

II.

BAVLI ERUBIN CHAPTER TWO

FOLIOS 17B-26B

2:1

- A. They set up boards around wells [in the public domain].
- B. “Four corner pieces appearing like eight [single boards] [are to be set up],” the words of R. Judah.
- C. R. Meir says, “Eight appearing like twelve [are to be set up].
- D. “Four are corner pieces, and four are flat.”
- E. Their height is to be ten handbreadths, and their breadth six, and their thickness in any measure at all.
- F. “And the space between them is to be [no more than what would be] enough for two teams of three oxen each,” the words of R. Meir.
- G. R. Judah says, “For four teams of four oxen each,
- H. “tied together and not widely apart,
- I. “one going in while the other goes out.”

2:2

- A. It is permitted to bring [the fence] close to the well,
- B. so long as the head and greater part of a cow will be inside [the enclosed space] when it drinks.
- C. And it is permitted [18A] to draw them back any distance at all,
- D. so long as one increases the number of boards.

2:3

- A. R. Judah says, “They [may draw them back from the well only] so far as to leave two seahs of space.”
- B. They said to him, “The measure of two seahs space has been stated only in connection with what is required for a garden or an outer area.
- C. “But if it was a cattle pen, fold, storeyard, or courtyard, even a space of five kors, even a space of ten kors, is permitted.”
- D. And it is permitted to draw the boards back any distance at all,
- E. so long as one increases the number of boards.

I.1

- A. **They set up boards around wells [in the public domain]:** *May one propose that our Mishnah rule is not in accord with Hanania? For it has been taught on Tannaite authority: They set up boards for a cistern and ropes for a caravan site. And Hanania says, “Ropes for a cistern—but not boards.”*
- B. *You may even say that the authority is Hanania, for a cistern is one thing, a well something else.*
 - C. *There are those who say: Since it is not taught as the Tannaite formulation, “They set up ropes for a cistern and boards for a well,” it follows that, from Hanania’s perspective, both for a cistern and for a well, there is no distinction to be drawn, but only ropes are used, not boards. So must one draw the conclusion that our Mishnah rule is not in accord with Hanania?*
 - D. *You may even say that it accords with Hanania, but Hanania addressed what the initial Tannaite authority had discussed.*

I.2

- A. *May we say that our Mishnah paragraph is not in accord with R. Aqiba? For we have learned in the Mishnah: “**All the same are a cistern serving the public, a well serving the public, and a well serving an individual: They set up boards for them. But for a cistern serving an individual They set up a partition ten handbreadths high,**” the words of R. Aqiba [M. 2:4C-F]. Here, by contrast, we find the Tannaite rule formulated in terms of wells, yielding the rule, such an arrangement may be made for wells, but not for cisterns!*
- B. *You may even maintain that R. Aqiba concurs, for the rule pertains only to a well of flowing water, because there the rule is definite, in which case there is no distinction between public and private wells, but the law did not address the case of a cistern of collected water, since the law in that case is not*

definite [and one may draw a distinction between public and private circumstances].

- I.3** A. *May we say that our Mishnah paragraph is not in accord with R. Judah b. Baba, for we have learned in the Mishnah: **R. Judah b. Baba says, “They set up boards only for a well serving the public alone. But for the rest they set up a [rope] belt ten handbreadths high” [M. 2:4C-F].** Here, by contrast, we find the Tannaite rule formulated in terms of **wells**, yielding the rule, there is no distinction to be drawn between public and private ones?*
- B. *You may even maintain that our Mishnah paragraph is in accord with R. Judah b. Baba, for the meaning of **wells** is public wells in general.*

- I.4** A. *What is the meaning of **corner piece**?*
- B. *[Since the Greek word for pillar uses the same consonants as the Hebrew word for corner piece, with the letters for “two” present,] said R. Jeremiah b. Eleazar, “It means, two pillars.”*

- I.5** A. *There we have learned in the Mishnah: **R. Judah says, “All unripe figs are exempt [from tithing as doubtfully tithed produce] except for those from trees which bear fruit twice a year” [M. Dem. 1:1D].** What is the meaning of the word for twice a year?*
- B. *Said Ulla, “A tree that produces produce twice a year.”*

- I.6** A. *Said R. Jeremiah b. Eleazar, “The first man had two faces, as it is said, ‘Behind and before you have formed me’ (Psa. 89: 5).”*

- I.7** A. *“And the rib which the Lord God had taken from man made he a woman” (Gen. 2:22):*
- B. *Rab and Samuel —*
- C. *One said, “[The rib] was a face.”*
- D. *The other said, “It was a tail.”*
- E. *Now there is no problem for the one who has said that it was a face, for that is in line with what is written, “Behind and before have you formed me” (Psa. 39: 5).*
- F. *But from the viewpoint of him who said that it was a tail, what is the meaning of the verse, “Behind and before have you formed me” (Psa. 39: 5)?*
- G. *It accords with what R. Ammi said.*

H. For R. Ammi said, “‘Behind’ [last] in the order of the works of creation, and ‘before’ [first] as to punishment.”

I. *Now to be sure man was “behind” as to creation, for he was created only at the very eve of the Sabbath. But as to “before” for punishment, what sort of punishment?*

J. *If one should say that it was the punishment affecting the snake, in fact, to begin with the snake was cursed, then Eve, and finally Adam. [From B. Ber. 61A: For has it not been taught on Tannaite authority:]*

K. Rabbi says, “[In the order of passing out positions of] greatness they begin with the great one. In the order of passing out a curse, they begin with the unimportant one.

L. “In passing out positions of greatness, they begin with the great man, for it is written, ‘And Moses spoke to Aaron and to Eleazar and to Ithamar his sons that were left. Take the meal-offering that remains’ (Lev. 10:12). [Thus Aaron comes first.]

M. “In the order of passing out a curse, they begin from the unimportant one: First the snake was cursed, then Eve, and, in the end, Adam.”

N. *[Hence the punishment to which man was subjected first] was the punishment of the flood.*

O. For it is written, “And he blotted out every living substance which was upon the face of the ground, both man and cattle” (Gen. 3:14ff.) —first man, then beast.

P. *Now from the viewpoint of him who said it was a face, that is in line with what is written, “And he created” (Gen. 2: 7), with two Ys. But in the viewpoint of him who has said that it was a tail, why write “and he created” with two Ys?*

Q. *It accords with what R. Simeon b. Pazzi said.*

R. For R. Simeon b. Pazzi said, “Woe is me on account of my creator, woe is me on account of my impulse to do evil.”

S. *Now from the viewpoint of him who has said that it was a face, that is in line with what is written: “Male and female created he them” (Gen. 5: 2).*

T. *But from the viewpoint of him who has said that it was a tail, what is the sense of “Male and female created he them” (Gen. 5: 2)?*

U. *It accords with what R. Abbahu said.*

V. *For R. Abbahu contrasted two verses: “It is written, ‘Male and female created he them’ (Gen. 5: 2), and it further is written, ‘For in the image of God made he man’ (Gen. 9: 6).*

W. *“How so? To begin with, he had had the intention to create two, but in the end only one was created.”*

X. *Now from the viewpoint of him who has said that it was a face, that is in line with what is written, “He closed up the place with flesh instead thereof” (Gen. 2:21).*

Y. *But in the view of him who said that it was a tail, what is the sense of “He closed up the place with flesh instead thereof” (Gen. 2:21)?*

Z. *Said R. Jeremiah, and some say, R. Zebid, and some say, R. Nahman bar Isaac, “That statement refers solely to the place of the cut.”*

AA. *Now from the viewpoint of him who said that it was a tail, that is in line with what is written, “And the God built” (Gen. 2:22).*

BB. *But from the viewpoint of him who says that it was a face, what is the sense of “And God built”?*

CC. *It accords with what R. Simeon b. Menassia said.*

DD. *For R. Simeon b. Menassia expounded, “What is the meaning of the verse of Scripture, ‘And the Lord built the rib’ (Gen. 2:22)?*

EE. *“It teaches that the Holy One, blessed be He, made up Eve’s hair and brought her to the first man. For so in the overseas cities they call ‘hairdressing’ ‘building up.’”*

FF. *Another explanation: “And he built” (Gen. 2:22):*

GG. *Said R. Hisda, and some say it was repeated on Tannaite authority: “This teaches that the Holy One, blessed be He, built up Eve just like a storehouse.*

HH. [18B] “Just as a storehouse is narrow on top and wide on the bottom so that it can hold the produce, so Eve is narrow on top and wide on the bottom, so as to hold the foetus.”

II. “And brought her to Adam” (Gen. 2:22):

JJ. [B. Ber. 61A: Said R. Jeremiah b. Eleazar,] “This teaches that the Holy One, blessed be He, served as the groomsman for the first man.

KK. “From this passage the Torah taught the lesson of proper conduct, indicating that a great man should serve a less important one as a groomsman and not regard it as inappropriate.”

LL. *Now in the view of him who has said that it was a face, which of the two faces [of which the first man was formed, before Eve was made] went before?*

MM. *Said R. Nahman bar Isaac, “It is logical to suppose that the male face went first.*

NN. *“For so it has been taught on Tannaite authority:*

OO. *“A man should not follow after a woman on the way, even if it is his wife who happens to come in front of him on a bridge, in which case he should put her off to the side.*

PP. *“And whoever passes behind a woman over a river will have no share in the world to come.”“*

Topical Appendix on Woman and Correct Behavior with Women

I.8 A. *Our rabbis have taught on Tannaite authority:*

B. He who counts out coins into a woman’s hand from his own in order to have a chance to stare at her, even if such a one has in hand Torah and good deeds like Moses, our master, will not be quit of the judgment of Gehenna.

C. For it is said, “Hand to hand, he shall not escape from evil” (Pro. 11:21). He shall not escape from the judgment of Gehenna.

I.9 A. Said R. Nahman, “Manoah was an ignorant man.

B. “For it is written, ‘And Manoah went after his wife’ (Jud. 13:11).”

C. *To this statement R. Nahman bar Isaac objected, “But does the same judgment apply to Elkanah. For it is written, ‘And Elkanah went after his wife’ [no such verse exists], and, also, with respect to Elisha, does this judgment apply, for it is written, ‘And he rose and went after her’ (2Ki. 4:30)?*

D. *“Is the meaning then that he literally went after her? But what it means was that he followed her views and her counsel. Here, too, he followed her views and her counsel.”*

E. *Said R. Ashi, “Now in regard to the view of R. Nahman that Manoah was an ignorant man, he had not learned as much Scripture as someone who is in the house of a master [as a beginner in Scripture studies].*

F. *“For it is said, ‘And Rebecca arose and her maidens, and they rode upon the camels and followed the man’ (Gen. 24:61). Thus [they went] after the man, not before him.”*

I.10

A. Said R. Yohanan, “[Walk] after a lion but not after a woman,

B. “after a woman but not after a gentile,

C. “after a gentile but not behind a synagogue when the community is saying prayers.

D. “What we have said applies only if one is not carrying a load, but if one is carrying a load, there is no objection.

E. “And what we have said applies only if there is no other door [into the synagogue], but if there is another door, there is no objection.

F. “And what we have said applies only if one is not riding an ass, but if one is riding an ass, there is no objection.

G. “And what we have said applies only if one has not put on phylacteries. But if one is wearing phylacteries, there is no objection.”

