Talmud - Mas. Pesachim 2a

C H A P T E R I

MISHNAH. ON THE EVENING [OR][1] OF THE FOURTEENTH [OF NISAN] A SEARCH IS MADE FOR LEAVEN[2] BY THE LIGHT OF A LAMP.[3] EVERY PLACE WHEREIN LEAVENED BREAD IS NOT TAKEN DOES NOT REQUIRE SEARCHING, THEN IN WHAT CASE DID THEY RULE, TWO ROWS OF THE WINE CELLAR [MUST BE SEARCHED]?[4] [CONCERNING] A PLACE WHEREIN LEAVEN MIGHT BE TAKEN,[5] BETH SHAMMAI MAINTAIN: TWO ROWS OVER THE FRONT OF THE WHOLE CELLAR;[6] BUT BETH HILLEL MAINTAIN: THE TWO OUTER ROWS, WHICH ARE THE UPPERMOST.[7]

GEMARA. What is OR? — R. Huna said: Light [naghe]; while Rab Judah said: Night [lele]. Now it was assumed [that] he who says light means literally light;[8] while he who says night means literally night.[9] An objection is raised: As soon as the morning was light [or], the men were sent away,[10] which proves that 'or' is day? — Is it then written, The 'or' was morning: [Surely] 'the morning was or' is written, as one says, Morning has broken forth. And [this verse is] in accordance with what Rab Judah said in Rab's name. For Rab Judah said in Rab's name: A man should always enter [a town] by day,[11] and set out by day.[12]

An objection is raised: As the light of [or] the morning, when the sun riseth,[13] which proves that 'or' means the daytime? — Is it then written, 'or is morning': surely it is written, 'as the light of [or] the morning', and this is its meaning: 'and as the light of the morning' in this world so shall the rising of the sun be unto the righteous in the world to come.[14]

An objection is raised: And God called the light [or] Day[15] which proves that or is daytime? — This is its meaning: the advancing of light[16] He called Day.[17] If so, 'and the darkness He called Night' means [similarly], the advancing of darkness He called Night:[18] but surely it is an established principle that it is day until the appearance of the stars?[19] Rather this is its meaning: The Merciful One summoned the light and appointed it for duty by day, and He summoned the darkness and appointed it for duty by night.[20]

An objection is raised: Praise him all ye stars of light [or],[21] which proves that 'or' is evening? — This is its meaning: praise him all ye stars which give light. If so, are only the stars that give light to praise [Him], while those which do not give light need not praise — yet surely It is written, Praise ye him, all his host?[22] Rather he [the Psalmist] tells us this: the light of the stars too is [designated] light. What is its practical bearing? In respect of one who vows [not to benefit] from light. For it was taught: If one vows [not to benefit] from light, he is prohibited the light of stars.

An objection is raised: The murderer riseth with the light [or], he killeth the poor and needy, and in the night he is as a thief.[23]

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(1) אור. This is the meaning finally assigned in the Gemara to OR after a considerable discussion.

(2) Heb. חמץ, hamez. Two words are employed in the Bible: (i) hamez, leavened stuff v. infra 42a and (ii) se'or, leaven, i.e., dough so greatly leavened as to act as a leavening agent for other dough. In this Tractate hamez will generally be translated 'leaven' except where it is necessary to distinguish it from se'or.

(3) So that there shall be none in the house during Passover, which commences on the fifteenth.

(4) Seeing that leaven is not generally taken into a wine cellar.

(5) A private cellar from which supplies are drawn for table. The servant sometimes enters it while eating bread.

(6) Must be searched.

(7) V. infra 8b.

(8) I.e., daybreak or morning.

(9) Rashi deletes this, since that is so, in fact.
(10) Gen. XLIV, 3.
(11) Lit., 'when it is good', the allusion being to Gen. I, 4: and God saw the light, that it was good.
(12) Thus the brethren waited for daybreak before setting out.
(13) II Sam. XXIII, 4.
(14) Though at sunrise in this world it is still rather dark, yet in the future world it shall be as light as when the morning is advanced in this world (R. Tam). Rashi's explanation is slightly different.
(15) Gen. I, 5.
(16) Lit., 'that which proceeds to grow light'.
(17) I.e.,the moment when light begins to appear marks the commencement of day. On this translation or is not a noun but a gerund: the lighting up.
(18) The moment when darkness begins to fall marks the commencement of night.
(19) Though darkness begins to fall earlier.
(20) Thus wayikra is translated: and he summoned, not, 'and he called (designated)', as in E.V.
(21) Ps. CXLVIII, 3.
(22) Ibid. 2.
(23) Job. XXIV, 14.

Talmud - Mas. Pesachim 2b

Now since he states, 'and in the night he is as a thief,' it follows that 'or' is day? — The meaning there is this: if the matter is as clear as light to you that he [the thief] comes [even] to take life, he is a murderer, and he [the victim] may be saved at the cost of his [the thief's] life; but if you are doubtful about it, like [the darkness of] the night, you must regard him [only] as a thief, and he [the victim] must not be saved at the cost of his life.[1]

An objection is raised: Let the stars of the twilight thereof be dark: let him look for light [or], but have none; neither let it behold the eyelids of the morning.[2] Since he says, 'let him look for light, but have none, it follows that 'or' is day? — There Job indeed curses his destiny[3] and exclaims, Heaven grant that that man [sc. himself] look for light, but have none.[4]

An objection is raised: If I say, Surely the darkness shall overwhelm me, and the light [or] about me shall be night:[5] this proves that 'or' is day?[6] — There David said thus: I thought, surely darkness shall overwhelm me in the future world, which resembles day; but now, even this world, which resembles night,[7] is light about me.

An objection is raised: R. Judah said: We search [for leaven] in the evening ['or'] of the fourteenth, in the morning of the fourteenth, and at the time of removal:[8] Now since R. Judah says, 'We search in the evening ['or'] of the fourteenth and in the morning of the fourteenth,' it follows that 'or' is evening. This proves it.

An objection is raised: From when is work forbidden on the fourteenth [of Nisan]? R. Eliezer b. Jacob said: From the time of the 'or';[9] R. Judah said: From the [first] sparklings of the [rising] sun. Said R. Eliezer b. Jacob to R. Judah: Where then do we find a day during part of which work is forbidden while during [the other] part it is permitted? He replied, Let that [day] itself prove [this possibility], for during part of it the eating of leaven is permitted, whereas during the other part it is forbidden.[10] Now since R. Judah maintains, From the [first] sparklings of the [rising] sun, it follows that by 'or' R. Eliezer b. Jacob means evening? No; what does 'or' mean? The morning dawn. If so, when he says to him, 'Where then do we find a day during part of which work is forbidden while during [the other] part it is permitted,' let him answer himself: surely there is the night, which is permitted?[11] — R. Eliezer b. Jacob argues thus: As for my view, it is well; we find that the Rabbis drew a distinction between night and day, for it was taught in respect of a public fast: Until when

may one eat and drink? Until the commencement[12] of dawn: this is R. Eliezer b. Jacob's view. R. Simeon maintained: Until cockcrow.[13] But on your view: where do we find that the Rabbis drew a distinction in the day itself? [To which] he replied, Let that [day] itself prove it, for during part thereof the eating of leaven is permitted while during part thereof it is forbidden? R. Judah answers R. Eliezer rightly?[14] R. Eliezer says thus to him: I speak to you of work, which is [prohibited] by the Rabbis, while you answer me about leaven [on the fourteenth day], which is [prohibited] by Scripture; thus far[15] the Divine Law permits, and from then Scripture forbids. And the other?[16] — The [additional] hours are Rabbinical.[17] And the other? — The Rabbis [merely] erected a safeguard for a Scriptural law.[18]

An objection is raised: Bonfires are lit only for a new moon that is visible in its [due] time, in order to sanctify it.[19] And when were the bonfires lit? on the evening [‘or’] following the intercalated day.[20] This proves that ‘or’ is evening. This proves it.

An objection is raised: If he [the priest] was standing all night and offering [the fats of sacrifices] on the altar, at daybreak [orah] he must wash his hands and feet:[21] this is Rabbi's view?[22] — Orah is [a] different [word].

Mar Zutra raised an objection:

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(1) V. Ex. XXII, 1; the present verse lays down the conditions for the law stated there to be applicable.

(2) Job. III, 9.

(3) Mazzal is the constellation which controls one's destiny.

(4) But ‘light’ there is not parallel to or synonymous with morning.

(5) Ps. CXXXIX, 11.

(6) Since it is contrasted with night.

(7) By contrast, with the next; but not absolutely, Judaism being far too robust and optimistic a religion for such a view; cf. Hertz, Genesis, Additional Note A, III, p. 57.

(8) When the leaven must be destroyed.

(9) But even if it is the practice in a community to cease work earlier, this has no binding force; v. infra 50a.

(10) V. infra 11b.

(11) Though night is part of the day.

(12) Lit., ‘ascending’.

(13) The prohibition of work on the fourteenth is likewise merely Rabbinical.

(14) Surely he must have perceived the answer himself!

(15) Up to a certain hour.

(16) Does he not admit the distinction?

(17) V. infra 11b Mishnah. Thus they permit the first four hours and forbid the following two.

(18) Lest the day is cloudy and one does not know exactly when it is midday; therefore they added two hours. But when the law is entirely Rabbinical, they would not apply it to part of the day only.

(19) The Jewish month, which is lunar, consists of either twenty-nine or thirty days. During the early Talmudic age

(20) The additional day is the thirtieth, whereby the month is full; the bonfire is lit on the evening of the thirty-first.

(21) Lit., ‘he needs the sanctification of his hands and feet (from the laver)’, v. Ex. XXX, 17.

(22) Thus ‘orah’ denotes daybreak, and it is now assumed that ‘or’ and ‘orah’ are identical.

Talmud - Mas. Pesachim 3a

If a woman miscarries on the evening [or] of the eighty-first day; Beth Shammai exempt her from a sacrifice, whereas Beth Hillel declare her liable.[1] Said Beth Hillel to Beth Shammai: Wherein does the evening [‘or’] of the eighty-first differ from the day of the eighty-first; seeing that it was assimilated thereto in respect of uncleanness,[2] shall one not assimilate it thereto in respect of sacrifice? Now since Beth Hillel say to Beth Shammai, ‘Wherein does the evening [or] of the

eighty-first differ from the day of the eighty-first,' it follows that 'or' is evening. This proves it.

New Moon was fixed by direct observation, not calculation, and communities at a distance from Jerusalem were informed by bonfires. These were lit only if the New Moon appeared 'in its (due) time,' i.e.,it was fixed for the thirtieth day, the previous month thus consisting of twenty-nine days only; in that case too Beth Din formally sanctified this day. But if observation fixed it for the thirty-first day, no bonfires were lit, since the absence of bonfires on the previous day would be a sufficient signal; further, New Moon was not formally sanctified by Beth Din (Rashi). An objection is raised: one might think that it[3] may be eaten on the evening ['or'] of the third day [from sacrifice], and it is logical: Sacrifices[4] are eaten on one day,[5] while peace-offerings are eaten on two days: just as there the night follows the day,[6] so here too the night should follow the day. Therefore it is stated, It shall be eaten the same day ye offer it, and on the morrow: and if aught remain until the third day [it shall be burnt with fire]:[7] teaching, it may be eaten only during the day, but it may not be eaten during the evening ['or'] of the third day. One might think that it must be burnt immediately;[8] and this is logical: Sacrifices[4] may be eaten one day and one [sc. the following) night, while peace-offerings may be eaten two days and one [sc. the intermediate] night: just as there, immediately after [the time allowed for] eating there is burning, so here too immediately after [the time allowed for] eating there is burning. Therefore it is stated, But that which remaineth of the flesh of the sacrifice, on the third day it shall be burnt with fire:[9] teaching, you must burn it by day, but you must not burn it by night. Since he states, . . .it may be eaten in the evening ['or'] of the third day,' it follows that or is evening. This proves it.

Come and hear: on the evening ['or'] of the Day of Atonement one recites seven [benedictions] and confesses; in the morning service he recites seven and confesses; in the additional service[10] he recites seven and confesses; at minhah[11] he recites seven and confesses; (at ne'ilah — the concluding service — he recites seven and confesses);[12] in the evening service he recites [one benediction] embodying the eighteen; R. Hanina b. Gamaliel said on the authority of his fathers: He must recite the eighteen [benedictions] in full, because he must pronounce habdalah[13] in [the benediction] 'Thou dost graciously grant knowledge'.[14] This proves that 'or' is evening. This proves it.

Come and hear: For the School of Samuel[15] learned: 'In the evening[16] of the fourteenth leaven is searched for by the light of a lamp'; thus proving that 'or' is evening![17] The fact is both R. Huna and Rab Judah are alike, agreeing that 'or' is evening, and there is no controversy: each Master [speaks] in accordance with his locality. In R. Huna's town they called it naghe,[18] while in Rab Judah's town it is called night [lele].

And our Tanna, why does he not employ lele?[19] — He employs a refined expression, and in accordance with R. Joshua b. Levi. For R. Joshua b. Levi said: one should not utter a gross expression with his mouth, for lo! the Writ employs a circumlocution of eight letters[20] rather than utter a gross expression, for it is said, of every clean beast . . . and of the beasts that are not clean.[21] R. Papa said: Nine, for it is said, If there be among you any man, that is not clean by reason of that which chanceth by night.[22] Rabina said: Ten, [including] the waw of tahor.[23] R. Aha b. Jacob said: Sixteen, for it is said, for he thought, Something hath befallen him he is not clean; surely he is not clean.[24]

The School of R. Ishmael taught: one should always discourse in decent language, for lo!, the case of a zab[25] it is called riding, while in connection with a woman it is called sitting;[26] and it is said, and thou shalt choose the tongue of the subtle;[27] and it is said, and that which my lips know they shall speak purely.[28] Why [quote] 'and it is said [etc.]'?[29] — [For] should you object, that is only in the case of Scripture,[30] but not in the case of Rabbinical [discussions], then come and hear, 'and it is said, and thou shalt choose the tongue of the subtle'.[31] Yet should you [still] object, that is only in reference to Rabbinical [discussions] but not secular matters, — then come and hear, 'and it is said,

and that which my lips know they shall speak purely'.

Now, is riding not written in connection with a woman, but surely it is written, And Rebekah arose, and her damsels, and they rode upon the camels?[32] — There it was natural through fear of the camels.[33] But it is written, and Moses took his wife and his sons, and made them ride upon an ass?[34] — There

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(1) A woman must bring a sacrifice eighty-one days after the birth of a daughter (v. Lev. XII, 2.6). This sacrifice suffices also for a miscarriage within the eighty days, i.e., before it was due, but not for a miscarriage (or viable birth) from the eighty-first day and onwards, since by then it was already due on account of the first birth. Now, by the evening of the eighty-first day eighty days have already passed; on the other hand, since there are no sacrifices at night, she could not offer hers until the following morning. Beth Shammai and Beth Hillel accordingly differ as to whether that miscarriage entails a sacrifice or not.

(2) A discharge of blood on the eighty-first, whether in the evening or during the day, renders her unclean, — this is agreed by all. — A discharge between the fifteenth and the eightieth inclusive does not make her unclean; v. ibid. 5.

(3) Sc. the flesh of a peace-offering.

(4) Viz. the thanksoffering.

(5) I.e., only on the day they are brought.

(6) The thanksoffering may be eaten during the night following the day in which it is sacrificed.

(7) Lev. XIX, 6.

(8) After the expiration of the time allowed for its eating, i.e., on the evening of the third day.

(9) Lev. VII, 17.

(10) There is an additional service (musaf) on all Sabbaths and Festivals, corresponding to the additional sacrifices of those days.

(11) v. Glos.

(12) The bracketed passage is absent in our text but is supplied from Yoma 87b and Nid. 8b.

(13) V. Glos.

(14) The 'Prayer' par excellence on weekdays comprises eighteen (subsequently increased to nineteen) statutory benedictions; on Sabbaths and Festivals the first three and the last three only are recited, the intermediate twelve being omitted and replaced by one bearing on the nature of the day. A feature of all the services on the Day of Atonement is the 'confession', a recital of sins committed, not necessarily by the individual but by the people as a whole, for which reason it is couched in the plural — 'we have sinned'. The evening following the Day of Atonement is of course non-holy, but the first Tanna permits one benediction comprising the eighteen to be recited. Each of the benedictions bears a name, indicating its main subject: the fourth is designated, 'Thou dost graciously grant knowledge', as it is a prayer for knowledge and understanding, and on the termination of Sabbaths and Festivals habdalah is inserted in this benediction. For a full discussion of these benedictions v. J.E. art. Shemoneh 'Esreh; v. also Elbogen, J.G., 149f.

(15) The reading infra 7b is: the School of R. Ishmael.

(16) Lele — the very term employed by Rab Judah to define 'or' in our Mishnah.

(17) In refutation of R. Huna.

(18) Jast.: 'night-break'. Margin: light employed as a euphemism for darkness in the same way that a blind person is called a man with too much light.

(19) V. n. 3.

(20) I.e., uses eight letters more than is necessary.

(21) Gen. VII, 2; a single word, 'unclean', would save eight letters in the Hebrew text.

(22) Deut. XXIII, 11. Here too a single word 'unclean' would save nine letters in the Hebrew text.

(23) Tahor (טהור) is written plene, i.e.,with a waw, and that makes a difference of ten letters.

(24) I Sam. XX, 26.

(25) V. Glos.

(26) The reference is to Lev. XV, 9 and 20: And what saddle (or, carriage) soever he that hath issue rideth upon shall be unclean. Everything also that she sitteth upon shall be unclean. Actually the conditions of defilement are the same in both cases; nevertheless, Scripture did not speak of a woman's riding, because sitting is a more modest and decent conception.

(27) Job. XV, 5.
(28) Ibid. XXXIII, 3.
(29) What is the purpose of the additional quotations, seeing that the first verse proves his statement?
(30) Owing to its great sanctity.
(31) This is regarded as a positive injunction to speak subtly, i.e., with a due sense of the proprieties.
(32) Gen. XXIV, 61.
(33) A woman would ride properly, not merely sit on the side, through fear of falling down from the camel's high back.
(34) Ex. IV, 20.

Talmud - Mas. Pesachim 3b

it was natural on account of his sons. But it is written, And it was so, as she rode on her ass?[1] — There it was natural through fear of the night. Alternatively, there was no fear of the night, but there was fear of David. Another alternative: there was no fear of David either, but there was the fear of the mountain. Yet is not 'unclean' written in Scripture?[2] Rather wherever they are equal[ly convenient], [Scripture] discourses in a refined language; but wherever more words would be required, the shorter phraseology is employed. As R. Huna said in Rab's name — others say, R. Huna said in Rab's name on R. Meir's authority: one should always teach his pupil in concise terms. And where they are equal he discourses in refined speech? Yet surely 'riding' [rokebeth] and 'sitting' [yoshebeth] are alike [in length], yet 'riding' [rokebeth] is stated? — Rakebeth is stated.[3]

Two disciples sat before Rab. one said, This discussion has made us [as tired] as an exhausted swine;[4] while the other said, This discussion has made us [as tired] as an exhausted kid; and Rab would not speak to the former.

There were two disciples who sat before Hillel, one of whom was R. Johanan b. Zakkai-others state, before Rabbi, and one of them was R. Johanan: One said, Why must we vintage [grapes] in cleanness, yet need not gather [olives] in cleanness? While the other said: Why must we vintage in cleanness, yet may gather [olives] in uncleanness?[5] I am certain that the latter will be an authorized teacher[6] in Israel, he observed; and it did not take long before[7] he was an authorized teacher in Israel.

There were three priests: one said, I received as much as a bean [of the shewbread]; the second said, I received as much as an olive; while the third said, I received as much as a halta'ah's tail.[8] They investigated his pedigree[9] and found a blemish of unfitness in him.[10] But we learned: one must not investigate from the altar and above?[11] — Do not say, a blemish of unfitness, but a baseness which made him unfit.[12] Alternatively, there it was different, because he impaired his status himself.

A certain Syrian [i.e., non-Jew] used to go up and partake of the Passover sacrifices in Jerusalem, boasting: It is written, there shall no alien eat thereof. . . no uncircumcised person shall eat thereof,[13] yet I eat of the very best. Said R. Judah b. Bathyra to him: Did they supply you with the fat-tail? No, he replied. [Then] when you journey up thither say to them, Supply me with the fat-tail. When he went up he said to them, Supply me with the fat-tail. But the fat-tail belongs[14] to the Most High![15] they replied. Who told you [to do] this? they inquired. R. Judah b. Bathyra. answered he. What is this [matter] before us? they wondered. They investigated his pedigree, and discovered that he was a Syrian, and killed him.[16] Then they sent [a message] to R. Judah b. Bathyra: 'Peace be with thee,[17] R. Judah b. Bathyra, for thou art in Nisibis[18] yet thy net is spread in Jerusalem.'

R. Kahana fell sick. [So] the Rabbis sent R. Joshua son of R. Idi, instructing him, Go and find out what is wrong with him.[19] He went and found him dead.[20] Thereupon he rent his garment and turned the rent behind him[21] and went along weeping. He has died? asked they of him. I have not said it, he answered, 'for he that uttereth evil tidings is a fool'.[22] Johanan of Hukok[23] went out to some

villages.[24] on his return he was asked, 'Has the wheat crop been successful?'[25] 'The barley crop has been successful,' he replied.[26] 'Go out and tell it to horses and asses,' they retorted, 'for it is written, Barley also and straw for the horses and swift steeds.'[27] What then should he have said? — Last year the wheat crop was successful; or, the lentil crop is successful.

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(1) I Sam. XXV, 20.

(2) It occurs many times. The circumlocution employed in the cited instances merely serves to indicate that delicate phraseology is a matter which must also enter into consideration, v. Rashi.

(3) I.e., rokebeth is written defectively, without a waw, which makes it shorter than yoshebeth. Yoshebeth could not be written defectively, as the defective form of yoshebeth has always a special meaning (Tosaf.). R. Han. reverses it: the full form of yoshebeth is required, as a particular deduction is made from it.

(4) Lit., 'something else' — the unmentionable. The rendering 'exhausted' is Rashi's. R. Han. renders differently.

(5) V. Shab. 17a and notes a.l. The point here is that one scholar avoided the use of the word 'uncleanness', while the other did not.

(6) Lit., 'he will give teaching'.

(7) Lit., 'it was not few days until'.

(8) This is a gross expression. Halta'ah is a species of lizard (Jast.).

(9) Lit., 'after him'.

(10) They discovered that his genealogy was impure and that he was unfit to serve in the Temple.

(11) Once a priest has officiated at the altar the purity of his descent must be assumed, as priests were not allowed to officiate without full investigation in the first place.

(12) They found his own character too vile for officiating on the altar. According to this emendation, the literal translation 'after him' must be retained in the text.

(13) Ex. XII, 43,48.

(14) Lit., 'goes up'.

(15) I.e., it is burnt on the altar.

(16) For a non-Jew might not even penetrate beyond a certain point within the Temple precincts on pain of death, and a public notice gave due warning of this. Josephus An'. XV, II, GR. ** 5.

(17) This is the customary greeting in Hebrew.

(18) In the north-east corner of Mesopotamia; it contained an important Jewish community. V. Obermeyer, p. 128-130.

(19) Lit., 'what is his sentence?'

(20) Lit., 'his soul had repose.'

(21) So that it should not be immediately perceptible — this was to lessen the shock.

(22) Prov. X, 18. E.V. . . . uttereth slander, etc.

(23) In Northern Palestine; v. Josh. XIX, 34.

(24) To inspect the crops.

(25) Lit., 'comely'.

(26) By which they might understand that the former was not. He was unwilling actually to state the bad news.

(27) I Kings v, 8.

Talmud - Mas. Pesachim 4a

Rab was the son of R. Hiyya's brother and the son of his sister.[1] When he went up thither[2] he [R. Hiyya] asked him, 'Is Aibu alive?' '[Ask me whether] my mother is alive,' he replied. 'Is your mother alive?' asked he. 'Is then Aibu alive?' he replied.[3] [Thereupon] he [R. Hiyya] said to his servant, 'Take off my shoes and carry my [bathing] things after me to the baths.' From this three [laws] may be inferred: [i] A mourner is forbidden to wear shoes; [ii] on a delayed report [of death][4] it [sc. mourning] is observed for one day only;[5] and [iii] part of the day is as the whole of it.[6]

A certain man used to say, 'Judge my case'.[7] Said they, This proves that he is descended from Dan, for it is written, Dan shall judge his people, as one of the tribes of Israel.[8] A certain man was wont to go about and say, 'By the sea shore thorn-bushes are fir-trees.'[9] They investigated and found

that he was descended from Zebulun, for it is written, Zebulun shall dwell at the haven of the sea.[10] And now that it is established that all agree that 'or' means evening, consider: according to both R. Judah and R. Meir,[11] leaven is forbidden from six hours[12] and onward only, then let us search in the sixth [hour]? And should you answer, The zealous are early [to perform] religious duties, then let us search from the morning? For it is written, and in the eighth day the flesh of his foreskin shall be circumcised,[13] and it was taught: The whole day is valid for circumcision, but that the zealous are early [to perform] their religious duties, for it is said, And Abraham rose early in the morning![14] — Said R. Nahman b. Isaac: [It was fixed] at the hour when people are found at home, while the light of a lamp is good for searching.[15] Abaye observed: Therefore a scholar must not commence his regular session in the evening of the thirteenth breaking into the fourteenth, lest his studies absorb him[16] and he come to neglect his religious duty.

R. Nahman b. Isaac was asked: If one rents a house to his neighbour from the fourteenth, upon whom [rests the duty] to make the search? [Does it rest] upon the landlord, because the leaven is his; or perhaps upon the tenant, because the forbidden matter exists in his domain? Come and hear: If one rents a house to his neighbour, the tenant must affix a mezuzah![17] - There, surely R. Mesharsheya said: The mezuzah is the inhabitant's obligation; but how is it here? — Said R. Nahman b. Isaac to them, We learned it: If one rents a house to his neighbour, if the fourteenth occurs before he delivers him the keys, the landlord must make the search; while if the fourteenth occurs after he delivers the keys, the tenant must make search.

R. Nahman b. Isaac was asked: If one rents a house to his neighbour on the fourteenth, does it stand in the presumption of having been searched or not? What difference does it make? Let us ask him! — He is not present to be asked: hence what about troubling this one [the tenant]?[18] — Said R. Nahman b. Isaac to them, We have a teaching:[19] All are believed concerning the removal of leaven, even women, even slaves, even minors.[20] Now why are they believed?

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(1) Aibu, his father, was R. Hiyya's paternal brother, while Rab's mother was R. Hiyya's sister on his mother's side.

(2) To Palestine.

(3) Thus he intimated that they were both dead (Rashi). Tosaf. explains it differently on the strength of a different reading.

(4) I.e., which one receives after thirty days.

(5) Instead of the usual seven.

(6) The latter two follow from his order to take his bathing things to the baths. Thus he intended to observe mourning for a short while only and then proceed to the baths.

(7) In every dispute he insisted on going to law.

(8) Gen. XLIX, 16. Perhaps it is here translated: Dan shall enter into judgment with his people.

(9) Even the thorn-bushes there are as valuable as fir-trees elsewhere — an exaggerated way of expressing his love for the coast. Rashi offers another explanation: By the sea-shore would I build my palaces.

(10) Ibid. 13.

(11) v. Mishnah infra 11b.

(12) The day was reckoned from sunrise to sunset, hence six hours was about noon.

(13) Lev. XII, 3.

(14) Gen. XXII, 3.

(15) Hence the evening was appointed instead of the morning.

(16) Lit., 'draw him away'.

(17) v. Glos. Presumably the same principle applies here!

(18) Must we put him to the trouble of making a search?

(19) Lit., 'we have learned it'.

(20) Their testimony that the owner duly made a search is accepted.

Is it not because it stands in the presumption of having been searched, [the Tanna] holding, All are haberim[1] in respect to the searching of leaven.[2] For it was taught: If a haber dies and leaves a store-house full of produce [crops], even if they are but one day old,[3] they stand in the presumption of having been tithed.[4] How so: perhaps it is different here[5] because they [the woman, slave or minor] state it? — Has then the statement of these any substance?[6] What then [will you assume]? It stands in the presumption of having been searched? Then it should state, 'All houses stand on the fourteenth in the presumption of having been searched'? — What then [will you assume]? It is because of the statement of these[7] [that the house is assumed to have been searched], but if these did not say [that it had been searched], it is not so? Then solve from this [teaching] that it does not stand in the presumption of having been searched! — No. In truth I may tell you [that generally][8] it does stand in the presumption of having been searched; but what we discuss here[5] is a case where we know for certain that he [the owner] did not search, but these[7] affirm. We searched it. You might say, Let not the Rabbis believe them. Therefore it informs us [that] since the search for leaven is [required only] by Rabbinical law, for by Scriptural law mere nullificationl suffices for it, the Rabbis gave them[9] credence in [respect to] a Rabbinical [enactment].

The scholars asked: What if one rents a house to his neighbour in the presumption of its having been searched, and he [the tenant] finds that it has not been searched? Is it as an erroneous bargain[10] or not? — Come and hear! For Abaye said: It is unnecessary [to say] of a town, where payment is not made [to others] for searching that a person is pleased to fulfil a precept personally;[11] but even in a town where payment is made for searching [it is not an erroneous bargain], because [it is to be assumed that] one is pleased to fulfil a precept with his money.[12]

We learned elsewhere: R. Meir said: one may eat [leaven] the whole of the five [hours][13] and must burn [it] at the beginning of the sixth.[14] R. Judah said: one may eat until four [hours],[15] hold it in suspense the whole of the fifth,[16] and must burn it at the beginning of the sixth.[17] Thus incidentally all agree that leaven is [Scripturally] forbidden from six hours [i.e., noon] and onwards: whence do we know it? — Said Abaye, Two verses are written: Seven days shall there be no leaven found in your houses;[18] and it is written, even [ak] the first day ye shall put away leaven out of your houses:[19] how is this [to be understood]?[20] It must include the fourteenth [as the day] for removal.[21] Yet say that it includes the night of the fifteenth [as the time] for removal; for one might argue, 'days' is written, [implying] only days but not nights: hence it [the verse] informs us that even nights [are included in the interdict]?[22] — That is unnecessary,

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(1) Plur. of haber; lit., 'associates'. It denotes members of an association (haburah) who undertake to be very scrupulous in their religious observance, particularly in regard to uncleanness and tithes.

(2) I.e., all men are regarded as haberim in the matter under discussion, as it was universally observed.

(3) Only that day had they arrived at the stage when tithing etc. is obligatory. The stage is reached when the harvested produce is stacked up.

(4) Lit., 'properly prepared' — it may be assumed that the priestly and Levitical dues have been rendered. Similarly it is to be presumed that the landlord had searched the house before renting it.

(5) In the cited teaching.

(6) Their testimony is invalid where testimony is required.

(7) I.e., the woman, slave or minor.

(8) I.e., in a case such as submitted to R. Nahman b. Isaac. (12) A declaration by the owner that all leaven in the house is null and has no value whatsoever in his eyes.

(9) I.e., the woman, slave or minor.

(10) On the strength of which the tenant can retract.

(11) There the tenant is certainly unable to retract, as it is assumed that he, like all the others, is glad of this opportunity to fulfil personally a religious obligation.

(12) And even had he known beforehand that the house was not searched he would not have refrained from renting it;

hence he cannot retract now.

(13) I.e, until 11 a.m.

(14) But may not wait until the end of the sixth, i.e., noon (by which time it is Scripturally forbidden to have leaven in the house), because one can err in the time.

(15) Until 10 a.m.

(16) I.e., in that hour it may neither be eaten, nor need it be burned, but it can be given to animals.

(17) V. infra 11b.

(18) Ex. XII, 19.

(19) Ibid. 15.

(20) If the leaven is only put away on the first day, as the latter verse implies, there are not seven full days without leaven, as is intimated by the former verse.

(21) I.e., 'first' must mean the first (immediately) preceding day before the seven; cf. infra 5a.

(22) Thus 'yet at the first day', etc., may mean that at the very beginning of the seven days, i.e., on the evening of the fifteenth, all leaven must be removed, but there is no prohibition for any part of the fourteenth.

Talmud - Mas. Pesachim 5a

for the putting away of leaven is assimilated to [the prohibition of] eating leavened bread,[1] and the eating of leavened bread to the [precept of] the eating of unleavened bread. The putting away of leaven [is assimilated] to [the prohibition of] the eating of leavened bread, for it is written, seven days shall there be no leaven in your houses,' for whosoever eateth that which is leavened, that soul shall be cut off.[2] And [the prohibition of] the eating of leavened bread [is likened] to the [precept of] eating unleavened bread, because it is written, Ye shall eat nothing leavened; in all your habitations shall ye eat unleavened bread;[3] and in respect to unleavened bread it is written, at even ye shall eat unleavened bread.[4] Yet perhaps it is to include the night of fourteenth [as the time] for removal?[5] — 'The day' is written. Then say [that it must be removed] from the morning?[6] — 'Ak' divides [it].[7]

The School of R. Ishmael taught: We find that the fourteenth is called the first, as it is said, on the first, on the fourteenth day of the month.[8] R. Nahman b. Isaac said: 'The first'[9] [rishon] means the preceding, for the Writ saith, Wast thou born, before [rishon] Adam?[10] If so, and ye shall take you out the first [rishon] day,[11] — does 'rishon' here too mean the preceding? — There it is different, because it is written, and ye shall rejoice before the Lord your God seven days:[12] just as the seventh [means] the seventh of the Festival, so the first [means] the first of the Festival. [But] here too it is written, even the first day [rishon] ye shall put away leaven out of your houses. Seven days shall ye eat unleavened bread?[13] — If so, let Scripture write 'first' ['rishon']; why 'the first [ha-rishon]'? Infer from this [that it is required] for what we have stated. If so, there too[12] what is the purpose of 'the first' ['ha-rishon']? Moreover, when it is written there, on the first day shall be a solemn rest, and on the eighth day shall be a solemn rest,[14] say that rishon implies the preceding? There it is different, because Scripture saith, 'and on the eighth day shall be a solemn rest': just as 'eighth' means the eighth of the Festival, so 'first' means [the] first of the Festival. [But still] what is the purpose of 'the first' [ha-rishon]?[12] — In order to exclude the Intermediate days of the Festival.[15] [But the exclusion of] the Intermediate days of the Festival is derived from 'first' and 'eighth'? — It is [nevertheless] required: you might argue, since the Divine Law writes, and on the eighth day, the waw ['and'] indicates conjunction with the preceding subject, so [as to include] even the Intermediate days of the Festival too;[16] hence ha-rishon informs us [otherwise]. Then let Scripture write neither the waw nor the heh?[17] Moreover, when it is written there, In the first day [ha-rishon] ye shall have an holy convocation,[18] does 'rishon' mean the preceding?[19] Rather, these three [instances of] 'rishon' ['first'] are necessary for what the School of R. Ishmael taught. For the School of R. Ishmael taught: As a reward for [the observance of] the three 'firsts'[20] they [Israel] merited three firsts:[21] to destroy[22] the seed of Esau; the building of the Temple; and the name of the Messiah. 'To destroy the seed of Esau,' of whom it is written, And the first came forth red, all over like an hairy garment;[23] and 'the building of the Temple', whereof it is written, A glorious throne, set on

high from the first[24] is the place of our sanctuary;[25] 'and the name of Messiah,' for it is written, First unto Zion, behold, behold them.[26]

Raba said, [It[27] is deduced] from here: Thou shalt not offer the blood of my sacrifice with leavened bread:[28] [that means,] thou shalt not kill the passover sacrifice while leavened bread is still in existence.[29] Then perhaps each person [must remove his leaven] when he kills [his sacrifice]?[30] Scripture meant the time for killing.[31]

It was taught likewise: '[Even] the first day ye shall put away leaven out of your houses': [this means] on the eve of the Festival. Yet perhaps that is not so, but [rather] on the Festival itself? — Therefore it is stated, 'thou shalt not offer the blood of thy sacrifice with leavened bread,' [i.e.,] thou shalt not kill the Passover sacrifice while leavened bread still exists [in thy, house]: that is R. Ishmael's view. R. Akiba said, That is unnecessary: lo, it is said, 'Even the first day ye shall put away leaven out of your houses', and it is written, no manner of work shall be done in them;[32] while we find that kindling is a principal labour.[33] R. Jose said, It is unnecessary: lo, it is said, 'Even [ak] on the first day ye shall put away leaven out of your houses': [that means,] from the eve of the Festival. Or perhaps it is not so, but rather on the Festival? Therefore is stated, 'Ak', which serves to divide;[34] hence if [it means] on the Festival itself, can [part of it] be permitted? Surely the putting away of leaven is likened to [the prohibition of] eating leavened bread, while the prohibition of eating leavened bread is likened to [the duty of] eating unleavened bread.[35]

Said Raba:

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(1) Immediately the latter comes into force the former is obligatory.

(2) Ex. XII, 19.

(3) Ibid. 20. Hence from the very moment that the latter is operative the former is too, and consequently by then the leaven must already be removed.

(4) Ibid. 18. Hence no verse would be necessary to show that as soon as evening commences the leaven must be put away; therefore the verse quoted supra can only refer to the fourteenth.

(5) Since we see that leaven is to be removed on the fourteenth, perhaps it must be done at the beginning of the fourteenth, Sc. in the evening.

(6) As soon as day commences, not from midday.

(7) It is a general principle in Talmudic exegesis that ak and rak (only) imply limitations; thus ak divides the day, showing that the putting away takes place in the middle of the day, not at the beginning.

(8) Ibid.

(9) In verse 18.

(10) Job. XV, 7 (E.V.: Art thou the first man that was born). Hence Ex. XII, 15 is translated: yet on the preceding day — i.e., the fourteenth — ye shall put away, etc.

(11) Lev. XXIII, 40.

(12) Lev. XXIII, 40.

(13) By the same argument 'rishon' means first, not preceding. — Actually the order is reversed in Scripture.

(14) Ibid. 39.

(15) Lit., 'the weekday (portion) of the Festival'. It teaches that these days enjoy semi-sanctity only, and work of an urgent nature is permitted.

(16) That work thereon is forbidden.

(17) The heh is the def. art. 'the' (ha). According to the present argument the heh (ha) merely neutralizes the possible teaching of the waw: then both should be omitted.

(18) Ibid. 7; the reference is to Passover.

(19) Surely not.

(20) The 'first' of Passover, the 'first' of Tabernacles, and the taking of the four species (v. 40) on the 'first' day of Tabernacles.

(21) Three things in connection with which 'first' is written.

(22) Lit., ‘cut off’.
(23) Gen. XXV, 25.
(24) E.V. beginning.
(25) Jer. XVII, 12.
(26) Isa. XLI, 27.
(27) Sc. that leaven is forbidden from midday on the fourteenth.
(28) Ex. XXXIV, 25.
(29) And since the sacrificing commences immediately after noon, it follows that the leaven must already be removed by then.
(30) Thus if he kills it at 4 p.m., leaven is permitted to him until that hour.
(31) When it is time to kill the sacrifice there must be no leaven in the house, as it is inconceivable that there should be no fixed hour applicable to all.
(32) Ibid. XII, 16.
(33) Forbidden on the Sabbath, and likewise on Festivals, save when required for the preparation of food. The leaven was burnt.
(34) V. Supra p. 15, n. 8.
(35) Supra.

Talmud - Mas. Pesachim 5b

Three things may be inferred from R. Akiba: [i] There is no [other] removal of leaven save [by] burning.[1] [ii] Kindling was singled out to indicate separation.[2] [iii] We do not say, since kindling was permitted when it is necessary [for the preparation of food], it was also permitted when it is unnecessary.[3]

Our Rabbis taught: Seven days shall there be no leaven found in your house:[4] why is this stated, seeing that it is already said, and there shall no leavened bread be seen unto thee, neither shall there be leaven seen unto thee, in all thy borders?[5] Because it is said, Neither shall there be leaven seen unto thee, [implying] thine own thou must not see, yet thou mayest see that belonging to others and to the Most High.[6] One might think that one may hide [leaven] or accept bailments [of leaven] from a Gentile:[7] therefore it is stated, it shall not be found [in your houses],[8] Now, I know this only of a Gentile who is not in your power[9] or does not dwell with you in the [same] court-yard; how do I know it of a Gentile who is in your power and dwells with you in the [same] court-yard? Because it is stated, [leaven] shall not be found in your houses. I know this only of that which is your houses; how do I know it of [leaven] in pits, ditches and cavities?[10] Because it is stated, [neither shall there be leaven seen with thee,] in all thy borders.[11] Yet I might still argue, [indeed on account of leaven] ‘in houses’ one transgresses the injunction against it being seen, found, and against hiding it and receiving [it as] bailments from a Gentile; whereas in [respect to leaven in] ‘thy borders’ [we say,] thine own thou must not see, yet thou mayest see that belonging to others and to the Most High. How do we [however] know to apply that which is stated in this [verse] to the other, and vice versa?[12] Therefore leaven is stated twice[13] for a gezerah shawah.[14] [Thus:] leaven is stated in connection with houses: ‘no leaven shall be found in your houses’,’ and leaven is stated in connection with the borders; ‘neither shall there be leaven seen with thee [in all thy borders]’: just as with the leaven which is stated in connection with houses, one transgresses the injunctions, it shall not be seen, it shall not be found, it shall not be hidden nor accepted as bailments from Gentiles, so with the leaven which is stated in connection with the borders, one violates the injunctions, it shall not be seen, it shall not be found, it shall not be hidden nor accepted as bailments from a Gentile. And just as with the leaven which is stated in connection with the borders, [only] thine own thou must not see, but thou mayest see that belonging to others and to the Most High, so with the leaven which is stated in connection with the houses, [only] thine own thou mayest not see, but thou mayest see that belonging to others and to the Most High.

The Master said: 'I know this only of a Gentile who is not in your power or does not dwell with you in the [same] court-yard; how do I know it of a Gentile who is in your power or who dwells with you in the [same] court-yard? Because it is stated, [Leaven] shall not be found [in your houses].' Whither does this tend?[15] — Said Abaye: Reverse it. Raba said: In truth you must not reverse it, but it refers to the first clause: 'Thine own thou mayest not see, yet thou mayest see that belonging to others and to the Most High.' I know this only of a Gentile who is not in your power or who does not dwell with you in the [same] court-yard.[16] How do I know it of one who is in your power or who dwells with you in the [same] court-yard? Because it is stated, 'there shall not be found'. But this Tanna seeks permission yet cites a verse intimating a prohibition?[17] — Because 'unto thee' 'unto thee' is stated twice.[18] The Master said: 'one might think that one may hide [leaven] or accept bailments [of leaven] from a Gentile; therefore it is stated, [leaven] shall not be found [in your houses].' But you said in the first clause, 'thine own thou mayest not see, yet thou mayest see that belonging to others and to the Most High?' — There is no difficulty: the one is meant where he [the Israelite] accepts responsibility [for same]; the other, where he does not accept responsibility.[19] Just as Raba said to the townspeople of Mahuza:[20] Remove the leaven belonging to the troops from your houses:

power or who lives with you in the same court-yard is more likely to be meant than he who is independent or living away from you. since the former is more like yourself. Whereas here the latter is taken for granted, while proof is sought for the former. since it stands in your possession if lost or stolen, and you must requite [the loss], it is as yours and is forbidden.[21] Now, that is well on the view that that which causes [liability] for money is as money.[22] But on the view that it is not as money, what can be said? — Here it is different, because Scripture saith, 'There shall not be found'.[23] Others say, That is well on the view that that which causes [liability] for money is not as money:

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(1) For if it can be destroyed in any other way, his proof falls to the ground.

(2) In Ex. XX, 10 work is forbidden on the Sabbath; this is repeated in XXXV, 2 and 3, with a special prohibition against kindling a fire. Now, kindling is prohibited by the general law of Ex. XX, 10: why then is it singled out? There are two views on this: (i) In order to teach that whereas other labours are punishable by death, this is merely punishable like any other negative precept, viz., by flagellation. (ii) To teach that if one does a number of separate acts on the Sabbath, e.g., seething, reaping, and threshing, they are accounted as separate offences, just as kindling was stated as a separate offence, and a sacrifice must be offered on account of each. Now the first view postulates that kindling is not a principal labour like the rest (v. Mishnah on Shab. 73a); hence R. Akiba must agree with the second view.

(3) There is such a view in Bez. 12b; if R. Akiba held it, his argument would lose its basis.

(4) Ex. XII, 19.

(5) Ex. XIII, 7. Though this is in a further chapter, the phrase, 'seeing that it is already said', is employed because it is a Talmudic principle that the written order of the Torah is not necessarily chronological.

(6) I.e, the sanctuary, this being the meaning of 'unto thee' (E.V.: with thee).

(7) For in the former case it cannot be seen, while in the latter it is not his property.

(8) It must not be there at all.

(9) Lit., 'whom you have not subjugated'.

(10) Different shaped pits are connoted by these three words.

(11) Ex. XIII, 7.

(12) 'For there shall not be found' is written only in connection with 'your houses', while 'unto thee' is mentioned only in connection with 'borders'; how do we know that the implications of the one verse hold good in respect of the other?

(13) Lit. 'leaven, leaven'.

(14) V. Glos.

(15) Or, towards the tail! I.e., when you say that you must not accept deposits from a Gentile, obviously he who is in your

(16) He certainly comes under the category of 'others'.

(17) According to Raba's explanation. when the Tanna says. 'how do I know', etc., his purpose is to show that there too it is permitted; while 'there shall not be found' intimates a more extended prohibition.

(18) Rashi: ‘Unto thee’ is written twice, once in the verse already quoted, and once in Deut. XVI, 4: and there shall be no leaven seen unto (E.V. with) thee in all thy borders seven days. Here too ‘unto thee’ is linked with seeing; since, however, it is superfluous in this connection, on account of the verse first quoted, it is applied to ‘there shalt not be found’, which is made to read: there shall not be found unto thee, ‘unto thee’ being a permissive limitation, and it is this which the Tanna quotes. — It is a principle of exegesis that if a word or phrase is superfluous in its own context, it is applied elsewhere. (The fact that ‘unto thee’ is written twice in Ex. XIII, 7 is not counted, since one refers to leaven and the other to leavened bread. — V. Bez. 7b.) R. Han. interprets it differently and more simply.
(19) If the Jew accepts responsibility for the bailment and must identify the owner against loss, it is as his own and must not be found in his house.
(20) A large Jewish commercial town on the Tigris. where Raba had his academy; v. obermeyer. pp. 169ff.
(21) Gentile troops were billeted in Jewish houses together with their food stores, for which the Jews were responsible.
(22) Hence though the leaven does not belong to the Jew, yet since it throws a financial responsibility upon him it is regarded as his, i.e., as his money or property.
(23) Which implies even if it is not his own and it can be applied only to such a case, since ‘unto thee’ excludes leaven in which he has no financial interest at all.

Talmud - Mas. Pesachim 6a

hence ‘there shall not be found’ is necessary. But on the view that it is as money. what is the purpose of ‘there shall not be found’?[1] — It is necessary: you might argue, since if in existence it is returned as it is,[2] it does not stand in his possession.[3] Hence he informs us [otherwise].

Raba was asked: Is cattle liable to arnona[4] subject to the law of firstlings or not?[5] Wherever one can put him off with money.[6] we do not ask, for he is [certainly] liable.[7] our problem arises where he cannot put him off with money: what then? He replied: It is not subject [thereto]. But surely it was taught: It [the animal] is subject [thereto]?-There it is a case where he can put him off with money. others state, Raba said: Cattle liable to arnona is not subject to the law of firstlings. even when he can put him off with money.[8] A dough [made of flour] liable to arnona[9] is subject to hallah.[10] What is the reason? [The facts about] cattle are generally known;[11] [the facts about a dough] are not generally known.[12]

Our Rabbis taught: If a Gentile enters an Israelite's court-yard with [leavened] dough in his hand,[13] he [the Israelite] is not obliged to remove it[14] if he deposits it with him, he is obliged to remove it;[15] if he assigns a room to him [for the dough], he is not obliged to remove it, because it is said, ‘[Leaven] shall not be found’. What does he [the Tanna] mean?[16] — Said R. Papa: He refers to the first clause, and says thus: If he deposits it with him, he is obliged to remove it, because it is said, ‘[Leaven] shall not be found’. R. Ashi said: After all it refers to the second clause, and he says thus: If he assigned a room to him he is not obliged to remove it, because it is said, ‘[Leaven] shall not be found in your houses,’ and this is not his [house], for when the Gentile carries in [the leaven], he carries it into his own house. Shall we say that renting confers a title?[17] But surely we learned: Even in the place where they [the Sages] permitted renting [to a heathen], they did not permit [renting] for a dwelling-house, because he [the heathen] introduces [his] idols therein.[18] Now if you should think that renting confers a title, when he introduces [the idols] he introduces [them] into his own house? — Here it is different, because the Divine Law expresses it in the form of ‘there shall not be found’, [implying] that which is found in your hand [is forbidden], which excludes this [case], since it is not found in your hand.

Rab Judah said in Rab's name: If one finds leaven in his house during the Festival, he overturns a vessel upon it.[19] Raba said: If

dough partly owned by a non-Jew; nevertheless this dough is subject to hallah, as explained in the text. it is of hekdesh,[20] this is unnecessary. What is the reason? He does indeed hold aloof from it.[21]

Rab Judah also said in Rab's name: Leaven belonging to a Gentile,[22] he [the Israelite] must set up a partition of ten handbreadths around it as a distinguishing mark;[23] but if it belongs to hekdesh this is unnecessary. What is the reason? People hold aloof from it.

Rab Judah also said in Rab's name: He who sets sail, and he who sets out in a [caravan] company, before thirty days [prior to Passover], is not bound to remove [the leaven]; if within thirty days, he is bound to remove [it]. Abaye observed: When you say, if within thirty days he is bound to remove it, we said this only where his intention is to return [during Passover]; but if it is not his intention to return, he is not bound to remove [it]. Said Raba to him: But if his intention is to return, even [if he sets out] on New Year too?[24] Rather, said Raba: When you say. if before thirty days he is not bound to remove it, we said this only where it is not his intention to return; but if his intention is to return, even [if he sets out] on New Year too. Now Raba is consistent with his view. For Raba said: If one turns his house into a granary[25] before thirty days [prior to the Passover], he is not bound to remove [the leaven];[26] if within thirty days, he is bound to remove it;[27] and even before thirty days too, we said this only when it is not his intention to clear it [the store of provisions] away; but if his intention is to clear it away, even before thirty days too he is bound to remove it.

What business have these thirty days?[28] — As it was taught: Questions are asked and lectures are given on the laws of Passover for thirty days before Passover. R. Simeon b. Gamaliel said: Two weeks. What is the reason of the first Tanna?

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(1) It is obviously forbidden, since it is just like his own!

(2) I.e., not lost or stolen or destroyed.

(3) In regard to the prohibition ‘there shall not be found’.

(4) Tax from crops and cattle paid in kind.

(5) Where a non-Jew has a share in an animal it is definitely not subject thereto; the question here is as explained in the text.

(6) I.e.,the king, to whom the tax is payable, will accept money instead of the animal.

(7) The owner is bound to render it as a firstling.

(8) Because until he does pay him off the non-Jew has a claim upon it.

(9) I.e., a dough from which arnona is paid.

(10) V. Glos. and Num. XV, 20f: of the first of your dough ye shall offer up a cake for an heave-offering . . . of the first of your dough ye shall give unto the Lord an heave-offering throughout your generations. Here too ‘your’ excludes

(11) Lit., ‘an animal has a sound (voice)’ — i.e., it will be known that it belongs to a herd liable to arnona.

(12) The on-looker does not know that the dough is made of flour subject to arnona and may suspect him of violating the law.

(13) On the fourteenth of Nisan after noon, when leaven is forbidden.

(14) Since it is not his, v. supra 5b.

(15) Where he accepts responsibility for same.

(16) If anything the quotation intimates the reverse.

(17) So that the house becomes legally the non-Jew's.

(18) A.Z. 21a.

(19) It must not be handled and carried out, because it is mukzeh (v. Glos.), since it cannot be put to any use, all benefit from leaven being forbidden during Passover. He therefore covers it over with a vessel and burns it in the evening on the termination of the Festival.

(20) V. Glos.

(21) In any case, since it is hekdesh.

(22) In a Jew's house.

(23) The reference here is to the fourteenth, and the partition is needed lest he forget himself and eat it, The overturning of a vessel upon it does not suffice here lest he might remove it in the course of the seven days.

(24) He must still remove it, since he will be in the house on Passover.

(25) I.e.,he stores provisions in it, and under them lies leaven.

(26) By being buried under his provisions it is as though it were removed.

(27) Because the obligation to remove it becomes operative in this period, and one cannot remove it thus at the very outset.

(28) Why is the matter dependent on this period?

Talmud - Mas. Pesachim 6b

Because lo! Moses was standing on the First Passover and giving instructions about the Second Passover,[1] as it is said, Moreover, let the children of Israel keep the passover in its appointed season;[2] and it is written, And there were certain men, who were unclean by the dead body of a man.[3] And R. Simeon b. Gamaliel?[4] — He answers you: Because he was engaged in the laws of Passover, he instructed them[5] in all the laws of Passover. What is R. Simeon b. Gamaliel's reason? Because lo! Moses was standing at the beginning of the month and giving orders about the Passover, as it is said, This month shall be unto you the beginning of months: it shall be the first month of the year to you.[6] And it is written, Speak ye unto all the congregation of Israel, saying, In the tenth day of this month they shall take to them every man a lamb, according to their father's houses, etc.[6] But how do you know that he was standing at the beginning of the month; perhaps he was standing on the fourth or the fifth of the month? Rather, said Rabbah b. Shimi in Rabina's name, [It is deduced] from here: And the Lord spake unto Moses in the wilderness of Sinai, in the first month of the second year;[7] and it is written, Moreover let the children of Israel keep the passover in its appointed season.[8] But here too, how do you know that he was standing at the beginning of the month: perhaps he was standing on the fourth or the fifth of the month? — Said R. Nahman b. Isaac: [The implication of] ‘wilderness’ [here] is learned from ‘wilderness’ [elsewhere]. Here it is written, ‘in the wilderness of Sinai’,’ while there it is written, And the Lord spake unto Moses in the wilderness of Sinai, in the tent of meeting, on the first day of the second month:[9] just as there [it was] at the beginning of the month, so here too at the beginning of the month.

Now, let [the events of] the first month be written first, and then that of the second month?[10] — Said R. Menasia b. Tahlifa in Rab's name: This proves that there is no chronological order[11] in the Torah. R. Papa observed: This was said only of two subjects; but in the same subject what is earlier is earlier and what is later is later. For should you not say thus, [how, then, apply the principle that] when a general proposition is followed by a particular specification the general proposition comprises only what is contained in the particular specification; perhaps it is a particular specification followed by a general proposition! Moreover, [it is a principle that] when a particular specification is followed by a general proposition, the generalization becomes an addition to the specification,[12] [here too] perhaps it is a generalization followed by a particularization! But if so, the same [question] applies even to two subjects? Now, that is well on the view that [when] a generalization and a specification [are] at a distance from each other, we do not interpret[13] them as a generalization followed by a specification, then it is correct. But on the view that we do interpret [them thus], what can be said?[14] — Even on the view that we do interpret, that is only [when they occur] in the same subject; but [when] in two subjects we do not interpret [them thus].

Rab Judah said in Rab's name: He who searches [for leaven] must [also] declare it null.[15] What is the reason? Shall we say [it is] because of crumbs[16] — but they are of no value?[17] And should you answer, since they are guarded in virtue of his house,[18] they are of account, surely it was taught: [If there are in a man's field] late figs, while he guards his field on account of the grapes; or if there are late grapes, while he guards his field on account of his cucumbers and gourds,[19] when the owner is particular about them, they are forbidden [to a stranger] as theft and are subject to tithes; when the owner is not particular about them, they are not forbidden as theft and are exempt from tithe![20] — Said Raba: It is a preventive measure, lest he find a tasty loaf[21] and [set] his mind upon it.[22] Then let him annul it when he finds it? — He may find it after the interdict [commences], and then it does not

stand in his ownership and [so] he cannot annul it. For R. Eleazar said: Two things are not in a man's ownership, yet the Writ regarded them as though they were in his ownership. And these are they: a pit in public ground[23] and leaven from six hours[24] and onwards.[25] Then let him annul it at the fourth or the fifth [hour]?[26] — Since it is neither the time of the prohibition nor the time of searching, he may transgress and not annul it.

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(1) I.e., the Passover celebrated on the fourteenth of the second month by those who were unable to celebrate it at the proper time.

(2) Num. IX, 2.

(3) Ibid. 6. The narrative relates how Moses gave instructions about the second Passover, vv. 9 seq.

(4) How does he refute this proof?

(5) Lit., 'completed for them'.

(6) Ex. XII, 2f.

(7) Num. IX, 1.

(8) And from the beginning of the month until Passover is two weeks.

(9) Num. I, 1.

(10) Num. I, 1ff is chronologically a month later than IX. 1ff; why is it not written in that order?

(11) Lit., 'earlier and later'.

(12) So as to include all things implied in the generalization.

(13) Lit., 'judge'.

(14) v. B.K. 85a.

(15) I.e., of no account and valueless and free to all.

(16) Which may escape his search.

(17) They are therefore null in any case.

(18) When he guards his house he ipso facto guards these crumbs.

(19) The late figs and grapes which remain after the harvest never fully ripen. Here they are in a field which is guarded from intruders not for their sake but because it contains other crops yet to be gathered.

(20) Because they are regarded as ownerless, and such are exempt from tithe. Thus though they are incidentally guarded, that does not give them any value, and the same should apply here.

(21) גלוסקא, a loaf made from a special brand of white flour.

(22) To keep it until after Passover.

(23) He who digs a pit in public ground is responsible for any damage it may cause, as though it were his property, though actually it is not.

(24) I.e., noon.

(25) One is culpable for its presence in his house then, though technically speaking it is no longer his.

(26) I.e., any time in the morning before noon, when it is still his. Why particularly the preceding evening, when he is making the search?

Talmud - Mas. Pesachim 7a

Then let him annul it in the sixth [hour]?[1] — Since the Rabbinical interdict is upon it,[2] it is like a Scriptural [interdict] and does not stand in his ownership, hence he cannot annul it. For R. Gidal said in R. Hiyya b. Joseph's name in Rab's name: He who betroths from the sixth hour and onwards, even with wheat of Cordyene,[3] we have no fear of his betrothal.[4]

But, is he unable to annul it after the prohibition [commences]? Surely it was taught: If he is sitting in the Beth Hamidrash and recollects that he has leaven at home, he annuls it in his heart, whether it is the Sabbath or the Festival. Now as for the Sabbath, it is well: this is possible where the fourteenth [of Nisan] falls on the Sabbath;[5] but the Festival is after the prohibition [commences]?[6] — Said R. Aha b. Jacob: We treat here of a disciple sitting before his master, and he recollects that he has a rolled dough[7] at home and fears that it may turn leaven; [therefore] he anticipates and annuls it before it turns leaven. This may be proved too: for it states, 'If he is sitting in the Beth Hamidrash'.[8]

This proves it.

Rabbah the son of R. Huna said in Rab's name: If a loaf went mouldy, if mazzah[9] exceeds it [in quantity], it is permitted.[10] How is it meant? Shall we say that he [the owner] knows that this [loaf] is leaven, what then matters it if the mazzah does exceed it?[11] Again if we do not know whether it is leaven or mazzah, then why particularly if the mazzah exceeds it; even if the mazzah does not exceed it too, let us go after the last?[12] Did we not learn: Money found in front of cattle dealers at all times is [accounted as] tithe; on the Temple Mount, it is hullin;[9] in [the rest of] Jerusalem, at any other part of the year. it is hullin; at the Festival season, it is tithe.[13] And R. Shemaia b. Zera observed thereon: What is the reason? Because the streets of Jerusalem[14] were swept daily. This proves that we assume: the earlier[losses] have gone. and these [coins] are different ones. So here too let us say: the earlier[bread] has gone and this is of the present?[15] — Here it is different, because its mouldiness proves its status.[16] If its mouldiness proves its status, what does it matter if the mazzah exceeds it? — Said Rabbah. Do not say, 'if the mazzah exceeds it', but say, 'many days of mazzah have passed over it'.[17] If so, it is obvious? — This is necessary only where it is very mouldy; you might argue, since it is very mouldy it is clear that it is certainly true leaven; therefore he informs us that since many days of mazzah have passed over it we say: every day hot mazzah[18] was baked and thrown thereon, and that made it very mouldy.

Yet do we follow the last? Surely it was taught. R. Jose b. Judah said: If a chest was used for money of hullin and money of tithe,[19] if it was mostly hullin, it [the money found therein] is hullin; if mostly tithe, it is tithe. But why so? let us go after the last?-Said R. Nahman b. Isaac: of what do we treat here? E.g., where it was used for money of hullin and money of tithe, and one does not know which was last. R. Zebid said: E.g., where it was used for separate packages.[20] R. Papa said: E.g., if it was found in a pit.[21]

of peace-offerings; when one could not stay long enough in Jerusalem to expend all his tithe money, he would distribute it among the poor or give it to his friends in Jerusalem. Consequently, if money is found in front of cattle dealers, whatever the time of the year, it is assumed to be of the second tithe. On the other hand, if it is found on the Temple Mount, we assume it to be hullin, even at Festival time, when most of money handled is tithe, because the greater part of the year is not Festival, and then ordinary hullin is in circulation and this money might have been lost before the Festival. But if found in the streets of Jerusalem, a distinction is drawn, as stated in the text. Rab Judah said: He who searches [for leaven] must pronounce a benediction. What benediction does he pronounce? R. Pappi said in Raba's name: '[. . . who hast commanded us] to remove leaven'. R. Papa said in Raba's name: '[. . . who hast coúmanded us] concerning the removal of leaven'. As for [the phrase] 'to remove,' there is no disagreement at all that it certainly implies in the future.[22]

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(1) He is not likely to forget it then, since he is engaged in burning it.

(2) On all views, v. supra 4b.

(3) A district lying to the east of the river Tigris, south of Armenia. — That wheat is very hard and does not easily become leaven; nevertheless if moisture had fallen upon it after being harvested it is regarded as leaven.

(4) The betrothal is definitely invalid, because the wheat has no value because of the Rabbi ical interdict, whereas for betrothal something of value is required (v. Kid. 2a). — Thus although the interdict at that hour is only Rabbinical, the leaven is regarded as completely valueless; hence not under his ownership.

(5) And he recollects before the sixth hour.

(6) How can he annul it then?

(7) I.e., a dough kneaded but not baked. He cannot leave the Beth Hamidrash to attend to it out of respect to his Master.

(8) If it is already leaven, what does it matter where he is; even if he were at home he could do nothing else?

(9) V. Glos.

(10) This is now assumed to mean: if there is more mazzah in the bin than this mouldy loaf, the whole is permitted.

(11) Surely a loaf known to be leaven cannot be permitted on that account?

(12) I.e.,let us assume that this loaf is of the latest batch which was put there, i.e., it is mazzah, since a bread bin is cleared out every day, in order to prevent the bread from going mouldy — a necessary precaution in the hot eastern countries — and particularly so in this case, when there had been a search for leaven before the Festival.
(13) Shek. VII, 2. If money is found in Jerusalem, the question arises, what is its status — is it ordinary secular coins (hullin) or tithe money? This was because the second tithe (v. Deut. XIV, 22ff this was designated second-tithe) had to be eaten in Jerusalem or its monetary equivalent expended there, which money likewise was governed by the law of second tithe. Now, most of the flesh eaten in Jerusalem was bought with second-tithe money, and generally took the form
(14) But not the Temple Mount.
(15) I.e., unleavened.
(16) It must have been there a considerable time, hence it is leaven.
(17) I.e., several days of Passover have gone, and so this had had time to go mouldy even if baked as mazzah at the beginning of the Festival.
(18) Lit., 'bread'.
(19) And now we find money in it and do not know which it is.
(20) Of money, some being hullin and others tithe, and both were there on the same day.
(21) We cannot assume that the earlier coins had been removed while these were of the most recent deposit, because it might have been overlooked in a pit.
(22) I.e. , it implies that the removal is still to be done. This phraseology is therefore certainly admitted, because a benediction is always recited prior to the actual performance of the precept to which it refers.

Talmud - Mas. Pesachim 7b

They differ only in respect of 'concerning the removal': one Master holds that it implies in the past;[1] while the other Master holds: It implies in the future.

An objection is raised: 'Blessed [art Thou] . . . who hast sanctified us with Thy commandments and hast commanded us concerning circumcision'?[2] — How [else] should he say [it] there? Shall he say, 'to circumcise' — is it imperative that he should circumcise?[3] Then what can be said of the father of the infant?[4] — Then indeed it is so.[5]

An objection is raised: 'Blessed [art Thou] . . . who hast sanctified us with Thy commandments and hast commanded us concerning shechitah'?[6] — There too, how [else] shall he say it: shall he say 'to slaughter,' — is it imperative that he should slaughter? Then what can be said of the Passover sacrifice and [other] sacrifices?[7] — [There] indeed it is so.[8]

An objection is raised: If one prepares a lulab[6] for himself, he recites the blessing,'. . . who hast kept us in life and hast preserved us and hast suffered us to reach this season'. When he takes it in order to fulfil his obligation therewith,[9] he recites:' . . . who hast sanctified us with Thy commandments and hast commanded us concerning the taking of the lulab?'[10] There it is different, because in the [very] moment that he lifts it up his duty is fulfilled.[11] If so, [instead of stating] 'in order to fulfil his obligation therewith,' he should say. 'having fulfilled his obligation therewith?' — That indeed is so, but because he desires to teach 'to sit in the sukkah'[12] in the second clause, he also states in the first clause, 'to fulfil his obligation therewith' — For he teaches in the second clause: He who makes a sukkah for himself recites: 'Blessed art thou, O Lord . . . who has kept us in life and hast preserved us and hast enabled us to reach this season'. When he enters to sit therein he recites: 'Blessed [art Thou] ... who hast sanctified us with Thy commandments and hast commanded us to sit in the sukkah.'[13] And the law is: [He recites,] 'concerning the removal of leaven'.[14]

Now incidentally all agree that we must recite the benediction beforehand:[15] how do we know it? — Because Rab Judah said in Samuel's name: For all precepts a benediction is recited prior ['ober] to their being performed — Where is it implied that this [word] 'ober connotes priority? — Said R.

Nahman b. Isaac, Because Scripture saith, Then Ahimaaz ran by the way of the Plain and overran [wa-ya'abor] the Cushite.[16] Abaye said, [It follows] from this: and he himself passed over [‘abar] before them;[17] alternatively, from this: and their king is passed on [wa-ya'abor] before them, and the Lord at the head of them.[18]

The School of Rab said: Except [for] a ritual bath and shofar.[19] As for a ritual bath, it is well, because the person is not yet fit;[20] but what is the reason for the shofar? And should you say, because he may sound the blast [teki'ah] incorrectly;[21] if so, the same applies even to shechitah, and circumcision too? Rather, said R. Hisda: Except for a ritual bath alone was stated. It was taught likewise: When one has a ritual bath and ascends [from the bath], on his ascending he recites: Blessed [art Thou] . . . who hast sanctified us with Thy commandments and hast commanded us concerning tebillah’.

BY THE LIGHT OF A LAMP, etc. How do we know this? — Said R. Hisda: By deriving [the meaning of] ‘finding’ from ‘finding’ and ‘finding’ from ‘searching’, and ‘searching’ from ‘searching’, and ‘searching’ from ‘lamps’, and ‘lamps’ from ‘lamp’:[22] [Thus:] ‘finding’ from ‘finding’: here it is written, seven days shall there be no leaven found in your houses,[23] while elsewhere it is written, and he searched, and began at the eldest, and left at the youngest: and the cup was found [in Benjamin's sack].[24] ‘Finding’ [is learned] from ‘searching’ [mentioned] in its own connection.[25] And ‘searching’ from ‘lamps’, as it is written, And it shall come to pass at that time, that I will search Jerusalem with lamps.[26] And ‘lamps’ from ‘lamp’, for it is written, The soul of man is the lamp of the Lord, searching all the innermost parts of the belly.[27]

The School of R. Ishmael taught: In the evening of the fourteenth leaven is searched for by the light of a lamp. Though there is no proof of this, there is an allusion to it, because it is said, ‘seven days shall there be no leaven [in your houses]’; and it is said, ‘and he searched, and began at the eldest, and left at the youngest: and the cup was found [in Benjamin's sack]’; and it is said, ‘And it shall come to pass at that time, that I will search Jerusalem with lamps’. and it is said, ‘The soul of man is the lamp of the Lord, searching [all the innermost parts of the belly]’. What is the purpose of the additional quotations?[28] And should you answer, this ‘at that time’ is a statement of lenient treatment by the Merciful One, [viz.,] ‘I will not search Jerusalem with the light of a torch, which gives much light, but only with the light of a lamp, the light of which is much smaller, so that great wrongdoing will be found out but petty wrongdoing will not be found out,[29] — then come and hear! ‘The soul of man is the lamp of the Lord, [searching. etc.]’.[30]

Our Rabbis taught: one may not search either by the light of the sun or by the light of the moon, or by the light of a torch, save by the light of a lamp,

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(1) I.e.,the removal has already been done. Hence this formula is inadmissible.

(2) Not, ‘to circumcise’.

(3) Lit., ‘is there no way that he should not circumcise’? — i.e., the obligation does not rest primarily upon the circumciser, but upon the father, whereas if the former said ‘to circumcise’, it would imply that it is his personal duty in every case.

(4) What if the father circumcises?

(5) He must say ‘to circumcise’.

(6) V. Glos.

(7) Lit., ‘sacred (animals)’. The obligation of slaughtering a sacrifice rests primarily upon its owner.

(8) He must say ‘to slaughter’.

(9) V. Lev. XXIII, 40.

(10) But not ‘to take the lubab’.

(11) Hence he is reciting the blessing after performing the precept, and so he cannot say ‘to take’; v. Supra.

(12) V. Glos.

(13) And there the future is required because it is an obligation during the whole week of Tabernacles.
(14) That too implies the future. Consequently, this form is used by all in circumcision and shechitah.
(15) Before actually performing the precept.
(16) II Sam. XVIII, 23. I.e., he passed in front of him, and similarly ‘ober, which is derived from the same root as wa-ya'abor, means in front of, i.e., prior to’
(17) Gen. XXXIII, 3.
(18) Mic. II, 13.
(19) V. Glos. Here the benediction is recited after the fulfilment of the precept.
(20) E.g., one who is unclean through nocturnal pollution may not recite a blessing; hence he is obviously unfit to recite the blessing until after the ritual bath, and all others requiring a ritual bath were treated likewise (Rashi).
(21) In which case the obligation is not fulfilled and the benediction was unnecessarily recited, which is prohibited.
(22) As explained in the text.
(23) Ex. XII, 19.
(24) Gen. XLIV, 12.
(25) I.e., in the verse just quoted ‘finding’ and ‘searching’ are linked together.
(26) Zeph. I, 12.
(27) Prov. XX, 27. By comparing all these verses we learn that in order that leaven may not be found in the house it must be searched out by lamplight.
(28) Lit., ‘what is (the purpose of) "and it is said"?’
(29) But this verse does not prove that the searching for leaven too may be carried out merely with a lamp — perhaps a torch is required.
(30) Thus a single lamp suffices for a search.

Talmud - Mas. Pesachim 8a

because the light of a lamp is suitable for searching. And though there is no proof of the matter yet there is a hint of it, for it is said, ‘seven days shall there be no leaven found [in your houses]’; and it is said, ‘and he searched, and began at the eldest, [etc.]’; and it is said, ‘and it shall come to pass at that time, that I will search Jerusalem with lamps’; and it is said, ‘The soul of man is the lamp of the Lord, searching all the innermost parts of the belly’.

This light of the sun, where is it meant? Shall we say, in a courtyard, — but Raba said: A court-yard does not require searching, because birds frequent it.[1] While if in a hall,[2] — but Raba said: A hall is searched by its own light? — This is meant only in respect of a skylight in a room. But [then] what part of it? If [that which is] opposite the skylight, then it is the same as a hall? — Rather, it means [the part of the room] at the sides.

And not [by the light of] a torch? Surely Raba said, What is the meaning of the verse, And his brightness was as the light; he had rays coming forth from his hand: and there was hiding of his power?[3] To what are the righteous comparable in the presence of the Shechinah? To a lamp in the presence of a torch.[4] And Raba also said: [To use] a torch for habdalah[5] is the most preferable [way of performing this] duty? — Said R. Nahman b. Isaac: The one[6] can be brought into holes and chinks [in the wall], whereas the other[7] cannot be brought into holes and chinks. R. Zebid said: The one[6] [throws] its light forward, whereas the other[7] [throws] its light behind.[8] R. Papa said: Here [with a torch] one is afraid, whereas there [with a lamp] one is not afraid.[9] Rabina said: The light of the one[6] is steady. whereas that of the other[7] is fitful.[10] EVERY PLACE WHEREIN LEAVEN IS NOT TAKEN, etc. What does EVERY PLACE add? — It adds the following taught by our Rabbis: The topmost and the nethernmost holes of a room,[11] the roof of the verandah,[12] the roof of a turret,[13] a cow's stable, hen-coops, a shed for straw, and store-houses of wine and oil do not need searching.[14] R. Simeon b. Gamaliel said: A bed which makes a division in a room,[15] and leaves a space[16] needs searching. But the following contradicts it: A hole [lying] between a man and his neighbour,[17] this one searches as far as his hand reaches and that one searches as far as his hand reaches,[18] and the rest

he annuls in his heart. R. Simeon b. Gamaliel said: A bed which makes a division in a room, timber and stones being arranged under it, and it leaves a space.[19] does not require searching. Thus [the rulings on] a bed are contradictory and [those on] holes are contradictory? [The rulings on] holes are not contradictory: the one refers to the topmost and the nethermost;[20] the other to [holes in] the middle [of the wall]. [The rulings on] a bed are not contradictory: here it is raised; there it is low down.[21]

But, do not store-houses of wine require searching? Surely it was taught. Store-houses of wine need searching; stores of oil do not need searching? — The case we discuss here is where one draws his [immediate] supplies [from it].[22] If so, oil too? — As for oil, there is a limit to eating; but [in respect to] wine, there is no limit to drinking.[23] R. Hiyya taught: Stores of beer in Babylonia were made the same as stores of wine in Palestine, where one draws his supplies from them.[24]

R. Hisda said: A fish pantry does not require searching. But it was taught [that] they require searching? — There is no difficulty: the one treats of large [fish]; the other of small.[25] Rabbah son of R. Huna said: Salt sheds and wax sheds[26] need searching.[27] R. Papa said: Storehouses for fuel[28] and storehouses for dates need searching. A Tanna taught: We do not oblige him to insert his hand into holes and chinks and search [there], on account of the danger. Which danger? Shall we say. the danger of a snake, — then when he used it, how could he use it? — This arises only where it [the wall] collapsed.[29] But if it collapsed, why do I need searching [at all]? Surely we learned: If ruins collapsed on leaven, it is regarded as removed? — There [the circumstances are] that a dog cannot search it out; here, that a dog can search it out. But R. Eleazar said: Those sent [to perform] a religious duty do not suffer harm? — Said R. Ashi: He may have lost a needle and come to look for it.[30] But is it not [regarded as the fulfilment of] a religious duty in such a case? Surely it was taught: If one declares, 'This sela'[31] be for charity in order that my son may live,' or, 'that I may merit the future world,'[32]

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(1) And eat up all crumbs.

(2) אכסדרה is a pillared hall or a piazza, open on top, running in front of large houses.

(3) Hab. III, 4.

(4) Even as the light of a lamp pales before that of a torch, so does the light of the righteous before that of the Almighty. Thus a torch gives more light, and therefore it is even better than a lamp.

(5) V. Glos. A blessing is pronounced over fire for which a light must be kindled.

(6) A lamp.

(7) A torch.

(8) Therefore it is not suitable for searching.

(9) The great flame of a torch may set fire to the house; therefore his preoccupation with this fear will hinder a man from a proper search.

(10) A torch throws an unsteady, wavering light.

(11) I.e., those which are very high up or very low down in the wall, so that it is inconvenient to use them.

(12) A balcony with a sloping roof, which could not be used; other parts of the house had a flat roof.

(13) A kind of safe in which food and utensils were kept. The inside had to be searched but not the roof.

(14) No leaven is taken, into any of these.

(15) I.e., it stands in the centre, dividing the room into two parts used for separate purposes.

(16) There is a space between it and the floor, as it stands on legs.

(17) I.e., in a wall separating two rooms or houses tenanted by different people. the hole passing right through from one side of the wall to the other.

(18) E.g.. when the wall is very thick.

(19) Between the bottom of the bed and the timber.

(20) V. p. 33. n. 7.

(21) If the bottom of the bed is well raised from the ground the space beneath it can be used quite easily. But if it is low down, even if a space is left it is not easy to use it, hence it need not be searched.

(22) E.g., a private wine cellar. The servant may enter to take wine for the table while holding bread in his hand.
(23) How much oil is to be consumed at a meal can be gauged beforehand, and further supplies will not be required. But one cannot determine beforehand how much wine will be drunk.
(24) They must be searched.
(25) If large fish are stored there it will be unnecessary to bring more to the table during the meal; but in the case of small fish this may be necessary, and so it must be searched.
(26) I.e.,the places where these are kept.
(27) Salt and candles being sometimes unexpectedly required during the meal.
(28) Wood-chips, twigs, etc.
(29) Snakes are often found among debris, hence only the top of the ruins must be searched, but one need not investigate below the surface.
(30) While searching for the leaven. He is, not being exclusively engaged on a religious task, exposed to danger.
(31) A coin.
(32) Lit., 'that I may be a son of the future world'. On the 'future world' v. Sanh., Sonc. ed. p. 601, n. 3.

Talmud - Mas. Pesachim 8b

he is completely righteous.[1] — Perhaps after he searched [for the leaven] he will come to look for it. R. Nahman b. Isaac said: [It means] on account of the danger of Gentiles, this agreeing with Pelimo. For it was taught: [In the case of] a hole between a Jew and a Syrian [i.e., a Gentile], he must search as far as his hand reaches, and the rest he annuls in his heart. Pelimo said: He does not search it at all, on account of the danger. [Now] what is the danger? Shall we say, the danger of witchcraft,[2] — then when he used it, how did he use it? — There when he used it it was day and there was light, therefore [the Gentile] would not suspect anything;[3] but here it is night and a lamp [is used]; hence he will suspect. But R. Eleazar said: Those sent [to perform] a religious duty do not suffer harm?[4] — Where the injury is probable it is different, for it is said, And Samuel said, How can I go? if Saul hear it, he will kill me. And the Lord said, Take a heifer with thee, etc.[5]

Rab was asked: Scholars who reside out of town, can they come in the early morning or after nightfall to the academy?[6] — He replied: Let them come, [the risk be] upon myself and my neck. What about returning?[7] I do not know, he answered them. It was stated: R. Eleazar said: Those sent [to perform] a religious duty will not suffer hurt, neither in their going nor in their returning. With whom [does this agree]? — With this Tanna: for it was taught. Issi b. Judah said: Seeing that the Torah said, no man shall desire thy land [when thou goest up to appear before the Lord thy God . . .],[8] it teaches that your cow will graze in the meadow and no [wild] beast will hurt it; your fowl will go scratching in the dungheap and no weasel will injure it. Now does this not furnish an argument a minori? If these, whose nature it is to be hurt, will not be hurt; then human beings, for whom it is not natural to be hurt, how much more so![9] I know it only in respect of going: how do I know it of returning? Because it is stated, and thou shalt turn in the morning, and go [back] unto thy tents:[10] this teaches that you will go and find your tent in peace. But since [he is safe] even on [his] return, why [intimate it] in respect of going?[11] — [That is necessary] for R. Ammi's [teaching]. For R. Ammi said: Every man who owns land must make the Festival pilgrimage; but he who does not own land need not make the Festival pilgrimage.[12]

R. Abin son of R. Adda said in R. Isaac's name: Why are there no fruits of Gennesaret[13] in Jerusalem? So that the Festival pilgrims should not say. 'Had we merely ascended in order to eat the fruits of Gennesaret in Jerusalem it would have sufficed us,' with the result[14] that the pilgrimage would not be for its own sake. Similarly R. Dosethai son of R. Jannai said: Why are the thermal springs of Tiberias not [found] in Jerusalem? So that the Festival pilgrims should not say. 'Had we merely ascended in order to bathe in the thermal springs of Tiberias, it would have sufficed us,' with the result that the pilgrimage would not be for its own sake. THEN IN WHAT CASE DID THEY RULE, TWO ROWS OF THE WINE CELLAR [etc.]? Who has mentioned anything about a wine

cellar? — This is what he [the Tanna] says: EVERY PLACE WHEREIN NO LEAVEN IS TAKEN DOES NOT REQUIRE SEARCHING, and stores of wine and stores of oil do not require searching either. THEN IN WHAT CASE DID THEY RULE, TWO ROWS OF THE WINE CELLAR [MUST BE SEARCHED]? [CONCERNING] A PLACE WHEREIN LEAVEN MAY BE TAKEN, which is one whence [private] supplies are drawn.

BETH SHAMMAI MAINTAIN: TWO ROWS, etc. R. Judah said: The two rows which they [Beth Shammai] specified [mean] from the ground up to the very ceiling;[15] but R. Johanan said: [It means] a single row in the shape of a right angle.[16] It was taught in accordance with Rab Judah; [and] it was taught in accordance with R. Johanan. It was taught in accordance with Rab Judah: Beth Shammai maintain: Two rows over the front [surface] of the whole cellar, and the two rows which they specified [means] from the ground up to the very ceiling. It was taught in accordance with R. Johanan: Two rows over the face of the whole cellar, [i.e.,] the outer one which looks upon the door, and the upper one which faces[17] the ceiling; but that which is within this and below this does not require searching.

BETH HILLEL MAINTAIN: THE TWO OUTER ROWS, WHICH ARE THE UPPERMOST. Rab said: [That means] the upper row and the one beneath it;[18] while Samuel said: [That means] the upper row and the one on the inside of it. What is Rab's reason? — Because he emphasizes: OUTER. But it [also] teaches: UPPERMOST?- That is to exclude those beneath the lower one.[19] While Samuel says: 'The upper row and the one on the inside of it.'What is the reason? Because he emphasizes: UPPERMOST. But it [also] states: OUTER? — That is to exclude the inside of the inner.[20] R. Hiyya taught in accordance with Rab, while all tannaim recited as Samuel. And the law is as Samuel.[21]

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(1) In respect of his action, notwithstanding his selfish motives. Hence in the case under discussion the same holds good.

(2) Sc. the Gentile may suspect him of witchcraft when he sees him rummaging in the hole.

(3) Lit., 'bring it up on his mind'.

(4) To be the object of these suspicions is to suffer harm.

(5) 1 Sam. XVI, 2. Thus Samuel was afraid though engaged on a Divine mission, because it was naturally dangerous.

(6) Do they run a risk in going over the fields at such times?

(7) After nightfall.

(8) Ex. XXXIV, 24.

(9) They are certainly immune from danger when going to carry out a religious duty, to which the present verse refers.

(10) Deut. XVI, 7.

(11) Surely that follows a fortiori.

(12) This follows from the fact that the Almighty assures the pilgrim that his land will be safe in his absence, which proves that the command refers only to those who possess land.

(13) A lake so named from the fertile plain lying on its western side. In the O.T., it is called Yam Kinnereth or Kinneroth; Num. XXXIV. 11; Josh. XII, 3. On its western shore lay Tiberias. — Its fruit was particularly delicious.

(14) Lit , 'and it would be found'.

(15) I.e., the two outer rows of barrels from top to bottom, over their entire area.

(16) Gam, the shape of the Grk. Gamma **. I.e. , the front row and the whole of the upper layer.

(17) Lit., 'sees'.

(18) In the outermost row facing the door.

(19) I.e., all rows from the third from the top and downwards.

(20) Those within the second row of the top layer.

(21) From the fact that all post-Talmudic authorities accept Rab's view, however, it would appear that this passage was absent from their texts; [v. Tosaf. Yom Tob on our Mishnah and MS.M. R. Hananel, however, has this passage and accepts Samuel's ruling.]

Talmud - Mas. Pesachim 9a

MISHNAH. WE HAVE NO FEAR THAT A WEASEL MAY HAVE DRAGGED [LEAVEN] FROM ONE ROOM TO ANOTHER OR FROM ONE SPOT TO ANOTHER.[1] FOR IF SO, [WE MUST ALSO FEAR] FROM COURT-YARD TO COURT-YARD AND FROM TOWN TO TOWN, [AND] THE MATTER IS ENDLESS.

GEMARA. The reason is that we did not see it take [leaven]; but if we saw it take [it] we do fear, and it requires a [re-]search. yet why so; let us assume that it ate it? Did we not learn: The dwellings of heathens are unclean,[2] and how long must he [the heathen] stay in a dwelling so that it should need searching?[3] Forty days, even if he has no wife. But in every place where a weasel or a swine can enter no searching is required![4] — Said R. Zera, There is no difficulty: one treats of flesh, the other of bread: in the case of flesh it [the weasel] leaves nothing, [whereas in the case of bread it does leave [something] — Raba said: How compare! As for there, it is well: it is [a case of mere] 'say': say that there was [a burial there], say that there was not.[5] And if you assume that there was, say that it [e.g., a weasel] ate it. But here that we see for certain that it has taken [leaven], who is to say that it ate it? Surely it is a doubt [on the one hand] and a certainty [on the other], and a doubt cannot negative a certainty. But cannot a doubt negative a certainty? Surely it was taught: If a haber[6] dies and leaves a store-house full of produce [crops]. even if they are but one day old, they stand in the presumption of having been tithed.[7] Now here these crops were certainly liable to tithe, and there is a doubt whether they have been tithed or not tithed, yet the doubt comes and negatives the certainty?-There it is one certainty against another certainty, as [we presume that] they have certainly been tithed, in accordance with R. Hanina of Hozae.[8] For R. Hanina of Hozae said: There is a presumption concerning a haber that he does not let anything untithed[9] pass out from under his hand. Alternatively: it is a doubt [on the one hand] and a doubt [on the other]; perhaps from the very beginning say that it was not liable to tithe, in accordance with R. Oshaia. For R. Oshaia said: one may practise an artifice with his produce and take it in its husks, so that his cattle may eat thereof and it be exempt from tithes.[10]

But cannot a doubt negative a certainty? Surely it was taught, R. Judah said: It once happened that the bondmaid of a certain oppressor[11] in Rimon[12] threw her premature-born child into a pit,

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(1) I.e., after a room has been searched and cleared of leaven a weasel may have brought leaven into it from elsewhere.

(2) Because they used to bury their premature births in their houses.

(3) For a buried body, before a Jew may live there.

(4) If a baby were thrown there these would eat it, Oh. XVIII, 7. — Thus the same should apply to leaven.

(5) I.e., the presence there of a dead child is merely conjectured as a possibility.

(6) V. Glos.

(7) V. Supra 4b.

(8) A province of S. W. Persia, now known as Khuzestan; Obermeyer. pp. 204ff.

(9) Lit., 'unprepared'.

(10) Produce is not liable to tithes unless it is taken into the house through the front door when its work is completed, not through the roof or the backyard. If grain is brought in in its husks its work is not complete, as this is still to be separated, and it is not liable to tithe, and need not be tithed by Scriptural law; a human being may then make a light meal of it, while cattle may eat their fill. Thus there it may never have become liable to tithe at all. Though a human being may not make a meal of it, that is only a Rabbinical law and is certainly nullified here by the presumption that the haber had tithed it. But in its essence we see that it is doubt against doubt; the doubt whether it was liable to tithe at all offset by the doubt that it may have been tithed.

(11) A powerful Jew (Rashi) who wielded his power oppressively.

(12) A town originally belonging to the tribe of Zebulun, on the north-east frontier (Josh. XIX, 13). It may correspond to the present Al-Rummanah, on the southern edge of the plain of Al-Battof, about ten kilometres north of Nazareth.

Talmud - Mas. Pesachim 9b

and a priest came and looked down it to see whether it was a male or a female;[1] and when the matter came before the Sages they declared him[2] clean, because weasels and martens[3] were to be found there.[4] Now here, she had certainly thrown it in, while it is doubtful whether they had dragged it away or not by that time, yet the doubt comes and negatives the certainty? — Do not say that she threw a premature child into a pit, but say, 'she threw something like a premature child into a pit', so that it is a doubt against a doubt.[5] But it states: 'In order to see whether it was a male or a female'?[6] — This is what it says: To know whether she had aborted wind[7] or a premature child; and should you say that it was a premature child, to see whether it was a male or a female. Alternatively. there it is a certainty against a certainty; since weasels and martens are to be found there they had certainly dragged it away by that time; [for] granted that they may have left over,[8] yet they certainly had dragged it away by that time.

But do we say, we leave no fear that a weasel may have dragged [leaven], etc.? Surely the second clause states:[9] What he leaves over[10] he must put away in a hidden place, so that it should not require a search after it?[11] Said Abaye. There is no difficulty: the one [refers to a search] on the fourteenth; the other, on the thirteenth. [If one searches] on the thirteenth, when bread is [yet] to be found in all houses, it [a weasel] does not hide [leaven]; on the fourteenth, when bread is not to be found in all houses, it does hide [it]. Said Raba: Is then a weasel a prophet to know that it is the fourteenth now and people will not bake until the evening, so that it should leave [some] over and hide [it]? Rather said Raba: What one leaves over he must put away in a hidden place lest a weasel seize it in his presence and it require a search after it. It was taught in accordance with Raba: If one wishes to eat leaven after the search, what shall he do? Let him put it away in a hidden place, lest a weasel come and seize it in his presence and it require a search after it. R. Mari said: It is for fear that he may leave ten[12] and [only] 'find nine.[13]

If there are nine packages of mazzah and one of leaven, and a mouse comes and steals [a package], and we do not know whether it took mazzah or leaven,[14] that is [similar to the case of] nine shops.[15] If [one package] was separated[16] and a mouse came and stole it, that is [similar to] the second clause. For it was taught: If there are nine shops all selling meat of [ritually] slaughtered [animals], and there is one shop selling meat of nebelah,[17] and a man buys [meat] from one of them , but he does not know from which [shop] he bought the [meat in] doubt is prohibited; but in the case of [meat] found, we follow the majority.[18]

If there are two packages, one of mazzah and the other of leaven, and before them are two rooms, one searched and the other unsearched, and two mice came, one took mazzah and the other took leaven, and we do not know which [mouse] entered which [house], that is the case of two baskets. For we learned: If there are two baskets, one containing hullin[19] and the other containing terumah,[19] and in front of them are two se'ahs [of provisions], one of hullin and the other of terumah, and these fell into those, they [sc. the contents of the baskets] are permitted, for I assume: The hullin fell into hullin and the terumah fell into terumah.[20] Perhaps we say 'I assume'

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(1) To decide the period of the slave's uncleanness (v. Lev. XII, 4, 5). A heathen slave in a Jewish house was a semi-Jew, and bound to observe all the religious obligations of a Jewess.

(2) The priest.

(3) Heb. Bardelles.

(4) They may have dragged the body into one of their holes, leaving the pit itself empty. Had it been there the priest would have been defiled through stooping over it, even though he did not touch it.

(5) For the body may not have been formed yet, in which case it does not contaminate.

(6) Which implies that the body was fully formed and the mother was unclean, as after a proper birth, save that the sex had been overlooked.

(7) I.e., an unformed body.

(8) I.e., not eaten it.
(9) Infra 10b.
(10) After the search, for the following morning's meal.
(11) For otherwise a weasel may drag it away.
(12) E.g., rolls.
(13) For then it would be certain that one had been removed, and this would necessitate a further search.
(14) V. p. 33. n. 3. If mazzah, no further search is required; if leaven, it is required.
(15) Explained infra.
(16) But we do not know whether this separated package was leaven or mazzah.
(17) V. Glos.
(18) And assume it to have come out of one of the nine. In the first instance the forbidden meat is in a fixed place; technically this is called kabu'a (fixed), and it is shown in Sanh. 79b that we must then regard the doubt as equally balanced, i.e., as though there were an equal quantity of both, and we are therefore stringent. But in the second case the forbidden meal has left its fixed place and is somewhere in the street; the ordinary rule is then followed that the majority decides.
(19) V. Glos.
(20) By a similar assumption the house already searched does not needed to be searched anew.

Talmud - Mas. Pesachim 10a

in the case of terumah [only], which is merely Rabbinical;[1] but do we say thus in the case of leaven, which is Scriptural?[2] — Is then the searching for leaven Scriptural; surely it is [only] Rabbinical, for by Scriptural law mere annulment is sufficient.[3]

If there is one package of leaven, and in front of it are two houses which have been searched, and there came a mouse and seized it, and we do not know whether it entered this [house] or that, that is [similar to] the case of two paths. For we learned: If there are two paths, one clean and the other unclean,[4] and a person went through one of them and then touched[5] clean [food], and then his neighbour came and went through the other and he touched clean [food], — R. Judah said: If they each enquire separately. they are clean;[6] if both together, they are unclean. R. Jose said: In both cases they are unclean. Raba — others say. R. Johanan — said: If they came together, all agree that they are unclean; if consecutively, all agree that they are clean. They differ only where one comes to enquire about himself and his neighbour: R. Jose compares it to [both coming] together.[7] while R. Judah likens it to each coming separately.[8]

If it is doubtful whether it [the mouse] entered or not,[9] that is [similar to] the case of a plain, and [there we are involved] in the controversy of R. Eleazar and the Rabbis.[10] For we learned: If a man enters a plain[11] in winter,[12] and there is uncleanness[13] in a particular field,[14] and he states: I walked in that place, but do not know whether I entered that field or not, — R. Eleazar declares him clean, while the Sages declare him unclean. For R. Eleazar ruled: If there is a doubt about entering, he is clean: if there is a doubt of contact with uncleanness, he is unclean.[15]

If it [the mouse] entered [with the leaven], and he [the master] searched but did not find it, [in like case] there is a controversy of R. Meir and the Rabbis. For we learned: R. Meir used to say: Everything which is in the presumption of uncleanness always [remains] in its uncleanness until it is known to you whether its uncleanness is gone; while the Sages rule: one searches until he reaches a rock or virgin soil.[16]

If it [the mouse] entered [with leaven] and he searched and found [leaven].[17] — [in like case] there is a controversy of Rabbi and R. Simeon b. Gamaliel. For it was taught: If a grave was lost in a field,[18] he who enters therein is unclean. If a grave is [subsequently] found in it, he who enters therein is clean, for I assume: the grave which was lost is the same grave which was found: this is

Rabbi's view. R. Simeon b. Gamaliel said: The whole field must be examined.[19] If a man left nine [pieces of leaven] and found ten, there is a controversy of Rabbi and the Rabbis. For it was taught: If he left a maneh[20] and found two-hundred [zuz],[21] hullin and second tithe are intermingled,[22] this is Rabbi's view. But the Sages maintain: It is all hullin.[23] If he left ten and found nine, that is [analogous to] the second clause. For it was taught: If he deposited two hundred and found one maneh, [he assumes], one maneh was left lying and one maneh was taken away:[24] this is Rabbi's view. But the Sages maintain: It is all hullin.

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(1) Nowadays.

(2) When doubt arises in a Rabbinical law we are naturally lenient; but where the law is Scriptural we are strict.

(3) Supra 4b.

(4) E.g., there is a lost grave in one of them, but we do not know in which.

(5) Lit., 'made'.

(6) Each is given the benefit of the doubt; consequently the food remains clean.

(7) Since the question is asked on behalf of both.

(8) Since there is only one man asking. — It is a principle that if a doubt of uncleanness arises in public ground, it is clean; if in private ground, it is unclean. Here the paths are public ground; hence when they come separately each is declared clean. But we cannot rule thus when they come together. since one is certainly unclean. The same principles apply mutatis mutandis to the searched houses.

(9) A mouse was seen to take a package of leaven, but we do not know whether or not it entered a room already searched.

(10) [This clause is omitted in MS.M., cf. p 43. n. 2.]

(11) Many fields together constitute a plain.

(12) It is then private ground, because the seed has already started sprouting.

(13) I.e., a grave.

(14) The field is known.

(15) For in the first case there is really a double doubt: firstly, whether he entered the field at all, and secondly, even if he did enter, whether he passed over the grave. — In our problem, however, even the Rabbis agree that a re-search is not necessary; since the search is only Rabbinical, we make the more lenient assumption (Rashi). [Apparently Rashi did not read', 'and in the controversy. . . Rabbis', cf. p. 42, n. 10.]

(16) If a pile or heap contains a portion of a corpse, so that it is unclean, while there are two other clean piles, and we do not know now which is which; if one is examined and found to be clean, that is clean, while the others are treated as unclean; if two are found to be clean, they are clean and the third is unclean; but if the three are examined and found to be clean, they are all unclean in R. Meir's opinion, unless we know definitely whither the defilement has disappeared. But the Sages maintain that he examines the ground until he reaches a rock or virgin soil which has obviously never been touched, and if it is not found we assume that a bird has flown off with it. — But in the present problem even R. Meir agrees that we are lenient, since the search is only a Rabbinical requirement (Rashi). V. however Tosaf.

(17) But he does not know whether it is the same.

(18) We do not know where it is.

(19) It may not be the same grave. Here too, presumably, even R. Simeon b. Gamaliel is lenient; cf. n. 3.

(20) Of second title.

(21) I.e., two manehs.

(22) We assume that the original match was left and an unknown person added another. It will therefore be necessary to redeem one maneh by exchanging it for another.

(23) For the original manehs may have been taken away. The Rabbis will make a similar assumption here and therefore the house must be searched for the nine pieces.

(24) Hence the present maneh is treated as second tithe.

Talmud - Mas. Pesachim 10b

If a man left [leaven] in this corner and finds [leaven] in another corner, there is a controversy of R. Simeon b. Gamaliel and the Rabbis. For it was taught: If an axe is lost in a house, the house is

unclean, for I assume: An unclean person entered there and removed it. R. Simeon b. Gamaliel said: The house is clean, for I assume, He lent it to another and forgot, or he took it from one corner and placed it in another corner and forgot. Who mentioned anything about a corner?[1] The text is defective, and is thus taught: If an axe is lost in a house, the house is unclean, for I say: An unclean person entered there and took it. Or if he leaves it in one corner and finds it in another corner the house is unclean, for I assume, An unclean person entered there and took it from one corner and placed it in another corner. R. Simeon b. Gamaliel said: The house is clean, for I say. He lent it to another and forgot, or he took it from one corner and placed it in another corner and forgot.[2]

Raba said: If a mouse enters [a room] with a loaf in its mouth and he [the owner] enters after him and finds crumbs, a [fresh] search is necessary,[3] because it is not a mouse's nature to make crumbs.[4] Raba also said: If a child enters [a room] with a loaf in his hand, and he [the owner] enters after him and finds crumbs, a [fresh] search is not necessary, because it is a child's nature to make crumbs.

Raba asked: What if a mouse enters with a loaf in its mouth, and a mouse goes out with a loaf in its mouth: do we say, the same which went in went out; or perhaps it is a different one? Should you answer, the same which went in went out, — what if a white mouse entered with a loaf in its mouth, and black mouse went out with a loaf in its mouth? now this is certainly a different one; or perhaps it did indeed seize[5] it from the other? And should you say, mice do not seize from each other, — what if a mouse enters with a loaf in its mouth and a weasel goes out with a loaf in it mouth? now the weasel certainly does take from a mouse; or perhaps it is a different one, for had it snatched it from the mouse, the mouse would have [now] been found in its mouth? And should you say, had it snatched it from the mouse, the mouse would have been found in its mouth, what if a mouse enters with a loaf in its mouth, and then a weasel comes out with a loaf and a mouse in the weasel's mouth? Here it is certainly the same; or perhaps, if it were the same, the loaf should indeed have been found in the mouse's mouth; or perhaps it fell out [of the mouse's mouth] on account of [its] terror, and it [the weasel] took it? The question stands over.

Raba asked: If there is a loaf on the top rafters, need he [take] a ladder to fetch it down or not? Do we say, our Rabbis did not put him to all this trouble, [for] since it cannot descend of its own accord he will not come to eat it;[6] or perhaps it may fall down and he will come to eat it? Now should you say, it may fall down and he will come to eat it, — if there is a loaf in a pit, does he need a ladder to fetch it up or not? Here it will certainly not happen that it will ascend of its own accord; or perhaps he may happen to go down to perform his requirements and come to eat it? Should you say that he may happen to go down for his purposes and come to eat it, — if a loaf is in a snake's mouth, does he need a snake-charmer to take it out or does he not need [one]? [Do we say,] our Rabbis put him to personal trouble, but they did not put him to trouble with his money; or perhaps there is no difference? The questions stand over.

MISHNAH. R. JUDAH SAID: WE SEARCH [FOR LEAVEN] ON THE EVENING OF THE FOURTEENTH, AND[7] IN THE MORNING OF THE FOURTEENTH, AND AT THE TIME OF REMOVAL. BUT THE SAGES MAINTAIN: IF HE DID NOT SEARCH IN THE EVENING OF THE FOURTEENTH, HE MUST SEARCH ON THE FOURTEENTH; IF HE DID NOT SEARCH IN [THE MORNING OF] THE FOURTEENTH, HE MUST SEARCH AT THE APPOINTED TIME;[8] IF HE DID NOT SEARCH AT THE APPOINTED TIME, HE MUST SEARCH AFTER THE APPOINTED TIME.[9] AND WHAT HE LEAVES OVER[10] HE MUST PUT AWAY IN A HIDDEN PLACE, SO THAT HE SHOULD NOT NEED SEARCHING AFTER IT.

GEMARA. What is R. Judah's reason? — R. Hisda and Rabbah son of R. Huna both say, It [the threefold searching] corresponds to the three ‘puttings away’ mentioned in the Torah: and there shall no leavened bread be seen with thee, neither shall there be leaven seen with thee;[11] seven days shall there be no leaven found in your houses;[12] and even on the first day shall ye put away leaven out of

your house.[13] R. Joseph objected: R. Judah said: He who has not searched at these three periods can no longer search, which proves that they differ only in respect of from now and henceforth![14] Mar Zutra recited it thus: R. Joseph objected: R. Judah said: He who has not searched at one of these three periods can no longer search, which proves that they differ in [whether] he can no longer search? — Rather R. Judah too means, where he has not searched,[15] and here they differ in this: one Master[16] holds, only before it is forbidden;[17] but not after it is forbidden, as a preventive measure, lest he come to eat of it; while the Rabbis hold that we do not preventively forbid. But did R. Judah preventively forbid lest he come to eat thereof, — surely we learned: As soon as the 'omer[18] has been offered, they used to go out and find the markets of Jerusalem filled with flour and parched corn,[19]

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(1) We are discussing the case where it is lost.

(2) Thus here too, according to the Rabbis we fear that mice have been about, and consequently we also fear that the leaven he now finds is not the same which he left, so that a re-search is required. But on R. Simeon b. Gamaliel's view we do not fear this.

(3) To find leaven with which the mouse was seen to enter.

(4) Therefore these are not merely the loaf crumbled up.

(5) Lit., 'throw'.

(6) Therefore he may leave it there, and merely annul it.

(7) So presumably; v. Gemara.

(8) Sc. of removal, i.e., in the sixth hour (11 a.m. — noon).

(9) From noon until nightfall (Rashi). Tosaf. explains differently: 'within the mo'ed', from noon on the fourteenth until the end of Passover, translating mo'ed as festival, which meaning it generally bears; 'after the mo'ed, after Passover, for leaven kept in the house during Passover is forbidden after Passover.

(10) 'After the search in the evening, for the following morning's meal' (R. Nissim).

(11) Ex. XIII, 7.

(12) Ibid. XII, 19.

(13) Ibid. 15. — 'Seen' 'found' and 'put away' all mean in practice that the leaven must be put away, and corresponding to each expression there must be a search.

(14) I.e., after the time of removal, R. Judah holding that there is no searching then, while the Sages maintain that there is. But before that all agree that only one search is necessary. R. Judah meaning either in the evening or in the morning etc., the waw (translated 'AND' in the Mishnah) being disjunctive, or.

(15) In the evening; then he must search in the morning.

(16) R. Judah.

(17) Must one search then.

(18) V. Glos.

(19) Of the new harvest; v. Lev. XXIII, 9-14. Of course, in order to have it ready for sale on the same day the vendors must have prepared it before, and thus they handled it while it was yet prohibited.

Talmud - Mas. Pesachim 11a

[but] not with the consent of the Sages:[1] this is R. Meir's opinion. R. Judah said: They acted with the consent of the Sages.[2] Thus R. Judah did not preventively forbid lest one come to eat thereof? — Said Raba:[3] Hadash is different: since you permit it to him only by means of plucking.[4] he remembers.[5] Said Abaye to him: That is well at the time of plucking, [but] what can be said of the grinding and sifting?[6] — That is no difficulty: grinding [is done] with a handmill; sifting [is done] on top of the sieve.[7] But as to what we learned: 'one may reap an artificially irrigated field and [the corn] in the valleys,[8] but one may not stack [the corn]',[9] and we established this as [agreeing with] R. Judah, what can be said?[10] — Rather, said Abaye: From hadash one holds aloof;[11] but one does not hold aloof front leaven.[12] Raba demurred: R. Judah is self-contradictory. while the Rabbis are not self-contradictory?[13] — Rather, said Raba: R. Judah is not self-contradictory, as we have answered. The Rabbis too are not self-contradictory: he himself is seeking it in order to burn it, shall

he then eat thereof![14] R. Ashi said: R. Judah is not self-contradictory, [for] we learned,[15] 'flour and parched corn',[16] But this [answer] of R. Ashi is a fiction:[17] this is well from [the time when it is] parched ears and onwards; 'but from the beginning until it is parched corn, what can be said?[18] And should you answer, [It is gathered] by plucking,[19] as Raba [answered], then what can be said of [what we learnt that] 'one may reap an artificially irrigated field and [the corn in] the valleys', which we established as [agreeing with] R. Judah?[20] Hence R. Ashi's [answer] is a fiction.

But, wherever one does not [normally] hold aloof, did R. Judah preventively forbid? Surely we learned: A man may not pierce an eggshell, fill it with oil, and place it over the mouth of a [burning] lamp in order that it should drip,[21] and even if it is of earthenware; but R. Judah permits it![22] — There, on account of the strictness of the Sabbath he will indeed keep aloof. Then [one ruling] of the Sabbath can be opposed to [another ruling] of the Sabbath. For it was taught: If the cord of a bucket is broken, one must not tie[23] it [together] but merely make a loop [slip-knot]; whereas R. Judah maintains: He may wind a hollow belt or a fascia[24] around it, providing that he does not tie it with a slip-knot.[25] [Thus] R. Judah's [views] are self-contradictory. and similarly the Rabbis'? — The Rabbis' [views] are not self-contradictory: oil [from one source] can be interchanged with oil [from another];[26] whereas looping cannot be mistaken for[27] knotting. R. Judah's [views] are not self-contradictory; R. Judah's reason is not that he forbids looping on account of knotting, but because looping itself is [a form of] knotting. Now, the Rabbis may be opposed to the Rabbis. For we learned: A bucket [over a well] may be tied with a fascia but not with a cord;[28] but R. Judah permits it.[29] Now what cord is meant: Shall we say an ordinary [bucket] cord: [how does it state] 'R. Judah permits it', — surely it is a permanent knot, for he will certainly come to abandon it?[30] Hence it is obvious that a weaver's [rope[31] is meant]. and [yet] the Rabbis preventively forbid a weaver's cord on account of an ordinary cord? — Even so: one rope may be mistaken for another, [whereas] looping cannot be mistaken for knotting.

But, wherever one [normally] holds aloof from it, does not R. Judah preventively forbid? Surely we learned: If a firstling is attacked with congestion, even if it should die [otherwise]. we must not bleed it: this is R. Judah's view;[32] but the Sages rule: He may bleed [it], providing that he does not inflict a [permanent] blemish upon it? — There, because one is excited

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(1) Lest they eat of it while preparing it.

(2) V. Men. 67b.

(3) Bah emends to Rabbah, which is the reading in Men. 67b.

(4) The new corn may not be reaped at all before the bringing of the 'omer', but must be plucked by hand.

(5) That it may not be eaten.

(6) There is nothing to remind him then of the interdict.

(7) The sieve is reversed. The unusual ways in which these are done serve as reminders.

(8) In the usual way, before the 'omer.

(9) V. Men. 71a.

(10) There is nothing there to remind one of the prohibition.

(11) As it is forbidden at all times until the 'omer, when it ceases to be hadash. Thus he is accustomed to abstain from it and is not likely to forget himself.

(12) During the year, and thus may possibly eat of it when the prohibition is already in force.

(13) That you seek to reconcile R. Judah's views only. Yet surely the Rabbis too need harmonizing, for whereas the Rabbis do not preventively forbid in the case of leaven, they do so here, as R. Meir states, 'They did not act with the consent of the Sages'.

(14) Surely we need not entertain that fear.

(15) In the above cited Mishnah.

(16) Which are not fit for eating.

(17) בדותא, V. B.M., Sonc. ed. p 47. n. 1.

(18) In the intermediate stages it is fit for eating! How could it then be handled.

(19) Which serves as a reminder.
(20) Though there is nothing there to serve as a reminder, v. infra.
(21) And replenish the contents of the lamp during Sabbath.
(22) The reason of the Rabbis is lest he take the oil for eating, which, constitutes extinguishing. R. Judah permits it, though one does not normally abstain from oil, v. Shab. 29a.
(23) The tying of a permanent knot constitutes one of the thirty-nine principal classes of forbidden work on Sabbath.
(24) A band or fillet.
(25) V. Shab. 113a.
(26) Just as he consumes oil from elsewhere, so may he come to draw supplies from this eggshell, seeing no difference.
(27) Lit., 'interchanged with'.
(28) On the Sabbath. The first is certainly only temporary, but the second may be left there, and thus a permanent knot will have been tied on the Sabbath.
(29) V. Shab. 113b.
(30) I.e., leave it there as a thing having no other purpose than this.
(31) Which is not usually used for drawing water, and will not consequently be left there.
(32) One must not inflict a permanent blemish on a firstling. R. Judah rules that the animal must not be bled even without inflicting a permanent blemish upon it, lest one come to do so even by making a permanent blemish. Thus R. Judah forbids preventively, though people do hold aloof from sacred animals, to which category a firstling belongs.

Talmud - Mas. Pesachim 11b

about his property, if you permit him [to bleed it] in a place where a blemish is not inflicted, he will come to do it in a place where a blemish is inflicted. But the Rabbis [argue]: if you do not permit him at all, he is all the more likely to come to act [thus].

Yet do we say according to R. Judah. A man is excited over his property? Surely we learned: An animal may not be curried on Festivals, because it makes a bruise [wound], but you may scrape it; but the Sages maintain: It may neither be curried nor scraped. Now it was taught: What is currying and what is scraping? Currying is with a small-toothed strigil. and it makes a wound; scraping is with a large-toothed strigil and does not make a wound?[1] — There, since it will die if left alone, we say. a man is excited about his property; here, if he leaves it there is merely discomfort, we do not say, a man is excited about his money. Now as to R. Judah; wherein is the difference that he preventively prohibits in the case of leaven but does not preventively forbid in the case of scraping? — One bread can be mistaken for another bread, [but] currying cannot be mistaken for scraping.

MISHNAH. R. MEir SAID: ONE MAY EAT [LEAVEN] THE WHOLE OF THE FIVE [HOURS] AND MUST BURN [IT] AT THE BEGINNING OF THE SIXTH. R. JUDAH SAID: ONE MAY EAT THE WHOLE OF THE FOUR [HOURS]. KEEP IT IN SUSPENSE THE WHOLE OF THE FIFTH, AND MUST BURN IT AT THE BEGINNING OF THE SIXTH.[2] R. JUDAH SAID FURTHER: TWO UNFIT LOAVES OF THE THANKSOFFERING USED TO LIE ON THE ROOF[3] OF THE [TEMPLE] IZTABA:[4] AS LONG AS THEY LAY [THERE] ALL THE PEOPLE WOUld EAT [LEAVEN]; WHEN ONE WAS REMOVED, THEY WOULD KEEP IT IN SUSPENSE, NEITHER EATING NOR BURNING [IT]; WHEN BOTH WERE REMOVED, ALL THE PEOPLE COMMENCED BURNING[THEIR LEAVEN].[5] R. GAMALIEL SAID: HULLIN MAY BE EATEN THE WHOLE OF THE FOUR [HOURS] AND TERUMAH THE WHOLE OF THE FIVE [HOURS]. AND WE BURN [THEM] AT THE BEGINNING OF THE SIXTH [HOUR].[6]

GEMARA. We learned elsewhere: If one [witness] deposes [that it took place] on the second day of the month,[7] and another deposes, on the third of the month, their testimony is valid, because one knows of the intercalation of the [preceding] month[8] while the other does not know of the intercalation of the month.[9] If one deposed, on the third, while the other deposed, on the fifth, their

testimony is null. If one said: During the second hour, and the other said: During the third hour, their testimony is valid.[10] If one said, during the third hour, and the other said, during the fifth, their testimony is null: this is R. Meir's view. R. Judah maintained: Their testimony stands. If one deposed, during the fifth [hour], while the other deposed, during the seventh, their testimony is null, because during the fifth [hour] the sun is in the east, whereas in the seventh it is in the west. Abaye observed: When you examine the matter, you find that on R. Meir's ruling a man does not err [in the time] at all, [while] on R. Judah's ruling a man may err in half an hour. [Thus:] on R. Meir's ruling a man does not err at all: the event [to which they testify] happened at the end of the second and the beginning of the third [hour], and when one says, during the second, [he means] at the end of the second [hour], and when the other says, during the third hour, [he means] at the beginning of the third hour.[11] On R. Judah's ruling a man may err in half an hour: the event happened in the middle of the fourth hour, and he who says in the third hour[meant] at the end of the third hour, and he errs in [being] half an hour before; while he who testified, in the fifth hour, [meant] at the beginning of the fifth hour, and he errs in half an hour behind.

Others say, Abaye observed: When you examine the matter, you find that on R. Meir's ruling a man may err in [just] a little, while on R. Judah's ruling a man may err in slightly more than an hour.[12] On R. Meir's ruling a man may err in [just] a little: the event occurred either at the end of the second or at the beginning of the third [hour], and one of them erred a little. On R. Judah's ruling a man may err in slightly more than an hour: the event happened either at the end of the third or at the beginning of the fifth,

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(1) The animal is scraped to free it of mud, mire, etc. Thus R. Judah does not argue that if you permit one the other will be used, because a man is anxious to keep his property in good condition.

(2) V. supra 4b for notes.

(3) This is the reading of MS.M. and in the printed ed. of the Mishnah.

(4) V. Gemara.

(5) Forty loaves were brought with a thanks-offering, ten of which were leaven; two leaven loaves which had become unfit (the Gemara discusses how) were publicly exposed on the portico and served as a signal.

(6) By Biblical law leaven is permitted until midday. But people often erred in the matter of time (there were, of course, no clocks or watches in those days), and the controversy here is in respect of the extent of possible or likely errors.

(7) E.g., a murder.

(8) I.e., that it consisted of thirty days. The thirtieth day is said to be intercalated.

(9) Thinking that it consisted of twenty-nine days. This holds good only when they agree on other matters, including what day of the week it was.

(10) Because one can err in an hour.

(11) Thus there is no contradiction at all. But if it is shown that there is a contradiction, even in half an hour, one is assumed to be false and their evidence is null.

(12) Lit., ‘an hour and a little’.

and one of them erred in just over an hour.

R. Huna the son of R. Judah went and reported this discussion before Raba. Said he: now what if we carefully examined these witnesses [and found] that the one who testified [that it took place] in the third [hour] meant at the beginning of the third hour, while he who testified [that it took place] in the fifth [meant] at the end of the fifth, so that it would be a confuted testimony and we would not execute [the accused]; shall we then arise and execute him through a doubt,[1] whereas the Merciful One has ordered, then the congregation shall judge . . . and the congregation shall deliver?[2] Rather said Raba: on R. Meir's ruling a man may err in two hours less a trifle, while on R. Judah's ruling a man may err in three hours less a trifle. On R. Meir's ruling a man may err in two hours less a trifle:

the incident happened either at the beginning of the second or at the end of the third [hour], and one of them erred in two hours less a trifle. On R. Judah's ruling a man may err in three hours less a trifle: the incident occurred either at the beginning of the third or at the end of the fifth [hour], and one of them erred in three hours less a trifle.

We learned: They[3] were examined with seven hakiroth:[4] In which septennate [was the crime committed], in which year, in which month, on what day of the month, on what day [of the week]. at which hour and in which place? And 'ye [further] learned: What is the difference between hakiroth and bedikoth?[5] In hakiroth, if one of them [the witnesses] replied. 'I do not know', their testimony is null; in bedikoth, even if both declare, 'We do not know', their testimony is valid. Now we questioned this: Wherein this difference between hakiroth and bedikoth? And we answered: In hakiroth, if one declares, 'I do not know', their testimony is null, because it is a testimony which cannot be rebutted;[6] whereas with respect to bedikoth it is [still] a testimony which can be rebutted.[7] Now if you say that a man may err in so much, then the hakiroth of which hour also [leaves] testimony which cannot be rebutted, for they can assert, 'We did indeed err'? — We allow them [the benefit of] the whole of their [possible] error: according to R. Meir we allow them from the beginning of the first hour until the end of the fifth; and logically we should give them even more at the beginning, but that people do not err between day and night. While according to R. Judah we allow them from the beginning of the first hour until the end of the sixth; and logically we should give them more at the beginning,

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(1) I.e., just because we do not examine the witnesses to find out exactly what they meant.

(2) Num. XXXV. 24, 25; i.e. , the accused must be given the benefit of doubt.

(3) The witnesses in a murder trial.

(4) Lit., 'searching questions'. Two types of questions were asked, called hakiroth and bedikoth (examinations); v. Sanh. 40a.

(5) As stated, hakiroth dealt with time and place; bedikoth dealt with accompanying circumstances of the crime, e.g., the weapon, the clothes worn, etc.

(6) The Hebr. word הזמה used always denotes rebutting by proving that the witnesses themselves were elsewhere at the time of the alleged crime, in which case the law of retaliation applies that the witnesses are subject to the punishment which they sought to fasten upon the accused; v. Deut. XIX, 18f. This is obviously impossible unless the witnesses state the exact time and place, whereas the possibility of rebuttal is essential for the validity of testimony.

(7) Even if the witnesses are not clear on the accompanying circumstances.

but that people do not err between day and night; and logically we should give them more at the end,[1] but that in the fifth hour the sun is in the east while in the seventh the sun is in the west.[2]

We learned: R. MEIR SAID: ONE MAY EAT [LEAVEN] THE WHOLE OF THE FIVE [HOURS] AND MUST BURN [IT] AT THE BEGINNING OF THE SIXTH. R. JUDAH SAID: ONE MAY EAT THE WHOLE OF THE FOUR [HOURS]. KEEP [IT] IN SUSPENSE THE WHOLE OF THE FIFTH, AND MUST BURN [IT] AT THE BEGINNING OF THE SIXTH. Now according to Abaye who maintains that on R. Meir's view a man does not err at all, let us eat [leaven] for the whole of the six [hours]?[3] And even on the version which asserts [that] a man may err slightly, let us eat until the end of the sixth hour?[4] And according to Abaye on R. Judah's view, who maintains [that] a man may err in half an hour, let us eat [leaven] until half of the sixth hour; and even on the version in which you say. A man may err in an hour and a trifle, let us eat until the end of the fifth hour? — Said Abaye: Testimony is committed to careful men,[5] [whereas] leaven is committed to all.[6] Now according to Raba who maintains [that] on R. Meir's view a man may err in two hours less a trifle, let us not eat [leaven] from the beginning of the fifth [hour]? — In the fifth [hour] the sun is in the east, while in the seventh the sun is in the west.[7] If so, let us eat during the

sixth [hour] too? — Said R. Adda b. Ahabah: In the sixth the sun stands in the meridian.[8] And according to Raba who maintains on R. Judah's view [that] a man may err in three hours less a trifle, let us not eat from the beginning of the fourth [hour]? — In the fifth [hour] the sun is in the east, while in the seventh it is in the west, and all the more so in the fourth. If so, let us also eat in the fifth [hour]? — Abaye answered this on Raba's view: Testimony is committed to men of care, [whereas] leaven is committed to all.[9] But Raba said: Now this is R. Judah's reason, but R. Judah follows his opinion. for he maintains, There is no removal of leaven save by burning; the Rabbis therefore gave him one hour in which to collect fuel.[10] Rabina raised an objection to Raba: R. Judah said: When is this?[11] before[12] the time of removal;[13] but at the time of removal its 'putting away' is with anything.[14] Rather said Raba: It is a preventive measure on account of a cloudy day.[15] If so, let us not eat even during the four hours? — Said R. Papa: The fourth [hour] is the general mealtime.[16] Our Rabbis taught: The first hour [of the day] is the mealtime for gladiators;[17] the second is the mealtime for robbers;[18] the third is the mealtime for heirs;[19] the fourth is the mealtime for labourers;[20] the fifth is the mealtime for scholars; the sixth is the general mealtime.[21] But R. Papa said: The fourth [hour] is the general mealtime? — Rather reverse it: The fourth is the general mealtime; the fifth is for labourers; and the sixth is for scholars. After that it is like throwing a stone into a barrel.[22] Abaye said: That was said only if nothing at all is eaten in the morning; but if something was eaten in the morning. we have nought against it.

R. Ashi said: As there is a controversy in respect of testimony. so is there a controversy in respect of leaven.[23] But it is obvious? That is precisely what we have said![24] This is what he informs us: the answers which we gave are [correct] answers, and you need not say that it is dependent on Tannaim.[25]

R. Simi b. Ashi said: They learned this[26] only in respect of hours;[27] but if one testified [that the crime was committed] before sunrise and the others testified, after sunrise, their testimony is void. That is obvious? — Rather [say] if one testified [that it was] during sunrise, their testimony is void. That too is obvious? You might say, Both testified to the same thing, while he who said [that it was]

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(1) Lit., 'forward'.

(2) According to R. Meir: if A testified that the crime was committed in the second hour, and B that it took place in the third, their testimony is valid (v. Supra 11b), unless they are rebutted over the whole period in which an error is possible. Thus A, if rebutted, can plead that he erred, and that the crime actually took place either in the first hour or in the third or fourth. He should also be able to plead that it took place within the hour before sunrise, since R. Meir allows for an error of nearly two hours, but that he would never mistake night for day. Similarly B, if rebutted, can plead that he erred, and that the crime took place at any time between the first and the fifth hour. Hence they are liable to be rebutted over the whole of this time; i.e., C and D testify that they were elsewhere from the first until the fifth hour, and such rebuttal is designated a rebuttal in respect of hours, and therefore the evidence, if unrefuted, is valid. By the same reasoning, according to R. Judah, who allows for a margin of nearly three hours' error, the period is from the first until the sixth hour, the seventh being disregarded, as explained in the Gemara. — This wide latitude is granted only in so far that the witnesses will not be subject to retaliation (v. p. 53, n. 4) otherwise, but the evidence none the less may be void. E.g., if it is necessary to assume that B erred in two hours and that he really meant the fifth hour, A's testimony cannot be reconciled with it on any reasoning, and as we are left with one witness only the accused cannot be condemned.

(3) I.e, right until midday, when it is forbidden by Scriptural law.

(4) I.e., until just before midday.

(5) A man does not come to testify without being very careful on the question of time, as he knows that he will be cross-examined.

(6) Every man uses his own judgment, and therefore a far wider margin of error is possible.

(7) And the interdict of leaven commences in the seventh only; hence there is no possibility of error.

(8) Lit., 'between the corners', — equidistant from the east and the west, and so an error is possible.

(9) Hence in the matter of leaven people may err between the fifth and the seventh hours, in spite of the difference in the sun's position. Nevertheless, they would not err from the fourth to the seventh.

(10) Hence the fifth hour is kept in suspense, for if one were permitted to eat then he might forget about collecting fuel.
(11) That burning is the only form of removal.
(12) Lit., 'not at'.
(13) I.e.. during the sixth hour, before there is the Scriptural injunction to put away leaven.
(14) It can be destroyed in any fashion. — Then why keep it in suspense? if he forgets to collect fuel he can destroy it in another way.
(15) When the position of the sun cannot be clearly ascertained.
(16) Hence everybody knows it.
(17) Whose diet requires special attention (Jast.); or perhaps, circus attendants.
(18) Rashi: Both are rapacious, hence they eat so early; but robbers, being awake all night, sleep during the first hour of the day.
(19) Not having to earn their living, they have their main meal earlier than others.
(20) In the field.
(21) Lit., 'the mealtime of all (other) men'.
(22) No benefit is derived.
(23) Just as R. Meir and R. Judah differ in the possible errors of time in respect to evidence, so in respect of the prohibition of leaven.
(24) The whole of our discussion assumes that the two subjects are completely analogous.
(25) For though the views of R. Meir and R. Judah are apparently self-contradictory, they have been reconciled. R. Ashi informs us that it is unnecessary to assume that they actually represent irreconcilable opinions. there being a controversy of Tannaim as to the views of R. Meir and R. Judah.
(26) That a margin of error, perhaps up to nearly three hours, is allowed in testimony.
(27) I.e., when the witnesses state the hour of the day.

Talmud - Mas. Pesachim 13a

during sunrise was standing in the glow [before sunrise] and what he saw was merely the glare; hence he informs us [that it is not so]. R. Nahman said in Rab's name: The halachah is as R. Judah.[1] Said Raba to R. Nahman, Yet let the Master say [that] the halachah is as R. Meir, since a Tanna taught anonymously in agreement with him. For we learned: As long as it is permitted to eat [leaven] he may feed [animals with it]?[2] That is not anonymous. because there is the difficulty of 'it is permitted'.[3] Then let the Master say [that] the halachah is as R. Gamaliel, since he makes a compromise?[4] — R. Gamaliel does not make a compromise but states an independent view.[5] Alternatively. Rab rules as this Tanna. For it was taught: If the fourteenth falls on the Sabbath, everything [sc. leaven] must be removed before the Sabbath, and terumoth,[6] whether unclean, or in suspense.[7] or clean, are burnt, and of the clean [terumah] food for two meals is left over, so as to eat until four hours:[8] this is the ruling of R. Eleazar b. Judah of Bartotha[9] which he stated in R. Joshua's name. Said they to him: Clean [terumoth] should not be burnt, in case eaters may be found for them?[10] — He replied: They have already sought [eaters] but not found [them].[11] They may have spent the night without the [city] wall? said they to him[12] — Then on your reasoning, he retorted, even those in suspense should not be burnt, lest Elijah come and declare them clean?[13] — Said they to him, it has long been assured to Israel that Elijah will come neither on the eve of the Sabbath nor on the eve of Festivals, on account of the trouble.[14] It was said:[15] They did not stir thence until they decided the halachah in accordance with R. Eleazar b. Judah of Bartotha which he stated in R. Joshua's name. Does that not mean even in respect of eating?[16] Said R. Papa in Raba's name: No, [only] in respect of removing.[17]

Now Rabbi too holds this [view] of R. Nahman. For Rabin son of R. Adda related: It once happened that a certain man deposited a saddle-bag full of leaven with Johanan of Hukok,[18] and mice made holes in it, and the leaven was bursting out. He then went before Rabbi.[19] The first hour he said to him, 'Wait'; the second, he said to him, 'Wait'; the third he said to him, 'Wait';[20] the fourth he said to him, 'Wait'; at the fifth he said to him, 'Go out and sell it in the market'. — Does

that not mean to Gentiles, in accordance with R. Judah?[21] — Said R. Joseph: No, to an Israelite, in accordance with R. Meir.[22] Said Abaye to him: If to an Israelite, let him take it for himself? — [He could not do this] because of suspicion.[23] For it was taught: When the charity overseers have no poor to whom to distribute [their funds], they must change the copper coins with others, not themselves.[24] The overseers of the soup kitchen,[25] when they have no poor to whom to make a distribution, must sell to others, not to themselves, because it is said, and ye shall be guiltless towards the Lord, and towards Israel.[26] R. Adda b. Mattenah said to R. Joseph:[27] You explicitly told us [that he said]. 'Go out and sell it to Gentiles,' in accordance with R.Judah.

R. Joseph said: With whom does this ruling of Rabbi agree?[28] With R. Simeon b. Gamaliel. For we learned: If a man deposits produce with his neighbour. even if it is suffering loss,[29] he must not touch it. R. Simeon b. Gamaliel said: He must sell it by order of the court, on account of returning lost property.[30] Said Abaye to him, Yet was it not stated thereon, Rabbah b. Bar Hanah said in R. Johanan's name: They learned this only

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(1) In our Mishnah.

(2) Conversely, when he may not eat leaven he may not feed his cattle with it. But in R. Judah's view he may not eat it during the fifth hour, and yet he may give it to his cattle. Hence this must agree with R. Meir. It is a general principle that an anonymous Mishnah states the halachah.

(3) V. infra 21a. In order to answer that difficulty the Mishnah is explained as being R. Gamaliel's view.

(4) V. Mishnah on 11b. It is a general rule that the view representing a compromise is the halachah.

(5) Lit., 'a reason of his own . R. Gamaliel's view would be a compromise if R. Meir and R. Judah mentioned terumoth and hullin, R. Meir explicitly stating that even hullin may be eaten the whole of the five hours, and R. Judah stating that even terumah may only be eaten up to four hours. This would show that they recognize that in logic a distinction might be drawn between hullin and terumah. R. Gamaliel, in thus making the distinction, would be effecting a compromise. But they do not rule thus: hence his distinction is an entirely independent one.

(6) Plur. of terumah.

(7) I.e., when it is in doubt whether they are clean or unclean.

(8) I.e., one meal Friday evening and one Saturday morning.

(9) In Upper Galilee.

(10) E.g.. guests who are priests may arrive.

(11) I.e., it is impossible to have unexpected guests, for these cannot arrive from without the town on the Sabbath, while one knows who is in town.

(12) And thus arrive unexpectedly.

(13) One of the functions ascribed to Elijah was the clearing up of all doubts.

(14) His coming then would be inopportune.

(15) Lit. — 'they said'.

(16) And he states that leaven may be eaten until four hours, even if it is terumah. This is the basis of Rab's ruling, the question being a rhetorical one.

(17) Viz., that even the clean terumoth must not be kept for Sabbath morning but must be burnt before the Sabbath. But it is possible that terumah may be eaten until the fifth hour.

(18) In Northern Palestine.

(19) It was Passover eve.

(20) The owner may come.

(21) Who holds that it is forbidden to Jews then.

(22) Who holds that a Jew may eat it during the fifth hour.

(23) E.g., that he had undervalued it.

(24) Copper coins were unsuitable for keeping a long time, being liable to tarnish and mould. Therefore they would be exchanged for silver ones.

(25) תמחוי; actual food was collected for this purpose, not money, and it was distributed to those in immediate need of a meal. V. B.B. 8b.

(26) Num. XXXII, 22. I.e. , one must avoid even the appearance of suspicion.

(27) R. Joseph had forgotten his learning owing to an illness, and his disciples would often have to remind him of his teachings. v. Ned. 41a.

(28) Lit., ‘as whom does it go’?

(29) Through mildew or mice.

(30) I.e., it is like returning lost property to its owner.

Talmud - Mas. Pesachim 13b

when there is the normal rate of decrease; but when [the loss] exceeds the normal rate of decrease, [all agree that] he must sell it by a court order. How much more so here that it is entirely lost.[1]

R. JUDAH SAID FURTHER: TWO [UNFIT] LOAVES, etc. A Tanna recited before Rab Judah: on the top [gab] of the [Temple] iztaba.[2] Said he to him: Does he then need to hide them?[3] Learn: on the roof of the [temple] iztaba [portico]. Rehaba said in R. Judah's name:[4] The Temple Mount consisted of a double colonnade.[5] It was taught likewise: The Temple Mount consisted of a double colonnade. R. Judah said: It was called istewawnith,[6] [being] a colonnade within a colonnade.

UNFIT etc., why UNFIT? — Said R. Hanin: Since they were many they became unfit through being kept overnight. For it was taught: A thanksoffering may not be brought during the Feast of Unleavened Bread on account of the leaven therein.[7] But that is obvious? — Said R. Adda b. Ahabah: We treat here of the fourteenth. and he [the Tanna] holds: Sacred food may not be brought to unfitness.[8] Hence everybody brought it on the thirteenth, and since they were numerous they became unfit through being kept overnight. In R. Jannai's name it was said: They were fit, yet why are they called unfit? Because the sacrifice had not been slaughtered for them.[9] Then let us slaughter [it]? — The sacrifice was lost. Then let us bring another sacrifice and slaughter [it]? — It is a case where he [the owner] had declared: ‘This [animal] is a thanksoffering and these are its loaves,’ this being in accordance with Rabbah. For Rabbah said: If the loaves are lost, other loaves may be brought. If the thanksoffering is lost, another thanksoffering may not be brought — What is the reason? The loaves are subsidiary[10] to the thanksoffering, but the thanksoffering is not subsidiary to the loaves. Then let us redeem and free them as hullin?[11] — But in truth it is a case where the sacrifice was slaughtered for them, but the blood was poured out.[12] And with whom [does this agree]? With Rabbi, who said: The two things which permit, promote [to sanctity] without each other.[13] For it was taught: The lambs of Pentecost[14] sanctify the loaves only by shechitah.[15] How so? If he kills them for their own purpose[16] and sprinkles their blood for their own purpose, he [thereby] sanctifies the loaves. If he kills them for a purpose that is not theirs and sprinkles their blood for a purpose that is not theirs, he does not sanctify [thereby] the loaves — If he kills them for their own purpose but sprinkles their blood for a purpose that is not theirs, the bread is sanctified and not sanctified;[17] this is Rabbi's ruling. R. Eleazar b. R. Simeon said: The bread always remains unsanctified until he kills [the lambs] for their own purpose and sprinkles their blood for their own purpose.[18] — [No,] you may even say [that it agrees with] R. Eleazar son of R. Simeon; but the case we discuss here is where the blood was caught in a goblet and then spilled, while R. Eleazar son of R. Simeon holds as his father, who maintained: That which stands to be sprinkled is as though it were sprinkled.[19] A Tanna taught: In R. Eleazar's name it was said: They [the loaves] were fit. As long as they [both] lay [there], all the people ate [leaven]; when one was removed, they kept [the leaven] in suspense, neither eating nor burning [it]; when both were removed, all commenced burning [their leaven].

It was taught, Abba Saul said:

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(1) If unsold before it becomes interdicted.

(2) The word may denote a bench or a portico. The reading ‘on the top’ (gab) implies the former rendering. Hence the question that follows, v. Rashi.

(3) Surely they are intended to be exposed for public gaze.
(4) V. Bez., Sonc. ed. p. 54, n. 9.
(5) [GR. **. For a description of the Temple porticoes v. Josephus, Wars v, 5.3 v. also Derenbonrg, Essai p. 51.
(6) Lit., 'a double colonnade'. [סטיו כפול == GR. ** of Josephus, Wars V. 5.2. v. Hollis, F. J. Herod's Temple p. 15.]
(7) Forty loaves accompanied the offering, ten of which were leaven.
(8) A thanksoffering may be eaten on the day that it is brought and the following night. But if it is brought on the fourteenth of Nisan the loaves of leaven may be eaten only until noon, and this Tanna holds that a sacrifice may not be brought at a time when the normal period for its consumption is lessened, so that it is likely to become unfit.
(9) I.e., we need not assume that the reference is to loaves which were in fact unfit through having been kept overnight, but even if the sacrifice had not been slaughtered they are also so designated, because the loaves may not be eaten until the thanksoffering is killed on their behalf.
(10) Lit. , 'on account of'.
(11) For the loaves in that case can be redeemed.
(12) The loaves cannot be redeemed then.
(13) The slaughtering and the sprinkling of the blood are both required before the loaves may be eaten; on the other hand, one alone suffices to promote them to that degree of sanctity ('intrinsic sanctity, as opposed to 'monetary' sanctity); from which they cannot be redeemed.
(14) Lit., 'the solemn assembly' — the term without further qualification always refers to Pentecost.
(15) V. Glos. It is stated in Lev. XXIII, 19f: And ye shall offer . . . two he-lambs . . . and the priest shall wave them with the bread of the first fruits (i.e., the 'two wave loaves' mentioned in v. 17, q.v.) for a wave offering before the Lord, with the two lambs: they shall be holy to the Lord for the priest. In Men. 46a it is shown that these loaves are sanctified only by the ritual slaughter of the sacrifice.
(16) Lit., 'for their name — I.e., as the Pentecost sacrifices.
(17) The loaves are sanctified in that they become unfit if taken without the sacred precincts and that they cannot be redeemed, for they are now intrinsically holy. Yet they are unsancitified in the sense that they may not be eaten.
(18) Thus the statement that our Mishnah refers to a case where the offering had been slaughtered but its blood was not sprinkled and thereby the loaves were sanctified, would appear to agree with Rabbi only.
(19) In the sense that the animal is unfit as a sacred offering which has become unfit. Yet it may not be eaten unless the blood is sprinkled.

Talmud - Mas. Pesachim 14a

Two cows used to plough on the Mount of Anointing:[1] as long as both were ploughing. all the people ate; when one was removed, they kept [the leaven] in suspense, neither eating nor burning [it]; when both were removed, all the people began burning [their leaven]. MISHNAH. R. HANINA. THE SEGAN[2] OF THE PRIESTS, SAID: DURING THE DAYS OF THE PRIESTS THEY NEVER REFRAINED FROM BURNING [SACRIFICIAL] FLESH WHICH HAD BEEN DEFILED BY A DERIVATIVE UNCLEANNESS WITH FLESH WHICH HAD BEEN DEFILED BY A PRINCIPAL UNCLEANNESS, THOUGH UNCLEANNESS IS ADDED TO ITS UNCLEANNESS.[3] R. AKIBA ADDED AND SAID: DURING [ALL] THE DAYS OF THE PRIESTS THEY DID NOT REFRAIN FROM LIGHTING OIL[4] WHICH HAD BEEN RENDERED UNFIT[5] BY A TEBUL YOM[6] IN A LAMP WHICH HAD BEEN MADE UNCLEAN BY THAT WHICH [OR, ONE WHO] IS UNCLEAN THROUGH A CORPSE, THOUGH UNCLEANNESS IS ADDED TO THEIR UNCLEANNESS.[7] SAID R. MEIR: FROM THEIR WORDS WE LEARN THAT WE MAY BURN CLEAN TERUMAH TOGETHER WITH UNCLEAN TERUMAH ON PASSOVER.[8] R. JOSE SAID: THAT IS NOT AN ANALOGY.[9] AND R. ELIEZER AND R. JOSHUA ADMIT THAT EACH IS BURNT SEPARATELY; WHERE DO THEY DIFFER? IN RESPECT OF DOUBTFUL [TERUMAH][10] AND UNCLEAN [TERUMAH]. R. ELIEZER RULING, EACH MUST BE BURNT SEPARATELY, WHILE R. JOSHUA RULES, BOTH TOGETHER.

GEMARA. Consider: Flesh which was defiled by a derivative uncleanness, what is it? A second degree. When it is burnt together with flesh which was defiled by a principal defilement, what is it? A second degree:[11] [thus] it was a second degree [before] and [is] a second degree [now], then what adding of uncleanness to its uncleanness is there?-Said Rab Judah: We treat here of the derivative of a derivative, so that it[12] is a third degree, and he holds that a third may be raised to a second. But food cannot defile food, for it was taught: You might think that food should defile food, therefore it is stated, But if water be put upon the seed, and aught of their carcase fall thereon, it is unclean:[13] it is unclean, but it does not render that which is similar thereto unclean?[14] Now it is well according to Abaye who maintained: They learned this only of hullin, but in the case of terumah and sacred food they can render what is similar thereto [unclean]. And also according to R. Adda b. Ahabah in Raba's name, who maintained: They learned this only of hullin and terumah, but in the case of sacred food it does not render its like [unclean], it is correct. But according to Rabina in Raba's name, who said: The Writ states an unqualified law,[15] there is no difference whether it is hullin, terumah, or sacred food, it cannot render its like [unclean], what is there to be said? — We treat here of a case where there is liquid together with the flesh, so that it is defiled on account of the liquid.[16] If so, [instead of] this [phrase] 'TOGETHER WITH FLESH WHICH HAD BEEN DEFILED WITH A PRINCIPAL UNCLEANNESS, he should state, TOGETHER WITH FLESH and liquid' [etc.]? Rather, [reply] granted that food cannot defile food by Scriptural law, by Rabbinical law it can nevertheless defile [it].[17]

R. AKIBA ADDED AND SAID: DURING [ALL] THE DAYS OF THE PRIESTS THEY DID NOT REFRAIN FROM LIGHTING, etc. Consider: When oil is rendered unfit through [contact with] a tebul yom, what is it? A third degree [of defilement]; and when it is lit in a lamp which was defiled by that which [or, one who] was defiled through a corpse, what does it become? A second degree.[18] [Thus] what he does inform us is that a third degree may be raised to a second; then it is the identical [teaching]?[19] Said Rab Judah: We treat here of a metal lamp, for the Divine Law said,

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(1) I.e.. the Mount of Olives.

(2) Chief of the priests and deputy High-Priest, v. Sanh., Sonc. ed. p. 97. n. 1.

(3) The following degrees of defilement are distinguished: (i) The super principal (lit. , 'father of fathers' of) defilement, which is that borne by a corpse; (ii) principal (lit. , 'the father of') defilement, which is that of a human being or a utensil 'defiled by a corpse; (iii) derivative (lit., 'offspring of') defilement, borne by a human being, utensil or food which is contaminated by a principal defilement — this is also known as the first degree or 'beginning' of defilement; (iv) the second degree of defilement, which is that of food contaminated by a principal defilement. In hullin there is nothing further, and if hullin comes into contact with something unclean in the second degree it remains clean. Terumah, however, is liable to (v) a third degree, but no further. Sacred food, i.e., the flesh of sacrifices, is liable to (vi) a fourth degree of defilement. Third degree terumah and fourth degree sacred flesh are called 'unfit' but not unclean, because they cannot communicate uncleanness to their own kind, i.e., to terumah and sacred flesh respectively.

(4) of terumah.

(5) V. n. 2.

(6) V. Glos.

(7) In all these cases something of a lower degree of uncleanness comes into contact with something else of a higher degree of uncleanness when they are burnt together, and their own uncleanness is increased, as explained in the Gemara.

(8) I.e., on the eve of Passover, when leaven must be burnt. R. Meir reasons that since a higher degree of uncleanness may be imposed upon terumah and sacred flesh when they must be burnt in any case, the same holds good for leaven, even if one is not unclean at all.

(9) You cannot deduce one from the other.

(10) Lit., 'in suspense'.

(11) For the latter is a first degree and its contact renders this flesh a second degree.

(12) The flesh which is defiled thereby.

(13) Lev. XI, 38.

(14) Then what increase of uncleanness can there be in the Mishnah?

(15) Lit., ‘a full verse’.

(16) When the flesh was defiled there was water upon it, which is still there when it is burnt with the flesh defiled in a lower degree. The uncleanness of the latter is raised through contact with the water.

(17) Thus the Mishnah likewise treats of a Rabbinically enhanced defilement.

(18) The lamp being unclean in the first degree.

(19) of R. Hanina.

