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CHAPTER VIII.

REGULATIONS CONCERNING THOSE OBLIGATED TO EAT THE PASCHAL SACRIFICE--WHERE IT MAY BE EATEN--COMPANIES APPOINTED TO EAT IT, AND THE DIFFERENCE BETWEEN THE FIRST AND SECOND PASSOVER.

MISHNA: If a paschal sacrifice had been slaughtered for a woman living in her husband's house, by her husband, and another lamb had been slaughtered by her father (also counting her in), she must eat that of her husband. If she came to pass the first festival after her marriage at her father's house and her father and husband have each slaughtered a paschal sacrifice for her, she may eat it at whichever place she prefers. If several guardians of an orphan have slaughtered paschal sacrifices for him, the orphan may go and eat it at the house he prefers. A slave belonging to two masters must not eat of the sacrifice of both masters. One who is partly a slave and partly free must not eat of the paschal sacrifice of his master.

GEMARA: Does the teaching of this Mishna then mean to signify, that there is such a thing as premeditated choice, *i.e.*, if the woman chose to eat at the house of either her husband or her father her intention to that effect was already existing at the time of the slaughtering of the lamb? Nay; by the statement "if she prefer it," it is not meant that she prefers to do it at the time when she is about to eat, but at the time when the sacrifice is to be slaughtered.

The following presents a contradiction: We have learned in a Boraitha: The first festival after a woman's marriage, she eats at the house of her father, but from that time on and further she may eat wherever she prefers to do so. This presents no difficulty. The Mishna refers to a case where the woman is not anxious to go to her father's house, in which event she may eat at her husband's house, while the Boraitha refers to a case of where the woman would rather eat at her father's house, as it is written [Solomon's Song viii. 10]: "Then was in his eyes as one that found favor," and R. Johanan held the passage to refer to

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a daughter-in-law who was anxious to go to her father's house and relate how she had found favor in the eyes of her husband's family.

It is written [Hosea ii. 18]: "And it shall happen at that day, saith the Lord, that thou shalt call me Ishi (my husband), and shalt not call me any more Ba'ali (my master)." Said R. Johanan: This signifies that (Israel will be as near to the Lord) as a woman who is in the household of her husband is to her husband, and not as one who is still in her father's house.

It is written [Solomon's Song viii. 8]: "We have a little sister, and she hath yet no breasts." Said R. Johanan: This refers to the province of Elam, which was destined to learn only and not to teach (because there lived Daniel, who had no disciples, while Babylonia had Ezra, who left

disciples).

It is written [ibid. viii. 10]: "I am a wall and my breasts are like towers." Said R. Johanan: "'I am a wall' refers to the Law, and 'my breasts are like towers' refers to the scholars who study it; "but Rabha said: "'I am a wall' refers to the congregation of Israel, and 'my breasts are like towers' refers to the synagogues and colleges."

R. Zutra bar Tobiah said in the name of Rabh: It is written [Psalms cxliv. 12]: "So that our sons may be like plants, grown up in their youth; our daughters, like corner-pillars, sculptured on the model of a palace." By "our sons may be like plants" are meant the youths of Israel who had not yet tasted of the flavor of sin, and by "our daughters like corner-pillars" are meant the maidens of Israel who lock their doors to men, as it is written in the next verse [ibid. 13]: "May our garners be full, furnishing all manner of store." By the passage "sculptured in the model of a palace" is meant, that both the youths and the maidens who have not sinned are worthy to have the Temple built in their days.

It is written [Hosea i. 1]: "The word of the Lord that came unto Hosea the son of Beëri, in the days of Uzziyah, Jotham, Achaz, and Hezekiah, the kings of Judah." At the same time four prophets prophesied, and the greatest among them was Hosea, as it is written further [ibid. 2]: "The beginning of the word of the Lord by Hosea was," which was explained by R. Johanan to mean the first of the four prophets that prophesied in that day, and they are: Hosea, Isaiah, Amos, and Micah. The Holy One, blessed be He, said to Hosea thus: "Thy children have sinned," and Hosea should have answered: "They

