

IV.

BAVLI PESAHI CHAPTER FOUR

FOLIOS 50A-57A

4:1

- A. Where they are accustomed to do work on the eve of Passover up to noon, they do so.
- B. Where they are accustomed not to do so, they do not do so.
- C. He who goes from a place in which they do work to a place in which they do not do work,
- D. or from a place in which they do not do work to a place in which they do do work —
- E. they lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone.
- F. [50B] But a person should not vary [from the local custom] so as [to avoid] contentiousness.

4:2

- A. Similarly:
- B. He who brings produce of the Seventh Year from a place in which that particular variety has come to an end to a place in which it has not yet come to an end,
- C. or from a place in which it has not yet come to an end to a place in which it has come to an end,

D. is liable to effect the removal of the produce.

E. R. Judah says, “They tell him, ‘Go and bring some for yourself — you, too.’”

I.1 A. [Where they are accustomed to do work on the eve of Passover up to noon, they do so:] *Why stress the eve of Passover when the same rule applies to Sabbaths and festivals as well? For it has been taught on Tannaite authority: He who works on the eve of the Sabbath or festival from the afternoon prayer onward will never see a sign of blessing.*

B. *In that case, it is from the afternoon prayer onward that he is forbidden, but he is not forbidden just prior to the afternoon prayer; here it is forbidden to work from midday. Or, also, in that case it is a sign of blessing that he does not see, but we don’t excommunicate him, while here, we excommunicate him.*

I.2 A. *Reverting to the body of the foregoing: He who works on the eve of the Sabbath or festival from the afternoon prayer onward, or at the end of the Sabbath, the end of a festival, the end of the Day of Atonement, or in any situation in which there is the least possibility of sin, including a public fast, will never see a sign of blessing.*

I.3 A. *Our rabbis have taught on Tannaite authority:*

B. There is one who is industrious and profits on that account, industrious but penalized on that account, one who is slothful and profits on that account, one who is slothful and is penalized on that account.

C. There is one who is industrious and profits on that account: *one who works the whole week but not on the eve of the Sabbath.*

D. Industrious but penalized on that account: *one who works the whole week and also on the eve of the Sabbath.*

E. One who is slothful and profits on that account: *one who doesn’t work all week and also doesn’t work on the eve of the Sabbath.*

F. One who is slothful and is penalized on that account: *one who doesn’t work all week and but works on the eve of the Sabbath [T. Yeb. 4:8].*

I.4 A. *Said Raba, “The women of Mehoza, though they don’t work on the eve of the Sabbath, are used to laziness*

because they don't work any other day either. And nonetheless, we classify them as one who is slothful and profits on that account."

Thematic Composite: Sloth, The Correct Attitude for Work

- I.5 A.** *Raba contrasted these verses of Scripture:* “‘For your mercy is great unto the heavens’ (Psa. 57:11), and ‘For your mercy is great above the heavens’ (Psa. 108: 5). How so? The one speaks of one who performs God’s will for its own sake, the other, one who does not for its own sake.”
- B. *And that accords with R. Judah, for* said R. Judah said Rab, “A person should always engage in Torah study and performance of religious duties, even though it is not for its own sake, for while doing it not for its own sake, one ends up doing it for its own sake.”
- I.6 A.** *Our rabbis have taught on Tannaite authority:*
- B. He who depends on the earnings of his wife or of a mill will never see a sign of blessing.
- C. The earnings of his wife: *this refers to her selling wool by weight.*
- D. A mill: *this refers to renting it out.*
- E. *But if she makes woolen things and sells them, Scripture certainly praises her:* “She makes linen garments and sells them” (Pro. 31:24).
- I.7 A.** *Our rabbis have taught on Tannaite authority:*
- B. He who trades in cane or jars will never see a sign of blessing.
- C. *How come? They’re big, so the evil eye controls them.*
- I.8 A.** *Our rabbis have taught on Tannaite authority:*
- B. Those who trade in produce of the Seventh Year, breed small cattle, cut down beautiful trees, or look for something better than their portion, will never see a sign of blessing.
- C. *How come?*
- D. *People are scandalized by them.*
- I.9 A.** *Our rabbis have taught on Tannaite authority:*
- B. Four pennies will never carry a sign of blessing.
- C. The fee for a clerk, the fee for an interpreter, the fee paid by orphans to those who trade in their capital, and money that comes from overseas.

- D. *Now there is no problem understanding why that is the case of the fee for interpreters [who announce in a loud voice the teachings of the master], since it appears to be a fee paid for work on the Sabbath; there is no problem understanding the case of orphans' money, since they cannot renounce ownership [and the minor cannot renounce an excessive fee]; and there is no problem understanding the case of money from overseas, since miracles don't happen every day. But what's the problem with the fee for a clerk?*
- E. Said R. Joshua b. Levi, "Twenty-four fasts did the men of the great assembly conduct on account of those who write out scrolls, phylacteries, and doorpost Scriptures, so that they should never get rich, for if they get rich, they'll never write the necessary religious articles again."
- I.10** A. *Our rabbis have taught on Tannaite authority:*
- B. Those who write out scrolls, phylacteries, and doorpost Scriptures, they, those who trade in what they make, and those who trade in what those who trade in what they make, and all who trade in the work of Heaven — *including those who sell blue wool* — will never see a sign of blessing. But if they do it for its own sake, they do.

Reversion to the Mishnah-Rule: Local Custom and How it is Dealt With

- I.11** A. *The people of Beisan had the custom of not going from Tyre to Sidon on the eve of the Sabbath. Their children came before R. Yohanan. They said to him, "Our fathers — they could refrain, but we can't refrain."*
- B. He said to them, "Your fathers have already accepted that discipline upon themselves [for you]: 'Hear, my son, the instruction of your father and don't abandon the teaching of your mother' (Pro. 1: 8)."
- I.12** A. *The people of Khuzistan had the custom of separating dough-offering for bread made of rice. They came and told R. Joseph. He said to them, "Let a non-priest eat it in their presence."*
- B. *Objected Abbaye, "...in respect to things that are permitted, treated by others as prohibited, [51A] you are not permitted to treat as permitted in the presence of those who regard them as prohibited, in line with the verse, 'he shall not break his word' (Num. 30: 3)."*
- C. *He said to him, "But wasn't it said in this connection, 'said R. Hisda, "This refers to the Samaritans"'? How so with regard to the Samaritans? It is because they*

confuse one thing with something else. And these people, too, will confuse one thing with something else!”

- D. *Rather, said R. Ashi, “We see: If most of them eat rice bread, then a non-priest must not eat the dough-offering in their presence, lest the Torah of dough-offering be forgotten from among them; but if most of them eat bread from grain, then let a non-priest eat it in their presence, lest they turn out to separate dough-offering from what is liable in behalf of what is exempt and from what is exempt in behalf of what is liable.”*

I.13 A. *Reverting to the body of the foregoing:*

- B. In respect to things that are permitted, treated by others as prohibited, you are not permitted to treat as permitted in the presence of those who regard them as prohibited, in line with the verse, “he shall not break his word” (Num. 30: 3). Said R. Hisda, “This refers to the Samaritans” –
- C. *So doesn’t it refer to everybody in general? And hasn’t it been taught on Tannaite authority:* Two brothers may bathe together, but in Kabul two brothers may not bathe together. **There was the case involving Judah and Hillel, Rabban Gamaliel’s sons, who bathed together in Kabul, and everyone in town ridiculed them, saying, “We have never seen such a thing in all our lives.” Hillel withdrew and went to the outer chamber of the bath but didn’t tell them, “You are permitted to do what we did.”**
- D. **People are permitted to go out in slippers on the Sabbath [Freedman: though they fit loosely, we don’t fear that they may fall off and one will turn out to carry them in the street, which is forbidden]. But people do not go out in slippers on the Sabbath in Biri. There was the case involving Judah and Hillel, Rabban Gamaliel’s sons, who went out in slippers on the Sabbath in Biri, and everyone in town ridiculed them, saying, “We have never seen such a thing in all our lives.” They took them off and handed them over to their servants, but they didn’t want to tell them, “You are permitted to do what we did.”**
- E. **They may sit on gentiles’ chairs on the Sabbath, but they don’t sit on gentiles’ chairs on the Sabbath in Akko. There was the case of Rabban Simeon b. Gamaliel, who sat on gentiles’ chairs on the Sabbath in Akko, and everyone in town ridiculed him, saying, “We have never seen such a thing in all our lives.” He slipped off, down to**

the ground, but he didn't want to tell them, "You are permitted to do what I did" [T. Moed 2:15-16].