Talmud - Mas. Pesachim 14b

[And whosoever . . . toucheth] one that is slain by the sword,[1] [which intimates], the sword is as the slain;[2] hence it is a principal defilement, and he [R. Akiba] thus holds that a third may be raised to a first.[3] Yet what compels Rab Judah to relate it to a metal lamp? Let him relate it to an earthen lamp, and [as to the question], what does he [R. Akiba] add? [We can reply]. For whereas there [in the first clause] it was unclean and is [now] unclean, here it was unfit and is [now] unclean?[4] — Said Raba, Our Mishnah presents a difficulty to him: Why does it particularly state, A LAMP WHICH HAD BEEN MADE UNCLEAN BY THAT WHICH WAS UNCLEAN THROUGH A CORPSE? Let it state, which had been defiled by a sherez![5] Now what thing is there whose uncleanness is differentiated between the uncleanness of a corpse and [that of] a sherez? Say, that is metal.[6]

Raba said: This proves that R. Akiba holds, The uncleanness of liquids in respect of defiling others is Scriptural; for if you should think that it is Rabbinical [only], then consider: how does this lamp affect the oil? If by rendering that itself unfit, surely it is already unfit?[7] Whence [does this follow]: perhaps [it affected it by enabling it] to defile others by Rabbinical law?[8] — If by Rabbinical law [only], why particularly [state when it was defiled] by a principal uncleanness? Even if [it was defiled] by a first or second degree it is still a first.[9] For we learned: Whatever renders terumah unfit defiles liquids, making them a first, except a tebul yom?[10] Hence this must prove that it is Scriptural.

SAID R. MEIR: FROM THEIR WORDS WE LEARN etc. From whose words? Shall we say, from the words of R. Hanina, the Segan of the Priests, — are they alike? There it is unclean and unclean, whereas here it is clean and unclean. Again, if from the words of R. Akiba, — are they then alike? There it is unfit and unclean, whereas here it is clean and unclean? Must we [then] say[11] that R. Meir holds [that] our Mishnah treats of a principal uncleanness according to Scripture and a derivative uncleanness by Rabbinical law,[12] which by Scriptural law is completely clean;

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(1) Num. XIX, 16.

(2) In its degree of defilement. For otherwise, why specify how the person was slain? This is then understood as a general law that any metal vessel or utensil which becomes defiled through a corpse, whether at first hand or not, bears the same degree of defilement as that which contaminates it.

(3) For the oil, by contact with the lamp, is raised from a third to a first.

(4) V. p. 62, n. 2. The flesh, even in a third degree, being sacred, was definitely unclean, since there can be a fourth degree. But the oil of terumah was only unfit, without power to contaminate, whereas now by being raised to a second degree it becomes unclean. Thus this statement goes beyond R. Hanina's. — The reference must be to oil of terumah. For though there was also sacred oil, viz. ‘the oil used in meal-offerings, and there a third degree is unclean in that it defiles by contact, nevertheless when unclean it cannot be used for lighting but must be burnt, like all other sacrifices which had been, invalidated for any reason, so that by burning it together with the derivative of uncleanness and rendering it thereby second, he does not increase the power of defilement.

(5) Lit., ‘a creeping thing’. This too is a principal defilement, just like a man defiled by a corpse. Rashi omits ‘by a sherez’, the question being, what need is there for the Mishnah to define at all the source of principal defilement from which the lamp became contaminated.

(6) The rule that a metal vessel bears the same degree of defilement as that which contaminated it applies only to corpse defilement.

(7) And what does it matter whether it is of the third degree or of the first? Hence we must assume that it can now contaminate even by Scriptural law, which it could not do before.

(8) Which power it previously lacked.

(9) Lit. 'beginning' — another designation for a first degree.

(10) 'What renders terumah unfit' is anything which is unclean in the second degree. By Rabbinical law this in turn defiles liquids and actually inflicts a higher degree of uncleanness than that borne by itself, rendering them unclean in the first degree. Thus if R. Akiba were treating of Rabbinically enhanced contamination, it would be unnecessary to speak of the lamp, which bears a principal degree of uncleanness, but of anything which bears even a second degree of uncleanness.

(11) Since R. Meir derives his law from the preceding statements.

(12) E.g.. if a utensil was defiled by a liquid and in its turn defiled flesh. The second defilement is only Rabbinical, for by Scriptural law liquid cannot defile a utensil.

Talmud - Mas. Pesachim 15a

and what does FROM THEIR WORDS mean? From the words of R. Hanina, the Segan of the Priests?[1] — Said Resh Lakish in Bar Kappara's name: our Mishnah treats of a principal uncleanness according to Scripture and a derivative uncleanness according to Scripture;[2] and what does FROM THEIR WORDS mean? From the words of R. Eliezer and R. Joshua.[3] Which [teaching of] R. Joshua? Shall we say, the following [teaching of] R. Joshua? For we learned: In the case of a cask of terumah wherein a doubt of uncleanness is born,[4] — R. Eliezer said: If it is lying in an exposed place it must be laid in a hidden place, and if it was uncovered, it must be covered.[5] R. Joshua said: If it is lying in a hidden place, one may lay it in an exposed place, and if it is covered it may be uncovered![6] How compare: there it is mere indirect action, whereas here it is [defiling] with [one's own] hands? — Rather it is this [ruling of] R. Joshua. For we learned: If a cask of [wine of clean] terumah in the upper part is broken,[7] while [in] the lower part there is unclean hullin. R. Eliezer and R. Joshua agree that if a rebi'ith[8] thereof can be saved in purity, one must save it. But if not, R. Eliezer ruled: Let it descend and be defiled, yet let him not defile it with [his own] hands: R. Joshua said: He may even defile it with his own hands.[9] If so, [instead of] this [phrase] 'FROM THEIR WORDS, he should state, 'FROM his WORDS'? — This is what he means: From the controversy of R. Eliezer and R. Joshua we learn [etc.]' — This may be proved too,[10] because he states [further]: R. ELIEZER AND R. JOSHUA AGREE [etc.].[11] This proves it. And thus said R. Nahman in Rabbah b. Abbuha's name [too]: our Mishnah refers to a principal uncleanness according to Scripture and a derivative uncleanness according to Scripture, and what does FROM THEIR WORDS mean? From the words of R. Eliezer and R. Joshua.

Raba raised an objection to R. Nahman: R. Jose said [to R. Meir]: The conclusion[12] is not similar to the premise. For when our Masters testified, about what did they testify? If about flesh which was defiled through a derivative uncleanness, that we burn it together with flesh which was defiled through a principal uncleanness, [then] this is unclean and that is unclean![13] If about oil which was rendered unfit by a tebul yom,[14] that it is lit in a lamp which was defiled by one unclean through the dead, one is unfit and the other is unclean. So we too admit in the case of terumah which was defiled through a derivative uncleanness, that we may burn it together with terumah which was defiled by a principal uncleanness. But how can we burn that which is in suspense together with that which is unclean? Perhaps Elijah will come and declare it [the former] clean![15]

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(1) And the analogy is thus: just as Rabbinically unclean flesh may be burnt together with Scripturally unclean flesh, though the former is Scripturally clean, so may clean terumah be burnt together with unclean terumah during the sixth hour, though the former is then only Rabbinically forbidden, since by Scriptural law the interdict of leaven does not commence until the seventh hour, while the latter is already Scripturally forbidden for use on account of its defilement.

(2) The other hypothesis being a forced one.

(3) Thus R. Meir does not refer to the Mishnah at all but to the rulings of some other Sages. Strictly speaking therefore

this Mishnah is irrelevant in its present position, but it is included because the subject of burning unclean together with clean is dealt with there.

(4) E.g., if there is a doubt whether an unclean person touched it.

(5) In spite of the doubt one must still protect it from certain defilement.

(6) I.e. , since a doubt has arisen you are no longer bound to protect it and may even place it where the risk of contamination is greater than at present. Thus R. Joshua holds that since it is only fit for lighting one may cause it to become unclean, and this furnishes the basis for R. Meir's analogy.

(7) And the contents thereof are running down into the lower part of the vat.

(8) A quarter of a log.

(9) If the clean terumah runs into the hullin, it becomes unclean too, and then the mixture is forbidden to priest and lay Israelite alike, unless there is one hundred times as much hullin as terumah. In the present case only unclean vessels are ready to hand to catch the terumah, which would save the hullin below. Both agree that if there is time to go, procure clean vessels and save at least a rebi'ith of the terumah, this must be done, though in the meantime some terumah will descend and render all the hullin forbidden. But where there is no time to save even a rebi'ith, we have a controversy. R. Eliezer holds that even so it must be permitted to descend, though it will thereby be defiled in any case, rather than that we should deliberately defile it by catching it in unclean vessels. But R. Joshua maintains that since it will all be defiled in any case, we may defile it ourselves, in order to save the hullin below. R. Meir's ruling in the Mishnah is based on R. Joshua's.

(10) That R. Meir refers to R. Eliezer and R. Joshua.

(11) This would be irrelevant if he had not already referred to them.

(12) R. Meir's.

(13) Whereas R. Meir deals with unclean and clean.

(14) V. Glos.

(15) How then may we defile them with our hands by burning them together?

Talmud - Mas. Pesachim 15b

As to piggul,[1] nothar,[2] and unclean [sacrificial flesh]. — Beth Shammai maintain: They must not be burnt together;[3] while Beth Hillel rule: They may be burnt together.[4] Now if you think that R. Meir argues from the words of R. Joshua, why does R. Jose answer him from [the view] of R. Hanina, the Segan of the Priests? — Said R. Nahman to him: R. Jose did not comprehend his [R. Meir's] reasoning, for he thought [that] R. Meir was arguing from R. Hanina, the Segan of the Priests, thereupon he said to him, I state [this law by deduction] from R. Joshua — But he answered him, Even on R. Joshua's [view] this is no true analogy, for R. Eliezer and R. Joshua admit that one must burn this separately and that separately. Yet why is this not a [true] analogy. Surely it is a perfect analogy?[5] — There it is different, because there is a loss of hullin.[6] To this R. Jeremiah demurred: [Surely] in our Mishnah too there is the loss of wood?[7] — Said a certain old man to him: They cared about a substantial loss, but they did not care about a slight loss.

R. Assi said in R. Johanan's name: The controversy is [only] in respect of the sixth [hour], but in the seventh all agree[8] that we burn them [together].[9] R. Zera said to R. Assi: Shall we [then] say that R. Johanan holds that our Mishnah treats of a principal uncleanness according to Scripture and a derivative uncleanness by Rabbinical law, and that what ‘FROM THEIR WORDS’ means is from the words of R. Hanina, the Segan of the Priests?[10] — Yes, he replied. It was stated likewise: R. Johanan said: our Mishnah refers to a principal uncleanness according to Scripture and a derivative uncleanness by Rabbinical law, and what does ‘FROM THEIR WORDS’ mean? From the words of R. Hanina, the Segan of the Priests; and the controversy is [only] in respect of the sixth [hour], but in the seventh all agree that we burn them together.

Shall we say that we can support him: As to piggul, nothar and unclean sacrificial [flesh] — Beth Shammai maintain: They must not be burnt together; while Beth Hillel rule: they may be burnt together?[11] — There it is different, because they possess uncleanness by Rabbinical law. For we

learned: Piggul and nothar defile the hands.[12] Shall we say that this supports him: If a loaf goes mouldy and is unfit for human consumption, yet a dog can eat it, it can be defiled with the uncleanness of eatables, if the size of an egg,[13] and it may be burnt together with an unclean [loaf] on Passover?[14] — [No]: there it is different because it is merely dust.[15] If so,[16] what does [THEY] ADMIT mean?[17] — R. Jose says thus to R. Meir: Even according to R. Joshua. who is lenient, he is lenient only in connection with doubtful and unclean [terumah],[18] but not in the case of clean and unclean.[19] If so,[20] why is it not a true analogy? Surely it is a perfect analogy?[21] — Said R. Jeremiah: Here[22] we treat of flesh which was defiled by a liquid which was defiled through a creeping thing. and R. Meir is consistent with his view, while R. Jose is consistent with his view: R. Meir [is consistent] with his view, for he maintains, The uncleanness of liquids in respect of defiling others is [only] Rabbinical; while R. Jose [is consistent] with his view, for he maintains: The uncleanness of liquids in respect of defiling others is Scriptural.[23] For it was taught:

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(1) Lit., 'abomination'. The flesh of a sacrifice which the priest offered with the express intention of consuming it after the permitted time.

(2) 'Left over', flesh not consumed within the permitted period.

(3) Because the first two, though forbidden, are not unclean Biblically, and when they are burnt together they become defiled.

(4) This last portion of the Baraitha dealing with piggul, etc., is irrelevant, and is quoted merely in order to complete the Baraitha.

(5) For the wine in the cask is quite clean, yet since it is fated to be lost we may deliberately defile it.

(6) If the terumah is not deliberately defiled and allowed to flow into the lower part of the vat, v. Supra p. 67. n. 2.

(7) For fuel, if two fires must be made instead of one.

(8) Even R. Jose.

(9) Since they are then Scripturally forbidden, even the clean terumah is certainly the same as unclean.

(10) Thus: just as that which is only Rabbinically unclean may be burnt together with what is Scripturally unclean, so in the sixth hour, the terumah of leaven is then only Rabbinically forbidden, and may be burnt with unclean terumah which is Scripturally forbidden. This seems to be R. Han's interpretation. Rashi and Tosaf. on the basis of another reading explain it rather differently.

(11) This teaching was cited by R. Jose in his argument with R. Meir, he apparently agreeing with the view of Beth Hillel (v. supra and notes). Thus since piggul and nothar are Scripturally forbidden, they may be burnt together with unclean flesh, though they are thereby contaminated; and the same applies to clean terumah of leaven in the seventh hour.

(12) I.e., Rabbinically. v. infra 120a.

(13) Since it was once fit for human food, it can be defiled as food unless it becomes unfit even for a dog.

(14) I.e., even if it is terumah. Now this must certainly be R. Jose's view, for R. Meir permits them to be burnt together even if the loaf is fresh. This proves that R. Jose agrees where it is quite unfit for human consumption, and the same applies to clean terumah of leaven in the seventh hour.

(15) When it is unfit because of its mouldiness, it is worse than unclean, having no intrinsic value whatsoever.

(16) That R. Meir learns from R. Hanina.

(17) Surely R. Jose's argument that R. Eliezer and R. Joshua admit etc., is irrelevant, seeing that R. Meir is not concerned with them at all?

(18) In the two cases cited supra 15a.

(19) With which R. Meir deals.

(20) Again, that R. Meir learns from R. Hanina.

(21) For in the sixth hour the leaven is Rabbinically forbidden, and on R. Johanan's view, there is no difference according to R. Jose between what is unclean and what is forbidden for any other reason (since he maintains that in the seventh hour R. Jose agrees that they may be burnt together because both are then Scripturally forbidden) and the same principle should apply equally to R. Meir.

(22) In our Mishnah.

(23) Hence according to R. Meir this flesh is clean by Scriptural law, yet it is burnt together with flesh Scripturally unclean, and by analogy the same applies to terumah. But in R. Jose's view this flesh too was of uncleanness, and

therefore it cannot be compared to terumah in the sixth hour, when it is only Rabbinically forbidden.

Talmud - Mas. Pesachim 16a

Doubtful [cases of uncleanness with] fluids,[1] in respect of becoming unclean themselves, are unclean; in respect of defiling others,[2] they are clean; this is R. Meir's view, and thus did R. Eleazar too rule as his words. R. Judah said: It is unclean in respect of everything. R. Jose and R. Simeon maintain: In respect of eatables, they are unclean; in respect of utensils they are clean.[3] But does R. Eleazar hold that liquid is at all susceptible to uncleanness,[4] surely it was taught: R. Eleazar said: Liquids have no uncleanness at all [by Scriptural law]; the proof is that Jose b. Jo'ezer of Zeredah[5] testified[6] that the stag-locust[7] is clean [fit for food], and that the fluids[8] in the [Temple] slaughter-house are clean.[9] Now, there is no difficulty according to Samuel's interpretation that they are clean [only] in so far that they cannot defile other [objects], but that nevertheless they are unclean in themselves, then it is well; but according to Rab who maintained that they are literally clean,[10] what can be said? — Said R. Nahman b. Isaac: [He refers] to one [ruling only].[11] But he states: as his words', implying that they are many; moreover, he teaches, 'and thus [etc.]'?[12] That is [indeed] a difficulty.

The [above] text [states]: 'Rab said, They are literally clean: while Samuel maintained, They are clean [only] insofar that they cannot defile other [objects], but nevertheless they are unclean in themselves'. 'Rab said: They are literally clean'. He holds that the uncleanness of liquids is Rabbinical, and when did the Rabbis decree thus? [only] in respect of liquids in general, but there was no decree in respect of the liquids of the slaughter-house.[13] 'While Samuel maintained, They are clean [only] in so far that they cannot defile other [objects], but nevertheless they are unclean in themselves'. He holds that the uncleanness of liquids themselves is Scriptural, [but] in respect of defiling others, Rabbinical; and when did the Rabbis decree? In respect of liquids in general, but in respect of the liquids of the slaughter-house there was no decree; again, when did the Rabbis refrain from decreeing [concerning the liquids of the slaughter-house]? In respect to the defiling of other [objects], but they possess uncleanness in themselves.[14]

R. Huna b. Hanina said to his son: When you come before R. Papa, point out a contradiction to him: Did then Samuel say, 'They are clean in so far that they cannot defile other [objects], but nevertheless they are unclean in themselves', — read here, and the flesh that toucheth any unclean thing shall not be eaten?[15] Said R. Shisha the son of R. Idi: Let it be compared to the fourth degree in the case of sacred [food].[16] To this R. Ashi demurred: A fourth degree in the case of sacred [food] is not designated unclean, [whereas] this is designated unclean? — This is a difficulty. Come and hear: And all drink that may be drunk in any vessel shall be unclean?[17] — What does 'it shall be unclean' mean? It makes [solid foodstuffs] fit [to become unclean].[18] [You say]. 'It makes [solids] fit'; this you know from the beginning of the verse: All food which may be eaten [that on which water cometh, shall be unclean]? — one refers to detached [liquid], and the other to attached [liquid],[19] and both are necessary: for if we were informed of detached, that is because he [the owner of the eatables] assigned importance to them;[20] but as for attached, I would say that it is not so. And if we were informed of attached, [that may be] because it [the liquid] stands in its place it has value; but as for detached, I would say that it is not so. Thus they are necessary.

Come and hear: Nevertheless a fountain or a pit wherein is a gathering of water shall be clean?[21] — What does 'shall be clean' mean? From his [or, its] uncleanness.[22]

But can detached [liquid][23] make [eatables] fit [to become unclean]; surely R. Jose b. R. Hanina said: The liquids of the [Temple] slaughter-house, not enough that they are clean, but they cannot [even] make [eatables] fit [to become unclean]?[24] Interpret this as referring to the blood,[25] for R. Hiyya b. Abin said in R. Johanan's name: How do we know that the blood of sacrifices does not

make [anything] fit [to become defiled]? Because it is said, thou shalt pour it out [sc. the blood] upon the earth as water:[26] blood which is poured out as water[27] makes fit;

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(1) E.g. . if an unclean person. whose touch defiles liquids, puts his hand into a vessel, and it is not known whether he actually touched the liquid there or not.

(2) E.g., if unclean liquid fell near food and it is unknown whether it actually touched it or not.

(3) The general principle is this: when a doubt arises in a Scriptural law, we are stringent; in a Rabbinical law, we are lenient. Now liquid can become defiled by Scriptural law (Lev. XI, 34), hence in doubt it is unclean. But there is a controversy as to whether it can defile other objects by Scriptural law. R. Meir holds that it cannot defile either food or utensils; R. Judah that it defiles both; while R. Jose and R. Simeon hold that it defiles food but not utensils.

(4) Even in respect of itself.

(5) V. Cambridge Bible I Kings XI, 26.

(6) On the historic occasion when as a result of a dispute between R. Gamaliel and R. Joshua the former was deposed from the Patriarchate and R. Eliezer b. ‘Azariah appointed in his stead. An examination was then made of scholars’ traditions, and they were declared valid or otherwise; v. ‘Ed., Sonc. ed., Introduction, xi.

(7) Heb. ayil, of doubtful meaning.

(8) Sc. blood and water.

(9) Even by Rabbinical law. This postulates that the general uncleanness of liquids is Rabbinical only, and it was therefore not imposed in the Temple, so as not to defile the flesh of sacrifices. — The language of this Mishnah is Aramaic whereas all other laws in the Mishnah are couched in Hebrew. Weiss, Dor, I, 105 sees in this a proof of its extreme antiquity.

(10) Even in respect of themselves.

(11) R. Eleazar agrees with R. Meir that it is clean in respect of other objects, but not that it is unclean in respect of itself.

(12) Both imply that he fully agrees with R. Meir

(13) V. n. 5.

(14) I.e., the Rabbis could not free them from the uncleanness which they bear by Scriptural law.

(15) Lev. VII, 19. Hence if the liquid is unclean, the sacrificial flesh which touches it may not be eaten.

(16) I.e. , sacrifices. V. p. 62, n. 2. Thus there too it is unfit itself through defilement, yet cannot defile other flesh of sacrifices.

(17) Lev., XI, 34. This shows that liquids contract defilement.

(18) For solids cannot be defiled unless moisture has previously been upon them. The words, ‘it shall be unclean’ thus refer to ‘of all the food etc. ‘with which the verse begins.

(19) If rain falls upon produce it renders it susceptible to defilement only if the owner of the produce desired it to fall upon something. E.g., if he put out a basin so that the rain should wash it, and subsequently produce fell into the water, it is henceforth susceptible. We are informed here that whether the water is detached from the soil, i.e., whether the rain falls into something detached from the soil, e.g., a bath (as denoted by the words ‘in any vessel’), or into something attached, i.e., forming part of the soil, e.g., a pit,and then eatables receive moisture from that rain, they are now ready to be defiled. In the latter case the produce is rendered susceptible only if it comes into contact with the water with the owner's desire; in the former, even against the owner's desire. V. Hul. 16a and Rashi a.l. s.v. לענין הכשר.

(20) By the mere fact that he desired that the water should fall there or by pouring it into the vessel.

(21) Lev. XI, 36. This shows that only attached water is clean, but not detached.

(22) The verse refers to one who is unclean, and states that if he takes a ritual bath (tebillah) in the water of a fountain or a pit he shall be clean, but not in the water of a bath (technically called ‘drawn water’). But it does not refer to the cleanness of the water itself.

(23) Rashi: this difficulty refers to water, which can be attached too. But all other liquids are essentially detached.

(24) This proves that the power of detached liquids in this respect is only Rabbinical; for if it were Scriptural, the Rabbis have no power to make an exception in this case.

(25) But not the water.

(26) Deut. XII, 24.

(27) I.e. , the blood of non-sacrifices

blood which is not poured out as water[1] does not make fit. To this R. Samuel b. Ammi demurred: Behold the last-drained blood,[2] which is poured out like water,[3] yet it does not make fit? — Said R. Zera to him, Leave the last-drained blood alone, which does not make fit even in the case of hullin. R. Samuel b. Ammi received it [the reason] from him, because the Divine Law saith, Only be sure that thou eat not the blood; for the blood is the life:[4] blood wherewith life goes out is called blood; blood with which life does not go out is not called blood.[5]

Come and hear: If blood became unclean and he [the priest] sprinkled it unwittingly, it [the sacrifice] is accepted; if deliberately, it is not accepted?[6] — It was Rabbinically [unclean], this not being in accordance with R. Jose b. Jo'ezer of Zeredah.[7]

Come and hear: For what does the headplate propitiate?[8] For the blood, flesh, and the fat which were defiled, whether in ignorance or deliberately, accidentally or intentionally,[9] whether in the case of an individual or of the community.[10] [It was defiled] by Rabbinical law [only], this not being in accordance with Jose b. Jo'ezer of Zeredah.[11]

Come and hear: And Aaron shall bear the iniquity of the holy thing:[12] now what iniquity does he bear? If the iniquity of piggul,[13] surely it is already said, it shall not be accepted?[14] If the iniquity of nothar,

after the first violent rush, The life and vitality pass out with the first blood, not with the last. surely it is already said, neither shall it be imputed [unto him that offereth it]?[15] Hence he bears nought but the iniquity of defilement, which is inoperative[16] in opposition to its general rule, in the case of a community.[17] Does that not mean the defilement of the blood? — Said R. Papa: No: the defilement of the handfuls.[18]

Come and hear: If one bear unclean [kodesh] flesh in the skirt of his garment, and with his skirt do touch bread, or pottage, or wine, or oil, or any meat, shall it be defiled? And the priests answered and said, No.[19]

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(1) I.e., the blood of sacrifices, which is sprinkled on the altar.

(2) I.e., the blood which flows out slowly

(3) It is not fit for sprinkling.

(4) Deut. XII, 23.

(5) And consequently not in category of liquids (v. Rashi).

(6) Lit. ‘make acceptable’. The language is the Biblical, cf. Lev. I, 4: and it shall be accepted for him to make atonement for him i.e., the sacrifice is efficacious for its purpose. Now by Biblical law it is accepted whether the sprinkling was done deliberately or in ignorance of its uncleanness, and the flesh may be eaten by the priests, but the Rabbis penalized the priests by not permitting the flesh to be eaten in the former case, though another sacrifice is not required (v. Git. 54a). Incidentally we see that blood can become unclean, and thus liquids in general, which contradicts Rab.

(7) Who testified that the Rabbinical decree of uncleanness was not applied to the liquids of the Temple slaughter-house. This Tanna obviously holds that it was.

(8) The reference is to Ex. XXVIII, 38, q.v. ‘That they may be accepted before the Lord is understood to mean that the head plate makes sacrifices acceptable and procures atonement in spite of certain irregularities.

(9) This appears to contradict the preceding statement, but v. infra 80b on the discussion of this passage.

(10) Thus here too it is stated that the blood becomes defiled.

(11) V. n. 5.

(12) Ibid. ‘Shall bear’ means shall make atonement for.

(13) V. Glos.

(14) Lev. XIX, 7.

(15) Lev. VII, 13.

(16) Lit., ‘permitted’.
(17) Public sacrifices, or private sacrifices which the entire community had to bring. e.g., the Passover, were permitted even in defilement. For notes v. Yoma, Sonc. ed. p. 27, notes.
(18) Of meal which were burnt on the altar, v. Lev. II. 2. This burning was the equivalent of the sprinkling of the blood in the case of an animal sacrifice, atonement being dependent thereon.
(19) Hag. II, 12.

Whereon Rab said: The priests erred?[1] — Is this view [propounded] against any but Rab? Rab learned, 'the liquids of the slaughter-house'; but the liquids of the altar[2] can be defiled.[3] [To turn to] the main text: 'Rab said: The priests erred; but Samuel maintained, The priests did not err'. 'Rab said, The priests erred'; he asked them about a fourth degree in respect of holy foodstuffs, and they answered him that it was clean. 'But Samuel maintained, The priests did not err'; he asked them about a fifth degree in respect of holy foodstuffs, and they answered him, It is clean. As for Rab, it is well: hence four are written, 'bread, pottage, wine, and oil'; but according to Samuel, whence does he know five? — Is it then written, 'and his skirt[4] touch [the bread]'? Surely it is written, and touch with [that] [by] his skirt,[5] [meaning that it touched] that which was touched by his skirt.[6]

Come and hear: Then said Haggai, If one that is unclean by a dead body touch any of these, shall it be unclean? And the priests answered and said, It shall be unclean.[7] As for Samuel, it is well: since they did not err here, they did not err there [either]; but according to Rab, why did they err here yet did not err there? — Said R. Nahman in Rabbah b. Abbuha's name: They were well-versed in the uncleanness of a corpse, but not well-versed in the uncleanness of a sherez.[8] Rabina said: There it was a fourth degree; here it was a third.[9]

Come and hear: Then answered Haggai and said, So is this people, and so is this nation before me, saith the Lord: and so is every work of their hands: and that which they offer there is unclean.[10] As for Rab, it is well: hence 'unclean' is written.[11] But according to Samuel, why was it unclean? — He indeed wondered.[12] But it is written, and so is every work of their hands?[13] — Said Mar Zutra, others state, R. Ashi: Because they perverted their actions the Writ stigmatizes them as though they offered up [sacrifices] in uncleanness.

[To turn to] the main text: 'Rab learned, The liquids of the slaughter-house;[14] while Levi learned: The liquids of the altar'. Now according to Levi, it is well if he holds as Samuel, who said, They are clean [only] in so far that they cannot defile other [objects]. but nevertheless they are unclean in themselves: then it is possible where they all touched the first.[15] But if he holds as Rab, who maintained [that] they are literally unclean, how is it conceivable?[16] — You are compelled [to say that] he holds as Samuel. And according to Samuel, it is well if he holds as Rab who learned, 'The liquids of the slaughter-house', but the liquids of the altar can even defile others: [hence] it is only a fourth degree which cannot make a fifth, but a third can make a fourth.[17] But if he holds as Levi who learned, 'The liquids of the altar', why particularly [ask about] a fourth, which cannot make a fifth; they cannot even make a second or a third?[18] — You are compelled [to say that] he holds as Rab.

It was taught in accordance with Rab; it was taught in accordance with Levi. It was taught in accordance with Rab: Blood, wine, oil and water, the liquids of the altar, which were defiled within[19] and carried without,[20] are clean.[21] If they were defiled without[22] and [then] brought within, they are unclean.[23] But that is not so? for R. Joshua b. Levi said: 'They did not rule that the liquids of the altar are clean save in their place': is that not to exclude [the case where] they were defiled within and carried without! — No: it is to exclude [where] they were defiled without and [then] taken within. But he states, 'in their place'?[24] — This is what he states: They did not rule [that these liquids] are clean save when they were defiled in their place [sc. within].

It was taught as Rab: Blood and water, the liquids of the slaughter-house, which were defiled, whether in vessels or in the ground, are clean;

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(1) Kodesh is here translated unclean, from its root idea of 'separation', 'keeping at a distance from', and Haggai was examining the priests in the knowledge of the laws of uncleanness. The exact point of his question is disputed infra, but according to Rab it was this: the unclean flesh was a sherez ('creeping thing'). which bears a principal degree of

uncleanness; this sherez, (being held in the skirt of the garment is now designated by the term ‘skirt’, the mention of which would otherwise be pointless) touched the bread, the bread touched the pottage, the pottage touched the wine, and the wine touched the oil or any other foodstuff and the question was whether this last would be unclean, i.e. , whether there is a ‘fourth’ degree in the case of holy food, to which this refers. So Rashi. R. Tam: the sherez touched the skirt, which became a first, the skirt touched the bread or the pottage, which became a second, then one of these touched wine or oil, which became a third, and the wine or oil touched some other eatable. Actually there is a fourth degree and since the priests replied in the negative. they erred (v. p. 62, n. 2). Thus we see that wine and oil are unclean, though they are the liquids of the Temple, which contradicts Rab. Now, if the uncleanness of liquids is Rabbinical, it has been stated that the Rabbinical decree did not apply to the Temple. And even if Haggai was examining them on points of Rabbinical law, this still contradicts Rab, who states that they are literally clean. The previous answer that Rabbinical uncleanness only is discussed here, while this does not agree with R. Joseph b. Jo'ezer of Zeredah, is impossible in the present instance, for he obviously cannot disagree with Scripture.

(2) In the Aramaic, ‘slaughter-house’ and ‘altar’ differ in one letter only.

(3) Blood and water are the liquids of the slaughter-house, but wine and oil are liquids of the altar.

(4) I.e., the sherez which was in his skirt.

(5) So literally.

(6) I.e., the sherez in the skirt touched something which in turn touched the bread, which is therefore a second degree; hence the oil would be a fifth (v. Rashi).

(7) Hag. II, 13,

(8) Thinking that where the originating uncleanness is a sherez, it does not go beyond the third degree.

(9) They were quite unaware that there is a fourth degree, but his second question related to the third degree, Rabina translating thus: If the uncleanness of a dead body touch etc. Since a corpse is a super principal (father of fathers) of uncleanness, the oil would be a third, and of this they knew.

(10) Ibid. 14.

(11) In their ignorance their work would be as unclean.

(12) Seeing that they know the laws so well, can their work be unclean?

(13) This is a positive statement.

(14) In the testimony of R. Joseph b. Jo'ezer of Zeredah.

(15) Thus: in the first question Haggai asked about successive stages of defilement, and they answered that the oil is clean, since it touched the wine, which as a liquid of the altar can be defiled (i.e.. made unfit) but cannot contaminate. But in the second question each touched the first mentioned, viz., ‘one that is unclean by a dead body’, and they rightly answered that they are unclean.

(16) That the wine and the oil should be unclean. One cannot raise the objection against Rab himself, since he reads, the liquids of the slaughter-house, i.e., blood and water, but not wine and oil.

(17) And for that reason Haggai put his question as to whether the wine, a fourth, could render the oil unfit as a fifth degree of uncleanness, and they rightly gave a negative reply.

(18) Wine and oil, whatever their uncleanness, cannot defile others.

(19) The Temple Court.

(20) Through this act they are henceforth unfit for the altar.

(21) In that they cannot defile others, because when they became unclean in the first place they were true ‘liquids of the altar’, and as such could not contaminate others.

(22) Before they were ever taken within, so that they were not yet ‘liquids of the altar’, and they contracted a degree of defilement which contaminates others.

(23) I.e., they retain the power to contaminate. — Thus this Baraitha speaks of liquids of the altar.

(24) Which is within.

Talmud - Mas. Pesachim 17b

R. Simeon said: In vessels, they are unclean; in the ground, they are clean.[1]

R. Papa said: Even on the view that the uncleanness of liquids is Biblical, [the non-defilement of] the liquids of the slaughterhouse is a traditional law. Said R. Huna the son of R. Nathan to R. Papa:

Then when R. Eliezer said, 'Liquids have no uncleanness at all; the proof is that Jose b. Jo'ezer of Zeredah testified that the fluids in the [Temple] slaughter-house are clean,' — but if it is a traditional law, can we learn from this?[2]

Rabina said to R. Ashi: But surely R. Simeon maintained [that] the uncleanness of liquids is Biblical, for it was taught. R. Jose and R. Simeon maintain: In respect of utensils they are clean; in respect of eatables they are unclean;[3] yet here R. Simeon rules: In vessels, they are unclean; in the ground, they are clean. But if it is a traditional law, what is the difference whether they are in vessels or in the ground?- This is a difficulty.

R. Papa said: As to what you say,'In the ground, they are clean', this was taught only of water, but not of blood. And even of water too we said this only when there is a rebi'ith, so that needles and hooks can be bathed therein;[4] but if less than a rebi'ith. it is unclean.[5]

The Master said: 'R. Judah said: It is unclean in respect of everything.' Shall we say [that] R. Judah holds [that] the uncleanness of liquids, in respect of defiling utensils, is Biblical?[6] Surely we learned:[7] In the case of all utensils which, have an outside[8] and an inside, e.g.. cushions, feather-beds, sacks and packing bags, if the inside is defiled, the outside is defiled [too]; if the outside is defiled, the inside is not defiled. R. Judah said: When is that said? Where they are defiled by a liquid; but if they are defiled by a sherez, if the inside is defiled the outside is defiled, [and] if the outside is defiled the inside is defiled.[9] Now if you think that the uncleanness of liquids in respect of defiling utensils is Biblical, what is the difference whether it was defiled through liquids or through a sherez? — Said Rab Judah in Samuel's name: R. Judah retracted.[10] Rabina said: In truth he did not retract: one refers to liquids which are unclean[11] through the hands,[12] the other to liquids which are unclean through a sherez. If so, instead of stating, 'When is that, when they are defiled by liquids.' let him draw a distinction in that itself: [thus:] when is it said? In the case of liquids unclean through the hands; but in the case of liquids defiled by a sherez, if the inside is defiled the outside is defiled, [and] if the outside is defiled the inside is defiled. Hence it is clear as we first answered: R. Judah retracted.

The scholars asked: Did he retract [only] from [his ruling on] utensils, but in [the matter of] eatables he holds as R. Jose and R. Simeon;[13] or perhaps he completely retracted, in accordance with R. Meir['s views]?[14] — Said R. Nahman b. Isaac, Come and hear: If a cow[15] drinks the water of lustration,[16] its flesh is unclean.[17] R. Judah said:

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(1) V. infra.

(2) Surely this does not afford proof, if these liquids stand entirely in a separate category.

(3) V. supra 16a.

(4) If they are unclean, the rebi'ith of water in the ground serving as a ritual bath, as it can do by Biblical law, through the Rabbis enacted that forty se'ahs is the minimum capacity. Still, since by Biblical law it constitutes a mikweh itself, the water cannot be defiled. A rebi'ith is the minimum which may constitute a mikweh.

(5) Hence according to R. Simeon, R. Joseph b. Jo'ezer's testimony was only in respect of water, not blood.

(6) V. p. 70. n. 11.

(7) So cur. edd., the reference being to the Mishnah in Kel. XXV, I. But the reading there is different, and R. Samson of Sens quotes the present passage as a Baraitha. R. Han. too introduces it by the phrase 'it was taught'.

(8) Lit., 'back'.

(9) 'Utensils which have a back (outside) and an inside' are those which can be used on both sides. A cushion, feather-bed, etc. had a definite side for use, nevertheless they could be turned inside out and used; similarly, sacks and packing bags could be turned inside out and used, and they are therefore treated like other vessels which require only rinsing in order to become clean (v. Hul. 25a) so that if the inner side is defiled the whole is unclean, but not the reverse. Thus the first Tanna. R. Judah, however, draws a distinction between liquids and a sherez as the contaminating object; in the first case this law holds good, because liquid defiles by Rabbinical law only, and therefore the extent of its

defilement was lessened, so that it might be known that it does not defile by Biblical law. Hence, if it touches terumah the terumah must not be burnt, as it would be if it were unclean by Scriptural law. But if a sherez, which defiles by Biblical law, contaminates them, they are altogether unclean, no matter where they are touched.

(10) From the view that it is unclean in respect of everything.

(11) Lit., 'which come'.

(12) By a Rabbinical enactment a person's hands are generally considered unclean in the second degree; further, they defile liquids and render them unclean in the first degree. It is between such liquids and a sherez that R. Judah draws a distinction.

(13) That liquids contaminate them, Biblically.

(14) That liquids do not contaminate them even Rabbinically.

(15) Whether sanctified or not.

(16) V. Num. XIX, 9 (it is there translated: water of separation).

(17) If it is slaughtered while the water is yet within it, for the water of purification defiles human beings and vessels, v. ibid. 21.

Talmud - Mas. Pesachim 18a

It [the water] is nullified in its bowels.[1] Now if you think that he retracted [only] from [his ruling on] utensils, yet in [respect to] eatables he holds as R. Jose and R. Simeon, why is it completely nullified in its bowels: granted that it cannot defile [with] the graver uncleanness,[2] yet it can at least defile [with] the lighter uncleanness?[3] — What does, 'it is nullified in its bowels' mean? It is indeed nullified from [imposing] grave uncleanness, but it does defile [with] light uncleanness. Hence it follows that the first Tanna holds that it is unclean even with the graver uncleanness; but surely he states, 'Its flesh is unclean?'[4] The whole is R. Judah. but the text is defective, and it was thus taught: If a cow drinks the water of lustration, its flesh is unclean. When is that said? In respect of light uncleanness, but not in respect of grave uncleanness, for R. Judah maintained: It is nullified in its bowels. R. Ashi said: In truth it is completely nullified in its bowels, because it is [now] noisome liquid.[5]

'R. Jose and R. Simeon maintained: In respect of eatables they are unclean; in respect of utensils they are clean.' Rabbah b. Bar Hanah said in Resh Lakish's name: R. Jose stated this in accordance with the opinion of R. Akiba his teacher,[6] who interprets yitma [it shall be unclean] as yetamme [it shall defile] — For we learned: on that very day[7] R. Akiba lectured: And every earthen vessel, wherein any of them [sc. creeping things] falleth, whatsoever is in it shall be unclean [yitma]:[8] it does not state tame [unclean] but yitma. [intimating that] it defiles [yetamme] others, [thus] teaching that a loaf of the second degree produces a third in the case of hullin.[9] And how does he interpret [it] here?[10] — And all drink that may be drunk in every such vessel [yitma] shall be unclean:[11] it 'shall defile' [yetamme] in respect of defiling eatables —[12] You say. 'In respect of defiling eatables': yet perhaps it is not so, but rather in respect of defiling liquids? — You can answer, It was not thus. What does 'it was not thus' mean? — Said R. Papa: We do not find that uncleanness renders that which is similar to itself [unclean].[13] Rabina said: From the verse itself too you cannot say 'it shall defile' is in respect of defiling liquids. For if you should think that 'it shall be unclean' of the second part [of the verse] is in respect of defiling liquids, [while] 'it shall be unclean' of the first part is also in respect of defiling liquids,[14] then let it [the Torah] combine them and write them [together]. All food therein which may be eaten, that on which water cometh, and all drink that may be drunk in every such vessel shall be unclean: what is the purpose of 'shall be unclean' twice? Hence 'shall be unclean' of the first part is in respect of defiling liquids. [while] 'shall be unclean' of the second part is in respect of defiling eatables. Yet perhaps it is in respect of defiling vessels?[15] — Does it [the reverse] not follow a minori: if a utensil, which defiles liquids, cannot defile [another] utensil,[16] then how much the more should liquids which are unclean[17] through a utensil not defile utensils! Yet perhaps, they do[18] not defile [utensils] [when they are] liquids unclean through a utensil; but liquids which are unclean through a sherez, do indeed defile [utensils]? — Are then liquids which are

unclean through a sherez, written [in Scripture]?

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(1) Because it is no longer fit for its purpose, and ceases to be regarded as water of purification.

(2) I.e., it cannot defile human beings and vessels.

(3) I.e., foodstuffs, sc. this flesh. For the water is at least the same as any other liquid and is therefore unclean, for it is regarded as though it touched itself while it was yet the water of purification, and in turn it should defile the flesh.

(4) But he does not maintain that the water defiles even human beings and vessels.

(5) And undrinkable, whereas only drinkable water defiles.

(6) But it is not his own view, v. Tosaf.supra 15b s.v. יוסי ר.

(7) V. p. 71. n. 3.

(8) Lev. XI. 33.

(9) For the sherez (creeping thing) is a 'father' of uncleanness; hence it renders the vessel a derivative or a 'first' degree, and that in turn makes the food in it a second, and since the verse teaches that it defiles others, without specifying terumah, it follows that this makes a third even in respect of hullin.

(10) In respect of liquids.

(11) Ibid. 34.

(12) But not liquids. Consequently they only mention eatables in their ruling, but not liquids.

(13) V. infra. Hence an unclean liquid can defile an eatable, but not another liquid.

(14) V. infra 13b.

(15) Sc. the second 'shall be unclean' — why then does R. Jose rule that it is clean in respect of vessels?

(16) As shown infra.

(17) Lit., 'come'.

(18) Lit., 'when do they not.

Talmud - Mas. Pesachim 18b

Are they not [rather] inferred a minori: if liquids which are unclean through a utensil defile, how much the more liquids which are unclean through a sherez! [Then] it is sufficient that that which is deduced by [this] argument shall be as its premise.[1]

How does he interpret 'shall be unclean' of the first part? — 'All food therein which may be eaten, that on which water cometh [yitma] shall be unclean': 'it shall defile [yetamme]' in respect of defiling liquids. You say, to defile liquids; yet perhaps it is not so, but rather to defile utensils? You can answer, it follows, a minori: if a liquid, which defiles an eatable, cannot defile a utensil; then an eatable, which cannot defile an eatable, surely cannot defile a utensil! Hence how do I interpret.[2] 'shall be unclean'? That it defiles liquids, which are ready to contract uncleanness. Why particularly apply it to liquids, because they are ready to contract uncleanness? Deduce it from the fact that there is nothing else [left]?[3] — This is what he means: And should you argue, an eatable is more stringent [than liquid], since it defiles liquids.[4] [and therefore] let it defile utensils [too]; [hence we are told that] that[5] is a [greater] stringency of liquids, because liquids are ready to contract uncleanness. And what is their readiness? Because they contract uncleanness without being made fit.[6]

'[It] shall be unclean,' [teaching] that it cannot render something similar to itself [unclean]![7] — But is it deduced from here? Surely it is deduced from elsewhere, [viz.,] But if water be put upon the seed, and aught of their carcass fall thereon, it is unclean unto you:[8] it is unclean, but it cannot create a similar uncleanness?[9] — One treats of liquids unclean[10] through a sherez, and the other treats of liquids unclean through a utensil; and [both] are necessary. For if we were informed [this] of liquid which is unclean through a utensil, [I would say,] that is because it is not stringent; but in the case of liquid unclean through a sherez, which is stringent, I might argue that it creates uncleanness similar to its own. Then let us be told [this] about liquid defiled by a sherez, and how much the more liquid unclean through a utensil? — That which may be inferred a minori, Scripture takes the trouble of writing it [explicitly].

Rabina said to R. Ashi: But Raba said, R. Jose does not agree with R. Akiba, nor does R. Akiba agree with R. Jose?[11] — Said he to him: R. Jose stated it in accordance with the opinion of R. Akiba his teacher, but he himself does not hold thus.[12]

R. Ashi said to R. Kahana: As for R. Jose not agreeing with R. Akiba, that is well, for it was taught: R. Jose said: How do we know that a fourth degree in the case of sacred food is unfit? Now this follows a minori: if he who lacks atonement,[13] though permitted to partake of terumah, is unfit in respect of sacred food, then[14] a third, which is unfit in the case of terumah,[15] is it not logical that it makes a fourth in sacred food! And we learn a third in the case of sacred food from Scripture, and a fourth a minori.[16] 'A third from Scripture', for it is written, And the flesh that toucheth any unclean thing

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(1) Not stricter. Scripture does not state that water defiled by a sherez, can contaminate something else, but it is merely deduced, as shown in the text.

(2) Lit., 'fulfil'.

(3) Everything else having been excluded.

(4) Which a liquid cannot do.

(5) The exposition of the verse to the effect that eatables defile liquid.

(6) For uncleanness, in contrast to eatables, which may become unclean only after moisture has fallen upon them.

(7) As Rabina, deduces from the verse itself.

(8) Lev. XI. 38.

(9) I.e., it cannot make something like itself unclean, which is the actual reading supra 14a.

(10) Lit., 'which come'.

(11) Infra. Thus R. Jose holds that liquid can defile other liquid, and he must interpret Lev. XI, 33 accordingly. Now the eatable or liquid is a second (v. p. 81, n. 5), and on this interpretation it makes a third: thus there is a 'third' in the case of hullin.

(12) Viz., the interpretation of yitma, 'it shall be unclean,' as yetamme, 'it shall defile'. Since R. Jose himself rejects this exegesis, there is nothing to teach that a second renders a third in the case of hullin.

(13) I.e., one who after performing tebillah (q.v. Glos) must bring an offering before he may partake of the flesh of sacrifices; viz., a zab and a zabah (v. Glos.). a woman after confinement and a leper.

(14) These facts are learned in Yeb. 74b from Scripture.

(15) I.e., if something unclean in the second degree touches terumah it renders it unfit, the terumah now being called a third; v. Sot. 29a.

(16) This is added in order to answer the possible objection that what is deduced a minori cannot be more stringent than its premise, and since sacred food is thus deduced from terumah, it cannot go beyond a third, just as in the case of terumah. Hence it is pointed out that a third in the case of sacred food does not require an argument a minori, for that follows directly from Scripture; hence the deduction a minori must refer to a fourth, as otherwise it teaches nothing, and it is stated in B.K. 25a that in such a case we abandon the principle that what is deduced a minori does not go beyond its premise.

shall not be eaten:[1] do we not treat even [of a case] where it touched a second?[2] 'While a fourth [is learned] 'a minori, as we have stated. Now, if you should think that he holds as R. Akiba, let him also state a fourth in the case of terumah and a fifth in the case of sacred food.[3] But how do we know that R. Akiba does not agree with R. Jose?[4] — Said he to him, Because a Tanna could not completely refrain from teaching [that there is] a fourth in the case of terumah and a fifth in the case of sacred food, and we would say that it agrees with R. Akiba.[5] And shall we arise and rely upon this?[6] [Thereupon] R. Ashi — others say, R. Kahana — went out, searched, and found the following which we learned: A utensil unites its contents in the case of sacred food,[7] but not in the case of terumah, and a fourth degree is unfit in the case of sacred food, but not in the case of terumah —

Whereon R. Hiyya b. Abba said in R. Johanan's name: This Mishnah was learned as a result of R. Akiba's testimony. For we learned, R. Akiba added[8] the fine meal, incense, frankincense, and the burning coals, that if a tebul yom touches part thereof he renders all unfit.[9] Thus there is a fourth [in sacred food], but not a fifth; a third [in the case of terumah]. but not a fourth.[10]

This proves that he holds that [the power of] uniting is Rabbinical.[11] Now he differs from R. Hanin who maintained: [The power of] uniting is Biblical, for it is said, one golden pan of ten shekels, full of incense:[12] the Writ rendered everything in the pan one.

We learned elsewhere: [He testified] concerning an [unclean] needle which is found in the flesh [of a sacrifice], that the knife[13] and the hands[14] are clean, while the flesh is unclean; if found in the excrements,[15] it is all clean — R. Akiba said: We have been favoured in that there is no uncleanness of the hands in the Temple.[16]

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(1) Lev. VII, 19.

(2) For a 'second' is called unclean; thus Scripture intimates that a second makes a third in sacred food.

(3) For if he holds that there is a third in the case of hullin, he can deduce these a minori. Thus: if a tebul yom (v. Glos.). though permitted to eat hullin, is unfit to eat terumah, then surely a third, which is unfit in the case of hullin, creates a fourth in the case of terumah. And we cannot defile this by the principle that it is sufficient for what is learned a minori to be like its premise, for in that case the deduction is superfluous, for a third in the case of terumah is learned direct from Scripture from the same source whence we learn a third in the case of hullin (v. supra 18a). Hence the deduction a minori must be in respect of a fourth, while a fifth would then follow on the same lines from one who lacks atonement.

(4) In the validity of this argument.

(5) For R. Akiba must hold thus if he

(6) This is merely a negative argument?

(7) If two pieces of sacred food are lying in a vessel, not touching each other, and an unclean object touches one piece, the other is defiled too, because the vessel makes them, both as one.

(8) In his testimony on 'that day', v. p. 71, n. 3.

(9) This must be because the vessel which contains them makes the various particles one, and not just because they touch each other, for in that case we would have to go in order to render all the particles unfit even beyond a fifth. V. 'Ed., Sonc. ed. p. 47 notes.

(10) Thus we have a positive proof that R. Akiba does not hold that there are a fourth and a fifth in the case of terumah and sacred food respectively.

(11) Since R. Johanan states that this Mishnah was taught as a result of R. Akiba's testimony, referring as it does to frankincense and live coals, is only Rabbinical, for they are subject to defilement only by Rabbinical, not by Scriptural law (Rashi). Tosaf. offers another explanation.

(12) Num. VII, 14.

(13) Wherewith the animal was slaughtered.

(14) Of the priest who touched the animal.

(15) Inside the animal.

(16) The uncleanness of the hands in general is only Rabbinical, and R. Akiba maintains that this enactment never applied to the

accepts R. Jose's argument. Surely then in the whole of the Talmud this view would have found expression somewhere! Then let him say, There is no uncleanness of the hands or of utensils in the Temple?[1] — Said Rab Judah in Rab's name, — others state, R. Jose son of R. Hanina: Hands were taught before the enactment concerning utensils.[2] Raba asked: Surely both were enacted on that self-same day, for we learned: [The following render terumah unfit . . .] a Book,[3] the hands,[4] a tebul yom, and eatables or utensils which were defiled by a liquid?[5] No, said Raba: Leave the uncleanness of the knife, for even in the case of hullin it would not be unclean. [For] what did this knife touch

[that it should be unclean]: shall we say that it touched the flesh, — Surely food cannot defile utensils; and if it touched the needle, — surely one utensil cannot defile another utensil.[6]

What is the condition of this needle?[7] Shall we say that it is a doubtful needle?[8] Surely it was stated, R. Eleazar and R. Jose son of R. Hanina, — one said, They did not decree [uncleanness] for doubtful saliva in Jerusalem;[9] while the other said: They did not decree [uncleanness] for doubtful utensils in Jerusalem?[10] Said Rab Judah in Rab's name: E.g., if one lost a needle [unclean through] a person defiled by the dead,[11] and he recognized it in

Temple, and this is all to the good, as sacrifices are thereby saved from defilement. the flesh. R. Jose son of R. Abin said: E.g.. if the cow was muzzled and came from without Jerusalem.[12]

The [above] text [states]: 'R. Eleazar and R. Jose son of R. Hanina, — one said: They did not decree [uncleanness] for doubtful saliva in Jerusalem; while the other said: They did not decree [uncleanness] for doubtful utensils in Jerusalem.' [But] we have learned [about] saliva, [and] we have learned [about] utensils?[13] We have learned [about] saliva, for we learned: All saliva found in Jerusalem is clean, save that of the upper market![14] — It is necessary only [to state] that [this is so] even though a zab was known [to have passed there].[15] 'We have learned [about] utensils,' for we learned: 'All utensils which are found in Jerusalem on the way of the descent to the ritual bath-house are unclean',[16] hence those [found] elsewhere are clean! — Then according to your reasoning, consider the second clause: — [those found] on the way of the ascent [from the bath] are clean', hence those [found] anywhere else are unclean?[17] Rather, the first clause is exact, whereas the second is not exact,[18] and it is to exclude the narrow paths.[19] Now according to Rab who said, 'E.g..if one lost a needle [unclean through] a person defiled by the dead, and he recognized it in the flesh? — [But] surely since a Master said, The [verse] 'one slain by the sword' [teaches that] the sword is as the slain,[20] let it defile human beings and utensils too?[21] — Said R. Ashi: This proves that the Temple Court ranks as public ground; so that it is a doubt of uncleanness[22] in public ground, and every doubt of uncleanness in public ground, the doubt is clean. But in private ground,[23] its doubt is clean?[24] Consider: this needle is an object which has no understanding to be questioned, and everything which has no understanding to be questioned, both in public and in private ground, its doubt is clean?[25] — Because it is a doubt of uncleanness which arises through a person,[26] and R. Johanan said: A doubt of uncleanness which arises through a person,

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(1) I.e., where the uncleanness is Rabbinical only. For we see that the knife too is clean, though if this happened without the Temple it would be unclean by Rabbinical enactment, v. infra.

(2) The enactment that hands are unclean preceded the other; and when this testimony was given, the latter was not yet in existence at all.

(3) Any of the Books of the Bible.

(4) Before washing.

(5) And all these were of the 'eighteen measures' enacted in the upper chambers of Hananiah b. Hezekiah of Garon, v. Shab. 13b.

(6) Unless the former is a 'father' of uncleanness (v. p. 62, n. 2). These hold good even by Rabbinical law, which enacted only that a liquid defiles utensils.

(7) That the flesh is unclean.

(8) I.e., we do not know whether it is clean or not.

(9) If saliva is found and we do not know whose it is, though it might be that of a zab or a zabah, which by Scriptural law is a 'father' of uncleanness and defiles human beings and utensils.

(10) Which includes a needle.

(11) I.e, the needle had been defiled by him.The person is a 'father' of uncleanness, and the needle is likewise, because metal in such a case has the same degree of uncleanness as that which defiles it; v. supra 14b top. V. however, infra.

(12) Hence it must have swallowed it outside, where a doubtfully unclean utensil is unclean, and it remains so even when it enters Jerusalem.

(13) What do they add?
(14) Which was specially frequented by the unclean, to avoid defiling others, v. Shek. VIII, 1.
(15) Where the saliva was found. Even then it is clean, and we would not have known this from the Mishnah.
(16) One went down by one road and left by another. Hence it is assumed that those found there were being taken for a ritual bath and dropped on the way. V. Shek. VIII, 2.
(17) Which is in contradiction to the inference from the first clause?
(18) I.e., not to be taken in the sense that only these are clean. And this fact follows from the statement of R. Eleazar or R. Jose b. R. Hanina, without which we might have assumed the reverse.
(19) In the vicinity of the two main roads. These were used indifferently for both descent and ascent, hence utensils found there were declared unclean, since they were certainly unclean in the first place, and our only doubt is whether they were lost on the way to the baths or on the way from the baths. But utensils found in the rest of Jerusalem, where it is not known whether they have been unclean at all, are clean.
(20) V. supra 14b top.
(21) Sc. the priest and the knife.
(22) It is doubtful whether the priest or knife have touched the needle.
(23) I.e., if the Temple Court ranked as private ground.
(24) And the priest and knife would be unclean.
(25) v. Sot. 28b.
(26) A man has been engaged about this animal, and if the knife had touched the needle it would have been through him.

Talmud - Mas. Pesachim 20a

we inquire about it,[1] even in the case of a utensil lying on the ground, just as though it were an object which has the understanding to be questioned.

'While the flesh is unclean' — By what was this flesh made fit?[2] Shall we say that it was made fit by the blood? — surely R. Hiyya b. Abba said in R. Johanan's name: How do we know that the blood of sacrifices does not make [anything] fit [to be defiled]? Because it is said, thou shalt pour it out [sc. the blood] upon the earth as water:[3] blood which is poured out as water renders fit; blood which is not poured out as water does not render fit.[4] Again, if it was made fit by the liquids of the slaughter-house,[5] — surely R. Jose b. R. Hanina said: The liquids of the [Temple] slaughterhouse, not enough that they are clean, but they cannot even make [eatables] fit? Again, if it was made fit through the prizing of sacred objects.[6] — say that the prizing of sacred objects is efficacious in rendering that itself unfit, is it also [sufficient] that first and second degree should be counted therein?[7] [In that case] you may solve what Resh Lakish asked: The dry portion of meal-offerings,[8] do we count first and second degrees therein or not?[9] — Said Rab Judah in Samuel's name: E.g..if it was an animal for a peace-offering and it was led through a river and then slaughtered, and the water is still dripping upon it.[10]

'If found in the excrements, it is all clean.' But let the excrements defile the flesh in their turn?[11] Said R. Adda b. Ahabah: It refers to thick [solid] excrements.[12] R. Ashi said: You may even say that it refers to loose [fluidlike] excrements, [its non-defilement being] because it is a noisome liquid.[13]

A tanna recited before R. Shesheth: A sherez defiles liquids, and the liquids defile a utensil, and the utensil defiles eatables, and the eatables defile liquids,[14] and [thus] we learn three [stages of] uncleanness in the case of a sherez. But there are four? — Delete liquids in the first clause, on the contrary, delete liquids in the last clause? — We find no other Tanna who maintains [that] liquids defile utensils save R. Judah, and he retracted.[15] And your sign [for remembering the order] is the brewing process.[16]

We learned elsewhere: If a creeping thing is found in an oven, the bread therein is a second, because the oven is a first.[17] R. Adda b. Ahabah said to Raba: Let us regard this oven as though it

were fined with uncleanness,[18] and let the bread be a first? — Said he to him, You cannot think so,for it was taught: You might think that all utensils become unclean through the air space of an [unclean] earthen vessel:

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(1) Rashi: its owners must consult Rabbinic authority about it — I.e., It is not automatically clean.

(2) To contract defilement. A foodstuff is subject to defilement only after moisture has fallen upon it.

(3) Deut. XII, 24.

(4) V. Supra 16a and b for notes.

(5) E.g.. the water with which it was washed down.

(6) Sacred objects were prized so highly that they were fit to become unclean even without a liquid having been upon them.

(7) For 'the flesh is unclean' implies that it can defile other flesh too (v. p. 62, n. 2).

(8) That which has not been touched by oil.

(9) But if the prizing of sacred objects is so efficacious, obviously we do.

(10) That water makes it fit to contract uncleanness. — The animal was led through the water immediately prior to its slaughter in order to facilitate flaying, v. Bez. 40a.

(11) Lit., 'go back'. It is assumed that the excrements rank as a fluid, since the animal was watered immediately before slaughter (v. Bez. 40a). The needle should therefore defile the excrements, and that in turn should defile the flesh.

(12) This is not a liquid.

(13) V. Supra 18a.

(14) I.e., each in turn defiles the other.

(15) Hence if we retain liquids in the first clause, there is no authority for the second clause, 'and liquids defile a utensil'. By deleting it, however, the reading becomes: a sherez, defiles utensils.

(16) First there is the vessel; an eatable (sc. dates) is put therein, whence the liquid (sc. beer) is manufactured.

(17) The sherez touches the oven, which in turn touches the bread, Kelim VIII, 5.

(18) For immediately the sherez, enters the air space of the oven, even before it

Talmud - Mas. Pesachim 20b

therefore it is stated, whatsoever is it, it shall be unclean, and in proximity thereto, all food therein which 'may be eaten:[1] food becomes unclean through the air space of an [unclean] earthen vessel, but no utensils become unclean through the air space of an [unclean] earthen vessel.[2]

R. Hisda opposed two teachings of Passover, and reconciled [them]. Did R. Joshua say, Both of them [may be burnt] together?[3] But the following contradicts it: R. Jose said [to R. Meir]: The conclusion is not similar to the premise. For when our Masters testified, concerning what did they testify? If concerning flesh which was defiled through a derivative uncleanness, that we burn it together with flesh which was defiled through a father of uncleanness, [then] this is unclean and that is unclean. If concerning oil which was rendered unfit by a tebul yom, that it is lit in a lamp which was defiled by one unclean through a corpse, — one is unfit and the other is unclean. So too do we admit in the case of terumah which was defiled through a derivative uncleanness, that we may burn it together with terumah which was defiled through a 'father' of uncleanness. But how can we burn even that which is doubtful together with that which is unclean: perhaps Elijah will come and declare it clean![4] And he answered: one[5] agrees with R. Simeon, and in accordance with R. Joshua, while the other agrees with R. Jose, and in accordance with R. Joshua.[6] For it was taught: If the fourteenth falls on the Sabbath, everything [sc. leaven] must be removed before the Sabbath, and terumoth, unclean, doubtful, and clean are burnt [together]: this is R. Meir's view. R. Jose said: The clean [terumah must be burnt] separately, the

actually touches it, it defiles; hence one should regard the sherez as though completely filling it. doubtful [terumah] separately, and the unclean separately. Said R. Simeon: R. Eliezer and R. Joshua did not differ concerning clean and unclean, that they must not be burnt [together], and concerning

doubtful [terumah] and clean [terumah] that they may be burnt [together]. Concerning what did they differ? Concerning doubtful [terumah] and unclean [terumah], R. Eliezer maintaining: This must be burnt separately, and this separately; while R. Joshua ruled: Both of then, [may be burnt] together. But our Mishnah is according to R. Jose?[7] — R. Jose says thus to R. Meir: Even R. Simeon, who in stating R. Joshua's opinion is lenient, is lenient only in respect of doubtful [terumah] and unclean [terumah]. but not in the case of clean and unclean.

R. Jose son of R. Hanina opposed terumah to Passover, and reconciled them. Did then R. Joshua say. Both together: But the following contradicts it: A cask of terumah wherein a doubt of uncleanness is born, R. Eliezer said: If lying in an exposed place, it must be laid in a hidden place; and if it was uncovered, it must be covered. R. Joshua said: If it is lying in a hidden place, one may lay it in an exposed place, and if it is covered, it may be uncovered.[8] Thus only an indirect action [is permitted], but not [defiling] with [one's own] hands?[9] — And he answered: one agrees with R. Simeon and according to R. Joshua's view, while the other agrees with R. Jose and according to R. Joshua's view.[10] R. Eleazar opposed two teachings of terumah and reconciled them. Did R. Joshua say, only an indirect action [is permitted], but not with [one's own] hands? But the following contradicts it: If a cask of [wine of clean] terumah is broken in the upper vat, while [in] the lower there is unclean hullin: R. Eliezer and R. Joshua agree that if a rebi'ith thereof can be saved in purity, one must save it. But if not, — R. Eliezer ruled: Let it descend and be defiled, yet let him not defile it with [his own] hands; R. Joshua said: He may even defile it with his own hands? — And he answer ed: There it is different, because there is the loss of hullin. To this Raba demurred: In our Mishnah too there is the loss of wood? — Said Abaye to him: They cared about a substantial loss, but not about a slight loss.[11] And whence do you know that they cared about a substantial loss but not about a slight one? Because it was taught: If a cask of oil of [clean] terumah was broken in the upper vat, while in the lower is unclean hullin: R. Eliezer concedes to R. Joshua that if a rebi'ith thereof can be saved in purity, one must save it. But if not, let it descend and be defiled, yet let him not defile it with [his own] hands.[12] Why is oil different: because it is fit for lighting? Then wine too is fit for sprinkling?[13] And should you answer, sprinkling is of no account, — surely, Samuel said in R. Hiyya's name: You drink [wine] at a sela' per log, whereas you sprinkle [with wine] at two sela's per log?[14] — It refers to new [wine].[15] But it is fit for ageing? — one will come to a stumbling-block through it.[16] Then oil too, one will come to a stumbling-block through it? — He pours it into a dirty[17] vessel.[18] Wine too can be poured into a dirty vessel? — Seeing that it is required for sprinkling, will he pour it into a dirty vessel!

Now a stumbling-block itself is dependent on Tannaim.[19] For it was taught: A cask of wine of terumah which was defiled, — Beth Shammai maintain: It must be poured out all at once; while Beth Hillel rule: It may be used for sprinkling. R. Ishmael son of R. Jose said: I will make a compromise. [If it is] in the field, it must be poured out all at once;[20] in the house, it can be used for sprinkling. Others state: In the case of new [wine], it must be poured out all at once; in the case of old, it can be used for sprinkling. Said they to him:

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(1) Lev. XI. 33f.

(2) But if the sherez, were regarded as completely filling the oven, utensils therein too should be unclean, for direct contact therewith does defile them.

(3) Sc. unclean terumah and doubtful terumah.

(4) V. supra p. 15a for notes.

(5) Our Mishnah.

(6) I.e., R. Simeon and R. Jose differ on R. Joshua's opinion.

(7) How then can it be said to represent the view of R. Simeon?

(8) V. supra 15a for notes.

(9) Though it is doubtful.

(10) Who says, how can we burn even doubtful terumah together with unclean terumah? Thus he will certainly not

permit more than indirect action.

(11) V. supra 15a and b for notes.

(12) All agree on this, because the loss of hullin is only slight, since the defiled terumah can be used for lighting.

(13) In a room, for its aroma. Hence here too there is only a slight loss.

(14) Thus it is even more important.

(15) Which lacks aroma.

(16) While it is ageing he may forget that it is unclean and drink it.

(17) Lit., 'repulsive'.

(18) So that it will not be fit for drinking.

(19) I.e., whether we fear it or not.

(20) Because there is no sprinkling in the field, nor may he bring it home, lest it become a stumbling-block in the meanwhile.

Talmud - Mas. Pesachim 21a

The compromise of a third [view] is not a compromise.[1] R. Jose son of R. Hanina said: The controversy[2] is where it falls into less than one hundred se'ahs of unclean hullin;[3] but if it falls into one hundred [se'ahs] unclean hullin, all agree that it must descend and be defiled, and he must not defile it with [his own] hands.[4] It was taught likewise: If a cask [of clean terumah] was broken in the upper vat, and beneath it there is one hundred [times as much] unclean hullin. R. Eliezer concedes to R. Joshua that if he can save a rebi'ith thereof in purity he must save it, but if not, let it descend and be defiled, but he must not defile it with [his own] hands. [But instead of] this [phrase]. 'R. Eliezer concedes to R. Joshua'. 'R. Joshua concedes to R. Eliezer' is required?[5] — Said Raba: Reverse it. R. Huna the son of R. Joshua said: After all you need not reverse it: what case do we discuss here? That of a vessel, the inside is clean while its outside[6] is unclean; you might say,Let us enact a preventive measure lest its outside touch the terumah. Therefore he informs us [otherwise].[7]

C H A P T E R I I

MISHNAH. THE WHOLE TIME THAT ONE IS PERMITTED TO EAT [LEAVEN], ONE MAY FEED IT TO CATTLE, BEASTS,[8] AND BIRDS, AND HE MAY SELL IT TO A GENTILE, AND BENEFIT THEREOF IS PERMITTED. WHEN ITS PERIOD HAS PASSED, BENEFIT THEREOF IS FORBIDDEN, AND HE MAY NOT FIRE AN OVEN OR A POT RANGE WITH IT. R. JUDAH SAID: THERE IS NO REMOVAL OF LEAVEN SAVE BY BURNING; BUT THE SAGES MAINTAIN: HE ALSO[9] CRUMBLES AND THROWS IT TO THE WIND OR CASTS IT INTO THE SEA.

GEMARA. THE WHOLE TIME THAT ONE IS PERMITTED TO EAT [LEAVEN] ONE MAY FEED etc. Hence the whole time that one is not permitted to eat it, he may not feed [cattle. etc., therewith]: shall we say that our Mishnah is not according to R. Judah; for if R. Judah, surely there is the fifth hour when he may not eat, yet he may feed. For we learned: R. Meir said: One may eat [leaven] the whole of the five [hours] and must burn [it] at the beginning of the sixth. R. Judah said: One may eat the whole of the four [hours], keep it in suspense the whole of the fifth, and must burn it at the beginning of the sixth![10] — What then? It is R. Meir! [Then instead of] this [Phrase]. 'THE WHOLE TIME THAT ONE IS PERMITTED TO EAT, ONE MAY FEED,' THE WHOLE TIME THAT ONE eats, he MAY FEED is required?[11] — Said Rabbah b. 'Ulla: Our Mishnah agrees with R. Gamaliel, For we learned: R. Gamaliel said: Hullin may be eaten the whole of the four [hours] and terumah the whole of the five, and we burn [them] at the beginning of the sixth. And this is what he [the Tanna] states: THE WHOLE TIME THAT IT IS PERMITTED to a priest to eat terumah, a [lay] Israelite MAY FEED HIS CATTLE, BEASTS AND BIRDS with HULLIN.

For what purpose does he state, CATTLE and for what purpose does he state BEASTS? They are

necessary: for if he stated CATTLE, [I might say.] that is because if they leave over it is fit for them;[12] but [as for] BEASTS, which if they leave over hide it,[13] I would say [that it is] not [so]. While if he stated BEASTS, [I might say]. that is because if they leave over they at least hide it;[14] but as for cattle, sometimes they leave over and he [the owner] may not think about it,[15] and so transgress[16] 'it shall not be seen and 'it shall not be found' on its account, [and therefore] I might say [that it is] not [so]: thus they [both] are necessary. What is the purpose of BIRDS? — Because he states CATTLE and BEASTS, he also states BIRDS.

AND HE MAY SELL IT TO A GENTILE. That is obvious?[17] It is to reject [the view of] this Tanna. For it was taught: Beth Shammai maintain: A man must not sell his leaven to a Gentile, unless he knows thereof that it will be consumed before Passover; but Beth Hillel say: As long as he [the Jew] may eat it, he may sell it.

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(1) Since Beth Shammai and Beth Hillel mention nothing about a house or a field, new or old, this is not a compromise but an independent view altogether; cf. supra 13a, p. 57, n. 5.

(2) Between R. Eliezer and R. Joshua.

(3) The terumah in the upper vat being a se'ah. If terumah falls into one hundred times as much hullin it is nullified and permitted to a lay Israelite; if less, it is not nullified.

(4) Since it will still be fit for a lay Israelite.

(5) It is R. Eliezer who holds that he must never defile deliberately, while it is R. Joshua who permits deliberate defilement in other circumstances (v. supra 20b).

(6) Lit., 'back'.

(7) Thus 'R. Eliezer concedes to R. Joshua' applies not to the second clause but to the first, where it is stated that if he can save a rebi'ith in purity he must do so. Thereupon we are told that even if the outside of the vessel in which it is to be saved is unclean, so that there is the slight possibility of the terumah falling thereon and becoming contaminated, yet R. Eliezer, who rules that in no circumstances is deliberate defilement permitted, admits that he may use this for saving the terumah. If unclean liquid falls on the outside of a vessel it contaminates the outside, but not the inside, since the uncleanness of a vessel through liquids is by Rabbinical law only.

(8) Behemah refers to domesticated animals; hayyah to wild or semi-wild animals.

(9) 'Also' is absent in Alfasi and Asheri.

(10) 'Keeping it in suspense' means that animals may be fed with it, but it may not be eaten.

(11) The impersonal form used in the Mishnah implies that as long as one person may eat, another may feed his cattle.

(12) Later; they leave it on the ground and eat it later.

(13) With the result that the leaven may remain in his possession during Passover.

(14) So that it is not seen.

(15) To annul it before Passover, thinking it was already eaten.

(16) Lit., stands'.

(17) Surely this is no worse than any other benefit.

Talmud - Mas. Pesachim 21b

R. Judah B. Bathyra said: Kutah[1] and all kinds of kutah![2] may not be sold thirty days before Passover.[3] AND BENEFIT THEREOF IS PERMITTED. That is obvious?[4] It is necessary [to teach it] only where he charred it [in the fire] before its time,[5] and he [the Tanna] informs us [that the law is] as Rabbah. For Rabbah said: If he charred it [in the fire] before its time, benefit [thereof] is permitted even after its time.[6]

WHEN ITS PERIOD HAS PASSED, BENEFIT THEREOF IS FORBIDDEN. That is obvious? — It is necessary [to state this] only in respect of the hours [when leaven is interdicted] by Rabbinical law.[7] For R. Gidal said in the name of R. Hiyya b. Joseph in R. Johanan's name: He who betroths from the sixth hour and onwards, even with wheat of Cordyene. We have no fear of his betrothal.[8]

AND HE MAY NOT FIRE AN OVEN OR A POT-RANGE WITH IT. That is obvious? — This is necessary only according to R. Judah, who maintained: There is no removal of leaven save by burning. You might argue, since R. Judah said, Its precept demands burning, then while he is burning it let him benefit from it. Hence we are informed [that it is not so].

Hezekiah said: How do we know that leaven during Passover is forbidden for [general] use?[9] Because it is said, there shall no leavened bread be eaten:[10] [meaning,] there shall not be in it permission [i.e.. the right] of eating.[11] [Thus] the reason is because the Divine Law wrote, 'there shall no leavened bread be eaten'; but if 'shall not be eaten' were not written, I would say, prohibition of eating is implied, [but] prohibition of benefit is not implied. Now he differs from R. Abbahu, for R. Abbahu said: Wherever it is said, 'It shall not be eaten,' 'that shalt not eat,' 'ye shalt not eat,' the prohibitions of both eating and benefit [in general] are understood, unless the Writ expressly states [otherwise], as it does in the case of nebelah.[12] For it was taught: Ye shall not eat of [nebelah] anything that dieth of itself: thou mayest give it unto the stranger [ger] that is within thy gates, that he may eat it; or thou mayest sell it unto a foreigner:[13] know only that it may be 'given' to a stranger[14] or 'sold' to a foreigner [heathen]; how do I know [that] selling to a stranger [ger] [is permitted]? Therefore it is stated, 'thou mayest give it unto the stranger [ger] that is within thy gates ... 'or sell.'[15] How do we know [that] giving to a foreigner [is permitted]? Because it is stated, 'thou mayest give it, that he may eat it, or thou mayest sell it unto a foreigner',[16] thus the result is[17] that [to] a stranger [ger] and a foreigner [heathen] alike, both selling and giving [are permitted]: this is R. Meir's view. R. Judah said: The words are as they are written, [viz..] to a ger it must be given and to a heathen it must be sold. What is R. Judah's reason? If you should think as R. Meir says,let the Divine Law write, thou mayest give it unto the stranger [ger] that is within thy gates, that he may eat it, and thou mayest sell it: why state 'or'? Infer from this that the words are as they are written. And R. Meir?[18] — 'Or' is to show that giving to a ger takes precedence over selling to a heathen. And R. Judah?- No verse is required for this: since you are commanded to maintain a ger, but you are not commanded to maintain a heathen,[19] a verse is not required, [for] it stands to reason.

On the view of R. Meir who maintained,[to] a ger and a heathen alike, both selling and giving are permitted, it is well: since a verse is required to permit benefit from a nebelah, it follows that all other things forbidden in the Torah are forbidden in respect of both eating and [general] benefit. But according to R. Judah, who maintained, it comes from [the purpose of teaching that] the words are as they are written, whence does he know that all [other] things forbidden in the Torah are forbidden in respect of benefit? He deduces it from, [ye shall not eat any flesh that is torn of beasts in the field;] ye shall cast it to the dogs:[20]

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(1) Jast.: a preserve consisting of sour milk, breadcrusts, and salt. V. Perles Et. St. 85; Fl. to Levy, Talm. Dict. II, p. 459b.

(2) In Shab. 19a the reading is: Babylonian kuta, and all kinds of kuta,. This makes better sense, and the same may be understood here.

(3) It is used as a sauce or relish, and hence lasts a long time. It was customary to give popular lectures about Festivals thirty days before, and therefore from that time one might not sell his kutah to a Gentile.

(4) For feeding cattle with it is benefit, and it is already stated that this is permitted.

(5) I.e., before it becomes forbidden. It was so charred that it neither tastes nor looks like leaven.

(6) And the Mishnah too refers to this.

(7) I.e., in the sixth hour.

(8) V. supra 7a for notes.

(9) And not merely as food.

(10) Ex. XIII, 3.

(11) Rashi: the use of the passive intimates that no benefit which may lead to eating is permitted, i.e., no benefit whatsoever, for generally the monetary value of any benefit is expended on food.

(12) V. Glos.
(13) Deut. XIV, 21.
(14) A resident-alien who is a semi-proselyte in so far that he has abjured idolatry.
(15) Treating 'stranger' as the indirect object of both 'give' and 'sell'.
(16) Treating 'foreigner' as the indirect object of both 'give' and 'sell'.
(17) Lit., 'it is found saying'.
(18) How does he answer this?
(19) In a technical sense only: nevertheless Judaism teaches that the poor among heathens must be helped just as the Jewish poor, v. Git. 61a.
(20) Ex. XXII, 30.

Talmud - Mas. Pesachim 22a

'it' you may cast to dogs, but you may not cast to dogs all [other] things forbidden in the Torah.[1] And R. Meir?[2] — [He interprets:] 'it' you may cast to dogs, but you may not cast to dogs hullin killed in the Temple Court.[3] And the other?[4] — [Benefit from][5] hullin killed in the Temple Court is not [forbidden] by Scriptural law. R. Isaac of Nappaha[6] objected: But what of the nervus ischiadicus, though the Divine Law saith, Therefore the children of Israel eat not the sinew of the thigh-vein,[7] yet we learned: A man may send the thigh [of an animal] to a heathen with the nervus ischiadicus in it, because its place is distinguishable![8] — R. Abbahu holds, when nebelah was permitted [by the Torah]. it, its forbidden fat, and its thigh sinew were permitted.[9] This is well on the view that the sinews possess the power of imparting a taste.[10] But on the view that the sinews possess no power of imparting a taste,[11] what can be said? — Whom do you know to maintain [that] the sinews have no power to communicate taste? R. Simeon. For it was taught: He who eats of the thigh sinew of an unclean animal, — R. Judah declares him liable on two [accounts],[12] while R. Simeon holds him non-culpable.[13] [According to] R. Simeon, It is indeed forbidden for use too. For it was taught: The thigh sinew is permitted for use; this is R. Judah's view; but R. Simeon forbids it.

But what of blood, of which the Divine Law saith, No soul of you shall eat blood,[14] yet we learned, Both these and those[15] mingled in the duct and passed out to the brook of Kidron,[16] and they were sold to gardeners as fertilizers, and trespass is committed in respect of them?[17] — Blood is different, because it is likened to water, for it is written, Thou shalt not eat it,' thou shalt pour it out upon the earth as water:[18] just as water is permitted, so is blood permitted. Yet say, like water poured out as libations upon the altar?[19] — Said R. Abbahu: 'as water" [means] like most water. Is then 'most water' written? — Rather, said R. Ashi: 'as water' which is poured out,[20] but not as water offered as a libation. Yet say, like water which is poured out in idol worship?[21] — There too it is designated a libation, as it is written, They drink the wine of their drink offering [libation].[22]

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(1) I.e., you may not derive any benefit from them.
(2) What is the purpose of 'it', which expresses a limitation, seeing that he learns this from nebelah?
(3) This may not be eaten, and R. Meir deduces here that all benefit is forbidden, v. Kid. 57b.
(4) R. Judah: how does he know this?
(5) So Rashi, v. however Tosaf. s.v. חולין
(6) Or, the smith. Many Rabbis were workers or tradesmen.
(7) Gen. XXXII, 33.
(8) The Jew need not remove the nervus ischiadicus before sending it, for fear that another Jew, seeing that the heathen had received it from a Jew, may think that the nerve has been removed and that it is all permitted, because one can easily recognize whether the nervus ischiadicus has been removed or not. Giving anything to a heathen is regarded as benefit, and we thus see that the benefit of this sinew is permitted, which conflicts with R. Abbahu's statement supra 21b.
(9) Therefore benefit from all forbidden fat and all sinews is permitted.
(10) E.g.. if forbidden sinews are boiled together with meat, they impart a flavour to the meat, which renders that too forbidden, unless it is sixty times as much as the sinews. On that view the sinews are as flesh, and therefore when

nebelah was permitted it included the sinews.
(11) Because they are not flesh, being merely like wood, and nevertheless they are prohibited: hence they cannot be included in the permission granted for nebelah.
(12) (i) Because it is of an unclean (i.e., forbidden) animal; (ii) because the thigh sinew itself is forbidden.
(13) He is not culpable on account of the unclean animal, because he holds that there is no taste in the sinew. Nor is he liable on account of the sinew, for this involves liability only when the flesh of that animal is permitted, but not when the flesh too is forbidden.
(14) Lev. XVII, 12.
(15) The residues of the blood of the 'inner' sin-offerings, which were poured out on the western base of the outer altar, and the residues of the blood of the 'outer' sin-offerings, which were poured out on the south base of the altar. These passed out through two small holes and mingled in a duct which ran through the Temple Court.
(16) Near Jerusalem.
(17) I.e., one may not benefit from them without paying. V. Yoma 58b. — Yet we see that benefit may be derived from blood in general.
(18) Deut. XII, 24.
(19) Benefit of which is forbidden.
(20) As indicated by the words 'thou shalt pour it out'.
(21) Such water too is forbidden.
(22) Ibid. XXXII, 38.

Talmud - Mas. Pesachim 22b

Now according to Hezekiah, in respect of what law is blood likened to water?[1] — For [the law of] R. Hiyya b. Abba in R. Johanan's name. For R. Hiyya b. Abba said in R. Johanan's name: How do we know that the blood of sacrifices does not make [anything] fit [to be defiled]? Because it is said, thou shalt pour it out upon the earth as water: blood which is poured out as water renders fit; blood which is not poured out as water does not render fit.

But what of the limb of a living animal, though it is written, thou shalt not eat the life with the flesh,[2] yet it was taught. R. Nathan said: How do we know that a man must not hold out a cup of wine to a nazirite or the limb of a living animal to the children of Noah?[3] Because it is stated, thou shalt not put a stumbling-block before the blind.[4] This implies that [giving] to dogs is permitted?[5] — The limb of a living animal is different, because it is assimilated to blood, as it is written, Only be steadfast in not eating the blood; for the blood is the life.[6] Then according to Hezekiah, in respect of what law is the limb from a living animal assimilated to blood?[7] — He can answer you: It is blood which is assimilated to the limb from a living animal:[8] just as a limb from a living animal is forbidden,[9] so is the blood from a living animal forbidden,[10] and which [blood] is that? The blood of arteries with which life goes out.[11]

But what of the ox that is stoned, though the Divine Law saith, its flesh shall not be eaten,[12] yet it was taught: From the implication of the verse, the ox shall be surely stoned,[13] do I not know that it is nebelah, and nebelah is forbidden as food? Why then is it stated, 'and its flesh shall not be eaten'? The Writ informs us that if it was [ritually] slaughtered after its trial was ended,[14] it is forbidden. I only know this in respect of eating; how do we know it in respect of benefit? From the verse, but the owner of the ox shall be clear. How is this implied? Simeon b. Zoma said: As a man may say to his friend, 'So-and-so has gone out clear from his property, and has no benefit whatsoever from it.' Thus the reason is that 'but the owner of the ox shall be clear' is written; for if [we deduced] from 'it shall not be eaten' [alone], that would imply a prohibition of eating, but not a prohibition of benefit?[15] — In truth 'it shall not be eaten' implies a prohibition of eating and a prohibition of benefit, and as to 'but the owner of the ox shall be clear,' that is stated[16] in respect of the use of its skin;[17] and it is necessary: you would think that I might argue, 'his flesh shall not be eaten' is written, [thus] only his flesh [is forbidden], but not his skin; therefore we are informed [otherwise]. But according to those

Tannaim who employ this verse for a different exegesis. [viz..] for half ransom and damages for children,[18] how do they know [that] the use of the hide [is forbidden]? They infer it from eth besaro [his flesh],meaning, that which is joined to its flesh.[19] And the other?[20] — He does not interpreteth.[21] As it was taught, Simeon Imsoni[22] — others state, Nehemiah Imsoni- interpreted every eth in the Torah;[23] [but] as soon as he came to, thou shalt fear [eth] the Lord thy God,[24] he desisted.[25] Said his disciples to him, 'Master, what is to happen with all the ethin[26] which you have interpreted?' 'Just as I received reward for interpreting them', he replied, 'so will I receive reward for retracting'.[27] Subsequently[28] R. Akiba came and taught:Thou shalt fear[eth] the Lord thy God is to include scholars.[29] But there is 'orlah,[30] whereof the Merciful One saith, Three years shall it be forbidden unto you: it shall not be eaten;[31] yet it was taught: 'It shall be as forbidden unto you: it shall not be eaten'. [Thus] I only know the prohibition of eating; whence do we know that a man may not benefit from it, that he may not dye or light a lamp with it? From the verse, then ye shall count [the fruit thereof] as forbidden: [three years shall they be] as forbidden [unto you]: it shall not be eaten;[31] which is to include all of them.[32] Thus the reason is that Scripture wrote, 'then ye shall count the fruit thereof as forbidden . . . they shall be as forbidden; but if it were not so,I would say, it implies a prohibition of eating, [but] it does not imply a prohibition of benefit? — In truth 'it shall not be eaten' implies both a prohibition of eating and a prohibition of benefit, but there it is different, because it is written, 'unto you', and thus it is necessary: I might argue, since it is written, 'unto you,' [that implies] it shall be yours;[33] hence we are informed [that it is not so]. Then now that these verses[34] are written, what is the purpose of 'unto you'?- For what was taught: 'unto you': this is to include what is planted

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(1) Since he holds supra 21b that only the passive form, 'shall not be eaten', implies a prohibition of all benefit, but not the active 'thou shalt not eat', benefit from blood is permitted in any case, for the prohibition is not expressed in the passive. Then what is the purpose of assimilating blood to water?

(2) Deut. XII, 23. This is interpreted as an injunction against eating a limb torn from a living animal.

(3) The technical designation for all but Jews. A nazirite must not drink wine, nor may non-Jews eat of the limb of a living animal.

(4) Lev. XIX. 14. This is understood metaphorically: do not lead anyone to sin.

(5) Though this is benefit.

(6) Deut. XII, 23.

(7) v. p. 99 n. 10.; the same applies here.

(8) And not the reverse, as the order indicates.

(9) With the prohibition that is stated in its case, i.e., for eating only.

(10) With the prohibition relevant to blood, viz., an injunction which involves kareth (q. v. Glos.).

(11) v. Ker. 22a.

(12) Ex. XXI, 28. Thus it is expressed in the passive, which on all views intimates that general benefit is forbidden.

(13) Ibid.

(14) I.e., after sentence.

(15) Cf. p. 100, n. 11.

(16) Lit., 'comes'.

(17) Teaching, even that is forbidden.

(18) Ransom, v. Ex. XXI, 28-30, 35f; it might be thought, by comparing these verses, that half ransom is payable in this case. (Damages for child, v. ibid. 22). I might think that the same holds good when the damage is done by a man's ox Therefore 'but the owner of the ox shall be clear (E.V. quit)' teaches that he is free from both.

(19) Interpreting 'eth', the sign of the acc., as an extending particle.

(20) What does 'eth' teach on this view?

(21) As indicating extensions or having any particular significance apart from its grammatical one.

(22) Jast. conjectures that it may mean from Amasia, in Pontus.

(23) As an extending particle.

(24) Deut. VI, 13.

(25) Holding it impossible that this fear should extend to another.

(26) Pl. of eth.
(27) Lit., ‘separating’ (myself from them). Since the eth in one verse does not signify extension, it cannot do so elsewhere.
(28) Lit., ‘until’.
(29) Who are the depositaries of God's word; hence the verse exhorts obedience to religious authority.
(30) v. Glos.
(31) Lev. XIX, 23.
(32) I.e., the repetition of ‘forbidden’ is an extension.
(33) viz., you may use it, though not eat it.
(34) Repeating the phrase ‘forbidden’ to extend the prohibition to general benefit.

Talmud - Mas. Pesachim 23a

for the public. R. Judah said: It is to exclude what is planted for the public. What is the reason of the first Tanna? Because it is written, ‘and ye shall have planted;’ [this] implies [a law] to the individual, but it does not imply [a law] for the public;[1] [therefore] the Merciful One wrote, ‘unto you’, to include what is planted for the public. While R. Judah [argues]: ‘and ye shall have planted’ implies [a law] both to the public and to the individual, and ‘unto you’ [too] implies both for the public and for the individual: thus it is an extension after an extension, and an extension after an extension has no [other significance] save to limit.[2]

But there is terumah, of which the Merciful One saith, There shall no common man[3] eat of the holy thing:[4] yet we learned: An ‘erub may be made for a nazirite with wine, and for a [lay] Israelite with terumah?[5] — Said R. Papa: There it is different, because Scripture saith, your heave-offering:[6] it shall be yours. And the other?;[7] It means, ‘your heave-offering,’ [viz..] that of all Israel.[8]

But what of a nazirite, though the Merciful One saith, from the kernels even to the husk, he shall not eat,[9] yet we learned: An erub may be made for a nazirite with wine? — Said Mar Zutra, There it is different, because Scripture saith, [All the days of] his naziriteship:[9] it shall be his.[10] R. Ashi said: He shall be holy, he shall let the locks of the hair of his head grow long:[11] his [hair] growth is holy,[12] but nothing else is holy. Is then ‘and nothing else’ written?[13] But it is clearly as Mar Zutra [stated].

But what of hadash,[14] where the Merciful One saith, And ye shall eat neither bread, nor parched corn, nor fresh ears, until this selfsame day;[15] yet we learned: He may cut [the corn] for fodder and feed his cattle?[16] — Said R. Shemaiah, There it is different, because Scripture saith, [ye shall bring the sheaf of the firstfruits of] your harvest.’[17] [implying,] it shall be yours[18] And the other?[19] — Your harvest’ implies that of all Israel.

But what of creeping things, where the Merciful One saith, It is a detestable thing; it shall not be eaten;[20] yet we learned: Hunters of beasts, birds, and fish, who chance upon unclean species, are permitted to sell them to Gentiles?-There it is different, because Scripture saith, [they are a detestable thing] unto you:[21] it shall be yours. If so, [it should be permitted] at the very outset too?[22] — Here it is different, because Scripture saith, and they shall be [a detestable thing]:[23] [meaning.] they shall be in their [forbidden] state. Now according to Hezekiah, for what purpose is ‘shall not be eaten’ written-so that ‘unto you’ is adduced to teach that it is permitted; let the Merciful One not write ‘shall not be eaten,’ so that ‘unto you’ will be unnecessary? — Hezekiah can answer you: My opinion[24] is indeed [deduced] from this.[25]

But what of leaven, though the Merciful One saith, there shall no leavened bread be eaten,[26] yet it was taught. R. Jose the Galilean said: Wonder at yourself! how can leaven be prohibited for [general] use the whole seven [days]? — There it is different, because Scripture saith, neither shall there be leaven seen unto thee:[27] [this implies,] it shall be thine.And the Rabbis?[28] — Thine own thou must

not see, but thou mayest see that belonging to others and to the Most High. And the other?[29] 'unto thee' is written twice.[30] And the other? — One refers to a heathen whom you have conquered, and the other refers to a heathen whom you have not conquered.[31] And the other?[32] — 'Unto thee' is written three times.[33] And the other? — One refers to leaven [se'or], and one refers to leavened bread [hamez]. and they are [both] necessary.[34]

Shall we say that it[35] is dependent on Tannaim? [And the fat of that which dieth of itself, and the fat of that which is torn of beasts.] may be used for all service [: but ye shall in no wise eat of it].[36] Why is 'for all service' stated? For I might think, for the service of the Most High let it be permitted, but for secular service let it be forbidden;[37] therefore it is stated, 'for all service': this is the view of R. Jose the Galilean. R. Akiba said: For I might think, for secular service let it be clean, [but] for service of the Most High let it be unclean;[38] therefore it is stated, 'for all service'. Now R. Jose the Galilean [holds] that in respect of uncleanness and cleanness a verse is not required, a verse being required only in respect of what is forbidden and what is permitted. While R. Akiba [maintains]: [in respect of] what is forbidden and what is permitted no verse is required, a verse being required only in respect of uncleanness and cleanness.

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(1) Since the public do not plant.

(2) This is a principle of exegesis. Cf. the inverse principle of the English language: a double negative is a positive.

(3) I.e., an Israelite who is not a priest.

(4) Lev. XXII, 10.

(5) Though these may not be eaten by each respectively. — Thus a nonpriest may benefit from terumah

(6) Num. XVIII, 27.

(7) Hezekiah: what is the purpose of 'your heave-offering? Cf. p. 99, n. 10.

(8) I.e.. it is merely the idiomatic usage of the language.

(9) Num. VI, 4.

(10) I.e., the things which he may not eat are nevertheless available for his use in other ways'.

(11) Ibid. 5.

(12) In the sense that he must not benefit from it.

(13) There is nothing to warrant this inference.

(14) V. Glos.

(15) Lev. XXIII, 14, q.v.

(16) With this hadash, though he may not eat it himself. Thus benefit is permitted.

(17) Ibid. 10.

(18) Available for your benefit.

(19) Hezekiah,: what is the purpose of 'your harvest' according to him? Cf. p. 99, n. 10.

(20) Lev. XI, 41.

(21) Ibid. 10.

(22) To hunt unclean animals, whereas the Mishnah merely permits selling if they happened to trap them.

(23) Lev. XI, 11.

(24) Lit., 'reason'.

(25) The very fact that 'unto you' is required shows that elsewhere 'shall not be eaten' includes the prohibition of benefit in general.

(26) Ex. XIII, 3.

(27) Ibid. 7.

(28) Who hold that benefit is forbidden: how do they interpret 'unto thee'?

(29) R. Jose: how does he know this?

(30) And there shall no leavened bread be seen unto thee, neither shall there be leaven seen unto thee.

(31) I.e., whether the heathen is a Jewish subject or not, his leaven may be seen in a Jewish house.

(32) How does he know this?

(33) The third is in Deut. XVI, 4 q.v.

(34) If leaven (se'or) alone were written, I might argue that it is forbidden because its degree of leaven is very strong, but

leavened bread (hamez) which is not so strong, is permitted. And if leavened bread (hamez) were written, I would say that that is forbidden because it is fit to be eaten, but not so leaven (se'or). which cannot be eaten. — Bez. 7b.

(35) Sc. R. Abbahu's ruling.

(36) Lev. VII, 24.

(37) Since we find fat (heleb) used in the service of God, the fat of a sacrifice being burnt on the altar.

(38) E.g if leather was softened with heleb, sacred food must not be placed on it, for it will thereby be defiled.

Talmud - Mas. Pesachim 23b

Surely then they differ in this, [viz..]: R. Jose the Galilean holds, ye shall not eat' connotes both a prohibition of eating and a prohibition of benefit, and when the verse comes to permit nebelah, it comes in respect of benefit. While R. Akiba holds: it connotes a prohibition of eating, [but] does not connote a prohibition of benefit, and for what [purpose] does the verse come? In respect of uncleanness and cleanness! No: all hold that 'ye shall not eat' connotes both a prohibition of eating and a prohibition of benefit, but here they differ in this: R. Jose the Galilean holds, when nebelah was permitted,[1] it [alone] was permitted, [whereas] its fat [heleb] and its sinew[2] were not permitted, and [therefore] for what purpose is the verse required? It is in respect of permission for use. But R. Akiba holds: when nebelah was permitted, its fat [heleb] and its sinew too were permitted; hence for what purpose is the verse necessary? It is in respect of uncleanness and cleanness.

Now as to R. Jose the Galilean, we have found that the Divine Law permits heleb for use; but as for the sinew, let us say that it is forbidden?-If you wish I can say that it is in fact forbidden. Alternatively, it is adduced a minori: if heleb, for which there is a penalty of kareth, is permitted for use, how much the more the sinew, for which there is no penalty of kareth. But R. Simeon, who forbids it, [argues]: This can be refuted. As for heleb, that is because It is freed from its general [prohibition] in the case of a beast;[3] will you say [the same] of the sinew, which was not freed from its general [prohibition] in the case of a beast?[4] And the other? — We are speaking of cattle[5] [behemah]; [and] in the case of cattle at all events it [sc. heleb] was not permitted.

Consider: we have raised objections from all these verses and answered them; [then] wherein do Hezekiah and R. Abbahu differ? — In respect of leaven during Passover, on the view of the Rabbis,[6] [and] in respect of the ox that is stoned, and this on the view of all:[7] Hezekiah deduces it[8] from 'shall not be eaten', while R. Abbahu learns it from nebelah.[9] Consider: according to both Masters they are forbidden for use: [then] wherein do they [practically] differ? — They differ in respect of hullin which was slaughtered in the Temple Court:[10] Hezekiah holds, 'shall not be eaten'[11] is to exclude these,[12] while 'it'[13] is to exclude hullin which was slaughtered in the Temple Court.[14] R. Abbahu[15] holds: 'it' is to exclude these, while hullin which was slaughtered in the Temple Court is not forbidden [for use] by Scriptural law.

One of the scholars sat before R. Samuel b. Nahmani, and he sat and said in R. Joshua b. Levi's name: How do we know of all prohibitions in the Torah, that just as they are forbidden for food, so are they also forbidden for use, and which are they? Leaven [hamez] during Passover and the ox that is stoned? ([You ask,] 'How do we know'! — learn it from 'it shall not be eaten'?-To him[16] 'it shall not be eaten' implies a prohibition of eating, but it does not imply a prohibition of benefit. Then let him deduce it from nebelah?[17] — He agrees with R. Judah, who maintained: The words are as they are written. If he agrees with R. Judah. let him deduce it whence R. Judah deduces it, [viz.] from 'ye shall cast it to the dogs'?[18] _ He holds that hullin which was slaughtered in the Temple Court is [forbidden for use] by Scriptural law.[19] Whence then do we know it?) — From the verse, And no sin-offering, whereof any of the blood is brought into the tent of meeting to make atonement in the holy place, shall be eaten: it shall be burnt with fire.[20] Now, 'it shall be burnt with fire' need not be stated;[21] then what is the purpose of 'it shall be burnt with fire'? If it is unnecessary in its own connection, seeing that it is written, and, behold, it was burnt,[22] apply its teaching to all [other]

prohibitions of the Torah;[23]

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(1) In respect of benefit.
(2) The thigh sinew.
(3) The heleb of a hayyah (wild or semi-wild animal) is permitted.
(4) The prohibition of a thigh sinew applies also to a beast.
(5) The text under discussion speaks of the fat of an ox or lamb, v. Lev. VII, 23.
(6) Who hold that benefit thereof is forbidden.
(7) V. supra 22b.
(8) That these are forbidden for use.
(9) V. Glos.
(10) On the view of R. Judah who maintains: the words are as written, so that nebelah can serve as basis of deduction for other prohibitions, v. supra 21b-22a.
(11) Written in connection with leaven and the ox that is stoned.
(12) Sc. the two just mentioned.
(13) Written in connection with nebelah, v. supra 22a.
(14) Showing that benefit thereof is Scripturally forbidden, v. supra.
(15) Who makes no distinction between the passive and active forms in which the prohibition is expressed.
(16) R. Joshua b. Levi.
(17) As above.
(18) Ex. XXII, 30.
(19) deducing it from 'it': hence it cannot be utilized for these two.
(20) Lev. VI, 23.
(21) As shown below.
(22) Lev. X, 16, q.v. Moses upbraided the sons of Aaron for burning it, observing, 'Behold, the blood of it was not brought into the sanctuary within' (v. 18). This proves that when it is brought within, the sacrifice must be burnt; hence the present verse is superfluous.
(23) This is a principle of Talmudic exegesis: when a statement or verse is superfluous in its own connection, it is applied to other laws.

Talmud - Mas. Pesachim 24a

and if it is irrelevant in respect of eating,[1] apply the matter to the prohibition of benefit.[2] If so, just as there [it must be destroyed] by burning, so all prohibited things of the Torah [must be destroyed] by burning? _ Scripture saith, 'in the holy place . . . it shall be burnt with fire,' [that which is forbidden] in the holy place requires burning. but all the [other] forbidden things of the Torah do not require burning, But does this [phrase,] 'in the holy place . . . it shall be burnt with fire,' come for this [teaching]? Surely it is required for R. Simeon's [dictum]! For it was taught, R. Simeon said: 'In the holy place ... it shall be burnt with fire': this teaches concerning the sin-offering[3] that we burn it in the holy place.[4] Now, I only know this alone; how do we know it of the unfit of the [other] most sacred sacrifices and the emurim[5] of the lesser sacrifices?[6] Thereof it is stated, in the holy place . . . it shall be burnt with fire![7] — Said he to him,[8] R. Jonathan thy teacher deduced it[9] from this verse: And if aught of the flesh of the consecration, or of the bread, remain unto the morning, then thou shalt burn the remainder with fire; it shall not be eaten, because it is holy.[10] Now 'it shall not be eaten' need not be stated:[11] then why is 'it shall not be eaten' stated? If it is irrelevant in respect of itself, seeing that it is written, 'then thou shalt burn the remainder with fire' apply its teaching to the other interdicts of the Torah. And if it is irrelevant in respect of eating, apply its teaching to the prohibition of benefit. If so, just as here [it must be destroyed] by burning, so all the forbidden things of the Torah [must be destroyed] by burning?-Scripture saith, 'then thou shalt burn the [nothar] remainder: nothar requires burning, but all [other] forbidden things of the Torah do not require burning.

Yet does this [verse] 'it shall not be eaten' come for this [teaching]? Surely it is required for R. Eleazar's [dictum]! For R. Eleazar said: 'it shall not be eaten, because it is holy': whatever of holy [flesh. etc.] that is unfit, the Writ comes to impose a negative injunction against eating it?[12] _ Said Abaye: After all [it[13] is deduced] from the first verse,[14] but reverse [the argument]: for let Scripture write, 'it shall be burnt with fire,' so that 'it shall not be eaten' will be superfluous; why then is 'it shall not be eaten' written? If it is irrelevant for itself, seeing that it is deduced by R. Eleazar's [exegesis],[15] apply its teaching to all [other] interdicts of the Torah. And if it is irrelevant in respect of eating, apply its teaching to the prohibition of benefit. If so, just as here [it must be destroyed] by burning, so all the forbidden things of the Torah must be destroyed] by burning? — Scripture saith, 'the [nothar] remainder'; 'nothar' requires burning, — but all [other] forbidden things of the Torah do not requires burning. R. Papa said to Abaye: Yet say that it[16] comes to assign a negative injunction [specifically] for itself? For if [we learn] from R. Eleazar ['s dictum], we do not flagellate for an implied negative injunction![17] — Rather, said R. Papa: [It[18] is deduced] from this: And the flesh that toucheth any unclean thing shall not be eaten: it shall be burnt with fire.[19] Now,'shall not be eaten' need not be stated: why then is 'shall not be eaten' stated? If it is irrelevant for itself, seeing that it may be deduced a minori from tithe, which is lighter, [thus:] if tithe, which is light, yet the Torah said, neither have I put away thereof, being unclean,[20] how much the more sacred flesh, which is more stringent! And should you say, We cannot give a warning [of flagellation] as a result of an ad majus conclusion,[21] but this is a hekkesh,[22] for it is written, Thou mayest not eat within thy gates the tithe of thy corn, or of thy wine, or of thine oil, or the firstlings of thy herd or of thy flock, nor any of thy vows which thou vowest, nor thy freewill-offerings etc.[23] Then why is 'shall not be eaten stated? If it is irrelevant in its own case, apply its teaching to all [other] prohibitions of the Torah. And since it is irrelevant in respect of eating, apply it to benefit. If so, just as here [it must be destroyed] by burning, so all the forbidden things of the Torah require burning? — Scripture saith, 'the [nothar] remainder': nothar requires burning. but all [other] forbidden things of the Torah do not require burning.

Rabina said to R. Ashi: Yet perhaps [it teaches that] he transgresses two negative injunctions on its account?[24] Did not Abaye say: if he ate putitha[25] he is flagellated four times;[26] [for] an ant, he is flagellated five times;

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(1) It certainly cannot teach that, since each prohibition of eating is stated separately.

(2) For 'it shall be burnt' shows that all benefit is forbidden, and this has now been applied to all other prohibitions.

(3) Rendered unfit.

(4) For 'and, behold, it was burnt' (v. n. 6) does not teach where it must be burnt.

(5) Lit., 'devoted objects'; those portions of the sacrifices offered on the altar.

(6) Sacrifices were divided into two categories; (i) most sacred; these included the sin-offering, meal-offering, burnt-offering and guilt-offering. (ii) Sacrifices of lesser sanctity, e.g., the peace-offering and the thanksoffering. The question is: how do we know that if these are defiled or their blood is spilled, thus rendering them unfit, they must be burnt in the Temple Court? The flesh of the lesser sacrifices is not mentioned, for this was eaten outside the Temple precincts and consequently when unfit was burnt without the Temple Court, v. infra 49a.

(7) I.e., whatever would normally be consumed or otherwise disposed of in the holy place must now be burnt there.

(8) viz.,this scholar to R. Samuel b. Nahmani.

(9) The prohibition of benefit as applied to other forbidden things in the Torah.

(10) Ex. XXIX, 34.

(11) Since we are told that it must be burnt.

(12) 'Because it is holy' is unnecessary, and therefore R. Eleazar utilizes it thus. Hence its transgression involves flagellation.

(13) The teaching of R. Joshua b. Levi.

(14) Viz., 'and every sin offering', etc.

(15) Without R. Eleazar's deduction, 'it shall not be eaten' would be necessary in spite of the statement 'it shall be burnt with fire', to show that it is subject to a negative injunction, which involves flagellation. But now that R. Eleazar has

deduced a negative injunction in respect of all unfit sacrifices from, 'it shalt not be eaten because it is holy', this is superfluous.

(16) The verse 'it shall not be eaten' written here.

(17) I.e., where the action is not explicitly forbidden but only by an injunction stated in general terms, which includes a number of other actions too.

(18) V. p. 108, n. 9.

(19) Lev. VII, 19.

(20) Deut. XXVI, 14, q.v. This refers to the second tithe, which was eaten by its Israelite owner in Jerusalem, and who had to declare that he had not eaten it 'being unclean', which shows that this was forbidden. The sanctity of titles is of course lighter than that of sacrifices.

(21) This is a general principle. Hence this argument does not suffice to make it an offence punishable by flagellation, and so 'shall not be eaten' is here required.

(22) V. Glos.,an analogy between two laws which rests on a Biblical intimation (as Lev. XIV, 13) or on a principle common to both (Jast.). Flagellation is inflicted on the basis of a hekkesh.

(23) Deut. XII, 17. 'Vows' and freewill-offerings' are sacrifices, and 'Scripture, by coupling these with tithes, shows that they are the same.

(24) And is flagellated for each separately. In that case the verse is not superfluous.

(25) A small water reptile (sherez). a young eel, v. Mak., Sonc. ed. p. 116, n. 8.

(26) I.e., four flagellations of the prescribed number of lashes.

Talmud - Mas. Pesachim 24b

[for] a hornet, he is flagellated six times?[1] — Said he to him: Wherever we can interpret we do interpret,[2] and not apply it to additional injunctions.

Now what is the purpose of 'and the flesh' [that toucheth any unclean thing shall not be eaten][3] of the commencement of the verse?[4] — It is to include wood and frankincense.[5] What is the purpose of, 'And as for the flesh, every one that is clean shall eat thereof' of the end [of the verse]?[6] — It is to include emurim.[7] [But] emurim are learnt from elsewhere, for it was taught: But the soul that eateth of the flesh of the sacrifice of peace-offerings, that pertain unto the Lord [having his uncleanness upon him]:[8] this is to include the emurim?[9] — There [the reference is to] the uncleanness of the person, [which is punishable] with kareth, [whereas] here [we treat of] the uncleanness of the flesh, [which is subject to] a negative injuction.[10]

R. Abbahu said in R. Johanan's name: [With regard to] all the prohibited articles of the Torah, we do not flagellate on their account save [when they are eaten] in the normal manner of their consumption. What does this exclude? _ Said R. Shimi b. Ashi: It is to exclude [this. viz.,] that if he ate raw heleb, he is exempt [from punishment]. Others say. R. Abbahu said in R. Johanan's name: [With regard to] all the prohibited articles of the Torah, we do not flagellate on their account save [when they are used] in the normal manner of their usage. What does this exclude?Said R. Shimi b. Ashi: It is to exclude [this, viz.,] if he applied the heleb of the ox which is stoned[11] upon his wound, he is exempt;[12] and all the more so,if he eats raw meat, he is exempt. It was stated likewise: R. Ahab. R. 'Awia said in R. Assi's name in R. Johanan's name: If he applies the heleb of the ox which is stoned upon his

verse does not bear upon its own subject at all, why specify 'the flesh'? Scripture could say, and that which toucheth, etc. wound he is exempt, because [in the case of] all the interdicts of the Torah, we do not flagellate on their account save [when they are, used] in the normal manner of their usage.

R. Zera said, We too learned [thus]: 'One does not receive forty [lashes][13] on account of 'orlah,[14] save for that which issues from olives or from grapes alone': but [for that which issues] from mulberries, figs and pomegranates [there is, as implied,] no [flagellation]. What is the reason? Is it

not because he does not eat them in the normal manner of their usage?[15] Said Abaye to him: That were well if he informed us[16] of the fruit itself, where he did not eat it in the normal manner of its usage; but here [the reason[16] is] because it[17] is mere moisture.[18]

Abaye said: All agree in, respect of kil'ayim[14] of the vineyard, that we flagellate on its account even [when one does] not [enjoy it] in the normal manner of its usage. What is the reason? Because 'eating' is not written in connection therewith. An objection is raised: Issi b. Judah said: How do we know that meat and milk [seethed together] are forbidden?[19] It is stated here, for thou art a holy people [...thou shalt not seethe a kid in its mother's milk],[20] and it is stated elsewhere, And ye shall be holy men unto me; [therefore ye shall not eat any flesh that is torn of beasts in the field; ye shall cast it to the dogs]:[21] just as there it is forbidden,[22] so here too it is forbidden. Again, I know it only of eating; how do I know it of [general] use? I will tell you: [it follows] a minori. If 'orlah, though no sin was committed therewith,[23] is forbidden for use, then meat and milk [seethed together], wherewith a sin was committed],is it not logical that they are forbidden for use?

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(1) In Lev. XI, 43, it is stated: Ye shall not make yourselves detestable with any swarming thing that swarmeth, neither shall ye make yourselves unclean with them. This is a twofold injunction. and since it does not specify 'that swarmeth upon the earth', it applies to both water reptiles and land reptiles. Further v.II, referring to unclean fish, states: and they shall be a detestable thing unto you; ye shall not eat of their flesh. This is a third injunction against water reptiles. And finally. in Deut. XIV, 10, there is a fourth injunction: and whatsoever hath not fins and scales ye shall not eat. The ant is a land reptile ('swarming thing'); hence the two injunctions of Lev. XI, 43 apply to it. There are also the following three: (i) Lev. XI, 41: And every swarming thing that swarmeth upon the earth ... shall not be eaten; (ii) ibid. 42: even all swarming things that swarm upon the earth them ye shall not eat, for they are a detestable thing: And (iii) ibid. 44: neither shall ye defile yourselves with any manner of swarming thing that moveth upon the earth. The hornet is a 'winged swarming thing' and also moves upon the earth. Hence it is subject to these five injunctions and also to that of Deut. XIV, 19: And all winged swarming things are unclean unto you: they shall not be eaten. Thus eating one forbidden thing can involve more than one penalty. and the same may apply here.

(2) As applying to another subject.

(3) Lev. VII, 19.

(4) Seeing that the

(5) Used in the sacrificial service: though these are not eatables, they nevertheless become unclean.

(6) The question is only in respect of 'and as for the flesh', the rest of the verse being utilized in Men. 25b.

(7) V. Glos. Teaching that if they are defiled and a priest eats them he transgresses the injunction against unclean flesh. The verse accordingly is read thus: and the flesh that toucheth any unclean thing shall not be eaten... and the flesh, viz., the emurim. _ Since the emurim must be offered on the altar, the priest is a zar (stranger') in relation thereto, and transgresses on that account also.

(8) Lev. VII, 20.

(9) Which 'pertain unto the Lord'.

(10) The inclusion of emurim in the former would not prove its inclusion in the latter case, since the former is a graver offence, as proved by the greater penalty attaching to it.

(11) V. 22b.

(12) Because heleb is generally used for lighting and softening hides.

(13) I.e., flagellation. Actually only thirty-nine were given.

(14) V. Glos.

(15) For they are not generally pressed for their juice.

(16) That there is no flagellation.

(17) That which issues from mulberries, etc.

(18) Lit., 'sweat'. I.e., he did not eat fruit of 'orlah at all. Thus this does not support R. Johanan.

(19) The prohibition of seething a kid in its mother's milk (Deut. XIV, 21) is understood by the Talmud as a prohibition of seething any meat and milk together. The question here is how do we know that if seethed together they are forbidden to be eaten.

(20) Ibid.

(21) Ex. XXII. 30.

(22) I.e., ‘holy man’ etc. introduces a prohibition of eating.

(23) When it was planted.

Talmud - Mas. Pesachim 25a

[This can be refuted]. As for ‘orlah, [that may be] because it had no period of fitness;[1] will you say [the same of] meat and milk [seethed together], seeing that they had a period of fitness? Then let leaven during Passover prove it: though it had a period of fitness, it is forbidden for use. [This again can be refuted]. As for leaven during Passover, [that may be] because he [the offender] is punished with kareth,[2] will you say [the same] of meat [seethed] in milk, where he is not punished with kareth? Then let kil'ayim of the vineyard prove it: though he [the offender] is not punished with kareth yet it is forbidden for use. Now if this is so,[3] let us refute [it thus]: as for kil'ayim of the vineyard. [that may be] because we flagellate on its account even [when he does] not [use it] in the normal manner of its usage? And Abaye?[4] — [He can answer] ‘will you say’ — with what?[5] ‘Will you say [the same] of meat [seethed] in milk, for which we do not flagellate save [when it is eaten] in the normal manner of its use’ — is then ‘eating’ written in connection with meat [seethed] in milk?[6] And the other who raises the objection holds: for that purpose[7] it is deduced from nebelah:[8] just as nebelah [must be enjoyed] in the normal manner of its usage,[9] so [must] meat [seethed] in milk, in the normal manner of its usage. And Abaye? — [He argues]: for that reason ‘eating’ is not written in its own case,[10] to teach that we flagellate on its account even [when one does] not [enjoy it] in the normal manner of its usage.

But let us refute it [thus]: as for kil'ayim, [that may be] because it had no period of fitness?[11] — Said R. Adda b. Ahabah: This[12] proves that [in] kil'ayim of the vineyard, their very stock is forbidden,[13] [and so we cannot refute it thus] since it had a time of fitness before taking root.[14]

‘R. Shemaiah objected: If one sets a perforated pot in a vineyard,[15] if one two-hundredth part is added, it is [all] forbidden:[16] thus, only if there is added, but not if there is not added?[17] — Said Raba, Two verses are written: ‘the fulness’ is written, and ‘the seed’ is written.[18] How is this [to be reconciled]? That which is sown[19] from the very outset [becomes forbidden] on taking root;[20] that which was sown when [partly] grown,[21] if it increased it is [forbidden];[22] if it did not increase, it is not [forbidden]![23]

R. Jacob said in R. Johanan's name: We may cure ourselves with all things, save with the wood of the asherah.[24] How is it meant? If we say that there is danger,[25] even the wood of the asherah too [is permitted]; while if there is no danger, even all [other] forbidden things of the Torah too are not [permitted]? — After all [it means] that there is danger, yet even so the wood of the asherah [must] not be used. For it was taught, R. Eliezer said: If ‘with all thy soul’ is said, why is ‘with all thy might’ said? Or if ‘with all thy might’ is said, why is ‘with all thy soul’ said?[26] But it is to teach you: if there is a man to whom his person is dearer than his wealth, therefore, ‘with all thy soul’ is stated;[27] and if there is a man to whom his wealth is dearer than his person, therefore ‘with all thy might’ [i.e.. substance] is stated. When Rabin came,[28] he said in R. Johanan's name: We may cure [i.e., save] ourselves with all [forbidden] things, except idolatry, incest,[29]

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(1) From the time of its planting it was never fit for food.

(2) For eating it.

(3) Sc. Abaye's statement supra 24b.

(4) How will he meet this question?

(5) I.e.. how would you conclude this refutation?

(6) It is not! Hence this last assumption would be unwarranted, and could not overthrow the argument.

(7) The prohibition of meat seethed with milk.

(8) I.e., from Ex. XXII, 30; v. next note.
(9) Before a penalty is incurred. Nebelah is employed here loosely, as in fact we learn from terefah (v. Glos.), which is the subject dealt with in Ex. XXII, 30 (Rashi).
(10) I.e., in connection with milk seethed with meat.
(11) It is now assumed that when two diverse species are planted together, the interdict of kil'ayim applies only to what grows after they are planted or sown, but not to the stock itself. Thus this added growth was never at any time fit for eating.
(12) Sc. that we do not refute it thus.
(13) Sc. that which was already grown before they were planted as kil'ayim.
(14) The stock itself becomes forbidden, but only after it takes root.
(15) The pot contains cereals, and being perforated it draws its sustenance from the soil of the vineyard, which renders it (the pot) forbidden as kil'ayim.
(16) One two-hundredth part is inclusive, i.e., the addition is one two-hundredth of the present total, so that the original is only one hundred and ninety-nine times as much. If kil'ayim is mixed with permitted eatables, it is all forbidden unless the latter is two hundred times as much as the former.
(17) Though it struck root; which shows that the original stock is not forbidden.
(18) Deut. XXII, 9: lest the fulness of the seed which thou hast sown be forfeited. 'The fulness' implies the additional growth only, while 'the seed' implies the original stock.
(19) In a vineyard.
(20) Since it begins to grow under forbidden circumstances. Nevertheless, before it strikes root it is just as though it were lying in a jug.
(21) Lit., 'sown and coming'
(22) Sc. the increase.
(23) The stock remaining unaffected.
(24) A tree or grove devoted to idolatry.
(25) In the person's illness.
(26) V. Deut. VI, 5: And thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy might.
(27) I.e., one should love God even to the extent of giving his soul (life) in His service.
(28) From Palestine to Babylon.
(29) Which includes adultery.

Talmud - Mas. Pesachim 25b

and murder.[1] Idolatry, as we have stated.[2] Incest and murder, as it was taught: Rabbi said: For as when a man riseth against his neighbour, and slayeth him, even so is this matter.[3] Now, what connection has a murderer with a betrothed maiden? Thus this comes to throw light, and is itself illumined.[4] The murderer is compared to a betrothed maiden: just as a betrothed maiden must be saved [from dishonour] at the cost of his [her ravisher's] life, so [in the case of] a murderer, he [the victim] must be saved at the cost of his [the attacker's] life. Conversely, a betrothed maiden [is learned] from a murderer: just as [in the case of] murder, one must be slain rather than transgress, so a betrothed maiden must be slain yet not transgress.[5] And how do we know it of murder itself?[6] It is common sense. Even as one who came before Raba and said to him: The governor of my town has ordered me, 'Go and kill So-and-so, if not, I will kill you.' He answered him: 'Let him kill you rather than that you should commit murder; what [reason] do you see [for thinking] that your blood is redder? Perhaps his blood is redder.'[7]

Mar son of R. Ashi found Rabina rubbing his daughter with undeveloped olives of 'orlah.[8] Said he to him: 'Granted that the Rabbis ruled [thus][9] in time of danger; was it [likewise] ruled when there is no danger?' 'This inflammatory fever is also like a time of danger,' he answered him. Others say, he answered him: 'Am I then using it in the normal manner of its usage?'

It was stated: [As to forbidden] benefit that comes to a man against his will, — Abaye said: It is

permitted; while Raba maintained: It is forbidden. Where it is possible [to avoid it], while he intends [to benefit], or if it is impossible [to avoid it], yet he intends [to benefit], none dispute that it is forbidden. If it is impossible [to avoid it], and he does not intend [to benefit], none dispute that it is permitted. They differ where it is possible [to avoid it] and he does not intend [to benefit]; now, on the view of R. Judah, who ruled, That which is unintended is forbidden,[10] none dispute that it is forbidden. Where do they differ? On the view of R. Simeon, who maintained: That which is unintended is permitted. Abaye rules as R. Simeon. But Raba [argues]: R. Simeon rules thus only where it is impossible [to do otherwise], but not where it is possible.[11]

Others state: If it is possible [to avoid it], and he does not intend [to benefit], that is [the case of] the controversy between R. Judah and R. Simeon.[12] If it is impossible [to avoid it], and he does not intend [to benefit], none dispute that it is permitted. When do they differ? Where it is impossible [to avoid it] and he intends [to benefit]. Now, on the view of R. Simeon, who regards the intention,[13] none dispute that it is forbidden. Where do they differ? On the view of R. Judah, who maintained: It makes no difference whether he intends or does not intend, if it is possible [to avoid it] it is forbidden. Abaye rules as R. Judah.[14]

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(1) Lit., 'bloodshed'.

(2) Viz., the interdict of the wood of the asherah.

(3) Deut. XXII, 26. This refers to the ravishing of a betrothed maiden.

(4) I.e., the verse shows that the case of a murderer throws light upon that of a betrothed maiden, but is also itself illumined thereby.

(5) She should rather suffer death than dishonour.

(6) That one must allow oneself to be slain rather than commit murder.

(7) You have no right to murder him to save yourself; his life is no less valuable than your own.

(8) For a remedy.

(9) That anything may be used for a remedy.

(10) V. Shab. 22a.

(11) The controversy of R. Judah and R. Simeon is with respect to dragging a bench over an earthen floor on the Sabbath, because it is needed in another part of the room. The dragging may make a rut in the earth, which is forbidden. Now in Abaye's view, R. Simeon permits the unintentional even when the whole act is avoidable, e.g., the bench is light enough to be carried. But in Raba's view R. Simeon permits it only when the bench is too heavy for this, so that the dragging is unavoidable. — An action is regarded as unavoidable when its purpose — here to have the bench elsewhere — is permissible or necessary. Similarly below, lecturing to the masses is regarded as unavoidable.

(12) Raba too admits this.

(13) As the determining factor.

(14) Since R. Judah rules thus, we see that the matter always depends on whether it is avoidable or not; therefore if it is unavoidable it is permitted.

Talmud - Mas. Pesachim 26a

Raba says thus: R. Judah rules that the unintentional is the same as the intentional only in the direction of stringency, but he did not rule that the intentional is the same as the unintentional where it is in the direction of leniency.

Abaye said: Whence do I know it? Because it was taught: It was related of R. Johanan b. Zakkai that he was sitting in the shadow of the Temple and teaching all day.[1] Now here it was impossible [not to lecture], and he intended [to benefit from the shade], and it is permitted?[2] But Raba said: The Temple was different, because it was made for its inside.[3]

Raba said: Whence do I know it? Because we learned: There were passage ways opening in the upper chamber to[4] the Holy of Holies, through which the artisans were lowered in boxes,[5] so that

they might not feast their eyes on the Holy of Holies. Now here it was impossible [to avoid going there], and he [the workman] intended [to gaze at the Holy of Holies], and it was forbidden. But is that logical? Surely R. Simeon b. Pazzi said in R. Joshua b. Levi's name on Bar Kappara's authority: Sound, sight, and smell do not involve trespass?[6] Rather, they set up a higher standard for the Holy of Holies.[7]

Others state, Raba said: Whence do I know it? Because it was taught, R. Simeon b. Pazzi said in R. Joshua b. Levi's name on Bar Kappara's authority: Sound, sight, and smell do not involve trespass. [Thus] they merely do not involve trespass, but there is an interdict. Is that not for those who stand inside [the Temple],[8] so that it is impossible [to avoid it], while there is, an intention [to enjoy], and it is forbidden? — No: it refers to those standing outside.[9]

[It was stated in] the text, 'R. Simeon b. Pazzi said in R. Joshua b. Levi's name on Bar Kappara's authority: Sound, sight, and smell do not involve trespass.' But, does not smell involve trespass? Surely it was taught: He who compounds incense in order to learn [the art thereof] or to give it over to the community[10] is exempt; [if] in order to smell it,[11] he is liable; while he who smells it[12] is exempt, but that he commits trespass![13] Rather, said R. Papa: Sound and sight do not involve trespass, because they are intangible; and smell, after its smoke column has ascended,[14] does not involve trespass, since its religious service has been performed.[15]

Shall we say that wherever the religious service has been performed no trespass is involved? But what of the separation of the ashes,[16] though its religious service has been performed, yet it involves trespass, for it is written; and he shall put them [the ashes] beside the altar,[17] [which means] that he [the priest] must not scatter nor use [them]?[18] — Because [the references to] the separation of the ashes and the priestly garments are two verses written with the same purpose,[19] and the teaching of two such verses does not illumine [other cases].[20] 'The separation of the ashes': that which we have stated. 'The priestly garments,' as it is written, and he shall leave them there:[21] this teaches that they must be hidden.[22] That is well on the view of the Rabbis who say, This teaches that they must be hidden. But according to R. Dosa who disagrees with them and maintains: But they are fit for an ordinary priest, while what does 'and he shall leave them there' mean? that he [the High Priest] must not use them on another Day of Atonement, what can be said? — Because the separation of ashes and the beheaded heifer[23] are two verses with the same teaching, and such two verses do not illumine [other cases]. That is well according to him who maintains, They do not illumine [other cases]; but on the view that they do illumine,[24] what can be said? — Two limitations are written: it is written, 'and he shall put them [the ashes]'; and it is written, [over the heifer] whose neck was broken [etc.].[25]

Come and hear: If he took it [the heifer] into the team[26] and it [accidentally] did some threshing, it is fit;[27] [but if it was] in order that it should suck and thresh, it is unfit. Now here it is impossible [to do otherwise],[28] and he intends [to benefit], and he [the Tanna] teaches that it is unfit! — There it is different, because Scripture saith, 'which hath not been wrought with,' [implying] in all cases. If so, even in the first clause too [the same applies]?

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(1) He was lecturing on the laws of Festivals to the masses, this being within thirty days before a Festival; v. supra 6a and b. As his own school-house was too small for the large number who wished to hear him, he taught in the open, choosing this site on account of the shade afforded by the high walls of the Temple.

(2) Though one must not derive any benefit from the Temple.

(3) It was normally used inside; hence the shade was not forbidden at all.

(4) Lit., 'the loft of'; v. Mid. IV, 5.

(5) I.e., closed lifts. When they had to pass there for making repairs.

(6) He who benefits from sacred things (hekdesh) commits trespass and is liable to a sacrifice. But no trespass is involved when he benefits by sound, sight or smell, e.g., when he hears the music in the Temple, sees the beauty of the

Temple, or smells the frankincense. Consequently, even if workmen did look upon the Holy of Holies it would not really matter.

(7) Forbidding even that which the law permitted.

(8) I.e., those engaged on some Temple service.

(9) Who can avoid enjoying these things.

(10) For use in the Temple.

(11) I.e., he intends keeping it for smelling.

(12) Sc. the incense belonging to the community and in use in the Temple.

(13) The reference is to Ex. XXX, 33: Whosoever compoundeth any like it, or whosoever putteth any of it upon a stranger, he shall be cut off from his people (kareth). In the first case he is exempt from kareth, in the second he is liable, while in the third he is exempt from kareth but liable to a trespass-offering. This contradicts R. Simeon b. Pazzi.

(14) The incense was thrown upon burning coals, which caused a cloud or a column of smoke to ascend. This constituted its sacred service.

(15) The incense then does not count as the sacred things of the Lord, and it is to this case that R. Simeon b. Pazzi refers. But before the smoke has ascended trespass is involved, because the smell, being directly caused by the spices with which the incense is compounded, is regarded as tangible.

(16) A censerful (Yoma 24a) of the ashes of the daily burnt-offering was taken every day and placed at the side of the altar, where the earth absorbed it.

(17) Lev. VI, 3.

(18) Rashal reads: (teaching) that others must not commit trespass therein, but all of it must be beside the altar. — 'All of it' refers to the censerful.

(19) Lit., 'which come as one .

(20) This is a general principle of exegesis. When a law is taught in one case it may be extended to other cases too by general analogy. But when it is taught in two cases it cannot be extended; for if it were intended to illumine others too, it would be written in one instance only, and the second, together with all others, would follow from it.

(21) Lev. XVI, 23. This refers to the additional garments worn by the High Priest on the Day of Atonement when he entered the Holy of Holies.

(22) And all use is forbidden. Here too they had fulfilled their religious purpose.

(23) V. Deut. XXI, 1-9. There too it is written, 'and shall break the heifer's neck there in the valley (v. 4). 'There' indicates that it must remain there and all benefit thereof is forbidden, though its religious purpose had already been fulfilled.

(24) R. Judah holds his view: v. Sanh. 67b.

(25) Lit., 'the one who is neckbroken'. Ibid. 6. 'The' too is a limitation and the combined effect of the two limitations is to exclude all other cases from the operation of this law, which forbids benefit even after the religious requirements have been carried out.

(26) Of three or four cows used for threshing; his purpose was that it should suck.

(27) To make atonement for a murder by an unknown person; v. Deut. ibid. The heifer was to be one 'which hath not been wrought with and which hath not drawn in

(28) It must be taken into the team to suck.

Talmud - Mas. Pesachim 26b

— This can only be compared to the following: If a bird rested upon it [the red heifer], it remains fit;[1] but if it copulated with a male, it is unfit. What is the reason? — Said R. Papa: If it were written ''abad'[2] and we read it 'abad', [I would say, it becomes unfit] only if he himself wrought with it. While if ''ubad'[3] were written and we read it ''ubad,' [it would imply] even if it were of itself.[4] Since however, it is written ''abad'' [active], whilst read ''ubad'' [passive]. 'it was wrought with' must be similar to 'he wrought [with it]':[5] just as 'he wrought [with it]' must mean that he approved of it, so also 'it was wrought with' refers only to what he approved.[6]

Come and hear: He may not spread it [viz.,] a lost [raiment][7] upon a couch or a frame for his needs, but he may spread it out upon a couch or a frame in its own interests. If he was visited by

guests, he may not spread it over a bed or a frame, whether in its interests or his own![8] — There it is different, because he may

the yoke' (v.[2]). Though this heifer had threshed, it remains fit, because it had been taken into the team to feed, not to thresh. [thereby] destroy it,[9] either through an evil eye or through thieves.

Come and hear: Clothes merchants sell in their normal fashion, providing that they do[10] not intend [to gain protection] from the sun in hot weather[11] or from the rain when it is raining;[12] but the strictly religious[13] sling them on a staff behind their back.[14] Now here, though it is possible to do as the strictly religious, yet when he has no intention [of benefiting], it is permitted; this is a refutation of him who learns Raba's first version?[15] This is [indeed] a refutation.

AND ONE MAY NOT FIRE etc. Our Rabbis taught: If an oven was fired with the shells of 'orlah'[16] or with the stubble of kil'ayim of the vineyard, if new, it must be demolished; if old, it must be allowed to cool.[17] If a loaf was baked in it, — Rabbi said: The loaf is forbidden;[18] but the Sages maintain: The loaf is permitted.[19] If he baked[20] it upon the coals, all agree that it is permitted.[21] But it was taught: Whether new or old, it must be allowed to cool? — There is no difficulty: one agrees with Rabbi, the other with the Rabbis.[22] Granted that you know Rabbi [to rule thus] because the benefit[23] of the fuel lies in the loaf; do you know him [to maintain this ruling] where two things produce [the result]?[24] — Rather, [reply thus:] There is no difficulty: one is according to R. Eliezer, the other according to the Rabbis. Which [ruling of] R. Eliezer [is alluded to]? Shall we say. R. Eliezer['s ruling] On se'or'?[25] For we learned: If se'or of hullin and [se'or'] of terumah fall into dough, and neither is sufficient to make [it] leaven, but they combined and made [it] leaven, — R. Eliezer said: I regard[26] the last;[27] but the Sages maintain: whether the forbidden matter falls in first or the forbidden matter falls in last,it never renders it forbidden

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(1) It is not disqualified because it has been put to some use. The red heifer had to be one 'upon which never came yoke' (Num. XIX, 2), i.e., it had not been put to service.

(2) Active: 'with which he (the owner) had (not) wrought'.

(3) Passive: 'was (not) wrought with'.

(4) I.e., even if it were wrought with entirely without the owner's volition.

(5) I.e., though it may have been put to work without the knowledge of its master, it shall nevertheless be only such work as its master would have approved.

(6) Now, if a bird rests on it, the master does not approve, since he does not benefit; but he does benefit from its copulation. Similarly, if he takes the heifer into the team and it accidentally threshes, he does not benefit thereby, as the team itself would have sufficed. Therefore it is not made unfit, unless that was his express purpose. — Though one passage refers to the beheaded heifer, while the other deals with the red heifer, it is deduced in Sot. 46a by a gezerah shawah (v. Glos.) that they are alike in law.

(7) Which he has found, and awaiting the owner to come and claim it.

(8) Thus, though he must spread it out, yet since he intends to benefit himself, it is forbidden.

(9) Lit., 'burn it'.

(10) Lit., 'he does'. The singular taken in the distributive sense.

(11) Lit., 'in the sun'.

(12) The reference is to garments containing the forbidden mixture of wool and linen (v. Deut. XXII, 11), sold to heathens. Merchants slung their wares across their shoulders for display, and though it is like wearing them, and some protection is afforded thereby, it is permitted.

(13) Lit., 'the modest'.

(14) So that they do not actually lie upon them.

(15) V. supra 25b.

(16) I.e.,the shells of nuts of 'orlah'.

(17) 'New' means that the oven has never been used yet. Before it is fit for use it must be burnt through so as to harden it, and if this was done with the shells of 'orlah', the oven must be demolished, since it was made fit with prohibited fuel.

But if it had been used before, the only benefit is that it is now hot: hence that benefit must be forfeited by allowing the oven to cool without using its heat.

(18) He holds that the benefit of the forbidden fuel is contained directly in the loaf.

(19) In their view the benefit of the forbidden fuel is not actually contained in the loaf, for the flame of the burning shells is not identical with the shells themselves. By the same reasoning they reject the ruling that if new, the oven must be destroyed, holding it sufficient that it should be allowed to cool.

(20) Lit., 'boiled'.

(21) When the nutshells or stubble are burnt through and a mass of coals, they are regarded as already destroyed and not in existence. Consequently, if he bakes the bread upon them, the bread is not regarded as having benefited directly from them, and even Rabbi admits that it is permitted.

(22) V. p. 121, n. 11.

(23) Lit., 'improvement'.

(24) For when the new oven is fired, bread is not baked in it yet, and it will have to be fired a second time. Thus the bread that is baked will be the product of two things: the forbidden fuel and the permitted fuel. We do not find Rabbi holding that this too is forbidden, and if it is not, there is no need to demolish the oven.

(25) Se'or is leaven with which other dough is made leaven. Hamez is leavened bread.

(26) Lit., 'come after'.

(27) The status of the dough is determined by which fell in last: if hullin, the dough is permitted to a lay Israelite; if terumah, it is forbidden.

Talmud - Mas. Pesachim 27a

unless it[1] contains sufficient to induce fermentation,[2] Now Abaye said: They learned this[3] only where he anticipated and removed the forbidden matter; but if he did not anticipate and remove the forbidden matter, it is forbidden:[4] this proves that the product of two causes is forbidden. Yet how do you know that R. Eliezer's reason is as Abaye [states it]: perhaps R. Eliezer's reason is because I follow the last, there being no difference whether he anticipated and removed the forbidden matter or he did not anticipate and remove the forbidden matter;[5] but [if they fell in] simultaneously, then indeed it may be permitted?[6] — Rather it is R. Eliezer'[s ruling] on the wood of the asherah [which is alluded to]. For we learned: If he took wood from it [sc. the asherah], benefit thereof is forbidden. If he fired an oven with it, if new, it must be destroyed; if old, it must be allowed to cool. If he baked bread in it, benefit thereof is forbidden; if it [the bread] became mixed up with others, and [these] others [again] with others,[7] they are all forbidden for use. R. Eliezer said: Let him carry the benefit [derived thence][8] to the Dead Sea.[9] Said they to him: You cannot redeem an idol. Granted that you hear R. Eliezer [to rule thus] in the case of idolatry, whose interdict is [very] severe; do you know him [to rule likewise] in respect of other interdicts of the Torah? — Then if so, to whom will you ascribe it?[10] Moreover, it was explicitly taught: And thus did R. Eliezer declare it forbidden in the case of all interdicts in the Torah.

Abaye said: Should you say' that the product of two causes is forbidden, then Rabbi is identical [in view] with R. Eliezer.[11] But should you say. The product of two causes is permitted,[12] while here [Rabbi forbids the bread] because there is the improvement of the fuel in the bread, then plates, goblets, and

regards that which completes the leavening having produced the whole of it. flasks[13] are forbidden.[14] They differ only in respect of an oven and a pot.[15] On the view [that] the product of two causes is forbidden, these are forbidden; on the view [that] the product of two causes is permitted, these are permitted. Others state: Even on the view [that] the product of two causes is permitted, the pot is forbidden, for it receives the stew before the permitted fuel is placed.[16]

R. Joseph said in Rab Judah's name in Samuel's name: If an oven was fired [heated] with shells of 'orlah' or with stubble of kil'ayim of the vineyard, if new, it must be demolished; if old, it must be

allowed to cool. If he baked bread in it, — Rabbi said: The bread is permitted; but the Sages maintain: The bread is forbidden. But the reverse was taught![17] — Samuel learned it the reverse. Alternatively, in general Samuel holds [that] the halachah is as Rabbi as against his, but not as against his colleagues, but here [he holds], even against his colleagues, and so he reasoned, I will recite it reversed, in order that the Rabbis may stand [as ruling] stringently.[18]

'If he baked it upon the coals all agree that the bread is permitted'.[19] Rab Judah in Samuel's name, and R. Hiyya b. Ashi in R. Johanan's name [differ therein]: one says. They learned [this] only of dying coals, but live[20] coals are forbidden;[21] while the other maintains, Even live coals too are permitted. As for the view that live [coals] are forbidden, it is well, [the reason being] because there is the improvement of the fuel in the bread.[22] But on the view that even live [coals] are permitted, then how is the bread which is forbidden because there is the improvement of the fuel in the bread conceivable according to Rabbi?[23] — Said R. Papa: When the flame is opposite it.[24]

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(1) The se'or' of terumah, v. Tosaf.

(2) If forbidden matter falls into permitted, it does not render it forbidden unless it imparts its taste to it. The se'or' imparts its taste to the dough when it makes it leaven. — Se'or' of terumah is designated forbidden matter, since it is forbidden to a lay Israelite.

(3) Sc. R. Eliezer's view.

(4) R. Eliezer holds that if the hullin fell in last, the dough is permitted. This is only if he removed the terumah immediately the hullin fell in, and before the dough was leavened. Though the terumah must have helped slightly in the leavening, yet since it is no longer there when the dough really becomes leaven, it is disregarded. But if the terumah was left there, the dough becomes forbidden even if the hullin fell in last.

(5) The reason being that he

(6) Because R. Eliezer permits the product of two causes.

(7) 'And (these) others' etc. is absent in the Mishnah in A.Z. 49b, and R. Tam deletes it here too.

(8) I.e., the value of the wood.

(9) But R. Eliezer admits that if the benefit is not thrown into the Dead Sea, the new oven must be destroyed, which proves that he holds that the product of two causes is forbidden (v. p. 122, n. 3).

(10) Lit., 'upon whom will you cast it?' This is the answer: there is none other to whom the Baraitha supra 26b can be ascribed. Hence it must be assumed that R. Eliezer draws no distinction between idolatry — and other interdicts.

(11) I.e.,if the Baraitha supra 26b is to be explained thus: just as Rabbi forbids the bread baked by the heat of the nutshells of 'orlah', so he also forbids the new oven that is fired by same, because he holds that the product of two causes is forbidden. Hence the whole Baraitha states Rabbi's ruling, his view being identical with R. Eliezer's. Consequently the problem which he proceeds to state does not arise.

(12) Hence the first clause stating that a new oven must be destroyed cannot agree with Rabbi, but only with R. Eliezer.

(13) Of earthenware, which received their final hardening in a kiln heated by forbidden fuel.

(14) On all views. For they have been made fit for use and will be used without any further improvements, and there is direct benefit from forbidden matter.

(15) Both of which must be heated again before food is cooked or baked in them.

(16) The food for stewing is placed in the pot before the heat is applied to it. The mere placing is regarded as benefit, and this was made possible solely by the forbidden fuel.

(17) Supra 26b.

(18) And so that people might accept the stringent ruling.

(19) V. supra 26b.

(20) Lit., 'whispering'. When the coals are burning brightly they seem to be moving and whispering to each other (Rashi).

(21) I.e., the bread is forbidden in Rabbi's view.

(22) For the fuel is regarded as still in existence and directly baking the bread.

(23) For obviously the bread does not bake until the fuel burns up, and by then it is a mass of coals.

(24) Directly opposite the bread through the oven mouth.

Whence it follows that the Rabbis who disagree with him permit it even when the flame is opposite it; then how is forbidden fuel conceivable according to the Rabbis?[1] — Said R. Ammi b. Hama: In the case of a stool.[2]

Rami b. Hama asked R. Hisda: If an oven was heated with wood of hekdesh[3] and bread is baked therein, what [is the law] according to the Rabbis who permit in the first case?[4] — The bread is forbidden, he replied. And what is the difference between this and 'orlah'? — Said Raba: How compare! 'Orlah is annulled in two hundred [times its own quantity]; hekdesh is not annulled even in one thousand [times its quantity].[5] But said Raba, If there is a difficulty, this is the difficulty: Surely he who fires [the oven] commits trespass, and wherever he who fires [the oven] commits trespass, it [the fuel] passes out to hullin?[6] — Said R. Papa: We treat here of wood of peace-offerings,[7] and in accordance with R. Judah, who maintained: Hekdesh, if [misappropriated for secular use] unwittingly, becomes hullin; if deliberately, it does not become hullin. Now what is the reason that if deliberately it does not [become hullin]? Since it does not involve a trespass-offering,[8] it does not pass out to hullin; so peace-offerings too, since it [the misappropriation of this type of sacrifice] does not involve a trespass-offering, it does not pass out to hullin.

Yet whenever he that fires [the oven] commits trespass, it [the fuel] passes out to hullin? But it was taught: [In the case of] all which are burnt,[9] their ashes are permitted [for use], except the wood of an asherah, while the ashes of hekdesh are forbidden for ever?[10] — Said Rami b. Hama: E.g., if a fire fell of its own accord on wood of hekdesh, so that there is no man to be liable for trespass.[11] R. Shemaiah said: It[12] refers to those [ashes] which must be hidden,[13] for it was taught: And he shall put them [the ashes][14] gently; and he shall put them — the whole thereof; and he shall put them [means] that he must not scatter them.[15]

R. JUDAH SAID: THERE IS NO REMOVAL etc. It was taught, R. Judah said: There is no removal of leaven save by burning, and logic impels this: if nothar, which is not subject to 'there shall not be seen' and 'there shall not be found', requires burning, then leaven, which is subject to 'there shall not be seen' and 'there shall not be found', how much the more does it require burning! Said they to him: Every argument that you argue [which] in the first place is stringent yet in the end leads to leniency is not a [valid] argument: [for] if he did not find wood for burning, shall he sit and do nothing, whereas the Torah ordered, Ye shall put away leaven out of your houses,[16] [which means] with anything wherewith you can put it away? R. Judah argued again [with] another argument.[17] Nothar is forbidden for eating and leaven is forbidden for eating: just as nothar [is disposed of] by burning, so is leaven [destroyed] by burning. Said they to him, Let nebelah prove [it][18] for it is forbidden for eating yet does not require burning. Said he to them, There is a difference:[19] nothar is forbidden for eating and for [all] use, and leaven is forbidden for eating and for [all] use: just as nothar requires burning, so does leaven require burning. Let the ox that is stoned[20] prove it, they replied: it is forbidden for eating and for [all] use, yet it does not require burning. Said he to them, There is a difference: Nothar is forbidden for eating and for [all] use, and he [who eats it] is punished with kareth, and leaven is forbidden for eating and for [all] use, and he is punished with kareth: just as nothar [must be destroyed] by burning, so is leaven [destroyed] by burning. Said they to him, Let the heleb of the ox that is stoned prove it, which is forbidden for eating, for [all] use, and involves the penalty of kareth, yet it does not require burning.

