

CHAPTER IV.

REGULATIONS CONCERNING THE CARRYING AND HANDLING OF THINGS ON THE FESTIVAL.

MISHNA: If one has to transport jars of wine from one place to another (on a festival) he must not carry them in a basket or a case, but on the shoulder, or in his hand in front of his person. The same is the case when he has to carry straw; he must not put the bundle on the shoulder behind, but must carry it in his hand. One may commence to take a heap of straw (for fuel), but not of stacks of wood in an unused yard behind the house.

GEMARA: A Boraitha taught: If it is impossible to change the manner usual on week-days, it may be done as ordinarily.

Rabha has ordered in Mehuzah as follows: "A heavy burden which a man carries on a week-day with great trouble, if he has to bear it on a festival, he may carry it with the help of a *Rigla* (a long, crooked pole for bearing burdens), and though it is also heavy and a trouble, it is a change of the manner, on weekdays. And what one man carries on week-days with the help of a *Rigla*, two men shall carry. The burden which two men carry on a pole on their shoulders, they shall carry on a festival with the hand, and what is carried with the hand, shall on the festival be carried with a cloth." All this shall be done, if possible; but if it is impossible, it shall be carried as usually, because the Master said: If it is impossible to change the manner it is allowed.

Rabha bar R. Hanin said to Abayi: A Mishna teaches: It is prohibited to clap with the hands, strike on the hips, and to dance on a festival. And in our time we see people do so, and we do not say to them anything. And he answered: And according to your theory, come and see the women who take their cans and go and stand at the gates of the entry, which is also prohibited, and we say nothing to them (Would you also blame us for this?). This is not so (because it is a rule). Let

Israel do things unintentionally rather than intentionally (*i.e.*, they were sure that if it was told to them, they would not listen, and to preserve them from conscious transgression, they keep silence). And there is no difference in such a case between a biblical and a rabbinical prohibition. Because the adding from the eve of the Day of Atonement to the Day of Atonement (about half an hour) is biblical, nevertheless we see women eating and drinking till dark, and we say nothing.

"*But not of stacks of wood,*" etc. R. Kahana said: From this it may be inferred that we must not commence to take of a whole store (stock storehouse), because it is "designated." Then it would be according to R. Jehudah, who holds the theory of Muktzah. How then would be explained the

beginning of the Mishna, that one may begin to take of a heap of straw, that would be according to R. Simeon, who does not hold the theory of Muktzah? The Mishna refers to spoiled straw (which is no longer fit for food of animals). But it may yet be used for bricks? It refers to a case when there were thistles (or thorns) in the straw.

MISHNA: Wood may not be taken from a booth, but the pieces lying by may be used.

GEMARA: R. Hyya bar Joseph taught before R. Johanan the following Boraitha: Wood must not be taken from a booth, but only the pieces lying near it. R. Simeon, however, permits it. But all agree that from a booth made for the Festival of Tabernacles it must not be taken *then*. If the booth was made conditionally, all must be done according to the condition.

It has been said: R. Simeon permits it. But did he not demolish a tent? Said R. Na'hman bar Itz'hak: The case is when the tent is already demolished, or so weak as to *fall down* soon, so that even on the preceding day he had the intention to take wood of it.

The Boraitha states: If the booth was made conditionally, etc. Can then a condition affect it? Did we not learn in Succah (p. 10), that R. Shesheth said in the name of R. Aqiba: that the wood of the Succah is prohibited in all the seven days at all events? This part of the Boraitha means an ordinary booth, not a tabernacle.

MISHNA: One may bring wood from the field when it is a stack, and from a wood-shed, even of the dispersed pieces of wood. What is called a wood-shed? If it is near the city. So is the decree of R. Jehudah. R. Jose, however, said, If there is a door which can be locked, even if it is within the legal limit.

p. 62

GEMARA: R. Jehudah said in the name of Samuel: Wood may be brought only from the stacks that are in the wood-shed, but not dispersed pieces. Did not our Mishna teach that from a wood-shed may be taken even dispersed pieces? The Mishna is only according to an individual Tana, but the other sages differ from it. Rabha said: Leaves of a vineyard or of branches, although they are gathered and lie together, because by a wind they may be dispersed, are to be considered as dispersed already, and may not be used. But if one had put a heavy thing on them the preceding day, they may be used.