F. *Since rabbis are not commonly located among them, the people who live in the coastal towns are classified as Samaritans.*

I.14 A. *Now there is no problem understanding the prohibition of chairs of gentiles; it is because it would appear that people are doing business [on the Sabbath]. And it is also easy to understand why people don't go out wearing slippers, since they might fall off and end up carrying them four cubits in public domain. But how come brothers aren't supposed to bathe together?*

B. *It is in accord with that which has been taught on Tannaite authority: With any person one may share a bath, except for one's father, father-in-law, mother's husband, and sister's husband. And R. Judah permits in the case of his father, because of the honor owing to his father, and the same is so of his mother's husband.*

C. *But they [in Kabul] went and made a decree against two brothers' bathing together, because of the husband of the sister [lest that be allowed as well].*

I.15 A. *A Tannaite statement:*

B. *A disciple should not bathe with his master, but if his master needs him, it is permitted.*

II.1 A. **[They lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone:]** *When Rabbah bar bar Hannah came, he ate stomach fat. [Freedman: The stomach is partly curved like a bow and partly straight, like the string of a bow. The fat on the straight part is permitted, but in Babylonia it is treated as forbidden.] R. Avira the Elder and Rabbah b. R. Huna visited him. When he saw them, he covered it up from them. They came and said to Abbayye [what they had seen]. He said to them, "He has treated you like Samaritans."*

B. *Well, doesn't Rabbah bar bar Hannah accept the rule that we have learned in the Mishnah: They lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone?*

C. *Said Abbayye, "That is the rule if one has gone from one place in Babylonia to another place in Babylonia, or from one place in the Land of Israel to*

another place in the Land of Israel, or from Babylonia to the Land of Israel. But if one has gone from the Land of Israel to Babylonia, that is not the rule. Since we accept their authority, he act in the way in which they do."

D. *R. Ashi said, "You may even say that that is the rule if one has gone from the Land of Israel to Babylonia. That is the rule in which one does not plan to return, but Rabbah bar bar Hannah had every intention of returning."*

II.2 A. *Said Rabbah bar bar Hannah to his son, "My son, don't eat this fat, whether I'm there or not. For as for me, I saw R. Yohanan eat it, and R. Yohanan is sufficient to rely upon whether he is there or not there. But you never saw him eat it, therefore don't eat it, whether I'm there or not there."*

B. *Now two statements that he has made conflict, for said Rabbah bar bar Hannah, "R. Yohanan b. Eleazar reported to me, 'Once [in a Sabbatical Year] I followed R. Simeon b. R. Yosé of Laqqonayya into the garden, [51B] and he took the aftergrowth of a cabbage and ate it and gave it to me, saying to me, "My son, in my presence you may eat this [relying on me], but not in my presence, don't eat it. For me, who saw R. Simeon b. Yohai eat it, R. Simeon b. Yohai is sufficient an authority for me to rely upon him both in his presence and not in his presence, but as for you, you may eat it when I am there but not when I am not there."'" [By contrast, Rabbah bar bar Hannah told his son not to rely on him even when he was there (Freedman).]*

C. *What's the incident involving R. Simeon?*

D. *It has been taught on Tannaite authority: R. Simeon says, "All aftergrowths are forbidden, except aftergrowths of cabbage, because produce of this type does not [grow uncultivated] among wild vegetables." And sages say, "All aftergrowths are permitted" [cf. M. Shebi. 9:1E-F, with the opinions reversed].*

E. *And both authorities make their statements in regard to what R. Aqiba said, for it has been taught on Tannaite authority: "Behold, we may not sow nor gather in our increase" (Lev. 25:20): said R. Aqiba, "Now, since people don't sow, whence will they gather produce anyhow? So it follows, the aftergrowth is forbidden [in the Sabbatical Year]." So what is at issue? Rabbis take the position that we make a precautionary decree as to aftergrowth of cabbage on account of aftergrowth in general, and R. Simeon maintains we do not make a precautionary decree as to aftergrowth of cabbage on account of aftergrowth in general.*

III.1 A. He who goes from a place in which they do work to a place in which they do not do work, or from a place in which they do not do work to a place in which they do do work — they lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone:

B. *Now there is no problem understanding the rule, He who goes from a place in which they do work to a place in which they do not do work, or from a place in which they do not do work to a place in which they do do work — they lay upon him the strict rules followed in the place to which he has gone. But a person should not vary [from the local custom] so as [to avoid] contentiousness. So he shouldn't do any work. But as to the case of one who went from a place in which they do not do work to a place in which they do do work — a person should not vary [from the local custom] so as [to avoid] contentiousness, so should he work?! But you say in so many words, they lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone! [So what's he supposed to do?]*

C. *Said Abbaye, "The phrase, a person should not vary [from the local custom] so as [to avoid] contentiousness, relates to the first clause."*

D. *Raba said, "In point of fact it refers to the second, and this is the sense of the matter: In this regard, there is no consideration of varying from local custom*

and causing contention. *What will you say as the operative consideration, that someone who observes will conclude, 'he regards work as forbidden'? Not at all, people will say, 'well, how many unemployed are there in the marketplace already'!*"

III.2 A. Said R. Safra to R. Abba, "Like me, for instance, who knows how to declare that the evidence indicates there is a New Moon — **[52A]** *in a settled place, I don't work [on the second day of a festival, even though I know for sure that that is not a holy day], since that would fall into the category of varying from local custom and producing contention.*"

B. *So what about in the wilderness?*

C. He said to him, "This is what R. Ammi said, 'In the settled area it is forbidden, but in the wilderness it is permitted.'"

III.3 A. *R. Nathan bar Assayya went from the household of Rab to Pumbedita on the second day of the Festival of Pentecost. [He knew how to calculate the calendar and so was certain it was not a festival day.] R. Joseph excommunicated him.*

B. *Said to him Abbaye, "Why doesn't the master have him flogged, too?"*

C. *He said to him, "What I did was worse, for in the West, they take a vote on inflicting a flogging on a disciple, but they don't take a vote on excommunication [and the excommunication is the more severe punishment]."*

D. *There are those who say: R. Joseph had him flogged. Said to him Abbaye, "Why doesn't the master excommunicate him, for both Rab and Samuel said, 'They excommunicate someone for violating the rule that two festival days are observed in the exile [because of the uncertainty of fixing the calendar there].'"*

E. *He said to him, "Well, that would apply to just anybody, but here we are dealing with a neophyte rabbi, so I did what was better for him, for in the West, they take a vote on inflicting a flogging on a disciple, but they don't take a vote on excommunication [and the excommunication is the more severe punishment]."*

- IV.1 A.** Similarly: He who brings produce of the Seventh Year from a place in which that particular variety has come to an end to a place in which it has not yet come to an end, or from a place in which it has not yet come to an end to a place in which it has come to an end, is liable to effect the removal of the produce. R. Judah says, “They tell him, ‘Go and bring some for yourself — you, too’”:
- B. *But doesn’t R. Judah accept that which we have learned in the Mishnah: They lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone?*
- C. *Said R. Shisha b. R. Idi, “R. Judah has made a free-standing statement, and this is the sense of what he has said: ...or from a place in which it has not come to an end to a place in which it has come to an end, but he heard that it had come to an end in his own locale — he is liable to effect the removal of the produce. R. Judah says, ‘[He can say,] “Go and bring some for yourself — you, too, from the place where I have gotten it,” since lo, it hasn’t come to an end for them.’”*
- D. *Does that bear the implication that it is the intention of R. Judah to give a lenient ruling? And hasn’t R. Eleazar said, “R. Judah made his statement only to impose a strict ruling.” Rather, reverse matters thus: He is not liable to effect the removal of the produce. R. Judah says, ‘[They can say to him,] “Go and bring some for yourself — you, too, from the place where I have gotten it,” since lo, it has come to an end.’”*
- E. *Abbaye said, “In point of fact, it should stand as the Tannaite formulation has it, and this is the sense of the statement: ...or from a place in which it has not come to an end to a place in which it has come to an end, and then he brought it back to its own locale, and it still has not come to an end there, he is not liable to effect the removal of the produce. R. Judah says, ‘[They can say to him,] “Go and bring some for yourself — you, too, from the place where you have gotten it,” since lo, it has come to an end.’”*
- F. *Objected R. Ashi, “Then according to R. Judah, has he collected these restrictions upon the back of an ass?” [Freedman: so that he brings them back with him? The produce has neither grown in that second town nor does he*

consume it there; how can he be subject to the restrictions of that place at all?]

- G. *Rather, said R. Ashi, “What is at issue is what is subject to dispute between the following Tannaite authorities, as we have learned in the Mishnah: One who puts three sorts of pressed vegetables in a single jar — R. Eliezer says, “They may eat [these vegetables only] by virtue of the fact that the [vegetable which will disappear from the field] first [is still available in the field, i.e., once the first of these vegetables disappears from the field, all the others must likewise be removed].” R. Joshua says, “[They may eat any of these vegetables] even by virtue of the fact that the [vegetable which disappears from the field] last [is still available in the field, i.e., only when the last vegetable has disappeared must the contents of the jar be removed.]” Rabban Gamaliel says, “[As] each type [of vegetable] disappears from the field, one must remove that type [of vegetable] from the jar.” And the law is according to his words [M. [Shebi. 9:5A-D](#)].”* [Freedman: The first Tannaite authority in our Mishnah paragraph agrees with Joshua’s lenient view, and this is what he means: If a man carries various kinds of produce from a place where they have not ceased to a place where all of them have ceased, he is bound to remove them; but if only some kinds have ceased, he may eat even of the kind that has ceased; Judah rules, one can say to him, go out and do you, too, bring of that kind from the field, that is, you won’t find of that kind and therefore you must remove it, in accordance with Gamaliel.]
- H. *Rabina said, “What is at issue is what is subject to dispute among the following Tannaite authorities, as has been taught on Tannaite authority: One may eat dates until the last date in Soar has disappeared from the field. Rabban Simeon b. Gamaliel says, [\[52B\]](#) ‘One may eat relying on those that are among the upper boughs, but one may not eat relying on those that are among the single prickly branches.’”* [Freedman: Dates may be eaten in the whole of Judea until the last

palm tree is finished in Soar. As to Simeon's statement, the lower portion of the palm tree, near the roots, is surrounded with thorn-like branches; when a wind blows, the dates are held both by the branches above and the prickly ones; he says you may eat only as long as there are dates among the higher branches, which are accessible; the dates on the prickly branches are ignored, since animals can't take them because of the prickles. In our Mishnah, the first Tannaite statement means: When they have completely ceased, even from the prickly branches, he must remove them. Judah holds that unless one can go and bring them from an accessible place, he must remove them; even if there are still dates on these thorny branches, that is the case.]