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(1) I.e., when do they prohibit benefit from forbidden fuel?

(2) Made of forbidden wood. One must not sit upon it, because he thereby benefits from the wood while it is yet fully in existence.

(3) V. Glos.

(4) Sc. where it is heated with 'orlah or kil'ayim.

(5) If 'orlah is accidentally mixed with two hundred times its own quantity of permitted produce and cannot be removed, it is annulled, and the whole is permitted. But hekdesh in similar circumstances is never annulled: thus its interdict is obviously more stringent.
(6) When one misappropriates hekdesh for secular use, he commits trespass and is liable to an offering for having withdrawn it from sacred ownership. Thus by this very act he converts it into hullin, and therefore the bread should be regarded as having been baked with ordinary fuel, hence permitted. This principle holds good of all hekdesh save animals dedicated for sacrifices and the service utensils in the Temple.
(7) I.e., wood dedicated for peace-offerings, which means that it is to be sold and peace-offerings bought with the money, peace-offerings belong to the category of 'sacrifices of lower sanctity', and do not involve a trespass-offering; nevertheless they are forbidden for secular use.
(8) Sacrifices were brought only for unwitting transgressions.
(9) Viz., leaven on Passover, unclean terumah, 'orlah and kil'ayim of the vineyard. Tem. 33b.
(10) V. Tem. 34a.
(11) Only then are the ashes of hekdesh for ever forbidden.
(12) The teaching cited.
(13) Viz., the censerful of ashes hidden at the base of the altar, v. supra 26a. Only these are for ever forbidden.
(14) Lev. VI, 3.
(15) V. supra 26a.
(16) Ex.XII, 15.
(17) Not on the basis of an a minori argument, but a gezerah shawah, the conclusion of which is accepted irrespective of the result.
(18) I.e., refute the argument.
(19) Between nebelah on the one hand and nothar and leaven on the other.
(20) V. Ex. XXI, 28.

Talmud - Mas. Pesachim 28a

R. Judah argued again [with] another argument: Nothar is subject to 'ye shall let nothing of it remain,'[1] and leaven is subject to 'ye shall let nothing of it remain':[2] just as nothar [is disposed of] by burning, so is leaven [disposed of] by burning. Said they to him, Let the guilt-offering of suspense[3] and the sin-offering of a bird which is brought for a doubt,[4] on your view,[5] prove it: for they are subject to 'ye shall let nothing of it remain,'[6] and we maintain that they require burning, while you say [it is disposed of] by burial.[7] [Thereupon] R. Judah was silent. Said R. Joseph: Thus people say, The ladle which the artisan hollowed out, in it [his tongue] shall be burnt with mustard.[8] Abaye said: When the maker of the stocks sits in his own stock, he is paid with the clue which his own hand wound.[9] Raba said: When the arrow maker is slain by his own arrows, he is paid with the clue which his own hand wound.

BUT THE SAGES MAINTAIN: HE CRUMBLES AND THROWS IT etc. The scholars asked: How is it meant: He crumbles and throws it to the wind, or he crumbles and throws it into the sea; or perhaps, he crumbles and throws it to the wind, but he may throw it into the sea whole [without crumbling]? And we learned similarly in connection with an idol too: R. Jose said: He crushes and throws it to the wind or casts it into the sea. And the scholars asked: How is it meant: He crushes and throws it to the wind, or he crushes and casts it into the sea; or perhaps, he crushes and throws it to the wind, but he may cast it into the sea whole [without crushing?]—Said Rabbah: It is logical that an idol, which goes into the Dead Sea, need not be crushed;[10] leaven, which goes into other streams, needs crumbling. Said R. Joseph to him, On the contrary, the logic is the reverse: An idol, which does not dissolve, needs crushing; leaven, which dissolves, does not need crumbling. It was taught in accordance with Rabbah;[11] it was taught in accordance with R. Joseph.[12] It was taught in accordance with Rabbah: If he was walking in a wilderness, he crumbles it [the leaven] and casts it to the wind; if he was travelling in a ship, he crumbles it and casts it into the sea. It was taught in accordance with R. Joseph: If he was travelling in the desert, he crushes [the idol] and throws it to the wind; if he was

travelling in a ship, he crushes and casts it into the sea. [The teaching requiring] 'crushing' is a difficulty according to Rabbah, [while the teaching requiring] 'crumbling' is a difficulty according to R. Jose? 'Crushing' is not a difficulty according to Rabbah: one means into the Dead Sea,[13] the other means into other waters. 'Crumbling' is not a difficulty according to R. Joseph: One refers to wheat [grains],[14] the other refers to bread.

MISHNAH. LEAVEN BELONGING TO A GENTILE OVER WHICH PASSOVER HAS PASSED[15] IS PERMITTED FOR USE; BUT THAT OF AN ISRAELITE IS FORBIDDEN FOR USE, BECAUSE IT IS SAID, NEITHER SHALL THERE BE LEAVEN SEEN WITH THEE.[16]

GEMARA. Who is [the authority of] our Mishnah: it is neither R. Judah nor R. Simeon nor R. Jose the Galilean. What is this [allusion]? — For it was taught: [As to] leaven, both before its time and after its time, he transgresses a negative command on its account; during its time, he transgresses a negative command and [commits a sin subject to] kareth.[17]

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(1) Ex. XII, 10.

(2) Since leaven must not be seen or found in the house after midday on the fourteenth of Nisan, it may obviously not remain there until then.

(3) I.e., doubt. When a man is in doubt whether he has committed a transgression for which, if certain, a sin-offering is due, he brings a guilt-offering of suspense.

(4) E.g., when a woman miscarries, and it is not known whether the fetus was viable or not.

(5) V. Tem. 34a. The Rabbis hold that this bird sin-offering must be burnt, while R. Judah maintains that it is cast into a waterduct which carries it off.

(6) In common with all sacrifices.

(7) This refers to the guilt-offering of suspense.

(8) Or, from it he shall swallow mustard.

(9) Jast. Rashi, he is paid by the uplifting— i.e., the work —of his own hand.

(10) For the Dead Sea is unnavigable; hence none will pick it up.

(11) That leaven requires 'crumbling'.

(12) That an idol requires 'crushing'.

(13) The idol need not be crushed before it is thrown thither.

(14) Which had turned leaven. These must be crumbled, i.e., scattered into the sea. But they may not be tied in a sack and thrown into the sea, lest someone finds the sack.

(15) I.e., it had been kept over Passover.

(16) Ex. XIII, 7.

(17) During its (forbidden) time means during Passover. Before its time, from six hours (mid-day) on the fourteenth of Nisan until evening, when Passover commences; after its time, after Passover — i.e., leaven which was kept from before until after Passover. He transgresses by eating it.

Talmud - Mas. Pesachim 28b

R. Simeon said: [As to] leaven, before and after its time, he does not transgress anything at all on its account; during its time, he transgresses on its account [an interdict subject to] kareth and a negative command. And from the hour that it is forbidden for eating, it is forbidden for [general] use; this agrees with the first Tanna. R. Jose the Galilean said: Wonder at yourself! How can leaven be prohibited for [general] use the whole seven [days]? And how do we know of him who eats leaven from six hours and onwards that he transgresses a negative command? Because it is said, Thou shalt eat no leavened bread with it:[1] this is R. Judah's opinion. Said R. Simeon to him: Is it then possible to say thus, seeing that it is already stated, Thou shalt eat no leavened bread with it; seven days shalt thou eat unleavened bread therewith?[2] If so, what does 'thou shalt eat no leavened bread with it' teach? When he is subject to [the injunction], arise, eat unleavened bread,'[3] he is subject to [the prohibition], 'do not eat leavened bread'; and when he is not subject to, 'arise, eat unleavened

bread,' he is not subject to, 'do not eat leavened bread.'

What is R. Judah's reason? — Three verses are written: There shall no leavened bread be eaten;[4] Ye shall eat nothing leavened;[5] and Thou shalt eat no leavened bread with it. One refers to before its time; another to after its time; and the third to during its time.[6] And R. Simeon?[7] — One refers to during its time. 'Ye shall eat nothing leavened' he requires for what was taught: Hamez:[8] I only know [that it is forbidden] where it turned leaven of its own accord; if [it turned leaven] through another substance, how do we know it? Therefore it is stated, Ye shall eat nothing leavened.[9] There shall no leavened bread be eaten' he requires for what was taught: R. Jose the Galilean said: How do we know that at the Passover of Egypt its [prohibition of] leaven was in force one day only? Because it is said, 'There shall no leavened bread be eaten', and in proximity thereto [is written], This day ye go forth.[10] And R. Judah: how does he know [that it is prohibited when made leaven] through another substance? — Because the Divine Law expressed it in the term mahmezeth.[11] How does he know R. Jose the Galilean's [deduction]? — I can either say, because 'this day' is stated in proximity thereto.[12] Alternatively, he does not base interpretations on the proximity of verses.[13]

The Master said: 'And how do we know of him who eats leaven from six hours and onwards that he transgresses a negative command? Because it is said, Thou shalt eat no leavened bread with it: this is R. Judah's opinion. Said R. Simeon to him: Is it then possible to say thus, Seeing that it is already stated, Thou shalt eat no leavened bread with it; seven days shalt thou eat unleavened bread therewith?' Now as to R. Judah, R. Simeon says well to him?- R. Judah can answer you: [The purpose of] that [verse] is to make it a statutory obligation even for nowadays.[14] And R. Simeon? Whence does he know to make it a statutory obligation [even nowadays]! — He deduces it from, at even ye shall eat unleavened bread.[15] And R. Judah? — He requires that in respect of an unclean person or one who was on a distant journey. I might say, since he cannot eat the Passover sacrifice, he need not eat unleavened bread or bitter herbs either. Hence we are informed [that it is not so]. And R. Simeon? — For an unclean person or one who was on a distant journey no verse is required,[16] because he is no worse than an uncircumcised person and an alien,[17] for it is written, but no uncircumcised person shall eat thereof:[18] 'thereof' he shall not eat, but he eats of unleavened bread and bitter herbs. And R. Judah? It is written in the case of one,[19] and it is written in the case of the other.[20] Now, who is [the authority for] our Mishnah?[21] If R. Judah, he states leaven without qualification, even that of a Gentile. And if R. Simeon,

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(1) Deut. XVI, 3. 'It' refers to the Passover sacrifice, which was offered on the fourteenth of Nisan from mid-day and onwards; and the verse is interpreted: You are to eat no leavened bread at the time that you must offer the Passover sacrifice.

(2) Now, unleavened bread (mazzah) was not eaten before evening; hence 'therewith' must mean when the Passover sacrifice is eaten, viz., in the evening, and 'with it' must bear the same meaning in the first half of the verse.

(3) I.e., in the evening.

(4) Ex. XIII, 3.

(5) Ibid. XII, 20.

(6) On the meaning of these terms v. p. 129, n. 4.

(7) How does he interpret these verses?

(8) In Ex. XIII, 3 and Deut. XVI, 3 (E.V. leavened bread).

(9) Heb. mahmezeth. This implies even if fermentation was induced by something else.

(10) Ex. XIII. 4. He translates: There shall no leavened bread be eaten (on) this day (that) ye go forth.

(11) 'Leavened'; v. n. 8. This implies an additional teaching, for otherwise the three verses should use the same term, viz., hamez.

(12) Thus this too conveys an additional teaching.

(13) And thus he rejects the view that at the Exodus the prohibition of leaven was for one day only.

(14) The verse does not assimilate the prohibition of leavened bread to the precept of eating unleavened bread, in the sense that the former is valid only when the latter is, but the reverse: the latter is assimilated to the former. As long as

leaven is prohibited, there is an obligation to eat unleavened bread, i.e., even nowadays, after the destruction of the Temple and the cessation of sacrifices. For I might think, since it is written, they shall eat it (sc. the Passover sacrifice) with unleavened bread and bitter herbs (Num. IX, 11), the obligation to eat unleavened bread holds good only as long as the Passover sacrifice is offered. Hence this verse teaches that it is not so.

(15) Ex. XII, 18. This is otherwise superfluous, since it is stated in v. 8, and they shall eat the flesh in that night ... and unleavened bread.

(16) That he has to eat unleavened bread.

(17) V. Ex. XII, 43. According to the Talmud, Shab. 87a this means a Jew whose acts have alienated him from Heaven, i.e., a nonconformist.

(18) Ibid. 48.

(19) Sc. an uncircumcised person and an 'alien'.

(20) Sc. an unclean person and one who was on a distant journey; v. infra 120a, p. 619, n. 6. Hence Deut. XVI, 3 is still required to show that the eating of unleavened bread is a permanent obligation.

(21) Here the Talmud reverts to its original question (supra a bottom), which was interrupted for a discussion of the various opinions quoted.

Talmud - Mas. Pesachim 29a

even that of an Israelite is indeed permitted.[1] while if [it is] R. Jose the Galilean, even during its time it is indeed permitted for [general] use? — Said R. Aha b. Jacob: In truth it is R. Judah, and he learns se'or [leaven] of 'eating' from se'or of seeing':[2] just as [with] the se'or [stated in connection] with 'seeing', you must not see your own, but you may see that belonging to others or to the Most High',[3] so [with] the se'or [written in connection] with 'eating', you must not eat your own, but you may eat that belonging to others or to the Most High;[4] and logically he [the Tanna of our Mishnah] ought to teach that it[5] is permitted even for eating, but because he teaches that that of an Israelite is forbidden for use, he also teaches that that of a Gentile is permitted for use. Again, logically he ought to teach that even during its period it[5] is permitted for use, but because he mentions after its period in connection with that of an Israelite, he also teaches about that of a heathen after its period.

Raba said: In truth it[6] is R. Simeon; but R. Simeon does indeed penalize him, since he transgresses 'there shall not be seen' and 'there shall not be found' therewith.[7] As for Raba, it is well: hence it is taught, BUT THAT OF AN ISRAELITE IS FORBIDDEN [FOR GENERAL USE], BECAUSE IT IS SAID, NEITHER SHALL THERE LEAVEN BE SEEN WITH THEE.[8] But according to R. Aha b. Jacob, he should state, because [it is said], there shall no leavened bread be eaten?[9] — Do you think that that[10] refers to the second clause? [No,] it refers to the first clause, and he states thus: LEAVEN BELONGING TO A GENTILE OVER WHICH PASSOVER HAS PASSED IS PERMITTED FOR USE, BECAUSE IT IS SAID, NEITHER SHALL THERE BE LEAVEN SEEN WITH THEE, [implying] thine own thou must not see, but thou mayest see the leaven of strangers or of the Most High; and se'or of 'eating' is learnt from se'or of 'seeing'.

Now they[11] are consistent with their views. For it was stated: If one eats se'or belonging to a heathen over which Passover has passed, according to R. Judah's view, — Raba said: He is flagellated; while R. Aha b. Jacob said: He is not flagellated. Raba said, He is flagellated: R. Judah does not learn se'or of 'eating' from se'or of 'seeing'. While R. Aha b. Jacob, said, He is not flagellated: he learns se'or of 'eating' from se'or of 'seeing'.

But R. Aha b. Jacob retracted from that [view]. For it was taught: He who eats leaven of hekdesh[12] during the Festival [Passover] commits trespass; but some say, He does not commit trespass.[13] Who is [meant by] 'some say'? — Said R. Johanan, It is R. Nehunia b. ha-Kanah. For it was taught: R. Nehunia b. ha-Kanah used to treat the Day of Atonement as the Sabbath in regard to payment: just as [with] the Sabbath, he forfeits his life and is exempt from (payment], so [with] the Day of Atonement, he forfeits his life and is exempt from payment.[14] R. Joseph said: They differ as to

whether sacred food can be redeemed in order to feed dogs therewith. He who says [that] he commits trespass holds, One may redeem sacred food in order to feed dogs therewith; while he who rules [that] he does not commit trespass holds, One may not redeem [etc.].[15]

R. Aha b. Raba recited

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(1) For general use, after its time.

(2) I.e., he learns the prohibition of eating se'or from that of seeing se'or.

(3) V. supra 5b.

(4) I.e., when R. Judah teaches supra 28b that leaven even after its period is forbidden, this analogy shows that that applies to leaven belonging to a Jew only.

(5) The leaven of a Gentile.

(6) Our Mishnah.

(7) Thus the Mishnah states the Rabbinic law, while in the Baraitha the Scriptural law is stated.

(8) I.e., as a penalty for violating this injunction.

(9) That being the verse quoted by R. Judah supra 28b.

(10) The verse quoted in the Mishnah.

(11) Sc. Raba and R. Aha b. Jacob.

(12) V. Glos.

(13) On committing trespass V. p, 117, n. 6. The first Tanna holds that leaven belonging to hekdesh has a value even during Passover. For he agrees with R. Simeon that leaven kept during Passover is Biblically permitted after Passover, and though R. Simeon penalizes its owner, that does not apply to hekdesh, since leaven of hekdesh falls within the permissive law 'but thou mayest see that of Heaven'. Thus this man, by eating it, has caused loss to the Temple treasury, and therefore he is liable to a trespass-offering. But the second Tanna, while admitting this, holds that since he incurs kareth for the eating of leaven, he is free from any lesser penalty, as explained in the Text.

(14) It is a principle that if a man commits an act involving the death penalty and a monetary compensation. he is exempted from the latter owing to the greater punishment; this holds good

(15) If these Tannaim held with R. Simeon that during Passover it is forbidden for general use, they would agree that he is not liable for trespass, since it was valueless when he actually ate it, notwithstanding that it would become valuable after Passover. But they hold with R. Jose the Galilean that leaven is permitted for use during Passover. Now, the only use to which leaven can be put then is to give it to dogs. This may be done with ordinary leaven, but there is a controversy in respect of sacred leaven. The first Tanna holds that it can be redeemed for that purpose: hence the leaven is valuable, and therefore the eater commits trespass. But the others ('some say') hold that sacred leaven may not be redeemed for dogs. Consequently it has no value, and the eater does not commit trespass.

this discussion in R. Joseph's name in the following version: All agree that one may not redeem sacred food in order to feed it to dogs, but here they differ in this, viz., whether that which has indirect monetary value[1] is as money. He who says [that] he commits trespass holds, That which has indirect monetary value is as money; while he who maintains [that] he does not commit trespass holds, That which has indirect monetary value is not as money.[2] R. Aha b. Jacob said: All agree that that which has indirect monetary value is as money, but here they differ in the controversy of R. Judah and R. Simeon. He who says [that] he is not liable for trespass holds as R. Judah;[3] while he who rules [that] he is liable for trespass

even if he is not actually executed. E.g.. if he sets fire to another man's property on the Sabbath, since his violation of the Sabbath involves death, he is not liable for the damage. Now R. Nehunia b. ha-Kanah holds that it is the same if his act involves kareth instead of death: e.g., if he sets fire to another man's property on the Day of Atonement, the violation of which is punishable by kareth. — Thus in the present case he need not indemnify hekdesh for the leaven, in view of the kareth involved, and where that is so, there is no trespass-offering. agrees with R. Simeon.[4] But it was R.

Aha b. Jacob himself who said that R. Judah learns se'or of 'eating' from se'or of 'seeing'?[5] — Hence R. Aha b. Jacob retracted from that [statement].

R. Ashi said: All hold that we may not redeem [etc.], and that which has indirect monetary value is not as money. But here they differ in the controversy of R. Jose the Galilean and the Rabbis. He who rules [that] he is liable to trespass holds as R. Jose;[6] while he who rules [that] he is not liable for trespass agrees with the Rabbis.

Rab said: Leaven, in its time,[7] whether [mixed] with its own kind or with a different[8] kind, is forbidden; when not in its time, [if mixed] with its own kind, it is forbidden; [if with] a different kind, it is permitted. What are we discussing: Shall we say, where it imparts [its] taste [to the mixture], then [how state] when not in its time, if [mixed] with a different kind it is permitted? Surely it imparts taste![9] — Rather it refers to a minute quantity [of leaven]:[10] 'leaven in its time, whether [mixed] with its own kind or with a different kind, is forbidden', Rab being consistent with his view. For Rab and Samuel both said: All forbidden things of the Torah, [if mixed] with their own kind, [render forbidden the mixture even] when there is a minute quantity; [if] with a different kind, [only] when [the forbidden element] imparts its taste. Now Rab forbade leaven in its time [when mixed] with a different kind on account of [a mixture with] its own kind. When not in its period [and mixed] with its own kind, it [the mixture] is forbidden in accordance with R. Judah: but [when

leaven has no monetary value at all; nor has it any indirect monetary value, since it cannot be redeemed to feed it to dogs by selling it to a non-Jew for the purpose. mixed] with a different kind it is permitted, because [to forbid it] when not in its time and [mixed] with a different kind on account of [a mixture] with its own kind, — to that extent we do not enact a preventive measure.[11]

Samuel said: Leaven, in its time, [if mixed] with its own kind, is forbidden; if with a different kind, it is permitted. When not in its time, whether [mixed] with its own kind or with a different kind, it is permitted. 'Leaven, in its time, [if mixed] with its own kind, is forbidden.' Samuel is consistent with his view. For Rab and Samuel both said: All prohibited things of the Torah, [if mixed] with their own kind, [render forbidden the mixture even] when there is a minute quantity; [if mixed] with a different kind, [only] when [the forbidden element] imparts [its] flavour. Now he does not forbid [leaven mixed] with a different kind on account of [a mixture with] its own kind. 'When not in its time, whether [mixed] with its own kind or with a different kind, it is permitted,' — in accordance with R. Simeon.

While R. Johanan said: Leaven, in its time, whether [mixed] with its own kind or with a different kind, is forbidden when it imparts [its] taste; when not in its time, whether [mixed] with its own kind or with a different kind, it is permitted. 'Leaven, in its time, whether [mixed] with its own kind or with a different kind, [is forbidden] when it imparts [its] taste.' R. Johanan is consistent with his view. For R. Johanan and Resh Lakish both maintain: All forbidden things in the Torah, whether [mixed] with their own kind or with a different kind, [render forbidden the mixture only] when they impart [their] taste.' 'When not in its time, whether [mixed] with its own kind or with a different kind, it is permitted,'- in accordance with R. Simeon.

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(1) Lit., 'a thing which leads to money'.

(2) On this version both Tannaim agree with R. Simeon. Thus it has no present value at all, save an indirect value, since it can be used after Passover, and they disagree as to whether this deferred value can be regarded as immediate value.

(3) That all benefit is forbidden to an Israelite even after Passover, so that the

(4) That it is permissible for general use after Passover, even to an Israelite, and that it has a monetary value.

(5) Whereby leaven of hekdesh is permitted for use during Passover even according to R. Judah.

(6) That benefit is permitted even during Passover. This leaven could be redeemed and used as fuel.

(7) V. supra p. 129, n. 4.

(8) Lit., ‘not with its kind’ — and similarly in the whole passage.

(9) It is a general principle that if something forbidden is mixed with something permitted and imparts its taste thereto, the whole mixture is prohibited.

(10) Insufficient to impart a flavour to the other.

(11) Gazar means to enact a preventive measure, i.e., to forbid one case which should be permitted because it might otherwise be thought that another case, which is actually forbidden, is permitted too.

Talmud - Mas. Pesachim 30a

Raba said: The law is: Leaven, in its time, whether [mixed] with its own kind or with a different kind, is forbidden [even] when there is a minute quantity, in accordance with Rab; when not in its time, whether [mixed] with its own kind or with a different kind, it is permitted, in accordance with R. Simeon. Yet did Raba say thus?[1] Surely Raba said, R. Simeon does indeed penalize him, since he transgressed ‘there shall not be seen’ and ‘there shall not be found’ with it?[2] — That is only in its natural state, but not when it is in a mixture.[3] Now Raba[4] is consistent with his view, For Raba said: When we were at R. Nahman's house, when the seven days of Passover were gone he would say to us, ‘Go out and buy leaven from the troops.’[5]

Rab said: Pots must be broken on Passover.[6] Why so? Let them be kept until after Passover and used with a different kind?[7] — Lest he come to use it with its own kind. But Samuel maintained: They need not be broken, but can be kept until after its period and [then] used with their own kind[8] or with a different kind. Now Samuel is consistent with his view. For Samuel said to the hardware merchants:[9] Charge all equitable price for your pots, for if not I will publicly lecture [that the law is] in accordance with R. Simeon.[10] Then let him lecture [thus] to them [in any case], seeing that Samuel holds as R. Simeon?[11] — It was Rab's town.

A certain oven was greased with fat.[12] [Thereupon] Raba b. Ahilai forbade for all time[13] the bread [baked therein] to be eaten even with salt, lest he come to eat it with kutah.[14] An objection is raised: One must not knead dough with milk, and if he does knead it, the whole loaf is forbidden, because it leads to sin.[15] Similarly,

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(1) That the leaven mixture is permitted after Passover.

(2) V. supra 29a.

(3) Even if he kept it in its natural, unmixed state during Passover and then it became mixed with other food, R. Simeon does not penalize him by disqualifying the mixture.

(4) Who accents the ruling of R. Simeon.

(5) Gentile troops quartered in the town, though they had baked it on Passover. — Their leaven was permitted after Passover since no transgression had been committed with it. — In the Diaspora Passover is kept for eight days, not seven. Raba probably mentions ‘seven’ loosely, using the Biblical phraseology, while meaning eight; v. S. Strashun R. Han. simply reads: ‘when the days of Passover etc.’. V., however, Obermeyer, p. 99.

(6) Pots in which leaven is cooked absorb and retain some of the leaven. Now Rab holds that all leaven kept over Passover is forbidden after Passover, which includes absorbed leaven. Further, when other food is cooked in it after Passover the absorbed leaven imparts a flavour, and though it has a deteriorating effect, Rab holds that even such disqualifies the food. Thus the pots cannot be used after Passover; hence they must be broken.

(7) For only a very minute quantity is absorbed, and such, even according to Rab, does not disqualify a different kind.

(8) I.e.,the same kind of leaven which was cooked in them before Passover.

(9) Lit., ‘sellers of pots’.

(10) People did break their pots before Passover, and the merchants took advantage of the increased demand after Passover to raise prices. Thereupon Samuel threatened them that he would publicly lecture that leaven kept over Passover is not forbidden, so that people need not break their pots.

(11) As stated supra.

(12) Lit., ‘grease’.

(13) Even if the oven should be fired and burnt through again.
(14) A preserve consisting of sour milk, bread-crusts and salt (Jast.). The bread of course receives the flavour of the fat, and must not be eaten with anything containing milk or a milk product.
(15) One may come to eat it with meat.

Talmud - Mas. Pesachim 30b

one must not grease an oven with fat, and if he does grease it, all the bread [baked therein] is forbidden until the oven is refired. Which [implies], if the oven is refired it is nevertheless permitted? This is a refutation of Raba b. Ahilai! — [It is indeed] a refutation.

Rabina said to R. Ashi: Now since Raba b. Ahilai was refuted, why did Rab say, Pots must be broken on Passover?[1] — There it was a metal oven, replied he, [whereas] here an earthen pot [is referred to]. Alternatively, both refer to earthenware: this [the oven] is fired from the inside;[2] while the other [the pot] is fired on the outside. And should you say, here too let him burn it [the pot] out from within, — he would spare it, lest it burst.[3] Therefore a tiled pan,[4] since it is burnt from without,[5] is forbidden; but if he filled it with coals,[6] it is permitted.

Rabina asked R. Ashi: What does one do about the knives on Passover? — I provide [make] new ones for myself, he replied. That is well for you, who can [afford] this, said he to him, [but] what about one who cannot [afford] this? I mean like new ones, he answered: [I thrust] their handles in loam, and their blades in fire, and then I place their handles in boiling water.[7] But the law is: both the one and the other[8] [need only be put] into boiling water, and in a 'first' vessel.[9]

R. Huna the son of R. Joshua said: A wooden pot ladle must be purified[10] in boiling water and in a 'first' vessel. [Thus] he holds, as it absorbs, so it exudes.[11]

Meremar was asked: Glazed vessels, may they be used on Passover? About green ones there is no problem, as they are certainly forbidden;[12] the question is, how about black ones and white ones? Again, if they have splits there is no question, as they are certainly forbidden;[13] the question is, what about smooth ones? Said he to him: We see that they exude,[14] which shows that they absorb; hence they are forbidden; and the Torah testified concerning an earthen vessel that it [the absorbed matter] never passes out from its sides.[15] And what is the difference in respect of wine of nesek,[16] that Meremar lectured: Glazed vessels,[17] whether black, white, or green, are permitted?[18] And should you answer, [the interdict of] wine of nesek is [only] Rabbinical, [whereas that of] leaven is Scriptural, — surely whatever the Rabbis enacted, they enacted similar to Scriptural law? — Said he to him: This is used with hot [matter], while the other is used with cold.[19]

Raba b. Abba said in R. Hiyya b. Ashi's name in Samuel's name: All utensils which were used with leavened matter [hamez], cold, may be used with unleavened bread [mazzah], except a container of se'or, because it is strongly leaven.[20] R. Ashi said: And a haroseth[21] container is like a container of se'or, because it is strongly leaven. Raba said: The kneading basins of Mahuza,[22] since leaven is continually kneaded in them and leaven is kept in them are like a container of se'or, which is strongly leaven. That is obvious? — You might say, since they are wide, the air acts on them and they do not absorb. Therefore he informs us [otherwise].

MISHNAH. IF A GENTILE LENT [MONEY] TO AN ISRAELITE ON HIS LEAVEN,[23] AFTER PASSOVER IT IS PERMITTED FOR USE. WHILE IF AN ISRAELITE LENT [MONEY] TO A GENTILE ON HIS LEAVEN, AFTER PASSOVER IT IS PROHIBITED FOR USE.[24]

GEMARA. It was stated: [In the case of] a creditor, — Abaye said: He collects retrospectively;[25] while Raba said: He collects from now and onwards.[26] Now, where the debtor sanctified [the pledge]

or sold [it], all agree that the creditor can come and seize it,[27]

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(1) For we see that greased ovens (these were generally of earth) can be reheated and then used, the heat expelling the traces of fat. Then let the pots too be subjected to fire, which would likewise expel the absorbed leaven.
(2) Which is efficacious to expel absorbed matter.
(3) Hence if he is told to burn it from within, he will burn it from without and think that enough.
(4) A kind of plaque made of tiles upon which bread was baked.
(5) The coals being under it and the bread on top.
(6) On top.
(7) This process frees them from their absorbed leaven.
(8) Sc. the handle and the blade
(9) A 'first' vessel means the vessel in which the water was boiled, while it is still at boiling point; a 'second' vessel is that into which the water is poured from the 'first'.
(10) Hag'alah is the technical term for ridding a utensil of the forbidden matter which it has absorbed.
(11) I.e., the same conditions are necessary to make it exude as those whereby it absorbed. Since the ladle absorbs the leaven from a 'first' vessel, for it is used for stirring contents of the pot on the fire, it exudes only when likewise placed in a first vessel.
(12) These were made from an earth containing alum crystals and absorbed freely.
(13) The splits permitting them to absorb.
(14) I.e.,they are porous.
(15) Hence once forbidden they remain so for all time.
(16) Nesek, lit., 'libation', is wine handled by a heathen. It is forbidden, because he may have dedicated it as a libation for his deity.
(17) Which had contained wine of nesek.
(18) For use, in spite of the wine which they had absorbed.
(19) And of course it has greater powers of absorption in the former case.
(20) And though the se'or placed therein was cold, yet it infects the vessel which in turn imparts a flavour of leaven to anything placed therein.
(21) A paste made of flour and vinegar, used as a sauce or relish.
(22) V. supra 5b, p. 20, n. 5.
(23) The leaven being a pledge; the loan was made before Passover.
(24) In both cases the leaven was seized for payment after Passover. V. infra Gemara.
(25) I.e., if the creditor has to exact the pledge in repayment of the loan, the pledge is regarded as having retrospectively belonged to him from the time of the loan.
(26) It is regarded as having belonged to him only from the moment he actually seized it.
(27) From the purchaser, without compensation.

Talmud - Mas. Pesachim 31a

and the creditor can come and redeem it,[1] for we learned: He adds another denar and redeems this property.[2] They differ where the creditor sold or dedicated [it].[3] Abaye said: 'He collects retrospectively'; since the time [for payment] came and he did not repay him, the matter was retrospectively revealed that from the [very] beginning it stood in his[4] possession, and he rightly dedicated or sold [it]. But Raba ruled: 'He collects from now and onwards'; since if he [the debtor] had money, he could have quitted him with money, it is found that he [the creditor] acquires it only now.

Yet did Raba say thus? Surely Rami b. Hama said: if Reuben sold his estate to Simeon with security,[5] and he [Simeon] set it [the money] up as a loan against himself,[6] then Reuben died, and Reuben's creditor came and seized [the estate] from Simeon, whereupon Simeon went and satisfied him with money, it is by right that the children of Reuben can go and say to Simeon, 'As for us, we [maintain that] our father left [us] movables in your possession, and the movables of orphans are not

under lien to a creditor.'[7] Now Raba said: If Simeon is wise, he lets them seize the land, and then he reclaims it from them.[8] For R. Nahman said: If orphans seize land for their father's debt,[9] a creditor [of their father] can in turn seize it from them. Now, if you agree that he [a creditor] collects retrospectively, it is right: for that reason he in turn can seize it from them, because it is just as though they had seized it in their father's lifetime. But if you say that he collects it from now and henceforth, why can he in turn seize it from them: surely it is as though the orphans had bought [immovable] property,[10] and if orphans buy [immovable] property, is it then under a lien to [their father's] creditor? — There it is different, because he can say to them, just as I was indebted[11] to your father, so I was indebted to your father's creditor. [This follows] from R. Nathan['s dictum]. For it was taught, R. Nathan said: How do we know that if one man [claims a maneh from his neighbour, and his neighbor [claims a like sum] from another neighbour, that we collect from the one [the last] and give to the other [the first]? From the verse, and he shall give it unto him to whom he is indebted.[12]

We learned: IF A GENTILE LENT [MONEY] TO AN ISRAELITE ON HIS LEAVEN, AFTER PASSOVER IT IS PERMITTED FOR USE. It is right if you say that he collects retrospectively: therefore it is permitted for use. But if you say that he collects from now and henceforth, why is it permitted for use? [Surely] it stood in the possession of the Israelite! — The circumstances here are that he deposited it with him.[13]

Shall we say that it is dependent on Tannaim: If an Israelite lent [money] to a Gentile on his leaven, after Passover he does not transgress.[14] In R. Meir's name it was said: he does transgress. Now do they not differ in this, viz., one Master holds [that] he collects retrospectively, while the other Master holds [that] he collects from now and onwards.[15] — Now is that logical! Consider the second clause: But if a Gentile lent [money] to an Israelite on his leaven, after Passover he transgresses on all views. But surely the reverse [of the rulings in the first clause] is required: according to the view there [in the first clause] that he does not transgress, here he does transgress; [while] according to the view there that he does transgress, here he does not transgress![16]

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(1) From hekdesh, at a mere trifle, not at its full value, so that some form of redemption may be observed.

(2) 'Er. 23b. If the debtor dedicates to hekdesh property worth ninety manehs, while his debt is one hundred manehs, the creditor adds (i.e., gives) just one denar as a formal redemption and seizes it. Thus in both cases they agree that the pledge belonged retrospectively to the creditor.

(3) Before he actually foreclosed.

(4) The creditor's.

(5) A guarantee to indemnify S. against loss if a creditor of R. should seize it for debt.

(6) S. could not pay for the field, so he gave him an IOU for the sum, pledging his own property as security.

(7) Although their father had given security for this transaction, yet the orphans can plead, we inherited movables from our father which were in your possession, I.e., you merely owed him money, the field actually being yours; hence you should not have given that money to the creditor, because movables inherited by orphans are not subject to any lien; nor had you the right to withhold payment. Hence you still owe us the money.

(8) I.e., he pleads that he has no money; hence they must take the field in payment. This will prove retrospectively that they had inherited land, not movables. Then he can demand its return, since their father had indemnified him against loss.

(9) I.e., for a debt owing to their father.

(10) I.e., with the money owing to them they now purchased this estate.

(11) Lit., 'pledged'.

(12) Num. V. 7, translating: and he (the third) shall give it unto him (the first) to whom he (the second) is indebted.

(13) It is now assumed that he deposited it with the Gentile as a pledge, and the Gentile acquires a title to it as such.

(14) If he takes the leaven for the debt and uses it.

(15) It being now assumed that he did not deposit his leaven with the Gentile.

(16) Since the case is reversed, the Gentile having lent money to the Jew, obviously the rulings too should be reversed, if

they are dependent on whether the creditor collects retrospectively or from now and onwards.

Talmud - Mas. Pesachim 31b

Rather the circumstances here [in both clauses] are that he [the borrower] deposited it [the leaven] with him, and they differ in R. Isaac['s dictum]. For R. Isaac said: Whence do we know that the creditor acquires a title to the pledge?[1] Because it is said, [Thou shalt surely restore to him the pledge when the sun goeth down...] and it shall be righteousness unto thee:[2] if he has no title thereto, whence is his righteousness?[3] Hence it follows that the creditor acquires a title to the pledge. Now the first Tanna holds, That[4] applies only to an Israelite [taking a pledge] from an Israelite, since we read in his case, 'and it shall be righteousness unto thee'; but an Israelite [taking a pledge] from a Gentile does not acquire a title.[5] While R. Meir holds, [It follows] a fortiori; if an Israelite acquires from an Israelite, how much the more an Israelite from a Gentile! But if a Gentile lent [money] to an Israelite on his leaven, after Passover all agree that he transgresses: there the Gentile certainly does not acquire a title from the Israelite.[6]

We learned: IF A GENTILE LENT [MONEY] TO AN ISRAELITE ON HIS LEAVEN, AFTER PASSOVER IT IS PERMITTED FOR USE. Now even granted that he deposited it with him, surely you said that a Gentile does not acquire a title from an Israelite? There is no difficulty: there [in the Mishnah] it means that he said to him, 'From now';[7] here [in the Baraitha] it means that he did not say to him, 'From now',[8] And whence do you assure that we draw a distinction between where he said 'from now and where he did not say 'from now'? — Because it was taught: If a Gentile deposited with an Israelite large loaves as a pledge,[9] he [the Israelite] does not transgress; but if he said to him, 'I have made them yours,'[10] he transgresses. Why is the first clause different from the second? This surely proves that where he says to him, 'from now,' it is different from where he does not say, 'from now.This proves it.

Our Rabbis taught: A shop belonging to an Israelite and its wares belong to an Israelite, while Gentile workers enter therein, leaven that is found there after Passover is forbidden for use, while it need not be stated for eating. A shop belonging to a Gentile and the wares belong to a Gentile, while Israelite workers go in and out, leaven that is found there after Passover may be eaten, while it is unnecessary to state [that] benefit [is permitted].[11]

MISHNAH. IF RUINS COLLAPSED ON LEAVEN, IT IS REGARDED AS REMOVED.[12] R. SIMEON B. GAMALIEL SAID: PROVIDED THAT[13] A DOG CANNOT SEARCH IT OUT.

GEMARA. R. Hisda said: Yet he must annul it in his heart.[14] A Tanna taught: How far is the searching of a dog? Three handbreadths.[15] R. Aha the son of R. Joseph said to R. Ashi: As to what Samuel said, Money can only be guarded [by placing it] in the earth[16] — do we require [it to be covered by] three handbreadths or not? — Here, he replied, we require three hand breadths on account of the smell [of the leaven];[17] but there [it is put into the earth] in order to cover it from the eye; therefore three handbreadths are not required. And how much [is necessary]? — Said Rafram of Sikkara:[18] one handbreadth.

MISHNAH. HE WHO EATS TERUMAH OF LEAVEN ON PASSOVER UNWITTINGLY, MUST REPAY [TO THE PRIEST] THE PRINCIPAL PLUS A FIFTH;[19] IF DELIBERATELY,[20] HE IS FREE FROM PAYMENT AND FROM [LIABILITY FOR] ITS VALUE AS FUEL.[21]

GEMARA. We learned elsewhere: He who eats terumah unwittingly must restore the principal plus a fifth; whether he eats, drinks,

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(1) That whilst in his possession it is his, and he is responsible for all accidents.

(2) Deut. XXIV, 13.
(3) There is no particular righteousness in returning what does not belong to one.
(4) The dictum of R. Isaac.
(5) Therefore he does not transgress in respect of the leaven.
(6) Hence the leaven stood in the ownership of the Israelite.
(7) When he deposited the leaven with him he said to him, 'If I do not repay by the stipulated time, the leaven is yours from now'. Hence the leaven stands in the lender's ownership, whether Jew or Gentile.
(8) Therefore, where the Gentile lent to the Jew, all agree that even if the debt was not repaid, the leaven may not be used, because during Passover it was definitely in the Jew's ownership, notwithstanding that it was deposited with the Gentile, because he does not acquire a title from a Jew. But the dispute arises only where the Israelite lent to the Gentile.
(9) Purni was a large oven in which large loaves were baked. 'Large loaves' are mentioned as a natural thing, since only such are sufficiently valuable to be a pledge.
(10) From now, if I do not repay at the proper time.
(11) In both cases we assume that the leaven was of the stock, and did not belong to one of the workers.
(12) Since it is inaccessible.
(13) Lit., 'whatever'.
(14) Lest the debris be removed during the festival.
(15) The leaven must be covered by not less than three handbreadths of debris; otherwise a dog can search it out, and it would therefore be necessary to remove the debris and destroy the leaven.
(16) That is the only way in which a bailee can carry out his charge; otherwise he is guilty of negligence and liable for theft. — In ancient days there was probably no other place as safe, but nowadays it suffices if the bailee puts the money in the place where he keeps his own (Asheri, B.M. 42a).
(17) If the leaven is covered by less, a dog can smell it.
(18) A town S. of Mahuza.
(19) I.e., he did not know that it was terumah, even if he knew that it was leaven. Though leaven has no value during Passover, yet here he must make the usual restoration of the principal plus a fifth (v. Lev. XXII, 14), not in money but in kind, the same as he ate, v. infra p. 147.
(20) I.e., he knew that it was terumah, even if he did not know that it was leaven.
(21) If the terumah was unclean, when it has no other value, since unclean terumah may not be eaten. The reason is this: the law of restoring the principal plus a fifth, in kind, holds good only when the terumah is misappropriated unwittingly, the restoration being for the purpose of atonement. But when one appropriates it deliberately his act constitutes larceny, and he must return its value in money, not in kind, as in all cases of larceny. Leaven during Passover, however, has no monetary value, all benefit thereof being interdicted: hence he is free from payment.

Rather the circumstances here [in both clauses] are that he [the borrower] deposited it [the leaven] with him, and they differ in R. Isaac['s dictum]. For R. Isaac said: Whence do we know that the creditor acquires a title to the pledge?[1] Because it is said, [Thou shalt surely restore to him the pledge when the sun goeth down...] and it shall be righteousness unto thee:[2] if he has no title thereto, whence is his righteousness?[3] Hence it follows that the creditor acquires a title to the pledge. Now the first Tanna holds, That[4] applies only to an Israelite [taking a pledge] from an Israelite, since we read in his case, 'and it shall be righteousness unto thee'; but an Israelite [taking a pledge] from a Gentile does not acquire a title.[5] While R. Meir holds, [It follows] a fortiori; if an Israelite acquires from an Israelite, how much the more an Israelite from a Gentile! But if a Gentile lent [money] to an Israelite on his leaven, after Passover all agree that he transgresses: there the Gentile certainly does not acquire a title from the Israelite.[6]

We learned: IF A GENTILE LENT [MONEY] TO AN ISRAELITE ON HIS LEAVEN, AFTER PASSOVER IT IS PERMITTED FOR USE. Now even granted that he deposited it with him, surely you said that a Gentile does not acquire a title from an Israelite? There is no difficulty: there [in the Mishnah] it means that he said to him, 'From now';[7] here [in the Baraitha] it means that he did not say to him, 'From now',[8] And whence do you assure that we draw a distinction between where he said 'from now and where he did not say 'from now'? — Because it was taught: If a Gentile deposited with an Israelite large loaves as a pledge,[9] he [the Israelite] does not transgress; but if he said to him, 'I have made them yours,'[10] he transgresses. Why is the first clause different from the second? This surely proves that where he says to him, 'from now,' it is different from where he does not say, 'from now.This proves it.

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(6) Hence the leaven stood in the ownership of the Israelite.
(7) When he deposited the leaven with him he said to him, 'If I do not repay by the stipulated time, the leaven is yours from now'. Hence the leaven stands in the lender's ownership, whether Jew or Gentile.
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(13) Lit., 'whatever'.
(14) Lest the debris be removed during the festival.
(15) The leaven must be covered by not less than three handbreadths of debris; otherwise a dog can search it out, and it would therefore be necessary to remove the debris and destroy the leaven.
(16) That is the only way in which a bailee can carry out his charge; otherwise he is guilty of negligence and liable for theft. — In ancient days there was probably no other place as safe, but nowadays it suffices if the bailee puts the money in the place where he keeps his own (Asheri, B.M. 42a).
(17) If the leaven is covered by less, a dog can smell it.
(18) A town S. of Mahuza.
(19) I.e., he did not know that it was terumah, even if he knew that it was leaven. Though leaven has no value during Passover, yet here he must make the usual restoration of the principal plus a fifth (v. Lev. XXII, 14), not in money but in kind, the same as he ate, v. infra p. 147.
(20) I.e., he knew that it was terumah, even if he did not know that it was leaven.
(21) If the terumah was unclean, when it has no other value, since unclean terumah may not be eaten. The reason is this: the law of restoring the principal plus a fifth, in kind, holds good only when the terumah is misappropriated unwittingly, the restoration being for the purpose of atonement. But when one appropriates it deliberately his act constitutes larceny, and he must return its value in money, not in kind, as in all cases of larceny. Leaven during Passover, however, has no monetary value, all benefit thereof being interdicted: hence he is free from payment.

Talmud - Mas. Pesachim 32a

or anoints [therewith]; whether it was defiled or undefiled terumah, he must pay a fifth and a fifth of the fifth.[1] The scholars asked: When he repays, does he repay according to quantity[2] or according to value?[3] Where it was originally worth four zuz while subsequently it was worth a zuz,[4] there is no question, for he must certainly repay on the original [price]. according to its value,[5] because it is no worse than a robber, for we learned: All robbers repay as at the time of the robbery.[6] The question arises where it was originally worth a zuz while subsequently it was worth four. What then? Must he repay according to quantity, for he [the priest] can say, He ate a griwa,[7] he must repay a griwa; or perhaps he repays according to the value: he ate [the worth of] a zuz, he repays [the worth of] a zuz? — Said R. Joseph, Come and hear: If he ate figs [of terumah] and repaid him dates, blessings be upon him! It is well if you say that he must repay according to quantity: therefore 'blessings be upon him,' because he ate a griwa of dried figs, which is worth a zuz, and he returns [him] a griwa of dates, which is worth four. But if you say that he pays according to its value, why should 'blessings be upon him': he ate for a zuz and he returns [as much as] for a zuz? — Said Abaye, Indeed he pays according to value, yet why should 'blessings come upon him'? Because he ate something for which buyers are not eager,[8] and he pays [with] something for which buyers are eager.[9]

We learned:HE WHO EATS TERUMAH OF LEAVEN ON PASSOVER UNWITTINGLY, MUST PAY [TO THE PRIEST] THE PRINCIPAL PLUS A FIFTH. It is well if you say that he

must pay according to quantity: then it is right. But if you say that he must pay according to the value, has then leaven on Passover any value? — Yes: the author of this is R. Jose the Galilean, who maintained: Leaven on Passover is permitted for use. If so, consider the second clause: IF DELIBERATELY, HE IS FREE FROM PAYMENT AND FROM [LIABILITY FOR] ITS VALUE AS FUEL. But if [the author is] R. Jose the Galilean, why is he free from payment and from [liability for] its value as fuel?[10] — He holds as R. Nehunia b. ha-Kanah. For it was taught: R. Nehunia b. ha-Kanah used to treat the Day of Atonement as the Sabbath in regard to payment, etc.[11] This[12] is dependent on Tannaim: He who eats terumah of leaven on Passover is free from payment and from [liability for] the value of the fuel: this is R. Akiba's ruling. R. Johanan b. Nuri declares him liable. Said R. Akiba to R. Johanan b. Nuri: What benefit then has he [the priest] therein?[13] R. Johanan b. Nuri retorted to R. Akiba: And what benefit has [the priest therein] that he who eats unclean terumah during the rest of the year must pay?[14] Not so, replied he: if you speak of unclean terumah during the rest of the year, [that is] because though he [the priest] does not enjoy the right to eat it, yet he enjoys the right to use it as fuel.[15] Will you say the same of this, in which he does not enjoy the right of eating or the right to use it as fuel? Hence, to what is this like: to terumah of mulberries and grapes which was defiled, in which he does not enjoy the right of eating or the right to use it as fuel.[16] When is this said?[17] When he separates terumah and it because leaven. But if he separates terumah of leaven [on Passover], all agree [that] it is not holy.[18]

Another [Baraitha] taught: [And if a man eat of the holy things unwittingly, then he shall put the fifth part thereof unto it,] and shall give unto the priest the holy thing;[19] [that implies,] something which is fit to be holy, thus excluding him who eats terumah of leaven on Passover, [teaching] that he is free from payment and from

holds good when one incurs ‘death at the hands of heaven’, which is the penalty for eating terumah deliberately. According to this, the first clause, UNWITTINGLY, must now mean that the eater knew neither that it was terumah nor that it was leaven; for if he knew that it was leaven he is liable to kareth, which frees him from payment. [liability for] its value as fuel: this is the view of R. Eliezer b. Jacob; but R. Eleazar Hisma declares him liable. Said R. Eliezer b. Jacob to R. Eleazar Hisma: Yet what benefit has he [the priest] therein? R. Eleazar Hisma replied to R. Eliezer b. Jacob: And what benefit has he [therein] that he who eats unclean terumah during the rest of the year, must pay? Not so, answered he: if you speak of unclean terumah during the rest of the year, [that is] because though he [the priest] does not enjoy the right to eat it, yet he enjoys the right to use it as fuel; will you say [the same] of this, in which he does not enjoy the right of eating or the right to use it as fuel? Said he to him, In this too he has the right to use it as fuel, for if the priest wishes, he can place it before his dog or burn it under his pot.

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(1) The first fifth becomes the same as the original terumah, and if he ate it, he must restore that fifth and a fifth thereof.

(2) Lit., ‘measure’.

(3) The question arises because since he must repay in kind it is possible that the quantity is the deciding factor, as explained in the text.

(4) ‘Originally’ and ‘subsequently’ mean when he ate it and when he makes restoration respectively.

(5) This he must return quantitively four times as much, and the fifth in addition.

(6) B.K. 93b; i.e., what its value was then.

(7) A dry measure equal to one se'ah.

(8) Sc. ‘dried figs’. Lit., ‘buyers do not leap upon it’.

(9) Sc. dates.

(10) Seeing that it has a monetary value.

(11) V. supra 29a and note a.l. The same

(12) Whether payment is to be made according to quantity or value.

(13) Seeing that it is forbidden to him for use, he suffers no loss.

(14) I.e., what benefit can a priest derive from unclean terumah, seeing that it must not be eaten. Yet if a lay Israelite eats

it, all agree that he must pay. The text is in disorder, cf. Rashi and Tosef. Pes. I.

(15) Lit., 'though he has not in it a permission of eating, yet he has in it a permission of heating'. The other passages below have the same literal meanings.

(16) Strictly speaking, he enjoys the latter right, but it is unfit for fuel on account of the juice

(17) When is it conceivable that terumah of leaven should possess sanctity during Passover?

(18) Even according to R. Jose the Galilean, though he permits general benefit from leaven on Passover. The reason is given below.

(19) Lev. XXII, 14.

Talmud - Mas. Pesachim 32b

Abaye said: R. Eliezer b. Jacob, R. Akiba and R. Johanan b. Nuri all[1] hold [that] leaven during Passover is forbidden for use, and they differ in this, viz., R. Akiba[2] holds: He must pay according to value;[3] while R. Johanan b. Nuri holds: He must pay according to quantity. That is obvious? — You might say, R. Johanan b. Nuri also holds as R. Akiba [that] he must pay according to value, but the reason that he declares him liable there is this, [viz..] because he agrees with R. Jose the Galilean who maintained, Leaven is permitted for use on Passover: [therefore] he informs us [that it is not so]. Yet perhaps that indeed is so? — If so, let R. Johanan b. Nuri answer R. Akiba just as R. Eleazar Hisma answered R. Eliezer b. Jacob.

Our Rabbis taught: He who eats as much as an olive of terumah[4] must pay the principal plus a fifth. Abba Saul said: [He is not liable] unless it has the worth of a perutah.[5] What is the first Tanna's reason? — Scripture saith, And if a man eat of the holy thing unwittingly[6] and eating [requires] as much as an olive.[7] And Abba Saul: what is [his] reason? — Scripture saith, and he shall give [unto the priest the holy thing].[6] and giving is not less than the worth of a perutah. And the other too, surely 'eat' is written? That comes [to teach], excluding him who destroys [terumah].[8] And the first Tanna, surely it is written, 'and he shall give'? — He requires that [to intimate that he must return] something which is fit to be holy.[9]

Our Rabbis taught: He who eats less than an olive of terumah must pay the principal, but he does not pay the [additional] fifth. How is it meant? If it is not worth a perutah, let him not pay the principal either; while if it is worth a perutah, let him pay a fifth too? — After all it means that it is worth a perutah, yet even so, since it was less than an olive he pays the principal but does not pay the fifth. The Rabbis stated this before R. Papa: This is not according to Abba Saul, for if according to Abba Saul, surely he says, since it is worth a perutah, even if it is less than an olive [the law applies]! — Said R. Papa to them: You may even say [that it agrees with] Abba Saul. Abba Saul requires both.[10] Yet does Abba Saul require both? Surely we learned, Abba Saul said: For that which possesses the worth of a perutah he [the eater] is liable for payment; [for] that which does not possess the worth of a perutah he is not liable for payment. Said they [the Sages] to him. The worth of a perutah was stated in connection with a trespass-offering only;[11] but for terumah he is not liable unless it contains as much as an olive. Now if this is correct,[12] they should have stated, 'once it contains as much as an olive'?[13] This is a refutation.

Now, R. Papa too retracted;[14] for it was taught: [If any one commit a trespass,] and sin unwittingly:[15] this excludes deliberate[tres pass]. But does this not follow a fortiori: if other precepts, for [the transgression of] which one is liable to kareth,[16] yet [Scripture] exempts the deliberate offender in their case;[17] [with regard to] trespass, which does not involve kareth, does it not follow that the deliberate transgressor is exempt? No: if you say [thus] in the case of other precepts, that is because he is not liable to death on their account; will you say [the same] of trespass, for which death is incurred?[18] Therefore 'unwittingly' is stated, excluding deliberate [transgression]. Now R. Nahman b. Isaac said to R. Hiyya b. Abin: This Tanna, at first, regards kareth as severer, while subsequently he regards death [at the hands of Heaven] as more severe?[19] And he answered him,

This is what he means: No; if you say [thus] in the case of other precepts, that is because he is not liable to death on their account for less then an olive; will you say [the same] of trespass, where death is incurred for less than an olive. Whereon he said to him, Thy mind be at rest, because thou hast set my mind at rest. Said he to him, What satisfaction [is there in this answer], seeing that Rabbah and R. Shesheth have swung an axe at it:[20] Whom do you know to maintain?

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(1) Rashi omits 'R. Eliezer b. Jacob' and 'all'.

(2) And likewise R. Eliezer b. Jacob.

(3) And since it has no value, the eater is exempt.

(4) This refers to the rest of the year.

(5) The smallest coin.

(6) Lev. XXII, 14.

(7) This is the smallest quantity to which the term 'eating' can be applied.

(8) Without eating it; this law of the extra fifth does not apply in his case.

(9) I.e., the return must be made in kind, which can itself be holy (viz, terumah), not in money, which cannot be terumah.

(10) It must be worth not less than a perutah and be not less than an olive in size.

(11) If he unwittingly converts hekdesh (q.v. Glos.) to secular use he is liable to a trespass-offering, providing the object so misappropriated is worth at least a perutah.

(12) That Abba Saul requires both.

(13) Since he too agrees to this, their view must be: once it contains the size of an olive he is liable even if it is not worth a perutah.

(14) From his view that Abba Saul requires both.

(15) Lev. V, 15: the passage deals with the trespass-offering for the misappropriation of hekdesh and the restitution of the principal plus a fifth.

(16) V. Glos. E.g., if one consumes blood or forbidden fat (heleb).

(17) From a sacrifice, which is due only for an unwitting offence.

(18) Surely not. By 'death', death at the hands of Heaven is meant.

(19) This follows from a comparison of the two halves of the argument.

(20) I.e., proved it to be incorrect.

Talmud - Mas. Pesachim 33a

If he deliberately transgressed in respect of a trespass-offering,[1] [he is punished] by death? It is Rabbi. For it was taught: If he deliberately transgressed in respect of a trespass-offering, — Rabbi said: [He is punished] by death; while the Sages maintain: By a warning.[2] What is Rabbi's reason? — Said R. Abbahu: He derives identity of law from the fact that 'sin' is written here and in the case of terumah:[3] just as terumah involves death, so trespass involves death. And from that [it also follows]: just as terumah [involves punishment] for as much as an olive, so trespass [involves punishment] for as much as an olive.[4] Now R. Papa demurred:[5] How do you know that Rabbi holds as the Rabbis;[6] perhaps he agrees with Abba Saul, who said: If it possesses the worth of a perutah, even if it does not contain as much as an olive?[7] But surely it was R. Papa who said [that] Abba Saul requires both? Hence this proves that he retracted.

Mar the son of Rabina said, This is what hє[8] means: No: if you say thus of other precepts — where the unintentional is not treated as intentional, for if he intended cutting what was detached but cut what is attached, he is not culpable;[9] will you say [the same] in the case of trespass, where if he intended to warn himself with wool shearings of hullin but warmed himself with the wool shearings of a burnt-offering he is liable to a trespass-offering?

R. Nahman b. Isaac said: He means this: If you say thus in the case of other precepts, that is because he who is not engaged therein is not declared culpable like he who is engaged therein, for if he intended picking up that which was detached but he plucked[10] that which is attached [instead], he

is not culpable;[11] will you say [the same] of trespass, where if he stretched out his hand to take a vessel and [incidentally] anointed his hand with holy oil,[12] he is liable for trespass?

The Master said: 'When is this said? When he separates terumah and it became leaven. But if he separates terumah of leaven on Passover, all agree that it is not holy.' Whence do we know this? — Said R. Nahman b. Isaac, Scripture saith, [The firstfruits of thy corn, of thy wine, and of thy oil ...] shalt thou give to him:[13] but not for its light.[14] R. Huna son of R. Joshua objected: One must not separate terumah from unclean [produce] for clean; yet if he separates [thus] unwittingly, his terumah is valid. Yet why? Let us say, 'for him, but not for his light'? — There is no difficulty: There it enjoyed a time of fitness,[15] whereas here[16] it did not enjoy a time of fitness.[17] And how is it conceivable that it had no time of fitness? E.g. if it became leaven whilst attached [to the soil].[18] But if it became leaven when detached,[19] would it indeed be holy?[20] — Yes, he replied: 'the sentence is by the decree of the watchers, and the matter by the word of the holy ones';[21] and thus do they rule[22] in the academy in accordance with my view.

When R. Huna the son of R. Joshua came,[23]

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(1) I.e., he deliberately transgressed where an unwitting transgression involves a trespass-offering.

(2) I.e., flagellation. This is a technical term to denote that he has infringed an ordinary negative injunction, for which he is flagellated.

(3) Trespass: If a soul commit a trespass, and sin through ignorance in the holy things of the Lord (Lev. V, 15); Terumah: Lest they bear sin for it, and die therefor (Ibid. XXII, 9).

(4) This is the 'axe': according to this R. Hiyya b. Abin is obviously wrong.

(5) In objection to 'those who swung the axe'.

(6) That as much as an olive is the minimum to involve payment or punishment in the case of terumah.

(7) Hence the same applies to trespass too, and thus R. Hiyya b. Abin's answer is correct.

(8) The Tanna of the cited teaching.

(9) This refers to the Sabbath, when one must not cut or pluck produce growing in the soil ('attached'). In the present case he is not liable to a sin-offering, which is only due when a man sins in ignorance, i.e., where he intended to do what he did, but did not know that it was forbidden.

(10) Lit., 'cut'.

(11) Here he was not engaged in plucking or cutting at all.

(12) There too he was not engaged in anointing at all.

(13) Deut. XVII, 4.

(14) I.e., the priest must be able to consume it himself and not have to burn it for its heat or light. Hence if it is separated in a state in which it cannot be eaten, as here, it does not become terumah.

(15) Before it became unclean it was fit to be separated as terumah.

(16) In the case of the leaven terumah.

(17) It was not fit to be terumah before Passover as it goes on explaining.

(18) Whilst before it is harvested it cannot be declared terumah.

(19) I.e., before Passover, so that it was fit to be terumah before the Festival.

(20) If separated as terumah during Passover.

(21) Dan. IV, 14; i.e., this is the view of great teachers.

(22) מורין implies to give a practical, as opposed to a mere theoretical, ruling.

(23) Var. lec. omit, 'came' v. Rashi.]

Talmud - Mas. Pesachim 33b

he said, Scripture saith, The firstfruits [of thy corn etc.], [implying] that its residue is distinct [in that it becomes permitted] to the Israelite,[1] [thus] this[2] is excluded, since its residue is not [so] distinct.[3]

R. Ala b. R. 'Awia sat before R. Joshua and he sat and said in R. Johanan's name: If grapes are

defiled, one may tread them out less than an egg in quantity at a time, and their wine is fit for libations.[4] This proves that he holds that the juice is indeed stored up;[5] [consequently] when is it [the juice] defiled? When he expresses it; [but] when he expresses it, its standard quantity [for defiling] is absent.[6] If so, [he can tread] as much as an egg too, for we learned: If a man unclean through a corpse squeezes out olives or grapes exactly as much as an egg in quantity, they are clean?[7] — There it is [thus] if he did it;[8] here it is in the first instance [when he must not tread as much as an egg] for fear lest he come to tread[9] more than an egg.[10] Said R. Hisda to him, Who needs you and R. Johanan your teacher: whither then has their uncleanness[11] gone? This proves that he holds that the juice is indeed absorbed,[12] and since the [solid] eatable is defiled, the juice too is defiled. And do you not hold that the juice is stored up? he replied. Surely we learned: If he who is unclean through a corpse squeezes out olives and grapes exactly as much as an egg in quantity, they are clean. Now it is well if you say that the liquid is stored up: for that reason it is clean. But if you say [that] it is absorbed, why is it clean? — Said he to him: We discuss here grapes which were not made fit;[13] when [then] do they become fit? when he squeezes them;[14] but when he squeezes them the standard quantity [for defilement] is diminished.[15] For if you should not say thus, [them] when it was taught, 'To what is this like? To terumah of mulberries and grapes which were defiled, which is not permitted to him either for eating or for burning.'[16] — but surely it may be eaten too, for if he wishes, he can tread them out less than an egg at a time?[17] — Said Raba: It is a preventive measure,[18] lest he come to a stumbling-block through them.[19] Abaye said to him, Yet do we fear a stumbling-block? Surely it was taught: One may light [a fire] with bread or oil of terumah which was defiled![20] — The bread he casts among the wood, he replied, and the oil of terumah he pours into a repulsive vessel.[21]

[It was stated in] the text: 'One may light [a fire] with bread or oil of terumah which was defiled'. Abaye said in Hezekiah's name, and Raba said, The School of R. Isaac b. Martha said in R. Huna's name: They learned this of bread only, but not of wheat, lest he come to a stumbling-block through it.[22] But R. Johanan said: Even wheat.[23] But why? Let us fear lest he come to a stumbling-block through it? — As R. Ashi said [elsewhere].

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(1) I.e., by giving the firstfruits, viz., the terumah to the priest, the residue becomes permitted to the Israelite.

(2) Leaven separated as terumah during Passover.

(3) The residue, being leaven, remains forbidden to the Israelite.

(4) On the altar. Unclean food less than an egg in quantity cannot defile other eatables. Hence when he treads out the grapes in such small quantities, there is never enough to defile the exuded juice, and the wine manufactured therefrom is clean, and consequently fit for libations on the altar, for which, of course, only undefiled wine is valid.

(5) It is not joined, as it were, to the outer skin and part of it, but like a liquid that is kept in a vessel. For if it were held to be absorbed and part of the skin, it would become unclean simultaneously with the skin.

(6) As explained on p. 152, n. 14.

(7) This person defiles food, and the food in turn, if not less than an egg in quantity, defiles liquids. Here the man does not touch the expressed juice. Now after the first drop issues the residue is less than the necessary minimum and therefore it does not defile the liquid that follows

(8) If he squeezes as much as an egg, it is clean.

(9) I.e., tread out.

(10) If he comes to ask what to do, he is told to tread it less than an egg at a time. For if he is permitted to tread out exactly as much as an egg, he may exceed it, thus rendering the whole unclean.

(11) Of the grapes.

(12) As part of the grape, and does not stand separate.

(13) To become unclean. Before an eatable can become unclean it must have had moisture upon it.

(14) I.e., the first drop which exudes and touches the outer skin makes the grapes fit to become unclean.

(15) For after the first drop has oozed out, less than an egg in quantity is left.

(16) V. supra 32a.

(17) If we assume that the liquid is merely stored up. Hence it follows that the liquid is absorbed and is unclean simultaneously with the outer skins of the mulberries and grapes.

(18) Sc. thus denying him the right to squeeze them out in such small quantities.

(19) He may eat them whilst treading them.

(20) And we do not fear that he may come to eat it.

(21) So that in both cases he is not likely to eat it.

(22) Even if wheat is thrown among wood it does not become repulsive.

(23) Is permitted.

Talmud - Mas. Pesachim 34a

It refers to boiled [grains]. so that they are repulsive; so here too it refers to boiled [grains]. which are repulsive.[1]

And where was R. Ashi's [explanation] stated? In reference to what R. Abin son of R. Aha said in R. Isaac's name: Abba Saul was the baker[2] in Rabbi's house, and they used to heat him hot water with wheat of defiled terumah, wherewith to knead dough in purity. But why? Let us fear lest he come to a stumbling-block through it?[3] — Said R. Ashi: It refers to boiled [grains], which are repulsive.

Abaye b. Abin and R. Hanania b. Abin studied Terumoth[4] at Rabbah's academy. Rabbah b. Mattenah met them [and] asked them, What have you discussed in Terumoth, at the Master's academy? — Said they to him, But what is your difficulty? He replied. We learned: Plants of terumah[5] which were defiled, and he [their owner] replanted them, are clean in that they do not defile [other eatables],[6] but they are forbidden to be eaten [as terumah].[7] But since they are clean in that they do not defile, why are they forbidden to be eaten? — Said they to him, Thus did Rabbah say: What is meant by 'forbidden'? They are forbidden to lay Israelites. Now what does he inform us? That that which grows of terumah is [itself] terumah! [But] we have [already] learned it [elsewhere]: That which grows of terumah is terumah?[8] And should you answer: It refers to the second growth,[9] and what does he inform us? [That this law holds good] in respect of that whose seed[10] is not destroyed?[11] But surely we learned this too: [In the case of] tebel, that which grows out of it is permitted in a species whose seed is destroyed[12] but in the case of a species whose seed is not destroyed, even its second growth[13] is forbidden for eating![14] — They were silent. Said they to him, Have you heard anything about this? Thus did R. Shesheth say, he answered, what does 'forbidden' mean? They are forbidden to priests, since they became unfit [for eating] through [his] mental neglect.[15] That is correct on the view that mental neglect is an intrinsic disqualification,[16] then it is well. But on the view that mental neglect is a disqualification of defilement,[17] what can be said?[18] For it was stated, [As to] mental neglect: R. Johanan said, It is a disqualification of defilement; while R. Simeon b. Lakish said, It is an intrinsic disqualification.[19] 'R. Johanan said, It is a disqualification of defilement', for if Elijah should come and declare it clean,[20] we heed him.[21] 'R. Simeon b. Lakish said, It is an intrinsic disqualification', for if Elijah should come and declare it clean, we do not heed him. R. Johanan raised an objection to R. Simeon b. Lakish: R. Ishmael son of R. Johanan b. Beroka said: There was a small passage between the stairway and the altar at the west of the stairway, whither they used to throw disqualified bird sin-offerings until [the flesh] became disfigured[22] and then they passed out to the place of burning.[23] Now it is well if you say that [mental neglect] is a disqualification of uncleanness: therefore it requires disfigurement, lest Elijah may come and declare it clean.[24] But if you say that it is an intrinsic disqualification, what is the need of disfigurement? Surely it was taught, This is the general rule:

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(1) When thrown among the wood.

(2) Lit., 'mixer' (of dough).

(3) If the unclean wheat is kept for that purpose, as above.

(4) The Tractate on the laws of Terumah.

(5) E.g.. cabbages and leeks which were separated as terumah.

(6) Because the planting in the ground removes their uncleanness.
(7) Maharam deletes the bracketed passage. — It is now assumed that the prohibition refers to priests, and they may not be eaten because they are defiled terumah, v. Ter. IX, 7.
(8) Even in the case of a species whose original seed rots away in the earth.
(9) Lit., 'what is growth of what is grown'.
(10) I.e., the original stock.
(11) E.g., an onion, the original stock of which remains when it is planted. Now its original leaves grow larger, and this is referred to as the growth. But in addition it sends out fresh shoots altogether, which never were terumah: these are referred to as the second growth, and we are informed that even these are terumah.
(12) E.g., if tebel of wheat is sown the crop is not tebel. Before produce becomes tebel one may make a light meal of it through he has not yet rendered the tithe and terumah; but nothing whatsoever may be eaten of it when it reaches the stage of tebel. Though that which grows from terumah remains terumah even if its seed is destroyed, that is merely a Rabbinical stringency, lest the priestly dues are thus evaded. But that which grows of tebel is not tebel but ordinary produce of which a light meal may be enjoyed until it becomes tebel, which happens when it is heaped up in a stack.
(13) As explained in n. 7.
(14) Because it retains the same status as that of its parent stock. The same logically applies to terumah that is sown.
(15) And not because it is defiled terumah. The priest must always keep the terumah in mind; v. Num. XVIII, 8: behold, I have given thee the charge of mine heave offerings — 'charge' implies that
(16) I.e., sacred food, even if proved not to have been defiled, becomes unfit thereby, because this neglect is in itself a disqualification.
(17) I.e., it is not a disqualification in itself, but merely because while the priest was not thinking about it it might have become defiled.
(18) For it has now been established that even when it is certainly unclean it regains its cleanliness when replanted.
(19) [This question remains unanswered, v. R. Hananel.]
(20) Elijah was regarded as the future resolver of all doubts; cf. B.M., Sonc. ed. p. 6, n. 2.
(21) Declaring the terumah fit to be eaten.
(22) I.e., by being kept overnight and thus becoming nothar (v. Glos.)
(23) The reference is to the offerings disqualified through mental neglect.
(24) In which case it should not have been burnt. But when it is disfigured it must be burnt in any case.

Talmud - Mas. Pesachim 34b

Wherever its disqualification is in itself, it must be burnt immediately; [if it is] in the blood[1] or in its owner,[2] [the flesh] must become disfigured and [then] it goes out to the place of burning.-

he must think of it. The terumah, having once become defiled, however, the priest would dismiss it from his mind, as he would abandon the hope of using it. Said he to him: This tanna is a tanna of the School of Rabbah b. Abbuha[3] who maintained: Even piggul[4] requires disfigurement.[5]

He [R. Johanan] raised an objection to him: If the flesh became unclean or disqualified, or if it passed without the curtains,[6] R. Eliezer said: He [the priest] must sprinkle [the blood];[7] R. Joshua said: He must not sprinkle [the blood].[8] Yet R. Joshua admits that if he does sprinkle [it], [the sacrifice] is accepted.[9] Now, what does 'disqualified' mean? Is it not through mental neglect?[10] Now, it is well if you say that it is a disqualification of uncleanness, then it is conceivable that the headplate makes it accepted.[11] But if you say that it is an intrinsic disqualification why is it accepted?[12] What does 'disqualified' mean? It was disqualified by a tebul yom.[13] If so, it is identical with 'unclean?' There are two kinds of uncleanness.[14]

When Rabin went up,[15] he reported this teaching[16] with reference to the terumah plants before R. Jeremiah, whereupon he observed: The Babylonians are fools. Because they dwell in a land of dark ness[17] they engage in dark [obscure] discussions.[18] Have you not heard this [dictum] of R. Simeon b. Lakish in R. Oshaia's name: If the water of the Festival was defiled[19] and he made level contact and

then sanctified it, it is clean; if he sanctified it and then made level contact, it is unclean.[20] Now consider: this is 'sowing';[21] what does it matter whether he made level contact and then sanctified it or he sanctified it and then made level contact? This proves that 'sowing' has no effect upon hekdesh;[22] so here too sowing has no effect upon terumah.[23]

R. Dimi sat and reported this teaching.[24] Said Abaye to him, Does he R. Oshaia mean [that] he sanctified it in a vessel, but if [merely] verbally the Rabbis did not set a higher standard;[25] or perhaps for verbal [sanctification][26] too the Rabbis set a higher standard? — I have not heard this, he replied, [but] I have heard something similar to it. For R. Abbahu said in R. Johanan's name: If grapes were defiled and he trod them and then sanctified them,[27] they are clean;[28] if he sanctified them and then trod them, they are unclean. Now grapes are [a case of] verbal sanctification, yet even so the Rabbis set a higher standard![29] — Said R. Joseph: You speak of grapes! We treat here of grapes of terumah,[30] their verbal sanctification is being tantamount to the sanctification of a vessel.[31] But those that require a vessel [for sanctification,[32] where they are sanctified] verbally [maybe] the Rabbis did not set a higher standard.

'If he trod them' — [does that mean] even in great quantity? But did R. Johanan say thus? Surely R. Johanan said: if grapes are defiled, he may tread them out less than an egg in quantity at a time?[33] — If you wish I can say that here too [it means] less than an egg at a time. Alternatively, I can answer: There the case is that they [the grapes] had come into contact with a first degree [of uncleanness], so that they [the grapes] are a second. But here they come into contact with a second degree, so that they are a third.[34]

Raba said: We too learned [thus]:[35] And he shall put thereto running [living] water in a vessel:[36] [this teaches] that its running must be [directly] into a vessel.[37] 'And he shall put' — this proves that it is detached, but surely this is attached![38]

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(1) E.g., if the blood was spilled before it could be sprinkled.

(2) E.g.. if he became unclean before the Passover could be eaten and there were no others available to eat it, as the Passover may be eaten only by those registered for it.

(3) [R. Hananel seems to omit 'is a ... who'. R. Simeon b. Lakish could certainly not refer to the School of Rabbah b. Abbuha, who was a disciple of Rab.]

(4) V. Glos. There the flesh itself is certainly disqualified.

(5) 73b.

(6) The partitions of the Temple corresponding to those of the Tabernacle (Jast.). Thus 'without the curtains' means without the enclosures of the Temple Court. This refers to sacrifices of the higher sanctity (v. p. 108, n. 2), whose flesh might not be eaten without these enclosures.

(7) He holds that the blood must be sprinkled even when there is no flesh.

(8) He holds that the blood is dependent on the flesh.

(9) This is a technical term denoting that the sacrifice fulfils its purpose.

(10) For there is no other disqualification, since defilement is stated separately. It cannot mean a disqualification through an illegitimate intention, e.g., if the officiating priest expressed his intention to eat the flesh outside the boundaries or after the time allotted for its eating, for then the blood too is disqualified and can certainly not be sprinkled.

(11) The headplate worn by the High Priest makes atonement in such a case, even if the flesh is definitely unclean; v. supra 16b. Nevertheless R. Joshua rules that the blood must not be sprinkled at the outset, for he holds that the acceptability conferred by the headplate is only if it was sprinkled, but it may not be sprinkled in the first place in reliance on the headplate.

(12) For the headplate cannot make atonement for such a disqualification.

(13) V. Glos. His touch disqualifies it, as he is not really clean until evening falls.

(14) V. Mishnah supra 14a and note a.l.

(15) From Babylonia to Palestine.

(16) Sc. of R. Shesheth.

(17) Babylonia is possibly so called on account of the Parsees (fire-worshippers). who forbade the Jews to have any light in their dwellings on their (the Parsees') festivals.
(18) I.e.. they discuss laws without knowing their true meanings.
(19) 'Festival' without a further determination always means the Feast of Tabernacles. The 'water of the Festival' is that used for libations each day which was drawn the previous evening with great ceremony and joy. Here the reference is to the water for the Sabbath libation; fresh water could not be brought on the Sabbath, and therefore this water had to be made clean.
(20) Unclean water can be purified by placing it in a vessel and immersing the vessel in a mikweh (ritual bath) until the water in the vessel is level with and just touches the water of the mikweh. This is called hashshakah (lit. 'kissing') and the unclean water thereby becomes one with the mikweh, which of course is clean. The water libation was sanctified by formal dedication, or by being poured into a sacred service vessel.
(21) The process of levelling is regarded as 'sowing', as though the water were sown in the mikweh, just as unclean produce becomes clean if it is resown in the earth.
(22) Lit., 'there is no sowing for hekdesh' — to make it clean. The reason is because a higher standard of purity is required in the case of hekdesh.
(23) Hence the plants remain unclean in so far that they are forbidden to be eaten.
(24) Of. R. Oshaia.
(25) I.e., by formal dedication, v. n. 4.
(26) And in such a case levelling is considered effective.
(27) For its wine to be used for libations.
(28) V. supra 33b, where R. Johanan holds that the expressed juice of unclean grapes is clean.
(29) In declaring the expressed juice unclean, whereas it would be clean if it were not sanctified.
(30) The sanctification referred to is not as previously assumed (cf. p. 158. n. 11) for libations but for purposes of terumah.
(31) Since terumah can only be verbally sanctified, there being no sacred vessels to sanctify them.
(32) Such as wine for libations.
(33) V. supra p. 33f notes.
(34) V. supra 14a, p. 62, n. 2. When the grapes are unclean in the second degree they render the juice unclean in the first degree, it being a general rule that whatever disqualifies terumah, i.e., eatables unclean in the second degree, defiles liquids in the first degree (supra 14b). But when they are unclean in the third degree they cannot defile liquids. Hence if he first trod them, even in great quantity, they remain clean. But if he first sanctified them, the expressed juice is unclean, because the Rabbis set a higher standard for terumah.
(35) Viz., that the Rabbis set a higher standard for sacred objects, even when they were verbally sanctified.
(36) Num. XIX, 17.
(37) In which it is sanctified with the ashes of the red heifer, but it must not be collected in another vessel and then poured over into this.
(38) The passage is rather difficult. Rashi: 'And he shall put' implies that Scripture refers to detached water, i.e., water which does not form part of a stream but has been detached and collected in a vessel, whence it is poured into a second vessel containing the ashes. But when the Mishnah states that the running must be direct into the vessel, it insists on attached water, i.e., water forming part of the stream. This must be because the Rabbis set a higher standard. Tosaf.: 'and he shall put' implies that the water is regarded as detached water, which can be defiled, though actually it is running water, as stated, and consequently this proves that by Scriptural law sacred water cannot be made clean by 'levelling' (v. p. 158, n. 4). for levelling only renders it as attached water, whereas we see here that even when attached it is regarded as detached. And just as Scripture thus sets a higher standard for sacred water, so did the Rabbis set a higher standard for terumah. — Maharsha observes (on Rashi's explanation) that he does not see how this proves that the Rabbis set a higher standard even when they were verbally sanctified.

Talmud - Mas. Pesachim 35a

but it is a higher standard; so here too it is a higher standard.[1] R. Shimi b. Ashi said, We too learned thus: When he [an unclean person] has a ritual bath, he may eat tithe; when the sun sets,[2] he may eat terumah. [Thus] only terumah, but not sacred food.[3] Yet why so? He is clean? But [you must say] it

is a higher standard; so here too it is a higher standard. R. Ashi said, we too learned [thus]: And the flesh:[4] this is to include fuel and frankincense.[5] Are then fuel and frankincense capable of being defiled?[6] But [you must say] it is a higher standard;[7] so here too it is a higher standard.

MISHNAH. THESE ARE THE COMMODITIES WITH WHICH A MAN DISCHARGES HIS OBLIGATION ON PASSOVER:[8] WITH WHEAT, WITH BARLEY, WITH SPELT, WITH RYE,[9] AND WITH OATS. AND THEY DISCHARGE [IT] WITH DEMAI,[10] WITH FIRST TITHE WHOSE TERUMAH HAS BEEN SEPARATED, AND WITH SECOND TITHE OR HEKDESH WHICH HAVE BEEN REDEEMED;[11] AND PRIESTS [CAN DISCHARGE THEIR OBLIGATION] WITH HALLAH AND TERUMAH. BUT [A MAN CAN]NOT [DISCHARGE HIS OBLIGATION] WITH TEBEL, NOR WITH FIRST TITHE WHOSE TERUMAH HAS NOT BEEN SEPARATED, NOR WITH SECOND TITHE OR HEKDESH WHICH HAVE NOT BEEN REDEEMED. [AS TO] THE [UNLEAVENED] LOAVES OF THE THANKSOFFERING[12] AND THE WAFERS OF A NAZIRITE,[13] IF HE MADE THEM FOR HIMSELF,[14] HE CANNOT DISCHARGE [HIS OBLIGATION] WITH THEM; IF HE MADE THEM TO SELL IN THE MARKET, HE CAN DISCHARGE [HIS OBLIGATION] WITH THEM.

GEMARA. A Tanna taught: Kusmin [spelt] is a species of wheat; oats and rye are a species of barley; kusmin is gulba; shipon is dishra; shiboleth shu'al is foxears.[15]

Only these[16] [are fit],[17] but not rice or millet. Whence do we know it? — Said R. Simeon b. Lakish, and thus the School of R. Ishmael taught, and thus the school of R. Eliezer b. Jacob taught, Scripture saith, Thou shalt eat no leavened bread with it,' seven days shalt thou eat unleavened bread therewith:[18] [with regard to] commodities which come to the state of leaven, a man discharges his obligation with unleavened bread [made] thereof; thus these are excluded, which do not come to the state of leaven but to the state of decay.

Our Mishnah does not agree with R. Johanan b. Nuri, who maintains: Rice is a species of corn, and kareth[19] is incurred for [eating it in] its leavened state. For it was taught: R. Johanan b. Nuri Prohibits [the use of] rice and millet, because it is near to turn leaven. The scholars asked: does 'because it is near to turn leaven' mean that it quickly becomes leaven,[20] or perhaps it is near to leaven, but is not completely leaven?[21] — Come and hear: For it was taught, R. Johanan b. Nuri said: Rice is a species of corn and kareth is incurred for [eating it in] its leavened state, and a man discharges his obligation with it on Passover. And thus R. Johanan b. Nuri used to say, Karmith [cow-wheat] is subject to hallah. What is karmith? — Said Abaye: Shezanitha [weed]. What is Shezanitha? Said R. Papa: A weed found among kalnitha.[22]

Rabbah b. Bar Hanah said in the name of Resh Lakish: [As to] dough which was kneaded with wine, oil or honey, kareth is not incurred for [eating it in] its leavened state.[23] Now, R. Papa and R. Huna son of R. Joshua sat before R. Idi b. Abin, while R. Idi b. Abin was sitting and dozing. Said R. Huna son of R. Joshua to R. Papa: What is Resh Lakish's reason? — He replied, Scripture saith, Thou shalt eat no leavened bread with it etc.: [In the case of] the commodities with which a man discharges his obligation in respect of unleavened bread, kareth is incurred for [eating them in] their leavened state; but [with regard to] this [dough], since a man cannot discharge his obligation therewith, because it is rich mazzah,[24] kareth is not incurred for its leaven. R. Huna son of R. Joshua objected to R. Papa: If he dissolves it[25] and swallows it, if it is leaven, he is punished with kareth; while if it is unleavened bread, he does not discharge his obligation therewith on Passover.[26] Now here, though a man does not discharge his obligation therewith as unleavened bread, yet kareth is incurred for its leaven? — [Thereupon] R. Idi b. Abin awoke [and] said to them, Children! This is the reason of Resh Lakish, because they are fruit juice,[27]

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(1) Sc. that the resowing of terumah does not permit it to be eaten (supra 34a).

(2) Lit., ‘his sun makes evening’.
(3) If his uncleanness requires a sacrifice, e.g.. in the case of a zab, he may not eat sacred food until he has brought the sacrifice, though he is completely clean.
(4) Lev. VII, 19.
(5) V. supra 24b and notes a.l.
(6) Surely not, as they are not eatables!
(7) Though fuel and frankincense cannot usually be defiled, a higher standard is set when they are to be used in the sacred service.
(8) Unleavened bread is obligatory on the first night of Passover, as it is written, on the fourteenth day of the month at even ye shall eat unleavened bread (Ex. XII, 18). The Mishnah enumerates the species of corn with which this unleavened bread, eaten as an obligation, can be made.
(9) Jast.: others: oats.
(10) V. Glos.
(11) One tenth (tithe) of the produce, called the first tithe, was given to the Levite, and he in turn gave a tenth thereof, called the terumah of tithe, to the priest. Another tenth of the produce, called the second tithe, was eaten by its owners (Israelites, as opposed to Levites and priests) in Jerusalem, or redeemed and the redemption money was expended in Jerusalem. Hekdesh (q.v. Glos.) could be similarly redeemed. The second tithe reference in the Mishnah is to places outside Jerusalem.
(12) The thanksoffering was accompanied by forty loaves, thirty of which were unleavened.
(13) V. Num. VI, 15.
(14) For his own sacrifice.
(15) Ears of corn foxtailed in shape. — The other words are the Aramaic in general use.
(16) Enumerated in our Mishnah.
(17) For making unleavened bread as defined on p. 160, n. 8.
(18) Deut. XVI, 3.
(19) V. Glos.
(20) And therefore it is altogether forbidden on Passover, as it turns leaven before it can be baked.
(21) I.e., it can never become completely leaven. Hence R. Johanan b. Nuri prohibits its use on the first night for the fulfilment of one's obligations.
(22) Papaver Spinosum (Jast.).
(23) If no water at all was used in kneading it.
(24) Unleavened bread made with wine etc., is a rich confection, whereas Scripture prescribes ‘bread of poverty’ (E.V. affliction — Deut. XVI, 3).
(25) Sc. bread.
(26) Because swallowing soaked bread is not eating.
(27) Sc. wine, oil or honey, date-honey being meant.

Talmud - Mas. Pesachim 35b

and fruit juice does not cause fermentation.[1]

AND THEY DISCHARGE THEIR OBLIGATION WITH DEMAI AND WITH THE FIRST TITHE etc. DEMAI? But it is not fit for him?[2] — Since if he wishes he can renounce his property, become a poor man, and eat demai,[3] it is fit for him now too. For we learned: The poor may be fed with demai, and [Jewish] troops [in billets] [may be supplied] with demai.[4] And R. Huna said, It was taught: Beth Shammai maintain: The poor may not be fed with demai, nor troops in billets; but Beth Hillel rule: The poor may be fed with demai, also troops in billets.

FIRST TITHE WHOSE TERUMAH HAS BEEN SEPARATED. That is obvious? Since its terumah has been separated, it is hullin?[5] — It is necessary [to teach it] only where he anticipated it [in setting it aside[6] while the corn was still] in the ears, and terumah of the tithe was taken from it, but the great terumah was not taken from it,[7] this being in accordance with R. Abbahu. For R.

Abbahu said in the name of Resh Lakish: First tithe which he anticipated [the setting aside thereof] in the ears is exempt from the great terumah, for it is said, then ye shall offer up an heave offering of it for the Lord, a tithe of the tithe:[8] I ordered thee [to offer] 'a tithe of the tithe', but not the great terumah plus the terumah of the tithe 'of the tithe'. Said R. Papa to Abaye: If so, even if he anticipated it in the stack too,[9] let it be exempt? — For your sake Scripture writes, out of all you,' gifts ye shall offer every heave offering of the Lord,[10] he answered him. And what [reason] do you see [to interpret thus]?[11] — The one has become corn [dagan], while the other has not become corn.[12]

THE SECOND TITHE AND HEKDESH WHICH HAVE BEEN REDEEMED etc. That is obvious? — We treat here of a case where he assigned[13] the principal but did not assign the fifth:[14] and he [the Tanna] informs us that the fifth is not indispensable.[15]

AND PRIESTS [DISCHARGE THEIR OBLIGATION] WITH HALLAH AND TERUMAH etc. This is obvious? — You might say, We require unleavened bread that is equally permitted] to all men. Therefore he informs us, [the repetition] 'unleavened bread', 'unleavened bread',[16] is an extension.

BUT NOT WITH TEBEL etc. That is obvious? — It is necessary [to teach it] only of tebel made so by Rabbinical law, e.g., if it was sown in an unperforated pot.[17]

NOR WITH FIRST TITHE WHOSE TERUMAH HAS NOT BEEN SEPARATED. That is obvious? — It is necessary [to state it] only where it had been anticipated [and set aside] in the pile.[18] You might argue as R. Papa proposed to Abaye;[19] hence he [the Tanna] informs us [that it is] as Abaye answered him.

NOR WITH SECOND TITHE OR HEKDESH WHICH HAVE NOT BEEN REDEEMED etc. That is obvious? — It is necessary only where they have been redeemed; and what does they 'HAVE NOT BEEN REDEEMED' mean? That they have not been redeemed with their regulations.[20] [Thus:] it is second tithe which he redeemed with uncoined metal,[21] for the Divine Law states, And thou shalt bind up [we-zarta] the money in thine hand,[22] [implying], that which bears a figure [zurah].[23] [Again it is] hekdesh which was secularized[24] by means of land,[25] for the Divine Law stated, Then he shall give the money and it shall be assured to him.[26]

Our Rabbis taught: One might think that a man can discharge his obligation with tebel which was not made ready.[27] (But surely all tebel indeed has not been made ready! — Rather say, with tebel which was not made ready with all its requirements, the great terumah having been separated from it whereas the terumah of tithe was not separated from it; [or] the first tithe, but not the second tithe, or even the poor tithe).[28] Whence do we know it?[29] Because it is stated, thou shalt not eat leavened bread with it:[30] teaching, [you must eat of] that the interdict of which is on account of 'thou shalt not eat leavened bread with it', thus this is excluded, for its interdict is not on account of 'thou shalt not eat leavened bread with it' but on account of 'thou shalt not eat tebel'.[31] Yet whither has the interdict of leaven gone?[32] — Said R. Shesheth, The author of this is R. Simeon, who maintained, A prohibition cannot fall[33] upon another prohibition.[34] For it was taught, R. Simeon said:

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(1) I.e., 'leavening'.

(2) Demai may not be eaten until the tithe has been separated.

(3) A poor man need not separate tithe on demai.

(4) They too are regarded as poor, since they are not at home.

(5) I.e., permitted for food.

(6) Sc. the separation of the first tithe.

(7) The great terumah is a portion of the produce, unspecified by Scripture (the Rabbis prescribed from one fortieth to

one sixtieth, according to the owner's generosity), which is the priest's due; for terumah of tithe v. note on Mishnah supra 35a. The great terumah must be separated first, and then the first tithe. But here the order was reversed and the Israelite separated his tithe while the grain was yet in the ears.
(8) Num. XVIII, 26.
(9) I.e.. when it is no longer in the ears but piled up in stacks.
(10) Ibid. 29; i.e. 'all' is an extension, and shows that the offering is due even in such a case. — 'For your sake' or, 'concerning you' — to refute this possible view.
(11) To apply the limitation of the first verse to the one case and the extension of the second to the other — perhaps it should be reversed?
(12) The priestly due, i.e., the great terumah, is 'the firstfruits of thy corn' (Deut. XVIII, 4). Hence once it is piled up as corn it is due, and the Israelite cannot then evade his obligations by reversing the order. But before it is piled up there is no obligation for the great terumah; therefore if the Levite receives his first tithe then he is not defrauding the priest.
(13) Lit., 'gave' — for redemption.
(14) When a man redeemed second tithe or hekdesh he added a fifth of its value.
(15) To the validity of the redemption, and the redeemed produce may be consumed anywhere, even though the fifth has not been added.
(16) This may refer either to Deut. XVI, 4, 8, or in general to the fact that 'unleavened bread' is repeated several times.
(17) According to Scriptural law such is not tebel at all, and therefore I would think that a man discharges his obligation therewith.
(18) The tithe having been separated but not the great terumah.
(19) That it is exempt, supra.
(20) Lit., 'laws'.
(21) V. B.M. 47b for the meaning asimon.
(22) Deut. XIV, 25.
(23) The image stamped on the coin. This connects zarta with zurah.
(24) I.e., redeemed, whereby the hekdesh assumes an ordinary, non-holy character.
(25) I.e.. land was given for its redemption.
(26) I.e.,it can be redeemed by money, but not by land. Actually there is no such verse, but v. B.M., Sonc. ed. p. 321, n. 1.
(27) For eating, by separating the priestly and the Levitical dues.
(28) In the first, second, fourth, and fifth years after the 'years of release' (shemittah) the first and second tithes were separated. In the third and sixth years, the first and third tithes were separated, the latter being a poor tithe, i.e., it belonged to the poor.
(29) That he cannot discharge his obligation therewith.
(30) Deut. XVI, 3.
(31) I.e., the unleavened bread which one must eat must be such that, if leavened, it would be forbidden because it is leavened. But in the case of tebel, if it were leavened it would be forbidden because it is tebel.
(32) Surely it is still forbidden on account of leaven, tebel merely being an additional prohibition?
(33) I.e., become operative.
(34) I.e., when a thing is already forbidden on one score, another interdict cannot become operative at the same time. Thus here the prohibition of tebel is earlier; consequently the fact that it subsequently became leaven too is ignored, and it is regarded as prohibited on account of tebel only.

Talmud - Mas. Pesachim 36a

He who eats nebelah on the Day of Atonement is not liable [to a sin-offering].[1] Rabina said, You may even say [that it agrees with] the Rabbis: [the meaning is] that the interdict which is on account of thou shalt not eat leavened bread with it' alone, thus this is excluded, for its interdict is not on account of 'thou shalt not eat leavened bread with it' alone, but also on account of 'thou shalt not eat tebel'. Is then 'alone' written?[2] — Rather, it is clearly as R. Shesheth [stated].

Our Rabbis taught. You might think that a man can discharge his obligation with second tithe in

Jerusalem; therefore it is stated, the bread of affliction [‘oni],[3] teaching, [it must be] that which may be eaten in grief [aninuth].[4] thus this is excluded, which is not eaten in grief but [only] in joy:[5] this is the view of R. Jose the Galilean. R. Akiba said: [The repetition of] ‘unleavened bread’, ‘unleavened bread’, is an extension.[6] If so, what is taught by ‘bread of affliction’ [‘oni]? It excludes dough which was kneaded with wine, oil, or honey.[7] What is R. Akiba's reason? — Is then lehem [bread of] ‘oni [grief] written? Surely ‘ani [poverty] is written.[8] And R. Jose the Galilean?[9] — Do we then read it ‘ani? Surely we read it ‘oni. And R. Akiba? — The fact that we read it ‘oni [is explained] as Samuel's [dictum]. For Samuel said: Bread of ‘oni [means] bread over which many words are recited [‘onin].[10] Yet does R. Akiba hold [that] dough which was kneaded with wine, oil, or honey is not [fit]? Surely it was taught: Dough must not be kneaded on Passover with wine, oil, or honey; and if one did knead it, — R. Gamaliel said: It must be burnt immediately;[11] while the Sages say: It may be eaten. Now R. Akiba related: I was staying [one Passover] with R. Eliezer and R. Joshua, and I kneaded dough for them with wine, oil or honey, and they said nothing to me. And though one may not knead, yet one may smooth the surface with them, — this is according to the first Tanna. But the Sages maintain: With that with which one may knead, one may smooth, while with that with which one may not knead, one may not smooth. And they ail agree that dough may not be kneaded with lukewarm [water]![12] — There is no difficulty: the one refers to the first day of the Festival; the other, to the second day of the Festival.[13] As R. Joshua b. Levi said to his sons: For the first day[14] do not knead [it] for me with milk;[15] from then onwards knead it for me with milk. But it was taught: Dough must not be kneaded with milk, and if one does knead it, the whole loaf is forbidden, because it leads to sin?[16] Rather, he said this: For the first day do not knead it for me with honey; from then onwards knead [it] for me with honey. Alternatively I can say: After all it means with milk, [but] as Rabina said, [When made] like the eye of an ox, it is permitted;[17] so here too, [it was] like the eye of an ox.

‘And they all agree that dough may not be kneaded with lukewarm [water]’. Why is it different from meal-offerings: for we learned: All meal-offerings[18] are kneaded with lukewarm water, and he [the official in charge] guards them that they should not become

in connection with the eating of unleavened bread on the night of Passover. leaven? — If this was said of [very] careful men [priests], shall it [also] be said of those who are not careful?[19] If so, let it also be permitted to wash [the grain];[20] why did R. Zera say in the name of Rabbah b. Jeremiah in Samuel's name: The wheat for meal-offerings must not be washed? — The kneading was done by careful men, but the washing would not be done by careful men.[21] Yet must the kneading be done by careful men [priests]; surely it is written, and he shall bring it to Aaron's sons the priests: and he shall take thereof his handful.’[22] from the taking of the handful and onwards is the duty of the priesthood; this teaches concerning the pouring [of oil] and the mixing,[23] that it is valid [when done] by any man? — The kneading, granted that it is not [done] by careful men, yet it is [done] in the place of careful men.[24] For a Master said: The mixing is valid [if done] by a lay Israelite; [but if done] without the wall[s] of the Temple Court, it is invalid. Thus this excludes washing, which is not [done] by careful men nor in the place of careful men. And wherein do they [all other meal-offerings] differ from the meal-offering of the ‘omer,[25] for it was taught: The meal-offering of the ‘omer is washed and heaped up?[26] — A public [offering] is different.[27] Our Rabbis taught: You might think that a man discharges his duty with first fruits,[28] therefore it is stated, in all your habitations shall ye eat unleavened bread,[29] teaching, [it must be] unleavened bread which is eaten in all your habitations, thus excluding first fruits, which may not be eaten in all your habitations save in Jerusalem [alone]: this is the view of R. Jose the Galilean. R. Akiba said: Unleavened bread and bitter herbs [are assimilated]:[30] just as bitter herbs which are not first fruits [are required],[31] so unleavened bread which is not first fruits [must be eaten]. If so, just as bitter herbs of a species not subject to first fruits [are required], so unleavened bread of a species [of grain] not subject to first fruits [is meant],

(1) Which eating on the Day of Atonement usually incurs, the reference being to eating in ignorance. The reason is that since it is forbidden on the score of nebelah, the interdict of the Day of Atonement cannot take effect. Thus the same applies here.
(2) Surely not! Scripture does not imply this at all.
(3) Deut. XVI, 3.
(4) Connecting 'oni (עני) with anah (אנה) to mourn or grieve, though the former is spelled with an ע, while the latter is with an א,these letters often being interchangeable in Semitic languages. — Aninuth denotes the state of grief between the death of a near relative, e.g., one's father, and his burial, the bereaved person then being called an onen.
(5) An onen (v. preceding note) may not eat second tithe, cf. Deut. XXVI, 14:]I have not eaten thereof (sc. second tithe) in my mourning
(6) V. supra 35b and note a.l. Thus it includes second tithe.
(7) Which makes it into 'rich' mazzah. The phrase is now translated: bread of poverty. from 'ani (עני) poor.
(8) Though the word is read 'oni, as though spelled with a waw (עוני), it is actually written 'ani (עני), without a waw.
(9) How does he rebut this?
(10) A long liturgical service — called the haggadah — is read
(11) R. Gamaliel holds that it ferments too quickly, and so to prevent it from becoming leaven it must be burnt immediately. But the Sages hold that it can be baked before it is leaven.
(12) This causes fermentation very quickly.
(13) On the night of the first day the mazzah must be 'bread of poverty', whereas this is a rich mazzah; hence it cannot be used. But on the second night any mazzah is permissible.
(14) I.e., Passover night.
(15) This too makes a 'rich' bread.
(16) One may come to eat it with meat. This refers to the whole year.
(17) I.e., when made very small, so that it is at once entirely eaten up, and nothing is left for later.
(18) Which were offered unleavened.
(19) This is the answer. The preparing of unleavened bread for meal-offerings was in the hands of priests, who were very careful and could be relied upon not to permit it to ferment. But unleavened bread for Passover is made in every home, and the people could not be trusted to take so much care.
(20) I.e., to soak it slightly in water and then pound it so as to remove the bran and make a fine flour.
(21) This was not the priest's duty.
(22) Lev. II, 2.
(23) Which preceded the taking of the handful; v. ibid. 1, 2.
(24) I.e., in the Temple Court, which is frequented by priests, and these would take heed that whoever kneaded it should not permit fermentation.
(25) V. Glos.
(26) For the water to drain off.
(27) This was a public offering, and everything in connection with it, right from the harvesting of the grain, was done under competent guidance and vigilance.
(28) E.g., a priest to whom an Israelite brought the first fruits of his wheat harvest.
(29) Ex. XII, 20.
(30) Num. IX, 11: they shall eat it with unleavened bread and bitter herbs.
(31) For only the seven species enumerated in Deut. VIII, 8, ('a land of wheat and barley, and vines and fig trees and pomegranates; a land of oil olive and honey') are subject to the law of first fruits.

Talmud - Mas. Pesachim 36b

[and] I will [thus] exclude wheat and barley, which species are subject to first fruits? Hence [the repetition,] 'unleavened bread', unleavened bread',[1] is stated as an extension. If [the repetition] 'unleavened bread, unleavened bread' is an extension, then even first fruits too [may be included]? — R. Akiba retracted.[2] For it was taught: You might think that a man can discharge his obligation with first fruits. Therefore it is stated, 'in all your habitations shall ye eat unleavened bread', teaching, [it must be] unleavened bread which is eaten in all your habitations, thus excluding first

fruits, which may not be eaten in all your habitations save in Jerusalem [alone]. You might think that I exclude second tithe too,[3] but [the repetition] 'unleavened bread', 'unleavened bread',is stated as an extension. But what [reason] do you see to include second tithe and exclude first fruits? — I include second tithe because it can be permitted [to be eaten] in all habitations,[4] in accordance with R. Eleazar, and I exclude first fruits, for which there is no permission in all habitations. For R. Eleazar said: Whence do we know in the case of second tithe that became defiled, that we can redeem it even in Jerusalem? From the verse, when thou art not able se'etho [to bear it].[5] Now se'eth[6] can only refer to eating, as it is said, And he took and sent mase'oth [messes] unto them from before him.[7] Now, whom do you know to maintain that he fulfils his obligation with second tithe? R. Akiba.[8] Yet he excludes first fruits through [the phrase] 'in all your habitations'.[9] This proves that he retracted.

And R. Jose the Galilean, let him deduce it from [the phrase] 'the bread of affliction ['oni]', implying, that which can be eaten in grief, thus excluding this [sc. first fruits], which can be eaten only in rejoicing?[10] — He holds as R. Simeon, For it was taught: First fruits are forbidden to an onen;[11] but R. Simeon permits [them]. What is the reason of the Rabbis?[12] — Because it is written, Thou mayest not eat within thy gates [the tithe of thy corn ... nor the heave-offering of thy hand],[13] and a Master said: 'The heave-offering of [terumoth] thy hand' means first fruits. Thus first fruits are assimilated to tithe: just as tithe is forbidden to an onen,[14] so are first fruits forbidden to an onen. And R. Simeon?[15] — The Divine Law designated them 'terumah', [hence they are] like terumah: just as terumah is permitted to an onen, so are first fruits permitted to an onen. Now R. Simeon: granted that he does not accept the hekdesh,[16] yet 'rejoicing' is nevertheless written in connection therewith, for it is written, and thou shalt rejoice in all the good etc.?[17] — That comes for the time of rejoicing.[18] For we learned: From Pentecost until the Festival [of Tabernacles] he [the Israelite] brings [the first fruits] and recites [the 'confession'];[19] between the Festival and Hanukkah[20] he brings [the first fruits] but does not recite [the 'confession'].

Our Rabbis taught: 'Bread of poverty', this excludes halut[21] and ashishah [pancake].[22] You might think that a man can discharge his obligation only with coarse bread;[23] therefore [the repetition] 'unleavened bread', 'unleavened bread', is stated as an extension, [intimating] even [if it is] like the unleavened bread of Solomon.[24] If so, why is 'bread of poverty' stated? To exclude halut and pancakes. And where is it implied that this [word] 'ashishah' denotes something of value?[25] — Because it is written, And he dealt among all the people, even among the whole multitude of Israel, both to men and women, to every one a cake of bread, and a good piece of flesh [eshpar] and an ashishah,[26] whereon R. Hanan b. Abba said: 'Eshpar' means one sixth [ehad mishshishah] of a bullock [par];ashishah means [a cake made with] one sixth of an ephah [of flour].[27] Now he differs from Samuel, for Samuel said: Ashishah is a cask of wine, for it is written, and love casks of [ashishe] grapes.[28]

Our Rabbis taught: One may not bake a thick loaf on Passover: this is the view of Beth Shammai;

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(1) V. supra 35b and note a.l.

(2) From, the view that unleavened bread and bitter herbs are assimilated in this respect, and he accepts the deduction of R. Jose the Galilean.

(3) In Jerusalem, since it may not be eaten outside Jerusalem.

(4) When it becomes defiled as explained below.

(5) Deut. XIV, 24; the next verse states, then thou shalt turn it into money.

(6) שאת, to bear.

(7) Gen. XLIII, 34. Thus he translates the first verse: If thou are not able to eat it — being defiled — then thou shalt turn it into money — i.e., redeem it.

(8) Supra 36a.

(9) Not by assimilating unleavened bread and bitter herbs.

(10) V. supra 36a. Why then does he deduce it from, 'in all your habitations'?
(11) V. supra p. 166, n. 4.
(12) I.e., the first view, which forbids.
(13) Deut. XII, 17.
(14) V. Deut. XXVI, 14.
(15) How does he justify his view?
(16) V. Glos. I.e., even if he rejects the comparison of first fruits and tithe.
(17) Ibid. 11; this refers to first fruits. Since rejoicing is required, an onen is automatically excluded.
(18) I.e., to teach that the first fruits must be brought to the priest, and the passage relative thereto, called the 'confession', recited at a time of natural rejoicing, viz., during the months of harvesting and collecting the produce from the fields.
(19) Sc. Deut. XXVI, 3-10.
(20) V. Glos. It generally falls towards the end of December.
(21) A rich bread made of dough prepared by stirring the flour with hot water.
(22) Where the dough is made compact and substantial by pressing (Jast.).
(23) Which is really 'bread of poverty'.
(24) I.e., made of the finest flour.
(25) Viz., a rich food.
(26) II Sam. VI, 19.
(27) E.V.: a cake of raisins.
(28) Hos. III, 1; i.e., of wine. E.V.: cakes of raisins.

Talmud - Mas. Pesachim 37a

but Beth Hillel permit it. And how much is a thick loaf?[1] Said R. Huna, A handbreadth, because thus we find in the case of the shewbread [that it was] a handbreadth.[2] To this R. Joseph demurred: If they [the Sages] said [this] of men of care,[3] did they say [it] of those who are not careful?[4] If they said [this] of well-kneaded bread, did they say [it] of bread that is not well-kneaded? If they said [this] of dry logs, did they say [it] of damp logs? If they said [this] of a hot oven, did they say [it] of a cool oven? If they said [this] of a metal oven, did they say [it] of an earthen oven?[5] Said R. Jeremiah b. Abba, I asked my teacher in private, and who is it? Rab — others state, R. Jeremiah b. Abba said in Rab's name, I asked my teacher in private, and who is it? Our holy Teacher.[6] What is [meant by] a thick bread? Bread in large quantity.[7] And why is it called a thick bread? Because it is much in kneading.[8] Alternatively, in the locality of this Tanna bread in large quantity is called thick bread.

[Then] what is the reason[9] if because he takes unnecessary trouble,[10] — why particularly on Passover: even on any [other] festival too [it is forbidden]? — That indeed is so, but this Tanna was engaged on[11] the festival of Passover. It was taught likewise:[12] Beth Shammai maintain: One may not bake thick bread on a festival,[13] while Beth Hillel permit it.

Our Rabbis taught: You discharge [your obligation] with fine bread,[14] with coarse bread,[15] and with Syrian cakes shaped in figures. although they [the Sages] said, Syrian cakes shaped in figures must not be made on Passover. Rab Judah said: This thing Boethus b. Zonin asked the Sages: Why was it said [that] Syrian cakes shaped in figures must not be made on Passover? Said they to him, Because a woman would tarry over it and cause it to turn leaven. [But], he objected, it is possible to make it in a mould, which would form it without delay.[16] Then it shall be said, replied they, [that] all Syrian cakes [shaped in figures] are forbidden, but the Syrian cakes of Boethus are permitted![17]

R. Eleazar b. Zadok said: I once followed[18] my father into the house of R. Gamaliel, and they placed[19] before him Syrian cakes shaped in figures on Passover. Said I, 'Father, did not the Sages say thus, One may not make Syrian cakes shaped in figures on Passover?' 'My son', he replied, 'they did not speak of [the cakes of] all people, but only of those of bakers'.[20] Others say, he said

thus to him: 'They did not speak of those of bakers, but [only] of those of private people'.[21]

R. Jose said: One may make Syrian cakes like wafers, but one may not make Syrian cakes like rolls. We learned elsewhere:[22] Sponge cakes,[23] honey cakes, paste-balls,[24] cakes made in a mould, and mixed dough[25] are exempt from hallah.[26] What are cakes made in a mould? — Said R. Joshua b. Levi: That is halut[27] of private people.[28] Resh Lakish said: These are prepared in an ilpes.[29] While R. Johanan maintained: Those which are prepared in an ilpes are liable [to hallah], but these [are exempt] because they were prepared in the sun.

An objection is raised: Sponge cakes, honey cakes, and pasteballs: if prepared in an ilpes, they are liable [to hallah]; if in the sun, they are exempt. This is a refutation of R. Simeon b. Lakish? Said 'Ulla, R. Simeon b. Lakish can answer you: The case we treat of here is where he [first] heated [the ilpes] and then placed [the dough in it].[30] But what [is the law] if he [first] placed [the dough] and then heated it? Are they indeed exempt! Then instead of teaching [in] the second clause, 'if prepared in the sun, they are exempt', let him draw a distinction in that itself and teach: When is that? E.g., if he heated [it] and then placed [the dough]; but if he [first] placed [the dough] and then heated it, they are exempt? There is a lacuna[in this teaching], and it was thus taught: When is that? If he heated [it] and then placed [the dough]; but if he first

for the shape to be exactly right and so may take too long over it. But private people are not so particular. placed [the dough] and then heated it, it becomes as though he prepared it in the sun, and they are exempt.

Come and hear: You discharge your duty with partially baked unleavened bread and unleavened bread which was prepared in an ilpes?[31] — Here too it means that he [first] heats it and then places [the dough]. What is partially baked unleavened bread?[32] — Said Rab Judah in Samuel's name: Whatever can be broken without threads dragging from it.[33]

Raba said: And the same [rule applies to] loaves of the thanksoffering.[34] That is obvious: 'bread' is written here and 'bread' is written there?[35] — You might say, since it is written, and he shall offer one

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(1) Which Beth Hillel permit.

(2) Though the shewbread was unleavened (Men. 27a).

(3) Sc. the priests.

(4) Unleavened bread for Passover is made by all, and many cannot exercise sufficient care to prevent the dough from fermenting when it is so thick.

(5) In the preparation of the shewbread all these conditions would be observed; but they might be absent in a private home.

(6) Viz., R. Judah ha-Nasi.

(7) Though baked in thin wafers.

(8) I.e., when sufficient dough is kneaded for many wafers.

(9) That Beth Shammai forbid it, seeing that we are actually dealing with thin wafers.

(10) In kneading so much at a time. Though food may be prepared on Festivals, unnecessary trouble is forbidden.

(11) Lit., 'standing at'.

(12) That it is forbidden because of the unnecessary labour.

(13) Here Passover is not mentioned.

(14) Bread made of fine meal.

(15) 'Ar.: thick bread.

(16) Lit., 'immediately'.

(17) Which is absurd. Most bakers lack these moulds!

(18) Lit., 'entered after'.

(19) Lit., ‘brought’.
(20) Who bake for sale. They are more particular
(21) Because professionals are more expert; also they may have moulds, and so can make them more quickly.
(22) This is the reading of Ran, and it is so emended here by Bah.
(23) Cakes made from a spongy dough.
(24) A kind of cake made of very loose dough.
(25) A dough of hullin into which there fell dough of terumah.
(26) V. Glos.
(27) V. p. 170. n. 14.
(28) I.e., home-made pancakes. They are not made like bread, and only dough made for bread is subject to hallah.
(29) Jast.: a tightly covered stew pot. I.e., it is not bread at all, Resh Lakish holding that only that which is baked in an oven is bread to be subject to hallah.
(30) When the ilpes is first heated it is similar to an oven.- Hidbik (הדביק) lit., ‘to cause to cleave’, the cake being pressed to the side of the pot, which was the ancient method of baking.
(31) Which proves that what is baked in an ilpes is bread, thus refuting R. Simeon b. Lakish.
(32) What is the minimum?
(33) It must be baked at least as much as that.
(34) The thanksoffering was accompanied by forty loaves, which were sanctified by the killing of the sacrifice. As soon as the loaves have arrived at this stage of baking as defined by Rab Judah, they become sanctified by the slaughtering of the sacrifice, and the sacrifice itself valid.
(35) Obviously then the same definition applies to both. Hallah: when ye eat of the bread of the land (Num. XV, 19); the thanksoffering: Lev. VII, 13: with cakes of leavened bread etc.

Talmud - Mas. Pesachim 37b

out of each oblation,[1] ‘one’ [intimating] that he should not take a broken-off piece, whereas here it is as broken off:[2] therefore he informs us [that it is not so].

An objection is raised: The me'isah,[3] Beth Shammai exempt it [from hallah], while Beth Hillel hold it liable [thereto]. The halitah,[4] Beth Shammai hold it liable [to hallah], while Beth Hillel exempt [it]. Which is ‘me'isah’ and which is ‘halitah’? ‘Me'isah’ is flour [poured] over boiling water; ‘halitah’ is boiling water [poured] over flour. R. Ishmael b. R. Jose ruled in his father's name [that] both are exempt — others state, that both are liable. But the Sages maintained: Both the one and the other, if prepared in an ilpes, each is exempt; in an oven, each is liable. Now according to the first Tanna, wherein does me'isah differ from halitah?[5] — Said Rab Judah in Samuel's name, and thus did R. Johanan — others state, R. Joshua b. Levi-say: Just as there is a controversy in respect of the one so is there a controversy in respect of the other, and they [the two clauses] are contradictory, he who learnt the one not having learnt the other.[6] Now it is at all events taught, ‘But the Sages maintain: Both the one and the other, if prepared in an ilpes, each is exempt; in an oven, each is liable’, which is a refutation of R. Johanan? — R. Johanan can answer you, It is dependent on Tannaim. For it was taught: You might think that me'isah and halitah are liable to hallah, therefore ‘bread’ is stated. R. Judah said: Nought is bread save that which is baked in an oven. Now R. Judah is identical with the first Tanna? Hence Surely they differ over that which is prepared in an ilpes: the first Tanna holds, That which is prepared in an ilpes is liable; while R. Judah holds, That which is prepared in an oven is exempt! — No: All (agree) that what is prepared in an ilpes is exempt, but they differ here, e.g., where he rebaked it in an oven,[7] the first Tanna holding [that] since he rebaked it in an oven, it is called ‘bread’; while R. Judah holds, Nought is bread save that which is baked in an oven from the very beginning, and since this was not baked in an oven from the very beginning, we do not call it ‘bread’. Raba said, What is R. Judah's reason? — Because it is written, ten women shall bake your bread in one oven:[8] bread which is baked in one oven is called bread, but that which is not baked in one oven is not called bread.[9]

Rabbah and R. Joseph were sitting behind R. Zera, and R. Zera was sitting in front of 'Ulla. Said Rabbah to R Zera, Ask 'Ulla: What if he placed [the dough] within,[10] and boiled it up[11] from without?[12] What shall I ask him, he replied, for if I ask him he will say to me, That then is the [very] preparation of an ilpes![13] — R. Joseph [then] said to R. Zera, Ask 'Ulla: What if he placed [the dough] inside and the flame is opposite it?[14] What shall I ask him, he replied. for if I ask him he will reply. Most poor people do this.[15]

R Assi said: Dough of second tithe, according to R. Meir,[16] is exempt from hallah; according to the Rabbis,[17] it is liable to hallah.

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(1) Ibid. 14.

(2) Since it is not completely baked.

(3) A paste made of flour poured over boiling water, contrad. to halitah, where the boiling water is poured over flour, as explained in the text.

(4) V. preceding note.

(5) The Mishnah is first dismissed and explained, and then the point of the objection is stated.

(6) Me'isah and halitah are alike in law. One Tanna holds that in both Beth Hillel are more lenient, while another holds that Beth Shammai are more lenient in both.

(7) Sc. that which was prepared in an ilpes in the first place.

(8) Lev. XXVI, 26.

(9) Hence this excludes the case where it is first treated In an ilpes.

(10) Rashi: in an ilpes. Tosaf: in an oven.

(11) I.e., heated it.

(12) Rashi: He placed a bread dough in an ilpes, baking it with an outside fire: is it bread or not? Tosaf: He placed in an oven such dough as is generally prepared in an ilpes: does this render it bread or not?

(13) Which is a point of issue between R. Johanan and Resh Lakish.

(14) The flame itself bearing directly on the ilpes, which causes it to bake more quickly.

(15) They cannot afford much fuel, and so they have the flame directly opposite it. Hence this cannot change its status.

(16) Who holds in Kid. 54b that second tithe is sacred, not secular property, but that the Almighty favored the Israelite by permitting him to eat it himself.

(17) Who hold that it is secular property.

Talmud - Mas. Pesachim 38a

[As to] unleavened bread of second tithe, according to R. Meir, a man cannot discharge his obligation therewith on Passover; according to the Sages, a man can discharge his obligation therewith on Passover. [With regard to] a citron[1] of second tithe, according to R. Meir he cannot discharge his obligation therewith on the Festival; according to the Sages, a man can discharge his obligation therewith on the Festival. R. Papa demurred: as for dough, it is well, because it is written, of the first of your dough,[2] [implying] of your own.[3] The citron too [is likewise], for it is written, and ye shall take unto yourselves,[4] [implying] it shall be of your own.But as for unleavened bread, is then 'your unleavened bread' written?[5] — Said Raba — others state, R. Yemar b. Shalmia: [The meaning of] 'bread' [here] is derived from 'bread' [elsewhere]. Here It is written, the bread of affliction.[6] while there it is written, then it shall be, that when ye eat of the bread of the land [ye shall offer up an heave offering unto the Lord. Of the first of your dough etc.]:[7] just as there [it means] of your own, so here too [it must be] of your own.

Shall we say that [the following] supports him: Dough of second tithe is exempt from hallah: this is the view of R. Meir; but the Sages maintain, It is liable? [You say], 'Shall we say that this Supports him': this is the identical statement! — This is what he says: Shall we say that since they differ in the case of dough, they differ in respect to those too;[8] or perhaps it is different there, because 'your dough' 'your dough' is written twice?[9]

R. Simeon b. Lakish asked: Can a man discharge his obligation[10] with the hallah of second tithe in Jerusalem? On the view of R. Jose the Galilean[11] there is no problem; seeing that he does not fulfil his obligation with hullin,[12] can there be a question about its hallah? Your question arises on the view of R. Akiba:[11] is it only with hullin that he can discharge his obligation. because if it is defiled it is permitted in [all] 'habitations',[13] but with hallah, which if defiled, is not permitted in [all] the 'habitations' and is consigned to the fire,[14] he cannot discharge his obligation: or perhaps we say, since if he had not designated it with the name [of hallah] and it became defiled, it would be permitted in [all] the 'habitations', and he could discharge [his obligation therewith], then now too he can discharge [his obligation with it]?[15]

Others state, this is certainly no question. for we certainly say 'since'.[16] Your question arises in respect of hallah which was bought with the money of second tithe.[17] Now, on the view of the Rabbis there is no question, for since they say that it[18] is to be redeemed, it is [identical with] the tithe [itself].[19] Your question arises on the view of R. Judah who said, It must be buried. For we learned: If that which was bought with second tithe money was defiled, it must be redeemed: R. Judah said, It must be buried.[20] Do we say, since if it were not purchased. and since if he had not designated it with the name [of second tithe] and it became defiled,it would be permitted in [all] 'habitations', and he could discharge his duty therewith, he can [therefore] discharge his duty therewith now too;[21] or perhaps we say one 'since',[22] but we do not say 'since twice?[23] — said Raba: It is logical that the name of tithe is one.[24]

THE UNLEAVENED LOAVES OF THE THANKSOFFERING AND THE WAFERS OF A NAZIRITE etc. Whence do we know it? — Said Rabbah, Because Scripture saith,

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(1) One of the four species which are taken on the Feast of Tabernacles.

(2) Num. XV, 20.

(3) And whereas according to R. Meir second tithe is not 'your own'.

(4) Lev. XXIII, 40.

(5) Surely not! Therefore even if second tithe is not 'yours' according to R. Meir, the law is still complied with by eating second tithe, unleavened bread.

(6) Deut. XVI, 3.

(7) Num. XV, 19.

(8) Sc. the citron and unleavened bread.

(9) Which lays particular emphasis on 'your', as explained above.

(10) Relating to the eating of unleavened bread.

(11) V. supra 36a.

(12) I.e., with ordinary second tithe after the hallah has been separated.

(13) This is a technical term denoting all places outside Jerusalem. I.e., when defiled it can be redeemed even after it has entered Jerusalem and then eaten anywhere. The fact that it might be eaten anywhere strengthens the reason for assuming that one can discharge his obligation with it, v. supra 36b.

(14) Hallah is like terumah. Now when the hallah of second tithe is clean it must be eaten in Jerusalem, like all second tithe, while if it is defiled it may not be eaten at all, like all unclean terumah. Thus it can never be eaten without Jerusalem.

(15) For the mere fact that it is hallah is no drawback, as stated in the Mishnah supra 36a, while its being second tithe is not a drawback either, on R. Akiba's view. Why then should it be unfit if it is hallah of second tithe?

(16) I.e., this last argument is certainly valid.

(17) I.e., second tithe was redeemed, flour was bought with the money, and now hallah was separated from the dough.

(18) I.e., that which was purchased with second tithe money and which in turn became defiled, v. infra.

(19) And the same law applies.

(20) Its sanctity is too slight to permit of redemption. while it may not be eaten on account of its uncleanness.

(21) I.e., the food that is purchased with second tithe money cannot be more stringently regarded than second tithe itself.

For the fact that it cannot be redeemed is not due to its greater sanctity but on the contrary because its sanctity is too slight to be capable of transference.

(22) I.e.,in the case of hallah set aside from the second tithe.

(23) I.e.,in the case of hallah set aside from that which has been purchased with second tithe money.

(24) Whether it is actual tithe or bought with tithe money. Hence they are alike, and therefore he can fulfil his obligations with the hallah set aside from either.

Talmud - Mas. Pesachim 38b

And ye shall guard the unleavened bread:[1] [it must be] unleavened bread which is guarded for the sake of [the precept of eating] unleavened bread, thus excluding this, which is guarded not for the sake of unleavened bread but for the sake of a sacrifice. R. Joseph said, Scripture saith, seven days shall ye eat unleavened bread:[2] [that implies] unleavened bread which may be eaten seven days. thus excluding this, which is not eaten seven days but [only] a day and a night.[3] It was taught in accordance with Rabbah; it was taught in accordance with R. Joseph. It was taught in accordance with Rabbah: You might think that he can discharge his obligation with the loaves of the thanksoffering and the wafers of a nazirite, therefore it is stated, 'And ye shall guard the unleavened bread', teaching [that it must be] unleavened bread which is guarded for the sake of [fulfilling the obligation of eating] unleavened bread, thus excluding this which is guarded not for the sake of unleavened bread but for the sake of a sacrifice. It was taught in accordance with R. Joseph: You might think that a man can discharge his obligation with the loaves of the thanksoffering and the wafers of a nazirite; therefore it is said, 'seven days ye shall eat unleavened bread', implying, unleavened bread which may be eaten seven days. thus excluding this, which may not be eaten seven days but [only] a day and a night.

Yet deduce it from [the fact that it is designated], 'the bread of affliction', teaching, [it must be] that which may be eaten in grief, thus excluding this, which is not eaten in grief but [only] in joy? — He holds as R. Akiba, who said, 'ani' is written.[4] Then let him deduce it [from the fact] that it is rich unleavened bread?[5] Said R. Samuel b. R. Isaac: There is [only] a rebi'ith [of oil], and it is divided among many loaves.[6] Yet deduce it [from the fact] that they might not be eaten in all habitations?[7] — Said Resh Lakish: This proves that the loaves of the thanksoffering and the wafers of the nazirite could be eaten in Nob and Gibeon.[8]

It was taught. R. Il'ai said: I asked R. Eleazar, How about a man discharging his obligation with the loaves of the thanksoffering and the wafers of a nazirite? I have not heard, replied he. [So] I went and asked it before R. Joshua. Said he to me, Surely they [the Sages] said: [AS TO] THE [UNLEAVENED] LOAVES OF THE THANKS OFFERING AND THE WAFERS OF A NAZIRITE, IF HE MADE THEM FOR HIMSELF, HE CANNOT DISCHARGE HIS OBLIGATION WITH THEM; IF TO SELL IN THE MARKET, HE CAN DISCHARGE HIS OBLIGATION WITH THEM. When I went and discussed the matter before R. Eleazar, he said to me, By the covenant! These are the very words which were stated to Moses at Sinai. Others state: By the covenant! Are these the very words which were stated to Moses at Sinai? And is not a reason required?[9] And what is the reason? — Said Rabbah: Whatever is for market, he may change his mind [about it]. and he says, 'If it is sold, it is sold; if it will not be sold, I will discharge my duty with it'.

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(1) Ex. XII, 17 E.V. translates differently.

(2) Ibid. 15.

(3) V. Lev. VII, 15.

(4) v. Supra 36a for this passage.

(5) Since he follows the written text, ani, viz., poverty; for the unleavened cakes brought with a sacrifice were kneaded with oil, which makes them 'rich' bread (supra 36a).

(6) Only a quarter log of oil was used in the kneading of twenty large loaves: this would not make it rich mazzah.
(7) I.e., outside the walls of Jerusalem; v. supra 36a.
(8) Before the building of the Temple, Israel sacrificed at the 'high places'. altars being erected at Nob and Gibeon, amongst other places. Resh Lakish observes that since we do not deduce the present law from the fact that these loaves might not be eaten in all 'habitations', it follows that there was a time when they were eaten without Jerusalem, viz., during the period of the high places at Nob and Gibeon, v. Zeb. 112b. There is an opposing view, that of R Simeon, that the thanksoffering and the sacrifices of a nazirite could not be offered at the high places. v. Meg. 9b.
(9) Do you claim a divine origin for them that you draw this distinction without stating its grounds?

Talmud - Mas. Pesachim 39a

MISHNAH. AND THESE ARE THE HERBS WITH WHICH A MAN DISCHARGES HIS OBLIGATION ON PASSOVER:[1] WITH LETTUCE [HAZARETH]. WITH T A M K A,[2] WITH H A R H A B I N A,[3] WITH ENDIVES ['ULSHIN] AND WITH MAROR.[4] THE LAW IS COMPLIED WITH BY [EATING THEM] BOTH MOIST [FRESH] AND DRY, BUT NOT PRESERVED [IN VINEGAR], NOR STEWED NOR BOILED.[5] AND THEY COMBINE TO THE SIZE OF AN OLIVE.[6] AND YOU CAN DISCHARGE [YOUR OBLIGATION] WITH THEIR STALK[S]. AND WITH DEMAI, AND WITH FIRST TITHE THE TERUMAH OF WHICH HAS BEEN SEPARATED, AND WITH HEKDESH AND SECOND TITHE WHICH HAVE BEEN REDEEMED.[7]

GEMARA. H A Z E R E T H is hassa [lettuce]; 'U L S H I N is hindebi [endives]. TAMKA: Rabbah b. Bar Hanah said: It is called temakta.[8] H A R H A B I N A: R. Simeon b. Lakish said: [It is] the creeper of the palm tree. AND WITH MAROR: merirta.[9]

Bar Kappara taught: These are the herbs with which a man discharges his obligation on Passover: with endives, with tamka, with harhallin,[10] with harhabinin,[11] and with lettuce. R. Judah said: Also with wild [field] endives and with garden endives and with lettuce. 'Garden endives and lettuce': but that is taught in the first section?[12] — This is what he says: Wild endives too are like garden endives and lettuce. R. Meir said: Also with 'aswaws, and tura and mar yero'ar.[13] Said R. Jose to him: 'Aswaws and tura are one; and mar is yero'ar.[14]

The School of Samuel taught: These are the herbs with which a man discharges his obligation on Passover: With lettuce, with endives, with tamka, with harhabinin, with harginin,[15] and with hardofannim.[16] R. Judah said: Hazereth yolin [thistles] and willow lettuce too are like them. R. Judah said in R. Eliezer's name: 'Arkablin too,[17] but I went about to all his [sc. R. Eliezer's] disciples and sought a companion[18] but did not find one, but when I came before R. Eleazar b. Jacob he agreed with my words. R Judah said: Whatever [plant which] contains an acrid [pungent] sap. R. Johanan b. Berokah said: Any [plant] the leaves of which look faded [bleached]. Others say: Every bitter herb contains an acrid sap and its leaves are faded. R. Johanan said: From the words of all of them we may learn [that every] bitter herb contains an acrid sap and its leaves are faded.[19] R. Huna said: The halachah is as the 'Others'.

Rabina found R. Aha son of Raba going in search of merirta. Said he to him, What is [in] your mind: that it is more bitter? But we learned H A Z E R E T H; and the School of Samuel taught, Hazereth; while R. Oshaia said: The obligation is properly [fulfilled with] hazereth. And Raba said: What is hazereth? Hassa. What does hassa [symbolize]? That the Merciful One had pity [has] upon us. Further, R. Samuel b. Nahman said in R. Jonathan's name: Why were the Egyptians compared to maror?[20] To teach you: just as this maror, the beginning of which is soft while its end is hard,[21] so were the Egyptians: their beginning was soft [mild]. but their end was hard [cruel]![22] — Then I retract, he replied.

R. Rehumi said to Abaye: How do you know that this 'maror'[23] means a kind of herb; say that it is the gall of Kufia?[24] — It is like unleavened bread:[25] just as unleavened bread is a product of the earth,so "maror' means a product of the earth.Then say it is hirduf?[26] -It is like unleavened bread:[25] just as unleavened bread is a species of plant, so 'maror' means a species of plant. Then say it is harzipu?[27] — It must be like unleavened bread: just as unleavened bread is that which can be bought with second tithe money, so maror' is that which can be bought with second tithe money.[28]

Rabbah son of R.Hanin said to Abaye: Say that maror means one [herb]?[29] — Merorim [plural] is written. Then say that merorim means two? — It is like unleavened bread: just as unleavened bread [can be of] many species.[30] so [can] maror [be of] many species.

Rabbah son of R.Huna said in Rab's name: [Regarding] the herbs whereof the Sages ruled that a man can discharge his duty with them on Passover, they all may be sown in one garden bed. Is this to say that they are not [forbidden] on account of kil'ayim?[31] Raba objected: [Lettuce] and willow lettuce, [garden] endives and wild endives, [garden] leeks and wild leeks, [garden] coriander and wild coriander, mustard and Egyptian mustard [and] the Egyptian gourd and the bitter gourd, — all these are not kil'ayim with one another.[32] [Thus] only lettuce with willow lettuce, but not lettuce with endives?[33] And should you answer, They are all taught together, surely Rab said: He teaches them in pairs? What did Rab mean by 'they are sown'? They are sown according to their law.[34] [You say], 'According to their law'! but we [already) learned it:

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(1) Bitter herbs are eaten on the first two (in Palestine one) nights of Passover, v. Ex. XII, 8.

(2) A kind of cheveril (Jast.).

(3) A kind of creeper.

(4) Lit., 'bitter' (herb). A plant, prob. Cichorium ltybus. Succory (Jast.).

(5) Shelukin means boiled to a pulp; mebushalin, boiled in the usual manner.

(6) That is the minimum quantity which must be eaten; and it can be made up of all these.

(7) v. p. 161, n. I.

(8) Rashi: marrubium, hoarhound (Jast.).

(9) The Aramaic for maror.

(10) A prickly plant, thistles.

(11) Pl. of harhabina.

(12) What does R. Judah add?

(13) Names of bitter herbs. v. next note.

(14) Jast. ferule. Rashal reads: Aswaws and tura are one, and it is bitter (mar), and that is (what is called) mar yero'ar.

(15) Jast.: garden ivy.

(16) Wall ivy.

(17) Jast.: prickly creepers on palm trees, palm ivy.

(18) To support me, that he too had heard it from R. Eliezer.

(19) I.e., all the herbs mentioned by the foregoing teachers possess these two features.

(20) In Ex. I, 14 where the Hebrew for embittered is from the same root as maror.

(21) The top is soft, while the stalk hardens like wood.

(22) At first they dealt mildly with the Israelites, but subsequently treated them with great cruelty. All this was adduced by Rabina, to show that merirta was not preferable.

(23) Prescribed in Ex. XII, 8. Merorim, pl. of maror, is the actual word used there.

(24) Name of a fish, supposed to be identical with colias.

(25) To which it is placed in juxtaposition, ibid.

(26) Jast.: a shrub or tree with bitter and stinging leaves, supposed to be rhododaphne, oleander.

(27) Name of a bitter herb, not generally eaten.

(28) This excludes harzipu, for only what is generally eaten can be bought; v. Deut. XIV, 26: all the things enumerated there are normal victuals.

(29) Viz., the most bitter of all.

(30) V. Mishnah Supra 35a.
(31) V.Glos.
(32) Kil. I, 2.
(33) I.e., these are heterogeneous.
(34) I.e., on the contrary, care must be taken not to sow them together, and when they are in one garden-bed the proper space must be left between the separate species.

Talmud - Mas. Pesachim 39b

A garden-bed which is six handbreadths square, may be sown with five species of seeds, four on the four sides of the bed and one in the middle![1] — You might say that this applies only to seeds [cereals]. but not to vegetables;[2] therefore he[3] informs us [otherwise]. Shall we [then] say that vegetables are stronger than seeds?[4] But surely we learned: All Species of seeds may not be sown in one garden-bed [together]. [yet] all species of vegetables [herbs] may be sown in one seed-bed?[5] - You might say, This maror[6] is a species of seed [cereal]; hence he informs us [that it is not so].[7] [You say]. 'Seeds'! — Can you think so! But surely we learned, HERBS; and Bar Kappara [also] taught. 'Herbs'; and the School of Samuel [also] taught 'Herbs'?[8] - He needs [to state it about] lettuce:[9] I might argue. since it is destined to harden,[10] we must allow it more space. [For] did not R. Jose b. R. Hanina say: If the cabbage stalk hardens, more room is given to it [up to] a beth roba'?[11] This proves that since it is destined to harden, we allow it more space: so here too we should give it more space. Hence he[12] informs us [otherwise].

THE LAW IS COMPLIED WITH BY [EATING THEM] BOTH MOIST [FRESH] OR DRY etc. R. Hisda said: They learned this only of the stalk; but in the case of the leaves, only moist [fresh] ones, but not dry ones. But since a later clause states, WITH THEIR STALK, it follows that the first clause [refers to] leaves? [That clause] indeed gives an explanation: when does he [the Tanna] teach, BOTH MOIST AND DRY? In reference to the stalk.

An objection is raised: One can discharge [the obligation] with them and their stalks, both moist and dry: this is R. Meir's view. But the Sages maintain: One can discharge [the obligation] with moist [fresh] ones, but one cannot discharge [the obligation] with dry ones. And they agree that one can discharge [the obligation] with them [when] withered,[13] but not [when] preserved. stewed or boiled. This is the general principle of the matter: Whatever has the taste of maror, one can discharge the obligation with it; but whatever does not possess the taste of maror, one cannot discharge the obligation with it![14] — Explain it[15] [as referring] to the stalk.

Our Rabbis taught: One cannot discharge [the obligation] with them [when] withered. In the name of R. Eleazar b. R. Zadok it was said: One can discharge [the obligation] with them [when] withered.

Rami b. Hama asked: How about a man discharging his obligation with second tithe maror in Jerusalem? On R. Akiba's view,[16] there is no question: seeing that he discharges his obligation [there with] in the case of unleavened bread, [the tithing of] which is [enjoined] by Scripture. need you ask about maror, which is [only] Rabbinical.[17] The question arises on the view of R. Jose the Galilean. What then? Is it only with unleavened bread, which is [tithed] by Scriptural law, that he cannot discharge his obligation, but with maror, which is [tithed] by Rabbinical law [only], he discharges his obligation; or perhaps whatever [measure] the Rabbis enacted, they enacted it similar to a Scriptural law?[18] Said Raba: It is logical [that] unleavened bread and maror [are assimilated].[19]

MISHNAH. ONE MAY NOT SOAK BRAN FOR FOWLS, BUT ONE MAY SCALD IT. A WOMAN MAY NOT SOAK BRAN TO TAKE WITH HER[20] TO THE BATHS,[21] BUT SHE MAY RUB IT ON HER SKIN. AND A MAN MAY NOT CHEW WHEAT AND PLACE IT ON HIS WOUND, BECAUSE IT TURNS LEAVEN.

G E M A R A. Our Rabbis taught: These are the things which cannot come to fermentation: That which is baked,[22] boiled, and that which is scalded, having been scalded in boiling water. 'That which is boiled'? But while it is being boiled it turns leaven! — Said R. Papa: He means: baked [mazzah] which was [then] boiled. It was taught. R. Jose b. R. Judah said: Flour into which there fell a dripping [of water]. even all day, does not come to fermentation.[23] Said R. Papa: Provided that it acted drop after drop.[24] The School of R. Shila said: Wattika[25] is permitted. But it was taught: Wattika is forbidden? — There is no difficulty: here it is such as is prepared with oil and salt;[26] there it is prepared with water and salt.[27] Mar Zutra said: A man must not line a pot with flour of roast grain, lest it had not been properly baked[28] and it comes to leaven.[29] R. Joseph said: A man must not scald

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(1) V. Shab. 84b (Sonc. ed.) note a.l. Then what does Rab add?

(2) Because they draw their sustenance more vigorously, hence from a wider area.

(3) Rab.

(4) In drawing from the ground.

(5) Cereal seeds must not be sown within this area, and the statement that five species of seeds may be sown in a plot six handbreadths square applies to vegetables (herbs) only.

(6) I.e., the species enumerated supra in our Mishnah and Gemara.

(7) This answer abandons the previous answer. Seeds (cereals) in fact require more space, for their drawing power is greater, and Rab informs us that maror belongs to the species of herbs, not seeds, and therefore the more lenient law applies to them.

(8) All these authorities describe maror as herbs; how then could it be assumed that maror belongs to the class of cereals?

(9) The last reply to the question, 'What does Rab add', being untenable, another answer is offered.

(10) Its stalk becomes hard and thick.

(11) A piece of ground of the capacity of one roba' (quarter of a kab) of seed.

(12) Rab.

(13) This is not the same as dry.

(14) Here too R. Meir seems to state that both the herbs themselves (i.e.. the leaves) and the stalks may be fresh or dry. And the Mishnah too evidently agrees with R. Meir, since the Rabbis maintain that dried herbs cannot be eaten.

(15) The statement permitting its use dried.

(16) v. supra 36a.

(17) By scriptural law vegetables need not be tithed at all; hence Biblically speaking this maror is not second tithe.

(18) So that maror is the same as unleavened bread.

(19) v. supra p. 182, n. 6.

(20) Lit., 'in her hand'.

(21) A bran paste was used as a depilatory or cosmetic.

(22) Once unleavened bread is baked it can never turn leaven.

(23) The incessant dripping prevents fermentation.

(24) Without an appreciable interval between them.

(25) Name of a certain pastry or tart made of flour.

(26) Oil does not cause fermentation.

(27) Then it is forbidden.

(28) Lit., 'boiled'.

(29) Though roast grain is baked, and therefore can never become leaven, yet we fear that it may not have been fully baked, and when the dish is put into the pot with the water this flour will ferment.

two grains of wheat together, lest one becomes wedged in the cleft of the other, so that the column of water will not surround it on all[1] sides, and [thus] it will come to fermentation. And Abaye said: A

man must not singe two ears of corn together. lest sap [water] issue from one and the other absorb it, and [thus] it will come to fermentation. Said Raba to him: If so, [forbid] even one also, lest it [the sap] issues from one end and the other end absorbs it? No, said Raba: It is sap [water] of fruit,[2] and sap of fruit does not cause fermentation. Now Abaye retracted from that [view], because as long as they [the grains] absorb [liquid], they do not ferment.[3] For Abaye said: The jar for roasting [ears of corn]: if it is inverted, it is permitted;[4] if upright, it is forbidden.[5] Raba said: Even if upright it is still permitted [because] it is the sap of fruit, and the sap of fruit does not cause fermentation.

Our Rabbis taught: One may not wash[6] barley on Passover; and if one did wash [them] and they split, they are forbidden;[7] if they did not split, they are permitted. R. Jose said: He can soak them in vinegar. and the vinegar binds them.[8] Samuel said: The halachah is not as R. Jose. R. Hisda said in Mar ‘Ukba's name: It does not mean literally split, but [if they reach] such [a condition] that if placed on the mouth of a [wine] cask they will split of themselves. ([9]) But Samuel said: It means literally split. Samuel acted in the vicinity of the home of Bar Hashu [on the view that] ‘split’ is meant literally.[10]

Rabbah said: A conscientious man should not wash [corn].[11] Why particularly a conscientious man: even any other man[12] too, for surely it was taught: One may not wash barley on Passover? He says thus: He should not wash even wheat, which is hard.[13] Said R. Nahman to him: He who will heed Abba[14] will eat mouldy bread.[15] For Surely the household of R. Huna washed [it], and the household of Raba b. Abin washed [it]. But Raba said: It is forbidden to wash [wheat]. But what of what was taught: You may not wash barley on Passover, [implying] barley only may not [be washed], but wheat is permitted? — He leads to a climax![16] It is unnecessary [to teach about] wheat, for since it has splits the water enters it;[17] but barley, which is smooth, I would say that it is allowable. Therefore he informs us [otherwise]. Subsequently Raba said: It is permitted to wash [wheat]. For it was taught: One can discharge [the obligation] with fine bread and with coarse bread.[18] Now fine bread is impossible without washing [the grain].