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are *Thy* children, the children of thy favorites Abraham, Isaac, and Jacob, and Thou shouldst extend towards them Thy mercy"; and not alone did he not make this reply, but even said: "Creator of the Universe! The whole world is thine. Why not exchange them for another nation?" Whereupon the Lord said: "What shall I do with this old man? I shall tell him to take unto himself a wife of prostitution and have children of prostitution [ibid. 2], and then I shall tell him to send her away; and if he will then be able to do so, I shall also cast off Israel, as it is written further [ibid. 3]: So he went and took Gomer the daughter of Diblayim. ["Gomer" (which means conclusion), said R. Jehudah, "was so called because at that time the money of the Israelites was about to be abolished," and R. Johanan said: "It was already abolished, for the Israelites were robbed of all possessions, as it is written [II Kings xiii. 7]: 'For the king of Syria had destroyed them and had made them like the dust at threshing.'"] It is further written: "And she conceived and bore him a son" [Hosea i. 4]. "And the Lord said unto him, Call his name Yizre'el (God will scatter, etc.)." [Ibid. 6:] "And she conceived again and bore a daughter; and He said unto him, Call her name Loruchamah (not finding mercy); for I will not further have any more mercy upon the house of Israel; but I will give them their full recompense, etc." [Ibid. 8:] "Now when she had weaned Loruchamah, she conceived, and bore a son." [Ibid. 9:] "Then said He, Call his name Lo'ammi (not my people); for ye are not my people, and I will indeed not be unto you (a God)." So after Hosea had born unto him two sons and a daughter, the Lord said unto him: "Shouldst thou not have learned from the example of Moses, who, immediately after I began to speak to him, separated himself from his wife? Then as he did, so also shalt thou do." Hosea answered: "Lord of the Universe! I have children with her, and cannot cast her off nor send the children away." So the Lord replied: "If then thou, who hast a wife of prostitution and whose children thou knowest not even whether they be thine,

canst not separate thyself from her, how then can I cast off my children (Israel), whose fathers, Abraham, Isaac, and Jacob I have tried--Israel, which is one of the four acquisitions which I have acquired in my world [see Aboth, Chap. VI., and Exod. xv. 16], and thou wouldst tell me to exchange them for another nation!"

As soon as Hosea realized that he had sinned, he commenced to pray for mercy for himself, and the Lord said unto him:

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[paragraph continues] "Instead of praying for mercy for thyself, pray rather for mercy for Israel, for through thee I pronounced those three invectives [mentioned above] against them." So he followed the behest of the Lord, and after praying for Israel, the three invectives were retracted and annulled. Finally, when this came to pass, Hosea commenced to bless the people, as it is written [chap. ii. 1-3]: "Yet shall the number of the children of Israel (once) be like the sand of the sea, which cannot be measured nor numbered; and it shall come to pass that, instead that people say of them, Ye are not my people (Lo'ammi), shall they call them the sons of the living God. Then shall the children of Judah and the children of Israel be gathered together, and they will appoint for themselves one head, and they shall go up out of the land; for great shall be the day Yizre'el. Call ye your brothers Ammi (my people); and your sister, Ruchamah (that hath obtained mercy)."

R. Johanan said: Woe is to a dominion that overwhelms its own master, for we find that there was not one prophet who did not outlive four kings, as it is written [Isaiah i. 1]: "The vision of Isaiah the son of Amoz, which he saw concerning Judah and Jerusalem in the days of Uzziyahn, Jotham, Achaz, and Hezekiah, the kings of Judah," and this also with the other prophets.

R. Johanan said again: Why was it destined for Jeroboam, king of Israel, to be counted with the kings of the house of David? (*Vide* Hosea i. 1.) Because he did not listen to calumny brought against Amos, as it is written [Amos vii. 10]: "Then sent Amazyah the priest of Beth-el, to Jeroboam the king of Israel, saying, Amos hath conspired against thee in the midst of the house of Israel," etc.; and further, it is written [ibid. 11]: "For this hath Amos said: By the sword shall Jeroboam die," etc., and Jeroboam answered: "God forbid that the righteous man (Amos) should have said this; but if he did, what can I do concerning him? Surely the Shekhina put the words in his mouth!"

R. Elazar said: Even when the Lord is angered, he also remembers His mercy, as it is written [Hosea i. 6]: "I will not farther have any more mercy upon the house of Israel; but I will give them their full recompense," reads: "I will not (go) farther; I will have mercy upon them," 1 etc.

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R. Jose bar Hanina said: "The latter part of the verse can be construed to mean that 'their sins will be obliterated.'"

R. Elazar said again: "The Holy One, blessed be He, sent the children of Israel into exile among the heathens only for the purpose of acquiring more converts, as it is written [Hosea ii. 25]: 'And I will sow her for me in the land,' and as a matter of course sowing is done in order to reap a

harvest."

R. Johanan infers it from the next passage [ibid. ibid.]: "I will have mercy upon 'Her that had not obtained mercy,'" refers to the heathens who were not yet converted and upon whom mercy will be had by scattering among them the Israelites as fruitful seed.

R. Johanan said in the name of R. Simeon ben Jochai: It is written [Proverbs xxx. 10]: "Do not calumniate a servant unto his master: lest he curse thee, and thou incur guilt," and further, it is written [ibid. ii]: "There is a generation that curseth its father, and doth not bless its mother," which signifies that even in a generation that curseth its father, etc., a man should not slander the slave to his master. Whence do we know this? From the instance of Hosea (who spoke in a derogatory manner of Israel and thereby incurred the wrath of the Lord).

