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# TRACT ABUDA ZARA (IDOLATRY).

## CHAPTER I.

RULES AND REGULATIONS CONCERNING TRANSACTION OF BUSINESS WITH HEATHENS ON THEIR FESTIVAL DAYS; WHICH FESTIVALS ARE CONSIDERED, AND WHAT REAL ESTATE MAY BE SOLD AND RENTED, AND AT WHAT PLACES.

MISHNA *I.*: Three days before the festivals 1 of the heathens it is forbidden to have any business with them. One must not lend them anything (which can be useful to them) nor borrow such from them. And the same is the case with cash money, even to pay or to receive payment is forbidden. R. Jehuda, however, maintains: To receive payment is allowed, because it is a displeasure to the payers. And he was answered: Although it is *now* a displeasure, it pleases them, in the future.

GEMARA: R. Hanina b. Papa, according to others, R. Simlai, lectured: In the future, the Holy One, blessed be He, will take the Holy Scroll in hand, saying: "He who was occupied with it shall appear and receive his reward." The nations then at once will gather themselves and come motley crowded as it reads [Is. xliii. 9]: "All the people were gathered together." The Holy One, blessed be He, however, tells them: "Do not enter in such confusion, but let each nation with her scribes enter Separately," as it reads further on: "Let the people 2 be assembled." And by the term people kingdoms are meant. [Can there be such a thing as motley before the Holy

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[paragraph continues] One, blessed be He? It means they themselves shall not come in confusion, so that they shall understand what will be said to them.] The kingdom of Rome will then enter first on account of its greatness. As concerning it [Dan. vii. 23]: "And will devour all the earth, and will tread it down, and grind it up." And R. Jochanan said: Rome is thereby meant, whose fame is respected throughout the whole world. But whence do we know that the more distinguished come first to judgment? It is as R. Hisda said (Rosh Hashana, p. 13). The Holy One, blessed be He, questioned her: "What was your occupation in the world?" To which she answered: "Lord of the Universe! we have established many markets, we have constructed many bath-houses, we have multiplied in great mass gold and silver, and all this was done for the sake of Israel, to enable *them* to study the Law." The Lord's answer will be: It is foolish of ye to state that all you have done was for the sake of Israel, while in reality it was but for yourselves. The construction of markets was for the purpose of prostitution. The establishment of bath-houses was for your own pleasure, and as to gold and silver, it is mine, as [Hos. ii. 8]: "Mine is the silver, mine," etc. But, are there, then, among ye those who have studied the Law? They went out in despair.

After Rome has departed, Persia enters. Because she is considered second to Rome, as [Dan. vii. 5]: "And behold, there was another, a second beast, like a bear." To which R. Joseph taught:

Thereby, Persia is meant, the people of which are fleshy like bears, eat and drink like bears, are overgrown with hair, and have no rest, like bears. And to the question of the Holy One, "What was your occupation?" They will answer: We have constructed many bridges, conquered many great cities, we were engaged in many wars, all for the sake of Israel to enable them to study the Law. The reply to which will be: "All that was done by you was for your own sake." Bridges, for the collection of duties. Great cities, to establish *angaria*. And as to wars, I have conducted them. As it reads [Ex. xv. 3.]: "The Eternal is the lord of war." But are there among ye those who have studied this Law? And they also went out in despair. [But, why did Persia enter, after seeing that Rome was disappointed? They thought: We may have more chance than Rome, as the latter has destroyed the holy Temple, while we have rebuilt it.] And a similar answer will be given to the other nations. But why should the other

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nations enter after seeing the disappointment of the first two? They thought: The first two made slaves of Israel, which was not the case with them. But, if so, why should Rome and Persia be more honored than the other nations? They are distinguished by the permanence of their kingdoms, which will exist until the time of Messia. Finally they will say before Him: Lord of the Universe, didst thou give us the Torah and we did not accept it? But how could they say so? Is it not written [Deut. xxxiii. 2]: "The Lord came from Sinai, and rose up from Sa'ir unto them: he shone forth from Mount Paran." And it also reads [Habak. iii. 3]: "(When) God from Theman came, and the Holy One from Mount Paran." And to the question: What has the Law to do in Sa'ir and Paran? Said R. Jochanan: From this it is inferred that the Lord has presented his Torah to every nation, but it was not accepted until it came to Israel. Therefore, it is supposed that they said to Him: "Have we then accepted the Torah, and not fulfilled its commandments?" [But what answer is this. Could they not be accused because they have not accepted it?] They said thus: Lord of the Universe, hast thou inclined the mountain toward us as thou didst toward the children of Israel? (See Sabbath, p. 167, par. Ex. xix., etc.) To this the answer will come: "Let the former things shew us." [Isaiah xliii. 9] The Holy One, blessed be He, will say to them: "The seven commandments which were *given* to the descendants of Noah, have ye observed them?" And whence do we know that they have not? From that which R. Joseph taught. It reads [Hab. iii. 6]: "He stood forward, and made the earth tremble; he looked, and dispersed nations." What did He see? That the seven commandments accepted by the descendants of Noah, were not observed. And therefore He absolved the nations of them. Absolved. Should then the sinner be benefited? Said Mar b. Rabbina: It means that even should they absolve them, they would not be rewarded. Is that so? Did not R. Mair say: "Whence do we know that even a Gentile who is occupied with the study of the Law, is likened to a high-priest from [Levit. xviii. 5] "Which if a man do, shall live on it," where it does not specify priest, Levite, or Israelite, but states in general if a man, whence it may be inferred that a Gentile, too, who occupies himself with the study of the Law is equal to a high-priest." It means that they will not be rewarded for the observance equally with those who observe in accordance

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with the commandments. As R. Hanina said: The reward for him who observes that which he is commanded, is greater than to him who observes same without being commanded. The nations will then exclaim: "Lord of the Universe, has then Israel, who has accepted the Torah, observed it?" And to the answer of the Holy One: "I testify that he did," they exclaim: "Lord of the Universe, is then a father fit to be a witness in the case of his son? Is not Israel called the son of the Eternal [Ex. iv. 22] "My son, my first-born, is Israel." He will then say: "Let heaven and

earth testify that the Torah was observed by Israel." They, however, object in saying that heaven and earth are interested in this case, and therefore are not fit to be witnesses--viz: [Jer. xxxiii. 25]: "If my covenant be not . . . the appointment with heaven and earth, would not be established." 1 And Resh Lakish said: It reads [Gen. i. 31]: "And it was evening, and it was morning," and this justifies the inference that the Lord made a stipulation with all that had been created in the six days to the effect that if Israel will accept the Torah, well and good, but if not I will return all of you to chaos and ruin. Then the Holy One, blessed be He, will say: "Men of ye nations may come and testify that Israel has observed the Torah. Nimrod may testify that Abraham has not worshipped idols. Laban may testify that Jacob was not suspected of robbery. The wife of Potiphar may testify that Joseph was not suspicious of sin. Nebuchadnezzar may testify that Chananyah, Mishaël and Azaryah had not bowed themselves to the image; Darius of Daniel, that he had not abolished prayer; Eliphaz the Themanite, and Bildad the Shuchite, and Zophar the Na'amathite may say of all Israel that they have observed all the Laws." They will then exclaim: "Lord of the Universe, give it to us now, and we will observe it." To which they will be answered: "He who has prepared on the Eve of Sabbath, for the Sabbath, will have what to eat. But he who has not prepared, what then will he have to eat on Sabbath? However, I have one easy, meritorious act, it is the *Sukka*, go and perform it. [Why is it called easy? Because it requires no expense.] Everyone of them will then prepare a *Sukka* on his roof, but as soon as the sun heats it, they abandon it, and go away. But did not Rabha say that he who is afflicted by performing the command of *Sukka*, is free from this obligation? Yea, but not to reject.

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[paragraph continues] The Holy One, blessed be He, will then smile upon them. Said R. Itzchak: "There is no smiling with the Holy One, but on that day."

There are others who taught the saying of R. Itzchak in the following connection: R. Jose said: In the future heathens will come to convert themselves with the *Tephilin* on their heads and arms, *tchitches* on their dresses, *mazuzas* on their doors. But, as soon as they will see the war of Gog and Magog, and will question them: "With whom do you want to fight?" Whereto the answer will be: With the Lord and his Messiah [as it reads [Psalm ii. 2]: "Against the Lord and his anointed"], each of the nations will remove the above, and go away; and the Holy One will smile upon them. It is here that R. Itzchak said: There is no smiling with the Lord, but on that day. But did not R. Jehudah say in the name of Rabh: There are twelve hours in a day, three hours of which the Holy One, blessed be He, is occupied with the Torah. The next three hours, He judges the whole world, and seeing that it is liable to be destroyed, He rises from the chair of judgment and sits down on the chair of mercy. The third three hours, He supports the whole world with food, from the very largest creature to the smallest one. And the last three hours, He plays 1 with the *leviathan*, as it reads [Psalm civ. 26]: "Leviathan, whom thou hast made to sport therein." Said R. Nachman b. Itzchak: "With His creatures He smiles, but not upon them." R. Aha said to R. Nachman: There is no smiling by the Holy One, since the Temple was destroyed. As it reads [Is. xlii. i4]. 2 But in the fourth three hours, he teaches the Torah to the school-children. As it reads [ibid. xxviii. 9]: "Whom shall he teach knowledge? And whom shall he give to understand doctrine? (to) those that are weaned from the milk, (to) those that are taken from the breasts." And what does He do in the night-time? If you wish, it may be said that He does the same as in the day-time. And if you wish, it may be said that He rides upon His light cloud and moves in all directions upon 18,000 worlds. As it reads [Psalm lxviii. 18]: "The chariots of God are two myriads; thousands of angels (follow him)." And if you wish, it may be said that He is sitting and

listening to the song of the angels, as [ibid. xlii. 9]: "And in the night his song shall be with me."