I.11 A. And said R. Jeremiah b. Eleazar, “All those years that the first man was subject to excommunication, he begat spirits and shades and male demons and female demons: ‘And Adam lived a hundred and thirty years and begat a son in his own likeness, after his own image’ (Gen. 5: 3) —*so it follows that up to that point, he did not beget a son in his own likeness.*”

B. *An objection was raised:* R. Meir would say, “The first man was a most pious man. When he saw that the penalty of death was invoked on his account, he sat in a fast for a hundred and thirty years and had no sexual relations for a hundred and thirty years, and wore clothes of fig leaves on his body for a hundred and thirty years”!

C. *When we made the prior statement, it concerned involuntary seminal emissions.*

I.12 A. And said R. Jeremiah b. Eleazar, “Only a bit of the praise that is coming to someone do they say in his presence, but the whole of it they say behind his back. Only a bit of the praise that is coming to someone do they say in his presence: ‘For you have I seen righteous before me in this generation’ (Gen. 7: 1); but the whole of it they say behind his back: ‘Noah was in his generations a man righteous and wholehearted’ (Gen. 6: 9).”

I.13 A. And said R. Jeremiah b. Eleazar, “What is the meaning of this verse: ‘And lo in her mouth was an olive leaf freshly plucked’ (Gen. 8:11)?

B. “The dove said before the Holy One, blessed be He, ‘May my food be as bitter as an olive leaf but placed in our hand, and let it not be as sweet as honey but placed in the hand of mortals.’

C. “What gives evidence that the word at hand means ‘as food’? From the following: ‘Feed me [using the same root] with food convenient for me’ (Pro. 30: 8).”

I.14 A. And said R. Jeremiah b. Eleazar, “Any house in which at night words of Torah are heard will never be destroyed: ‘But none says, Where is God my maker, who gives songs in the night’ (Job. 35:10).”

I.15 A. And said R. Jeremiah b. Eleazar, “From the day on which the house of the sanctuary was destroyed, it is enough for the world to make use of the Divine Name of two letters of the four-lettered name of God: ‘Let every thing that has breath praise the Lord, praise the Lord’ (Psa. 150: 6).”

I.16 A. And said R. Jeremiah b. Eleazar, “When Babylonia was cursed, its neighbors were cursed, but when Samaria was cursed, its neighbors were blessed.

B. “When Babylonia was cursed, its neighbors were cursed, as it is written, ‘I will also make it a possession for the bittern and pools of water’ (Isa. 14:23).

C. “But when Samaria was cursed, its neighbors were blessed, as it is written, ‘Therefore I will make Samaria a heap in the field, **[19A]** a place for planting vineyards’ (Mic. 1: 6).”

I.17 A. And said R. Jeremiah b. Eleazar, “Come and see that the conduct of the Holy One, blessed be He, is not like the conduct of mortals. It is the conduct of mortals that, when a man is sentenced to death by the government, they put a hook in his mouth so that he won’t curse the king. But the conduct of the Holy One, blessed be He, is that, when a man is sentenced to death by the Omnipresent, he shuts up: ‘Towards you silence is praise’ (Psa. 65: 2). Not only so, but he gives praise: ‘Praise’ is what is said here. And not only so, but he regards it as though he had offered a sacrifice: ‘And to you the vow is performed’ (Psa. 65: 2).”

B. *That is in line with what R. Joshua b. Levi said, “What is the meaning of the verse of Scripture: ‘Passing through the valley of Baka they made it a place of springs, yes, the early*

rain clothes it with blessings' (Psa. 84: 7)? 'Passing' refers to those who transgress the will of the Holy One, blessed be He; 'valley' refers to those for whom Gehenna is made deep; 'of Baca' means, they weep and shed tears; 'they make it a place of springs,' like the constant flow of the drains around the altar; 'yes, the early rain clothes it with blessings': They acknowledge the justice of their punishment and say before him, 'Lord of the world, you have judged well, you have condemned well, you have properly assigned Gehenna for the wicked and the Garden of Eden for the righteous.'

C. *But is that so? And didn't* R. Simeon b. Laqish say, "Even at the gate of Gehenna the wicked don't repent: 'And they go forth and look upon the carcasses of the men who rebel against me' (Isa. 66:24). The language is not, 'rebelled,' but 'rebel,' meaning, they go on rebelling for ever"?

D. *No problem, the one speaks of Israelite sinners [who repent], the others of gentile sinners [who don't]. And that stands to reason, for otherwise, we have a contradiction between two statements made by R. Simeon b. Laqish, for said R. Simeon b. Laqish, "The fire of Gehenna does not rule over the sinners of Israel, via an argument a fortiori based on the altar of gold: If the altar of gold, on which is only a denar of gold overlay, is not affected through years and years of fire, how much less the transgressors of Israel, who are as full of religious duties as a pomegranate is of seeds, for it is written, 'Your temples are like a pomegranate split open' (Son. 4: 3). Don't read the letters that spell 'your temples' that way, but read them as though they bore vowels that yield*

‘your worthless ones.’ That shows that even the worthless ones among you are as full of religious duties as a pomegranate is full of seeds.”

E. *And what about the phrase, Passing through the valley of Baka?*

F. *That means the wicked are at that time liable to be in Gehenna, but our father, Abraham, comes and brings them up and accepts them back. That is the case except for an Israelite who fornicates with a gentile woman, since his foreskin is drawn and he cannot be discovered [Abraham not discerning anymore that he is circumcised].*

G. *Objected R. Kahana, “Now that you have said that ‘that rebel’ means, they continue to rebel, what about the language in Scripture, ‘that brings out’ or ‘that brings up’? Does that mean, continuing to bring up or continuing to bring out? You have to concede that the meaning of ‘that brought up’ or ‘that brought out’ holds, and here, too, it is past tense, ‘who rebelled.’”*

- I.18** A. And said R. Jeremiah b. Eleazar, “Gehenna has three gates: one in the wilderness, one in the sea, and one in Jerusalem.
- B. “One in the wilderness: ‘So they and all that pertains to them went down alive into the pit’ (Num. 16:33).
- C. “One in the sea: ‘Out of the belly of the nether world I cried and you heard my voice’ (Jon. 2: 3).
- D. “And one in Jerusalem: ‘Says the Lord, whose fire is in Zion, and his furnace in Jerusalem’ (Isa. 31: 9).”
- E. In the latter connection the Tannaite authority of the household of R. Ishmael repeated, “‘Whose fire is in Zion’ refers to Gehenna; ‘and his furnace in Jerusalem’ refers to the gate of Gehenna.”

F. *And are there no more gates? But didn't R. Merion say R. Joshua b. Levi said, and some say, Rabbah bar Merion, a Tannaite authority in the household of R. Yohanan b. Zakkai, [stated,] "There are two palms in the valley of Hinnom, and a pillar of smoke ascends from between them, and this is the matter in connection with which we [have learned to] repeat: **Thorn palms of the Iron Mountain are valid for use for the lulab [M. Sukkah 3:1F], and this is the very doorway to Gehenna"**?*

G. *Maybe that gate is the same as the one in Jerusalem.*

- I.19** A. Said R. Joshua b. Levi, "Gehenna has seven names and these are they: Netherworld, destruction, pit, [Slotki:] tumultuous pit, miry clay, shadow of death, and underworld.
- B. "Netherworld": 'Out of the belly of the nether world I cried and you heard my voice' (Jon. 2: 3);
- C. "destruction": 'Shall your mercy be declared in the grave, or your faithfulness in destruction' (Psa. 88:12);
- D. "pit": 'For you will not abandon my soul to the nether world nor will you leave your godly one to see the pit' (Psa. 16:10);
- E. "tumultuous pit": 'He brought me up also out of the tumultuous pit, out of the miry clay' (Psa. 40: 3);
- F. "miry clay": 'He brought me up also out of the tumultuous pit, out of the miry clay' (Psa. 40: 3);
- G. "shadow of death": 'Such as sat in darkness and in the shadow of death' (Psa. 107:10);
- H. "and underworld": This is a tradition.
- I. *And aren't there any more names? There's also Gehenna!*

J. That means, a valley deep as the valley of Hinnom, into which anyone goes for hellish acts.

K. *But what about the name, "Hearth," as in "For a hearth is ordered of old" (Isa. 30:33)?*

L. That means, whoever is inveigled [a word using the same consonants as hearth] by his impulse to do evil will fall in there.

I.20 A. As to the Garden of Eden –

B. said R. Simeon b. Laqish, "If it is in the Land of Israel, it is Beth Shean where its gate is located; if it is in Arabia, its gate is at Bet Gerem; if it is in Mesopotamia, the gate is at Damascus."

I.21 A. As to Babylonia –

B. *Abbaye praised the produce of Eber Yamina.*

C. *Raba praised the produce of Harpanayya.*

II.1 A. **"And the space between them is to be [no more than what would be] enough for two teams of three oxen each," the words of R. Meir:**

B. *That's pretty obvious, since the Tannaite formulation states, tied together, we surely know that they are not apart!*

C. *What might you otherwise have supposed? When it says, tied together, it means, as if they were tied together but not literally so? So we are told, to be [no more than what would be] enough.*

III.1 A. **[R. Judah says, "For four teams of four oxen each, tied together and not widely apart,] one going in while the other goes out":**

B. *A Tannaite statement: One team has to be able to enter while the other one goes out.*

IV.1 A. **[Supply: It is permitted to bring the fence close to the well, so long as the head and greater part of a cow will be inside the enclosed space when it drinks:] Our rabbis have taught on Tannaite authority:**

B. How much is "the head and the greater part of the body of the cow"?

C. Two cubits.

D. And how thick is a cow?

E. A cubit and two-thirds –

- F. **[19B]** “so the extent of all the cows is about ten cubits,” the words of R. Meir. [Slotki: The extent of the thickness of one cow is one and two-thirds cubits, so two teams of three covers would be ten cubits.]
- G. R. Judah says, “About thirteen or fourteen cubits.”

IV.2 A. *How can you say “about ten” when they are in fact exactly ten?*
 B. *Since in the final clause, the formulation was to use “about thirteen,” it was preferred to use the same formulation, “about ten” in the first clause as well.*

IV.3 A. *And how can you say “about thirteen,” when there are more?*
 B. *Since the formulation was wanted, “about fourteen,” the “about” was used.*
 C. *But are there really about fourteen?* [Thirteen and a third would be about thirteen, and about fourteen covers substantially more than that (Slotki)!]
 D. Said R. Pappa, “It was more than thirteen but less than fourteen.”

IV.4 A. *Said R. Pappa, “As to a cistern that is eight cubits wide* [Slotki: in which case the length of each side of the space enclosed by the corner pieces is twelve cubits, eight cubits, the width of the cistern, plus twice two cubits, the length of the head and greater part of a cow’s body on each side of the cistern], *no one disputes the fact that no single boards are required* [Slotki: since the gaps between the corner pieces that screen the space of one cubit at the extremity of each side do not exceed ten cubits, and may in consequence be regarded a doorways even by R. Meir]. *In regard to a cistern that is twelve cubits wide, all parties concur that single boards also are required.* [Slotki: Each side of the enclosure is sixteen cubits wide; twelve, the width of the cistern, plus twice two.] *Where there is a difference of opinion, it is a case in which a cistern was from eight to twelve cubits wide. According to R. Meir, single boards are required [in addition to the corner pieces], and in accord with R. Judah, single boards are not required.”*

B. *Well, that’s pretty obvious! Haven’t we learned the same fact in our Mishnah rule?* [Slotki: Meir allows a space for six oxen, ten cubits, Judah for eight, thirteen and a third cubits; so Meir won’t require single boards if the cistern is eight cubits wide, where the gaps in the enclosure are not wider than ten cubits, and Judah requires such boards where a cistern is twelve cubits wide and the gaps in the enclosure are bigger than thirteen and a third cubits.]