IV.2 A. *There we have learned in the Mishnah:*
Three regions [are delineated] with respect to [the laws of] removal: Judah, Transjordan, and Galilee. And each of these [is divided] into three regions. [The Galilee is divided into]: the upper Galilee, the lower Galilee and the valley. From Kfar Hananiah and northward, all [places] in which sycamores do not grow [are regarded as] upper Galilee. And from Kfar Hananiah and southward, all [places] in which sycamores do grow [are regarded as] lower Galilee. And the region of Tiberias [is regarded as] the valley. And with Judah [the three subregions are]: the mountains, the lowlands, and the valley. And the lowlands of Lod [are deemed part of] the southern lowlands. And its mountains [those near the lowlands of Lod are deemed part of] the king's hill country. From Bet Horon to the sea [is deemed to be] a single region [M. [Shebi. 9:2](#)].

- B. *What is the source in Scripture of that statement?*
- C. Said R. Hama bar Uqba said R. Yosé bar Hanina, “Said Scripture, ‘And for your cattle and for the beasts that are in your land, shall all the increase thereof be for food’ (Lev. 25: 7) — so long as the beasts eat in the field, you may feed your beast in the household. When the crop has ceased from the field for the wild beasts, then it comes to an end for your cattle in the household. *And we have a tradition that wild beasts in Judea don’t live on the produce of Galilee, and wild beasts in Galilee don’t live on the produce of Judea.*”

IV.3 A. *Our rabbis have taught on Tannaite authority:*

- B. Produce that was taken from the Land of Israel abroad is to be removed wherever it is located.
- C. R. Simeon b. Eleazar says, “It is to be brought back to its original place and removed, since it is said, ‘in your land.’”
- D. *But you have utilized that clause for another purpose!*
- E. *Read:* It could have said ‘in the land’ but says ‘in your land,’ yielding two meanings.
- F. *Or, also, the lesson derives from “that are in your land.”*

IV.4 A. *R. Safra went abroad from the Land of Israel, and had with him a barrel of wine of the Seventh Year. R. Huna b. R. Iqa and R. Kahana accompanied him. He said to them, “Has any of you heard from R. Abbahu whether or not*

the decided law accords with R. Simeon b. Eleazar?”

- B. *R. Kahana said to him, “This is what R. Abbahu said: ‘The decided law accords with R. Simeon b. Eleazar.’”*
- C. *Said to him R. Huna b. R. Iqa, “This is what R. Abbahu said: ‘The decided law does not accord with R. Simeon b. Eleazar.’”*
- D. *Said R. Safra, “Accept this ruling of R. Huna’s, because he is very careful about learning the traditions from his master’s own testimony.”*
- E. *That is like the case of Rahbah of Pumbedita, for said Rahbah of Pumbedita, said R. Judah, “The Temple Mount comprised a double colonnade, that is, a colonnade within a colonnade” [using the exact word choice of the master, even though the formulated law used a different word].*
- F. *In [Safra’s] regard R. Joseph recited the verse, “‘My people ask counsel at their stock, and their staff declares to them’ (Hos. 4:12) — whoever gives a lenient ruling to him, to him the other concedes the point.”*

IV.5 A. *R. Ilai cut down date berries of the Sabbatical Year.*

- B. *But how come he did this, since the All-Merciful has said, "...for food," and not for destruction! And should you say, that is the case where it has reached the stage of fruit, but not where it has not reached the stage of fruit — well, didn't R. Nahman say Rabbah bar Abbuha said, "The calyces surrounding dates in the state of orlah are forbidden, since they are the protection to the fruit." Now when is it that they serve as a protection of the fruit? It is in the early stages of growth, and he calls them "a protection for the fruit."*
- B. *R. Nahman takes the view of R. Yosé. For we have learned in the Mishnah: **R. Yosé says, "The budding berry is forbidden, because it is a fruit" [M. Or. 1:7C].** But rabbis differ from him. [Simon, *Berakhot*, p. 228, n. 8: And the decided law follows the rabbis, who are the majority. And similarly the caperbud is not subject to the prohibition of fruit of a tree for the first three years after it is planted.]*
- C. *R. Shimi of Nehardea objected, "And in the case of other species of fruit trees, do rabbis indeed differ from [Yosé]? And have we not learned in the Mishnah: **After what time during the Sabbatical Year may they not cut down a fruit-bearing tree [for by doing so one would prevent fruit that already is growing on the branch from ripening?]** The House of Shammai say, 'Regarding all trees — after they have produced recognizable fruit.' The House of Hillel say, 'Regarding carob trees, after their branches begin to droop; regarding vines, [53A] after they produce berries; regarding olive trees, after they blossom; and regarding all other trees, after they produce recognizable fruit' [M.*

Sheb. 4:10A-C]. And said R. Assi, ‘The following fall into the same classification: *Boser, garua*, and white bean.’ *Do you include ‘white bean’? Rather, repeat the statement as, the size of them is that of the white bean. Now from whom have you heard the view that boser falls into the category of fruit and the bud does not? It is rabbis [who differ from Yosé at M. Orl. 1:7]. And yet, it is taught, And regarding all other trees, after they produce recognizable fruit* [Simon, *Berakhot*, p. 229, n. 6: which shows that in other cases the decided law is according to R. Yosé].”

- D. *Rather, R. Ilai cut down the stunted dates of palms whose fruit never matures.*

IV.6 A. *Our rabbis have taught on Tannaite authority:*

- B. People may eat grapes of the Seventh Year until the espalier branches of the town of Okel are finished; if there are later ones than those, one may continue eating produce of their species, relying on them. People may eat olives until the last of the Olives of Teqoa are finished.
- C. R. Eliezer says, “Until the last of the olives of Gush Heleb are finished, so that a poor man may go out to glean and not find a quarter-qab either on the branches or on the stem.
- D. One may continue to eat dried figs until the unripe figs of Bet Hini are finished.
- E. Said R. Judah, “The unripe figs of Bet Hini are mentioned only in connection with tithe.”

- F. *For we have learned as a Tannaite rule:* Unripe figs of Bet Hini and dates of Tobanya are subject to tithe.
- G. One may eat dates until the last in Soar is finished.
- H. Rabban Simeon b. Gamaliel said, “One may eat relying on those that are among the upper branches, but not relying on those that are among the single prickly branches.”
- I. *And by contrast:* One may eat grapes until Passover; olives until Pentecost; dried figs until Hanukkah; and dates until Purim. *And said R. Bibi, “R. Yohanan transposes the last two.”*
- J. *The two represent the same limit. Or, if you prefer, I shall say: It has been taught on Tannaite authority in so many words,* If there are later ones than these, one may eat relying on them.

IV.7 A. *It has been taught on Tannaite authority:*

- B. **Rabban Simeon b. Gamaliel says, “An indication that the country is mountainous is the presence of oaks that yield gallnuts; an indication that the country is valleys is the presence of palm trees; an indication of the presence of streams is reeds; an indication of the character of the country as lowlands is the presence of the sycamore tree. And while there is no clear scriptural allegations as to that fact, there is at least an allusion: ‘And the king made silver to be in Jerusalem as stones, and cedars he**

made to be as the sycamore trees that are in the lowland, for abundance' (1Ki. 10:27)" [T. Shebi. 7:11].

IV.8 A. An indication that country is mountainous is the presence of oaks that yield gallnuts; an indication that the country is valleys is the presence of palm trees:

B. *The difference has to do with first fruits, for we have learned in the Mishnah: They do not bring first fruits [from any produce] other than the seven kinds [for which the Land of Israel was noted, i.e., wheat, barley, grapes, figs, pomegranates, olives used for oil, and dates for honey (Deu. 8: 8)], not from dates of the hill country, not from fruits of the valley [M. Bik. 1:3A-C].*

C. **An indication of the presence of streams is reeds:** *It makes a difference in regard to the requirement of a "rough valley" [at Deu. 21:1] [and reeds indicate that this is suitable for the purpose specified by Scripture].*

D. **An indication of the character of the country as lowlands is the presence of the sycamore tree:** *It makes a difference in respect to buying and selling [for example, a lowland estate has to have sycamores].*

E. *Well, if that's the point, then all of these other items make a difference when it comes to buying and selling real estate.*

4:3

- A. Where people are accustomed to sell small cattle to gentiles, they sell them.
- B. Where they are not accustomed to sell, they do not sell them.
- C. Nowhere do they sell them large cattle, calves, or foals
- D. whole or maimed.
- E. R. Judah permits [selling] maimed ones.
- F. Ben Beterah permits in the case of a horse.

4:4A-B

- A. Where they are accustomed to eat [the meat of the Passover] roasted on the nights of Passover, they eat it [that way].
- B. Where they are accustomed not to eat it [roasted], they do not eat it [that way].