R. Oshiya said: It is written [Judges v. ii]: "*Tzidkath Pirzono Be-Israel*" (the benefits towards the open towns in Israel). Read instead: "*Tzidkath Pizrono Be-Israel*" (the benefits conferred on Israel by scattering them among the nations). This is in accord with the statement of a Roman official to R. Hanina; viz., "We are better men than ye are; for concerning you it is written [II Kings xi. 16]: 'For six months did Joab remain there with all Israel, until he had cut off every male in Edom.' Yet we, who have dominated over you so long a time, have not destroyed you." Said R. Hanina to him: "Wouldst thou permit, that one of my disciples should argue the matter with thee?" (The official acquiesced.) R. Oshiya then came up and said to him: "The only reason why ye have not destroyed Israel, is because ye know not how to proceed. Should you desire to destroy all the Jews, it would be impossible, for there are numbers who are beyond your dominions; should you only destroy those that dwell among you, you would be called a curtailed dominion (because there would be a nation missing)." The official then answered: "I swear by the ruler of Rome that, when deliberating upon this matter, we begin and end with that argument."

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R. Hyya taught: It is written [Job xxviii. 23]: "God alone understandeth her way, and he knoweth her place," which signifies, that God knew that the children of Israel could not bear the tyrannical behests of the Edomites (or Romans), and for that reason He sent them into exile to Babylon or Persia, where they were not compelled to suffer so much.

R. Elazar said: Why was Israel exiled to Babylon? because Babylon is as low as the grave, and it is written [Hosea xiii. 14]: "From the power of the grave would I ransom them, from death would I redeem them." R. Hanina said: "They were exiled to Babylon because the language there is similar to the vernacular of the Law." R. Johanan said: They were exiled there because that was their native country (for Abraham came from Babylon); and this may serve as an example of a man who becomes angry with his wife and sends her back to her mother, and this is according to R. Alexandre's opinion, who said: "Three things returned whence they originated; namely, "Israel, the money carried out of Egypt by the Israelites, and the script of the tablets of the Law": Israel, as just mentioned; the money carried out of Egypt, as it is written [I Kings xiv. 25]: "And it came to pass in the fifth year of King Rehoboam, that Shishak the King of Egypt came up against Jerusalem [ibid. 26], and he took away the treasures of the house of the Lord and the treasures of the king's house, etc."; "the tablets," as it is written [Deutr. ix. 17]: "And I broke them before your eyes," and we have learned in a Boraitha that the tablets were broken and that the letters inscribed thereon vanished.

Ula, however, said: "Israel was exiled to Babylon because the necessities of life were cheap there, and the men would thus be enabled to live cheaply and at the same time study the Law." Ula once came to Pumbeditha, and a basket of dates was brought to him; so he asked how many baskets like that could be bought for one zuz, and he was told that three could be bought for one zuz. Said he to himself: "A big basket of honey for one zuz, and still the Babylonians do not study the Law sufficiently!" He ate too many dates, and it proved injurious to him. Said he to himself this time: "A whole basket of poison for one zuz, and still the Babylonians study."

R. Elazar said again: It is written [Isaiah ii. 3]: "And many people shall go and say, Come ye and let us go up to the mountain of the Lord, to the house of the God of Jacob." Of the God of Jacob, and not Abraham and Isaac? (Not that the

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[paragraph continues] God of Jacob is not also the God of Abraham and Isaac,) but the house of God is not the mount concerning which it is written [Genesis xxii. 14]: "On the mount of the Lord shall it be seen," nor yet the field of Isaac where he went out to perform his devotions [Gen. xxiv. 631, but the house of the God of Jacob, as it is written [Gen. xxviii. 19]: "And he called the name of the place Beth-el (house of God)."

R. Johanan said: The day on which all the children of Israel will be recalled from exile will be as great as the day on which the world was created, because it is written [Hosea ii. 2]: "Then shall the children of Judah and the children of Israel be gathered together, and they will appoint for themselves one bead, and they shall go up out of the land; for great shall be *the day* of Yizreël"; and as it is written [Genesis i. 5]: "It was evening and it was morning, the first day," and hence the comparison.

"If several guardians of an orphan have slaughtered," etc. Infer from this, then, that there is such a thing as premeditated choice! Said R. Zera: It is written [Exod. xii. 3]: "A lamb for every house," and that signifies, that the head of the house can slaughter a lamb for the entire family without consulting them.

The rabbis taught: "It says: 'A lamb for every house.' Whence we may infer that a man may slaughter the lamb for his minor sons and daughters, for his Canaanitish bond-men or bondwomen, whether he have their consent or not; but he must not slaughter it for his adult sons and daughters, for his Israelitish bond-men or bond-women, or for his wife, without their consent."