- C. *R. Pappa never heard the external Tannaite teaching [just now cited, defining the length and thickness of cows].*

- IV.5** A. *Abbaye asked Rabbah, “According to R. Meir, if one extended the corner piece so the excess of the width [beyond the one cubit in extent at the extremities of each side of the well enclosure (Slotki)] was equal to the required width of the single boards, what is the rule?” [Slotki: Is the reduction of the gaps to ten cubits in this manner effective, or is it necessary to reduce a gap by fixing two special boards on each side of the enclosure at the same distance from each corner piece, so the additional single boards might be distinguishable?]*
- B. *He said to him, “You have learned in the Mishnah: [And it is permitted to draw them back any distance at all] so long as one increases the number of boards. Doesn’t that mean, one extends the width of the corner pieces?”*
- C. *“No, it can mean, one provides more single boards.”*
- D. *“If so, then instead of the language we have, so long as one increases the number of boards, what we should have is, ‘provided one increases the number of strips!’”*
- E. *Then repeat the Tannaite formulation as: so long as one increases the number of strips.*
- F. *There are those who say:*
- G. *He said to him, “You have learned in the Mishnah: so long as one increases the number of strips. Doesn’t that mean that one has to provide more single boards?”*
- H. *“No, it means that he lengthens the width of the corner pieces. And that stands to reason, since the language is used, so long as one increases the number of strips.”*
- I. *That proves the point.*

- IV.6** A. *Abbaye asked Rabbah, “According to R. Judah, if the distance between the corner pieces is more than thirteen and a third cubits, what is the law? Does one have to add more single boards [to show how the gaps are reduced], or may one extend the width of the corner pieces?”*
- B. *He said to him, “You have learned in the Tannaite rule: And how far near the well may the boards be set up: Even an area sufficient for sewing a kor or even two kors of seed. R. Judah says, ‘An area of two bet seahs is permitted, but one that is bigger than two bet seahs is forbidden.’ They*

said to R. Judah, ‘Don’t you agree concerning a cattle pen, fold, storeyard or courtyard, that if one wanted to make them very large, he may make them very large?’ He said to them, ‘But these are set off by a partition, while the area under discussion is marked off by boards’ [T. **Er. 1:13F-K**]. *Now if it were the fact that the corner pieces may be extended without the addition of single boards, then shouldn’t they have objected to him: The one as well as the other form proper partitions!*” [Slotki: Extended corner pieces are as good a partition as anything else.]

- C. *He said to him, “This is the sense of his statement: The specified enclosure is subject to the law of a partition, and the gaps must not be wider than ten cubits; but the boards in a well enclosure are subject to the law governing strips of wood, where gaps of thirteen and a third cubits are permitted.”*

IV.7 A. *Abbaye asked Rabbah, “A mound that rises to a height of ten handbreadths in an area of four cubits —is it treated as a corner piece or is it not treated as a corner piece?”*

- B. *He said to him, “You have the following Tannaite formulation: **R. Simeon b. Eleazar** says, ‘If there was there a four-sided stone, we take the following as our criterion: If when it was cut into a corner piece there would remain a cubit length for either side, it is a valid corner piece; if not, it is not a valid corner piece.’ **R. Ishmael b. R. Yohanan b. Beroqa** says, ‘If a round stone was there, we take this as our criterion: If it was chiseled and cut, there remained a cubit length for each side, it is a valid corner piece, and if not, it is not a valid corner piece’ [cf. T. **Er. 1:12B-E**]. Now what is at issue here? The one authority maintains, one act of fictive imagination is invoked, but not two [here: cutting the stone vs. chiseling and cutting it], and the other authority [Ishmael] maintains that we do invoke even two fictive acts of imagination.”* [Slotki: The mound under discussion is circular in shape and is a round stone, and it can serve as a corner piece if we follow Ishmael, but not Simeon b. Eleazar.]

IV.8 A. *Abbaye asked Rabbah, “In the case of a fence of reeds growing on two sides of the corner of a well enclosure, in which the distance between any two reeds is less than three handbreadths, do we regard such reeds as a valid corner piece or not?”*

- B. *He said to him, “You have the following Tannaite formulation: **If there was a tree, fence, or a partition of reeds, these are regarded as equivalent to a***

corner piece [of boards] [T. Er. 1:15A]. *Doesn't this speak of a fence in which the distance between any two reeds was less than three handbreadths?"*

- C. *"No, it can refer to a hedge of reeds [all growing from the same root]."*
- D. *"If so, then that's covered by the rule of the tree!"*
- E. *"So what are you thinking? It is a fence in which the distance between any two reeds is less than three handbreadths? Isn't this exactly the same as a wall? And if you should say, there are two kinds of wall, well, here, too, you can just as well say, there are two kinds of tree."*
- F. *There are those who say, as to a hedge of reeds, that is the focus of his question, namely: "What is the rule concerning a hedge of reeds?"*
- G. *He said to him, "You have the following Tannaite formulation: **If there was a tree, fence, or a partition of reeds, these are regarded as equivalent to a corner piece [of boards] [T. Er. 1:15A].** Doesn't this speak of a hedge of reeds?"*
- H. *"No, it speaks of a fence in which the distance between any two reeds is less than three handbreadths."*
- I. *"Isn't this exactly the same as a wall?"*
- J. *"If so, then that's covered by the rule of the tree! So what have you got to say? [20A] There are two kinds of tree? So there are two kinds of wall."*

- IV.9** A. *Abbaye asked Rabbah, "If a courtyard opened out on one side onto an area between the strips of wood around a well, what is the law on moving objects from inside the courtyard into the area between the strips, or from the area between the strips to the interior of the courtyard?"*
- B. *He said to him, "It is permitted."*
 - C. *"And if two courtyards were so situated, what is the law?"*
 - D. *He said to him, "It is forbidden."*
 - E. *Said R. Huna, "In the case of two, it is forbidden, and that is so even if they made a fictive fusion meal. That is a precautionary decree, lest people conclude that the precautionary decree serves to fuse the area between the strips of wood."*
 - F. *Raba said, "If they made such a fusion meal [covering the fictive union of the courtyards], it is permitted to carry around the courtyards and enclosure."*
 - G. *Said Abbaye to Raba, "There is a teaching on Tannaite authority that supports your view, namely: A courtyard that opens out on one side into an area between strips of wood around a well—it is permitted to carry things on*

the Sabbath from within that area to the space between the strips of wood, or from the area between the strips of wood to within that area. But if there are two such courtyards in the same situation, it is forbidden. Under what circumstances? That is when they have prepared no fictive fusion meal. But if they prepared a fictive fusion meal, it is permitted to do just that.”

- H. *So is this then a refutation of the position of R. Huna?*
- I. *R. Huna may say to you, “There it is a case in which the breach [in the walls of the courtyards on the sides opposite those adjoining the well enclosure] also combines them [the breach shows that the two courtyards are combined into one domain].”*

- IV.10** A. *Abbaye asked Rabbah, “If the water of the well dried up on the Sabbath, what is the law [about carrying in the enclosure?]” [Slotki: Is movement permitted because the enclosure was private domain when the Sabbath began, or is it forbidden because it was permitted to carry in this imperfect enclosure only because of the water in the well, which is no longer available?]*
- B. *He said to him, “Well, is the partition erected except on account of the water? If there is no water here, there is no partition here.”*

- IV.11** A. *Rabin raised this question: “If the water of the well dried up on the Sabbath but on that same Sabbath other water made its appearance, what is the rule?”*
- B. *Said to him Abbaye, “Where the water dried up on the Sabbath, you don’t have to ask a question, for I already addressed this question to the master, and he settled it for me that it is forbidden. As to water that made its appearance on the Sabbath, you also don’t have to ask, since that would be a partition made on the Sabbath, and it has been taught on Tannaite authority: For any partition that is set up on the Sabbath, whether inadvertently or deliberately, is classified as a valid partition.”*
- C. *And didn’t R. Nahman say, “They have learned this rule only with respect to throwing. [Freedman: The space enclosed by partitions erected on the Sabbath is private domain only insofar that throwing an object from public domain to that area is culpable.] But in fact it is forbidden to carry things in that area?”*
- D. *When that statement of R. Nahman’s was made, it pertained to erecting the partitions deliberately.*

- IV.12** A. *Said R. Eleazar, “He who on the Sabbath from public domain throws an object into the area between strips of wood around wells is liable [since the area is private domain].”*

- B. *Obvious! If the partition were invalid, then how would it be permitted to draw water from the well!*
- C. *No, not at all, it is necessary to cover the case in which one put up in public domain an enclosure like one of strips of wood around a well and threw an object into it. He is liable.*
- D. *So that's obvious, too. If such an enclosure weren't valid as a partition elsewhere, how could one transport objects in such a setting where there is a cistern.*
- E. *No, not at all, it is necessary to cover the following: Even though the public crosses the enclosure, it is regarded as private domain.*
- F. *So what does he tell us that we didn't know? That the public doesn't come along and nullify the effect of a partition? Lo, R. Eleazar himself is the one who said that once, for we have learned in the Mishnah: **R. Judah says, "If a public path went through them [the boards], one should divert it to the side."** And sages say, **"It is not necessary [to do so]"** [M. 2:4A-B]. R. Yohanan and R. Eleazar both say, "Here they have informed you of the full validity of partitions [which is unaffected by utilization of the enclosed area by the public].*
- G. *If I had to derive the rule from that formulation, I might have supposed that that principle is shown here, while he himself does not take that same view; so we are informed not only that that is so here, but that Eleazar himself takes the same position.*
- H. *Well, then, why not state the matter here and not bother there?*
- I. *The one was stated on the foundation of the other.*

- V.1** A. **It is permitted to bring [the fence] close to the well, so long as the head and greater part of a cow will be inside [the enclosed space] when it drinks:**
- B. *We have learned in the Mishnah there: **A man should not stand in private domain and drink in public domain, in public domain and drink in private domain, unless he has poked his head and the greater part of his body into the same domain as that in which he drinks. [20B]** And so in the case of a wine press. A man scoops up water out of a gutter less than ten handbreadths from the ground. And from a waterspout in any manner he may drink [M. Er. 10:6]. So in the case of a human being, it is clear, it is necessary that his head and the greater part of the body be in the domain where he is drinking. But in the case of a cow, is it necessary that the*

greater part of its body and head shall be in the domain in which it is drinking? Or is that not the rule? Now, in any case in which the owner is holding a utensil but not the animal, there can be no doubt that the head and the greater part of the body have to be within private domain. The question arises where the owner is holding both the bucket and the beast. And what is the ruling?