- I.1** A. Said R. Judah said Rab, “It is forbidden for someone to say, ‘This meat will be set aside for Passover,’ since it would appear that he is sanctifying his beast and thus eating Holy Things outside of the Temple courtyard [which is forbidden].”
- B. *Said R. Pappa, “That is the rule, in particular, for meat, but as to wheat, that is not the case, since his intent is to say, ‘So that it may be guarded from fermenting, for use on Passover.’”*
 - C. *But doesn’t that consideration apply to Passover meat? Then an objection is to be raised: Said R. Yosé, “Todos of Rome taught the community of Rome the custom of eating lambs roasted whole on Passover eves. [Rabbinic authorities] sent [word] to him: ‘If you were not Todos, we would have sentenced you to excommunication. For you have caused the people of Israel to eat Holy Things outside [of Jerusalem]’” [T. Yom Tob [=Besah] 2:15].*
 - D. *Do you really mean [to say] “Holy Things”?*
 - E. *Rather, say, [53B] “[Foods that are] similar to Holy Things.”*
 - F. *A goat roasted whole, but not one not roasted whole?*
 - G. *Say: If it is roasted whole, then there is no difference in whether he made reference to Passover or didn’t make reference to Passover;*

but if it was not roasted whole, then if he specified [that it is for Passover], it is forbidden, but if not, he didn't.

H. *R. Aha repeated the Tannaite formulation in the name of R. Simeon. Objected R. Sheshet, "Well, there's no problem from the perspective of him who repeats it in accord with the view of R. Yosé. But from the perspective of him who repeats it to accord with the position of R. Simeon, is it without problems? For haven't we learned in the Mishnah: [He who says,] 'Lo, I pledge myself [to bring] a meal-offering made of barley,' [in any case] must bring one made of wheat. [Freewill meal-offerings have to be made of wheat.] [He who says, 'Lo, I pledge myself to bring a meal-offering made] of meal,' must bring one made of fine flour. [He who says, 'Lo, I pledge myself to bring a meal-offering] without wine and frankincense,' must bring one with oil and frankincense. He who says, 'Lo, I pledge myself to bring a meal-offering made of] a half-tenth,' must bring one made of a whole tenth. [He who says, 'Lo, I pledge myself to bring a meal-offering made of a tenth and a half-tenth,' brings one made of two [whole] tenths [of an ephah of fine flour]. R. Simeon declares free [of the obligation to bring a meal-offering in any of the foregoing cases], for [in so specifying,] he has not volunteered [a freewill meal-offering] in the way in which people volunteer [to make a freewill meal-offering] [M. Men. 12:3]. [The man didn't consecrate the animal while it was alive; even if he designated it as a Passover-offering at the time of roasting, that is not the way in which people consecrated animals, therefore his statement is invalid (Freedman)]?"*

I. *Said Rabina to R. Ashi, "But is the situation any more free of problems for the one who repeated the Tannaite formulation in the name of R. Yosé? And didn't Raba say, 'R. Simeon made this statement in accord with the theory of R. Yosé, who has said, "A person is responsible even for the conclusion of his statement [not only for the opening remarks."]" Now, then, since R. Simeon concurs with the position of R. Yosé, shouldn't R. Yosé also concur with R. Simeon?"*

J. *Not at all. While R. Simeon concurs with R. Yosé, R. Yosé doesn't concur with R. Simeon.*

I.2 A. *The question was raised: Was Todos of Rome an eminent authority, or was he merely an influential man?*

B. *Come and take note:* This, too, expounded Todos of Rome: "How come Hananiah, Mishael, and Azariah surrendered their lives to the fiery furnace for the sanctification of the Holy Name? They set forth an argument a fortiori in respect to themselves, based on the case of the frogs: if of the frogs, who are not subject to the commandment of the sanctification of the Holy Name, it is written, 'And they shall come up and go into your house...and into your ovens...and into your kneading troughs' (Exo. 7:28), and when are the kneading troughs near the oven? when the oven is hot — now we, who are subject to the commandment of the sanctification of the Holy Name, all the more so!" [So he was an eminent authority, able to compose an influential argument.]

C. R. Yosé bar Abin said, "He helped line the pockets of disciples of sages [but was not an eminent authority], for said R. Yohanan, 'Whoever lines the pockets of disciples of sages has the unearned advantage of sitting in the session on high, as it is said, "For wisdom is a defense even as money is a defense" (Qoh. 7:12).'"

4:4C-E

C. Where they are accustomed to light a candle on the night of the Day of Atonement, they light it.

D. Where they are accustomed not to light it, they do not light it.

E. But in any case they light it in synagogues, study houses, dark alleys, and for the sick.

I.1 A. *A Tannaite teaching: Whether they said "they light" or whether they said "they don't light," both sides spoke only on account of "other*

considerations” [T. Pisha 3:16D]. [The intent is that there not be sexual relations that night.]

- B. Said R. Joshua, “Expounded Raba, “Your people also shall all be righteous, they shall inherit the land forever” (Isa. 60:21) — **Whether they said “they light” or whether they said “they don’t light,” both sides spoke only on account of “other considerations.”**”

Topical Composite on the Sabbath Light

- I.2 A. Said R. Judah said Samuel, “A blessing is said over light only at the end of the Sabbath, since that is when it was created to begin with [on the evening of the first day, that is, Saturday night].”

- B. *Said to him a certain elder, and there are those who say, Rabbah bar bar Hannah, “Well said, and that’s just what R. Yohanan said.”*

- I.3 A. *Ulla was riding on an ass, going along, with R. Abba going along at his right hand and Rabbah bar bar Hannah at his left. Said R. Abba to Ulla, “Did you really say in R. Yohanan’s name, ‘A blessing is said over light only at the end of the Sabbath, since that is when it was created to begin with’?”*

- B. *Ulla turned around and looked angrily at Rabbah bar bar Hannah. He said to him, “I didn’t make that statement in respect to that matter but in respect to the following one instead: a Tannaite authority recited before R. Yohanan: ‘R. Simeon b. Eleazar says, “As to a Day of Atonement that coincided with the Sabbath, even in a place in which they have said, ‘they do not light,’ they do do so, on account of the honor owing to the Sabbath.”’ And R. Yohanan responded to him with the statement, but sages forbid.”*

- C. *He said to him, “So that’s how things must be.”*

- D. *R. Joseph invoked in this connection the verse, “Counsel in the heart of man is like deep water [54A] but a man of understanding will draw it out.’ ‘Counsel in the heart of man is like deep water’ — this refers to Ulla. ‘But a man of understanding will draw it out’ — this refers to Rabbah bar bar Hannah.”*

- E. *And in accord with what authority did [Ulla and Rabbah, rejecting Abba’s position] take their position?*

- F. *It is in accord with the following, which* R. Benjamin bar Japhet said R. Yohanan [said], “They recite a blessing over light, both at the end of the Sabbath and at the end of the Day of Atonement, *and so do the people do.*”
- G. *An objection was raised:* A blessing is said over light only at the end of the Sabbath, since that is when it was created to begin with [on the evening of the first day, that is, Saturday night], and as soon as he sees the light, he says the blessing right away. R. Judah says, “They recite the verses in proper order over a cup of wine.” And said R. Yohanan, “The decided law accords with R. Judah.”
- H. *That isn’t a problem,* the one refers to a flame that has burned through the Sabbath, the other, one that has been made from tinder and stones after the Sabbath.
 - I. *One Tannaite statement:* As to a flame that has been made from tinder and stones after the Sabbath, they say a blessing over it. *Another Tannaite statement:* As to a flame that has been made from tinder and stones after the Sabbath, they do not say a blessing over it.
 - J. *That isn’t a problem,* the one refers to the end of the Sabbath, the other, to the end of the Day of Atonement.

I.4 A. Rabbi would scatter them [reciting a blessing at the end of the Sabbath as soon as he saw a light, and, later, when spices were presented, he would say a further blessing, so he would scatter the blessings and not say them together over a single cup of wine]. R. Hiyya would hold them together.

- B. Said R. Isaac bar Abedimi, “Even though Rabbi would scatter them, he would go back and arrange them in proper order over a cup of wine, so as to carry out the obligation in behalf also of his children and dependents.”