R. Papa raised an objection against Raba: [With regard to] the flours and fine meals of Gentiles, those of villages are clean, while those of towns are unclean. What is the reason that those of villages [are clean]? Is it not because they do not wash [the grain],[19] yet he calls it ‘fine meal’?[20] — Explain [this[21] as referring to] ‘flour’. After he [Raba] departed, he [R. Papa] said [to himself]. Why did I not cite him [an objection] from what R. Zera said in R. Jeremiah's name in Samuel's name: The wheat for meal offerings must not be washed; yet he calls it fine meal?[22] Subsequently Raba said: It is obligatory to wash [the grain].[23] for it is said, And ye shall guard the unleavened bread.[24] Now, if not that it requires washing, for what purpose is the guarding?[25] If guarding for the kneading.[26] the guarding of kneading is not guarding,[27] for R. Huna said: The doughs of a heathen,[28] a man may fill his stomach with them,[29] providing that he eats as much as an olive of unleavened bread at the end. [Thus] only at the end, but not at the beginning:[30] what is the reason? Because he had not afforded it any guarding. Then let him guard it from the baking and onwards?[31] Hence this surely proves that we require guarding from the beginning. Yet whence [does this follow]: perhaps it is different there, because when guarding became necessary.[32] he did not guard it;[33] but where he did guard it when guarding became necessary. it may indeed be that the guarding at the kneading is [truly] considered ‘guarding’.

Yet even so,[34] Raba did not retract. For he said to those who handled sheaves,[35] Handle them for the purpose of the precept.[36] This proves that he holds [that] we require guarding ab initio, from beginning to end. Mar the son of Rabina,

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(1) Lit., ‘four’.

(2) I.e., produce.

(3) MS.M. reads: as long as they (the liquids) are in motion (boiling), they do not create fermentation.

(4) As the sap which is exuded runs out and is not re-absorbed by the other ears. — Therefore the same will hold good where he singes two ears of corn together, which on this view must be permitted. Thus he retracted from his former view.
(5) Because the sap is retained in the vessel.
(6) The verb connotes to moisten the grain before grinding.
(7) Because then they turn leaven very quickly.
(8) Prevents fermentation.
(9) Then they are forbidden.
(10) And since those about which he was consulted were not actually split. he ruled that they were permitted.
(11) v. p. 186, n.8.
(12) Lit., 'the whole world'.
(13) And consequently is slower to ferment than barley. Others who are not so conscientious may moisten wheat, for only barley is forbidden in the Baraitha.
(14) Lit., 'father'- a title of respect.
(15) I.e., unclean bread, since the wheat was not washed.
(16) Lit., 'he states, it is unnecessary "(to teach etc.)"'.
(17) And certainly causes it to ferment.
(18) V. supra 37a.
(19) And eatables cannot become unclean unless moisture has previously been upon them.
(20) Which shows that fine bread is possible without washing.
(21) The reference to villages.
(22) Such is prescribed in Scripture for meal-offerings, v. Lev. II, i.
(23) For preparing the unleavened bread.
(24) Ex. XII, 17.
(25) For the grain cannot ferment unless there is moisture upon it.
(26) I.e., that when it is kneaded care must be taken that it does not turn leaven.
(27) This verse implies that at a certain stage of its manufacture the unleavened bread must be guarded for the express purpose of fulfilling the law prescribing the eating of unleavened bread. Hence, if a man eats on the first night of Passover only unleavened bread which was not guarded expressly for that purpose, he does not do his duty. Now Raba states that the guarding that is given to it at the stage of kneading is not considered 'guarding' in this respect.
(28) Which one recognizes as not having turned leaven.
(29) On the first night of Passover.
(30) I.e., the law is complied with only with this unleavened bread which he eats at the end, but not with the heathen's dough which he eats at the beginning. The unleavened bread eaten in fulfilment of the precept comes at the end of the meal with the Paschal lamb, v. infra 119b.
(31) I.e., from when it is prepared for baking. viz., when it is shaped, moistened and put into the oven.
(32) Lit., 'when it entered upon (the need for) guarding'. — I.e., at the beginning of the kneading process — from the moment when water was added to the flour making fermentation possible.
(33) Though it nevertheless remained unleavened.
(34) Though Raba's proof was refuted.
(35) At harvest time, gathering and tying them. Lit., 'turned about'.
(36) Bear in mind that they may be used for that purpose.

Talmud - Mas. Pesachim 40b

his mother stored [grain] for him in a trough.[1]

A certain ship of grain foundered in Hishta,[2] [whereupon] Raba gave permission to sell [the grain][3] to Gentiles. Rabbah b. Lewai[4] raised an objection against Raba: [With regard to] a garment wherein kil'ayim[5] is lost,[6] he must not sell it to a Gentile,[7] nor may he make a saddle-cloth for an ass;[8] but it may be made into shrouds for a corpse.[9] What is the reason [that it may] not [be sold] to a Gentile? Surely it is because he might resell it to an Israelite?[10] Subsequently Raba said, Let them

sell it to Israelites, a kab[11] at a time,[12] so that it should be consumed before Passover.

Our Rabbis taught: One may not mash a dish on Passover;[13] and he who wishes to mash, must put in the flour and then add the vinegar.[14] But some say. He may even put in the vinegar [first] and then add the flour.[15]

Who is 'some say'? Said R. Hisda, It is R. Judah. For we learned: [In the case of] a stew pot or a boiling pot[16] which he removed seething [from the fire].[17] he must not put spices therein,[18] but he

R. Han. reads: for the sake of unleavened bread — i.e., take care that no water falls on them and do not store them in a damp place. may put [spices] into a dish or a tureen.[19] R. Judah said: He may put [spices] into anything except what contains vinegar or brine.[20] Yet let us establish it as R. Jose, for it was taught, R. Jose said: He can soak them in vinegar, and the vinegar binds them?[21] — We know R. Jose [to rule thus] only when it is by itself, but not when it is in a mixture. 'Ulla said: Both the one and the other are forbidden,[22] because, 'Go, go. thou nazirite', say we, 'take the most devious route, but approach not the vineyard'.[23] R. Papa permitted the stewards of the house of the Resh Galutha[24] to mash a dish with parched grains. Said Raba: Is there anyone who permits such a thing in a place where slaves are found?[25] Others say. Raba himself mashed a dish with parched grains.

MISHNAH. FLOUR MAY NOT BE PUT INTO HAROSETH[26] OR IN TO THE MUSTARD,[27] AND IF HE DID PUT [IT], IT MUST BE EATEN IMMEDIATELY;[28] BUT R. MEIR FORBIDS [IT]. ONE MAY NOT BOIL THE PASSOVER SACRIFICE, NEITHER IN LIQUIDS NOR IN FRUIT JUICE.[29] BUT ONE MAY BASTE AND DIP IT IN THEM.[30] THE WATER USED BY A BAKER MUST BE POURED OUT, BECAUSE IT PROMOTES FERMENTATION.

contents, as long as they are seething, cause any condiments put therein to boil likewise. This of course is forbidden on the Sabbath. GEMARA. R. Kahana said: The controversy is [about putting flour] into mustard; but [if it was put] into haroseth, all agree that it must be burnt immediately. And it was taught likewise: Flour must not be put into haroseth, and if he did put [it], it must be burnt immediately. [If put] into mustard, — R. Meir said: It must be burnt immediately; but the Sages rule: It must be eaten immediately.[31]

R. Huna the son of Rab Judah said in R. Nahman's name in Samuel's name: The halachah is as the words of the Sages. Said R. Nahman b. Isaac to R. Huna the son of Rab Judah:

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(1) For use on the night of Passover. This this too was guarded from the beginning.

(2) A canal in Babylonia. This happened before Passover.

(3) Which became leaven.

(4) Or, the Levite.

(5) V. Glos.

(6) I.e. , a thread of the forbidden material was woven in the cloth, and its place is not known.

(7) For the latter may resell it to a Jew who will wear it in ignorance of the fact that it contains kil'ayim.

(8) Lest he subsequently remove it and sew it into a garment.

(9) Because it can henceforth not be used for any other purpose, since the raiment of the dead is forbidden for general use. On the other hand, the corpse is not subject to any of the laws of the Torah, v. Shab. 30a.

(10) Then the same should apply here.

(11) A measure of capacity one sixth of a se'ah.

(12) I.e., not selling a large quantity to any single person.

(13) I.e., make a mash of flour and vinegar in the usual way, which is to put in the vinegar first and then add the flour. This is forbidden, because it easily ferments and becomes leaven.

(14) The vinegar prevents fermenting.

(15) Although the vinegar becomes mixed with the rest of the dish when it is put in first, it can still prevent the fermenting of the flour.
(16) The first means a tightly covered pot.
(17) At twilight on Friday.
(18) After the Sabbath commences. The pot is a 'first vessel', i.e., it was used directly on the fire, and its
(19) Containing a hot stew. The dish or the tureen is a 'second vessel', I.e., it was not used directly on the fire, and cannot make the spices boil.
(20) Being sharp. they cause them to boil, though the vinegar or brine is mixed with the rest of the dish. By causing them to boil they prevent fermentation, and the same applies here.
(21) Which prevents fermentation.
(22) Whichever is put first. This was proverbial: a man must not venture into temptation, and a nazirite, who must not eat grapes,must not even go near a vineyard. Similarly, if a man is permitted to make the mash in one way, he will make it in the other way too.
(23) Jast. s.v. אכונגר conjectures that בורדקי is a corruption of that word.
(24) Exilarch, the official title of the head of Babylonian Jewry.
(25) As in the house of the Exilarch. They are very lax in any case, and such leniency will lead to even greater laxity.
(26) A pap made of fruits and spices with wine or vinegar, used for sweetening the bitter herb on Passover night (Jast.).
(27) Lest the flour become leaven.
(28) Before it can ferment.
(29) Though Scripture only mentions water, v. Ex. XII, 9.
(30) I.e.,the flesh may be greased
(31) The greater strength of mustard retards fermentation, hence the controversy. But it ferments very quickly in haroseth.

Talmud - Mas. Pesachim 41a

Do you[1] say it in reference to haroseth.[2] or do you say it in reference to mustard? What is the practical difference? asked he. — In respect to R. Kahana's [dictum] — For R. Kahana said: The controversy is [about putting flour] into mustard; but [if it was put] into haroseth, all agree that it must be burnt immediately.[3] I have not heard it, he replied to him, as if to say, I do not agree with it. R. Ashi said: Logic supports R. Kahana, since Samuel said: The halachah is not as R. Jose.[4] Surely then, since it [vinegar] does not bind, it does indeed cause fermentation?[5] — No: perhaps it neither binds nor promotes fermentation.

ONE MAY NOT BOIL etc. Our Rabbis taught: [Eat not of it raw, nor boiled at all] with water:[6] I only know [that it may not be boiled] in water; whence do we know [it of] other liquids? You can answer, [it follows] a minor,' if water, which does not impart its taste,[7] is forbidden; then other liquids, which impart their taste, how much

with these liquids when it is being roasted, and the roasted meat may be dipped into liquids at the time of eating. more so![8] Rabbi said: 'With water': I only know it of water; whence do we know [it of] other liquids? Because it is stated, 'nor boiled at all',[9] [implying] in all cases.[10] Wherein do they differ? — They differ in respect of [that which is] roasted in a pot.[11] And the Rabbis: how do they utilize this [phrase] 'nor boiled at all'? — They employ it for what was taught: If he boiled it and then roasted it, or roasted it and then boiled it, he is liable.[12] As for 'if he boiled it and then roasted it, he is liable,' that is well, seeing that he boiled it.[13] But if he roasted it and then boiled it, surely it is 'roast with fire'; why [then is he liable]? — Said R. Kahana: The author of this is R. Jose. For it was taught: The law[14] is complied with by [eating] an [unleavened] wafer that is soaked[15] or boiled, but not dissolved: this is the view of R. Meir. R. Jose said: The law is complied with by [eating] a wafer that is soaked, but not with one that is boiled, even if not dissolved.[16] 'Ulla said: You may even say [that it agrees with] R. Meir;[17] here it is different, because Scripture saith, 'nor boiled at all', [implying] in all cases.[18]

Our Rabbis taught: You might think that if he roasted it as much as it needs,[19] he should be liable. Therefore it is stated: Eat not of it semi-roast nor boiled at all with water': semi-roast or boiled did I forbid[20] thee, but not that which is roasted as much as it needs.[21] How is that meant? — Said R. Ashi: That he rendered it charred meat. Our Rabbis taught: You might think that if he ate as much as an olive of raw meat,[22] he should be liable; therefore it is stated, Eat not of it semi-roast [na] nor boiled at all [with water]: semi-roast and boiled did I forbid thee, but not raw. You might think that it is permitted; therefore it is stated, 'but roast with fire'. How is 'na' understood? — Said Rab: as that which the Persians call abarnim.[23]

R. Hisda said: He who cooks [food] in the hot springs of Tiberias on the Sabbath is not culpable;[24] if he boiled the Passover sacrifice in the hot springs of Tiberias, he is culpable. Wherein does the Sabbath differ, that [he is] not [culpable]? Because we require the product of fire,[25] which is absent! Then [in respect to] the Passover sacrifice too it is not a product of fire? — Said Raba, What is the meaning of his statement,[26] 'he is culpable'? That he transgresses on account of '[Thou shalt not eat . . .] but roast with fire.[27] R. Hiyya son of R. Nathan recited this [dictum] of R. Hisda explicitly. [Thus:] R. Hisda said: He who cooks in the hot springs of Tiberias on the Sabbath is not culpable; but if he boiled the Passover sacrifice in the hot springs of Tiberias, he is culpable. because he transgressed on account of 'but roast with fire'.

Raba said: If he ate it semi-roast,

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(1) Lit., 'does the Master'.

(2) That the paps ferment also with haroseth.

(3) Do you too accept this, or do you maintain that there is a controversy in respect of haroseth too?

(4) Supra 40a, q.v. in reference to vinegar.

(5) Which is the reason that flour must not be put into haroseth, since it contains vinegar, and it further follows that if put into it, it is forbidden. Hence when Samuel said that the halachah is as the Sages, that it is permitted, he must have referred to mustard, but not to haroseth.

(6) Ex. XII, 9.

(7) Lit., 'which does not lose its taste' (to the substance boiled in it).

(8) Since the sacrifice now has a foreign flavour.

(9) The emphatic 'at all' is expressed in Hebrew by the doubling of the verb.

(10) In whatever it is boiled.

(11) Without any liquid, save its own juice. If we deduce the interdict of other liquids a minori, this however is permitted. But when we learn it from the emphatic doubling of the verb, even this is forbidden. — The Passover sacrifice was roasted on a spit directly over the fire.

(12) To flagellation for eating it.

(13) In the first place. It can never be subsequently regarded as 'roast with fire'.

(14) Relating to the eating of unleavened bread on Passover.

(15) In another dish.

(16) Because It is not called bread, notwithstanding that it was previously baked in an oven. Similarly, if the Passover is boiled after being roasted, it is no longer regarded as 'roast with fire'.

(17) Viz., that once baked it retains its name as bread.

(18) Even after roasting. This answers the question, 'And the Rabbis: how do they utilize this (phrase), "nor boiled at all"?'.

(19) I.e., he overroasted it, thus burning it. I might think that this is not called 'roast with fire' but 'burnt with fire', and therefore he incurs flagellation for eating it.

(20) Lit., 'tell'.

(21) No interdict is violated by eating it thus.

(22) Of the Passover sacrifices.

(23) Half-done meat. v. Jast. s.v. אברנים.

(24) For the desecration of the Sabbath, because this is not really cooking.

(25) Before it can be called cooking.

(26) Lit. , 'which he states'.

(27) He is not culpable on account of, Thou shalt not eat of it. . . boiled with water' because this is not designated boiling. But the other portion of the verse, 'but roast with fire', is an implied negative injunction, the command being that you must not eat anything which is not roast, and what is boiled in the springs of Tiberias is therefore forbidden by implication. He thus holds that a man is flagellated for an implied negative injunction, i.e., one which is not explicitly stated.

Talmud - Mas. Pesachim 41b

he is flagellated twice;[1] if he ate it boiled, he is flagellated twice;[2] [if he ate] semi-roast and boiled, he is flagellated thrice. Abaye said: We do not flagellate on account of an implied prohibition. Some maintain: He is not indeed flagellated twice,[3] but he is nevertheless flagellated once.[4] Others say. He is not even flagellated once, because [Scripture] does not particularize its interdict, like the interdict of muzzling.[5] Raba said: If he [a nazirite] ate the husk [of grapes]. he is flagellated twice; if he ate the kernel, he is flagellated twice; [for] the husk and the kernel, he is flagellated thrice.[6] Abaye maintained: We do not flagellate on account of an implied prohibition — Some say: He is indeed not flagellated twice, but he is nevertheless flagellated once.[7] Others maintain: He is not even flagellated once, because [Scripture] does not particularize its interdict, like the interdict of muzzling.

Our Rabbis taught: If he ate as much as an olive of semi-roast [paschal offering] before nightfall,[8] he is not culpable; [if he ate] as much as an olive of semi-roast flesh after dark, he is culpable. If he ate as much as an olive of roast meat before nightfall, he does not disqualify himself from [being one of] the members of the company;[9] [if he eats] as much as an olive of roast meat after dark,[10] he disqualifies himself from [being one of] the members of his company.

Another [Baraitha] taught: You might think that if he ate as much as an olive of semi-roast before nightfall he should be culpable; and it is a logical inference: if when he is subject to [the precept] 'arise and eat roast [flesh]',[11] he is subject to [the interdict] 'do not eat it semi-roast'; then when he is not subject to [the precept], 'arise and eat roast', is it not logical that he is subject to [the interdict] 'do not eat it semi-roast?' Or perhaps it is not so:[12] when he is not subject to [the precept]. 'arise and eat roast', he is subject to, 'do not eat it semi-roast', [while] when he is subject to [the precept],arise and eat roast', he is not subject to [the interdict] 'do not eat it semi-roast', and do not wonder [threat], for lo! it was freed[13] from its general interdict in respect to roast.[14] Therefore it is stated, 'Eat not of it semi-roast'; nor boiled at all [bashel mebushshal] with water, but roast with fire'. Now, 'but roast with fire' should not be stated;[15] then why is 'but roast with fire' stated? To teach you: When he is subject [to the command]. 'Arise and eat roast', he is [also] subject to 'Eat not of it semi-toast'; when he is not subject to [the command]. 'Arise and eat roast', he is not subject to, 'Eat not of it semi-roast.[16]

Rabbi said: I could read 'bashel'; why is 'mebushshal' stated [too]? For I might think, I only know it[17] where he boiled it after nightfall. Whence do we know it if he boiled it during the day?[18] Therefore it is stated, 'bashel mebushshal', [implying] in all cases. But Rabbi has utilized this 'bashel mebushshal' in respect of [flesh] roast[ed] in a pot and [flesh boiled] in other liquids?[19] — If so,[20] let Scripture say either bashel bashel or mebushshal mebushshal:[21] why 'bashel mebushshal'? Hence you infer two things from it.

Our Rabbis taught: If he ate roast [paschal offering] during the day. he is culpable; and [if he ate] as much as an olive of semi-roast after nightfall, he is culpable. [Thus] he teaches roast similar to half-roast: just as semi-roast [after nightfall] is [interdicted] by a negative injunction, so is roast [before nightfall] subject to a negative injunction. As for half-roast, it is well: it is written, 'Eat not of

it semi-roast'. But whence do we know[the negative injunction for] roast? Because it is written, 'And they shall eat the flesh in that night': only at night, but not by day. But this is a negative injunction deduced by implication from an affirmative command, and every negative injunction deduced by implication from an affirmative command is [technically] an affirmative command?[22] — Said R. Hisda, The author of this

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(1) Once on account of the injunction against semi-roast, and again because of the interdict, 'Eat not . . . but roast with fire'.

(2) On account of the injunction against boiled flesh, and again as in the case of semi-roast meat.

(3) Since he is flagellated on account of the direct prohibition, 'Eat not of it semi-roast', or, 'nor boiled', he is not flagellated on account of the implied interdict too.

(4) Rashi: E.g., he who boils it in the hot springs of Tiberias. Since there is no explicit injunction, we fall back upon the implied injunction. Tosaf.: If he was merely warned against violating the injunction, 'Eat not of it . . . but roast with fire'.

(5) V. Deut. XXV, 4. This is an interdict explicitly forbidding a particular action, and this is the model of all interdicts the disregard of which involves flagellation, since it immediately follows the law of flagellation (ibid. v. 3). But the interdict of 'eat not of it . . . but roast with fire' does not particularize any method of preparation as forbidden.

(6) V. Num. VI, 4: All the days of his naziriteship he shall eat nothing that is made of the grape vine, from the kernels eaten to the husk. According to Raba, the kernels and the husk are explicitly prohibited, while they are also included in the implied prohibition of 'he shall eat nothing that is made of the grape vine', and the offender is flagellated on account of each.

(7) Rashi: E.g.. if he ate the leaves of the vine; cf.n. 2.

(8) Lit., 'while it was yet day' — on the fourteenth of Nisan.

(9) Each paschal offering had to be eaten by one company, the members of which had registered for that particular animal. It might not be eaten by two companies, while on the other hand no man might eat in two separate places. It is now taught that if he eats some roast meat before nightfall, he is not disqualified from eating elsewhere with his company after nightfall, the earlier eating not being regarded as eating of the paschal offering in this sense.

(10) Not in the company where he registered.

(11) I.e., perhaps a different argument is to be used.

(12) I.e., after nightfall.

(13) Lit., 'permitted'.

(14) For even roast paschal offering is not permitted before nightfall, as it is written, 'and they shall eat the flesh in that night, roast with fire', which implies, but not before; at night this implied prohibition is lifted. Hence we might argue: granted that the general interdict is not lifted at the outset in respect of semiroast too, yet if he ate it he is not liable to punishment.

(15) For the previous verse states: And they shall eat the flesh in that night, roast with fire.

(16) I. e., flagellation for eating semi-roast meat of the paschal offering is incurred only on the evening of the fifteenth, when one is bidden to eat the roast of the Passover sacrifice, but not on the day of the fourteenth, before the obligation commences.

(17) That boiled paschal offering flesh must not be eaten.

(18) That even then it may not be eaten at night.

(19) Supra 41a.

(20) That that is its only teaching.

(21) Granted that the repetition is necessary, the same grammatical form could be repeated.

(22) Which does not involve flagellation.

is Rabbi. For it was taught: Either a bullock or a lamb that hath anything superfluous or lacking in its parts, that mayest thou offer for a freewill-offering; [but for a vow it shall not be accepted]:[1] that thou mayest dedicate[2] for the Temple repair,[3] but thou mayest not dedicate unblemished [animals] for the Temple repair.[4] Hence it was said, Whoever dedicates unblemished [animals] for the Temple repair transgresses an affirmative precept — I only know [that he transgresses] an affirmative

precept: whence do we know [that he transgresses also] a negative injunction? Because it is stated, And the Lord spake unto Moses, saying [lemor]:[5] this teaches concerning the whole section that it is subject to a negative injunction: this is R. Judah's view.[6] Rabbi asked Bar Kappara: How does that imply it? Said he to him, Because it is written, 'lemor': a 'not' ['lo'] was stated in [these] matters .[7] The School of Rab interpreted: Lemor, a negative injunction [law] was stated.

THE WATER USED BY A BAKER etc. One [Baraitha] taught: You must pour [it] out on a slope. but you may not pour [it] out on broken [ground].[8] While another [Baraitha] taught: You may pour [it] out on broken ground? — There is no difficulty: here it means that it [the water] is abundant, so that it collects;[9] there it means that it is not abundant, so that it does not collect.

Rab Judah said: A woman must knead [unleavened bread] only with water which was kept overnight.[10] R. Mattenah taught this [in a public lecture] at Papunia.[11] On the morrow all took their pitchers and repaired to him and demanded of him, 'Give us water'. Said he to them, 'I meant with water which has been kept overnight'.

Raba lectured: A woman may not knead in the sun, nor with water heated by the sun, nor with water collected[12] from the caldron;[13] and she must not remove her hand from the oven until she has finished all the bread;[14] and she requires two vessels, one with which she moistens [the dough], and the other wherein she cools her hands.[15]

is now being discussed, has likewise the same superscription in v. I, q.v. The scholars asked: What if she transgressed and kneaded [in warm water]? Mar Zutra said: [The bread] is permitted; R. Ashi said: It is forbidden — Mar Zutra said, Whence do I know[16] it?-Because it was taught: One may not wash barley on Passover; and if one did wash [them], if they split they are forbidden; if they did not split, they are permitted.[17] But R. Ashi says: Will you weave all these things in one web?[18] Where it was stated,[19] it was stated; and where It was not stated, it was not stated.

C H A P T E R I I I

MISHNAH. NOW THE FOLLOWING [THINGS] MUST BE REMOVED[20] ON PASSOVER: BABYLONIAN KUTAH,[21] MEDIAN BEER, IDUMEAN VINEGAR, EGYPTIAN ZITHOM,[22] THE DYER'S BROTH,[23] COOK'S DOUGH,[24] AND THE SCRIBES' PASTE.[25] R. ELIEZER SAID: WOMEN'S ORNAMENTS TOO.[26] THIS IS THE GENERAL, RULE: WHATEVER IS OF[27] THE SPECIES OF CORN[28] MUST BE REMOVED ON PASSOVER. THESE ARE SUBJECT TO A WARNING',[29] BUT THEY DO NOT INVOLVE KARETH.

GEMARA. Our Rabbis taught: Three things were said of Babylonian kutah: it closes up the heart,[30] blinds the eyes, and emaciates the body. It closes up the heart, on account of the whey of milk; and it blinds the eyes, on account of the salt; and it emaciates the body, on account of the stale crusts.[31]

Our Rabbis taught: Three things increase one's motion, bend the stature, and take away a five hundredth part of a man's eyesight. They are these: Coarse black bread, new beer, and raw vegetables.

Our Rabbis taught: Three things decrease one's motion, straighten the stature, and give light to the eyes. These are they: White[32] bread, fat meat, and old wine. White bread,

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(1) Lev. XXII, 23.

(2) Lit., 'cause to be seized' with sanctity.

(3) I.e., it must be redeemed and the redemption money devoted to the general needs of the Temple, as apart from

sacrifices.
(4) Since they are fit for the higher sanctity of sacrifices.
(5) Ibid. I.
(6) Ex. XII, 8, which
(7) 'Lemor' is treated as contraction of 'lo amur'. I.e., the laws contained in this section are subject to the admonition, 'do not violate them'.
(8) Rashi: Broken ground contains shallows and cavities where the water will gather. Instead of soaking in, and will thereby cause fermentation. Jast.: the place where water poured out would remain stagnant.
(9) Hence it may not be poured out there.
(10) Because in Nisan the water in the wells is warm (v. infra 94b). which hastens fermentation. Therefore it must be drawn the evening before it is required, so that it can cool off.
(11) A town between Bagdad and Pumbeditha, and included in the juridical district of the latter. Obermeyer, Landschaft, p. 242. — He lectured in Hebrew, using the actual words 'mayim shelanu', which may also mean, water belonging to us. — This suggests that Hebrew was sufficiently well known by the masses to make public lectures in that language possible.
(12) Lit., 'swept out'.
(13) The last-named is generally warm, and heat hastens fermentation.
(14) I.e., she must work on the dough all the time until it is baked.
(15) Her hands too, if heated, induce fermentation.
(16) Lit., 'says'.
(17) V. Supra 40a. Thus though it may not be done in the first place, if done it is permitted as long as there are no signs of leavening, and the same applies here.
(18) You surely cannot bring all cases into one category.
(19) That it is permitted if done.
(20) I.e., they must not be used; lit., 'they must pass away' (R. Tam. and Jast.). Rashi: (On account of) the following things you transgress the injunctions, (leaven) 'shall not be seen' and (leaven) 'shall not be found' (in the house).
(21) V. supra p. 95, nn. 7 and 8.
(22) A kind of beer.
(23) Made of bran, to keep the dye fast.
(24) Which is placed over the pot to absorb the froth.
(25) With which they paste strips of parchment etc. together. All these are forbidden because they contain the product of cereals which turn leaven.
(26) This is explained in the Gemara.
(27) I.e., contains.
(28) As enumerated in the Mishnah supra 35a.
(29) This is a technical term, denoting a negative injunction, the violation of which is punished by flagellation.
(30) Probably, makes its action sluggish.
(31) Jast.: the decay of the flour-substance.
(32) Lit., 'clean'.

Talmud - Mas. Pesachim 42b

of fine meal. Fat meat, of a goat which was not opened.[1] Old wine: very old.[2] Everything that is beneficial for the one is harmful for the other,[3] and what is harmful for one is beneficial for the other, save moist zangebila,[4] long peppers, white bread, fat meat and old wine, which are beneficial for the whole body.

MEDIAN BEER. Because barley water is mixed into it. IDUMEAN VINEGAR. Because barley is cast into it. R. Nahman [b. Isaac] said:[5] In former times, when they used to bring [wine] libations from Judah, the wine of Judah did not turn vinegar unless barley was put into it, and they used to call it simply vinegar.[6] But now the wine of the Idumeans does not turn vinegar until barley is put into it, and it is called 'Idumean vinegar', in fulfilment of what is said, [Tyre hath said against Jerusalem...]

I shall be replenished, now that she is laid waste:[7] if one is full [flourishing] the other is desolate, and if the other is full the first is desolate.[8] R. Nahman b. Isaac quoted this: and the one people shall be stronger than the other people.[9]

It was taught, R. Judah said: Originally, he who bought vinegar from an 'am ha-arez[10] did not need to tithe it, because it was a presumption that it was produced from nought but tamad.[11] But now, he who buys vinegar from an 'am ha-arez must tithe it.[12] Now does R. Judah hold [that] tamad is not liable to tithing, but we learned: He who makes tamad, pouring water on by measure, and [then] he finds the same quantity, is exempt [from tithing]:[13] but R. Judah declares him liable?[14] This is what he says: The 'amme ha-arez were not under suspicion in connection with tamad.[15] Alternatively, they were under suspicion, yet there is no difficulty: the one refers to [tamad made with] the straining bag; the other refers to [tamad made of] kernels.[16]

AND EGYPTIAN ZITHOM. What is EGYPTIAN ZITHOM?-R. Joseph learned: [A concoction made of] a third part barley, a third part safflower, and a third part salt. R. Papa omitted barley and substituted wheat. And your token is 'sisane'.[17] They soaked them [these ingredients], then roasted them, ground them and then drank them. From the [Passover] sacrifice[18] until Pentecost, they who are constipated are relieved, while they who are diarrhoeic are bound. [But] for an invalid and a pregnant woman it is dangerous.[19]

AND DYER'S BROTH. Here it is explained: Bran water, with which lacca[20] is primed.

AND COOK'S DOUGH. A loaf [i.e., dough] made of corn less than a third grown, which she places on the mouth of the pot and it absorbs the froth.

AND SCRIBES' PASTE. Here it is explained: Shoemaker's paste.[21] R. Shimi of Hozae[22] said: It is a toilet paste used by the daughters of rich men, of which they leave [some] for the daughters of poor men.[23] But that is not so, for R. Hiyya taught: They are four commodities of general use[24] and three manufacturing commodities.[25] Now if you say that it is a toilet paste used by the daughters of rich men, what manufacturing commodities are there?[26] What then; [it is] shoemaker's paste? Then why does he call it SCRIBES' PASTE; he should say, cobbler's PASTE? — Said R. Oshaia to him: In truth it is shoemaker's paste; yet why does he call it: SCRIBES' PASTE? Because scribes too stick their papyruses together with it.

R. ELIEZER SAID: WOMEN'S ORNAMENTS TOO etc. WOMENS' ORNAMENTS! can you think so![27] Rather, say, WOMEN'S cosmetics TOO. For Rab Judah said in Rab's name: [As to] the daughters of Israel

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(1) I.e., which has not given birth to young.

(2) Rashi: three years old. — But it is doubtful if this would be called very old.

(3) I.e., what is beneficial for the heart is harmful to the eyes. etc.

(4) Zingiber, an Arabian spice plant, prob. ginger (Jast.).

(5) The Yalkut omits b. Isaac; the text infra supports this omission.

(6) The wine was so good that without barley it would never turn sour.

(7) Ezek. XXVI, 2.

(8) Tyre — here represented as synonymous with Edom — and Jerusalem can neither both flourish simultaneously nor both be desolate simultaneously. — True religion and paganism are irrevocably opposed to each other, and the triumph of one must involve the defeat of the other.

(9) Gen. XXV, 23.

(10) V. Glos.

(11) An inferior wine made from the husks of grapes steeped in water. But it was definitely not from wine, for the wine was too good to turn into vinegar.

(12) Because it is probably from wine, which is nowadays of a poorer quality and readily turns vinegar. Of course, the 'am ha-arez himself should have tithed it, but they were suspected of neglecting tithes, and therefore the purchaser had to render tithe; v. Glos. s.v. Demai.

(13) Because it is mere water, though it has slightly absorbed the appearance and taste of wine from the husks and kernels.

(14) Because its appearance and taste determine its status as wine.

(15) Because it was so cheap that even they would not grudge its tithes.

(16) When tamad is made by pouring water over the lees in the strainer, it is wine, and is subject to tithes. But tamad made with kernels is merely coloured water, and is not subject to tithes at all.

(17) 'Twigs'. R. Joseph (יוסף) included barley (שערי). both words containing an S (ס and ש) and the two ס in 'sisane' serve as mnemonic for this.

(18) I.e., from Passover.

(19) Because its laxative properties are too great.

(20) So the reading in Maim. and Jast. Lacca is the juice of a plant, used for dyeing.

(21) Perura is a paste made of crumbs.

(22) The modern Khuzestan.

(23) It is a depilatory made of

(24) Lit., 'for the Country'.

(25) Thus he sums up the seven things mentioned in the Mishnah.

(26) This is not all article used in manufacture.

(27) They have nothing to do with leaven.

Talmud - Mas. Pesachim 43a

who have attained maturity but have not attained [their] years,[1] the daughters of poor men plaster them [the unwanted hairs] with lime; the daughters of wealthy men plaster them with fine flour; while royal princesses, with oil of myrrh as it is written, six months with oil of myrrh.[2] What is oil of myrrh? R. Huna b. Jeremiah said: Sakath.[3] R. Jeremiah b. Abba said: Oil of olives which were not a third grown. It was taught, R. Judah said: Anpikanin[4] is oil of olives which were not a third grown. And why do [women] rub it in [their skin]? Because it removes the hair and rejuvenates the skin.

THIS IS THE GENERAL RULE: WHATEVER IS OF THE SPECIES OF CORN. It was taught, R. Joshua said: Now since we learned, WHATEVER IS OF THE SPECIES OF CORN MUST BE REMOVED ON PASSOVER, why did the Sages enumerate these? So that

fine flour, and wealthy women give the leavings to their poorer sisters, the daughters of scribes, who were generally poor. one should be familiar with them and with their names.[5] As it once happened that a certain Palestinian[6] visited Babylonia. He had meat with him and he said to them [his hosts], Bring me a relish.[7] He [then] heard them saying, 'Take him kutah'. As soon as he heard kutah, he abstained.[8]

THESE ARE SUBJECT TO A WARNING'. Which Tanna [holds] that real leaven of corn in a mixture, and spoiled leaven[9] in its natural condition, is subject to a negative injunction?[10] — Said Rab Judah in Rab's name: It is R. Meir. For it was taught: Si'ur[11] must be burnt, and he may give it to his dog, and he who eats it is [punished] by forty [lashes].[12] Now this is self-contradictory. You say, 'si'ur must be burnt': this proves that it is forbidden for use. Then it is stated, 'and he may give it to his dog', which proves that it is permitted for use! This is its meaning: Si'ur' [i.e., what is si'ur] according to R. Meir [must be burnt] in R. Meir's opinion, and [what is si'ur'] according to R. Judah [must be burnt] in R. Judah's opinion. And he may give it to his dog, [i.e., what is si'ur'] according to R. Meir [may be given to a dog] in R. Judah's opinion. And he who eats it is [punished] by forty [lashes] — this agrees with R. Meir.[13] [Thus] we learn that R. Meir holds that spoiled [leaven] in its natural state[14] is subject to a negative injunction, and all the more real leaven of corn in a mixture.[15]

R. Nahman said, It is R. Eliezer. For it was taught: For real leaven of corn there is the penalty of kareth; for a mixture of it [one is subject to] a negative injunction: this is the view of R. Eliezer. But the Sages maintain: For real leaven of corn there is the penalty of kareth; for the mixture of it there is nothing at all.[16] [Thus] we learn that R. Eliezer holds that real leaven of corn in a mixture is subject to a negative injunction, and all the more spoiled [leaven] in its natural state.[17] Now R. Nahman, what is the reason that he does not say as Rab Judah? — He can tell you: perhaps R. Meir rules [thus] only there, [in respect of] spoiled [leaven] in its natural state, but not [in the case of] real leaven of corn in a mixture. And Rab Judah: what is the reason that he does not say as R. Nahman? He can tell you: [Perhaps][18] R. Eliezer rules [thus] only there, [in respect of] real leaven of corn in a mixture, but not [in the case of] spoiled [leaven] in its natural state.

It was taught in accordance with Rab Judah:[19] Ye shall eat nothing leavened:[20] this is to include Babylonian kutah and Median beer and Idumean vinegar and Egyptian zithom. You, might think that the penalty is kareth; therefore it is stated, for whosoever eateth that which is leavened shall be cut off[21] for real leaven of corn there is the penalty of kareth, but for the mixture of it [you are subject] to a negative injunction. Now, whom do you know to maintain [that] for the mixture of it [you are subject] to a negative injunction? It is R. Eliezer. Yet he does not state[22] spoiled [leaven] in its natural state. This proves that R. Eliezer does not hold [that] spoiled [leaven is subject to a negative injunction].

Now R. Eliezer, whence does he know that the mixture of it involves a negative injunction: because it is written, ‘ye shall eat nothing leavened’? If so, let him [the offender] be liable to kareth

that real leaven in a mixture is more stringent leaven than spoiled leaven in its natural state. too, since it is written, ‘for whosoever eateth that which is leavened . shall be cut off’? — He requires that for what was taught: ([Ye shall eat nothing] leavened):[23] I only know [that it is forbidden] where it turned leaven of itself; if [it fermented] through the agency of another substance, how do we know it? Because it is stated, for whosoever eateth that which is leavened shall be cut off. If so, [the teaching] of the negative injunction too comes for this purpose?[24] Rather, R. Eliezer's reason is [that he] deduces from ‘whosoever’.[25] [But] there too[26] ‘whosoever’ is written? — He requires that to include women.[27] But women are deduced from Rab Judah's [dictum] in Rab's name. For Rab Judah said in Rab's name, and the School of R. Ishmael taught likewise: when a man or woman shall commit any sin that men commit:[28] the Writ assimilated woman to man in respect of all the penalties which are [decreed] in the Torah? It is necessary:

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(1) I.e., they have grown the hair which is the evidence of maturity before the usual age, which is twelve years and a day. They would normally be ashamed and wish to remove it. Tosaf. in Shab, 80b s.v. שהגיעו omits ‘years’ and seems to translate: ‘who have reached their time (for marriage), and yet have not attained it’, so that they wish to make themselves more beautiful.

(2) Est. II, 12 q.v.

(3) Jast.: oil of myrrh or cinnamon.

(4) It is stated in Men. 86a that anpikanin must not be brought with a meal-offering. R. Judah explains what this is.

(5) That all may know that their use is forbidden on Passover.

(6) Lit., ‘son of the West’.

(7) To go with the meat.

(8) He knew that it contains milk, whilst they did not.

(9) ‘Nuksheh’, a leavened substance unfit for food.

(10) Babylonian kutah and Median beer both contain real leaven, but mixed with other substances; while women's paste is simply flour, unmixed, but spoiled and unfit for food.

(11) This is dough which is beginning to ferment, i.e., semi-leaven. At that stage it is unfit for eating, and therefore the same as spoiled leaven; v. infra 48b.

(12) This is the punishment for violating a negative injunction.

(13) V. infra 48b for the controversy between R. Meir and R. Judah as to what constitutes si'ur', semi-leaven. Now both R. Meir and R. Judah hold that use of si'ur, as each defines it respectively, is forbidden, and hence it must be burnt. But si'ur, as defined by R. Meir, is in R. Judah's opinion mazzah (unleavened bread), but as it is not fit for eating, it must be given to a dog. The final clauses teaches this: according to R. Meir, he who eats si'ur, as defined by himself, is flagellated, though R. Judah holds that at that stage it is mazzah and may be eaten.
(14) Such as si'ur.
(15) Rab Judah being of the opinion
(16) No penalty is incurred.
(17) Thus R. Nahman holds that spoiled leaven unmixed is more stringent than real leaven in a mixture.
(18) [Added with MS.M.]
(19) That real leaven mixed is the more stringent.
(20) Ex. XII, 20.
(21) Ibid. 19.
(22) I.e., include.
(23) The bracketed passage is omitted in some edd. as well as supra 28b in the quotation of this Baraitha.
(24) That a negative injunction is involved even in respect of that which is made leaven through a foreign substance. How then do we know that even for a mixture a negative injunction is transgressed?
(25) Heb. kol. This is an extension, and so teaches even the inclusion of a mixture.
(26) In reference to kareth.
(27) That they too are subject to the penalty of kareth.
(28) Num.V, 6.

Talmud - Mas. Pesachim 43b

you might argue, since it is written, Thou shalt eat no leavened bread with it; seven days shalt thou eat unleavened bread therewith:[1] whoever is subject to 'arise, eat unleavened bread', is subject to 'thou shalt eat no leavened bread'; hence these women, since they are not subject to, 'arise, eat unleavened bread', because it is an affirmative precept limited to time,[2] I would say that they are also not subject to, 'thou shalt eat no leavened bread'. Hence it [the verse] informs us [otherwise].

And now that they have been included in [the injunction of] 'thou shalt eat no leavened bread', they are also included in respect of eating unleavened bread, in accordance with R. Eleazar. For R. Eleazar said: Women are subject to the [precept of] eating unleavened bread by the law of Scripture, for it is said, Thou shalt eat no leavened bread with it; [seven days shalt thou eat unleavened bread [therewith]: whoever is subject to 'thou shalt eat no leavened bread', is subject to the eating of unleavened bread; and these women, since they are subject to [the injunction of] 'thou shalt eat no leavened bread', are [also] subject to, 'arise, eat unleavened bread'.

And why do you prefer[3] [to assume] that this 'whosoever is to include women, while you exclude its mixture; say that it is to include the mixture?[4] — It is logical that when treating of eaters [Scripture] includes eaters; [but] when treating of eaters, shall it include things which are eaten?[5] To this R. Nathan the father of R. Huna demurred: Then wherever [Scripture] treats of eaters does it not include things eaten? Surely it was taught: For whosoever eateth the fat [heleb] of the beast, of which men present an offering [made by fire to the Lord, even the soul that eateth it shall be cut off from his people]:[6] I only know it of the heleb of unblemished [animals], which are fit to be offered [as sacrifices]; whence do we know it of the heleb of blemished animals? Therefore it is stated, 'of the beast'.[7] Whence do we know it of the heleb of hullin? Because it is stated, 'For whosoever',[8] Thus here, though [Scripture] treats of eaters, yet it includes things eaten? — Since there are no eaters there [to be included],[9] it includes things eaten. Here, however, that there are eaters [to be included],[10] he cannot abandon eaters and include things eaten.

Now as to the Rabbis who do not accept the view [that a negative injunction is violated through] a

mixture, they do not interpret 'whosoever' [as an extension]. But then how do they know [that] women [are liable to kareth]?[11] — They do not interpret 'whosoever' [as an extension], but they do interpret 'for whosoever' [as such].[12] Then [according to] R. Eliezer, say that 'whosoever' is to include women; 'for whosoever' is to include the mixture [of leaven]?[13] And should you answer, R. Eliezer does not interpret 'for whosoever' [as an additional extension] surely it was taught: For ye shall not burn any leaven...[as an offering made by fire unto the Lord]:[14] I only know it of the whole of it;[15] whence do I know [even] part of it?[16] Because 'any' [kol] is stated. Whence do we know [that] its mixture[17] [is forbidden]? Because it is stated for any [ki kol]. Whom do you know to interpret kol [as any extension]? R. Eliezer; and he [also] interprets 'for any' [ki kol]. This is [indeed] a difficulty.

R. Abbahu said in R. Johanan's name: In all the prohibitions of the Torah, a permitted [commodity] does not combine with a prohibited [commodity],[18] except in the [case of the] prohibitions of a nazirite, for lo! the Torah said, [any] infusion [of grapes].[19] While Ze'iri said: Also 'ye shall not burn any leaven'.[20] With whom [does this agree]? With R. Eliezer, who interprets kol.[21] If so,

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(1) Deut. XVI,3.

(2) Lit., 'caused by the time'. I.e., it is performed at certain times or seasons, and it is shown in Kid. 29a that women are exempt from such.

(3) Lit., 'what (reason) do you see?'

(4) While the limitation excludes women.

(5) Surely not.

(6) Lev. VII, 25.

(7) Implying whether it is fit for sacrificing or not.

(8) Which is an extension.

(9) For the inclusion of women in the prohibition and penalty follows from Rab's dictum supra 43a bottom.

(10) Viz., women, as explained supra.

(11) For eating leaven. For R. Eliezer interprets 'whosoever' in both cases, one as including a mixture, and the other as including women. But since the Rabbis do not interpret 'whosoever' as an extension, there is nothing to intimate the inclusion of women.

(12) Written in connection with kareth, Ex. XXI, 15 and 19.

(13) Teaching that kareth is involved, and not merely a negative precept.

(14) Lev. II, 11. For...any (E.V. For ye shall make no...) is ki...kol, the same words which are translated for whosoever' in the previous verses.

(15) I.e., where the whole of that which is burnt on the altar consists of leaven.

(16) Leaven must not even be used as part of the offering.

(17) I.e., anything containing a mixture of leaven.

(18) The minimum quantity to involve punishment is as much as an olive. Now, if a man eats half that quantity of heleb together with half that quantity of permitted meat simultaneously, the latter does not combine with the former, that it should be regarded as though he had eaten the full quantity of prohibited food.

(19) Num. VI, 3: neither shall he drink any infusion of grapes. By this the Talmud understands that he must not eat bread steeped in wine. Now bread itself is permitted, yet Scripture forbids the combination of bread and wine as though that also were forbidden, and if the two together amount to an olive, punishment is involved. For if Scripture refers to a case where the wine itself contains that quantity, why state it at all; obviously the wine is not less prohibited merely because it has been absorbed by the bread?

(20) Cf. Lev. I, 11. Rashi: if the priest put half an olive of leaven and half an olive of mazzah, not mixed together but each separately distinguishable, upon the altar, he incurs punishment. Tosaf. explains it differently.

(21) Supra: 'whence do I know (even) part of it' etc. He understands this to mean that there is half an olive of each.

in the matter of leaven too?[1] — That indeed is so; yet this[2] is to reject [the ruling] of Abaye, who said, There is burning [on the altar] in respect of less than an olive;[3] therefore he informs us that there is no burning for less than an olive.

R. Dimi sat and reported this discussion. Said Abaye to R. Dimi: And [in] all [other] prohibitions of the Torah, does not a permitted commodity combine with a prohibited [commodity]? Surely we learned: If the mikpeh[4] is of terumah, while the garlic and the oil are of hullin, and a tebul yom touched part of it, he disqualifies all of it.[5] If the mikpeh is of hullin, while the garlic and the oil is of terumah, and a tebul yom touches part of it, he disqualifies only the place which he touches. Now we pondered thereon: why is the place where he touches unfit? Surely the seasoning[6] is nullified in the greater quantity?[7] And Rabbah b. Bar Hanah answered: What is the reason? Because a lay Israelite is flagellated on its account for [eating] as much as an olive.[8] How is that conceivable?[9] Is it not because the permitted [commodity] combines with the forbidden [commodity]? — No: what does 'as much as an olive' mean: that there is as much as an olive within the time of eating half [a loaf].[10] Is then 'as much as an olive within the time of eating half [a loaf]' a Scriptural [standard]?[11] Yes, he answered him. If so, why do the Rabbis disagree with R. Eliezer in reference to Babylonian kutah?[12] — What then: [the reason is] because the permitted [commodity] combines with the prohibited commodity? Then after all why do the Rabbis differ from R. Eliezer in the matter of Babylonian kutah? But leave Babylonian kutah alone,[13] because it does not contain as much as an olive within the eating of half [a loaf]. [For] if [it is eaten] in its natural state,[14] so that he gulps it down and eats it, we disregard such a fancy as being exceptional.[15] While if he dips [bread] into it[16] and eats it, it does not contain as much as an olive within the time of eating half [a loaf].

He raised all objection against him: If there are two [stew] pots, one of hullin and the other of terumah, and in front of them are two mortars, one containing [condiments of] hullin and the other containing terumah, and the latter fell into the former, they are permitted,[17] for I assume: the terumah fell into the terumah, and the hullin fell into the hullin. Now if you say that as much as an olive within the [time of] eating half [a loaf] is a Biblical [standard],why do we say, 'for I assume, the terumah' etc.?[18] — Leave the terumah of condiments alone, he replied, which is [only] Rabbinical.[19]

He raised an objection against him: [If there are] two baskets, one containing hullin and the other containing terumah, and in front of them are two se'ah [of provisions], one of hullin and the other of terumah and these fell into those, they are permitted, for I assume: the hullin fell into hullin, [and] the terumah fell into the terumah. Now if you say that as much as an olive within the eating of half [a loaf] is a Scriptural [standard], why do we say, 'because I assume' [etc.]?[20] — Leave the terumah [set aside]

kutah there is as much as an olive of leaven, and for that he should be liable. at the present time[21] he answered him, which is only Rabbinical.

Now does this [law of] the infusion [of grapes] come for this purpose?[22] It is required for what was taught: 'An infusion':

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(1) There too he learns that there is a negative injunction in respect of the mixture of leaven; hence he should likewise assume that it refers to half all olive of each.

(2) Sc. the particular mention of the burning of leaven on the altar.

(3) Even if one burns less than an olive of leaven on the altar, he is culpable, since the leaven itself, whatever its quantity, involves punishment.

(4) Jast.: a stiff mass of grist, oil and onions.

(5) A tebul yom (v. Glos.) disqualifies terumah. Since the main part of the dish is terumah, even the hullin too becomes unfit, because it is subsidiary to the terumah.

(6) I.e., the garlic and oil.

(7) As explained in n. 4, it is merely subsidiary to the main dish.
(8) Hence it is not regarded as nullified, in spite of its subsidiary nature.
(9) "When a lay Israelite eats as much as an olive of that dish, he has not eaten that quantity of terumah. Why then is he flagellated?
(10) I.e., if he eats as much as half a loaf of eight average eggs in size, this half constituting an average meal, within the time that the normal eater requires for a meal, he will have eaten as much as an olive of terumah, and for that he is culpable. [According to Maim. Yad 'Erubin,, half a loaf is equivalent to three average eggs].
(11) That flagellation is incurred. — Flagellation is only imposed for the violation of a law of Scripture.
(12) Even if flagellation is not incurred on account of the mixture, yet there too in a quantity of four eggs of
(13) I.e., do not ask a question from it.
(14) I.e., by itself, and not as a relish with something else.
(15) Lit., 'his mind is nullified by the side of every man. It is not considered eating, and therefore does not involve punishment. — Punishment is incurred only when forbidden, food is eaten in the normal way.
(16) Rashi; Jast.: if he spreads it (on bread).
(17) The pot of hullin is permitted to a lay Israelite.
(18) For of course it might have been the reverse; how then can we make this lenient assumption when there is a doubt of a Scriptural prohibition?
(19) By Scriptural law no terumah is required for these; hence the entire prohibition in this case is only Rabbinical.
(20) V. n. 6.
(21) After the destruction of the Temple.
(22) V. Supra 43b bottom.

Talmud - Mas. Pesachim 44b

[this is] to intimate that the taste is as the substance itself, so that if he [the nazirite] steeped grapes in water and it possesses the taste of wine, he is culpable.[1] From this you may draw a conclusion for the whole Torah.[2] For if a nazirite, whose prohibition is not a permanent prohibition, and his prohibition is not a prohibition of [general] use,[3] and there is a release for his prohibition,[4] yet [Scripture] made the taste tantamount to the substance in his case; then kil'ayim, the prohibition of which is a permanent prohibition, and whose prohibition is a prohibition of [general] use, and there is no release from its prohibition, is it not logical that the taste should be treated as tantamount to the substance itself? And the same applies to 'orlah by two [arguments]![5] — The authority for this is the Rabbis, which R. Johanan[6] stated [his ruling] in accordance with R. Akiba.

Which [ruling of] R. Akiba [is alluded to]? Shall we say, R. Akiba of our Mishnah, for we learned: 'R. Akiba said: If a nazirite soaked his bread in wine, and it contains sufficient to combine as much as an olive, he is culpable'? But whence [do you know that he means sufficient] of the bread and the wine; perhaps [he means] of the wine alone?[7] And should you say, [if] of the wine alone, why state it? He informs us thus: [He is culpable] although it is a mixture![8] — Rather it is R. Akiba of the Baraitha. For it was taught, R. Akiba said: If a nazirite soaked his bread in wine and ate as much as an olive of the bread[9] and the wine [combined] he is culpable.

Now [according to] R. Akiba, whence do we know that the taste [of forbidden food] is like the substance itself?[10] — He learns it from [the prohibition of] meat [seethed] in milk; is it not merely a taste,[11] and it is forbidden? so here too[12] it is not different. And the Rabbis?[13] — We cannot learn from meat [seethed] in milk, because it is an anomaly.[14] Yet what is the anomaly? Shall we say because this [sc. meat] by itself is permitted, and that [sc. milk] by itself is permitted, while in conjunction they are forbidden, but [with] kil'ayim too, this [species] by itself is permitted, and that species] by itself is permitted, yet in conjunction they are forbidden? — Rather [the anomaly is] that if he soaked it all day in milk it is permitted,[15] yet if he but seethed it [in milk] it is forbidden. Then R. Akiba too? [The prohibition of] meat [seethed] in milk is certainly an anomaly?[16] — Rather he learns it from the vessels of Gentiles.[17] The vessels of Gentiles, is it not merely a flavour [which they

impart]? Yet they are forbidden; so here too it is not different. And the Rabbis?[18] — The vessels of Gentiles too are an anomaly, for whatever imparts a deteriorating flavour is permitted,[19] since we learn it from nebelah,[20] yet here it is for bidden.[21] But R. Akiba [holds] as R. Hiyya the son of R. Huna, who said: The Torah prohibited [it] only in the case of a pot used on that very day, hence it is not a deteriorating flavour.[22] And the Rabbis? — A pot used on that very day too, it is impossible that it should not slightly worsen [the food cooked in it].

R. Aha son of R. ‘Awia said to R. Ashi: ‘From the Rabbis let us learn the view of R. Akiba. Did not the Rabbis say, "An infusion": [this is] to intimate that the taste is tantamount to the substance itself. From this you may draw a conclusion for the whole Torah?’ Then according to R. Akiba too [let us say]: ‘An infusion’: this is [to intimate] that the permitted commodity combines with the forbidden commodity. From this you may draw a conclusion for the whole Torah?[23] — Said he to him,

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(1) For eating it. ‘

(2) I.e., that the taste of all forbidden food is forbidden just as the substance itself. [That is provided the forbidden substance consisted originally of the size of an olive. This requirement distinguishes this principle from that of R. Johanan, in virtue of which what is permitted combines with what is forbidden, even though the latter is less in size than an olive's bulk.]

(3) Though he may not eat grapes or drink wine, etc., he may benefit from them.

(4) He can be absolved of his vow, whereupon it all becomes permitted.

(5) Rashi: ‘orlah too is forbidden for use and there is no release for its prohibition. The third argument however cannot be applied here, as ‘orlah is not permanently forbidden, since it is permitted after three years. Tosaf. explains it differently. — But incidentally we see that ‘an infusion’ is required for a different purpose.

(6) Supra 43b bottom.

(7) Viz., that the bread had soaked up that quantity of wine. Yet the term ‘combine’ is applicable, because the wine is not separate now but is spread through the bread.

(8) Of bread and wine, the wine not standing alone.

(9) The wine had not soaked through the whole olive-bulk of the bread, so that part of the bread is by itself; and the only reason for culpability must be the principle enunciated by R. Johanan.

(10) Since he utilizes ‘an infusion’ for the purpose just stated.

(11) Which the meat has received from the milk.

(12) I.e., in respect of all other forbidden food.

(13) Why cannot they learn it in the same way?

(14) Lit., ‘a new law’, i.e., it is peculiarly different from other laws, and therefore does not provide a basis for analogy.

(15) By Scriptural law, even to eat it; Scripture forbids it only when cooked in milk.

(16) How then can he derive it thence?

(17) Lit., ‘the exudings (from the vessels) of Gentiles’, i.e., vessels in which Gentiles cooked food. These must be purged with boiling water (this is called hage'alah) before they may be used, because they exude a flavour of the food which was boiled in them.

(18) V. n. 6.

(19) I.e., when the imparted flavour spoils the taste of the permitted food.

(20) Deut. XIV, 21: Ye shall not eat of

(21) They assume that the flavour exuded by the vessel has a deteriorating effect.

(22) Because it is still fresh.

(23) Then why did R. Johanan (Supra 43b bottom) limit this principle to a nazirite, seeing that his statement is in accordance with R. Akiba?

Talmud - Mas. Pesachim 45a

Because a nazirite and a sin-offering are two verses with the same teaching,[1] and they do not illumine [other cases].[2] ‘A nazirite’, that which we have stated. What is the reference to the

sin-offering? — For it was taught: whatsoever shall touch in the flesh thereof shall be holy:[3] you might think, even if it did not absorb [of the flesh of the sin-offering]; therefore it is stated, 'in the flesh thereof'.[4] Only when it absorbs in the flesh?[5] 'Shall be holy', to be as itself, so that if it [the sin-offering] is unfit, that [which touches it] becomes unfit; while if it is fit, that may be eaten [only] in accordance with its stringencies.[6]

any thing that dieth of itself (nebelah); thou mayest give it unto the stranger. Hence whatever is fit for a stranger is designated nebelah, but what is unfit is not designated nebelah, in the sense that if it imparts a deteriorating flavour it does not render the food forbidden. Then, according to the Rabbis too, let a nazirite and a sin-offering be two verses with the same teaching and they do not illumine [other cases]? — They can answer: these are indeed [both] necessary.[7] And R. Akiba?[8] How are they [both] necessary? It is well [to say] that if the Merciful One wrote it in respect to a sin-offering, [the case of] a nazirite could not be derived from it, because we cannot derive hullin from sacred sacrifices.[9] But let the Merciful One write it in respect to a nazirite, and then the sin-offering would come and be derived from it, seeing that all the prohibitions of the Torah are learnt from a nazirite. But the Rabbis can answer you: they [both] are indeed required; the sin-offering, to [show that] the permitted combines with the forbidden, while hullin cannot be deduced from sacred sacrifices; and 'an infusion', to intimate that the taste is as the substance itself, and from this you may draw a conclusion for the whole Torah. But R. Akiba maintains: both [are required] for [teaching] that the permitted combines with the forbidden, so that they are two verses with the same teaching, and all [instances of] two verses with the same teaching do not illumine [other cases].

R. Ashi said to R. Kahana: Then as to what was taught, [All the days of his Naziriteship shall he eat] nothing that is made of the grape vine, from the husks to the kernels:[10] this teaches concerning a nazirite's prohibited commodities, that they combine with each other; — seeing that according to R. Akiba [even] the forbidden with the permitted combine, is it necessary [to state] the forbidden with the forbidden?[11] — Said he to him: The forbidden with the permitted [combine only when eaten] together; the forbidden with the forbidden, [even when eaten] consecutively.[12]

which absorbs some of it. — Thus here too the permitted flesh combines with the forbidden, and all is regarded as forbidden. MISHNAH. [WITH REGARD TO] THE DOUGH IN THE CRACKS OF THE KNEADING TROUGH, IF THERE IS AS MUCH AS AN OLIVE IN ONE PLACE, HE IS BOUND TO REMOVE [IT]; BUT IF NOT, IT IS NULLIFIED THROUGH THE SMALLNESS OF ITS QUANTITY.[13] AND IT IS LIKEWISE IN THE MATTER OF UNCLEANNESS: IF HE OBJECTS TO IT, IT INTERPOSES;[14] BUT IF HE DESIRES ITS PRESERVATION,[15] IT IS LIKE A KNEADING-TROUGH.[16]

GEMARA. Rab Judah said in Samuel's name: They learned this[17] only of a place where it [the dough] does not serve[18] for reinforcing [the trough]; but where it serves for reinforcing [it], he is not bound to remove it.[19] Hence it follows that [where there is] less than an olive, even if it does serve for reinforcing [it], he is not obliged to remove it. Others recite it in reference to the second clause: BUT IF NOT, IT IS NULLIFIED THROUGH THE SMALLNESS OF ITS QUANTITY. Said Rab Judah in Samuel's name: They learned this only where it serves for reinforcing [the trough]; but where it does not serve for reinforcing [it], he is bound to remove it. Whence it follows that if there is as much as an olive, even where it serves for reinforcing [it], he is bound to remove it.

It was taught as the former version; It was taught as the latter version. It was taught as the former version: Dough in the cracks of the kneading trough, where it serves for reinforcing, it does not interpose,[20] and he [its owner] does not transgress.[21] But [if it is] in a place where it does not serve for reinforcing, it interposes, and he transgresses. When is this said? Where there is as much as an olive. But if there is less than an olive, even where it does not serve for reinforcing, it does not interpose, and he does not transgress.

Again, it was taught as the latter version: Dough in the cracks of a kneading trough, where it serves for reinforcing,

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(1) Lit., 'which come as one'.

(2) V. Supra p. 119, n. 2.

(3) Lev. VI, 20. 'Holy' means 'forbidden', in the sense that any other flesh which touches this flesh of the sin-offering becomes subject to the same laws and limitations as those to which the sin-offering is subject.

(4) Literal translation. I.e., it is forbidden only if it absorbs some of the sin-offering within itself.

(5) [The text of cur. edd. is difficult. A better reading is preserved in the Sifra a.l. 'till it absorbs', omitting the words 'in the flesh', and the deduction being from the word 'thereof'.]

(6) A sin-offering must be eaten within the sacred precincts, by male priests, and for one day and night only; similarly the food

(7) And where that is so, they do illuminate other cases, since neither could be deduced from the other.

(8) Does he not admit this?

(9) The latter being naturally more stringent. Hence the fact that there the permitted combines with the forbidden does not prove that it will also do so in the case of hullin, where the interdicted food is not sacred.

(10) Num. VI, 4.

(11) Surely it is obvious; why then is the verse required?

(12) For further notes on the whole discussion beginning with R. Abbahu's dictum in the name of R. Johanan on page 43b, v. Nazir, Sonc. ed. pp. 128ff.

(13) I.e., he has abandoned the normal use of the dough in flavour of the trough.

(14) V. infra n. 8; if he objects to it, it is regarded as a foreign body.

(15) I.e., he wants the dough to be there to close the crack.

(16) And it does not interpose.

(17) That if there is as much as an olive in one place it must be removed.

(18) Lit., 'it is not made for'.

(19) E.g., if the crack is at the bottom of the trough, and the dough fills it and so prevents the water from running out. It is then regarded as part of the trough, not as dough, and therefore it need not be removed. But if the crack is high up, it does not serve this purpose and must be removed.

(20) When a utensil is ritually unclean and cleansed in a ritual bath, nothing must interpose between the utensil and the water of the bath (called a mikweh); otherwise the ablution is invalid. This dough, since it reinforces the trough, is counted as part of itself and not as a foreign body, and therefore it is not an interposition between the trough and the water; hence the ablution is valid.

(21) The law of Passover by leaving it there and not removing it.

it does not interpose, and he does not transgress; [if it is] in a place where it does not serve for reinforcing, it interposes, and he transgresses. When is this said? When there is less than an olive; but if there is as much as an olive, even in a place where it serves for reinforcing, it interposes, and he transgresses. Then these are contradictory? — Said R. Huna: Delete the more lenient [Baraitha] in favour of[1] the more stringent. R. Joseph said: You quote Tannaim at random![2] This is a controversy of Tannaim. For it was taught: If a loaf went mouldy, he is bound to remove it, because it is fit to crumble and leaven many other doughs with it. R. Simeon b. Eleazar said: When is this said? If it is kept for eating. But a mass[3] of se'or which he put aside for sitting, he has nullified it.[4] Now, since R. Simeon b. Eleazar said, 'He has nullified it', it follows that the first Tanna holds that he has not nullified it. This proves that he holds, wherever there is as much as an olive, even if he nullifies it, it is not nullified. Said Abaye to him: You have reconciled it where there is as much as an olive; [yet] have you reconciled it [where there is] less than an olive? Rather both the one and the other are [the rulings of] R. Simeon b. Eleazar, yet there is no difficulty: one [is taught where it is] in the place of kneading; the other, where it is not in the place of kneading.[5] R. Ashi said: Do not assume that 'not

in the place of kneading' means on the back of the trough [only], but [it means even] on the [upper] rim of the trough. That is obvious? — You might say, it sometimes splashes up and reaches there:[6] hence he informs us [otherwise].

R. Nahman said in Rab's name: The halachah is as R. Simeon b. Eleazar. Yet that is not so, for R. Isaac b. Ashi said in Rab's name: If he plastered its surface[7] with clay, he has nullified it. [Thus,] only if he plastered it, but not if he did not plaster it?[8] He who recited this did not recite that.[9] Others state, R. Nahman said in Rab's name: The halachah is not as R. Simeon b. Eleazar, for R. Isaac b. Ashi said in Rab's name: If he plastered its surface with clay, he has nullified it etc. R. Nahman said in Samuel's name: [If there are] two half olives[10] and a thread of dough joining[11] them, we see: wherever if the thread were taken up these would be carried with it, he is bound to remove [them];[12] but if not, he is not bound to remove [them]. Said 'Ulla: This was said only of [dough in] a kneading trough; but [if they are] in the house, he is bound to remove [them].[13] What is the reason? Because he may sometimes sweep them and they will fall together.

'Ulla said: They asked in the West [Palestine]: What of a room[14] and an upper storey; what of a room and the [entrance] hall; what of two rooms, one within the other?[15] The questions stand.

Our Rabbis taught: If a loaf went mouldy and it became unfit for human consumption, yet a dog can eat it, it can be defiled with the uncleanness of eatables, if the size of an egg, and it may be burnt together with an unclean [loaf] on Passover.[16] In R. Nathan's name it was ruled: It cannot be defiled [as an eatable]. With whom agrees the following which we learned: A general principle was stated in respect to the laws of [ritual] cleanness: Whatever is set aside for human consumption is unclean,[17] until it becomes unfit for a dog to eat? With whom [does this agree]? It is not in accordance with R. Nathan.

Our Rabbis taught: [With regard to] the trough of tanners[18] into which he put flour,[19] [if] within three days [before Passover], he is bound to remove it;[20] [if] before three days, he is not bound to remove it.[21] Said R. Nathan: When is this said? If he did not put hides into it; but if he put hides into it, even [if it is] within three days, he is not bound to remove [the flour].[22] Raba said: The halachah is as R. Nathan, even [if it is] one day, and even one hour [before Passover]. AND IT IS LIKEWISE IN RESPECT TO UNCLEANNESS: IF HE OBJECTS TO IT, IT INTERPOSES; BUT IF HE DESIRES ITS PRESERVATION, IT IS LIKE THE KNEADING-TROUGH. How compare: there the matter is dependent on the quantity [of the dough], [whereas] here the matter is dependent on [his] objecting [to it]? Said Rab Judah, Say: But in respect to uncleanness it is not so. Said Abaye to him, But he states, AND IT IS LIKEWISE IN RESPECT TO UNCLEANNESS? Rather, said Abaye, He means it thus: AND IT IS LIKEWISE

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(1) Lit., 'before'.

(2) There is no reason for assuming that both Baraithas represent the view of the same Tanna.

(3) Kopeth really means a low seat or block.

(4) I.e., he gave up the nominal use of it as se'or and hence it no longer counts as leaven.

(5) in the second Baraitha, 'where it does not serve for reinforcing', refers only to a place where no kneading is done at all, e.g at the upper edge; but dough in the cracks at the sides is regarded as reinforcing the trough, and hence it must be removed. But the first Baraitha holds that even in the latter case it does not reinforce it, though kneading is done there, while 'where it serves for reinforcing' refers to the bottom only. Hence this is what the first Tanna states: Where it serves for reinforcing, e.g., at the bottom, he does not transgress even if there is as much as an olive. Where it does not serve for reinforcing (i.e., to support the water), e.g., in the sides, which is a place for kneading yet not a place for the water, if there is as much as an olive, it interposes, and he transgresses. But if there is less than an olive, even if it is in the sides it does not interpose, for since it does help somewhat to support the dough which is kneaded there (viz., that it should not sink into the crack), it is nullified. But this Tanna does not discuss dough which is not in the place of kneading, viz., at the upper rim, and he would admit in that case that even if there is less than an olive it is not nullified.

While the second Tanna rules thus: If it is in the place where it affords support to the dough, i.e., in the sides, if there is less than an olive it does not interpose; if there is as much as an olive, it interposes, and this is the view of the first Tanna too. While where it is not made for reinforcing (or, supporting), i.e., at the upper rim, even less than an olive interposes, and this too agrees with the first Tanna.

(6) So that the rim is regarded as a place of kneading and must be removed, even if less than an olive. [MS.M. omits 'and reaches there'. V. also Rashi.]

(7) Sc. that of the mass of se'or which he set aside for sitting.

(8) Whereas R. Simeon b. Eleazar holds that it is nullified in any case.

(9) There are two opposing views on Rab's ruling.

(10) I.e., two pieces of dough, each the size of half an olive. — The reference is to the cracks in the kneading trough.

(11) Lit., 'between'.

(12) Because it is all one.

(13) Even if they are not thus united by a thread of dough.

(14) Bayith in the Talmud often has the meaning of a room in a house.

(15) I.e., if there is half an olive in one and half in the other: do we fear here too that they may be swept together?

(16) V. supra 15b.

(17) I.e., subject to defilement as an eatable.

(18) Into which they put hides for tanning.

(19) Which is used in the tanning process.

(20) Because it is still regarded as flour, and of course it is leaven.

(21) Because by Passover it will be so spoiled through the odour of the trough, even if there are no hides in it, that it will not be regarded as flour.

(22) Because the hides utterly spoil it.

Talmud - Mas. Pesachim 46a

IN RESPECT TO combining for UNCLEANNESS on Passover, whereas during the rest of the year there is a distinction. How is that? E.g., if there are eatables less than an egg in quantity,[1] and they were in contact with this dough: on Passover, when its prohibition renders the dough important,[2] it combines.[3] [But] during the rest of the year, when the matter is dependent on [his] objecting, IF HE OBJECTS TO IT,[4] it combines; [while] IF HE DESIRES ITS PRESERVATION, IT IS LIKE THE KNEADING-TROUGH. To this Raba demurred: Does he then teach, it combines; surely he teaches, IT INTERPOSES! Rather, said Raba: [The meaning is], AND IT IS LIKEWISE IN RESPECT TO cleaning[5] the kneading-trough. How is that? E.g., if this kneading-trough became unclean, and he wishes to immerse it. On Passover, when its interdict [renders it] important, IT INTERPOSES, and the immersion is not efficacious for it. But during the rest of the year the matter is dependent on his objecting: IF HE OBJECTS TO IT, IT INTERPOSES, WHILE IF HE DESIRES ITS PRESERVATION, IT IS LIKE THE KNEADING-TROUGH. To this R. Papa demurred: Does he teach, And it is likewise in respect to cleanness? Surely he teaches, AND IT IS LIKEWISE IN RESPECT TO UNCLEANNESS! Rather, said R. Papa: [The meaning is], AND IT IS LIKEWISE IN RESPECT TO causing UNCLEANNESS to descend upon the kneading-trough. How so? E.g., if a sherez touched this dough: on Passover, when its interdict [renders it] important, IT INTERPOSES,[6] and uncleanness does not descend upon it;[7] [but] during the rest of the year, when the matter is dependent on [his] objecting, IF HE OBJECTS TO IT, IT INTERPOSES; WHILE IF HE DESIRES ITS PRESERVATION, IT IS LIKE [i.e., identical with] THE KNEADING-TROUGH.[8]

MISHNAH. [REGARDING] 'DEAF' DOUGH,[9] IF THERE IS [A DOUGH] SIMILAR TO IT WHICH HAS BECOME LEAVEN,[10] IT IS FORBIDDEN.

GEMARA. What if there is no [dough] similar to it? — Said R. Abbahu in the name of R. Simeon b. Lakish: [The period for fermentation is] as long as it takes a man to walk from the Fish Tower

[Migdal Nunia] to Tiberias, which is a mil.[11] Then let him say a mil? — He informs us this, [viz.,] that the standard of a mil is as that from Migdal Nunia to Tiberias.[12]

R. Abbahu said in the name of R. Simeon b. Lakish: For kneading, for prayer, and for washing the hands, [the standard is] four mils.[13] R. Nahman b. Isaac said: Aibu stated this,[14] and he stated four [laws] about it,[15] and one of them is tanning. For we learned: And all these, if he tanned them or trod on them to the extent of tanning,[16] are clean,[17] excepting a man's skin. And how much is 'the extent of tanning'? — Said R. Aibu in R. Jannai's name: The extent of walking four mils. R. Jose son of R. Hanina said: They learned this only [about going on] ahead: but [as for going] back, he need not return even a mil.[18] Said R. Aha: And from this [we deduce]: it is only a mil that he need not go back, but less than a mil he must go back.

MISHNAH. HOW DO WE SEPARATE HALLAH ON THE FESTIVAL [FROM DOUGH WHICH IS] IN [A STATE OF] UNCLEANNESS?[19] R. ELIEZER SAID: IT MUST NOT BE DESIGNATED WITH THE NAME [OF HALLAH] UNTIL IT IS BAKED.[20] THE SON OF BATHYRA SAID: LET IT [THE DOUGH] BE CAST INTO COLD WATER.[21] SAID A. JOSHUA:

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(1) This being the minimum standard which can defile.

(2) Lit.,'its prohibition is important .

(3) With the eatables. I.e., the dough, if an olive in quantity, is important in so far as its prohibition necessitates its removal, and owing to this it combines with the eatables to the standard of an egg, whereby if unclean they can together defile other food.

(4) Which gives it an importance.

(5) Lit., 'bringing it up' — from its uncleanness.

(6) Between the Sherez, (v. Glos.) and the trough.

(7) The trough does not become unclean, for we do not regard the sherez, as having touched it.

(8) So that the trough becomes unclean through the contact of the sherez with the dough.

(9) An idiomatic expression: dough in which it is doubtful whether leavening has set in or not. Another reading: 'potsherd' dough, i.e., dough whose surface has gone hard and smooth and contains no splits, which are the usual signs of fermentation, and thus there is doubt.

(10) I.e., dough which was kneaded at the same time.

(11) Two thousand cubits. This is generally regarded as an eighteen minutes' walk. If it is eighteen minutes since the dough was kneaded (before being set in the oven), it is leaven.

(12) I.e., that they are a mil apart.

(13) A paid kneader must go four mils to immerse the kneading vessels, if they are unclean. A man on a journey, when he wishes to stop for the night, must go on another four mils if there is a synagogue within that distance, to pray there. Similarly, he must go on four mils ahead to procure water for washing his hands prior to eating; but if no synagogue or water is available within that distance, he is not bound to undertake a longer journey.

(14) In the name of R. Simeon b. Lakish, and not R. Abbahu.

(15) Not three; i.e., the three already mentioned and another.

(16) Hides were spread out to be trodden on, and this was part of the tanning process.

(17) In Hul. 122a a number of animals are enumerated whose skins are the same as their flesh in respect of defilement, as they are likewise accounted as eatables (several animals unfit for food are included in the list). But if he tanned them, etc., they are clean, i.e., they lose the status of flesh and thus become clean.

(18) E.g., to procure water, etc.

(19) The reference is to Passover. Unclean hallah may not be eaten by the priest. Now this hallah may not be baked, since it cannot be eaten, and only the preparation of food is permitted on a Festival; it cannot be kept until evening, as it may turn leaven; nor may it be burnt or given to dogs, for sacred food must not be destroyed thus on a Festival. The actual Festival days are meant, i.e., the first and the last days (outside Palestine, the first two and the last two), but not the Intermediate Days, which possess only a semi sanctity.

(20) I.e., the dough must first be baked, and then all the unleavened mazzoth are put in a basket, and one mazzah or so is declared hallah for all. Usually hallah must be separated from the dough, but when this is impossible, or if it was not

done, it is separated from the baked bread.

(21) I.e., the hallah must be separated from the dough in the usual way and placed in cold water until evening, to prevent it from fermenting.

NOW THIS IS THE LEAVEN CONCERNING WHICH WE ARE WARNED WITH [THE INJUNCTIONS], 'IT SHALL NOT BE SEEN , AND 'IT SHALL NOT BE FOUND,[1] BUT HE SEPARATES IT AND LEAVES IT UNTIL THE EVENING, AND IF IT FERMENTS IT FERMENTS.[2]

GEMARA. Shall we say that they differ in respect of goodwill benefit, R. Eliezer holding, Goodwill benefit is considered money, while R. Joshua holds, Goodwill benefit is not money?[3] — No: all hold [that] goodwill benefit is not money, but here they differ in respect to 'since'. For R. Eliezer holds: We say, since if he desires, he can have it [sc. the designation of hallah] revoked,[4] it is his property.[5] While R. Joshua holds: We do not say, since.[6]

It was stated: [With regard to] one who bakes [food] on a Festival for [consumption on] a weekday, — R. Hisda said: He is flagellated; Rabbah said: He is not flagellated. 'R. Hisda said, He is flagellated': We do not say, Since if guests visited him it would be fit for him [on the Festival itself].[7] Rabbah said: He is not flagellated: we say, 'since' Said Rabbah to R. Hisda, According to you who maintain, We do not say, 'since', how may we bake on a Festival for the Sabbath?[8] — On account of the 'erub[9] of dishes, he answered him. And on account of an 'erub of dishes we permit a Biblical prohibition! — Said he to him, By Biblical law the requirements of the Sabbath may be prepared on a Festival, and it was only the Rabbis who forbade it, lest it be said, You may bake on a Festival even for weekdays;[10] but since the Rabbis necessitated an 'erub of dishes for it,[11] he has a distinguishing feature.[12]

He [Rabbah] raised on objection against him: [In the case of] an animal at the point of death,[13] he must not slaughter it[14] save when there is time to eat as much as an olive of it roast before night.[15] [Thus, it states when] he is able to eat [thereof], [that is] even if he does not wish to eat. Now according to me, who maintain that we say, 'since', it is well: since if he desires to eat, he is able to eat, for that reason he may slaughter. But according to you who maintain, we do not say, 'since', why may he slaughter? Said he to him, On account of the loss of his money. And on account of the loss of his money we permit a Biblical prohibition! Yes, he replied: on account of the loss of his money he determined in his heart to eat as much as an olive, and as much as an olive of flesh is impossible [to obtain] without slaughtering.

He [Rabbah] raised an objection against him: The shewbread

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(1) I.e., even if it does turn leaven it is not subject to these prohibitions. The Gemara explains the reason.

(2) It does not matter.

(3) Goodwill benefit is a man's right to dispose of property to whomever he desires, though he may not keep it, and it is disputed whether such a right is accounted as of monetary worth. Naturally, even if it is, its value is small. Thus an Israelite must separate hallah, but he can give it to any priest he desires, and a friend of a particular priest might pay him a trifle to give it to that priest. Now, it has been stated supra 5b that the interdict against leaven being seen or found in the house applies only to one's own leaven. Now if goodwill benefit ranks as money, the hallah is accounted the Israelite's property, and therefore it is subject to this interdict: hence R. Eliezer holds that the dough must first be baked. But if goodwill benefit does not rank as money, the hallah is not accounted the Israelite's property, and therefore it is separated from the dough, and it does not matter if it turns leaven.

(4) When a man declares anything sacred, as hallah, it is really the equivalent of a vow that this shall be sacred, and therefore he can be absolved of it, whereby his declaration is annulled, just as in the case of other vows.

(5) Until he gives it to the priest. Therefore it is subject to these injunctions.

(6) We disregard this possibility, since in fact he has not revoked it. Hence it is not his property. But v. infra 48a, p. 227f.

(7) Therefore his action is not culpable.

(8) But that we use this argument: since it is fit (of use) for him on that same day if he is visited by guests.

(9) V. Glos.

(10) Which is definitely forbidden.

(11) I.e., for cooking on a Festival for the Sabbath.

(12) Which makes it clear to him that cooking on Festivals is not permitted indiscriminately, but only for the Festival or the Sabbath.

(13) Lit., 'in danger' — of death. Hence the owner wishes to slaughter it before it dies, which would render its flesh nebelah (v. Glos).

(14) On a Festival.

(15) Lit., 'while it is yet day', — i.e., on the Festival itself.

Talmud - Mas. Pesachim 47a

is eaten on the ninth, the tenth, or the eleventh [day],[1] neither earlier nor later.[2] How so? Normally it is eaten on the ninth [day]: it is baked on the eve of the Sabbath [and] eaten on the Sabbath [of the following week], [which is] on the ninth. If a Festival occurred on the eve of the Sabbath, it is eaten on the Sabbath, on the tenth.[3] [If] the two Festival days of New Year[4] [occurred before the Sabbath], it is eaten on the Sabbath on the eleventh day, because it [the baking of the shewbread] does not override either the Sabbath or the Festival. Now if you say [that] the requirements of the Sabbath may be prepared on a Festival, why does it not override the Festival?[5] — Said he to him, A near shebuth they permitted; a distant shebuth they did not permit.[6] Then according to R. Simeon b. Gamaliel, who said on the authority of R. Simeon the son of the Segan:[7] It overrides the Festival, but it does not override the fast-day,[8] what is to be said?[9] — They differ in this: one Master holds, They permitted a near shebuth, [but] a distant shebuth they did not permit; while the other Master holds: a distant shebuth too they permitted.[10]

R. Mari raised an objection: The two loaves[11] are eaten neither less than two [days after baking] nor more than three [days after baking].[12] How so? They were baked on the eve of the Festival [and] eaten on the Festival, [i.e.,] on the second [day]. If the Festival fell after the Sabbath,[13] they are eaten on the Festival, on the third [day], because it [the baking] does not override either the Sabbath or the Festival.[14] But if you say [that] the requirements of the Sabbath may be prepared on the Festival, seeing that [those] of the Sabbath are permitted on the Festival, is there a question about [those] of the Festival on the Festival! There it is different, because Scripture saith, [Save that which every man must eat, that only may be done] for you:[15] 'for you', but not for the Most High.[16] Then according to R. Simeon b. Gamaliel who said on the authority of R. Simeon the son of the Segan: It overrides the Festival, what is there to be said? — He holds as Abba Saul, who interpreted: 'for you', but not for Gentiles.[17]

R. Hisda sent to Rabbah by the hand of R. Aha son of R. Huna: But do we say 'since'? Surely we learned: One may plough one furrow, and be culpable for it on account of eight negative injunctions. [Thus:] he who ploughs with an ox and an ass [together], which are sacred, [and the furrow consists of] kil'ayim in a vineyard,

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(1) After it is baked. The shewbread was generally baked on Friday, placed on the Table in the Temple on the Sabbath, and removed the following Sabbath and eaten; when it was removed it was replaced by fresh bread.

(2) Lit., 'less' . . . 'more'.

(3) For it would have to be baked on Thursday.

(4) Even in Palestine, where all festivals were kept one day only, in accordance with Scripture, New Year was sometimes kept two days v. R.H. 30b.

(5) Since baking on a Festival for the Sabbath (without an 'erub) is thus but a Rabbinical prohibition (a shebuth; v. Glos.) and as since does not apply to the Temple.

(6) I.e., they permitted the abrogation of the shebuth in the Temple when it was shortly required, viz., for that same

Sabbath, but not when it would only be required a week later.

(7) V. supra 14a, p. 62, n. 1.

(8) Sc. the baking of the shewbread. The Fast-day is the Day of Atonement.

(9) Why may it not be baked on the Festival? Tosaf.: On my view, says Rabbah, there is no difficulty, as I maintain that this is precisely the point of the controversy: the first Tanna holds that the requirements of the Sabbath may not be prepared on a Festival, while R. Simeon b. Gamaliel holds that they may be prepared. But on your view that the first Tanna too holds that the requirements of the Sabbath may be prepared on a Festival, but that here it is forbidden as a distant shebuth, R. Simeon b. Gamaliel should merely state that even a distant Shebuth is permitted.

(10) And that is what R. Simeon b. Gamaliel really means.

(11) Which were brought on Pentecost, v. Lev. XXIII, 17.

(12) The figures are inclusive of the day on which they were baked.

(13) I.e., on Sunday, so that they would be baked on the previous Friday.

(14) Hence they could not be baked on the Festival itself and eaten on the same day.

(15) Ex. XII, 16.

(16) The two loaves, as well as the shewbread, are sacred, and regarded as being 'for the Most High'.

(17) Lit., 'strangers', v. Bez 20b.

Talmud - Mas. Pesachim 47b

and it is the seventh year, on a Festival, [and he is] a priest and a nazirite, [while this furrow is] in unclean ground.[1] Now if we say 'since', let him not be liable for ploughing [on the Festival], since it is fit for covering the blood of a bird?[2] — Said R. Papa b. Samuel: The reference is to smooth, round stones.[3] [But] they are fit for crushing?[4] — Is then crushing permitted on the Festival?[5] But they are fit for crushing in an unusual manner?[6] — The reference is to rocky ground.[7] Is then rocky ground capable of being sown? — It is rocky ground above, but powdered [loose] earth beneath. Then deduce it [that he is not culpable] because of the loose earth?[8] But said Mar the soil of R. Ashi: The reference is to clayey earth.[9] And is clayey earth capable of being sown? — It refers to swampy earth.[10]

Abaye raised an objection against him:[11] He who cooks the thigh sinew[12] on a Festival and eats it is flagellated five times. He is flagellated on account of cooking the sinew on a Festival;[13] he is flagellated on account of eating the sinew; he is flagellated for cooking meat in milk; he is flagellated for eating meat [cooked] in milk;[14] and he is flagellated on account of lighting [a fire].[15] But if we say, 'since', let him not be liable on account of lighting, since it is fit for him for his [legitimate] needs? — Said he to him, Omit lighting and substitute the thigh sinew of a nebelah.[16] But R. Hiyya taught: He is flagellated twice for his eating and thrice for his cooking; now if this is correct,[17] he should say, thrice for his eating? — Rather, omit lighting and substitute the wood of mukzeh.[18] And is mukzeh a Scriptural [interdict]? — Yes, he replied, for it is written, And it shall come to pass on the sixth day that they shall prepare that which they bring in;[19] and its 'warning' [injunction] is [learnt] from here, [viz.,] from, thou shalt not do any manner of work.[20] Said he to him, But it was you who said,I asked of R. Hisda, — others state, I asked of R. Huna: What if he brought a lamb from the meadow[21] and slaughtered it as a continual burnt-offering[22] on a Festival?[23] And you said to us: He answered me, [It is written], And a lamb,[24] [implying], but not a firstling;[25] one, but not the tithe;[26] of the flock, this is to exclude a palges;[27]

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(1) V. Mak., Sonc. ed. p. 149, n. 1-9.

(2) When a bird is slaughtered its blood must be covered, v. Lev. XVII, 13. This ploughing crushes the earth and makes it fit for that purpose, and since a bird might be slaughtered on the Festival, that too would be necessary.

(3) The ploughing breaks up the earth into smooth, round lumps; these are not fit for covering the blood, for which crushed, dust-like earth is required. Rashi, however, merely reads: stones; v. Tosaf. s.v. באבנים מקורזלות.

(4) And then be used for covering the blood.

(5) Surely not.

(6) Lit., 'as with the back of the hand'. Such a crushing is not Scripturally forbidden but merely as a Shebuth (v. Glos.). That being so, flagellation, which is administered for the violation of a Scriptural prohibition, should not be incurred.
(7) Harder than ordinary stones; this cannot be crushed.
(8) This makes his action non-punishable.
(9) With which blood may not be covered.
(10) Which is fit for sowing, yet cannot be crushed into dust for covering blood.
(11) Against Rabbah.
(12) Which may not be eaten, v. Gen. XXXII, 32.
(13) Which is a forbidden labour, since it is not the preparation of food which may be eaten.
(14) These are two separate offences.
(15) Which is likewise prohibited on a Festival, save when required for cooking permitted food, v. Bez. 12a.
(16) I.e., it was the thigh sinew of a nebelah, and he is flagellated for eating nebelah.
(17) Sc. the proposed emendation.
(18) v. Glos. this may not be handled on Festivals. — He is thus flagellated not for lighting but for putting it to use.
(19) Ex. XVI, 5. This teaches that only what is 'prepared', as opposed to mukzeh, may be handled on Sabbaths and Festivals.
(20) Ex. XX, 10. Flagellation is administered only for the violation of a negative injunction, not an affirmative precept. The first verse quoted belongs to the latter category, hence the second verse must be added. Thus, since the use of mukzeh is forbidden by the first verse, making a fire with it is all ordinary labour forbidden by the second. — Though the second verse refers to the Sabbath, whereas we are here treating of the Festival, these two are alike in respect to work, save that the preparation of food is permitted on Festivals, but not on the Sabbath. Once however it is shown that a particular action is forbidden, it does not matter whether it is the Sabbath or a Festival.
(21) Outside the town. Animals that graze there are brought home (i.e., into town) only' at intervals, not every evening, and therefore they are mukzeh, and may not be slaughtered on Festivals unless designated for that purpose on the eve of the Festivals.
(22) V. Num. XXVIII, 3.
(23) May it be offered?
(24) Ezek. XLV, 15, whence the whole verse which follows is quoted.
(25) A 'lamb' implies both male and female, whereas a firstling applies only to males.
(26) I.e., the tithe of animals cannot be dedicated for a daily burnt-offering. 'One' implies that it stands by itself, whereas the tithe is one out of ten.
(27) A sheep beyond the age of כבש (lamb) and below that of איל (ram). — Jast.; i.e., a sheep in it thirteenth month. 'Of' is partitive and implies limitation.

Talmud - Mas. Pesachim 48a

out of the two hundred,[i.e.,] out of the residue of the two hundred which was left in the vault, whence we learn that 'orlah is nullified in [an excess of] two hundred;[1] from the well-watered pastures of Israel: from that which is permitted to Israel. Hence it was said, One may not bring drink-offerings from tebel.[2] You might think, he must not bring [them] from mukzeh [either], then say: Just as tebel is distinguished in that its intrinsic prohibition causes it,[3] so everything whose intrinsic prohibition causes it [may not be used], thus mukzeh is excluded, because not its intrinsic prohibition causes it, but a prohibition of something else causes it.[4] Now if you say that the prohibition of mukzeh is Scriptural, what does it matter[5] whether it is an intrinsic prohibition or a prohibition through something else? Moreover, it was you who said, There is separation of labours on the Sabbath,[6] but there is not separation of labours on a Festival![7] — Rather, delete lighting and substitute the wood of the asherah,[8] while its 'warning' [injunction] is [learnt] from here, [viz.,] And there shall cleave nought of the accursed thing to thy hand.[9] R. Aha son of Raba said to Abaye, Then let him be flagellated on account of, And thou shalt not bring an abomination into thy house[10] too? — Rather, delete lighting and substitute the wood of hekdesh, while the 'warning' is [learnt] from here, [viz.,] and ye shall burn their Asherim with fire . . . ye shall not do so unto the Lord your God.[11]

Rami b. Hama said: This [controversy] of R. Hisda and Rabbah is the controversy of R. Eliezer and R. Joshua.[12] For R. Eliezer holds, We say, 'since',[13] while R. Joshua holds, We do not say since'. Said R. Papa: Yet perhaps R. Eliezer rules that we say 'since', there only, because when they go into the oven, each one is fit for himself;[14] but here that it is fit for visitors only, but it is not fit for himself,[15] perhaps it is indeed [the fact] that we do not say 'since'? R. Shisha son of R. Idi said: Yet perhaps it is not so:[16] R. Joshua may rule that we do not say, 'since', only there, where there is one [mazzah] that is not fit either for himself or for visitors; but here that it is at least fit for visitors, perhaps it is indeed [the fact] that we say 'since'?

The Rabbis reported this [Rami b. Hama's statement] before R. Jeremiah and R. Zera. R. Jeremiah accepted it: R. Zera did not accept it. Said R. Jeremiah to R. Zera: A matter which has been a continual difficulty to us for many years, [viz.,] wherein do R. Eliezer and R. Joshua differ, now [that] it has been explained in the name of a great man, shall we then not accept it? Said he to him, How can I accept it? For it was taught, R. Joshua said to him: According to your words,[17] he transgresses on account of thou shalt not do any manner of work,[18] and he was silent before him. But if this is correct,[19] let him answer him, My reason is on account of 'since'? — Then on your view, replied he, as to what was taught in a Baraitha, R. Eliezer said to him: According to your words, behold, he violates, 'it shall not be seen' and 'it shall not be found', and he was silent before him; could he indeed not answer him; surely he answers him in the Mishnah, for we learned: NOT THIS IS LEAVEN ABOUT WHICH WE ARE WARNED, IT SHALL NOT BE SEEN', AND 'IT SHALL NOT BE FOUND'. But [what we must say is that] he was silent before him in the Baraitha, yet he answered him in our Mishnah. So here too, say that he was silent before him in a teaching,[20] yet he answered him in another collection [of Baraithas].

It was taught, Rabbi said: The halachah is as R. Eliezer; while R. Isaac said: The halachah is as the Son of Bathyra.

And what[21] is the standard of dough?[22] — R. Ishmael the son of R. Johanan b. Berokah said: In the case of wheat, two kabs; in the case of barley, three kabs. R. Nathan said on R. Eleazar's authority: The rulings are [to be] reversed.[23] But it was taught, R. Ishmael son of R. Johanan b. Berokah said: In the case of wheat, three labs, and in the case of barley, four kabs? — There is no difficulty: One refers to inferior [corn]; the other to superior corn.[24] R. Papa observed: This proves, Poor wheat is more inferior to good wheat than poor barley is inferior to good barley, for whereas there [there is a difference of] a third, here [there is a difference of] a quarter.

Rab said: A kab of Meloga[25] [is the standard] for Passover,[26] and it is likewise in respect of hallah.[27] But we learned:

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(1) 'Out of the two hundred' is unintelligible in itself. Hence the Talmud assumes that it refers to the wine of the drink-offering (libation) which accompanied the continual burnt-offering (Num. XXVIII, 7f), and the meaning is this: if one part of forbidden wine, sc. wine of 'orlah, as much as is required for the drink-offering, becomes mixed with two hundred times as much permitted wine, so that when the required quantity is removed from the wine-vault there still remains two hundred times as much, then it may be used, the 'orlah having been nullified by the excess. — This is actually deduced from elsewhere (in Sifre), and this verse is merely quoted as support.

(2) V. Glos.

(3) I.e. tebel is unfit for drink-offerings because it is forbidden in itself.

(4) I.e., it is not forbidden, in itself, save that its owner has voluntarily put it out of use for the time being.

(5) Lit., 'what is it to me?'

(6) If a man performed two labours on the Sabbath in one state of unawareness, or one labour twice, each time having been unaware of the Sabbath (though he was reminded in the interval), he is liable on account of each separately.

(7) Yet here, where we treat of a Festival, you rule that he is separately culpable for mukzeh and for boiling the sinew.

(8) V. Glos. He used that for fuel, and is flagellated on that account.
(9) Deut. XIII, 18.
(10) Ibid. VII, 26.
(11) Ibid. XII, 3f.
(12) In the Mishnah Supra 46a.
(13) Though he will eventually separate one mazzah for all, and that is not fit for eating, yet if he wishes he can take a piece from each mazzah, and so he will have baked every one for eating. Hence we say, since it would be permitted in the latter case, it is also permitted in the former.
(14) As explained in n. 11.
(15) As far as he is concerned he is definitely baking it for the week, while he has not invited visitors.
(16) This too is a criticism of Rami b. Hama's statement.
(17) I.e.,if he does as you say.
(18) Ex. XX, 10.
(19) Rami b. Hama's explanation.
(20) Mathnitha, especially collection of Mishnah not embodied in the Mishnah of R. Judah, as Baraitha, Tosaf. etc., contrad. to Mathnithin, our Mishnah (Jast.).
(21) Lit., 'how much?'
(22) Which one can knead on Passover and keep it from fermenting.
(23) Three in the case of wheat, and two in the case of barley, for barley ferments more quickly.
(24) Two kabs of superior wheat is the equivalent of three kabs of inferior wheat; while three kabs of superior barley is the equivalent of four kabs of inferior barley.
(25) Supposed to be a place in Babylon.
(26) One must not knead more dough than that.
(27) That is the smallest quantity subject to hallah.

Talmud - Mas. Pesachim 48b

Slightly more than five quarters[1] of flour are subject to hallah?[2] — This is what he says: A kab of Meloga too is the equivalent of this quantity.

R. Joseph said: Our women are accustomed to bake a kapiza[3] at a time on Passover. Said Abaye to him, What is your intention? To be stricter![4] [But] it is strictness which leads to [unwarranted] leniency, as [the woman] exempts it from hallah?[5] — Said he: They do as R. Eliezer. For we learned, R. Eliezer said: If he removes [loaves from the oven] and places [them] in a basket, the basket combines them in respect of hallah;[6] whereon Rab Judah said in Samuel's name: The halachah is as R. Eliezer. Said he to him, But it was stated thereon, R. Joshua b. Levi said: They taught this only of Babylonian loaves, which cleave to each other,[7] but not [of] cracknels?[8] — Surely it was stated thereon, R. Hanina said: Even cracknels.

R. Jeremiah asked: What of a board which has no ledges?[9] Do we require the inside of a vessel, which is absent here; or perhaps we require the air space of a vessel, which is present? The question stands.

It was taught: R. Eliezer said: The basket [only] combines them; R. Joshua said: The oven combines them;[10] R. Simeon b. Gamaliel said: Babylonian loaves which cleave to each other combine.[11]

MISHNAH. R. GAMALIEL SAID: THREE WOMEN MAY KNEAD AT THE SAME TIME[12] AND BAKE IN ONE OVEN, ONE AFTER THE OTHER. BUT THE SAGES RULE: THREE WOMEN MAY BE ENGAGED ON DOUGH AT THE SAME TIME,[13] ONE KNEADING, ANOTHER SHAPING AND A THIRD BAKING.[14] R. AKIBA SAID: NOT ALL WOMEN AND NOT ALL KINDS OF WOOD AND NOT ALL OVENS ARE ALIKE.[15] THIS IS THE GENERAL

PRINCIPLE: IF IT [THE DOUGH] RISES, LET HER WET[16] IT WITH COLD WATER.[17]

GEMARA. Our Rabbis taught: Having kneaded [the dough] she forms it [in shape], while her companion kneads in her place; having formed [the dough] she bakes it, and her companion shapes [the dough] in her place, while the third [woman] kneads. [The first] having baked, she kneads [again], and her companion bakes in her place, while the third shapes [her dough]. And thus the round revolves.[18] As long as they are engaged [in working] on the dough, it does not come to fermentation.

R. AKIBA SAID: NOT ALL WOMEN etc. It was taught, R. Akiba said: I discussed [the matter] before R. Gamaliel: Let our Master teach us: Does this[19] refer to energetic women or to women who are not energetic; to damp wood or to dry wood; to a hot oven or to a cool oven? Said he to me, You have nought else save what the Sages learned: IF IT RISES, LET HER WET IT WITH COLD WATER.

MISHNAH. SI'UR[20] MUST BE BURNT, WHILE HE WHO EATS IT IS NOT CULPABLE; SIDDUK[21] MUST BE BURNT, WHILE HE WHO EATS IT [ON PASSOVER] IS LIABLE TO KARETH. WHAT IS SI'UR? [WHEN THERE ARE LINES ON THE SURFACE] LIKE LOCUSTS' HORNS;[22] SIDDUK IS WHEN THE CRACKS HAVE INTERMINGLED WITH EACH OTHER: THIS IS THE VIEW OF R. JUDAH. BUT THE SAGES MAINTAIN: REGARDING THE ONE AND THE OTHER,[23] HE WHO EATS IT IS LIABLE TO KARETH.[24] AND WHAT IS SI'UR? WHEN ITS SURFACE IS BLANCHED, LIKE [THE FACE OF] A MAN WHOSE HAIR IS STANDING [ON END].

GEMARA. Our Rabbis taught: What is si'ur.P Whenever its surface is blanched, like [the face of] a man whose hair is standing on end; sidduk is [when there are lines on the surface] like locusts' horns: this is R. Meir's view. But the Sages maintain: What is si'ur? [When the lines on its surface are] like locusts' horns; sidduk is when the cracks have intermingled with each other; and in both cases, he who eats it is liable to kareth. But we learned: SI'UR MUST BE BURNT, WHILE HE WHO EATS IT IS NOT CULPABLE . . THIS IS THE VIEW OF R. JUDAH? Say according to R. Meir, in both cases,[25] he who eats it incurs kareth.[26] Raba said: What is R. Meir's reason? There is not a single crack on the surface for which there are not many cracks below [the surface].[27]

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(1) Lit., 'five quarters and more'. I.e., quarters of a kab, = one and one fourth logs.

(2) v. Hal. II, 6.

(3) A measure=three-fourths of a kab; v. Obermeyer, p. 241, n. 1.

(4) For the permitted quantity is larger.

(5) If she baked a kab of Meloga at a time, she would have to separate hallah, whereas now she is exempt.

(6) I.e., they are counted as one, if together they make up the minimum quantity.

(7) Lit., 'bite of each other'. They were wide, and when set in the oven they stuck to each other, owing to lack of space; therefore they all count as one.

(8) A kind of narrow roll.

(9) Does it combine the loaves placed upon it?

(10) If they are baked together in an oven, even if they are not subsequently placed together in a basket, they are all counted as one in respect of hallah.

(11) But not cracknels.

(12) Lit., 'as one'.

(13) Not all kneading at the same time, which would necessitate too long a wait when they come to bake if after each other.

(14) V. Gemara.

(15) Hence the views of R. Gamaliel and the Sages are unacceptable.

(16) Lit., 'polish'.

(17) Which retards fermentation.

(18) This is the explanation of the Sage's ruling: THREE WOMEN MAY BE ENGAGED ON DOUGH AT THE SAME TIME.

(19) Sc. the ruling that three women may knead or may be working on dough at the same time.

(20) V. supra p. 203.

(21) Dough, the surface of which is cracked through fermentation. This is completely leaven.

(22) I.e., small lines are just beginning to appear.

(23) I.e., both stages as defined by R. Judah.

(24) Even at the earlier stage it is no longer si'ur.

(25) Sc. both si'ur and sidduk, as defined by R. Judah.

(26) Because he regards both as sidduk.

(27) Hence even when the cracks on the surface are still separate, they already cross below the surface.

Talmud - Mas. Pesachim 49a

MISHNAH. IF THE FOURTEENTH [OF NISAN] FALLS ON THE SABBATH, EVERYTHING MUST BE REMOVED[1] BEFORE THE SABBATH:[2] THIS IS R. MEIR'S VIEW; WHILE THE SAGES MAINTAIN: [IT MUST BE REMOVED] AT ITS [USUAL] TIME;[3] R. ELEAZAR B. ZADOK SAID: TERUMAH [MUST BE REMOVED] BEFORE THE SABBATH,[4] AND HULLIN AT ITS [USUAL] TIME.[5]

GEMARA. It was taught, R. Eleazar b. Zadok said: My father once spent a week in Yabneh,[6] when the fourteenth fell on the Sabbath, and there came Zonin, R. Gamaliel's deputy,[7] and announced: ‘The time has come to remove the leaven’, and I followed my father and we removed the leaven.

MISHNAH.HE WHO ON HIS WAY[8] TO SLAUGHTER HIS PASSOVER SACRIFICE OR TO CIRCUMCISE HIS SON[9] OR TO DINE AT A BETROTHAL[10] FEAST AT THE HOUSE OF HIS FATHER-IN-LAW, AND RECOLLECTS THAT HE HAS LEAVEN AT HOME, IF HE IS ABLE TO GO BACK, REMOVE [IT], AND [THEN] RETURN TO HIS RELIGIOUS DUTY,[11] HE MUST GO BACK AND REMOVE [IT]; BUT IF NOT, HE ANNULS IT IN HIS HEART. [IF HE IS ON HIS WAY] TO SAVE [PEOPLE] FROM HEATHENS[12] OR FROM A RIVER OR FROM BRIGANDS[13] OR FROM A FIRE OR FROM A COLLAPSE [OF A BUILDING], HE ANNULS IT IN HIS HEART.[14] [BUT IF] TO APPOINT A SABBATH STATION FOR A VOLUNTARY [SECULAR] PURPOSE,[15] HE MUST RETURN IMMEDIATELY. SIMILARLY, HE WHO WENT OUT OF JERUSALEM AND RECOLLECTED THAT HE HAD HOLY FLESH WITH HIM,[16] IF HE HAS PASSED SCOPUS,[17] HE BURNS IT WHERE HE IS;[18] BUT IF NOT, HE RETURNS AND BURNS IT IN FRONT OF THE TEMPLE[19] WITH THE WOOD OF THE [ALTAR] PILE.[20] AND FOR WHAT [QUANTITY] MUST THEY RETURN? R. MEIR SAID: FOR BOTH,[21] WHEN THERE IS AS MUCH AS AN EGG; R. JUDAH SAID: FOR BOTH, WHEN THERE IS AS MUCH AS AN OLIVE; BUT THE SAGES RULE: HOLY FLESH, [THE STANDARD IS] AS MUCH AS AN OLIVE; WHILE LEAVEN, [THE STANDARD IS] AS MUCH AS AN EGG.[22]

GEMARA. But the following contradicts it: He who is on his way to partake of a betrothal feast in his father-in-law's house or to appoint a Sabbath station for a voluntary purpose must return immediately? Said R. Johanan, There is no difficulty: one is [according to] R. Judah: the other is [according to] R. Jose. For it was taught: The betrothal feast is a voluntary [function]; this is R. Judah's view. R. Jose said: It is a religious [function]. But now that R. Hisda said: The controversy is in respect of the second feast,[23] but in respect to the first feast all agree that it is a religious [function], you may even say [that] both are [according to] R. Judah, yet there is no difficulty; one refers to the first feast, while the other refers to the second feast.

It was taught, R. Judah said: I have heard only of the betrothal feast,[24] but not of [the feast in connection with] espousal gifts.[25] Said R. Jose to him: I have heard of [both] the feast of betrothal and [that] of espousal gifts.

It was taught, R. Simeon said: Every feast which is not in connection with a religious deed, a scholar must derive no enjoyment thereof.[26] What, for instance? — Said R. Johanan: E.g., [the feast at the betrothal of] the daughter of a priest to an Israelite,[27] or the daughter of a scholar to an ignoramus. For R. Johanan said: If the daughter of a priest [marries] an Israelite, their union will not be auspicious. What is it?[28] Said R. Hisda: [She will be] either a widow or a divorced woman, or she will have no seed [children].[29] In a Baraitha it was taught: He will bury her or she will bury him, or she will reduce him to poverty. But that is not so, for R. Johanan said: he who desires to become wealthy, let him cleave to the seed of Aaron, [for it is all the more] that the Torah and the priesthood will enrich them? — There is no difficulty: one refers to a scholar;[30] the other refers to an ‘am ha-arez.[31]

R. Joshua married a priest's daughter. Falling sick, he said, Aaron is not pleased that I should cleave to his seed [and] possess a son-an-law like myself. R. Idi b Abin married a priest's daughter, and there came forth from him two ordained sons — R. Shesheth the son of R. Idi and R. Joshua the son of R. Idi. R. Papa said: Had I not married a priest's daughter, I would not have become wealthy.[32] R. Kahana said: Had I not married a priest's daughter, I had not gone into exile.[33] Said they to him, But you were exiled to a place of learning! — I was not exiled as people are [generally] exiled.[34]

R. Isaac said: Whoever partakes of a secular feast eventually goes into exile, for it is said, and [ye that] eat the lambs out of the flock, and the calves out of the midst of the stall; and it is written, therefore now shall they go captive at the head of them that go captive.[35]

Our Rabbis taught: Every scholar who feasts much in every place eventually destroys his home, widows his wife, orphans his young, forgets his learning,[36] and becomes involved in many quarrels;[37] his words are unheeded, and he desecrates the Name of Heaven and the name of his teacher and the name of his father, and he causes an evil name for himself, his children, and his childrens’ children until the end of time.[38] What is it?[39] Said Abaye: He is called, a heater of ovens. Raba said: A tavern dancer! R. Papa said: A plate licker. R. Sheimaiah said: A folder [of garments] and a man who lies down [to sleep].[40]

Our Rabbis taught: Let a man always sell all he has and marry the daughter of a scholar, for if he dies or goes into exile, he is assured that his children will be scholars. But let him not marry the daughter of an ‘am ha-arez, for if he dies or goes into exile, his children will be ‘amme ha-arez.

Our Rabbis taught: Let a man always sell all he has and marry the daughter of a scholar, and marry his daughter to a scholar. This may be compared to [the grafting of] grapes of a vine with grapes of a vine, [which is] a seemly and acceptable thing. But let him not marry the daughter of an ‘am ha-arez; this may be compared to [the grafting of] grapes of a vine with berries of a thorn bush, [which is] a repulsive

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(1) I.e., destroyed.

(2) Save what is required for the Sabbath itself.

(3) On the morning of the fourteenth.

(4) Because if any is left over none can eat it; neither zarim nor cattle.

(5) Because it is easy to find eaters for it.

(6) The famous town to the north-west of Jerusalem, seat of R. Johanan b. Zakkai's academy and Sanhedrin after the destruction of Jerusalem.

(7) The superintendent of the Academy.
(8) Lit., ‘is going’.
(9) In ancient days and until comparatively recently this was done in the Synagogue.
(10) Erusin denotes the first stage of marriage, v. Glos.
(11) He himself being the bridegroom. A ‘betrothal feast’ is considered a religious duty, v. Gemara.
(12) Rashi: Jews who are being pursued.
(13) Var. lec.: a robber band.
(14) If ‘robber band’ is read before, this must be deleted. Even if there is time to return, he must not go back.
(15) On the Sabbath a man must not go more than two thousand cubits beyond the town boundary; this outside limit is called the tehum. But before the Sabbath commences he can appoint any spot within the tehum as the station where he will spend the Sabbath, and then he may proceed two thousand cubits beyond that spot; he does that by taking some food to the place, which he will eat on the Sabbath.
(16) Holy flesh, if taken without Jerusalem, becomes unfit and must be burnt.
(17) An eminence northeast of Jerusalem, whence the Temple can be seen. To-day it is the site of the Hebrew University.
(18) And need not return to Jerusalem.
(19) [Birah. This is variously explained in Zeb. 104b as the Temple Mount itself’, a place in the Temple Mount, and a tower in the Temple Mount.]
(20) I.e., wood arranged in a pile for use on the altar. — V. Supra 24a.
(21) Sc. leaven and sacred flesh.
(22) These are the minima for which one must return.
(23) After the betrothal the bridegroom (arus) sent gifts to his bride, in connection with which there was a second feast at the father-in-law's house.
(24) As being a religious function.
(25) Siblonoth.
(26) I.e., must not partake of it.
(27) I.e., a non-priest. She blemishes her family by marrying beneath her.
(28) In what respect will it be unfortunate?
(29) Rashi: because it is written, And if a priest's daughter be married unto a common man, which is followed by, But if a priest's daughter be a widow, or divorced, and have no child (Lev. XXII, 12f). — Hence such a union was looked upon with disfavour, and R. Johanan maintains that the feast is not a true religious one.
(30) If a scholar marries into a priestly family he brings honour upon it.
(31) V. Glos.
(32) He was a wealthy brewer.
(33) From my home in Babylonia to Palestine; v. B.K. 117a.
(34) Voluntarily; but I had to flee.
(35) Amos VI, 4, 7.
(36) Lit., ‘his learning is forgotten from him’.
(37) Lit., ‘come upon him’.
(38) Lit., ‘until the end of all generations’. — His fondness for feasting elsewhere leads him to do the same in his own home, and to make it possible he must sell his furniture, etc. Seeing himself on the road to ruin, he wanders into exile, leaving his wife and children, widowed and orphaned, he wastes his time, so forgets his learning. This involves him in disputes on learning. Or, his poverty involves him in disputes with tradesmen because he cannot settle his bills. Again, the banqueting table itself is a fruitful source of quarrels (Rashi and Maharsha).
(39) How does he bring his name etc., into contempt?
(40) Where he is, being too drunk to go home. — Or, the son of a heater of ovens etc., with reference to his children. The translation follows Maharsha, bar (בר) being understood as ‘a man who’. The alternative is Rashi's.

Talmud - Mas. Pesachim 49b

and unacceptable thing.

Our Rabbis taught: Let a man always sell all he has and marry the daughter of a scholar. If he does not find[1] the daughter of a scholar, let him marry the daughter of [one of] the great men of the generation.[2] If he does not find the daughter of [one of] the great men of the generation, let him marry the daughter of the head of synagogues. If he does not find the daughter of the head of synagogues,[3] let him marry the daughter of a charity treasurer. If he does not find the daughter of a charity treasurer, let him marry the daughter of an elementary school-teacher, but let him not marry the daughter of an ‘am ha-arez, because they are detestable and their wives are vermin, and of their daughters it is said, Cursed be he that lieth with any manner of beast.[4]

It was taught, Rabbi said: An ‘am ha-arez may not eat the flesh of cattle, for it is said, This is the law [Torah] of the beast, and of the fowl;[5] whoever engages in [the study of] the Torah may eat the flesh of beast and fowl, but he who does not engage in [the study of] the Torah may not eat the flesh of beast and fowl.

R. Eleazar said: An ‘am ha-arez, it is permitted to stab him [even] on the Day of Atonement which falls on the Sabbath. Said his disciples to him, Master, say to slaughter him [ritually]? He replied: This [ritual slaughter] requires a benediction, whereas that [stabbing] does not require a benediction. R. Eleazar said: One must not join company with an ‘am ha-arez on the road, because it is said, for that [the Torah] is thy life, and the length of thy days:[6] [seeing that] he has no care [pity] for his own life,[7] how much the more for the life of his companions! R. Samuel b. Nahmani said in R. Johanan's name: One may tear an ‘am haarez like a fish! Said R. Samuel b. Isaac: And [this means] along his back.

It was taught, R. Akiba said: When I was an ‘am ha-arez[8] I said: I would that I had a scholar [before me], and I would maul him like an ass. Said his disciples to him, Rabbi, say like a dog! The former bites and breaks the bones, while the latter bites but does not break the bones, he answered them.

It was taught, R. Meir used to say: Whoever marries his daughter to an ‘am ha-arez, is as though he bound and laid her before a lion: just as a lion tears [his prey] and devours it and has no shame, so an ‘am ha-arez strikes and cohabits and has no shame.

It was taught, R. Eliezer said: But that we are necessary to them for trade, they would kill us. R. Hiyya taught: Whoever studies[9] the Torah in front of an ‘am ha-arez, is as though he cohabited with his betrothed in his presence,[10] for it is said, Moses commanded us a law, an inheritance [morashah] of the congregation of Jacob:[11] read not morashah but me'orasah [the betrothed].[12] Greater is the hatred wherewith the ‘amme ha-arez, hate the scholar than the hatred wherewith the heathens hate Israel, and their wives [hate even] more than they. It was taught: He who has studied and then abandoned [the Torah] [hates the scholar] more than all of them.[13] Our Rabbis taught: Six things were said of the ‘amme ha-arez’: We do not commit testimony to them; we do not accept testimony from them; we do not reveal a secret to them; we do not appoint them as guardians for orphans; we do not appoint them stewards[14] over charity funds; and we must not join their company on the road. Some say, We do not proclaim their losses too.[15] And the first Tanna?[16] — Virtuous seed may sometimes issue from him, and they will enjoy[17] it, as it is said, He will prepare it, and the just shall put it on.[18]

SIMILARLY, HE WHO WENT OUT OF etc. Shall we say that R. Meir holds, only as much as an egg is of importance, whereas R. Judah holds, Even as much as an olive too is of importance?[19] But the following contradicts it: For what [minimum] quantity[20] must they recite grace in common?[21] Until as much as an olive.[22] R. Judah said: Until as much as an egg! — Said R. Johanan: The discussion[23] must be reversed. Abaye said, After all you need not reverse [it]: there they differ in [the interpretation of Scriptural] verses, [whereas] here they differ in a matter of logic. ‘There they

differ in [the interpretation of] verses':R. Meir holds: And thou shalt eat,[24] this refers to eating; and be satisfied, this means drinking, and eating is [constituted] by as much as an olive.[25] While R. Judah holds: 'And thou shalt eat and be satisfied' [implies] eating in which there is satisfaction [of one's hunger], and what is that? As much as an egg. 'Here they differ in a matter of logic', for R. Meir holds: Its return is like its defilement:[26] just as its defilement requires as much as an egg, so does its return require as much as an egg. While R. Judah holds, its return

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(1) I.e., cannot obtain.

(2) Gedole ha-dor, title probably designating the civil leaders of the community. v. Buchler, Sepphoris, p. 9.

(3) [The archi synagogos, the supreme authority over the synagogues in the town; v. Git., Sonc. ed. p. 202, n. 5.]

(4) Deut. XXVII, 21.

(5) Lev. XI, 46.

(6) Deut. XXX, 20.

(7) In that he forsakes the Torah.

(8) R. Akiba was a poor, illiterate shepherd before he became a scholar; v. Ned. 50a.

(9) Lit., 'engages in'.

(10) So great is the affront which the 'am ha-arez feels when Torah is studied in his presence, v. Rashi.

(11) Ibid. XXXIII, 4.

(12) Thus the Torah is as the bride of the whole of Israel.

(13) More than any 'am ha-arez hates the scholar.

(14) The Heb. is the same as in the previous phrase. Epitropos is a steward who looks after another person's estates, etc.

(15) He who finds lost property is bound to proclaim it; if the owner is an 'am ha-arez, he is not bound to proclaim it.

(16) Why does he omit this?

(17) Lit., 'eat'.

(18) Job XXVII, 17.

(19) I.e., worthy of being taken into account.

(20) Lit., 'how far?'

(21) When three or more people dine together they must recite grace in common, prefacing it with the statement, 'Let us say grace', and they must not separate before this is done, even if each intends reciting grace alone. Here the question is: what is the minimum meal for which this is necessary?

(22) That is the minimum. Until ('ad) is meant in a diminishing sense.

(23) I.e., the opinions,

(24) Deut. VIII, 10.

(25) This is the minimum called eating, e.g.. for eating this quantity of forbidden food liability is incurred; the command to eat unleavened bread on the first night of Passover means at least as much as an olive. The verse continues: and thou shalt bless the Lord thy God — i.e., recite grace.

(26) I.e., the same quantity of leaven which is subject to defilement as an eatable necessitates returning in order to remove it.

Talmud - Mas. Pesachim 50a

is like its prohibition: just as its prohibition is for as much as an olive,[1] so its return is for as much as an olive.

It was taught, R. Nathan said: Both[2] have the standard of two eggs; but the Sages did not agree with him.

And it shall come to pass in that day that there shall not be light, but heavy clouds [yekaroth] and thick [we-kippa'on];[3] what does yekaroth we-kippa'on mean? — Said R. Eleazar: This means, the light which is precious [yakar] in this world, is yet of little account [kapuy][4] in the next world.[5] R. Johanan said: This refers to Nega'im and Ohaloth,[6] which are difficult [heavy] in this world yet shall be light [easily understood] in the future world. While R. Joshua b. Levi said: This refers to the

people who are honoured in this world, but will be lightly esteemed in the next world. As was the case of R. Joseph the son of R. Joshua b. Levi, [who] became ill and fell into a trance. When he recovered, his father asked him, 'What did you see?' 'I saw a topsy-turvy world', he replied, 'the upper [class] underneath and the lower on top'' he replied: 'My son', he observed, 'you saw a clear world.[7] And how are we [situated] there?' 'Just as we are here, so are we there. And I heard them saying, "Happy is he who comes hither with his learning in his hand". And I also heard them saying, "Those martyred by the State, no man can stand within their barrier"' .[8] Who are these [martyrs]? Shall we say, R. Akiba and his companions?[9] is that because they were martyrs of the State and nothing else?[10] Rather [he meant] the martyrs of Lydda.[11]

In that day there shall be upon the bells of the horses [meziloth ha-sus]: HOLY UNTO THE LORD.[12] What does 'meziloth ha-sus' [intimate]? — Said R. Joshua b. Levi: The Holy One, blessed be He, is destined to add to Jerusalem as far as a horse can run and cast its shadow [mazzil — under itself].[13] R. Eleazar said: All the bells which are hung on a horse between its eyes shall be holy unto the Lord.[14] While R. Johanan said: All the spoil which Israel shall take spoil [from morning] until a horse can run and cast its shadow [under itself] shall be holy unto the Lord. As for him who explains it [as referring to] all the spoil which Israel shall take spoil, it is well: hence it is written, and the pots in the Lord's house shall be like the basins before the altar.[15] But according to those who give the [other] two explanations, what is [the relevance of] 'and the pots in the Lord's house shall be' [etc.]? — [The verse] states another thing, viz., that Israel will become wealthy, make votive offerings, and bring them [to the Temple]. As for him who says [that it means] spoil, it is well: that is what is written, and in that day there shall be no more a trafficker in the house of the Lord of hosts.[16] But according to those who give the [other] two explanations, what does and there shall be no more a trafficker [kena'ani] [etc.] mean? — Said R. Jeremiah: No poor man shall be here.[17] And how do we know

interdict. A passage describing the death of great scholars, ten in number, is found in the liturgies for the Day of Atonement and the Fast of Ab. Some of the most famous of them were R. Gamaliel, R. Judah b. Baba and R. Akiba. that [kena 'ani] connotes a merchant? — Because it is written, And Judah saw there the daughter of a certain Canaanite [kena'ani]:[18] what does 'kena'ani' mean? Shall we say, literally a Canaanite: is it possible that Abraham came and admonished Isaac, Isaac came and admonished Jacob,[19] and then Judah went and married [a Canaanite]! Rather, said R. Simeon b. Lakish: [It means] the daughter of a merchant, as it is written, As for the trafficker [kena'an], the balances of deceit are in his hand,[20] Alternatively, I can quote this: Whose merchants are princes, whose traffickers [kin'anehah] are the honourable of the earth.[21]

And the Lord shall be King over all the earth; in that day shall the Lord be One, and His name one:[22] is He then not One now? — Said R. Aha b. Hanina: Not like this world is the future world. In this world, for good tidings one says, 'He is good, and He doeth good', while for evil tidings he says, 'Blessed be the true Judge';[23] [whereas] in the future world it shall be only 'He is good and He doeth good'.[24] 'And His name one': what does 'one' mean? Is then now His name not one? — Said R. Nahman b. Isaac; Not like this world is the future world. [In] this world [His name] is written with a yod he[25] and read as alef daleth;[26] but in the future world it shall all be one: it shall be written with yod he and read as yod he. Now, Raba thought of lecturing it at the session, [whereupon] a certain old man said to him, It is written, le'alem.[27] R. Abina pointed out a contradiction: It is written, this is my name, to be hidden; [and it is also written],[28] and this is my memorial unto all generations?[29] The Holy One, blessed be He, said: Not as I [i.e., My name] and written am I read: I am written with a yod he, while I am read as alef daleth.[30]

C H A P T E R IV

MISHNAH. WHERE IT IS THE CUSTOM TO DO WORK ON THE EVE OF PASSOVER

UNTIL MIDDAY ONE MAY DO [WORK]; WHERE IT IS THE CUSTOM NOT TO DO [WORK], ONE MAY NOT DO [WORK]. HE WHO GOES FROM A PLACE WHERE THEY WORK TO A PLACE WHERE THEY DO NOT WORK, ON FROM A PLACE WHERE THEY DO NOT WORK TO A PLACE WHERE THEY DO WORK, WE LAY UPON HIM THE RESTRICTIONS OF THE PLACE WHENCE HE DEPARTED AND THE RESTRICTIONS OF THE PLACE WHITHER HE HAS GONE;

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(1) V. p. 238, n. 12.

(2) The leaven and the holy flesh.

(3) Zech. XIV, 6.

(4) Lit., 'light', 'floating'.

(5) For the light of this world will pale into insignificance before the greater light of the next. He translates the verse: And it shall come . . . the light will not be precious but (only) of small account.

(6) The laws of leprosy and the defilement of tents through a dead body.

(7) In which people occupy the positions they merit.

(8) They occupy such an exalted position in the next world that they are unapproachable.

(9) Who were executed or martyred by the Roman State at various times for their insistence on teaching the Torah in spite of the Roman

(10) Surely they had other claims to eminence too!

(11) Two brothers, Lulianus and Papus, who took upon themselves the guilt for the death of the Emperor's daughter, so as to save the people as a whole; v. Ta'an. 18b. Lyyda was a district in Asia Minor, to which belonged the city Laodicea, which city it denotes here.

(12) Zech. XIV, 20.

(13) Rashi: i.e., as far as a horse can run from the morning until midday, when its shadow (zel) is directly beneath it.

(14) I.e., they shall be votive offerings to the Sanctuary.

(15) Ibid. Even the pots shall be of gold and silver, owing to the abundance of spoil.

(16) Ibid. 21. The Temple Treasurers will not need to buy or sell for the Temple, on account of the great wealth of the spoil.

(17) Reading kena'ani as kan 'ani, here is a poor man.

(18) Gen. XXXVIII, 2.

(19) Not to marry a Canaanite; v. Ibid. XXIV, 3; XXVIII, 1.

(20) Hos. XII, 8.

(21) Isa. XXIII, 8.

(22) Zech. XIV, 9.

(23) V. Ber. 54a.

(24) For there will never be any evil tidings there.

(25) YHWH = yod he waw he, the letters of the Tetragrammaton.

(26) Adonay =alef daleth nun yod.

(27) To hide it. This is explained anon.

(28) The bracketed word is added in var. lec.

(29) Ex. III, 15. The actual reading is: this is my name for ever. (le'olam, לעולם); but it is written, to be hidden (le'alem, לעלם). Thus this indicates that God's name must be kept secret; whereas 'this is my memorial' etc. implies that He is to be known by this name. Another version, accepting the reading le'olam (for ever) explains the difficulty thus: since God states this is my name, it is obvious that He is to be known by it: why then add, 'and this is my memorial' etc.?

(30) The importance attributed to the Divine Name was owing to the fact that it was not regarded simply as a designation, but was held to express the essence of the Godhead. The right way of pronouncing the Tetragrammaton was not generally known, being preserved as an esoteric teaching. Cf. Kid., Sonc. ed. p. 361, n. 6. and Sanh., Sonc. ed. p. 407, n. 2.

AND A MAN MUST NOT ACT DIFFERENTLY [FROM LOCAL CUSTOM] ON ACCOUNT OF THE QUARRELS [WHICH WOULD ENSUE]. SIMILARLY, HE WHO TRANSPORTS SABBATICAL YEAR PRODUCE FROM A PLACE WHERE IT HAS CEASED TO A PLACE WHERE IT HAS NOT CEASED OR FROM A PLACE WHERE IT HAS NOT CEASED TO A PLACE WHERE IT HAS CEASED,[1] IS BOUND TO REMOVE IT.[2] R. JUDAH SAID: 'DO YOU TOO GO OUT AND BRING [PRODUCE] FOR YOURSELF.[3]

GEMARA. Why particularly THE EVE OF PASSOVER? Even on the eve of Sabbaths and Festivals too? For it was taught: He who does work on the eve of Sabbaths or Festivals from minhah[4] and onwards will never see a sign of blessing?[5] — There it is forbidden only from minhah and onwards, but not near to[6] minhah; [whereas] here it is [forbidden] from midday. Alternatively, there he merely does not see a sign of blessing,[7] yet we do not place him under the ban; [whereas] here we even place him under the ban.

[To turn to] the main text: He who does work on the eve of the Sabbath and on the eve of Festivals from minhah and onwards, and at the termination of the Sabbath or at the termination of a Festival, or at the termination of the Day of Atonement, or wherever there is the [least] suspicion of sin,[8] which is to include a public fast,[9] will never see the sign of a blessing.

Our Rabbis taught: Some are industrious and profit [thereby,] while others are industrious and suffer loss; some are indolent[10] and profit [thereby], while others are indolent and suffer loss. An industrious man who profits, — he who works the whole week but does not work on the eve of the Sabbath. An industrious man who suffers loss, — he who works the whole week and works on the eve of the Sabbath. An indolent man who profits, — he who does not work the whole week and does not work on the eve of the Sabbath.[11] An indolent man who suffers loss, — he who does not work the whole week but works on the eve of the Sabbath. Raba said: As to these women of Mahuza,[12] though they do not work on the eve of the Sabbath, it is because they are used to indulgence [indolence], seeing that they do not work every day either. Yet even so, we call them, an indolent person who profits'.[13]

Raba opposed [two verses]. It is written, For thy mercy is great unto the heavens;[14] whereas it is also written, For thy mercy is great above the heavens?[15] How is this [to be explained]? Here it refers to those who perform [God's behest] for its own sake;[16] there it refers to those who perform [it] with an ulterior motive.[17] And [this is] in accordance with Rab Judah. For Rab Judah said in Rab's name: A man should always occupy himself with Torah and good deeds, though it is not for their own sake, for out of [doing good] with an ulterior motive there comes [doing good] for its own sake.

Our Rabbis taught: He who looks to the earnings of his wife or of a mill will never see a sign of blessing. 'The earnings of his wife' means [when she goes around selling wool] by weight.[18] '[The earnings of] a mill' means its hire.[19] But if she makes [e.g., woollen garments] and sells them, Scripture indeed praises her, for it is written, she maketh linen garments and selleth them.[20]

Our Rabbis taught: He who trades in cane and jars will never see a sign of blessing. What is the reason? Since their bulk is large, the [evil] eye has power over them.

Our Rabbis taught: Traders in market-stands[21] and those who breed small cattle,[22] and those who cut down beautiful trees,[23] and those who cast their eyes at the better portion,[24] will never see a sign of blessing. What is the reason? Because people gaze at them.[25]

Our Rabbis taught: Four perutoth never contain a sign of blessing:[26] the wages of clerks, the wages of interpreters,[27] the profits of orphans,[28] and money that came from oversea countries. As for

the wages of interpreters, that is well, [the reason being] because it looks like wages for Sabbath [work]; orphans money too, because they are not capable of renunciation;[29] money which comes from overseas, because a miracle does not occur every day.[30] But what is the reason for the wages of writers? — Said R. Joshua b. Levi: The men of the Great Assembly[31] observed twenty-four fasts so that those who write Scrolls, tefillin and mezuzoth[32] should not become wealthy for if they became wealthy they would not write.

Our Rabbis taught: Those who write Scrolls, tefillin, and mezuzoth, they, their traders and their traders' traders,[33] and all who engage [in trade] in sacred commodities,[34] which includes the sellers of blue wool,[35] never see a sign of blessing. But if they engage [therein] for its own sake,[36] they do see [a sign of blessing]. The citizens of Beyshan[37] were accustomed not to go from Tyre to Sidon[38] on the eve of the Sabbath. Their children went to R. Johanan and said to him, For our fathers this was possible; for us it is impossible. Said he to them, Your fathers have already taken it upon themselves, as it is said, Hear my son, the instruction of thy father, and forsake not the teaching of thy mother.[39]

The inhabitants of Hozai[40] were accustomed to separate hallah on rice.[41] [When] they went and told it to R. Joseph he said to them, Let a lay Israelite eat it in their presence:[42] Abaye raised an objection against him: Things which are permitted, yet others treat them as forbidden,[43]

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(1) The law concerning produce of the Sabbatical year is this: as long as there is produce in the field available for animals, a man may keep produce at home as his private property; but when the produce in the field has ceased, — the animals having consumed it, he must carry out the produce from his home and declare it free for all. Having done this, he may then take back into the house whatever he needs for his private use (Tosaf. 52b, s.v. מתבערין).

(2) I.e., place it at everybody's disposal.

(3) This is explained in the Gemara.

(4) The afternoon service, and the time for same — beginning generally two and a half hours before nightfall.

(5) I.e., the money earned then will not be profitable.

(6) I.e., before.

(7) I.e., it is inadvisable.

(8) As he may continue work after the Sabbath or Festival has actually commenced; or begin before they have quite terminated.

(9) Proclaimed on account of rain, when work was forbidden, Ta'an. 12b. On other fast-days work is permitted.

(10) Lit., 'low'.

(11) Though his abstention then is due to indolence, not to respect for the Sabbath, he is nevertheless rewarded, since in fact he does abstain.

(12) V. p. 20, n. 5.

(13) [Var. lec. (v. Rashi); These women of Mahuza, although the reason they do no work. . . Sabbath is that they are used . . ,yet even so are called etc.]

(14) Ps. LVII, 11.

(15) Ibid. CVIII, 5.

(16) Lit., 'name'. To them, His mercy is great above the heavens.

(17) Lit., 'not for its own name'.

(18) Jast.; i.e., trading in wool, but not making it up; this realizes very little profit and is not a dignified occupation for a woman.

(19) But trading in mills, buying and selling them, is profitable.

(20) Prov. XXXI, 24. This occurs in the description of the 'woman of valour'.

(21) [Heb. Simta. Tosef. Bek. II has Shemittah, the Sabbatical year when trading with produce is forbidden.]

(22) Sheep, goats, etc.

(23) To sell for their timber.

(24) When sharing with their neighbour.

(25) Market traders are exposed to the public gaze, and so to the evil eye, which is a potent source of misfortune. The

other three incur the ill-will of people, the first because breeding small animals was generally frowned upon.
(26) Perutah was the smallest coin. I.e., the monies earned by the four things enumerated.
(27) Officials who spoke the Sabbath lectures of the Sages to the congregation; the Sage whispered his statements to the interpreter, and he explained them to the people. Also, those who publicly interpreted and translated the weekly readings of the Law on the Sabbath.
(28) Orphans' money was sometimes entrusted to people to trade with, and they kept half the profit for themselves for their labour.
(29) He may take more than his due, and a minor cannot legally renounce it in his favour.
(30) Considerable danger attended the transport of freights at sea, and one might very easily suffer loss.
(31) A body of one hundred and twenty men founded by Ezra, regarded as the bearers of Jewish teaching and tradition after the Prophets; v. Ab. I, 1.
(32) V. Glos.
(33) All who trade in these, whether directly or indirectly.
(34) Lit., 'work'.
(35) Wool dyed blue for insertion in garments as fringes; v. Num. XV, 38.
(36) To benefit the community, profit being a secondary consideration.
(37) Beyshan (Scythopolis) in Galilee (Jast.). [Beyshan was, however, far too distant from Tyre to enable its inhabitants to go there and back in one day. It must therefore be located in the neighbourhood of Tyre and it is identified with the village at Abasiya, N.E. of Tyre (Hurwitz, Palestine, p. 112).]
(38) On the coast of Palestine. Friday was market day at Sidon (Rashi).
(39) Prov. I, 8.
(40) Known to-day as Khuzistan, in S. W. Persia; Obermeyer, pp. 204ff.
(41) Which is necessary by law.
(42) Hallah may be eaten by a priest only. Thus he intimated that this was not hallah.
(43) Lit., 'practise a prohibition in connection with them'.

Talmud - Mas. Pesachim 51a

you may not permit it in their presence? Said he to him, Yet was it not stated thereon, R. Hisda said: This refers to Cutheans.[1] What is the reason in the case of Cutheans? Because they confound one thing [with another]![2] Then these people too [being ignorant] confound one thing [with another]? — Rather, said R. Ashi, we consider: if most of them eat rice [bread], a lay Israelite must not eat it [the hallah] in their presence, lest the law of hallah be [altogether] forgotten by them; but if most of them eat corn [bread], let a lay Israelite eat it in their presence, lest they come to separate [hallah] from what is liable upon what is exempt, and from what is exempt upon what is liable.[3]

[It was stated in] the text: 'Things which are permitted, yet others treat them as forbidden, you may not permit it in their presence. Said R. Hisda: This refers to Cutheans'. Yet not [to] all people? Surely it was taught: Two brothers may bathe together,[4] yet two brothers do not bathe [together] in Cabul.[5] And it once happened that Judah and Hillel, the sons of R. Gamaliel, bathed together in Cabul, and the whole region criticized them, saying, 'We have never seen such [a thing] in [all] our days;' whereupon Hillel slipped away and went to the outer chamber,[6] but he was unwilling to tell them, 'You are permitted [to do this]'. [Again,] one may go out in slippers on the Sabbath,[7] yet people do not go out in slippers in Beri.[8] And it once happened that Judah and Hillel, the sons of R. Gamaliel, went out in slippers on the Sabbath in Beri, whereupon the whole district criticized them, saying, 'We have never seen such [a thing] in [all] our days'; so they removed them and gave them to their [non-Jewish] servants, but they were unwilling to tell them, 'You are permitted [to wear these].' Again, one may sit on the stools of Gentiles on the Sabbath,[9] yet people do not sit on the stools of Gentiles on the Sabbath in Acco.[10] And it once happened that R. Simeon b. Gamaliel sat down on the stools of Gentiles on the Sabbath in Acco, and the whole district criticized him, saying, 'We have never seen such [a thing] in [all] our days'. [Accordingly] he slipped down on to the ground, but he was unwilling to tell them, 'You are permitted [to do this]'.[11] — The people of the

coastal region, since Rabbis are not common among them, are like Cutheans.[12]

As for [not sitting on] Gentiles' stools, that is well, [the reason being] because it looks like [engaging] in buying and selling. [That they do not go out] in slippers too [is understandable], lest they fall off and they come to carry them four cubits in the street. But what is the reason that [brothers] do not bathe [together]? — As it was taught: A man may bathe with all, except with his father, his father-in-law, his mother's husband and his sister's husband.[13] But R. Judah permits [a man to bathe] with his father, on account of his father's honour,[14] and the same applies to his mother's husband. Then they [the people of Cabul] came and forbade [it] in the case of two brothers on account of [bathing with] his sister's husband.[15]

It was taught: A disciple must not bathe with his teacher, but if his teacher needs him, it is permitted.

When Rabbah b. Bar Hanah came,[16] he ate of the stomach fat.[17] Now, R. 'Awira[18] the Elder and Rabbah son of R. Huna visited him; as soon as he saw them, he hid[19] it [the fat] from them. When they narrated it to Abaye he said to them, 'He has treated you like Cutheans'. But does not Rabbah b. Bar Hanah agree with what we learned: WE LAY UPON HIM THE RESTRICTIONS OF THE PLACE WHENCE HE DEPARTED AND THE RESTRICTIONS OF THE PLACE WHITHER HE HAS GONE? — Said Abaye: That is only [when he goes] from [one town in] Babylonia to [another in] Babylonia, or from [a town in] Palestine to [another in] Palestine, or from [a town in] Babylonia to [another in] Palestine; but not [when he goes] from [a place in] Palestine to [another in] Babylonia, [for] since we submit to them,[20] we do as they.[21] R. Ashi said: You may even say [that this holds good when a man goes] from Palestine to Babylonia; this is, however, where it is not his intention to return; but Rabbah b. Bar Hanah had the intention of returning.

Rabbah b. Bar Hanah said to his son: My son, do not eat [this fat], whether in my presence or not in my presence. As for me who saw R. Johanan eat [it], R. Johanan is sufficient [an authority] to rely upon in his presence and not in his presence. [But] you have not seen him [eat it]; [therefore] do not eat, whether in my presence or not in my presence. Now, [one statement] of his disagrees with [another statement] of his. For Rabbah b. Bar Hanah said: R. Johanan b. Eleazar related to me: I once followed R. Simeon son of R. Jose b. Lakuna into a kitchen garden,

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(1) The people whom Shalmaneser settled in Samaria after the deportation of the Ten Tribes. They formally accepted Judaism, but as they retained many heathen practices, their religious status fluctuated, until they were finally declared heathens. In the present passage they are treated as Jews, but so lax as to require special laws.

(2) If they were treated with leniency in one case, their laxity in general would increase.

(3) Hallah can be separated from one piece of dough upon another piece, providing that both are liable; but if one is liable while the other is not, the separated piece is not hallah, while the other remains forbidden as tebel. Hence if they separate hallah from rice dough, which is really exempt, upon dough of wheat, which is liable, the latter remains tebel, and by eating it they transgress. Again, if they separate hallah from wheat dough upon itself and upon a rice dough, the former is not hallah but likewise tebel, and when it is given to the priest he eats tebel.

(4) Lit., 'as one' — without fear that this may induce a desire for pederasty.

(5) A place southeast of Acco. Though the fear of pederasty may seem far-fetched, this is not so when its prevalence in the Roman Empire is remembered; v. Weiss, Dor, 11, 21f.

(6) Of the baths.

(7) Though they are loose-fitting; we do not fear that they may fall off and the wearer will thus come to carry them in the street, which of course is forbidden.

(8) A town in Galilee.

(9) When they are engaged in business, and we do not fear that the Jew who sits down there will be suspected of doing the same.

(10) A town and harbour on the coast of Phoenicia.

(11) In all these instances Jews are referred to, yet we see that this law holds good.

(12) In that leniency may lead to laxity, where there is none to show them the difference between what is mere stringency and what is really prohibited by law.

(13) In their case this may lead to impure thoughts.

(14) He can perform some services for him and help him.

(15) Lest the latter be thought permitted too.

(16) From Palestine to Babylonia.

(17) The stomach is partly curved, like a bow, and partly straight, like the string of a bow, which is the meaning of the present word. The fat on the straight part of the stomach is really permitted, but in Babylonia it was treated as forbidden.

(18) Alfasi and Rosh read: 'Awia.

(19) Lit., 'covered'.

(20) We accept their jurisdiction.

(21) I.e., a Palestinian going to Babylonia may retain his home practice, for this cannot give rise to quarrels.

Talmud - Mas. Pesachim 51b

and he took the aftergrowth of the cabbage[1] and ate it, and he gave [some] to me and said to me, 'My son, in my presence you may eat,[2] when not in my presence, you may not eat [it]. I who saw R. Simeon b. Yohai eat [it], — R. Simeon B. Yohai is [great] enough to rely upon in his presence and not in his presence; [but] you may eat in my presence, but do not eat [when] not in my presence'.[3] What is [this reference to] R. Simeon? For it was taught, R. Simeon said: All aftergrowths are forbidden,[4] except the aftergrowth of the cabbage, because there is none like them among the vegetables of the field;[5] but the Sages maintain, All aftergrowths are forbidden. Now, both [state their views] on the basis of R. Akiba. For it was taught: Behold, we may not sow, nor gather in our increase.[6] R. Akiba said: Now, since they do not sow, whence can they gather?[7] Hence it follows that the aftergrowth is forbidden.[8] Wherein do they differ? The Rabbis hold, We preventively forbid the aftergrowth of cabbage on account of other aftergrowths in general; whereas R. Simeon holds: We do not preventively forbid the aftergrowth of cabbage on account of [other] aftergrowths in general.[9]

HE WHO GOES FROM A PLACE etc. As for [teaching], HE WHO GOES FROM A PLACE WHERE THEY DO WORK TO A PLACE WHERE THEY DO NOT WORK . . . WE LAY UPON HIM THE RESTRICTIONS OF THE PLACE WHITHER HE HAS GONE, AND A MAN MUST NOT ACT DIFFERENTLY, ON ACCOUNT OF THE QUARRELS, that is well, and he must not work. But [if he goes] FROM A PLACE WHERE THEY DO NOT WORK TO A PLACE WHERE THEY DO WORK . . . A MAN MUST NOT ACT DIFFERENTLY, BECAUSE OF THE QUARRELS — [that is] he is to work? But you say, WE LAY UPON HIM THE RESTRICTION OR THE PLACE WHITHER HE HAS GONE AND THE RESTRICTIONS OF THE Place WHENCE HE HAS DEPARTED! — Said Abaye: It refers to the first clause.[10] Raba said: After all it refers to the second clause, but this is its meaning: This does not come within [the scope of] differences which cause quarrels. What will you say: He who sees will say, '[He regards] work as forbidden?'[11] [No:] they will indeed say, 'How many unemployed are there in the market place!'[12]

R. Safra said to R. Abba:[13] For instance I,[14] who know [the art] of fixing the New Moon,[15]

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(1) Rashi: It was in a Sabbatical year, and after the time when provisions must be removed from the house; v. p. 243, n. 1. Tosaf. maintains that 'and he took' implies that he pulled it out of the earth; thus it was still available for cattle, and therefore it was before the time of removal.