- C. *[Delete: He said to him,] You have learned it in the Mishnah: **so long as the head and greater part of a cow will be inside [the enclosed space] when it drinks.** Now doesn't this speak of a case in which the owner is holding both the beast and the bucket of water?*
- D. *Not at all, he's holding the bucket but not the beast.*
- E. *So if he's holding the bucket but not the beast, is it permitted to water the animal? And hasn't it been taught on Tannaite authority: A person should not draw water and give it on the Sabbath to his beast, but he may draw it and pour it out, and the beast may then drink on its own?*
- F. *Lo, it has been stated in that regard: Said Abbaye, "Here we're dealing with a manger in public domain ten handbreadths high and four handbreadths broad, and one of whose sides is projecting into an area between strips of wood; the rule is a precautionary decree against the possibility that the man may see that the manger was damaged and repairing it would carry the bucket with him, ending up carrying an object from private to public domain."*
- G. *Well, now, would someone be liable under such circumstances? And didn't R. Safra say R. Ammi said R. Yohanan said, "One who is transferring goods from one corner to another and changed his mind in regard to them and takes them out [from private to public domain] is exempt [from liability for violating the Sabbath] because to begin with lifting them up was not for that purpose"?*
- H. *Rather: Sometimes he might repair the manger and then carry the bucket back again and would end up carrying from public to private domain.*

V.2 A. *There are those who say: With reference to a human being, it is clearly set forth that we maintain, it is sufficient if his head and the greater part of his body is within the domain from which he drinks. But as to the case of the cow, is it enough if its head and the greater part of its body be within the domain from which it drinks? Or is that not the rule? Now, in any case in which the owner is holding a utensil but not the animal, Where the owner is holding both the bucket and the beast, there can be no question that it suffices if the head and the*

greater part of the body are in private domain. Where there is a question, it is when the owner is holding the bucket of water but not the beast. So what is the ruling?

B. *[Delete: He said to him,] You have learned it in the Mishnah: **so long as the head and greater part of a cow will be inside [the enclosed space] when it drinks.** Now doesn't this speak of a case in which the owner is holding not the beast but only the bucket of water?*

C. *Not at all, he's holding the bucket and the beast. And that stands to reason, for if he's holding the bucket but not the beast, is it permitted to water the animal? And hasn't it been taught on Tannaite authority: A person should not draw water and give it on the Sabbath to his beast, but he may draw it and pour it out, and the beast may then drink on its own?*

D. *Lo, it has been stated in that regard: Said Abbaye, "Here we're dealing with a manger in public domain ten handbreadths high and four handbreadths broad, and one of whose sides is projecting into an area between strips of wood; the rule is a precautionary decree against the possibility that the man may see that the manger was damaged and repairing it would carry the bucket with him, ending up carrying an object from private to public domain."*

E. *Well, now, would someone be liable under such circumstances? And didn't R. Safra say R. Ammi said R. Yohanan said, "One who is transferring goods from one corner to another and changed his mind in regard to them and takes them out [from private to public domain] is exempt [from liability for violating the Sabbath] because to begin with lifting them up was not for that purpose"?*

F. *Rather: Sometimes he might repair the manger and then carry the bucket back again and would end up carrying from public to private domain.*

G. *Come and take note: A camel, the head and greater part of the body of which was inside private domain—they cram food into it within that domain. Now isn't the act of cramming food the same as holding the bucket and the beast, and yet here it is necessary that the head and greater part of the body be in private domain?*

H. *Said R. Aha bar R. Huna said R. Sheshet, "The case of a camel is exceptional, since it has a long neck." [Slotki: If the greater part of its*

body were to remain in public domain by turning its neck it could drag its keeper after it and cause him to carry the bucket from private into public domain; but that is not a consideration in the case of any other animal.]

I. *Come and take note:* A beast the head and greater part of the body of which is within private domain may have food crammed into it in private domain. *Now isn't the act of cramming food the same as holding the bucket and the beast, and yet here it is necessary that the head and greater part of the body be in private domain?*

J. *But isn't "camel" covered by the language "beast"?*

K. *Yeah, but are they mentioned in one and the same formulation? So, too, it has been taught [as a distinct rule] on Tannaite authority:*

R. Eleazar forbids doing so in the case of a camel, since it has a long neck."

- V.3** A. Said R. Isaac bar Adda, "The use of strips of wood around wells was permitted solely for pilgrims for the festivals."
- B. *But hasn't it been taught on Tannaite authority:* The use of strips of wood around wells was permitted solely for beasts?
- C. *Sure, but what's the meaning of "beasts" It is,* beasts belonging to pilgrims. But a human being [21A] climbs up or climbs down [the walls of the well].
- D. *Well, now, is that so? And didn't R. Isaac say Rab Judah said Samuel said,* "The use of strips of wood around wells was permitted solely for a well that contains spring water"? *But if strips of wood were permitted only for cattle, then what difference would there be whether the water was spring water or still water?*
- E. *It is necessary that the water be suitable for human beings.*

V.4 A. *Reverting to the body of the foregoing:* The use of strips of wood around wells was permitted solely for beasts. But a human being climbs up or climbs down [the walls of the well].

B. But if the wells were wide, they are permitted for a human being as well.

- V.5** A. One may not fill a bucket with water and hold it before his cattle, but fills the bucket with water and pours it into a trough before the cattle, and they drink on their own.
- B. *Objected R. Anan,* "If so, then what good are the strips of wood?"

- C. ...what good are the strips of wood?! It permits people to draw water from the wells.
- D. Rather: What good is it if the head and greater part of the body of the cow are within the enclosure?
- E. *Said Abbayye, "Here we're dealing with a manger in public domain ten handbreadths high and four handbreadths broad, and one of whose sides is projecting into an area between strips of wood; the rule is a precautionary decree against the possibility that the man may see that the manger was damaged and repairing it would carry the bucket with him, ending up carrying an object from private to public domain."*
- F. *Well, now, would someone be liable under such circumstances? And didn't R. Safra say R. Ammi said R. Yohanan said, "One who is transferring goods from one corner to another and changed his mind in regard to them and takes them out [from private to public domain] is exempt [from liability for violating the Sabbath] because to begin with lifting them up was not for that purpose"?*
- G. *Rather: Sometimes he might repair the manger and then carry the bucket back again and would end up carrying from public to private domain.*

V.6 A. Said R. Jeremiah bar Abba said Rab, "The law of isolated dwellings does not apply to Babylonia [that huts within seventy and two thirds cubits of a town are regarded as suburbs of the town, so that the Sabbath limit of two thousand cubits assigned to the town commences at the end of the last hut outward toward the unsettled area]. And the rule that enclosures may be made around wells so that beasts may drink there does not apply outside of the Land of Israel. The law of isolated dwellings does not apply to Babylonia, *because there dam bursts are common [which sweep away such huts]*. And the rule that enclosures may be made around wells does not apply outside of the Land of Israel, *because sessions of learned sages are not common overseas. But the opposite applies*" [Slotki: the law of the isolated hut outside of the Land of Israel, strips of wood around wells to Babylonia].

B. *There are those who say:* Said R. Jeremiah bar Abba said Rab, "The law of isolated dwellings [that huts within seventy and two-thirds cubits of a town are regarded as suburbs of the town, so that the Sabbath limit of two thousand cubits assigned to the town commences at the end of the last hut outward toward the unsettled area], and the rule that enclosures may be made around wells so that beasts may drink there do not apply either in Babylonia or overseas. The law of isolated

dwelling does not apply to Babylonia, *because there are bursts of common [which sweep away such huts]*. It also does not apply overseas, because thieves are common. And the rule that enclosures may be made around wells does not apply to Babylonia, because it has plenty of water. And it also does not apply outside of the Land of Israel, *because sessions of learned sages are not common overseas*.

V.7 A. Said R. Hisda to Mari b. R. Huna b. R. Jeremiah bar Abbah, *"They say that you walk on the Sabbath from Barnesh to the synagogue of Daniel, which is three parasangs. How come? Are you relying on the isolated huts [to extend the Sabbath limits]? Lo, the father of your father said in the name of Rab, 'The law of isolated dwellings does not apply to Babylonia.'"*

B. *He went out and showed him some ruin settlements within the radius of seventy and two-thirds cubits from the town.*

- V.8** A. Said R. Hisda, *"Expounded Mari bar Mar, 'What is the meaning of the verse of Scripture, 'I have seen an end to every purpose, but your commandment is exceedingly broad' (Psa. 119:96)? David said this but didn't spell it out. Job. said it but didn't spell it out. Ezekiel said it but didn't spell it out. Until Zechariah b. Iddo came along and spelled it out.*
- B. *"David said this but didn't spell it out: 'I have seen an end to every purpose, but your commandment is exceedingly broad' (Psa. 119:96).*
- C. *"Job. said it but didn't spell it out: 'The measure thereof is longer than the earth and broader than the sea' (Job. 11: 9).*
- D. *"Ezekiel said it but didn't spell it out: 'And he spread it before me and it was written within and without and there was written therein lamentations, and meditation of joy and woe' (Eze. 2:10).*
- E. *"'Lamentation' speaks of retribution of the just in this world, in line with the verse, 'This is the lamentation wherewith they shall lament' (Eze. 32:16).*
- F. *"'Meditation of joy' refers to the reward of the righteous in the world to come, in line with the verse, 'With the joy of solemn sound upon the harp' (Psa. 92: 4).*
- G. *"'And woe' speaks of the retribution of the wicked in the world to come, in line with the verse, 'Calamity shall come upon calamity' (Eze. 7:26).*

- H. “‘Until Zechariah b. Iddo came along and spelled it out: “And he said to me, what do you see? And I answered, I see a folded roll; the length of it is twenty cubits and the breadth of it ten cubits” (Zec. 5: 2). When this is unfolded, it is twenty by twenty cubits. Since it is written, “And it was written inside and out” (Eze. 2:10), what will be the size when it is split? Forty by twenty cubits. But as it is written, “Who has measured the waters in the hollow of his hand and meted out heaven with the span” (Isa. 40:12), it follows that the entire universe is equal to one three thousand and two hundredth part of the Torah.”

V.9 A. *And said R. Hisda, “Expounded Mari bar Mar, ‘What is the meaning of the verse of Scripture, “And behold two baskets of figs set before the temple of the Lord, one basket had very good figs, like the figs [21B] that are ripe first, and the other basket had very bad figs, which were so bad they were inedible” Jer. 24: 1-2). “Good figs” refer to those who are entirely righteous, “bad figs” refer to those who are entirely wicked. And lest you suppose that their hope is lost and their prospects ruined, Scripture says, “The baskets give forth fragrance” (Son. 7:14). Both these and those are destined to give forth fragrance.”*

V.10 A *Expounded Raba, “What is the meaning of the verse of Scripture, ‘...the baskets give forth fragrance’ (Son. 7:14)? This refers to Israelite young men, who have never tasted the flavor of sin. ‘And at our doors is every kind of precious fruit’ (Son. 7:14)? This refers to Israelite women, who report to their husbands about the condition of their ‘doors.’”*

B. Another statement: “who close their doors to their husbands.”

C. “‘New and old that I have laid up for you, O my beloved’ (Son. 7:14)? Said the congregation of Israel before the Holy One, blessed be He, ‘Lord of the world, I have made many decrees for myself, more than you have decreed for me, and I have kept them all.’”

V.11 A. *Said R. Hisda to a certain one of the rabbis, who was laying out lore for him, “Have you heard the meaning of the phrase, ‘New and old that I have laid up for you, O my beloved’ (Son. 7:14)?”*

B. He said to him, “The former refers to the minor and the latter to the major commandments.”

C. He said to him, “So was the Torah given on several occasions? Rather, the one refers to teachings that derive from the Torah, the other, teachings that derive from the scribes.”

V.12 A. *Expounded Raba*, “*What is the meaning of the verse of Scripture*, ‘And furthermore, my son, be admonished: Of making many books there is no end’ (Qoh. 12:12)? My son, be more careful about observing the words of the scribes than the words of Torah. For the words of Torah contain both positive and negative commandments, but as to words of the sages, whoever transgresses the words of the sages is subject to the death penalty. And should you say, ‘Well, if there is anything of substance in them, then how come they’re not written down?’ Scripture said, ‘Of making many books there is no end.’”