R. Jehudah said in the name of Samuel: It reads [Hab. i. 14]: "And (why) makest thou men as the fishes of the sea, as the creeping things, that have no ruler over them?" Why are men compared with fish of the sea? To wit: even as the fish die as soon as they are taken on land, so do men die when they separate themselves from the law of the Torah. Another explanation: as fish die from the strong heat of the sun, so also do men. If you wish it may be said in this world, and this would be in accordance with R. Hanina, who said: "Everything is decreed by heaven, except cold" (see Middle Gate, p. 285). And if you wish it may be said, in the world to come, and this is in accordance with Resh Lakish, who says: There is no *Gehenna* in the future. But the Holy One, blessed be He, will take out the sun from its sheath. The wicked will be punished with its heat, and the upright be cured by it. As it reads [Malachi, iii. 19]: "For, behold, the day is coming, which shall burn as an oven; and all the presumptuous, yea, and all who practice wickedness shall be stubble: and the day that is coming shall see them on fire, . . . who will not leave them root or bough. (20) But there shall rise unto you that fear my name, the sun of righteousness with healing in his wings." Furthermore, the latter will have pleasure and become fat from it, as the end reads, "And ye will go forth, and grown fat as calves of the stall."

There is another explanation, "as fish in the sea," the larger one swallows the smaller, so also is it with men, since if not for the fear for government the stronger would swallow the weaker. And this is what a Mishna states: "Pray for the peace of the government," etc. (See Aboth, p. 72.)

R. Hinna b. Papa propounded a contradiction to the following [Job, xxxvii. 23]: "The Almighty we do not find him out excellent in power." And [Ex. xv. 6]: "Thy right hand, O Lord, is become glorious in power." [1](#) And also [Psalm cxlvii. 5]: "Great is our Lord, and abundant in power"? This presents no difficulty: At the time of judgment, He does not use his might; but in time of war, He uses it.

Rabha said [Job, XXX. 24]: "But doth not a man stretch out

his hand among *ruins*? or doth one not cry out therefrom when he meeteth his downfall?" So said the Holy One, blessed be He, to Israel. By judging Israel, I do not treat them in the same manner as I do heathens, which is mentioned in [Is. xxi. 32]: "Overthrown, overthrown. . . . I will render it." But I punished them as the picking of a chicken. And according to others: "Even if Israel do but small good deeds, as the picking of chickens in the dunghill, I will combine them into one large sum." Another explanation: "I help them because of their praying to me. And this is what R. Aba said: It reads [Hos. vii. 13]: "Though I desired to redeem them, they yet spoke lies against me." *I.e.*, I thought: I will redeem them by loss of money in this world, for the purpose of rewarding them in the world to come. And they told lies about me. And the same said R. Papa in the name of Rabha: The inferring it from [ibid., ibid. 15].

R. Abuhuh introduced R. Safra to the *minim* (who were appointed by the government to collect duties) as a great man. And they freed him from duty for thirteen years. Once they met him and

asked him to explain the following [Amos, iii. 2]: "Only you have I loved out of all the families of the earth: therefore will I visit upon you all your iniquities." If one is in bad humor, will he let it out on his friend? He kept silent, as he was ignorant of the answer. And they inflicted upon him. R. Abuhuh then met them, to ask for the reason. And they answered: You introduced him as a great man, while he does not even know the explanation of a passage. Rejoined he: "I told you he was a scholar, but did I say that he was a master in the study of the Bible?" And to their question: Why are *you* familiar with it? He answered: "Because we have to discuss with you frequently, we give our attention to it." They say: It is for you, then, to explain the above-mentioned passage. And he answered thus: I will do it in the form of a parable. There was once a creditor of two persons, one a friend, and the other an enemy of his. From his friend, he demands to be paid in small sums, while from his enemy he demands the whole debt at once. (And the same is the case with Israel: He clears them of all their iniquities by small punishments in this world, so that they shall not have to suffer in the world to come.)

The rabbis taught: The Lord becomes angry every day, but only during one instant, which is the fifty-three thousand eight hundred and forty-eighth part in one hour; and there is

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no creature in the world who is able to guess this moment, except Bil'am, about whom it reads [Numb. xxiv. 16]: "Knoweth the knowledge of the Most High." Which means that he knew how to guess the second in which the Lord becomes angered. (See Sanhedrin, p. 339.)

R. Joseph said: It is advisable for one not to pray singly the additional benediction in the first three hours at the first day of new year, for, the heavenly judgment takes place at that time, and because of his praying attention may be given to his deeds, and he may get an unfavorable decree. But if so, one should not do it even with the congregation together? With the congregation is different, as the attention is given to their deeds in average. But was it not said above that in the first three hours the Lord is engaged in the Law? Yea, however, by the Torah, in which truth is mentioned [Prov. xxiii. 23]: "Buy the truth," judgment cannot be modified. But concerning judgment, truth is not mentioned, and therefore the Holy One, blessed be He, modifies it.

R. Joshua b. Levi said [Deut. vii. 11]: "Which I command thee *this day*, to do them," means *to do* it to-day, but not to be rewarded for it to-day. He said again: "All the performance of the commandments which Israel observed in this world, will come and testify for them in the world to come." He said again: The crime of the golden calf was committed only to give a chance to the repenter. As it reads [ibid. v. 26]: "Who would grant that this their heart might remain in them to fear me at all times." (Hence, they were not fit to commit a crime.) Similarly said Johanan in the name of R. Simeon b. Jo'hai: David was not fit to commit the crime with Bath Shaba, as concerning him it reads [Psalm, cviii. 22]: "My heart is deeply wounded within me." And also Israel was not fit for the above crime, for the reason said above. And why was it committed? For the benefit of sinners. If it happens to be an individual, it may be said to him: Repent, as the individual David did. And if it happens to be a congregation, they also may be told to repent, as the congregation of the desert did. And this is what R. Samuel b. Nachman in the name of Jonathan said: It reads [II Sam. xxiii. 1]: "And thus saith the man who was raised up on high" (the term in Hebrew for high is *ol*, which means also yoke), and is to be interpreted thus: The man who had raised the yoke of repentance. The same said again in the name of the same authority: When one performs a meritorious act in this world, it precedes

him in the world to come. As it reads [Is. lviii. 8]: "And before thee shall go thy righteousness, the glory of the Lord shall be thy reward." And the same is the case with him who commits a crime in this world, that it clings to him and goes before him on the day of judgment. As it reads [Job, vi. 18]. [1](#)

The rabbis taught: Concerning the above-cited verse [Deut. v. 26]: Moses said to Israel: Ye are ungrateful my children, as at the time, the Holy One, blessed be He, said to you: "Who would grant," etc., ye ought to say: Thou, Lord, grant it to us. Your ungratefulness is also marked from [Numb. xxi. 5]: "And our soul loathed this miserable bread." Ye are also children of an ungrateful, as it reads [Gen. iii. 12]: "The woman whom thou gavest to be with me, she gave me of the tree," etc. Moses, however, hinted this to Israel only after the forty years in which he led them in the desert. As in respect of that time it reads [Deut. xxix. 3]: "And yet the Lord gave you not a heart to perceive," etc. Said Rabba: "Infer from this that one cannot know the real mind of his master, until the elapse of forty years."

R. Johanan said in the name of R. B'naha: It reads [Is. xxxii. 20]: "Happy are ye that sow beside all waters, freely sending forth the feet of the ox and the ass." Happy is Israel at the time when he is occupied with the Torah and with bestowing of favors; as his evil spirit is then transferred into his hands, and not *vice versa*. And this is inferred from the just-cited verse, "that sow," which means charity, as [Hos. x. 12]. And "by water" it means the Torah, as in [Is. lv. 1] means the Torah. And "by freely sending forth," etc., is meant, what the disciple of Elijah taught. One should always consider himself in his relation to the laws of the Torah, as an ox to its yoke, and an ass to its load.

"*Three days*," etc. Is such a long time needed? Does not a Mishna state: At four periods in the year, he who sells a cow to his neighbor must notify him thus: I have sold her mother or her daughter to be slaughtered. (It is biblically forbidden to slaughter the mother and her child on one and the same day), and they are: the Eve of the second festival of Tabernacles, the Eve of the first day of Passover, the Eve of Pentecost, and the Eve of New Year. According to R. Jose the Galilean: Also

the Eve of the day of Atonement in Galilee. (Hence, we see that only one day is sufficient.) Where eating is treated of, one day suffices, but where sacrificing is treated of three days are needed. Are, then, three days sufficient for sacrificing? Is there not a rule that thirty days before Passover are needed to study the laws of this festival? Concerning our sacrifices, which even a blemish in the eye-lash makes invalid, thirty days are needed for studying the Law. But concerning the heathens, that only a missing limb of an animal makes it invalid. But not a blemish, three days suffice.

The schoolman propounded a question as to whether or not the statement of the Mishna, "three days," include the festival day also? Come and hear. R. Ismael said: "Three days before and three days after their festivals." Now, should it mean to include the festival day, would, then, R. Ismael count *it* twice, to the first and to the last days? This is no objection, as the number three, mentioned last, may be used merely because of the first. Come and hear the following: R.

Tachlipha b. Abdimi in the name of Samuel said: If their festival occurs in the middle of the week, it is forbidden to do business with them the whole week. Now, if that day were included, one day of the week would be allowed. There is no question, according to R. Ismael, as he certainly excludes that day, but how is it the question is according to the rabbis? Come and hear: The following are the festivals of the heathens: *kalends*, *Saturnalia* and *kratsim*. And R. Hanin b. Rabha said: *Kalends* occurs eight days after the solstice, and the *Saturnalia* eight days before. Now, if the festivals were included, it would be said ten days? Perhaps the Tana counts the whole festival of *kalends* for one day. Said R. Ashi: From the expression of the Mishna, "before," it may be inferred that it means to exclude the day in question. For if not, it would state three days of their festivals, etc. Infer from this that so it is.

The schoolmen propounded a question: Is this forbidden because a Jew must not interfere with the idols, or because of the commandment, "Thou shalt not put a stone for the blind"? And the difference is in whether or not the heathen has his own animal for sacrificing. If because of interfering, it is forbidden, but if because of the latter, it is not, as he has his own. But even if he has his own, the above negative rests upon him, as R. Nathan states in a Boraitha: Whence do we know that one must not serve a goblet of wine to a Nazerite nor a member

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of a live animal to a descendant of Noah? from [Levit. xix. 14], "Nor put a stumbling-block before the blind." We see then, that though these two would each take the forbidden even if not offered, nevertheless he who serves therewith commits a transgression, it speaks of a case when the two, giver and receiver, are separated, by *e.g.*, a river, so that if not served he could not take it himself; and the word serve instead of give seems to corroborate this view. The schoolman propounded another question: How is it if he had done business with him in the prohibited days? According to R. Johanan: The benefit which he derived from the business is forbidden, and according to Resh Lakish, it is not. Resh Lakish objected to R. Jochanan from the following: In the festivals of heathens, if one had business with them, the derived benefit is forbidden. We see that thus the festivals, as such are meant, but not the time before. R. Jochanan, however, maintains: That in the expression "festivals" the days before are also meant.