"*What is called a wood-shed,*" etc. The schoolmen propound a question: Did the Mishna mean both? Did it mean that it is near the city and has a door, and R. Jose comes to teach if it has a door it is enough, if it is not near the city, but within the legal limit, or when it has no door, even near to a city, also not? Come and hear: Because R. Jose teaches that if it can be entered through a door, and the door can be locked, it is allowed even within the legal limit, we may infer that R. Jose decides in both cases leniently. Said R. Sala in the name of R. Jeremiah: The Halakha prevails according to R. Jose, leniently.

MISHNA: It is not permitted to cut wood from new beams, even from an old beam that was broken on the festival; neither may wood be cleft with an axe, or saw, or bite-hook, but with a chopping-knife only.

GEMARA: Has not the first part of the Mishna said that we must not cut wood at all? Said R. Jehudah in the name of Samuel: The Mishna is not completed, and must be read thus: It is not allowed to cut from a pile of logs, neither from a beam that was broken on the festival; but from a beam that was broken the preceding day. And when they cut it, they shall not do it with an axe, etc. The same we have learned in the following Boraitha: One may not cut wood from a pile of beams, nor from a beam broken on the festival, because they are not considered prepared while it is yet day.

"*But with a chopping-knife only.*" Said R. Hinna bar Salmia in the name of Rabh: It is only with the side of the blade used for chopping wood, but with the broad side wherewith one can cleave beams, it is not allowed. [1](#)

p. 63

MISHNA: A house filled with fruits, if a hole was made, it is allowed to take fruit through this hole. R. Meir, however, said one may make a hole in the house, to commence with, for the purpose of taking the fruit.

GEMARA: Why so? Is he not demolishing a tent? Said R. Nehuma bar Adda in the name of Samuel: The Mishna refers to a house of bricks without mortar. R. Zera said: R. Meir allowed this only on a festival, but not on Sabbath. The same we have learned plainly in a Boraitha. Samuel said: If the doors of the cellars are tied with ropes, one may untie; but he may not untwist the ropes themselves, nor cut them off. When, however, with such ropes vessels were tied, he may untwist them and cut them off, and there is no difference between Sabbath and a festival in this case.

An objection was raised from the following Boraitha: If the doors of the cellars are tied with ropes, on Sabbath, one may untie, but he may not untwist the ropes themselves, nor cut them off. On a festival, however, all this is allowed? The Boraitha is according to R. Meir, who allows this on a festival to commence with, but I say according to the rabbis. But did the rabbis differ with R. Meir that if the doors of the cellars, etc.? Have we not learned in another Boraitha, that the sages agree with R. Meir concerning this case? Samuel holds with another Boraitha which stated differently.

MISHNA: It is not permitted to make a cavity in a lump of potter's clay for the purpose of using it as a lamp, because a utensil is thereby formed; neither may charcoal be made on a festival, nor the wick of a lamp be cut in two. R. Jehudah says: With fire it may be done.

GEMARA: Who is the Tana who holds that when a hole is made in such a lump it is called a utensil? Said R. Joseph: That is R. Meir (who states so in Tract Kelim).

The rabbis taught: One must not make a hole in a lump of clay to use it as a lamp, nor plates used by rustics (who are not particular about fine china, but use them as soon as made, before they have been hollowed out and *baked* in fire). [1](#) R. Simeon b. Gamaliel, however, allows it.

"*Neither may charcoal be made,*" etc. Is this not self-evident? What use can one make on that day of charcoal? Taught R.

[paragraph continues] Hyya: The Mishna refers to those who need the charcoal for an *olearius* on this day (*i.e.*, a machine to heat oil to be fit for the body and clothes). Is it allowed then to take a bath on this day? As Rabha had explained in another place that it was allowed to go to sweat before it was prohibited, so also can this Mishna be explained to mean sweating, before the prohibition was made (see Sabbath, pp. 71, 72).

"*Nor the wick of a lamp,*" etc. Why is it not allowed to do it with a knife? Because he makes of it a utensil (*i.e.*, he makes two out of one). Is not the same with fire? Taught R. Hyya: R. Jehudah meant to say that the ends shall be placed in two lamps, and shall be separated by burning the middle part, (and he only kindles the lamps).