V.13 A. “And much study is weariness of flesh” (Qoh. 12:12) –
B. Said R. Pappa b. R. Aha bar Ada in the name of R. Aha bar Ulla, “This teaches that whoever ridicules the words of sages is penalized in hot shit.”

C. *Objected Raba*, “*But is it written*, ‘ridicules’? *What’s written is*, ‘study’!”

D. Rather: He who studies them feels the taste of meat.

V.14 A. *Our rabbis have taught on Tannaite authority*:

B. There was the case of R. Aqiba, who was imprisoned, and R. Joshua the grits-maker served him. Every day they would bring him water by measure. One day he was met by the warden of the prison. He said to him, “Today you are bringing a lot of water, maybe you need it to undermine the prison?” He poured out half of it and gave him the other half.

C. He came before R. Aqiba. He said to him, “Joshua, don’t you realize that I’m an old man? My life depends on your life!” He told him exactly what happened, in detail.”

D. He said to him, “Give me water, so that I may wash my hands.”

E. He said to him, “There’s scarcely enough for drinking, is there going to be enough for washing hands?”

F. He said to him, “What choice do I have? For on that account [neglecting the washing of hands] people are liable to the death penalty. It is better to die a death brought on by my own decision and not transgress the position of my colleagues.”

G. They say: He didn’t taste a thing until he had brought him water and he washed his hands. And when sages heard about the matter, they said, “If that is how he is in his old age, how much the more so in his youth! And if that is how he is in prison, how much the more so when he isn’t in prison!”

V.15 A. Said R. Judah said Samuel, “At the time that Solomon ordained the rules of the fusion meals and the washing of hands, an echo came forth and said, ‘My son, if your heart be wise, my heart will be glad, even mine’ (Pro. 23:15); and furthermore, ‘My son, be wise and make my heart glad, that I may answer him who taunts me’ (Pro. 27:11).”

V.16 A. *Expounded Raba*, “*What is the meaning of the verse of Scripture*, ‘Come my beloved, let us go forth into the field, let us lodge in the villages, let us get up early to the vineyards, let us see whether the vine has budded, whether the vine blossom be opened, and the pomegranates be in flower; there will I give you my love’ (Son. 7:12)?

B. “‘Come my beloved, let us go forth into the field’: Said the congregation of Israel before the Holy One, blessed be He, ‘Lord of the world, don’t judge me like those who live in the cities, who are full of thievery and fornication and vain oaths and false swearing.’

C. “‘Let us go forth into the field’: ‘Come and I shall show you disciples of sages, who are engaged in the Torah in the midst of want.’

D. “‘Let us lodge in the villages’: Read the letters for villages as though they bore vowels to yield, ‘among the infidels,’ ‘come and I shall show you those upon whom you have bestowed much good, and who have denied you.’

E. “‘Let us get up early to the vineyards’: This refers to the synagogues and study houses.

F. “‘Let us see whether the vine has budded’: This refers to masters of Scripture.

G. “‘Whether the vine blossom be opened’: This refers to masters of the Mishnah.

H. “‘And the pomegranates be in flower’: This refers to the masters of analysis.

I. “‘There will I give you my love’: ‘I shall show you my glory, my greatness, the praise of my sons and my daughters.’”

V.17 A. Said R. Hamnuna, “*What is the meaning of the verse of Scripture, ‘And he spoke three thousand proverbs, and his songs were a thousand and five’ (1Ki. 5:12?) This teaches that Solomon said for every word of the Torah three thousand proverbs and one thousand and five reasons for every word of the scribes.*”

V.18 A. *Expounded Raba, “What is the meaning of the verse of Scripture, ‘And besides that Qohelet was wise, he also taught the people knowledge; yes, he pondered and sought out and set in order many proverbs’ (Qoh. 12: 9)?*

B. “‘He also taught the people knowledge’: *He taught it with notes of accentuation and illustrated his teaching with parables.*”

C. “Yes, he pondered and sought out and set in order many proverbs”:

D. Said Ulla said R. Eleazar, “In the beginning the Torah was like a basket without handles, until Solomon came along and made handles for it.”

V.19 A. “His locks are curled” (Son. 5:11) –

B. Said R. Hisda said Mar Uqba, “This teaches that one has occasion to expound every stroke of the letters of the Torah with mounts of expositions.”

V.20 A. “And black as a raven” (Son. 5:11) –

B. In whom do you find [teachings of the Torah]? In him who [22A] gets up early in the morning and goes to bed late at night working on them in the house of study.”

C. Rabbah said, “You find them in one who blackens his face like a raven through his study of them.”

D. Raba said, “You find them in him who can make himself cruel to his children and the members of his household like a raven.”

V.21 A. *That would be as in the matter of R. Adda bar Mattenah. He was going to the house of the master. His wife said to him, “So what shall I do for your children?”*

B. *He said to her, “So isn’t there any grass out in the marsh [to feed to them]?”*

V.22 A. “And repays them that hate him to his face to destroy him” (Deu. 7:10) –

B. Said R. Joshua b. Levi, “If it were not that a verse of Scripture were written to that effect, it would not be possible to say it: He is as it were like a man who carries a burden on his face and wants to throw it off from him.”

C. “He will not be slack to him who hates him” (Deu. 7:10) –

D. Said R. Ila, “To him who hates him he will not be slack, but he will be slack to the totally righteous.”

E. *And that is in line with what R. Joshua b. Levi said, “What is the meaning of the verse of Scripture, ‘Which I command you this day to do them’ (Deu. 7:11)? ‘This day you are to do them, but you may not put them off until tomorrow; this day you are to do them, and tomorrow will be for receiving a reward for doing them.’”*

V.23 A. *Said R. Haggai and some say R. Samuel bar Nahmani, “What is the meaning of the verse of Scripture, ‘Long-suffering’ (Exo. 34:6) [given in the dual form,] surely the singular would have served! ‘Long-suffering’ —in double measure for the righteous, ‘Long-suffering’ —in double measure for the wicked.”*

- VI.1 A. R. Judah says, “They [may draw them back from the well only] so far as to leave two seahs of space.”**
- B. *The question was raised: Does he make reference to the area of the cistern along with the strips of wood, or does he mean the cistern alone, exclusive of the area between the strips of wood [Slotki: so the full area of the enclosure may be two bet seahs in addition to the two cubits on each side of the cistern]? Does someone deem his cistern as the permitted area, so it is not necessary to make a decree about the permitted area as a preventive measure against the possibility of his moving objects in an enclosure larger than two bet seahs, or does someone regard the partition as operative, so it was necessary to make a precautionary decree restricting the permitted area as a preventive measure against assuming that an area of more than two bet seahs is permitted in the case of an enclosure, too?*
- C. *Come and take note: How near may the strips of wood be placed to the well? So near as to admit the head and greater part of the body of the cow. **And how near the well may the boards be set up? Even an area sufficient for sewing a kor or even two kors of seed. R. Judah says, “An area of two bet seahs is permitted, but one that is bigger than two bet seahs is forbidden.” They said to R. Judah, “Don’t you agree concerning a cattle pen, fold, storeyard or courtyard, that if one wanted to make them very large, he may make them very large?” He said to them, “But these are set off by a partition, while the area under discussion is marked off by boards” [T. Er. 1:13F-K]. R. Simeon b. Eleazar says, “In the case of a cistern, if the enclosed area is two bet seahs by two bet seahs, it is permitted. And they have said it is permitted to move the strips of wood from the cistern only far enough to receive the head and greater part of the body of a cow” [T. Er. 1:13N-O]. Now, since R. Simeon b. Eleazar referred to the area of the cistern exclusive of the strips of wood, it must follow that R. Judah referred to the cistern including the strips of wood.***
- D. *But that is not the case. R. Judah made reference to the cistern without the strips of wood.*
- E. *Well, if that’s so, then that’s just what R. Simeon b. Eleazar says!*
- F. *At issue between them is an enclosure that is long and narrow. [Slotki: According to Judah it is permitted; according to Simeon b. Eleazar, the area has to be square shaped.]*

- VI.2** A. Said R. Simeon b. Eleazar, “Any enclosed air space that is used for a dwelling, for example, a cattle pen or a corral, a rear court or a courtyard, is permitted [for carrying on the Sabbath], even if it is an area of five kors or ten kors, and any dwelling that is used in the open air, for example, huts in the fields, are allowed only two seahs; the area more than that is forbidden for carrying on the Sabbath.”

2:4A-B

- A. **R. Judah says, “If a public path went through them [the boards], one should divert it to the side.”**
B. **And sages say, “It is not necessary [to do so].”**

- I.1** A. *Both R. Yohanan and R. Eleazar say, “Here sages inform you of the remarkable power of partitions” [Slotki: that even a public road cannot affect it].*
B. *Since [Yohanan] makes such a comment, “Here...,” does it follow that he takes the same view? But didn’t Rabbah bar bar Hannah say R. Yohanan said, “In the case of Jerusalem, if it were not for the fact that its gates are locked at night, people would be liable by reason of carrying in public domain on the Sabbath”?*
C. *Rather, the sense is, “here,” but he doesn’t concur.*

- I.2** A. *There is a contrast to be drawn between two sayings of R. Judah, and so, too, a conflict between two sayings of rabbis, for it has been taught on Tannaite authority:*
B. *Still further did R. Judah state, “He who owns two houses on two sides of public domain may put a board on this side and a board on that side, or a beam on this side and a beam on that side, and carry things around in the middle.”*
C. *They said to him, “A symbolic fusion of space in the public domain may not be undertaken in such a way.”*
D. *So there is a contradiction between two sayings of R. Judah, and so, too, a contradiction between two sayings of rabbis.*
E. *There is no contradiction between two sayings of R. Judah: In that case, where there are two perfectly solid partitions, the situation is one thing; here, there are no partitions of a solid character, the situation is quite another.*

F. *And so, too, there is no contradiction between two sayings of rabbis: Here there is something that can be classified as four partitions [a board a cubit wide], there there is nothing that can be classified as four solid partitions.*

I.3 A. Said R. Isaac bar Joseph said R. Yohanan, “For carrying in public domain on the Sabbath in the Land of Israel people are not liable.”