"A slave belonging to two masters," etc. R. Aina the Elder propounded a contradictory question to R. Na'hman: "We have learned in our Mishna that a slave belonging to two masters must not eat the paschal lamb at the houses of both, and in another Boraitha we have learned that if he chooses he can eat it at either one or the other," and R. Na'hman answered: "Old Aina! This is a case analogous to you and myself. (If we are on good terms we can partake of a joint meal, and) thus also the Mishna treats of masters who are not on good terms with each other, while the Boraitha treats of masters to whom it makes no difference where the slaves eat."

MISHNA: If a person order his slave to go and slaughter for him the paschal sacrifice, and the

kid or a lamb, he may eat it; if he slaughter a kid and a lamb, he may only eat that which he slaughtered first. How is he to act when he has forgotten the exact words of the order of his master? He should kill a lamb and a kid, and say (at the time of the killing and sprinkling of the blood), "If my master said 'a kid,' then may the kid be for him and the lamb for me, but if he said 'a lamb,' then be the kid for me and the lamb for him." If the master also had forgotten the precise terms of the order he gave, both animals must be burned, and neither master nor slave is bound to bring a second paschal sacrifice.

GEMARA: It is self-evident that if the slave slaughtered a lamb, although he generally slaughtered a kid, he may partake of the lamb, and if he slaughtered a kid, contrary to his usual custom of killing a lamb, he may eat of the kid; but is not the further statement in the Mishna, to the effect that if he slaughtered both he should only eat of that which he slaughtered first, contrary to the teaching of the Boraitha "that one man should not be appointed to eat of two paschal sacrifices" (how then may he eat of the offering slaughtered first)? The Mishna treats of the case of a king and a queen, as we have learned in a Boraitha, viz.: "One man must not be appointed to eat of two paschal sacrifices"; but it happened that a king and a queen ordered their slaves to slaughter the paschal sacrifice for them, and the slaves went and slaughtered two--a kid and a lamb. Afterwards they came to the king and asked him (which of the two he would eat), and he told them to ask the queen. When they asked the queen, she ordered them ask Rabbon Gamaliel, and when they came to R. Gamaliel he said: "In the case of the king and the queen, who are not particular whether they eat a kid or a lamb, they should eat of the first one slaughtered; but if this occurred to a man in our condition of life, he would not be allowed to partake of either."

At another time it happened that a reptile was found in the slaughter-house of the king, and it was thought that the reptile was dead, thus causing the entire meal prepared for the king and queen to become unclean. The servants came to the king and asked him concerning the matter, and he referred them to the queen, who in turn ordered them to inquire of Rabbon Gamaliel. When they came to R. Gamaliel, he asked them where the reptile had been found--among hot (food) or cold. They answered that it was found among hot; so he told them to get a cup of cold water and pour it on the reptile. This was done,

and the reptile moved. Accordingly R. Gamaliel held all the meal to be undefiled (for only the dead body of a reptile causes defilement, but not a live one). From this we can see, that the king depended upon the queen and the queen upon R. Gamaliel, and thus the entire meal of the king depended upon the decree of Rabbon Gamaliel.

"If the master also had forgotten the precise terms of the order," etc. Said Abayi: "Such is the case only if he had forgotten *after* the blood of the sacrifice had been sprinkled, for at that time the sacrifice was already fit to eat, and therefore no second Passover-sacrifice is necessary; but if he had forgotten *prior* to the time when the blood was sprinkled, in which case the sacrifice was not yet suitable to be eaten, he must bring a second Passover-offering."

According to others, Abayi did not make the above statement with reference to the Mishna but with respect to the Boraitha which follows: "If five skins of five different sacrifices were mixed and a blemish was found on the skin of one, all five sacrifices must be burned, but still neither one of the five owners need bring a second Passover-sacrifice." Commenting on this, Abayi said: "They need not bring a second sacrifice if the skins had become mixed after the sprinkling of the blood; for when the blood was sprinkled there were four of the sacrifices fit to be eaten. But if they had become mixed prior to the sprinkling, in which case none of the five were yet fit to be eaten, the owners are in duty bound to bring second Passover-offerings."

Those who hold that Abayi refers the statement mentioned to the Mishna, hold so much the more that he makes it with respect to the Boraitha also; but those who hold that he refers it to the Boraitha, maintain that in all probability he does not make the statement with reference to the Mishna: because in the case of the Boraitha one of the sacrifices was beyond doubt invalid through the blemish on the skin, and therefore a second Passover-offering should be brought; but in the Mishna the sacrifices were at all events valid, and the owner had merely forgotten what he had ordered. Still to the Lord his intention was known, and for that reason a second Passover-offering is not necessary.