There is a Boraitha in accordance with Resh Lakish: The prohibition to do business with them refers only to a thing which can be kept in good order until the festival day, but not otherwise. And even concerning the former, if it was already done, the benefit is allowed.

R. Zabid taught in a Boraitha of R. Osia: A thing which cannot be kept in good order may be sold to, but not bought from, them. There was a minn who, in his festival, sent a new *dinar* to R. Jehudah the second. Resh Lakish was then at the latter's house, and Jehudah consulted him as to the acceptance of it. If he accepted he would transgress the rule of interfering, while his refusal would cause animosity. Said Resh Lakish to him: Accept, and throw it away in the presence of the donor. To which R. Jehudah rejoined: Then I will cause still more animosity. Rejoined Resh Lakish: I mean that you should throw it in such a manner that he should think it was done unintentionally.

"*To lend them or to borrow.*" The prohibition to lend them is correct, because it pleases them. But why is it forbidden to receive payment from them; does it not diminish their property? Said Abai: If it were permitted to receive from them, one would be led also to lend them. Rabha, however, maintains: Both are prohibited only because of interfering.

"*Because it is a displeasure.*" Does not R. Jehudah hold the view: That it pleases him in the future. We have heard

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him say elsewhere that he upholds such a theory concerning Jewish festivals? Said R. Na'hman b. Itzchak: Leave alone the Halakhas of minor festivals, as they are allowed only upon the basis of "it pleases him in the future, although it is a displeasure to him while performing it." Rabbina, however, maintains: A heathen is always displeased at a payment.. Our Mishna is not in accordance with R. Joshua b. Karcha of the following Boraitha, who said: If the lender had a document, he must not receive payment at that day. But if it was a verbal loan, he may, as it is a rescue. (Here is repeated from the First Gate, 229 par., "R. Jehudah says," to p. 30 next par.) [1](#)

MISHNA. II.: R. Ismael said: Three days before and three days after it is prohibited. The sages, however, say: Before the festivals, but not after them.

GEMARA: What new views do the sages of this Mishna advance. Was same not said by the first Tana of the first Mishna? They differ in what was said by Samuel: "In exile, the prohibition refers to the day of the festival only." The first Tana upholds the theory of Samuel, which the sages of the latter Mishna do not. It may also be said that they differ in that which was said by Na'hum the Modaite. The prohibition is imposed only upon one day before their festival. And in this case, the Tana of the first Mishna does not agree with him, while the sages of the second do. There is a Boraitha which states that as regards the decision of Na'hum the Modaite, it was said: It is better that such should be dropped and not repeated. There is another Boraitha; Na'hum the Modaite said: An old male horse may be sold to them in case of war. And he was also answered: Such may be dropped, etc. And there is another Boraitha: That the same declared a Halakha concerning tithe, seeds and herbs, and was also answered: It may be dropped, etc. Said R. Aha b. Minumi to Abai: Is it right that everything declared by so great a man who comes into our country be annulled by mere exclamation such as above? And he answered: There is one thing of the following Boraitha, on which we act according to his decision--namely, Na'hum the Modaite says: One may pray for his necessities the benediction of, "He listens to prayer." Rejoined R. Aba: Leave alone this Halakha which relies not upon Na'hum the Modaite only,

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but upon the discussion of great men in the following Boraitha: R, Eliezar said: One should beg for his necessities first, and thereafter he shall recite the daily benediction. As [Psalms, cii. 1]: "A prayer of the afflicted, when he is overwhelmed, and poureth out before the Lord his complaint." [1](#) R. Joshua, however, maintains: One has to recite his benediction previously, and thereafter pray for his necessities. As [Psalms, cxlii. 2]: "I poured out my *shicho* before him, I relate before him my trouble." (Hence, the trouble is related after the benediction.)

Let us see: The passages do not correspond with either of them; hence, there must be some other reason. Wherein, then, is their point of difference? In that which was lectured upon by R. Simlai: It is advisable for one to always arrange the praises of the Omnipotent first, and thereafter to recite the daily eighteen benedictions. And this can be inferred from Moses, our master [Deut. iii. 24]: "Thou hast begun to show," etc., and thereafter (25): "Let me go over, I

pray thee." R. Joshua maintains: We may learn it from Moses, but R. Eliezar holds that we cannot compare ourselves to Moses, and must not dare to do like him. The sages, however, maintain differently from both: As according to them, one may pray for his necessities in the benediction of, "He listens to prayer." Said R. Jehudah b. R. Samuel b. Shilath in the name of Rabb: Although it was decided that one may pray for his necessities in the benediction of "listen to prayer," yet if he understands how to express his desire at the end of each benediction (conjoined in the daily eighteen benedictions), he may do so.

MISHNA III.: The following are the festivals of the heathens: *Kalends*, *Saturnalia*, *kratsin*. The accession of their kings upon the throne, their birthday, and the day of their death. So R. Mair. The sages, however, maintain that only such a death on which burning (dresses) is used, is conjoined with worshipping the idols. But in such on which it is not used, there is no idolatry. All, however, agree concerning the following days: That of shaving his beard and hair, that in which he lauds, that on which he was released from prison, and that on which is celebrated a marriage of his son that the prohibition concerns only one day, and the only one man engaged in this affair.

GEMARA: The rabbis taught: Adam the first, when he saw

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that each day of the week became shortened, cried: Woe is to me, the world becomes dark to me because of my sin, and it seems to be returned to chaos and ruin. And this is my death which was decreed by heaven. He arose and fasted and prayed eight days. Thereafter, when he lived to see the solstice of the month of *Tabit*, when the days become longer, he understood that such is the cycle of the world, and therefore established eight holidays. The next year, he also proclaimed the eight days on which he had fasted as holidays. He has established them to laud heaven; his descendants, however, made them holidays for the idols.

The rabbis taught: Adam the first, on the first day of his creation, when he saw the sun set, cried: Woe is to me, the world is to be returned to chaos, because of my sin, etc. He wept all night, and Eve did the same opposite him. However, when the morning star appeared, he understood that such was the order of the world. He arose and sacrificed an ox, whose horns were like its hoofs.

R. Mathna questioned: Are the small towns under the dominion of Rome and near to the capital, prohibited, at the time Rome celebrates its *kalends*, or not? According to R. Jehoshua b. Levi, the festival *kalandes* is forbidden to everyone. And according to R. Johanan, it is forbidden to interfere with those who worship her only. There is a Boraitha in accordance with R. Johanan as follows: Although it was said that if Rome established a *kalandes*, and all the near cities which are under her dominion supported her, the prohibition of interfering concerns only its worshippers. On *Saturnalia*, *kratsin*, the day of the throne and the day in which he ascends to reign, only one day before, interfering is prohibited; but not the day after. During the celebration of the son's marriage the interfering is forbidden to this man, and on that day only. Said R. Ashi: The statement of R. Johanan is also hinted at in our Mishna by the expression "and that man," which excludes those who are under his dominion. (Here is repeated from Aboth, p. 94. R. Simeon b. Eliezar said the whole par.; here, however, it is said in the name of R. Ismael. (The Gemara adds): It is therefore decided that if a heathen invites one during thirty days from his son's wedding, the invitation being special to the wedding, or anonymous, it is considered a wedding day, and the interfering is not allowed. At the elapse of thirty days, if the invitation was

specific of the wedding, it is so considered; and

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if anonymous, it is not. Until what time is it considered wedding time in the case of a special invitation? Said R. Papa: Twelve months. And previous to the wedding, at what time is to be considered? From the time when they put the barley in the pestle for preparing beer.

"*Kratsin*." What festival is this? Said R. Jehudah in the name of Samuel: It is the day on which Rome has established her kingdom. But is there not a Boraitha: *Kratsin* and the day on which Rome has established her kingdom? (Hence *kratsin* must be something else.) Said R. Joseph: Rome has established her kingdom twice. Once in the days of the Queen Cleopatra and the second time in the day of the Greeks. As R. Dimi told when he came from Palestine: Thirty-two battles the Romans fought with the Greeks, and could not conquer them until they had conjoined the Israelites with them, under the stipulation that if the kings were of one nation, the great officers of the government should be taken from the others. And then the Romans sent a message to the Greeks: Until now we have tried to conquer you by battles, but now we will try to do it by a discussion. We may ask you, if one likes to conjoin a pearl with a diamond, which of them shall be the basis? And they answered: The pearl to the diamond. A diamond and an onyx? The diamond as a basis, was the answer. An onyx and the Holy Scrolls? The onyx to the Holy Scrolls, was the answer. Then they sent to them: "Now, the Holy Scrolls with the Israelites are with us." (And the Greeks were conquered.) Twenty-six years the Romans kept their promise to Israel, and thereafter they failed, and took the Israelites under their dominion. Whence do we know that they were true to their promise twenty-six years? From what was said by R. Ka'hana. When R. Ismael b. Jose was sick, it was sent to him that he should recite a few things which he related in the name of his father. And his answer was this: A hundred and eighty years before the Temple was destroyed, Rome had thrust her dominion upon Israel. Eighty years before the destruction, it was decreed by the sages that the land of the nations outside of Palestine should be subject to defilement. Forty years before, the Sanhedrin were exiled from their place and settled in shops. (Here is repeated from Sanhedrin, p. 121, concerning the establishment of fine.) The text says 180 years, and not more? Does not a Boraitha state in the name of R. Jose the great: Palestine was under the dominion of Persia 430 years; under the Greek, 180

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years; the house of the Makabaius reigned 103 years and the house of Herod reigned likewise 103 years. Now, according to this chronology there will be 206 years for the dominion of Rome over Israel. <sup>1</sup> Therefore, we must say that the 26 years in which they were true to their promise are not counted under their dominion. There is a Tosephtha: The disciples of Elijah taught: The world will continue for six thousand years, the first two thousand of which were a chaos (*Tahu*), the second two thousand were of Torah, and the third two thousand are the days of the Messiah, and because of our sins many years of these have elapsed, and still he has not come. <sup>2</sup> Let us see from what time the two thousand of Torah are reckoned. Shall we assume it to be the time when the Torah was given to Israel? Two thousand years have not elapsed as yet since. <sup>3</sup> We must therefore say that it means the time mentioned in [Gen. xii. 5]: "And the persons that they had obtained in Charan." And it is known by tradition that Abraham was then fifty-two years of age. And from his fifty-second year until the Torah was given, 448 years elapsed, and that number will complete the number of 2,000 which were less at the time the Tana taught about the 2,000

years of wisdom. [4](#)

"*The accession to the throne.*" Whose accession? If it means the king's, how should the following Boraitha be understood? "The ascending to the throne, and the day on which they select the king," which seems to be one and the same. We must say therefore, that by accession that of the king's *son* is meant. And the objection that it was not customary in Rome the son should inherit the throne, may be thus meant: That upon the request of the king, they were now to affiliate it to the son. As it happened with Antoninus (the Cæsar of Rome), who said to Rabbi: I would like that Asurius, my son, should reign after me, and also that Tiberius should be free from duty. But I am aware that if I will ask my people to do me one favor, they will, but not two.

