

CHAPTER III.

REGULATIONS CONCERNING FISHING AND HUNTING ON FESTIVALS.

MISHNA: It is not allowed to catch fish from aquaria on festivals, nor to give them food; but one may hunt beasts or birds in parks, and feed them. Rabban Simeon b. Gamaliel says: Not all aquaria and parks are regarded in the same light. This is the general rule. In case the animals have to be hunted it is prohibited; but when no hunting is required, it is not.

GEMARA: There is a contradiction. We have learned in a Tosephta that in parks beasts and fowls must not be caught on the festival, and must not be fed. The contradiction between the Tosephta and Mishna concerning the beasts could be explained that the Tosephta is in accordance with R. Jehudah, who prohibits this (Sabbath, p. 216); but the contradiction about fowls, how can it be explained? And if it be said, that here also there is no difficulty, because the Tosephta meant an unroofed park, while the Mishna spoke of a roofed park, did not the Mishna in Tract Sabbath state that according to all a fowl must not be caught in a house, and a house is certainly meant a roofed one? Said Rabha bar R. Huna: The Tosephta meant a bird called Durur in Arabic, which it is very difficult to catch, and which never becomes domesticated. As the disciples of R. Ishmael taught: Why is this fowl named Durur? Because to it the house and the field are the same. Now, when we know this, the contradiction about beasts can also be explained, that the Mishna speaks of a small park, and the Tosephta of a great one, where it is difficult to catch. What is called a small park, or a great park? Said R. Ashi: If the shadows of the two walls on the ground touch, then it is small, but otherwise it is great.

"R. Simeon b. Gamaliel says," etc. Said R. Joseph in the name of R. Jehudah quoting Samuel: The Halakha prevails according to R. Simeon b. Gamaliel. Said Abayi to him: Is there any one that differs from him, that it is necessary for you to declare that the Halakha prevails according to R. Simeon b.

Gamaliel? Said the former: And what difference is it to you? Rejoined Abayi: Shall the Gemara be like a song, to learn it without knowing any reason for each decision?

"This is the general rule," etc. What is meant by "have to be hunted"? The same authority says in the name of the same authority: If one must say, bring a net to catch it. Said Abayi to R. Joseph: Of geese and chickens it is usually said, bring a net, we will catch them. Nevertheless we have learned in a Boraitha that whoso catches geese and chickens is not culpable? Said Rabba bar R. Huna in the name of Samuel: The latter come to their places in the evening, and the owner is responsible for their feeding (therefore whoso catches them is not culpable), but animals of a park do not do so, and the owner is not obliged to feed them.

MISHNA: If nets have been spread for fish or wild game on the eve of a festival, it is not allowed to take from them, on the festival, unless it is known that they have been caught before its commencement. It once happened that a Gentile brought on the festival a present of fish to Rabban Gamaliel, when he said: It is allowed to use them, but I do not wish to accept presents from that man.

GEMARA: Is the deed of R. Gamaliel not in contradiction with the teaching of the Mishna? The Mishna is not completed. It must be read thus: If it is doubtful whether a thing was prepared from the day before, it is prohibited; but R. Gamaliel permits it; and it once happened also that a Gentile brought fish on a festival, in the morning, as a present to R. Gamaliel, and he said: They are permitted, etc. R. Jehudah in the name of Samuel said: The Halakha does not prevail according to R. Gamaliel. According to others, R. Jehudah declared his decision about the following Boraitha: Beasts from parks may be slaughtered, but not from nets (because it is not known on what day they were found there, on the festival or before it). R. Simeon b. Elazar said: If one found the nets disturbed on the eve of a festival, it is certain that they had been caught before the festival, and they are permitted; but if he came on the festival, and saw them disturbed, it is certain they were caught during the festival, and they are not allowed. Is this saying not contradictory in itself? It says: If he found it disturbed on the eve of a festival, it is certain that they were caught before the festival, and they are allowed, from which it is to be understood, that if it was doubtful, it is not allowed; and in the latter part it says:

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{If he found it disturbed on the festival, etc., it is certain that they were caught during the festival, and they are not allowed, from which it is to be inferred that when there is a doubt it is permissible? It means to say thus: If he found it disturbed on the eve, it is certain that they were already caught, and are permissible; but if it was doubtful, it is to be considered that they were caught on the festival, and are not permissible. Said R. Jehudah in the name of Samuel: The Halakha prevails according to R. Simeon b. Elazar.