The Master said (in the Boraitha): "Neither of the five owners need bring a second Passover-sacrifice." Why not? One of them had surely not acquitted himself of his duty! Because it is impossible to remedy the case. Should each of the

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five bring a second Passover-offering, the four whose sacrifices were valid will be guilty of bringing ordinary animals into the Temple for paschal sacrifices, and that is prohibited. Should all five bring but one, then it will be eaten by persons not appointed for that purpose. Hence all five are exempted.

MISHNA: If a man say to his sons: "I slaughter the paschal sacrifice for whichever one of you shall arrive first in Jerusalem; then the first of them, whose head and greater part of the body first appears (in the city gate), thereby acquires a right to his own share and acquires the same for his brothers.

GEMARA: Infer therefrom that there is such a thing as premeditated choice (for originally the man did not know which one of his sons would arrive first, and when one *did* arrive, it must be assumed that that son was the one for whom the man intended to slaughter the sacrifice at the time of slaughtering). Said R. Johanan: "The man actually intended the sacrifice for all of his sons, but he merely mentioned the one who arrived first in order to cause his sons to hasten to fulfil their duty." This can be inferred from the Mishna itself, which teaches that the one son can also acquire the right to their shares for his brothers. This would be proper if the man intended the sacrifice for all his sons to commence with; but if we should say, that he did not intend it for all of them at the time of the slaughter, how can a right be acquired for them after the slaughtering had been done? for we have learned in a Mishna: "They may be numbered for the sacrifice, and can withdraw from it only until the time of slaughtering." Such, then, is the conclusion.

We also learned in support of this in a Boraitha: It once happened that the daughters of a man

made their appearance before the sons did, and the daughters were consequently held to be alert while the sons were tardy.

MISHNA: As many people may partake of a paschal sacrifice as can obtain therefrom the quantity of flesh of the size of an olive. Those that were appointed to eat it may withdraw (from the company) before the paschal sacrifice is slaughtered. R. Simeon said: "They may do so until the blood thereof is sprinkled."

GEMARA: What would (this Mishna) teach us? It would inform us that, even if one company had already been numbered to eat the sacrifice, another company may nevertheless be appointed, provided always that there will be a quantity of flesh of the size of an olive for each member of the second company.

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"Those that were appointed to eat may withdraw," etc. Said Abayi: The point of difference between the sages and R. Simeon is only as regards the withdrawal. The sages hold that the passage [Exod. xii. 4]: "And if the household be too small for a lamb," refers to a lamb which is still alive, while R. Simeon holds that it refers to a lamb which is still on hand (in a slaughtered state); but as for the appointment of the company, all agree, that this can be done only until the time of slaughtering, because it is written [ibid. ibid.]: "According to the number of souls," and immediately following it says, "shall ye make a count for the lamb."

We have learned in a Boraitha in accordance with the above: Those appointed to eat of the sacrifice may withdraw until the time of the slaughter; but R. Simeon says: "The appointment may be made until the time of the slaughter; but withdrawal therefrom may be effected until the sprinkling of the blood."

MISHNA: If a person had appointed others to partake with him of his share of the paschal sacrifice, his company are at liberty to give him his share so that he may eat it apart from them with his guests, and they may eat their own share (apart from him and his guests).

GEMARA: The schoolmen propounded a question: If a member of a company have a larger capacity than the other members, may the rest of the company offer him his share to eat separately, or can he insist upon his right to partake of the sacrifice jointly with them? And can they, on the other hand, maintain that they received him as a member only in order to prevent a remainder being left over from the (consecrated) sacrifice, but that they did not calculate upon his appropriating more thereof than the other members of the company?

Come and hear! If a member of a company had a larger capacity than the other members, the rest may say to him: "Take thy share and go!" and not only this; but even if five persons had formed a partnership for the entire year and one of them appropriated more than his due, the others might say to him: "Take thy share and go!" Hence the conclusion.

What additional information would the statement, "not only this, but even if," etc., impart to us? We are told by this statement, that not only can a man be ousted from a company appointed to eat the paschal sacrifice on the ground that he was taken in only to avoid having a remainder left over, but even in an ordinary case of partnership, where such a claim cannot be

brought forward, a man maybe ousted if appropriating more than his just share.

According to another version, this was not the subject at issue, but the question was merely whether a company which had gone into partnership (for any purpose whatever) might be divided or not. Come and hear: If a member of a company had a larger capacity than the other members, he might be told to "take his part and go"; whence we may infer that this may be done only if he had a larger capacity than the others, (because he was taken in only to avoid a remainder being left over,) but where such a claim cannot be put forth he cannot under any circumstances be ousted. Such is the conclusion.

