc. How would they do this? Said R. Jehudah: "They would take a damp myrtle-branch, bayberries of which they made an extract, and barley meal, and would boil them in a vessel which had not been made more than forty days before. This brew they would pour into the core of the tree. Any tree which stood within four ells of a tree which was thus treated would, unless receiving the same treatment, wither and die immediately." R. A'ha the son of Rabha, however, said: "They would graft a twig of a male tree on a female tree."

"*They would read the Shema,*" etc. How did they do this? Said R. Jehudah: "They would recite the passage: 'Hear, O Israel,' etc., and without any interruption would continue: 'And thou shalt love,'" etc.; but Rabha said: "They would transpose the stress in the following passage thus: Instead of saying: 'And these words, which I command thee this day, shall be in thy heart,' they would say: 'And these words which I command thee--*this day* shall they be in thy heart,' so that one who heard them might have thought that the intent of the passage was to signify: '*This day* shall they (the words which I command thee) be in thy heart, but not *to-morrow*.'" "

The rabbis taught: How would they read the Shema? They would recite the passage: "Hear, O Israel, the Lord is our God; the Eternal is One," and then would continue without interruption to say: "And thou shalt love the Lord thy God," etc. (*i.e.*, they would not stop to lay stress on the words, "The Eternal is One," sufficiently long to meditate on the power of God in the heavens and on earth in all directions). Such is the dictum of R. Meir; but R. Jehudah said: They would make that interruption, but what they did not say was the verse: "Blessed be the name of the honor of His kingdom for ever and ever," which should be inserted between the end of the first

verse: "Hear, O Israel," etc., and the one commencing: "And thou shalt love," etc.

Why do we recite this additional verse? It is not written in the Scriptures? In accordance with what was related by R. Simeon ben Lakish: It is written [Gen. xlix. 1]: "And Jacob called unto his sons and said, 'Gather yourselves together, that I may tell you that which shall befall you in the last days,'" which signifies that he wished to disclose to them when the end

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of the days should occur. As he was about to accomplish this, the Shekhina left him, and he commenced to fear lest there were among his children an unworthy person like Ishmael the son of Abraham and Esau the son of Isaac. So his children spoke to him and said: "Hear, O Israel, the Lord is our God; the Eternal is One." They said to him: "Father, as in thy heart there is but one God, so is there in our hearts but one God." As soon as Jacob our father heard this, he opened his mouth and said: "Blessed be the name of the honor of His kingdom for ever and ever."

The sages then began to deliberate whether to say this also or not. To say it would not be in accordance with the words of Moses, who did not use the verse; not to say it would be to disregard Jacob. So they finally concluded to say it in a still manner (not audibly).

Said R. Itz'hak: "The disciples of R. Ami compared this to the following parable: A king's daughter, smelling the odor of savory spices, which were being cooked in the kitchen, craved for some. To order her servants to bring a dish of those spices would be to expose herself to ridicule; not to do so would be to suffer: so her servants brought her what she desired surreptitiously, in order that nobody should perceive it."

Said R. Abbahu: "In Usha, where there was a sect of Minim, 1 it was ordained that the additional verse should be proclaimed in a loud voice, in order that the adherents of that sect should not say that the verse which was said in a still manner was one praising their own Deity; but in Neherdai, 2 where there were no Minim, even unto this day the verse is said in a still manner."

The rabbis taught: The inhabitants of Jericho were wont to do six things; three of these were done contrary to the wishes of the sages and three were done with the sanction of the sages. The following were done with the sanction of the sages: They would graft palm-trees the whole day of the 14th (of Nisan), they would read the Shema without interruption, and they would