"*When he said, it is allowed,*" etc. Allowed what? Rabh said: They are permitted to be received, but Levi said, they are permitted to be eaten.

Said Rabh: A man should never absent himself from the house of learning, even for one hour, because I and Levi both were in the college when Rabbi declared this Halakha. In the evening he said: They are permitted to be eaten; but in the morning he said: They are permitted to be received. I, who was in the college in the morning and heard his second decision, gave up the first; but Levi, who was not, did not.

R. Papa said: The Halakha is as follows: If a Gentile brought a present to an Israelite on a festival, if the same kind of productions are found yet on the trees or ground, it is prohibited; and even in the evening, one must wait till the time when such a thing may be gathered and brought. But if that kind of production is no longer found on trees or on the field, then, if the present has been carried from within the legal limit, it may be accepted, but if from beyond the legal limit it may not. And if it has been brought for one Israelite, another may use it.

Rabba bar R. Huna said in the name of Rabh: When one has choked a pond, on the eve of a festival, and on the morrow he found there fish, they are permitted. Said R. Hisda: From the

teaching of our Master we can infer that a beast which was overnight in the garden need not have been prepared on the preceding day (may be used). Said R. Na'hman: My colleague has attempted to decide the quarrel of great men. In the case of the fish, the man does nothing; but in this case, he must catch it. But how could R. Hisda decide that it has not to be prepared, did we not learn in a Boraitha, that a beast that was overnight in a garden must have been prepared, and a bird must have had its wings bound that it should not be exchanged for another? And this law is one of those which it has been testified, that they were said by Shemaia and Abtalian? This objection remains.

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MISHNA: It is not allowed to kill on a festival an animal suffering from a mortal disease, unless there is time to eat thereof, on that day, at least the size of an olive, roasted. Rabbi Aqiba allows it, if there be only time to eat thereof the size of an olive, raw, even in the very place where it is slaughtered. If it has been killed in the field, the entire carcass may not be carried home on poles or sticks, but only piecemeal, by hand.

GEMARA: Said Rami bar Abba: The taking off the skin, and the cutting of a burnt-offering (which could be burnt without this) is only to teach the latter generations, that one shall not eat meat of a slaughtered animal before the skin is taken off, and was not cut in the usual pieces. Is this also a necessary teaching? Yea, as we have learned in a Boraitha, a man shall not commence eating garlic or onions from the roots, but from the leaves; otherwise his taste is coarse. Likewise, a man should not empty his goblet at a draught, otherwise he resembles a drunkard. [1](#)

A Boraitha states in the name of R. Meir: Why was the Law given to Israel? Because they are bold (difficult to be vanquished). The disciples of R. Ishmael taught: It is written [Deut. xxxiii. 2]: "From his right hand he gave a fiery law unto them." The Holy One, blessed be He, said: The Israelites are so bold that a fiery law must be given to them. According to others, the law of this people is like fire, because if such a law had not been given to them, no nation and tongue could stand before them. And this is as R. Simeon b. Lakish said: The boldest nation of all nations is Israel. [2](#)

"*The entire carcass may not be brought on poles.*" The rabbis taught: A blind man should not walk with his stick on a festival, nor a shepherd with his bag (pouch); also, a man must not be carried in a chair. It matters not whether it is a man or a woman. This is not so? Did not R. Jacob bar Iddi send a message that an old man was in his neighborhood and he was carried in a litter (*Lectica*), and they went to R. Joshua b. Levi and asked him whether it was lawful, and his answer was, that if he was needed by many people, he could do so. And our Masters use as a sup. port to this opinion words of Ahi Shakia, who said: I have carried R. Huna in a chair on the festival from Hini to Shilli, and back. And R. Na'hman bar Itz'hak told: I have carried Mar Samuel

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from the shadow into sunshine, and back. The reason is stated, because if many people needed him it was allowed.