R. Papa and R. Huna the son of R. Jehoshua agreed to take a meal in common. In the time it took R. Huna to eat one (date) R. Papa would consume four. Said R. Huna to him: "Give me my share (and let me go)!" and R. Papa answered: "We are in company! (Eat also as quickly as I do.)" Whereupon R. Huna propounded to him the previous questions (concerning divisions of partnership mentioned above), and was answered accordingly. He then asked him concerning the Boraitha, bringing the instance of an ordinary partnership (cited above), whereupon R. Papa gave him his share.

R. Huna then left and made common cause with Rabhina. In the time R. Huna bar R. Jehoshua would eat one (date) Rabhina would consume eight. So R. Huna said: "Rather an hundred Papas than one Rabhina."

The rabbis taught: If one man invite several others to go with him and partake of his paschal or festal offering, the money in his possession obtained from the guests he invites is non-consecrated, (notwithstanding the fact that money was given with the intention of applying it to a consecrated purpose). One who sold his burnt-offering or his peace-offering is not considered to have done anything, and the money obtained, whatever it be, should be applied to a voluntary offering. If the man is not considered to have done anything, why should the money obtained be applied to a voluntary offering? Said Rabha: This is virtually a punishment for the purchaser (in order to prevent him from buying burnt and peace offerings from another); (for not the mouse is the thief but the hole, *i.e.*, the thief is not as guilty as the receiver of stolen property who aids him). What is the meaning of "whatever it be"? This means to imply, that even if the amount paid was in excess of the value of the

sacrifice, *f.i.*, it was worth four, and five (zuz) were paid, even the one zuz in excess of the value is assessed as a punishment, and not, as might be assumed, allowed the purchaser.

MISHNA: If a person, having a running issue, had observed such issue twice on the same day, and the seventh day after (his malady had subsided) fall on the 14th day (of Nissan), (when he is no longer defiled), he may have the paschal sacrifice slaughtered for him on that day; but if he had observed the issue three times in one day, it may be slaughtered for him only if the eighth day (when he again becomes clean) should fall on the 14th (of Nissan). For a woman whose menstruation continued for a day beyond her regular period, the paschal sacrifice may be

slaughtered if the second day (after her menstruation had subsided) fall on the 14th (of Nissan); if it continued two days beyond her regular period, the sacrifice may be slaughtered for her if the 14th (of Nissan fall) on the third day after the menstruation had subsided; but for a woman whose flow of menses continued three days beyond her regular period, the sacrifice may be slaughtered only if the 14th (of Nissan) fall on the eighth day after the flow had stopped. [1](#)

GEMARA: R.. Jehudah said in the name of Rabh: "For a person who had a running issue the paschal sacrifice may be slaughtered on the day on which he takes his legal bath even before the sun had set on him (if that day be the 14th of Nissan). The same law applies to one who had already bathed, but had not yet received forgiveness from the altar (*i.e.*, had not yet brought the legal sacrifice); but for one who had contracted uncleanness through contact with a dead reptile the sacrifice must not be slaughtered nor the blood sprinkled, even though he may legally take his bath on that day." Ula, however, said, that for the latter also the sacrifice may be slaughtered and the blood sprinkled.

According to Rabh, why may the sacrifice be slaughtered for one who had a running issue and had taken his legal bath? because he will at night be allowed to partake thereof. Why, then, should he not accord the same permission in the case of one who had become defiled through a dead reptile? For the reason that the latter had not yet taken his legal bath. But even for the one who had bathed, is not sunset lacking? The

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sunset must eventually take place, while one may neglect to take a bath. What about the one who still lacks forgiveness? Surely that may be delayed? The case of a man is spoken of, who already has the necessary sacrifice in his possession. If that be the case, then the one who had not yet taken his bath can claim that the bath is ready for him? Still, there is fear that he might not take advantage of it. Can this not also be the case with the one who lacks forgiveness, even if he have the sacrifice in his possession? "In his possession" signifies, that the sacrifice had already been delivered to the tribunal of the priests, and this is in accordance with R. Shamaiah's opinion, which reads: "We are certain that the tribunal of the priests does not adjourn until all the money contained in the chests and set apart for the sacrifices of the day is properly disposed of."

Let us see! Rabh, who does not permit the sacrifice to be slaughtered for one who had become defiled through a reptile and had not yet bathed, does so, because he claims that there is fear lest the man should not take his legal bath, which is merely a rabbinical precautionary measure, while according to biblical law the precaution is dispensed with and the sacrifice may be slaughtered for him. How, then, can Rabh prescribe that if a congregation is equally divided between clean and unclean members, one of the clean should be defiled by being brought in contact with a reptile? Therefore we must say, that, according to Rabh, one who had become defiled through contact with a reptile cannot even according to biblical law have the sacrifice slaughtered for him; for it is written [Numbers ix. 10]: "If any man whatever should be unclean by reason of a dead body," and we know that even if the seventh day of such a man's uncleanness fall on the eve of Passover, still the Law prescribes that he should bring his sacrifice on the second Passover, and the seventh day is the equivalent of a day on which a man had become defiled through a dead reptile.