(2) Because you can rely upon me.

(3) Whereas Rabbah b.Bar Hanah told his son not to rely upon him even in his presence.

(4) After the time of removal (Rashi); v. however next note.

(5) Rashi offers two explanations the first of which he rejects. The second, about which he is also doubtful, is this:

cabbages remain in the ground right through winter, whereas the aftergrowths of other vegetables are consumed earlier: hence we are more lenient with cabbages, because we can never apply to them the principle, 'when it ceases for the beasts in the field, it must cease — (i.e., be removed from) the man in the house'. V. p. 251, n. 1, for a different interpretation.

(6) Lev. XXV, 20.

(7) Then why state 'nor gather in our increase'?

(8) And to this they refer.

(9) R. Tam: the reference is to the time before the removal. Both R. Simeon and the Rabbis accept R. Akiba's view that the aftergrowth is Scripturally forbidden, but only that aftergrowth which is similar to sowing (seeds), for the verse, 'we may not sow, nor gather in our increase, implies that 'our increase,' which refers to the aftergrowth, is similar to what 'we may not sow'; but the cabbage plant has more affinity to trees then to seeds (v. Keth. 111b), hence it is not forbidden by Biblical law. This view is held by both, and they differ whether the cabbage aftergrowth is Rabbinically forbidden as a preventive measure or not. Another explanation is given in Tosaf. on quite different lines.

(10) I.e., HE MUST NOT ACT DIFFERENTLY if he goes FROM A PLACE WHERE THEY DO WORK TO A PLACE WHERE THEY DO NOT WORK.

(11) Though we permit it; do you fear that this will lead to strife?

(12) Raba explains the Mishnah thus: IF A MAN GOES FROM A PLACE WHERE THEY DO NOT WORK TO A PLACE WHERE THEY WORK . . . WE IMPOSE UPON HIM THE RESTRICTION OF THE PLACE WHENCE HE HAS DEPARTED. For the general principle that a man MUST NOT ACT DIFFERENTLY from the rest of the people was only ON ACCOUNT OF THE QUARRELS, whereas here we have no fear.

(13) Var. lec. Raba.

(14) [So Tosaf. and MS. M., cur. edd. 'we'.]

(15) By Biblical law Festivals are holy on the first and the seventh days only (Pentecost one day altogether). But owing to uncertainty in early time about the exact day of New Moon, i.e., when the month began, it became a binding practice in the Diaspora to observe two days instead of one, and this remained binding even when New Moon was ascertained by mathematical calculation, which obviated all doubt.

Talmud - Mas. Pesachim 52a

in inhabited places I do not work,[1] because it is a change [which would lead to] strife. [But] how is it in the wilderness? — Said he to him, Thus did R. Ammi say: In inhabited regions it is forbidden; in the desert it is permitted. R. Nathan b. Asia went from Rab's academy [in Sura][2] to Pumbeditha on the second Festival day of Pentecost, [whereupon] R. Joseph put him under the ban. Said Abaye to him, Yet let the master punish him with lashes? — Said he to him, I have treated him more severely, for in the West [sc. Palestine] they take a vote for punishing a disciple with lashes, yet they do not take a vote on the ban.[3] Others say, R. Joseph had him lashed. Said Abaye to him, Yet let the Master ban him, for Rab and Samuel both said: We impose the ban for [the violation of] the two Festival days of the Diaspora? — Said he to him, That refers only to an ordinary person, but here it is a scholar, so I did what was better for him, for in the West they take a vote for punishing a disciple with lashes, yet they do not take a vote on the ban.

SIMILARLY, HE WHO TRANSPORTS SABBATICAL-YEAR PRODUCE etc. Does then R. Judah not accept what we learned, WE LAY ON HIM THE RESTRICTIONS OF THE PLACE WHENCE HE DEPARTED AND THE RESTRICTIONS OF THE PLACE WHITHER HE HAS GONE? — Said R. Shisha the son of R. Idi, R.Judah says[4] a different thing, and this is its meaning: or from a place where it has not ceased to a place where it has not ceased, and then he heard that it had ceased in his town, he is bound to remove it. R. Judah said: [He can say,][5] 'Do you too go out and procure [produce] for yourself from the place whence I have obtained it', since it has not ceased for them.[6] Shall we say that R. Judah [thus] rules leniently? But surely R. Eleazar said, R. Judah did not rule otherwise than stringently?[7] Rather, reverse it: He is not bound to remove it.[8] R. Judah said: [His townspeople can say to him], 'Do you too go out [now] and obtain [produce] from the place whence you brought it [the produce you possess], and lo! it has ceased'.[9] Abaye said: In truth it is as

taught,[10] and this is what he states: Or from a place where it has not ceased to a place where it has ceased, and [then] he brought it back to its place, and it has still not ceased [there], he is not bound to remove it. R. Judah said: [They can say to him,] 'Go out and do you too bring [produce] from the place whence you have [now] brought it, and lo! it has ceased [there]'. To this R. Ashi demurred: According to R. Judah, has he then caught them [these restrictions] up on the back of an ass![11] Rather, said R. Ashi, [This enters] in the controversy of the following Tannaim. For we learned: If a man preserves three [kinds of] preserves In one barrel,[12] — R. Eliezer said: One may eat [in reliance] upon the first [only];[13] R. Joshua said: Even [in reliance] upon the last;[14] R. Gamaliel said: Whatever kind has ceased from the field, he must remove that kind from the barrel, and the halachah is as his ruling.[15]

Rabina said, [It enters] into the controversy of the following Tannaim. For we learned:[16] One may eat dates until the last in Zoar is finished;[17] R. Simeon b. Gamaliel said:

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(1) On the second day of Festivals. [I.e., when I happen to be in Babylon, v. infra p. 52a.]

(2) [Var. lec. 'Biram' on the West bank of the Euphrates. v. Asheri and MS.M. In Biram, which was the home of R. Nathan b. Asia, only a one day Festival was observed, v. R.H., Sonc. ed. p. 100, n. 2 and Obermeyer, p. 99].

(3) As the ban would damage his prestige more than corporal punishment. This proves that the ban is a severer punishment.

(4) [Var. lec. omit 'R. Judah' the reference being to the first Tanna, v. Rashi.]

(5) To the people of the place whence he came.

(6) Thus, he does not regard the practice of his own town, since they too can do as he.

(7) In this connection.

(8) I.e., insert the addition in the Mishnah thus: Or if he goes from a place where it has not ceased to a place where it has not ceased, and he then learns that it has ceased in his own town, he is not bound to remove it, as one cannot speak of the restrictions of the place whence he came, for when he left it there were as yet no restrictions.

(9) I.e., the fact remains that by now it has ceased in your own town, and the resultant law applies to yourself too just as to us.

(10) It refers to two dissimilar places, not to two similar places.

(11) So that he brings them back with him! The produce has neither grown in that second town nor does he consume it there: how then can he be subject to the restrictions of that place?

(12) I.e., three different vegetables. These may 'cease from the field' at different times — the reference is to the Sabbatical year.

(13) As soon as the first kind 'ceases from the field', he must declare the whole free to all, because their being preserved together makes them as one.

(14) He may go on eating of all three until the last kind has ceased from the field.

(15) Now in the Mishnah there is the same controversy. The first Tanna agrees with R. Joshua's lenient view, and this is what he means: If a man carries various kinds of produce from a place where they have not ceased to a place where all of them have ceased, he is bound to remove them. But if only some kinds have ceased, he may eat even of the kind which has ceased. R. Judah rules, One can say to him, 'Go out and do you too bring of that kind from the field', i.e., you will not find of that kind, and therefore you must remove it in accordance with R. Gamaliel.

(16) [The teaching that follows is not a Mishnah but a Baraitha, Tosef. Sheb. VII. Read accordingly with MS. M.: 'It has been taught'.]

(17) Dates may be eaten in the whole of Judea until the last palm tree is finished in Zoar, a town near the Dead Sea (Gen. XIII, 10) particularly well-stocked with palm trees (v. Deut. XXXIV, 3, though 'the city of palm trees' mentioned there refers to Jericho, not Zoar).

Talmud - Mas. Pesachim 52b

One may eat [in reliance] on those that are among the upper [overarching] boughs but one may not eat [in reliance] on those that are among the single prickly branches.[1]

We learned elsewhere: There are three [separate] districts[2] in respect of removal: Judea, Transjordania and Galilee;[3] and there are three districts in each of them separately.[4] Then why did they say, There are [only] three districts in respect of removal?[5] Because in each one they may eat until it [the produce] has ceased in the last [region] thereof.[6] Whence do we know it? — Said R. Hama b. 'Ukba in the name of R. Jose b. Hanina, Scripture saith, [And the sabbath-produce of the land shall be food for you...]and for thy cattle, and for the beasts that are in thy land:[7] as long as the [wild] beasts can eat in the field, feed the cattle in the house;[8] when there is no more for the beasts in the field, make an end of it for the cattle in the house;[9] and we have it on tradition that the beasts in Judea do not live on the produce of Galilee, and the beasts in Galilee do not live on the produce of Judea.[10]

Our Rabbis taught: Produce which went from the Land[11] abroad[12] must be removed wherever it is.[13] R. Simeon b. Eleazar said: They must go back to their [original] place and be removed, because it is said, 'in thy land'. But you have utilized this?[14] — Read therein, 'in the land', 'in thy land'.[15] Alternatively, [it is deduced] from, 'that are [asher] in thy land'.[16]

R. Safra went from the Land abroad, [and] he had with him a barrel of wine of the Sabbath year. Now, R. Huna the son of R. Ika and R. Kahana accompanied him. He asked them, Is there any one who has heard from R. Abbahu[17] [whether] the halachah is as R. Simeon b. Eleazar or not? — Said R. Kahana to him: Thus did R. Abbahu say: The halachah is as R. Simeon b. Eleazar. R. Huna the son of R. Ika [however] said to him, Thus did R. Abbahu say: The halachah is not as R. Simeon b. Eleazar. Said R. Safra, Accept this ruling of R. Huna,[18] because he is meticulously careful to learn the laws from his teacher, like Rehabah of Pumbeditha. For Rehabah said in Rab Judah's name: The Temple Mount consisted of a double colonnade, [i.e.,] a colonnade within a colonnade.[19] [Thereupon] R. Joseph applied to him [R. Safra] the verse, My people ask counsel at their stock, and their staff [makkelo] declareth unto them:[20] whoever is lenient [mekal] to him, to him he concedes [right].[21]

R. Elai cut down date-berries of the Sabbatical year.[22] How might he do thus: the Merciful One said, [It . . . shall be] for food,[23] but not for destruction? And should you answer that is only where it has reached[24] [the stage of] fruit,[25] but not where it has not reached [the stage of] fruit, — surely R. Nahman said in Rabbah b. Abbuha's name: The calyxes[26] of 'orlah are forbidden, because they became a guard for the fruits. Now, when is it a guard for the fruits? When they are unripe berries, yet he calls them fruits! — R. Nahman ruled as R. Jose. For we learned, R. Jose said: The [berries of 'orlah] in the budding stage [semadar] are forbidden, because they count as fruit; whereas the Rabbis disagree with him. To this R. Shimi of Nehardea demurred; yet do the Rabbis disagree with R. Jose in respect to other trees,[27] — surely we learned, From when may you not cut down trees in the Sabbatical year?[28] Beth Shammai maintain: All trees [may not be cut down] from when they bring forth;[29] but Beth Hillel rule: The carob trees from when they form chains [of carobs]; the vine trees,

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(1) The lower portion of the palm tree near the roots is surrounded with single prickly, thorn-like branches. Now, when a wind blows, the falling dates are retained both among the ordinary (upper) branches as well as the prickly ones. R. Simeon b. Gamaliel rules that you may eat only as long as there are dates among the higher branches, which are accessible; but those (in the prickly branches must be disregarded, since animals cannot take them because of the prickles. In our Mishnah the first Tanna means: When they have completely ceased, even from the prickly branches, he must remove them. Whereas R. Judah maintains that unless one can go and bring them, i.e., unless they are accessible, he must remove them, which means even if there are still dates on these thorn branches.

(2) Lit., 'countries'.

(3) In each the time of removal is when the produce has 'ceased from the field' in that particular district.

(4) The produce ceasing in each at a different time.

(5) Instead of nine.

(6) Rash: until it has ceased in the last subdivision. Tosaf. explains it differently v. Shebi. IX, 2-3.

(7) Lev. XXV, 6f.
(8) I.e., domestic animals.
(9) I.e., you must no longer keep the produce in the house for your private needs.
(10) I.e., they do not stray so far in search of food (Rashi).
(11) I.e., Palestine, 'the Land' par excellence.
(12) Lit., 'to without the Land.'
(13) The law of sabbatical produce, being dependent on the soil, is binding in Palestine only, v. Kid. 36b; yet it is also binding upon Palestine produce, even when transplanted elsewhere. Nevertheless, he is not bound to take it back to Palestine for removal, but can do it wherever he is.
(14) To show that one district cannot rely on another.
(15) I.e., Scripture could have written 'in the land', which would suffice for the present exegesis. In thy land intimates both.
(16) Asher is superfluous; hence it can be used for this purpose.
(17) Who was his teacher.
(18) Lit., 'hold . . . in your hand'.
(19) V. supra 13b and Bezah, Sonc. ed. p. 54, n. 9. The point of the quotation is not clear. In Ber. 33b Rashi explains that Rehabah was careful to use the word setaw, the exact word used by his teacher, though the passage is based on a Mishnah (v. Supra 11b), where the word iztaba is used.
(20) Hos. IV, 12.
(21) A humorous play on words, connecting makkel, a staff, with mekal, he is lenient.
(22) I.e., before they ripened and were fit for food (R. Hananel); Rashi: he cut down the palm tree before the dates had ripened.
(23) Lev. XXV, 6.
(24) Lit., 'descended to'.
(25) I.e., when it is ripe.
(26) Which surround the date in its early stage.
(27) Apart from the vine, to which the above refers.
(28) As stated above, they must be used for food, not for destruction. Now the question is: at what stage are their fruits regarded as food, so that the tree must not be cut down, but left until its fruit ripens.
(29) Rashi explains here: the first leaves (preceding the fruits); but in Ber. 36b Rashi explains: when they bring forth the fruit; Strashun accepts the latter view.

Talmud - Mas. Pesachim 53a

from when they form kernels;[1] olive trees, from when they blossom;[2] and all other trees, from when they bring forth. Now R. Assi said thereon: Boser [half-ripe fruit], girua' [formation of kernels], and the white bean are identical.[3] 'The white bean can you think so![4] — Rather, say, its size is that of the white bean. Now, whom do you know to maintain that boser is fruit, but not semadar? The Rabbis.[5] Yet it is stated, 'and all other trees, from when they bring forth?'[6] — Rather, R. Ilai cut down nishane.[7]

Our Rabbis taught: One may eat grapes [of the Sabbatical year] until the espalier branches of okel[8] are finished. If there are later ones than these, one may eat [in reliance] on them.[9] One may eat olives until the last of Tekoa[10] is finished. R. Eliezer said: Until the last of Gush-Heleb[11] is finished, so that a poor man should go out and not find a quarter[12] either on the branches or on the stem. One may eat dried figs until the unripe figs [pagge] of Beth Hini[13] are finished. Said R. Judah: The unripe figs of Beth Hini were not mentioned except in connection with tithe, for we learned,[14] The unripe figs of Beth Hini and the dates[15] of Tobanya[16] are subject to tithe.[17] 'One may eat dates until the last in Zoar is finished; R. Simeon b. Gamaliel said: One may eat [in reliance] on those that are among the upper [overarching] branches, but you may not eat [in reliance] on those that are among the single prickly branches.' But the following contradicts this: One may eat grapes until Passover; olives until Pentecost; dried figs until Hanukkah;[18] [and] dates until Purim.[19] Now R. Bibi said, R. Johanan

transposes the last two![20] — Both are one [the same] limit. Alternatively, surely it is explicitly taught, 'If there are later ones than these, one may eat [in reliance] on them.'[21]

It was taught, R. Simeon b. Gamaliel said: An indication of mountainous country is [the presence of] millin;[22] an indication of valleys is palm trees; an indication of streams is reeds; an indication of lowlands is the sycamore tree. And though there is no proof of the matter, there is an allusion to the matter, for it is said, And the king made silver to be in Jerusalem as stones, and cedars made he to be as the sycamore trees that are in the lowland, for abundance.[23]

'An indication of mountainous country is [the presence of] millin; an indication of valleys is palm trees.' The practical difference is in respect of first fruits. For we learned: First fruits are not brought of any save the seven species,[24] nor of the palm trees in the highlands nor of the fruits in the valleys.[25] 'An indication of streams is reeds.' The practical difference is in respect of the rough valley' [nahal ethan].[26] 'An indication of lowlands is the sycamore tree.' The practical difference is in respect of buying and selling.[27] Now that you have arrived at this, all the [others] too are in respect of buying and selling.

MISHNAH. WHERE IT IS THE PRACTICE TO SELL SMALL CATTLE[28] TO HEATHENS, ONE MAY SELL; WHERE IT IS THE PRACTICE NOT TO SELL,[29] ONE MAY NOT SELL. AND IN ALL PLACES ONE MAY NOT SELL LARGE CATTLE TO THEM, [NOR] CALVES OR FOALS, WHETHER SOUND OR MAIMED.[30] R. JUDAH PERMITS IN THE CASE OF A MAIMED [ONE].[31] THE SON OF BATHYRA PERMITTED IT IN THE CASE OF A HORSE.[32] WHERE IT IS THE CUSTOM TO EAT ROAST [MEAT] ON THE NIGHT OF PASSOVER, ONE MAY EAT[IT]; WHERE IT IS THE CUSTOM NOT TO EAT [IT],[33] ONE MAY NOT EAT [IT].

GEMARA. Rab Judah said in Rab's name: A man is forbidden to say, 'This meat shall be for Passover,' because it looks as though he is sanctifying his animal and eating sacred flesh without [the Temple]. Said R. Papa: This applies only to meat, but not to wheat, because he means, It is to be guarded [from fermenting] for Passover. But not 'meat'? An objection is raised: R. Jose said, Thaddeus of Rome[34] accustomed the Roman [Jews] to eat helmeted goats[35] on the nights of Passover. [Thereupon] they [the Sages] sent [a message] to him: If you were not Thaddeus, we would proclaim the ban against you, because you make Israel eat sacred flesh without [the Temple]. 'Sacred flesh' — can you think so?[36] — Rather say,

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(1) Or, ovules containing moisture (v. Jast. s.v. גרע II).

(2) I.e., when their blossoms, a calyx-like growth, come forth.

(3) Lit., 'that is boser, that is' etc. I.e., the three terms indicate the same stage. The Mishnah often speaks of these.

(4) We are discussing the vine!

(5) For R. Jose maintains that even semadar, which denotes an earlier stage, is fruit.

(6) Thus they agree with R. Jose in respect to other trees.

(7) Stunted dates of palms whose fruit never matures.

(8) Cur. ed. 'Ar. (also quoted by Rashi) reads: Abel, i.e., the branches of Abel Cheramim (lit., 'the palm of the vine-yards' — v. Jud. XI, 33), situate six or seven Roman miles from Philadelphia (Rabbath-Ammon), and as its name implies, famous for its vineyards; v. J.E. s.v.

(9) I.e., as long as they are yet on the branches.

(10) A city of southern Judea often mentioned in the Bible (e.g., II Sam. XIV, 2f; Amos I, 1; II Chron. XI, 6), and famous for the abundance of its olives, v. Men. 85b.

(11) Lit., 'fat ground', (Gush-heleb) or Giscala in Galilee, not far from Tyre (Neub. Geogr. p. 230), was rich in oil; Josephus, Vita, 13; Men. 85b; v. J.E. s.v. Giscala.

(12) I.e., a log.

(13) Bethania, near Jerusalem; v. Neub. op. cit., 149f. Pagge are probably a species of figs that never reach full maturity, but are nevertheless fit for eating.

(14) ‘We learned’ is absent in this passage as quoted in ‘Er. 28b. [It is a Baraitha (Tosef. Sheb. VII) and not a Mishnah.]
(15) Ahina (pl. ahini) is a species of late and inferior dates.
(16) Name of a certain place.
(17) But these figs do not determine the time for the removal of figs.
(18) The Feast of Lights, commencing on the twenty-fifth of Kislev and lasting for eight days. It generally fails in the latter half of December.
(19) ‘Lots’ — the minor Festival in celebration of Haman's downfall. It is held on the fourteenth of Adar, and generally occurs in March.
(20) I.e., dried figs until Purim, and dates until Hanukkah. By then the various kinds mentioned have disappeared from the field; thus this conflicts with the previous statement.
(21) Thus even if these are different time-limits, the later one is stated in accordance with this teaching.
(22) Milla pl. millin, a species of oak from which the gall-nut is collected (quercus infectoria). Jast.
(23) I Kings X, 27.
(24) Enumerated in Deut. VIII, 8; a land of wheat and barley, and vines and fig trees and pomegranates; a land of olive trees and honey.
(25) Because these are of inferior quality. The same idea is expressed by R. Simeon b. Gamaliel when he says that palm trees are an indication of valleys, i.e., the best grow in the valleys. His other statements bear a similar meaning.
(26) V. Deut. XXI,4 . Nahal is a stream which in summer dries up and leaves a valley bed. The presence of reeds along the margin of the valley indicates that this is a fitting place for the purpose.
(27) If a man sells a lowland estate it must contain sycamores (Rashi). Or, if a man sells sycamore trees, guaranteeing them to be of the best quality, they must be from lowland country.
(28) E.g., sheep and goats.
(29) For fear that large cattle too may be sold to them; v. n. 5.
(30) Large cattle, because they are thereby deprived of the Sabbath rest (v. A.Z. 15a); calves or foals, being the young of large cattle, as a preventive measure; maimed, likewise as a preventive measure on account of whole animals.
(31) Because it is unfit for work and will immediately be killed for food. Therefore the few will not see it in the heathen's possession, and so will not come to sell him others too.
(32) The main use of a horse is for riding, and riding on the Sabbath, even by a Jew, is not regarded as Scripturally forbidden but merely as a shebuth (v. Glos.).
(33) This means after the destruction of the Temple. While the Temple stood the Passover sacrifice was eaten roast (Ex. XII, 8). Consequently, when the Temple was no more it became the practice to refrain from eating roast meat on the night of Passover, so that it should not appear that a sacrifice was brought without the Temple, which is forbidden.
(34) Lit., ‘a man of Rome’.
(35) Goats roasted whole with the entrails and the legs on the head, like a helmet (the verb kalas denotes to put on a helmet). That is how the Passover sacrifice was roasted, v. infra 74a.
(36) Surely the goats were not dedicated as sacrifices.

Talmud - Mas. Pesachim 53b

It is near to making Israel eat sacred flesh without [the Temple].[1] [Thus,] only a ‘helmeted’ goat,[2] but not if it is not ‘helmeted’? — I will tell you: if it is ‘helmeted’, there is no difference whether he stated[3] or he did not state; [but] if it is not ‘helmeted’, if he specified, it is [forbidden]; if he did not specify, it is not [forbidden].

R. Aha learned this Baraitha as [the statement of] R. Simeon.[4] To this R. Shesheth demurred: It is well according to him who learns it as [the statement of] R. Jose; then it is correct. But according to him who learns it as [the statement of] R. Simeon, is it correct?, Surely we learned, R. Simeon declares him exempt, because he did not make the offering in the way which people make [this] offering![5] Said Rabina to R. Ashi: And is it correct [even] according to him who learns it as [the statement of] R. Jose? Surely Raba said: R. Simeon stated this according to the view of R. Jose, who maintained: A man is held responsible[6] for his last words too. Surely then, since R. Simeon agrees with R. Jose, R. Jose also agrees with R. Simeon?[7] — No: R. Simeon agrees with R. Jose, but R.

Jose does not agree with R. Simeon.[8] The scholars asked: Was Thaddeus, the man of Rome, a great man or a powerful man?[9] — Come and hear: This too did Thaddeus of Rome teach: What [reason] did Hananiah, Mishael and Azariah see that they delivered themselves, for the sanctification of the [Divine] Name,[10] to the fiery furnace? They argued a minori to themselves: if frogs, which are not commanded concerning the sanctification of the [Divine] Name, yet it is written of them, and they shall come up and go into thy house . . . and into thine ovens, and into thy kneading troughs:[11] when are the kneading troughs to be found near the oven? When the oven is hot.[12] We, who are commanded concerning the sanctification of the Name, how much the more so.[13] R. Jose b. Abin said: He cast merchandise into the

Passover-sacrifice at the time of roasting, this is not the way in which people consecrate animals: therefore his words are invalid. pockets of scholars.[14] For R. Johanan said: Whoever casts merchandise into the pockets of scholars will be privileged to sit in the Heavenly Academy, for it is said, for wisdom is a defence even as money is a defence.[15]

MISHNAH. WHERE IT IS THE PRACTICE TO LIGHT A LAMP [AT HOME] ON THE NIGHT OF THE DAY OF ATONEMENT,[16] ONE MUST LIGHT [ONE]; WHERE IT IS THE PRACTICE NOT TO LIGHT [A LAMP], ONE MUST NOT LIGHT [ONE]. AND WE LIGHT [LAMPS] IN SYNAGOGUES, SCHOOL-HOUSES, AND DARK ALLEYS, AND FOR THE SAKE OF INVALIDS.

GEMARA. It was taught: Whether they maintained that we should light [lamps] or they maintained that we should not light [them], both intended [it] for the same purpose.[17] R. Joshua said, Raba lectured: Thy people also shall all be righteous, they shall inherit the land for ever: etc.[18] whether they maintained that we should light [lamps] or they maintained that we should not light [them], both intended nought but the same purpose.

Rab Judah said in Samuel's name: We do not recite a blessing over light except at the termination of the Sabbath, since it was then created for the first time.[19] Said a certain old man to him-others state, Rabbah b. Bar Hanah — 'Well spoken! and thus [too] did R. Johanan say.

'Ulla was going along, riding an ass, while R. Abba proceeded at his right and Rabbah b. Bar Hanah at his left. Said R. Abba to 'Ulla: Do you indeed say in R. Johanan's name: We do not recite a blessing over light except at the termination of the Sabbath, since it was then created for the first time? 'Ulla turned round and looked at Rabbah b. Bar Hanah with displeasure.[20] Said he to him, I said it not in reference to that but in reference to this.[21] For a tanna recited before R. Johanan, R. Simeon b. Eleazar said: When the Day of Atonement falls on the Sabbath, even where they maintain that we must not light [a lamp], we do light [it] in honour of the Sabbath; which R. Johanan followed with the remark,[22] But the Sages forbid it. Said he to him, Let it be this.[23] R. Jose applied to this the verse, Counsel in the heart of man is like deep water';

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(1) I.e., it is similar to sacrifices,

(2) Should be forbidden.

(3) That it was for Passover.

(4) Not R. Jose.

(5) V. Men. 103a. If a man declares, 'I vow a meal-offering of barley', the first Tanna rules that he must bring a meal-offering of wheat. For a man's liabilities are determined by his first words only, where these contradict his last words. Thus, when he declared, 'I vow a meal-offering', this is a binding vow; when he adds 'of barley', this is impossible, since only wheat is permitted; therefore his first words are binding. But R. Simeon maintains that he must be judged by his last words too: hence he really meant a meal-offering of barley, thinking that this is permitted; consequently his entire statement is invalid, and he is exempt. Now, in this case, how could it be regarded as near to sacred flesh? He did not consecrate the animal whilst alive, and even if he designated it a

(6) Lit., ‘seized’.
(7) That a vow made in an unusual manner is not binding. Hence the same difficulty arises according to R. Jose.
(8) He maintains that even when a vow is not made in a usual manner it must be taken into account, because no man speaks without a purpose. Hence though R. Simeon bases his ruling on R. Jose's view, R. Jose himself does indeed hold that a man is held responsible for his last words too, but only when both his first words and his last can take effect (v. Tem. 25b); but where his last words would completely nullify his statement, as here, they are disregarded; hence the vower is liable to a wheat meal-offering (Maharsha). So here too, if he declared at the roasting, ‘This be for a Passover sacrifice’, though such a vow is unusual, I would say that he means that a sacrifice shall be bought with its monetary value. Thus it is ‘near to sacred flesh’ on R. Jose's view. But according to R. Simeon this is a real difficulty, which remains unanswered.
(9) Lit., ‘a man of fists’. — On what grounds did they refrain from imposing the ban?
(10) This is one of the great principles of Judaism: a man must by his actions sanctify the Divine Name, i.e., prove his deep conviction of the truth of Judaism even to the extent of suffering for it, and thereby shed lustre and glory upon it.
(11) Ex. VII, 28.
(12) And yet at God's command they entered them.
(13) This quotation shows that he was a great scholar.
(14) I.e., he gave them opportunities for trading.
(15) Eccl. VII, 12. R. Johanan translates: he will enter within the precincts (lit., ‘shadow’) of wisdom, who brings a scholar within the protection of his wealth.
(16) I.e., before it commences, so that it should burn through the night.
(17) viz., to curb their desire for sexual indulgence. The former argued that this would be the better effected by the presence of a lamp, because darkness is generally required; while the latter held that a lamp would strengthen his desire, as he could see his wife by the light.
(18) Isa. LX, 21.
(19) Lit., ‘that was the beginning of its creation’ on the evening of the first day.
(20) For misrepresenting R. Johanan's view.
(21) [MS. M.: I did not say this but that.]
(22) Lit., ‘and R. Johanan answered after him’.
(23) I admit this to be right.

Talmud - Mas. Pesachim 54a

but a man of understanding will draw it out.[1] ‘Counsel in the heart of man is like deep water’ — this applies to ‘Ulla;[2] ‘but a man of understanding will draw it out’ — this applies to Rabbah b. Bar Hanah.[3] And in accordance with whom did they hold their view?[4] — In accordance with the following which R. Benjamin b. Japheth said in R. Johanan's name: We recite a blessing over light both at the termination of the Sabbath and at the termination of the Day of Atonement, and that is the popular practice. An objection is raised: We do not recite a blessing over light except at the termination of the Sabbath, since it was then created for the first time; and as soon as he sees [it] he immediately recites a blessing. R. Judah said: He recites them[5] in order over the cup [of wine]. Now R. Johanan said thereon: The halachah is as R. Judah? — There is no difficulty: here the reference is to light that has burnt over the Sabbath;[6] there it refers to light which issues from tinder and stones.[7] One [Baraitha] taught: We can recite a blessing over light which issues from tinder and stones; [while] another taught: We cannot recite a blessing over it? — There is no difficulty: one refers to the termination of the Sabbath, [and] the other refers to the termination of the Day of Atonement.

Rabbi used to ‘scatter’ them.[8] R. Hiyya ‘collected’ them.[9] R. Isaac b. Abdimi said: Though Rabbi scattered them, he subsequently repeated them in [their] order over the cup [of wine], so as to quit his children and household [of their obligation].[10] Yet was light created at the termination of the Sabbath? Surely It was taught: Ten things were created on the eve of the Sabbath at twilight. These are they: the well,[11] the manna, the rainbow,[12] the writing[13] and the writing instrument[s], the Tables,[14] the sepulchre of Moses, the cave in which Moses and Elijah stood,[15] the opening of the

ass's mouth,[16] and the opening of the earth's mouth to swallow up the wicked.[17] R. Nehemiah said in his father's name: Also fire and the mule.[18] R. Josiah said in his father's name: Also the ram[19] and the shamir.[20] R. Judah said: Tongs too. He

new thing to the person, since he did not benefit from the light during the day. used to say: Tongs are made with tongs;[21] then who made the first tongs? Hence in truth it was[22] a Heavenly creation. Said they to him, it is possible to make it in a mould and shape it simultaneously.[23] Hence in truth it is of human manufacture![24] — There is no difficulty: one refers to our fire, the other to the fire of the Gehenna.[25] Our fire [was created] at the termination of the Sabbath; the fire of the Gehenna, on the eve of the Sabbath.

Yet was the fire of the Gehenna created on the eve of the Sabbath? Surely it was taught: Seven things were created before the world was created, and these are they: The Torah, repentance, the Garden of Eden, Gehenna, the Throne of Glory, the Temple, and the name of the Messiah. The Torah, for it is written, The Lord made me [sc. the Torah] as the beginning of his way.[26] Repentance, for it is written, Before the mountains were brought forth, and it is written, Thou turnest man to contrition, and sayest, Repent, ye children of men.[27] The Garden of Eden, as it is written, And the Lord planted a garden in Eden from aforetime.[28] The Gehenna, for it is written, For Tophet [i.e., Gehenna] is ordered of old.[29] The Throne of Glory and the Temple, for it is written, Thou throne of glory, on high from the beginning, Thou place of our sanctuary.[30] The name of the Messiah, as it is written, His [sc. the Messiah's] name shall endure for ever, and has exited before the sun![31] — I will tell you: only its cavity was created before the world was created, but its fire [was created] on the eve of the Sabbath.

Yet was its fire created on the eve of the Sabbath? Surely it was taught, R. Jose said: The fire which the Holy One, blessed be He, created on the second day of the week shall never be extinguished,[32] as it is said, And they shall go forth, and look upon the carcasses of the men that have rebelled against me,' for their worm shall not die, neither shall their fire be quenched?[33] Again, R. Bana'ah son of R. 'Ulla said: Why was 'it was good' not said concerning the second day of the week?[34] Because the fire of the Gehenna was created therein. Also R. Eleazar said, Although 'it was good' was not said in connection with it, yet He re-included it in the sixth, as it is said, And God saw everything that He had made, and behold, it was very good.[35] — Rather, the cavity [was made] before the world was created, and its fire on the second day of the week; while as for our fire, on the eve of the Sabbath He decided[36] to create it, but it was not created until the termination of the Sabbath. For it was taught, R. Jose said: Two things He decided to create on the eve of the Sabbath, but they were not created until the termination of the Sabbath, and at the termination of the Sabbath the Holy One, blessed be He, inspired Adam with knowledge of a kind similar to Divine [knowledge],[37] and he procured two stones and rubbed them on each other, and fire issued from them; he also took two [heterogenous] animals and crossed them, and from them came forth the mule. R. Simeon b. Gamaliel said: The mule came into existence in the days of Anah, for it is said, This is the Anah who found the mules[38] in the wilderness.[39] Those who interpret symbolically[40] used to say: Anah was unfit,[41] therefore he brought unfit [animals][42] into the world, for it is said, These are the sons of Seir the Horite [. . . And Zibeon and Anah],[43] while it is written, And these are the children of Zibeon: Aiah and Anah.[44] Hence it teaches that Zibeon cohabited with his mother and begat Anah by her. But perhaps there were two Anahs? Said Raba: I say a thing which [even] King Shapur could not say, and who is that? Samuel. Others say, R. Papa said: I say a thing which even King Shapur did not say, and who is that? Raba.[45] The Writ saith, that is Anah [meaning], that is the original Anah.[46]

Our Rabbis taught: Ten things were created on the eve of the Sabbath at twilight, and these are they: The well, manna, the rainbow, writing, the writing instruments, the Tables, the sepulchre of Moses and the cave in which Moses and Elijah stood, the opening of the ass's mouth, and the

opening of the earth's mouth to swallow up the wicked. While some say, Also Aaron's staff, its almonds and its blossoms.[47] Others say, The harmful spirits [demons] too. Others say, Also

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(1) Prov. XX, 5.

(2) Who understood from R. Abba the error of Rabbah b. Bar Hanah.

(3) He understood why ‘Ulla looked at him with displeasure, though he gave no reason.

(4) viz., ‘Ulla and Rabbah, who would not accept R. Abba's ruling.

(5) Various blessings which are to be recited on the termination of Sabbath.

(6) It had burnt during the day. Nevertheless it had observed the Sabbath, as it were, in that it was lit in permitted circumstances, e.g.. for an invalid or a woman about to be delivered of child. Or in the case of the Day of Atonement, it had been lit prior to its commencement. There a blessing is recited at the termination of the latter too, because it is as a

(7) I.e., which is made now. A blessing over this is recited only at the termination of the Sabbath, when light was likewise created for the first time, but not at the termination of the Day of Atonement.

(8) Immediately he saw light after the termination of the Sabbath he recited the appropriate blessing. Later, when spices were brought to him, he recited a further blessing over them. Thus the blessings were ‘scattered’.

(9) He recited both blessings together over a cup of wine, as is the present practice.

(10) I.e., he recited the blessings a second time on their behalf.

(11) The Well of Miriam which followed the Israelites in the Wilderness; v. Num. XXI, .16-18, which some relate to this.

(12) V. Gen. IX, 13f.

(13) I.e., the shape of letters.

(14) Ex. XXXII, 16.

(15) When God allowed them to see His glory; v. Ex. XXXIII, 22; I Kings XIX, 9.

(16) Num. XXII, 28.

(17) Ibid. XVI, 30. That these last two should happen when the need arose was decreed at the time of the creation.

(18) The mule is regarded as a hybrid, as stated infra. But according to R. Nehemiah, the first was created directly, and was not the result of cross-breeding.

(19) Which Abraham offered as a substitute for Isaac, Gen. XXII, 13; it was ordained at the Creation that the ram should thus be ready to hand.

(20) A legendary worm used for the building of the Temple. It was laid upon the stones and cut through them, and so obviated the need for iron tools, in conformity with Ex. XX, 22; v. I Kings VI, 7 and Git. 68a.

(21) The already manufactured tongs must hold the iron on the anvil as it is beaten out into another pair of tongs.

(22) Lit., ‘was this not etc.?’

(23) Without beating it out.

(24) For the whole passage v. Ab. V, 5 and notes a.l. in Sonc. ed. pp. 62-64. — This shows that fire was created already on Sabbath eve.

(25) Hell or purgatory.

(26) Prov. VIII, 22.

(27) Ps. XC, 2f. ‘Before’ etc. applies to ‘repent’.

(28) Gen. II, 8.

(29) Isa. XXX, 33.

(30) Jer. XVII, 12.

(31) Ps. LXXII, 17. — Thus the Gehenna was created before the world. — The general idea of this Baraitha is that these things are indispensable pre-requisites for the orderly progress of mankind upon earth. The Torah, the supreme source of instruction; the concept of repentance, in recognition that ‘to err is human’, and hence, if man falls, the opportunity to rise again; the Garden of Eden and the Gehenna, symbolizing reward and punishment; the Throne of Glory and the Temple, indicating that the goal of Creation is that the Kingdom of God (represented by the Temple) shall be established on earth, as it is in heaven; and finally, the name of the Messiah, i.e., the assurance that God's purpose will ultimately be achieved.

(32) Because it is the fire of the Gehenna.

(33) Isa. LXVI, 24.

(34) In which the world was created.

(35) Gen. I, 31.
(36) Lit., 'it came up in (His) intention'.
(37) Lit., 'of above'.
(38) E.V. 'hot Springs'.
(39) Gen. XXXVI, 24.
(40) דורשי המורות Lit., 'those who interpret (Scripture) as jewels', i.e., as ethical teachings. Levi connects the phrase with הומר a beautiful and graceful gazelle, i.e., those who teach with charming and graceful interpretations.
(41) Pasul, i.e., the issue of an incestuous union.
(42) I.e., the offsprings of hetereogeneous breeding, i.e., one sees in this the teaching that evil begets evil.
(43) Gen. XXXVI, 20.
(44) Ibid. 24. In the first verse Anah appears as Zibeon's brother, whereas in the second he is his son.
(45) Shapur I, King of Persia, was a contemporary of Samuel, while Shapur II was a contemporary of Raba. These names are applied here to Samuel and Raba, as indicating their acknowledged authority in learning. v. MGWJ. 1936, p. 217.
(46) Identical with the first mentioned.
(47) V. Num. XVII, 23. This too was ordained at the Creation.

Talmud - Mas. Pesachim 54b

Adam's raiment.[1] Our Rabbis taught: Seven things are hidden[2] from men. These are they: the day of death, and the day of comfort,[3] the depth [extent] of judgment;[4] and a man does not know what is in his neighbour's heart; and a man does not know from what he will earn; and when the Davidic dynasty will return;[5] and when the wicked kingdom[6] will come to an end. Our Rabbis taught: Three things [God] willed to come to pass,[7] and if He had not willed them, it would be but right that He should will them. And these are they: Concerning a corpse, that it should become offensive; and concerning a dead person, that he should be forgotten from the heart; and concerning produce, that it should rot;[8] and some say, concerning coins, that they should enjoy currency.[9]

MISHNAH. WHERE IT IS THE CUSTOM TO DO WORK ON THE NINTH OF AB,[10] ONE MAY DO IT; WHERE IT IS THE CUSTOM NOT TO DO WORK, ONE MAY NOT DO IT. AND IN ALL PLACES SCHOLARS CEASE [FROM WORK ON THAT DAY]. R. SIMEON B. GAMALIEL SAID: A MAN MAY ALWAYS MAKE HIMSELF A SCHOLAR.[11]

GEMARA. Samuel said: There is no public fast in Babylonia save the Ninth of Ab alone.[12] Shall we say that Samuel holds, [with regard to] the Ninth of Ab, its twilight is forbidden;[13] but Samuel said: [with regard to] the Ninth of Ab, its twilight is permitted? And should you say, Samuel holds, The twilight of every public fast is permitted, — surely we learned: One must eat and drink while it is yet day. Now what is this to exclude is it not to exclude twilight? No: it is to exclude after nightfall. Shall we say that this supports him? [It was taught:] There is no difference between the Ninth of Ab and the Day of Atonement except that with the latter, its doubt is forbidden, while with the former, its doubt is permitted. What does 'its doubt is permitted' mean? Surely [that refers to] twilight? — No, [but] as R. Shisha the son of R. Idi said,[14] It is in respect of the fixing of New Moon; so here too it is in respect of the fixing of the New Moon.[15]

Raba lectured: Pregnant women and suckling women must fast and complete [the fast] on that day [the Ninth of Ab], just as they fast and complete [the fast] on the Day of Atonement; and the twilight thereof is forbidden. And they said likewise in R. Johanan's name. Yet did R. Johanan say thus? Surely R. Johanan said: The Ninth of Ab is not like a public fast. Surely that means in respect of twilight? — No: in respect of work.[16] [You say], 'Work'! we have learned it: WHERE IT IS THE CUSTOM TO DO WORK ON THE NINTH OF AB, ONE MAY DO IT; WHERE IT IS THE CUSTOM NOT TO DO WORK, ONE MAY NOT DO IT. And even R. Simeon b. Gamaliel merely says that if he sits and does not work it does not look like conceit, yet he certainly does not forbid it?

— Rather, what does ‘is not like a public fast’ mean? In respect of the Ne'ilah service.[17] But surely R. Johanan said: Would that a man would go on praying all day![18] — There it is a [statutory] obligation, whereas here It is voluntary.[19] Another alternative [answer] is, ‘What does ‘it is not like a public fast’ mean? In respect of the twenty-four [benedictions].[20]

R. Papa said: What does ‘it is not like a public fast’ mean? It is not like the first ones but like the last [ones].[21] An objection is raised: There is no difference between the Ninth of Ab and the Day of Atonement except that with the latter, its doubt is forbidden, while with the former, its doubt is permitted. Now what does ‘its doubt is permitted’ mean? Does it not refer to its twilight? — Said R. Shisha son of R. Idi: No: [It is meant] in respect of the fixing of New Moon.

Hence in all [other] regulations they are alike. This supports R. Eleazar. For R. Eleazar said: A man is forbidden to dip his finger in water on the Ninth of Ab, just as he is forbidden to dip his finger in water on the Day of Atonement. An objection is raised: There is no difference between the Ninth of Ab and a public fast except that on one work[22] is forbidden, while on the other work is permitted, where it is customary. This [implies that] in all [other] matters they are both alike; whereas in respect to a public fast it was taught, When they [the Sages] ruled, Bathing is forbidden, they spoke only of the whole body, but not of a man's face, hands, and feet?[23] — Said R. Papa:

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(1) This probably refers to Gen. III, 21: And the Lord God made for Adam and for his wife garments of skins, and clothed them (Rashi).

(2) Lit., ‘covered’.

(3) No man knows when he will be relieved of his anxieties.

(4) Sc. Divine Judgment (Rashi).

(5) This was probably said in order to discourage those who tried to calculate the advent of the Messiah on the basis of Scripture; cf. Sanh. 97a.

(6) A covert allusion to Rome (Rashi).

(7) Lit., ‘came up in (God's) intention to be created’.

(8) If kept too long. This is necessary in order to restrain the producer from withholding supplies and thus artificially raising the prices.

(9) For the benefit of the poor who have no other means of obtaining sustenance (v. Marginal Glosses).

(10) Which is a fast-day in commemoration of the destruction of the Temple.

(11) I.e., he may abstain from work even if he is not a scholar.

(12) I.e., if a public fast is proclaimed, it does not commence on the previous evening, nor is work forbidden, even where it is the practice not to work on the Ninth of Ab. (The Day of Atonement, of course, stands in a different category entirely.) In the whole of the subsequent discussion ‘public fast’ does not mean one of the statutory fasts, but a fast proclaimed on account of drought or disaster etc.

(13) I.e., it is forbidden to eat at twilight on the eve of the fast, since he regards the twilight as possessing the full rigours of a fast-day. Twilight is a period of doubt, and it is not certain whether it is day or night.

(14) v. infra.

(15) E.g., if a man is in the wilderness and does not know what day was fixed as New Moon, he must observe two Days of Atonement (his doubt could only be whether the previous month had consisted of twenty-nine days or thirty days), but only one day as the Ninth of Ab.

(16) On the fast-day itself. On a specially proclaimed public fast work is forbidden, whereas on the Ninth of Ab it is permitted.

(17) On specially proclaimed public fast-days an extra service was added at the end of the day’, called ne'ilah, which means ‘closing’. R. Johanan states that there is no ne'ilah on the Ninth of Ab.

(18) If a man does not remember whether he has recited his statutory prayers, R. Johanan rules that he should recite them now, though there is an opposing view that a man must not pray when in this doubt. Now, since R. Johanan holds that a man must pray when in doubt, why should there not be a ne'ilah service on the Ninth of Ab, seeing that it is like a specially proclaimed public fast in many respects?

(19) On a public fast-day ne'ilah is obligatory; on the Ninth of Ab a man may recite it if he desires.

(20) On public fast-days six benedictions were added to the usual eighteen which constituted the 'Prayer' par excellence (Ta'an. 15a). R. Johanan teaches that these are not recited on the Ninth of Ab.

(21) In times of drought three public fasts were proclaimed, which began at daybreak. But if the drought nevertheless continued, another three were proclaimed, and these began the previous evening (v. Ta'an. Mishnah 10a and 12b). R. Johanan thus ruled that the Ninth of Ab begins on the previous evening, and eating is forbidden from twilight.

(22) Lit., 'the doing of work'.

(23) Which shows that on the Ninth of Ab washing of face and hands and feet is permitted.

Talmud - Mas. Pesachim 55a

The Tanna teaches a series of leniences.[1] AND IN ALL PLACES SCHOLARS etc. Shall we say that R. Simeon b. Gamaliel holds that we do not fear [the appearance of] conceit, while the Rabbis hold that we do fear [the appearance of] conceit? But we know them [to hold] the reverse! For we learned: A bridegroom, if he wishes to recite the reading of the shema'[2] on the first night, he may recite it. R. Simeon b. Gamaliel said: Not everyone who wishes to assume[3] the name [reputation] may assume it.[4] — Said R. Johanan: The discussion must be reversed. R. Shisha the son of R. Idi said, Do not reverse it. The Rabbis are not self-contradictory: here, since everybody works, while he [alone] does not work, it looks like conceit; but there, since everybody recites [the shema'] and he too recites [it], it does not look like conceit. R. Simeon b. Gamaliel too is not self-contradictory: There only, since devotion Is required, while we are witnesses that he cannot devote his mind,[5] it looks like conceit. But here it does not look like conceit, [for] people will say, 'It is work that he lacks: go out and see how many unemployed there are in the market place!'

MISHNAH. BUT THE SAGES MAINTAIN,[6] IN JUDEA THEY USED TO DO WORK ON THE EVE OF PASSOVER UNTIL MIDDAY, WHILE IN GALILEE THEY DID NOT WORK AT ALL. [AS FOR] THE NIGHT,[7] — BETH SHAMMAI FORBID [WORK], WHILE BETH HILLEL PERMIT IT UNTIL DAYBREAK.

of Ab is not more lenient than public fasts save that work is permitted on the former. But he does not refer to the reverse cases where the Ninth of Ab is more stringent; hence you cannot deduce that they are alike in all other matters. GEMARA. At first he [the Tanna] teaches custom,[8] and then he teaches a prohibition? — Said R. Johanan, There is no difficulty: one is according to R. Meir; the other, according to R. Judah. For it was taught, R. Judah said: In Judea they used to do work on the eve of Passover, until midday, while in Galilee they did not work at all. Said R. Meir to him: What proof is Judea and Galilee for the present [discussion]?[9] But where they are accustomed to do work, one may do it, [while] where they are accustomed not to do [work], one may not do it. Now, since R. Meir states [that it is merely a matter of] custom, it follows that R. Judah states [that it is] a prohibition.[10]

Yet does R. Judah hold that work on the fourteenth is permitted?[11] Surely it was taught, R. Judah said: He who weeds on the thirteenth and [an ear of corn] is uprooted in his hand, must replant it in swampy [damp] soil, but must not replant it in a dry place.[12] Thus, only on the thirteenth, but not on the fourteenth,[13] Now consider: we know that R. Judah maintains: Any grafting which does not take root within three days will never take root. Then if you think that work may be done on the fourteenth, why [state] the thirteenth; surely there is the fourteenth, the fifteenth and part of the sixteenth?[14] — Said Raba: We learned [this] of Galilee. But there is the night?[15] — Said R. Shesheth: This is according to Beth Shammai.[16] R. Ashi said: In truth it is as Beth Hillel, [yet the night of the fourteenth is not stated] because it is not the practice of people to weed at night — Rabina said: After all it refers to Judea, but in respect to taking root we do say once that part of the day is as the whole of it, but we do not say twice that part of the day is as the whole of it.[17]

MISHNAH. R. MEIR SAID: ANY WORK WHICH HE BEGAN BEFORE THE FOURTEENTH,

HE MAY FINISH IT ON THE FOURTEENTH; BUT HE MAY NOT BEGIN IT AT THE OUTSET ON THE FOURTEENTH, EVEN IF HE CAN FINISH IT [ON THE SAME DAY]. BUT THE SAGES MAINTAIN: THREE CRAFTSMEN MAY WORK ON THE EVE OF PASSOVER UNTIL MIDDAY, AND THESE ARE THEY: TAILORS, HAIRDRESSERS, AND WASHERMEN. R. JOSE B. R. JUDAH SAID: SHOEMAKERS TOO.[18]

GEMARA. The scholars asked: Did we learn [that it may be finished] when required for the Festival, but when not required for the Festival he may not even finish it; or perhaps we learned [that he must not begin work] when it is not required for the Festival, but when it is required we may indeed begin it; or perhaps, whether it is needed for the Festival or it is not needed, he may finish but not start? — Come and hear: But he may not begin at the outset on the fourteenth even a small girdle, [or] even a small hair-net — What does 'even' imply? Surely, even these which are required for the Festival, he may only finish, but not begin; whence it follows that where it is not required [for the Festival], we may not even finish! — No: after all, even when it is not required we may indeed finish [the work], and yet what does 'even' connote? Even these too, which are small. For you might argue, their beginning, that is the end of their work;[19] then we should even begin them at the very outset; therefore he informs us [that it is not so]. Come and hear: R. Meir said: Any work which is required for the Festival,

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(1) The whole series of 'there is no difference' etc. is taught by the same Tanna, and in each he merely wishes to intimate a point of leniency. Thus he first teaches that the Ninth of Ab is not more lenient than the Day of Atonement save that the doubt of the former is permitted. Then he states that the Ninth

(2) 'Hear' — the passage commencing 'Hear O Israel' etc. (Deut. VI, 4f). This is recited every morning and evening, but a bridegroom is exempt on the evening of his marriage.

(3) Lit., 'take'.

(4) Unless he has a reputation for great piety, as otherwise it looks like an unwarrantable assumption of piety (Rashi in Ber. 17b).

(5) His feelings are obviously such that unless he is extremely pious he cannot recite the shema' with proper devotion.

(6) This is a continuation of the last Mishnah.

(7) Following the thirteenth day of Nisan.

(8) The preceding Mishnah regards abstention from work a mere custom and in this Mishnah it is treated as a prohibition!

(9) I.e., why cite Judea and Galilee? the matter is everywhere determined by local custom.

(10) Viz., that in Judea it is held to be permitted, while in Galilee it is held to be definitely prohibited, and not merely dependent on custom.

(11) According to the views held in Judea.

(12) It takes root in damp soil more quickly. Now the 'omer (v. Glos. and Lev. XXIII, 10-14) is effective in permitting everything which has taken root before it is waved; hence it is desirable that this should take root before the omer is waved on the sixteenth of the month.

(13) For it is obvious that the law is so stated as to give the latest possible time.

(14) And it is a principle that part of the day counts as the whole day; thus there is time for it to take root even if it is replanted on the fourteenth.

(15) Following the thirteenth, when it is permissible even in Galilee.

(16) Who in our Mishnah forbid the night.

(17) For if he weeds some time on the fourteenth we would have to count the rest of the day as a complete day, and also the beginning of the sixteenth until the waving of the 'omer as another complete day.

(18) These may work everywhere.

(19) I.e., they require so little time.

he may finish it on the fourteenth.[1] When is that? When he began it before the fourteenth; but if he

did not begin it before the fourteenth, he must not begin it on the fourteenth, even a small girdle, even a small hair-net. [Thus,] only when required for the Festival, but not when it is not required! — No: the same law holds good that even when it is not required for the Festival we may also finish it, and he informs us this: that even when it is required for the Festival, we may only finish, but not begin.

Come and hear: R. Meir said: Any work which is required for the Festival, he may finish it on the fourteenth; but that which is not required for the Festival is forbidden; and one may work on the eve of Passover until midday where it is customary [to work]. [Thus,] only where it is the custom, but if it is not the custom,it is not [permitted at all]. Hence this proves that when required for the Festival it is [permitted], but when it is not required for the Festival it is not [permitted]. This proves it.

BUT THE SAGES MAINTAIN, THREE CRAFTSMEN [etc.]. A Tanna taught: Tailors, because a layman[2] may sew in the usual way on the intermediate Days;[3] hairdressers and washermen, because he who comes from overseas and he who comes out of prison may cut their hair and wash [their garments] on the Intermediate Days.[4] R. Jose son of R. Judah said: Shoemakers too, because the Festival pilgrims[5] repaired their shoes on the Intermediate Days. Wherein do they differ? — One Master holds, We learn the beginning of the work from the end of the work;[6] while the other Master holds, We do not learn the beginning of the work from the end of the work. MISHNAH. ONE MAY SET UP CHICKEN-HOUSES FOR FOWLS ON THE FOURTEENTH,[7] AND IF A [BROODING] FOWL RAN AWAY,[8] ONE MAY SET HER BACK IN HER PLACE; AND IF SHE DIED, ONE MAY SET ANOTHER IN HER PLACE. ONE MAY SWEEP AWAY FROM UNDER AN ANIMAL'S FEET ON THE FOURTEENTH,[9] BUT ON THE FESTIVAL[10] ONE MAY REMOVE [IT] ON A SIDE [ONLY].[11] ONE MAY TAKE UTENSILS [TO] AND BRING [THEM BACK] FROM AN ARTISAN'S HOUSE, EVEN IF THEY ARE NOT REQUIRED FOR THE FESTIVAL.

GEMARA. Seeing that you may [even] set [the fowls for brooding], is there a question about putting back?[12] — Said Abaye: The second clause refers to the Intermediate Days of the Festival.[13] R. Huna said: They learnt this[14] only [when it is] within three [days] of her rebellion,[15] so that her heat[16] has not yet left her, and after three days of her brooding, so that the eggs are quite spoiled.[17] But if it is after three days since her rebellion, so that her heat has left her, or within three days of her brooding, so that the eggs are still not completely spoiled,[18] we must not put [her] back.[19] R. Ammi said: We may even put her back within [the first] three days of her brooding.[20] Wherein do they differ? — One Master holds, They [the Sages] cared about a substantial loss, but they did not care about a slight loss; while the other Master holds: They cared about a slight loss too.

ONE MAY SWEEP AWAY FROM UNDER [etc.]. Our Rabbis taught: The manure which is in the court-yard may be moved aside; that which is in the stable and in the court-yard may be taken out to the dunghill. This is self-contradictory: you say, The manure which is in the court-yard may [only] be moved aside; then he [the Tanna] teaches, that which is in the stable and in the court-yard may [even] be taken out to the dunghill? — Said Abaye, There is no difficulty: one refers to the fourteenth [of Nisan]; the other, to the Intermediate Days. Raba said: Both refer to the Intermediate Days, and this is what he says: If the courtyard became like a stable,[21] it may be taken out to the dunghill.

ONE MAY TAKE UTENSILS [TO] AND BRING [THEM BACK] FROM AN ARTISAN'S HOUSE. R. Papa said: Raba examined us. We learned: ONE MAY TAKE [UTENSILS TO] AND BRING UTENSILS FROM AN ARTISAN'S HOUSE, EVEN IF THEY ARE NOT REQUIRED FOR THE FESTIVAL. But the following contradicts it: One may not bring utensils from an artisan's house, but if he fears that they may be stolen, he may remove them into another court-yard?[22] And we answered, There is no difficulty: Here it means on the fourteenth; there, on the Intermediate Days. Alternatively, both refer to the Intermediate Days, yet there is no difficulty: here it is where he

trusts him;[23] there, where he does not trust him. And thus it was ‘taught: One may bring vessels from the artisan's house, e.g., a pitcher from a potter's house, and a [glass] goblet from a glass-maker's house; but [one may] not bring wool from a dyer's house nor vessels from an artisan's house.[24] Yet if he [the artisan] has nothing to eat, he must pay him his wages and leave it [the utensil] with him; but if he does not trust him, he places them in a nearby house; and if he is afraid that they may be stolen, he may bring them secretly home.[25] You have reconciled [the contradictions on] bringing; but [the contradictory statements on] taking [the utensils to the artisan's house] present a difficulty, for he teaches, ‘One must not bring [from the artisan's house]’, hence how much more that we must not take [them to his house]![26] — Rather, it is clear [that it must be reconciled] as we answered it at first.[27]

MISHNAH. SIX THINGS THE INHABITANTS OF JERICHO DID: THREE THEY [THE SAGES] FORBADE THEM,[28] AND THREE [THEY] DID NOT FORBID THEM. AND IT IS THESE WHICH THEY DID NOT FORBID THEM: THEY GRAFTED PALM TREES ALL DAY,[29] THEY ‘WRAPPED UP’ THE SHEMA,[30] AND THEY HARVESTED AND STACKED [THEIR PRODUCE] BEFORE [THE BRINGING OF] THE ‘OMER.[31] AND IT IS THESE WHICH THEY FORBADE THEM: THEY PERMITTED [FOR USE] THE BRANCHES — [OF CAROB OR SYCAMORE TREES] BELONGING TO HEKDESH,[32]

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(1) Even where it is customary not to do any work.

(2) I.e., a man who is not a craftsman in this particular trade.

(3) Lit., ‘the non-holy (portion) of the Festival’; v. p. 16, n. 4. Only professional work is forbidden, but not the work a non-professional does at home.

(4) Hence on the fourteenth, which is certainly lighter than the Intermediate Days, these may be done in general, and even by professionals.

(5) v. Deut. XVI, 16.

(6) Making shoes is the beginning; repairing them is the end. Just as repairing is permitted, so is making them permitted.

(7) I.e., you may put in eggs for brooding (Jast.). Rashi reads ‘and’ instead of ‘FOR’, and renders: One may set up dove-cots and fowls (to brood).

(8) From its eggs.

(9) Sc. the dung, and throw it away.

(10) Which of course is stricter.

(11) But not sweep it altogether away.

(12) It is obvious!

(13) A fowl may not be set to brood then, but she may be put back.

(14) That she may be put back even on the Intermediate Days of the Festival.

(15) I.e., of her running away.

(16) The desire to hatch.

(17) They can no longer be eaten, being too addled.

(18) They can still be eaten.

(19) In the Intermediate Days.

(20) Since the eggs have been slightly spoiled, and not all people would eat them. (15) After three days there is a substantial loss, as the eggs are quite unfit; but within three days the loss is only slight, since some people would eat them.

(21) It contains so much manure that it cannot be moved aside.

(22) Near the artisan's house, where it is better guarded, but he may not take them home if it is a long distance.

(23) Either that the artisan will not dispose of them, or that he will not claim payment a second time.

(24) The latter two when they are not needed for the Festival.

(25) Not publicly, as that would give a too workday appearance to these days.

(26) While the question of trusting does not arise here.

(27) viz., that our Mishnah refers to the fourteenth, while the Baraitha refers to the Intermediate Days.

(28) Lit., ‘stayed their hand’.

(29) Of the fourteenth.
(30) I.e., they recited it without the necessary pauses, v. Gemara 56a.
(31) V. Glos. and Lev. XXIII, 10-14. Rashi deletes HARVESTED, as that was quite permissible as far as Jericho was concerned, since no 'omer could be brought from Jericho which was situated in a valley. V. Men. 71a, 8a.
(32) I. e., the branches which grew after the trees had been vowed to the Sanctuary.

Talmud - Mas. Pesachim 56a

AND THEY ATE THE FALLEN FRUIT FROM BENEATH [THE TREE] ON THE SABBATH, AND THEY GAVE PE'AH[1] FROM VEGETABLES; AND THE SAGES FORBADE THEM.

GEMARA. Our Rabbis taught: Six things King Hezekiah did; in three they [the Sages] agreed with him, and in three they did not agree with him — He dragged his father's bones [corpse] on a rope bier,[2] and they agreed with him; he crushed the brazen serpent,[3] and they agreed with him; [and] he hid the book of remedies,[4] and they agreed with him. And in three they did not agree with him: He cut [the gold off] the doors of the Temple[5] and sent them to the King of Assyria,[6] and they did not agree with him; and he closed up the waters of Upper Gihon,[7] and they did not agree with him;[8] and he intercalated [the month of] Nisan in Nisan,[9] and they did not agree with him.

THEY GRAFTED PALM TREES ALL DAY. How did they do it? — Said Rab Judah: They brought a fresh myrtle, the juice of bay-fruit and barley flour which had been kept[10] in a vessel less than forty days,[11] and boiled them together and injected [the concoction] into the heart of the palm tree; and every [tree] which stands within four cubits of this one, if that is not treated likewise immediately withers. R. Aha the son of Raba said: A male branch was grafted on to a female [palm tree].[12]

THEY 'WRAPPED UP' THE SHEMA'. What did they do? — Rab Judah said, They recited, Hear, O Israel: the Lord our God, the Lord is One[13] and did not make a pause.[14] Raba said: They did make a pause, but [the meaning is] that they said [And these words, which I command thee] this day shall be upon thy heart,[15] which implies, this day [shall they be] upon thy heart, but to-morrow [they shall] not [be] upon thy heart.

Our Rabbis taught: How did they 'wrap up' the shema'? They recited 'Hear O Israel the Lord our God the Lord is One' and they did not make a pause: this is R. Meir's view. R. Judah said: They did make a pause, but they did not recite, 'Blessed be the name of His glorious Kingdom for ever and ever.'[16] And what is the reason that we do recite it? — Even as R. Simeon b. Lakish expounded. For R. Simeon b. Lakish said: And Jacob called unto his sons, and said: Gather yourselves together, that I may tell you [that which shall befall you in the end of days].[17] Jacob wished to reveal to his sons the 'end of the days',[18] whereupon the Shechinah departed from him. Said he, 'Perhaps, Heaven forfend! there is one unfit among my children,[19] like Abraham, from whom there issued Ishmael, or like my father Isaac, from whom there issued Esau.' [But] his sons answered him, 'Hear O Israel, the Lord our God the Lord is One:[20] just as there is only One in thy heart, so is there in our heart only One.' In that moment our father Jacob opened [his mouth] and exclaimed, 'Blessed be the name of His glorious kingdom for ever and ever.' Said the Rabbis, How shall we act? Shall we recite it, — but our Teacher Moses did not say it. Shall we not say it — but Jacob said it! [Hence] they enacted that it should be recited quietly.

R. Isaac said, The School of R. Ammi said: This is to be compared to a king's daughter who smelled a spicy pudding.[21] If she reveals [her desire], she suffers disgrace;[22] if she does not reveal it, she suffers pain.[23] So her servants began bringing it to her in secret. R. Abbahu said: They [the Sages] enacted that this should be recited aloud, on account of the resentment of heretics.[24] But in Nehardea, where there are no heretics so far, they recite it quietly.

Our Rabbis taught: Six things the inhabitants of Jericho did, three with the consent of the Sages, and three without the consent of the Sages. And these were with the consent of the Sages: They grafted palm trees all day [of the fourteenth], they 'wrapped up' the shema', and they harvested before the 'omer.[25] And these were without the consent of the Sages: They stacked [the corn] before the 'omer,[26] and they made breaches in their gardens and orchards to permit the poor to eat the fallen fruit in famine years on Sabbaths and Festivals, and they permitted [for use] the branches of carob and sycamore trees belonging to hekdesh: this is R. Meir's view. Said R. Judah to him, If they did [these things] with the consent of the Sages, then all people could do so! But they did both without the consent of the Sages, [save that] three they forbade them [to do], and three they did not forbid them [to do]. And it is these which they did not forbid them: They grafted palm trees the whole day, and they 'wrapped up' the shema', and they stacked [the corn] before the 'omer. And it is these which they forbade them to do: They permitted [for use] branches of hekdesh of carob and sycamore trees, and they made breaches in their garden and orchards to permit the poor to eat the fallen fruit in famine years on Sabbaths and Festivals; they gave pe'ah from vegetables; and the Sages forbade them.

Yet does R. Judah hold that the reaping was not with the consent of the Sages? Surely we learned: The inhabitants of Jericho reaped before the 'omer with the consent of the Sages and stacked before the 'omer without the consent of the Sages, but the Sages did not forbid them to do it.

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(1) V. Glos. Pe'ah is exempt from tithes, and the poor, by eating the vegetables without tithing them in the belief that they were Pe'ah, ate tebel (v. Glos.).

(2) Instead of showing him the honour due to a king. He did this in order to effect atonement for him, his father (Ahaz) having been very wicked.

(3) Set up by Moses, Num. XXI, 8f; v. II Kings XVIII, 4.

(4) Because they cured so quickly that illness failed to promote a spirit of contrition and humility. V. Ber. 10b.

(5) Or, he cut down the doors etc.

(6) Sennacherib, as a bribe to leave him in peace; v. II Kings XVIII, 16.

(7) v. II Chron. XXXII, 1-4.

(8) In both cases he should have trusted in God.

(9) Ibid. XXX, 1-3. The Talmud holds that he effected this by declaring Nisan an intercalated month, calling it the second Adar, after it (Nisan) had already commenced. (Since the Jewish year which is lunar is some eleven days shorter than the solar year, it is necessary periodically to lengthen it by the intercalation of a second Adar, the last month of the civil year. In ancient times this was done not by mathematical calculation, as nowadays, but according to the exigencies of the moment, but this had to be done before Nisan actually commenced, v. Sanh. 12b and Ber. 10a).

(10) Lit., 'cast'.

(11) Lit., 'over which forty days had not passed'.

(12) Jast. translates: they put the male flower (scatter the pollen) over the female tree. — But he does not regard the operation described by Rab Judah as grafting.

(13) Deut. VI, 4.

(14) Before proceeding with the next verse, And thou shalt love etc.: 'One' (Heb. אחד) must be prolonged in utterance, which creates a pause, but they did not do thus (Rashi). Tosaf.: they did not pause between 'Hear O Israel' and 'the Lord' etc. thus read together it is a prayer that God may hearken to Israel, which of course gives a completely wrong sense in this instance.

(15) Deut. VI, 6. Reading it without a pause at 'day' as is indicated in the E.V.

(16) Before 'and thou shalt love' etc.

(17) Gen. XLIX, 1.

(18) The final universal redemption, v. Dan. XII, 13.

(19) Lit., 'in my bed'.

(20) 'Israel' referring to their father.

(21) And conceived a strong desire for it.

(22) Through her lack of self-control.

(23) Through her restraint.

(24) Heb. min, sectarian. They might think that the Jews were cursing them.

(25) V. supra p. 277, n. 6.

(26) As it is quite unnecessary, for the produce will not suffer loss if it is left unstacked until after the ‘omer, and while engaged in stacking it, they might come to eat it.

Talmud - Mas. Pesachim 56b

Whom do you know to maintain [that] they forbade and did not forbid?[1] R. Judah. Yet he teaches, They reaped with the consent of the Sages? — Then according to your reasoning, [surely] these are four! Rather, delete reaping from this.

‘And they permitted the branches of carob and sycamore trees of hekdesh.’ They said: Our fathers sanctified nought but tree trunks, hence we will permit [for use] the branches of hekdesh of carob and sycamore trees. Now we discuss the growth which came after that;[2] so that while they held as he who rules, There is no trespass-offering [due] when [one benefits from] what grows, the Rabbis held, Granted that there is no trespass-offering [due], there is nevertheless a prohibition.

‘And they made breaches [etc.]’ ‘Ulla said in the name of R. Simeon b. Lakish: The controversy is in respect of [the dates of] the upper branches, for the Rabbis held, We forbid them preventively, lest he go up and cut them off, while the inhabitants of Jericho held, We do not forbid them preventively, lest he go up and cut them off. But as for the dates which are among the lower branches, all agree that it is permitted.[3] Said Rabbah to him, But they are mukzeh?[4] And should you say, [that is] because they [the dates] were fit for [his] ravens,[5] [I would rejoin], — seeing that that which is ready[6] for man is not ready for dogs, for we learned, R. Judah said, If it was not nebelah from the eve of the Sabbath, it is forbidden, because it is not of that which is ready,[7] then shall what is ready for birds be [regarded as] ready for human beings?[8] — Yes, he replied. That which is ready for human beings is not ready for dogs, for whatever is fit for a man, he does not put [it] out of his mind;[9] [but] that which is ready for birds is [also] ready for human beings,[10] [for] his mind is [set] upon it. When Rabin came,[11] he said in the name of R. Simeon b. Lakish: The controversy is in respect of [the fallen dates] among the lower branches, the Rabbis holding, That which is ready for birds is not ready for man, while the men of Jericho hold, That which is ready for birds is ready for man. But [the fallen dates] on the

place are permitted now that they have fallen to earth, for since none grow there, there was never any fear that he might go up and cut off the growing dates. — Though this explanation removes several difficulties, Tosaf. observes that it raises a practical difficulty: how is one to distinguish between those which fell down before the Festival and those which fell on the Festival itself, and those which had fallen on the upper branches in the first place and those which had first fallen on the lower branches? upper branches, all agree that they are forbidden; we forbid [them] preventively, lest he ascend and cut off [some dates].

AND THEY GAVE PE'AH FROM VEGETABLES. Yet did not the inhabitants agree with what we learned: They stated a general principle in respect to pe'ah: whatever is an eatable, and is guarded, and its growth is from the earth, and is [all] gathered simultaneously,[12] and is collected for storage,[13] is subject to pe'ah. ‘Whatever is an eatable’ excludes the aftergrowth of woad[14] and madder;[15] ‘and is guarded’ excludes hefker;[16] ‘and its growth is from the earth’ excludes mushrooms and truffles;[17] ‘and is [all] gathered simultaneously’ excludes the fig tree;[18] ‘and is collected for storage excludes vegetables![19] — Said Rab Judah in Rab's name: The reference is to turnip tops, and they differ [in respect to what] one collects for storing by means of something else:[20] one Master holds, If he takes it in for storage by means of something else it is designated storage; while the other

Master holds, What he takes in for storage by means of something else is not designated storage.[21]

Our Rabbis taught: At first they used to leave Pe'ah for turnips and cabbages. R. Jose said: Also for porret. While another [Baraitha] taught: They used to give pe'ah for turnips and porret; R. Simeon said: For cabbage too.

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(1) I.e., who makes this distinction, but not the distinction between with and without their consent.

(2) Sc. after the trees had been dedicated.

(3) Mekabedoth are the upper branches on which dates grow; kipin are the lower branches where dates do not grow. Rashi: they differ in respect of the dates which fell on the Festival and were caught on these upper branches. Since they are high up, he must climb up to get them, and the Rabbis held that we fear that this will lead him to pull off some dates still on the branches, which is forbidden; while the inhabitants of Jericho held that there was no need to fear this. But all agree that he may take those which had been caught by the lower branches, for no dates grow there in any case, that we should fear that he will pull some off. Tosaf.: the reference is to dates which fell off before the Festival commenced, being caught either by the upper or the lower branches, and then they fell to the ground on the Festival. The Rabbis held that those which had been caught on the upper branches are forbidden, for since they were there at twilight, when the Festival was about to commence, and also there are dates growing on these upper branches, we fear that he might ascend and pluck some; while the inhabitants of Jericho did not thus forbid them, preventively, since they were already detached on the eve of the Festival. But all agree that those which had fallen on the lower branches in the first

(4) v. Glos. Rashi: on the eve of the Sabbath or Festival at twilight they were mukzeh on account of the prohibition of cutting them off then from the tree, and consequently they remain so for the whole day, even after they fall. (Mukzeh is always determined by the status of an object at twilight of the Sabbath or Festival.) Tosaf.: they were mukzeh at twilight because one must not make use of a tree on the Sabbath or Festival, e.g., by climbing it, taking articles which had been suspended upon it, etc.

(5) If he has ravens at home, they could have eaten these dates on the Sabbath even while they were still on the tree; since they are fit for his birds, they are also regarded as fit for himself too.

(6) Mukan, a technical term denoting the opposite of mukzeh.

(7) If an animal dies on the Sabbath, the first Tanna holds that the carcass may be cut up for dogs. But R. Judah rules as stated. For while alive it could have been ritually killed and then permitted for human consumption; hence it was ready not for dogs but for human beings, and thus R. Judah holds that its readiness for human beings does not make it ready for dogs too.

(8) Surely not!

(9) To think of giving it to dogs.

(10) Even if it is fit for dogs.

(11) From Palestine to Babylonia.

(12) I.e., the whole of the crop ripens about the same time.

(13) Lit., ‘he brings it in to keep’. This applies to cereals in general, which are stored in granaries for long periods.

(14) GR. **, isatis tinctora, a plant producing a deep blue dye.

(15) Both are used as dyes.

(16) V. Glos.

(17) Though these grow in the earth, they were held to draw their sustenance mainly from the air.

(18) Whose fruits are likewise excluded.

(19) Which must be eaten fresh.

(20) R. Han.: i.e., by means of pickling.

(21) It must be capable of storing in its natural state.

Talmud - Mas. Pesachim 57a

Shall we say that there are three Tannaim [in dispute]? — No: there are [only] two Tannaim [in dispute], the first Tanna opposed to[1] R. Simeon being R. Jose, while the first Tanna opposed to R. Jose is R. Simeon. And what does ‘too’ mean? It refers to the first mentioned.[2] Our Rabbis taught: The son of Bohayon[3] gave pe'ah from vegetables, and his father came and found the poor laden with

vegetables and standing at the entrance to the kitchen garden. Said he to them, 'My sons, cast it from you, and I will give you twice as much of tithed [produce]; not because I begrudge it to you, but because the Sages said, You must not give pe'ah from vegetables.' Why had he to say to them, 'Not because I begrudge it to you?' So that they should not say, 'He is merely putting us off.'

Our Rabbis taught: At first they used to place the skins of sacrifices in the chamber of Beth Ha-Parwah.[4] In the evening they used to divide them among the men of the paternal division,[5] but men of violence[6] used to seize [more than their due share] by force. So they enacted that they should divide them every Sabbath eve, so that all the 'wards' came and received their portions together.[7] Yet the chief priests still seized [them] by force; thereupon the owners[8] arose and consecrated them to Heaven.[9] It was related: It did not take long before they covered the whole Temple with gold plaques a cubit square of the thickness of a gold denar. And on festivals they used to lay them together[10] and place them on a high eminence on the Temple Mount, so that the Festival pilgrims might see that their workmanship was beautiful,[11] and that there was no imperfection in them.

It was taught, Abba Saul said: There were sycamore treetrunks in Jericho, and the men of violence seized them by force, [whereupon] the owners arose and consecrated them to Heaven. And it was of these and of such as these that Abba Saul b. Bothnith said in the name of Abba Joseph b. Hanin: 'Woe is me because of the house of Boethus; woe is me because of their staves![12] Woe is me because of the house of Hanin, woe is me because of their whisperings![13] Woe is me because of the house of Kathros,[14] woe is me because of their pens![15] Woe is me because of the house of Ishmael the son of Phabi,[16] woe is me because of their fists! For they are High Priests[17] and their sons are [Temple] treasurers and their sons-in-law are trustees and their servants beat the people with staves.'[18]

Our Rabbis taught: Four cries did the Temple Court cry out. The first: 'Depart hence, ye children of Eli,' for they defiled the Temple of the Lord. And another cry: 'Depart hence, Issachar of Kefar Barkai, who honours himself while desecrating the sacred sacrifices of Heaven'; for he used to wrap his hands with silks and perform the [sacrificial] service.[19] The Temple Court also cried out: 'Lift up your heads, O ye gates, and let Ishmael the son of Phabi, Phineas's disciple,[20] enter and serve in the [office of the] High Priesthood.' The Temple Court also cried out: 'Lift up your heads, O ye gates, and let Johanan the son of Narbai,[21] the disciple of Pinkai,[22] enter and fill his stomach with the Divine sacrifices. It was said of Johanan b. Narbai that he ate three hundred calves and drank three hundred barrels of wine and ate forty se'ah of young birds as a desert for his meal.[23] It was said: As long as Johanan the son of Narbai lived,[24] nothar[25] was never found in the Temple.

What was the fate of[26] Issachar of Kefar Barkai? It was related: The king and queen[27] were sitting: the king said, 'Goat's [flesh] is better,' while the queen said, 'Lamb is better'. Said they, Who shall decide?[28] The High Priest, who offers up sacrifices every day. So he came,

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(1) Lit., 'of'.

(2) Thus: the first Tanna states turnips and cabbages, whereupon R. Jose says, for porret too, just as for turnips, but not for cabbages; similarly R. Simeon in the second Baraitha.

(3) The name of a certain man.

(4) Name of a Persian builder and Magian, after whom a compartment in the Temple was supposed to have been named (Jast.).

(5) The priests were divided into 'wards', (משמר), each 'ward' officiating a week at a time in the Temple; these were further subdivided into paternal divisions (beth ab), of which each officiated one day in the week.

(6) Among the priests (Rashi). Lit., 'men of (strong) arms'.

(7) Cur. edd.; Rashi's reading seems to be: so that the whole ward (sing.) i.e., all the paternal divisions etc. This is more correct, and if our reading is retained it must also be understood in the same sense. — The larger number present would act as a check.

(8) I.e., all the priests of each ward.
(9) Sc. for the Temple.
(10) The word really means 'fold them', but as gold plates of that thickness could hardly be folded, it must be understood as translated.
(11) For the sacrifices, with the skins of which these were brought, were mostly offered by the Festival pilgrims.
(12) With which they beat the people.
(13) Their secret conclaves to devise oppressive measures.
(14) Supposed to be identical with GR. **, Josephus, Antiquities XX, 1, 3.
(15) With which they wrote their evil decrees.
(16) He himself was religious and held in high repute, as is seen below (v. also Par. III, 5; Sot. IX, 5; Yoma 35b), but he did not restrain his sons from lawlessness; in the passage of Josephus too, already cited, reference is only made to his children.
(17) The High Priesthood by this time was a source of great political power. Once a man became a High Priest he retained much of his power, and perhaps his title too, even if he was deposed; hence there were often several High Priests at the same time; v. Halevi, Doroth, I, 3, p. 445, n. 30; pp. 633f; 718.
(18) For this passage cf. Josephus, Antiquities XX, 8,8.
(19) This disqualifies the sacrifice.
(20) In his zeal for God.
(21) [Ananias son of Nebedus. v. Josephus, Antiquities XX, 5, 2.]
(22) Perhaps this is a nickname formed by a play on words,פינכא (here פינקא) being a meat dish; i.e., the gourmand.
(23) The marginal note softens this statement by observing that this was eaten by his whole household, which was very numerous
(24) Lit., '(during) all the days of' etc.
(25) V. Glos.
(26) Lit., 'what happened to?'
(27) Hasmonean monarchs [In Ker. 28b: King Yannai and the Queen. The name Jannai appears in the Talmud as a general name for kings of the Hasmonean dynasty.]
(28) Lit., '(from) whom is it proved?'

Talmud - Mas. Pesachim 57b

[and] indicated with his hand,[1] 'If the goat were better, let it be offered for the daily sacrifice'. Said the king, 'Since he had no fear of my royal person, let his right hand be cut off.' But he gave a bribe [and] they cut off his left hand [instead]. Then the king heard [of it] and they cut off his right hand [too]. Said R. Joseph: Praised be the Merciful One Who caused Issachar of Kefar Barkai to receive his deserts in this world.

R. Ashi said: Issachar of Kefar Barkai had not studied the Mishnah. For we learned, R. Simeon said: Lambs take precedence over goats in all places.[2] You might think that that is because they are the best of their species, therefore it is stated, And if he bring a lamb as his offering.[3] Rabina said: He had not even studied Scripture either, for it is written, If [he bring] a lamb . . . And if [his offering be] a goat:[4] if he wishes, let him bring a lamb; if he wishes, let him bring a goat.[5]

C H A P T E R V

(1) I.e., in a contemptuous fashion.
(2) Wherever both are mentioned together in the same verse the lamb is stated first.
(3) Lev. IV, 32; this is given as an alternative to a goat, which is prescribed earlier in the same section in v. 28.
(4) Lev. III, 7, 12.
(5) And neither is preferable to the other.

Talmud - Mas. Pesachim 58a

Talmud - Mas. Pesachim 58a

MISHNAH. THE [AFTERNOON] TAMID[1] IS SLAUGHTERED AT EIGHT AND A HALF HOURS[2] AND IS OFFERED AT NINE AND A HALF HOURS.[3] ON THE EVE OF PASSOVER[4] IT IS SLAUGHTERED AT SEVEN AND A HALF HOURS AND OFFERED AT EIGHT AND A HALF HOURS, WHETHER IT IS A WEEKDAY OR THE SABBATH. IF THE EVE OF PASSOVER FELL, ON SABBATH EVE [FRIDAY], IT IS SLAUGHTERED AT SIX AND A HALF HOURS AND OFFERED AT SEVEN AND A HALF HOURS, AND THE PASSOVER OFFERING AFTER IT.[5]

GEMARA. Whence do we know it? — Said R. Joshua b. Levi, Because Scripture saith, The one lamb shalt thou offer in the morning, and the other lamb shalt thou offer between the two evenings:[6] insert[7] it between the two 'evenings', [which gives] two and a half hours before and two and a half hours after[8] and one hour for its preparation.[9]

Raba objected: ON THE EVE OF PASSOVER IT IS SLAUGHTERED AT SEVEN AND A HALF HOURS AND OFFERED AT EIGHT AND A HALF HOURS, WHETHER IT IS A WEEKDAY OR THE SABBATH. Now if you think that [it must be slaughtered] at eight and a half hours according to Scriptural law, how may we perform it earlier? Rather, said Raba: The duty of the tamid[10] properly [begins] from when the evening shadows begin to fall.[11] What is the reason? Because Scripture saith, 'between the evenings', [meaning] from the time that the sun commences to decline in the west. Therefore on other days of the year, when there are vows and freewill-offerings,[12] in connection with which the Divine Law states, [and he shall burn] upon it the fat of the peace-offerings [he-shelamim],[13] and a Master said, 'upon it' complete [shalem] all the sacrifices,[14] we therefore postpone it two hours and sacrifice it at eight and a half hours.[15] [But] on the eve of Passover, when there is the Passover offering after it, we advance it one hour and sacrifice[16] it at seven and a half hours. When the eve of Passover falls on the eve of the Sabbath, so that there is the roasting too [to be done], for it does not override the Sabbath,[17] we let it stand on its own law, [viz.,] at six and a half hours.

Our Rabbis taught: Just as its order during the week, so is its order on the Sabbath: these are the words of R. Ishmael. R. Akiba said: Just as its order on the eve of Passover. What does this mean? — Said Abaye, This is what it means: Just as its order on a weekday which is the eve of Passover, so is its order on the Sabbath which is the eve of Passover:[18] these are the words of R. Ishmael. R. Akiba said: Just as its order on the eve of Passover which falls on the eve of the Sabbath, so is its order on the Sabbath;[19] and our Mishnah which teaches, WHETHER ON A WEEKDAY OR THE SABBATH, agrees with R. Ishmael. Wherein do they differ? — They differ as to whether the additional sacrifices[20] take precedence over the [burning of the frankincense in the] censers:[21] R. Ishmael holds, The additional offerings take precedence over the [burning of the frankincense in the] censers: therefore he [the priest] sacrificed the additional sacrifices at six hours, [burned the incense in] the censers at seven, and sacrificed the tamid at seven and a half [hours]. R. Akiba holds: [The burning of the frankincense in] the censers takes precedence over the additional sacrifices: [hence] the [burning in the] censers took place at five [hours], the additional offering at six hours, and the tamid was sacrificed at six and a half hours.

To this Raba demurred: Does then R. Akiba teach, Just as its order on the eve of Passover which falls on the Sabbath, so is its order on the Sabbath; surely he teaches, 'Just as its order on the eve of Passover,' without qualification? Rather, said Raba, This is what he means: Just as its order on the weekdays in general,[22] so is its order on the Sabbath which is the eve of Passover:[23] these are the words of R. Ishmael. R. Akiba said: Just as its order on the eve of Passover;[24] hence our Mishnah which teaches, WHETHER ON WEEKDAYS OR ON THE SABBATH agrees with R. Akiba. Wherein do they differ? — They differ in the heating of the flesh.[25] R. Ishmael holds, We fear for

the heating of the flesh; while R. Akiba holds: We do not fear for the heating of the flesh.

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(1) The daily burnt-offering: one was brought every morning and another every afternoon. Num. XXVIII, 4.
(2) The day being counted from sunrise to sunset, i.e., about six a.m. to six p.m.
(3) The sacrificial ceremonies took an hour.
(4) The Heb. is in the plural: on the eves of Passovers.
(5) When the eve of Passover falls on a Friday, time must be left for roasting the Passover offering before the Sabbath commences; hence the earlier hour of the tamid.
(6) Ibid. Literal translation. 'Evening' (ערב 'ereb) is defined as the whole afternoon until nightfall.
(7) Lit., 'divide'.
(8) Lit., 'here' . . .'there'.
(9) Thus the 'two evenings' are from midday (= six) until eight and a half hours, and from nine and a half hours until nightfall (= twelve).
(10) The slaughtering of it.
(11) Lit., 'decline'. The sun reaches its zenith at midday and then begins to decline in the west, the decline being perceptible from half an hour after midday, and this is regarded as the falling of the evening shadows.
(12) These are two technical terms: a 'vow' is a votive sacrifice, the particular animal having been unspecified when the vow was made; in a freewill-offering a particular animal was specified at the time of the vow. The difference is that in the former case, if the animal which he subsequently dedicates dies or is rendered unfit before it is sacrificed, he must bring another; but in the latter case he has no further obligation.
(13) Lev. VI, 5.
(14) Rashi: upon it, Sc. the morning tamid, to which the verse refers, complete etc., i.e., all the sacrifices of the day are to be brought after the morning tamid, but not after the afternoon tamid, which must be the last of the day. This exegesis connects shelamim with shalem (whole, complete). Jast. translates: with it (the evening sacrifice) cease all sacrifices (none can be offered after it). This is simpler, but not in accordance with the context.
(15) To allow time for the voluntary offerings.
(16) Lit., 'make'.
(17) Though the roasting is a precept, yet it may not be done on the Sabbath.
(18) I.e., in both cases the tamid is slaughtered at seven and a half hours.
(19) Hence in both cases it is slaughtered at six and a half hours. For since no vows are offered on the Sabbath, it is unnecessary to delay the tamid, which is therefore sacrificed as early as possible, to leave ample time for the Passover sacrifice.
(20) Offered on Sabbaths, New Moons, and Festivals; midday (six hours) was the earliest time when they could be offered. — In memory of these additional sacrifices there is now an Additional Service (Musaf) on these days.
(21) Two censers of frankincense stood by the rows of shewbread; this shewbread was set on the Table every Sabbath and removed and replaced by fresh bread the following Sabbath. At the same time the frankincense was burnt, and after that the priests ate the shewbread. The removing, replacing and burning of the incense took an hour.
(22) During the year.
(23) Viz., at eight and a half hours. For the flesh of the Passover sacrifice may not be roasted until evening, therefore it is inadvisable to slaughter it earlier, lest the flesh became overheated and putrid, and consequently the tamid is slaughtered at the usual time.
(24) Viz., at seven and a half hours, so likewise on
(25) v. p. 289. n. 5; also perhaps, the shrinking of the flesh caused by overheating; v. Jast. s.v. כמר and Rashi on Gen. XLIII. 30.

Talmud - Mas. Pesachim 58b

If we do not fear, let us sacrifice it at six and a half [hours]?[1] — He holds that the [burning of the frankincense in the] censers takes precedence over the additional sacrifices: [hence] he sacrificed the additional sacrifices at six hours, [performed the burning in] the censers at seven, and sacrificed the tamid at seven and a half. To this Rabbah b. 'Ulla 'demurred: Does he then teach, Just as its order on weekdays [in general], so is its order on the Sabbath which is the eve of Passover: these are the

words of R. Ishmael? [Surely] he teaches, 'so is its order on the Sabbath,' without qualification! Rather, said Rabbah b. 'Ulla, this is what he means: Just as its order on a weekday in general, so is its order on the Sabbath in general:[2] these are the words of R. Ishmael. R. Akiba said: Just as its order on the eve of Passover in general, so is its order on the Sabbath in general:[3] [hence] our Mishnah which teaches, WHETHER ON WEEKDAYS OR ON THE SABBATH agrees with all.[4] Wherein do they differ? — They differ as to [whether there is] a preventive measure on account of vows and freewill-offerings. R. Ishmael holds: We enact a preventive measure for the Sabbath on account of weekdays;[5] while R. Akiba holds: We do not enact a preventive measure. If we do not enact a preventive measure, let us sacrifice it at six and a half?[6] — He holds

the Sabbath. Since many are to be offered, we must start as early as possible. that the additional sacrifices take precedence over [the burning of the frankincense in] the censers: [hence] the additional sacrifices are [offered] at six hours, the [burning in the] censers at seven, and he sacrifices the tamid at seven and a half [hours].

An objection is raised: The tamid, during the whole year it is offered according to its law, [viz..] it is slaughtered at eight and a half [hours] and offered at nine and a half hours. But on the eve of Passover it is slaughtered at seven and a half and offered at eight and a half; if it [the eve of Passover] fell on the Sabbath, it is as though it fell on a Monday.[7] R. Akiba said: As its order is on the eve of Passover. As for Abaye, it is well;[8] but according to Raba it is a difficulty?[9] — Raba can answer you: Do not say, It is the same as when it falls on a Monday. but say, it is the same as a Monday in general.[10]

An objection is raised: If it falls on the Sabbath, it is as its order during the whole year: these are the words of R. Ishmael.[11] R. Akiba said: It is as its order on the eve of Passover in general.[12] Now as for Raba, it is well;[13] but according to Abaye it is difficult? — Abaye answers you: Do not say, 'It is as its order during the whole year,' but say, It is as its order in all [other] years:[14] these are the words of R. Ishmael. R. Akiba said: It is as the order when the eve of Passover falls on the eve of the Sabbath.[15]

Our Rabbis taught: How do we know that there must not be anything before the morning tamid?[16] Because it is said, and he shall lay the burnt-offering in order upon it.[17] What is the exegesis?[18] — Said Raba: The burnt-offering implies the first burnt-offering.[19] And how do we know that nothing may be offered after the evening tamid? Because it is stated, and he shall burn upon it the fat of the peace-offerings.[20] What is the exegesis?[21] Said Abaye: After it[22] [sc. the morning tamid] [you may sacrifice] peace-offerings, but not after its companion [sc. the evening tamid] [may you sacrifice] peace-offerings. To this Raba demurred: Say [then], it is only peace-offerings that we may not present,[23] yet we may present burnt-offerings? Rather, said Raba: Ha-shelamim implies, upon it complete all the sacrifices.[24]

Our Rabbis taught: The [evening] tamid is [sacrificed] before the Passover offering,the Passover offering is [sacrificed] before the [burning of the evening] incense, the incense before [the kindling of] the lights;

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(1) Since there are many Passover sacrifices, while there is no need to delay it on account of vows, which are not offered on the Sabbath.

(2) In both cases the tamid is slaughtered at eight and a half hours, though on the Sabbath no voluntary sacrifices are offered.

(3) Viz., in both cases the tamid is slaughtered at seven and a half hours.

(4) For their controversy does not refer to the eve of Passover at all.

(5) If we permit him to slaughter the afternoon tamid on Sabbath at seven and a half hours, he may slaughter it at the same hour during the week too, leaving no time for voluntary offerings, which are disqualified if brought after the

afternoon tamid.
(6) For it is a general principle that all precepts must be performed as early as possible.
(7) Lit., 'the second (day) of the week' — there are no specific names for the days of the week in Hebrew, except of course, for the Sabbath. — I.e.,it is the same as when it falls during the week, Monday being mentioned as an example (Rashi and Tosaf.).
(8) For since R. Ishmael says that if it falls on the Sabbath it is the same as when it falls on a Monday, R. Akiba must mean, Just as its order on the eve of Passover which falls on the eve of the Sabbath.
(9) For Raba interprets R. Ishmael's statement thus: just as its order on weekdays in general etc. But since R. Ishmael concludes, it is the same as when it fails on a Monday, i.e., a weekday in general, it is obvious that he does not refer to a weekday in general in the first half of his statement.
(10) An ordinary weekday which is not Passover eve when the tamid is slaughtered at eight and a half hours, because we fear for the overheating of the flesh.
(11) I.e., the tamid is slaughtered at eight and a half hours, because we fear for the overheating of the flesh.
(12) It is slaughtered at seven and a half hours.
(13) For this is exactly as Raba interprets the Baraitha.
(14) I.e., just as in all other years when the eve of Passover falls on an ordinary weekday and the tamid is slaughtered at seven and a half hours, so likewise when it falls on the Sabbath.
(15) Viz., the tamid is slaughtered at six and a half hours.
(16) Rashi: nothing must be burnt upon the wood pile before the morning tamid, after the latter has been laid in order upon it. Tosaf.: no voluntary offering may be sacrificed before the morning tamid. Tosaf. accepts Rashi's interpretation as an alternative.
(17) Lev. VI, 5. This follows, 'and the priest shall kindle wood on it every morning' (ibid.) showing that immediately after the wood pile is kindled, the tamid is the first thing to be burnt.
(18) How is it implied that 'the burnt-offering' mentioned in the verse refers to the morning tamid?
(19) The def. art. points to some particular sacrifice, viz., the first burnt-offering mentioned in the chapter on sacrifices, Num. XXVIII, which is the daily morning tamid, and this verse teaches that it must be the first thing to ascend the altar every day. and nothing else may take precedence over it.
(20) Ibid.
(21) How is it implied in this verse?
(22) Taking עֲלֵיהָ ('upon it') in this sense.
(23) After the evening tamid.
(24) v. supra p. 288, n. 5.

Talmud - Mas. Pesachim 59a

let that in connection with which ba-'ereb [at evening] and ben ha-'arbayim [between the evenings][1] are said be deferred after that in connection with which ba-'ereb is not said, save ben ha-'arbayim alone.[2] If so, let [the burning of] the incense [and the kindling of] the lights also take precedence over the Passover offering, [for] let that in connection with which ba-'ereb and ben ha-'arbayim are stated be deferred after that in connection with which nought save ben ha-'arbayim alone is said?[3] — There it is different, because Scripture expressed a limitation, 'it'. For it was taught: [Aaron and his sons shall set it in order, to burn] from evening to morning:[4] furnish it with its [requisite] measure, so that it may burn from evening to morning. Another interpretation: you have no [other] service which is valid from evening to morning save this alone. What is the reason? Scripture saith, 'Aaron and his sons shall set it in order, to burn from evening to morning': 'it' [shall be] from evening to morning, but no other thing shall be from evening until morning;[5] and [the burning of] the incense is likened to [the kindling of] the lights.[6]

Now it was taught in accordance with our difficulty: The [evening] tamid is [sacrificed] before [the burning of] the incense, the incense is [burnt] before [the kindling of] the lamps, and the lamps are [kindled] before [the sacrificing of] the Passover offering: let that in connection with which ba-'ereb and ben ha'arbayim are stated be deferred after that in connection with which nought save

ben ha-'arbayim alone is stated. But 'it' is written?[7] — That 'it' is required to exclude a service of the inner [Temple]; and what is it? [The burning of] the incense.[8] You might think

But in connection with the former only ben ha-'arbayim is stated, Num. XXVIII,[6] : and the other lamb shalt thou offer at dusk (ben ha'arbayim). that I would say, since it is written, And when Aaron lighteth the lamps at dusk, he shall burn it,[9] say, let us first light the lamps and then burn the incense; therefore the Merciful One expressed a limitation, 'it'. Then what is the purpose of, 'at dusk he shall burn it'? — This is what the Merciful One saith: When thou lightest the lamps, the incense must [already] be burning.

Our Rabbis taught: There is nothing which takes precedence over the morning tamid except [the burning of] the [morning] incense alone, in connection with which 'in the morning, in the morning' is stated; so let [the burning of the] incense, in connection with which 'in the morning, in the morning,' is stated, for it is written, And Aaron shall burn thereon incense of sweet spices, in the morning, in the morning,[10] take precedence over that in connection with which only one 'morning' is stated.[11] And there is nothing which may be delayed until after the evening tamid save [the burning of] the incense, [the lighting of] the lamps, [the slaughtering of] the Passover sacrifice, and he who lacks atonement[12] on the eve of Passover, who performs ritual immersion a second time[13] and eats his Passover sacrifice in the evening. R. Ishmael the son of R. Johanan b. Beroka said: He who lacks atonement at any other time of the year too, who performs ritual immersion and eats of sacred flesh in the evening.[14] According to the first Tanna, it is well: let the affirmative precept of [eating] the Passover sacrifice, which involves kareth,[15] come and override the affirmative precept of completion.[16] which does not involve kareth.[17] But according to R. Ishmael the son of R. Johanan b. Beroka, wherein is this affirmative precept stronger than the other affirmative precept? — Said Rabina in R. Hisda's name: We treat here of a sin-offering of a bird, the blood of which alone belongs to the altar.[18] R. Papa said: You may even say [that we treat of] an animal sin-offering: he takes it up and keeps it overnight on the top of the altar.[19] But there is the guilt-offering?[20] As for R. Papa. it is well: hence we keep it overnight. But according to R. Hisda, what can be said? — I will tell you: It means where he has offered up his guilt-offering.[21] But there is the burnt-offering?[22] And should you answer, The burnt-offering is not indispensable,[23] surely it was taught. R. Ishmael the son of R. Johanan b. Berokah said: Just as his sin-offering and his guilt-offering are indispensable for him, so is his burnt-offering indispensable for him. And should you answer, It means where he has offered his burnt-offering; yet can his burnt-offering be offered first before his sin-offering? Surely it was taught: And he shall offer that which is for the sin-offering first:[24] for what purpose is this stated? If to teach that it comes before the burnt-offering, surely it is already said, And he shall prepare the second for a burnt-offering, according to the ordinance?[25] But this furnishes a general rule for all sin-offerings, that they take precedence of all burnt-offerings which accompany them; and we have an established principle[26] that even a bird sin-offering takes precedence of an animal burnt-offering![27] — Said Raba, The burnt-offering of a leper is different, because the Merciful One saith,

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(1) E.V.: 'at dusk'.

(2) This is why the evening tamid is before the Passover sacrifice. For in connection with the latter both these expressions are used: Ex. XII, 6: and the whole assembly . . . shall kill it at dusk (ben ha-'arbayim); Deut. XVI, 6: thou shalt sacrifice the passover-offering at even (ba-'ereb).

(3) For only ben ha-'arbayim is stated in connection with the former two, Ex. XXX, 7f: And Aaron shall burn thereon incense of sweet spices . . . And when Aaron lighteth the lamps at dusk (ben ha-'arbayim), he shall burn it, 'ben ha-'arbayim' applying to both the burning of the incense and the lighting of the lamps.

(4) Ex. XXVII, 21.

(5) Hence nothing may come after the kindling of the lights, and consequently the slaughtering of the Passover offering must take precedence.

(6) Just as no service after the former is valid, so is no service valid after the latter.

(7) Implying that nothing must be done after the kindling of the lights.
(8) For it is logical that a service similar to itself should be excluded, the kindling of the lamps likewise being a service in the inner Temple, and 'it' shows that no other inner service may take place after the kindling of the lamp. But the Passover offering was sacrificed in the outer Court.
(9) Ex. XXX, 7.
(10) Ibid.; E.V.: 'every morning'. The literal translation is given in the text, and the repetition implies an earlier hour.
(11) Num. XXVIII, 4: The one lamb shalt thou offer in the morning.
(12) The technical designation, of an unclean person who may not eat holy flesh until he has brought a sacrifice after regaining his cleanliness, viz.,a zab and a zabah (v. Glos.). a leper and a woman after childbirth. If one of these forgot to bring his sacrifice before the evening tamid was sacrificed on the eve of Passover, he must bring it after the tamid, since otherwise he may not partake of the Passover offering in the evening. which is obligatory.
(13) Though he must perform ritual immersion the previous day, this being necessary before the purificatory sacrifice may be offered, he nevertheless repeats it before partaking of holy flesh.
(14) If he brought a peace-offering that day but forgot to bring his purificatory sacrifice, he must bring it even after the afternoon tamid, so that he may eat the flesh of his peace-offering in the evening. R. Ishmael regarding this too as obligatory.
(15) If unfulfilled, v. Num. IX, 13.
(16) V. supra 58b bottom: 'after it complete all the sacrifices'.
(17) Even if a sacrifice is unlawfully brought after the evening tamid it is not punished by kareth.
(18) R. Ishmael, in speaking of one who lacks atonement during the rest of the year, refers to a poor leper, who brought a bird for his sin-offering. This was eaten by the priests, and nothing of it was burnt on the altar, whereas the affirmative precept of 'completion' is written in reference to burning on the altar (v. Lev. VI, 5: and he shall burn thereon the fat of the peace-offerings). and hence applies only to animal sacrifices, the fat of which was burnt on the altar.
(19) He slaughters the sacrifice after the evening tamid, but carries the animal on to the top of the altar and leaves it there overnight, postponing the burning of the fat until after the tamid of the following morning.
(20) Required by a leper; even if poor, he brought a lamb, v. Lev. XIV, 21.
(21) But had forgotten about the sin-offering.
(22) Likewise required by a leper. ibid. 19, 22. This of course was burnt on the altar (v. n. 4).
(23) To the eating of sacred flesh.
(24) Lev. V, 8, q.v.
(25) Ibid. 10.
(26) Binyan Ab, a building up of a principle (or class). i.e., a conclusion by analogy.
(27) V. Zeb. 90b.

Talmud - Mas. Pesachim 59b

And the priest shall [have] offer[ed] the burnt offering.[1] [implying], that which he has already offered.[2]

R. Shaman b. Abba said to R. Papa: According to you who maintain [that] he takes it up and keeps it overnight on the top of the altar, shall we arise and do a thing to the priests whereby they may come to a stumbling-block, for they will think it is of that day. and thus come to burn it?[3] — he priests are most careful, replied he.

R. Ashi said to R. Kahana-others state, R. Huna the son of R. Nathan [said] to R. Papa: But as long as the emurim[4] have not been burnt, the priests may not eat the flesh?[5] For it was taught: You might think that the priests should be permitted [to partake] of the breast and the thigh before the burning of the emurim: therefore it is stated, And the priest shall burn the fat upon the altar,[6] and then follows, but the breast shall be Aaron's and his sons'. And as long as the priests have not eaten [it], the owners obtain no atonement, for it was taught: And they shall eat those things wherewith atonement was made:[7] this teaches that the priests eat [it] and the owners obtain atonement! — Said he to him, Since it is impossible,[8] they [the emurim] are treated[9] as though they were defiled or lost.

For it was taught: You might think that if the emurim were defiled or lost, the priests have no right to the breast or the thigh, therefore it is stated, 'But the breast shall be Aaron's and his sons', in all cases.

R. Kahana opposed [two verses]: It is written, neither shall the fat of My feast remain all night until the morning:[10] [thus] it is only 'until the morning' that 'it shall not remain all night,' but it may be kept for the whole night;[11] but it is written, and he shall burn thereon the fat of the peace-offerings,[12] [implying,] after it complete all the sacrifices?[13] He raised the difficulty; and he himself answered it: That is where they were left over.[14]

R. Safra pointed out a contradiction to Raba: It is written, neither shall the sacrifice of the feast of the Passover be left unto the morning:[15] thus it is only 'unto the morning' that 'it shall not be left,' but it may be kept all night;[16] but it is written, The burnt-offering of the Sabbath [shall be burnt] on its Sabbath,[17] but not the burnt-offering of a weekday on the Sabbath, nor the burnt-offering of a weekday on a Festival? — Said he to him, R. Abba b. Hiyya has already pointed out this contradiction to R. Abbahu, and he answered him, We treat here of the case where the fourteenth falls on the Sabbath,[18] for the fats of the Sabbath may be offered on the Festival. Said he to him, Because the fats of the Sabbath may be offered on the Festival, we are to arise and assume that this verse is written [only] in respect of the fourteenth which falls on the Sabbath?[19] Leave the verse, he answered, for it is compelled to establish its own [particular] case.[20]

MISHNAH. IF A MAN SLAUGHTERED THE PASSOVER SACRIFICE FOR ANOTHER PURPOSE,[21] AND HE CAUGHT [THE BLOOD] AND WENT AND SPRINKLED IT FOR ANOTHER PURPOSE;[22] OR FOR ITS OWN PURPOSE AND FOR ANOTHER PURPOSE; OR FOR ANOTHER PURPOSE AND FOR ITS OWN PURPOSE;[23] IT IS DISQUALIFIED. HOW IS 'FOR ITS OWN PURPOSE AND FOR ANOTHER PURPOSE' MEANT? IN THE NAME OF THE PASSOVER SACRIFICE [FIRST] AND [THEN] IN THE NAME OF A PEACE-OFFERING. 'FOR ANOTHER PURPOSE AND FOR ITS OWN PURPOSE' [MEANS] IN THE NAME OF A PEACE-OFFERING [FIRST] AND [THEN] IN THE NAME OF THE PASSOVER-OFFERING.

GEMARA. R. Papa[24] asked: Did we learn [of a dual intention expressed even] in respect to one service,[25] or did we learn [only of a dual intention expressed] at two separate services? Did we learn [of a dual intention expressed even] in respect of one service, this being in accordance with R. Jose, who maintained, A man is responsible for[26] his last words too;[27] for if [it agreed with] R. Meir, surely he said, Seize [i.e., determine the matter by] the first expression;[28]

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(1) Lev. XIV, 20; the bracketed additions show the meaning which the verse is capable of bearing, by treating והעלה as a pluperfect, beside its usual and obvious meaning.

(2) Hence although the sin-offering should come before the burnt-offering, yet the possible meaning of this verse teaches that even if the order is reversed it is valid. Therefore we can explain the present Baraitha as meaning that he had already sacrificed his burnt-offering.

(3) During the night the limbs of the sacrifices of the previous day are burnt, all before the tamid of the following morning. Here, however, the animal sin-offering which was kept untouched overnight must be burnt after the morning tamid, whereas the priest may confuse it with the rest and burn it before.

(4) V. Glos.

(5) And in consequence atonement is incomplete, so that the owner may not partake of the Passover sacrifice in any case, if his sin-offering is left overnight.

(6) Lev. VII, 31.

(7) Ex. XXIX, 33.

(8) To burn the emurim after the evening tamid, on account of the affirmative precept of 'completion'.

(9) Lit., 'they (the Sages) treated them'.

(10) Ex. XXIII, 18.

(11) I.e.,the priest has the whole night in which to burn the fat, providing that nothing is left by the morning.
(12) Lev. VI, 5.
(13) V. supra 58b. Thus nothing may be done after the evening tamid.
(14) Of the sacrifices whose blood was sprinkled before the evening tamid. Immediately the blood is sprinkled the fat etc. is ready for burning on the altar, and therefore even if it is delayed, its ultimate burning during the night is regarded as following the tamid of the previous morning, not that of the evening.
(15) Ex. XXXIV, 25.
(16) During which the altar portions of the Passover sacrifice are burnt. Although these, strictly speaking, belong to a sacrifice which has been offered on a weekday, i.e., the fourteenth, yet they may be burnt on the night of the Festival.
(17) Num. XXVIII, 10.
(18) I.e., only then is the implication of the first verse applicable.
(19) Surely there is no warrant for this limitation.
(20) Since there is a contradiction, the verse itself proves that it can only relate to this particular instance.
(21) Lit., 'not for its own name', i.e., as a different sacrifice. E.g., when he killed it he stated that it was for a peace-offering, not for a Passover sacrifice.
(22) Slaughtering the sacrifice, catching the blood, going with it to the side of the altar where it is to be sprinkled, and sprinkling it, are regarded as four distinct services, any of which, if performed with an illegal intention, disqualifies the Passover sacrifice.
(23) I.e., one of the services was for its own sake and another was for a different purpose, in the order stated.
(24) Rashal reads: Raba.
(25) I.e., even if he declared at one of the services, e.g.,the slaughtering, that he was doing it for its own purpose and for another purpose.
(26) Lit., 'seized'.
(27) v. supra 53b. Hence since his last words were illegal, the sacrifice is disqualified.
(28) Where the two parts of a man's statement are mutually exclusive, regard the first only.

Talmud - Mas. Pesachim 60a

or perhaps we learned [it only] in respect to two services, and even according to R. Meir, who said, 'Seize the first expression.' that applies only in the case of one service, but in the case of two services he agrees that it is disqualified?[1] — I will tell you: to which [case does this problem refer]? Shall we say, to [the case where it was] for another purpose [first] and [then] for its own purpose, then whether it was in connection with one service or in connection with two services, according to both R. Meir and R. Jose it was disqualified by the first [wrongful intention], for according to R. Jose too, he holds that a man is held responsible for his last words also?[2] — Rather, [the problem refers] to [where it was done] for its own purpose [first] and then for another purpose: what then? — Come and hear: IF A MAN SLAUGHTERED THE PASSOVER SACRIFICE FOR ANOTHER PURPOSE AND CAUGHT [THE BLOOD]. AND WENT AND SPRINKLED IT FOR ANOTHER PURPOSE: how is it meant? Shall we say, [literally] as he teaches it,[3] why must he intend all of them [for a wrong purpose]? From the first it is disqualified! Hence he must teach thus: IF A MAN SLAUGHTERED THE PASSOVER SACRIFICE FOR ANOTHER PURPOSE, or even if he slaughtered it for its own purpose, but HE CAUGHT [ITS BLOOD], AND WENT AND SPRINKLED IT FOR ANOTHER PURPOSE,[4] or even if he slaughtered it, caught [its blood], and went [with it] for its own purpose. but SPRINKLED IT FOR ANOTHER PURPOSE, so that it is [a question of] two services.[5] Then consider the second clause: FOR ITS OWN PURPOSE AND FOR ANOTHER PURPOSE: how is it meant? Shall we say. in respect of two services: then it is identical with the first clause! Hence it must surely be in respect of one service, and this agrees with R. Jose, who maintained: A man is held responsible for his last words too! — No. After all it refers to two services,[6] but the first clause [discusses] where he is standing at [engaged in] the slaughtering and intends [with due purpose] in respect of the slaughtering, or again[7] he is standing at the sprinkling and intends [for another purpose] in respect of sprinkling.[8] While the second clause means when he is standing at the slaughtering and intends in respect of the sprinkling, when he [for instance]

declares, ‘Behold, I slaughter the Passover sacrifice for its own purpose, [but] to sprinkle its blood for another purpose’; and he [the Tanna] informs us that you can intend at one service for another service,[9] and that is R. Papa's question.[10]

Come and hear: OR FOR ANOTHER PURPOSE AND FOR ITS OWN PURPOSE, [IT] IS DISQUALIFIED. How is it meant? If we say, in the case of two services, [then] seeing that where [if the first is] for its own purpose and [the second is] for another purpose. you say that it is disqualified. is it necessary [to state it where it is first] for another purpose and [then] for its own purpose?[11] Hence it must surely refer to one service, and since the second clause refers to one service, the first clause too refers [also] to one service! — No, after all it refers [only] to two services, and logically indeed it is not required, but because he speaks of ‘FOR ITS OWN PURPOSE AND FOR ANOTHER PURPOSE,’ he also mentions ‘FOR ANOTHER PURPOSE AND FOR ITS OWN PURPOSE.[12]

Come and hear: If he killed it [the Passover sacrifice] for those who cannot eat it or for those who were not registered for it,[13] for uncircumcised[14] or for unclean persons,[15] it is disqualified. Now here it obviously refers to one service, and since the second clause refers to one service, the first clause too treats [also] of one service![16] — What argument is this? The one is according to its nature, while the other is according to its nature; the second clause [certainly] refers [only] to one service, while the first clause may refer either to one service or to two services.[17]

Come and hear: [If he killed it] for those who can eat it and for those who cannot eat it, it is fit. How is it meant? Shall we say, at two services:[18] and the reason [that it is fit] is because he intended it [for non-eaters] at the sprinkling, for there can be no [effective] intention of eaters at the sprinkling;[19] hence [if it were] at one service, e.g.. at the slaughtering, where an intention with reference to eaters is effective, it would be disqualified, but we have an established law that if some are eaters it is not disqualified?[20]

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(1) On the first hypothesis the Mishnah refers even to one service, and will certainly also hold good in the case of two services; while on the second hypothesis the Mishnah refers to two services only, but will not hold good in the case of one service; Rashi infra 60b. s.v. סיפא בעבודה אחת and as is evident from the context.

(2) I.e., they too must be taken into account, but his first words certainly cannot be ignored.

(3) Viz., that all four services were performed for another purpose.

(4) [The text seems to be in slight disorder, v. D.S. The general meaning is, however, clear.]

(5) I.e., this clause states the case of a legal purpose at one service and an illegal purpose at another service.

(6) And still the two clauses are not identical as it goes on explaining.

(7) [MS.M. omits: ‘or again’.]

(8) [‘Slaughtering’ and ‘sprinkling’ are taken merely as examples, the same applying to the other services. Each was performed with the due or undue intention, as the case may be, in respect of itself.]

(9) And that such intention is taken into account, so that if it is illegitimate the sacrifice is disqualified.

(10) Riba: that is why R. Papa asks his question, because the Mishnah affords no solution. Rashba: R. Papa's question as to whether the Mishnah may refer to two services is in such conditions, viz., where an illegitimate intention for one service is expressed in the course of another service.

(11) For the very first intention is illegitimate and disqualifies it; how then is it to regain its validity? The same difficulty arises if the Mishnah refers to one and the same service, but then it can be answered that the Mishnah informs us in the first clause (‘FOR ITS OWN PURPOSE AND FOR ANOTHER PURPOSE’) that we do not determine the matter purely by his first words, and in the second clause (‘FOR ANOTHER PURPOSE AND FOR ITS OWN PURPOSE’) that the matter is not determined purely by his last words, but that due weight must be given to both.

(12) For the sake of parallelism.

(13) Every Paschal lamb required its registered consumers before it was slaughtered, in accordance with Ex. XII, 4. In the present instance he enumerated those for whom he was slaughtering it, all of whom, however, were incapable of eating through old age or sickness (Rashi: none others had registered for it; Tosaf.: others who were capable had also

registered for it, but he ignored them in his declaration), or had not registered for this particular animal.

(14) 'Uncircumcised' in this connection always means men whose brothers had died through circumcision, and they were afraid of a similar fate. These may not eat thereof, ibid. 48.

(15) Who may likewise not eat it, being forbidden all sacred flesh. Lev. XXII, 4ff.

(16) The Mishnahs printed on 59b and 61a are actually clauses of the same Mishnah.

(17) I.e., either also to one service or exclusively to two services. And the question is, to which?

(18) Thus: at the slaughtering he declared that it was for those who can eat, and at the sprinkling he declared that it was for those who cannot eat (R. Han.).

(19) I.e., an intention with respect to the eaters expressed at the sprinkling is of no account.

(20) Since even if only one desired to eat of it the whole animal must be killed, v. infra 61a.

Talmud - Mas. Pesachim 60b

Hence it surely refers [also] to one service,[1] and since the second clause refers [also] to one service, the first clause too refers [also] to one service! — What argument is this: the one is according to its nature, while the other is according to its nature: the second clause refers [also] to one service,[2] while the first clause refers either to one service or to two services.[3] The scholars asked: What is the law of a Passover sacrifice which he killed at any other time of the year for its own purpose and for another purpose?[4] Does the other purpose come and nullify[5] its own purpose, and [thus] make it fit, or not? — When R. Dimi came,[6] he said, I stated this argument before R. Jeremiah: Since [slaughtering it] for its own purpose makes it fit at its own time, while [slaughtering it] for another purpose makes it fit at a different time,[7] then just as [the slaughtering] for its own purpose, which makes it fit at its own time, does not save[8] it from [the disqualifying effect of] another purpose,[9] so also [the slaughtering] for another purpose, which makes it fit at a different time, does not save it [from the disqualifying effect] of its own purpose, and it is unfit. Whereupon he said to me, It is not so: If you say thus in respect to another purpose.[10] that is because it operates in the case of all sacrifices;[11] will you say [the same where it is slaughtered] for its own purpose, seeing that it does not operate [as a cause of disqualification] in the case of all [other] sacrifices but only in the case of the Passover sacrifice alone?

What is [our decision] thereon? — Said Raba, A Passover sacrifice which he slaughtered at any other time of the year for its own purpose and for another purpose is fit. For it tacitly stands [to be killed] for its own purpose, yet even so, when he kills it for another purpose[12] it is fit, which proves that the other purpose comes and nullifies its own purpose. Hence, when he slaughters it for its own purpose and for another purpose too, the other purpose comes and nullifies its own purpose. Said R. Adda b. Ahabah to Raba: Perhaps where he states it, it is different from where he does not state it?[13] For [if he kills it] for those who can eat it and for those who cannot eat it, it is fit, yet when he kills it for those who cannot eat it alone, it is disqualified. Yet why so? Surely it tacitly stands for those who can eat it?[14] Hence [you must admit that] where he states it, it is different from where he does not state it; so here too, where he states it, it is different from where he does not state it. Is this all argument? he rejoined. As for there, it is well: there, as long as he does not [expressly] overthrow it at the slaughtering, its tacit [destiny] is certainly to be killed for its own purpose. But here, does it tacitly stand for those who are [registered] to eat it? Perhaps these will withdraw and others will come and register for it, for we learned: They may register and withdraw their hands from it [the Paschal lamb] until he kills it.

The scholars asked: What is the law of a Paschal lamb which was slaughtered during the rest of the year with a change of its

offering, which may then not be eaten, or in part, in the sense that they may be eaten, but their owners have not discharged their obligations and must bring another. Therefore it is logical that its disqualifying power should be so strong as to render of no avail the fact that it was slaughtered for its

purpose too. owners?[15] Is a change of owner like a change of sanctity,[16] and it validates it; or not? — Said R. Papa. I stated this argument before Raba: Since a change of sanctity disqualifies it at its own time, and a change of owner disqualifies it at its own time: then just as a change of sanctity, which disqualifies it at its own time, validates it at a different time,[17] so a change of owner, which disqualifies it at its own time, validates it at a different time. But he said to me, It is not so: If you say thus in the case of a change of sanctity, [that is] because its disqualification is intrinsic,[18] and it is [operative] in respect of the four services,[19]

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(1) I.e., also to one service.

(2) This will not have quite the same meaning as the same phrase used before. There it obviously meant that it treats of one service only. Here however the meaning is this: even in the case of one service the sacrifice is fit, this law holding good in the case of both one service or two services. Thus, if this intention, viz., that he was killing it for eaters and non-eaters, was expressed at the slaughtering, the sacrifice is fit, because eaters were included. While it may also refer to two services, as explained on p. 301, n. 7.

(3) V. p. 301. n. 6.

(4) E.g., if a man dedicated a lamb for the Passover sacrifice a considerable time beforehand. Now it is stated infra 70b that if he kills it as a peace-offering at any time other than the eve of Passover it is fit; if as a Passover offering, it is unfit.

(5) Lit., 'exclude from'.

(6) From Palestine to Babylon

(7) Lit., 'not in its own time'.

(8) Lit., 'draw out'.

(9) So that if it is killed both for its purpose and for another purpose, it is unfit.

(10) That it disqualifies the Passover sacrifice even if it is also killed for its own purposes.

(11) All sacrifices, if slaughtered for a purpose other than their own, are disqualified, either wholly, viz., in the case of a sin-offering and the Passover

(12) Before the eve of passover.

(13) The other purpose can nullify the tacit assumption that it stands for its own purpose, but it may be unable to nullify the explicit declaration that it is slaughtered for its own purpose too.

(14) So that according to your argument it is the same as though he explicitly killed it for both.

(15) The animal was set aside for a certain person and then slaughtered for a different person, but for its own purpose (Rashi).

(16) I.e., like slaughtering it as a different sacrifice.

(17) The text must be emended thus.

(18) I.e., an illegitimate intention is expressed in respect to the sacrifice itself.

(19) V. Mishnah supra 59b and note a.l.

Talmud - Mas. Pesachim 61a

and it is [operative] after death,[1] and it is [operative] in the case of the community as in the case of an individual;[2] will you say [the same] of a change of owner, where the disqualification is not intrinsic, and it is not [operative] in respect of the four services,[3] and it is not [operative] after death,[4] and it is not [operative] in the case of the community as in the case of an individual? And though two [of these distinctions] are not exact,[5] two nevertheless are exact. For how is a change of owners different, that [you say] its disqualification is not intrinsic: because its disqualification is merely [one of] intention? Then with a change of sanctity too, its disqualification is merely one of intention. Again, as to what he says. A change of owners is not [operative as a disqualification] after death, then according to R. Phineas the son of R. Ammi who maintained, There is [a disqualification in] a change of owner after death, what is there to be said? Two [of these distinctions] are nevertheless exact! Rather, said Raba: A Paschal lamb which he slaughtered during the rest of the year with a change of owners is regarded as though it had no owners in its proper time,[6] and it is disqualified.

MISHNAH. IF HE KILLED IT FOR THOSE WHO CANNOT EAT IT OR FOR THOSE WHO ARE NOT REGISTERED FOR IT, FOR UNCIRCUMCISED PERSONS OR FOR UNCLEAN PERSONS, IT IS UNFIT. [IF HE KILLED IT] FOR THOSE WHO ARE TO EAT IT AND FOR THOSE WHO ARE NOT TO EAT IT, FOR THOSE WHO ARE REGISTERED FOR IT AND FOR THOSE WHO ARE NOT REGISTERED FOR IT, FOR CIRCUMCISED AND FOR UNCIRCUMCISED, FOR UNCLEAN AND FOR CLEAN PERSONS, IT IS FIT. IF HE KILLED IT BEFORE MIDDAY, IT IS DISQUALIFIED, BECAUSE IT IS SAID, [AND THE WHOLE ASSEMBLY . . . SHALL KILL IT] AT DUSK.[7] IF HE KILLED IT BEFORE THE [EVENING] TAMID, IT IS FIT, PROVIDING THAT ONE SHALL STIR ITS BLOOD UNTIL [THAT OF] THE TAMID IS SPRINKLED;[8] YET IF IT WAS SPRINKLED,[9] IT IS FIT.

GEMARA. Our Rabbis taught: How is 'for those who cannot eat it' meant? [If it was killed] in the name of an invalid or an old man. How is 'for those who were not registered for it' meant? If one company registered for it and he killed it in the name of a different company.

How do we know this? Because our Rabbis taught, [Then shall he and his neighbour next unto him take one] according to the number of [be-miksath] [the souls]:[10] this teaches that the Paschal lamb is not slaughtered save for those who are registered [numbered] for it. You might think that if he slaughtered it for those who were not registered for it, he should be as one who violates the precept, yet it is fit. Therefore it is stated, 'according to the number of [be-miksath] [the souls] . . . ye shall make your count [takosu]': the Writ reiterated it, to teach that it is indispensable. Rabbi said, This is a Syriac expression, as a man who says to his neighbour, 'Kill [kos] me this lamb.'[11] We have thus found [it disqualified if killed] for those who are not registered for it; how do we know [the same of] those who cannot eat it? Scripture saith, according to every man's eating ye shall make your count,' [thus] eaters are assimilated to registered [persons].

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(1) If the owner of the sacrifice died, his son must bring it, and if the latter slaughters it for a different purpose it is disqualified.

(2) A public sacrifice, just like a private sacrifice, is disqualified if offered for another purpose.

(3) In the case of sacrifices other than the Passover a change of owner is a disqualification only when it is expressed in connection with the sprinkling of the blood, i.e., he declares that he will sprinkle the blood on behalf of another person.

(4) When its owner dies the sacrifice loses his name, and therefore even if it is offered in another man's name it is fit.

(5) They are not true distinctions, as shown anon.

(6) I.e., as though it were slaughtered on Passover eve as a Passover sacrifice, but for no persons in particular.

(7) Ex. XII, 6; lit., 'between the evenings'.

(8) To prevent it from congealing.

(9) Before the blood of the tamid.

(10) Ex. XII, 4.

(11) Thus Rabbi connects the word with slaughter. But he also admits its Hebrew connotation of counting, and he thus points out that an intention for those who cannot eat it or who are not registered for it disqualifies the sacrifice only when it is expressed at the killing, but not when it is expressed at one of the other services (Tosaf.).

If he slaughtered it for circumcised persons on condition that uncircumcised persons should be atoned for therewith at the sprinkling,[1] — R. Hisda said: It [the lamb] is disqualified; Rabbah ruled: It is fit. R. Hisda said, It is disqualified: There is [a disqualification in] an intention for uncircumcised at the sprinkling. Rabbah ruled, It is fit: There is no [disqualification in] an intention for uncircumcised at the sprinkling. Rabbah said, Whence do I know it? Because it was taught: You might think that he [an uncircumcised person] disqualifies the members of the company who come with him,[2] and it is logical: since uncircumcision disqualifies, and uncleanness disqualifies, [then] just as with uncleanness, part uncleanness was not made tantamount to entire uncleanness,[3] so with uncircumcision, part uncircumcision was not made tantamount to entire uncircumcision.[4] Or turn this way:[5] since uncircumcision disqualifies, and time disqualifies: then just as with time, part [in respect to] time was made tantamount to the whole [in respect of] tithe,[6] so with uncircumcision, part [in respect] to uncircumcision should be made tantamount to the whole [in respect to] uncircumcision. Let us see to what it is similar: you judge [draw an analogy between] that which does not apply to all sacrifices by that which does not apply to all sacrifices,[7] and let not time provide an argument, which operates [as a disqualification] in the case of all sacrifices. Or turn this way: you judge a thing which was not freed[8] from its general rule by a thing which was not freed from its general rule;[9] and let not uncleanness provide an argument, seeing that it was freed from its general rule.[10] Therefore it is stated. This [is the ordinance of the Passover].[11] What is [the purpose of] 'this'?[12] If we say. [to teach] that entire uncircumcision disqualifies it [the Paschal lamb], but part thereof[13] does not disqualify it, surely that is deduced from, and all uncircumcised person[s] [shall not eat thereof]?[14] Hence he [the Tanna] must have taught thus: Therefore it is stated, 'and all uncircumcised shall not eat thereof. Entire uncircumcision disqualifies it, [but] part thereof does not disqualify it. And should you say, the same law applies to sprinkling, viz., that entire uncircumcision at least does disqualify it:[15] therefore 'this' is stated, [teaching,] it is only at the slaughtering that entire uncircumcision disqualifies, but [as for] sprinkling, even entire uncircumcision too does not disqualify it.[16] And should you ask, What is the leniency of sprinkling?[17] That there is no intention of eaters in respect to sprinkling.[18]

But R. Hisda [maintains,] On the contrary, [the Baraitha is to be explained] in the opposite direction. [Thus:] therefore it is stated, and all uncircumcised person[s] [shall not eat thereof]: if the whole of it [the registered company] is [in a state of] uncircumcision, it disqualifies it, but part thereof does not disqualify it. But [as for] sprinkling, even part thereof disqualifies it.[19] And should you say, the same law applies to sprinkling, viz., that unless there is entire uncircumcision it does not disqualify it, therefore 'this' is stated, [teaching,] only at the slaughtering does part thereof not disqualify it, but at the sprinkling even part thereof disqualifies it. And should you ask, What is the stringency of sprinkling?[20] [It is] that [the prohibition of] piggul cannot be imposed save at the sprinkling.[21] To this R. Ashi demurred: Whence [do you know] that this [verse] 'and all uncircumcised person[s],' implies in its entirety; perhaps this [verse], 'and all uncircumcised person[s]' implies whatever there is of uncircumcision,[22] [and] therefore the Merciful One wrote 'this' to teach that unless there is an entire [company in a state of] uncircumcision, it does not disqualify it, there being no difference whether [it is] at the slaughtering or at the sprinkling?[23] Rather, said R. Ashi, R. Hisda and Rabbah

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(1) Whether the latter were registered for it or not. ['To be atoned for' here is employed in a technical sense denoting to have the blood sprinkled on behalf of (a person), as there is no question of atonement with the Paschal lamb. The words 'at the sprinkling' are accordingly superfluous, and in fact do not appear in MS.M.]

(2) I.e., if he registered together with duly circumcised, all are disqualified from partaking of this lamb.

(3) Only if all who register are unclean is the sacrifice disqualified. but not if merely some of them are unclean.

(4) Hence it is not disqualified.

(5) I.e., argue thus.

(6) I.e., if he expressed an intention of eating only part of the sacrifice even after the time legally permitted, the whole sacrifice is piggul (q.v. Glos.) and disqualified.
(7) Uncircumcision and uncleanness are not disqualifications in the case of other sacrifices, which may be killed on behalf of their owners even if they are uncircumcised or unclean.
(8) Lit., 'permitted'.
(9) In no case may a sacrifice be eaten by an uncircumcised person or after its permitted time.
(10) If the whole community is unclean, the Paschal lamb is sacrificed and eaten by them. — Thus two contradictory arguments are possible.
(11) Ex. XII, 43; the passage proceeds to disqualify an uncircumcised person (v. 49), and this word is quoted as teaching that an uncircumcised person does not disqualify others who register with him. 'This' is a limitation, teaching that the law is exactly as stated, and is not to be extended to others.
(12) This is part of Rabbah's argument. How does 'this' signify that the uncircumcised does not disqualify the members of the company that come with him?
(13) I.e., when only some of the registered company are uncircumcised.
(14) Ibid. 48, which is thus interpreted: when all who have registered for a particular animal are uncircumcised, none must eat thereof. But if only a fraction are uncircumcised, the circumcised may eat thereof. (E.V. but no uncircumcised person shall eat thereof.)
(15) Viz., where he expressed an intention that the sprinkling should make atonement for uncircumcised only.
(16) 'This' implies that uncircumcision disqualifies at one of the four services only, which is assumed to be the slaughtering. This interpretation of the Baraitha supports Rabbah's view.
(17) What other leniency do you find in sprinkling, that you assume that the limitation of 'this' teaches a further leniency in respect to uncircumcision.
(18) He need not sprinkle expressly for those who are registered, as the requirement of registration and eaters is stated in connection with slaughtering, v. supra 61a note on Rabbi's exegesis.
(19) As his view supra.
(20) What other stringency do you find in sprinkling, that you assume that the limitation of 'this' teaches a further stringency in respect to uncircumcision.
(21) An illegitimate intention to partake of the sacrifice after the permitted time, expressed at one of the four services (v. Mishnah supra 59b) renders it piggul, and he who eats it even within the permitted time, incurs kareth, only if the subsequent services are performed without any intention at all or with a legitimate intention or with the same illegitimate intention. But if any one of the subsequent services is performed with a different illegitimate intention, e.g.. to eat it without the permitted boundaries, it ceases to be piggul and does not involve kareth, v. Zeb. 28b. Hence the only service in which it can definitely be fixed as piggul without possibility of revocation is sprinkling, because that is the last service. That is regarded as a stringency of sprinkling.
(22) I.e., on the contrary it may imply that even if a single person of those who are registered for the sacrifice is uncircumcised, it is disqualified.
(23) For on the present exegesis there is no verse to intimate a distinction.

Talmud - Mas. Pesachim 62a

differ in this verse: And it shall be accepted for him to make atonement for him:[1] 'for him', but not for his companion.[2] Rabbah holds, His companion must be like himself: just as he is capable of atonement, so must his companion be capable of atonement,[3] thus excluding this uncircumcised person, who is not capable of atonement.[4] But R. Hisda holds, This uncircumcised person too, since he is subject to the obligation, he is [also] subject to atonement, since if he wishes he can make himself fit.[5]

Yet does R. Hisda accept [the argument of] 'since'?[6] Surely it was stated, If one bakes [food] on a Festival for [use on] a weekday. — R. Hisda said: He is flagellated; Rabbah said: He is not flagellated. 'Rabbah said, He is not flagellated': We say, Since if guests visited him, it would be fit for him, [on the Festival itself]. it is fit for him now too.[7] 'R. Hisda said, He is flagellated': We do not say, 'since'.[8] As for Rabbah, it is well, [and] he is not self contradictory: here [in the case of

circumcision], an action is wanting,[9] whereas there an action is not wanting.[10] But R. Hisda is self-contradictory?[11] — I will tell you: when does R. Hisda reject [the argument of] 'since'? [where it leads] to [greater] leniency;[12] [but where it results] in stringency, he accepts it.[13]

Mar Zutra son of R. Mari said to Rabina: [The Baraitha] teaches: 'since uncircumcision disqualifies, and uncleanness disqualifies, [then] just as uncleanness, part uncleanness was not made tantamount to entire uncleanness, so uncircumcision, part uncircumcision was not made tantamount to entire uncircumcision. How is this uncleanness meant? Shall we say, it means uncleanness of the person, and what is meant by, 'part uncleanness was not made tantamount to entire uncleanness'? That if there are four or five unclean persons and four or five clean persons,[14] the unclean do not disqualify [the Paschal lamb] for the clean. But then in the case of uncircumcision too they do not disqualify, for we learned, FOR CIRCUMCISED AND UNCIRCUMCISED . . . IT IS FIT: how then is uncleanness different, that he is certain about it, and how is uncircumcision different, that he is doubtful?[15] Hence it must refer to uncleanness of the flesh, and what is meant by, 'part uncleanness was not made tantamount to entire uncleanness'? For where one of the limbs becomes unclean, that which becomes unclean we burn, while the others we eat. To what have you [thus] referred it?[16] To uncleanness of the flesh! Then consider the sequel: 'you judge that which does not apply to all sacrifices by that which does not apply to all sacrifices,[17] hence let not time [dis]prove it, since it applies to all sacrifices'. Now what does 'uncleanness mean? Shall we say, uncleanness of the flesh, — why does it not apply to all sacrifices?[18] Hence it is obvious that it refers to uncleanness of person, and what does 'it does not apply to all sacrifices' mean? For whereas in the case of all [other] sacrifices an uncircumcised person and an unclean person can send their sacrifices,[19] in the case of the Passover offering an uncircumcised person and an unclean person cannot send their Passover offerings. Thus the first clause refers to uncleanness of the flesh, while the second clause refers to uncleanness of the person? — Yes, answered he to him, he argues[20] from the designation of uncleanness.[21]

Alternatively, the sequel too refers to the uncleanness of flesh. Then what is [meant by] 'it does not apply to all sacrifices'? [It means this], for whereas in the case of all [other] sacrifices, whether the fat[22] is defiled while the flesh remains [clean], or the flesh is defiled while the fat remains [clean], he [the officiating priest] sprinkles the blood;[23] in the case of the Passover offering, if the fat[22] is defiled while the flesh remains [clean], he sprinkles the blood; but if the flesh is defiled while the fat remains [clean], he must not sprinkle the blood.[24]

To what have you referred it: to uncleanness of the flesh? Then consider the final clause: 'you judge a thing which was not freed from its general interdict by a thing which was not freed from its general interdict, hence let not uncleanness disprove it, seeing that it was freed from its general interdict.' In which [case]? Shall we say.

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(1) Lev. I, 4. [I.e., by sprinkling, v. supra p. 306, n. 2.]

(2) I.e., if the blood is sprinkled on behalf of a different person, the sacrifice is disqualified.

(3) Only then does this change of name disqualify the sacrifice.

(4) I.e., he is not fit to have the Paschal offering made acceptable on his behalf; cf. loc. cit. Hence the intention that the sprinkling shall be on his behalf does not disqualify it.

(5) By circumcision.

(6) I.e., does he accept the view that since a different state of affairs is possible, we take it into account as though it were already in existence?

(7) Though he has no guests. He is therefore regarded as having baked for the Festival itself.

(8) V. supra 46b.

(9) Viz., circumcision, before he is fit; hence though he is potentially circumcised, we cannot regard him as actually so.

(10) The coming of guests involves no action on his part; hence Rabbah's ruling.

(11) As in the case of baking on a Festival for a weekday.

(12) If he accepts the argument of 'since' even in the case of circumcision, where an action is wanting, how much the more where no action is wanting!
(13) Tosaf.: according to this, R. Hisda disqualifies the sacrifice (supra 61a top) only by Rabbinical law, for in Scriptural law this distinction is unacceptable.
(14) Registered for the same Paschal lamb.
(15) That the one must be deduced from the other.
(16) Lit., 'in what (case) have you established it?'
(17) The reference to uncleanness. V. supra p. 307, n. 2.
(18) It certainly does.
(19) To be sacrificed on their behalf, though they cannot partake of them personally.
(20) Lit., 'he rebuts'.
(21) I.e., from uncleanness as a cause of disqualification, without particularizing the nature of the uncleanness.
(22) Which is burnt on the altar.
(23) And the sacrifice effects its purpose.
(24) For there must be at least as much as an olive of eatable flesh before its blood may be sprinkled.

Talmud - Mas. Pesachim 62b

in the case of uncleanness of the flesh; where was it permitted? Hence it obviously refers to uncleanness of the person, and where was it permitted? In the case of a community?[1] Thus the first clause refers to uncleanness of flesh, while the second clause refers to the uncleanness of the person? — Yes: he argues from the designation of uncleanness. Alternatively, the whole refers to uncleanness of the flesh; and [as to the question,] where was it permitted? [It was] in [the case of] the uncleanness of the Paschal lamb. For we learned: The Paschal lamb which comes [if offered] in uncleanness is eaten in uncleanness, for at the very outset it did not come for [aught] except to be eaten.[2] R. Huna son of R. Joshua raised an objection: If a Paschal lamb has passed its year[3] and he [its owner] slaughtered it at its own time[4] for its own purpose;[5] and similarly, when a man kills other [sacrifices] as a Passover offering in its [own] time, — R. Eliezer disqualifies [it];[6] while R. Joshua declares it fit.[7] Thus the reason [that R. Eliezer disqualifies it] is that it is in its own time, but [if it were slaughtered] at a different time[8] it is fit; yet why so? Let us say, Since he disqualifies [it][9] in its own time, he also disqualifies it at a different time?[10] — Said R. Papa. There it is different, because Scripture saith, Then ye shall say, The sacrifice of the Lord's passover it is:[11] let it retain its own nature:[12] neither may it be [slaughtered] in the name of other [sacrifices], nor may others [be slaughtered] in its name; in its time[13] when it is disqualified [if slaughtered] in the name of others, others are disqualified [if slaughtered] in its name; at a different time, when it is fit [if slaughtered] in the name of others, others are fit [if slaughtered] in its name.

R. Simlai came before R. Johanan [and] requested him, Let the Master teach me the Book of Genealogies.[14] Said he to him, Whence are you? — He replied, From Lod.[15] And where is your dwelling? In Nehardea.[16] Said he to him, We do not discuss it[17] either with the Lodians or with the Nehardeans, and how much more so with you, who are from Lod and live in Nehardea![18] But he urged[19] him, and he consented, Let us learn it in three months, he proposed. [Thereupon] he took a clod and threw it at him, saying, If Beruriah, wife of R. Meir [and] daughter of R. Hanina b. Teradion, who studied three hundred laws from three hundred teachers in [one] day, could nevertheless not do her duty[20] in three years, yet you propose [to do it] in three months!

As he was going he said to him, Master, What is the difference between [a Passover sacrifice which is offered both] for its own purpose and for a different purpose, and [one that is offered both] for those who can eat it and for those who cannot eat it?[21] — Since you are a scholar, he answered him, come and I will tell you. [When it is killed] for its own purpose and for another purpose, its disqualification is in [respect of] itself;[22] [when he kills it] for those who can eat it and for those who cannot eat it, its disqualification is not in [respect of] itself; [when it is] for its own purpose and for

another purpose, it is impossible to distinguish its prohibition;[23] [when it is] for those who can eat it and for those who cannot eat it, it is possible to distinguish its interdict.[24] [Sacrificing] for its own purpose and for another purpose applies to the four services;[25] for those who can eat it and for those who cannot eat it, does not apply to the four services.[26] [The disqualification of sacrificing] for its own purpose and for another purpose applies to the community as to an individual;[27] for those who can eat it and for those who cannot eat it, does not apply to the community as to an individual.[28] R. Ashi said: [That] its disqualification is intrinsic and [that] it is impossible to distinguish its prohibition are [one and] the same thing. For why does he say [that][29] its disqualification is intrinsic? Because it is impossible to distinguish its prohibition.

Rami the son of Rab Judah said: Since the day that the Book of Genealogies was hidden,[30] the strength of the Sages has been impaired and the light of their eyes has been dimmed.[31] Mar Zutra said, Between 'Azel' and 'Azel' they were laden with four hundred camels of exegetical interpretations![32]

It was taught: Others[33] say, If he put the circumcised before the uncircumcised,[34] it is fit; the uncircumcised before the circumcised, it is disqualified. Wherein does [the case where he put] circumcised before uncircumcised differ, that it is fit, — because we require [them to be] all uncircumcised:[35] then [where he put] the uncircumcised before the circumcised too, we require all [to be] uncircumcised, which is absent?

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(1) V. supra 61b, p. 307, n. 5.

(2) V. infra 76a.

(3) It became a year old on the first of Nisan, and was then set aside for the Passover sacrifice. Since a year is the extreme limit for such (v. Ex. XII, 5: a male of the first year), it automatically stands to be a peace-offering, being unfit for its original purpose.

(4) I.e., on the eve of Passover.

(5) Sc. as a Passover offering. Thus he killed a peace-offering as a Passover sacrifice.

(6) He infers this a minori: if an animal set aside for the Passover offering is disqualified if slaughtered in its time (on the eve of Passover) as a peace-offering, though if left until after Passover it must be offered as such; then how much the more is a peace-offering disqualified if killed on the eve of Passover as a Passover offering, seeing that if left over and not brought as a peace-offering at the time appointed for same, it cannot be brought as a Passover offering on Passover eve.

(7) For all sacrifices, except the Passover offering and the sin-offering, if sacrificed for another purpose, are fit. He too argues a minori: if during the rest of the year, when it is disqualified if slaughtered in its own' name (Sc. as a Passover sacrifice), yet if others (i.e., peace-offerings) are slaughtered in its name they are fit (in accordance with the general rule stated at the beginning of this note); then in its own time, when it is of course fit if slaughtered in its own name, how much the more are others fit if killed in its name!

(8) Lit., 'not in its time'.

(9) This is the reading in cur. edd. Tosaf.'s reading is preferable: since it is disqualified, etc.

(10) Now that R. Hisda accepts the argument of 'since' where this results in greater stringency.