Says R. Na'hman to Hama bar Adda, the messenger of Zion: When you go to Palestine, turn

down from your road and ascend the "Ladder of Tzur" and visit R. Jacob bar Iddi and ask him: How is their custom with a litter? When he arrived there, R. Jacob bar Iddi was dead, and he found R. Zrika, and asked him: How is your custom in regard to litters? And he answered: So said R. Ammi: One may be carried in them, provided he shall not put his hands on the shoulders of the bearers. What is meant by this? Said R. Joseph the son of Rabha: He shall not be carried in a palanquin (a kind of litter which required that he who is carried should hold by the shoulders of the bearers). Is that so? Did not R. Na'hman allow his wife Yalta to be carried in a palanquin? The case with Yalta was different; she was timid.

Amemar and Mar Zutra were carried on the Sabbath before the festivals on a palanquin, because there was a great crowd and it was feared they would be injured. According to others: Because it was so crowded by the people who came to hear, that they could not pass through.

MISHNA: If a first-born animal fall into a pit on the festival (and it is not known whether it was injured), R. Jehudah says: An expert may descend and see whether it had already an in. curable and permanent blemish, in which case it may be drawn up and killed, but not otherwise. R. Simeon, however, said: If a blemish in a first-born animal was not recognized on the eve of the festival, this is not considered prepared, and must not be killed on the holiday.

GEMARA: On what point do they differ? Shall we assume that the point is, if it is allowed to examine blemishes on the festival, that according to R. Jehudah it is allowed, and according to R. Simeon it is not, then let him say so plainly. Why do they differ here when it fell in a pit? This case was necessary, lest one say that, because here is pity for the living thing which falls in the pit, it shall be allowed to be taken out for the purpose of slaughtering it, if it has a blemish, as R. Joshua said further on (Chap. V., [p. 75](#)). Therefore it comes to teach us that even in this case there is yet a difference of opinion.

If it is so, then the Mishna should say, he shall *bring* it up and slaughter it? And the difference on this point is only whether it should be slaughtered or not? The case is, when he has already brought it up, lest one say that when it is brought up

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it may be slaughtered. Slaughtered! is it not a first-born without a blemish? That means, if it got a blemish. But if it has the blemish now, is it not yet Muktzah? The case is when it has a blemish which has to be examined on the eve of the festival, and now through its fall it has got a permanent blemish, and it can be slaughtered without any examination, lest one say that because a blemish was from yesterday, the owner had it in his mind, and might be slaughtered to-day, the Mishna comes to teach us that it is not so.

The rabbis taught: Of a first-born animal which was without blemish (if it fall into a pit on a festival), R. Jehudah the Nassi said: An expert shall descend and see whether it had a blemish, and then it may be drawn up and slaughtered; and if not, it shall not be slaughtered. Said R. Simeon b. Menasia to him: Did not the sages say that blemishes must not be examined on a festival? How so? If it got a blemish on the preceding day it must not be examined on the festival; but if it got the blemish on the festival, R. Simeon said that it could not be killed, because it was not prepared from the day before. They all agree, however, that if it was born on a festival with a blemish, it is considered as prepared. Rabba bar R. Huna lectured: If the animal

was born with a blemish, the examination may be commenced on the festival. Said R. Na'hman to him: Abba, 1 we have learned if he has transgressed and had already examined, the examination can be useful, and thou sayest that they may *commence* the examination? Said Abayi: It seems to me that Rabba bar Huna is right, because the Boraitha teaches three cases. If it got a blemish on the eve it must not be examined on the festival. From this we may infer that it must not be examined, but that if it has already been examined, it may be used. (The second case is) if the blemish was got on the festival, R. Simeon said that it is not prepared. From this we see that, even if it has been examined and a real blemish found, it must also not be used. (And the third case is) all agree that if it was born with a blemish on a festival, it is considered prepared. Consequently, the examination may be commenced.