I.5 A. *But was light created at the end of the Sabbath? And lo, it has been taught on Tannaite authority:* Ten things were created on the eve of the Sabbath at twilight, and these are they: the well [Num. 21:16-18], the manna, the rainbow, writing and writing instruments, the tablets of the ten

commandments, the burial cave of Moses, the cave in which Moses and Elijah stood, the opening of the ass's mouth, and the opening of the earth's mouth to swallow up the wicked. R. Nehemiah said in his father's name, "Also fire and the mule." R. Josiah said in his father's name, "Also the ram and the shamir worm." R. Judah said, "Tongs, too." *He would say, "Tongs are made with tongs, so who made the first tongs? It was a creation in Heaven." They said to him, "But it's possible to make it in a mould and shape it simultaneously? So it was made by man."* [Note the formulation in tractate Abot: **Ten things were created on the eve of the Sabbath [Friday] at twilight, and these are they: (1) the mouth of the earth (Num. 16:32); (2) the mouth of the well (Num. 21:16-18); (3) the mouth of the ass (Num. 22:28); (4) the rainbow (Gen. 9:13); (5) the manna (Exo. 16:15); (6) the rod (Exo. 4:17); (7) the Shamir; (8) letters; (9) writing; and (10) the tables of stone [of the ten commandments, (Exo. 32:15f.)]. And some say, "Also the destroyers, the grave of Moses, and the tamarisk of Abraham, our father." And some say, "Also: the tongs made with tongs [with which the first tongs were made]" [M. Avot 5:6].**

- B. *No problem! The one speaks of fire that serves us, the other, the fire of Gehenna. The fire that serves human beings was created at the end of the Sabbath, the fire of Gehenna on the eve of the Sabbath.*
- C. *But was the fire of Gehenna created on the eve of the Sabbath? And lo, it has been taught on Tannaite authority:*
- D. Seven things were created before the world was made, and these are they: Torah, repentance, the Garden of Eden, Gehenna, the throne of glory, the house of the sanctuary, and the name of the Messiah.
- E. Torah: "The Lord possessed me in the beginning of his way, before his works of old" (Pro. 8:22).
- F. Repentance: "Before the mountains were brought forth, or even you had formed the earth and the world...you turn man to destruction and say, Repent, you sons of men" (Psa. 90: 2).
- G. The Garden of Eden: "And the Lord God planted a garden in Eden from aforetime" (Gen. 2: 8).
- H. Gehenna: "For Tophet is ordained of old" (Isa. 30:33).
- I. The throne of glory: "Your throne is established from of old" (Psa. 93: 2).

- J. The house of the sanctuary: "A glorious high throne from the beginning is the place of our sanctuary" (Jer. 17:12).
- K. And the name of the Messiah: "His name shall endure forever and has existed before the sun" (Psa. 72:17).
- L. *Say: Only its hole was created before the world was created, but its fire was created on the eve of the Sabbath.*
- M. *So was its fire created on the eve of the Sabbath? And hasn't it been taught on Tannaite authority:* R. Yosé says, "The fire that the Holy One, blessed be He, created on the second day of the week [Monday of creation] can never be put out: 'And they shall go forth and look upon the carcasses of the men who have rebelled against me, for their worm shall not die, neither shall their fire be quenched' (Isa. 66:24)"? And said R. Banaah b. R. Ulla, "Why was 'it was good' not said concerning the creation of the second day of the week? Because the fire of Gehenna was created that day." And said R. Eleazar, "Even though 'it was good' was not said in regard to that day's creations, nonetheless, God went and treated it as part of the generalization that he set forth on the sixth day, as it is said, 'And God saw everything that he had made, and behold, it was very good' (Gen. 1:31)."
- N. *Rather, the hole was made before the world was created, and its fire was made on the second day of the week; but as to the fire that serves humanity, on the eve of the Sabbath he decided to create it, but it was not created until the end of the Sabbath. For it has been taught on Tannaite authority:* R. Yosé says, "There were two things that entered God's mind to create on the eve of the Sabbath, but were not created until the end of the Sabbath, and at the end of the Sabbath the Holy One, blessed be He, gave to the first man knowledge in the model of knowledge on high, so he brought two stones and rubbed them together, and fire came forth from them, and he brought two beasts and mated them, and the mule came forth."
- O. Rabban Simeon b. Gamaliel says, "The mule came into being in the days of Anah: 'This is the Anah who found the mules in the wilderness' (Gen. 36:24)."

- I.6** A. Those who expound Scripture in the manner of the homer would say, “The mule was unfit as a hybrid, therefore he brought unfit beasts into the world: ‘These are the sons of Seir the Horite...and Zibeon and Anah’ (Gen. 36:20), and it is written, ‘And these are the children of Zibeon: Aiah and Anah’ (Gen. 36:24) [so he was a brother but not he is a son]. So this teaches that Zibeon had sexual relations with his mother and produced Anah.”
- B. *So maybe there were two Anahs?*
- C. *Said Raba, “I’m going to say something that ‘King Shapur’ said — and who is that? It is Samuel,” and there are those who say, said R. Pappa, “I’m going to say something that ‘King Shapur’ said — and who is that? It is Raba, ‘Said Scripture, “That is Anah” means, that is the one and only Anah.’”*

Formal Composite Supplementing the Foregoing

- I.7** A. *Our rabbis have taught on Tannaite authority:*
- B. Ten things were created on the eve of the Sabbath at twilight, and these are they: the well (Num. 21:16-18), the manna, the rainbow, writing and writing instruments, the tablets of the ten commandments, the burial cave of Moses, the cave in which Moses and Elijah stood, the opening of the ass’s mouth, and the opening of the earth’s mouth to swallow up the wicked.
- C. And there are those who say, “Also the staff of Aaron, its almonds and its blossoms” (Num. 17:23). And there are those who say, “Also demons.”
- D. And there are those who say, “Also **[54B]** the garment of Adam.”
- I.8** A. *Our rabbis have taught on Tannaite authority:*
- B. Seven things are hidden from human beings, and these are they: the day of one’s death, the day of consolation, the full extent of divine judgment; and someone doesn’t know what his fellow is thinking; and someone doesn’t know how he will make a living; and when the kingdom of the house of David will return; and when the condemnable kingdom [Rome] will come to an end.

I.9 A. *Our rabbis have taught on Tannaite authority:*

- B. Three things entered God's mind for creation, and if they hadn't come into his mind, it is logical that he should have thought of them: that a corpse should stink, that a deceased person should be forgotten from the heart, and that produce should rot [so as to prevent hoarding].
- C. And some say, also, that coins should circulate.

4:5A-D

- A. **Where they are accustomed to do work on the ninth of Ab, they do it.**
- B. **Where they are accustomed not to do work, they do not do it.**
- C. **And in every place disciples of sages refrain [from labor].**
- D. **Rabban Simeon b. Gamaliel says, "Under all circumstances should a man act on his own account like a disciple of a sage."**

I.1 A. Said Samuel, "The only public fast in Babylonia is the ninth of Ab alone."
[Freedman: If a public fast is proclaimed, it does not commence on the prior evening, and it is not forbidden to work, even where it is the practice not to work on the ninth of Ab.]

- B. *Is that to imply that Samuel takes the view that, with respect to the ninth of Ab, it is forbidden to work at twilight? But didn't Samuel say, "It is permitted to work at twilight on the night of Ab"? And should you maintain that Samuel takes the view that on all public fast days, it is permitted to work at twilight, haven't we learned in the Mishnah: They eat and drink once it gets dark [M. Ta. 1:4] — which [once it gets dark] excludes what span of time? Isn't it to exclude twilight?*

C. *No, it is to exclude the span of time after nightfall.*

D. *May we say that the following supports his position: The only difference between the ninth of Ab and the Day of Atonement except that with respect to the Day of Atonement, a matter of doubt is resolved as forbidden, while with respect to the ninth of Ab, a matter of doubt is resolved as permitted? Now what is the meaning of a matter of doubt is resolved as permitted? Doesn't this refer to twilight?*

E. *No, it is in line with what R. Shisha b. R. Idi said, "It is in respect to fixing the New Moon." Here, too, it is in respect to fixing the New Moon. [Freedman: If a man is in the wilderness and doesn't know the*

day assigned to the New Moon, he has to observe two Days of Atonement but only one day as the ninth of Ab.]

- I.2** A. Expounded Raba, “Pregnant women and nursing mothers fast and complete the fast on that day [the ninth of Ab], just as they complete the fast on the Day of Atonement. And the twilight thereof is subject to prohibitions.”
- B. *And so did they say in the name of R. Yohanan.*
- C. *But did R. Yohanan make such a statement? And didn’t R. Yohanan say, “The ninth of Ab is not in the category of a public fast”? Doesn’t this refer to twilight?*
- D. No, it is with respect to work on that day.
- E. *But with regard to the matter of work, we have a Mishnah rule, as follows: **Where they are accustomed to do work on the ninth of Ab, they do it. Where they are accustomed not to do work, they do not do it.** And even Rabban Gamaliel has said only that, when he is in session and doesn’t work, it is not regarded as appearing like arrogance; but he doesn’t forbid it!*
- F. *Rather, what is the meaning of, The ninth of Ab is not in the category of a public fast? That means, in respect to requiring a service of the closing of the gates [marking the conclusion of the day, which the Day of Atonement does require].*
- G. But didn’t R. Yohanan say, “Would that someone would go on praying all day long”?
- H. *In that case, he refers to what is obligatory, here, to what is votive.*
- I. *And if you prefer, what is the meaning of the ninth of Ab is not in the category of a public fast? That means, in respect to the twenty-four blessings [six added to the usual eighteen that comprise the Prayer].*
- J. *R. Pappa said, “What is the meaning of, The ninth of Ab is not in the category of a public fast? That means, It is not like the first ones [the first three public fasts in a time of drought, which begin at daybreak] but like the last ones [and the latter begin the prior evening, so here, Yohanan holds the ninth of Ab begins on the prior evening (Freedman),] from which point eating is forbidden.”*
- K. *An objection was raised: The only difference between the ninth of Ab and the Day of Atonement except that with respect to the Day of Atonement, a matter of doubt is resolved as forbidden, while with respect to the ninth of Ab, a matter of doubt is resolved as permitted?*

Now what is the meaning of a matter of doubt is resolved as permitted? Doesn't this refer to twilight?