(11) Ibid. 27.

(12) Lit., 'it is in its own being'. Hu ('it is') is an emphatic assertion that it must always retain its own peculiar nature, as explained in the text.

(13) Sc. the eve of Passover.

(14) A commentary on Chronicles, presumably so called because of the many genealogical lists it contains.

(15) Lydda in southern Palestine. [The original home of R. Simlai, v. Hyman, Toledoth, p. 1151.]

(16) The famous academy town on the Euphrates in Babylonia. It is fully discussed in Obermeyer, Landshaft, pp. 244ff.

(17) So. cur. edd. Var. lec.: we do not teach it.

(18) Probably he was simply putting him off.

(19) Lit., 'compelled'.

(20) I.e., study it adequately.

(21) Why is it disqualified in the first case but fit in the second?
(22) The illegitimate intention is in respect of the sacrifice itself.
(23) I.e., you cannot say this portion of the animal was sacrificed for its own purpose, and that portion for another purpose.
(24) It is possible to allocate separately the share for those who cannot eat it.
(25) V. Mishnah 58b.
(26) An intention with respect to the eaters expressed or conceived at the sprinkling has no effect, v. supra p. 306, n. 1.
(27) I.e., both to private and to public sacrifices.
(28) Intention in respect to eaters has effect only in the case of the Passover sacrifice, which is a private one, and in no others.
(29) [MS.M.: 'For why is'].
(30) This probably means either suppressed or forgotten; perhaps destroyed.
(31) Rashi: it contained the reasons for many Scriptural laws which have been forgotten.
(32) I.e., on the passage commencing with 'And Azel had six sons' (I Chron. VIII, 38) and ending with 'these were the sons of Azel' (Ibid. IX, 44) there were such an enormous number of different interpretations! This too, of course, is not to be understood literally.
(33) 'Others' frequently refers to R. Meir, v. Hor. 13b, and does refer to him here, as is evident from the text infra.
(34) I.e., if he first intended it for the former and then for the latter.
(35) In order to disqualify the sacrifice.

Talmud - Mas. Pesachim 63a

Shall we [then] say that the 'others' hold, Slaughtering does not count save at the end, and [this is] in accordance with Raba, who said, There is still the controversy. Therefore if he put the circumcised before the uncircumcised, it operates in respect of the circumcised,[1] but it does not operate in respect of the uncircumcised; while if he put the uncircumcised before the circumcised, it operates in respect of the uncircumcised, but it does not operate in respect of the circumcised?[2] — Said Rabbah, Not so: in truth the 'others' hold [that] slaughtering counts from beginning to end, but the case we discuss here is this: e.g., where he mentally determined [it] for both of them, [i.e.,] both for circumcised and for uncircumcised, and he verbally expressed[3] [his intention] for uncircumcised, but he had no time to say, 'for the circumcised' before the slaughtering was completed with [the expressed intention of] the uncircumcised [alone], and they differ in this: R. Meir holds [that] we do not require his mouth and his heart [to be] the same [in intention];[4] while the Rabbis hold, We require his mouth and his heart [to be] the same.[5]

Yet does R. Meir hold that we do not require his mouth and

at the same service or at different services, because the first statement only is regarded. But the Rabbis maintain that his last words too count, so that if both are expressed at the same service there is a mixing of intentions, and it does not become piggul, for a sacrifice becomes piggul only when the blood has otherwise been properly sprinkled. This proves that the view that the first statement only is regarded is maintained even in respect of halves, for the sacrifice is large enough to permit us to assume that each wrongful intention was expressed with respect to a different part thereof, and yet R. Judah disagrees. To this Abaye answered, Do not think that the slaughtering counts only when it is completed, so that the two intentions come together at the same moment. On the contrary, the slaughtering counts from beginning to end, and in the passage quoted he cut one organ of the animal with the intention of eating it after time, and the second organ with the intention of eating it without the permitted area, R. Meir holding that you can make an animal piggul even at one organ only. (Ritual slaughtering — shechitah — consists of cutting across the two organs of the throat, viz, the windpipe and the gullet.) This proves that Raba, who raised this objection, holds that in the views of R. Meir and R. Judah slaughtering counts only at the end. Hence the present passage too can be explained on that basis too. Thus: he must express his intention for whom he is slaughtering the

Passover sacrifice at the end of the slaughtering, and at that moment there is insufficient time to mention both, and so only the first expression is regarded, the second being entirely disregarded. Therefore if he first mentions the circumcised, it is fit; while if he first mentions the uncircumcised, it is unfit. his heart [to be] the same, but the following contradicts it: He who intended saying '[Let this be] terumah,' but he said 'tithe' [instead], [or, 'let this be] tithe,' and he said 'terumah,' or, '[I swear] that I will not enter this house,' but he said, 'that [house],' or, '[I vow] that I will not benefit from this [person],' but he said 'from that [person],' he has said nothing,[6] unless his mouth and his heart are alike?[7] — Rather, said Abaye, The first clause means where he stated, '[I cut] the first organ for the circumcised and the second organ for the uncircumcised too,' so that at the second organ also circumcised too are included.[8] [But] the second clause means where he stated '[I cut] the first organ for uncircumcised, the second organ for circumcised' so that at the first organ circumcised are not included. Now R. Meir is consistent with his opinion, for he maintained, You can render [a sacrifice] piggul at half of that which makes it permitted; while the Rabbis[9] are consistent with their view, for they maintain, You cannot render [a sacrifice] piggul at half of that which makes it permitted.[10]

MISHNAH. HE WHO SLAUGHTERS THE PASSOVER OFFERING WITH LEAVEN [IN HIS POSSESSION][11] VIOLATES A NEGATIVE COMMAND.[12] R. JUDAH SAID: [ALSO] THE [EVENING] TAMID TOO.[13] R. SIMEON SAID: [IF HE SLAUGHTERS] THE PASSOVER OFFERING [WITH LEAVEN] ON THE FOURTEENTH FOR ITS OWN PURPOSE, HE IS LIABLE [TO PUNISHMENT]; [IF] FOR A DIFFERENT PURPOSE, HE IS EXEMPT.[14] BUT [FOR] ALL OTHER SACRIFICES,[15] WHETHER SLAUGHTERED FOR THEIR OWN PURPOSE OR FOR A DIFFERENT PURPOSE, HE IS EXEMPT. [BUT IF HE SLAUGHTERS THE PASSOVER SACRIFICE WITH LEAVEN] ON THE FESTIVAL, IF FOR ITS OWN PURPOSE, HE IS EXEMPT; IF FOR A DIFFERENT PURPOSE, HE IS LIABLE;[16] BUT [FOR] ALL OTHER SACRIFICES [SLAUGHTERED ON THE FESTIVAL WITH LEAVEN], WHETHER FOR THEIR OWN PURPOSE OR FOR ANOTHER PURPOSE, HE IS LIABLE,[17] EXCEPT [IN THE CASE OR] A SIN-OFFERING WHICH HE SLAUGHTERED FOR A DIFFERENT PURPOSE.[18]

GEMARA. R. Simeon b. Lakish said: He is never liable unless there is leaven belonging to him who slaughters or to him who sprinkles [the blood]

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(1) Lit., 'the circumcised fall' (i.e., are counted). — The slaughtering counts as having been performed for the circumcised.

(2) When a man would substitute an animal for another consecrated animal, both are holy (Lev. XXVII, 33), the former bearing the same holiness as that of the latter, and it must be offered as the same sacrifice. Now if he declares, 'This animal be a substitute for a burnt-offering', 'This (the same) animal be a substitute for a peace-offering', R. Meir rules that it is a substitute for the first only, for only his first words are regarded. R. Jose holds that his last words too are regarded, and therefore it is a substitute for both; hence it must be redeemed, and the redemption money expended on two animals, one for a burnt-offering and another for a peace-offering. Now a problem is raised in Zeb. 30a: What if he declares, 'Half of this be a substitute for a burnt-offering, and half be a substitute for a peace-offering'; does R. Meir agree with R. Jose or not? Is R. Meir's reason in the former case because he regards the second statement as a change of mind, which is invalid, since by his first statement it has already become a burnt-offering? But that is obviously inapplicable to the case in question, hence R. Meir will agree. Or perhaps here too R. Meir holds that since the sanctity of the burnt-offering first takes possession of it, as it were, that of the peace-offering cannot operate? Abaye maintains that R. Meir does agree in this case, but Raba holds that there is still the controversy. Thereupon Raba raised an objection to Abaye from this: If a man slaughters a sacrifice with the intention of eating as much as an olive without the permitted area and as much as an olive after the permitted time, R. Judah disagrees with the Rabbis and rules as R. Meir, that only his first statement is counted, hence it is not piggul, which applies to the second only, and kareth is not incurred for eating it. For R. Judah states this as a general rule: If the intention of an illegitimate time is expressed before the intention of an illegitimate place, it is piggul, and kareth is incurred for eating it, whether these two intentions are both expressed

(3) Lit., 'uttered with his mouth'.
(4) I.e., we merely regard the explicit intention. Hence since he mentioned the uncircumcised only, the sacrifice is unfit.
(5) I.e., both are regarded. Therefore the Mishnah supra 61a states that if it is sacrificed for both, whatever the order, it is fit.
(6) I.e., his words are invalid.
(7) This is an anonymous Mishnah, and it is a general rule that such reflects R. Meir's view; Sanh. 86a.
(8) Hence it is fit.
(9) I.e., the view of the Mishnah supra 61a.
(10) 'That which makes it permitted' (the mattir) here is the slaughtering; half of that etc., is the cutting of one organ. R. Meir holds that the intention expressed at the cutting of the first organ determines the status of the sacrifice. Hence, if this intention was to eat it after time, it is piggul; while in the present case, since it was for the uncircumcised, it is disqualified. The Rabbis, however, hold that an illegitimate intention at the first organ cannot render it piggul, and in the same way an intention for uncircumcised at the first organ does not disqualify it.
(11) I.e., before the leaven has been destroyed. The phraseology is Biblical: Thou shalt not slaughter (E.V. 'offer') the blood of My sacrifice with leavened bread (Ex. XXXIV, 25).
(12) V. preceding note.
(13) I.e., if he kills the evening tamid of the fourteenth before the leaven is destroyed, he violates a negative command.
(14) In the former case the sacrifice is fit, hence the shechitah is duly regarded as shechitah. But in the latter the sacrifice is unfit; hence R. Simeon does not regard the shechitah as shechitah, and the verse quoted on p. 317, n. 6. does not apply to it.
(15) Offered on Passover eve with leaven in his possession.
(16) For a Passover offering killed at a time other than its own, viz., the fourteenth, is disqualified if sacrificed as a Passover offering, but fit if sacrificed as a peace-offering.
(17) Because they are fit, v. Zeb. 2a.
(18) Because it is disqualified, ibid.

Talmud - Mas. Pesachim 63b

or to one of the members of the company,[1] and providing that it [the leaven] is with him in the Temple Court. R. Johanan said: Even if it is not with him in the Temple Court.

Wherein do they differ? Shall we say that they differ in whether 'with' ['al] means 'near,'[2] R. Simeon b. Lakish holding, 'with' means near, while R. Johanan holds, We do not require 'with' [in the sense of] near,' — but surely they have differed in this once [already]?[3] For we learned: If a man slaughters the thanksoffering within [the Temple Court], while its bread is without the wall, the bread is not sanctified.[4] What does 'without the wall' mean? R. Johanan said, Without the wall of Beth Pagi;[5] but [if] without the wall of the Temple Court, it is sanctified, and we do not require 'with' [in the sense of] near. R. Simeon b. Lakish said: Even if without the wall of the Temple Court, it is not sanctified; which proves that we require 'with' [in the sense of] near! — Rather, they differ over a doubtful warning.[6] But in this too they have already differed once? For it was stated: [If a man declares, 'I take] an oath that I will eat this loaf to-day,' and the day passed and he did not eat it, — R. Johanan and R. Simeon b. Lakish both maintain, He is not flagellated. R. Johanan said, He is not flagellated, because it is a negative injunction not involving an action,[7] and every negative command not involving an action, we do not flagellate for it; but a doubtful warning counts[8] as a warning.[9] While R. Simeon b. Lakish said, He is not flagellated, because it is a doubtful warning, and a doubtful warning does not count as a warning; but as for a negative command not involving an action, we flagellate for it!

I will tell you: After all they differ in whether 'with' implies near, yet it is necessary.[10] For if they differed on the subject of leaven [alone], I would say: It is only there that R. Johanan maintains that we do not require 'with' [in the sense of] near, because it is a prohibited article, and wherever it is, it is;but in the matter of sanctifying the bread,it is not sanctified save within [the Temple Court],

[hence] I would assume [that] he agrees with R. Simeon b. Lakish, that if it is inside it is sanctified, and if not, it is not sanctified, by analogy with service vessels.[11] Thus this [latter case] is necessary. And if we were informed [of this] in the matter of sanctifying the bread, I would say: in this R. Simeon b. Lakish maintains that we require 'with' [in the sense of] near, so that if it is inside it is sanctified, [and] if not, It is not sanctified. But in the matter of leaven [I would say that] he agrees with R. Johanan that we do not require 'with' [in the sense of] near, because it is a prohibited article, and wherever it is, it is. Hence they are [both] necessary.

R. Oshaia asked R. Ammi: What if he who slaughters has none, but one of the members of the company has [leaven]?[12] — Said he to him, Is it then written, 'Thou shalt not slaughter [the blood of My sacrifice] with thy leavened bread'? 'Thou shalt not slaughter [the blood of My sacrifice] with leavened bread' is written.[13] If so, he countered, [he is culpable] even if a person at the end of the world [possesses leaven]! — Said he to him, Scripture saith, Thou shalt not slaughter [the blood of My sacrifice with leavened bread]; neither shall [the sacrifice of the feast of the Passover] be left overnight unto the morning: [thus,] 'Thou shalt not slaughter . . . with leavened bread' [applies to] those who are subject to 'it shall not be left overnight' on its account.[14] R. Papa said: As a corollary, the priest who burns the fat [on the altar] violates a negative command, since he is subject to the general [interdict of] leaving the emurim overnight.[15] It was taught in accordance with R. Papa. He who slaughters the Passover sacrifice with leaven violates a negative command — When is that? When it belongs to him who slaughters or to him who sprinkles [the blood] or to one of the members of the company. If it belonged to someone at the end of the world, he is not tied to him.[16] And whether he slaughters or sprinkles or burns [the fat],[17] he is liable. But he who wrings a bird's neck on the fourteenth[18] does not violate anything.[19] But the following contradicts it: He who slaughters the Passover offering with leaven violates a negative command. R. Judah said: The tamid too.[20] Said they to him, They [the Sages] said [thus] of nought except the Passover-offering alone. When is that? When either he who slaughters or he who sprinkles or one of the members of the company possesses [the leaven]. If a person at the end of the world possesses it, he is not tied to him. And whether he slaughters or he sprinkles or he wrings [a bird's neck] or he sprinkles[21] [the blood of the bird], he is liable. But he who takes the handful of the meal-offering[22] does not violate a negative command. He who burns the emurim does not violate a negative command.

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(1) Registered for this sacrifice.

(2) In Ex. XXXIV, 25, quoted on p. 317, n. 6.

(3) Why then repeat the controversy here?

(4) The thanksoffering was accompanied by forty loaves. These were verbally sanctified before the sacrifice was actually slaughtered, whereupon they acquired a monetary consecration, which means that they might not henceforth be eaten or put to use until the offering is sacrificed; while if they became defiled, they were redeemed and reverted to hullin. The slaughtering of the sacrifice conferred intrinsic ('bodily') sanctity upon them; they were more readily disqualified then, and if defiled they had to be burnt. In this connection too 'with' (עַל) is written: then he shall offer with the sacrifice of the thanksoffering unleavened cakes . . . with (עַל) cakes of leavened bread he shall present his offering (Lev. VII, 12f). — 'Not sanctified' means not intrinsically sanctified.

(5) A fortified suburb of Jerusalem (Jast.), which is the uttermost boundary of the town (Rashi). Its exact spot has not been identified, v. Neubauer, Geographie, pp. 247ff.

(6) 'Flagellation, the punishment for violating a negative command, is imposed only if the offender has been duly warned before he sinned. Now, if the leaven is in the Temple Court, he can be warned with the certainty that his proposed action is forbidden. But if it is not in the Temple Court, we are doubtful, as we do not know whether he has leaven at home, and thus it is a doubtful warning. R. Simeon b. Lakish holds that such is not a valid warning, and flagellation is not thereby incurred; while R. Johanan holds that it is a warning, and when we subsequently learn that he had leaven at home, he is flagellated.

(7) I.e., he violates the injunction, 'Thou shalt not take the name of the Lord thy God in vain (Ex. XX, 7) by remaining passive, not by a positive act, v. Shebu. 20b.

(8) Lit., 'its name is'.

(9) For naturally until the last moment of the day only a doubtful warning can be given, as we do not know that he will permit the day to pass without eating it.
(10) For them to differ in both cases.
(11) These sanctify whatever is put into them, but only when they are in the Temple Court (Tosaf.).
(12) Resh Lakish states it (supra) as an obvious thing, but R. Oshaia was in doubt.
(13) Ex. XXXIV, 25. Hence he is culpable.
(14) And that obviously applies to its owners only.
(15) I.e., if he still has leaven when he burns the fat, even if none of the company has any.
(16) He has no connection with him, — or, he is not bound to take him into account, — is unaffected thereby.
(17) This supports R. Papa.
(18) While he still possesses leaven. The reference is to a bird offered as a sacrifice for a man lacking atonement; as stated supra 59a, it could be brought on the fourteenth after the afternoon tamid, i.e., when it is time for the Passover sacrifice to be slaughtered.
(19) This is explained anon.
(20) V. note on Mishnah.
(21) מזה, term used in connection with bird sacrifices, as distinct from רזק, which refers to animal sacrifices.
(22) V. Lev. II, 2.

Talmud - Mas. Pesachim 64a

Now [the rulings on] wringing are contradictory, [and the rulings on] burning [the fat] are contradictory? — Then according to your reasoning, let that [Baraitha] itself present a difficulty to you. For it teaches, 'They said [this] of nought except the Passover offering alone; and then it teaches, 'Whether he slaughters or he sprinkles or he wrings [a bird's neck] or he sprinkles [the blood of the bird]?[1] [Say] rather, both are [according to] R. Simeon; [the rulings on] wringing are not contradictory: here[2] it refers to the fourteenth,[3] while there it[4] means during the Intermediate Days, and thus both the one and the other are [according to] R. Simeon. [The rulings on] the burning [of fat] too are not contradictory: it is dependent on Tannaim. For some compare burning to slaughtering,[5] whilst others do not compare [them].

R. JUDAH SAID: THE [EVENING] TAMID TOO etc. What is R. Judah's reason? — He tells you: Scripture saith, [Thou shalt not slaughter the blood of] My sacrifice,[6] [implying] the sacrifice which is particularly assigned to Me; and which is that? the tamid.

R. SIMEON SAID: [IF HE SLAUGHTERS] THE PASSOVER SACRIFICE [WITH LEAVEN] ON THE FOURTEENTH etc. What is R. Simeon's reason? — Because 'My sacrifice,' 'My sacrifice,' is written twice:[7] read it, 'a sacrifice,' 'My sacrifices'.[8] For what law did the Divine Law divide them from one another and not write 'My sacrifices' [in one word]? To intimate: when there is 'a sacrifice' [viz., the Paschal lamb], you are not liable on account of 'My sacrifices'; when there is no 'sacrifice,' you are liable for 'My sacrifices'.

[BUT IF HE KILLS THE PASSOVER OFFERING WITH LEAVEN] ON THE FESTIVAL, IF FOR ITS OWN PURPOSE, HE IS EXEMPT etc. The reason is that it is for a different purpose,[9] but if it is unspecified, he is exempt. [Yet] why? The Passover offering during the rest of the year[10] is a peace-offering![11] Can you then infer from this[12] [that] the Passover offering during the rest of the year requires cancellation?[13] — Said R. Hiyya b. Gamada: It was thrown out from the mouth of the company[14] and they said: [The circumstances are] e.g., that its owners were unclean by reason of a dead body and relegated to the second Passover,[15] so that while unspecified it [still] stands [to be sacrificed] as a Passover offering.[16]

MISHNAH. THE PASSOVER OFFERING IS SLAUGHTERED IN THREE DIVISIONS,[17] FOR IT IS SAID, AND THE WHOLE ASSEMBLY OF THE CONGREGATION OF ISRAEL SHALL

KILL IT:[18] [I.E.,] 'ASSEMBLY,' 'CONGREGATION,' AND 'ISRAEL.'[19] THE FIRST DIVISION ENTERED, THE TEMPLE COURT WAS FILLED, THEY CLOSED THE DOORS OF THE TEMPLE COURT, THEY SOUNDED A TEKI'AH, A TERU'AH, AND A TEKI'AH.[20] THE PRIESTS STOOD IN ROWS, AND IN THEIR HANDS WERE BASINS[21] OF SILVER AND BASINS OF GOLD; A ROW WHICH WAS ENTIRELY OF SILVER WAS OF SILVER, AND A ROW WHICH WAS ENTIRELY OF GOLD WAS OF GOLD: THEY WERE NOT MIXED; AND THE BASINS HAD NO [FLAT] BOTTOMS, LEST THEY PUT THEM DOWN AND THE BLOOD BECOME CONGEALED. THE ISRAELITE KILLED [THE LAMB], AND THE PRIEST CAUGHT [THE BLOOD]; HE HANDED IT TO HIS COLLEAGUE AND HIS COLLEAGUE [PASSED IT ON] TO HIS COLLEAGUE; AND HE RECEIVED THE FULL [BASIN] AND GAVE BACK THE EMPTY ONE.[22] THE PRIEST NEAREST THE ALTAR SPRINKLED IT ONCE OVER AGAINST THE BASE [OR THE ALTAR].[23] THE FIRST DIVISION [THEN] WENT OUT AND THE SECOND ENTERED; THE SECOND WENT OUT AND THE THIRD ENTERED. AS THE MANNER OF THE FIRST [GROUP], SO WAS THE MANNER OF THE SECOND AND THE THIRD. THEY RECITED THE HALLEL;[24] IF THEY FINISHED IT[25] THEY REPEATED, AND IF THEY REPEATED [AND WERE NOT FINISHED YET], THEY RECITED IT A THIRD TIME, THOUGH THEY NEVER DID RECITE IT A THIRD TIME. R. JUDAH SAID: THE THIRD DIVISION NEVER REACHED[26] 'I LOVE THAT THE LORD SHOULD HEAR' [ETC.],[27] BECAUSE THE PEOPLE FOR IT WERE FEW. AS WAS DONE ON WEEK-DAYS SO WAS DONE ON THE SABBATH, SAVE THAT THE PRIESTS SWILLED THE TEMPLE COURT, [BUT] WITHOUT THE CONSENT OF THE SAGES. R. JUDAH SAID: HE [A PRIEST] USED TO FILL A GOBLET WITH THE MIXED BLOOD[28] [AND] HE SPRINKLED IT ONCE ON THE ALTAR; BUT THE SAGES DID NOT AGREE WITH HIM.

HOW DID THEY HANG UP [THE SACRIFICES] AND FLAY [THEM]? THERE WERE IRON HOOKS FIXED IN THE WALLS AND IN THE PILLARS, ON WHICH THEY SUSPENDED [THE SACRIFICES] AND FLAYED [THEM]. IF ANY ONE HAD NO PLACE TO SUSPEND AND FLAY, THERE WERE THERE THIN SMOOTH STAVES WHICH HE PLACED ON HIS SHOULDER AND ON HIS NEIGHBOUR'S SHOULDER, AND SO SUSPENDED [THE ANIMAL] AND FLAYED [IT]. R. ELIEZER SAID: WHEN THE FOURTEENTH

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(1) The last two refer to birds, hence not to the Passover offering, v. p. 321, n. 7.

(2) In the first Baraitha.

(3) As is distinctly stated. Then he is exempt, culpability being incurred on that day only for the Paschal lamb.

(4) In the second Baraitha.

(5) Actually only slaughtering which includes sprinkling is mentioned in Ex. XXXIV, 25. (Thou shalt not slaughter the blood of etc.'), but some maintain that burning is the same.

(6) Ex. XXIII, 18; XXXIV, 25.

(7) In Ex. XXIII, 18 and XXXIV, 25.

(8) I.e., by transferring the yod (י) from one זבחי to the other, we have זבח, זבחיי, a 'sacrifice' referring to the Paschal lamb, and זבחיי, 'My sacrifices', plural, referring to all others.

(9) I.e., he explicitly states thus.

(10) I.e., at any time other than the eve of Passover.

(11) Automatically. Why then is an explicit declaration required.

(12) Viz., that we do nevertheless require this explicit statement.

(13) Lit., uprooting', 'eradicating'. I.e., it does not become a peace-offering automatically, but its character as a Passover offering must be explicitly cancelled.

(14) I.e., all the scholars unanimously declared.

(15) V. Num. IX, 10ff.

(16) In the following month; therefore it is not a peace-offering automatically. But in other cases it is, and an explicit declaration is then unnecessary.

(17) Irrespective of the number sacrificing.

(18) Ex. XII, 6.
(19) Each denotes a separate division.
(20) Teki'ah is a long, straight blast on the shofar (ram's horn); teru'ah is a series of three short consecutive blasts.
(21) To receive the blood.
(22) After the blood had been sprinkled. Thus it was worked on the 'endless-chain' system.
(23) I.e., on the side which has a projecting base, viz., the north and west sides of the altar, v. Mid. III, 1.
(24) Lit., 'praise', a liturgical passage at present consisting of Ps. CXIII-CXVIII. This was recited by each group.
(25) Before they finished sacrificing.
(26) Lit., 'from the days of the third party they did not reach'.
(27) Ps. CXVI, 1 seq.
(28) The blood of many sacrifices which ran together.

Talmud - Mas. Pesachim 64b

FELL ON THE SABBATH, HE PLACED HIS HAND ON HIS NEIGHBOUR'S SHOULDER AND HIS NEIGHBOUR'S HAND ON HIS SHOULDER, AND HE [THUS] SUSPENDED [THE SACRIFICE] AND FLAYED [IT].[1] THEN HE TORE IT AND TOOK OUT ITS EMURIM, PLACED THEM IN A TRAY AND BURNT THEM ON THE ALTAR.

THE FIRST DIVISION WENT OUT AND SAT DOWN ON THE TEMPLE MOUNT,[2] THE SECOND [SAT] IN THE HEL,[3] WHILE THE THIRD REMAINED IN ITS PLACE. WHEN IT GREW DARK THEY WENT OUT AND ROASTED THEIR PASCHAL LAMBS.

GEMARA. R. Isaac said: The Passover offering was not slaughtered except in three divisions each consisting of thirty men. What is the reason? 'Assembly' 'congregation,' and 'Israel' [are prescribed, and] we are doubtful whether [that means] at the same time or consecutively.[4] Therefore we require three divisions each consisting of thirty men, so that if [it means] at the same time, they are there; and if consecutively, they are there. Hence fifty [in all] too are sufficient, thirty entering and preparing [their sacrifices], then ten enter and ten leave, [and another] ten enter and [another] ten leave.

THE FIRST DIVISION ENTERED etc. It was stated, Abaye said: We learned, 'They [the doors] locked themselves';[5] Raba said, We learned: THEY LOCKED. Wherein do they differ? — They differ in respect of relying on a miracle. 'Abaye said, We learned, They locked themselves'; as many as entered, entered, and we rely on a miracle.[6] Raba said, We learned, THEY LOCKED, and we do not rely on a miracle. And as to what we learned, R. Judah said: Heaven forfend that Akabia b. Mehalallel was banned! for the wisdom and fear of sin to Akabia b. Mehalallel,[7] — Abaye explains Temple Court was never closed upon any man in Israel equal in it according to his view, [while] Raba explains it according to his view. Abaye explains it according to his view: there was none in the Temple Court when it closed itself upon every man in Israel like Akabia b. Mehalallel in wisdom and fear of sin. Raba explains it according to his view: There was none in the Temple Court when they closed it on all Israel like Akabia b. Mehalallel in wisdom and the fear of sin.

Our Rabbis taught: No man was ever crushed in the Temple Court[8] except on one Passover in the days of Hillel, when an old man was crushed, and they called it 'The Passover of the crushed'.

Our Rabbis taught: King Agrippa once wished to cast his eyes on the hosts of Israel.[9] Said he to the High Priest, Cast your eyes upon the Passover sacrifices. He [thereupon] took a kidney from each, and six-hundred-thousand pairs of kidneys were found there, twice as many as those who departed from Egypt, excluding those who were unclean and those who were on a distant journey; and there was not a single Paschal lamb for which more than ten people had not registered; and they called it, 'The Passover of the dense throngs.'

'He took a kidney'! but it required burning [on the altar]? He burned them subsequently.[10] But it is written, And [Aaron's sons] shall burn it etc.,[11] [which intimates] that he must not mix the fat [portions] of one [sacrifice] with [that of] another? — He subsequently burned them each separately. But it was taught: And [the priest] shall burn then,:[12] [this teaches] that all of it must be [burnt] simultaneously.[13] But it was a mere seizure, i.e., he took it from them until they gave him something else.[14]

THE PRIESTS STOOD IN ROWS etc. What is the reason? Shall we say, lest they take [a basin] of gold and return [a basin] of silver;[15] then here too,[16] perhaps they might take [a basin] of two hundred [measures] capacity and return one of one hundred? Rather, [the reason is] that it is more becoming thus.[17]

AND THE BASINS DID NOT HAVE [FLAT] BOTTOMS etc. Our Rabbis taught: None of the basins in the Temple had [flat] bottoms, except the basins of the frankincense for the shewbread, lest they put them down and they break up the bread.[18]

AN ISRAELITE KILLED AND THE PRIEST CAUGHT [THE BLOOD] etc. Is then an Israelite indispensable?[19] — He [the Tanna] informs us that very fact, viz., that the shechitah is valid [when done] by a lay Israelite. AND THE PRIEST CAUGHT [THE BLOOD] informs us this: from the receiving of the blood and onwards it is a priestly duty.

HE HANDED IT TO HIS COLLEAGUE. You can infer from this that carrying without moving the feet is carrying![20] [No:] perhaps he moved slightly [too]. Then [in that case] what does he inform us? — He informs us this: In the multitude of people is the king's glory.[21] HE RECEIVED THE FULL [BASIN] AND GAVE BACK THE EMPTY ONE etc. But not the reverse.[22] This supports R. Simeon b. Lakish. For R. Simeon b. Lakish said: You must not postpone the precepts.[23]

THE PRIEST NEAREST THE ALTAR etc. Which Tanna [holds] that the Passover offering requires sprinkling?[24] Said R. Hisda, it is R. Jose the Galilean. For it was taught, R. Jose the Galilean said: Thou shalt sprinkle their blood against the altar, and thou shalt burn their fat:[25] 'its blood' is not said, but 'their blood'; 'its fat' is not said, but 'their fat'.[26] This teaches concerning the firstling, the tithe [of animals] and the Passover offering, that they require the presenting of blood and emurim at the altar.[27] How do we know that they require [sprinkling against] the base? — Said R. Eleazar: The meaning of 'sprinkling' is deduced from, a burnt-offering.[28] Here it is written, thou shalt sprinkle their blood against the altar, while there it is written, And Aaron's sons, the priests, shall sprinkle its blood against the altar round about:[29] just as the burnt-offering requires [sprinkling against] the base, so does the Passover offering too require [sprinkling against] the base.

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(1) But the staves might not be used on that day.

(2) If the fourteenth fell on the Sabbath, as they could not carry their sacrifices home and had to wait for the evening.

(3) A place within the fortification of the Temple (Jast.); v. Mid. I, 5.

(4) And each expression denotes a minimum of ten.

(5) Or, were locked-miraculously, without human agency.

(6) That the doors should shut themselves when sufficient had entered.

(7) V. 'Ed. V, 6 for the whole discussion. 'Was never closed' — on the eve of Passover, at the sacrificing of the Paschal lambs.

(8) In spite of the enormous crowds that thronged it.

(9) I.e., to take a census of the Jewish people. This was an unpopular proceeding, as it was regarded as of unfortunate omen; cf. I Chron. XXI. In addition, a census was looked upon with suspicion as being the possible precursor of fresh levies and taxation, and the decision of Quirinius, the governor of Syria, to take a census in Judea (c. 6-7 C.E.) nearly precipitated a revolt; v. Graetz. History of the Jews (Eng. translation) II, ch. V. pp. 129 seq. According to Graetz (op. cit.

p. 252) the present census was undertaken by Agrippa II in the year 66 C.E. as a hint to the Roman powers not to underrate the strength of the Jewish people, and therefore avoid driving them too far by the cruelty and greed of the Procurator, at that time Gessius Florus. Graetz assumes that an extra large number flocked to Jerusalem on that occasion, and it is then that the old man was suffocated. This however does not agree with the statement that the man was crushed in the days of Hillel, which is a far earlier date, Hillel having flourished or commenced his Patriarchate one hundred years before the destruction of the Temple, i.e., 30 B.C.E.

(10) After the event.

(11) Lev. III, 5.

(12) Lev. III, 16.

(13) All the parts of the sacrifice which are burnt on the altar (called emurim) must be burnt at the same time. Here, however, the kidneys would be burnt separately.

(14) The unpopularity of the census (v. p. 326, n. 2) may have necessitated this procedure.

(15) Which is 'descending in sanctity', and this must be avoided.

(16) I.e., even with the present arrangements.

(17) The general beauty and dignity of the proceedings are thereby enhanced.

(18) These vessels were kept near the shewbread, and if they were not provided with a base to stand on they might fall against the rows of shewbread and break up their formation.

(19) Lit., 'is it not enough that it should not be an Israelite?' — Surely a priest too could kill it!

(20) Carrying the blood to be sprinkled was one of the four services (v. supra 59b Mishnah), and there is a controversy in Zeb. 14b whether the priest actually had to walk a little for this or not. From the present passage we see that this was unnecessary.

(21) Prov. XIV, 28.

(22) It had to be done in this order.

(23) Lit., 'one must not pass by precepts', but must perform them immediately they come to hand. Thus when the full basin is held out, the next priest must accept it immediately, before returning the empty one, as the reception of the full basin on its way to the sprinkling is a religious service.

(24) From the distance, and not just pouring out; v. infra 121a.

(25) Num. XVIII, 17.

(26) Though the passage treats of one sacrifice only, viz., the firstling. The plural possessive suffix indicates that other sacrifices too are included in this law.

(27) These are the only sacrifices in connection with which it is not mentioned elsewhere, hence the plural is applied to them. Furthermore, Scripture states 'thou shalt sprinkle' (tizrok), not 'thou shalt pour out' (tishpok).

(28) Lit., '"sprinkling", "sprinkling" is deduced from a burnt-offering'.

(29) Lev. I, 11.

Talmud - Mas. Pesachim 65a

And how do we know it of the burnt-offering itself? — Scripture saith, at the base of the altar of the burnt-offering:[1] this proves that the burnt-offering requires [sprinkling at] the base.[2]

THE FIRST DIVISION WENT OUT etc. A Tanna taught: It [the third division] was called the slothful division.[3] But It was impossible otherwise? What should they have done! — Even so, they should have hurried themselves, as it was taught: Rabbi said: The world cannot exist without a perfume maker and without a tanner: happy is he whose craft is [that of] a perfume maker, [and] woe to him whose craft is [that of] a tanner. Nor can the world exist without males and females: happy is he whose children are males, [and] woe to him whose children are females.[4]

AS HE DID ON WEEK-DAYS etc. Without whose consent?[5] — Said R. Hisda, Without the consent of R. Eliezer; for if [the ruling of] the Rabbis [is regarded], surely they maintain that it is a shebuth,[6] and a shebuth is not [interdicted] in the Temple. What is this [allusion]? — For it was taught: Whether he milks, sets milk [for curdling],[7] or makes cheese, [the standard for culpability is] as much as a dried fig. He who sweeps [the floor], lays [the dust by sprinkling water], and removes

loaves of honey, [if he does this] unwittingly on the Sabbath, he is liable to a sin-offering; if he does it deliberately on a Festival, he is flagellated with forty [lashes]: this is R. Eliezer's view. But the Sages maintain: In both cases it is [forbidden] only as a shebuth.[8] R. Ashi said: You may even say, [it means] without the consent of the Sages, this agreeing with R. Nathan. For it was taught, R. Nathan said: A shebuth that is necessary they permitted [in the Temple]; [but] a shebuth which is not necessary they did not permit.

R. JUDAH SAID: HE USED TO FILL A GOBLET etc. It was taught, R. Judah said: He used to fill goblet with the mingled blood,[9] so that should the blood of one of them be spilled, it is found that this renders it fit. Said they to R. Judah, But surely it [this mingled blood] had not been received in a basin? How do they know?[10] Rather, they said thus to him: Perhaps it was not caught in a vessel?[11] I too, he answered them, spoke only of that which was received in a vessel. How does he know?[12] The priests are careful. If they are careful, why was it spilled? — Because of the speed with which they work,[13] it is spilled.

But the draining blood[14] is mixed with it?[15] — R. Judah is consistent with his view, for he maintained, The draining blood is [considered] proper blood. For it was taught: The draining blood is subject to a 'warning';[16] R. Judah said: It is subject to kareth.[17] But surely R. Eleazar said, R. Judah agrees in respect to atonement, that it does not make atonement, because it is said, for it is the blood that maketh atonement by reason of life:[18]

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(1) Lev. IV, 7.

(2) For in fact the altar was not used for the burnt-offering exclusively, the very sentence quoted treating of a sin-offering. Hence the verse must mean, at the base of the altar, as is done with the burnt-offering.

(3) For remaining to the last.

(4) This was not said in a spirit of contempt for the female sex, but in the realization of the anxieties caused by daughters; v. Sanh. 100b, (Sonc. ed.) p. p. 681).

(5) I.e., on whose view is this wrong?

(6) V. Glos.

(7) Rashi, Jast.: beats milk into a pulp.

(8) Which is only a Rabbinical prohibition, and involves neither a sin-offering nor flagellation, v. Shab. 95a.

(9) Lit., 'the blood of those which were mixed'.

(10) This is an interjection: how do the Rabbis, who raise this objection, know that it was not caught in a vessel?

(11) But poured straight from the animal's throat on to the ground. Rashi: in that case sprinkling is of no avail. Tosaf.: sprinkling, if already performed, is efficacious, but such blood must not be taken up to the altar in the first place.

(12) That it was caught in a vessel? For R. Judah prescribed this merely because the blood might have been spilled; then how can it be remedied with blood about which there is a doubt?

(13) Zariz denotes both careful and speedy; they hurried to catch the blood, present it at the altar, and sprinkle it.

(14) Tamzith denotes the last blood which slowly drains off the animal, contrad. to the lifeblood, which gushes forth in a stream.

(15) Whereas the 'life-blood' is required for sprinkling.

(16) This is a technical designation for a negative injunction whose violation is punished by lashes. But it involves no kareth, as does the consuming of the life-blood (v. Lev. XVII, 10f).

(17) Just like life-blood. Hence it is also the same in respect to sprinkling.

(18) Ibid.

Talmud - Mas. Pesachim 65b

blood wherewith life departs, makes atonement; and blood wherewith life does not depart, does not make atonement? — Rather [reply],[1] R. Judah is consistent with his view, for he maintained: Blood cannot nullify [other] blood.[2]

It was taught, R. Judah said to the Sages: On your view, why did they stop up [the holes in] the Temple Court?[3] Said they to him: It is praiseworthy for the sons of Aaron [the priests] to walk in blood up to their ankles. But it interposed?[4] — It is moist [liquid] and does not interpose. As it was taught: Blood, ink, honey and milk, if dry, interpose; if moist, they do not interpose.[5] But their garments become [blood-] stained, whereas It was taught: If his garments were soiled and he performed the service, his service is unfit? And should you answer that they raised their garments.[6] surely it was taught: [And the priest shall put out] his linen measure:[7] [that means] that it must not be [too] short nor too long?[8] — [They could raise them] at the carrying of the limbs to the [Altar] ascent, which was not a service. Was it not? But since it required the priesthood, it was a service! For it was taught, And the priest shall offer the whole, [and burn it] on the altar:[9] this refers to the carrying of the limbs to the [altar] ascent. — Rather [they could raise them] at the carrying of the wood to the [altar] pile, which was not a service. Nevertheless, how could they walk when carrying the limbs to the [altar] ascent and when carrying the blood? They walked on balconies.[10]

HOW DID THEY HANG UP [THE SACRIFICES] AND FLAY [THEM] etc. THEN HE TORE IT OPEN AND TOOK OUT ITS EMURIM, PLACED THEM ON A TRAY AND BURNT THEM [ON THE ALTAR]. Did he then burn them himself?[11] Say, To burn them on the altar.

THE FIRST DIVISION WENT OUT etc. A Tanna taught: Each one placed his paschal lamb in its hide and slung it behind him. Said R. ‘Ilish: In Arab-like fashion.[12]

C H A P T E R V I

MISHNAH. THESE THINGS IN [CONNECTION WITH] THE PASSOVER OFFERING OVERRIDE THE SABBATH: ITS SHECHITAH AND THE SPRINKLING OF ITS BLOOD AND THE CLEANSING OF ITS BOWELS AND THE BURNING OF ITS FAT. BUT ITS ROASTING AND THE WASHING OF ITS BOWELS DO NOT OVERRIDE THE SABBATH. ITS CARRYING[13] AND BRINGING IT FROM WITHOUT THE TEHUM[14] AND THE CUTTING OFF OF ITS WART DO NOT OVERRIDE THE SABBATH. R. ELIEZER SAID: THEY DO OVERRIDE [THE SABBATH]. SAID R. ELIEZER, DOES IT NOT FOLLOW A FORTIORI: IF SHECHITAH, WHICH IS [USUALLY FORBIDDEN] AS A LABOUR, OVERRIDES THE SABBATH, SHALL NOT THESE, WHICH ARE [ONLY FORBIDDEN] AS A SHEBUTH, OVERRIDE THE SABBATH?[15] R. JOSHUA ANSWERED HIM, LET FESTIVAL[S] REBUT[16] IT, WHEREIN THEY PERMITTED LABOUR AND FORBADE A SHEBUTH.[17] SAID R. ELIEZER TO HIM, WHAT IS THIS, JOSHUA, WHAT PROOF IS A VOLUNTARY ACT IN RESPECT OF A PRECEPT! R. AKIBA ANSWERED AND SAID, LET HAZA'AH[18] PROVE IT, WHICH IS [PERFORMED] BECAUSE IT IS A PRECEPT AND IS [NORMALLY FORBIDDEN ONLY] AS A SHEBUTH, YET IT DOES NOT OVERRIDE THE SABBATH;[19] SO YOU TOO, DO NOT WONDER AT THESE, THAT THOUGH THEY ARE [REQUIRED] ON ACCOUNT OF THE PRECEPT AND ARE [ONLY FORBIDDEN] AS A SHEBUTH, YET THEY DO NOT OVERRIDE THE SABBATH. SAID R. ELIEZER TO HIM, BUT IN RESPECT OF THAT [ITSELF] I ARGUE: IF SHECHITAH, WHICH IS A LABOUR, OVERRIDES THE SABBATH, IS IT NOT LOGICAL THAT HAZA'AH, WHICH IS [ONLY] A SHEBUTH, OVERRIDES THE SABBATH!

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(1) To the question, ‘But the draining blood is mixed with it’.

(2) Therefore there must be a little of proper (i.e., life-) blood, if spilled in this goblet of mixed blood, and that is sufficient for atonement.

(3) On the eve of Passover they stopped up the holes through which the blood of the sacrifices passed out to the stream of Kidron.

(4) Between the pavement and their feet, whereas they had to stand actually on the pavement itself, Zeb. 15b.

(5) When a person takes a ritual bath (tebillah), nothing must interpose between the water and his skin; if something does

interpose, it invalidates the bath.
(6) I.e., they made them short, so that they did not reach down to the blood.
(7) E.V. Garment. Lev. VI, 3.
(8) But reach exactly to the ground.
(9) Lev. I, 13.
(10) Projecting boards alongside the walls.
(11) This was not necessarily done by the same priest.
(12) In the fashion of Arab merchants, Rashi. Jast.: in the manner of travellers.
(13) Lit., 'riding' — i.e., carrying it upon one's shoulder.
(14) V. Glos.
(15) 'Labour' (מלאכה) denotes work regarded as Biblically forbidden, whereas a shebuth is only a Rabbinical interdict.
(16) Lit., 'prove'.
(17) Lit., 'they permitted (that which is forbidden on the Sabbath) on account of labour' etc. Slaughtering and cooking, for example, are permitted on Festivals, whereas bringing food from without the tehum which is only a Rabbinical prohibition, is forbidden.
(18) Haza'ah connotes the sprinkling of the waters of purification (v. Lev. XIV, 7, 16; Num. XIX, 19) upon an unclean person; zerikah, the sprinkling of the blood of the sacrifice upon the altar.
(19) If the seventh day of the unclean person (v. Num. ibid.) falls on the Sabbath, which happens to be the eve of

Talmud - Mas. Pesachim 66a

SAID R. AKIBA TO HIM, OR ON THE CONTRARY: IF HAZA'AH, WHICH IS [FORBIDDEN] AS A SHEBUTH, DOES NOT OVERRIDE THE SABBATH,[1] THEN SHECHITAH, WHICH IS [NORMALLY FORBIDDEN] ON ACCOUNT OF LABOUR, IS IT NOT LOGICAL THAT IT DOES NOT OVERRIDE THE SABBATH.[2] AKIBA! SAID R. ELIEZER TO HIM, YOU WOULD ERASE WHAT IS WRITTEN IN THE TORAH, [LET THE CHILDREN OF ISRAEL PREPARE THE PASSOVER SACRIFICE] IN ITS APPOINTED TIME,[3] [IMPLYING] BOTH ON WEEK-DAYS AND ON THE SABBATH. SAID HE TO HIM, MASTER, GIVE ME AN APPOINTED TIME FOR THESE AS THERE IS AN APPOINTED SEASON FOR SHECHITAH![4] R. AKIBA STATED A GENERAL RULE: WORK WHICH COULD BE DONE ON THE EVE OF THE SABBATH OVERRIDES[5] THE SABBATH; SHECHITAH, WHICH COULD NOT BE DONE ON THE EVE OF THE SABBATH, DOES OVERRIDE THE SABBATH.

GEMARA. Our Rabbis taught: This halachah was hidden from [i.e., forgotten by] the Bene Bathyra.[6] On one occasion the fourteenth [of Nisan] fell on the Sabbath, [and] they forgot and

Passover, R. Akiba holds that the haza'ah must not be performed, though the man is thereby prevented from joining in the Passover sacrifice. did not know whether the Passover overrides the Sabbath or not. Said they, 'Is there any man who knows whether the Passover overrides the Sabbath or not?' They were told, 'There is a certain man who has come up from Babylonia, Hillel the Babylonian by name, who served[7] the two greatest men of the time,[8] and he knows whether the Passover overrides the Sabbath or not [Thereupon] they summoned him [and] said to him, 'Do you know whether the Passover overrides the Sabbath or not?' 'Have we then [only] one Passover during the year which overrides the Sabbath?' replied he to them, 'Surely we have many more than two hundred Passovers during the year which override the Sabbath![9] Said they to him, 'How do you know it?'[10] He answered them, 'In its appointed time' is stated in connection with the Passover, and 'In its appointed time'[11] is stated in connection with the tamid; just as 'Its appointed time' which is said in connection with the tamid overrides the Sabbath, so 'Its appointed time' which is said in connection with the Passover overrides the Sabbath. Moreover, it follows a minori, if the tamid, [the omission of] which is not punished by kareth, overrides the Sabbath, then the Passover,[neglect of] which is punished by kareth,[12] is it not logical that it overrides the Sabbath! They immediately set

him at their head and appointed him Nasi [Patriarch] over them,[13] and he was sitting and lecturing the whole day on the laws of Passover. He began rebuking them with words. Said he to them, 'What caused it for you that I should come up from Babylonia to be a Nasi over you? It was your indolence, because you did not serve the two greatest men of the time, Shemaiah and Abtalyon.' Said they to him, 'Master, what if a man forgot and did not bring a knife on the eve of the Sabbath?' 'I have heard this law,' he answered, 'but have forgotten it. But leave it to Israel: if they are not prophets, yet they are the children of prophets!' On the morrow, he whose Passover was a lamb stuck it [the knife] in its wool; he whose Passover was a goat stuck it between its horns. He saw the incident and recollected the halachah and said, 'Thus have I received the tradition from the mouth[s] of Shemaiah and Abtalyon.'

The Master said: "'In its appointed season" is stated in connection with the Passover, and "in its appointed time" is stated in connection with the tamid: just as "its appointed time" which is said in connection with the tamid overrides the Sabbath, so "its appointed time" which is said in connection with the Passover overrides the Sabbath.' And how do we know that the tamid itself overrides the Sabbath? Shall we say, because 'in its appointed time' is written in connection with it;[14] then the Passover too, surely 'in its appointed time' is written in connection with it?[15] Hence [you must say that] 'its appointed time' has no significance for him [Hillel]; then here too, 'its appointed time' should have no significance for him? — Rather Scripture saith, This is the burnt-offering of every Sabbath, beside the continual burnt-offering:[16] whence it follows that the continual burnt-offering [tamid] is offered on the Sabbath.

The Master said: 'Moreover, it follows a minori: if the tamid, [the omission of] which is not punished by kareth, overrides the Sabbath; then the Passover, [neglect of] which is punished by kareth, is it not logical that it overrides the Sabbath!' [But] this can be refuted: as for the tamid, that is because it is constant,[17] and entirely [burnt]?[18] — He first told them the a minori argument, but they refuted it; [so] then he told them the gezerah shawah. But since he had received the tradition of a gezerah shawah, what was the need of an a minori argument? — Rather he spoke to them on their own ground: It is well that you do not learn a gezerah shawah, because a man cannot argue [by] a gezerah shawah of his own accord.[19] But [an inference] a minori, which a man can argue of his own accord, you should have argued! — Said they to him, It is a fallacious a minori argument.

The Master said: 'On the morrow, he whose Passover was a lamb stuck it in its wool; [he whose Passover was] a goat stuck it between its horns.'

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(1) I regard this as certain.

(2) This is a reductio ad absurdum.

(3) Num. IX, 2.

(4) Shechitah must be done on the fourteenth; have these a similar fixed time? — surely not!

(5) Lit., 'every work. .. does not override'.

(6) 'The children of Bathyra' — they were the religious heads of Palestine at the time of this incident. — Bathyra is a town of Babylonia. [Their name is, however, generally held to be derived from the colony of that name in Batanea mentioned in Josephus, Antiquities, XVII, 2, 2, and established by Herod for the settlement of the Jews who had come from Babylon.]

(7) I.e., studied under.

(8) Lit., 'generation'.

(9) I.e., during the year more than two hundred sacrifices are offered on the Sabbath, viz., the two daily burnt-offerings and the two additional sacrifices of every Sabbath, besides the extra sacrifices offered on the Sabbath which occurs in the middle of Passover and the middle of Tabernacles.

(10) A question of such importance cannot be decided by a mere argument, however strong, but must have Biblical support, as well as the support of tradition.

(11) Num. XXVIII, 2.

(12) V. Num. IX, 13.
(13) This story of Hillel's rise to eminence contains a number of difficulties particularly (i) The ignorance of Bene Bathyra, the religious heads of the people, and (ii) the fact that there was no single head, but the authority lay in the hands of a family. V. Halevi, Doroth, I, 3. pp. 37ff, where this is discussed at great length; he maintains that the Great Sanhedrin, which was the ruling authority on all religious matters, had been abolished, and there was no single religious head at the time. [Buchler Synhedrion pp. 144ff connects this story with the controversy related infra 70b which led to the retirement of Judah b. Durtai to the south.]
(14) Which implies whenever it is.
(15) Then why is it regarded as axiomatic in the case of the former, whereas the latter must be learnt from it?
(16) Num. XXVIII, 10.
(17) Every day; in comparison therewith the Passover, which is only once a year, is not constant.
(18) Each of which fact gives it a stronger claim to override the Sabbath.
(19) A man must have received a tradition from his teachers that a particular word in the Pentateuch is meant for a gezerah shawah, but he cannot assume it himself. Hence the Bene Bathyar, not having received this tradition, could not adduce this gezerah shawah.

Talmud - Mas. Pesachim 66b

But he performed work with sacred animals?[1] [They did] as Hillel. For it was taught: It was related of Hillel, As long as he lived[2] no man ever committed trespass through his burnt-offering.[3] But he brought it unconsecrated [hullin] to the Temple Court, consecrated it, layed his hand upon it,[4] and slaughtered it.

[Yet] how might a person consecrate the Passover on the Sabbath? Surely we learned: You may not consecrate, nor make a valuation vow,[5] nor make a vow of herem,[6] nor separate[7] terumah and tithes. They said all this of Festivals, how much the more of the Sabbath! — That applies only to obligations for [the discharge of] which no time is fixed; but in the case of obligations for [the discharge of] which a time is fixed, you may consecrate. For R. Johanan said: A man may consecrate his Passover on the Sabbath, and his Festival-offering [hagigah] on the Festival.

But he drives [a laden animal]?[8] — It is driving in an unusual way.[9] [But] even driving in an unusual manner, granted that there is no Scriptural prohibition, there is nevertheless a Rabbinical prohibition? — That is [precisely] what they asked him: An action which is permitted by Scripture, while a matter of a shebuth stands before it to render it impossible,[10] such as [an action performed] in an unusual manner [standing] in the way of a precept, what then? Said he to them, 'I have heard this halachah, but have forgotten it: but leave [it] to Israel, if they are not prophets they are the sons of prophets.'

Rab Judah said in Rab's name: Whoever is boastful, if he is a Sage. his wisdom departs from him; if he is a prophet, his prophecy departs from him. If he is a Sage, his wisdom departs from him: [we learn this] from Hillel. For the Master said, 'He began rebuking them with words,' and [then] he said to them, 'I have heard this halachah, but have forgotten it'.[11] If he is a prophet, his prophecy departs from him: [we learn this] from Deborah. For it is written, The rulers ceased in Israel, they ceased, until that I arose, Deborah, I arose a mother in Israel;[12] and it is written, Awake, awake, Deborah, awake, awake, utter a song.[13]

Resh Lakish said: As to every man who becomes angry, if he is a Sage, his wisdom departs from him; if he is a prophet, his prophecy departs from him. If he is a Sage, his wisdom departs from him: [we learn this] from Moses. For it is written, And Moses was wroth with the officers of the host etc.;[14] and it is written, And Eleazar the Priest said unto the men of war that went to the battle: This is the statute of the law which the Lord hath commanded Moses etc.,[15] whence it follows that it had been forgotten by Moses.[16] If he is a prophet, his prophecy departs from him: [we learn this] from

Elisha. Because it is written, ‘were it not that I regard the presence of Johoshaphat the king of Judah, I would not look toward thee, nor see thee’,[17] and it is written, ‘But now bring me a minstrel,’ And it came to pass, when the minstrel played, that the hand of the Lord [i.e., the spirit of prophecy] came upon him.[18]

R. Mani b. Pattish said: Whoever becomes angry, even if greatness has been decreed for him by Heaven, is cast down. Whence do we know it? From Eliab, for it is said, and Eliab's anger was kindled against David, and he said: ‘Why art thou come down? and with whom hast thou left those few sheep in the wilderness? I know thy presumptuousness, and the naughtiness of thy heart; for thou art come down that thou mightest see the battle.’[19] And when Samuel went to anoint him [sc. a king], of all [David's brothers] it is written, neither hath the Lord chosen this,[20] whereas of Eliab it is written, But the Lord saith unto Samuel, ‘Look not on his countenance, or on the height of his stature; because I have rejected him’:[21] hence it follows that He had favoured him until then.

We have [thus] found that the tamid and the Passover override the Sabbath; how do we know that they override uncleanness?[22] — I will tell you: just as he learns the Passover from the tamid in respect to the Sabbath, so also does he learn the tamid from the Passover in respect to uncleanness. And how do we know it of the Passover itself? — Said R. Johanan. Because the Writ saith, If any man of you shall be unclean by reason of a dead body:[23] a man [i.e.. an individual] is relegated to the second Passover,[24] but a community is not relegated to the second Passover, but they must offer it in [a state of] uncleanness. R. Simeon b. Lakish said to R. Johanan: Say, a man is relegated to the second Passover, [whereas] a community has no remedy [for its uncleanness]. neither on the first Passover not on the second Passover? Rather, said R. Simeon b. Lakish. [It is deduced] from here: [Command the children of Israel,] that they send out of the camp of every leper, and every one that hath an issue, and whosoever is unclean by the dead:[25] let [Scripture] state those who are unclean by the dead, and not state zabin[26] and lepers, and I would argue, if those who are unclean by the dead are sent out [of the camp]. how much the more zabin and lepers![27]

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(1) Which is forbidden, v. Deut. XV, 19: thou shalt do no work with the firstling of thine ox — a firstling being sacred.

(2) Lit., ‘from his days’.

(3) I.e.. through making unlawful use of the consecrated animal.

(4) v. Lev. I, 4: and he shall lay his hand upon the head of the burnt-offering.

(5) I.e.. vow your own value to the Temple; v. Lev. XXVII, 2-13.

(6) A vow dedicating an object for priestly use, ibid. 28 seq.

(7) Lit., ‘raise’, ‘lift off’.

(8) Which is likewise forbidden.

(9) Lit., ‘as in a back-handed manner’ — an idiom connoting an unusual way of doing anything. Sheep and goats are not employed as beasts of burden, hence this is unusual, whereas by Scriptural law work is forbidden on the Sabbath and Festivals only when performed in the usual way.

(10) Lit., ‘to eradicate it’.

(11) Though his rebuke was probably justified and timely, he should not have drawn attention to his own promotion.

(12) Judg. V, 7.

(13) Ibid. 12; thus after boasting that she was a mother in Israel, she had to be urged to awake and utter song. i.e., prophecy, the spirit having departed from her.

(14) Num. XXXI, 14.

(15) Num. XXXI, 21.

(16) Lit., ‘it had become hidden from Moses’.

(17) II Kings III, 14; this was an expression of anger.

(18) Ibid. 15.

(19) I Sam. XVII, 28.

(20) Ibid. XVI, 8f. passim.

(21) Ibid. 7.

(22) If the larger part of the community is unclean, these offerings are still sacrificed.
(23) Num. IX, 10.
(24) I.e., in the second month, ibid. II.
(25) Num. V, 2.
(26) Those who have an issue. Pl. of zab,q.v. Glos.
(27) Their uncleanness is more stringent, since it emanates from themselves.

Talmud - Mas. Pesachim 67a

But [it intimates,] there is a time when zabin and lepers are sent out, whereas those who are unclean by the dead are not sent out; and when is that? It is [when] the Passover comes [is sacrificed] in uncleanness.

Said Abaye, If so, let us also argue: 'Let [Scripture] state a zab and those who are unclean by the dead, and let it not state a leper, and I would argue, If a zab is sent out, how much the more a leper; but [the fact that a leper is stated intimates] there is a time when lepers are sent out, whereas zabin and those who are unclean by the dead are not sent out, and when is that? It is [when] the Passover comes in uncleanness'? And should you say. That indeed is so-surely we learned: The Passover which comes in uncleanness, zabin and zaboth, menstruant women and women in childbirth must not eat thereof, yet if they ate, they are not liable [to kareth]? Rather, said Abaye. After all, [it is derived] from the first verse;[1] [and as to the question raised,[2] the reply is]. If so,[3] let the Divine Law write, 'If any man of you shall be unclean'; what is the purpose of 'by reason of a dead body'? And should you say, this [phrase] 'by reason of a dead body' comes for this [purpose, viz..] only he who is unclean by reason of a dead body is relegated to the second Passover, but not other unclean [persons], surely' it was taught: You might think that only those who are unclean by the dead and he who was on a distant journey keep the second Passover; whence do we know [to include] zabin and lepers and those who had intercourse with menstruant women?[4] Therefore it is stated, 'any man'.[5] Then what is the purpose of [the phrase] 'by reason of a dead body' which the Divine Law wrote? But this is what [Scripture] states: A man [i.e.. an individual] is relegated to the second Passover, whereas a community is not relegated to the second Passover, but they keep [the first Passover] in uncleanness. And when do the community keep [the first Passover] in uncleanness? When [they are] unclean by reason of the dead; but in the case of other forms of uncleanness, they do not keep [it thus].

R. Hisda said: If a leper entered within his barrier,[6] he is exempt [from flagellation],[7] because it is said, he shall dwell solitary; without the camp shall his dwelling be:[8] the Writ transformed it [his prohibition] into a positive command.[9] An objection is raised: A leper who entered within his barrier [is punished] with forty lashes; zabin and zaboth who entered within their barrier [are punished] with forty lashes; while he who is unclean by the dead is permitted to enter the Levitical camp;[10] and they said this not only [of] him who is unclean by the dead but even [of] the dead himself, for it is said, And Moses took the bones of Joseph with him,[11] 'with him' [implying] within his barrier [precincts]![12] — It is [a controversy of] Tannaim. For it was taught: 'He shall dwell solitary': [that means,] he shall dwell alone so that other unclean persons[13] should not dwell with him.[14] You might think that zabin and unclean persons are sent away to one [the same] camp; therefore it is stated, that they defile 'not their camps:[15] [this is] to assign a camp for this One and a camp for that one: this is R. Judah's opinion. R. Simeon said, It is unnecessary. For lo, it is said, '[Command the children of Israel] that they send out of the camp every leper, and everyone that hath all issue, and whosoever is unclean by the dead'.[16] Now, let [Scripture] state those who are unclean by the dead and not state zab, and I would say, if those who are unclean by the dead are sent out, how much the more zabin! Why then is zab stated? To assign a second camp to him. And let [Scripture] state zab and not state leper, and I would say, if zabin are sent out, how much the more lepers! Why then is a leper stated? To assign a third camp to him. When it states, 'he shall dwell solitary', the Writ transforms it [the

prohibition] into a positive command.[17]

What is the greater stringency of a zab over him who is unclean by reason of the dead?[18] — Because uncleanness issues upon him from his own body. On the contrary, he who is unclean by the dead is more stringent, since he requires sprinkling on the third and the seventh [days]?[19] — Scripture saith, [instead of] 'the unclean,' 'and whosoever [kol] is unclean,'[20] to include him who is unclean through a reptile, and a zab is more stringent than he who is unclean through a reptile; and what is his greater stringency? As we have stated.[21] On the contrary, a reptile is more stringent, since it defiles [even] accidentally?[22] I will tell you:

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(1) Num. IX, 10.

(2) By Resh Lakish.

(3) That the deduction is to be made as R. Simeon b. Lakish proposes.

(4) Which act defiles them.

(5) Heb. ish ish: the doubling indicates extension, and therefore includes these.

(6) I.e., into the precincts that are forbidden to him.

(7) Though he thereby transgressed the negative injunction, that they defile not their camp. — Num. V, 3.

(8) Lev. XIII, 46.

(9) Only a negative command involves flagellation, but not a positive command. Though a negative command is stated in this connection, this verse teaches that he is regarded as having violated a positive command only.

(10) The whole of the Temple Mount outside the walls of the Temple Court is so called.

(11) Ex. XIII, 19.

(12) Moses was a Levite.

(13) E.g., zabin and those unclean through the dead.

(14) This shows that his uncleanness is greater and stricter than theirs.

(15) Num. V, 3: 'camps'. plural.

(16) Num. V, 2.

(17) Since according to R. Simeon this can have no other purpose; thus we have a controversy of Tannaim.

(18) That the former could be deduced as stated a minori from the latter.

(19) V. Num. XIX. 19.

(20) I.e., Scripture employs the second, more-embracing phrase, where the first would suffice.

(21) That the uncleanness emanates from himself. Hence the reference to a zab is superfluous, and therefore it teaches as above.

(22) I.e., even if it touches the person by accident. But a discharge makes a man unclean as a zab only if it issues of its own accord. If, however, It is caused by an 'accident', e.g.. physical over-exertion or highly-seasoned food, he is not unclean.

Talmud - Mas. Pesachim 67b

To that extent[1] a zab too is certainly defiled through an accident, in accordance with R. Huna. For R. Huna said: The first discharge[2] of a zab defiles [when it is caused] by an accident.[3]

What is the greater stringency of a leper over a zab? Because he requires peri'ah[4] and rending [of garments], and he is forbidden sexual intercourse.[5] On the contrary, a zab is more stringent, because he defiles couch and seat,[6] and he defiles earthen vessels by hesset?[7] — Scripture saith, [instead of] 'a leper', 'and every [kol] leper'[8] to include a ba'al keri;[9] and a leper is more stringent than a ba'al keri, and what is his greater stringency? As we have stated.[10] On the contrary, a ba'al keri is more stringent, because he defiles by the smallest quantity [of semen]?[11] — He agrees with R. Nathan. For it was taught, R. Nathan said on the authority of R. Ishmael: A zab requires [a discharge of matter] sufficient for the closing of the orifice of the membrum, but the Sages did not concede this to him. And he holds that a ba'al keri is assimilated to a zab.[12] What is the purpose of 'and every [kol] leper'?[13] — Since 'every one [kol] that hath an issue' is written, 'every [kol] leper' too is written.[14]

Now [as for] R. Judah. [surely] R. Simeon says well?[15] — He requires that[16] for what was taught; R. Eliezer said: You might

days, but only until evening, while a reptile too defiles until evening only. think, if zabin and lepers forced their way through and entered the Temple Court at a Passover sacrifice which came in uncleanness,[17] — you might think that they are culpable; therefore it is stated, [‘Command the children of Israel,] that they send out of the camp every leper’, and every one that hath an issue [zab], and whosoever is unclean by the dead’: when those who are unclean by the dead are sent out, zabin and lepers are sent out; when those who are unclean by the dead are not sent out, zabin and lepers are not sent out.

The Master said: ‘"And every [kol] one that hath an issue" is to include a ba'al keri’. This supports R. Johanan. For R. Johanan said: The cellars [under the Temple] were not consecrated; and a ba'al keri is sent without the two camps.[18]

An objection is raised: A ba'al keri is like [a person defiled through] contact with a reptile. Surely that means in respect of their camp?[19] No: [it means] in respect of their uncleanness.[20] [You say] ‘In respect of their uncleanness!’ [Surely] uncleanness until evening is written in connection with the one, and uncleanness until evening is written in connection with the other?[21] Hence it must surely mean in respect of their camp! — No: after all [it means] in respect of their uncleanness, and he informs us this: that a ba'al keri is like [a person defiled through] the contact of the reptile: just as the contact of a reptile defiles [even] accidentally, so is a ba'al keri defiled [when the semen is discharged] accidentally.[22] An objection is raised:

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(1) Lit., ‘in such a manner’ as that defilement caused by a reptile.

(2) Lit., seeing’ — of discharge.

(3) He is not unclean as a zab, for a period of seven

(4) Letting the hair grow long and neglected, v. Lev. XIII, 45.

(5) V. M.K. 7b.

(6) This is a technical phrase. He defiles that whereon he lies or sits, imposing such a high degree of uncleanness on it that if a man touches it he in turn becomes so unclean as to defile his garments, even if they did not touch it. But a leper, though he too defiles couch and seat, the degree of uncleanness is less, and the man who touches it becomes unclean only in so far that he in turn defiles food and drink, but not his garments, nor can he defile any other utensils by touch. — Rashi. But Maim. and others omit this passage, whence it appears that they do not accept this distinction; v. also Tosaf. a.l. s.v. שכן.

(7) Lit., ‘shaking’. A zab defiles an earthen vessel when he causes it to move through his weight. e.g., if it is standing on one end of a rickety bench and he sits down on the other, causing it to move upwards, as on a see-saw.

(8) V. p. 341. n. 5.

(9) A man who has discharged semen.

(10) Rashi understands this as part of the following question: Now what is his greater stringency as stated? On the contrary etc.

(11) Whereas for leprosy there must be at least as much as a bean (geris).

(12) As it is written, This is the law of him that hath an issue (zab), and of him from whom the flow of seed goeth out (ba'al keri) — Lev. XV, 32. Thus a ba'al keri too requires a certain minimum; hence a leper is more stringent, and therefore a leper is mentioned in order to assign a third camp to him.

(13) I.e., the ‘kol’ written in connection with a leper.

(14) For the sake of parallelism.

(15) What then is the purpose of the verse quoted by R. Judah supra 67a?

(16) Sc. the verse employed by R. Simeon for this purpose.

(17) I.e., when the community as a whole was unclean.

(18) Viz., the camp of the Shechinah (the place of the Sanctuary) and the Levitical camp, just like a zab. R. Johanan heard these two teachings from his master (Rashi).

(19) I.e., just as a man who is defiled by a reptile is sent out from the camp of the Shechinah only. i.e., from the Temple, so is a ba'al keri.

(20) Neither is unclean for seven days, but only until the evening.

(21) V. Lev. XI, 24; XV, 16. Hence the comparison is pointless and unnecessary.

(22) V. supra 67a bottom and note a.l.

Talmud - Mas. Pesachim 68a

He who has intercourse with a niddah[1] is like he who is unclean by the dead.[2] In respect of what: shall we say, in respect of their uncleanness, — but uncleanness for seven [days] is written in connection with the one, and uncleanness for seven days is written in connection with the other?[3] Hence it must surely be in respect of their camp;[4] and since the second clause is in respect of their camps, the first clause too is in respect of their camps? — What argument is this! the one is as stated, and the other is as stated.[5]

An objection is raised: A leper is more stringent than a zab,[6] and a zab is more stringent than he who is unclean by the dead.[7] A ba'al keri is excepted, for he who is unclean by the dead is more stringent than he. What does ‘is excepted’ mean? Surely [it means], he is excepted from the rule of a zab and is included[8] in the rule of him who is unclean by the dead, seeing that he who is unclean by the dead is more stringent than he, and [yet] he is permitted within the Levitical camp? — No: [it means that] he is excepted from the camp of him who is unclean by the dead and is included in the camp of a zab; and though he who is unclean by the dead is more stringent than he, and [yet] he may enter the Levitical camp. [nevertheless] we compare him [the ba'al keri] to what is like himself.[9]

A tanna recited before R. Isaac b. Abdimi: Then he shall go abroad out of the camp:[10] this means the camp of the Shechinah;[11] he shall not come within the camp:[12] this means the Levitical camp. From this [we learn] that a ba'al keri must go without the two camps.[13] Said he to him, You have not yet brought him in that you should [already] expel him![14] Another version: you have not yet expelled him, and [already] you [discuss whether] he should enter![15] Rather say: ‘abroad out of the camp’ — this is the Levitical camp; ‘he shall not come within the camp’- that is the camp of the Shechinah. To this Rabina demurred: Assume that both refer to the camp of the Shechinah, [it being repeated] so that he should violate an affirmative command and a negative command on its account? If so, let Scripture say, ‘Then he shall go abroad out of the camp’ and ‘he shall not enter": what is the purpose of ‘within the camp’? Infer from it that it is to prescribe another camp for him.[16]

AND THE CLEANSING [MIHUY] OF ITS BOWELS. What is THE CLEANSING OF ITS BOWELS? — R. Huna said: [It means] that we pierce them with a knife.[17] Hiyya b. Rab said: [It means the removal of] the viscous substance of the bowels, which comes out through the pressure of the knife. R. Eleazar observed, What is Hiyya b. Rab's reason? Because it is written, and the waste places of the fat ones [mehim] shall wanderers eat.[18] How does this imply it? — As R. Joseph[19] translated: and the estates of the wicked shall the righteous inherit.[20]

Then shall the lambs feed as in their pasture [kedobram]:[21] Menassia b. Jeremiah interpreted it in Rab's name: As was spoken about them [kimedubbar bam].[22] What means ‘as was spoken about them’? — Said Abaye: ‘And the waste places of the fat ones shall wanderers eat’. Said Raba to him, If ‘the waste places’ were written, it would be well as you say;[23] since, however, ‘and the waste places’ is written, this states another thing. Rather, said Raba: [It is to be explained] as R. Hananel said in Rab's name. For R. Hananel said in Rab's name: The righteous are destined to resurrect the dead. [For] here it is written, ‘Then shall the lambs feed kedobram’, while elsewhere it is written, Then shall Bashan and Gilead feed as in the days of old.[24] [Now] Bashan means Elisha, who came from Bashan, as it is said, ‘and Janai and Shaphat in Bashan,[25] while it is written, Elisha the son of Shaphat is here, who poured water on the hands of Elijah.[26] [Again,] Gilead alludes to Elijah, for it is

said, And Elijah the Tishbite, who was of the settlers of Gilead, said [unto Ahab].[27]

R. Samuel b. Nahmani said in R. Jonathan's name: The righteous are destined to resurrect the dead, for it is said, There shall yet old men and old women sit in the broad places of Jerusalem, every man with his staff in his hand for very age;[28] and it is written, and lay my staff upon the face of the child.[29]

'Ulla opposed [two verses]. It is written, He will swallow up death for ever;[30] but it is written, For the youngest shall die a hundred years old?[31] There is no difficulty: there the reference is to Israel; here, to heathens. But what business have the heathens there? — Because it is written, And strangers shall stand and feed your flocks, and aliens shall be your plowmen and your vinedressers.[32]

R. Hisda opposed [two verses]. It is written, Then the moon shall be confounded, and the sun ashamed;[33] whereas it is written, Moreover the light of the moon shall be as the light of the sun, and the light of the sun shall be sevenfold, as the light of the seven days?[34] There is no difficulty: the former refers to the world to come;[35] the latter to the days of the Messiah.[36] But according to Samuel, who maintained, This world differs from the Messianic age only in respect of the servitude to governments,[37] what can be said? — Both refer to the world to come, yet there is no difficulty: one refers to the camp of the righteous; the other, to the camp of the Shechinah.

Raba opposed [two verses]: It is written, I kill, and I make alive;[38] whilst it is also written, I have wounded, and I heal:[39] seeing that He even resurrects, how much the more does He heal![40] But the Holy One, blessed be He, said thus: What I put to death I make alive, just as I wounded and I heal [the same person].[41]

Our Rabbis taught: 'I kill, and I make alive': You might say, I kill one person and give life to another, as the world goes on.[42] Therefore it is stated, 'I have wounded, and I heal': just as the wounding and the healing [obviously] refer to the same person, so death and life refer to the same person. This refutes those who maintain that resurrection is not intimated in the Torah.[43] Another interpretation: At first what I slay I resurrect;[44] and then, what I wounded I will heal.[45]

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(1) V. Glos.

(2) This is the conclusion of the Mishnah just quoted, Zab. V, 11.

(3) V. Lev. XV, 24; Num. XIX. 11.

(4) Both are sent out of the camp of the Shechinah only.

(5) Lit., 'as it is', i.e., each clause is governed by its own particular requirements.

(6) The leper being sent out of all three camps, whereas the zab is sent out of two only; supra 67a.

(7) The last-named being sent out of the camp of the Shechinah only.

(8) Lit., 'enters'.

(9) Viz., a zab. Thus the meaning of the Baraitha is this: A leper, a zab, and he who is unclean by the dead follow the rule that the more stringent the uncleanness the further away is he sent; but a ba'al keri is excepted from this rule, and though his uncleanness is less than that of a person unclean by the dead, he is sent further away, because he must be compared to a zab, since both are unclean through bodily discharge.

(10) Deut. XXIII, 11; the reference is to a ba'al keri.

(11) The Sanctuary.

(12) Ibid.

(13) I.e., if he is in the Temple ('the camp of the Shechinah') when he becomes a ba'al keri, he must leave both that and the Temple mount ('the Levitical camp').

(14) I.e., since Scripture states that he must not enter the Levitical camp, it follows that he is without: how then say that he is inside? (Rashi).

(15) I.e., you have not yet ordered him to leave the Levitical camp, and yet you are already forbidding him to enter.

(16) From which he must depart.

(17) To allow the dung to fall out.
(18) Isa. V, 17.
(19) [V. Targum version a.l. The Targum on the Prophets is ascribed by some to R. Joseph. V. B.K., Sonc. ed. p. 9, n. 9.]
(20) Thus he translates 'mehim' the wicked, i.e., the repulsive; similarly 'mihuy' refers to the repulsive matter, viz., the viscous substance.
(21) Ibid. One part of the verse having been quoted and translated, the Gemara proceeds to discuss the other half.
(22) I.e., in accordance with the promise made: 'lambs' is understood as meaning Israel.
(23) The second part of the verse being explanatory of the first.
(24) Mic. VII, 14.
(25) I Chron. V, 12.
(26) II Kings III, 11.
(27) I Kings XVII, 1. Now both Elijah and Elisha resurrected the dead (v. ibid. IV; I Kings XVII, 21 seq.) 'feed' is therefore understood to allude to this metaphorically; hence the same meaning is assigned to 'feed' in the first verse too, 'the lambs' being the righteous.
(28) Zech. VIII, 4.
(29) II Kings IV, 29. The staff was employed to revive the child (ibid. seq.), and the same purpose is assumed for it in the first verse.
(30) Isa. XXV, 8.
(31) Ibid. LXV, 20.
(32) Ibid. LXI, 5.
(33) Ibid. XXIV, 23.
(34) Ibid. XXX, 26.
(35) Then the sun and the moon shall be ashamed — i.e., fade into insignificance because of the light radiating from the righteous (Rashi in Sanh. 91b).
(36) V. Sanh., Sonc. ed., p. 601, n. 3.
(37) I.e., delivery from oppression.
(38) Deut. XXII, 39.
(39) Ibid.
(40) Why then state it? v. Sanh. 91b and notes a.l. in the Sonc. ed.: the point of the difficulty is explained there differently.
(41) As explained in the next passage.
(42) People dying and others being born.
(43) V. Sanh., Sonc. ed., p. 601, n. 5 and p. 604, n. 12.
(44) I.e., in the same state.
(45) After their resurrection I will heal them of the blemishes they possessed in their former life.

Talmud - Mas. Pesachim 68b

AND THE BURNING OF ITS FAT. It was taught, R. Simeon said: Come and see how precious is a precept in its [proper] time.[1] For lo! the [precept of] burning the fats and limbs and the fat-pieces is valid all night, yet we do not wait for [burning] them until nightfall.[2]

ITS CARRYING AND ITS BRINGING etc. But the following contradicts it: You may cut off a wart [of an animal] in the Temple, but not in the country,[3] and if [it is done] with a utensil [a knife], it is forbidden in both cases?[4] R. Eleazar and R. Jose b. Hanina one answered, Both refer to [removing the wart] with the hand: one refers to a moist [wart]; the other, to a dry one[5] While the other maintains, Both refer to a moist [wart], yet there is no difficulty: one means by hand, and the other means with a utensil.[6]

Now according to him who explained. 'One means by hand, and the other means with a utensil,' why did he not say. Both mean by hand, yet there is no difficulty: one refers to a moist [wart]; the other, to a dry one? — He can answer you: a dry one [just] crumbles away.[7] And according to him

who maintained, 'Both mean by hand, yet there is no difficulty: one refers to a moist [wart]; the other to a dry one'; why did he not say: Both refer to a moist [wart], yet there is no difficulty: one means by hand, and the other means with a utensil? — He can answer you: as for a utensil, Surely he [the Tanna] teaches there, 'if [it is done] with a utensil, it is forbidden in both cases!'[8] And the other?[9] That which he teaches [about] a utensil here, [is because] he comes to inform us of the controversy of R. Eliezer and R. Joshua. SAID R. ELIEZER . . . IF SHECHITAH etc. R. Joshua is consistent with his view, for he maintains, Rejoicing on a Festival too is a religious duty.[10] For it was taught, R. Eliezer said: A man has nought else [to do] on a Festival save either to eat and drink or to sit and study. R. Joshua said: Divide it: [devote] half of it to eating and drinking, and half of it to the Beth Hamidrash. Now R. Johanan said thereon: Both deduce it from the same verse. One verse says, a solemn assembly to the Lord thy God,[11] whereas another verse says, there shall be a solemn assembly unto you:[12] R. Eliezer holds: [That means] either entirely to God or entirely to you; while R. Joshua holds, Divide it: [Devote] half to God and half to yourselves.

(Mnemonic: 'abam.)[13] R. Eleazar said: All agree in respect to the Feast of Weeks ['azereth][14] that we require [it to be] 'for you' too. What is the reason? It is the day on which the Torah was given.[15] Rabbah said: All agree in respect to the Sabbath that we require [it to be] 'for you' too. What is the reason? And thou shalt call the Sabbath a delight.[16] R. Joseph said: All agree that on Purim we require 'for you' too. What is the reason? Days of feasting and gladness[17] is written in connection therewith.

Mar son of Rabina would fast[18] the whole year,[19] except on the Feast of Weeks, Purim, and the eve of the Day of Atonement. The Feast of Weeks, [because] it is the day on which the Torah was given: Purim, [because] 'days of feasting and gladness' is written in connection therewith. The eve of the Day of Atonement: for Hiyya b. Rab of Difti taught: And ye shall afflict your souls on the ninth day of the month:[20] do we then fast on the ninth? Surely we fast on the tenth! But this is to tell you: whoever eats and drinks on the ninth thereof, the Writ ascribes [merit] to him as though he had fasted on the ninth and the tenth.[21]

R. Joseph would order on the day of Pentecost: 'Prepare me a third-born calf,'[22] saying. 'But for the influence of this day.[23] how many Josephs are there in the market place!'[24]

R. Shesheth used to revise his studies every thirty days, and he would stand and lean at the side of the doorway and exclaim, 'Rejoice, O my soul, Rejoice. O my soul; for thee have I read [the Bible], for thee have I studied [the Mishnah].' But that is not so, for R. Eleazar said, But for the Torah, heaven and earth would not endure, for it is said, If not for my covenant by day and by night,I had not appointed the ordinances of heaven and earth?[25] — In the first place when a man does it [sc. studies], he does so with himself in mind.

R. Ashi said: Yet according to R. Eliezer too, who maintained that [rejoicing on] a Festival is [merely] voluntary, he can be refuted:[26] if a Festival, when labour for a voluntary [requirement] is permitted,[27] yet the shebuth which accompanies it is not permitted; then the Sabbath, whereon only labour [required for the carrying out of] a precept is permitted, is it not logical that the shebuth which accompanies it is not permitted!

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(1) I.e., as soon as it can be performed, even if it can be postponed.

(2) But do it immediately, though it is the Sabbath.

(3) Medinah, 'province'. This is the technical designation for all places outside the Temple.

(4) 'Er. 103a.

(5) Our Mishnah refers to a moist wart. Even when it is removed by hand, which is merely a Shebuth, it is forbidden, since it could have been removed the previous day. But in 'Er. 103a the reference is to a dry one, the removal of which is not even regarded as a shebuth.

(6) The former is permitted, while the latter is forbidden. — This of course is a more lenient explanation.
(7) It would not be called cutting at all.
(8) Why then should it be repeated in the present Mishnah?
(9) Does he not accept the force of this argument?
(10) Not merely permitted.
(11) Deut. XVI, 8.
(12) Num. XXIX, 35.
(13) A mnemonic is a word or phrase, whose letters or words respectively each stand for a tithe or catchword of a subject, strung together as an aid to the memory. Here 'a _ 'azereth' B _ Shabbath; M _ Purim.
(14) Lit., 'the solemn assembly' — without a further determinant this always means the Feast of Weeks.
(15) Therefore we must demonstrate our joy in it by feasting.
(16) Isa. LVIII, 13.
(17) Esth. IX, 22.
(18) Lit., 'sat in a fast'.
(19) That is if the occasion arose.
(20) Lev. XXIII, 32. The punctuation of the E.V. has been disregarded, as is required by the context.
(21) Together.
(22) I.e., the third calved by its mother. Others translate: (i) in its third year; or (ii) third grown, i.e., one that has reached a third of its full growth. On all translations this was regarded as particularly choice.
(23) Lit., 'if this day had not caused (it).'
(24) I.e., I owe my eminence to having studied the Torah, which was given on this day.
(25) Jer. XXXIII, 25. I.e., if not for my Torah, which is to
(26) Lit., 'there is a refutation for him'.
(27) I.e., shechitah, though the eating of meat, which constitutes rejoicing, is voluntary.

Talmud - Mas. Pesachim 69a

And R. Eliezer?[1] — In his view the shebuth [required] for a precept is more important.[2]

It was taught. R. Eliezer said: I argue, if[3] the necessary adjuncts of the precept which [come] after shechitah,[4] when the precept has [already] been performed, override the Sabbath; shall not the necessary adjuncts of the precept which [come] before shechitah override the Sabbath! Said R. Akiba to him: If the necessary adjuncts of the precept which [come] after shechitah override the Sabbath, the reason is[5] because the shechitah has [already] overridden the Sabbath;[6] will you say that the necessary adjuncts of the precept before the shechitah shall override the Sabbath, seeing that the shechitah has not [yet] overridden the Sabbath?[7] Another argument is: the sacrifice may be found to be unfit, and thus he will be found retrospectively to have desecrated the Sabbath.[8] If so, let us not slaughter it either, lest the sacrifice be found unfit, and thus it be found that he retrospectively desecrated the Sabbath? — Rather, he first told him this [argument], and he refuted it; and then he told him this 'the reason is etc.

be studied by day and by night, heaven and earth would not enjoy permanence. How then could R. Shesheth take such a selfish view of his studies? R. AKIBA ANSWERED AND SAID: LET HAZA'AH PROVE IT etc. It was taught, R. Eliezer said to him: 'Akiba, you have refuted me by shechitah,' by shechitah shall be his death!'[9] Said he to him 'Master, do not deny me at the time of argument:[10] I have thus received [the law] from you. [vis.] haza'ah is a shebuth and does not override the Sabbath.'[11] Then since he himself had taught it to him, what is the reason that he retracted? — Said 'Ulla: When R. Eliezer taught it to him it was concerning haza'ah for [the sake of] terumah,[12] since terumah itself does not override the Sabbath;[13] [and] R. Akiba too, when he refuted him refuted him by haza'ah for [the sake of] terumah, which is [likewise] a religious duty[14] and is [usually forbidden] as a shebuth; but he [R. Eliezer] thought that he was refuting him by haza'ah for the Passover sacrifice.[15]

Rabbah raised an objection:R.Akiba answered and said, Let the haza'ah of a person unclean through the dead prove [refute] it, — when his seventh [day] falls on the Sabbath and on the eve of Passover, so that it is a religious duty[16] and it is [only]a shebuth, yet it does not override the Sabbath.[17] Hence he [R. Eliezer] certainly taught him about haza'ah for [the sake of] the Passover sacrifice. Then since he [himself] had taught it to him what is the reason that R. Eliezer rebutted him [thus]? — R. Eliezer had forgotten his own tradition, and R. Akiba came to remind him of his tradition. Then let him tell it to him explicitly? — He thought that it would not be mannerly.[18]

Now, what is the reason that haza'ah does not override the Sabbath; consider, it is mere handling,[19] [then] let it override the Sabbath on account of the Passover sacrifice? — Said Rabbah, It is a preventive measure, lest he take it [the water of purification] and carry it four cubits in public ground.[20] But according to R. Eliezer, let us [indeed] carry it, for R. Eliezer ruled, The necessary adjuncts to a precept override the Sabbath? I will tell you: that is only when the man himself is fit [to perform the precept] and the obligation lies upon him; but here that the man himself is not fit,[21] the obligation does not lie upon him.

Rabbah said: According to the words of R. Eliezer,[22] [if there is] a healthy infant,[23] one may heat water for him to strengthen him[24] and to circumcise him on the Sabbath, since it is fit for him. [If there is] a sickly infant,[25] one may not heat hot water for him to strengthen him and to circumcise him, since it is not fit for him.[26] Said Raba: But if he is healthy, why does he need hot water to strengthen him? Rather, said Raba, all are regarded as invalids in respect to circumcision: both in the case of a strong infant or a sickly infant, one may not heat hot water for him to strengthen him and to circumcise him on the Sabbath,[27] since it is not fit for him.

Abaye raised an objection against him: An [adult] uncircumcised person who did not circumcise himself [on the eve of Passover] is punished by kareth:[28] this is the view of R. Eliezer. Now here, though the man himself is unfit, yet he states that he is punished by kareth, which proves that the obligation lies upon him.[29] — Said Rabbah: R. Eliezer holds, One may not slaughter [the Passover] and sprinkle [its blood] for him who is unclean through a reptile,

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(1) How does he rebut this argument?

(2) Hence though a shebuth is not permitted on a Festival, it nevertheless overrides the Sabbath when it is necessary for the performance of a precept.

(3) Lit., ‘and what is to me’, this being the ethic dative.

(4) I.e., the cleansing of the bowels.

(5) Lit., ‘for what is it to me’ — i.e., I need not wonder at it, for the reason that etc.

(6) Therefore it may be overridden again by a shebuth.

(7) Surely not.

(8) For no precept will have been performed.

(9) I.e., your argument is obviously a humorous one and cannot be taken seriously, since you would thereby eradicate a Scriptural law; v. Mishnah.

(10) Rashi; i.e., do not deny what you yourself have taught me — viz., that haza'ah does not override the Sabbath. Jast.: do not make me an atonement, (saying, ‘may his death be atonement’) at the time of judgment — i.e., I need no apology for my attitude; or perhaps, do not be angry with me.

(11) Consequently I am justified in using this fact to prove, by a reductio ad absurdum (since it would overthrow a Scriptural law), that your argument is fallacious.

(12) An unclean priest may not undergo haza'ah on the Sabbath in order to eat terumah in the evening.

(13) Terumah may not be separated on the Sabbath.

(14) It is the priests’ duty to eat terumah.

(15) Which he holds is permitted on the Sabbath, since otherwise the unclean person is debarred from discharging his obligation.

(16) Haza'ah will make him fit to partake of the Passover in the evening, which is a religious duty.
(17) Thus it is explicitly stated that R. Akiba argued that haza'ah, even for the sake of the Passover sacrifice, does not override the Sabbath.
(18) To tell him plainly; hence he intimated it to him indirectly.
(19) It is not a labour.
(20) Which is Scripturally forbidden.
(21) Since he is unclean.
(22) That wherever the man is unfit he has no obligation.
(23) To be circumcised on the Sabbath. 'Healthy' means that he is strong enough to be circumcised even without bathing.
(24) I.e., to make him even stronger.
(25) I.e., one who is too weak to be circumcised in his present state unless he is first bathed.
(26) For at present he is too weak; consequently it is not our duty to strengthen him so that he should be immediately liable. Tosaf.: this distinction can be drawn only according to R. Eliezer. But according to R. Akiba it is forbidden in all cases, just as haza'ah is forbidden.
(27) But the water must be prepared from the previous day.
(28) Because he could have circumcised himself after midday, when the Passover is obligatory; hence he incurs kareth for not partaking of the Passover sacrifice, v. Ex. XII, 48 and Num. IX, 10-13. He is not comparable to an unclean person or one who is on a distant journey, since they could not make themselves fit after midday, while before that there was as yet no obligation.
(29) Where it is possible to make the person fit. Hence haza'ah too should override the Sabbath, since a man is bound to make himself fit.

Talmud - Mas. Pesachim 69b

and wherever an individual would be relegated [to the second Passover], in the case of the community they keep [it] in uncleanness, and whatever is [obligatory] in the case of a community is [obligatory] in the case of an individual, and whatever is not [obligatory] in the case of a community is not [obligatory] in the case of an individual. [Hence as for the defect of] uncircumcision, where if the whole community are uncircumcised we say to them, 'Arise, circumcise yourselves, and sacrifice the Passover, then an individual too, we say to him, 'Arise, circumcise yourself, and sacrifice the Passover,' while if he does not circumcise [himself] and [does not] sacrifice he is punished with kareth. But [in the case of] uncleanness, where if the whole community is unclean we do not sprinkle [the water of purification] upon them but they keep [it] in uncleanness, [therefore] an individual too is not culpable.[1] R. Huna son of R. Joshua said to Raba: Yet there is the second Passover, which is not [practised] in the case of a community, yet it is [practised] in the case of an individual? — There it is different, replied he, because the community has [already] sacrificed at the first [Passover].[2]

An objection is raised: You might think that there is no penalty of kareth [for neglecting to offer the Passover] except if he [the delinquent] was clean and was not on a journey afar off;[3] how do we know it of an uncircumcised person and one who was unclean through a reptile and all others who are unclean?[4] Because it is stated, and the man [that is clean etc.].[5] Now, since he seeks [a verse to teach the inclusion of] him who is unclean through a reptile, he [evidently] holds, One may not slaughter [the Passover sacrifice] and sprinkle [its blood] for him who is unclean through a reptile; for if one may slaughter and sprinkle, why seek [a verse] for him, [seeing that] he is indeed [identical with] a clean person?[6]

by the rule stated, a community in like condition is not bound to purify itself but may sacrifice in uncleanness. Again, since the community need not purify itself by sprinkling, an individual is not obliged to either, for an individual has no obligation which is not likewise binding upon the community; consequently, since an individual is not bound to purify himself, he may not do so on the Sabbath. But if the whole community are uncircumcised, it is their duty to circumcise themselves

on the eve of Passover, and therefore it is the duty of an individual too, neglect of which entails kareth. Had he, however, held that we do slaughter the Passover for a man who is unclean through a reptile or through a corpse when his seventh day falls on the eve of Passover, then since the individual is not relegated, the community too might not sacrifice in uncleanness but would have to purify itself; and as a corollary, since the community would have to perform haza'ah, it would also be an individual's duty, and in consequence it would be permitted on the Sabbath. This proves that though he is not fit, the obligation is upon him [to make himself fit], and though this is not [so] in the case of a community,[7] yet it is [so] in the case of an individual? — Rather, said Raba: R. Eliezer holds, One may slaughter and sprinkle for a man who is unclean through a reptile, and the same law applies to a man who is unclean through the dead on his seventh day;[8] then for what [purpose] is the haza'ah? for the eating[9] — [yet] the eating of the Passover sacrifice Is not indispensable.[10] R. Adda b. Abba said to Raba, If so, it is found that the Passover sacrifice is slaughtered for those who cannot eat it?[11] 'For those who cannot eat it' means for the infirm and the aged, he replied, since they are [physically] unfit; but this one is indeed fit, save that he is not made ready.

R. AKIBA STATED A GENERAL RULE etc. Rab Judah said in Rab's name: The halachah is as R. Akiba. And we learned similarly in respect to circumcision. R. Akiba stated a general rule: No labour which can be performed on the eve of the Sabbath overrides the Sabbath; circumcision, which cannot be performed on the eve of the Sabbath,[12] overrides the Sabbath; and Rab Judah said in Rab's name: The halachah is as R. Akiba. Now [both] are necessary. For if he informed us [this] in connection with, the Passover, [I would say,] it is only there that the necessary adjuncts of the precept do not override the Sabbath, because thirteen covenants were not made over it; but as for circumcision, over which thirteen covenants were made,[13] I would say that they [the adjuncts] override [the Sabbath]. While if he informed us [this of] circumcision, [I would argue],it is only there that the necessary adjuncts of the precept do not override the Sabbath, since there is no kareth;[14] but as for the Passover sacrifice, where there is kareth,[15] I might argue, Let the necessary adjuncts override [the Sabbath]. Thus they are necessary.

MISHNAH. WHEN DOES HE[16] BRING A HAGIGAH[17] WITH IT [THE PASSOVER SACRIFICE]? WHEN IT COMES DURING THE WEEK, IN PURITY, AND IN SMALL [PORTIONS].[18] BUT WHEN IT COMES ON THE SABBATH, IN LARGE [PORTIONS], AND IN UNCLEANNESS, ONE DOES NOT BRING THE HAGIGAH WITH IT. THE HAGIGAH WAS BROUGHT OF FLOCKS, HERDS, LAMBS OR GOATS, OF THE MALES OR THE FEMALES, AND IT IS EATEN TWO DAYS AND ONE NIGHT.[19]

GEMARA. What has he taught [previously] that he [now] teaches [about] the hagigah?[20] — He has taught about carrying it [the paschal lamb on his shoulders] and bringing it, which do not override the Sabbath, so he also teaches about the hagigah that it [too] does not override the Sabbath, and he states thus: WHEN DOES ONE[21] BRING A HAGIGAH WITH IT? WHEN IT COMES DURING THE WEEK, IN PURITY, AND IN SMALL [PORTIONS].[22]

R. Ashi said: This proves that the hagigah of the fourteenth

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(1) This explains why a person who is unclean through a corpse need not purify himself, yet an uncircumcised person must circumcise himself.Thus: — the whole community are not bound to purify themselves by sprinkling, even if the seventh day of their uncleanness falls on the eve of Passover, so that after haza'ah they would be clean in the evening, when the Passover is to be eaten. For he holds that if an individual is unclean through a reptile and has not performed tebillah (q.v. Glos.), though he can do so and be clean in the evening, nevertheless the Passover may not be slaughtered on his behalf; the same applies to him who is unclean through the dead whose seventh day falls on the eve of Passover, though he too would be clean in the evening if he were besprinkled during the day. Thus he must postpone his sacrifice for the second Passover; and therefore

(2) Where, however, the community as a whole did not sacrifice at the first Passover for some other reason of

uncleanness than that of corpse uncleanness, there is no second Passover for individuals who are unclean through a corpse.

(3) v. Num. IX, 10, 13.

(4) In the same way. viz., that they could be clean by the evening, as explained in note 5.

(5) 'And' is an extension, and teaches the inclusion of these.

(6) For he could have the animal sacrificed by another, and he would be clean in the evening to eat it. Hence he must hold that you cannot sacrifice for him whilst he is unclean, i.e., before he performs tebillah, yet even so he incurs kareth since he could have performed tebillah.

(7) The community is not bound to perform haza'ah, even if it could, but sacrifices in uncleanness.

(8) If he held that you may not slaughter etc., then haza'ah would certainly be permitted on the Sabbath and obligatory too, notwithstanding that it is not obligatory upon a community. Since he holds the reverse, however, the actual sacrificing is possible without haza'ah at all.

(9) He cannot eat of the Passover sacrifice, as indeed of all sacrifices, without previous haza'ah.

(10) For the fulfilment of the precept of the paschal sacrifice. Tosaf.: in such a case where he could make himself fit for eating but does not.

(11) Whereas it is stated supra 61a that such a Passover sacrifice is unfit.

(12) When the Sabbath is the eighth day from birth.

(13) In the passage enjoining circumcision upon Abraham and his descendants (Gen. XVII) 'covenant' is mentioned thirteen times, which shows its great importance.

(14) If circumcision is postponed.

(15) For not offering it.

(16) Var. lec. 'ONE'.

(17) Festival sacrifice. Such was obligatory on the first day of all Festivals; hence in the case of Passover, on the fifteenth of Nisan. The obligation is deduced in Hag. 9a from, and ye shall keep it a feast (hag) unto the Lord (Lev. XXIII, 41), hag being interpreted as referring to a Festival sacrifice. In this Mishnah, however, the reference is to a hagigah brought on the fourteenth, and the Mishnah lays down the conditions when it is brought,it being in addition to the hagigah of the fifteenth. Besides the Festival hagigah there was another obligatory sacrifice, called the peace-offering of rejoicing, deduced from, and thou shalt rejoice in thy feast (Deut. XVI, 14). This is discussed anon.

(18) I.e., so many are registered for one paschal lamb that each person can receive but a small portion.

(19) The night between the two days.

(20) The sudden introduction of the hagigah is abrupt and irrelevant, unless it has some point in common with the preceding Mishnah.

(21) Cf. n. 3.

(22) While the next clause proceeds to state when the hagigah does not override the Sabbath, and that is the connection with the preceding Mishnah.

Talmud - Mas. Pesachim 70a

is not obligatory. For if you should think that it is obligatory, let it come [be sacrificed] on the Sabbath, and let it come [when the Passover sacrifice is divided] in large [portions], and in uncleanness. Nevertheless, what is the reason that it comes [when the paschal lamb is divided] in small portions? — As it was taught: The hagigah which comes with the Passover is eaten first, so that the Passover be eaten after the appetite is satisfied.

AND IT IS EATEN FOR TWO DAYS etc. Our Mishnah is not in agreement with the son of Tema. For it was taught: The son of Tema said: The hagigah which comes with the Passover is as the Passover, and it may only be eaten a day and a night, whereas the hagigah of the fifteenth[1] is eaten two days and one night; again, the hagigah of the fourteenth, a man discharges therewith [his duty] on account of rejoicing, but he does not discharge therewith [his duty] on account of hagigah.[2] What is the son of Tema's reason?[3] — As R. Hiyya taught his son, Neither shall the sacrifice of the feast [zebah hag] of the passover be left unto the morning:[4] 'zebah hag,' this is the hagigah; 'the passover' is what it implies, and the Divine Law saith, 'it shall not be kept overnight'.[5]

The Scholars asked: According to the son of Tema, is it [the hagigah] eaten roast or is it not eaten roast?[6] [Do we say,] When the Divine Law compared it to the Passover it was in respect of keeping it overnight, but not in respect of roast; or perhaps there is no difference? — Come and hear: On this night all [must be eaten] roast;[7] and R. Hisda said: These are the words of the son of Tema. This proves it.[8]

The Scholars asked: According to the son of Tema, does it [the hagigah] come from the herd or does it not come from the herd; does it come from females or does it not come from females; does it come a two-year old, or does it not come a two-year old?[9] [Do we say,] when the Divine Law compared it to the Passover it was in the matter of eating,[10] but not in respect of all [other] things; or perhaps there is no difference? — Come and hear: The hagigah which comes with the Passover is as the Passover: it comes from the flock, but it does not come from the herd; it comes from the males but it does not come from the females; it comes a year old, but it does not come a two-year old, and it may be eaten only a day and a night, and it may be eaten only roast, and it may be eaten only by those who have registered for it. [Now,] whom do you know[11] to hold this view?[12] The son of Tema. This proves that we require everything.[13] This proves it.

The Scholars asked: According to the son of Tema, is it subject to [the prohibition of] breaking a bone, or is it not subject to [the prohibition of] breaking a bone?[14] [Do we say,] though the Divine Law assimilated it to the Passover, yet the Writ saith, '[neither shall ye break a bone] thereof,' [implying] 'thereof,' but not of the hagigah;'[15] or perhaps, this 'thereof' comes [to teach], of a fit [sacrifice], but not of an unfit one?[16] — Come and hear: If a [slaughtering] knife is found on the fourteenth, one may slaughter with it immediately;[17] [if it is found] on the thirteenth he must repeat the tebillah.[18] [If he finds] a chopper.[19] whether on the one or on the other,[20] he must repeat the tebillah.[21] Who [is the authority for this]?[22] Shall we say the Rabbis?[23] wherein does a [slaughtering] knife differ, that we assume that it had been immersed;[24] because it is fit for [slaughtering] the Passover? Then a chopper too, surely it is fit for [breaking the bones of] the hagigah[20] ?[25] Hence it must be [the view] of the son of Tema, which proves that it is subject to [the prohibition of] breaking a bone! — No: in truth [it is the view of] the Rabbis, and [this was taught] e.g., when it [the Passover] comes on the Sabbath.[26] But since the second clause teaches, If the fourteenth occurred on the Sabbath, he may slaughter with it immediately;[27] and [likewise if he finds it] on the fifteenth, he may slaughter with it immediately;[28] if a chopper is found tied to a knife, it is as the knife,[29] it follows that the first clause[30] does not treat of the Sabbath? — Rather it means that it [the Passover]

readiness for slaughtering the Passover on the fourteenth. We disregard the possibility that the owner may have lost it some time ago, for Jerusalem was thronged at Passover and it could not have lain long without being discovered. came

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(1) V. p. 356, n. 4.

(2) V. note on Mishnah on these two sacrifices. Now the hagigah of the fourteenth is a voluntary sacrifice (supra), and it is a general rule that an animal already dedicated for such cannot be used for all obligatory sacrifice, except in the case of the peace-offering of rejoicing. v. infra, 71a. Hence if the hagigah dedicated for the fourteenth is not killed on that day, it can be utilized the next day as the peace-offering of rejoicing but not as the obligatory hagigah of the fifteenth

(3) That the hagigah may be eaten only a day and a night.

(4) Ex. XXXIV, 25.

(5) Referring to the hagigah too.

(6) I.e., must it be eaten roast or not? Similarly the problems which follow.

(7) V. infra 116a.

(8) That the hagigah too must be roast.

(9) V. Ex. XII, 5: your lamb (sc. the Passover) shall be . . . a male of the first year; ye shall take it from the sheep, or from the goats. Does the same apply to the hagigah or not?

(10) I.e., in the conditions under which it must be eaten.
(11) Lit., ‘hear’.
(12) That it may be eaten only a day and a night.
(13) I.e., it must be like the passover in all respects.
(14) v. Ex. XII, 46: neither shall ye break a bone thereof (sc. the Passover).
(15) I.e., there is no interdict in its case.
(16) If the Passover is unfit its bones may be broken; v. infra 83a.
(17) Without immersing it. For if it were unclean its owner would have immersed it on the thirteenth, so that it should be clean at sunset (v. Num. XIX, 14-19; shall be clean at even applies to utensils too), in
(18) I.e., he must immerse it, though even if it was unclean its owner may already have done so.
(19) A large knife used for cutting up meat and breaking the bones, but not as a rule for slaughtering.
(20) Viz., the thirteenth or the fourteenth.
(21) For since the bones of the Passover sacrifice must not be broken, even if it was unclean its owner may not have troubled to immerse it on the thirteenth but waited for the fourteenth, to have it in readiness for the use of breaking bones on the following day, to break the bones of the hagigah of the fifteenth or of the peace-offering of rejoicing.
(22) Which implies that there is no breaking of bones on Passover eve.
(23) Who do not assimilate the hagigah of the fourteenth to the paschal sacrifice, and consequently hold that the bones of the former may be broken.
(24) On the day before by the owner so that he who finds it need not immerse it.
(25) Why then should the finder repeat the immersion?
(26) So that a hagigah cannot be brought at all. As there would be no need for the chopper, the owner, it is to be assumed, did not immerse it.
(27) Sc. even with the chopper, if he has no knife. For if it were unclean its owner would have performed tebillah on Friday, to use it on Sunday (v. n. 4). Since tebillah is forbidden on the Sabbath.
(28) For the same reason that tebillah must already have been performed.
(29) And even if found on the fourteenth on a weekday he may slaughter with it immediately, for since they are tied together they must both have received tebillah at the same time.
(30) Which requires a second immersion for either.

Talmud - Mas. Pesachim 70b

in large [portions].[1] How can we know?[2] — Rather it means that it came in uncleanness.[3] Yet after all, how could they know?[4] — The nasi had died.[5] When did the nasi die? Shall we say that he died on the thirteenth,[6] then why was it necessary for the owner to perform tebillah for the knife?[7] Again, if he died on the fourteenth, wherein does the knife differ, that [we say] he [its owner] gave it tebillah, and wherein does the chopper differ, that [we assume] he did not give it tebillah?[8] — This arises only when the nasi was in a dying condition on the thirteenth. As for the knife, [concerning] which [there is] one doubt,[9] he would give it tebillah [on the thirteenth]; the chopper, [concerning] which [there are] two doubts,[10] he would not give it tebillah.

It was taught: Judah the son of Durtai separated himself [from the Sages], he and his son Durtai, and went and dwelt in the South.[11] ‘[For,]’ said he, ‘if Elijah should come and say to Israel, "why did you not sacrifice[12] the hagigah on the Sabbath?" what can they answer him? I am astonished at the two greatest men of our generation. Shemaiah and Abtalyon, who are great Sages and great interpreters [of the Torah], yet they have not told Israel, The hagigah overrides the Sabbath.[13] Rab said, What is the reason of the son of Durtai? Because it is written, And thou shalt sacrifice the passover-offering unto the Lord thy God, of the flock and the herd:[14] yet surely the Passover offering is only from lambs or goats? But ‘flock’ refers to the Passover offering, [while] ‘herd’ refers to the hagigah, and the Divine Law saith, ‘And thou shalt sacrifice the passover-offering’.[15] Said R. Ashi: And are we to arise and explain the reason of schismatics?[16] But the verse comes for [the exegesis] of R. Nahman. For R. Nahman said in Rabbah b. Abbuha's name: How do we know that the left-over of the paschal offering is brought as a peace-offering?[17] Because it is said, ‘and thou shalt sacrifice

the passover-offering unto the Lord thy God, of the flock and of the herd'. Now, does then the Passover offering come from the herd: surely the Passover offering comes only from lambs or from goats? But [it means] the left-over of the paschal offering is to be [utilized] for something which comes from the flock and from the herd.[18] Now according to the Rabbis, what is the reason that it [the hagigah] does not override the Sabbath, seeing that it is certainly a public sacrifice? — Said R. Illa'a on the authority of R. Judah b. Safra: Scripture saith, And ye shall keep it a feast [hag] unto the Lord seven days in the year.[19] 'Seven!' but there were eight?[20] Hence from here [we learn that] the hagigah does not override the Sabbath.[21] When Rabin came,[22] he said: I stated before my teachers, Sometimes you can only find six, e.g., if the first day of the Feast [of Tabernacles] fell on the Sabbath?[23] — Said Abaye: That Abin the childless should say such a thing! Eight is altogether impossible. [while] seven are found in most years.[24]

'Ulla said in R. Eleazar's name: Peace-offerings which a man slaughtered on the eve of the Festival, he does not discharge therewith [his duty] either on account of rejoicing or on account of hagigah.[25] 'On account of rejoicing.' because it is written, and thou shalt sacrifice [peace-offerings . . .] and thou shalt rejoice;[26] we require the slaughtering

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(1) In which case a hagigah does not accompany it.

(2) So MS.M. Cur. edd. 'they know' that a small number had registered for the Passover for which the unknown owner of this chopper was registered. Aliter: 'how could they (the owners) know on the thirteenth that only a small number would register for the Passover, so that it would not be necessary to have the chopper immersed in readiness?' V. Rashi.

(3) Hence a hagigah was possible.

(4) How could the owner know on the thirteenth that on the morrow the majority of the community would be unclean?

(5) And the whole community would have to take part in his funeral, which would defile them.

(6) When the vessels are generally taken for tebillah.

(7) Seeing that the Passover is brought in uncleanness. Hence the finder should not be permitted to assume that it is clean, as he might then slaughter the Festival peace-offerings with it, which is forbidden. [Even when the Passover comes in uncleanness, the Festival sacrifices on the following or subsequent days must be brought in cleanness:]

(8) He would not have known on the thirteenth, and therefore just as he assumed that a clean knife was necessary for slaughtering the Passover, so he would also assume that a clean chopper would be required for breaking the bones of the hagigah which would accompany it.

(9) Viz., whether the nasi would die on the fourteenth or not.

(10) (i) Whether the nasi would die; and (ii) whether a hagigah would be brought, for even if he did not die, only a few people might register for that particular paschal offering, in which case it would not be required.

(11) Far from Jerusalem, so that he could not be in Jerusalem on Passover and therefore avoid the obligation of bringing a hagigah. He held that it was obligatory even if only a small number registered for the paschal offering, and even on the Sabbath.

(12) Lit., 'celebrate'.

(13) [Judah b. Durtai is held to have belonged to the Sadducean party, and his son is identified with Dortos (v. Josephus, Antiquities XX, 6, 2) who had been captured by Quadratus in Lydda and executed for having incited the Jews in rebellion against the Romans, v. Derenbourg, Essai, p. 187 note.]

(14) Deut. XVI, 2.

(15) I.e., both are called by the same name, and therefore the same law applies to both.

(16) Though of course the Talmud abounds in controversies, even of one against many, and the views of the minorities too have to be explained, in actual practice the minority always fell in with the final decision of the majority. Hence R. Judah the son of Durtai was unjustified in separating himself, and we have no need to study his view; v. Halevi, Doroth I, 5, pp. 206f. — Or perhaps R. Ashi merely meant that since the interpretation of this verse is according to a minority view, it behoves us to know how the verse is interpreted on the view of the Sages. This appears to be the explanation given by R. Han., whose text differs slightly.

(17) E.g., if an animal dedicated for a Passover sacrifice was lost, whereupon its owners registered for another animal, and then it was found after the second was sacrificed. Or again, if a certain sum of money was dedicated to buy a paschal lamb, but it was not all expended; then too the surplus must be used for a peace-offering.

(18) Sc. a peace-offering.
(19) Lev. XXIII, 41. This treats of Tabernacles, which was observed for eight days, and the verse teaches that a hagigah was to be brought (v. supra p. 356, n. 4).
(20) For the hagigah, if not brought on the first day of the Festival, could be brought on any other day.
(21) And since one of the eight days must be the Sabbath, there are actually only seven days when it can be brought.
(22) From Palestine to Babylonia.
(23) Why is this too not intimated in Scripture?
(24) Therefore there is no need for Scripture to intimate that there may only be six,
(25) V. note on Mishnah.
(26) Deut. XXVII, 7.

Talmud - Mas. Pesachim 71a

at the time of rejoicing,[1] which is absent [here]. 'On account of hagigah': this is an obligatory sacrifice,[2] and every obligatory sacrifice comes from nought but hullin.[3]

Shall we say that [the following] supports him? [For it was taught]; And thou shalt be altogether [ak] joyful:[4] this is to include the night of the last day of the Festival for rejoicing.[5] You say, the night of the last day of the Festival; yet perhaps it is not so, but the night of the first day of the Festival?[6] Therefore 'ak' is stated, dividing it.[7] Now what is the reason?[8] Is it not because he has nought wherewith to rejoice![9] — No: [it is] as it states the reason: Why do you prefer[10] to include the night of the last day of the Festival and to exclude the night of the first day of the Festival? I include the night of the last day of the Festival, because there is rejoicing before it, while I exclude the night of the first day of the Festival, seeing that there is no rejoicing before it.[11]

R. Joseph raised an objection: The hagigah of the fourteenth, one discharges with it [his duty] on account of rejoicing. but one does not discharge with it [his duty] on account of hagigah.[12] [Yet] why so?[13] Surely we require slaughtering to be at the time of rejoicing, which is lacking [here]?[14] — Said R. Idi b. Abin: It is meant where he delayed and slaughtered it [on the fifteenth]. R. Ashi observed: This too is logical, for if you should not say thus, who taught this teaching? The son of Tema?[15] But [according to] the son of Tema, surely he has disqualified it through keeping it overnight![16]

Raba objected: [The reciting of] hallel[17] and rejoicing[18] are [observed] eight [days].[19] Now if you say [that] we require the slaughtering at the time of rejoicing, then there are many occasions when only seven are found, e.g.. if the first day of the Festival falls on the Sabbath?[20] Said R. Huna son of Rab Judah: He rejoices with the he-goats of the Festivals.[21] Said Raba: Of this there are two refutations: firstly, because the he-goats of the Festivals can be eaten raw [on the Sabbath], but cannot be eaten roast,[22] and there is no rejoicing in [eating] raw [meat]; moreover, the Priests eat it; and wherewith do the Israelites rejoice? Rather, said R. Papa: He rejoices with clean garments and old wine.

When Rabin came, he said in R. Eleazar's name: Peace-offerings which one slaughtered on the eve of the Festival, he discharges therewith [his duty] on account of rejoicing, but he cannot discharge therewith [his duty] on account of hagigah. 'He discharges [his duty] on account of rejoicing,' [for] we do not require the slaughtering at the time of rejoicing. 'But not on account of hagigah'; this is an obligatory [sacrifice], and every obligatory [sacrifice] comes from nought but hullin.

An objection is raised: 'And thou shalt be altogether' [ak] joyful:' this is to include the night of the last day of the Festival for rejoicing. You say, to include the light of the last day of the Festival; yet perhaps it is not so, but it is to include the night of the first day of the Festival? Therefore 'ak' is stated, dividing it. Now what is the reason? Is it not because he has no light wherewith to rejoice! — No: [it is] as it was taught. Why do you prefer to include the night of the last day of the Festival and

to exclude the night of the first day of the Festival? I include the night of the last day of the Festival, because there is rejoicing before it; while I exclude the night of the first day of the Festival, because there is no rejoicing before it.

R. Kahana said: How do we know that the emurim[23] of the hagigah of the fifteenth are disqualified through being kept overnight?[24] Because it is said, neither shall the fat of My feast [haggi] remain all night until morning;[25] and in proximity thereto 'the first' [is stated],[26] to intimate that this 'morning' means the first morning.[27] To this R. Joseph demurred: [Thus] the reason is that 'first is written, but if 'first' were not written I would say, what does 'morning' mean? the second morning; [but] is there a case where the flesh is disqualified from the evening, whereas the emurim [are fit] until morning?[28] Said Abaye to him, Yet why not? Surely there is the paschal offering according to R. Eleazar b. 'Azariah, where the flesh is disqualified from midnight,[29] whereas the emurim [are fit] until morning? — Said Raba, This is R. Joseph's difficulty: is there a case where the Tanna does not require 'first' in respect of the flesh, whereas R. Kahana requires 'first' in respect of the emurim?[30] What is this [allusion]? — For it was taught: Neither shall any of the flesh which thou sacrificest the first day at even, remain all night until the morning:[31]

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(1) Viz,, on the Festival itself.

(2) Lit., 'a matter of an obligation'.

(3) V, p. 357. n. 3.

(4) Deut. XVI, 15. This is superfluous, since v. 14 states, And thou shalt rejoice in thy feast. Hence it is intended as an extension.

(5) I.e., the night of the eighth day. Rashi: It cannot mean the eighth day itself, since 'seven' is twice specified (in v. 13 and v. 15). Tosaf.: 'night' is not meant particularly. as the same applies to the day. By 'rejoicing' is meant the eating of the peace-offering of rejoicing.

(6) Perhaps one must eat of the peace-offering then? And since sacrifices cannot be slaughtered at night, it would he necessary to slaughter it on the eve of the Festival.

(7) Ak is always interpreted as a limitation; hence it excludes the first night.

(8) That you include the last night and exclude the first; why not reverse it?

(9) Since the sacrifice is not to be offered until the following morning. Thus this supports 'Ulla's statement that the peace-offering of rejoicing cannot be offered on the eve of the Festival.

(10) Lit., 'what (reason) do you see?'

(11) It is more logical to assume that a continuation of rejoicing already begun is included than that the rejoicing must commence before the time actually prescribed.

(12) V. supra 70a for notes.

(13) Why should he discharge with it his duty on account of rejoicing?

(14) He understood it to mean that it was actually slaughtered on the fourteenth.

(15) As stated supra 70a.

(16) Since he holds that the hagigah of the fourteenth may be eaten only a day and a night. I.e., not after the night of the fifteenth, like the Passover. Hence he must have slaughtered it on the fifteenth.

(17) 'Praise' — i.e., Ps. CXIII-CXVIII, which are recited on every Festival.

(18) With the peace-offerings of rejoicing.

(19) The reference is to the Feast of Tabernacles.

(20) When the peace-offering may not be slaughtered.

(21) V. Num. XXVIII, 22, 30; XXIX, 16 et seq. These were public sacrifices, and therefore slaughtered even on the Sabbath.

(22) Though they are slaughtered on the Sabbath, their roasting or cooking does not override the Sabbath.

(23) V. Glos.

(24) Though its flesh may be eaten the whole of the following day too.

(25) Ex. XXIII, 18; 'haggi' refers to the hagigah.

(26) **ראשית** The first (E.V. 'choicest') of the fruits etc. Here, however, it is read with 'morning', as explained in the text.

(27) I.e., the fat is not to remain until the first morning after the offering is sacrificed.
(28) Surely not, for the flesh may be eaten only on the day it is slaughtered and on the following, but not the night after it!
(29) V. infra 120b.
(30) The sanctity of emurim, which are burnt on the altar, is naturally greater than that of the flesh, which is eaten, and accordingly the former becomes unfit more easily than the latter. Yet we see anon that the Tanna assumes that morning' written in connection with the flesh must mean the first morning. without having recourse to ראשית 'first'; why then does R. Kahana require the proximity of ראשית 'first' in order to establish that 'morning' written in connection with the emurim means the first morning?
(31) Deut. XVI, 4.

Talmud - Mas. Pesachim 71b

this teaches concerning the hagigah of the fourteenth, that it may be eaten two days and one night.[1] Yet perhaps it is not so, but [only] one day and one night?[2] When it [Scripture] says, 'the first day,' the second morning[3] is meant.[4] Yet perhaps it is not so, but the first morning [is meant], and to what do I relate[5] [the case of] the hagigah which may be eaten two days and one night?[6] [To all other hagigoth] excepting this? When [Scripture] says thereof, But if [the sacrifice of his offering be] a vow, or a freewill-offering,[7] it teaches concerning the hagigah of the fourteenth that it may be eaten for two days and one night.[8]

The Master said:[9] 'Yet perhaps it is not so, but the first morning [is meant]'. But you have [already] said, 'When it [Scripture] says. "the first day" the second morning is meant'? — This is what he means: Yet perhaps it is not so, but the Writ speaks of two hagigoth, one the hagigah of the fourteenth, and one the hagigah of the fifteenth, and the former [must not remain] until its morning, while the latter [must not remain] until its morning?[10] Then he argues, as to our general ruling[11] [that there is] a hagigah which is eaten two days and one night.[12] if so, in which [case does] 'if, a vow or a freewill-offering' [hold good]? if the hagigah of the fourteenth, surely a day and a night is written in connection therewith; if the hagigah of the fifteenth, surely a day and a night is written in connection therewith?[13] But this is in respect of the hagigah of the fifteenth, while the whole of the other verse is in respect of the hagigah of the fourteenth [only,] [and thus] it teaches concerning the hagigah of the fourteenth that it may be eaten two days and one night. Thus the reason is that 'on the first day until the morning' is written, so that what does 'morning' mean? the second morning;[14] hence wherever 'morning' is written without qualification, it means the first morning, even if 'first'[15] is not written in connection with it.[16] MISHNAH. IF THE PASSOVER WAS SLAUGHTERED FOR A DIFFERENT PURPOSE[17] ON THE SABBATH, HE [THE SLAUGHTERER] IS LIABLE TO A SIN-OFFERING ON ITS ACCOUNT.[18] WHILE ALL OTHER SACRIFICES WHICH HE SLAUGHTERED AS A PASSOVER,[19] IF THEY ARE NOT ELIGIBLE,[20] HE IS CULPABLE; WHILE IF THEY ARE ELIGIBLE, — R. ELIEZER RULES HIM LIABLE TO A SIN-OFFERING, WHILE R. JOSHUA RULES HIM NOT CULPABLE,[21] SAID R. ELIEZER TO HIM: IF THE PASSOVER, WHICH IS PERMITTED FOR ITS OWN PURPOSE,YET WHEN HE CHANGES ITS PURPOSE HE IS CULPABLE; THEN [OTHER] SACRIFICES, WHICH ARE FORBIDDEN [EVEN] FOR THEIR OWN PURPOSE,[22] IF HE CHANGES THEIR PURPOSE IS IT NOT LOGICAL THAT HE IS CULPABLE! R. JOSHUA ANSWERED HIM, NOT SO. IF YOU SAY [THUS] OF THE PASSOVER, [HE IS CULPABLE] BECAUSE HE CHANGED IT FOR SOMETHING THAT IS FORBIDDEN; WILL YOU SAY [THE SAME] OF [OTHER] SACRIFICES, WHERE HE CHANGED THEM FOR SOMETHING THAT IS PERMITTED?[23] SAID R. ELIEZER TO HIM, LET THE PUBLIC SACRIFICES[24] PROVE IT, WHICH ARE PERMITTED FOR THEIR OWN SAKE,[25] YET HE WHO SLAUGHTERS [OTHER SACRIFICES] IN THEIR NAME IS CULPABLE. R. JOSHUA ANSWERED HIM: NOT SO. IF YOU SAY [THUS] OF PUBLIC SACRIFICES, [THAT IS] BECAUSE THEY HAVE A LIMIT;[26] Will YOU SAY [THE SAME] OF THE PASSOVER, WHICH HAS NO LIMIT?[27] R. MEIR SAID:

HE TOO WHO SLAUGHTERS [OTHER SACRIFICES] IN THE NAME OF PUBLIC SACRIFICE IS NOT LIABLE.

IF HE SLAUGHTERED IT[28] FOR THOSE WHO ARE NOT ITS EATERS,[29] OR FOR THOSE WHO WERE NOT REGISTERED[30] , FOR UNCIRCUMCISED OR FOR UNCLEAN [PERSONS], HE IS CULPABLE; [IF HE SLAUGHTERED IT] FOR ITS EATERS AND FOR THOSE WHO ARE NOT ITS EATERS, FOR THOSE WHO ARE REGISTERED FOR IT AND FOR THOSE WHO ARE NOT REGISTERED FOR IT, FOR CIRCUMCISED AND FOR UNCIRCUMCISED, FOR UNCLEAN AND FOR CLEAN [PERSONS], HE IS NOT LIABLE.[31] IF HE SLAUGHTERED IT, AND IT WAS FOUND TO POSSESS A BLEMISH, HE IS LIABLE. IF HE SLAUGHTERED IT AND IT WAS FOUND TEREFAH[32] INTERNALLY,[33] HE IS NOT LIABLE.[34] IF HE SLAUGHTERED IT, AND [THEN] IT BECAME KNOWN THAT ITS OWNERS HAD WITHDRAWN THEIR HANDS FROM IT,[35] OR THAT THEY HAD DIED, OR THAT THEY HAD BECOME UNCLEAN, HE IS NOT CULPABLE, BECAUSE HE SLAUGHTERED WITH PERMISSION.[36]

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(1) Understanding ‘morning’ to refer to the sixteenth of Nisan.

(2) Relating ‘morning’ to the fifteenth.

(3) After it is slaughtered, i.e., the morning of the sixteenth.

(4) Lit., ‘said’. For ‘the first day’ implies that it may be eaten the whole of the first day after it is slaughtered.

(5) Lit., ‘how do I fulfil?’

(6) That there are such hagigoth (pl. hagigah) is deduced anon.

(7) Lev. VII, 16.

(8) The verse continues: it shall be eaten on the day he offereth his sacrifice and on the morrow. Thus two days are allotted, which ‘if a vow’ is regarded as superfluous, and therefore is interpreted as an extension to include the present case.

(9) The Talmud now proceeds to elucidate this Baraitha leading up to the explanation of R. Joseph's argument.

(10) I.e.,the former must not remain until the morning of the fifteenth, while the latter must not remain until the morning of the sixteenth. Then the verse would be translated thus: ‘neither shall any of the flesh . . . which thou sacrificest . . . at even’ — sc. of the hagigah of the fourteenth — ‘remain all night’, which naturally means until the morning of the fifteenth; while that ‘which thou sacrificest the first day’, i.e., on the fifteenth, must not remain . . . until the morning’ viz., of the sixteenth.

(11) Lit., ‘what is established to us’.

(12) Rashi: but as to our principle that there is a hagigah apart from this which may be eaten etc. Thus a different meaning is now given to the phrase ‘apart from this’.

(13) On the present hypothesis.

(14) Because of ‘the first day’.

(15) אשית.

(16) This is the point of R. Joseph's objection as explained by Raba,

(17) Lit., ‘not for its name’ — e.g., as a peace-offering.

(18) For having desecrated the Sabbath unintentionally, as he thought that just as it is permitted for its own purposes3 it is permitted for another purpose.

(19) I.e., the animals had been consecrated for other sacrifices.

(20) For a Passover, e.g., if they are females or two-years old (v. Ex. XII, 5).

(21) R. Eleazar holds that even when a man performs a forbidden action while thinking that he is doing a religious deed, he is culpable. R. Joshua, however maintains that if the action actually performed is a religious deed, even a slight one, he is not liable, as he is regarded not as having unwittingly desecrated the Sabbath, but as having erred in a religious matter. This applies to the present case, for he did offer a sacrifice, and R. Joshua rules supra 62b that all sacrifices, including the Passover, even if slaughtered for a different purpose, are nevertheless fit. But in the first case he definitely did not perform a religious action, since all know that a female etc. is not eligible for a Passover, and therefore both agree that he is culpable.

(22) On the Sabbath.

(23) I.e., he slaughtered them as a Passover, which is actually permitted.

(24) Rashi: the sacrifices which are prescribed (amure fr. amur).

(25) The daily burnt-offering and the additional offerings of Sabbaths and Festivals override the Sabbath.

(26) Only a few animals are slaughtered as public sacrifices, and it is easy to avoid the mistake. Therefore when a man slaughters an animal consecrated for a different purpose as a public sacrifice, he cannot be regarded as having erred in a religious act but as one who unwittingly desecrated the Sabbath.

(27) An enormous number of animals were slaughtered (cf. supra 64b) — seemingly limitless. Hence his error is pardonable, and he is regarded as having erred in a religious duty.

(28) The Passover offering, on the Sabbath.

(29) Such who could not eat of it; e.g.. sick or old people.

(30) Lit., 'numbered',

(31) In the former case the offering is unfit; hence his act constitutes desecration of the Sabbath; but in the latter case the offering is valid, v. supra 61a.

(32) V. Glos.

(33) Lit., 'in a secret part'.

(34) A sin-offering is incurred only when a person intends doing what he does, but is unaware that in the circumstances it is forbidden; he is then technically called shogeg, an unwitting offender, But if he did not intend doing it at all, he is called anus, the victim of an unforeseen accident, and is not liable. Now an external examination of the animal would have revealed its blemish; his neglect to do this renders him shogeg, as though he had known that it was blemished, but thought it permitted. But he could not have known here that it was terefah; therefore he is regarded as anus, and is not culpable.

(35) I.e. , they had re-registered for a different animal before this was slaughtered.

(36) He could not have known of this, and therefore he too is regarded as anus.

Talmud - Mas. Pesachim 72a

GEMARA. What are we discussing? Shall we say, where he erred?[1] then you may infer from this that abrogation in error constitutes abrogation?[2] Hence it means that he [intentionally] abrogates [its status].[3] Then consider the sequel: WHILE ALL OTHER SACRIFICES WHICH HE SLAUGHTERED AS A PASSOVER, IF THEY ARE NOT ELIGIBLE, HE IS CULPABLE; WHILE IF THEY ARE ELIGIBLE,- R. ELIEZER RULES HIM LIABLE To A SIN-OFFERING, WHILE R. JOSHUA RULES HIM NOT CULPABLE. But if he abrogates [their status], what does it matter whether they are eligible or they are not eligible?[4] Hence it obviously refers to a man who errs; [then] the first clause refers to a man who abrogates [its status], whereas the second clause refers to him who errs? — Said R. Abin: Yes the first clause refers to a man who abrogates, whereas the second clause refers to him who errs. R. Isaac b. Joseph found R. Abbahu standing in a large concourse of people. Said he to him, How is our Mishnah meant? — The first clause refers to a man who abrogates, whereas the second clause refers to him who errs, he answered him. He learnt it from him forty times, and it seemed to him as though it were lying in his wallet.[5]

We learned: SAID R. ELIEZER: IF THE PASSOVER, WHICH IS PERMITTED FOR ITS OWN PURPOSE, YET WHEN HE CHANGES ITS PURPOSE, HE IS CULPABLE; THEN [OTHER] SACRIFICES, WHICH ARE FORBIDDEN FOR THEIR OWN PURPOSE, IF HE CHANGES THEIR PURPOSE IS IT NOT LOGICAL THAT HE IS CULPABLE. But if this [interpretation] is so, surely they are dissimilar,[6] since the first clause refers to a man who abrogates, whereas the second clause refers to him who errs? — In R. Eliezer's view there is no difference. But according to R. Joshua, who holds that there is a difference, let him answer him thus? — He says thus to him: According to my view, they are dissimilar, [for] the first clause refers to a man who abrogates, whereas the second clause refers to him who errs. [But even] according to you, it is NOT SO. IF YOU SAY [THUS] OF THE PASSOVER, [HE IS CULPABLE] BECAUSE HE CHANGED IT FOR SOMETHING THAT IS FORBIDDEN; WILL YOU SAY [THE SAME] OF [OTHER] SACRIFICES, WHERE HE CHANGED THEM FOR SOMETHING THAT IS PERMITTED?

SAID R. ELIEZER TO HIM: LET THE PUBLIC SACRIFICES PROVE IT, WHICH ARE PERMITTED FOR THEIR OWN SAKE, YET HE WHO SLAUGHTERS [OTHER SACRIFICES] IN THEIR NAME IS CULPABLE. R. JOSHUA ANSWERED HIM: NOT SO: IF YOU SAY [THUS] OF PUBLIC SACRIFICES, [THAT IS] BECAUSE THEY HAVE A LIMIT; WILL YOU SAY [THE SAME] OF THE PASSOVER, WHICH HAS NO LIMIT? Are we to say that wherever there is a limit R. Joshua holds him culpable? Yet surely infants have a limit[7] yet we learned: He who had two infants for circumcision, one for circumcision after the Sabbath and the other for circumcision on the Sabbath,[8] and he erred[9] and circumcised the one belonging to after the Sabbath on the Sabbath, he is culpable.[10] [If he had] one for circumcision on the eve of the Sabbath and another for circumcision on the Sabbath, and he erred and circumcised the one belonging to the eve of the Sabbath on the Sabbath, — R. Eliezer holds him liable to a sin-offering.[11] but R. Joshua exempts him,[12] — Said R. Ammi: The circumstances here are e.g., that he first circumcised [the infant] of the eve of the Sabbath on the Sabbath, so that there is this [infant] of the Sabbath with whom he is pre-occupied;[13] here e.g.. it means that he first slaughtered the public sacrifices at the beginning.[14]

If so, [when] 'R. MEIR SAID: HE TOO WHO SLAUGHTERS [OTHER SACRIFICES] IN THE NAME OF PUBLIC SACRIFICES IS NOT LIABLE' — [he meant] even if he had first slaughtered the public sacrifices at the beginning? Surely it was taught. R. Hiyya of Ebel 'Arab[15] said in R. Meir's name: R. Eliezer and R. Joshua did not differ concerning him who had two infants, one for circumcision on the eve of the Sabbath and one for circumcision on the Sabbath, and he erred and circumcised the one belonging to the eve of the Sabbath on the Sabbath [both agreeing] that he is culpable. About what do they disagree? About a man who had two infants, one for circumcision after the Sabbath and another for circumcision on the Sabbath, and he erred and circumcised the one belonging to after the Sabbath on the Sabbath, R. Eliezer ruling him liable to a sin-offering, while R. Joshua exempts [him].[16] Now is that logical?[17] If there [in the second clause], where he did not perform a religious duty.[18] R. Joshua exempts him; then where he did perform a religious duty, he rules him liable![19] Said the School of R. Jannai: The first clause means e.g., that he previously circumcised [the infant] belonging to the Sabbath on the eve of the Sabbath,

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(1) Thinking that it was a different sacrifice.

(2) Lit., 'uprooting'. By slaughtering it for a different purpose he abrogates (lit., 'uproots') its true status; but this matter is disputed in Men. 49a.

(3) Thinking, however, that this is permitted.

(4) Since he deliberately abrogates its designation, he is certainly not erring in thinking that he is performing a religious act; why then does R. Joshua hold him not liable?

(5) I.e., he then knew it perfectly, and was certain that he would not forget it.

(6) Sc. the two cases.

(7) I.e., in the case adduced he knows definitely that he has only one infant for circumcision on the Sabbath, and therefore when he circumcises another his error is inexcusable, as explained in the note on the Mishnah.

(8) E.g.. twins, one being born on the Sabbath late in the day, and the second born after nightfall (or even during twilight).

(9) Lit., 'forgot'.

(10) For unwittingly desecrating the Sabbath. For since circumcision is not obligatory before the eighth day, this is not circumcision but the mere infliction of a wound, which entails culpability.

(11) For though he has actually fulfilled a precept, nevertheless circumcision after its proper time does not override the Sabbath.

(12) He erred though fulfilling a precept, viz., because he was occupied with the circumcision of the second, which was actually obligatory for that day; and he also did fulfill a precept by circumcising the first, and R. Joshua holds that in such a case he is not culpable. Hence here too, if he slaughtered a private sacrifice for a public sacrifice, he was occupied with a precept, viz., slaughtering a sacrifice, and he did fulfil a precept, for the sacrifice he did actually offer is valid.

Hence he should not be liable.

(13) When he circumcised the infant whose circumcision was due on the previous day, he had not yet circumcised the other; hence his error arose because he was rightly pre-occupied with the obligation of circumcision on that day.

(14) So that his subsequent error was unjustified, since he had no pre-occupation with any obligation of offering sacrifices at all when he made that error, all permitted sacrifices on that day having been disposed of.

(15) [In the Gilead district, v. Horowitz, Palestine, p. 6.]

(16) It is now assumed that in the first clause R. Meir holds him culpable when he circumcised both, because he thought that it was already time for both, and he first circumcised the infant belonging to the Sabbath, which was due for that day, and then circumcised the other. Now though he did actually perform a religious duty, yet since there was no occasion to be further occupied with this one after having circumcised the one belonging to the Sabbath, he is not regarded as having erred in the fulfilment of a precept. Whereas in the second clause he is exempt because he was pre-occupied with the infant belonging to the Sabbath and circumcised the other by mistake; for it is assumed that he certainly did not circumcise both on that day, as he must have known that one was due for the next day. Thus we see that where he has no occasion at all to be occupied at present with a precept, R. Meir rules him liable.

(17) That the reason is as stated in the last note.

(18) The infant not yet being due for circumcision.

(19) Surely not!

Talmud - Mas. Pesachim 72b

so that the Sabbath does not stand to be overridden[1] whereas in the second clause the Sabbath stands to be overridden by him;[2] [thus] here, [too], surely the Sabbath stands to be overridden in respect of a public sacrifice.[3] R. Ashi said to R. Kahana: But here too [in the first clause] the Sabbath stands to be overidden in connection with infants in general? Nevertheless it was not given [to be overridden] in connection with this man, he answered him.

WHILE ALL OTHER SACRIFICES WHICH HE SLAUGHTERED AS A PASSOVER, IF THEY ARE NOT ELIGIBLE, HE IS CULPABLE; WHILE IF THEY ARE ELIGIBLE, — R. ELIEZER RULES HIM LIABLE TO A SIN-OFFERING, WHILE R. JOSHUA RULES HIM NOT CULPABLE. Which Tanna draws a distinction between eligible and not eligible? It is R. Simeon. For it was taught: The sacrifices which are eligible [for a Passover] and the sacrifices which are not eligible are as one; and similarly he who slaughters for the sake of public sacrifices is not liable; this is R. Meir's view. R. Simeon said: R. Eliezer and R. Joshua did not differ about those which are not eligible, [agreeing] that he is liable. About what do they differ? About those which are eligible. R. Eliezer ruling him liable to a sin-offering, while R. Joshua declares him not liable.

R. Bibi said in R. Eleazar's name: R. Meir declared him not liable even [if it was] a calf of a peace-offering sacrifice which he slaughtered in the name of a Passover-offering.[4] Said R. Zera to R. Bibi, But R. Johanan said: R. Meir admitted [that he is liable] in the case of blemished [animals]?[5] — He is not pre-occupied with blemished animals [at all],[6] whereas he is occupied with this [calf],[7] he answered him.

Raba asked R. Nahman: What is R. Meir's opinion[8] [where a man slaughters] hullin for the sake of a Passover?[9] Said he to him: R. Meir declared him not liable even [if he slaughtered] hullin for the sake of a Passover. But R. Johanan said: R. Meir admitted [that he is liable] in the case of blemished [animals]? Blemished [animals] cannot be confused [for these] these can be confused,[10] Is then R. Meir's reason because they can be confused or they cannot be confused; surely R. Bibi said in R. Eleazar's name, R. Meir declared him exempt even [if it was] a calf of a peace-offering sacrifice which he slaughtered in the name of a Passover-offering,[11] which proves that R. Meir's reason is because he is pre-occupied with the [sacrificing of an animal].[12] — Said he to him, If he is pre-occupied [he is not liable] even if it cannot be confused; if it can be confused [he is not liable] even if he is not pre-occupied [with sacrificing], which excludes blemished [animals], which can

neither be confused nor is he indeed pre-occupied [with the sacrificing of them].

R. Zera and R. Samuel b. Isaac were sitting in the hall of R. Samuel b. Isaac[‘s house], and they sat and said: R. Simeon b. Lakish said: If a man mistook a spit of nothar[13] for a spit of [ordinary] roast meat[14] and he ate it, he is liable.[15] While R. Johanan said: If a man had intercourse with his wife, a niddah,[13] he is liable; if he had intercourse with his yebamah,[13] a niddah, he is not liable.[16] Some say, In the former case[17] he is all the more liable, seeing that he did not perform a religious duty [at all].[18] Others say, In the former case he would not be liable. What is the reason? It is only there[19] because he should have asked; but here, that he could not have asked,[20] [he is] not [liable].

Now [according to] R. Johanan, wherein does his yebamah differ? Because he performed a religious duty! [Then in the case of] his wife too he performed a religious duty.[21] — It refers to his wife when she is pregnant. But there is the pleasure of the periodical visit?[22] — It was not at the time of her periodical visit. But Raba said: A man is bound to please his wife with a good deed?[23] — It was near her [menstruation] date,[24] If so, the same [applies to] his yebamah?[25] — he is bashful towards his yebamah,[26] [but] he is not bashful towards his wife.

Now R. Johanan, according to whom [does he give his ruling]? Shall we say, according to R. Jose, for we learned, R. Jose said: If the first festival-day of the Feast[27] fell on the Sabbath, and one forgot [himself] and carried out the palm-branch[28] into the street,[29] he is not liable [to a sin-offering], because he carried it out with permission.[30] But perhaps it is different there, because his time is urgent?[31] Again, if [it is] in accordance with R. Joshua's [ruling] on infants,[32] there too his time is urgent? — Rather, it is in accordance with R. Joshua's [ruling] on terumah. For we learned: If he [a priest] was eating terumah and it became known that he was the son of a divorced woman or of a haluzah,[33] R. Eliezer holds him liable for the principal plus a fifth,[34] while R. Joshua exempts [him].[35] Perhaps [however] this is as R. Bibi b. Abaye. for R. Bibi b. Abaye said: This refers to terumah on Passover eve, since its time is urgent?[36] Alternatively, terumah is different, as it is designated ‘abodah,[37] and the Divine Law declared ‘abodah valid,[38] For we learned: If he was standing and offering [sacrifices] and it became known that he was the son of a divorced woman or of a haluzah, all the sacrifices which he offered on the altar are invalid; but R. Joshua declares them valid. Now we said, what is R. Joshua's reason? Because it is written, Bless, Lord, his substance [helo] and accept the work of his hands.[39] Now where is terumah designated ‘abodah? For it was taught: It once happened that R. Tarfon had not attended the Beth Hamidrash the previous evening. The [following] morning R. Gamaliel met him and said to him ‘Why did you not attend the Beth Hamidrash last night?’ ‘I performed an ‘abodah,’ replied he. ‘All your words are nought but mysteries.’[40] he retorted, ‘for whence have we ‘abodah nowadays?’[41] Said he to him, ‘Behold, it is said,

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(1) And he had not yet discovered his mistake when he came to perform circumcision on the Sabbath. Thus, though he thought that he was occupied with a religious duty, and did in fact perform one, he is nevertheless liable, because the Sabbath did not stand to be violated by him, since there was no infant left for whom the Sabbath must be violated.

(2) Hence he erred in the matter of a religious duty, and R. Meir holds that such is not liable even if he did not eventually perform a religious duty at all. Thus here too, if he slaughters a private sacrifice as a public sacrifice, the Sabbath did stand to be overridden in respect of a public sacrifice, and even if it had actually been slaughtered already the error is excusable, and he is not culpable.

(3) As explained in last note.

(4) Though I might think that it is impossible to confuse these two.

(5) And he assumes that the two cases are alike, since in both an error should be impossible.

(6) Since he never dedicated them as sacrifices.

(7) Having set them aside for an offering, his mind was pre-occupied with them and he might have erred in offering them for another purpose.

(8) Lit., ‘what (says) he’?