(Is that so?) We know that when R. Oshija came from Palestine he brought a Boraitha. Either when he got a blemish on the eve of the festival, or on the festival, according to the

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sages it is not to be considered prepared (and the Boraitha must be in accordance with R. Simeon, who says that it must not be examined on the festival; and nevertheless the Boraitha teaches that even if the blemish was from the eve of the festival, it is also not to be considered as prepared, we can say, then, that if it was born with a blemish, it is permissible only when it was examined, but it is not allowed to commence the examination, as R. Na'hman said above?) Yea, it can be said so, but the following Boraitha is yet a contradiction to him (why, then, should you prefer the Boraitha which R. Oshiya brought to *the former*?) Because the former Boraitha came from the sources of Adda bar Ukhmi, 1 who was known to be erratic in the Boraithas which he taught. Said R. Na'hman bar Itz'hak: It seems from our Mishna also that it is in accordance with the Boraitha of R. Oshiya, because it states: R. Simeon said: If the blemish was not recognized on the eve, etc., it is not considered prepared. Now let us see what is meant by "recognized"? Shall we assume that it was not visible at all? This would be self-evident. We must then say that it was not examined whether it was a permanent blemish or a temporary one; nevertheless it states that it is not considered prepared, even when one slaughtered it. (Consequently the latter part of the Mishna, which states that "all agree," etc., "it is prepared," must be explained as R. Na'hman corrected.)

Hillel asked of Rabha: Does the law of Muktzah exist for a half of Sabbath (*i.e.*, whether a thing is fit for one half of Sabbath, but not for the other half)? How can such a case be? If it was fit in twilight, then it was fit for the whole Sabbath; and if it was not fit at twilight, then it was not fit for the whole Sabbath?

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He meant to say it was fit at twilight, but afterwards it got wet from rain, and dried again, as it was in the beginning, and not fit during one part of Sabbath., and then fit again. How is it? The answer was: There is no law of Muktzah for a half of Sabbath. Shall we assume that the above Boraitha, which declares that if it was born with a blemish it shall be considered as prepared, is a support to Rabha's decree? Because the first-born, when it was yet in the womb of its mother, was fit along with its mother (because it was not reckoned a firstling before its birth); and as soon as it is born, it is not fit; and after its being examined by an expert and found blemished it becomes again fit (from this we see that the law of Muktzah does not exist for a half of Sabbath, as it was fit before its birth, became unfit at birth, and became fit again after examination).

Nay, said Abayi in the name of R. Saphra: It may be that the case was, the expert was by when it was born, and saw it was fit from its birth.

R. Jehudah the second possessed a firstling, and sent it to R. Ammi on a festival for examination. At first he thought he would not examine it. Said R. Zrika, or according to others R. Jeremiah, to him: If R. Simeon and R. Jehudah differ, the Halakha prevails according to R. Jehudah.

At another time he sent it to R. Itz'hak of Naph'ha, and the same happened again. Said R. Abba to R. Zrika: Why did not you let people do a thing in accordance with R. Simeon? And he answered him: Have you heard any decision that the Halakha is according to R. Simeon? And he said: Yea, so I have heard from R. Zera. Said some one of the disciples present: If I will be worthy to go to Palestine, I would like to learn the Halakha from the mouth of R. Zera. Later when he came to Palestine, he asked R. Zera: Did the Master say that the Halakha prevails according to R. Simeon? And he answered: I did not say it is so, but I said: It seems so to me, because the Mishna relates, R. Simeon said: If the blemish was not recognized while it was yet day, it is not prepared, and the Boraitha teaches the same in the name of the sages (in plural). And I thought the Boraitha did so because the Halakha prevails accordingly. How is it in reality? Said R. Joseph: Come and hear. I will base my decision on the words of great men, that R. Simeon ben Pazzi in the name of R. Joshua b. Levi, quoting R. Jose b. Saul in the name of Rabbi, upon the authority of the Holy Assembly of Jerusalem, said that R. Simeon (b. Menasseh) and his colleagues

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decide the above Halakha according to R. Meir. How can they have decided it according to R. Meir? They lived (the Holy Assembly of Jerusalem) in an earlier age than he. Say, they decided it in accordance with the *system* of R. Meir (this will be explained in Tract B'choroth).