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[paragraph continues] What have I to do? Rabbi, who did not want to answer his question in words, told a man to mount upon the shoulders of another one, and having given him a dove, said to the other one, tell him who is mounted upon you to let the dove free. From this Antoninus understood that he had to request his people to proclaim his son king after him, and to instruct his son that he should set Tiberius free. Once the same said to Rabbi: The officers of Rome irritate me. (What shall I do?) Rabbi asked him to walk with him in the garden, and began to tear out the large radishes of the beds, planting smaller ones instead, by which Antoninus understood that he intimates the necessity of removing the old officers little by little and not all at once, so as to prevent a rebellion. But why did not Rabbi answer him in words? He was afraid that the officers of Rome would get wind of it and would harm him. The same Caesar had a daughter by the name Girah, and it happened that she sinned. Antoninus then sent to Rabbi white mustard, which is called in Aramaic *gargira* (whence Rabbi understood that something happened with Girah). He sent him in answer a seed by the name of *khusbratha*, the meaning of which in Aramaic is *khus bratha* (remove the daughter). Antoninus again sent him garlic, named in Aramaic *karthi*, from which Rabbi understood that he questioned him: Shall I cut off my child? And in answer he sent him lettuce, which is named *chassa*, which means have mercy with her.

Antoninus used to send to Rabbi frequently pieces of pure gold in leather sacks covered with wheat. And to the objection of Rabbi: I have too much of my own, he exclaimed: Leave them to him who will substitute thee, that he shall spend it to please those who will reign after me. From the house of Antoninus, there was a cave which reached the house of Rabbi, and each time that he went to the house of Rabbi through this cave, he would take with him two slaves. One he used to kill at the gate of Rabbi, and the other when he returned, at his own gate. He, however, told Rabbi that at the time of his visit no one should be found with him. It once happened that he found Hanina b. Hamana with him, and to his question: Did not I say that no one should be found with you during my visit? Rabbi answered: This is not a human being. Said Antoninus to Hanina: Go and call for me the slave who sleeps at the gate.

Hanina, however, found him dead, and he deliberated what to do: shall he go to tell him that he is dead? There is a rule that

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one must not answer with degradation; should he leave him and go away? This would be a disgrace to a king. He therefore prayed, and the dead became alive, and he then sent him to his

master. Said Antoninus to Rabbi: I am aware that even the smallest of you is able to bring the dead to life. However, I want that when I come here, I should not find a living soul with you. He used to serve Rabbi in all his needs, and he once questioned him if he would have a share in the world to come. To which Rabbi answered, "yea." Said he: Does it not read [Ab. i. 18]: "And there shall not be anyone remaining of the house of 'Eseu." It means he who acts like 'Eseu. But, it reads [Ezek. xxxii. 29]: "There are Edom, her kings, and all her princes," etc. The answer was, it reads kings, but not all her kings. Princes, but not all of them. So also we have learned in the following: "Her kings, and not all of them, *i.e.*, exclude Antoninus b. Asudius. Her princes and not all of them, excluding K'tiha b. Shalum."

What happened with the latter? There was a Cæsar who disliked the Jews, and he asked the advice of his officers: Should he who has a fibre in his foot cut it off and be at ease, or should he leave it and be afflicted? And the advice of them all was, that he should cut it off and remain at rest. K'tiha, however, who was one of them, objected, saying: First you cannot get rid of all the Jews, as it reads [Zech. ii. 10]: "For as the four winds of the heaven have I spread you abroad, saith the Lord." <sup>1</sup> And secondly, your kingdom will be considered mutilated, and one that kills its own subjects. The king then said: Thy advice is true, but there is a law that he who concurs the king, must be thrown into the furnace. When they took him to be slain, he said: I bequeath all my property to R. Aqiba and his colleagues. A heavenly voice was then heard: K'tiha b. Shalum has a share in the world to come. Rabbi then wept and said: Here we have a man who has bought his world in one moment, while another one has to work for it all his life.

Antoninus served Rabbi; Adarkhan (a Persian Prince) served Rabh. When Antoninus departed, said Rabbi: Our union broke, and the same said Rabh when Adarkhan departed.

Unklus b. Klenimus embraced Judaism, and the Cæsar sent militia to take him. He, however, persuaded them, and they also became proselytes. He then sent other militia, warning

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them that they should not converse with him. When they took him and were going, he said to them: I will tell you something; usually the torch-bearer carries the light in front of the litter, the chief *lecticarius* (behind the litter, carries the light) for the *dux*, the *dux* for the *hegemon*, the *hegemon* for the *comes*; but does the comes carry the light before the people? And they answered, No. Said he: The Holy One, blessed be He, carries light before Israel as it reads [Ex. Xiii. 21]: "And the Lord went before them in a pillar of cloud," etc. And they also became proselytes. The Cæsar then sent other ones after him, telling them not to talk to him at all. But when they took him, he saw a *mazuzah* on the doorpost, and said to them: Do you know what this is? They answered: No, but you may tell us. He then said: It is customary with a human king that while he is sitting inside of his palace his servants guard him outside. With the Holy One, blessed be He, it is the contrary. His servants are inside, and He guards them from the outside, as it reads [Psalm cxxi. 8]: "The Lord will guard thy going out and thy coming in," etc. Then these became proselytes, too, and the Cæsar did not send any more after him. It reads [Gen. xxv. 23]: "And the Lord said to her, two nations are in thy womb." Said R. Jehudah in the name of Rabh: This means Antoninus and Rabbi, upon whose tables were not missing lettuces, cucumbers and radishes, summer as well as winter. As the master said: The radishes masticate the food in the stomach, lettuces overturn it, and cucumbers extend the gut. But have not the disciples of Ismael taught that cucumbers are as harmful to the body as swords? This presents no difficulty, as one speaks of large ones, and the other of small ones.

"*The day of death*," etc. From this we see that R. Mair makes no difference between a death, to which burning is, and that to which it is not, used; in both cases as according to him, idols are worshipped there. Hence the burning is not a custom of the Amorites, which the Israelites are prohibited from. And the rabbis who oppose R. Mair hold that it is a custom. Why then do we use burning? As there is a Boraitha that one may burn things for the death of kings. Therefore, as to burning, we must say, all agree that it is not considered a custom, but an act of honor. The rabbis, however, hold that worship of idols takes place only in cases where there is burning. While according to R. Mair, it is worship in both cases. Where do we find that burning is used for kings? [Jer. xxxiv. 5]: "In peace

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shalt thou die and as burnings were made for thy fathers," etc. And as they burn for kings, so also do they for princes. What they used to burn upon kings? Their beds and all the utensils which were used by the deceased. And it happened on the death of Raban Gamaliel the elder, that Unclus the proselyte burned clothing worth seventy *manas* coined in Zur.

"*The day of shaving his beard*," etc. The schoolman propounded a question: Does the Mishna mean the shaving of his beard and the surrounding of the hair (which they used as a worship for the whole year, and at the end they used to remove for the same purpose) or do they mean the removing of the hair? Come and hear the following: The day of shaving the beard and leaving the hair and also the day of removing it.

R. Jehudah in the name of Samuel said: There was still another festival in Rome which occurs once in seventy years, on which they would make a well man ride on a lame man, dress him in the garments of Adam, and place on his head the scalp of R. Ismael, etc.; on his neck was suspended gold of the weight of four *zuz*. And they cover the markets with it, heralding before him: *sakh quiriphaster*. <sup>1</sup> The brother of our Lord is a deceiver. (They mean Jacob, the brother of Eseau, who deceived the latter by taking away the blessing of Isaac to himself.) He who saw this now may be rejoiced, as if not to-day, he will not see it any more (because it was once in seventy years), and they would finish with: Woe will be to him at the time the other will arise. But why does not the Tana of our Mishna count this feast? Because he counts only what is usual each year, and not what happens once in seventy.

R. Hanan b. R. 'Hisda or R. Hanan b. Rabha in the name of Rabh said: There are five houses of idols; the house of Beil in Babylon, the house of Nebu in Khursi, of Tharetha in Mapag, Zripha in Askkilon, and Nishra in Arabia. When R. Dimi came, he said: It was added to them the yared of An Bekhi of Ekha of the town of N'dbkah. All these houses were standard, and were worshipped the whole year. So said R. 'Hisda in the name of his father-in-law.

It is said above, that according to Samuel: In exile it is forbidden

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only the very day of the festival, not the day before and after. But even on that day did not R. Jehudah allow R. Brona to buy wine and R. Giddle to buy wheat in the festival of the merchants? Such a festival is different, as it is not standard.

MISHNA IV.: In a city where the idol is placed, interfering is forbidden inside, but not outside. And if outside, the inside is not forbidden. May one go to the city at that time? If the way leads to the idol only, it is forbidden, but if it leads also to another place, it is not.

GEMARA: What is meant by outside is, *e.g.*, the bazaar of Gaza. Resh Lakish questioned R. Hanina: Is indeed the bazaar of Gaza permitted? And he answered: Did it not happen to you to be in Zur where you could see an Israelite and a Gentile putting their pots upon -one stove, and the sages did not object. The same is the case with the bazaar of Gaza; the sages did not care to forbid this because of these festivals.

"*May one go to the city,*" etc. The rabbis taught: A city in which an idol is placed, one must not enter, nor pass from it into another city. So R. Mair. The sages, however, say: The prohibition lies when the way is specified to that place only, but not otherwise. If a thorn sticks in one's foot at that place where the idol is standing, he must not bend to take it out, because it would seem as bowing to the idol; but if it does not seem so, he may. And the same is the case if one's money scattered near that place. From a spring which runs before the idol, one must not bend to drink for the same reason, unless it does not seem as if bowing to the idol. If an aqueduct is placed in the idol, one must not put his mouth to it, as it would seem like kissing it. However, it is not advisable to put one's mouth to any duct, as one may swallow a leech.