(9) On the Sabbath. No animal may be slaughtered as a sacrifice unless it is first consecrated.
(10) A man cannot err in respect of blemished animals, whereas he can forget that an animal has not been consecrated.
(11) Though these too cannot be confused.
(12) But he is not occupied in sacrificing hullin.
(13) V. Glos.
(14) Lit., 'a spit of nothar was exchanged to him for a spit roast'.
(15) To a sin-offering, which the unwitting consumption of nothar involves. The roast meat was that of a sacrifice, while the eating of sacrifices is a religious duty, as it is written, and they shall eat those wherewith atonement was made (Ex. XXIX, 33). Thus he rules that he is liable even where he erred in thinking that he was fulfilling a religious duty.
(16) As explained below, the first case means immediately prior to her menstruation period, so that he did not fulfil a religious duty. But in the latter case he fulfils a religious duty (v. Deut. XXV, 5).
(17) Viz., that dealt with by R. Simeon b. Lakish.
(18) Whereas he did perform a religious duty by rendering to his wife her conjugal rights.
(19) Viz., where he cohabited with his wife, that he is liable.
(20) There was none to ask about the spit.
(21) Viz., that of procreation, which is enjoined in Gen. I, 28: be fruitful, and multiply.
(22) V. Keth. 61b,
(23) Sc. intercourse, even at other times too.
(24) When one must hold aloof from his wife.
(25) Neither in her case is there any religious obligation when her menstruation date is near?
(26) Therefore he could not ask her.
(27) 'Feast' (hag) without a further determinant always means the Feast of Tabernacles.
(28) V. Lev, XXIII, 40.
(29) Carrying from private into public ground constitutes a forbidden labour on the Sabbath; v. Shab.7 2a, 73a.
(30) I.e., though his action is forbidden, nevertheless it was done as a religious duty. Thus this is similar to the case dealt with by R. Johanan.
(31) He must do it within a fixed period; hence his anxiety not to miss that period excuses his forgetfulness.
(32) V. supra 72a.
(33) V. Glos. — whom a priest may not marry (Lev. XXI,7- a haluzah is forbidden by Rabbinical law only); the issue of such a union is hallal (profaned) who ranks as a zar (lay Israelite) and must not eat terumah under the same penalties as a zar.
(34) Which a zar who eats terumah unwittingly must pay. v. Lev, XXII, 14.
(35) Because he erred in thinking that he was performing a religious duty; v. p. 374, n. 3; and the same applies to terumah.
(36) I.e., it was terumah of leaven and so he was in a hurry to consume it (R. Han.).
(37) 'Abodah, lit., 'service', means the sacrificial service; it is now stated that the eating of terumah is likewise 'abodah.
(38) When performed by a hallal, though he is not eligible to do it in the first place. Hence though he may not eat terumah, he is nevertheless not liable if he does eat it.
(39) Deut, XXXIII, 11. The verse refers to priests, and helo (E.V.. substance) is derived here from hullin (non-sacred, profane); thus it is translated, Bless . . . (even) him who is profaned (hallal) and accept etc., i.e., let his service be valid.
(40) Lit., 'words of astonishment'.
(41) After the destruction of the Temple.

Talmud - Mas. Pesachim 73a

I give you the priesthood as a service of ['abodath] gift; and the common man that draweth nigh shall be put to death:[1] [thus] they made the eating of terumah in the borders[2] as [equivalent to] the 'abodah in the Temple.

IF HE SLAUGHTERED IT FOR THOSE WHO ARE NOT ITS EATERS [etc,]. That is obvious: since it is [taught] there[3] [that it is] unfit, he is liable here?[4] — Because the second clause teaches, HE IS NOT LIABLE, the first clause teaches, HE IS LIABLE. But that too is obvious: Since [the

sacrifice] is fit there, he is not liable here?- Rather, because he teaches, IF HE SLAUGHTERED IT FOR A DIFFERENT PURPOSE ON THE SABBATH, he also teaches [about] THOSE WHO ARE NOT ITS EATERS. And what is the purpose of that itself?[5] — [He states it] because he wishes to teach the controversy of R. Eliezer and R. Joshua.[6]

R. Huna b. Hinena said to his son, 'When you go before R. Zerika, ask him: On the view that he who causes damage through a wound is not liable,[7] [when we learned] IF HE SLAUGHTERED IT FOR THOSE WHO ARE NOT ITS EATERS, HE IS LIABLE, what [of positive value] has he effected? — He effected [this. viz.,] that if they [the emurim] ascended [the top of the altar], they do not descend.[8] IF HE SLAUGHTERED IT, AND IT WAS FOUND TO POSSESS A BLEMISH, HE IS LIABLE: what [of positive value] has he effected?[9] — He effected [something positive] in the case of cataracts in the eye,[10] this being in accordance with R. Akiba, who maintained: If they [the emurim] ascended, they do not descend,[11] IF HE SLAUGHTERED IT AND IT WAS FOUND TO BE TEREFAH INTERNALLY, HE IS NOT CULPABLE. Hence if it is in an exposed part, he is culpable; [yet] what has he effected?[12] — He effected its withdrawal from the scope of nebelah.[13] Rabina demurred: As to what was taught: He who slaughters a sin-offering on the Sabbath without [the Temple] to an idol, is liable on account thereof to three sin-offerings:[14] -what has he effected?[15] -Said R. 'Awira: Because he withdraws it from [the interdict of] a limb [cut] from a live animal.[16]

IF HE SLAUGHTERED IT AND IT BECAME KNOWN etc. R. Huna said in Rab's name: A guilt-offering which was transferred to pasture and [then] slaughtered without a specified purpose is fit for a burnt-offering.[17] This proves that he holds that it does not require [express] abrogation.[18] If so, [even] if it was not transferred too?[19] [When it is sacrificed thus immediately] after atonement it is preventively forbidden on account of [when it is sacrificed thus even] before atonement.[20] And whence do you rule [thus]? For we learned: A guilt-offering whose owner died or whose owner [otherwise] obtained atonement must graze until it becomes unfit;[21] then it is sold, and its money falls [is utilized] for a voluntary offering.[22] R. Eliezer said: It is left to die.[23] R. Joshua said: he can sell it and bring a burnt-offering for its money.[24] Thus, only for its money, but not that itself, because he preventively forbids [it when sacrificed] after atonement on account of [when it is sacrificed] before atonement. This proves it.

R. Hisda raised an objection against R. Huna: IF HE SLAUGHTERED IT AND IT BECAME KNOWN THAT THE OWNERS HAD WITHDRAWN THEIR HANDS etc.

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(1) Num. XVIII, 7. 'Service of gift' refers to the priestly dues, which includes terumah, and it is designated here 'abohah.

(2) This is a technical term denoting all places without the Temple.

(3) Supra 61a.

(4) For its unfitness renders his action a desecration of the Sabbath.

(5) For seemingly the same principles are involved here too,

(6) Lit., 'to make R. Eliezer and R. Joshua dispute'.

(7) In general, the desecration of the Sabbath involves culpability only when it has a positive, beneficial effect. For causing damage, however, a man is not liable (Shab. 105b); but in respect to damage by wounding there is a controversy ibid, 106a.

(8) If a sacrifice becomes unfit in the Temple Court and its emurim (v. Glos.) are placed on the altar for burning, they do not descend but must be burnt there.

(9) For if the emurim of a blemished animal sacrificed unwittingly are laid on the altar, they must be taken down.

(10) Which are a blemish in respect to a sacrifice.

(11) In this case, since it is a kind of blemish that does not apply to a bird-offering, v. Zeb. 85b.

(12) For here too if the emurim are taken up to the altar they must go down again.

(13) V. Glos. As nebelah it would defile, whereas now it does not defile.

(14) (i) For slaughtering on the Sabbath: (ii) for sacrificing to an idol: and (iii) for slaughtering a sacrifice without the

Temple.

(15) Seeing that the slaughtering does not withdraw it from the scope of defilement, since an idol sacrifice becomes a source of defilement!

(16) A limb cut from a live animal is forbidden even to a non-Jew. His present action renders that interdict impossible (Rashi). R. Han.: a man is culpable when he eats as much as an olive of the limb of a live animal even if it is made up of flesh, tendons and bones; now, however, it ranks as nebelah, and he is liable only when he eats as much as an olive of the flesh, by itself, excluding the tendons and bones.

(17) A sin-offering and a guilt-offering cannot be brought as votive sacrifices, but only when they are due for transgression. Now, if a man dedicates an animal for one of these, and then dies, or dedicates and sacrifices another animal in its place, then the first, if a sin-offering, must be allowed to perish; if a guilt-offering, it must be put out to pasture until it receives a blemish, when it is redeemed and reverts to hullin (v. Glos.), while the redemption money is allocated to a special fund for voluntary sacrifices, which take the form of burnt-offerings. Nov, if he slaughtered it (in the Temple Court) before it received a blemish, it is valid as a burnt-offering, since that would eventually have been brought in any case. The flesh is then burnt on the altar, while the hide belongs to the priests.

(18) Lit., 'uprooting'. Since this is its ultimate destiny, he need not expressly abrogate its status of a guilt-offering.

(19) I.e., if it was slaughtered as a burnt-offering immediately its owner died etc., it should be fit.

(20) For the two cases may be confused. But once it is actually put out to pasture there is no fear of confusion. — From the text and Tosaf. a.l. it would appear that if he slaughters it as a burnt-offering before transferring it to pasture it is unfit, even if it was done. While even after it was transferred to pasture it is fit for a burnt-offering only if it was thus sacrificed, so that we are faced with a fait accompli. But at the outset it may not be sacrificed even after it is transferred to pasture.

(21) For a sacrifice by receiving a blemish.

(22) I.e., the money is placed in the fund for voluntary sacrifices.

(23) For he holds that a guilt-offering is the same as a sin-offering.

(24) I.e., the owner brings it as his own sacrifice, and the money does not go into the fund. Thus it is a private sacrifice, so that he himself can slaughter it, he lays his hands upon it (Lev. I, 4), and the accompanying drink-offerings are at his expense. Whereas when the money goes into the fund it is brought as a public sacrifice, and the foregoing are absent.

Talmud - Mas. Pesachim 73b

Now it ways taught thereon: During the week in such circumstances it must be burnt immediately. Now it is well if you say that it requires abrogation: this is a Passover, and since it has no owners, its disqualification is in itself, [and] for that reason it must be burnt immediately. But if you say that it does not require abrogation [then] from the beginning[1] it is a peace-offering; On account of what [then] is its disqualification? [Presumably] on account of something extraneous, viz., that he slaughtered it after the evening tamid![2] [But] then it requires disfigurement? For it was taught, This is the general rule: Wherever its disqualification is in itself, it must be burnt immediately; [if it is] in the blood or in its owner, [the flesh] must become disfigured and [then] it goes out to the place of burning[3] — Rather, do not say,[4] 'if he slaughtered it without specifying its purpose, it is fit as a burnt-offering,' but say, If he slaughtered it for the purpose of a burnt-offering, it is fit. This proves that it requires [express] abrogation.

Then according to R, Hiyya b. Gamada, who said: It was thrown out from the mouth of the company and they said: [The circumstances are] e.g.. that its owners were unclean through a dead body and relegated to the second Passover: [thus] only this requires abrogation, but in general abrogation is not required, what can be said?[5] — Rather, said R. Huna son of R. Joshua, what are we discussing here? E.g., if he separated it [for a Passover] before midday, and the owner died after midday, so that it was eligible and then rejected, and whatever was eligible and then rejected cannot be eligible again.[6] — Is then our reasoning [required] for any but Rab,[7] — surely Rab said: Live animals cannot be [permanently] rejected?[8] Rather, said R. Papa, the author of this[9] is R. Eliezer, who maintained: Similarly, if he slaughters other [sacrifices] for the sake of the Passover, they are unfit,][10] so that its disqualification is in itself.[11] But if it is [according to] R. Eliezer, he would rule

him liable to a sin-offering, since R. Eliezer rejects [the view that] he who errs in the matter of a precept[12] is exempt![13] — R. Joseph[14] the son of R. Salla the Pious explained it before R. Papa: The author of this is R. Joseph b. Honai. For we learned, R. Joseph b. Honai said: Those [other sacrifices] which are slaughtered for the purpose of a Passover or for the purpose of a sin-offering are unfit.[15] This proves that its disqualification is in itself, and for that [reason] it must be burnt immediately; while in the matter of non-culpability[16] he agrees with R. Joshua.[17]

R. Ashi said, Rab ruled in accordance with R. Ishmael the son of R. Johanan b. Berokah. For it was taught, R. Ishmael the son of R. Johanan b. Berokah said: If there was sufficient time in the day to ascertain whether the owners had withdrawn their hands or died or become defiled, he is liable,[18] and it [the sacrifice] must become disfigured and [then] go out to the place of burning.

he slaughtered it without a specified purpose, express abrogation not being necessary. But the reason in the Baraitha is a different one, as stated. Thus: at midday the owner was still alive and therefore it was immediately eligible for a Passover offering; the owner's death disqualified it from that purpose, and he holds that it can never be eligible again in such circumstances. What is the reason? Is it not because it does not require abrogation?[19] — Whence [does this follow]: perhaps it is because he agrees with the tanna of the School of Rabbah b. Abbuha, who said: Even piggul[20] too requires disfigurement, because we learn the meaning of 'iniquity' from nothar.[21] For if you should not say thus, where the owners become defiled, what can be said, for surely that certainly requires abrogation, for R. Hiyya b. Gamada said, it was thrown out from the mouth of the company and they said: [The circumstances are] e.g.. that its owners were unclean through a dead body and relegated to the second Passover? Hence it is clear as we answered at first: this is [in accordance with] R. Joseph b. Honai. [

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(1) I.e., immediately the owners die or withdraw their hands.

(2) V. Glos.; that is when he would actually slaughter it, thinking that it was still a Passover, whereas as a peace-offering it must be slaughtered before; v. supra 59b.

(3) V. supra 34b for notes.

(4) In the statement of Rab reported by R. Huna.

(5) V. supra 64a for notes.

(6) The original version is to be retained, viz., that

(7) This explanation is given only in order to reconcile R. Huna's statement in Rab's name with the Baraitha.

(8) V. infra 98a.

(9) The Baraitha which was cited commenting on our Mishnah.

(10) V. supra 62b.

(11) I.e., it does not require abrogation, so that it is automatically a peace-offering; hence by slaughtering it expressly for a Passover he renders it intrinsically disqualified, and therefore on weekdays it must be burnt immediately.

(12) V. Mishnah 71 b and note a.l.

(13) Hence in the Mishnah he should be liable for desecrating the Sabbath.

(14) So MS.M. omitting 'But' of cur. edd.

(15) v. Zeb. 2a.

(16) When one errs in a matter of a precept.

(17) That he is not culpable.

(18) For he should have satisfied himself on these things before slaughtering. Therefore he is regarded not as having erred in the fulfilment of a precept but as an unwitting offender (shogeg); hence he is liable.

(19) As above. Thus this supports Rab, who does not accept the view of the Baraitha quoted at the beginning of the page.

(20) V. Glos.

(21) V. infra 82b; though piggul is certainly intrinsically disqualified.

C H A P T E R V I I

MISHNAH. HOW IS THE PASSOVER-OFFERING ROASTED? WE BRING A SPIT OR POMEGRANATE WOOD AND THRUST IT INTO ITS MOUTH [RIGHT DOWN] AS FAR AS ITS BUTTOCKS, AND PLACE ITS KNEES AND ITS ENTRAILS INSIDE IT: THIS IS THE VIEW OF R. JOSE THE GALILEAN. R. AKIBA SAID: THIS IS IN THE NATURE OR SEETHING;[1] BUT THEY ARE HUNG OUTSIDE IT. ONE MAY NOT ROAST THE PASSOVER-OFFERING EITHER ON A [METAL] SPIT OR ON A GRILL.[2] R. ZADOK SAID: IT ONCE HAPPENED THAT R. GAMALIEL SAID TO HIS SERVANT TABI, GO OUT AND ROAST US THE PASSOVER-OFFERING ON THE GRILL.'

GEMARA. But let us bring [a spit] of metal? — When part of it is hot the whole of it is hot,[3] and so [part of] it is roasted through the spit,[4] whereas the Divine Law saith, roast with fire,[5] and not roast through something else. But let us bring [a spit] of palm wood? — Since it has grooves it exudes water [sap], so that it would be like boiled. Then let us bring [a spit] of fig wood? — Since it is hollow,[6] it exudes water, so that it is like boiled. Then let us bring [a spit] of the oak tree, the carob tree or the sycamore tree? — Because it has knots it exudes water. [But the wood] of the pomegranate tree too has knots? — Its knots are smooth.[7] Alternatively, this refers to a shoot of this [i.e., the first] year's growth, which has no knots. But there is the point where it is cut?[8] — He causes the point where it is cut to protrude without [the animal].

Our Mishnah is not according to R. Judah. For it was taught, R. Judah said: Just as a wooden spit is not burnt,[9] so a metal spit does not boil [the flesh].[10] Said they to him: This [sc. metal], if part of it is hot, the whole of it is hot; whereas the other [wood], if part of it is hot, the whole of it is not hot.[11]

AND WE PLACE ITS KNEES, etc. It was taught: R. Ishmael called it tok tok.[12] R. Tarfon called it a helmeted goat.[13]

Our Rabbis taught: What is the helmeted goat which it is nowadays forbidden to eat on the nights of Passover?[14] Wherever the whole is roasted in one [piece]. If a lamb was cut from it, [or] if a limb of it was boiled, that is not a helmeted goat. Now that you say that if a limb was cut from it, even if he roasted it together with it, it is not [a helmeted goat], [if a limb is] boiled need it [be stated]?[15] — Said R. Shesheth: It means that he boiled it while attached [to the whole animal].

Rabbah said: A stuffed [lamb][16] is permitted. Said Abaye to him: But [the lamb] absorbs the blood?[17] As it absorbs, so it exudes, he answered him.[18] Shall we say that this supports him: AND [WE] PLACE ITS KNEES AND ITS ENTRAILS INSIDE IT: what is the reason? Is it not because we say, as it absorbs, so it exudes? — I will tell you: it is different there, [for] since there is the place of slaughtering, which is hollow,

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(1) The entrails inside the animal are like meat in a pot, which is seething, not roasting.

(2) This is explained in the Gemara.

(3) Metal-iron — being a good conductor of heat.

(4) The flesh actually in contact with it is roasted in the heat of the spit, not by the heat of the fire.

(5) Ex. XII,8.

(6) Having a marrow-like substance inside.

(7) Hence they do not exude sap.

(8) Which naturally exudes moisture.

(9) For being inside the lamb it is protected from the fire.

(10) Thus he permits the use of a metal spit.

(11) Hence there is no analogy between the two.

(12) 'Tok' is the sound of boiling. Thus he held that the knees etc. are placed inside it, so that it emits a sound of boiling.

MS. M. reads: R. Ishmael called it a takbera i.e., a basket, as the animal was stuffed with the loose pieces, v. Jast. s.v. תכברא.

(13) He held that the knees etc. must hang outside, so that it looked like a helmet on the head of a warrior.

(14) I.e., after the destruction of the Temple; v. supra 53a.

(15) Surely it is superfluous.

(16) I.e., the lamb being stuffed with meat salted only enough for roasting, which is less than is required by law when it is to be boiled (Rashi). Blood in flesh is forbidden, hence the prescribed, process of soaking and salting in order to draw it out.

(17) Which exudes from the pieces of meat with which it is stuffed when the whole is roasted.

(18) It exudes on the outside the same amount of blood which it first absorbs on the inside.

Talmud - Mas. Pesachim 74b

[the blood] indeed oozes out.[1]

Shall we say that this supports him: The heart must be torn and the blood withdrawn;[2] if he did not tear it [open], he must tear it after it is boiled[3] and it is permitted.[4] What is the reason? Is it not because we say, as it absorbs, so it exudes?[5] — The heart is different, because it is smooth.[6] But surely Rabin the Elder put a paste of dough over a [roasted] pigeon for Rab, and he [Rab] said to him, 'If the paste is good [tasty], give it me and I will eat it?'[7] — That was [done] with [a paste of] fine flour, which is crumbly.[8]

But Raba visited the home of the Resh Galutha[9] and they put a paste of dough over a [roasted] duck for him. Said he, 'Had I not seen that it was as clear as white glass, I would not eat of it.' Now should you think, as it absorbs, so it exudes, why particularly when it is clear; [it is permitted] even if not clear? — There it was [prepared] with white flour, so that it [the paste] is compact.[10] Now the law is: [a paste] of finest flour, whether it looks red or does not look red, is permitted;[11] [a paste] of white flour: if it is as clear as white glass, it is permitted, if not, it is forbidden; [a paste] of other flours: if it looks red, it is forbidden; if it does not look red, it is permitted. [As to] a stuffed [lamb], he who forbids [does so] even if the mouth is at the bottom; while he who permits [does so] even if the mouth is on top. Now the law is: a stuffed [lamb, etc.] is permitted even if the mouth is on top.[12]

[With regard to] raw meat,[13] eggs,[14] and the jugular veins, R. Aha and Rabina differ therein. (In the whole Torah[15] R. Aha is stringent while Rabina is lenient, and the law is as Rabina [viz.,] as the lenient [view]; except in these three, where R. Aha is lenient and Rabina is stringent, and the law is as R. Aha, [viz.,] as the lenient view.) If raw meat turns reddish, if one cuts[16] and salts it, it is permitted even for a pot; if one impales it on a spit [over the fire], it is permitted,[17] [because] it [the blood] certainly oozes out. If he placed it on [burning] coals, R. Aha and Rabina differ therein; one forbids and the other permits. He who forbids [holds that] it [the fire] binds [the blood],[18] while he who permits [holds] that it draws [the blood] out. And the law is: it does indeed draw [the blood] out. Similarly with eggs: if he cut and salted them, they are permitted even for a pot. If he suspended them from a spit, they are permitted, [because] it [the blood] certainly oozes out. If he laid them on coals, Aha and Rabina differ therein: one forbids and the other permits them. He who forbids [holds]: it certainly binds [the blood]; while he who permits [maintains]: it draws it out. Similarly with the [throat portion containing the] jugular veins: if he cut and salted it, it is permitted even for a pot; if he suspended it on a spit, the place of the cut[19] being underneath,[20] it is permitted, [because] it does indeed ooze out. If he laid it on coals, R. Aha and Rabina differ therein: one forbids and the other permits. He who forbids [holds]: it does indeed bind [the blood]; while he who permits [maintains]: it draws it out. And the law is: it draws it out.

Raw meat which turns red, its serum is forbidden;[21] if it does not turn red, its serum is permitted. Rabina said: Even if it does not turn red, its serum is forbidden, [for] it cannot but contain streaks of

blood. Mar b. Amemar said to R. Ashi: My father did indeed drink it.[22] Others say: R. Ashi himself drank it.

Mar b. Amemar said to R. Ashi: Vinegar which had been used once for contracting [meat],[23] my father would not use it again for contracting'.[24] How does it differ from weak vinegar, which may be used for contracting'? — There

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(1) The animal being hung throat downwards.

(2) Before it is boiled; the heart is full of blood and therefore ordinary salting, as is done with other flesh, is insufficient.

(3) Rashi: this is assumed to mean, after it is roasted over an open fire, roasting being occasionally referred to as boiling, v. II Chron. XXXV, 13: and they boiled (wa-yebashshelu) the passover with fire according to the ordinance.

(4) V. Hul. 109a.

(5) The reference is not to the heart absorbing blood from other meat, but to one part of the heart absorbing blood from another, and it is now suggested that it exudes the same blood, since it is roasted over an open fire.

(6) Hence it does not absorb, so that even if it were boiled in a pot it would be permitted, though there that it is not directly over the fire we certainly cannot say, so it exudes.

(7) Now the paste absorbs blood from the roasted pigeon; since he wanted to eat it, he must have known that it reexudes it.

(8) And so leaves room for the blood to ooze.

(9) V. Glos.

(10) Which prevents the blood from oozing.

(11) Even in the former case we assume that the blood which the paste absorbed certainly oozed out, the redness being a mere hue which it leaves.

(12) When it is suspended for roasting; though there is no opening for the blood to run out, it nevertheless oozes out through the flesh.

(13) Umza is raw meat, unsalted and unsoaked. Blood in flesh is forbidden only if it travels from one part of the flesh to another. But if it remains in its original place, e.g., when raw meat is pickled dry, it is permitted (Rashi).

(14) The eggs of a male. Rashi: the controversy infra arises when they look red. Tosaf.: these eggs are covered with a membrane which is forbidden on account of blood, hence the controversy.

(15) Where R. Aha and Rabina differ.

(16) To allow for the blood to flow out.

(17) Even if only slightly salted, as one salts ordinary meat when it is to be roasted.

(18) Though not before it has time to travel from its place.

(19) I.e., the throat.

(20) So that the blood can flow out.

(21) This is R. Aha's view; though he permits the meat itself, he agrees that the serum is forbidden.

(22) The serum.

(23) Meat was washed in vinegar in order to contract the blood vessels and bind the blood.

(24) Because after it has been used once the vinegar loses its strength to bind the blood in its place.

the tartness of the fruit is present in its natural state, whereas here the tartness of the fruit is not present in its natural state.

ONE MAY NOT ROAST THE PASSOVER-OFFERING etc. A story [is quoted] in contradiction? — The text is defective, and it teaches thus: But if it is a perforated grill, it is permitted, and R. ZADOK SAID [LIKEWISE]: IT ONCE HAPPENED THAT R. GAMALIEL SAID TO HIS SERVANT: GO OUT AND ROAST US THE PASSOVER-OFFERING ON THE PERFORATED GRILL'.

R. Hinena b. Idi asked R. Idi b. Ahabah: If a man fires an oven with the shells of 'orlah[1] and then

sweeps it out and bakes bread in it, what is [the law] on the view that it is forbidden?[2] The bread is permitted, he answered. Said he to him, But R. Hinena the Elder said in R. Assi's name in R. Johanan's name: If a man fires an oven, sweeps it out, and roasts the Passover-offering in it, that is not 'roast with fire,' because 'roast with fire,' is stated twice.[3] [Thus] the reason is that the Divine Law revealed [it by stating] roast with fire' twice; but if the Divine Law had not revealed it, I would say, it is 'roast with fire'?[4] — The Divine Law revealed it there, replied he, and we learn from it [for elsewhere]. Alternatively, there the reason is that the Divine Law wrote roast with fire' twice; but if the Divine Law had not written 'roast with fire' twice, I would say, the Divine Law insisted on fire, and even if he swept it out, that too is 'roast with fire';[5] but here the Divine Law objected to forbidden fuel, which is [now] absent.

Our Rabbis taught: If he cut it[6] and placed it on the coals,Rabbi said: I maintain that this is 'roast with fire.' R. Ahadeboi b. Ammi pointed out a contradiction to R. Hisda: Did then Rabbi rule [that] coals are fire? But the following contradicts it: [Or when the flesh hath in the skin thereof] a burning by fire [etc.]:[7] I know it only where it was burnt by fire; if it was burnt with coals, hot ashes, boiling lime, boiling gypsum, or anything produced by fire, which includes hot water [heated] by fire, how do we know it?[8] Therefore 'a burning' is stated twice, as an amplification. [Hence] it is only because the Divine Law amplified [it by writing] 'a burning' twice, but if the Divine Law had not amplified [it by writing] 'a burning' twice, [I would say that] coals are not fire? Scripture does not find it necessary to include a wood coal, he answered him;[9] a verse is necessary only in respect of a coal of metal. Then are not coals of metal fire? Surely in respect of a priest's daughter [who committed adultery], though it is written, she shall be burnt with fire,[10] R. Mattenah said: They made a lead wick for her?[11] — There it is different, because the Divine Law said, 'she shall be burnt with fire': 'she shall be burnt' is to include all burnings which come from fire, then all the more fire itself! [If so] let us surround her with bundles of faggots and burn her? — The meaning of 'burning' is learnt from the children of Aaron: just as there it was a burning of the soul while the body remained intact, so here burning of the soul while the body remains intact [is meant].[12] Then let us prepare for her boiling water [heated] by the fire?[13] — [That is ruled out] on account of R. Nahman' [s dictum]. For R. Nahman said, Scripture saith, but thou shalt love thy neighbour as thyself:[14] choose an easy death for him. Now, since there is R. Nahman['s deduction], what is the purpose of the gezerah shawah?[15] — I will tell you: But for the gezerah shawah, I would say [that] the burning of the soul while the body remains intact is not burning,[16] while as for R. Nahman's [teaching], let us use many bundles of faggots for her, so that she should die quickly. Therefore it [the gezerah shawah] informs us [that it is not so]. Then what is the purpose of '[she shall be burnt] with fire'?[17] — It is to exclude [boiling] lead [drawn straight] from its source.

R. Jeremiah said to R. Zera: Then wherever 'she shall be burnt with fire' is written, it is to include all burnings which are produced by fire? Surely in respect to the [sacrificial] bullocks which were burnt, though it is written, and the [the priest] shall burn it on wood with fire,[18] it was nevertheless taught: 'With fire,' but not with boiling lime or boiling gypsum? — Said he to him, How compare! There 'with fire' is written [first] and 'she shall be burnt' after: [hence] it is to include all burnings which are produced by fire;[19] [whereas] here is written, and he shall burn it on wood with fire,' 'with fire' being at the end, to intimate that fire only [is permitted], but not anything else. But there too burning is written at the end, for it is written,

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(1) V. Glos.

(2) Where it is not first swept out; V. supra 26b. Here, however, there is no improvement of the fuel in the loaf; hence the question.

(3) Ex. XII, 8, 9. The repetition emphasizes that it must be roast actually over the fire itself.

(4) Hence in the present case as there is no Biblical intimation, we should regard it as though the fire itself were present, and by corollary, as though, the oven were unswept.

(5) Since the heat was the result of fire.

(6) The Passover-offering; not actually dividing it, but making a number of deep cuts, so that it should roast more quickly.
(7) Lev. XIII, 24.
(8) That it falls within this particular category of leprosy? V. Hul. 8a.
(9) For that indeed is fire.
(10) Lev. XXI, 9.
(11) V. Sanh. 52a.
(12) V. Sanh. 52a.
(13) I.e., let us execute her by scalding.
(14) Lev. XIX, 18.
(15) V. Glos. I.e., the derivation from the sons of Aaron. it. Nahman's dictum in itself excludes also burning by faggots.
(16) So that the only alternative left is burning by faggots.
(17) Since after all the verse is taken to include all burnings which come from fire.
(18) Ibid. IV, 12.
(19) Since the addition of ‘she shall be burnt’, after ‘with fire’ has already been stated, it is superfluous.

Talmud - Mas. Pesachim 75b

where the ashes are poured out shall it be burnt?[1] I will tell you: that ‘shall it be burnt’ is required for what was taught: ‘It shall be burnt’: even if no ashes are there; ‘it shall be burnt’, even if he made the fire catch on to the greater part of it.[2] Rabina said:[3] Unite them[4] and learn: ‘A burning by fire’: I know it only if it was burnt by fire or with a coal;[5] if it was burnt with hot ashes, boiling lime, boiling gypsum or with anything produced by fire, which includes hot water [heated] by the fire, how do we know it? Therefore ‘a burning’ is stated twice as an amplification.

Raba pointed out a contradiction: did then Rabbi say [that] coals are designated fire? But the following contradicts it: [And he shall take a censer full of] coals [of fire]:[6] you might think [that] quenched [smouldering] coals are meant;[7] therefore ‘fire’ is stated. If ‘fire’, you might think [that] a flame [must be brought]; therefore ‘coals of’ is stated. How then [is it to be understood]? He must bring of the brightly-burning [coals].[8] Now this is self-contradictory: you say: "’coals," you might think [that] quenched coals [are meant],’ which proves that brightly-burning [coals] are [termed] fire. Then consider the second clause: ‘if "fire", you might think [that] a flame [must be brought]; therefore "coals of" is stated,’ which proves that even brightly-burning [coals] are not fire? Whereupon R. Shesheth answered, This is what he teaches: coals: you might think, both smouldering and brightly-burning [can be taken]; therefore ‘fire’ is stated. if ‘fire,’ you might think [that] a flame [must be brought]; therefore ‘coals of’ is stated. How then [is this to be understood]? He must bring of the brightly-burning [coals]. Yet at all events coals are not called fire, which is a difficulty according to Rabbi? — Said Abaye, Explain it thus: coals of:you might think quenched, but not brightly-burning; therefore ‘fire’ is stated; if ‘fire,’ you might think, he can bring a flame[9] or a coal, whichever he desires; therefore ‘coals of fire is stated. How then [is it meant]? He must bring of the brightly burning [coals]. Raba[10] asked: [You say] ‘He can bring a flame or a coal, as he desires.’ [But] how is a flame without a coal possible? [Only] if one smears a vessel with oil and lights a fire in it! [Then] why do I need a verse [to exclude] that? Seeing that you do not do thus before a king of flesh and blood, is it not all the more [forbidden] before the Holy One, blessed be He! Rather said Raba, Explain it thus: ‘coals of’: you might think, quenched but not brightly-burning; therefore ‘fire’ is stated; if fire, you might think, let him bring half coal and half flame,[11] so that by the time he carries it within [the Holy of Holies] it is all a coal; therefore it is stated, ‘And he shall take a censer full of coals of fire from off the altar’: at the very time of taking they must be coals.

The Scholars asked: [Is the word] omemoth or ‘omemoth?[12] -R. Isaac quoted: The cedars in the garden of God could not hide it [‘amamuhu].[13]

MISHNAH. IF IT [THE PASCHAL LAMB] TOUCHED THE EARTHEN[WARE] OF THE OVEN, HE MUST PARE ITS PLACE; IF SOME OF ITS JUICE DRIPPED ON TO THE EARTHEN[WARE] AND DRIPPED BACK ON TO IT, HE MUST REMOVE ITS PLACE.[14] IF SOME OF ITS JUICE FELL ON THE FLOUR, HE MUST TAKE A HANDFUL AWAY FROM ITS PLACE. IF HE BASTED IT [THE PASCHAL LAMB] WITH OIL OF TERUMAH[10] IF THEY WHO REGISTERED FOR IT ARE A COMPANY OF PRIESTS, THEY MAY EAT [IT]; BUT IF ISRAELITES, IF IT IS [YET] RAW, LET HIM WASH IT OFF; IF IT IS ROAST, HE MUST PARE THE OUTER PART. IF HE ANOINTED IT WITH OIL OF SECOND TITHE,[15] HE MUST NOT CHANGE ITS VALUE TO THE MEMBERS OF THE COMPANY, BECAUSE SECOND TITHE MUST NOT BE REDEEMED[16] IN JERUSALEM.[17]

GEMARA. It was stated: [If] hot matter [falls] into hot,[18] all agree

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(1) Ibid.

(2) Yet he must not leave it until the whole is burning. This is deduced because 'it shall be burnt' is repeated at the end of the sentence, which emphasizes that it is to be entirely burnt in all cases.

(3) In reply to the contradiction pointed out by R. Ahadeboi.

(4) Lit., 'wrap'.

(5) Coal is included as implied by the term 'fire', and not derived from the repetition of 'a burning', as stated in the original version.

(6) Lev. XVI, 12.

(7) I.e., without a flame, for otherwise they are simply called 'fire'.

(8) Lit., 'whispering,' for when coals are burning brightly they make a slight hissing noise something like a sibilant whisper.

(9) Without a coal.

(10) As emended in margin from Rabbah.

(11) E.g., a piece of wood part only of which is well alight.

(12) With an alef (א) or with an 'ayin (ע)?

(13) Ezek. XXXI, 8; 'amamuhu is with an 'ayin (ע), and the root really means to dim, darken, whence E.V. 'hide'.

(14) I.e.,the part on to which it dripped. 'Pare' denotes a very thin strip; 'to remove,' the thickness of the finger. The reason is explained in the Gemara.

(15) Second tithe was brought to Jerusalem and eaten there by its Israelite owners; if it was too burdensome, they redeemed it and expended the redemption money in Jerusalem, v. Deut. XIV, 22f.

(16) Var. lec.: sold.

(17) Even to eat it in Jerusalem as holy food. If the owner of this oil charges the other members for their share, he virtually redeems or sells it as far as he is concerned.

(18) E.g., hot milk into hot meat, or hot forbidden flesh into hot permitted flesh, or vice versa. By 'hot', boiling is meant.

that it is forbidden;[1] cold into cold, all agree that it is permitted.[2] [If] hot [falls] into cold, or cold into hot, — Rab maintained: The upper prevails;[3] while Samuel maintained: The lower prevails.

We learned: IF SOME OF ITS JUICE DRIPPED ON TO THE EARTHEN[WARE] AND DRIPPED BACK ON TO IT HE MUST REMOVE ITS PLACE. It was assumed that this refers to a cold earthenware; now it is well on Rab's view that the upper prevails: consequently he must remove its place, because the juice goes and heats the earthenware and the earthenware in turn heats the juice, and when the juice drips back on to the paschal lamb, the paschal lamb is roasted [at that spot] by the heat of the earthenware, whereas the Divine Law said, roast with fire,[4] but not roast with something else. But on Samuel's view that the lower prevails, since the earthenware is cold it actually cools the juice; why then should he remove its place? — As R. Jeremiah said[5] in Samuel's name: The reference is to hot flour; so here too the reference is to hot earthenware.

We learned: IF SOME OF ITS JUICE DRIPPED ON TO THE FLOUR, HE MUST REMOVE A HANDFUL FROM ITS PLACE. It was assumed that this refers to cold flour. It is well on Rab's view that the upper prevails: consequently he must remove a handful from its place, because it heats the flour around it and the flour in turn heats it, and the juice is roast by the heat of the flour, whereas the Divine Law said, 'roast with fire', but not roast with something else. But on Samuel's view that the lower prevails, since the flour is cold it actually cools it; why then must he remove a handful from its place? — Said R. Jeremiah b. Samuel: This refers to hot flour.

We learned: IF HE BASTED IT With OIL OF TERUMAH, IF THEY [WHO REGISTERED FOR IT] ARE A COMPANY OF PRIESTS, THEY MAY EAT [IT]; IF IT BELONGS TO ISRAELITES: IF IT IS [YET] RAW, LET HIM WASH IT OFF; IF IT IS ROAST, HE MUST PARE THE OUTER PART. It is well on Rab's view that the upper prevails: consequently [mere] paring is sufficient, because the upper is cold.[6] But on Samuel's view that the lower prevails, since it is hot it certainly absorbs; why then is paring sufficient: let us forbid it entirely? — Basting is different, because a mere trifle is used.

It was taught in accordance with Samuel: [If] hot matter [falls] into hot, it is forbidden; similarly, if he put cold into hot, it is forbidden; hot into cold or cold into cold, he must wash it off. [You say], 'Hot into cold, he must wash it off'; [surely] since it is hot, until it cools it cannot but absorb a little; then it should at least require paring? Rather say: hot into cold, he must pare it; cold into cold, he must wash it off.

Another [Baraitha] taught: If hot meat fell into hot milk, and likewise if cold fell into hot, it is forbidden. Hot into cold or cold into cold, he must wash [the meat]. 'Hot into cold, he must wash [the meat]'; [surely] since it is hot, until it cools it cannot but absorb a little, then it should at least require paring? — Rather say: hot into cold, he must pare [it]; cold into cold, he must wash [the meat].

The Master said: 'Cold into cold, he must wash the meat.R. Huna said: They learned this only where he had not [previously] salted it; but if he had salted it, it is forbidden, for Samuel said: Salted [matter] is like hot;[7] if preserved [in vinegar], it is like boiled.[8] Raba said: As to what Samuel said, Salted [matter] is like hot, — this was said[9] only where it cannot be eaten through the salt;[10] but if it can be eaten in spite of the salt, it is not so. A young pigeon fell into a jug of kamka,[11] [and] R. Hinena the son of Raba of Pashrunia[12] permitted it. Said Raba: Who is so wise as to permit such a thing if not R. Hinena the son of Raba of Pashrunia, who is a great man. [For] he can tell you: when did Samuel say, Salted matter is like hot? — Where it cannot be eaten through the salt; whereas this could be eaten in spite of the salt. That is, however, only if it is raw; but if roast, it requires paring. Further, this was said only if it contains no splits;[13] but if it contains splits, it is [altogether] forbidden; and if it is seasoned with condiments, it is forbidden.[14]

Rab said:

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(1) Because each absorbs from the other.

(2) Because they do not absorb from each other.

(3) Thus: if hot falls into cold, the upper heats the lower, and it is tantamount to hot into hot: while if cold falls into hot, it is as cold into cold.

(4) Ex. XII, 8.

(5) V. infra.

(6) I.e., the oil is cold. Nevertheless paring at least is required, because the oil cannot but soak slightly into the flesh.

(7) 'Salted', this is soon defined — it is regarded as hot, and necessitates paring.

(8) And the whole of the permitted matter rendered forbidden.

(9) Lit., ‘we said’.
(10) Until the salt is washed off
(11) A relish containing milk, among other things.
(12) A town in Babylonia. Obermeyer does not identify it. Jast., however, s.v. פרשוניא identifies it with Perishna, which is mentioned infra 91a, and Obermeyer, p. 297, n. 1. thinks that the latter is identical with Barus, which was included in the district of Sura for taxation purposes.
(13) Then paring is sufficient.
(14) In both cases the flesh absorbs more freely than otherwise.

Fat meat of a [ritually] slaughtered [animal] which was roasted together with lean meat of nebelah[1] is forbidden. What is the reason? They fatten each other.[2] But Levi maintained: Even lean meat of a [ritually] slaughtered [animal] which was roasted together with fat meat of nebelah is permitted. What is the reason? It is a mere smell, and smell is nothing. Levi gave a practical decision[3] at the house of the Resh Galutha[4] in the case of a goat and 'something else.'[5]

An objection is raised: One may not roast two Passover offerings together, on account of the mixture. Surely that means, the mixture of [the] flavours,[6] which is a difficulty on Levi's view? No: [it means] the mixture of their carcasses.[7] This too is logical, since the second clause teaches: Even a kid and a lamb. Now it is well if you say [that it is] on account of the carcasses: hence he teaches, 'even a kid and a lamb.'[8] But if you say [that it is] on account of the mingling of [the] flavours, what does it matter whether it is a kid and a lamb or a kid and a kid? — What then? You are bound [to say] that it is forbidden only on account of the mixing of the carcasses, but the mingling of flavours is permitted; shall we say [then] that this is a refutation of Rab? — Said R. Jeremiah: The case we discuss here[9] is e.g., where he roasted them in two pots. [You say] 'In two pots — can you think so![10] — Rather say, as though [they were roasted in] two pots,[11] and this is what it teaches: One may not roast two Passover-offerings together, on account of the mixture. What mixture? The mixture of the flavours. And even [when roasted] as it were in two pots it is forbidden on account of the [possible] confusing of the carcasses, and even a kid and a lamb [must not be roasted together].

R. Mari said: This is dependent on Tannaim. If a man removes a hot loaf [from the oven] and places It on a wine barrel of terumah, — R. Meir forbids it;[12] whereas R. Judah permits it; while R. Jose permits it in the case of [a loaf of] wheat, but forbids it in the case of barley [flour], because barley absorbs. Surely then it is dependent on Tannaim, one Master holding: Smell is nothing; while the other Master holds: Smell is something [substantial]? According to Levi, it is certainly dependent on Tannaim.[13] Shall we say that it is [dependent on] Tannaim according to Rab [too]? — Rab can tell you: All agree that smell is something [substantial]; [and as to the ruling of R. Judah] was it not stated thereon, Rabbah b. Bar Hanah said in the name of Resh Lakish: In the case of a hot loaf and an open barrel, all agree that it is forbidden; in the case of a cold loaf and a closed [stoppered] barrel, all agree that it is permitted. They differ only in the case of a hot loaf and a sealed barrel, [or] a cold loaf and an open barrel;[14] and this too[15] is like a hot loaf and an open barrel.[16]

R. Kahana the son of R. Hinena the Elder recited: A loaf which was baked together with roast [meat] in an oven may not be eaten with kutah.[17] A fish was roasted [i.e., baked] together with meat, [whereupon] Raba of Parzikia[18] forbade it to be eaten with kutah. Mar b. R. Ashi said: Even with salt too it is forbidden, because it is harmful to [one's] smell and in respect of 'something else.'[19]

MISHNAH. FIVE THINGS [SACRIFICES] MAY COME IN UNCLEANNESS, YET MUST NOT BE EATEN IN UNCLEANNESS: THE 'OMER,[20] THE TWO LOAVES,[21] THE SHEWBREAD,[22] THE SACRIFICES OF THE PUBLIC PEACE-OFFERINGS,[23] AND THE HE-GOATS OF NEW MOONS.[24] THE PASCHAL LAMB WHICH COMES IN UNCLEANNESS IS EATEN IN UNCLEANNESS, FOR FROM THE VERY BEGINNING IT CAME FOR NO OTHER PURPOSE BUT TO BE EATEN.

GEMARA. What does 'FIVE' exclude?[25] — It excludes the hagigah [for example] of the fifteenth.[26] For I might argue, since it is a public sacrifice[27] and a season is fixed for it, let it override uncleanness; therefore he informs us [that] since you can make it up the whole seven [days],[28] it does not override the Sabbath,[29] and since it does not override the Sabbath, it does not override uncleanness.

Now, let him [the Tanna] state the he-goats of festivals too?[30] — He does indeed state THE SACRIFICES OF THE PUBLIC PEACE-OFFERINGS.[31] If so, let him not state the he-goats of New Moons either, seeing that he States THE SACRIFICES OF THE PUBLIC PEACE-OFFERINGS? — I will tell you:

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(1) In the same oven on separate spits and not touching.

(2) The odour of the fat meat enters the lean meat and makes it fat, and then in turn the odour of the lean meat, which is forbidden enters the permitted meat and renders it forbidden too. — Hence if the meat of nebelah itself is fat, it is certainly forbidden.

(3) As distinct from a mere theoretical ruling — in accordance with his view.

(4) V. Glos.

(5) I.e., a swine, which was generally referred to thus; cf. supra 3b. These had been roasted together.

(6) Each absorbs the flavour of the other through its smell, which would thus be enjoyed by those who have not registered for that animal.

(7) The animals themselves may be mixed up with each other.

(8) Though a mistake is less likely there.

(9) In the teaching cited.

(10) The Passover-offering may not be roasted in pots at all.

(11) A heap of coals or ashes intervening between the two sacrifices.

(12) To a lay Israelite, because it has absorbed the odour of the wine.

(13) For R. Meir's view certainly contradicts his.

(14) And it is only in such cases that R. Judah permits.

(15) Sc. the case disputed by Rab and Levi.

(16) Which even R. Judah agrees is forbidden.

(17) V. Glos. This contains milk.

(18) Obermeyer, p. 227, n. 2 thinks this identical with Perezina (Faransag), near Bagdad.

(19) Leprosy.

(20) V. Glos. and Lev. XXIII, 10f.

(21) V. ibid. 17.

(22) V. Ex. XXV, 30.

(23) The lambs offered on Pentecost, v. Num. XXVIII, 27.

(24) V. ibid. 15 — all these are brought even if the community is unclean, which of course makes them unclean too through the handling of the officiating priest; nevertheless, they may not be eaten for they are brought merely in discharge of public obligations, but their main purpose is not to be eaten.

(25) It is assumed that the number has this purpose, for otherwise the Mishnah would simply state, The ‘omer . . . come in uncleanness etc.

(26) And similarly the hagigah of any other Festival.

(27) In the sense that all Jews must bring a hagigah.

(28) If not brought on the first day it can be brought for a week afterwards, v. Hag. 9a.

(29) A public sacrifice overrides the Sabbath only when it cannot be offered on any other day.

(30) V. Num. XXVIII, 15, 22, 30; XXIX, 5, 16, 38.

(31) For the he-goats too are public sacrifices (R. Han).

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It is necessary for him [to teach about] the he-goats of New Moons. I might argue, surely ‘appointed season’ [mo'ed] is not written in connection therewith;[1] therefore he informs us that New Moon is designated mo'ed, in accordance with Abaye's [dictum]. For Abaye said, The Tammuz[2] of that year[3] was indeed made full,[4] as it is written, He hath proclaimed an appointed time [mo'ed] against me to crush my young men.[5]

Shall we say that all of them[6] are derived from mo'ed [‘appointed time’]? How do we know it? For

our Rabbis taught: And Moses declared unto the children of Israel the appointed times of the Lord.[7] For what purpose is this stated?[8] Because we have learnt only of the daily offering and the Passover-offering [that they override the Sabbath and uncleanness], since 'in its appointed time' is stated in connection with them,[9] 'in its appointed time' [implying] even on the Sabbath, 'in its appointed time' implying even in uncleanness. Whence do we know it of other public sacrifices? Because it is said, These shall ye offer unto the Lord in your appointed time.[10] Whence do we know to include the 'omer — and that which is offered with it, and the two loaves and that which is offered with them? Therefore it is stated, 'And Moses declared unto the children of Israel the appointed times of the Lord': the Writ fixed it as one appointed season for all of them.[11]

Now, what is the purpose of all these?[12] — They are necessary. For if the Divine Law wrote it of the daily offering [alone], I would say: The daily offering [overrides the Sabbath and uncleanness] because it is constant and entirely burnt, but the Passover is not so;[13] hence we are informed [otherwise]. While if the Divine Law wrote it of the Passover-offering, [I would argue that] the Passover-offering [must be offered under all circumstances] because it involves the penalty of kareth,[14] but [as for] the continual offering, for [neglect of] which there is no penalty of kareth, I would say that it is not [so]; hence we are informed [otherwise]. Again, if the Divine Law wrote it of these two, I would say: These alone [override Sabbath and uncleanness, since they] possess a stringent feature, the continual offering being constant and entirely [burnt], the Passover-offering involving the penalty of kareth; but [as for] other public sacrifices, I would say, It is not so. [Hence] the Divine Law wrote, 'These shall ye offer unto the Lord in your appointed times.' While if the Divine Law [merely] wrote, 'These shall ye offer unto the Lord in your appointed times,' I would argue: [It refers only to] other public sacrifices, which come to make atonement,[15] but [the sacrifices accompanying] the 'omer and the two loaves, which do not come to make atonement but are merely in order to permit [the new harvest] are not so; hence we are informed [otherwise]. Again, if the Divine Law wrote [about] the 'omer and the two loaves alone, I would have said: On the contrary, it [applies only to] the 'omer and the two loaves which are more important, because they come to permit; but these others are not so. Hence we are informed [otherwise].

Now it was assumed that all hold that uncleanness is overridden in the case of a community, hence the headplate is required for propitiation.[16] For there is no [other] Tanna whom you know to maintain [that] uncleanness is permitted in the case of a community[17] but R. Judah. For it was taught: The headplate, whether it is on his [the High Priest's] forehead[18] or it is not on his forehead, propitiates; this is the view of R. Simeon. R. Judah maintained: If it is still on his forehead, it propitiates; if it is not still on his forehead, it does not propitiate. Said R. Simeon to him: Let the High Priest on the Day of Atonement prove it, for it is not on his forehead, and [yet] it propitiates![19] — Leave the Day of Atonement, replied he, because uncleanness is permitted in the case of a community. Whence it follows that R. Simeon holds: Uncleanness is overridden in the case of a community. Again, [it was assumed that all hold,] the headplate does not propitiate for [the defilement of] eatables,[20] for there is no Tanna whom you know to maintain [that] the headplate propitiates for [the defilement of] eatables save R. Eleazar. For it was taught, R. Eleazar said: The headplate propitiates for [the defilement of] eatables; R. Jose said: The headplate does not propitiate for the defilement of eatables.[21] [Accordingly,] shall we say that our Mishnah[22] does not agree with R. Joshua? For it was taught, And thou shalt offer thy burnt-offerings, the flesh, and the blood.'[23] R. Joshua said: If there is no blood there is no flesh, and if there is no flesh there is no blood.[24] R. Eliezer said: The blood [is fit] even if there is no flesh, because it is said, And the blood of thy sacrifices shall be poured out [against the altar of the Lord thy God].[25] Then how do I interpret,[26] 'and thou shalt offer thy burnt-offering, the flesh and the blood?' [It is] to teach you: just as the blood requires throwing,[27] so does the flesh require throwing:[28] hence say, there was a small passage-way between the stairway and the altar.[29] Now [according to] R. Joshua too, surely it is written, 'and the blood of thy sacrifices shall be poured out?' — He can answer you: surely in connection therewith is written, and thou shalt eat the flesh.[30]

(1) Whereas it is from this word that we deduce anon that festival public sacrifices override the Sabbath and uncleanness.
(2) The fourth month of the year, generally corresponding to June.
(3) In which the spies reconnoitered the promised Land, with disastrous results, v. Num. XIII.
(4) I.e., it consisted of 30 days. When it consists of 29 days it is called defective. Now, as they set out on the 29th of Sivan, the third month (Ta'an. 29a), the 40 days of their mission ended on the ninth of Ab, the fifth month. Thus their weeping on that night (ibid. XIV, 1) became the forerunner of subsequent lamentation on that date for many generations, for it is the anniversary of the destruction of the Temple.
(5) Lam. I, 15. Abaye appears to interpret thus: God caused New Moon (i.e., the 'appointed time' — mo'ed) of Tammuz in that year to be proclaimed on such a day that their return and the weeping of the people would coincide with the future anniversary of the destruction of the Temple. Hence, on this interpretation, New Moon too is designated 'mo'ed'.
(6) I.e., those mentioned in the Mishnah that may be offered in uncleanness.
(7) Lev. XXIII, 44.
(8) Seeing that ali the Festivals are individually treated in that chapter.
(9) Num. XXVIII, 2; IX, 2. 'In its appointed time' implies that the sacrifice must be offered in all circumstances, as explained in the text.
(10) Ibid. XXIX, 39. This verse ends the section (chs. XXVIII-XXIX) dealing with the public additional sacrifices on New Moon, the Sabbath and Festivals, and its effect is that the whole section is to be so understood as though 'in its appointed season' were explicitly written in connection with each.
(11) V. previous note; the same applies here, and the 'omer and the two loaves are prescribed in this section (vv. 10f, 17f).
(12) Scripture could have written appointed season' in connection with one only, and the rest would follow.
(13) It is not constant by comparison.
(14) For not bringing it; v. Num. IX, 13.
(15) The additional sacrifices make atonement for the transgression of affirmative precepts, v. Yoma 36a.
(16) I.e., though uncleanness is not a bar when the whole community is unclean, Scripture does not mean that the normal interdict of uncleanness is completely abrogated, so that it is permitted, but merely that the interdict is overridden in favour of the community. Now in Ex. XXVIII, 38 it is stated: And it (the head plate) shall be upon Aaron's forehead, and Aaron shall bear (i.e., atone for) the iniquity committed in the holy things (sc. sacrifices) . . . and it shall always be upon his forehead, that they may be accepted before the Lord (i.e., that these sacrifices shall be fit). 'The iniquity' is understood to refer to a case where a sacrifice accidentally became unclean, and the headplate atones for it, so that it remains fit. Since we hold that even in the case of a community uncleanness is merely overridden, but not actually permitted, the head plate is required for propitiation even then.
(17) So that the propitiation of the headplate is not required at all.
(18) When the sacrifice accidentally becomes unclean.
(19) On that day he put aside all his usual vestments, which included the headplate, and wore simple linen garments (v. Lev. XVI,4). Yet if the community was unclean he still offered the sacrifices, and the headplate 'made them acceptable'.
(20) I.e., if the flesh or the part of the meal-offering which is eaten is defiled, the sacrifice cannot be proceeded with, the headplate propitiating only if the blood or the handful which is burnt on the altar is defiled.
(21) These two assumption are the necessary premises for the question which follows.
(22) Which states that the 'omer, the two loaves, etc., may be offered in uncleanness, although the plate does not propitiate on the eatable parts of these offerings.
(23) Deut. XII, 27.
(24) I. e., if either is defiled, the other is unfit for its purpose.
(25) Ibid.
(26) Lit., 'fulfil'.
(27) I.e., dashing against the altar.
(28) On to the altar.
(29) Consequently a priest standing at the top of the ascent could not place the flesh on the altar but had to throw it.
(30) Deut. XII, 27. This proves that the flesh too must be fit for eating.

Then what is the purpose of these two verses?[1] — One refers to the burnt-offering and one refers to a peace-offering, and both are necessary. For if the Divine Law wrote it in connection with a burnt-offering, I would say: It is [only with] the burnt-offering[2] which is stringent — because it is entirely [burnt]; but as for the peace-offering which is not stringent — I would say that it is not so. Again, if the Divine Law wrote [it of] a peace-offering I would say: on the contrary [the reason is] because it has two forms of consumption;[3] but [as for] the burnt-offering, where there are not two forms of consumption.[4] I would say that it is not so.Hence we are informed [otherwise].

Now [according to] R. Eliezer too, surely it is written, 'and thou shalt eat the flesh?' — He can answer you: He utilizes that [to teach] that the flesh is not permitted for eating until the blood is sprinkled. If so, say that the whole verse comes for this [purpose],then how do we know [that] the blood [is fit] even if there is no flesh? — He can answer you: If so, let the Divine Law [first] write 'thou shalt eat the flesh,' and then, 'and the blood of thy sacrifices shall be poured out,' as is written in the beginning [of the verse], 'and thou shalt offer thy burnt-offerings, the flesh and the blood?' Why then does [Scripture] place 'the blood of thy sacrifices' first? Hence infer from it [that] the blood [is fit] even if there is no flesh, and infer from it also that the flesh is not permitted for eating until the blood is sprinkled.[5] And R. Joshua?[6] — [That] the flesh is not permitted for eating until the blood is sprinkled follows a minori: if the emurim,[7] which when not available[8] are not indispensable [to the eating of the flesh] , yet when available are indispensable;[9] then the blood, which if not available is indispensable, if available how much the more is it indispensable! And R. Eliezer?[10] [Even] a law which can be inferred a minori, the Writ takes the trouble of writing it. And R. Joshua? — Wherever we can interpret, we do interpret.[11] Shall we now say that our Mishnah is not in accordance with R. Joshua, for since he says that we require both,[12] while the headplate does not propitiate for [the defilement of] eatables, how can it come in uncleanness?[13] — You may even say [that it agrees with] R. Joshua, but R. Joshua holds: The headplate propitiates for those that ascend.[14] That is well of sacrifices, where there are objects which ascend [sc. emurim]; but what can be said of the 'omer and the two loaves, where there are no objects to ascend [the altar]? — I will tell you: R. Joshua too said that we require both only in the case of sacrifices; [but] he did not say [it] in the case of meal-offerings.

Yet did he not say [it] in the case of meal-offerings? Surely we learnt: If the remainder thereof[15] was defiled, [or] if the remainder thereof was lost:[16] according to the view of R. Eliezer[17] it [the handful] is fit;[18] according to the view of R. Joshua,[19] it is unfit![20] It is according to his view, yet not entirely so.[21] [Thus]: according to the view of R. Joshua, that we require both, yet not entirely so, for whereas R. Joshua ruled [thus] in the case of sacrifices, but he did not rule [thus] in the case of meal-offerings, this Tanna holds [that it is so] even in the case of meal-offerings.

Now who is this Tanna that agrees with him but is more stringent than he?[22] Moreover, it was taught, R. Jose said: I agree with the words of R. Eliezer[23] in respect to meal-offerings and [animal] sacrifices, and with the words of R. Joshua in respect to [animal] sacrifices and meal-offerings. 'The words of R. Eliezer in respect to [animal] sacrifices,' for he used to say: The blood [is fit] even if there is no flesh; 'and the words of R. Joshua in respect to sacrifices,' for he used to say: If there is no blood there is no flesh, and if there is no flesh there is no blood. 'The words of R. Eliezer in respect to meal-offerings': for he used to say: the handful [is fit] even if there is no remainder [for consumption]; 'and the words of R. Joshua In respect to meal-offerings,' for he used to say: if there is no handful there is no remainder, [and] if there is no remainder there is no handful?[24] — Rather R. Joshua holds: The headplate propitiates for [the defilement of] the objects which ascend [the altar] and for eatables.[25] If so, why [do you say,] 'according to the view of R. Joshua it is unfit?'[26] [That refers] to what is lost or burnt.[27] Then according to whom does he teach, '[if the remainder] was defiled'? according to R. Eliezer? [But] that is obvious; seeing that you say that [even when it is] lost

or burnt, where they are [now] non-existent, R. Eliezer declares [the handful] fit, need it [be stated] where it is defiled, when it is in existence! Hence it is obviously [taught] according to R. Joshua, yet he teaches [that] it is unfit?[28] Furthermore, it was taught, R. Joshua said: [In the case of] all the sacrifices of the Torah, whether the flesh was defiled while the fat has remained [clean], or the fat was defiled while the flesh has remained [clean], he [the priest] sprinkles the blood. But not if both were defiled. This proves that R. Joshua holds that the headplate does not propitiate either for [the defilement of] the objects which ascend [the altar][29] or for the eatables![30] — Rather [explain it thus:] after all our Mishnah is [the view of] R. Joshua, yet there is no difficulty: here it means in the first place; there it means if it was done [offered]. R. Joshua said [that both are required] only in the first place, but not if it was done.[31] And whence do you know[32] that R. Joshua draws a distinction between [what is required] in the first place and what was done? — Because it was taught: If the flesh was defiled, or disqualified,[33] or it passed without the curtains, — R. Eliezer said: He must sprinkle [the blood]; R. Joshua maintained: He must not sprinkle [the blood]. Yet R. Joshua admits that if he does sprinkle [it], it is accepted.[34] But surely this explanation is not acceptable: firstly, because 'it is unfit'[35] implies [even] where it was done. Moreover,[36] FIVE THINGS MAY COME [IN UNCLEANNESS] implies [even] in the first place![37]

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(1) According to R. Joshua, since both teach that the blood and the flesh are interdependent.

(2) That both are interdependent.

(3) The fat portions are consumed ('eaten') on the altar while the flesh is consumed partly by priests and partly by its owners.

(4) The whole being consumed on the altar.

(5) The reversed order intimating this additional teaching.

(6) How does he know this?

(7) V. Glos.

(8) E.g., if lost or defiled.

(9) The flesh may not be eaten until the emurim are burnt on the altar, v. supra 59b.

(10) Does he not accept this argument?

(11) The principle that Scripture writes explicitly what can be inferred a minori holds good only when the verse cannot be employed for any other purpose.

(12) The blood and the flesh.

(13) Sc. the objects enumerated in the Mishnah. For on the one hand, propitiation is required (v. p. 398, n. 2), while on the other there cannot be propitiation for eatables, and according to R. Joshua the eatables and the blood, or in the case of the meal-offering, the handful, are interdependent.

(14) The altar, sc. the emurim; i.e., providing that as much as an olive of the emurim ascends the altar, the headplate propitiates for its defilement, and the blood too can be sprinkled.

(15) Of the meal-offering, after the handful was removed (v. Lev. II, 9). In the Hebrew the word is in the plural. This remainder would normally be eaten by the priests (ibid. 10).

(16) In both cases before the handful was burnt on the altar.

(17) That the blood is fit for sprinkling even if the flesh is not available; the handful of a meal-offering is the equivalent of the blood of an animal sacrifice, while the remainder is the equivalent of the flesh.

(18) For burning on the altar, and the owner thus discharges his obligation and need not bring another meal-offering.

(19) That the blood and the flesh are interdependent.

(20) V. Men. 9a Thus R. Joshua requires both in the case of meal- offerings too.

(21) Lit., 'and not according to his view.'

(22) I.e., do we in fact find any such Tanna?

(23) Lit., 'I see (as right) the words of R. Eliezer.'

(24) This Baraitha is explained anon. From it we see that R. Joshua maintained his view even in respect to meal-offerings.

(25) Hence our Mishnah can agree with him.

(26) Surely the headplate propitiates, i.e., makes the handful fit for burning on the altar, even if the remainder is unclean?

(27) If the remainder is lost or burnt the handful is unfit for the head plate propitiates only for defilement.

(28) on his view this is necessary, as it informs us that he holds the handful unfit not only if the rest is now entirely non-existent, but even if the rest is in existence, but unclean.
(29) Sc. the fat.
(30) Sc. the flesh. For if the headplate does propitiate, why is it unfit?
(31) I.e., R. Joshua holds that in the first place both are required; nevertheless, if only the blood was clean and it was sprinkled, though it should not have been, it is fit. Our Mishnah too means where it was done.
(32) Lit., say'.
(33) By the touch of a tebul yom, q.v. Glos.; v. also supra 14a Mishnah and note a.l.
(34) V. supra 34b for the whole passage.
(35) In the ruling of R. Joshua where the remainder was defiled, v. supra.
(36) Even granted that 'it is fit' implied only in the first instance.
(37) So that our Mishnah could still not be in accordance with R. Joshua.

Talmud - Mas. Pesachim 78a

— Rather, there is no difficulty: here the reference is to an individual;[1] there [in the Mishnah] the reference is to a community.[2]

Shall we say that our Mishnah does not agree with R. Jose? For it was taught, R. Eliezer said: The headplate propitiates for [the defilement of] eatables; R. Jose said: The headplate does not propitiate for [the defilement of] eatables. Now it was assumed: since R. Jose rules, The headplate does not propitiate for [the defilement of] eatables, he agrees with R. Joshua who maintains: We require both.[3] Shall we now say [that] our Mishnah does not agree with R. Jose? — No: R. Jose agrees with R. Eliezer, who maintained: The blood [is fit] even if there is no flesh. If so, in respect of what law [does he rule]: the headplate does not propitiate for [the defilement of] eatables?[4] — Then on your reasoning, when R. Eliezer rules: The headplate does propitiate [for the defilement of eatables], — since he maintains [that] the blood [is fit] even if there is no flesh, in respect of what law [does the headplate propitiate]? — Rather they differ in respect of branding[5] it with [the unfitness of] piggul[6] and excluding it from [the law of] trespass.[7] R. Eliezer holds: The headplate propitiates for it [the defilement of the flesh] and renders it as clean, and so brands it as piggul[8] and excludes it from [the law of] trespass; while R. Jose holds: The headplate does not propitiate for it and does not render it as clean; hence it cannot be branded as piggul, nor does it exclude it from [the law of] trespass.

To this R. Mari demurred: Even granted that R. Jose agrees with R. Eliezer: as for sacrifices,[9] It is well, [since] there is blood; as for the 'omer, there is the handful; [in the case of] the shewbread too there are the censers [of frankincense].[10] But [in the case of] the two loaves, what can be said?[11] And should you answer, it is in respect of what is offered together with them,[12] then it is tantamount to the public peace-offerings, [and] if so there are [only] four, whereas we learned FIVE? — Rather, R. Jose holds: uncleanness was permitted in the case of a community.[13]

But surely it was taught: Both [in the case of] the one and the other,[14] we besprinkle them the whole seven [days][15] with [the ashes of] all the purification offerings[16] which were there:[17] this is R. Meir's view. R. Jose said: We besprinkle them on the third day and on the seventh day alone.[18] Now if you should think that R. Jose holds, Uncleanness was permitted in the case of a community, why do I need sprinkling at all?[19] Hence it is clear that our Mishnah does not agree with R. Jose.

R. Papa said to Abaye: And does R. Jose grant the [Court's] document to two![20] For it was taught, R. Jose said: I agree with the words of R. Eliezer in respect to meal-offerings and [animal] sacrifices, and with the words of R. Joshua in respect to sacrifices and meal-offering. 'The words of R. Eliezer in respect to sacrifices,' for he used to say: The blood [is fit] even if there is no flesh; 'the words of R. Joshua in respect to sacrifices,' for he used to say: If there is no blood there is no flesh, if there is no flesh there is no blood. 'The words of R. Eliezer in respect to meal-offerings, for he used to say:

the handful [is fit] even if there is no remainder [fit for consumption]; 'and the words of R. Joshua in respect to meal-offerings,' for he used to say: if there is no remainder there is no handful, [and] if there is no handful there is no remainder!

Said he to him: He states what appears logical [to him].[21] [Thus:] when he was studying [the subject of] sacrifices[22] he said: It is logical [that] just as they differ in respect to sacrifices, so do they differ in respect to meal-offerings too. [And] when he was studying [the subject of] meal-offerings he said: It is logical [that] just as they differ in respect to meal-offerings, so do they differ in respect to sacrifices too. Said he to him: It is correct [that] when he was studying [the subject of] sacrifices he said: It is logical [that] just as they differ in respect to sacrifices, so do they differ in respect to meal-offerings too, because the verses [on this matter] are written fundamentally in connection with sacrifices.[23] But when he is studying [the subject of] meal-offerings and he says, It is logical [that] just as they differ in respect to meal-offerings, so do they differ in respect to sacrifices too, — but surely, the verses are fundamentally written in connection with sacrifices! — Rather [explain it thus], there is no difficulty: I agree with the words of R. Eliezer, where it [the flesh] was defiled, and with the words of R. Joshua, where it was lost or burnt. Where it was defiled, what is the reason [that he agrees with R. Eliezer]? Because the headplate propitiates! Surely you know R. Jose to maintain [that] the headplate does not propitiate for [the defilement of] eatables! — Rather [explain it thus], there is no difficulty: I agree with the words of R. Eliezer in the case of the community; I agree with the words of R. Joshua in the case of an individual. In the case of the community, what is the reason [that he agrees with R. Eliezer]? Because uncleanness is permitted in the case of a community? But one [objection] is that you know R. Jose to maintain [that] uncleanness is overridden in the case of a community. Again, if it refers to a community, [does only] R. Eliezer declare it fit, but not R. Joshua?

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(1) Then it is unfit in the first place, but valid if done.

(2) Which is unclean; then it is permitted at the very outset.

(3) The blood and the flesh.

(4) Since you now say that the blood can be sprinkled in any case.

(5) Lit., 'appointing.'

(6) V. Glos.

(7) For piggul v. Lev. XIX, 7 (E.V. vile thing); mere intention renders it piggul, and it may then not be eaten even within the permitted precincts or within the permitted time. But a sacrifice cannot become piggul unless it is otherwise fit. Again, if one benefits from sacrifices of the higher sanctity (v. p. 108, n. 2) before their blood is sprinkled, he is liable to a trespass-offering; if after, he is exempt, for by then the flesh is permitted to priests.

(8) For now there is no other disqualification.

(9) Mentioned in our Mishnah that they may be offered in uncleanness.

(10) All these ascend the altar, and therefore the headplate makes them acceptable.

(11) For these consist entirely of eatables, for whose defilement R. Jose holds that the headplate does not propitiate. How then can they be offered in uncleanness?

(12) V. Lev. XXIII, 18f. The slaughtering of these sacrifices sanctifies the loaves, and the sprinkling of their blood permits them for eating; thus the Mishnah teaches that the headplate propitiates for the defilement of the shewbread in so far as the sacrifices can now be brought.

(13) So that propitiation is not required at all; v. supra 77a p. 398, nn. 2 and 3.

(14) Sc. the priest who burnt the red heifer (Num. XIX 4ff) and the High Priest.

(15) The former prior to his burning the red heifer; the latter, before the Day of Atonement, when he officiated in the Temple.

(16) The red heifer was designated חטאת, i.e., a sin-offering, here translated purification offering, v. ibid. 9.

(17) Some ashes were kept of every red heifer killed since Moses.

(18) V. Yoma 4a.

(19) Seeing that the sacrifices of the Day of Atonement were public offerings.

(20) In a lawsuit the court granted a document containing the verdict to the winner. Here R. Jose grants this document to

both sides — i.e., he agrees with both R. Eliezer and R. Joshua.

(21) Without expressing agreement either with the one or the other.

(22) Lit., 'when he stands at sacrifices.'

(23) V. verses quoted supra 77a.

Talmud - Mas. Pesachim 78b

Surely you have said, even R. Joshua agrees in the case of a community! Rather [explain it thus:] I agree with the words of R. Eliezer where It was done [offered], and with the words of R. Joshua [where it is] at the very outset. [But] if it was done, even R. Joshua agrees, for it is taught: R. Joshua agrees that if he sprinkled [the blood] it is made acceptable? One refers to uncleanness; the other to [the case where it] is lost or burnt. [Thus:] when does he teach, R. Joshua agrees that if he sprinkled [the blood] it is made acceptable, where [the flesh] was defiled, but not if it was lost or burnt; [and] when does R. Jose say, I agree with the words of R. Eliezer if it was done, where [the flesh] was lost or burnt.

MISHNAH. IF THE FLESH WAS DEFILED WHILE THE FAT[1] HAS REMAINED [CLEAN], HE MUST NOT SPRINKLE THE BLOOD;[2] IF THE FAT WAS DEFILED WHILE THE FLESH HAS REMAINED [CLEAN], HE MUST SPRINKLE THE BLOOD. BUT IN THE CASE OF [OTHER] DEDICATED SACRIFICES IT IS NOT SO, FOR EVEN IF THE FLESH WAS DEFILED WHILE THE FAT HAS REMAINED CLEAN, HE MUST SPRINKLE THE BLOOD.[3]

GEMARA. R. Giddal said in Rab's name: If he sprinkled [the blood], it [the Passover-offering] is made acceptable.[4] But we require eating?[5] — The eating is not indispensable. But surely it is written, according to every man's eating [ye shall make your count for the lamb]?[6] — That is for preference.[7] And is [this] not [to intimate that] it is indispensable? Surely it was taught: According to the number of [bemiksath] the souls:[8] this teaches that the paschal lamb is killed for none save those who registered for it. You might think that if he killed it for those who are not registered for it, he should be regarded as violating the precept, yet it is fit. Therefore it is stated, 'according to every man's eating ... ye shall make your count [takosu]': The Writ reiterated it, to teach that it is indispensable; and eaters are assimilated to registered persons.[9] -Rather, Rab ruled as R. Nathan, who said: The eating of the Passover-offerings is not indispensable. Which [statement of] R. Nathan [is alluded to]?[10] Shall we say, the following [dictum] of R. Nathan? For it was taught, R. Nathan said: How do we know that all Israel can discharge [their obligation] with one Passover-offering? Because it is said, and the whole assembly of the congregation of Israel shall kill it at dusk:[11] does then the whole assembly kill? Surely only one kills! But it teaches that all Israel can discharge [their duty] with one Passover-offering.[12] Perhaps it is different there, because if some withdraw it is fit for the others, and if the others withdraw it is fit for these?[13] — Rather it is this [dictum of] R. Nathan. For it was taught: If one company registered for it, and then another company registered for it, the former, for whom there is as much as an olive [per person], eat it and are exempt from sacrificing a second Passover-offering; the latter, for whom there is not as much as an olive [per person], cannot eat, and they are bound to sacrifice a second Passover-offering. R. Nathan said: Both are exempt from sacrificing a second Passover-offering, because the blood has already been sprinkled.[14] Yet still perhaps it is different there, because if these withdraw it is fit for them [the others]?[13] — If so, let him teach, because it is possible for them[15] to withdraw? Why [state] 'because the blood has already been sprinkled?' That proves' that the matter depends [entirely] on [the sprinkling of] the blood, but the eating is not indispensable. Now, what compels Rab to establish our Mishnah as meaning in the first place [only] and [in accordance with] R. Nathan: let us establish it as [agreeing with] the Rabbis, and even if it was done,[16] it is not [fit]? — To Rab our Mishnah presents a difficulty: why does it state, HE MUST NOT SPRINKLE THE BLOOD: let it teach, 'It is unfit'? Hence this proves that he must not sprinkle in the first place [only], but if done it is indeed well.

But on R. Nathan's view, what is the purpose of 'according to every man's eating?' — [To teach] that we require men who are fit to eat [to register for it].

Who is the author of the following which our Rabbis taught: If he slaughtered it for those who can eat of it, but sprinkled its blood for those who cannot eat of it, the paschal-offering itself is fit,[17] and a man discharges his duty therewith? With whom [does this agree]? Shall we say [that] it is [according to] R. Nathan, but not the Rabbis? — You may even say [that it agrees with] the Rabbis: There is no intention of eaters at the sprinkling.[18] Who is the author of the following which our Rabbis taught: If he was ill at the time of the slaughtering but well at the time of sprinkling, [or] well at the time of slaughtering but ill at the time of sprinkling, one may not slaughter and sprinkle on his behalf, unless he is well from the time of the slaughtering until the time of the sprinkling? With whom [does this agree]? Shall we say [that] it is [according to] the Rabbis but not R. Nathan? — You may even say [that it agrees with] R. Nathan: we require a man who is capable of eating [to be registered for it].

Who is the author of the following which our Rabbis taught: If he slaughtered it in cleanness and then its owners became unclean, he must sprinkle the blood in cleanness,[19] but the flesh must not be eaten in uncleanness? With whom [does this agree]? — Said R. Eleazar: This was taught as a controversy, and it is [the view of] R. Nathan.[20] But R. Johanan said: You may even say [that] it is [the view of] the Rabbis: we treat here of the community,[21] who may even sacrifice in [a state of] uncleanness. If it refers to the community, why may the flesh not be eaten in uncleanness? — As a preventive measure, lest the owners[22] become unclean [in a subsequent year] after the sprinkling and they argue: Were we not unclean last year, and yet we ate; then now too we will eat! But they will not know that in the previous year the owners were unclean when the blood was sprinkled,[23] whereas this year the owners were clean [when the blood was sprinkled].[24]

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(1) The portions burnt on the altar.

(2) Even according to R. Eliezer, because the main purpose of the Passover-offering is that it should be eaten.

(3) Even according to R. Joshua, since the fat is clean.

(4) And the owner does not bring another.

(5) Which is impossible, since the flesh is defiled.

(6) Ex. XII, 4.

(7) Lit. , 'for a precept'. I.e. 'in the first place the lamb must certainly be brought for this purpose; nevertheless, even when it cannot be eaten the sacrifice is valid.

(8) Ibid.

(9) Just as registration is indispensable, so are eaters, and consequently eating, indispensable.

(10) For he does not rule thus explicitly, and it must be inferred from some other statement.

(11) Ex. XII, 6.

(12) Now in that case there is certainly not as much as an olive of flesh for each, which is the minimum to constitute eating.

(13) So that virtually it is fit for all, but in the present case it is not fit for any.

(14) Which proves that in R. Nathan's view the eating is not indispensable.

(15) Lit., 'they are fit, eligible.'

(16) I.e., even if the blood was sprinkled.

(17) This is assumed to mean that it is fit for the sprinkling of its blood and the burning of the fat, but not for eating.

(18) V. supra, 61b.

(19) I.e., by ritually clean priests and with clean service vessels.

(20) Who maintains that the eating is not indispensable. R. Eleazar holds that he does not require those registered for it even to be fit to eat. Consequently he explains the previous Baraitha as the view of the Rabbis only

(21) I.e., the whole or the majority of the community became unclean between the killing and the sprinkling, e.g., if the nasi died just then.

(22) I.e., the community, cf. n. 1.

(23) So that it was a Passover-offering sacrificed in uncleanness, which is eaten in uncleanness too.
(24) Hence the sacrifice came in a state of cleanness, and may therefore not be eaten now that the owners are unclean.

Talmud - Mas. Pesachim 79a

Alternatively I may answer, Rab ruled as R. Joshua.[1] For it was taught, R. Joshua said: [In the case of] all the sacrifices of the Torah, whether the flesh was defiled while the fat has remained [clean] or the fat was defiled while the flesh has remained [clean], he must sprinkle the blood. [In the case of] a nazirite[2] and one who sacrifices the Passover-offering, if the fat was defiled and the flesh has remained [clean], he must sprinkle the blood; if the flesh was defiled while the fat has remained [clean], he must not sprinkle the blood. Yet if he sprinkled it, it is acceptable.[3] If the owners became unclean through a dead body, he must not sprinkle [the blood], and if he does sprinkle the blood it is not acceptable.[4]

BUT IN THE CASE OF [OTHER] DEDICATED SACRIFICES IT IS NOT SO etc. Who is [the author of] our Mishnah? — It is R. Joshua. For it was taught, R. Joshua said: [With regard to] all the sacrifices of the Torah of which as much as an olive of flesh or an olive of fat has remained [clean], he sprinkles the blood. [If there remains] as much as half an olive of flesh and half an olive of fat, he must not sprinkle the blood. But in the case of a burnt-offering, even [if there remains] as much as half an olive of flesh and half an olive of fat, he sprinkles the blood, because the whole of it is entirely [burnt].[5] While in the case of a meal-offering, even if the whole of it is in existence,[6] he must not sprinkle [the blood]. What business has a meal-offering [here]?[7] — Said R. Papa: [This refers to] the meal-offerings of libations.[8] You might have said, Since it comes in virtue of[9] the sacrifice, it is as the sacrifice:[10] hence he informs us [that it is not so].

How do we know [it of] fat?[11] Said R. Johanan on R. Ishmael's authority, while it is [ultimately] derived from R. Joshua b. Hananiah: Scripture saith, [And the priest shall sprinkle the blood . . .] and burn the fat [heleb] for a sweet savour unto the Lord:[12] the fat [authorizes the sprinkling of the blood] even if there is no flesh. We have thus found [this to hold good of] fat; how do we know it of the lobe above the liver and the two kidneys?[13] [But] where have we said that we do sprinkle?[14] Since he states, 'while in the case of a meal-offering, even if the whole of it is in existence, we do not sprinkle [the blood],' [that implies,] the meal-offerings alone is not [sufficient for the sprinkling of the blood], but the lobe above the liver and the two kidneys are well.[15] Whence [then] do we know it? — R. Johanan, giving his own [exegesis] said: Scripture saith, 'for a sweet savour': whatever you offer up for a sweet savour.[16] Now, it is necessary that both 'heleb' and 'for sweet savour' be written. For if the Divine Law wrote 'heleb' [alone], I would say: only 'fat', but not the lobe on the liver and the two kidneys; [therefore] the Divine Law wrote 'for a sweet savour.' While if the Divine Law wrote 'for a sweet savour' [alone], I would say: all that ascend for a sweet savour, and even the meal-offering [permit the sprinkling of the blood]; therefore the Divine Law wrote 'heleb.'

MISHNAH. IF THE COMMUNITY OR THE MAJORITY THEREOF WAS DEFILED, OR IF THE PRIESTS WERE UNCLEAN AND THE COMMUNITY CLEAN, THEY MUST SACRIFICE IN UNCLEANNESS. IF A MINORITY OF THE COMMUNITY WERE DEFILED: THOSE WHO ARE CLEAN OBSERVE THE FIRST [PASSOVER], WHILE THOSE WHO ARE UNCLEAN OBSERVE THE SECOND.

GEMARA. Our Rabbis taught: Behold, if the Israelites were unclean, while the priests and the service-vessels[17] were clean, or the Israelites were clean while the priests and the service-vessels were unclean, and even if the Israelites and the priests were clean while the service-vessels were unclean, they must sacrifice in uncleanness, because a public sacrifice cannot be divided.[18] R. Hisda said: They learned this only if the [slaughtering] knife became defiled through a person unclean by

the dead,[19] because the Divine Law saith, [and whosoever . . . toucheth] one that is slain by the sword,[20] [intimating,] the sword is [of the same degree of uncleanness] as the slain;[21] hence it defiles the person. Thus from the very beginning when it is sacrificed,[22] it is sacrificed in [a state of] personal uncleanness, which involves kareth. But if the knife became unclean with the uncleanness conferred by a reptile, so that it defiles the flesh alone, but does not defile the person, [only] those who are clean sacrifice, but the unclean do not sacrifice, [for] it is better eaten when the flesh is unclean, which is subject to a negative injunction, rather than that the flesh should be eaten when the person is unclean, which is subject to kareth.[23] This proves that R. Hisda holds: uncleanness is overridden in the case of a community.[24] And thus said R. Isaac [too]: uncleanness is overridden in the case of a community.

But Raba said: Even the unclean too may sacrifice. What is the reason? Because it is written, And the flesh that toucheth any unclean thing shall not be eaten; it shall be burnt with fire. And as for the flesh, every one that is clean may eat thereof.[25] Wherever we read 'and the flesh that toucheth any unclean thing shall not be eaten,' we [also] read, 'and as for the flesh, every one that is clean may eat thereof;' and wherever we do not read, 'and the flesh that toucheth any unclean thing shall not be eaten' we [also] do not read, 'and as for the flesh, every one that is clean may eat thereof.'[26]

It was stated: Behold, if the Israelites were half [of them] clean and half unclean, Rab said: Half against half is as a majority; while R. Kahana said: Half against half is not as a majority. Rab said, Half against half is as a majority'; [hence] these sacrifice[27] by themselves, while those sacrifice by themselves.[28] 'While R. Kahana said: Half against half is not as a majority'; [hence] the clean observe the first [Passover], while the unclean observe the second. Others say, R. Kahana said: Half against half is not as a majority: the clean observe the first [Passover],

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(1) Who does not consider the eating indispensable.

(2) Rashi: the peace-offering brought by a nazirite on the completion of his naziriteship (v. Num. VI, 14) is essentially intended to be eaten: hence the eating is indispensable. Tosaf. however maintains that it is not indispensable, and deletes 'nazirite,' adding that it is absent in the Tosef. too; Bah also deletes it.

(3) Thus the eating is not indispensable.

(4) Because though the eating is not indispensable, the people registered for it must be fit to eat, while Scripture itself relegated him to the second Passover (Num. IX, 10f).

(5) Since both the flesh and the fat are food for the altar, they combine. But this does not hold good of other sacrifices.

(6) I.e., it is clean.

(7) There is no blood to sprinkle in a meal-offering.

(8) Which accompanied the sacrifice.

(9) Lit., 'by the strength of.'

(10) Hence if as much as an olive of the flour is clean, and certainly if all is clean, the blood is sprinkled.

(11) Sc. that the blood may be sprinkled if there is as much as an olive of clean fat?

(12) Lev. XVI, 6.

(13) That the blood is to be sprinkled if these alone are clean.

(14) If these alone are left.

(15) I.e., since they are part of the sacrifice itself, the blood is sprinkled if they alone are clean.

(16) Authorizes by itself the sprinkling of the blood.

(17) Used in connection with the sacrifice, the slaughtering knife and basins in which the blood is caught.

(18) That some should bring it in a state of cleanness and others in a state of uncleanness. Since the majority bring it in uncleanness, even the minority who are clean bring it in uncleanness too.

(19) This is the 'service-vessel' referred to and its degree of uncleanness.

(20) Num. XIX, 16.

(21) V. supra 14b.

(22) Lit., 'made.'

(23) V. Mishnah supra 14a and p. 62, n. 2 a.l. Now in the first instance the knife bears a principal degree of uncleanness

and defiles human beings. Hence the man who kills with it must in any case become unclean, while normally the penalty for eating sacred flesh in this state is kareth (v. Lev. VII, 20). But in the second instance the knife is unclean in the first degree only and does not defile the person who handles it, though it defiles the flesh of the animal which is killed with it. Since this is a lower stage, for eating unclean sacred flesh is merely subject to a negative injunction but does not involve kareth, we do not permit the greater uncleanness of the person too; hence those who are bodily unclean must observe the second Passover.

(24) But not permitted; v. supra 77a, p. 398, n. 2. Consequently we seek as far as possible to bring the sacrifice in cleanness or at least with the smallest possible degree of uncleanness.

(25) Lev. VII, 19.

(26) I.e., the two are interdependent. Since the flesh is now eaten unclean, unclean persons too may eat it.

(27) Lit., 'do'.

(28) They must all observe the first Passover. The clean must not show themselves to be defiled, for

while the unclean observe neither the first nor the second. They cannot sacrifice on the first, because they are not a majority, [while] they cannot sacrifice at the second because they are not a minority.[1]

We learned: IF THE COMMUNITY OR THE MAJORITY THEREOF WAS DEFILED, OR IF THE PRIESTS WERE UNCLEAN AND THE COMMUNITY CLEAN, THEY MUST SACRIFICE IN UNCLEANNESS. [Thus] it is only the majority that sacrifices in uncleanness, but [when it is] half and half, they do not sacrifice at the first [Passover], which is a difficulty on Rab's view? — Rab can answer you: [When] a majority [is unclean], all sacrifice in uncleanness; [whereas where there is] half and half, these observe [the Passover] by themselves, and those observe [it] by themselves. That too is logical, because the second clause states IF A MINORITY OF THE COMMUNITY WERE DEFILED: THOSE WHO ARE CLEAN OBSERVE THE FIRST [PASSOVER], WHILE THOSE WHO ARE UNCLEAN OBSERVE THE SECOND. [Thus] only a minority sacrifice at the second, but not [when it is] half against half, for then they sacrifice at the first, these sacrificing by themselves and those sacrificing by themselves.

But in that case it is a difficulty on R. Kahana's view? — R. Kahana can answer you: [It states] IF A MINORITY OF THE COMMUNITY WERE DEFILED, THOSE WHO ARE CLEAN OBSERVE THE FIRST [PASSOVER], WHILE THOSE WHO ARE UNCLEAN OBSERVE THE SECOND; hence [when it is] half against half, the clean observe the first, but the unclean observe neither the first nor the second. Now that is well according to the latter version of P. Kahana['s ruling]; but according to the version in which R. Kahana states, 'The clean observe the first and the unclean

each half ranks as a majority, and when the majority is clean they must not sacrifice in uncleanness. On the other hand, the unclean half is not relegated to the second Passover, since they too count as a majority. observe the second,' what is to be said? — R. Kahana can answer you: The same law [holds good] that even half against half, the clean observe the first while the unclean observe the second; yet as to what he [the Tanna] teaches, A MINORITY OF THE COMMUNITY: because he teaches THE MAJORITY in the first clause, he also teaches A MINORITY in the second clause.

It was taught in accordance with Rab; it was taught in accordance with R. Kahana, and as both versions [of his ruling]. It was taught in accordance with Rab: If the Israelites were half [of them] clean and half [of them] unclean, the former sacrifice by themselves and the latter sacrifice by themselves. It was taught as the first version of R. Kahana['s ruling]: Behold, if the Israelites were half [of them] clean and half [of them] unclean, the clean observe the first [Passover] while the unclean observe the second. And it was taught as the second version of R. Kahana['s ruling]:

Behold, if the Israelites were half [of them] clean and half [of them] unclean the clean observe the first, while the unclean observe neither the first nor the second.

Now according to Rab and the second version of R. Kahana[‘s ruling], when he[2] teaches, ‘The clean observe the first and the unclean [observe] the second,’ how do they reconcile it [with their views]? — E.g., if the Israelites were half [of them] clean and half [of them] unclean, with women making up [the number of] the unclean;[3] now he holds: [The observance of the Passover-offering by] women at the first [Passover] is voluntary;[4] [hence] deduct the women from the [number of] unclean, so that the unclean are a minority, and a minority are relegated to the second Passover.

According to Rab and the first version of R. Kahana, as to what was taught, ‘The clean observe the first and the unclean observe neither the first nor the second,’ how do they reconcile it [with their views]? — Rab reconciles it [thus]: e.g., if the [male] Israelites were half [of them] unclean and half of them clean, with women as an addition to the clean.[5] Now he holds: [The observance of the Passover-offering by] women at the first [Passover] is a duty, but voluntary at the second. [Hence] they [the unclean] cannot sacrifice at the first, because they are a minority,[6] and a minority do not sacrifice at the first. While they cannot sacrifice at the second, [because] deduct the women from them,[7] so there is half and half, and a half do not sacrifice at the second. While according to R. Kahana who maintained, a half too sacrifice at the second, he explains it thus: e.g., if the Israelites were half [of them] clean and half [of them] unclean, with women making up [the number of] the clean. Now he holds: [The observance of the Passover-offering by] women at the first Passover is a duty, while at the second it is voluntary. [Hence] they cannot sacrifice at the first, because they are half against half, and a half does not sacrifice at the first. At the second too they cannot sacrifice, [because] deduct the women from the clean [and] the unclean are a majority, and a majority do not sacrifice at the second. Again, according to R. Kahana, as to what was taught, ‘Behold, if the Israelites were half [of them] clean and half [of them] unclean, the former sacrifice by themselves while the latter sacrifice by themselves,’ how does he explain it? — R. Kahana can answer you: It is [a controversy of] Tannaim: there is a view [that] half against half is as a majority, and there is a view [that] half against half is not as a majority.

[To turn to] the main text:[8] ‘Behold, if the Israelites were half [of them] clean and half [of them] unclean, the former sacrifice by themselves and the latter sacrifice by themselves. If the unclean exceeded the clean even by one, they all sacrifice in uncleanness, because a public sacrifice cannot be divided.’[9] R. Eleazar b. Mathia said: A single individual cannot overbalance the community to uncleanness, because it is said,

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(1) Whereas only a minority sacrifices at the second Passover.

(2) The Tanna of the cited teaching.

(3) I.e., there were half unclean only when women are included.

(4) They need not observe it all.

(5) Bringing up the clean to a majority.

(6) Since it is obligatory for women they must he counted.

(7) Sc. the clean; for since it is only voluntary for women at the second they cannot be counted.

(8) From which the teaching cited supra, p. 415, is taken.

(9) V. supra p. 412, n. 2.

Talmud - Mas. Pesachim 80a

Thou mayest not sacrifice the passover-offering at one of thy gates.[1] R. Simeon said: Even if one tribe is unclean and all the other tribes are clean, the former sacrifice by themselves while the latter sacrifice by themselves. (What is R. Simeon's reason? — He holds: One tribe is designated a community.)[2] R. Judah said: Even if one tribe is unclean and all the other tribes are clean, let them

[all] sacrifice in uncleanness, because a public sacrifice cannot be divided. (R. Judah holds: One tribe is designated a community, so that it is half against half,[3] and [since] a public sacrifice is not divided, they all sacrifice in uncleanness.)

It was stated: If the Israelites were half [of them] clean and half [of them] unclean, — said Rab: we defile one of them with a reptile.[4] But why so: let the former sacrifice by themselves and the latter by themselves, for surely Rab said: These sacrifice by themselves and those sacrifice by themselves? — I will tell you: what do we discuss here? E.g., where the unclean exceeded the clean by one. If so, the majority are unclean, [then] let them all sacrifice in uncleanness? — He holds as R. Eleazar b. Mathia, who maintained: A single individual cannot overbalance the community to uncleanness. If so, our difficulty returns in full force:[5] let the former sacrifice by themselves and the latter by themselves? Rather this is what he means:If there is a Tanna who agrees with the first Tanna[6] who rules: [When there is] half against half they must not all sacrifice in uncleanness, and [also] he agrees with R. Judah who said: A public sacrifice cannot be divided, then we defile one of them with a reptile.

But 'Ulla maintained: We send away one of them on a journey afar off.'[7] But let us defile him with a reptile? — He holds: We slaughter [the Passover-offering] and sprinkle [its blood] for a man who is unclean through a reptile.[8] Then let us defile him through a dead body? — Then you debar him from his hagigah.[9] But now too you debar him from his Passover-offering? — It is possible to sacrifice at the second [Passover]. Then in the case of [defilement by] a dead body too it is possible to sacrifice [the hagigah] on the seventh [day of Passover] which would be his eighth [day after defilement]? — 'Ulla holds: They are all a compensation for the first [day]:[10] [hence] he who is eligible on the first is eligible [to sacrifice] on all of them, but wherever one is not eligible on the first, he is not eligible on any of them.

R. Nahman said to them [his disciples], Go and tell 'Ulla: Who will obey you to pull up his tent-pegs and tent and speed away![11]

It was stated: If the majority were zabin[12] and the minority unclean though the dead, — Rab said: Those unclean through the dead cannot sacrifice either on the first or on the second. They do not observe the first [Passover], because they are a minority, and a minority do not observe [it] on the first. They cannot observe it on the second either: whenever the community observes [it] on the first, individual[s] observe [it] on the second; [but] whenever the community does not observe it on the first, individual[s] do not observe [it] on the second. Said Samuel to them [his disciples], Go out and say to Abba:[13] How do you dispose of, Let the children of Israel keep the Passover in its appointed season![14] — He [Rab] answered them: Go and say to him: [yet] how do you dispose of it [the verse] when they are all zabin?[15] But [you must say] since it is impossible [to carry it out], it is impossible; so here too it is impossible.

It was stated: If the majority were unclean through the dead and a minority were zabin, — R. Huna said: There is no compensation for a Passover-offering which comes in uncleanness;[16] while R. Adda b. Ahabah said: There is compensation for a Passover-offering which comes In uncleanness. Shall we say that they differ in this, viz., he who maintains [that] there is no compensation for a Passover-offering which comes in uncleanness holds: Uncleanness is overridden in the case of the community; while he who maintains [that] there is compensation for a Passover-offering which comes in uncleanness holds: Uncleanness is permitted in the case of a community![17] — I will tell you. It is not so, for all hold [that] uncleanness is overridden in the case of a community, and they differ in this: one Master holds:

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(1) Deut. XVI, 5. He translates: you must not sacrifice it on account of one person, i.e., one person has no power to change any of the conditions of the sacrifice.

(2) V. Hor. 5b. Hence it is not relegated to the second.
(3) Communities are not regarded numerically.
(4) So that there is a majority unclean, and all can now sacrifice in uncleanness.
(5) Lit., 'to its place.'
(6) in the previously cited Baraitha.
(7) Which is tantamount to being unclean (v. Num. IX, 10) and effects the same result. For the definition of a journey afar off', v. infra 93b.
(8) Since he can have a ritual bath (tebillah) and be fit to eat in the evening.
(9) V. Glos. The reference is to the hagigah brought on the fifteenth, and he would be debarred from it, since a man defiled by the dead is unclean for seven days. [But when he is sent away on a 'journey afar off', he might manage to be back in Jerusalem on the following day to offer the hagigah, v. Tosaf.]
(10) All the days of the Festival, though fit for the sacrificing of the hagigah, are only regarded as a compensation for the first day, this being the day when it should really be brought. This question is disputed in Hag. 9b.
(11) None will consent to depart on a distant journey! Hence Rab's expedient is preferable. [R. Nahman must have accepted R. Akiba's definition (v. loc. cit.) of a 'journey afar off', v. Tosaf.]
(12) Pl. of zab, q.v. Glos. They are unclean, but the law that an unclean majority sacrifice in uncleanness applies only to those who are unclean through the dead.
(13) Rab. His name was Abba Arika, but he was called Rab (the Master) in the same way that R. Judah ha-Nasi was called Rabbi.
(14) Num. IX, 2.
(15) When obviously the precept cannot be fulfilled.
(16) Hence the zabin cannot observe the second Passover.
(17) V. supra 77a; hence it is really the same as any other Passover-offering, and therefore permits of compensation.

Talmud - Mas. Pesachim 80b

Cleanness defers, [whereas] uncleanness does not defer;[1] while the other Master holds: Even uncleanness defers.

It was stated: If a third were zabin, a third clean, and a third unclean through the dead, — R. Mani b. Pattish said: Those unclean through the dead observe neither the first [Passover] nor the second. They do not sacrifice on the first, [because] the zabin swell the number of the clean[2] who do not sacrifice in uncleanness; [hence] the unclean through the dead are a minority, and a minority do not sacrifice on the first. They do not sacrifice on the second, [because] the zabin combine with those who are unclean through the dead who did not sacrifice on the first; [hence] they are a majority, and a majority is not relegated to the second Passover.

MISHNAH. IF THE BLOOD OF A PASSOVER-OFFERING IS SPRINKLED AND THEN IT BECOMES KNOWN THAT IT[3] WAS UNCLEAN, THE HEADPLATE PROPITIATES; IF THE PERSON [THE OWNER] BECAME UNCLEAN,[4] THE HEADPLATE DOES NOT PROPITIATE, BECAUSE THEY [THE SAGES] RULED: [IN THE CASE OF] A NAZIRITE, AND HE WHO SACRIFICES[5] THE PASSOVER-OFFERING, THE HEADPLATE PROPITIATES FOR THE UNCLEANNESS OF THE BLOOD, BUT THE HEADPLATE DOES NOT PROPITIATE FOR THE UNCLEANNESS OF THE PERSON. IF HE WAS DEFILED WITH THE UNCLEANNESS OF THE DEEP,'[6] THE HEADPLATE PROPITIATES.[7]

GEMARA. Thus it is only because it was [first] sprinkled and it became known afterwards [that it was unclean]; but if it [first] became known and [the blood] was sprinkled afterwards, it does not propitiate. But the following contradicts it: For what does the headplate propitiate? For the blood, flesh, and fat which were defiled, whether in ignorance or deliberately, accidentally or intentionally, whether in the case of an individual or of a community?[8] — Said Rabina: [With regard to] its defilement, whether [it occurred] in ignorance or deliberately, [the offering] is made acceptable;[9]

[but as to its] sprinkling, [if done] in ignorance [that the blood was unclean], it is acceptable; if deliberately, it is not acceptable. R. Shila said: [With regard to] its sprinkling, whether [done] in ignorance [that the blood was unclean] or deliberately, it is accepted; [but as to] its uncleanness, [if it occurred] in ignorance, it is acceptable; if [caused] deliberately, it is not acceptable. But surely he states, 'whether in ignorance or deliberately?' This is what it means: If it was defiled in ignorance, and he [the priest] sprinkled it, whether unwittingly or deliberately, it is accepted. Yet surely it is taught, IF THE BLOOD WAS SPRINKLED AND THEN IT BECAME KNOWN: thus it is only because it was sprinkled [first] and it became known afterwards; but if it became known [first] and it was sprinkled afterwards, it is not so? — The same law holds good even if it became known [first] and it was sprinkled afterwards, and the reason that he states, IF IT WAS SPRINKLED AND THEN IT BECAME KNOWN is because he wishes to teach in the second clause, IF THE PERSON BECAME UNCLEAN, THE HEADPLATE DOES NOT PROPITIATE, where even if it was sprinkled [first] and it became known afterwards [it does] not [propitiate]; therefore he teaches the first clause too, IF IT WAS SPRINKLED AND THEN IT BECAME KNOWN.

IF HE WAS DEFILED WITH 'THE UNCLEANNESS OF THE DEEP' etc. Rami b. Hama asked: The priest who propitiates with their sacrifices, is the 'uncleanness of the deep' permitted to him or not?[10] Do we say, when have we a tradition about the 'uncleanness of the deep'?[11] [It is] in the case of the owners, but we have no tradition in respect of the priest; or perhaps we have a tradition in respect of the sacrifice,[12] no matter whether the owners or the priest [are thus defiled]? — Said Raba, Come and hear: For R. Hiyya taught: They [the Sages] spoke of the 'uncleanness of the deep' in respect of a corpse alone. What does this exclude? Surely it is to exclude 'uncleanness of the deep' caused by a reptile; and to what [then] do we refer? Shall we say, to the owners [who are thus defiled]? Then in the case of whom? If we say, in the case of a nazirite? Does it [a reptile uncleanness] affect him,[13] [seeing that] the Divine Law said, and if any man die beside him [etc.].[14] Hence it must refer to him who sacrifices the Passover-offering. Now that is well on the view [that] we may not slaughter [the Passover-offering] and sprinkle [its blood] for those who are unclean through a reptile.[15] But on the view [that] we slaughter and sprinkle on behalf of those who are unclean through a reptile, what can be said? Seeing that known uncleanness was permitted to him [who sacrifices at Passover], how much the more 'uncleanness of the deep'! Hence it must surely refer to the priest, whence it is proved that 'uncleanness of the deep' was permitted to him! — Said R. Joseph, No: After all it refers to the owners and the Passover-offering, and it excludes 'uncleanness of the deep' of gonorrhoea.[16]

Yet does it [the headplate] not propitiate for the 'uncleanness of the deep' of gonorrhoea? Surely it was taught, R. Jose said: A woman who watches from day to day[17] on whose behalf they slaughtered [the Passover-offering] and sprinkled [its blood]

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(1) I.e., when the sacrifice comes in a state of cleanness, it relegates the unclean to the second Passover; but when it comes itself in a state of uncleanness, it cannot relegate those who are otherwise unclean to the second Passover.

(2) Lit., 'they make large.'

(3) Rashi: The offering — i.e., the flesh-or the blood. In the former case the head plate makes it acceptable only in the sense that the owner is not liable to another offering and the emurim are burnt on the altar; yet the flesh itself may not be eaten (Tosaf. on the basis of Rashi's interpretation). Tosaf. itself maintains that the Mishnah refers to the defilement of the blood only.

(4) Through the dead.

(5) Lit., 'does,' 'prepares.'

(6) This is a technical term denoting the hidden uncleanness of a corpse which is now discovered for the first time. E.g., if he was in a house and it is subsequently learned that a corpse had been buried therein.

(7) And he is not liable to a second offering. This is a traditional law.

(8) V. supra 16b. 'In ignorance' and 'deliberately' are assumed to mean respectively: ignorance of the uncleanness of the blood, and deliberately sprinkling it with that knowledge.

(9) The headplate propitiates.
(10) If the priest who offers the Passover sacrifice or the sacrifices of a nazirite on behalf of their owners was defiled with the 'uncleanness of the deep,' does the breastplate propitiate, so that the sacrifice is valid, or not?
(11) That the headplate propitiates for it.
(12) Viz., that in the case of the Passover-offering and the sacrifice of a nazirite the head plate propitiates for personal defilement caused by the 'uncleanness of the deep.'
(13) Even if he is certainly defiled by a reptile.
(14) Num. VI,9 thus his naziriteship is affected only by uncleanness through the dead.
(15) V. supra 69a p. 353. Hence R. Hiyya can mean that when one is defiled through the 'uncleanness of the deep' of a reptile the Passover-offering must not be sacrificed for him.
(16) A zab (gonorrhoeist) is unclean seven days and the Passover-offering may not be offered on his behalf. Now, if the eve of Passover marks the seventh day of his uncleanness, he is in a state of a doubt; for if he does not discharge on that day he will be clean in the evening; while if he does discharge he becomes unclean for a further seven days. Thus he too is unclean with the 'uncleanness of the deep,' and R. Hiyya teaches that the headplate does not propitiate in his case and the offering must not be killed or its blood sprinkled on his behalf.
(17) Lit., 'day against day.'

Talmud - Mas. Pesachim 81a

on her second day, and then she saw [a discharge], may not eat [of the sacrifice] and is exempt from observing the second Passover.[1] What is the reason? Is it not because the headplate propitiates?[2] — I will tell you: It is not so, [the reason being] because R. Jose holds: She is defiled from now and henceforth.[3] But it was taught, R. Jose said: A zab of two discharges[4] on whose behalf they slaughtered [the Passover-offering] and sprinkled [its blood] on the seventh day,[5] and then he discharged again;[6]

for the third to see whether another discharge will follow, rendering her a zabah, or not. Thus on the first or second day of her discharge within these eleven days she is called 'a woman who watches from day to day.' Should another discharge follow on the third day, she cannot regain cleanness until seven days have passed without any issue at all. (The foregoing is on the basis of the ancient law, but already in the period of the Talmud itself the law was adopted that a single blood issue at any time imposes all the restrictions which necessitate for cleanness a period of seven consecutive clean days.) Now in the present instance the eve of Passover occurred on the second day of her discharge; the sacrifice was offered and its blood was sprinkled on her behalf before she had a discharge on that day, so that if she had not discharged later she would have been fit to eat in the evening. Since, however, she subsequently discharged, she cannot eat of the sacrifice, as she cannot perform tebillah until the following evening. similarly, a woman who watches from day to day on whose second day they slaughtered and sprinkled on her behalf, and then she discharged again, — these defile their couch or their seat retrospectively,[7] and they are exempt from observing the second Passover.[8] — I will tell you: what does 'retrospectively' mean? By Rabbinical law.[9]

Now R. Oshaia too holds [that] he defiles retrospectively by Rabbinical law [only].[10] For it was taught, R. Oshaia said:[11] But a zab who saw [a discharge] on his seventh day upsets the preceding [period];[12] whereupon R. Johanan said to him: He does not upset [aught] save that day.[13] (What will you? If he holds [that] he defiles retrospectively,[14] let us upset even all of them; while if he holds that he defiles [only] from now and onwards,[15] let him not upset even that day?[16] — Rather say: He does not even upset that day.) Whereupon he [R. Oshaia] said to him [R. Johanan], R. Jose agrees with you.[17] Yet surely R. Jose said: They defile their couch and their seat retrospectively? Hence it certainly proves that they defile retrospectively by Rabbinical law [only]. This proves it.

Now according to R. Jose, seeing that he rules [that] he defiles from now and onwards [only], what does '[They spoke of the "uncleanness of the deep"] in respect of a corpse alone' exclude?[18]

[Hence] let us solve from this that it refers to the priest, and [thus] the 'uncleanness of the deep' is permitted to him? — I will tell you: After all it refers to the owners and [treats] of the Passover-offering, but he [R. Jose] holds: One may not slaughter [the Passover-offering] and sprinkle [its blood] on behalf of those who are unclean through a reptile, and thus it is necessary to exclude it.[19] But according to R. Jose, how is a complete zabah possible?[20] — When she has a continuous discharge.[21] Alternatively, e.g., if she sees [a discharge] the whole of two [successive] twilights.[22]

R. Joseph asked: The priest who officiates at[23] the continual-offering,[24] is the 'uncleanness of the deep' permitted to him or not? If you should say that the 'uncleanness of the deep' is permitted to the priest who officiates at their sacrifices,[25] what about the gonorrhoea which has no connection with the preceding, and when a man has a single discharge he is unclean only until the evening, when he performs tebillah and becomes clean. Why then does he need another day? priest who officiates at the continual-offering? Do we say, when have we a tradition about 'the uncleanness of the deep', in respect of the Passover-offering, [but] we have no tradition about the 'uncleanness of the deep' in respect to the continual-offering; or perhaps the continual-offering is learned from the Passover-offering? — Said Rabbah: It stands to reason: if where known uncleanness was not permitted to him,[26] yet the 'uncleanness of the deep' was permitted to him,[27] then where known uncleanness was permitted to him,

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(1) During the eleven days following the seven days of niddah (menstruation) which are called the eleven days between the menses, a woman cannot become a niddah again, it being axiomatic that a discharge of blood in that period is not a sign of niddah, but may be symptomatic of gonorrhoea (zibah). A discharge on one or two days within the eleven renders her unclean for that day or those days only, but she cannot perform tebillah (v. Glos.) to become clean until the evening of the following day (for full details v. Nid. 71b ff), and she must wait

(2) For when the blood was sprinkled she was doubtfully unclean, since she might discharge again on that day. Thus she is assumed to be unclean with the 'uncleanness of the deep,' and is exempt from observing the second Passover because the headplate propitiates and makes her sacrifice valid, though she cannot partake of it.

(3) If she discharges on one day, waits part of the following and performs tebillah, she is clean, and if she subsequently discharges on the same day she becomes unclean anew, but does not continue her previous uncleanness. Hence when the sacrifice was slaughtered she was actually clean, having already performed tebillah, so that no propitiation is required.

(4) When a man suffers three gonorrhoeic discharges within three days or less (in this respect a man differs from a woman, who becomes a zabah only if the three discharges are on three consecutive days), he becomes a full zab, i.e., he does not regain his cleanness until seven consecutive days pass without a discharge, while during these seven days he is unclean as a zab; should he discharge on any of these days, he requires a further seven days, and so on. On the eighth day he brings a sacrifice, and on the evening that follows he may eat of sacred flesh (having performed tebillah the previous day). If, however, he suffers two discharges only, he is likewise unclean for seven days, but does not bring a sacrifice on the eighth; hence he can partake of sacrifices on the evening following the seventh day.

(5) So that if the day passes without a further discharge, he is fit to partake of the Passover-offering in the evening.

(6) Lit., 'Saw.' 'Saw' and 'sight' are technical terms denoting the gonorrhoeic discharges of a zab.

(7) Anything upon which they sit or lie, even without actually touching it, becomes unclean, its degree of defilement being that of a 'principal uncleanness' which in turn defiles people or utensils (v. Mishnah supra 14a and note a.l.). 'retrospectively' means, since the tebillah (q.v. Glos.) on the seventh day. Before the tebillah of course he would in any case be unclean.

(8) Thus they are not unclean only for the future, and yet they are exempt from a second Passover; the reason must be because it is an 'uncleanness of the deep' of gonorrhoea, and he holds that the headplate propitiates.

(9) But according to Biblical law she was clean during the interval between the tebillah until the third discharge.

(10) I.e., he interprets R. Jose's ruling thus.

(11) So cur. edd. But marginal note emends this to, 'For R. Oshaia said', omitting 'it was taught', as we never find his view expressed in a Baraitha, though he was the compiler of a series of Baraithas.

(12) I.e., the seven days are nullified and he must count another seven days; v. p. 423, n. 3. Rashi observes that he does not know to what R. Oshaia refers when he says 'But', which obviously indicates a contrast with some other law.

Possibly, however, אבל means here 'indeed', 'in truth', in which case it is an independent statement.

(13) Which is disregarded, and he requires only one more day free from discharge in order to regain his cleanness.

(14) I.e., from the beginning of the seventh day, the portion of the seventh day during which he had no discharge not being regarded as a complete day, that we should look upon him as having had seven consecutive days without an unclean discharge.

(15) Not from the beginning of the day, for the part of the day during which he was free from discharge counts as a whole day.

(16) For on that view he has enjoyed seven consecutive days of cleanness, which purifies him. The present discharge therefore is as an entirely new attack of

(17) Since he exempts her from observing the second Passover, he too holds that she is not retrospectively unclean.

(18) For, as seen above, on the present ruling there is no 'uncleanness of the deep' in connection with gonorrhoea. Hence it must refer to defilement by a reptile and to the priest; v. supra 80b.

(19) The steps of the argument are stated supra 80b.

(20) Since he holds that part of the day is counted as a whole day, and she is unclean only from when she discharges, each day is distinct and she can never be unclean for the three consecutive days which are necessary before she becomes a complete zabah.

(21) For the whole three days.

(22) Twilight counts as the end of one day and the beginning of the following. Hence if she discharges right through the twilights of Sunday and Monday, she is regarded as having 'seen' on Sunday, Monday, and Tuesday, and as this includes the beginnings of Monday and Tuesday, she is unclean the whole of these days.

(23) Lit., 'propitiates with'.

(24) During the whole year.

(25) V. supra 80b.

(26) E.g., a nazirite and one who sacrifices his Passover-offering. The headplate does not propitiate to make the sprinkling permissible.

(27) In the case of the continual-offering, where none are clean.

Talmud - Mas. Pesachim 81b

is it not logical that the 'uncleanness of the deep' was permitted to him? — I will tell you: can we then argue a fortiori from a traditional law: surely it was taught, R. Eliezer said to him: Akiba! That a bone [of a corpse] the size of a barley grain defiles[1] is a traditional law, whereas [that] a quarter [log] of blood [of a corpse defiles] is [deduced by you] a fortiori,[2] and we do not deduce a fortiori from a traditional law! — Rather said Raba: We learn [the scope of] 'its appointed time' from the Passover-offering.[3] And where is [the law about] the 'uncleanness of the deep' itself written?[4] — Said R. Eleazar: Scripture saith, And if any man die beside him ['alaw],[5] [which means] when it is quite clear beside him.[6] We have thus found [it in the case of] a nazirite; how do we know [it in the case of] one who sacrifices a Passover-offering? — Said R. Johanan: Because Scripture saith, [If any man shall be unclean by reason of a dead body or] in a distant road unto you:[7] [that means] when it is quite clear unto you. R. Simeon b. Lakish said, It is as the road: just as the road is manifest, so must the [cause of] defilement be manifest too.

An objection is raised: What is the 'uncleanness of the deep'? Wherever not [even] a person at the end of the world had been cognizant thereof.[8] If a person at the end of the world had been cognizant thereof, it is not the 'uncleanness of the deep.' [But] according to R. Eleazar who interpreted — when it is quite clear beside him, then [it is 'uncleanness of the deep'] unless he himself [the nazirite] knows of it.[9] According to R. Johanan who interpreted 'unto you' [as meaning] when it is quite clear unto you, then [at least] two should know thereof.[10] According to R. Simeon b. Lakish who said, It is as a road, then all should know of it? — Rather the 'uncleanness of the deep' is known as a traditional law, while the verse[s] are a mere support.[11]

Mar son of R. Ashi said: They learned this[12] only where it became known to him[13] after the

sprinkling, so that when the blood was sprinkled it was rightly sprinkled; but if it was known to him before the sprinkling — it does not propitiate. An objection is raised: If a man finds a corpse lying across the width of a path,[14] in respect of terumah he is unclean;[15] in respect of [the laws of] a nazirite or one who sacrifices the Passover-offering, he is clean; and all [statements of] unclean and clean refer to the future.[16] Rather if stated, it was thus stated: Mar son of R. Ashi said: Do not say that only if it became known to him after sprinkling does it propitiate, whereas if it became known to him before sprinkling, it does not propitiate; for even if it became known to him before sprinkling it [still] propitiates.

[To revert to] the main text: If a man finds a corpse lying across the width of a path, in respect of terumah he is unclean; in respect of [the laws of] a nazirite or one who sacrifices a Passover-offering, he is clean. When is that said? If he has no room to pass by,[17] but if he has room to pass by, he is clean even in respect of terumah. When is that said? If he finds it whole. But if it was broken or dismembered, he is clean, as he might have passed between the pieces. But [if it lay] in a grave, even if broken and dismembered, he is unclean, because the grave unites it.[18] When is this said? If he was walking on foot. But if he was laden [with a burden] or riding, he is unclean; because he who walks on foot can avoid touching it or overshadowing it,[19] but when he is laden or riding, he cannot but touch [it] or overshadow it.[20] When is this said?[21] In the case of 'uncleanness of the deep'; but in the case of known uncleanness, he is unclean. And what is 'uncleanness of the deep'? Wherever not [even] one at the end of the world had been cognizant thereof. But if one [even] at the world's end was cognizant thereof, it is not 'uncleanness of the deep.' If he found it hidden in straw, earth, or pebbles, it is 'uncleanness of the deep.'[22] [If he found it] in water, in darkness, or in the clefts of rocks, it is not 'uncleanness of the deep.'[23] And they did not state [the law of] 'uncleanness of the deep' in respect of aught save a corpse alone.

MISHNAH. IF IT [THE PASCHAL LAMB] BECAME UNCLEAN, [EITHER] WHOLLY OR THE GREATER PART THEREOF, WE BURN IT IN FRONT OF THE BIRAH[24] WITH THE WOOD OF THE PILE.[25] IF THE LESSER PART THEREOF BECAME UNCLEAN, ALSO NOTHAR,[26] THEY [THE PEOPLE] BURN IT IN THEIR COURT-YARDS OR ON THEIR ROOFS WITH THEIR OWN WOOD. MISERS BURN IT IN FRONT OF THE BIRAH, IN ORDER TO BENEFIT FROM THE WOOD OF THE PILE.

GEMARA. What is the reason?[27] — Said R. Jose b. Hanina: In order to put them to shame.[28]

IF THE LESSER PART THEREOF BECAME UNCLEAN etc. But the following contradicts it: Similarly, he who went out of Jerusalem and reconnected that he had holy flesh with him, if he has passed Scopus he burns it where he is; but if not,

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(1) A nazirite, if he touches or carries it, and he must commence again (v. Num. VI, 9-12).

(2) R. Akiba deduced a fortiori from the former that if a nazirite is under the same covering as a quarter log of blood taken from a corpse he is defiled, just as in the first case; v. Naz. 57a.

(3) Mo'ado (its appointed time) is written in connection with both the continual-offering and the Passover-offering (v. Num. XXVIII, 2; IX, 2). Hence just as the head plate propitiates for the 'uncleanness of the deep' in the latter case, so in the former too.

(4) That the headplate propitiates in the case of a nazirite and one who sacrifices his Passover-offerings. At this stage it is as yet unknown that it is not intimated in Scripture at all but is a traditional law.

(5) Num. VI, 9.

(6) I.e., he becomes unclean only if the existence of the corpse is 'beside him', clear and known to him. But in the 'uncleanness of the deep' it was unknown hitherto.

(7) Ibid. IX, 10, lit. translation.

(8) Until after the nazirite or the Israelite sacrificing his Passover-offering was defiled by it. In that case the headplate propitiates.

(9) Since the verse refers to him.
(10) 'Unto you', Heb. lakem, is in the plural, hence must refer to two at least.
(11) But not really the source of the law.
(12) Sc. that the headplate propitiates for 'uncleanness of the deep' in the two cases stated.
(13) The owner of the sacrifice, that he had been thus defiled.
(14) Where he had passed, and he must either have actually touched or passed over it.
(15) He may not eat terumah.
(16) Thus though it is now known to him before the blood is sprinkled, the headplate propitiates, for this too was a case of 'uncleanness of the deep', since as far as is known none was aware of the corpse before.
(17) V. p. 427, n. 7.
(18) And the whole length of the grave is unclean and defiles.
(19) יאהיל < אהל means to form a tent, and is the technical term for overshadowing a corpse without touching it.
(20) Because the burden or the action of the riding makes him sway from side to side.
(21) That a nazirite etc. is clean.
(22) These completely cover a corpse and make him quite invisible; hence its presence would not be known.
(23) Because one might have seen it previously.
(24) V. supra 49a.
(25) The wood specially arranged for the altar for the burning of the burnt-offerings etc.
(26) That which remained over from a clean Passover sacrifice, v. Ex. XII, 10.
(27) That it is burnt before the Temple, publicly.
(28) For their carelessness in permitting it to become defiled.

Talmud - Mas. Pesachim 82a

he returns and burns it in front of the Temple with the wood of the [altar] pile?[1] — Said R. Hama b. 'Ukba, There is no difficulty: One refers to a lodger;[2] the other [our Mishnah] refers to a householder. R. Papa said, Both refer to a lodger: there he had repaired to the road;[3] here he had not repaired to the road. R. Zebid said: in truth it is as was first stated, [viz.,] there it refers to a lodger, while here it refers to a householder, and even where he had not taken to the road; [in the case of] a lodger, since he has not [wood of his own] he was regarded as a miser, for we learned: MISERS BURN IT IN FRONT OF THE TEMPLE IN ORDER TO BENEFIT FROM THE WOOD OF THE [ALTAR] PILE.

Our Rabbis taught: If they come [desire] to burn it in their own court-yards and with the wood of the [altar] pile, we do not heed [permit] them; in front of the Temple and with their own wood, we do not heed them. As for not heeding them [when they wish to burn it] with the wood of the pile in their own courtyards, that is well, [the reason being] lest some of it [the wood] be left over and they come to a stumbling-block through it.[4] But what is the reason that [they may] not [burn it] in front of the Temple with their own wood? — Said R. Joseph: So as not to shame him who has none [of his own]. Raba said: On account of suspicion.[5] Wherein do they differ? — They differ where he brought cane reeds and dried branches, which are not fit for the pile.[6]

We learned elsewhere: The head of the ma'amad[7] used to place the unclean[8] by the East Gate.[9] What is the reason? Said R. Joseph: In order to put them to shame.[10] Raba said: Because of suspicion.[11] Wherein do they differ? — They differ in respect of delicate persons or ropemakers.[12]

MISHNAH. A PASSOVER-OFFERING WHICH PASSED OUT[13] OR WAS DEFILED MUST BE BURNT IMMEDIATELY.[14] IF ITS OWNERS WERE DEFILED OR THEY DIED,[15] IT MUST BECOME DISFIGURED[14] AND BE BURNT ON THE SIXTEENTH. R. JOHANAN B. BEROKAH SAID: THIS TOO MUST BE BURNT IMMEDIATELY, BECAUSE THERE ARE NONE TO EAT IT.

GEMARA. As for uncleanness, It is well, because it is written, And the flesh that toucheth any unclean thing shall not be eaten; it shall be burnt with fire.[16] But how do we know it of what goes out? Because it is written, Behold, the blood of it was not brought into the sanctuary within.[17] Moses said to Aaron: 'Why did ye not eat the sin-offering? Perhaps its blood entered the innermost [sanctuary]'?[18] 'No,' he answered him. 'Perhaps it passed without its barrier'?[19] he asked. 'No,' replied he, 'it was in the sanctuary.' Said he to him, 'If it was in the sanctuary, and "behold, the blood of it was not brought into the sanctuary within," wherefore have ye not eaten it?' Whence it follows that if it passed out, or if its blood entered within, it requires burning.

As for when it is defiled, it is well: the Divine Law revealed it in the case of lesser Holy sacrifices, and all the more[20] in the case of Most Holy sacrifices.[21] But as to what goes out; we have found [that it is disqualified in the case of] superior sacrifices; whence do we know [it of] inferior sacrifices? Moreover, as to what was taught: If its blood was kept overnight,[22]

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(1) V. Mishnah supra 49a for notes. — This shows that even a small portion is burnt thus.

(2) Who has no home of his own and lacks the facilities for burning it at home.

(3) Therefore it is too much trouble to return home, and so he burns it in front of the Temple.

(4) They may use it for other purposes, which is forbidden.

(5) He will take away any wood that is left over, but the onlooker will think that it is wood of the altar pile and so suspect him of theft.

(6) Raba's reason is not applicable here, and therefore it is permitted; whereas R. Joseph's reason still hold hence it is forbidden.

(7) Post, a division of popular representatives deputed to accompany the daily services in the Temple with prayers, and also a corresponding division in the country town, answering to the divisions (v. supra 57a, p. 284, n. 3) of priests and Levites. — Jast.

(8) Of the priestly division that should have officiated that day in the Temple.

(9) That all who entered might see them.

(10) For not having taken care to be clean.

(11) Lest they be suspected of neglecting the Temple service for their private affairs.

(12) Who receive little pay; no priest will neglect the Temple service for this. Raba's reason does not apply here, whereas R. Joseph's reason does.

(13) Beyond its proper boundaries.

(14) On the fourteenth.

(15) So there is none to eat it. (13) V. supra 34a, p. 156, n. 7.

(16) Lev. VII, 19.

(17) Ibid. X, 18; the previous verses relate how Moses was angry with Eleazar and Ithamar for having the sin-offering burnt instead of eating it.

(18) I.e., the Holy of Holies — in that case you had rightly burnt it; v. ibid. VI, 23.

(19) I.e., outside the Temple court.

(20) Var. lec.: the same law applies.

(21) V. supra 24a, p. 108, n. 2. The verse quoted in connection with defilement refers to a peace-offering.

(22) I.e., the blood of the sacrifice had not yet been sprinkled by sunset.

if its blood was poured out, or if the blood passed outside the Temple enclosures, — where it is all established law that it requires burning;[1] whence do we learn it? — We deduce it from R. Simeon['s teaching]. For it was taught, R. Simeon said: In the holy place . . . it shall be burnt with fire:[2] this teaches of the sin-offering that is burnt in the holy place [sanctuary]. Now, I only know this alone: how do we know it of the unfit of the [other] Most Holy sacrifices and the emurim of the lesser Holy sacrifices? Therefore it is stated, 'in the holy place . . . it shall be burnt with fire.'[3] We have [thus] found it of the Most Holy sacrifices; whence do we know it of the lesser Holy sacrifices?[4] Rather

[that] wherever there is a disqualification in the sacred [sacrifices][5] burning is required, no matter whether it is the Most Holy sacrifices or the lesser Holy sacrifices; — this is known by tradition.[6] And as for Aaron's sin-offering, that is because the incident that happened, happened thus.[7]

Now, according to the tanna of the School of Rabbah b. Abbuhah who said, Even piggul requires disfigurement,[8] whence do we know it — [because] he learns the meaning of iniquity from nothar:[9] yet let us learn the meaning of iniquity from Aaron's sacrifice?[10] — He can answer you: [A sacrifice such as] Aaron's sin-offering too in such a case[11] would require disfigurement in [future] generations;[12] but there it was a special dispensation.[13] Now that we say, [that] 'wherever there is a disqualification in the sacred [sacrifices] burning is required, no matter whether it is the most sacred sacrifices or the lesser sacrifices, — this is known by tradition,' what is the purpose of 'in the holy place . . . it shall be burnt with fire'? — That is required [to teach] that its burning [must be] in the holy place.[14] What is the purpose of, 'and the flesh that toucheth any unclean thing shall not be eaten; it shall be burnt with fire'?-That is required for its own sake.[15] You might say, All disqualifications of the sacred [sacrifices mean] e.g.,if its blood was kept overnight, if its blood was spilled, if its blood went outside, or if it was slaughtered by night: these require burning because they do not apply to hullin.[16] But if it became unclean, which disqualifies in the case of hullin too' I would say, since it has been treated as profane [non-holy], it does not require burning, and burial should suffice for it. Hence we are informed [that it is not so].

IF ITS OWNERS WERE DEFILED OR THEY DIED, IT MUST BECOME DISFIGURED etc. R. Joseph said: The controversy is where the owners were defiled after the sprinkling, so that the flesh had become fit for eating. But if the owners were defiled before the sprinkling, so that the flesh had not become fit for eating, all agree that it must be burnt immediately. An objection is raised: This is the general rule: Wherever its disqualification is in itself, it must be burnt immediately; [if it is] in the blood or in its owner, [their flesh] must become disfigured and [then] it goes out to the place of burning?' Now [the disqualification through] the owners is taught as analogous to [that of] the blood: just as [that of] the blood is before sprinkling, so was [the defilement of] the owners before sprinkling? — Rather if stated, it was thus stated: The controversy is where the owners were defiled before the sprinkling, so that the flesh is not fit for eating, whereby it is as though its disqualification were in itself; but if the owners were defiled after the sprinkling, so that the flesh had become fit for eating, all agree that its disqualification is through something else [extraneous] and it requires disfigurement.

But R. Johanan maintained: The controversy holds good [even if the owners were defiled] after sprinkling too. Now R. Johanan is consistent with his view. For R. Johanan said: R. Johanan b. Berokah, and R. Nehemiah said the same thing. R. Johanan b. Berokah, this which we have stated. What is [the allusion to] R. Nehemiah? — For it was taught, R. Nehemiah said: This [Aaron's sin-offering] was burnt on account of bereavement, therefore it is stated, [and there have befallen me such things] as these.[17] Now surely bereavement is as [a disqualification] after sprinkling.[18] Yet when it was burnt; it was burnt immediately.[19]

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(1) In all these cases the blood is unfit for sprinkling and in turn the flesh cannot be eaten, and it must be burnt.

(2) Lev. VI, 23.

(3) V. supra 24a and notes a.l.

(4) The verse quoted refers only to the emurim of the lesser holy sacrifices.

(5) Or, whatever its disqualification (that arises) in the sanctuary.

(6) It is not intimated in the Bible.

(7) The Bible does not record this story in order to teach, as stated above, but simply because it happened so.

(8) Though the disqualification is certainly in itself; v. supra 34b.

(9) 'Iniquity' is written in connection with piggul and nothar. Piggul: and the soul that eateth of it shall bear his iniquity (Lev. VII, 18); nothar: but every one that eateth of it shall bear his iniquity (ibid. XIX, 8, — this verse is applied to

nothar in Ker. 5a). Now nothar is naturally disfigured, having been kept too long, and the employment of 'iniquity' in both cases teaches that piggul too requires disfigurement,

(10) Lev. X, 17: and he hath given it to you to bear the iniquity of the congregation. Hence just as it was burnt there on the same day, before it could become disfigured, so should piggul be.

(11) Whatever the cause of its disqualification. On this there are two views: (i) it had been defiled; (ii) it could not be eaten because Aaron and his sons were bereaved that day by the death of Nadab and Abihu.

(12) I.e., if a sin-offering becomes thus disqualified it normally requires disfigurement.

(13) Lit., 'the ruling of the hour'.

(14) In the Temple Court.

(15) I.e., to teach that uncleanness too is a sacred disqualification in this respect.

(16) V. Glos. Hullin remains unaffected by these. Thus in spite of these disqualifications the sacrifice has not been subjected to an indignity, as it were, which would disqualify even in the case of hullin. (2) V. supra 34b for notes.

(17) Lev. X, 19; 'as these' directly refers to his bereavement.

(18) For even if Nadab and Abihu died before the sprinkling, this would not be invalid, the sin-offering being dissimilar to the Passover-offering in this respect. For the latter stands primarily to be eaten, and therefore if the owners are defiled before the sprinkling, the sprinkling is invalid, while if they are defiled after the sprinkling the sprinkling is valid. The purpose of the sin-offering however, is atonement, so that even if the priests are defiled (here, bereaved) before the sprinkling and cannot eat, the sprinkling is valid. Hence this bereavement, even if it occurred before the blood was sprinkled, is the same as when the owners of the Passover-offering are defiled after the sprinkling.

(19) Hence since R. Johanan identifies R. Johanan b. Berokah's view with that of R. Nehemiah, this must be the former's opinion also, and thus they differ in our Mishnah where the owners are defiled after the sprinkling too.

Talmud - Mas. Pesachim 83a

Rabbah added: R. Jose the Galilean too. For it was taught, R. Jose the Galilean said: The whole passage speaks only of the bullocks which were burnt and the he-goats which were burnt, and its purpose is to teach that when they are disqualified, they must be burnt before the Temple, and to impose a negative injunction against eating them.[1] Said they to him: A sin-offering whose blood entered the innermost [sanctuary], whence do we know [that it is disqualified]? Said he to them, [From the verse] Behold, the blood of it was not brought into the sanctuary within,[2] whence it follows that if it [the sacrifice] went outside or if its blood entered within, it requires burning.[3] But R. Johanan[4] holds: The blood and the flesh are one thing;[5] [while the defilement of] the owners is a different thing.[6]

MISHNAH. THE BONES,[7] AND THE SINEWS, AND THE NOTHAR OF THE PASCHAL LAMB ARE TO BE BURNT ON THE SIXTEENTH.[8] IF THE SIXTEENTH FALLS ON THE SABBATH, THEY ARE TO BE BURNT ON THE SEVENTEENTH, BECAUSE THEY[9] DO NOT OVERRIDE EITHER THE SABBATH OR THE FESTIVAL.

GEMARA. R. Mari b. Abbuha said in R. Isaac's name: Bones of sacrifices which served nothar[10] defile the hands,[11] since they became a stand for a forbidden article.[12] Shall we say that this supports him: THE BONES, AND THE SINEWS, AND THE NOTHAR ARE TO BE BURNT ON THE SIXTEENTH. How are these bones meant? If we say that they contain no marrow, why burn them? Let us throw them away![13] Hence it is obvious that they contain marrow. Now, it is well if you agree that the serving of nothar is a [substantial] fact:[14] then it is right that they require burning.[15] But if you say [that] the serving of nothar is not a [substantial] fact, why do they need burning? Let us break them, scoop out their marrow and burn it, and throw them [the bones] away.[16] Hence this surely proves that the serving of nothar is a [substantial] fact! — I will tell you. It is not so: in truth I may argue that the serving of nothar is not a [substantial] fact, but he[17] holds: [neither shall ye break a bone] thereof[18] [means] of a fit [bone], and even of an unfit [one]. [You say] 'Even of an unfit [one]' — can you think so! Surely we learned: But he who leaves anything over [even] of clean [flesh], or he who breaks [a bone] of: an unclean [Passover-offering], does not receive forty

[lashes]?[19] — There is no difficulty: here it means where it enjoyed a period of fitness;[20] there it means where it never enjoyed a period of fitness;[20] And which Tanna admits a distinction between where it enjoyed a period of fitness and where it did not enjoy a period of fitness? — It is R. Jacob. For it was taught: 'Neither shall ye break a bone thereof': 'thereof' implies of a fit one, but not of an unfit one. R. Jacob said: If it enjoyed a period of fitness and became unfit, it is subject to the prohibition of breaking a bone; if it did not enjoy a period of fitness, it is not subject to the prohibition of breaking a bone. R. Simeon said: Both the one and the other are not subject to the prohibition of breaking a bone. An objection is raised: No bones of sacrifices require burning,[21] except the bones of the Passover-offering,[22] on account of the stumbling-block.[23] How are these bones meant? If we say that they contain no marrow, why do they need burning? Hence it is obvious that they contain marrow. Now if you should think [that] the serving of nothar is something substantial, why do the bones of [other] sacrifices not require burning? — Said R. Nahman b. Isaac: The circumstances here are e.g., if he found them [the bones] scooped out:[24] [in the case of] the bones of [other] sacrifices which are not subject to the prohibition of breaking a bone, [we assume that] they were scooped out before it[25] [the marrow] became nothar', Hence they did not serve nothar and do not require burning. [But in the case of] the bones of the Passover-offering which are subject to the prohibition of breaking a bone, we assume that they were scooped out after they became nothar; hence they had served nothar and require to be burnt.

R. Zebid said: The circumstances here are e.g.,

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(1) This refers to Lev. VI, 23: And no sin-offering, whereof any of the blood is brought into the tent of meeting to make atonement in the holy place, shall be eaten; it shall be burnt with fire. The Rabbis relate this to a sin-offering which is sacrificed in the inner court, whose blood was carried into the inner court, thereby thus qualifying it. But R. Jose the Galilean relates it to a sin-offering which is sacrificed in the inner court, e.g., the bullock brought when the entire congregation sins in ignorance (v. Lev. IV, 13 f.). Hence he interprets the verse thus: And no sin-offering thereof any of the blood is rightly brought into the tent of meeting etc., shall be eaten. Now this is superfluous in respect of a valid sacrifice, since it is explicitly stated in IV, 21: and he shall carry forth the bullock without the camp, and burn it. Hence the verse must mean that if it became unfit though going outside its legitimate boundary or through defilement, it must be burnt in front of the Birah, and not be carried 'without the camp', i.e., beyond the Temple Mount. Further, this prohibits the eating of its flesh by a negative injunction, violation of which involves flagellation (Lev. IV, 21 merely contains an affirmative precept whose disregard is not punished by flagellation).

(2) Lev. X, 18.

(3) Now, since R. Jose the Galilean learns sacrifices for all time from Aaron's sin-offering, he evidently holds that for all time if the blood is brought within, it requires immediate burning without awaiting disfigurement, though the disqualification of the blood is like a disqualification through something else. Rabbah assumes that the same law viz., that it must be burnt without awaiting disfigurement, applies to the owner's defilement, though it is a disqualification through something else. Hence R. Jose the Galilean and R. Johanan b. Berokah say the same thing.

(4) Who does not include R. Jose he Galilean.

(5) Hence when the blood goes without its precincts, it is a disqualification in the sacrifice itself.

(6) I.e., it is a disqualification through something else, and therefore one cannot be deduced from the other.

(7) Of the paschal lamb. They may not be broken (Ex. XII, 46), and therefore their marrow becomes nothar (v. Glos.) and must be burnt (ibid. 10).

(8) Not on the fifteenth, which is a festival day, but on the sixteenth, which is the first of the Intermediate days (hol ha-mo'ed); v. p. 16, n. 4.

(9) I.e., the burning of them.

(10) I.e. , the marrow was left in them after the time permitted for the eating of the sacrifice, and thus became nothar, for which the bones served as a container.

(11) Just as nothar itself, v. infra 85a, 120b.

(12) Sc. the marrow.

(13) Nothar, which must he burnt, is applicable only to what can be eaten in the first place, viz.,the flesh and the marrow.

(14) I.e., of sufficient importance to be treated as nothar itself.

(15) I.e.,the bones themselves too.

(16) For as stated anon, only a fit bone may not be broken; here, once the marrow is nothar, the bone ceases to be fit.

(17) The Tanna of our Mishnah.

(18) Ex. XII, 46.

(19) Flagellation, the penalty for violating a negative injunction. V. infra 84a. Since he is not so punished, the prohibition evidently does not apply.

(20) E.g., if a bone is rendered unfit on account of nothar, it was fit before it became nothar. Then the prohibition remains even when it becomes unfit. (9) E.g., if the bone was defiled before the sprinkling of the blood. Then it was never fit, and the prohibition does not apply to it.

(21) Though the marrow in them, if uneaten, is nothar. The bones are broken while the marrow is scooped out and burnt.

(22) Where the bones themselves are burnt.

(23) One might Otherwise be led to violate the prohibition of breaking bones.

(24) I.e., the bones were already broken and their marrow removed.

(25) The plural in the text probably refers to the separate marrows distributed among the bones.

Talmud - Mas. Pesachim 83b

that he found them piled up in heaps and some of them were scooped out:[1] [in the case of] bones of [other] sacrifices which are not subject to the prohibition of breaking a bone, [I assume] that they have all been scooped out and [the marrow] eaten; hence they do not require burning. But in the case of bones of the Passover-offering which are subject to the prohibition of breaking a bone, [I say] perhaps it is these [only] which were scooped out, while the others[2] were not scooped out; hence they require burning.

Rab Judah said in Rab's name: All sinews are flesh, except the sinews of the neck. We learned: THE BONES, THE SINEWS, AND THE NOTHAR ARE TO BE BURNT ON THE SIXTEENTH. How are these sinews meant? If they are sinews of flesh, let us eat them! While if they remained over,[3] then they are [indeed] nothar?[4] Hence it is obvious [that] the sinews of the neck [are meant]. Now it is well if you say that they are flesh:[5] therefore they require burning. But if you say that they are not flesh, why do they require burning? — Said R. Hisda: This [teaching] arises only in respect of the thigh sinew, and in accordance with R. Judah. For it was taught, R. Judah said: [The prohibition of the thigh sinew] is operative only in respect of one, and reason determines, that of the right [thigh].[6] Then in that case conclude that R. Judah is in doubt,[7] for if he is really certain, let us eat that which is permitted, and throw away that which is forbidden. Why then do they [both] need burning? — Said R. Ika b. Hinena: [This law was stated] where e.g., they were [originally] distinguished but subsequently mixed up.[8]

R. Ashi said: It is necessary [to teach it] only in respect of the fat of the sinew of the thigh. For it was taught: Its fat is permitted, but the Israelites are holy and treat it as forbidden.[9]

Rabina said: It refers to the outer [sinew of the thigh], and is in accordance with Rab Judah's dictum in Samuel's name. For Rab Judah said in Samuel's name: The inner one which is near the bone is forbidden, and a person is liable on its account [to flagellation]; the other which is near the flesh is forbidden, but a person is not liable on its account.[10] IF THE SIXTEENTH FELL etc. Yet why so? Let the affirmative command come and override the negative command?[11] — Said Hezekiah, and the School of Hezekiah taught likewise: And ye shall let nothing of it remain until the morning; but that which remaineth of it until the morning ye shall burn with fire: now [the second] ‘until the morning’ need not be stated, What then is the teaching of ‘until the morning’? [Scripture comes] to appoint a second morning for its burning.[12] Abaye said: Scripture saith, The burnt-offering of the Sabbath [shall be burnt] on its Sabbath:[13] but the burnt-offering of weekdays is not [to be burnt] on the Sabbath, nor is the burnt-offering of weekdays [to be burnt] on Festivals.[14] Raba said: Scripture saith, [no manner of work shall be done in them — sc. Festivals — , save that which every

man must eat,] that only may be done by you:[15] 'that' but not its preparatory requisites:[16] 'only,'

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(1) He only examined those on top and found them thus.

(2) Which he did not examine.

(3) Accidentally or through negligence.

(4) Why state it separately?

(5) In spite of their woodenness.

(6) V. Gen. XXXII, 33. Thus actually one of the thigh sinews is permitted, though we do not know which; this one therefore is really nothar and must be burnt.

(7) Which is forbidden and which is permitted.

(8) R. Judah may be certain that the prohibition applies to the right thigh only, but these sinews referred to in our Mishnah, though distinguished when drawn out, are now mixed up and we do not know which is the right and which is the left, and hence both require burning.

(9) Since therefore according to Scriptural law it can be eaten, it is nothar and must be burnt. On the other hand, since in actual practice it could not be eaten the Tanna cannot include it in the term nothar, which generally implies flesh which could have been eaten, and must mention it separately.

(10) It is forbidden by Rabbinical law only. The reasoning in the preceding note applies here too.

(11) It is a general principle that if an affirmative command and a negative command are in conflict, the former overrides the latter. Here we have all affirmative command to burn the nothar, Ex. XII, 10, and a negative command forbidding work on a festival, ibid. 16.

(12) Translating: but that which remaineth of it, (ye shall wait) until the (following) morning (sc. that of the sixteenth) (and) burn (it) with fire.

(13) Num. XXVIII, 10; this is the literal translation.

(14) E.g., the animal sacrificed before the Sabbath or Festival must not be burnt the following evening. Hence sacrifices and sacred food in general, if unfit, must not be burnt on Festivals, a fortiori.

(15) Ex. XII, 16.

(16) E.g., you may roast meat, but may not sharpen a spit for impaling the meat on it.