Ammi of Vardinaa was the examiner of the firstlings of the Nasi; and he did not examine on festivals. When this was told to R. Ammi, he said, he does right. Is it so? Did not R. Ammi himself examine the blemishes of the firstlings? Nay, he used to see them the preceding day, but he kept his decision until the morrow, when he asked the owner how the animal had come by the blemish. As it happened when a man brought a firstling before Rabha on the eve of a festival, after noon, and at that time Rabha was washing his head. He raised his eyes, and looked on the blemish, and told the man: Go away to-day, and come to-morrow. The next day he asked him what was the cause of the blemish, and he answered: I have given it barley on one side of thorns, and it was on the other side; when it wanted to eat, it put forth its head between the thorns and thus tore its lip. And Rabha asked him: Perhaps you did it intentionally? And he said: No.

MISHNA: An animal which dies on the festival may not be removed thereon. It happened once, when Rabbi Tarphon was questioned on the subject, and also concerning a separate piece of dough, which had become polluted, he went to the college and inquired. They told him: They may not be removed from the spot.

GEMARA: Shall we say that this anonymous Mishna is not in accordance with R. Simeon (see Sabbath, p. 375)? Nay, the Mishna can be explained in accordance with him, but he owns that

animals that died on Sabbath are prohibited. This would be right according to Mar bar Amemar, who said in the name of Rabh that R. Simeon owns it; but according to Mar b. R. Joseph, who declares in the name of Rabha that R. Simeon differs, even when the animals died on Sabbath, and said that they may be used? (What can be said to that?) Zera explained this Mishna, that it refers to an animal that was consecrated for sacrifice. And it seems Zera is right in his explanation, because the Mishna speaks further on about Hala that became unclean; and as the Hala was a consecrated thing, so must be also the animal in question.

MISHNA: An association for the purpose of jointly purchasing

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an animal may not be formed on the festival; but if this was arranged before the festival, the animal so purchased may be slaughtered and shared on the festival.

GEMARA: What is meant by "may not be formed"? Said R. Jehudah in the name of Samuel: The price of the animal must not be fixed on the festival; but how shall it be done? Said Rabh: Two animals shall be brought, and placed side by side, and it shall be said: The value of this animal shall be as the value of that. We have learned also in a Boraitha: One shall not say to his neighbor: I will be a partner with you in this animal for one Sela or more; but he may say: I would be a partner with you for one half, third, or quarter of it.

MISHNA: R. Jehudah said: (A butcher who sells meat on a festival) may weigh it against a vessel or hatchet; but according to the sages he may not even look on the scales at all.

GEMARA: What is meant by "at all"? Said R. Jehudah in the name of Samuel: Even to preserve the meat from mice, he must not put it on the scales. Said R. Iddi bar Abbin: That is, when the scales hang on the lever. R. Jehudah in the name of Samuel says again: A butcher who is a specialist must not weigh the meat on his hand. He says again: The same must not weigh the meat in water. R. Hyya bar Ashi said: It is not permitted to make a hole in the meat, to use it as a handle. Said Rabina: But if he made it with his hand, not with a tool, it is allowed. R. Huna said: One may make a sign upon the meat, as Rabba bar R. Huna would cut the meat in the shape of a triangle for a sign. R. Hyya and R. Simeon the Great used to weigh one piece against the other, and they did it according to R. Joshua, as we learn in the following Boraitha: R. Joshua said: One may weigh one piece against the other. And R. Joseph said: The Halakha prevails according to R. Joshua, because there is a Mishna in Tract B'choroth in accordance with his decision.

MISHNA: Knives may not be ground or set on the festival; but it is permitted to sharpen one knife with the other.

GEMARA: Said R. Huna: It is only on a whetstone, but on wood one may. Said R. Jehudah in the name of Samuel: Even on a whetstone it is only prohibited to sharpen, but to remove the fat from it one may. We may infer from this, that on wood it is allowed even to sharpen.

Who is the Tana who holds that on a whetstone it is not permitted? Said R. Hisda: It is at any rate not according to R.