R. Nathan bar Abba said in the name of Rabh: One may snuff a wick on the festival. Bar Qappara taught: Six things were said about a wick: three rigorously and three leniently. Rigorously: One must not commence to braid the wick, nor singe, nor cut it in two; and leniently: One may *twist* it with the hand, soak in oil, and make two wicks by burning the middle part. R. Nat an bar Abba in the name of Rabh said again: The rich men of the Babylonians are among those who descend to Gehenna; as it once happened Sabathai bar Merenus came to Babylon and asked them to support him in some business, and they did not; and he asked that they should feed him at least, and they also refused. Then he said: They are descendants of the "mixed multitude," as it is written [Deut. xiii. 18]: "And grant thee mercy, and have mercy upon thee." From this we infer that whosoever has mercy for creatures, he is surely of the children of Abraham our father, but whosoever has not mercy for creatures, it is certain he is not. The same says again in the name of the same authority: Whosoever is dependent upon the table of his neighbor, the whole world is dark for him. As it is written [Job xv. 23]: "He wandereth abroad for bread, (saying), Where is it? he knoweth that there is ready at his hand the day of darkness." R. Hisda said: His life is no life at all.

The rabbis taught: There are three men whose lives are not counted as lives at all: He who is dependent on the table of his neighbor; he whose wife dominates over him; and he who has bodily suffering. According to others, he who has no more than one shirt.

MISHNA: One may not break pieces of earthenware, nor cut paper for the purpose of roasting salted fish on it. Ashes

from the oven or hearth may not be removed, but they may be moved to one side. Two barrels must not be brought near each other, to place a pot on them over the fire, nor may a piece of wood be used to support a pot, nor a door. Cattle may not be driven on the festival with a stick; but R. Eliezer b. Simeon permits it.

GEMARA: Why so? Because he produces thereby utensils.

"*Ashes of the oven,*" etc. R. Hyya b. Joseph taught in the presence of R. Na'hman that if it is not possible to bake in the oven unless one removes the ashes, one may do so. It happened to the

wife of R. Hyya that half a brick from the wall of the oven fell down into the oven on a festival. Said R. Hyya to her: See to its removal, because I like to have good bread. Rabha said to his servant: Roast for me a duck, and see that it shall not be singed. Said Rabina to R. Ashi: We were told by R. Aha of Hutzl that the Master's servants, when the oven is closed, smear it with clay on the festival. And he answered: We live near the River Euphrates, where clay is ready at hand. The case is, when he makes a sign on the clay on the previous day. Said Rabina: To knead ashes, it is permitted (because they cannot keep for a long period).

"*Nor may a piece of wood,*" etc. The rabbis taught: A pot must not be supported with a piece of wood nor a door, because wood is prepared only for fuel. R. Simeon, however, allows this. Cattle must not be driven with a stick, but R. Eliezer the son of R. Simeon permits it. Shall we assume that R. Eliezer holds with his father, that no theory of Muktzah exists? Nay, he is more lenient than his father; for his father would assent that they must not be driven with a stick, because it seems as if they are taken to the market.

Hizra (Abhazar in Arabic), R. Na'hman prohibited to use for the purpose of roasting on it meat; but R. Shesheth permits it. If it was dry, all agree it is permitted; they differ only when it is wet yet. Whosoever prohibits it, does it because it is not fit for fuel, and whosoever permits it, does it because in a great fire this also can be used. The Halakha, however, prevails thus: That a dry one is allowed, but not a wet one.

Rabha lectured: A woman shall not enter a wood-shed to take a crooked piece of wood for a poker; and if a poker was broken on the festival, it must not be burned, because fire may be made with vessels, but not broken vessels (Sabbath, p. 270). Shall

p. 66

we assume that Rabha holds with R. Jehudah regarding the theory of Muktzah? Did not Rabha say to his servant: Roast me a duck, and throw the entrails to the cat? With the entrails it is different; because, as they become putrified he made up his mind the day before that they must be given to the cat.

MISHNA: Rabbi Eliezer says: One may take a splinter from the wood lying near him to clean his teeth with, and gather in the yard small pieces of wood, and burn them, because whatever is in the yard may be considered as prepared for the festival. But the sages allow one to pick up only those pieces that lie near him, and only to burn them. Fire may not be produced on the festival from wood, stones, dust or earth, or from water; nor may one heat tiles to broil food on them.