The rabbis taught: One may not drink water from rivers or ponds either with his mouth or with one hand (as he cannot discern anything in it with both hands; however, he can keep the water, and examine it). And if he did so, he would be responsible in case he swallowed a leech, which is dangerous, and this is a support to R. Hanina, who said: That for such an accident it is allowed to violate the Sabbath by warming water; and also R. Ne'hamaia allowed to do same in such a case. And R. Huna b. Jehoshua said: That if such happened, he may drink vinegar until the water is warmed. R. Idi b. Abin said: He who has swallowed a bee, cannot be cured. However, he may drink some strong vinegar, perhaps this will give him time to make his will.

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MISHNA V.: If, during an idol festival in the city, some stores were there decorated, one must not buy from these stores, while he may from the others, as such a case happened in the city of Beth Shean, and the sages have so decided.

GEMARA: Said Resh Lakish: The prohibition lies only on those which are decorated with roses and myrtles, because the odor pleases him, but not to those which were decorated with some other fruit. And the reason is [Deut. xiii. 18]: "And there shall not cleave to thy hand aught of the devoted things." Which signifies that it is prohibited only to derive any benefit for himself, but not to benefit others. R. Johanan, however, maintains that the prohibition lies also on those which are decorated with fruit, as such conclusion can be drawn *a fortiori*. If deriving benefit from them is forbidden, so much the more should it be, to benefit them. An objection was raised from the following: R. Nathan said: It is usual in the day of the idol to herald: everyone who will decorate his head and the heads of his animals for the honor of the idol will be freed from duties for such and such a time. What bad then a Jew to do? Should he decorate, then he derives benefit from the idols; should he not, then he benefits them. From this it was said: He who is doing business in the market established for the idol, his property must be destroyed in such a manner that no one should be able to derive any benefit of it. We see, then, that to benefit is also

prohibited, and this contradicts Resh Lakish's above statement. Said R. Mesharshia b. R. Idi: Resh Lakish hold that the rabbis differ with R. Nathan, and the Halakha prevails with the majority, while R. Johanan holds that they do not differ. (Here is repeated from tract Minor Festivals and Abel Rabbathi, which we deem not necessary to translate.)

R. Jacob bought shoes on such a market day, and R. Jeremiah bought bread. Each of them bought from a private man, not from a storekeeper. However, each one thought that his colleague bought from a storekeeper, and rebuked each other because of the statement of Aba b. R. Higyā b. Aba: That the prohibition to buy lies only from a storekeeper, but not from a private, as a private does not pay any duties. He also said that if R. Johanan were in such a place where they take duties from a private also, he would forbid to buy even from a private. The above-mentioned sages, however, bought their goods from such a private who was not established at that city, and, therefore, they were sure that he does not pay duties,

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MISHNA VI.: The following are forbidden to be sold to the heathens: Fir-cones, white figs on their stems, frankincense, and a white cock. R. Jehudah, however, said: That a white cock may be sold among other cocks, and if singly, he has to cut off a finger of it, because the heathens do not sacrifice an animal of which an organ is missing. All other things may be sold anonymously, but if they say that they buy it for worshipping, one must not sell. R. Mair, however, forbids to sell them fine date trees, sugar-canes, and a variety of dates.

GEMARA: "*Frankincense*," said R. Itzhak in the name of Resh Lakish: Only the best frankincense which is used for worshipping, and there is a Boraitha: That from all the things mentioned above, one bundle may be sold; and what is to be considered a bundle? Explained R. Jehudah b. Bathyra: No less than three manas worth. But why not fear perhaps the buyer will sell of it for worshipping? Said Abayi: We are told not to put a stone before the blind, ourselves, but we are not told that we should fear some other one should do same with our stone. (The prohibition is, because one must not assist a sinner, and worshipping idols is a sin even to the heathens.)

"*A white cock*," etc. R. Jonna in the name of R. Zara according to others quoting R. Zebid, said: If the buyer is searching for a cock anonymously, even a white one may be sold to him. But if he asks for a white cock, then such must not be sold. There is an objection from our Mishna. R. Jehudah said: It may be sold among others. Now, let us see the nature of the case. If the buyer ask for a white cock, then certainly it must not be sold even among others; we must then say that he asks for a cock in general, and notwithstanding this, is allowed to sell it among the others, but not singly, even according to R. Jehudah. And according to the first Tana, not even among the others? Said R. Nahman b. Itzhak: The Tanaim of our Mishna speaks of a case when the buyer mentioned a black, red and white one. According to the first Tana, as soon as white is mentioned, it must not be sold even among others, and according to R. Jehudah, it may, on the supposition that as the other colors are not for sacrificing, the white is not either. But if color was not mentioned at all, even according to the first Tana, the white may be sold among other colors. And there is a Boraitha in accordance with R. Na'hman b. Itzhak, as follows: R. Jehudah said: The prohibition is in force only when the buyer says, Sell me this white cock; but if he said, Sell me this

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and other colors you have, it is not. And even in the former case, if the buyer has a sick person in his house; or he is preparing a banquet for his son, it is permitted. But does not our Mishna state above: That in such a case *that* man as well as that day *is* prohibited? Said R. Itzhak b. R. Mesharshia: R. Jehudah, by the word banquet means a dancing banquet, on which sacrificing is not used, and not a wedding banquet. R. Ashi propounded a question: If the buyer asks for a blemished white cock (which is not used for sacrificing), may one sell him a good white cock, or is it to be feared that because he knows that an Israelite would not sell him a white cock, he deceives him by asking for a blemished one; and should you decide that such is prohibited? Furthermore, how is the law in case he asks for a white one and, nevertheless, takes also a black and a red one; may one then sell him a white one also, as it is to be supposed that he does not take them for sacrificing; or here, also, it may be feared that he bought the other colors only because he needs the white one? This question remains undecided.

"*R. Mair said,*" etc. Said R. 'Hisda to Abimi: We have a tradition that the tract Aboda Zara of Abraham the patriarch contained four hundred chapters. We, however, have only five of them, and even these we do not quite understand. What is the difficulty? R. Mair said: "A fine date tree," from which it is to be understood that a simple one *may* be sold. And there is a Mishna: Nothing must be sold of that which is attached to the ground. Answered Abimi: By a "fine date tree" the fruit of it is meant; and so also said R. Huna: *e.g.*, (*Hazal nkshba nklas*) the species or variety of dates. When R. Dimi came from Palestine, he said in the name of Hamma b. Joseph: *Quryti* (that which is fit for a drink, made of cariota [cariotum]). Said Abayi to him: We have learned *nklas*, and we do not know what it is, and now you say *quryti*, and we do not know what it is either. Of what use is it, then, to us? And he answered: If you happened to be in Palestine and say *nklas*, no one would understand you, but if you said there *quryti*, they would understand, and show you what it means.

MISHNA VII.: In places where it is customary to sell small cattle (sheep, goats, etc.) to heathens, it is lawful to do so, but not in places where this is not customary. Large cattle must not be sold to them at all, nor calves nor foals of asses, either sound or broken-legged. R. Jehudah permits

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the sale of the latter, and Ben Bathyra permits the sale of a horse. [1](#)

GEMARA: From this Mishna it seems that it relies only upon a custom, but there is no prohibition, and in the first Mishna of the second chapter, we see that one must not place an animal in the inns of the heathens, etc. Said R. Eleazar: Even at those places where it is forbidden to place the animals in their inns, it is allowed to sell them. As usual the heathen takes care that his animals should riot be uprooted. And so also said R. Tachlipha in the name of Shila b. Abimi, quoting Rabh. As the latter retracted his first statement "that it must not."

"*Large cattle,*" etc. R. Ada permitted to sell an ass through a middleman (also an Israelite). R. Huna sold a cow to a heathen. Said R. 'Hisda to him: Why did the master do so? And he answered: Because it seems to me that he bought it for the purpose of slaughtering. And whence do we know that such is permitted? From (Shebüth, v. 8), where the school of Shamai says: One must not sell a ploughing cow on the Sabbathical year. The school of Hillel, however, permits it, because one may buy it for slaughtering.

Said Rabba: What comparison is this? Concerning the Sabbathical year, there is no obligation that cattle shall rest then, while on the Sabbath one is obliged to give his cattle rest. Said Abayi to him. But where do we find that such is forbidden, even when there is an obligation? There is a Tosephta: The school of Hillel permits to sell a ploughing field in the Sabbathic year, because it may be supposed that one buys it to rest this year, but to plough it the next, and one is certainly obliged not to plough his field on the Sabbathic year. R. Ashi opposed: On the contrary, there is a Mishna [Shebüth, v. 6]: "Ploughing vessels must not be sold on the Sabbathic year," and we know of no obligation that one must give rest to his ploughing vessels. And therefore, says he: When there is a supposition that it can be used for another purpose, we may do so, even, when there is an obligation; but when there is no such supposition, it must not be done, even when there is no obligation.

Rabba sold an ass to an Israelite, who was suspected of selling it to a heathen. Said Abayi to him: Why have the masters

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done so? And he answered: I sold it to an Israelite. And to Abayi's question: But he will sell it to a heathen, he answered: Does he sell to heathens only, if an Israelite will give him a good price will he not sell it? Abayi then objected to him from the following: In places where it is customary to sell small cattle to Samaritans, one may do so, but not in places where it is not customary; and this is only because they are suspected of selling it to the heathens, as all other reasons advanced were denied. (Hence, we see that one must not sell to a suspected one.) Rabba then ran after him three miles to return him, but failed to overtake him. Said R. Dimi b. Aba: As it is not allowed to sell to a heathen, so it is not allowed to sell to an Israelite either, who is a robber. What does the expression "robber" mean? If he is suspected that in case of an opposition, he would slay, then it is self-evident, for he is worse than a heathen; and if he is not suspected of such, why not sell to him? It speaks of one who is suspected of slaying only, then, when the owner runs after him to persecute. The rabbis taught: Shields must not be sold to those; others, however, taught they may. The reason of those who forbid is, that if they are short in weapons they use the shields instead; and the reason of those who permit is, that if they are short in weapons they run away. Said R. Na'hman in the name of Rabba b. Abuhu: The Halakha prevails with the latter. R. Ada b. Aba said: Lumps of wrought iron must not be sold to them, because they make weapons of it; but if so, should not spades be forbidden, too? Said R. Zabid: It means of Indian iron, which is useful for weapons. And now that we do sell to them is because the Persians are protecting us with their weapons. So said R. Ashi.