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[paragraph continues] Jehudah, as we have learned in a Boraitha: R. Jehudah allows to make on a festival even the arrangements for the preparation of food (Sabbath, p. 309).

Said Rabha to R. Hisda: Shall we lecture in thy name that the Halakha prevails according to R. Jehudah? And R. Hisda answered: It may be the will of the Lord that all good things like this shall ye lecture in my name.

R. Nehemiah b. R. Joseph said: Once I was standing before Rabha, and saw that he took the knife and made passes with it over a basket. And I said to him: Does Master intend to sharpen it, or to remove the fat? And he said: To remove the fat. But I saw that he intended to sharpen it. From this it is understood that the Halakha prevails thus, but is not to be proclaimed to the people. Abayi told that the same thing happened to him and his Master, Rabba.

The schoolmen propound a question: May one give the slaughtering-knife to the wise for examination on the festival? R. Mari the son of R. Bizna allowed this, but the rabbis prohibited. R. Joseph, however, said: A scholar (Talmud Hakham) may examine the knife for his own use, and then lend it to others. R. Joseph said again: A knife that becomes blunt may be sharpened by pressure, provided that the knife becomes only blunt, but not injured.

R. Jehudah in the name of Samuel said: A spit that became crooked must not be repaired on a festival. Is not this self-evident? He meant to say, that even with the hand, without the aid of tools, it is not allowed. The same says again: After the meat has been roasted on the spit, it may not be handled more (because the blood defiling it makes it unfit for use until cleaned). Said R. Adda bar Ah'bah in the name of R. Malkiya: He may, nevertheless, take it to put into a corner, the same as it is permitted to do with a thorn that is seen in public ground. (Sabbath, p. 75.)

MISHNA: One must not say to a butcher: Give me meat for a Denar; but the butcher may slaughter the animal, and divide it among the customers.

One may say to another (on the festival), fill me this vessel, but it must not be a vessel appropriated to measure with. R. Jehudah says: If a measure is used it must not be quite filled. Abba Saul b. Batnit used to fill his measures on the day before the festival, and delivered them to the customers on the festival. The same Saul said: One may do so even on the intermediate

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days, on account of the froth in the measure. The sages, however, say: One may do so also on week-days in order to let out the entire contents of his measure into the vessels of his customers.

GEMARA: What is meant by "vessel appropriated to measure with"? Said Rabha: That is, he shall not mention the kind of measure, but if the vessel is a measure he may do so. And R. Jehudah comes to teach that even this must not be done. From this we see that, about the enjoyment of the festival, R. Jehudah is more rigorous, and the sages are more lenient; but did we not learn in the Mishna about the scales ([p. 55](#)), that R. Jehudah is more lenient and the sages are more rigorous? And this would be a contradiction to that teaching? It presents no difficulty. The above Mishna referred to a thing which was not a weight, but this speaks of a vessel that is

a measure. This reconciles the contradiction between one teaching of R. Jehudah. and the other. And as regards what sages teach about the scales? They merely say that a man shall not do as is usually done on week-days, but here he does not do as on week-days, because it is not usual that a man should give wine to his guest to drink from a measure.

"*Abba Saul b. Batnit*," etc. A Boraitha taught: One may do it in the intermediate days to prevent interruption in the house of learning (if he will busy himself with the measuring, he will fail to go to the college).

The rabbis taught: Abba Saul collected three hundred pitchers of wine barely from the froth of the measures; 1 and his colleagues collected the same amount from what remained in the measures after emptying them for the customers. Both brought this wine to the treasurers of charity at Jerusalem. The treasurers said to them: It is not necessary for you to do so (because it is your own). But they replied: We do not wish to use (because we do not consider it ours). And the treasurers rejoined: If you are so rigorous towards yourselves, go and dispose of it for the benefit of the people.

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R. Hisda accompanied Rabbana Uqba, and the latter lectured: One must not measure barley to give it to cattle; but one may nevertheless take a Kab full, or two Kabs, and give it to the cattle without fear. But the baker (cook) may measure the quantity of spices for putting into the pots, lest he spoil the flavors.