Whence do we know, that the seventh day fell on the eve of Passover, perhaps it is not the

seventh day (but the fifth or sixth)? Because we know that Rabh holds with R. Itz'hak, who states as follows: "It is written [ibid. ix. 6]: "But there were certain men who had been defiled by the dead body of a man, and they could not prepare the Passover-lamb on *that day*." Whence we adduce, that they were defiled by a corpse for which no burying-ground had been provided, and the seventh after their defilement happened on the eve of Passover, because it is

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distinctly written, "on that day," which signifies, that though they could not prepare the sacrifice "on that day" they could do so on the morrow, and still the Law prescribed that they should bring their sacrifice on the second Passover.

MISHNA: For a mourner who has lost a relative, for whom he is obliged to mourn, on the 14th (of Nissan); for a person employed in digging out of a heap of fallen ruins persons buried among them; for a prisoner who has the assurance of a release (in time to eat the paschal sacrifice); and for aged and sick persons, it is lawful to slaughter the paschal sacrifice while they are able to partake thereof a quantity at least the size of an olive. For none of these, however, may it be slaughtered on their account alone, because they may cause the paschal offering to become desecrated and useless; therefore, if any one of the persons enumerated becomes disqualified to partake of the paschal sacrifice, he need not bring a second, with the exception of a person who had dug out a dead body from beneath the ruins, since such a person is unclean to commence with.

GEMARA: Said Rabba bar Huna in the name of R. Johanan: A prisoner on whose account alone the paschal sacrifice should not be slaughtered is one who is imprisoned in the prison of the heathens; but one who is in a prison of the Israelites, if his release for that day was promised him, may have the paschal sacrifice slaughtered for him, because the promise will surely be fulfilled, as it is written [Zephaniah iii. 13]: "The remnant of Israel shall not do injustice, nor speak lies." R. Hisda said: "In treating of the prisons of the heathens, only such are meant as are outside of the walls of Beth Paagi; but if a prisoner is confined in a prison of the heathens inside of the walls of that place, he may have the paschal sacrifice slaughtered for him even if he be not released on the eve of Passover, as it may be brought to him while in confinement and he is allowed to partake thereof."

"Therefore, if anyone of the persons enumerated becomes disqualified," etc. Said Rabba bar Hana in the name of R. Johanan: "Thus we have also learned in a Boraitha in the name of R. Simeon the son of R. Johanan ben Broka, viz.: If a man dig out of a heap of fallen ruins (persons buried among them), he is sometimes exempt from the duty of bringing a second Passover-offering and at other times he is obliged to do so. How so? If the heap was round and when commencing to dig he virtually formed a tent over the corpse which he was attempting

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to dig out, and at the time the paschal offering was being slaughtered, he was already unclean and should therefore bring a second Passover-offering; but if the heap was oblong and the digging was commenced at the side, it is doubtful whether by the time the corpse was reached, (making the man unclean,) the sacrifice had already been slaughtered, and wherever there is a doubt a second Passover-offering need not be brought."

MISHNA: The paschal sacrifice must not be slaughtered for a single individual. Such is the dictum of R. Jehudah. R. Jose, however, permits this to be done. It must not be slaughtered even for a company of a hundred persons, if each one of them cannot eat as his share at least a piece the size of an olive. Neither may a company for the purpose of eating the paschal sacrifice be formed of women, with slaves and minors.

GEMARA: The rabbis taught: Whence do we know the paschal sacrifice must not be slaughtered for a single individual? because it is written [Deut. xvi. 5]: "Thou mayest not slay the passover within any one," etc., and this signifies, that it must not be slaughtered for one (person). Such is the dictum of R. Jehudah. R. Jose, however, said: "If one can eat the entire sacrifice it may be slaughtered for him; but if ten cannot eat it up entirely, then it must not even be slaughtered for the ten." How then will R. Jose explain the term "any one" in the passage quoted? He will apply it to the dictum of R. Simeon as follows: We have learned in a Boraitha: R. Simeon said: "Whence do we know that one who slaughtered a paschal sacrifice on an altar of his own (not in the Temple) is guilty of transgressing a negative commandment? This is demonstrated by the passage: "Thou mayest not slay the passover in any one of thy gates." Shall we assume, that even in the interim between the destruction of the first Temple and the erection of the second, when it was allowed to slaughter the paschal sacrifice outside of the Temple, one would also be culpable if he slaughtered it on his own altar? (Nay; for) to that end it is written, "in any one of thy gates," which signifies that only when there was a common gate for all the Israelites this would constitute a transgression; but when there was not, no guilt was incurred.