MISHNA VIII.: One must not sell to them bears, lions, and all such things by which the people can be injured. One must not conjoin himself in building their court houses (from the roofs of which they usually throw the one who is sentenced to death, to be killed), *gradus*, arenas and scaffolds. However, in building monuments and bath-houses, one may. But when they reached that chamber in which their idols should be placed, be must stop.

GEMARA: Rabbina propounded a contradiction. Our Mishna states: That only things which may be injurious to the people, whence it is to be understood that if not injurious, it does not matter, from the following: As one must not sell to them large cattle, so also must he not do with large beasts.

And even in those places where small cattle may be sold, large beasts must not. (We see, then, that even such that are harm. less must not be sold either.) And he explains that our Mishna speaks of a lame lion, and it is in accordance with R. Jehudah, who holds that such may be sold. R. Na'hman opposed: Who can say that the lion is placed under the category of large beasts; perhaps he is placed under the category of small ones. [1](#)

"*Himself in building.*" Said Rabba b. b. Hanna in the name of R. Johanan: There were three such palaces: for kings, for bath-houses, and for treasuries. Said Rabba: All of them are permitted.

The rabbis taught: When R. Eleazar was captured by the government, accusing him of being a *min*, he was brought to the *gradus*, and the *hegemon* (chief judge) said to him: A sage like yourself should engage himself in such a valueless thing. And he answered: The judge himself may testify that such is not the case. [The *hegemon* thought that he means him; he, however, meant the heavenly judge.] And he said: Because you trust in me, I swear by *Dimus* (his idol) that you are free from this accusation. When R. Eleazar returned home, his disciples surrounded him to condole him, but he did not accept it. Said R. Aqiba to him: "Rabbi, allow me to say before you one of the things you taught me," and he allowed him. Said he to him: "Rabbi, probably some explanations of the *minim* pleased you and you have accepted them, and therefore you were suspected and captured." Answered he: "Aqiba, you have reminded me; it happened once that I walked in the upper market of Ciporas, and I met one of the *minim*, named Jacob, of the village of Zachania and he said to me": It reads [Deut. xxiii. 19]: "Thou shalt not bring the hire of a harlot," etc. May then a retiring room for the high priest be built from such money? And I kept silent. Said he to me: So taught Jeshu. b. Panthya. [2](#) It reads [Mich. i. 7]: "For from harlot's wages she gathered them, and for harlot's wages shall they be used again"; hence, money that comes from a dirty place, may be expended

on a dirty place, which explanation pleased me. It is for this that I was suspected and captured. And I confess that I have transgressed [Prov. v. 8]: "Remove far from her thy way, and come not nigh to the door of her house." "Remove from her," means from *minunism* and "come not nigh" means to government. Others, however, interpret same "remove far" etc. as to mean *minunism*, and "come not nigh" etc., prostitution, which place, according to R. 'Hisda, is prohibited to approach from a distance of four yards.

Mar. Uqba said: it reads [Ps. xxx. 15]: "The leech hath two daughters (crying) Give, give," *i.e.*, *minunism* and the government, which are never satisfied, the first of catching men to her belief, and the second, duties. R. 'Hisda in the name of Mar. Uqba said: The *Gehenna* cries, saying, "bring me in the two daughters, who always cry in this world": "Bring in to me, bring in to me." It reads [Prov. ii. 19]: "All that come unto her return not again, and they will not reach the paths of life." If they do not return again, they will certainly not reach the paths of life? It means, therefore, that they who repent and return from *minunism*, die that they might not return to *minunism* again. Does one die who repents *minunism* only and not other sins; is there not a Boraitha: It was said of Elazar b. Durdia who left not out one prostitute. He was once informed that there was a prostitute in one of the sea countries, who received a pocketful of dinars in reward, and he took this amount and passed seven rivers until he reached her. She, however,

caused him to repent. He then placed himself between two mountains saying; "O ye mountains, pray for me," to which they answered: "Instead of praying for thee, we must pray for ourselves" [Is. liv. 10]: For the mountain may depart, and the hills may be removed. He then said: "Heaven and earth, pray for me," and they also answered: "We have to pray for ourselves," as it reads [ibid. li. 6]: "For the heavens shall vanish," etc. The same answer he got from the sun and the moon of which it reads [ibid. xxiv. 23]: "And the moon shall be put to the blush and the sun be made ashamed." A similar answer he got from the stars and planets of which it reads in [ibid. xxxiv. 4]: "And all the host of heaven shall be dissolved." He then exclaimed: "I see that I can rely only upon myself," and having put his head between his knees, he wept until his soul departed. A heavenly voice was then heard, saying, "R. Elazar b. Durdia is prepared for life in the world to come."

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[paragraph continues] Rabbi, when he heard this, wept, saying, "there is again one who bought his world in one moment while another one must work for it all his life." And again, it is not enough for those who repent, that they get a share in the world to come, but they are named also rabbis, as the heavenly voice said: Rabbi Eliazar, etc. [hence we see that he who has repented from sin, also died? Because he, Elazar was involved in such, it is similar to minunism].

R. Hanina and R. Jonathan were on the road and they met two thoroughfares, one leading to the gate of an idol and the other to the gate of the prostitutes. Said one to his colleague: Let us go on that which leads to the idol as the evil spirit of idolators is killed. Answered his colleague: On the contrary, let us go on to that which leads to the prostitute so that we should overrule the evil spirit, and be rewarded. When they arrived to the prostitutes, the latter ran away to their homes. And his colleague asked him: "What was the reason you relied upon--[Prov. ii. 11]: 'Discretion 1 will watch over thee, understanding will keep thee.'"

The rabbis taught: When R. Elazar b. Partha and R. Hanina b. Tradian were captured by the government, said the former to the latter: "Happy are you, that you were captured because of one thing only, and woe is to me that I am captured for five things." Said he: Happy are you who are accused of five things and will be saved, woe is to me who am accused only of one thing shall be sentenced. The reason is, that you were occupied with both the Torah and with bestowing of favors, while I was occupied with the Torah only. This is in accordance with R. Huna who said elsewhere: He who is occupied with the Torah only, is similar to him who denies God. As it reads [II Chron. xv. 3]: "And many days (had elapsed) for Israel, (they being) without the true God." What does the expression "without the true God" mean? He who occupies himself with the Torah, but does not observe bestowing of favors, which is the main point of humanity. Was indeed R. Hanina b. Tradian not occupied in bestowing of favors? Is it not stated further on that he did? Yea, but not so as it was fit for his dignity. Elazar b. Partha was brought before the judges and they asked: "Why are you studying, and stealing? And he answered: If

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one is a scholar, he is no warrior (robber) and if a warrior, he is no scholar, and as it is not true that I am a warrior, so is it also untrue that I am a scholar. Why then are you named master? And he answered: "I am the master of embroidering." They brought two coils before him and said to him: "Which is warp and which is woof?" A miracle occurred and a female bee set on the warp while a male bee on the woof and he said: This is a warp and this is a woof. "Why did you not

visit the *Bee abidon* (the house of discussion)?" And he answered: "I am too old, and feared perhaps I would be trodden down under the feet of the crowd." "Has it ever happened that old men should be trodden down in the mentioned house? Again a miracle occurred, and just at that time they were notified that an old man was trodden down in the house in question. "And why then have you freed your slave (which is forbidden)?" This never occurred. One of the crowd, however, arose to testify against him. Elijah then disguised himself as one of the consuls of the government and said to the witness: As in all the other things a miracle occurred, the same would occur also in this case and you would be considered an enemy of his and a liar. The alleged witness, however, did not listen and rose to bear his testimony. Meanwhile, a letter from one of the great officers which was to be sent to the Cæsar was handed to this man as messenger. While he was going, Elijah caught and threw him four hundred *parsas*, so that he did not return any more. Hanina b. Tradian was then brought before them and questioned why he occupied himself with the Torah, and he answered: Because I am so commanded by the Lord my God. The decree was then rendered that he should be burned, his wife killed, and his daughter to be taken to the house of prostitutes. [He to be burned, because he used to express the name Jehovah as it is written (and not Adonai as it is to be read instead), but why did he so? Did not Aba Shaul say (Sanhedrin, p. 265) that he who does so has no share in the world to come? He did so to learn which is allowed privately, but he did it also publicly. His wife to be killed, because she has not prevented his doing so by protesting; from this it is to be inferred that he who feels that his protests would effect and does not protest, is punished therefor. And his daughter to prostitution; because, according to R. Johanan, it happened once that she walked in the presence of the great people of Rome, and they exclaimed: How nice are the steps of this girl!

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[paragraph continues] And from that time she took care of her steps to please the spectators.] When all the three went out from the court, they justified the decrees upon them. Hanina said [Deut. xxxii. 4]: "He is the Rock, his work is perfect," etc. His wife said: "The God of truth and without iniquity"; and his daughter said [Jer. xxxii. 19]: "Great in council, and mighty in execution (thou) whose eyes are open over all the ways of the sons of man." Said Rabbi: How great are these upright that to justify their decrees, the three verses of justification came to their mouths, at the time of so great a trouble.

The rabbis taught: When R. Jose b. Kisma became sick, R. Hanina b. Tradian called on him; the former said to him: Hanina, my brother, are you not aware that this nation is reigning by heavenly decree, and notwithstanding that she has destroyed the Temple, burned the palaces, killed the pious and put out of the way all the best of Israel, she is still in force. About you, however, I heard that notwithstanding the decree of the government, you occupy yourself with the Torah publicly, and you bear with you the Holy Scrolls at all time. Hanina then answered: The heavens shall have mercy with us. Exclaimed Jose: I am relating to you reasons, and you say, the heavens shall have mercy. I wonder whether the government will not burn you with the Holy Scrolls on fire? Hanina then said: Rabbi, what will become of me in the world to come? And Jose asked him: Did not some of the meritorious acts come to your hand? And he answered: The money which I prepared to celebrate Purim, I erred, thinking that it was of the charity treasury; I have distributed it to the poor, and thereafter I have not collected from the charity. If so, answered Jose, I wish that my share should be like yours, and my fate similar.