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cut off new corn before acquitting the "omer" (first-offering) thereof, The following, however, were done contrary to the wishes of the sages, namely: They would heap up the new corn before acquitting the "omer" (first-offering) thereof; they would make breaches in the fences of their gardens and vineyards during times of famine, in order that the poor might enter and eat the fruit which had dropped off the trees on Sabbath and on festivals; and they would make use of the plants (buds) growing on or near consecrated trees, carob-trees, and sycamore. Such is the dictum of R. Meir. Said R. Jehudah to him: "If thou sayest, that the first three things were done with the sanction of the sages, then it will be assumed that all men may do so and that the sages allow them; say rather, that the sages did not Prevent their doing the first three things, but not

that they sanctioned them. Shouldst thou, however, retort, that cutting off the new corn before acquitting the 'omer' thereof is certainly permitted (because it thus taught in a Mishna), then, say I, substitute for 'cutting off,' 'heaping up into sheaves,' and in the last three things substitute for 'they would heap up the new corn before acquitting the "omer thereof,' 'they allowed herbs to remain in the field as Peah.'

Why did the inhabitants of Jericho make use of plants growing on or near consecrated trees? They said: "Our ancestors only consecrated the wood of the trees, and if other plants subsequently grew on those trees, why should we prevent the poor people from making use of them? It does not constitute a trespass to partake of plants which subsequently grew on consecrated trees!" The sages, however, said: "A trespass-offering need not be brought if this was done, but it is a trespass nevertheless."

R. Simeon ben Lakish was quoted by Ula to have said: The inhabitants of Jericho and the sages differed only concerning such plants as grew on the tops of trees, and the sages prohibited their use on the Sabbath or on-a festival, lest they be torn off by the poor on those days, while the inhabitants of Jericho did not hold this precautionary measure to be necessary. As for unripe fruit at the foot of the trees, all agree that it may be gathered.

When Rabhin, however, came from Palestine, he said in the name of R. Simeon ben Lakish to the contrary: That they differ only concerning the unripe fruit, the sages holding that what is prepared for the fowls of the air (crows) cannot be called

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prepared for men, while the inhabitants of Jericho maintained that it may be considered prepared for man also. As for the shoots on the tops of the trees, however, even the latter admit that they must not be used, for they hold to the precautionary measure instituted by the sages above.

"*And they allowed herbs to remain in the field as Peah.*" The rabbis taught: "Formerly Peah was left from turnips and cabbage, and R. Jose said: "Also from leek." In another Boraita we have learned: "Formerly Peah was left from turnips and leek," and R. Simeon said: "Also from cabbage."

The rabbis taught: "Ben Buhain allowed herbs to remain in the field as Peah. When his father arrived he saw some poor men already standing with the bundles of herbs at the entrance of the garden, and he said to them: 'Children, throw down your bundles of herbs and I will restore twice their value to you after I shall have acquitted the tithes thereof; and I do not say this because I would grudge you the herbs, but because the sages did not permit the herbs to be left as Peah.'"

The rabbis taught: "Formerly the hides of the sacrificed animals were left in the chamber of Parvah. ¹ At night the priests ministering during that week would divide those hides among themselves. The more powerful among the priests, however, would appropriate more than their share. So it was ordered that the division should be made every eve of Sabbath in the presence of all the men comprising the twenty-four watches (shifts) of the Temple. Still the more powerful priests would appropriate more than was due them. In consequence, the persons bringing the sacrifices decided to consecrate the hides for the use of the Temple. It was said that

it did not take very long before it was possible to cover the entire Temple with disks of gold one ell square and of the thickness of a golden Dinar. At the time of the festivals these disks were placed on the mount of the Temple, in order that the pilgrims to Jerusalem might see them; for they were beautifully worked and were not counterfeited."

We have learned in a Boraitha: Abba Saul said: "There were sycamore-trees in Jericho which the priests forcibly appropriated for their own use, in consequence of which the owners consecrated them for the use of the Temple. "Concerning such

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outrages and such priests, Abba Saul ben Batnith in the name of Abba Joseph ben Hanin said: "Woe is me on account of the house of Baithos, woe is me on account of their rods! Woe is me through the house of Hanin and through their calumnies! Woe is me through the house of Kathros and through their pens! Woe is me on account of the house of Ishmael ben Piakhi and of their fists! for they were all high-priests, their sons were the treasurers, their sons-in-law were the chamberlains, and their servants would beat us with rods. [1](#)