- L. *No, it is in line with what R. Shisha b. R. Idi said, "It is in respect to fixing the New Moon." Here, too, it is in respect to fixing the New Moon.* [Freedman: If a man is in the wilderness and doesn't know the day assigned to the New Moon, he has to observe two Days of Atonement but only one day as the ninth of Ab.]

I.3 A. So in all other respects are the two alike. *Then that supports R. Eleazar, for* said R. Eleazar, "A person is forbidden to put his finger into water on the ninth of Ab, just as he is forbidden to put his finger into water on the Day of Atonement."

B. *An objection was raised:* The only difference between the ninth of Ab and a public fast is that on the one, it is forbidden to work, and on the other, it is permitted to work, in a place in which that is the custom. So in all other respects are the two alike. *But with respect to a public fast, it has been taught on Tannaite authority:* When they said that it is forbidden to wash, that referred to the entire body, but as to one's face, hands, and feet, it is permitted. [So on the ninth of Ab it is permitted to wash hands, face, and feet.]

C. Said R. Pappa, **[55A]** *"The Tannaite authority sets forth a series of lenient rulings."*

II.1 A. **Rabban Simeon b. Gamaliel says, "Under all circumstances should a man act on his own account like a disciple of a sage":**

B. *Does that then bear the implication that in the opinion of Rabban Simeon b. Gamaliel, we do not take account of the consideration of arrogance, while in the opinion of rabbis, we do take account of the consideration of arrogance? But lo, we have a tradition that they take the opposite positions, for we have learned in the Mishnah: If a bridegroom wishes to recite the Shema on the first night [after his wedding] — he may recite it. Rabban Simeon b. Gamaliel says, "Not all who wish to take the name [so claiming high rank as a sage] may do so" [M. Ber. 2:8]!*

C. Said R. Yohanan, "The attributions are to be reversed."

D. *R. Shisha b. R. Idi said, "Don't exchange the attributed statements. There is no contradiction between the two rulings of rabbis. Here, since everybody is working and he's not working, it appears to be arrogance, but there, since*

everybody is reciting the Shema and he, too, recites the Shema, it doesn't appear to be arrogance. And the positions of Rabban Simeon b. Gamaliel don't contradict one another. In that case, we require that he recite the Shema with proper intentionality, and we are ourselves witnesses that under those conditions, he cannot form the correct intentionality, so it looks like arrogance. For here it doesn't look like arrogance, since people will say, 'The problem is that he doesn't have work; go and see how many unemployed there are in the marketplace!'"

4:5E-H

- E. And sages say, **"In Judah they did work on the eve of Passover up to noon, but in Galilee they did not do so at all."**
- F. And as to the night [before the fourteenth of Nisan],
- G. the House of Shammai prohibit [doing work at that time].
- H. And the House of Hillel permit up to sunrise.

- I.1 A. *To begin with, the Tannaite authority speaks of custom but in the end he speaks of prohibition!*
- B. Said R. Yohanan, "No problem, the one represents the position of R. Meir, the other, of R. Judah, for it has been taught on Tannaite authority: Said R. Judah, **'In Judah they did work on the eve of Passover up to noon, but in Galilee they did not do so at all.'** Said to him R. Meir, 'What proof do Judah and Galilee provide in this context? Rather, formulate it as follows: **Where they are accustomed to do work on the ninth of Ab, they do it. Where they are accustomed not to do work, they do not do it.'**"
- C. *Well, then, since R. Meir made use of the word choice, "custom," does it follow that R. Judah used the word choice, "prohibition"? Then does R. Judah maintain that it is permitted to work on the fourteenth of Nisan? And hasn't it been taught on Tannaite authority: R. Judah says, "He who weeds on the thirteen of Nisan, and an ear of grain is pulled up by his hand, has to replant it in damp soil but may not replant it in a dry place" [in the damp place it will take root more quickly, and the first sheaf of grain, waved on the sixteenth, serves to permit for use everything that has taken root before it is waved, so it is better to root it before the sheaf is waved on the sixteenth of the month (Freedman)]. So that is the case only on the thirteen and not on the fourteenth [since the law specifies the last possible date (Freedman)]. Now note: we know that R. Judah takes the view, "Any drafting that does not take*

root in three days will never take root.” *Then if you maintain that it is permitted to work on the fourteenth of Nisan, then what difference does it make to me that this take place on the thirteenth? Lo, there are remaining days of the fourteenth, fifteenth, and part of the sixteenth [so there is time to replant the grain on the fourteenth]!*

- D. Said Raba, “We have learned this rule in respect to Galilee.”
- E. *But what about the night [after the thirteenth, when even in Galilee it is permitted to work]?*
- F. Said R. Sheshet, “It is in accord with the House of Shammai [who forbid working that night].”
- G. R. Ashi said, “In point of fact it is in accord with the House of Hillel. But it is because people don’t usually weed by night.”
- H. *Rabina said, “It refers to Judah, but with regard to taking root, we say part of the day is tantamount to all of it, but for two times we do not invoke the argument that part of the day is tantamount to the whole of it.”* [Freedman: If he weeds sometime on the fourteenth we would have to count the rest of the day as a complete day, and also the beginning of the sixteenth would have to be counted as another complete day.]

4:6

- A. **R. Meir says, “Any sort of work which a person began before the fourteenth [of Nisan] does he complete on the fourteenth of Nisan.**
- B. **“But he should not begin [a project] at the outset on the fourteenth,**
- C. **“even though he can complete it [on that same day].”**
- D. **And sages say, “Three sorts of craftsmen perform work on the eve of Passover up to noon, and these are they:**
- E. **“tailors, barbers, and laundrymen.”**
- F. **R. Yosé b. R. Judah says, “Also: shoemakers.”**

- I.1** A. *The question was raised: Do we learn as the Tannaite rule of the Mishnah [that the work may be finished] if it is required for the festival, but if it is not required for the festival, he may not even finish it, or perhaps our Mishnah teaching is that he must not begin work when it is not needed for the festival, but when it is required, one may begin it; or perhaps our Mishnah rule is that*

whether the work is needed for the festival or not needed for the festival, *one may finish the work but not start it?*

- B. *Come and take note:* But he should not begin work on the fourteenth of Nisan, even a small girdle or a small hair net. *Now what is the force of this “even”?* *Doesn’t it mean, even these items, which are required for the festival, are things that he may only finish, but not begin, so what follows is, where something is not required for the festival, we may not even finish a project already begun?*
- C. *Not at all. In point of fact, the meaning is, what is not for the need of the festival, we may also complete if we can, and what is the force of this “even”?* *Even these items, which are very small, [are covered by the rule]. For you might otherwise have imagined that beginning them is the point at which they are completed, so, to begin with, we should not even begin these items; so we are informed that that is not the case.*
- D. *Come and take note:* R. Meir says, “All work that is required for the festival [55B] one completes on the fourteenth. Under what circumstances? When he begins the work prior to the fourteenth. But if he did not begin the work prior to the fourteenth, he should not begin it on the fourteenth, even if it is a small girdle or a small hair net.” So what is for the requirements of the festival that is the rule, but not when it is not required for the festival.
- E. *Not at all: the same rule applies: even when the object is not required for the festival, we may finish the work, and what we are told is this: even when it is required for the festival, we may finish, but not begin, a project.*
- F. *Come and take note:* R. Meir says, “Any work that is for the requirements of the festival may one finish on the fourteenth, but what is not for the requirements of the festival is forbidden; and people may work on the eve of Passover [the fourteenth of Nisan] until noon, in places in which it is the custom to work.” *Thus that is the rule where it is the custom, but if it is not the custom, it is not the rule. That proves that work required for the festival is permitted, but when not required for the festival, it is not.*
- G. *True enough.*

II.1 A. And sages say, “Three sorts of craftsmen perform work on the eve of Passover up to noon, and these are they: tailors, barbers, and laundrymen.” R. Yosé b. R. Judah says, “Also: shoemakers”:

B. *A Tannaite statement:*

- C. **Tailors: because an unskilled person may sow in the ordinary way on the intermediate days of the festival;**
- D. **Barbers and laundrymen: because one who returns home from overseas or gets out of jail may cut their hair and wash their clothes on the intermediate days of the festival.**
- E. **R. Yosé b. R. Judah says, “Also: shoemakers”: because festival pilgrims repair their shoes on the intermediate days of the festival [T. [Pisha 3:18I-M](#)].**

II.2 A. *What is subject to dispute on the last point?*

- B. *The one authority takes the view that we draw an analogy to cover the commencement of work from the conclusion of work [Freedman: making shoes is the commencement, repairing, the conclusion; just as repairing is permitted, so is making them permitted]. The other authority takes the view that we do not draw an analogy to cover the commencement of work from the conclusion of work.*

4:7

- A. **They set out hen coops for chickens on the fourteenth.**
- B. **And a chicken which fled do they return to its place [to set on its eggs].**
- C. **And if it died, they set another in its place.**
- D. **They clear away [refuse] from beneath the feet of cattle on the fourteenth [of Nisan] ,**
- E. **and on [the intervening days of] the festival they push [the dung] to the sides.**
- F. **They take and bring utensils to the house of a craftsman,**
- G. **even though they are not needed for the festival.**

- I.1** A. **[They set out hen coops for chickens on the fourteenth. And a chicken which fled do they return to its place to set on its eggs:]** *Since it is allowed to set the fowls for brooding, can there be any question about putting it back in place?*
- B. *Said Abbaye, “The second clause pertains to the intermediate days of the festival [Freedman: A fowl may not be set to brood then but may be put back.]”*
- C. *Said R. Huna, “They have repeated this rule only when it is within three days of her rebellious [escape], so that her lust [to hatch the eggs] will not have dissipated, but after three days of her rebellious escape, so that the eggs are*

entirely spoiled. But if it is after three days since her rebellious escape, so that her lust to hatch the eggs has left her, or within three days of her brooding, so that the eggs are still not totally spoiled, we must not put her back [on the intermediate days of the festival].”