GEMARA: R. Jehudah said: To food fit for cattle the law of making a utensil does not apply (*e. g.*, to take straw or other fodder of cattle, and break it for cleaning the teeth, or so, is permitted; because, being fit for cattle, it may be handled, etc.).

R. Kahana objected him: We have learned that branches of spice-trees may be handled to enjoy the odor, and to fan with them a sick man. One may *grind*, also, to produce an agreeable odor; but one must not break them for the purpose of enhancing the odor. If he did so, he is not liable to a sin-offering; but if he broke them for the purpose of cleaning the teeth with them, he is liable. And he answered: If the Boraita had said that one may not break them for the purpose of

cleaning the teeth, it would be a great difficulty to me; much more, when it says he is liable to a sin-offering for it. The Boraitha must be incomplete and must be stated thus: He may grind with his hand for the purpose of odor; he may break them for this purpose, but the case is only when they are yet soft. But when they are already hard, he shall not break them. If he did so, however, he is not culpable, although it is prohibited; but if he broke for the purpose of cleaning the teeth, he is liable to a sin-offering.

In one Boraitha we have learned, he may break it in order to smell it, and in another one--that he must not break it for this purpose? Said R. Zera in the name of R. Hisda: It presents no difficulty. The Boraitha which allows it means when they are soft, and the other one, when they are dry. R. A'ha bar Jacob opposed: Why shall dry ones not be allowed? Did not a Mishna (Sabbath, p. 332) state: One may break open a cask to cut dry figs therefrom, etc.? Furthermore: Rabha and Rabbin, the sons of R. Adda, both say: When we were at the house of R. Jehudah,

p. 67

he used to break twigs off a spice-tree, and give us sticks of the same, although the sticks were so large that they could be used for an axe or a spade handle. Therefore we must say that of the two Boraithas (mentioned above) one is according to R. Eliezer and one according to the rabbis of the following Boraitha: "R. Eliezer said: One may take a splinter from the wood lying near him to clean his teeth with; but the sages say: He can take it only from a manger. All agree that he shall not break it off, and if he did so, to clean the teeth or to open the door with it, if unintentionally on a Sabbath, he is liable to a sin-offering, and if intentionally on a festival, he is liable to the punishment of stripes. So is the decree of R. Eliezer. The sages, however, say: In both cases he is free, because this is only a *Shbuth* (Sabbath-rest, rabbinically)." Now, the Boraitha which states that he must not break it off is in accordance with R. Eliezer, who says there that he is liable to a sin-offering; and the Boraitha which states that he may do so is in accordance with the rabbis, who say there that he is free, even if he broke it off for the purpose of cleaning his teeth. Here, however, when it is for the purpose of smelling, it is allowed to commence with. But does not R. Eliezer hold what is stated in the above Mishna, that one may break open a cask, etc.? Said R. Ashi: According to R. Eliezer, the Mishna must be explained that the cask was cemented with resin, and it is impossible to use it afterwards as a vessel.

"*And gather in the yard.*" The rabbis taught: He may gather in the yard and burn, because all things that are in the yard are considered as prepared, provided he does not make of them heaps. R. Simeon, however, permits even this. On what point do they differ? One holds that if he makes heaps, it seems as if he prepared them for the day subsequent to the festival; but the other holds that his pot proves that it is for to-day.

"*Fire may not be produced,*" etc. Why so? Because to produce a new thing is not lawful.

"*One may not heat tiles,*" etc. What labor is that? Said Rabba bar bar Hana in the name of Rabbi Johanan: The Mishna refers to new tiles, that must be examined as to whether they can stand fire. According to others, it is a labor because they must be heated long, until they become hard.

The rabbis taught: New ovens or hearths are considered as ordinary vessels that may be handled in the yard; but they must not be anointed with oil, nor cleaned with a wet cloth, nor cooled

in cold water to harden it. But if all this should be done only for the purpose of baking on that day, it is allowed.

