

**SECTION NEZIKIN (JURISPRUDENCE).**

**SYNOPSIS OF SUBJECTS**

**OF**

**TRACT ABOTH (FATHERS OF THE  
SYNAGOGUE).**

[Several requests have been received by the translator that an index should be made to the volumes of the Talmud, as is customary with all modern works. It would be an utter impossibility to give a complete index of everything contained in the Talmud. Were it like other scientific works, which treat each subject separately, this could easily be done; but with the Talmud it is different. On one page many different subjects may be discussed, and again a single subject may occupy several pages. The Talmud, therefore, has never had an index.

After careful examination of the volumes, page by page, it has been decided to make a synopsis, *i.e.*, to give briefly the heads of the discussions and conversations upon each Mishna, indicating the page where the Mishna is to be found, and the Gemara of each one, which serves as a commentary. By this the reader should be able to refer to what he desires to know.

A synopsis is therefore given of every Mishna which discusses a single subject, with its accompanying Gemara--in this volume, the Tosephta; but when several short Mishnas cover the same subject, a single synopsis is given of the whole, including the Gemara of each one; and where a chapter is short, a synopsis of the whole chapter is made, without dividing it into Mishnas.

This is the best that can be done, and it is hoped that readers will find it satisfactory.]

**CHAPTER I.**

MISHNA A. The Great Assembly originated three maxims. Be deliberate in judgment. How so? The books of Proverbs, Song of Songs, and Ecclesiastes were hidden. How was Adam created? Why was Adam created on the last hour of the sixth day? On the same day on which he was formed, on the very same day his countenance was created. According to others: "Be deliberate in judgment" means not to have an irascible manner. Erect safeguards for the Law. The safeguard of the Lord, of Adam the First. The legend about Eve and the serpent, etc. The ten curses with which Eve was cursed at that time. "Shall I and my cattle eat out of the same trough?" The tradition about the ox of Adam, the steer of Noah, and the ram sacrificed by Abraham, [1-11](#)

CONTINUATION OF CHAPTER II. OF TOSEPHTHA.--What is the safeguard that the Torah made to its words? What Elijah the prophet answered the widow of the scholar who died in the prime of his life. What is the safe guard that Moses made to his words? The reason why Moses broke the Tables? What is the safeguard that Job made to his words? The safe guard that the prophets made to their words. The safeguard that the Hagiographers made to their words. The safeguard that the sages made to their words, [11-19](#)

CONTINUATION OF CHAPTER III. OF TOSEPHTHA.--Whoever takes a coin from charity when not in need of it, etc. Study the Law in thy old age, even if thou hast studied it in thy youth. If you gave a coin to a poor man in the morning, and another one begs of you in the evening, give him also. What happened to a poor man with R. Aqiba. What happened to Benjamin the just, [19-21](#)

MISHNA *B*. The motto of Simeon the Just. Upon the Torah, how so? Upon service, how so? Upon bestowal of favors, how so? Rabban Johanan b. Zakkai and Vespasian. In three things mankind differ one from the other, [22-26](#)

MISHNAS *C* AND *D*. Be not like slaves who serve their masters for the sake of compensation. Let the fear of Heaven be upon you. Let your house be the meeting place of the wise. How did R. Aqiba begin his wonderful career? Not less astonishing was the literary career of R. Eliezer. How his father Hyrkanus reached the seats of Ben Zizith Ha Kesseth, Nakdimon b. Gurion, and Calba Shebua, [26-32](#)

MISHNAS *E* AND *F*. Let thy house be wide open for the poor. When the great affliction came upon Job, he prayed, etc. Teach thy house humility--the different explanations of this saying. Get thee a wise teacher. Judge everyone from his favorable side. The legend about a maiden who was led into captivity and the pious men who went to redeem her. Not only were the upright of former times themselves very strict and particular, but also their cattle were so. The ass of R. Hanina b. Dosa, [32-38](#)

MISHNA *G*. Keep aloof from a wicked neighbor. Slanderers are punished with plagues. The legend about Moses, Aaron, and Miriam. Do not consider thyself exempt from God's chastisement, [38-41](#)

MISHNAS *H* TO *K*. Make thyself not as those that predispose the Judges. Love work--how so? Do not care for superiority. See to it that your name be not known to the Government. Ye wise, be guarded in your words. Love peace--how so? Moses desired to die the same death Aaron did--how so? The legend of the death of Moses, at length. Pursue peace--how so? Love all men too, and bring them nigh unto the Law, [41-50](#)

MISHNAS *L* TO *Q*. If I do not look to myself, who will do so? And if not now, when? He who does not desire to learn from his masters is not worthy to live. He who increases not, decreases--how so? He who serves himself with a tiara perishes. Fix a time for study. Promise little and do much. Receive everyone with friendly countenance. Make a master to thyself. "I have never

found anything better for a man than silence." Three things support the world. The disciples of Hillel; of R. Johanan b. Zakkai--what was said about them and what they used to say. The consolation of R. Johanan b. Zakkai by his disciples when his son died. Thy

p. xiii

fellow's honor must be as dear to thee as thine own. Do not allow thyself to be easily angered. The two proselytes that came before Hillel and Shammai. Repent one day before thy death, [50-58](#)