D. *R. Ammi said, “Even within three days of her brooding we put her back.”*

E. *What is at issue?*

F. *The one authority maintains that they took account of a major loss of property, but not of a minor loss of property [the major loss is after three days, since the eggs are unfit, but within three days the loss is slight, since people would eat the eggs (Freedman)], and the other authority takes the position that they took into account even a minor loss of property.*

II.1 A. **They clear away [refuse] from beneath the feet of cattle on the fourteenth [of Nisan], and on [the intervening days of] the festival they push [the dung] to the sides:**

B. *Our rabbis have taught on Tannaite authority:*

C. **Manure which is in the middle they remove to the sides, and that which is in the stall and courtyard they take out to the dung heap [T. Pisha 3:18 O-P].**

II.2 A. *Lo, there is a contradiction in the body of the rule: You say first of all, manure which is in the middle they remove to the sides, and then go back to say, and that which is in the stall and courtyard they take out even to the dung heap!*

B. *Said Abbaye, “No problem, the one speaks of the fourteenth of Nisan, the other to the intermediate days of the festival.”*

C. *Raba said, “Both speak of the intermediate days of the festival, and here is the sense of the statement: If the courtyard becomes like a stable [with too much shit], then they may take it out to the dung heap.”*

III.1 A. **They take and bring utensils to the house of a craftsman, even though they are not needed for the festival:**

B. *Said R. Pappa, “Raba examined us as follows: We have learned in the Mishnah, They take and bring utensils to the house of a craftsman, even though they are not needed for the festival. But by contrast: They may not bring utensils from the house of a craftsman, but if one fears that they may be stolen,*

he may take them into another [safer] courtyard! *And we replied to him: 'No problem, the one speaks of the fourteenth of Nisan, the other, the intermediate days of the festival.'* And if you wish, I shall say: both speak of the intermediate days of the festival, and there is no problem. The one speaks of a case in which one trusts the craftsman, the other, a case in which one doesn't trust the craftsman. And so it has been taught on Tannaite authority: They bring utensils from the house of a craftsman, for instance, a pitcher from the potter's house, a glass goblet from a glass maker's house; but one may not bring wool from the dyer's house or vessels from a craftsman's house. But if the craftsman has nothing to eat, he must pay him his fee and leave the utensil with him; but if he doesn't trust him, he puts the utensils in a nearby house; and if he is afraid they may be stolen, he may bring them home discretely."

- C. *"Well, you've worked out the problem of the contradictions about bringing the utensils home, but you haven't solved the problem about the contradictions on taking utensils to the artisan, for the rule states, one must not bring them from the artisan's house, how much the more so must one not take objects to his house! So the prior solution is the better one."*

4:8

- A. Six rules did the men of Jericho make.
- B. For three, [sages] reprove them, and for three they did not reprove them.
- C. These are the three for which they did not reprove them:
- D. (1) They grafted palms [on the fourteenth of Nisan] the whole day; (2) they did not make the prescribed divisions in the Shema; and (3) they reaped and stacked [wheat] before the [offering of] the sheaf of first barley [omer] –
- E. and they did not reprove them.
- F. And these are the three for which they reprove them:
- G. (1) they permit use of Egyptian figs [from stems which had been] dedicated to the Temple; [56A] (2) they eat on the Sabbath fruit which had fallen under a tree; and (3) they leave over the corner of the field [peah] in the case of vegetables —
- H. and sages did reprove them.

I.1 A. *Our rabbis have taught on Tannaite authority:*

- B. King Hezekiah did six things. On account of three of them [sages] praised him, and on account of three they did not praise him.
- C. On account of three they praised him:
- D. He dragged the bones of his father on a bed of ropes and they praised him.
- E. He pulverized the copper snake and they praised him.
- F. He hid away the book of cures and they praised him.
- G. On account of three they did not praise him.
- H. He cut off the gold from the doors of the Temple and sent it to the king of Assyria, and they did not praise him.
- I. He shut off the waters of Gihon, and they did not praise him.
- J. He intercalated the month of Nisan during the month of Nisan itself and they did not praise him.

II.1 A. They grafted palms [on the fourteenth of Nisan] the whole day:

- B. *How so?*
- C. *Said R. Judah, "They brought fresh myrtle, juice of bay fruit, and barley flour that had been stored in a utensil for less than forty days and boiled them together and injected them into the heart of the palm tree; and every tree within four cubits of that one, if not so treated, withers on the spot."*
- D. R. Aha b. Raba said, "They grafted a male branch onto a female palm."

III.1 A. They did not make the prescribed divisions in the Shema:

- B. *How so?*
- C. Said R. Judah, "They say, 'Hear O Israel, the Lord is our God, the Lord alone' but they made no pause [prior to the next sentence]."
- D. Raba said, "They did pause, but they would say, 'today on your heart,' bearing the meaning, 'today on your heart but not tomorrow on your heart.'"

III.2 A. Our rabbis have taught on Tannaite authority:

- B. **How did they not make the prescribed divisions in the Shema?** "They say, 'Hear O Israel, the Lord is our God, the Lord alone' but they made no pause [prior to the next sentence]," the words of R. Meir.
- C. **R. Judah says, "They did pause, but they wouldn't say, 'blessed be the glorious name of his kingdom forever and ever'" [T. [Pisha 3:19K-M](#)].**

III.3 A. And as for us, how come we say it?

- B. It is in line with what R. Simeon b. Laqish expounded, for said R. Simeon b. Laqish, "'And Jacob called his sons and said, Gather

yourselves together, that I may tell you what will befall you in the end of days' (Gen. 49: 1). Jacob wanted to reveal to his sons the end of days, so the Presence of God departed from him. He said, 'God forbid! Is it possible that out of my bed has come someone unfit among my children, like Abraham, from whom Ishmael came forth, and my father, Isaac, from whom Esau went forth?' His sons said to him, "Hear O Israel, the Lord our God, the Lord is one." They said, 'Just as there is only One in your heart, so there is only One in our hearts.' At that moment, Jacob our father commenced, saying, 'Blessed be the name of his glorious kingdom forever and ever.'"

- III.4** A. *Rabbis said, "What should we do? Should we say it? But our lord, Moses, never said it! Should we not say it? Jacob said it." They ordained that they should say it in a whisper.*
- B. *Said R. Isaac, "The household of R. Ammi said, 'The matter may be compared to the case of a princess who smelled a spicy pudding. If she said [she wanted some], it would be an embarrassment to her [for lacking self-control (Freedman)], and if not, it would be a pain to her. So her servants began to bring it to her on the sly.'"*
- C. *Said R. Abbahu, "They ordained that they should say it aloud on account of the contentions of the heretics."*
- D. *And in Nehardea, where there are no heretics to date, they say it in a whisper.*

III.5 A. *Our rabbis have taught on Tannaite authority:*

- B. **"The men of Jericho did three things [M. [Pes. 4:8A](#)], three in accord with the wishes of sages, three not in accord with the wishes of sages. And these are in accord with the wishes of sages: they grafted palms on the fourteenth of Nisan for the whole day; they did not make the prescribed divisions in the recitation of the Shema; and they reaped and stacked wheat before the offering of the first sheaf of barley. And these are not in accord with the opinion of sages: they permit use of Egyptian figs from stems that had been dedicated to the Temple; they ate on the Sabbath fruit that fell from the tree on that day; and they made holes in the garden and orchard walls so the poor could come in and eat the fallen fruit on Sabbaths and festivals in a time of drought [Tosefta: they left over the corner of the field in the case of vegetables],"** the words of R. Meir.

- C. Said to him R. Judah, “If it is in accord with the opinion of sages, then let everybody do it. But both these and those actions were done not with the approval of sages. But in the case of three, they stopped them, and in the case of three, they did not: namely, in these cases they did not stop them: they grafted palms on the fourteenth of Nisan for the whole day; they did not make the prescribed divisions in the recitation of the Shema; and they reaped and stacked wheat before the offering of the first sheaf of barley. And in the case of these, they stopped them: (1) they permit use of branches of carob and sycamore trees that had been dedicated to the Temple; (2) they made holes in their gardens and orchards to permit the poor to eat fallen fruit in times of famine on the Sabbath or festivals; and (3) they leave over the corner of the field [peah] in the case of vegetables — and sages did reprove them [T. [Pes. 3:19](#)].”

III.6 A. *But then does R. Judah maintain that reaping was not with the approval of sages? And haven't we learned in the Mishnah: The people of Jericho reap, with sages' approval, and they heap up [the grain], not with sages' approval. But sages did not stop them [M. [Men. 6:8B-C](#)]?*

B. [\[56B\]](#) *From whom have you heard a statement that in some cases, sages stopped people from doing something, and in others they didn't?*

C. It is R. Judah.

D. *But then does R. Judah take the view that the reaping done by the people of Jericho was done with sages' approval? Lo, it has been taught on Tannaite authority: they reaped with the consent of sages.*

E. *Well, by your reasoning, there are four!*

F. *Rather, take reaping off the list.*

III.7 A. **They permit use of branches of carob and sycamore trees that had been dedicated to the Temple:**

B. They said, “Our fathers sanctified only the tree trunks, so we permit use of the branches of carob and sycamore trees that have been consecrated.”