B. *In session R. Dimi stated this tradition. Said Abbaye to R. Dimi, “How come? [22B] Should I say because the Ladder of Tyres surrounds it on the one side, and the one of Geder on the other side? But then, Babylonia, too, is surrounded by the Euphrates on the one side and the Tigris on the other, —in fact, the whole world is surrounded by the ocean! So maybe what you have in mind is the ascents and descents of the Land of Israel.” [Slotki: These are not easily traversed, and being infrequently used, are treated as private domain.]*

C. *He said to him, “Brains! I saw your head among the pillars when R. Yohanan reported this tradition in just so many words!”*

D. *So, too, it has been stated: When Rabin came, he said R. Yohanan [said] —and others say, said R. Abbahu said R. Yohanan, “As to the ascents and descents of the Land of Israel, for carrying in public domain on the Sabbath people are not liable, because they are not so accessible as the domain on which in the wilderness the standards were located.”*

I.4 A. Rahbah asked Raba, “A mound that rises to ten handbreadths on a base of four cubits, through which the public makes its way — are people liable on its account as public domain if they carry therein, or are they not so liable? *In respect to the position of rabbis, the question is not bothersome, for if using the road, which is not difficult, poses no problem, rabbis ruled that use by the public does not impair the validity of the partition, how much the more so here, where using the road is not easy! Where the problem is significant for you it concerns the position of R. Judah. Does he take the view that he does in the Mishnah, because the use of the road is easy, but here, where using the road is not so convenient, the public won’t impair the validity of the partition, or perhaps there is no difference?”*

B. He said to him, “People are liable.”

C. “And even if they have to climb up it on a rope?”

- D. "Yes."
- E. "Even in respect to an ascent such as at Bet Maron?"
- F. He said to him, "Yes."
- G. *An objection was raised: A courtyard that the public enter at one side and leave at the other is classified as public domain for purposes of assessing questions of doubt about uncleanness but private domain for the purposes of the Sabbath [cf. T. Toh. 7:10]. Now who might be the authority behind this rule? Should I say it is rabbis? But now if in a case in which using the road is easy, rabbis maintain that the public cannot come and impair the validity of a perfectly valid partition, how much the more so here, in which case using the area is not so easy! So it must stand for the position of R. Judah [Slotki: who thus admits that the passage of the public does not impair the status of private domain where access is not easy, an objection against Raba].*
- H. *Not at all, in point of fact it represents the position of rabbis. And the statement is necessary to cover the detail, is classified as public domain for purposes of assessing questions of doubt about uncleanness. [Slotki: The other ruling is mentioned merely as an antithesis.]*
- I. *Come and take note: Paths which lead down to cisterns, pits, caverns, and wine presses are classified as private domain in regard to the Sabbath and as public domain in regard to uncleanness [M. Toh. 6:6I-J]. Now can it enter your mind that a path would end up in a cistern!? Rather, the reading should be, toward cisterns. And the ruling is, such alleys are classified as private domain for the Sabbath and public domain for uncleanness. Now who might be the authority behind this rule? Should I say it is rabbis? But now if in a case in which using the road is easy, rabbis maintain that the public cannot come and impair the validity of a perfectly valid partition, how much the more so here, in which case using the area is not so easy! So it must stand for the position of R. Judah.*
- J. *Not at all, in point of fact it represents the position of rabbis. And the statement is necessary to cover the detail, is classified as public domain for purposes of assessing questions of doubt about uncleanness.*
- K. *Come and take note: The paths of Bet Gilgul, and the like of them are private domain in regard to the Sabbath and public domain with regard to uncleanness [M. Toh. 6:6E-G]. And what is the character of "paths of Bet Gilgul"? Members of the household of R. Yannai said, "Any path along which*

a slave carrying a seah of wheat cannot run before an officer.” *Now who might be the authority behind this rule? Should I say it is rabbis? But now if in a case in which using the road is easy, rabbis maintain that the public cannot come and impair the validity of a perfectly valid partition, how much the more so here, in which case using the area is not so easy! So it must stand for the position of R. Judah.*

- L. He said to him, “Do you make mention of the paths of Bet Gilgul?! [But they form a category unto themselves,] for Joshua favored Israel. So he went and set up for them roads and highways, *and those that were easy to utilize he classified for public use, and those not easy to use he classified for private use.*”

2:4C-E

- C. **“All the same are a cistern serving the public, a well serving the public, and a well serving an individual: They set up boards for them.**
- D. **“But for a cistern serving an individual they set up a partition ten handbreadths high,” the words of R. Aqiba.**
- E. **R. Judah b. Baba says, “They set up boards only for a well serving the public alone. But for the rest they set up a [rope] belt ten handbreadths high.”**

- I.1** A. [23A] Said R. Joseph said R. Judah said Samuel, “The decided law accords with R. Judah b. Baba.”
- B. And said R. Joseph said R. Judah said Samuel, “The use of strips of wood around wells was permitted only in the case of a well containing flowing water alone.”

C. *And both rulings were required. For had we been told only, “The decided law accords with R. Judah b. Baba,” one might have supposed that that pertains to a public well, even if it had still water, and the reason that the Tannaite formulation referred to a cistern serving the public was to exclude the position of R. Aqiba. So we are informed in so many words, The use of strips of wood around wells was permitted only in the case of a well containing flowing water alone. And had we been informed only of the rule covering a well of flowing water, one might have supposed that there is no difference between one that serves the public and one that serves a private party. So we are informed, The decided law accords with R. Judah b. Baba.*

2:5

- A. And further did R. Judah b. Baba say, “As to a garden or an outer area [no more than] seventy cubits and two-thirds by seventy cubits and two-thirds, surrounded by a wall ten handbreadths high —
- B. “they carry about in it,
- C. “so long as there is a watchman’s hut or a house, or it is near town [where the owner lives].”
- D. R. Judah says, “Even if there is in it only a cistern, pit, or cavern, they carry about in it.”
- E. R. Aqiba says, “Even if there is in it none of these things, they carry about in it,
- F. “so long as it is of the space of seventy cubits and two-thirds by seventy cubits and two-thirds [and no more] .”
- G. R. Eliezer says, “If its length [F] is longer than its breadth even by a single cubit, they do not carry therein.”
- H. R. Yosé says, “Even if its length is two times its breadth, they do carry therein.”

2:6

- A. Said R. Ilai, “I heard from R. Eliezer, ‘Even if it is a kor’s space [seventy-five thousand square cubits].’
- B. “And so did I hear from him, ‘The inhabitants of a courtyard, one of whom forgot and did not prepare an erub —
- C. “‘as to his house, it is prohibited for him to bring in [something] or take [it] out.
- D. “‘But for them it is permitted.’
- E. “And so did I hear from him, ‘They fulfill their obligation [to eat bitter herbs] through hart’s tongue on Passover.’
- F. “And I made the rounds of all his disciples, and I looked for a partner for myself [in holding these traditions] but found none.”

- I.1** A. [And further did R. Judah b. Baba say:] *What had he already set forth as a Tannaite rule, that the language, **And further...**, is used here? Should I say that it is because he taught one strict ruling [only a public well may be provided with strips of wood], and now he sets forth yet another Tannaite rule of the same sort, on which account the expression, **And further...**, is used, lo,*

*R. Judah also has set forth a Tannaite rule that is strict, and yet another one, and nonetheless, the language, **And further...**, is not used.*

- B. *There, rabbis interrupted the flow of his [Judah's] rulings, but here, rabbis do not interrupt [Judah b. Baba].*
- C. *So is it the case that in any place in which rabbis interrupt the flow of rulings, there is no use of the language, **And further**? But lo, there is the case of R. Eliezer's rulings in the case of the laws on the sukkah, which is interrupted by rabbis, but in which instance the language, **And further**, is used!*
- D. *In that case, they broke into his statement with a ruling on the subject that he was discussing, but here that is not the case, but the interruption concerns another topic altogether.*

II.1 A. **R. Aqiba says, "Even if there is in it none of these things, they carry about in it, so long as it is of the space of seventy cubits and two-thirds by seventy cubits and two-thirds [and no more]":**

- B. **[23B]** *So R. Aqiba is saying what the initial Tannaite authority has said!*
- C. *At issue between them would be the small area [by which two bet seahs would be larger than seventy and two-thirds square cubits; the first Tannaite authority allows the area as large as two bet seahs, while Aqiba says it must not exceed seventy and two-thirds square cubits (Slotki)]. For it has been taught on Tannaite authority: R. Judah says, "Two bet seahs are larger than seventy and two-thirds cubits by a small area, but sages didn't assign an exact measure."*

II.2 A. And how big is an area of two seahs?

- B. It is the size of the courtyard of the tabernacle [100 x 50 cubits, Exo. 27:18].
- C. *What is the source in Scripture for that fact [that the dimensions of the court of the tabernacle are squared to fix the area in connection with the moving of objects on the Sabbath (Slotki)]?*
- D. Said R. Judah, "Said Scripture, 'The length of the court shall be a hundred cubits, and the breadth fifty by fifty [=everywhere]' (Exo. 27:18). [By adding the superfluous 'by fifty,'] the Torah has ordained, 'Take away fifty [Slotki: the excess of the length, a hundred cubits, over the breadth, fifty cubits, leaving a square area of 50 x 50], and surround them with the other fifty.'" [Slotki: Surrounding the square with equal strips cut from the remaining area of 50 x 50 cubits results in a larger square; the area of two bet seahs is consequently equal to 100 x 50 square cubits, and since a cubit is six handbreadths, the total is 180,000 square handbreadths. An area of seventy and two-thirds cubits is

179,776 square handbreadths. The difference between the first Tannaite authority and Aqiba is thus the small area of 180,000 — 179,776 or 224 square handbreadths or six and two-ninths square cubits; if split up into small strips to surround them with the perimeter of seventy and two-thirds cubits would be very small.]

E. *So what might be the plain sense of the same verse* [in adding, ‘by fifty,’ to the dimension of length and breadth already given (Slotki)]?

F. Said Abbaye, “Set up the tabernacle on the edge of fifty cubits, so there may be a space of fifty cubits in front of it, and one of twenty cubits on all sides.” [Slotki: The tabernacle was thirty cubits long and ten wide. Dividing the length of the court, a hundred cubits, in two sections, and setting up the tabernacle in one of these, its eastern front touching the dividing line and its southern side removed twenty cubits from the south wall of the court, there would remain — the width being fifty cubits — the following distance between the tabernacle and the walls of the court: 50 x 50 cubits in front of it, 50 — 30 or 20 at its back, and 20 cubits on the sides.]

III.1 A. **R. Eliezer says, “If its length is longer than its breadth even by a single cubit, they do not carry therein.” R. Yosé says, “Even if its length is two times its breadth, they do carry therein”:**

- B. *But hasn’t it been taught on Tannaite authority: R. Eliezer says, “If its length was more than twice its breadth, even by only one cubit, it is forbidden to move objects in the area”?*
- C. *Said R. Bibi bar Abbaye, “What we have learned in our Mishnah paragraph pertains to an enclosure the length of which was more than twice the width.”*
- D. *So how is that different from what R. Yosé says?*
- E. *The difference between them is the squared area that rabbis have required.*

IV.1 A. **R. Yosé says, “Even if its length is two times its breadth, they do carry therein”:**

- B. *It has been stated:*
- C. Said R. Joseph said R. Judah said Samuel, “The decided law accords with R. Yosé.”
- D. And R. Bibi said R. Judah said Samuel said, “The decided law accords with R. Aqiba.”

E. *And both rulings yield a lenient result, and both ruling are necessary. For had we been informed only, “The decided law accords with R. Yosé,” I might have thought that that is the case only if there is a watchman’s hut or a dwelling place. So we have to be informed also, “The decided law accords with R. Aqiba.” And had we been informed only, “The decided law accords with R. Aqiba,” I might have supposed that if the enclosed area was long and narrow, such an arrangement is not suitable [Aqiba insisting the area be square]. So we are informed, of necessity, “The decided law accords with R. Yosé.”*

IV.2 A. An enclosure that was large enough for sowing more than two seahs of seed, which has been fenced in for dwelling purpose, then, if the larger part of it is sown with vegetables, it is classified as a vegetable garden and the area is forbidden for carrying on the Sabbath, but if the larger part is planted with trees, it is classified as a courtyard, and it is permissible to carry therein on the Sabbath. [So character of the vegetables classify the area as a field, but trees do not (Simon, *Baba Batra* 24B).] “...if the larger part of it is sown”: Said R. Huna b. R. Joshua, “We have made that statement only where the area sown was larger than two bet seahs [Slotki: such a large area was not fenced for dwelling purposes; it is neglected public domain. The unsown part is a courtyard, whose one complete side is fully open onto neglected public domain; both sections are forbidden domains for moving things on the Sabbath], but if it is one of two bet seahs [while the sown part is subject to the restrictions of an enclosure, the unsown one is subject to those of a courtyard that opens out into an enclosure], it is permitted [since both belong to the same owner (Slotki)].