## CHAPTER II.

MISHNAS A TO M. In choosing the right path, see that it is one which is honorable to thyself and without offence to others. All who occupy them selves with communal affairs should do it in the name of Heaven. Do His will as if it were thy own, that He may do thy will as if it were His. Pass not judgment upon thy neighbor until thou hast put thyself in his place. The boor can never fear sin, and the ignorant can never be truly pious. The more feasting the more food for worms. What is the best thing to cultivate. Which is the evil way a man should shun. Warm thyself before the light of the wise. An envious eye, evil propensities, and misanthropy drive a man out of the world. The legend about Joseph the Just, R. Zadoq, R. Aqiba, R. Eliezer the Great, etc. How difficult it is for man to avoid the evil propensities. Love everyone except the infidels, the enticers, the misleaders, and the informers. Thy neighbor's property must be as sacred as thine own, [58-65](#)

MISHNA N. Set thyself to learn the Law. Johanan b. Zakkai and the daughter of Nakdimon b. Gurion. Let noble purpose underlie thy every action. The sages who were recounted of R. Jehudah the Prince. How they were named by Issi b. Jehudah, [65-70](#)

## CHAPTER III.

MISHNAS A TO V. Consider three things, and you will not fall into transgression. Pray always for the welfare of the Government. Whoever takes the words of the Torah to his heart. Render unto God what belongs to Him, for thou and all thou hast are His. Whomsoever fear of sin precedes, his wisdom prevails. He whose works are in excess of his wisdom, his wisdom will endure. Be pliant with thy chief. Receive every man with cheerfulness. Mockery and frivolity are the forerunners of immorality. Everything is foreseen and free will is given. The world is judged by grace. All that we possess is merely a trust. Without knowledge of religion there can be no true culture, and without true culture there is no knowledge of religion. Qnim, canons, astronomy, and geometry are after-courses of wisdom, [70-81](#)

## CHAPTER IV.

MISHNAS A TO P. Who is a wise man? He who learns from everybody. Despise no man, and consider nothing as too far removed to come to pass. Be exceedingly lowly of spirit. Wear not the law of God as a crown to exalt thyself withal. Judge not alone, for none may judge alone save One. Whatsoever congregation is for the sake of Heaven will in the end succeed. Let the honor of thy disciple be as dear unto thee as the honor of thine associate.

Be careful in thy study, for error in study counts for an intentional sin, [81-86](#)

MISHNA Q. Neither the security of the wicked nor the afflictions of the righteous are within the grasp of our understanding. Be beforehand in saluting every man. Be the lion's tail rather than the fox's head. Do not seek to appease thy friend in the hour of his passion. Look not upon the pitcher, but upon what it contains. Envy, sensuality, and ambition destroy life. Accept not the assurance of thy passions, that the grave will be a place of refuge for thee. Without thy consent wert thou created, born into the world without thy choice. Thou art living without thine own volition, without thine approval thou wilt have to die. About the death of Eliezer the Great. Set something apart for charity, before you are compelled to do so by others. Lower thy seat two or three rows from the place you intend to occupy. There are three persons whose life is not worth living. The safeguard for honor is refraining from laughter. The safeguard for wisdom is silence. Whoever marries a woman not suitable to him transgresses five negative commandments. Do not be as the lintel, which no hand can reach, etc., [86-95](#)

MISHNA Q. (continued). Those that despise me shall be lightly esteemed. The support of the wise, etc. Do not keep away from a precept which has no limit. Let the honor of thy disciple, etc. There is grain in Judea, straw in Galilee, and chaff on the other side of the Jordan. There is no love such as the love of the Torah. There is no wisdom such as the wisdom of manners. Whoever maintains peace in his own household, etc. The words of the Torah are as difficult to acquire as silken garments and are lost as easily as, etc. All those things which are done in private shall be done as if they were done publicly. Do not isolate thyself from the community. The disciples are divided into three classes, etc. Whoever constitutes the Torah as the chief good, and considers worldly affairs as a secondary thing, etc. Conciliate not thy friend in the hour of his anger. The scholars are divided into four classes . One studies but does not teach others, etc. If one honors his friend for pecuniary considerations, he will in the end be dismissed in disgrace, etc. On account of the four different means of forgiveness, etc. Repentance must be to every one of them. However, one who has profaned the name of heaven has not the power to repent. Wherefore do scholars die before their time. Be careful in greeting thy neighbor He who neglects the words of the Law on account of his riches. There is a case where one transgresses ignorantly, etc. One who connects himself with transgressors, etc. The punishment of the liar is that even when he tells the truth he is not believed, [95-103](#)