The rabbis taught: Four shouts were sent up by (the people in) the court of the Temple. The first shout was: "Go away from the Temple, ye children of Eli, who have defiled God's house" (I Samuel 11.). The second shout was: "Leave the Temple, Issachar, man of the village of Barkai," who by his arrogance desecrated the sanctity of Heaven. He would envelop his hands in silk while performing his services as a priest. The third shout was: "Raise your heads, O ye gates, and let Ishmael ben Piakhi the disciple of Pinhas enter and assume the office of the High Priest." The fourth shout was: "Raise your heads, O ye gates, and let Johanan ben Narbayi enter and fill his bowels with the holy sacrifices." Of Johanan ben Narbayi it was said that he (and his family, which was very large) would consume 300 calves, 300 jugs of wine, and 40 saah of young doves as dessert after his meals. It was also said that during his administration as high-priest there never was any remainder left over of the sacrifices from one day to the next.

What was the end of Issachar, the man of the village of Barkai? It was said that at one time the king and the queen were disputing as to the relative merits of a kid or lamb as food. The question then arose who was to decide the dispute. So it was suggested that the decision be left to the high-priest, who at that time was Issachar, the man of the village of Barkai, who certainly ought to know which was the better, as he used to bring sacrifices daily. He was called, and coming into the presence of the king, jokingly waved his hand and said: "If a kid were the better it would be used for the daily sacrifice, and we know that a lamb only must be used." Said the king: "Because he showed no respect to the throne and waved his hand, let his right hand be cut off." Issachar, however, bribed the executioner, and his left hand was cut off instead. When the

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king heard of this, he ordered that the right hand should also be cut off. Said R. Joseph: "Blessed be the Merciful One, who punished Issachar in this world, and thus enabled him to enjoy the world to come." Said R. Ashi: "Issachar never learnt the Mishna, for had he done so he would have learned the following: R. Sideon said: For sacrifices lambs are always preferable to kids; but shall we assume that this is because they are really more toothsome? Therefore it is written [Lev. iv. 32]: 'And if he bring a sheep for a sin-offering,' and as it is previously written that he

should bring a goat, it may be inferred therefrom that both are equal."

Rabhina, however, said: "Issachar did not even read the Scriptures, for it is written [Lev. iii. 7 and 12]: 'If he offer a sheep for his offering,' etc., and 'If a goat be his offering,' etc., thus showing that both are equal."

Footnotes

[90:1](#) This is a precautionary measure, lest the Gentiles put the cattle to work on Sabbath; but in the Schulchan Aruch this law is revoked.

[94:1](#) In Palestine in times of drouth especially, fast-days were imposed by the community upon its members in order to pray for rain, while in Babylon there hardly ever arose the necessity for such occasions.

[99:1](#) See Levit. xxiii. 22, and Deut. xxiv. 19.

[99:2](#) "Six things of Hezekiah." This is, in the original, not a continuation of the Mishna, but it begins with, "The rabbis taught," which signifies a Boraitha. In the edition of the Mishna, however, this is the continuation of the Mishna, and so it should be. See Tospath Yomtav Sanhedrin, Chap. 7.

[99:3](#) As a mark of disrespect.

[101:1](#) "In Usha" is in accordance with the explanation of Rabbenu Hananel; for the Gemara does not mention any particular place. By "Minim" is meant the Jewish adherents of several different sects, who in addition to their own creed accepted the doctrines of another religion. In this instance the Nazarenes, *i.e.*, the Jews who accepted the teachings of Jesus of Nazareth, are more particularly referred to.

[101:2](#) Neherdai was the kingdom of Persia, and the Minim Jewish Christians did not exist then at all. (Not, as some one claimed, that they were driven out. See our History of the Talmud.)

[103:1](#) One of the chambers enumerated in Tract Midath in connection with the Temple.

[104:1](#) See "Priester und Cultus," of Buechler.

[Next: Chapter V: Regulations Concerning the Sacrifice of the Paschal Lamb](#)