B. *In accord with whose opinion is this statement made?*

C. *It is in accord with R. Simeon, for we have learned in the Mishnah: R. Simeon says, “All the same are roofs, courtyards, and outer areas —each constitutes a single domain in regard to utensils which have been kept for the Sabbath therein, and not [a single domain] for utensils which have been kept for the Sabbath in the house” [M. Erub. 9:1D-F].* [Slotki: In relation to a house, these are regarded as different domains, even if they belong to one man, and any object taken out on the Sabbath from the house to the courtyard must not be moved from there to the enclosure or the roof.]

D. *In R. Simeon's opinion, too, since the larger part of the area was sown with seed, the lesser part surely would [24A] lose its autonomous status to the greater part, and the whole then would add up to an enclosure larger than two bet seahs, so moving objects should be forbidden* [Slotki: even where it was enclosed for dwelling purposes, and even if all of it belonged to one owner].

E. *Well, then, if any such statement was made, this is what has to have been said:* Lo, if the lesser part only was sown, moving objects is permitted in that area. Said R. Huna b. R. Joshua, "We have made that statement only where the area sown was larger than two bet seahs, but if it is one of two bet seahs, it is forbidden."

F. *In accord with whose opinion is this statement made?*

G. *It is in accord with rabbis.*

H. *But R. Jeremiah of Difti repeated the Tannaite formulation so as to yield a lenient ruling: "Lo, if the lesser part only was sown, it is permitted to move objects."* Said R. Huna b. R. Joshua, "We have made that statement only where the area sown was larger than two bet seahs, but if it is one of two bet seahs, it is forbidden."

I. *In accord with whose opinion is this statement made?*

J. *It is in accord with R. Simeon.*

K. "But if the larger part is planted with trees, it is classified as a courtyard, and it is permissible to carry therein on the Sabbath" —said R. Judah said Abimi, "And that is the case only if they were arranged in the formation of a colonnade."

L. But R. Nahman said, "That is the case even if they were not arranged in the formation of a colonnade."

IV.3 A. *Mar Judah visited the household of R. Huna bar Judah. He saw the trees, which were not arranged as a colonnade, but people were moving things among them. He said to him, "Doesn't the master concur with Abimi?"*

B. *He said to him, "I concur with R. Nahman."*

IV.4 A. Said R. Nahman said Samuel, "An enclosure that is larger than two bet seahs, which was not fenced in for a dwelling place —what does one do? He makes a breach wider than ten cubits in the surrounding fence [nullifying the fence].

This is then filled in to reduce the gap to ten cubits [so the breach is now a valid doorway], and then it is permitted to carry objects in the enclosure.”

- B. *The question was raised:* If one made a breach a cubit long and then fenced it up by a cubit, made a breach a cubit long and fenced it up, until he had done the breaking down and refencing to more than ten cubits, what is the law?
- C. *He said to him, “Isn’t that what we have learned in the Mishnah: **All utensils of householders—their measure [is] with pomegranates [M. Kel. 17:1A]**? And in that connection Hezekiah raised the question, ‘If there was a hole big enough for an olive to fall through, and one stopped it up, and then he went and made a hole big enough to let an olive fall through, and one stopped it up, and so until one finished with a hole the size of a pomegranate, what is the law?’ And said to him R. Yohanan, ‘My lord, you have repeated for us the rule: **A sandal, one of the straps of which was torn, and which one repaired, is subject to midras uncleanness. [If] the second was torn, and one repaired it, it is clean of midras uncleanness, but remains unclean by reason of having had contact with what is unclean with midras uncleanness [M. Kel. 26:4A-C].** Now, in that connection, you said, “What differentiates the first case, in which the absence of the strap does not affect the status of the sandal? It’s because the second wasn’t then available. But the absence of the second shouldn’t affect the status of the sandal, since the first was available!” And you explained to us, “In the latter case, the object has a new appearance.” Well, then, here, too, the object has a new appearance.”*
- D. *Hezekiah recited in his regard, “This is no common person,” or, some say, “This is the real kind of person [who should be studying the Torah].”*

IV.5 A. Said R. Kahana, “An open area located at the back of houses—people may carry in such an area only for a distance of four cubits.”

- B. And said R. Nahman, “If one made a doorway into the area, it is permitted to carry objects through the whole area, since the door transforms it into a domain in which it is permitted to carry things. But we have made that statement only if he made the door first, then enclosed the area. But if it was first enclosed and then the door was made, that rule does not apply.”

C. But if it was first enclosed and then the door was made—*that’s obvious!*

D. *No, it is necessary to deal with a case in which the area had a threshing floor. What might you otherwise have supposed? The door*

was made to provide an entry to the threshing floor. So we are informed that we make no such assumption.

- IV.6** A. An enclosure that was bigger than two seahs, which one enclosed for dwelling purposes but then filled with water —*rabbis considered ruling that the rule governing the water area is equivalent to the rule governing a seeded area, so it would be forbidden to carry objects therein.* [The pertinent rule is as follows: An enclosure that was large enough for sowing more than two seahs of seed, which has been fenced in for dwelling purposes, then, if the larger part of it is sown with vegetables, it is classified as a vegetable garden and the area is forbidden for carrying on the Sabbath.]
- B. *Said to them R. Abba, brother of Rab b. R. Mesharshayya, “This is what we say in Raba’s name: ‘Water is comparable to trees, so the movement of things on the Sabbath in the enclosure is permitted.’”*
- C. **[24B]** *Said Amemar, “That water in an enclosed area is comparable to trees therein is the case only if it is fit for use [for example, in the dwelling place], but if it is not fit for use, that is not the case.”*
- D. *Said R. Ashi, “And even if it is fit for use, that is the rule only if the layer of water does not extend over more than the two bet seahs of ground, but if it is more than two bet seahs of ground, it is forbidden.”*
- E. *But that’s not true. Water is in the same category as a heap of fruit. [Slotki: A pile of fruit ten handbreadths high, however large its extent, does not deprive the enclosure in which it is kept of its status as a dwelling.]*

IV.7 A. *At Pum Nahara there was an open area, one side of which opened into an alley in the town, the other side of which opened into a path between vineyards ending at the riverbank. Said Abbaye, “Now what should we do? Should we erect a reed fence on the riverbank? But you can’t put up one partition on another partition [and the riverbank is itself ten handbreadths high and serves as a fence]. Should we construct the shape of a doorway for it at the entrance to the path between the vineyards? But the camels coming along would throw it down.”*

B. *Therefore, said Abbaye, “Put up a sidepost at the entrance to the path of the vineyards, and that will serve for the vineyards [which no longer have a gap opening into neglected public domain, so it is not permitted to carry objects in that area]. Now, since the sidepost serves for the alley, it also serves for the open area. So it will be*

permitted to move objects in the alley itself [if the shape of a doorway was put up at its other end, abutting public domain (Slotki)], *and it is permitted to move objects in the open area itself*” [since the sidepost is effective for the alley, it serves the open area (Slotki)].

C. *About moving objects from the alley into the open space or vice versa, R. Aha and Rabina dispute. One forbade doing so, the other permitted doing so.*

D. [25A] *The one who permitted it did so because in the open area there are no tenants* [Slotki: to claim a share in it, so it is a domain of the tenants of the alley], *and the one who forbade it said that sometimes there may be tenants in it, and they would be moving objects from one area into the other.*”

- IV.8** A. An enclosure larger than two bet seahs that was not enclosed for dwelling purposes, and one came to cut down its size —if he cut down the size by planting trees, that would not constitute a valid reduction in size. [No material change has taken place in the enclosure, which already has trees.] If he built in it a pillar ten handbreadths high and four broad, that would constitute a valid diminution in the area. If it was less than three handbreadths wide, that would not constitute a valid reduction in the size of the area. If it was between three and four handbreadths broad —
- B. Rabbah said, “This constitutes a valid diminution in the area of the enclosure.”
- C. And Raba said, “This does not constitute a valid diminution in the area of the enclosure.”
- D. Rabbah said, “This constitutes a valid diminution in the area of the enclosure”: *For it is eliminated from the working of the law of the fictive extension [of the ground upward to cover the pillar].*
- E. And Raba said, “This does not constitute a valid diminution in the area of the enclosure”: *Since the place is not four handbreadths in width, it is null.*
- F. If it was four handbreadths from the wall of the enclosure, and one made a partition, that serves [and the enclosure is enclosed for dwelling purposes].
- G. If it was less than three handbreadths from the wall, the partition is null.
- H. If it was between three and four handbreadths from the wall —
- I. Rabbah said, “That serves [and the enclosure is enclosed for dwelling purposes].”

- J. And Raba said, “That does not serve [and the enclosure is enclosed for dwelling purposes].”
 - K. Rabbah said, “That serves [and the enclosure is enclosed for dwelling purposes]”: *For it is eliminated from the working of the law of the fictive extension.*
 - L. And Raba said, “That does not serve [and the enclosure is enclosed for dwelling purposes]”: *Since the place is not four handbreadths in width, it is null.*
 - M. R. Shimi repeated the matter to yield a lenient ruling [Slotki: where the width of the column or the distance of the partition from the wall was less than three handbreadths; where it was between three and four both Rabbah and Raba agree that, since the rule of fictive extension does not apply, the pillar is a proper reduction, or the partition is valid, for dwelling purposes].

- IV.9** A. If one smeared the fence [across the enclosure] with plaster and the layer is such that it can stand on its own, it serves to diminish the dimensions of the enclosure; if not —
- B. Rabbah said, “This constitutes a valid diminution in the area of the enclosure.”
 - C. And Raba said, “This does not constitute a valid diminution in the area of the enclosure.”
 - D. Rabbah said, “This constitutes a valid diminution in the area of the enclosure”: *Now, in any event, it can stand.*
 - E. And Raba said, “This does not constitute a valid diminution in the area of the enclosure”: *Since it can’t stand on its own, it’s null.*
 - F. If at a distance of four handbreadths from a mound in an enclosure of more than two bet seahs, one made a partition, that serves to diminish the size of the enclosure. If it was less than three, or if it was at the lip of the mound —
 - G. R. Hisda and R. Hamnuna —
 - H. One said, “It constitutes a valid diminution in the area of the enclosure.”
 - I. The other said, “It does not constitute a valid diminution in the area of the enclosure.”
 - J. *You may draw the conclusion that it is R. Hisda who has said, “It constitutes a valid diminution in the area of the enclosure.” For it has been said: He who makes a partition on top of an existing partition —*

K. said R. Hisda, "So far as the Sabbath is concerned, it serves, but so far as effecting acquisition of the property of a deceased convert [who has no heirs], it does not serve." [If someone put up a fence on top of another in the deceased's estate and a second person subsequently performed another valid act of acquiring title, the latter would gain possession of the estate (Slotki).]

L. And R. Sheshet said, "Also with respect to the Sabbath it does not serve."

M. *You may indeed draw that conclusion.*

IV.10 A. Said R. Hisda, "But R. Sheshet agrees with me that if one made a partition on the mount, it is effective. *How come?* Because someone can live in the space between the fences on top." [Slotki: The lower fences in the enclosure are completely disregarded.]