The rabbis taught: The head and the feet of an animal may be scalded, also singed. The hair may be removed by fire, but not with lime, clay, or earth; nor must it be cut off with scissors. Herbs must not be cut out with the same scissors with which they are usually detached from the ground. But one may prepare χινόρα (artichoke) and thistle and bake in a large oven, and water may be formed in an "antikhi" (a kind of kettle: see Sabbath, p. 74). A new large oven, however, must not be heated on the festival, because it may burst.

The rabbis taught: One must not blow bellows, but one may blow through a pipe. A spit must not be sharpened and fixed (for the purpose of roasting).

The rabbis taught: A cane must not be splintered for the purpose of roasting salted fish. A nut, however, may be cracked through a piece of cloth, without fear lest that the latter be torn.

MISHNA: R. Eliezer said again: In a Sabbatical year a man may place himself on the eve of Sabbath at the place where figs or raisins are kept, and say: From there I will take to-morrow. But, according to the sages, he must point out the exact spot, and say: I will take from this point to that point.

GEMARA: In a Mishna (Maasroth, Chap. IV., 2) it is stated: If children had saved dates from the eve of Sabbath and forgot to separate the tithe, when the Sabbath is over they must not eat them until the tithe is separated. Also in another Mishna (ibid. III., 1): If one passed dates through his yard to dry them, his household may eat of them moderately. Now, Rabba asked R. Na'hman: Does the Sabbath fix the time for separating tithe even from things the labors belonging to which are not finished yet? Shall we assume that because it is written [in Is. lviii.]: "Thou shalt call the Sabbath a delight," it fixes the time of tithing even for things the labors belonging to which are not finished yet, or it fixes the time only for things the labors on which are finished and not otherwise? And he answered: Sabbath fixes the time in any event. The former said again: Why shall not Sabbath be equal to a yard which does not fix the time for things on which the labor is not finished yet? Let the law of Sabbath be the same? And he answered: We have an explicit teaching that the Sabbath fixes the time for the thing in any event. Said Mar Sutra the son of R. Na'hman: Our Mishna which states that only on Sabbatical years it may be done so, and not

in an ordinary year, must also be explained, that because the Sabbatical year is exempt from tithe, he may do so; but in an ordinary year it must not be done so, because the Sabbath fixes it for tithe. When Rabbin came from Palestine he said, however, in the name of R. Johanan, that Sabbath, Heave-offering, a Yard, and Price all do not fix for tithe, only in things on which all the labor belonging to them is already done. [1](#)

Sabbath--to state that the law is not after Hillel in the following Boraitha: If one transferred fruit from one place to another to cut it, and Sabbath overtook him, R. Jehudah said that only Hillel

prohibited to eat it before separating tithe, but all his colleagues differ from him.

A Yard--to state that the law is not after R. Jacob in the following Mishna, which says that whoso passes dates through the yard, his household may eat of them moderately, and they are free from tithe. And a Boraitha, in addition to this Mishna, states that R. Jacob says tithe must be separated, and R. Jose b. Jehudah frees it from tithe.

Heave-offering--to state that the law is not after R. Eliezer in the following Mishna: Fruit of which the heave-offering was separated before all the labors belonging to it were finished, R. Eliezer prohibits to eat from moderately, but the sages allow this.

And Price--as we learned in the following Boraitha: Whose, bought dates from a man of the common people in a place where the majority of gardeners press the dates, he may eat of them moderately; and when he comes to give tithe of them, he may separate tithe from it (but it is not necessary to separate heave-offering). And from this Boraitha we have learned three things: Firstly, that the price which is made does not fix for tithe until all the labor is done; secondly, that the majority of the common people do separate tithes; and thirdly, that if one comes to separate tithes from fruits bought from one of the common people, from a doubt lest the seller had not yet separated the tithe, he may separate it even from things the labors belonging to which are not yet finished.

Footnotes

[62:1](#) It is difficult to understand the argument, as it is not known to us how the chopping-knife was made. Even Tosphet remarks because we do not know what kind of a chopping-knife it was, therefore it is not allowed to cut wood with any knife, only with the hand.

[63:1](#) The commentators, Rashi and Tosphet, also the dictionaries, try to explain this term, but it remains obscure.

[69:1](#) The law of the tithe of all these will be explained in Tract Maasroth. The meaning of "Price" is, that if the grain was sold before it became ripe, it does not fix it for tithe.

[Next: Chapter V](#)