C. *We are dealing with what grows after the trees were sanctified, and so they concur with him who said, “Sacrilege does not apply to future growth [of something that has been sanctified].”*

- D. *And rabbis?*
- E. *They take the view that while there is no consideration of sacrilege, there still is an entirely effective prohibition.*

III.8 A. They made holes in their gardens and orchards to permit the poor to eat on the Sabbath or festivals fallen fruit in times of famine:

- B. Said Ulla said R. Simeon b. Laqish, “There is a dispute concerning dates of the upper branches. *For rabbis take the view that we make a precautionary decree, lest someone climb the tree and cut them off.* But as to the dates that are among the lower branches, all concur that it is permitted.”
- C. *Said Rabbah to him, “But lo, they are in the category of what has not been designated for legitimate use on the holy day and what may therefore not be touched at all [they have to be left on the tree the whole day, and if they fall, they are to be left alone, since what is forbidden at twilight is forbidden through the whole holy day]. And should you say, that is because the dates are fit for his ravens [they could have eaten the dates on high, and since they were fit for the birds, they were fit for him, too], I would say, since what is regarded as ready for use for a human being is not ready for use for dogs, as we have learned in the Mishnah, R. Judah says, ‘If it was not carrion on the eve of the Sabbath, it is prohibited, because it is not something which has been made ready [before the Sabbath for use on the Sabbath]’ [M. Shab. 24:4C] — then shall we say that what is ready for use for birds is deemed ready for use for human beings?”*
- D. *He said to him, “Well, as a matter of fact, yes. What is fit for use for human beings is not deemed fit for use for dogs, for whatever is fit for a human being one does not put out of mind [and he won’t consider giving it to dogs], but what is fit for use by birds also is fit for human use, since he is already considering using it for himself.”*
- E. *When Rabin came, he said R. Simeon b. Laqish [said], “The dispute concerns dates that have fallen among the lower branches. Rabbis take the view that what is fit for ravens is not fit for a human being, and the men of Jericho took the view that what is fit for ravens is fit for human beings. But as*

to the dates that fell from the upper branches, all concur that they are forbidden, *as a precautionary measure, lest one climb up and cut them off.*”

IV.1 A. They leave over the corner of the field [peah] in the case of vegetables:

- B. *So don't the men of Jericho concur in that which we have learned in the Mishnah:*
- C. **They stated a governing principle concerning [the designation of produce as] peah: Whatever is edible, privately owned, grown from the ground, harvested as a crop, and can be preserved in storage, is subject to [designation as] peah [M. Pe. 1:4A-B] –**
- D. **edible** — excluding the aftergrowth of woad and madder;
- E. **privately owned** — excluding what has been declared ownerless;
- F. **grown from the ground** — excluding mushrooms and truffles;
- G. **harvested as a crop** — excluding a fig tree;
- H. **and can be preserved in storage** — excluding vegetables.
- I. *Said R. Judah said Rab, “Here we are dealing with turnip tops, and what is at issue is what is collected for storage along with something else [that is pickled]. One authority maintains that what is stored through something else is classified as stored, and the other maintains that what is stored by means of something else is not classified as stored.”*

IV.2 A. Our rabbis have taught on Tannaite authority:

- B. **At first they would leave peah for turnips and cabbages.**
- C. **R. Yosé says, “Also for porret” [T. Pisha 3:20B-C].**
- D. *And it has been further taught on Tannaite authority:*
- E. **At first they would leave peah for turnips and porret.**
- F. **R. Simeon says, “Also for cabbages.”**

IV.3 A. [57A] Shall we then say we have three distinct Tannaite opinions in dispute?

- B. *Not at all, there are only two, but the initial Tannaite authority contrary to R. Simeon is R. Yosé, and the initial Tannaite authority contrary to R. Yosé is R. Simeon. And what is the sense of “also”? It refers to the first item that is mentioned.*

IV.4 A. Our rabbis have taught on Tannaite authority:

- B. **The son of Boyayyan gave peah for vegetables, and his father came and found the poor carrying vegetables and standing at the door of the kitchen garden. He said to them, “My children, toss it away, and I’ll give you**

twice as much out of fully tithed produce, so it's not because I'm niggardly but because sages have said, 'They do not give peah for vegetables [which therefore remain subject to tithes]'" [T. **Pisha 3:20D-E**].

IV.5 A. *How come he had to say to them so it's not because I'm niggardly but because sages have said, "They do not give peah for vegetables [which therefore remain subject to tithes]"?*

B. *So that they shouldn't say, "He's just putting us off."*

IV.6 A. *Our rabbis have taught on Tannaite authority:*

B. At first they would put hides of Holy Things in the chamber of the Bet Happarvah. Then in the evening they would divide them up among the members of the father's house that was in charge at that time. But thugs would take them by force. So they ordained that they should divide them up on the eve of the Sabbath, so that all of the priestly watches would come and take their share together.

C. But the eminent priests would still take them by force. So the owner of the offerings went and sanctified the hides to Heaven.

D. They said, "It didn't take long before they covered the inner sanctum entirely with gold plates a cubit square and a gold denar thick. And at pilgrim festivals they would lay them together and put them on a high place on the Temple Mount, so the festival pilgrims might say how beautiful was the workmanship, and how there was no flaw in them [T. **Men. 13:18-19**].

E. *A Tannaite statement:*

F. Abba Saul says, "There were sycamore beams in Jericho, and thugs grabbed them by force. So the owner of the offerings went and sanctified them to Heaven. Concerning them and those like them said Abba Saul b. Botnit in the name of Abba Joseph b. Hanin, "Woe is me because of the house of Boethus, woe is me because of their sticks, woe is me because of the house of Hanin, woe is me because of their defamation, woe is me because of the house of Qatros, woe is me because of their libel, woe is me because of the house of Ishmael b. Phiabi, woe is me because of their thuggery! For they are high priests, and their sons, treasures, their sons-in-law trustees, and their slaves beat up on the people with clubs" [T. **Men. 13:20**].

IV.7 A. *Our rabbis have taught on Tannaite authority:*

- B. Four outcries did the Temple courtyard cry out.
- C. One: “Remove from here the sons of Eli, Hophni and Phineas, because they have imparted uncleanness to the Temple.”
- D. Another: “Open the gates and remove Issachar of Kefar Barqai from here, for he treats himself with honor but treats with contempt the Holy Things of Heaven.”
- E. *What would he do? He would wrap silk over his hands and in that way carry out the sacrificial liturgy.*
- F. Another: “Left up your heads, O gates, and let Ishmael b. Phiabi come in, the disciple of Phineas, and let him serve as the high priest.”
- G. Another cry did the courtyard cry: “Lift up your heads, O gates, and let Yohanan b. Nidbai, the disciple of Pinqai, enter, and fill his belly with the Holy Things of Heaven.”
- H. They said concerning Ben Nidbai that he would eat three hundred calves and drink three hundred barrels of wine and eat forty seahs of pigeons as a dessert for his meal.”
- I. They said, “All his days there never was leftover remnant meat in the courtyard [because he would eat it all up].”

IV.8 A. *What became of Issachar of Kefar Barqai?*

- B. *They say: the king [Yannai] and the queen were in session. The king said, “Goat’s meat is best,” and the queen said, “Lamb’s meat is best.” They said, “Who will decide? Let us ask the high priest and maintain the rite.” He came. [57B] He gestured [offhandedly] with his hand: “If the goat’s meat were the best, then it should be offered as the daily whole-offering [but in fact what is offered daily is a lamb].” [While he was talking, he waved his hand.] The king said, “Since he has shown no awe for my royal person [for he has waved his hand], let his right hand be cut off.” He paid a bribe, so they cut off his left hand instead. When the king heard about it, he ordered, “Cut off his right hand, too.”*
- C. *Said R. Joseph, “Blessed is the All-Merciful, who paid his due to Issachar of Kefar Barqai in this world.”*

- D. *Said R. Ashi, "But he had not learned on Tannaite authority that which we have learned in the Mishnah?"*
- E. **R. Simeon says, "Lambs come before goats in all places [in Scripture]."**
- F. **"Is it possible [that the reason is] that they are choicer?"**
- G. **"Scripture states, 'And if [as an alternative] he bring a lamb as his offering for a sin-offering' (Lev. 4:32),**
- H. **"teaching that the two are deemed equivalent.**
- I. **"Turtledoves come before pigeons in all places [in Scripture]."**
- J. **"Is it possible [that the reason is] that they are choicer?"**
- K. **"Scripture states, 'A young pigeon or a turtledove for a sin-offering' (Lev. 12: 6),**
- L. **"teaching that the two are deemed equivalent" [M. [Ker. 6:9A-H](#)].**
- M. Rabina said, "Even Scripture, too, he had not learned to recite, for it is written, 'If he brings a lamb...and if his offering be a goat' (Lev. 3: 7, 12). *Thus: if he wants, let him bring a lamb, if he wants, let him bring a goat.*"