IV.11 A. *Rabbah bar bar Hannah raised this question: "If the lower fences were sunk in the ground but the upper ones remained standing, what is the law?"*

B. *Yeah, so what difference does it make? If it concerns effecting title of the property of a proselyte, then that's the point of [R.] Jeremiah Biraah, for said R. Jeremiah Biraah said R. Judah, "Someone who threw vegetable seeds into the crevices of the land of a proselyte and another Israelite came along and hoed a bit, the latter acquires title and the former doesn't acquire title, because at the moment he threw the seeds he did not bring about much improvement of the property, and the improvement that took place on account of the growth of the seeds came about on its own." So what about the matter of the Sabbath? Then it constitutes a partition made on the Sabbath, and it has been taught on Tannaite authority: Any partition that is set up on the Sabbath, whether inadvertently or deliberately, is classified as a valid partition.*

C. *But has it not been said in that regard: Said R. Nahman, "That has been taught only for throwing [one may not throw an object from public domain into that enclosure] but in respect to moving objects, it is forbidden to do so"?*

D. *When the statement of R. Nahman was made, it made reference to one who did so deliberately.*

IV.12 A. *There was a woman who made a partition on top of a partition in the case of the property of a deceased proselyte. Somebody came along and hoed a bit in the ground. The man then came before R. Nahman who confirmed title to him. The woman came to him and*

cried. He said to her, "But what can I do for you, since you didn't acquire title in the correct manner."

- IV.13** A. An enclosure that was three bet seahs in size, and one bet seah was covered with a roof — as to the covered space —
- B. Rabbah said, "The covered space expands the enclosure beyond two bet seahs [the covered area still being classified as part of the open enclosure (Slotki)]."
- C. And R. Zira said, "The covered space does not expand the enclosure beyond two bet seahs."
- D. *May we say that Rabbah and R. Zira are engaged in a dispute on the same matter on which Rab and Samuel differed? For it has been stated:*
- E. If there was a peristyle in a field [with a roof but no walls],
- F. Rab said, "[On the Sabbath] it is permitted to carry about the entire area [as a single, enclosed domain]."
- G. And Samuel said, "One may on the Sabbath carry in that area only within [the ordinarily permitted space of] four cubits [which in any event one may utilize for carrying in the public domain. *We do not have a private domain in the present case, for*] we do not invoke the principle that the edge of the roof fictively descends and closes off the area [so forming a private domain]."
- H. Rab said, "[On the Sabbath] it is permitted to carry about the entire area [as a single, enclosed domain]."
- I. And Samuel said, "One may on the Sabbath carry in that area only within [the ordinarily permitted space of] four cubits [which in any event one may utilize for carrying in the public domain. *We do not have a private domain in the present case, for*] we do not invoke the principle that the edge of the roof fictively descends and closes off the area [so forming a private domain]."
- J. **[25B]** *If the roof over the area were made level and not slanting, there would have been a parallel [Rabbah concurring with Rab], but here we are dealing with a roof in the shape of a hammock [Slotki] [Slotki: since the roof is slanting, it has no edges that descend and form virtual walls].*
- K. *Said R. Zira, "I concede in the case of an enclosure that has a gap across the entire width toward a courtyard that it is forbidden to carry therein. How*

come? The space of the courtyard here increases the extent of the area beyond the permitted size." [Slotki: We do not invoke the principle, the edge of the ceiling descends.]

- L. *Objected R. Joseph, "But does space out of which it is permitted to move objects into the area cause carrying in the area to be prohibited?"*
- M. *Said to him Abbayye, "In accord with whose view is the objection raised? It is in accord with R. Simeon's. But according to R. Simeon, too, there is the space of the position of the walls [that increase the area of the enclosure of two bet seahs to more than the permitted size]. For said R. Hisda, 'If there was a gap across the entire width toward a courtyard, it is forbidden to carry therein.' But why was it permitted in the courtyard, because it has ridges [which form a doorway]? But doesn't it also happen that the opposite is the case [the enclosure has the ridges and the courtyard doesn't, so why the distinction between the enclosure and the courtyard (Slotki)]? So the reason must be, in respect to the enclosure, the space of the walls increases its size, while in the courtyard, the space of the walls does not do that" [Slotki: hence its permissibility. As the only reason for the prohibition is the increased area of the enclosure, the prohibition cannot apply to a courtyard that was originally enclosed for dwelling purposes].*

IV.14 A. *There was an orchard adjoining the wall of a mansion. The outer wall of the mansion collapsed. R. Bibi considered ruling that one may rely on the inner walls [serving as walls of the orchard]. Said to him R. Pappi, "Since you people are frail people, you speak weak thoughts. Those walls were made for the interior of the mansion, not for the orchard outside."* [Slotki: The orchard was bigger than two bet seahs and cannot be regarded as having been enclosed for dwelling purposes.]

IV.15 A. *There was a banquet hall that the exilarch had in his orchard. He said to R. Huna bar Hinena, "Will the master provide for it, so that tomorrow we may eat our bread there?"*

B. *He put up a reed fence, fixing each reed less than three handbreadths from the other. Raba went [26A] and pulled them up. R. Papa and R. Huna b. R. Joshua followed him and picked them up. The next day, Rabina objected to Raba: "As to a new town, they measure the Sabbath limits for it from where it is settled, and for an old one, the measure is made from the town wall. What is the definition of*

a new town and what is the definition of an old town? A new town is one that was first surrounded by a wall and then settled. An old one is one that was first settled and then surrounded by a wall. *Now this is comparable to one that was surrounded by a wall and then settled*” [so how could Raba allow moving objects on the Sabbath in the orchard (Slotki)].”

C. *Said R. Pappa to Raba, “But didn’t R. Assi say, ‘Screens that are used by architects are not classified as partitions’? Therefore since these were put up for the sake of privacy, it is not a valid partition. Now here, too, since the hall was put up for privacy only, its walls are not classified as valid partitions.”* [Slotki: The hall cannot have the status of a dwelling, so moving objects in the orchard is forbidden, vs. Raba.]

D. And said R. Huna b. R. Joshua to Raba, “Didn’t R. Huna say, ‘A partition that is made for protecting objects put beside it is not classified as a partition’? *For in fact Rabbah bar Abbuha provided a separate fusion meal for every row of alleys in Mahoza, because of the cattle ditches that separated one row of houses from another. But haven’t the screens protecting the cattle ditches to be compared to a partition put up to protect objects put beside it?*”

E. *The exilarch recited this verse in their regard:* “They are smart when it comes to do evil, but as to doing good, they are ignorant” (Jer. 4:22).

V.1 A. **Said R. Ilai, “I heard from R. Eliezer, ‘Even if it is a kor’s space [seventy-five thousand square cubits]’”:**

B. *Our Mishnah paragraph cannot accord with the view of Hananiah, for it has been taught:* Hananiah says, “Even if it was a space as large as forty bet seahs, as large as a palatial garden.”

C. *Said R. Yohanan, “And both [Ilai and Hananiah] interpret the same verse of Scripture: ‘And it came to pass, before Isaiah had gone out of the inner court’ (2Ki. 20: 4) —what is written is ‘city’ but what is read is ‘court,’ so it follows that the palatial gardens were as big as small cities. And what is at issue between them? The one authority maintains that small cities cover one bet kor, and the other, forty seahs.”*

V.2 A. *So what did Isaiah want there [in the inner court] anyhow?*

B. Said Rabbah bar bar Hannah said R. Yohanan, “This teaches that Hezekiah fell ill, and Isaiah went and established a session at his door. From that precedent we learn that a disciple of a sage who fell ill—they set up a session at his door.”

C. *But that’s not so! For Satan might be provoked by such a thing.*

VI.1 A. “And so did I hear from him, ‘The inhabitants of a courtyard, one of whom forgot and did not prepare an erub—as to his house, it is prohibited for him to bring in [something] or take [it] out. But for them it is permitted’”:

B. *But haven’t we learned in the Mishnah: The men of a courtyard, one of whom forgot and did not participate in the erub with the others—his house is prohibited, both for him and for them, from bringing things in and from taking things out. And theirs are permitted both for him and for them [M. 6:3A-C]? [Our rule imposes a prohibition upon him only, but not on them (Slotki).]*

C. *Said R. Huna b. R. Joshua said R. Sheshet, “No problem! [26B] The one speaks for R. Eliezer [to whom, after all, the statement is attributed!], the other, for rabbis. For, as you examine matters you will note, in the opinion of R. Eliezer, one who renounces his right to a share in his courtyard [on which basis he gains a share in the fictive fusion meal forming of the courtyard a single private domain in common ownership] nullifies his rights, in so doing, also to his own house. In the opinion of rabbis, one who renounces his right to a share in his courtyard does not nullify his rights, in so doing, also to his own house.”*

D. *Yeah, yeah, so what else is new!*

E. *Said Raba, “R. Huna bar Hinena and I explain matters: [Sheshet’s observation] is required to cover the case of five persons who lived in the same courtyard, one of whom forgot to take his share in the fictive fusion meal that the others had prepared. In the opinion of R. Eliezer, when he renounces his right to a share in the courtyard, he does not have to renounce his right in favor of each of those individual others, and in the opinion of rabbis, when he renounces his right, he has to do so in favor of each one of the others.”*

VI.2 A. *In accord with what authority is that which has been taught on Tannaite authority: Five persons living in the same courtyard, one of whom forgot and did not participate in the fictive fusion meal—when*

he renounces his right to a share in the courtyard, he does not have to renounce his right in favor of each of those individual others?

B. *In accord with whom?! In accord with R. Eliezer of course!*

VI.3 A. *R. Kahana repeated the matter in that manner. R. Tabyumi repeated it in the following way: In accord with what authority is that which has been taught on Tannaite authority: Five persons living in the same courtyard, one of whom forgot and did not participate in the fictive fusion meal —when he renounces his right to a share in the courtyard, he does not have to renounce his right in favor of each of those individual others?*

B. *In accord with whom?*

C. *Said R. Huna bar Judah said R. Sheshet, “In accord with whom? In accord with R. Eliezer.”*

VI.4 A. *Said R. Pappa to Abbaye, “In the opinion of R. Eliezer, if the man said, ‘I don’t renounce my right to my house,’ and in the opinion of rabbis, if he said, ‘I do renounce my right to my house,’ what is the rule? Is the operative consideration of R. Eliezer that he takes the view, one who renounces his right to a share in his courtyard nullifies his rights, in so doing, also to his own house. But that wouldn’t apply here, because the man has stated in so many words, ‘I don’t renounce my right’? Or perhaps R. Eliezer’s operative consideration is, people don’t live in a house without rights to the courtyard, so even if the man said, ‘I don’t renounce my right in my house,’ what he has said is ignored, just as if he said, ‘I will live in the house alone,’ his statement is null? And as to rabbis, what is the situation if he said in so many words, ‘I renounce my right’? Is the operative consideration the position that, one who renounces his right to a share in his courtyard in no way nullifies his rights, in so doing, also to his own house? But this man has explicitly made the statement, ‘I renounce my right’? Or perhaps the operative consideration is, someone does not ordinarily completely give up his house and courtyard and turn himself into a stranger so far as these are concerned, and therefore though the man said, ‘I renounce my right,’ his declaration is null?”*

B. *He said to him, “In the opinion of both rabbis and R. Eliezer, once the man has revealed what he wants, that does it.”*

- VII.1** A. “And so did I hear from him, ‘They fulfill their obligation [to eat bitter herbs] through hart’s tongue on Passover’”:
- B. *What’s hart’s tongue?*
- C. *Said R. Simeon b. Laqish, [Slotki:] “Prickly creepers.”*