It was said that a few days later R. Jose ben Kisma departed, and all the great men of Rome

were going after his coffin, lamenting him greatly. On their return, they found Hanina b. Tradian studying the Torah publicly with the Holy Scrolls in his bosom; he was enwrapped in the Holy Scrolls and surrounded with branches of trees, which were kindled. And two woollen towels, soaked in water, were placed on his heart that his soul might not depart so quickly, and when his daughter said to him: Father, is it just, what I see done with you? He answered: If I were burned alone, it would be hard for me, but now that I am burned in conjunction with the Holy Scrolls, I am sure that He who will take revenge for the Holy Scrolls

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will take revenge for me also. His disciples questioned him: What do you see now? And he answered: I see the letters are flying away from the parchment while they burned. They said to him: Rabbi, open your mouth, so that the fire should catch you, and he answered: It is better that my soul be taken by Him who gave it and not I myself shall cause it an earlier death. The executioner then said to him: Rabbi, if I will increase this fire and will take off the woollen towels from your heart, would you bring me to life in the world to come? To which he answered, Yea. He then asked him to swear, which he did. Immediately he increased the fire, took off the towels, and his soul departed. The executioner himself then jumped into the fire. A heavenly voice was then heard: Hanina and the executioner are prepared for life in the world to come. Rabbi then wept, saying: There is one again who bought his world in one moment, etc.

Bruria, the wife of R. Mair, was a daughter of Hanina b. Tradian, and she said to her husband: It is a disgrace for me that my sister should be in the house of prostitution. He then took with him a *τριχᾶβος* full with *dinars*, and said: I will go there, and if she is yet pure, a miracle will occur. He disguised himself as a military rider, visited her, asking her to listen to him. She, however, gives him many reasons, and finally tells him that in this place he will find many who are more beautiful than she. He then convinced himself that she answered the same to everyone, and went to her guardian asking him to accept the money he brought for transferring her to him, saying: The half of the *dinars* will be sufficient to bribe the officers of the government, and the other half will remain for you. And to his question: What should I do when the half will be spent and they will still persecute me? he answered: You will then say, God of Mair, help me, and you will be saved. And whence do I know that so it is? Mair answered: I will convince you immediately. There were dogs who devoured people, and the guard stimulated them upon Mair, and he pronounced God of Mair, answer me, and they kept aloof from him. The guard then delivered to Mair his sister-in-law. Finally, the government got wind of it, and the guardian was brought to the gallows to be hanged, and as soon as he pronounced, God of Mair, help me, he was thrown down uninjured. And to the question, What is it? he related before all what happened. The government then engraved the picture of R. Mair on the gate of Rome,

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commanding that he who should see such a face should deliver him to the officers. It happened that he was once seen, and they ran after him; he then ran away to a place of prostitution, and Elijah disguised himself as one of the prostitutes and embraced him. The officers then said that it must be someone else, as Mair would not do so. Thereafter, Mair ran away to Babylon, according to some, because of this occasion, and according to others, because of that which happened to Brura. [1](#)

(Concerning arenas and circuses) Tanaim differ in the following: An Israelite must not visit

arenas, because they are considered a place of scorners. R. Nathan, however, permits it for two reasons: first, one should be able to save an Israelite if it happened that he was placed there by animosity; and secondly, if it happened that an Israelite should die there, the visitor may then be a witness, so that the widow of the deceased should be allowed to remarry.

The rabbis taught: One must not go to the theatres and circuses, because at those places they gather up money for the idols; so R. Mair. The sages, however, say: In the places where they gather, it is prohibited because of the suspicion of idolatry. And in those where they are not gathering, it is prohibited, because they are considered places of scorners. R. Simeon b. Pazi lectured [Psalm i. 1]: "Happy is the man who walketh not in the council of the wicked, and standeth not in the way of sinners, and sitteth not in the seat of scorners." If he had not walked how could he stand, and if he did not stand how could he sit, and if he did not sit, how could he scorn? It means as follows: That if he had walked, he will finally stand, and if stood, he will finally sit and scorn, and concerning him it is said [Prov. ix. 12]: "But if thou art a scorner, thou alone will have to bear it." Said R. Eliezar: He who scorns brings chastisements upon himself as [IS. xxviii. 22]: "And now be ye no longer scornful, lest your bonds be made strong." And Rabha said to the rabbis (his disciples): I beg you not to scorn so that chastisements shall not come upon ye. And R. Ktina said: Even his food becomes lessened, as it reads [Hos. vii. 5]: "(Because) he joineth his hand with scorners." (Here is repeated about the same matter from Last Gate, p. 30.) R. Simeon b. Pazi lectured again: "Happy is the man who walketh not" to

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the theatres and circuses of the heathens, "standeth not in the way of sinners," that is, he who does not stand as a spectator at bestial contests (arranged by the Romans). And "the sitting of scorners" beget contention. And lest one say: As all the above I have not done, I may engage my time in sleeping, therefore, "But whose delight is in the law of the Lord."

R. Samuel b. Na'hman in the name of R. Jonathan said: "Happy is the man who walketh not," etc., means Abraham our father, who was not conjoined with the generation of separation, who were wicked, as [Gen. xi. 3]: "Let us make bricks," etc. "In the way of sinners," etc.--he did not stand with Sodomites of whom it reads [ibid. xiii. 13]: "But the men of I Sodom were wicked and sinners," etc.--"with scorners"--he did not associate himself with the Philistines, who were "scorners," as [Judges xvi. 25]: "Call for Samson that he may make sport of us."

It reads [Psalms, cxii. 1]: "Happy is the man that feareth the Lord." Man, and not woman? Said R. Amram in the name of Rabh: Happy is he who repents when he is still young. And R.. Jehoshua b. Levi said: Happy is he who conquers his evil spirit, as a heroic man; "that greatly delighteth in his commandments." Said R. Eliezar: In his commandments, but not in the reward for them. And this is what a Mishna in Aboth states: Be not like slaves who serve their master because of reward, but as the one who serves him not to receive any reward. "In the law of the Lord is his delight," said Rabh: *i.e.*, one should always study the law to which his heart is inclined. Levi and R. Simeon, the son of Rabbi, were sitting before Rabbi reading one book of the Bible, and after finishing Levi said: Bring us "Proverbs." And R. Simeon said: Bring us "Psalms." He overruled Levi, and "Psalms" was brought. When they came to the verse, "In the law of the Lord is his delight," Rabbi stopped and said: One has to study only what his heart is inclined to. Said Levi to him: Rabbi, with this you have given us permission to stop studying. R. Abdimi b. Hama said: Him who occupies himself with the Torah, the Holy One, blessed be He, grants his desire. Rabha said: At the time one begins to study, the Torah is named the Holy

One's, but after studying, it is considered to be his (the student's); as first it is written the law of the Lord, and thereafter, in his law. And he said again: One shall first study, and thereafter deliberate, as the above-cited verse reads. The same said again: One shall study,

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although he forgets; shall study, although he does not understand it well. 1 (Here is repeated from Sanhedrin, p. 369, and from Erubin, p. 126. See there.) It reads [Psalm i. 3]: "And he shall be like a tree replanted by rivulets," etc. Said the disciple of Janai: "Replanted and not planted" signifies that he who receives his knowledge from one master, does not see any blessing in his studies. Said R. 'Hisda to his disciples: I would like to tell you something, but I am afraid you will leave me: He who studies always from one master, does not see any blessing. They then left him and went to the college of Rabba, who, when he heard the above reason, said to them: This is true only concerning reasons and ingenuity; but as for traditions, it is better to learn them from one master, so that they should not be metamorphosed in different versions. Tanhum b. Hanilai said: It is advisable to divide one's years into three parts: one-third for the study of Scripture, the second, Mishna, and the third, Talmud. But does one know how long he has to live? It means, he should do it every day.

"The fruit in its season . . . does not wither," said Rabha: It signifies that if the fruit is given in its season, then its leaves will not wither; but if not, the succeeding verse (4) applies to both the teacher and pupil.

R. Aba in the name of R. Hunna, quoting Rabh, said [Prov. vii. 26]: "For many deadly wounded hath she caused to fall," means a disciple who, though not as yet fit, decides questions; "very numerous were slain by her," means the contrary: he who is fit to do so and does not. And until what age? Till he reaches his fortieth year. But has not Rabha decided questions in his youth? It was because there was no greater scholar than he. Aba b. Ada in the name of Rabh, or b. Aba in the name of R. Hamnuna, quoting Rabh, said: Even the gossip of a scholar is to be studied, as it reads: "And its leaves shall not wither."

R. Joshua b. Levi said: The following is written in the Pentateuch, repeated in the Prophets, and thirdly in the Hagiographa: He who occupies himself with the Torah is prosperous in all his undertakings. In the Pentateuch [Deut. xxix. 8]: "Keep ye therefore the words of this covenant, and do them, that ye may prosper in all that ye do," repeated in Prophets [Jos. i. 8]:

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[paragraph continues] "This book of the book shall not depart out of thy mouth; but thou shalt meditate therein day and night, in order that thou mayest observe to do according to all that is written therein; for then shalt thou make thy way prosperous, and then shalt thou have good success." And thirdly in Hagiographa [Psalm i. 2, 3]: "But whose delight is in the law of the Lord, and who doth meditate in his law by day and night. (3) And he shall be like a tree planted by rivulets of water, that yieldeth its fruit in its season, and the leaf of which doth not wither; and all that he may do shall prosper."

R. Alexander heralded: Who wants to live, who wants to live? And a big crowd surrounded him. He then referred them to [ibid. xxxiv. 14-16].

"Where the idols should be placed," etc. Said R. Eliezar in the name of R. Johanan: If however, he has built, the reward of it is valid. Is this not self-evident? It is only the preparation for the idol to which both R. Ismael and R. Aqiba agree that they are not forbidden, unless the idol is already worshipped? Said R. Jeremiah: The Mishna means that even if he has made the idol itself, the reward is valued. But this is correct only to him, who holds that when an Israelite made an idol for himself, it is forbidden even before it was worshipped; but of a heathen, it is not, unless worshipped. But to him who holds that the same is the case with the idol of a heathen, what can be said? Said Rabba b. Ula: The Mishna refers to the finishing touch, which completes the idol, and the reason is: what made the idol ready? The last touch, which in itself is not worth the smallest coin (*a perutha*), and therefore it is not forbidden. From this it may be inferred that the Tana holds the obligation to pay a laborer, counts from the beginning till the very end of the labor, and not only after its completion.