## CHAPTER V.

MISHNAS A TO G. By ten sayings the world was created. For what purpose is this stated? Whence is it deduced that a single person is equal to the whole creation? The Holy One, blessed be He, showed unto Adam all succeeding generations, together with their preachers, directors, leaders, prophets, heroes, criminals, and their pious. Nine hundred and seventy-four

generations before the creation of the world, the Torah was already written, etc. He created in man all that he created in his world--how So? Ten generations were there from Adam to Noah. For what purpose was this stated? The Lord said: I will not equal the evil thoughts to the good

thoughts so long as their fate has not yet been sealed. Ten generations were there from Noah to Abraham. For what purpose was it necessary to state this? With ten temptations was Abraham our father tempted. They are as follows, etc. In contrast with these ten temptations the Lord performed ten miracles for his descendants in Egypt. When our fathers stood by the sea, etc. "Arise, and pass through it," etc. With ten temptations did our ancestors tempt God in the wilderness. By means of ten trials the Holy One, blessed be He, tested our forefathers. This sin with which the Israelites were afflicted is enough for that time, etc. Ten names of praise are applied to the Holy One, blessed be He. Ten ignominious names are applied to the idols. There are two sons of the clear oil. This refers to Aaron and Messiah. In the Torah there is written eleven times the word "she" when it ought to be "he." Ten times did the Shekhina descend upon the earth. Ten degrees the Shekhina removed itself from one place to another. A prophet is called by ten different names. There are ten names for the Holy Spirit. Ten are called "living." Ten miracles were wrought for our fathers in Egypt, [103-115](#)

MISHNAS *H TO O*. Ten miracles were performed for our forefathers in Jerusalem. Jerusalem never was defiled by leprosy. How Kimchith, the mother of R. Ishmael, saw her two sons as high-priests on the same day. The men of Sodom have no share in the world to come. About Kora'h and his company. "The Lord killeth, and maketh alive; he bringeth down to the grave, and bringeth up," has reference to them. The generation of the desert. "Gather together unto me my pious servants, who make a covenant with me by sacrifice," has reference to them. The ten tribes have no share in the world to come. R. Aqiba, however, said: "As the day is first dark and then lightens up, so also their darkness will be followed by light." The following seven have no share in the world to come, etc. There are three kings and four commoners who have no share in the world to come. Absalom has no share in the world to come. Seven things mark the clod, and seven there are for the sage. There are seven creations of as many grades of importance. Man possesses six qualifications, three of which belong also to the beast, and three to the angels. The evil spirits possess six qualifications, three of which belong to man. There are seven sorts of hypocrites. That which is hidden is only so from human beings, but not from Heaven. There are seven things which, if used moderately, are wholesome to the body, and if in excess are the reverse. With seven things God created the world. Seven attributes are serving before the throne of Grace. There are seven dwelling-places. A wise man does not speak before those who surpass him in wisdom and years; and does not interrupt another in his speech; admits the truth, etc. Seven kinds of punishments come on account of seven cardinal transgressions. About the execution of R. Simeon b. Gamaliel and R. Ishmael b. Elisha the high-priest. Captivity comes upon the world, etc. Five are not to be forgiven. Four kinds of views are held by men concerning property, [115-131](#).

p. xvi

MISHNAS *P TO GG*. There are four kinds of dispositions among men. There are four kinds of pupils. There are four kinds of charity-givers. There are four kinds of visitors of the house of learning. There are four kinds of the disciples of the wise. Love inspired by ulterior motives, etc. Whatsoever gainsaying is for the sake of Heaven will have good results. Whosoever causes many to be righteous, sin prevails not over him. In whomsoever are the following three things, he is a disciple of Abraham, etc. Be courageous as the panther, light-winged as the eagle, swift as the deer, and strong as the lion, One five years old should study Scripture, etc. Turn it and turn it again, for everything can be found therein, [131-133](#)

## CHAPTER VI.

MISHNAS A TO R. Whosoever is busied in Torah for the love thereof merits many things. Every day a Heavenly voice goes forth from Mount Horeb and proclaims as follows, etc. He who learns from his companion one chapter, etc., is bound to do him honor. The path of Torah, etc. Seek not greatness for thyself, and desire not honor. Greater is Torah than the priesthood, and than the kingdom. There are four things which bear good fruit in this world. A meritorious act has both principal and benefit. One who causes many to be righteous, no sin prevails upon him. Regarding dreams, there are four sages, three scholars, three books of the prophets, and three books of the Hagiographa. Every assembly that is for the sake of performing a religious duty remains everlasting. Comeliness, strength, wealth, honor, wisdom, age, hoariness, and sons are becoming to the righteous, etc. If thou shouldst give me all the silver, gold, and goodly stones and pearls that are in the world, I would not dwell but in a place of Torah. Five possessions had the Holy One in this world. Whatsoever the Lord created in this world He created only for His glory. There are three crowns: the crown of Torah, priesthood, and kingdom. Three things were said of charitable men. There are three different kinds among scholars. There are three different kinds of sweat that are beneficial to the body. There are six kinds of tears. There are three advantages in an earthen vessel. There are three advantages in a glass vessel. The money that the Israelites carried away from Egypt returned to Egypt. If you do the least wrong to your companion, it shall be considered by you the greatest wrong, etc. The following articles were hidden, etc., [133-143](#)

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[Next: Chapter I](#)