R. Uqba bar Hinana of the city of Prishna propounded a contradictory question to Rabha: "How can R. Jehudah say, that the paschal sacrifice must not be slaughtered for a single individual-- have we not learned in a Boraitha: For a woman

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the first paschal sacrifice maybe slaughtered individually; but in the case of the second sacrifice she must be counted in with a company; such is the decree of R. Jehudah?

Rabha answered: Do not read, 'may be slaughtered for her individually,' but 'for *them* separately,' which means that there were several women together." Rejoined R. Uqba: "But have we not learned in our Mishna that a company must not be formed of women, slaves, or minors, *i. e.*, of any of the three?" and Rabha replied: "Nay; it means that a company must not be formed of the three together. It must not be formed of women and slaves, in order to prevent sin; not of slaves and minors, in order not to spoil the manners of the children."

R. Jacob said in the name of R. Johanan: A company should not be formed entirely of proselytes, because they are over-scrupulous and may cause the sacrifice to become invalid.

The rabbis taught: The paschal sacrifice, the eating of unleavened bread and of bitter herbs, are only obligatory on the first day of the Passover, but after that it is optional, and a man may or may not perform either. R. Simeon, however, said: "These duties are obligatory for men during the entire festival, but for women they are obligatory only on the first day?"

To what does R. Simeon refer? Shall we say to the paschal sacrifice--that may only be brought on the eve of the first day? Hence we must assume that he refers to the eating of unleavened

bread and bitter herbs? Does not R. Simeon hold with the dictum of R. Eliezer to the effect that women are in duty bound to eat unleavened bread by biblical law; because it is written [Deut. xvi. 3]: "Thou shalt not eat therewith any leavened bread; seven days shalt thou eat therewith unleavened bread," etc., from which R. Eliezer infers that, as it is prohibited to eat leavened bread, it is obligatory to eat unleavened bread, and this rule applies to women also? Therefore say, that the paschal sacrifice and eating of unleavened bread and bitter herbs are obligatory on the first day only, and optional thereafter; and R. Simeon said, that the paschal sacrifice on the first day is obligatory for men only, and women are exempt (because it is a positive commandment dependent upon its season)-

MISHNA: A mourner (who is obliged to mourn for a near relative who is not yet interred) may eat of the paschal sacrifice at eve after having taken his legal bath, but must not eat of other holy sacrifices. One, however, who has only received information

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of the decease of a near relative, or who has the bones of a deceased person exhumed (and removed) for him, may eat even of other holy sacrifices after having bathed. A Gentile proselyte, who was circumcised on the day before the Passover festival may, according to Beth Shammai, bathe himself, and eat in the evening of the paschal sacrifice. Beth Hillel, however, say: "One who has parted from the uncircumcised must be considered as one who has just parted from the grave." [1](#)

GEMARA: Why may a mourner eat of the paschal sacrifice? Because, while on the day of the decease of the relative the mourner is, according to biblical law, exempted from the performance of all religious duties, on the night of that day the Tana (of the Mishna) holds that he is exempt only by rabbinical law, and on account of rabbinical law they would not assume the responsibility of avoiding a commandment the non-observance of which is punishable with Kareth (being cut off). As for other holy (sacrifices) which do not involve such punishment, if not partaken of they held the rabbinical law to be effective.

"Who has the bones of a deceased person exhumed," etc. Must not a man who exhumes the bones of a deceased person undergo the period of uncleanness for seven days and be sprinkled on the third and the seventh. Read in the Mishna, that a man is referred to who has the bones exhumed *for him*, and thus is only bound to mourn.

"A Gentile proselyte, who was circumcised," etc.: Said Rabba bar bar Hana in the name of R. Johanan: They differ only concerning a Gentile proselyte, for Beth Hillel hold that it might happen on the next year that the Gentile should be unclean, and say: "I will bathe and eat of the paschal sacrifice," thinking that having done so the preceding year he is allowed to do it also then, and not realizing that in the preceding year he had not yet been an Israelite and therefore not subject to uncleanness, while this year he is now an Israelite and is subject to the law of uncleanness. Beth Shammai, however, maintain that such a precautionary measure is not necessary. As for an Israelite, however, who had been circumcised on the day before the Passover, all agree that he may after bathing partake of the sacrifice and that the precautionary measure is in his case superfluous.

The same we have learned in a Boraita in the name of R. Simeon ben Elazar.

Footnotes

[176:1](#) This version of the verse R. Elazar bases upon the fact that the Hebrew term "Ara'hem" means "I will have mercy upon them," and if it were as translated in the first version of the passage the term used would be "Lera'hem."

[185:1](#) The detailed laws concerning the cases under discussion in the Mishna will be brought forward in Tract Niddah.

[190:1](#) And is therefore unclean for seven days; hence he must not eat the paschal sacrifice.

[Next: Chapter IX: The Second Passover; Passover during Exodus; Mixed Paschal Sacrifices](#)