MISHNA IX.: One must not manufacture ornaments for an idol--*e.g.*, necklaces, nose-bands and rings. R. Eliezar, however, maintains that for reward one may. Nothing must be sold to them while attached to the ground, but after it was cut off, one may. R. Jehudah said: He may also sell with the stipulation to cut it off afterward.

GEMARA: Whence is this deduced? Said R. Jose, from [Deut. Vii. 2]: "Nor favor them," 1 means, he shall not give

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him a rest in the land; we have learned similarly in a Boraitha, with the addition that it also means: You shall not give him such which shall make them merciful in the eyes of others. (Here is repeated from Chulin, p. 114 b.) The above statement is a support to that which Rabh said: It is forbidden to say: How nice is this female heathen? An objection was raised. R. Simeon b. Gamalien, being once on the steps of the Temple mountain, happened to see a female heathen who was a great beauty, and he exclaimed: "How great is thy work O Lord!" And it happened also to R. Aqiba that, when he saw the wife of Tornus Rupus, he laughed and wept. Laughed, because he saw that she would become a proselyte, and he would marry her; wept, that such a beauty must be buried under earth? This does not contradict Rabh, as it was only a benediction, which one has to recite by seeing nice creatures. 1 R. Joshua b. Levi said: Modesty is the greatest of them all, as it reads [Is. lxi. 1]: "Hath anointed me to announce good tidings unto the meek," it does not read to announce pious men, but meek; hence modesty is greatest.

"One must not sell." The rabbis taught: One may sell them a tree with the stipulation to cut it off, and he cuts it immediately, so R. Jehudah. R. Mair, however, says: Only that which is already cut. The same is the case with hay, and also with flour. According to R. Jehudah, it may be sold to harvest, and according to R. Mair that which is already harvested. It was necessary to learn their points of differing in all the three, as one from the other could not be inferred (we omit the reasons, as of little importance). The schoolman propounded a question.. May one sell them a cow with the stipulation to slaughter it? Shall we assume that the above things R. Jehudah permits, because they are not under the control of the heathen so that he is not able to prolong time? But in the case of a cow which he takes immediately, he may prolong the time a good deal until slaughtering, and this even R. Jehudah will not allow. Come and hear the following: One may sell a cow with the stipulation of slaughtering, and the heathen has to do it immediately. So R. Jehudah, while R. Mair permits only the sale of the slaughtered.

MISHNA X: Houses must not be rented to the heathens in Palestine, not to speak of fields. In Syria, however, houses are permitted to be sold, but not fields, and out of Syria houses may be sold and fields rented. So R. Mair. R. Jose, however, said: In Palestine, houses may be rented, but not fields, in Syria houses sold, and fields rented; out of Syria, everything may be sold. However, even in the places where renting is allowed, it must not be for residence, as the idol is brought there, which is against [Deut. Vii. 26]: "And thou shalt not bring an abomination in thy house." A bath-house must not be rented at any place because it is named after the owner, who is an Israelite (and he can be suspected of heating it himself on the Sabbath).

GEMARA: What is meant by the expression "not to speak of fields"; is it because two things would be neglected, resting the fields and tithing from the growth? The same would be with the houses also, resting, and the neglect of a *mazuza*? Said R. Mesharshia: The *mazuza* is not an obligation upon the house, but upon him who lives in it.

"*In Syria houses*," etc. Let us see; why is selling forbidden? Because it is considered as the land of Israel. Why, then, is renting permitted? Renting even in Palestine is only as a safeguard that one should not come to sell; and a safeguard to a safeguard we do not decree. But is not renting fields in Syria also a safeguard to a safeguard, and is nevertheless forbidden? This is not considered a safeguard, as the Tana holds that the land which was taken away by an individual (not by the people of Israel at large) is considered, nevertheless, to be the land of Israel. Hence, against fields upon which two things would be neglected, as said above, the rabbis decreed; but this is not the case with houses.

"*In Syria houses are permitted*," etc. For the just-mentioned reasons. "*R. Jose . . . in Palestine, houses*," etc. Also for the same reason.

"*In Syria houses sold*," etc. It is because he holds that the land which was taken by an individual is not considered the land of Israel, and, therefore, only against fields they decreed for the reasons adduced above, but not against houses.

"*Everything maybe sold*," etc. Because it is far from Palestine, no decree was rendered. Said R. Jehudah in the name of Samuel: The Halakha prevails with R. Jose. Said R. Joseph: Provided it does not make a whole neighborhood of heathens,

[paragraph continues] And there is a Boraitha: That less than three families is not considered a neighborhood.

"*Where renting is allowed*," etc. From this we infer that not in every place renting is allowed. Hence, the unnamed Mishna is according to R. Mair; as according to R. Jose, renting is permitted in every place.

"*Put not a bath-house*," etc. There is a Boraitha: R. Simeon b. Gimalia said: One must not rent his bath-house to a heathen because the bath is named after the owner and the heathen does his

labor on Sabbath and holidays (and people may think that the Israelites themselves do this). But how is it to a Samaritan? It may be rented, although he works on the minor festivals? On minor festivals, we Israelites also are permitted to heat baths. But let us see why it is permitted to rent a field to a heathen, although he does labor on Sabbath? Because people know that the gardener is doing work for himself. Why not say the same concerning a bath-house? It is because usually a field is hired to a gardener, which is not the case with bathhouses. There is another Boraitha: R. Simeon b. Eliezar: One must not rent his field to a Samaritan because it is named after him, and the Samaritan works the field during the minor festivals. But how is it with a heathen? It is allowed, because people know that he does it for himself; why not say the same concerning a Samaritan? R. Simeon b. Eliezar does not consider the reason of a gardener at all, and his reason why it is allowed to a heathen is that if we tell him that he should not work, he will listen to, which is not the case with a Samaritan, who thinks that he knows better than we do. There were fields of safran in partnership of an Israelite and a heathen; the heathen worked on Sabbath and the Israelite on Sunday, and Rabha has permitted to do so. Rabbina questioned him from the following: "An Israelite and a heathen who have hired a field in partnership, the Israelite must not say to the heathen: You take your share on Sabbath and I on a week day, unless it was so stipulated at the time they started. However, when they come to make their accounts, it is not permitted to the Israelite that he should take his share from the Sabbath labor." Rabha became ashamed; thereafter, however, it was announced that such was stipulated when the partnership was started.

The schoolman propounded a question: How is it if there was no stipulation? Come and hear: "If such a stipulation was made at the time when started, it is allowed"; whence it may

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be inferred, that if there was no stipulation, it is prohibited. But if so, how is the latter part to be understood? "When they come to make the account, the Israelite must not take his share of Sabbath," from which it may be inferred that without an account, he may accept it, although there was no stipulation. In view of this, from this Boraitha nothing can be taken for a support.

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## Footnotes

[1:1](#) The term for festivals in the Mishna, is "*Aidehen*" and Rabh and Samuel are discussing this term at some length. According to one it is *Aidehen* and means misfortune while to the other it is "*Edihen*," and means "witnesses." It is because the sages of the Mishna hesitate to name the holidays of the idolaters with the term "festivals." We, however, deem it not necessary to translate this discussion, as it is unimportant.

[1:2](#) The term for people here, is *Leum* and by an analogy of expression it is inferred to mean kingdom.

[4:1](#) Leeser's translation does not correspond.

[5:1](#) The term for this word is *sh'hok*, which means both sport and smile, hence the objection.

[5:2](#) The translation of this verse does not correspond at all, it is therefore of no use to quote it.

[6:1](#) Leeser's translation, according to the sense, does not correspond with the Talmud who takes it literally.

[9:1](#) We do not quote the passage, as the translation of it does not at all correspond.

[12:1](#) In text many things on which the Halakha prevails according to R. Jehoshua b. Kar'ha are gathered, though they do not belong to this tract at all; and as all of them are mentioned, each in its proper place, they are omitted here.

[13:1](#) The word complaint is termed by *shicho*, which means "prior" according to the Talmud concerning Isaac in [Gen. xxiv. 63] where the same term is used.

[16:1](#) We do not quite understand how to make out 206 years according to this account. Rashi's explanation does not suffice, and all other commentators keep silent. The Gemara itself was in doubt, concerning this account, as R. Papa said in text. We have, however, omitted it, leaving the whole affair to the historian.

[16:2](#) There are a few lines repeated here from Sanhedrin, p. 303, to which we could not refer because of the continuation in text.

[16:3](#) The reader must not forget that this was said fourteen centuries ago.

[16:4](#) This account remains very complicated, notwithstanding Rashi's attempt to explain it. And as it seems to us unimportant, we have omitted the whole discussion.

[18:1](#) For the explanation, see Taanith, p. 4.

[20:1](#) To the explanation of these peculiar words, we give the following of Jastrow Dictionary: an alleged proclamation made in Rome on the occasion of a sort of secular game, and intended as a satire of Eseau (Rome) on his brother Jacob (Judaism). The interpretations of commentaries (sakh *number* of years predicted for the coming of the Messiah, or sakh *brother*) are unsatisfactory.

[25:1](#) This Mishna is repeated from tract Passover, p. 90. We did not omit because it is a Mishna and because of the discussions of the Gemara here.

[27:1](#) The text discusses here whether an animal in convulsive movement before death is considered alive or dead, which is inserted here not in its proper place, nor is it of importance and therefore omitted.

[27:2](#) In Tosaphta Chulin (ii. 24) it states that Eliazar said: Jacob has related to me things of

minim in the name of Jeshu b. Panthya, and I was pleased with them. But it is not mentioned what it was, and we are in doubt whether it means the joke in text. This may serve as an answer to the criticism of the "Open court" Vol. 16, pp. 475-477.

[29:1](#) The term for discretion in Hebrew is *me zema* the last word is the term for prostitution and the Talmud explains it as it would be written *men zema* which means from prostitution.

[33:1](#) The text does not say what happened to her. Rashi explains that she committed suicide because of a discussion between her and her husband, who finally conquered her.

[35:1](#) In text it is inferred from (Ps. cxix. 20). However, the translation does not correspond and therefore the quotation is omitted.

[36:1](#) The term for favor in Hebrew is *chanina*. *Chanina* means also rest. Hence the deduction.

[37:1](#) Here is repeated from many tracts, especially from Middle Gate, p. 227, and a whole Mishna front Tract Shekalim vi, which we have omitted. The statement of R. Joshua b. Levi in text belongs to the Mishna Shekalim vi, which states that piety is greater than all other good things.

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