R. Jeremiah bar Abba in the name of Rabh said: A woman may measure the flour on a festival for her dough, for the purpose of separating a due share of the first dough. Samuel, however, prohibited to do so. But did not the disciples of Samuel teach in his name that it is allowed? Said Abayi: Now, when the disciples declared in his name that it is permitted, and from himself it was beard that it is not, we may assume that he retracted his decision in order to teach us how to act.

The rabbis taught: One must not resieve flour on the festival; but R. Papias and R. Jehudah b. Bthera both permit it. All agree, however, that if some dust or a chip fell into the flour, that may be done. One disciple taught in the presence of Rabina that if a chip has fallen into it, he shall remove it with the hand. And Rabina rejoined that this is by an *a fortiori* argument, not allowed, because it looks as though he sifts it.

Rabha bar R. Huna the Minor lectured at the gate of Nehardai: One may resieve flour on the festival. Said R. Na'hman to the people of Nehardai: Go and tell Abba, Take thy favor and put it on the thorns (*i.e.*, he did not any good with his lecture). Go and see how many sieves are used in Nehardai on the festival (even before his lecture).

The wife of R. Joseph has sifted flour on the back of a sieve, and he said to her: See, I want to have good bread (it means, you should not make any change). The wife of R. Ashi sifted the flour on the back of the table (to show a change from the week-days). Said R. Ashi: My wife is the daughter of Rami bar Hama, who was very particular in his deeds, and if she had not seen it done in the house of her father, she would not do it.

MISHNA: One may go to a shopkeeper with whom one is used to deal, and say to him: "Give me so many eggs or nuts," because the master of a house is used to count similar articles by numbers.

GEMARA: The rabbis taught: One may go to his shepherd who is an acquaintance, and ask him for one goat or one sheep; to his butcher, to ask him for a shoulder or leg; to the birdseller, and ask him for one old or young pigeon, to his baker, and

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ask him for a loaf or roll; and to his grocer, and ask him for twenty eggs or fifty nuts or ten peaches or five pomegranates or one lemon--provided one does not mention any numbers of measures. R. Simeon b. Elazar said: Provided one does not mention the prices.

Footnotes

[48:1](#) See Tract Pesachim, p. 171.

[48:2](#) This is explained in our periodical "Hakol," also in our "Lebaker Mishpat," and we will touch upon it in our present translation.

[51:1](#) Rabba's name was *Abba*, and Rabba means Rab Abba. R. Na'hman as a colleague addresses him by name.

[52:1](#) This name is mentioned only once in the whole Babylonian Talmud. In the Palestinian Talmud, however (Chap. I., Halakha 3) is mentioned R. Adda bar Uikhuma. The different pronunciation of the two Talmuds is usual, and so this Amora is the only one who was erratic. We are surprised why Zacuto and Heilprin, in "Seder-Hadoroth," ascribed this to Adda bar Abhimi, who is also mentioned only once in the whole Talmud. (In our edition, Vol. III., p. 24, and in the old edition the same saying is repeated, 9 *b* and 12 *a*), and there is not to be found even a hint that he was erratic. Also in the Palestinian Talmud the same is mentioned twice (Berakhoth, Chap. I., Halakha 3), with whom two great men of the Amoraim, R. Tanhurn and R. Hezekiah, communicated. There it is also said that he was a disciple of R. Zera (Zeera--according to the pronunciation of the Palestinian Talmud). Why, then, should it be ascribed to such a man that he was erratic? Moreover, Heilprin does not mention Adda bar Ukhmi among the Amoraim at all, although he mentions his name in the paragraph of Adda bar Abhimi, and gives also all our citation mentioned above. We also do not know the sources from which Heilprin states that according to others it is Abba bar Abhimi.

[57:1](#) Rashi explains thus: It was known to him how many lugs there had been in his barrel, and also how many he sold out to his customers, and the remainder which was in the barrel he considered was left because of the froth of the measures, and during the year it amounted to three hundred pitchers. And his colleagues who sold oil, which makes no froth, collected the same number from the remainder of the measures, as there is always some oil left in them, and

during many years they collected from this the same amount.

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