Talmud - Mas. Pesachim 84a

but not circumcision out of its proper time, which might [otherwise] be inferred a fortiori.[1] R. Ashi said: [On the seventh day is a Sabbath of] solemn rest [Shabbathon],[2] [written] in connection with Festivals, is an affirmative precept[3] and one affirmative precept cannot override a negative precept and an affirmative precept [combined]. MISHNAH. EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX MAY BE EATEN OF A TENDER GOAT,[4] AND ALSO THE TOPS OF THE FORELEGS AND THE GRISTLES.[5]

GEMARA. Rabbah pointed out a contradiction. We learned: EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX MAY BE EATEN OF A TENDER GOAT; hence that which cannot be eaten [of the former] may not [be eaten of the latter]. Then consider the sequel: [AND ALSO] THE TOPS OF THE FORELEGS AND THE GRISTLES: yet surely these cannot be eaten in the case of a full-grown ox? — Rather it is [dependent on] Tannaim, and it is taught thus: EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX MAY BE EATEN OF A TENDER GOAT, while that which cannot be eaten [of the former] may not be eaten [of the latter]: but some maintain, also THE TOPS OF THE FORELEGS AND THE GRISTLES. Raba said: This [the second] is a defining clause,[6] and it teaches thus: EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX after [much] boning MAY BE EATEN OF A TENDER GOAT when roasted, and what is it? THE TOPS OF THE FORELEGS AND THE GRISTLES.

It was taught in accordance with Raba: Everything which can be eaten of a full-grown ox after [much] boning may be eaten of a tender goat when roasted, and what is it? The tops of the forelegs and the gristles, and the soft sinews are treated[7] as flesh.

It was stated: [With regard to] sinews which would ultimately harden,[8] — R. Johanan said: One may register for them in the Passover-offering; Resh Lakish maintained: One may not register for them in the Passover-offering. R. Johanan said, One may register for them in the Passover-offering, [because] we decide by the present. Resh Lakish maintained. One may not register for them in the Passover-offering, [because] we decide by its ultimate [condition].[9] Resh Lakish raised an objection against R. Johanan: Everything which can be eaten of a full-grown ox may be eaten of a tender goat, and what is it? The tops of the forelegs and the gristles; [thus] only these,[10] but not sinews which would ultimately harden! — Said he to him: He teaches those, and the same applies to these. [Thus] why are those [permitted]? Because they can be eaten in the case of a full-grown ox after [much] boning; [so] these too call be eaten of a full-grown ox after [much] boning.

R. Jeremiah said to R. Abin: When you go before R. Abbahu, point out a contradiction to him. Did then R. Johanan say, '[With regard to] sinews which would ultimately harden, one nay register for them in the Passover-offering', which shows that we decide by the present? Surely Resh Lakish asked R. Johanan: 'Can the skin of the head of a tender [sucking] goat be defiled'?[11] And he answered him: 'It cannot be defiled', which proves that we decide by the future? — Said he to him: he who pointed out this contradiction to you was not particular about his flour.[12] Surely R. Johanan retracted in favour of Resh Lakish['s view], and he said to him: Do not provoke me, for I learn it as the opinion of an individual.[13] MISHNAH. HE WHO BREAKS A BONE OF A CLEAN PASSOVER-OFFERING RECEIVES FORTY [LASHES]. BUT HE WHO LEAVES OVER [FLESH] OF A CLEAN [OFFERING] OR BREAKS [A BONE] OF AN UNCLEAN [ONE] IS NOT FLAGELLATED WITH FORTY [LASHES].

GEMARA. As for leaving over [flesh] of a clean [offering], it is well. For it was taught: And ye shall let nothing of it remain until the morning; and that which remaineth of it until the morning ye shall burn with fire.[14] Scripture desires to state an affirmative command after a negative command, thus teaching that one is not flagellated for it; this is R. Judah's view.[15] R. Jacob said: This is not the real reason,[16] but because It is a negative injunction involving no action,[17] for which one is not flagellated. But how do we know [that] he who breaks [a bone] of an unclean [offering is not flagellated]? — Because Scripture states, Neither shall ye break a bone thereof:[18] 'thereof' [implies] of a fit sacrifice but not of an unfit one. Our Rabbis taught: 'Neither shall ye break a bone thereof': 'thereof' implies of a fit sacrifice but not of an unfit one. Rabbi said: In one house shall it be eaten . . . neither shall ye break a bone thereof:[18] [this intimates,] whatever is fit for eating is subject to the [prohibition of] breaking a bone, while whatever is not fit for eating is not subject to the [prohibition of] breaking a bone. Wherein do they differ? Said R. Jeremiah: They differ in respect of a Passover-offering which came in a state of uncleanness:[19] on the view that [the verse refers to] a fit [sacrifice].

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(1) An infant is circumcised even on the Sabbath, if it is the eighth day after birth (Lev. XII, 3), but not otherwise. This is deduced from 'alone', which is a limitation. But for this, one could infer a fortiori that it is permissible (v. Shab. 132b). Thus we see that an act which need not be done on a particular day may not be done on the Sabbath or on Festivals, and the same applies to unfit sacred food.

(2) Lev. XXIII, 3.

(3) For it intimates: rest thereon, so that work on a festival involves the transgression of both affirmative and negative precepts.

(4) But not those portions of a full-grown ox which are too hard to be eaten (the reference, of course, is to the Passover-offering), though in the case of a young goat these are soft and edible.

(5) E.g., the cartilage of the ears, the gristly portion of the breast, and the small ribs at the end of the spine.

(6) Lit., 'he teaches what they are'.

(7) Lit., 'judged'.

(8) The sinews of the neck of a young goat fit for a Passover-offering are soft, but when it grows older they harden and

are unfit for food.

(9) Thus R. Johanan interprets the 'soft sinews' of the foregoing Baraitha as meaning those which are soft now, even if they ultimately harden; while in the view of Resh Lakish it means only those which remain permanently soft.

(10) Which even in the case of a full-grown ox can be eaten after protracted boiling.

(11) At present it is edible, but not when the goat grows older. Can it be defiled as food, since it can now be eaten, or not, since it will ultimately harden.

(12) Whether he milled sound wheat or the refuse! I.e., he was careless about his data.

(13) This refers to the Mishnah in Hul. 122a which states that the skin of the head of a tender goat is as its flesh, i.e., can be defiled as an eatable, which proves that we decide by the present and thus contradicts R. Johanan's answer to Resh Lakish. He, however, countered by stating that he regarded it as an individual's ruling only. Hence when he rules in the present discussion that we decide by the present, it must be on the assumption that that Mishnah represents the opinion of the majority, an assumption, however, which he evidently abandoned.

(14) Ex. XII, 10.

(15) This is a general principle, for when an affirmative precept follows a negative one, it is implied that if the latter is violated, the remedy lies in the former.

(16) Lit., 'this is not of the same denomination'.

(17) It is violated by remaining passive, not by committing a positive act.

(18) Ibid. 46.

(19) I.e., when the majority of the community were unclean; v. Mishnah supra 79a.

Talmud - Mas. Pesachim 84b

this however is unfit;[1] but on the view that whatever is fit for eating [is subject to this law], [surely] this too is fit for eating.[2] R. Joseph said: In such a case all agree that it is not subject to the [prohibition of] breaking a bone, for Rabbi comes to be [more] lenient[3] and this is surely unfit. But[4] they differ where it enjoyed a period of fitness and then became unfit:[5] on the view that [the verse refers to] a fit [sacrifice], this [indeed] was fit; but on the view that [only what is] fit for eating [is meant], surely it is not fit for eating now.

Abaye said: In such a case all hold that it is not subject to the [prohibition of] breaking a bone. What is the reason? [Because] at all events it is unfit now. But they differ in respect of breaking a bone during the daytime.[6] On the view that [the verse refers to] a fit [sacrifice], this [indeed] is fit; but on the view, that [only what is] fit for eating [is subject to this law], at present[7] it is not fit for eating.

An objection is raised: 'Rabbi said: One may register for the marrow in the head, but one may not register for the marrow in the thigh-bone'. Why [may one register for] the marrow in the head? Because one is able to scrape it and extract it. Now if you think that the breaking of the bone by daylight is permitted, then the thigh-bone too, let us break it during the day, extract the marrow, and register for it? — Abaye can answer you: Yet even according to your view,[8] let us still take a glowing coal after nightfall, place it upon it, burn it and extract the marrow and register for it? For surely it was taught: But he who burns the bones or cuts the sinew does not violate [the prohibition of] breaking a bone? Then what can you say?[9] Abaye said: Because it may split.[10] Raba said: [This is impossible] on account of the loss of sacred food, which he may destroy with [his own] hands, as the fire may destroy some of the marrow. [Hence] during the daytime too [it may not be broken] as a preventive measure on account of after nightfall.[11]

R. Papa said: In such a case all hold that it is subject to the [prohibition of] breaking a bone. What is the reason? [Because] in the evening it is fit for eating. But they differ in respect of a limb part of which went out:[12] On the view that [the verse refers to] a fit [sacrifice], this [indeed] is fit;[13] while on the view that [only what is] fit for eating [is subject to this law], this, however, is not fit for eating, as was taught: R. Ishmael the son of R. Johanan b. Berokah said: A lamb part of which went

outside, and which he broke, is not subject to the [prohibition of] breaking a bone.

R. Shesheth the son of R. Idi said: In such a case all agree that it is not subject to the [prohibition of] breaking a bone, for this limb is surely unfit. But they differ in respect of breaking a bone of a half-roast [offering].[14] On the view that [the verse refers to] a fit [sacrifice], this is fit;[15] while on the view that [only what is] fit for eating [is subject to this law], now [however] it is not fit for eating.

R. Nahman b. Isaac said: In such a case all agree that it is subject to the [prohibition of] breaking a bone. What is the reason? Because it is surely fit for eating, as he can roast it [completely] and eat it. But they differ in respect of [the breaking of the bone of] the fat tail. On the view that [the verse refers to] a fit [sacrifice], this is indeed fit, but on the view that [only what is] fit for eating [is subject to this law], this [however] is not fit for eating, for the fat tail is offered to the Most High.[16]

R. Ashi said: In such a case it is certainly not subject to the [prohibition of] breaking a bone, for it is certainly unfit for eating at all. But they differ in respect of [breaking the bone of] a limb upon which there is less than an olive of flesh.[17] On the view that [the verse refers to] a fit [sacrifice], this indeed is fit; but on the view that [only what is] fit for eating [is subject to this law], we require the standard of eating, which is absent.

Rabina said: In such a case it is not subject to the [prohibition of] breaking a bone, because we require the standard of eating. But they differ in respect of a limb upon which there is less than an olive of flesh at this point,[18] but which contains as much as an olive of flesh elsewhere. On the view that [the verse refers to] a fit [sacrifice],this indeed is fit. But on the view that [only what is] fit for eating [is subject to this law], we require the standard of eating at the point where it is broken, which is absent.

It was taught as four of these.[19] For it was taught, Rabbi said: 'In one house shall it be eaten . . . neither shall ye break a bone thereof': he is culpable on account of that which is fit, but he is not culpable on account of that which is not fit. [Thus:] If it had a period of fitness but became unfit by the time of eating, it is not subject to the [prohibition of] breaking a bone. If it contains the standard of eating,[20] it is subject to the [prohibition of] breaking a bone; if it does not contain the standard of eating, it is not subject to the [prohibition of] breaking a bone. That which is intended for the altar[21] is not subject to the [prohibition of] breaking a bone. [Only] at the time of eating is it subject to the [prohibition of] breaking a bone; when not at the time of eating[22] it is not subject to the [prohibition of] breaking a bone. It was stated: If a limb does not contain as much as an olive of flesh at this point,[23] but does contain as much as an olive of flesh elsewhere, — R. Johanan maintained: It is subject to the [prohibition of] breaking a bone; R. Simeon b. Lakish said: It is not subject to the [prohibition of] breaking a bone. R. Johanan raised an objection against Resh Lakish: 'Neither shall ye break a bone thereof': both a bone upon which there is as much as an olive of flesh and a bone upon which there is not as much as an olive of flesh. Now what does 'there is not as much as an olive of flesh upon it' mean? Shall we say that there is not as much as an olive of flesh upon it at all, then why is it subject to the [prohibition of] breaking a bone?[24] Hence surely this is what it means: Both a bone upon which there is as much as an olive of flesh at this [very] point and a bone upon which there is not as much as an olive of flesh at this point, but there is as much as an olive of flesh upon it elsewhere? — Said he to him,

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(1) Normally such is unfit, for uncleanness is merely overridden in favour of a community, but not permitted, v. supra 77a, p. 398, n. 2; hence it is not subject to the prohibition of breaking a bone.

(2) Since a Passover offered in uncleanness may be eaten in uncleanness, v. supra 76b.

(3) Some versions omit this (Bah).

(4) [Var. lec. omit 'In such a case . . But'.]

(5) E.g., the paschal sacrifice became unclean after the sprinkling of the blood.

(6) Of the fourteenth, before the Festival commences on the evening of the fifteenth.
(7) I.e., when he actually breaks it.
(8) Sc. that this is forbidden.
(9) Why one may not register for the marrow.
(10) The fire may not burn it through but cause it to crack and split and this is the same as breaking it.
(11) The point of the 'too' ('during the daytime too') is this: just as it must not be burnt at night by Rabbinical law only, lest something else happen, so he must not break it during the day by Rabbinical law only', also because he may do something else instead, viz., break it at night.
(12) Without the walls of Jerusalem. The offering had to be eaten in Jerusalem; whatever went outside became unfit. Here as only part of a limb had gone out, this part should be cut out', but this entails cutting across the bone in the limb.
(13) Sc. the part which remained inside, and when he breaks the bone he naturally touches on that part. Consequently it is forbidden; for the remedy v. Mishnah infra 85b.
(14) Which is itself forbidden, v. Ex. XII, 9: Eat not of it half-roast (so translated supra 41a).
(15) The sacrifice itself is fit, though it may not be eaten because it was not properly prepared.
(16) I.e., it is burnt on the altar together with the emurim (v. Glos.).
(17) That is the least quantity which constitutes eating
(18) Where he actually breaks the bone.
(19) [R. Joseph, R. Nahman b. Isaac, Abaye and Rabina (or R. Ashi). V. n. 5. Var. lec., however, omits the passage.]
(20) [Either at the point where it is broken, as required by Rabina, or on the limb itself', as required by R. Ashi.]
(21) I.e., the bone of the fat tail.
(22) I.e., before nightfall.
(23) At the point of breaking.
(24) For R. Johanan and Resh Lakish both, agree that it must contain as much as an olive of flesh before it is subject to the prohibition.

Talmud - Mas. Pesachim 85a

No: it means this: Both a bone which has as much as an olive of flesh on the outside and a bone which has not as much as an olive of flesh on it on the outside, but contains as much as an olive of flesh [marrow] inside, [yet still] at the point of breaking. And it was taught [even so]: 'Neither shall ye break a bone thereof': [this refers to] both a bone which contains marrow and a bone which does not contain marrow, while to what do I apply,[1] and they shall eat the flesh in that night?[2] To the meat on the bone. Yet perhaps it is not so , but [it applies] to the meat [marrow] inside the bone [too], while to what do I apply, 'neither shall ye break a bone thereof'? To a bone which does not contain marrow; but in the case of a bone which contains marrow he breaks [it] and eats [the marrow]; and do not wonder thereat, for the affirmative command comes and overrides the negative command![3] When, [however,] 'they shall not break a bone thereof[4] is stated in connection with the second Passover, which need not have been taught, seeing that it has already been said, according to all the statute of the Passover they shall keep it,[5] deduce from this [that it means] both a bone which, contains marrow and a bone which does not contain marrow.

An objection is raised: [With regard to] a limb part of which went outside,[6] he cuts [the flesh] as far as the bone, and pares it until he reaches the joint and then cuts it off.[7] Now if you say [that] a limb upon which there is not as much as an olive at this point but there is as much as an olive on it elsewhere is not subject to the [prohibition of] breaking a bone, why does he pare it until he reaches the joint and [then] cut it off? Let us scrape a little away and break it? — Abaye said: [This cannot be done] because of a [possible] split.[8] Rabina said: This refers to the thigh bone.[9]

We learned elsewhere: Piggul and nothar[10] defile the hands.[11] R. Huna and R. Hisda, — One maintained: It was on account of the suspects of the priesthood;[12] while the other maintained: It was on account of the lazy priests.[13] One recited [the reason] in reference to piggul, while the other recited it in reference to nothar. He who recited it in reference to piggul [gave the reason as being]

on account of the suspects of the priesthood. While he who recited it in reference to nothar [stated that it was] on account of the lazy priests. One recited: As much as an olive;[14] while the other recited: As much as an egg. He who recited, as much as an olive [took the same standard] as its prohibition,[15] while he who recites, as much as an olive, [takes the same standard] as its uncleanness.[16]

The scholars asked: Did the Rabbis enact uncleanness in respect of what goes outside[17] or not? Do we say, they imposed uncleanness on nothar because they [the priests] might come to be lazy about it; but [concerning] that which goes outside, they will [certainly] not carry it out with [their own] hands, [and so] the Rabbis did not decree uncleanness in connection therewith. Or perhaps there is no difference? — Come and hear: If part of a limb went outside, he cuts [the flesh] as far as the bone and pares it until he reaches the joint and then cuts it off. Now if you say that the Rabbis imposed uncleanness upon it, what if he does cut? Surely it defiles it?[18] — It is concealed uncleanness,[19] and concealed uncleanness does not defile. But according to Rabina who maintained: The connection of foodstuffs is not a real connection, and they are as though separated,[20] what can be said: surely they[21] touch each other and it [the inner portion] is defiled? — Hence according to him who recited, as much as an olive, [we must say here] that it[22] did not contain as much as an olive; while according to him who recited, as much as an egg, [we must say] that it did not contain as much as an egg.

Come and hear: If a man carries out flesh of a Passover-offering from one company to another,[23] though he [has violated] a negative injunction, it [the flesh] is clean. Now does that not mean that it is clean yet forbidden, because that which goes out from one company to another company is like that which goes outside its boundary[24] and is disqualified [for eating], yet even so it teaches [that] it is clean, which proves that the Rabbis did not decree uncleanness! — No: it is clean and permitted, because that which goes out from company to company is not like that which goes outside its boundary, and it is not disqualified. But surely the second clause teaches: He who eats it is subject to a negative injunction? As for him who says, as much as an egg, it is well: [this may refer to] where it contains as much as an olive[25] but not as much as an egg. But according to him who says as much as an olive, what can be said? — Rather [say thus]: We do not ask in respect of what goes out in the case of a Passover-offering, for the Rabbis [certainly] did not decree uncleanness [there]. What is the reason? The members of a company[26] are most scrupulous, and so are very careful with it.[27] But we do ask in respect of what goes out in the case of sacrifices [in general]: what [is the law]? The question stands over.

Now he who carries out flesh of the Passover-offering

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(1) Lit., ‘and how do I fulfil?’

(2) Ex. XII, 8.

(3) V. supra 83b, P. 439. n. 1.

(4) Num. IX, 12.

(5) Num. IX, 12.

(6) V. supra 84b, p. 444, n. 2.

(7) While the flesh which he cut on (i.e., which had not gone outside) is eaten.

(8) When he hits the bone to break it, it may split elsewhere, not just where it was scraped.

(9) Which contains marrow; hence scraping the flesh off is of no avail.

(10) V. Glos.

(11) By Rabbinic law; v. infra 120b.

(12) Who were suspected of maliciously making the sacrifice piggul to hurt its owner, who would have to bring another; therefore the priest who handles it was declared unclean, since defilement was regarded as very serious even by the wicked (Rashi, and Tosaf. quoting Yoma 23a). Another interpretation: so that he who touched it should not be suspected of intending to eat it, as it would be known that he could not do this in his unclean state.

(13) Who were too indolent to consume the flesh within the permitted period and allowed it to become nothar.

(14) Of these defiled the hands.
(15) That quantity involves punishment if it is eaten.
(16) As much as an egg is the smallest quantity which defiles by Biblical law. Hence when the Rabbis enacted that this defiles the hands, they adopted the same standard.
(17) Its appointed boundaries.
(18) The inner portion of the flesh is defiled by contact with the part which went outside.
(19) This is a technical term: the actual point of contact is not visible in the same way that the contact of two separate pieces of flesh is visible.
(20) Since foodstuffs are intended to be cut up. In his view the law of concealed uncleanness is only applicable where the object is not intended to be cut, e.g., a piece of cloth, v. Hul. 72b.
(21) The two parts.
(22) The portion which went outside.
(23) Cf. Mishnah infra 86a.
(24) Within which it much be eaten. Viz., the walls of Jerusalem.
(25) Which involves punishment.
(26) Who have registered for one paschal sacrifice.
(27) Hence there is no need for a preventive measure.

Talmud - Mas. Pesachim 85b

from one company to another company, how do we know [that he violates a negative injunction]? — Because it was taught: Thou shalt not carry forth aught of the flesh abroad out of the house:[1] I only know [that it must not be taken] from one house to another house; whence do we know [that it must not be taken] from one company to another company?[2] Because it is stated, 'abroad', [meaning] outside [the place of] its consumption.

R. Ammi said: He who carries out flesh of the Passover-offering from one company to another company is not culpable unless he deposits [it there]: 'carrying out' is written in connection with it as [in connection with] the Sabbath;[3] [hence] just as [in the case of] the Sabbath, [he is not culpable] unless he removes and deposits,[4] so here too [he is not culpable] unless he removes it [from one company] and deposits it [with the second]. R. Abba b. Mammel raised an objection: If they were carrying them on staves, the front bearers having gone outside the walls of the Temple Court while the rear ones had not [yet] gone out, those in front defile [their] garments while those behind do not defile their garments.[5] But it has not come to rest?[6] He raised the objection and he himself answered it: It refers to [carcasses] which are trailed [along the ground].[7]

MISHNAH. IF PART OF A LIMB WENT OUTSIDE, HE CUTS [THE FLESH] AS FAR AS THE BONE AND PARES IT UNTIL HE REACHES THE JOINT AND CUTS IT AWAY. BUT IN THE CASE OF [OTHER] SACRIFICES HE CUTS IT OFF WITH A CHOPPER, BECAUSE THEY ARE NOT SUBJECT TO THE [PROHIBITION OF] BREAKING A BONE. FROM THE DOOR-STOP AND WITHIN RANKS AS WITHIN [THE CITY];[8] FROM THE DOOR-STOP AND WITHOUT IS AS OUTSIDE [THE CITY]. THE WINDOWS[9] AND THE THICKNESS OF THE WALL ARE AS THE INSIDE.

GEMARA. Rab Judah said in Rab's name: And it is likewise in respect of prayer.[10] He differs from R. Joshua b. Levi. For R. Joshua b. Levi said: Even an iron partition cannot interpose between Israel and their Father in Heaven.[11] Now this is self-contradictory. You say, FROM THE DOORSTOP AND WITHIN RANKS AS WITHIN [THE CITY]; hence the [area of] the door-stop itself is as the outside. Then consider the sequel: FROM THE DOOR-STOP AND WITHOUT IS AS OUTSIDE [THE CITY]; hence the door-stop itself is as the inside? — There is no difficulty: one refers to the gates of the Temple Court;[12] the other, to the gates of Jerusalem.[13] For R. Samuel b. R. Isaac said: Why were the gates of Jerusalem not sanctified?[14] Because lepers shelter under them in

summer[15] from the sun and in winter[16] from the rain. R. Samuel son of R. Isaac also said: Why was the gate of Nicanor[17] not sanctified? Because lepers stand there and insert the thumbs of their hands [into the Court].[18]

THE WINDOWS AND THE THICKNESS OF THE WALL etc. Rab said: The roofs and the upper chambers were not sanctified.[19] But that is not so, for Rab said on the authority of R. Hiyya: There was [only] as much as an olive of the Passover-offering [to eat],[20] yet the Hallel[21] split the roofs![22]

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(1) Ex. XII, 46.

(2) Even in the same house.

(3) Sc. in Ex. XVI, 29: let no man go out of his place on the seventh day (Tosaf. s.v. הוצאה).

(4) Lit., 'he uproots and lays at rest'. Removing it from private and depositing it in public ground or the reverse; v. Shab. 2a.

(5) This refers to the bullocks which were burnt outside the three camps (v. p. 343 n. 2); Jerusalem itself is the third camp but the bearers defiled their garments as soon as they left the first camp, viz., the Temple Court. This is deduced in Yoma 68a from Lev. XVI, 27: and the bullocks of the sin-offering . . . shall be carried forth without the camp.

(6) It was not put down, yet it defiles, though 'carrying out' is written there.

(7) Which constitutes depositing.

(8) The door-frame in the the city walls of Jerusalem was of considerable breadth — sufficient for the Passover-offering to be eaten there. The Mishnah states that everywhere on the inside of this door-frame is as inside the city, while that on the outside is as the outside of the city. The Gemara discusses the status of the door-frame space itself.

(9) In the city walls; these too occupied a considerable breadth.

(10) Certain portions of the service are recited only when there is a quorum of ten men (called minyan). A man standing in the inside of the door-stop is counted with those inside the room, but not he who is standing outside the door-stop.

(11) Hence even if he stands outside the door-stop, he is counted with the others.

(12) There the space of the door-stop itself is as the inside.

(13) There it is as the outside.

(14) I.e., the space occupied by the thickness of the gates.

(15) Lit., 'the sun'.

(16) Lit., 'the rain'.

(17) The east gate of the Temple Court.

(18) V. Lev. XIV, 17 and Yeb. 7b.

(19) The roofs of the houses of Jerusalem are not sanctified, in the sense that sacrifices which are eaten anywhere in Jerusalem nay not be eaten on them. Similarly, the sacrifices which had to be eaten within the Temple precincts might not be eaten on its roof or in its upper chambers.

(20) Very large companies registered for each sacrifice, so that each person could not receive more than that.

(21) V. p. 324, n. 2.

(22) It was sung with such gusto.

Talmud - Mas. Pesachim 86a

Does that not mean that they ate on the roof and recited [the Hallel] on the roof? No: they ate on the ground and recited [it] on the roof. Yet that is not so, for surely we learned: You must not conclude after the Paschal meal [by saying] 'To the aftermeal entertainment!'[1] and Rab said: [That means] that they must not remove from one company to another?[2] — There is no difficulty: there it is at the time of eating;[3] here it is not at the time of eating.[4] Come and hear: Abba Saul said: The upper chamber of the Holy of Holies was more stringent than the Holy of Holies, for the High Priest entered the Holy of Holies once a year, whereas the upper chamber of the Holy of Holies was entered only once a septennate — others say, twice a septennate — others say, once in a Jubilee — to see what it required?[5] -Said R. Joseph: Shall a man stand up and raise an objection from the Hekal![6] The Hekal is different, because it is written, Then David gave to Solomon his son the pattern of the porch [of

the Temple], and of the houses thereof, and of the treasuries thereof, and of the upper rooms thereof, and of the inner chambers thereof, and of the place of the ark-cover;[7] and it is written, All this [do I give thee] in writing, as the Lord hath made me wise by His hand upon me.[8]

Come and hear: [With regard to] the chambers built in the sacred area[9] and opening into the non-sacred area,[10] their inside is non-sacred,[11] while their roofs are sacred? — R. Hisda explained this [as meaning] where their roofs were level with the ground of the Temple Court.[12] If so, consider the second clause: [As to] those built in the non-sacred [area] and opening into the sacred [area], their inside is sacred, while their roofs are non-sacred. Now if you think that it means where their roofs are level with the ground of the Temple Court, then they are cellars, whereas R. Johanan said: The cellars were not sanctified? — R. Johanan said this only in respect of those opening into the Temple Mount; [whereas] that was taught in respect of those opening into the Temple Court. But it was taught, R. Judah said: The cellars under the Hekal were non-sacred?[13] — That was taught where they opened into the non-sacred [area].

Come and hear: And its roof is sacred?[14] — Now is that logical: surely he teaches: As for these roofs, you may not eat there sacrifices of the greater sanctity, nor kill there sacrifices of the lesser sanctity.[15] But in that case 'its roof is holy' presents a difficulty? — Said R. Hama b. Guria: [That was taught] in respect of those two cubits. For we learned: There were two cubits [measures] in Shushan the Castle,[16] one on the north-east corner and one on the south-east corner. That on the north-east corner exceeded [the cubit] of Moses[17] by half a fingerbreadth, while that on the south-east corner exceeded it [sc. the first cubit] by half a fingerbreadth, so that it exceeded [the cubit] of Moses by a fingerbreadth. And why was one large and one small?[18] So that the workers might receive [contracts] by the small [measure] and deliver [the work] by the large one, to avoid liability to a trespass-offering.[19] Any why two? One was for [work in] gold and silver,[20] while the other was [or building.[21] We learned: THE WINDOWS AND THE THICKNESS OF THE WALL ARE AS THE INSIDE. As for the windows, it is well, this being possible where they were level with the ground of the Temple Court; but how is the thickness of the wall conceivable?[22] — It is possible in the case of the inner wall,[23] as it is written, But he hath made the rampart and the wall to mourn,[24] which R. Aha — others say, R. Hanina — interpreted: the wall proper and the minor wall.

MISHNAH. IF TWO COMPANIES ARE EATING IN ONE ROOM,[25] THESE MAY TURN THEIR FACES IN ONE DIRECTION AND THOSE MAY TURN THEIR FACES IN ANOTHER DIRECTION,[26] WITH THE BOILER[27] IN THE MIDDLE.[28] WHEN THE WAITER[29] RISES TO MIX [THE WINE], HE MUST SHUT HIS MOUTH AND TURN HIS FACE AWAY [FROM THE OTHER COMPANY] UNTIL HE REACHES HIS OWN COMPANY.[30] BUT A BRIDE[31] MAY TURN HER FACE AWAY AND EAT.

GEMARA. Who is [the author of] our Mishnah? — It is R. Judah. For it was taught: Upon the houses wherein they shall eat it:[32] this teaches that a Paschal lamb may be eaten in two companies. You might think that the eater may eat in two places,[33] therefore It is stated, In one house shall he eat it.[34] Whence it was said: If the waiter[35] ate as much as an olive at the side of the oven, if he is wise he eats his fill[36] of it; but if the members of the company wish to do him a favour, they come and sit at his side:[37] this is R. Judah's opinion. R. Simeon said: 'Upon the houses wherein they shall eat it:' this teaches that the eater may eat in two places.[38]

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(1) It was customary among ancient nations to conclude a banquet with bouts of drinking, revelry and music. The sanctity of the Paschal meal precluded this, as it would turn an occasion of solemnity and reverential gratitude to God into one of light-hearted frivolity.

(2) For the purpose mentioned in the preceding note. Thus the whole service must be carried out in the same place.

(3) Then a change of place is forbidden.

(4) The hallel was recited after the meal was concluded; praise to God is then permissible anywhere.

(5) E.g., repairs. Thus the upper chambers were sanctified.
(6) The Holy, the hall containing the golden altar etc. , contrad. to the Holy of Holies (Jast.). In the present passage, however, R. Joseph appears to use the word more elastically, making it embrace the Holy of Holies too.
(7) I Chron. XXVIII, 11.
(8) Ibid. 19. 'The Lord hath made me wise' is understood to mean that he was Divinely inspired to sanctify all those mentioned in the forgoning, which include the 'upper room'.
(9) I.e., the Temple Court.
(10) Sc. the Temple Mount; i.e., they had no doors opening into the Temple Court.
(11) They lack the sanctity of the Temple Court, though they possess that of the Temple Mount, for their status is determined by their openings.
(12) The chambers referred to being cellars.
(13) This is now assumed to refer even to those opening into the Temple Court.
(14) Sc. the roof of the Hekal, this being the conclusion of R. Judah's statement. R. Joseph's answer that the hekal was different on account of the explicit verse is inapplicable here, for the roofs are not mentioned in that verse.
(15) V. supra p. 108, n. 2. Thus it is definitely stated that they did not enjoy the sanctity of the Temple Court.
(16) A chamber built above the eastern gate of the Temple, so called because the picture of the castle of Shushan in the capital of the Persian empire, was sculptured upon it.
(17) I.e., the standard cubit.
(18) Why not simply the standard cubit of Moses?
(19) E.g., they contracted to build a certain length in terms of the standard cubit; nevertheless they completed their contract according to the length of the larger measure. The purpose was to preclude the possibility of benefiting from the Sanctuary over and above their exact due, which would involve them in trespass.
(20) This being more difficult, they added only half a fingerbreadth to the standard measure.
(21) Where a whole fingerbreadth was added. — Now the roofs were sanctified only in so far that these measuring rods and similar utensils or vessels which were not used in the actual service of the altar might be kept in them. But they were not sanctified in respect of anything else.
(22) For by the thickness of the wall must be meant the top, which is the same as the upper chambers and the roofs, while the top of the city wall was certainly not on a level with the Temple Mount.
(23) A smaller wall on the inside of the larger wall; the top of the former was level with the greatest height of the ground of the Temple Court, which itself reached several different heights in gradient.
(24) Lam. II, 8.
(25) Of the same Paschal offering.
(26) They are not bound all to face each other, though they were originally one company for this offering.
(27) In which water was heated for diluting the wine.
(28) Though this seems further to emphasize their separateness.
(29) Who is waiting on both parties. He too had registered for this offering-a Jewish waiter, of course is meant.
(30) Lest he be suspected of eating with the other company too. This Tanna holds that one Paschal lamb may be eaten in two companies, but one person may not eat in two places.
(31) Who in her modesty does not wish to face the company.
(32) Ex. XII, 7.
(33) Of the same offering. E.g., either in two separate rooms or even in one room containing two companies, which makes it like two rooms.
(34) Ex. XII, 46. The vocalization is יֵאָכֵל (passive E.V.: shall it be eaten), but it may also be read יֹאכַל, and R. Judah holds that the traditional consonantal form of the word determines Its meaning regardless of vocalization.
(35) Engaged in roasting the offering.
(36) Lit., 'fills his stomach'.
(37) And eat there, but he may not go and eat with them, as he would thereby be eating in two places.
(38) 'They shall eat' referring to each individual separately, who is thus permitted to eat in 'the houses'.

Talmud - Mas. Pesachim 86b

You might think that it may be eaten in two companies. Therefore it is stated, 'In one house shall it

be eaten.'[1] Wherein do they differ? R. Judah holds: The traditional [non-vocalized] text is authoritative; while R. Simeon holds: The text as read [as vocalized] is authoritative.[2]

If they were sitting [in one company], and a partition was spread between then,[3] — on the view that [one] Paschal lamb may be eaten in two companies, they may eat [thus]; [but] on the view that [one] Paschal lamb may not be eaten in two companies, they may not eat [thus]. If they were sitting[4] , when the partition was removed from between them:[5] on the view that the eater may eat in two places, they may [go on] eating [thus]; but on the view that the eater may not eat in two places, they may not [go on] eating. R. Kahana sat [and] stated this as a definite ruling. Said R. Ashi to R. Kahana: You should [rather] ask it as a question: Does the removing of a partition or the setting up of a partition transform it into two places or two companies [respectively] or not? The question stands over.

THE BRIDE TURNS HER FACE AWAY etc. What is the reason? — Said R. Hiyya b. Abba in R. Johanan's name: Because she is modest.[6]

R. Huna the son of R. Nathan visited the home of R. Nahman b. Isaac. They asked him, 'What is your name?' 'Rab Huna,' replied he.[7] 'Would you, Sir, sit down on the couch,' said they, and he sat down. Then they offered him a goblet, which he accepted at the first [invitation][8] but he drank it in two times, without turning his face away. They asked him, 'What is the reason that you called yourself Rab Huna?' [He replied:] 'That is my name.'[9] 'What is the reason that when they told you to sit on the couch you did sit?'[10] Said he to them: 'Whatever your host tells you, do.'[11] 'What is the reason that when a goblet was offered you you accepted it at the first invitation?' Said he to them: 'One must show reluctance to a small man, but one must not show reluctance to a great man. 'Why did you drink it in two times?' — Said he to them: 'Because it was taught: He who drinks his goblet in once is a gourmand; in two times, shows good breeding; in three times, is of the arrogant. Why did you not turn your face away?'[12] — 'We learned, A BRIDE TURNS HER FACE AWAY,' replied he.[13]

R. Ishmael Son of R. Jose visited the home of R. Simeon b. R. Jose b. Lakunia. They offered him a goblet, which he accepted at the first invitation and drank in one draught. Said they to him: 'Do you not agree that he who drinks his goblet in one draught is greedy'? Said he to them: 'This was not said when your goblet is small, your wine sweet, and my stomach broad'.[14] R. Huna said: The members of a company enter three at a time, and depart even singly.[15] Rabbah observed: But that is only if they enter at the time when people generally enter,[16] and providing that the attendant had taken notice of them.[17] Rabina said: And they must make their [full] payment;[18] and the last must pay extra.[19] But the law does not agree with him. [

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(1) Each Paschal lamb must be eaten in one company, but the person is not bound to retain the same position in the company all the time.

(2) V. n. 1; also Sanh., Sonc. ed. p. 10, n. 4.

(3) Thus transforming them into two companies.

(4) In two rooms.

(5) Thus making them into one company; furthermore, a new area is added to each, and this renders the whole as another place.

(6) And as a bride she is naturally the cynosure of all eyes.

(7) Mentioning his title of Rabbi.

(8) Lit. , 'in one time' — he did not wait to be pressed a second time.

(9) Lit., 'I am the master of the name'. Rashi: I have been called Rab Huna even as a child. Thus Rab in his case was a proper name, not only a title. [R. Hananel: an ordained Rabbi and known by this designation.]

(10) The couch was reserved for distinguished visitors, others sitting on ordinary stools. His immediate compliance therefore savoured of arrogance.

(11) Var. lec.: except ‘depart’. The text reads better without this addition, but if it is retained it was probably meant humorously — a guest should not outstay his welcome until he is told to go!

(12) Which would have been more mannerly in their opinion.

(13) But not others.

(14) R. Ishmael was very stout, v. 84a.

(15) Rashi: This does not refer particularly to the Passover-offering. The members of a company should enter for meals three at a time in order to facilitate the work of the waiter, but may depart even singly though the waiter has still to attend on the rest. R. Han.: When a company registers for a Passover-offering and three of them (but not less) enter the house at the normal time for eating, they can eat without waiting for the rest. But if they had already assembled and then left for some purpose, even if only one is left he can eat alone and need not wait for their return.

(16) I.e., not earlier, in which case they must wait for the rest.

(17) According to Rashi: They notified the waiter of their intention to depart singly. R. Hananel: The waiter had been sent to find them and failed. MS.M. too reads: the attendant has searched for them.

(18) [To the waiter for the extra trouble incurred. R. Hananel: the one who eats the Paschal lamb on his own, if he ate more than his share, v. Aruch s.v. דייל.]

(19) To the water for the extra trouble incurred. [R. Hananel omits this clause.]

Talmud - Mas. Pesachim 87a

C H A P T E R V I I I

MISHNAH. A WOMAN, WHEN SHE IS IN HER HUSBAND'S HOME, AND HER HUSBAND SLAUGHTERED ON HER BEHALF AND HER FATHER SLAUGHTERED ON HER BEHALF, MUST EAT OF HER HUSBAND'S. IF SHE WENT TO SPEND THE FIRST FESTIVAL IN HER FATHER'S HOME,[1] AND HER FATHER SLAUGHTERED ON HER BEHALF AND HER HUSBAND SLAUGHTERED ON HER BEHALF, SHE MAY EAT WHEREVER SHE PLEASES. AN ORPHAN ON WHOSE BEHALF HIS GUARDIANS SLAUGHTERED[2] MAY EAT WHEREVER HE PLEASES. A SLAVE OF TWO PARTNERS MAY NOT EAT OF EITHER.[3] HE WHO IS HALF SLAVE AND HALF FREE[4] MUST NOT EAT OF HIS MASTER'S.[5]

GEMARA. [Hence] you may infer from this that selection is retrospective?[6] — [No:] what does ‘SHE PLEASES’ mean? At the time of the slaughtering.[7] Now the following contradicts this: A woman, on the first Festival, eats of her father's; thereafter, if she desires she eats of her father's, [while] if she desires she eats of her husband's?[8] There is no difficulty: there it means when she is eager to go [to her father's home];[9] here [in our Mishnah] it means when she is not eager to go. For it is written, Then was I in his eyes as one that found peace [shalom],[10] which R. Johanan interpreted: Like a bride who was found perfect [shelemah] in her father-in-law's home and is eager to go and recount her merits in her father's house, as it is written,[11] And it shall be at that day, saith the Lord, that thou shalt call Me My husband [Ishi], and thou shalt call Me no more My Master [Ba'ali]:[12] R. Johanan said: [That means] like a bride in her father-in-law's house, and not like a bride in her father's house.[13]

We have a little sister, and she hath no breasts[14] R. Johanan said: This alludes to Elam, who was privileged to study but not to teach.[15]

I am a wall, and my breast like the towers thereof.[16] R. Johanail said: ‘I am a wall’ alludes to the Torah; ‘and my breasts like the towers thereof,’ to scholars. While Raba interpreted: ‘I am a wall’ symbolizes the community of Israel; ‘and my breasts like the towers thereof’ symbolizes the synagogues and the houses of study.

R. Zutra b. Tohiah said in Rab's name: What is meant by the verse, We whose sons are as plants grown up in their youth; whose daughters are as corner-pillars carved after the fashions of the

Temples?[17] 'We whose sons are as plants' alludes to the young men of Israel who have not experienced the taste of sin. 'Whose daughters are as corner pillars,' to the virgins of Israel who reserve themselves[18] for their husbands; and thus it is said, And they shall be filled like the basins, like the corners of the altar.[19] Alternatively. [a parallel is drawn] from the following. Whose garners are full, affording all manner of store.[20] 'Carved after the fashion of the Temple:'[21] both the one and the other, the Writ ascribes [Praise] to them as though the Temple were built in their days.

The word of the Lord that came unto Hosea the son of Beeri, in the days of Uzziah, Jotham, Ahaz, and Hezekiah, kings of Judah:[22] Four prophets prophesied in one age, and the greatest of all of them was Hosea. For it is said, The Lord spoke at first with Hosea:[23] did He then speak first with Hosea; were there not many prophets from Moses until Hosea? Said R. Johanan: He was the first of four prophets who prophesied in that age. and these are they: Hosea, Isaiah, Amos and Micah. The Holy One, blessed be He, said to Hosea, 'Thy children have sinned,' to which he should have replied. 'They are Thy children, they are the children of Thy favoured ones they are the children of Abraham, Isaac, and Jacob; extend[24] Thy mercy to them.' Not enough that he did not say thus, but he said to Him: 'Sovereign of the Universe! The whole world is Thine; exchange them for a different nation. Said the Holy One, blessed be He, 'What shall I do with this old man? I will order him: "Go and marry[25] a harlot and beget thee children of harlotry"; and then I will order him: "Send her away from thy presence." If he will be able to send [her] away. so will I too send Israel away.' For it is said, And the Lord said unto Hose'!: 'Go, take unto thee a wife of harlotry and children of harlotry';[26] and it is written, So he went and took Gomer the daughter of Diblaim.[27] 'Gomer': Rab said, [That intimates] that all satisfied their lust [gomerim][28] on her; 'the daughter of

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(1) It was the custom for a woman to spend the first Festival after her marriage in her father's house.

(2) He had more than one guardian, and each kind a Passover-offering with him as one of its eaters.

(3) Even if one specifically registered him in his company, since half of the slave belongs to another man. Hence he may eat only if both agree that he should be registered with one. — A slave in a Jewish house has the status of a semi-Jew, and if circumcised he ate of the Paschal offering (v. Ex. XII, 44).

(4) E.g. 'he had belonged to two masters, and one had manumitted him.

(5) As we assume that his master did not count in the free half.

(6) Lit., 'there is bererah'. Bererah is a technical term denoting that a choice or selection made now has retrospective validity in a legal sense. For it is assumed that the Mishnah means that the woman may eat of whichever offering she desires now, though she had not yet made her choice when it was killed and its blood was sprinkled. But the Passover-offering may be eaten only by those who had registered for it and on whose behalf it was killed. Hence when we say that her present choice permits her to eat thereof, it proves that this choice is retrospectively valid, as though she had declared it before the offering was killed. Actually there is a controversy (B.K. 51b; Bez. 38a; GIT. 25a) in this matter.

(7) It was then that she had declared her choice.

(8) Whereas the Mishnah states that at the first Festival she makes her choice.

(9) Then she eats of her father's even if she had not expressed her desire previously, as it is taken for granted. Cf. Keth. 71b, (Sonc. ed.) pp. 445ff notes.

(10) Cant. VIII, 10.

(11) Var. lec.: it is written, this introducing a new passage.

(12) Hos. II, 18.

(13) I.e., like a bride who has already gone over to her husband completely, and is more intimate with him (viz., after nissu'in, the completion of marriage), and not like a bride in her father's house, which is after erusin (betrothal) only (Rashal).

(14) Cant. VIII, 8.

(15) V. Sanh., Sonc. ed. p. 138. n. 5.

(16) Ibid. 10.

(17) Ps. CXLIV, 12. On hekal v. infra p. 512. n. 6. E.V.: a palace.

(18) Lit., 'seal their openings'.

(19) Zech. IX, 1.
(20) Ps. CXLIV, 13.
(21) Ibid. 12.
(22) Hos. I, 1.
(23) Ibid. 2. lit. translation. E.V.: When the Lord etc.
(24) Lit., 'roll'.
(25) Lit., 'take'.
(26) Ibid.
(27) Ibid. 3.
(28) Lit., 'to complete'.

Talmud - Mas. Pesachim 87b

Diblaim': [a woman of] in fame [dibbah] and the daughter of [a woman of] in fame [dibbah].[1] Samuel said: [It means] that she was as sweet in everyone's mouth as a cake of figs [debelah]. While R. Johanan interpreted: [It means] that all trod upon her[2] like a cake of figs [is trodden]. Another interpretation: 'Gomer': Rab Judah said: They desired to destroy [le-gammer] the wealth of Israel in her days. R. Johanan said: They did indeed despoil [their wealth]. for it is said, For the king of Aram [Syria] destroyed then, and made them like the dust in threshing.[3]

And she conceived, and bore him a son. And the Lord said unto him: 'Call his name Jezreel; for yet in little while, and I will visit the blood of Jezreel upon the house of Jehu, and will cause to cease the kingdom of the house of Israel. And it shall come to pass at that day, that I will break the bow of Israel in the valley of Jezreel.' And she conceived again, and bore a daughter. And He said unto him: 'Call her name Lo-ruhamah [that hath not obtained compassion]; for I will no more have compassion upon the house of Israel, that I should in any wise pardon them . . . And she conceived, and bore a son. And He said: 'Call his name Lo-ammi [not my people]; for ye are not My people, and I will not be yours.[4] After two sons and one daughter were born to him, the Holy One, blessed be He, said to Hosea: 'Shouldst thou have not learned from thy teacher Moses, for as soon as I spoke with him he parted from his wife; so do thou too part from her.' 'Sovereign of the Universe!' pleaded he: 'I have children by her, and I can neither expel her nor divorce her.' Said the Holy One, blessed be He, to him: 'Then if thou, whose wife is a harlot and thy children are the children of harlotry, and thou knowest not whether they are thine or they belong to others, yet [thou] art so; then Israel who are My children, the children of My tried ones, the children of Abraham, Isaac and Jacob; one of the four possessions which I have acquired in this world — (The Torah is one possession, for it is written, The Lord acquired me as the beginning of His way.[5] Heaven and earth is one possession. as It is written, [God Most High] Who possesses heaven and earth.[6] The Temple is one possession, for it is written, This mountain [sc. the Temple Mount], which His right hand had acquired.[7] Israel is one possession, for it is written, This people that Thou hast gotten.)[8] Yet thou sayest, Exchange them for a different people!' As soon as he perceived that he had sinned, he arose to supplicate mercy for himself. Said the Holy One, blessed be He, to him: 'Instead of supplicating mercy for thyself, supplicate mercy for Israel, against whom I have decreed three decrees because of thee'.[9] [Thereupon] he arose and begged for mercy, and He annulled the decree[s]. Then He began to bless them, as it is said: Yet the number of the children of Israel shall be as the sand of the sea . . . and it shall come to pass that, instead of that it which was said unto them: Ye are not My people', it shall be said unto them: Ye are the children of the living God.' And the children of Judah and the children of Israel shall be gathered together . . . And I will sow her unto Me in the land; and I will have compassion upon her that hath not obtained compassion; and I will say to them that were not My people: 'Thou art My people.'[10]

T. Johanan said: 'Woe to lordship which buries [slays] its possessor, for there is not a single prophet who did not outlive[11] four kings, as it is said, The vision of Isaiah the sun of Amoz, which

he saw concerning Judah and Jerusalem, in the days of Uzziah, Jotham, Ahaz, and Hezekiah, kings of Judah.[12]

R. Johanan said: How did Jeroboam the son of Joash king of Israel merit to be counted together with the kings of Judah? Because he did not heed[13] slander against Amos. Whence do we know that he was counted [with them]? Because it is written, The word of the Lord that came into Hosea the son of Beeri, in the days of Uzziah, Jotham, Ahaz, and Hezekiah, kings of Judah, and in the days of Jeroboam the son of Joash king of Israel.[14] And whence do we know that he did not heed slander? Because it is written, Then Amaziah the priest of Beth-el sent to Jeroboam king of Israel, saying. Amos hath conspired against thee [etc.];[15] and it is written, For thus Amos saith: Jeroboam shall die by the sword [etc.].[16] Said he [Jeroboam]: 'Heaven forfend that that righteous man should have said thus! Yet if he did say, what can I do to him! The Shechinah told it to him.

R. Eleazar said: Even when the Holy One, blessed be He, is angry,[17] He remembers compassion, for it is said, for I will no more have compassion upon the house of Israel.[18] R. Jose son of R. Hanina said [i.e., deduced] it from this: that I would in any wise pardon them.[19] R. Eleazar also said: The Holy One, blessed be He, did not exile Israel among the nations save in order that proselytes might join them, for it is said: And I will sow her unto Me in the land;[20] surely a man sows a se'ah in order to harvest many kor! While R. Johanan deduced it from this: And I will have compassion upon her that hath not obtained compassion.[21]

R. Johanan said on the authority of R. Simeon b. Yohai: What is meant by the verse, Slander not a servant unto his master, lest he curse thee, and thou be found guilty?[22] And it is written, A generation that curse their father, and do not bless their mother:[23] because they curse their father and do not bless their mother, therefore do not slander?[24] But [it means:] even if they [the slaves] are a generation that curse their father and do not bless their mother, yet do not slander [etc.]. Whence do we know it? From Hosea.[25]

R. Oshaia said: What is meant by the verse, Even the righteous acts of His Ruler in Israel?[26] The Holy One, blessed be He, showed righteousness [mercy] unto Israel by scattering them among the nations. And this is what a certain sectarian[27] said to R. Hanina, 'We are better than you. Of you it is written, For Joab and all Israel remained there six months, until he had cut off every male in Edom;[28] whereas you have been with us many years yet we have not done anything to you!' Said he to him, 'If you agree, a disciple will debate it with you.' [Thereupon] R. Oshaia debated it with him, [and] he said to him,' [The reason is] because you do not know how to act. If you would destroy all, they are not among you.[29] [Should you destroy] those who are among you, then you will be called a murderous kingdom!' Said he to him, 'By the Capitol of Rome![30] with this [care] we lie down and with this [care] we get up.[31]

R. Hiyya taught: What is meant by the verse, God understandeth the way thereof, and He knoweth the place thereof?[32] The Holy One, blessed be He, knoweth that Israel are unable to endure[33] the cruel decrees of Edom,[34] therefore He exiled them to Babylonia. R. Eleazar also said: The Holy One, blessed be He, exiled Israel to Babylonia only because it is as deep as she'ol, for it is said, I shall ransom them from the power of the nether-world [she'ol]; I shall redeem them from death.[35] R. Hanina said: Because their language is akin to the language of the Torah. R. Johanan said: Because He sent them back to their mother's house.[36] It may be compared to a man who becomes angry with his wife: Whither does he send her? To her mother's house. And that corresponds to [the dictum] of R. Alexandri, who said: Three returned to their original home,[37] viz., Israel, Egypt's wealth, and the writing of the Tables. Israel, as we have said. Egypt's wealth, as it is written, And it came to pass in the fifth year of King Rehoboam, that Shishak king of Egypt came up against Jerusalem; and he took away the treasurers of the house of the Lord.[38] The writing of the Tables, for it is written, and I broke them before your eyes.[39] It was taught: The Tables were broken, yet the Letters flew up.[40] 'Ulla said:

[Their exile] was in order that they might eat

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(1) He interprets diblaim as a dual form of dibbah, ill fame.
(2) A euphemism for sexual indulgence.
(3) II Kings XIII, 7.
(4) Hos. I, 3-6; 8-9.
(5) Prov. VIII, 22.
(6) Gen. XIV, 19.
(7) Ps. LXXVIII, 54.
(8) Ex. XV, 16. V. Ab. VI, 10.
(9) Jezreel, which symbolizes exile (Jezreel zera', to sow) indicating that Cod would sow (scatter) Israel among the nations; Lo-ammi (not my people) and Lo-Ruhamah (without compassion).
(10) Hos. II, 1f, 25.
(11) Lit., 'cut clown in his days'.
(12) Isa. I, 1.
(13) Lit., 'receive', 'accept'.
(14) Hos. I, 1.
(15) Amos. VII, 10.
(16) Ibid. 11.
(17) Lit., 'at the time of his anger'.
(18) Hos. I, 6. 'Compassion' is thus mentioned even in connection with retribution.
(19) Ibid.
(20) Hos. II, 25.
(21) Ibid. R. Johanan makes this refer to the Gentiles, who in God's compassion will be given the opportunity. through Israel's exile, of coming under the wings of the Shechinah. According to Rashi, R. Johanan deduces it from the concluding part of the verse, 'And I will say to them that are not My people; thou art My people'. This passage shows these two Rabbis in favour of proselytes. For the general attitude of the Rabbis towards proselytization v. f. E. art. Proselyte.
(22) Prov. XXX, 10.
(23) Ibid. 11.
(24) What connection is there between the two verses?
(25) Who was rebuked for slandering Israel to God, though they had indeed sinned.
(26) Judg. V, 11.
(27) Min, v. Glos.
(28) I Kings XI, 16.
(29) Many live among other nations.
(30) Jast. Or perhaps: by the Roman eagle!
(31) How to destroy you without incurring odium.
(32) Job. XXVIII, 23.
(33) Lit., 'receive', accept.'
(34) I.e., Rome, for which Edom was the general disguise; v. Sanh., Sonc. ed. p. 52. n. 8.
(35) Hos. XIII, 14. I.e., its very depth compels a speedy redemption.
(36) Abraham having come to Palestine from Ur of the Chaldees.
(37) Lit., '(the place of) their planting'.
(38) I Kings XIV, 25f. The Israelites took much Egyptian wealth with them at the Exodus: v. Ex. XII, 35f.
(39) Deut. IX, 17: 'before your eyes' implies that they saw something wonderful happen, as explained in the text.
(40) Back to God. — Though physical matter may be destroyed, the spirit (symbolized by the letters) is indestructible, but waits until mankind is ready to receive it.

Talmud - Mas. Pesachim 88a

dates[1] and occupy themselves with the Torah.

'Ulla visited Pumbeditha. On being offered a basket [tirama] of dates, he asked them, How many such [are obtainable] for a zuz? 'Three for a zuz', they told him. 'A basketful [zanna][2] of honey for a zuz', exclaimed he, 'yet the Babylonians do not engage in [the study of] the Torah!'[3] At night they [the dates] upset him. 'A basketful of deadly poison cost a zuz in Babylonia, exclaimed he, 'yet the Babylonians study the Torah!'[4]

R. Eleazar also said, What is meant by the verse, And many people shall go and say: 'Come ye, and let us go up to the mountain of the Lord, To the house of the God of Jacob',[5] the God of Jacob, but not the God of Abraham and Isaac? But [the meaning is this: we will] not [be] like Abraham, in connection with whom 'mountain' is written, as it is said, As it is said to this day, 'In the mountain where the Lord is seen.'[6] Nor like Isaac, in connection with whom 'field' is written, as it is said, 'And Isaac when out to meditate in the field at eventide.'[7] But [let us be] like Jacob, who called Him 'home', as it is said, 'And he called the name of that place Beth-el [God is a home].[8]

R. Johanan said: The reunion of the Exiles is as important as the day when heaven and earth were created, for it is said, And the children of Judah and the children of Israel shall be gathered together, and they shall appoint themselves one head, and shall go up out of the land; for great shall be the day of Jezreel;[9] and it is written, And there was evening and there was morning, one day.[10]

AN ORPHAN ON WHOSE BEHALF HIS GUARDIANS SLAUGHTERED etc. You may infer from this that selection is retrospective?[11] — Said R. Zera: [No:] a lamb according to their father's houses[12] [implies] in all cases.[13]

Our Rabbis taught: A lamb for a household:[14] this teaches that a man can bring [a lamb] and slaughter [it] on behalf of his son and daughter, if minors, and on behalf of his Canaanitish [non-Jewish] slave and bondmaid, whether with their consent or without their consent. But he cannot slaughter [it] on behalf of his son and daughter, if adults, or on behalf of his Hebrew slaves and bondmaids, or on behalf of his wife, save with their consent.

Another [Baraitha] taught: A man must not slaughter [the Passover-offering] on behalf of an adult, his son and daughter, and on behalf of his Hebrew slave and bondmaid, and on behalf of his wife, save with their consent. But he may slaughter [it] on behalf of his son and daughter, if minors, and on behalf of his Canaanitish slave and bondmaid, whether with their consent or without their consent. And all of these, if they [themselves] slaughtered and their master [also] slaughtered on their behalf, can discharge [their duty] with their master's, but they cannot discharge [their duty] with their own, except a woman,[15] because she is able to protest.[16] How is a woman different?[17] — Said Raba, [It means] a woman and those who are like her.[18]

This is self-contradictory. You say, 'Except a woman, because she is able to protest.' [Thus] the reason is because she protested, but if she did not protest, she cannot discharge [her duty] with her husband's. Yet surely the first clause teaches: 'Nor on behalf of his wife [etc.] save with their consent': hence if nothing is said, she cannot discharge [her obligation thus]? — What does 'save with their consent' mean? Not that they said 'yes,' but when they said nothing, which excludes [the case] where they said 'no.' But surely 'and all of these, if they [themselves] killed and their master killed on their behalf, can discharge [their duty] with their master's, but they cannot discharge [their duty] with their own meal's where nothing is said, yet it teaches, 'except a woman, because she can protest'? — Said Raba: Since they [themselves] slaughtered, you can have no greater protest than this. A SLAVE BELONGing TO TWO PARTNERS etc. R. 'Ena Saba[19] pointed out a contradiction to R. Nahman: We learned: A SLAVE BELONGING TO TWO PARTNERS MAY NOT EAT OF EITHER'; yet it was taught: If he wishes, he can eat of this one's [and] if he wishes, he can eat of that one's? Said he to him, 'Ena Saba![20] others say, You black pot![21] Between you and me the law

will be clearly defined:[22] our Mishnah [holds good] where they are particular with each other;[23] the Baraitha [was taught] when they are not particular with each other.

HE WHO IS HALF SLAVE AND HALF FREE MUST NOT EAT OF HIS MASTER'S. It is only of his master's that he must not eat, yet he may eat of his own? But it was taught: He may not eat, either of his own or of his master's! — There is no difficulty: one is according to the earlier Mishnah, while the other is according to the later Mishnah. For we learned: He who is half slave and half free works one day for his master and one day for himself: this is the view of Beth Hillel. Beth Shammai say:

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(1) Which grow abundantly in Babylonia.

(2) [The text appears to be in slight disorder. Read with MS.M.: For how much are such obtainable? — They replied, For a zuz. A zanna denotes a large basket with a capacity of three tirama, cf. Ta'an. 9b.]

(3) With the cost of living so low, surely they have plenty of time to study.

(4) Suffering makes one charitable-minded.

(5) Isa. II, 3.

(6) Gen. XXII, 14.

(7) Ibid. XXIV, 63.

(8) Ibid. XXVIII, 19. Visits to the mountain and the held are only made at certain times, but a home is permanent. Thus this teaches that man must live permanently in God.

(9) Hos. II, 2.

(10) Gen. I, 4.

(11) V. supra 8a.

(12) Ex. XII, 3.

(13) I.e., the head of the house does not require the consent of the members of the household. For that reason the orphan may now eat whichever he desires and there is no question of retrospective validity.

(14) Ibid.

(15) She discharges her duty with her own.

(16) A married woman can renounce her right to her husband's support and refuse to work for him as she is normally obliged to do.

(17) I.e., an adult son and daughter and Hebrew slaves can also protest!

(18) I.e., his adult son and daughter and his Hebrew slaves.

(19) 'The old man'.

(20) Probably as a pun on his name-scholarly eye!

(21) He was of unattractive appearance (Jast.), perhaps swarthy. Rashi in A.Z. 16b softens this by explaining that he was either begrimed through toil (many Rabbis in Talmudic days being workmen) or that in his preoccupation with his studies he had neglected the appearance of his garments.

(22) As a result of your question and my answer the exact conditions of the law will emerge. Jast. translates: this tradition will be named from myself and from thee.

(23) Not to benefit from one another; hence the half of the slave which belongs to one, as it were, may tot eat of the other's offering.

Talmud - Mas. Pesachim 88b

You have [thus] safeguarded his master,[1] but you have not safeguarded him! He is unable to marry a [Canaanitish] bondmaid, because he is already half free; he is unable to marry a free woman, because he is still half slave. Shall he be made as nought,[2] — but surely the world was not created for aught but procreation as it is said, He created it not a waste, He formed it to be inhabited.[3] Hence in the public interest we compel his master, and he makes him a free man, and he indites a bond for half his value.[4] Then Beth Hillel reverted to rule as Beth Shammai.[5]

MISHNAH.IF A MAN SAYS TO HIS SLAVE, 'GO FORTH AND SLAUGHTER THE

PASSOVER-OFFERING ON MY BEHALF': IF HE SLAUGHTERED A KID, HE EATS [THEREOF]. IF HE SLAUGHTERED A LAMB, HE EATS [THEREOF]. IF HE SLAUGHTERED A KID AND A LAMB, HE MUST EAT OF THE FIRST.[6] IF HE FORGOT WHAT HIS MASTER TOLD HIM, HOW SHALL HE ACT? HE SLAUGHTERS A LAMB AND A KID AND DECLARES, 'IF MY MASTER TOLD ME [TO SLAUGHTER] A KID, THE KID IS HIS [FOR HIS PASSOVER-OFFERING] AND THE LAMB IS MINE; WHILE IF MY MASTER TOLD ME [TO SLAUGHTER] A LAMB, THE LAMB IS HIS AND THE KID IS MINE. IF HIS MASTER [ALSO] FORGOT WHAT HE TOLD HIM, BOTH GO FORTH TO THE PLACE OF BURNING,[7] YET THEY ARE EXEMPT FROM SACRIFICING THE SECOND PASSOVER.[8] GEMARA. It is obvious that if he slaughtered a kid, he [the master] may eat [thereof] even though he is accustomed to lamb;[9] if he slaughtered a lamb, he may eat [thereof] even though he is accustomed to a kid. But how is it stated, IF HE SLAUGHTERED A KID AND A LAMB, HE MUST EAT OF THE FIRST; surely it was taught, One cannot register for two Passover-offerings simultaneously?[10] — Our Mishnah refers to a king and a queen.[11] And it was taught even so: One may not register for two Passover offerings simultaneously. Yet it once happened that the king and queen instructed their servants, 'Go forth and slaughter the Passover-offering on our behalf,' but they went and killed two Passover-offerings for them. [Then] they went and asked the king [which he desired and] he answered then, 'Go and ask the queen.' [When] they went and asked the queen she said to them, 'Go and ask R. Gamaliel.' They went and asked R. Gamaliel who said to them: The king and queen, who have no particular desires,[12] must eat of the first; but we [in a similar case] might not eat either of the first or of the second. On another occasion a lizard was found in the [Temple] abattoir,[13] and they wished to declare the entire repast unclean. They went and asked the king, who answered them, 'Go and ask the queen.' When they went to ask the queen she said to them, 'Go and ask it. Gamaliel.' [So] they went and asked him. Said he to then, 'Was the abattoir hot or cold?'[14] 'It was hot,' replied they. 'Then go and pour a glass of cold water over it,' he told them. They went and poured a glass of cold water over it, and it moved,[15] whereupon R. Gamaliel declared the entire repast clean. Thus the king was dependent on the queen and the queen was dependent on R. Gamaliel: hence the whole repast was dependent on R. Gamaliel.[16] IF HE FORGOT WHAT HIS MASTER HAD TOLD HIM etc. MINE? Whatever a slave owns his master owns![17] — Said Abaye: He repairs to a shepherd with whom his master generally has dealings,[18] who is therefore pleased to make things right for his master, and he gives him possession of one of them on condition that his master shall have no rights therein.[19]

IF HIS MASTER FORGOT WHAT HE HAD TOLD HIM etc. Abaye said: They learned this only where he forgot after the sprinkling, so that when the blood was sprinkled it was fit for eating. But if he [the master] forgot before the sprinkling, so that when the blood was sprinkled it was not fit for eating, they are bound to observe the Second Passover.

Others recite this in reference to the [following] Baraitha: If the hides of five [companies'] Passover-offerings became mixed up with each other, and a wart[20] was found on one of them, they all[21] go out to the place of burning, and they [their owners] are exempt for observing the Second Passover. Said Abaye: This was taught only where they were mixed up after the sprinkling, so that at least when the blood was sprinkled it was fit for eating; but if they were mixed up before the sprinkling, they are bound to observe the Second Passover.

He who recites [this] in reference to our Mishnah, [holds that] all the more [does it apply] to the Baraitha.[22] But he who recites it in reference to the Baraitha [holds] that [it does] not [apply] to our Mishnah: since [the sacrifices themselves] are valid, for if he reminds himself [of what the Master had told him],it would be fit for eating, it is [indeed] revealed[23] before Heaven. The Master said: 'And [their owners] are exempt from observing the Second Passover.' But one has [definitely] not discharged [his duty]?[24] — [The reason is] because it is impossible [to do otherwise]. What should be done? Should each bring a [second] Passover-offering, — then they bring hullin to the Temple

Court, since four of them have [already] sacrificed.[25] If all of them bring one Passover-offering, the result is that the Passover-offering is eaten by those who have not registered for it.[26] How so? Let each of them bring his Passover-offering and stipulate and declare: 'If mine was blemished, let this one which I am bringing now be a Passover-offering; while if mine was unblemished, let this one which I am bringing now be a peace-offering'? — That is impossible,

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(1) Lit., 'repaired his master, — so that he should not suffer loss.

(2) Do neither and end in futility.

(3) Isa. XLV, 18.

(4) Which becomes an ordinary debt to his former master.

(5) After having ruled in actual practice on their own view for some time (v. Halevi, Doroth, I, 3, p. 576), they adopted Beth Shammai's ruling. Now the law is always as Beth Hillel. Before they retracted, he could not eat of his own, because the half in him that is free is sharply differentiated from the half that is not. But when they retracted they would regard him as entirely free, even before he is actually so, since we compel his master to free him; hence he could eat of his own.

(6) While the second is burnt.

(7) Because they do not know which belongs to whom, and a Paschal offering may be eaten only by those registered for it.

(8) For both the killing and the sprinkling of the blood were valid acts.

(9) And that is really what the Mishnah informs us.

(10) To eat subsequently whichever one chooses, because selection is not retrospective (v. supra, p. 458, n. 6). Thus the same applies here.

(11) Being surfeited with luxury they do not care what they eat, and generally leave it to their servants. Hence the question of retrospective validity does not arise.

(12) Lit., 'their mind is light'.

(13) A dead lizard (halta'ah) defiles.

(14) I.e., was it found in hot water or in cold?

(15) They now saw that it was alive.

(16) [Derenbourg (Essai p. 211) identifies the King and Queen in these two stories with Agrippa I and his wife Kypros; Buchler (Synedrion p. 129 n. 1) with Agrippa II and his sister Berenice. On either view it is to R. Gamaliel I that reference is here made.]

(17) How then can the slave stipulate that one of these should be his?

(18) Lit., 'where his master is accustomed'.

(19) Since this is in the master's own interests.

(20) This is a blemish which disqualifies an animal as a sacrifice.

(21) I.e., the Paschal-offerings.

(22) For in the Mishnah the sacrifices themselves are both definitely fit, but that we do not know who registered for them, and yet if the doubt arose before the sprinkling they are bound to observe the Second Passover. How much the more then in the Baraitha, where the fitness of the sacrifices themselves is in question!

(23) Hence even if the doubt arose before the sprinkling, they are exempt from observing the Second] Passover.

(24) Sc. the one whose offering was blemished.

(25) A Passover-offering can only be brought when there is an actual obligation. and if a man not under this obligation consecrates an animal as such, the consecration is invalid and the animal remains hullin (q.v. Glos.), which may not be brought into the Temple Court for slaughtering. Here four have actually discharged their duty already, though we do not know who they are, so that four of the animals must remain unconsecrated.

(26) Because the registration of those whose duty has been done is of no account.

Talmud - Mas. Pesachim 89a

because there is the breast and the shoulder [of the peace offering], which is eaten by priests [only].[1] Then let each one bring a priest with him?[2] — What is the position of this priest? If he has [already] sacrificed a Passover-offering, then perhaps this [too] is a passover-offering, with the result that the Passover offering is eaten by those who have not registered for it. While if he has not observed the

Passover,[3] perhaps this is a peace offering, and so he will not observe the Passover? Then let all the five [jointly] bring one priest who had not kept the Passover and register him for these five Passover-offerings, for on any hypothesis[4] there is one [sacrifice] with which he will discharge [his duty]![5] — Rather [the reason is] because he reduces [the time allowed for] the eating of the peace-offering, for the Passover offering [is eaten] a day and a night,[6] whereas a peace-offering [is eaten] two days and one night.[7] Then let them bring a Passover 'remainder'[8] and declare, 'If mine was blemished, let this which I bring now be a passover-offering; while if mine was unblemished, let this which I bring now be a peace-offering,' for a Passover 'remainder' is eaten one day and one night [only]?[9] — May we then set aside [animals] in the first instance to be remainders![10] Then let us take the trouble to bring a Passover-remainder?[11] Rather [the reason is] because of the laying [of hands]; for whereas the Passover-offering does not require laying [of the hands], a remainder requires laying [of the hands].[12] That is well of a mens' sacrifice, [but] what can be said of a women s sacrifice?[13] — Rather it is on account of the [blood] applications: for whereas the Passover-offering [requires] one application, the peace-offering [requires] two, which are four.[14] [But] what does that matter? Surely we learned: All [blood] which is sprinkled on the outer altar,[15] if he [the priest] applied them with one sprinkling, he has made atonement?[16] — Rather [the reason is] because whereas [the blood of] the Passover-offering must be poured out [gently],[17] [that of] the peace-offerings requires dashing [against the altar].[18] But what does that matter? Surely it was taught: All [blood] which is applied by dashing [against the altar], if he [the priest] applied [it] by pouring it out, he has discharged [his duty]?[19] — Granted that we say [thus] where he has done so; [do we say thus] as the very outset too?[20]

MISHNAH. IF A MAN SAYS TO HIS CHILDREN, 'BEHOLD, I SLAUGHTER THE PASSOVER-OFFERING ON BEHALF OF WHICHEVER OF YOU GOES UP FIRST TO JERUSALEM,' AS SOON AS THE FIRST HAS INSERTED HIS HEAD AND THE GREATER PART OF HIS BODY [IN JERUSALEM] HE HAS ACQUIRED HIS PORTION, AND HE ACQUIRES IT ON BEHALF OF HIS BRETHREN WITH HIM.

GEMARA. This proves that selection is retrospective?[21] Said R. Johanan: He [their father] said this in order to encourage them in [the performance of] precepts.[22] This may be proved too, for he [the Tanna] teaches: AND HE ACQUIRES IT ON BEHALF OF HIS BRETHREN WITH HIM; now it is well if you say that he had registered them beforehand, then it is correct. But if you say that he had not registered them beforehand, can they be registered after he has slaughtered it? Surely we learned: They may register and withdraw their hands from it until it is killed![23] This proves it. It was taught likewise: It once happened that the daughters outstripped the sons, and so it was seen that the daughters were zealous while the sons were indolent. MISHNAH. ONE MAY ALWAYS REGISTER FOR IT AS LONG AS THERE IS AS MUCH AS AN OLIVE THEREIN FOR EACH ONE [REGISTERED]. THEY MAY REGISTER AND WITHDRAW THEIR HANDS FORM IT UNTIL IT IS SLAUGHTERED; R. SIMEON SAID: UNTIL THE BLOOD IS SPRINKLED.

GEMARA. What does he inform us? — He informs us this, viz., though this company had registered for it, it can retract [entirely] and a different company register for it.[24]

THEY MAY REGISTER AND WITHDRAW THEIR HANDS FROM IT UNTIL IT IS KILLED etc. Abaye said: The controversy is in respect of withdrawing, for the Rabbis hold: [And if the household be too little] for being [me-heyoth] for a lamb[25] [implies] in the lifetime [mi-hayuth] of the lamb;[26] while R. Simeon holds [that it implies] during the existence [mi-hawayuth] of the lamb.[27] But in respect of registering all agree [that this can be done only] until it is killed, because the Writ saith, according to the number of [bemiksath] the souls, and then, ye shall make your count [takosu].[28] It was taught likewise: They may register and withdraw their hands from it until it is slaughtered. R. Simeon said: They may register until it is slaughtered and withdraw until the blood is sprinkled.

(1) And since it may be a Passover sacrifice and no priests are registered for this, they cannot eat it.
(2) I.e., let a priest register for each sacrifice.
(3) Having been unclean or on a distant journey at the First Passover.
(4) Lit., 'whatever you will'.
(5) This is Rashi's text. Cur. edd. read: there is one who has kept the Passover and so they will discharge etc., i.e., by this device we ensure that all shall have discharged their duty. — The priest then would partake of the breast and shoulders of each sacrifice.
(6) And what is left over after that must be burnt as nothar,
(7) Since each sacrifice may be a Passover-offering, we can only permit the shorter period, whereas actually it may be a peace-offering.
(8) [The text is not clear. R. Hananel reads, let him bring (an offering) and make a stipulation for (it to become if necessary) a Passover-'remainder'.]
(9) If an animal is consecrated as a Passover-offering but not sacrificed as such, it is a Passover-'remainder', which is then brought as a peace-offering but eaten only during the shorter period. Hence here, let each consecrate the animal for a Passover-offering. If his animal was blemished, he discharges his duty with this one. But if his animal was unblemished, this is automatically a Passover-'remainder', since it cannot be sacrificed for its own purpose (Tosaf.; Rashi explains slightly differently.)
(10) Surely not.
(11) I.e., let us find an animal which was actually left over from the first Passover.
(12) V, Lev, III, 2.
(13) This does not require laying of the hands.
(14) The blood was applied to the north-east and the south-west corners of the altar, thus making it appear that the four corners were besprinkled; v. Zeb. 53b.
(15) This includes the blood of the peace-offering.
(16) I.e., the sacrifice is valid, though in the first place two applications are required.
(17) From the basin on to the wall of the altar near the base.
(18) Vigorously, from a distance.
(19) The sacrifice is valid.
(20) Surely we may not arrange at the very outset that the blood should be gently poured out where it really requires to be dashed against the altar. Hence there is no possibility of observing the Second Passover.
(21) V. supra 87a. It is now assumed that only one was registered.
(22) But actually he had registered all of them beforehand.
(23) But not after.
(24) This disagrees with R. Judah, who maintains infra 99a that one member at least of the original company must remain.
(25) Ex. XII, 4.
(26) The verse is understood to refer to withdrawal, it being translated: And if the household has become too little etc., because some of its members have withdrawn. The present interpretation of mi-heyoth teaches that this withdrawal is possible only while the animal is still alive.
(27) I.e., as long as it still exists for its sacrifice rites to be preformed, which is until the blood is sprinkled.
(28) Ibid. 'Be-miksath' and 'takosu' are connected with a root meaning to slaughter, while at the same time retaining their connotation of numbering, i.e., registering. Hence registration is permitted only until it is slaughtered; cf. supra 61a.

Talmud - Mas. Pesachim 89b

MISHNAH. IF A MAN REGISTERS ANOTHER WITH HIM [TO SHARE] IN HIS PORTION,[1] THE MEMBERS OF THE COMPANY[2] ARE AT LIBERTY TO GIVE HIM HIS [PORTION],[3] AND HE EATS HIS AND THEY EAT THEIRS.[4]

GEMARA. The scholars asked: Can the members of a company, one of whom is quickhanded,[5] say to him, 'Take your portion and go!' Do we rule that he can say to them, 'Surely you have

accepted [me]'; or perhaps they can answer him, 'We accepted you for the purpose of the sacrifice,[6] but we did not accept you with the view that you should eat more than we'? — Come and hear: IF A MAN REGISTERS ANOTHER WITH HIM, THE MEMBERS OF THE COMPANY ARE AT LIBERTY TO GIVE HIM HIS [PORTION], AND HE EATS HIS AND THEY EAT THEIR. What is the reason? Is it not because it is as though one of them were quick-handed:[7] and if you should think that one who is quick-handed can say to them, 'You have accepted me,'[8] then let this one be as though he is quick-handed? — I will tell you: That is not so, [for] characters differ, for even if both of them together eat [only] as much as one member of the company, they can say to him that they are not willing to have a stranger with them.

Come and hear: If the attendant ate as much as an olive at the side of the oven, if he is wise he eats his fill of it; but if the members of the company wish to do him a favour, they come and sit at his side and eat: this is R. Judah's opinion.[9] Thus, only if they wish, but not if they do not wish. Yet why so? Let him say to them, 'Surely you have accepted [me.]'[10] — There it is different, because they can say to him, 'We accepted you with the intention of troubling you to attend on us; [but] we did not accept you that we should take the trouble of attending to you.' Come and hear: Members of a company, one of whom is quickhanded, are at liberty to say [to him], 'Take your portion and go.' And not only that, but even when five arrange for a meal in common,[11] they are at liberty to say to him, 'Take your portion and go.' This proves it.

What does 'and not only that' mean?[12] — He proceeds to a climax.[13] In the case of Passover-offerings it goes without saying, for they can say to him, 'We accepted you for the purpose of the sacrifice.' But even in the case of a meal in common, which is mere companionship, they are at liberty to say to him, 'Take your portion and go.

Others state: That is no problem to us,[14] but this is our question: Are the members of a company permitted to divide,[15] or are they not permitted to divide?[16] — Come and hear: Members of a company, one of whom was quick-handed, are at liberty to say to him, 'Take your portion and go.' Thus, only if he is quickhanded, but not if he is not quick-handed. This proves it.[17]

R. Papa and R. Huna the son of R. Joshua joined their bread together. But by the time R. Huna the son of R. Joshua ate one [piece], R. Papa ate four. Said he to him, 'Divide with me.' 'You have accepted [me as a partner],' he retorted. [Thereupon] he raised all these objections[18] to him, and he answered him as we have answered them. He then refuted him by [the teaching regarding] 'the members of a company [etc.]'. Said he to him, There the reason is because they can say to him, 'We accepted you for the purpose of the sacrifice.' He refuted him by [the teaching regarding] 'a meal in common [etc.]', so he divided with him. Then he went and joined bread with Rabina. By the time R. Huna the son of R. Joshua ate one [piece], Rabina ate eight. Said he: A hundred Papas rather than one Rabina!

Our Rabbis taught: If a man registers others with him for his Passover-offering and his hagigah,[19] the money he holds[20] is hullin. And he who sells his burnt-offering and his peace-offering[21] has effected nothing,[22] and the money, however much it is,[23] is utilized[24] for a freewill-offering. But since he has not effected anything, why should it be utilized for a freewill-offering?[25] Said Raba: As a penalty.[26] And what does 'however much it is' mean? — Even if they [the animals] were only worth four [zuz] and he paid five, the Rabbis penalized him even in respect of that additional [zuz].

'Ulla — others state, R. Oshaia — said: Perhaps our Babylonian colleagues know the reason for this ruling. [Consider:] one set aside a lamb for his Passover-offering, and another set aside money for his Passover-offering: how can sanctification fall upon sanctification, that he teaches, 'the money he holds is hullin.?[27] —

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(1) Without the knowledge of the other members of the company.
(2) Who disapprove of the new companion.
(3) Bidding him to go and eat it elsewhere with the new companion of his choice.
(4) This Tanna holds that one Paschal lamb may be eaten by two separate companies.
(5) To seize food — i.e., he is a glutton and eats more than his due share. Lit., 'who has fine hands' — a euphemism.
(6) We calculated that so many are required for this lamb.
(7) Presumably the two will eat more than the ordinary share of one.
(8) Enabling me to eat as much as I like.
(9) V. supra 86a for notes.
(10) As one of your company, and since I cannot go to you, you must come to me.
(11) Each contributing an equal share.
(12) In which way is the second ruling more noteworthy than the first?
(13) Lit., 'he states, it is unnecessary"'.
(14) That the quick-handed companion may be told to take his portion and go.
(15) Each to take his share.
(16) But must all eat together.
(17) They must eat together.
(18) From the teaching cited above.
(19) Here the Festive peace-offering which was brought on the fourteenth likewise and eaten before the Passover-offering. This was eaten by the same who had registered for the Passover-offering.
(20) Which he received from those whom he registered.
(21) I.e., animals which he consecrated for that purpose.
(22) The sacrifice must be offered on behalf of the first owner.
(23) Even if it exceeds the animal's worth.
(24) Lit., 'falls'.
(25) His action being null, the money remains hullin.
(26) He should not have bought another man's sacrifice.
(27) Money consecrated for a sacrifice can revert to hullin only if an animal of hullin is bought therewith, whereby the animal receives the sanctity of the money, which in turn loses it and becomes hullin. Here, however, the money was consecrated and given for an animal (or part of it, which is the same) which was already consecrated for a Passover-offering: how then can additional sanctity fall upon the animal, in the sense that the sanctity of the money is transferred thereto, leaving the money hullin? — It cannot be answered that this refers to unconsecrated money, for in that case it is obvious.

Talmud - Mas. Pesachim 90a

Said Abaye: Had not R. Oshaia related that [Mishnah][1] to a case where he registers a harlot for his Passover-offering,[2] and in accordance with Rabbi,[3] I would have related it to sacrifices of lesser sanctity[4] and in accordance with R. Jose the Galilean who maintained: sacrifices of lesser sanctity are their owner's property. But [on Rabbi's view] a man does not leave anything over [unconsecrated] in the Passover-offering, yet he certainly does leave over in the case of money, because when he set it aside [for a Passover-offering] in the first place, he did so with this intention.[5] While this [the present Baraitha][6] is [the view of] Rabbi,[7] and for that reason the money he holds is hullin, as a man certainly leaves over [something] of money [unconsecrated]. Again, what R. Oshaia explains as the view of Rabbi, I do not explain as [the view of] Rabbi, for a man does not leave over anything [unconsecrated] of the Passover-offering.[8] But this [present Baraitha] cannot be established as agreeing with R. Jose, since it is taught therein, 'and he who sells his burnt-offering and his peace-offering has effected nothing.'[9] Now however that R. Oshaia related that [Mishnah] to the case of a man who registers a harlot in his Passover-offering and in accordance with Rabbi, it follows that he[10] holds that a man leaves [something unconsecrated] even in his Passover-offering [itself].[11] What is [this statement] of R. Oshaia [which is alluded to]? — For we learned: If he gave her [a harlot] consecrated animals as her hire, they are permitted [for the altar];[12] [if he gave her]

birds of hullin, they are forbidden.[13] Though [the reverse] would have been logical: if with consecrated animals, which a blemish disqualifies, yet [the interdict of] 'hire' or 'price'[14] does not fall upon them;[15] then with birds, which a blemish does not disqualify, is it not logical that [the interdict of] 'hire' and 'price' does not fall upon them? Therefore it is stated, 'for any vow,' which includes birds. [But] now you might argue a minori in respect of consecrated animals: if with birds, though a blemish does not disqualify them, yet 'hire' and 'price' fall upon them, then with consecrated animals, which a blemish disqualifies, is it not logical that 'hire' and 'price' fall upon them? Therefore it is stated, 'for any vow [neder]', which excludes that which is [already] vowed [nadar].[16] Now the reason is because the Divine Law wrote 'vow'; but otherwise I would say: The interdict of 'hire' falls upon consecrated animals: but surely a man cannot prohibit that which is not his? — Said R. Oshaia: It refers to the case of a man registering a harlot for his Passover offering, this being according to Rabbi.

What is [this allusion to] Rabbi? — For it was taught, And If the household be too little from being for a lamb:[17] sustain him with [the proceeds of] the lamb in his food requirements, but not in his requirements of [general] purchases. Rabbi said: In his requirements of [general] purchases too, so that if he has nought [wherewith to purchase], he may register another in his Passover offering and his hagigah,[18] while the money he receives is hullin, for on this condition did the Israelites consecrate their Passover offerings.

Rabbah and R. Zera [disagree]. One maintains: None differ about fuel for roasting it, for since this makes the Passover offering fit [to be eaten], it is as the Passover-offering itself.[19] Their controversy is only about unleavened bread and bitter herbs: the Rabbis hold: This is a different eating;[20] while Rabbi holds: Since it is a requisite of the Passover-offering,[21] it is as the Passover-offering itself. The other maintains: None disagree about unleavened bread and bitter herbs either, for it is written, [They shall eat the flesh . . .] and unleavened bread; with bitter herbs they shall eat it;[22] hence since they are a requisite of the Passover-offering they are as the Passover-offering. Their controversy is only about buying a shirt therewith [or] buying a cloak therewith. The Rabbis hold: The Divine Law saith, from being for a lamb [mi-heyoth miseh]: devote it [hahayehu] to the lamb;[23] while Rabbi holds: Sustain [hahayeh] thyself with [the proceeds of] the lamb.

But according to Abaye, who said: 'Had not R. Oshaia related that [Mishnah] to a case where he registers a harlot in his Passover offering, and in accordance with Rabbi, I would have related it to sacrifices of lesser sanctity, and in accordance with R. Jose the Galilean who maintained, Sacrifices of lesser sanctity are their owner's property; but [on Rabbi's view] a man does not leave anything over [unconsecrated] in the Passover-offering'; — surely it is explicitly stated, 'for on this condition did the Israelites consecrate their Passover-offerings'?[24] — Say: 'for on this condition did the Israelites consecrate the money for their Passover-offerings.'[25]

MISHNAH. IF A ZAB HAS SUFFERED TWO ATTACKS [OF DISCHARGE], ONE SLAUGHTERS [THE PASSOVER-OFFERING] ON HIS BEHALF ON HIS SEVENTH [DAY]; IF HE HAS HAD THREE ATTACKS, ONE SLAUGHTERs ON HIS BEHALF ON HIS EIGHTH [DAY].[26] IF A WOMAN WATCHES DAY BY DAY,[27] ONE SLAUGHTERS ON HER BEhalf ON HER SECOND DAY; IF SHE SAW [A DISCHARGE] ON TWO DAYS, ONE SLAUGHTERS ON HER BEHALF ON THE THIRD [DAY]. AND AS TO A ZABAH,[28] ONE SLAUGHTERS ON HER BEHALF ON THE EIGHTH [DAY].

GEMARA. Rab Judah said in Rab's name: One slaughters and sprinkles on behalf of a tebul yom[29] and one who lacks atonement,[30]

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(1) V. infra in reference to a man who gave a sanctified animal to a harlot, where it is implied that but for a certain verse this would disqualify the animal from being offered as a sacrifice (v. Deut. XXIII, 19). Though a mail cannot render

forbidden that which does not belong to him, we say there that he would do so, though since it is sanctified it is really not his.
(2) In return for the 'hire' which he owes her.
(3) Rabbi rules infra that if a man needs money e.g.. for clothes, he may register other people with him for his Passover-offering and spend his money so acquired on clothes. Thus he holds that an animal sanctified for a Passover offering is entirely his private property; consequently he could also render it forbidden (but for the verse) by making it a harlot's hire.
(4) V. supra p. 108, n. 2. Thus he gave the harlot an animal consecrated for a peace-offering.
(5) I.e., when Rabbi permits the owner to spend the money on clothes etc., it is not because he holds that when a man consecrates an animal for a Passover-offering he leaves part of it unconsecrated, as it were, so that if a man gives him consecrated money for a share in the sacrifice the sanctity of the money is transferred to that unconsecrated portion of the animal, while the money itself thereby becomes hullin and can be expended on anything. The reason is on the contrary that when a man consecrates money for the Passover-offering he leaves that money partly unconsecrated, as it were, in the sense that it automatically reverts to hullin when he gives it in payment for a share in a sacrifice, and in fact, the money is technically to be regarded as a gift, not as payment at all; Hence the vendor can use it as he pleases.
(6) Introduced by 'our Rabbis taught'.
(7) As explained in the preceding note.
(8) Hence on Rabbi's view if he registers a harlot it does not prohibit it, since nothing at all of the animal is his in that sense.
(9) Whereas on R. Jose's view that sacrifices of lesser sanctity are the owner's personal property, the sale of the peace-offering is valid.
(10) Viz., Rabbi, in R. Oshaia's view.
(11) Not only in the money set aside for the Passover-offering.
(12) Since they were consecrated before he gave them to her, he cannot make them forbidden.
(13) To be offered henceforth as a sacrifice.
(14) V. Deut. XXIII, 19: Thou shalt not bring the hire of a harlot, or the price of a dog, into the house of the Lord thy God for any vow etc.
(15) To make them forbidden.
(16) The hire of a harlot cannot be vowed as a sacrifice; but a consecrated animal has already been vowed.
(17) Ex. XII, 4, lit. translation.
(18) Of the fourteenth.
(19) Hence one may certainly sell a share in the sacrifice for this purpose.
(20) Hence he cannot buy it with the proceeds of the sacrifice.
(21) Which must be eaten with unleavened bread and bitter herbs.
(22) Ex. XII, 8. The verse actually quoted, which is slightly different, is Num. IX, 11, but the Talmud probably means the verse stated here.
(23) Lit., 'make it live for the lamb' — i.e., the money realized from the lamb must be expended on what is needed for the lamb, e.g., the unleavened bread and bitter herbs which accompany it.
(24) This definitely implies a reservation in the sacrifice itself.
(25) This is not an emendation but an interpretation.
(26) V. supra p. 423, n. 3. In both these cases they are fit to eat the Passover offering in the evening; hence we kill it on their behalf
(27) V. Supra p. 422, n. 5.
(28) Who had three discharges.
(29) V. Glos.
(30) V. p. 84, n. 1; p. 294, n. 4.

Talmud - Mas. Pesachim 90b

but one may not slaughter and sprinkle for a person unclean through a reptile.[1] But 'Ulla maintained: One slaughters and sprinkles for a person unclean through a reptile. According to Rab, wherein does a tebul yom differ? Because he is fit in the evening. But one unclean through a reptile too is fit in the

evening? — He lacks tebillah. Then a tebul yom too lacks the setting of the sun?[2] The sun goes down of its own accord.[3] Then one who lacks atonement too, surely lacks forgiveness?[4] — It means where his pair [of birds] are in his hand.[5] Then a person unclean through a reptile too, surely the mikweh[6] stands before him? — He may neglect it. If so, he who lacks sacrifice too, perhaps he will neglect [to sacrifice]? — It means e.g., that he had delivered them [his birds] to the Beth din, this being in accordance with R. Shemaiah, who said: It is a presumption that the Beth din of Priests[7] do not rise from there[8] until the money in the horn-shaped receptacles is finished.[9] Now according to Rab, by Scriptural law he[10] is indeed fit, and it was the Rabbis who preventively forbade him;[11] why then did Rab say: We defile one of them with a reptile?[12] — Rather [say] according to Rab he is not fit by Biblical law either, for it is written, If any man be unclean by reason of a dead body:[13] does this not hold good [even] when his seventh day falls on the eve of Passover,[14] which case is [tantamount to] uncleanness through a reptile,[15] yet the Divine Law said, Let him be relegated [to the second Passover]? [But] how do you know that it is so?[16] — He holds as R. Isaac, who said: They[17] were unclean through an unattended corpse[18] whose seventh day fell on the eve of Passover, for it is said, and they could not keep the Passover on that day:[19] thus only on that day could they not keep it, but on the morrow they could keep it,[20] yet the Divine Law said, Let them be put off.[21]

We learned: IF A ZAB HAS SUFFERED TWO ATTACKS, ONE SLAUGHTERS ON HIS BEHALF ON HIS SEVENTH [DAY]; does that not mean where he had not performed tebillah, which proves [that] one slaughters and sprinkles for a person unclean through a reptile?[22] No; it means where he has performed tebillah. If he has performed tebillah, what does it [the Mishnah] inform us? If he informs us this, that though he lacks the setting of the sun, the sun sets automatically.[23] Reason too supports this [interpretation], since the second clause teaches: IF HE HAS HAD THREE ATTACKS, ONE SLAUGHTERS ON HIS BEHALF ON HIS EIGHTH [DAY]. Now it is well if you agree that [the clause] 'IF A ZAB HAS SUFFERED TWO ATTACKS, ONE SLAUGHTERS ON HIS BEHALF ON HIS SEVENTH [DAY]' means where he has performed tebillah: then [the second clause] is necessary. You might argue: Only when he has had two attacks [do we slaughter for him] on his seventh [day], because he does not lack a positive act; but [in the case of] 'one who has had three attacks, on his eighth day,' where an action is wanting [in that] he lacks forgiveness,[24] it is not so. Therefore [the Mishnah] informs us that though he lacks forgiveness, we slaughter and sprinkle on his behalf. But if you say that [the clause, 'IF A ZAB] HAS SUFFERED TWO ATTACKS, [ONE SLAUGHTERS ON HIS BEHALF] ON HIS SEVENTH DAY,' means where he has not performed tebillah, what is the purpose of [teaching about] one who has had three attacks? Seeing that you say that one slaughters and sprinkles on behalf of one who had two discharges, and is in his seventh day, but has not performed tebillah, so that he is quite unclean; then how much the more does one slaughter and sprinkle for one who had three attacks, and is in his eighth day, and has performed tebillah on the seventh, so that his uncleanness is of a lighter nature! Hence it surely follows that [the law] that we slaughter on behalf of one who has had two attacks and is in [his] seventh [day] refers to the case where he has performed tebillah! — No. In truth I may tell you that he has not performed tebillah, and [yet] it is necessary. I might argue: Only on the seventh day [do we slaughter for him], since [it lies] in his own hand to make himself fit; but on the eighth day, when it is not in his power to offer the sacrifice, I might say, the priests may neglect him. Hence we are informed [that it is] as R. Shemaiah [stated].[25]

AND AS TO A ZABAH, ONE SLAUGHTERS etc. A tanna recited before R. Adda b. Ahabah: And as to a zabah,[26] one slaughters on her behalf on her seventh day. Said he to him: Is then a zabah on her seventh day fit?[27] Even on the view that one slaughters and sprinkles for a person unclean through a reptile, that is only for a person unclean through a reptile, who is fit in the evening. But this one is not fit until the morrow when she brings her atonement. Say [instead], 'on the eighth.' Then it is obvious?[28] — You might say, since she lacks atonement, [one must] not slaughter [on her behalf]; hence he informs us [that it is] as R. Shemaiah [stated]. Rabina said: He [the Tanna] recited before him [about] a niddah,[29] [thus]: And as to a niddah, one slaughters for her on the seventh

[day]. Said he to him: Is then a niddah fit on the seventh [day]? Even on the view that one slaughters and sprinkles for a person unclean through a reptile [that is] because he is fit in the evening. But a niddah performs tebillah in the evening of [i.e., following] the seventh day: [hence] she is not fit for eating [the Passover offering] until the [evening after the] eighth, by when she has had the setting of the sun.[30] But say, 'on the eighth.' That is obvious: seeing that one slaughters and sprinkles for a zabah on the eighth day, though as yet she lacks atonement, need it be taught that one slaughters and sprinkles on behalf of a niddah, who does not lack atonement?[31] — He finds it necessary [to teach about] a niddah, [and] informs us this: only on the eighth, but not on the seventh, even as it was taught: All who are liable to tebillah.[32] their tebillah takes place by day;[33] a niddah and a woman in confinement, their tebillah takes place at night.[34] For it was taught: You might think that she [a niddah] performs tebillah by day;[35] therefore it is stated, she shall be in her impurity seven days:[36] let her be in her impurity full seven days.[37] And a woman in confinement is assimilated to Juddah.[38]
MISHNAH. [As To] AN OMEN,[39]

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(1) Though he can perform tebillah and be fit in the evening.

(2) I.e., he too is not fit when the sacrifice is actually slaughtered.

(3) No action by himself is wanting.

(4) I.e., he is yet to bring his sacrifice, and thus he is on a par with a person unclean through a reptile, who is to perform tebillah.

(5) For sacrificing, so we need not fear that he may omit to do so and the Passover-offering will have needlessly been slaughtered for him.

(6) Ritual bath.

(7) A special court in the Temple which dealt with priestly and sacrificial matters.

(8) I.e., do not leave the Temple Court.

(9) The monies for the bird-offerings were placed daily in horn-shaped receptacles, and the priestly Beth din saw to it that these were expended on the day they were received. Hence there was no fear of neglect.

(10) The person unclean through a reptile.

(11) This must be assumed, since he gives the reason because we fear that he may neglect his tebillah.

(12) V. supra 80a; but an unclean majority means such as are unfit to partake of the Passover offering in the evening by Biblical law.

(13) Num. IX, 10.

(14) Since Scripture does not particularize, it must include all cases.

(15) Since both can be clean in the evening.

(16) Since Scripture mentions a dead body, it may refer only to such uncleanness that is not the same as that acquired from a reptile, viz., before the seventh day.

(17) The men who came to enquire of Moses and Aaron, Num. IX, 6.

(18) Lit., 'a corpse of a precept' — i.e., the corpse of a person whose relatives are unknown; its burial is obligatory upon the first person who finds it.

(19) Ibid.

(20) This is possible only if the morrow was their eighth day.

(21) Though they can make themselves fit for the evening.

(22) For they are exactly alike.

(23) As above.

(24) Is sacrifice is yet to be offered.

(25) Supra.

(26) Who had three discharges.

(27) To partake of the sacrifice in the evening.

(28) Though the same is stated in the Mishnah, it might be included there for the sake of parallelism, though unnecessary in itself. But here it is taught as an independent statement.

(29) V. Glos.

(30) She must not eat of sacrifices until the setting of the sun after her tebillah. Since she performs tebillah in the evening, when the sun has already set, she must wait until the following evening.

(31) She does not require a sacrifice.
(32) E.g., a zab and a zabah, a leper, and one defiled through a corpse (Shab. 121a).
(33) The seventh day from their defilement.
(34) The evening following the last day of their uncleanness. In this respect a niddah is more stringent than a zabah, who performs tebillah on the seventh day, and does not wait for the evening.
(35) Sc. the seventh, like a zabah.
(36) Lev. XV. 19.
(37) But if she performs tebillah on the seventh day itself, the period is diminished.
(38) For it is written, as in the days of the impurity of (niddath, const. of niddah) her sickness shall she (sc. a woman in confinement) be unclean (Lev. XII, 3).
(39) V. Glos. Here it refers to one who became an omen after midday, so that the obligation of the Passover-offering was already incumbent upon him. But if he became an omen before midday, this obligation does not fall on him at all, as stated infra 98a (Tosaf).

Talmud - Mas. Pesachim 91a

AND ONE WHO IS REMOVING A HEAP [OF DEBRIS],[1] AND LIKEWISE ONE WHO HAS RECEIVED A PROMISE TO BE RELEASED FROM PRISON, AND AN INVALID, AND AN AGED PERSON WHO CAN EAT AS MUCH AS AN OLIVE, ONE SLAUGHTERS ON THEIR BEHALF.[2] [YET IN THE CASE OF] ALL THESE, ONE MAY NOT SLAUGHTER FOR THEM ALONE, LEST THEY BRING THE PASSOVER-OFFERING TO DISQUALIFICATION.[3] THEREFORE IF A DISQUALIFICATION OCCURS TO THEM, THEY ARE EXEMPT FROM KEEPING THE SECOND PASSOVER,[4] EXCEPT ONE WHO WAS REMOVING DEBRIS, BECAUSE HE WAS UNCLEAN FROM THE BEGINNING.[5]

GEMARA. Rabbah son of R. Huna said in R. Johanan's name: They learned this only of a heathen prison; but [if he is incarcerated in] an Israelite prison, one slaughters for him separately; since he was promised, he will [definitely] be released, as it is written, The remnant of Israel shall not do iniquity, nor speak lies.[6] R. Hisda observed: As to what you say, [If he is in] a heathen prison [one may] not [kill on his behalf alone]; that was said only [when the prison is] without the walls of Beth Pagi;[7] but [if it is] within the walls of Beth Pagi,[8] one slaughters on his behalf alone. What is the reason? It is possible to convey it [the flesh] to him and he will eat it.

THEREFORE IF A DISQUALIFICATION OCCURS etc. Rabbah b. Bar Hanah said in R. Johanan's name: They learned [this] only of a round heap;[9] but [if it was] a long heap, he is exempt from keeping the Second Passover, [for] perhaps he was clean at the time of the shechitah.[10] It was also taught likewise: R. Simeon the son of R. Johanan b. Berokah said: One who is removing a heap [of debris] is sometimes exempt [from the Second Passover] and sometimes liable. How so? [It if was] a round heap and uncleanness [a corpse] was found underneath it, he is liable; a long heap, and uncleanness was found underneath it, he is exempt, [for] I assume [that] he was clean at the time of shechitah.

MISHNAH. ONE MAY NOT SLAUGHTER THE Passover offering FOR A SINGLE PERSON: THIS IS R. JUDAH'S VIEW; BUT R. JOSE PERMITS IT. AND EVEN A COMPANY OF A HUNDRED WHO CANNOT EAT AS MUCH AS AN OLIVE [JOINTLY], ONE MAY NOT KILL FOR THEM. AND ONE MAY NOT FORM A COMPANY OF WOMEN AND SLAVES AND MINORS.

GEMARA. Our Rabbis taught: How do we know that one may not slaughter the Passover-offering for a single person? Because it is said, Thou mayest not sacrifice the passover-offering for one:[11] this is R. Judah's opinion. But R. Jose maintained: A single person and he is able to eat it, one may slaughter on his behalf; ten who are unable to eat it, one must not slaughter on their behalf. Now R.

Jose, how does he employ this 'for one'? — He requires it for R. Simeon's [deduction]. For it was taught, R. Simeon said: How do we know that one who sacrifices his Passover offering at a private bamah[12] at the time when bamoth were prohibited violates a negative command? Because it is said, 'Thou mayest not sacrifice the passover-offering within one of thy gates'. You might think that it is also thus when bamoth were permitted:[13] therefore it is stated, 'within one of thy gates': They ruled [that he violates a negative injunction] only when all Israel enter through one gate.[14] And how does R. Judah know this? — You may infer two things from it.[15]

Now according to R. Jose, whence [does he know] that its purpose is for what R. Simeon said: perhaps it comes for what was stated by R. Judah? — He can tell you: you cannot think so, for surely it is written, according to every man's eating.[16]

R. 'Ukba b. Hinena of Parishna[17] pointed out a contradiction to Raba: Did then R. Judah Say: One may not kill the Paschal lamb for a single person? But the following contradicts it: [As to] a woman; at the First [Passover] one may slaughter for her separately, but at the second one makes her an addition to others: this is the view of R. Judah. — Said he to him, Do not Say, 'for her separately,' but 'for them separately.'[18] Yet may we form a company consisting entirely of women? Surely we learned, ONE MAY NOT FORM A COMPANY OF WOMEN AND SLAVES AND MINORS. Does that not mean women separately and slaves separately and minors separately? — No, he replied, [it means] women and slaves and minors [together]. Women and slaves, on account of obscenity; minors and slaves, on account of

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(1) Which had fallen upon a person, and it is unknown whether he is alive or dead.

(2) All these may be fit in the evening, including an one.

(3) The omen may defile himself through the corpse; he who is removing the debris may find the person underneath it dead, in which case he himself is unclean; the prisoner may not be freed; while the invalid and aged person may grow weaker. Therefore they must be registered with others.

(4) Since they were actually fit when the animal was slaughtered.

(5) If he finds the person underneath dead, he himself was defiled through overshadowing the dead, and thus he was unclean when the animal was sacrificed.

(6) Zeph. III, 13.

(7) V. p. 319, n. 1.

(8) Hence in Jerusalem, where the Passover-offering is eaten.

(9) I.e., one just about covering the person, so that the rescuer must have been directly over the corpse from the very beginning.

(10) He may not have been actually over the corpse then.

(11) Deut. XVI, 5 (E.v. within one [of thy gates]).

(12) 'High place'. Before the Tabernacle was erected in Shiloh, and between its destruction and the building of the Temple, sacrifices were offered at bamoth (pl. of bamah), both private and public. During the existence of the Tabernacle at Shiloh, and since the Temple was built, even after it was destroyed, bamoth were forbidden.

(13) For even then private bamoth were permitted only for votive sacrifices but not for obligatory offerings like the Passover, which were sacrificed at the public bamoth.

(14) I.e., when there is a central sanctuary; but when bamoth were permitted there was no central sanctuary. The verse is understood thus: Thou mayest not Sacrifice the Passover-offering at a private bamah when all Israel enter through one of thy gates.

(15) Presumably by interpreting 'one' separately and 'one of the gates' separately.

(16) Ex. XII, 4. Thus the matter depends solely on ability to eat.

(17) V. supra 76a, p. 393, n. 6.

(18) This is not an emendation, but an explanation: 'for her separately' means that women need not necessarily join a company of men.

licentiousness.[1] [To turn to] the [main] text: [As to] a woman, at the First [Passover] one slaughters for her separately, while at the second one makes her an addition to others: this is the view of R. Judah. R. Jose said: [As to] a woman, at the Second [Passover] one slaughters for her separately, and at the First it goes without saying. R. Simeon said: [As to] a woman, at the First one makes her an addition to others; at the second one may not slaughter for her at all. Wherein do they differ? — R. Judah holds: according to the number of the souls[2] [implies] even women.[3] And should you say, if so, even at the Second too? It is [therefore] written, that man shall bear his sin:[4] only a man, but not a woman. Yet should you argue: if so, she may not even be [made] an addition at the Second, [therefore is written,] according to all the statue of the [first] passover[5] , which is effective in respect of [her being made] a mere addition.

And R. Jose? What is his reason! — Because in connection with the First [Passover] it is written, 'according to the number of souls,' [implying] even a woman. Again, in connection with the Second Passover it is written, that soul shall be cut off from his people,[6] 'soul' [implying] even women. While what does 'that man shall bear his sin' exclude? It excludes a minor from kareth.

While R. Simeon [argues]: In connection with the First [Passover] 'a man is written:[7] only a man but not a woman. Yet should you say. If so, [she may] not even [be made] an addition:. [therefore is written] 'according to the number of sous', which is effective in respect of [her being] an addition. But should you say, then even at the Second too, — [therefore] the Divine Law excluded [her] from the second, for it is written, 'that man shall bear his sin': [implying] only a man, but not a woman. Now from what is she excluded? If from an obligation,[8] [this cannot be maintained]: seeing that there is no [obligation] at the first, is there a question of the second! Hence [she is surely excluded] from [participation even as] an addition.

Now, what is [this] 'man' which R. Simeon quotes? If we say, they shall take to them every man a lamb, according to their fathers' houses etc.[9] Surely that is required for [the teaching] of R. Isaac. who deduced: only a 'man' can acquire [on behalf of others], but a minor cannot acquire [on behalf of others]![10] Rather [it is derived] from 'a man, according to his eating'.[11] But since R. Jose agrees with R. Simeon,[12] R. Simeon too must agree with R. Jose,[13] and he needs that [verse to teach] that one slaughters the Passover-offering for a single person?[14] — He can answer you: If so,[15] let the Divine Law write 'according to his eating',[16] why [state] 'a man'? Hence you infer two [laws] from it.

With whom does the following dictum of R. Eleazar agree.[17] [viz.]: '[The observance of the Passover-offering by] a woman at the First [Passover] is obligatory, while at the Second it is voluntary, and it overrides the Sabbath.' If voluntary, why does it override the Sabbath? Rather say: 'at the Second it is voluntary, while at the First it is obligatory and overrides the Sabbath.' With whom [does it agree]? With R. Judah.

R. Jacob said in R. Johanan's name: A company must not be formed [consisting] entirely of proselytes, lest they be [too particular about it and bring it to disqualification.[18] Our Rabbis taught: The Passover-offering and unleavened bread and bitter herbs are obligatory on the first [night], but voluntary from then onwards.[19] R. Simeon said: In the case of men [it is] obligatory; in the case of women, voluntary. To what does this refer? Shall we say, to the Passover-offering is there then a Passover-offering the whole seven days![20] Hence [it must refer] to unleavened bread and bitter herbs. Then consider the sequel: R. Simeon said: In the case of men [it is] obligatory; in the case of women, voluntary. Does then R. Simeon not agree with R. Eleazar's dictum: Women are bound to eat unleavened bread by Scriptural law, for it is said, Thou shalt eat no leavened bread with it; seven days shalt thou eat unleavened bread therewith:[21] whoever is subject to, 'thou shalt eat no leavened

bread,' is subject to [the law]. 'arise, eat unleavened bread'; and these women, since they are subject to, 'thou shalt eat no leavened bread,' are also subject to [the law], 'arise, eat unleavened bread?' — Rather say: The Passover-offering, unleavened bread, and bitter herbs are obligatory on the first [night]; from then onwards [the latter two] are voluntary. R. Simeon said: As for the Passover-offering, in the case of men it is obligatory, in the case of women it is voluntary.

MISHNAH. AN ONEN PERFORMS TEBILLAH AND EATS HIS PASSOVER-OFFERING IN THE EVENING, BUT [HE MAY] NOT [PARTAKE] OF [OTHER] SACRIFICES.[22] ONE WHO HEARS ABOUT HIS DEAD [FOR THE FIRST TIME],[23]

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(1) Pederasty; cf. Weiss, Dor, II, 21 on the rifeness of pederasty among the Romans. — Heathen slaves are meant here.
(2) Ex. XII, 4.
(3) Since men are not specified.
(4) Num. IX, 13; this refers to the Second Passover.
(5) Ibid. 12.
(6) Ibid. 13.
(7) The Gemara discusses below which verse is meant.
(8) I.e., the verse teaches that she need not keep the Second Passover.
(9) Ex. XII, 3.
(10) He deduces it from the present verse. For this person took the lamb not on his behalf alone but on behalf of 'their fathers' houses', who thereby gained the right to participate therein, and Scripture specifies that a man is required for this, not a minor. Hence a minor cannot be vested with the powers of an agent.
(11) Ibid. 4.
(12) That the Passover-offering may not be sacrificed at a private bamah, and that this is deduced from, thou mayest not sacrifice the Passover-offering at one of the gates, as stated supra.
(13) That the Passover-offering may be slaughtered for a single person.
(14) For if R. Simeon does not accept this view, then he should employ the verse, 'thou mayest not sacrifice the Passover offering for one' as teaching that it may not be slaughtered for a single person, as R. Judah does supra 91a, in which case his ruling on the private bamah is without foundation.
(15) That the verse is intended for R. Jose's teaching only.
(16) Which would show that the matter depends entirely on his powers of eating.
(17) Lit., 'as who does it go.'
(18) In their ignorance of the law they may object to points which really do not matter, and thus disqualify it without cause.
(19) I.e., for the rest of Passover.
(20) That is surely not permitted even voluntarily.
(21) Deut. XVI, 3.
(22) An onen may not eat the flesh of sacrifices (v. Lev. X. 19f). By Scriptural law a man is an onen on the day of death only, but not at night; the Rabbis, however, extended these restrictions to the night too. Since, however, the Passover-offering is a Scriptural obligation, they waived their prohibition in respect of the night, and hence he may eat thereof. He is not unclean, but requires tebillah to emphasize that until the evening sacred flesh was forbidden to him, whereas now it is permitted. In respect of other sacrifices the Rabbinical law stands, and he may not partake of them.
(23) On the day when a man is informed of the death of a near relative, e.g., his father, he is an onen by Rabbinical law, even if death took place earlier.

Talmud - Mas. Pesachim 92a

AND ONE WHO COLLECTS THE BONES [OF HIS PARENTS],[1] PERFORM TEBILLAH AND EAT SACRED FLESH.[2] IF A PROSELYTE WAS CONVERTED ON THE EVE OF PASSOVER, — BETH SHAMMAI MAINTAIN: HE PERFORMS TEBILLAH AND EATS HIS PASSOVER-OFFERING IN THE EVENING; WHILE BETH HILLEL RULE: ONE WHO SEPARATES HIMSELF FROM [THE STATE OF] UNCIRCUMCISION IS LIKE ONE WHO

SEPARATED HIMSELF FROM A GRAVE.[3]

GEMARA. What is the reason? — He holds: [The law of] aninuth at night is Rabbinical [only], and where the Passover offering is concerned they did not insist on their law, since it involves[4] kareth;[5] but in respect to sacrifices [in general] they insisted on their law, Seeing that [only] an affirmative precept is involved.[6]

ONE WHO HEARS ABOUT HIS DEAD etc. ONE WHO COLLECTS BONES? — But he requires sprinkling on the third and the seventh [days]?[7] — Say: One for whom [his parent's] bones were collected.[8] A PROSELYTE WHO WAS CONVERTED etc. Rabbah b. Bar

Hanah said in R. Johanan's name: The controversy is in respect of an uncircumcised heathen, where Beth Hillel hold: [He is forbidden to eat in the evening] as a preventive measure lest he become defiled the following year [by the dead] and he argues, 'Did I not perform tebillah last year and eat [of the Passover offering]? So now too I will perform tebillah and eat.' But he will not understand that the previous year he was a heathen and not susceptible to uncleanness, whereas now he is an Israelite and susceptible to uncleanness. While Beth Shammai hold: We do not enact a preventive measure. But with regard to an uncircumcised Israelite[9] all agree that he performs tebillah and eats his Passover-offering in the evening, and we do not preventively forbid an uncircumcised Israelite on account of an uncircumcised heathen[10] it was taught likewise, R. Simeon b. Eleazar said: Beth Shammai and Beth Hillel did not differ about an uncircumcised Israelite, [both agreeing] that he performs tebillah and eats his Passover-offering in the evening. About what do they differ? About an uncircumcised heathen, where Beth Shammai rule: He performs tebillah and eats his Passover-offering in the evening; while Beth Hillel maintain: He who separates himself from uncircumcision is as though he separated from a grave.

Raba said: [In the case of] an uncircumcised person, sprinkling, and a knife, they [the Sages] insisted on their enactments [even] where kareth is involved;[11] [in the case of] an onen, a leper and beth ha-peras,[12] they did not insist on their enactments where kareth is involved. 'An uncircumcised person,' as stated.[13] 'Sprinkling,' for a Master said: Sprinkling is [forbidden as] a shebuth, yet it does not override the Sabbath.[14] 'A knife,' as it was taught: Just as one may not bring it [sc. a knife for circumcision] through the street, so may one not bring it by the way of roofs, court-yards. or enclosures.[15]

'An onen,' as we have stated.[16] What is this [law of] 'a leper'? For it was taught: A leper whose eighth day fell on the eve of Passover[17] and who had a nocturnal discharge [keri] on that day.[18] performs tebillah[19] and eats [the Passover-offering in the evening].[20] [For] the Sages said: Though a tebul yom[21] may not enter [the Levitical Camp], this one does enter:[22] it is preferable that an affirmative precept which involves kareth[23] should come and override an affirmative precept which does not involve kareth.[24] Now R. Johanan said: By the law of Torah[25] there is not even an affirmative precept in connection therewith, for it is said, And Jehoshaphat stood in the congregation of Judah and Jerusalem, in the house of the Lord, before the new court.[26] What does 'the new court' mean? That they innovated a law there and ruled: A tebul yom must not enter the Levitical Camp.[27]

'Beth ha-peras': for we learned: Now Beth Shammai and Beth Hillel both agree

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(1) He too is a mourner on that day by Rabbinical law.

(2) In the evening. This applies to all sacrifices, for since even during the day he is an onen by Rabbinical law only, the Rabbis did not extend his aninuth (v. Glos.) to the evening.

(3) He must be besprinkled with the water of purification on the third and seventh days after the circumcision; hence he is not yet fit in the evening.

(4) Lit., 'in the place of'.

(5) Since the neglect of the Passover offering involves kareth, they waived their law.
(6) It is an affirmative precept to eat of one's own sacrifice (Ex. XXIX, 33), but the violation of this law does not involve kareth.
(7) The Mishnah was understood literally as meaning that he himself gathered them; but these defile just like a corpse, and he is unclean for seven days, and must be besprinkled on the third and the seventh days (Num. XIX, 19).
(8) By others: he himself is nevertheless regarded as an onen on that day.
(9) Who was circumcised on the eve of Passover.
(10) I.e. , through fear that if the former is permitted it may be thought that the latter is permitted too.
(11) I.e., though thereby a Scriptural command, failure to observe which involves kareth, is disregarded.
(12) Peras is half the length of a hundred-cubit furrow, hence fifty cubits; beth ha-peras is the technical designation for a field a square peras in area, declared unclean on account of crushed bones carried over it from a ploughed grave (Jast.). Its uncleanness is Rabbinical only.
(13) Supra: Beth Hillel forbid him to eat of the Passover-offering as a preventive measure, which is only a Rabbinical enactment.
(14) V. Supra 65b. Thus on account of a Shebuth, which is a Rabbinical prohibition, the unclean person may not participate in the Passover-offering.
(15) Karpf, pl. karpifoth, is an enclosure not more than two se'ahs in area (this is slightly over seventy cubits square). If the eighth day of birth, when a child must be circumcised (v. Lev. XII, 3), falls on the Sabbath, the knife must be brought the previous day. If it was forgotten, however, it must not be brought on the Sabbath, even by way of roofs, etc., carrying on which is forbidden by Rabbinical law only, and circumcision must be postponed, notwithstanding that failure to circumcise involves kareth (Gen. XVII, 14). — Actually no kareth would be incurred in the present case, since it would be done another day, but Raba means that to the precept of circumcision there is attached the penalty of kareth.
(16) V. Mishnah and p. 490. n. 4.
(17) When a leper was healed from his leprosy he waited seven days, performing tebillah on the seventh, and brought his sacrifices on the eighth (v. Lev. XIV, 9f). When he brought these he was still not permitted to enter the Temple Court (‘the camp of the Shechinah) but stood at the east gate (‘the gate of Nicanor’). whose sanctity was lower (it was regarded as ‘the Levitical camp’), while the priest, standing inside the Temple Court, applied the blood and the on to the thumbs and the great toes of the leper (ibid. 14f).
(18) Before he had offered his sacrifices. A ba'al keri (v. Glos.) might not enter even the Levitical Camp (v. supra 67b).
(19) Again. Though he had performed tebillah the previous day, that was on his leprosy, whereas now he performs it on account of his discharge.
(20) Thus after the tebillah he would bring his sacrifices for leprosy.
(21) V. Glos.
(22) For his purification rites; v. n. 3.
(23) Sc. the Passover-offering.
(24) Sc. that a tebul yom must not enter the Levitical Camp. That is derived in Naz. 45a from, ‘he shall be unclean; his uncleanness is yet upon him’ (Num. XIX, 13); since that is an affirmative statement, the injunction likewise counts as an affirmative precept. Its violation does not involve kareth.
(25) The Pentateuch.
(26) II Chron. XX, 5.
(27) Since this was all innovation, it is only Rabbinical, and as seen supra it was waived for the sake of the Passover-offering. V. Yeb., Sonc. ed. pp. 31ff notes.

Talmud - Mas. Pesachim 92b

that we examine [a beth ha-peras] for the sake of those who would keep the Passover,[1] but we do not examine [it] for those who would eat terumah.[2] How is it examined? Said Rab Judah in Samuel's name: He sifts the beth ha-peras as he proceeds.[3] R. Judah b. Abaye[4] said in Rab's name: A beth ha-peras which was [thoroughly] trodden down is clean.[5]

C H A P T E R I X

MISHNAH. HE WHO WAS UNCLEAN OR IN A JOURNEY AFAR OFF'[6] AND DID NOT KEEP THE FIRST [PASSOVER] MUST KEEP THE SECOND. IF HE UNWITTINGLY ERRED OR WAS ACCIDENTALLY PREVENTED AND DID NOT KEEP THE FIRST, HE MUST KEEP THE SECOND. IF SO, WHY IS AN UNCLEAN PERSON AND ONE WHO WAS IN 'A JOURNEY AFAR OFF SPECIFIED? [TO TEACH] THAT THESE'[7] ARE NOT LIABLE TO KARETH, WHEREAS THOSE ARE LIABLE TO KARETH.[8]

GEMARA. It was stated: If he was in a journey afar off[9] and they slaughtered [the Passover-offering] and sprinkled [its blood] on his behalf, — R. Nahman said: It is accepted;[10] R. Shesheth said: It is not accepted. R. Nahman said, It is accepted: The Divine Law indeed had compassion on him,[11] but if he kept [the first], a blessing come upon him![12] While R. Shesheth said, It is not accepted: The Divine Law did in fact suspend him, like an unclean person.[13]

R. Nahman said, Whence do I know it? Because we learned, HE WHo WAS UNCLEAN OR IN A JOURNEY AFAR OFF AND DID NOT KEEP THE FIRST [Passover] MUST KEEP THE SECOND; whence it follows that if he wished, he could keep it. And R. Shesheth?[14] -He can answer you: If so, the second clause which teaches, IF HE UNWITTINGLY ERRED OR WAS ACCIDENTALLY PREVENTED AND DID NOT KEEP THE FIRST, HE MUST KEEP THE SECOND: [will you argue that] since he [the Tanna] states, AND DID NOT KEEP, it follows that had he desired he could have kept it? But surely he had unwittingly erred or been accidentally prevented! Hence [you must answer that] he teaches of deliberate neglect together with these;[15] so here too [in the first clause] he teaches about an onen together with these.'[16] R. Ashi said: Our Mishnah too implies this,[17] for it is taught, THESE ARE NOT LIABLE TO KARETH, WHILE THOSE ARE LIABLE TO KARETH: Now to what [does this refer]? Shall we say, to one who errs unwittingly or is accidentally prevented? are then he who errs unwittingly and he who is accidentally prevented subject to kareth![18] Hence it must surely [refer] to a deliberate offender and an onen. And R. Nahman?[19] -He can answer you: In truth it refers to a deliberate offender alone,[20] and logically he should have taught, he is liable [in the singular]; but the reason that he teaches, THEY ARE LIABLE is that because the first clause teaches THEY ARE NOT LIABLE, the second clause teaches THEY ARE LIABLE.

R. Shesheth said: Whence do I know it? Because It was taught, R. Akiba said: 'Unclean' is stated and 'in a journey afar off'[21] is stated:

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(1) If there is no other way to reach Jerusalem in time to sacrifice the Passover-offering save by crossing a beth ha-peras, the field is examined and they pass through it.

(2) If a priest wishes to go somewhere to eat terumah and his way lies across a beth ha-peras, he cannot examine it but must take a circuitous course, even if this delays him a day or more. — One who passes over the beth ha-peras becomes unclean, and may not partake either of the Passover-offering or of terumah.

(3) He takes up the earth en route and sifts it, to see if any small bones are hidden there, and if there are none he is clean, cf. note 7.

(4) Var. lec.: Ammi.

(5) As it is assumed that every bone which may be there has been reduced to less than the size of a wheat, which is the minimum standard for conveying uncleanness 'through contact' or treading upon it. Therefore if a man sees this he may cross it to sacrifice the Passover-offering, but not to eat terumah. Now the uncleanness of a beth ha-peras is only Rabbinical, and as we see here this law was waived somewhat in favour of the Passover-offering.

(6) V. Num. IX, 10 f.

(7) Enumerated in this Mishnah-all the four.

(8) This is explained in the Gemara.

(9) He can reach Jerusalem by nightfall in time to eat the offering, but not by day when the offering is sacrificed.

(10) The sacrifice is valid, and he does not keep the second Passover.

(11) By giving him the opportunity of a second Passover.

(12) I.e., all the better.
(13) So that he is not permitted to keep the first.
(14) How does he rebut this?
(15) I.e., though it is not specifically stated, yet the words 'AND DID NOT KEEP can only apply to such, and he is therefore to be understood as included in the Mishnah.
(16) I.e., the Mishnah is to be read in the first clause as including onen (v. Hananel). He could have kept the First Passover had he desired, v. supra 90b, and it is to this that the words 'AND DID NOT KEEP' refer.
(17) That the first clause includes also onen.
(18) Surely not.
(19) Does he not admit this argument?
(20) For the first clause does not treat of an onen, and consequently R. Nahman's deduction holds good.
(21) Num. IX, 10.

Talmud - Mas. Pesachim 93a

just as an unclean [person] is one who has the means of keeping it,[1] yet must not keep it, so [a man 'in] a journey afar off' means one who has the means of keeping it,[2] yet he must not keep it.[3] And R. Nahman?- He can answer you: R. Akiba is consistent with his view, for he holds: One must not slaughter and sprinkle on behalf of a person unclean through a reptile;[4] whereas I agree with the view that one slaughters and sprinkles on behalf of a person unclean through a reptile.[5]

Our Rabbis taught: The following keep the second [Passover]: zabin and zaboth,[6] male lepers and female lepers, niddoth[7] and those who had intercourse with niddoth, and women after confinement, those who [do not observe the first Passover] inadvertently, and those who are forcibly prevented, and those who [neglect it] deliberately, and he who is unclean, and he who was in 'a journey afar off'. If so, why is an unclean person mentioned? [You ask] 'why is he mentioned'? [Surely to teach] that if he wishes to keep it at the first we do not permit him? Rather [the question is] why is [a person] on a journey afar off mentioned? — To exempt him from kareth, this being in accordance with the view that it is accepted.[8]

Is then a woman obliged [to keep] the second [Passover],[9] but surely it was taught: You might think that only a person unclean through the dead and one who was in 'a journey afar off' keep the second [Passover], — whence do we know [that] zabin and lepers and those who had intercourse with niddoth [must keep it]? From the verse, If any man [etc.]?[10] -There is no difficulty: one is according to R. Jose; the other, according to R. Judah and R. Simeon.[11]

Our Rabbis taught: One incurs kareth on account of the first [Passover], and one incurs kareth on account of the second:[12] this is Rabbi's view. R. Nathan said: One incurs kareth on account of the first, but does not incur it on account of the second.[13] R. Hanania b. 'Akabia said: One does not incur kareth even on account of the first, unless he [deliberately] does not keep the second.

Now they are consistent with their views. For it was taught: A proselyte who became converted between the two Passovers, and similarly a minor who attained his majority between the two Passovers,[14] are bound to keep the second Passover:[15] that is Rabbi's view. R. Nathan said: Whoever is subject to the first is subject to the second, and whoever is not subject to the first is not subject to the second. Wherein do they differ? — Rabbi holds: The second is a separate Festival. R. Nathan holds: The second is a compensation for the second,[16] [but] it does not make amends for the first.[17] While R. Hanania b. 'Akabia holds: The second makes amends for the first. Now the three deduce [their views] from the same verse: But the man that is clean, and is not in a journey.[18] Rabbi holds: And forbeareth to keep the Passover, that soul shall be cut off[19] - because he did not keep [it] at the first; or alternatively [if] he brought not the offering of the Lord in its appointed season[20] [i.e.,] at the second. And how do you know that that [phrase], 'that man shall bear his sin, '[21] means kareth?

(1) He is physically able to keep it.
(2) E.g., one could sacrifice on his behalf and he could reach Jerusalem in time.
(3) But must postpone it; hence if he does have it sacrificed on his behalf, it is not accepted.
(4) Though he will be fit to eat in the evening, because at the time of sacrificing he is not fit.The present case is similar.
(5) The translation and explanation follows cur. edd. Tosaf. records a different reading, which is supported by the Sifre (Be-ha alotheka): Just as an unclean person is one who cannot possibly keep it, on account of his uncleanness, and he must not keep it, so a person in 'a journey afar off' means one who cannot possibly reach Jerusalem in time (according to 'Ulla, for the sacrificing; according to Rab Judah, for the eating),and he too must not keep it. R. Shesheth deduces that 'he must not keep it' means that even if it is sacrificed on his behalf it is not accepted, since it is completely analogous to the case of an unclean person. R. Nahman answers that because R. Akiba holds that you may not slaughter and sprinkle on behalf of a person unclean through a reptile, therefore he learns the case of 'a journey afar off' from that of uncleanness, since the former two are alike in that both are unfit at the time of slaughtering and fit and able at the time of eating. Hence it is true that in R. Akiba's opinion the sacrifice is not accepted' if offered, but R. Nahman holds that you do slaughter and sprinkle for a person unclean through a reptile. Tosaf. adds that R. Shesheth too holds thus, but that in his view R. Akiba learns it from' a person unclean through the dead, though the cases are not really alike then.
(6) Plural of zabb and zabah respectively, q.v. Glos.
(7) Pl. of niddah, q.v. Glos.
(8) Supra 92b. For if he held that it is not accepted, then this case must be stated for that very teaching.
(9) So that female lepers, menstruants and women after childbirth are included.
(10) Num. IX, 10. Heb. **איש איש**, the repetition denoting extension. Thus nothing is said about women.
(11) V. Supra 91b. R. Jose holds that even at the second Passover a company consisting entirely of women may be formed; hence in his view the second Passover is binding upon women. Whereas R. Judah and R. Simeon hold that it is voluntary only.
(12) Deliberate neglect to keep either when there is the obligation involves kareth. Of course, no man can actually incur kareth twice, but the point is that if a man sinned unwittingly in respect of one but deliberately in respect of the other he incurs kareth. Similarly, where a proselyte becomes converted between the two Passovers and deliberately neglects the second.
(13) Hence if he inadvertently neglected the first, he does not incur kereth even if he deliberately neglects the second.
(14) Thus both were exempt from the first Passover, but are in a condition to keep the second.
(15) He regards it as a separate obligation entirely, even for those who were not subject to the law at all at the first, as in the present instances.
(16) Hence only he who was subject to the law at the first can keep the second.
(17) Hence if a person deliberately neglects the first he incurs kareth even if he keeps the second. On the other hand, if he neglects the first unwittingly, he is not liable to kareth even if he deliberately neglects the second, since the second is not an independent obligation apart from the first.
(18) Num. IX, 13.
(19) Ibid.
(20) Ibid. because(Heb. ki) he brought not the offering etc. Ki is variously translated according to the context, v. R.H. 3a. Rabbi renders it 'if'.
(21) Ibid.

Talmud - Mas. Pesachim 93b

He holds that megaddef is one who curses[1] the [Divine] Name,[2] while of him who curses the [Divine] Name It Is written, [Whosoever curseth his God] shall bear his sin,[3] and [the meaning of] this 'his sin' is learnt from 'his sin' there: just as there [it means] kareth, so here too, [it means] kareth.

Again, R. Nathan holds: And forbeareth to keep, the Passover, that soul shall be cut off' for this ki denotes 'because'[4] and this is what the Divine Law saith, Because he brought not the offering of the Lord at the first. How does he employ this [phrase] 'that man shall bear his sin'?[5] — He holds that

megaddef is not one who curses the [Divine] Name,[6] and so [the meaning of] this 'his sin' [written] there is learnt from 'his sin' [written] here; just as [it means] kareth here,[7] so there too [it means] kareth.

While R. Hanania b. 'Akabia holds [that we translate thus]: 'and forbeareth to keep the Passover, that soul shall be cut off';[8] if [also] he brought not the offering of the Lord in its appointed season, [viz.,] at the second. And how does he employ this 'shall bear his sin'? — As we have stated.[9]

Therefore if [he neglected] deliberately both [Passovers], all agree that he is culpable. If [he neglected] both unwittingly, all agree that he is not culpable. If [he neglected] the first deliberately but the second unwittingly: according to Rabbi and R. Nathan he is culpable; according to R. Hanania b. 'Akabia, he is not culpable. If [he neglected] the first unwittingly but the second deliberately: according to Rabbi he is culpable; according to R. Nathan and R. Hanania b. 'Akabia he is not culpable.

MISHNAH. WHAT IS 'A JOURNEY AFAR OFF'? FROM MODI'IM[10] AND BEYOND, AND THE SAME DISTANCE ON ALL SIDES [OF JERUSALEM]: THIS IS R. AKIBA'S OPINION. R. ELIEZER SAID: FROM THE THRESHOLD OF THE TEMPLE COURT AND WITHOUT. SAID R. JOSE TO HIM: FOR THAT REASON THE HEH IS POINTED[11] IN ORDER TO TEACH: NOT BECAUSE IT IS REALLY AFAR OFF, BUT [WHEN ONE IS] FROM THE THRESHOLD OF THE TEMPLE COURT AND WITHOUT [HE IS REGARDED AS BEING 'AFAR OFF'].

G E M A R A. 'Ulla said: From Modi'im to Jerusalem is fifteen miles.[12] He holds as Rabbah b. Bar Hanah said in R. Johanan's name: what is an [average] man's journey in a day?[13] Ten parasangs: five mils from daybreak until the first sparklings of the rising sun, [and] five mils from sunset until the stars appear. This leaves thirty: fifteen from the morning until midday, and fifteen from midday until evening [i.e., sunset]. 'Ulla Is consistent with his view, for 'Ulla said: What is 'a journey afar off'? Any place whence a man is unable to enter [Jerusalem] at the time of slaughtering.[14]

The Master said: 'Five mils from daybreak until the first sparklings of the rising sun.' Whence do we know it? — Because It is written, And when the morning arose [i.e., at daybreak], then the angels hastened Lot, saying etc.;[15] and it is written, The sun was risen upon the earth when Lot came unto Zoar,.[16] while R. Hanina said: I myself saw that place and it is five mils [from Sodom].

The [above] text [stated]: ''Ulla said, what is "a journey afar off"? Any place whence a man Is unable to enter [Jerusalem] at the time of slaughtering.' But Rab Judah maintained: Any place whence one is unable to enter [Jerusalem] at the time of eating. Rabbah said to 'Ulla: on your view there is a difficulty, and on Rab judah's view there is a difficulty. On your view there is a difficulty, for you say, 'Any place whence a man is unable to enter at the time of slaughtering': yet surely a man unclean through a reptile is unable to enter[17] at the time of slaughtering, yet you say, One slaughters and sprinkles on behalf of a person unclean through a reptile? On Rab Judah's view there is a difficulty, for he says, 'Any place whence one is unable to enter at the time of eating': but surely he who is unclean through a reptile is able to enter at the time of eating, yet he says, One may not slaughter and sprinkle on behalf of a man unclean through a reptile?[18] Said he to him: Neither on my view nor on Rab Judah's view Is there a difficulty. On my view there is no difficulty: 'A journey afar off' [is stated] in reference to a clean person, but 'a journey afar off' is not [stated] in reference to an unclean person.[19]

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(1) Lit., 'blesses', a euphemism for 'curses'

(2) V. Num. XV, 30; he blasphemeth (Heb. megaddef, R.V.: reproacheth) the Lord; and that soul shall be cut off(i.e., kareth). The meaning of megaddef is disputed in Ker. 7b.

(3) Lev. XXIV, 15. From Num. XV, 30 'ye know that he incurs kareth, and therefore that must be the meaning in this

verse.
(4) R. Nathan renders ‘ki’ as ‘because’.
(5) According to Rabbi it is necessary, as it refers to the punishment for the neglect of the second. But since R. Nathan relates it to the first, it is superfluous, having been already stated.
(6) But one who takes part in an idolatrous service, e.g., by singing hymns in a heathen Temple, v. Ker. 7b. Consequently, Nun,. XV, 30 cannot be identified with Lev. XXIV, 15 (v. notes supra), and so there is nothing to indicate the meaning of ‘shall bear his sin’ in the latter verse, which refers to blasphemy.
(7) As explicitly stated in the first half of the verse.
(8) Translating ki like Rabbi, except that he connects it with the preceding part of the verse.
(9) In connection with R. Nathan.
(10) Generally known as Modim, a town famous in Jewish history as the residence of Mattathias and his sons, where the Maccabean revolt against Antiochus flared up; it was some fifteen miles N.W. of Jerusalem.
(11) The Heb. for ‘a journey afar off’ (Num. IX, 10) is רָחוֹקָה דֶּרֶךְ the ה (heh) being traditionally written with a dot, thus . Such a point was regarded as a weakening or limitation, as though the word were not really written.
(12) A mil=two thousand cubits, a quarter of a parasang.
(13) From daybreak to nightfall, when the day and night are of equal length, i.e., from six a.m. To six p.m.
(14) I.e., so far, that if a man started walking at midday, which is the earliest time for sacrificing the Passover-offering, he could not reach it by sunset, which is the latest. Taking this statement in conjunction with the preceding calculation, we see that Modim must be fifteen mils from Jerusalem.
(15) Gen. XIX, 15.
(16) Ibid. 23.
(17) Sc. the Temple.
(18) For this controversy v. supra 90b.
(19) V. Num. IX, 13: But the man that is clean, and is not in a journey, and forbeareth to keep (lit., ‘do’) the Passover etc. From this we see, (i) that the exemption for a man who is in a ‘journey afar off’ applies to a clean person, and (ii) that a ‘journey (afar off)’ is determined by his inability to do the Passover, i.e., to slaughter it. Hence if he is so far away that he cannot reach the Temple Court in time for the slaughtering, he is in a journey afar off’. But an unclean person is exempt because of his uncleanness, which prevents his eating, but not his sacrificing, since that can be done by another acting on his behalf. Moreover, since Scripture specifies one who is ‘unclean by reason of a dead body’ and does not state one who is unclean through a reptile, it follows that this exemption applies only to such as the former, who are unclean for a long period (seven days) and cannot be fit in the evening, but not to such as the latter, who can be fit to eat in the evening.

Talmud - Mas. Pesachim 94a

On Rab Judah's view there is no difficulty: When one is unclean through a reptile, the Divine Law relegated him [to the second Passover], for it is written, ‘If any man shall be unclean by reason of a dead body’: does this not refer [even] to one whose seventh day falls on the eve of Passover, yet even so the Divine Law said: Let him be relegated [to the second].[1]

Our Rabbis taught: If he was standing beyond Modi'im and is able to enter by horses and mules, you might think that he is culpable. Therefore it is stated: ‘and is not in a journey,’[2] whereas this man was in a journey.[3] If he was standing on the hither side of Modi'im, but could not enter on account of the camels and wagons which held him up,[4] you might think that he is not culpable. Therefore It is stated, ‘and is not in a journey,’ and lo, he was not in a journey.[5]

Raba said: The world is six thousand parasangs,[6] and the thickness of the heaven [rakia’] is one thousand parasangs the first one [of these statements] is a tradition, while the other is [based on] reason. [Thus:] he agrees with Rabbah b. Bar Hanah's dictum in R. Johanan's name: What is an average man's journey in a day? Ten parasangs: from daybreak until the first sparklings of the rising sun five mils, and from sunset until the stars appear five mils: hence the thickness of the heaven is one sixth of the day[‘s journey].[7]

An objection is raised: Rab Judah said: The thickness of the sky is one tenth of the day's journey. The proof is this: what is an [average] man's journey in a day? Ten parasangs, and from daybreak until the rising sun four mils, [and] from sunset until the stars appear four mils,: hence the thickness of the sky is one tenth of the day[‘s journey].[8] This is a refutation of Raba, and a refutation of ‘Ulla! It is a refutation.[9] Shall we say that this is [also] a refutation of R. Johanan?-He can answer you: I spoke only of [an average man's journey] in a [complete] day, and it was the Rabbis[10] who erred by calculating [the distance for] pre-dawn and after nightfall.[11] Shall we say that this is a refutation of R. Hanina?[12] — No: ‘and [the angels] hastened’[13] is different —[14]

Come and hear: Egypt was four hundred parasangs square. Now Egypt is one sixtieth of Ethiopia [Cush], Ethiopia one sixtieth of the world, the world one sixtieth of the Garden, the Garden one sixtieth of Eden, Eden one sixtieth of the Gehenna: thus the whole world is like a pot lid [in relation] to Gehenna. This is [indeed] a refutation .[15] Come and hear: Tanna debe Eliyahu[16] [taught]: R. Nathan said: The whole of the inhabited world is situate under one star. The proof is that a man looks at a star, [and] when he goes eastward it is opposites [and when he goes] to the four corners of the world it is opposite him. This proves that the whole of the inhabited world is situate under one star. This is indeed a refutation.[17]

Come and hear: The Wain [‘Waggon’][18] is in the north and Scorpio is in the south, the whole of the inhabited world lies between the Wain and Scorpio, and the whole of the inhabited world represents but one hour of the day,[19] for the sun enters [the space above] the inhabited world only for one hour in the day.[20] The proof is that at the fifth [hour] the sun is in the east while at the seventh the sun is in the west: [during] half of the sixth and half of the seventh the sun stands overhead all people.[21] This is [indeed] a refutation. Come and hear: For R. Johanan b. Zakkai said: What answer did the Bath Kol[22] give that wicked man [Nebuchadnezzar] when he asserted, ‘I will ascend above the heights of the clouds; I will be like the Most High’?[23] A Bath Kol came forth and rebuked him: ‘Thou wicked man, son of a wicked man,

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(1) V. supra 90b and notes a.l.

(2) Ibid.

(3) As defined in the Mishnah.

(4) He too being on one, and the road was blocked.

(5) He should have completed it on foot.

(6) Rashi: in diameter from east to west.

(7) The periods from daybreak until the rising sun is in the heavens, and again from sunset until the stars appear, were regarded as the time during which the sun was passing through the sky, which was conceived as a solid vault stretched out above the earth. Hence it follows from Rabbah's dictum that since five mils can be walked in each of these two periods, while thirty mils can be walked during the day excluding these periods (ten parasangs=forty mils), the thickness of the sky is one sixth of the world's diameter.

(8) The one tenth is of the inclusive figure, i.e., four in forty, whereas one sixth mentioned before was exclusive: six in thirty. But in any case they disagree.

(9) Both (for ‘Ulla v. supra 93b) hold that five mils can be walked from daybreak until the sun is in the heavens, which certainly cannot be reconciled with the present statement.

(10) I.e., ‘Ulla and R. Johanan.

(11) He had merely stated that an average man can walk ten parasangs in a day, but Raba and ‘Ulla had erred by adding that one travels five mils in the period stated; though most people do indeed walk five mils by the time the sun is in the heavens, that is because they generally start a little before dawn; similarly in the evening they continue their journey a little after nightfall.

(12) Supra 93b.

(13) Gen. XIX, 15.

(14) They would naturally cover a greater distance.

(15) For according to the present calculation the surface area of the world is 576,000,000 sq. parasangs (thus: 400 X 400 X 60 x 60) whereas according to Raba, even if the 6000 is squared, we have only 36,000,000 sq. parasangs.
(16) This is a Midrash consisting of two parts, 'Seder Eliyahu Rabbah' and 'Seder Eliyahu Zuta'. According to the Talmud Keth. 106a the Prophet Elijah recited this Midrash to R. 'Anan, a Babylonian Amora of the third century. Scholars are agreed that the work in its present form received its final redaction in the tenth century C.E., though they are not agreed as to where it was written. V. Bacher, Monatsschrift, XXIII, 267f; idem in R.E.J. XX, 144-146; Friedmann, Introduction to his edition of Seder Eliyahu; v. Keth., Sonc. ed. p. 680, n. 2.
(17) And since there are countless stars in the sky, it follows that the sky is immeasurably greater than the earth, not, as Raba says, only one sixth.
(18) The Great Bear.
(19) The sun in travelling through the sky takes one hour only to travel across the actual breadth of the world.
(20) As explained in the previous note.
(21) "Wherever they are; thus it is during this hour only that the sun is actually above the world. This too proves that the sky is infinitely larger than the earth.
(22) V. Glos.
(23) Isa. XIV, 14.

Talmud - Mas. Pesachim 94b

descendant of the wicked Nimrod, who incited the whole world to rebel [himrid][1] against Me during his reign![2] How many are the years of man? Seventy years; and if by reason of strength, eighty years, for it is said, The days of our years are threescore years and ten, or even by reason of strength fourscore years.[3] Now from earth to heaven is a five hundred years journey, the thickness of heaven Is a five hundred years' journey, and between the first heaven and the next lies a five hundred years' journey, and similarly between each heaven,[4] 'Yet thou shalt be brought down to the nether-world, to the uttermost parts of the pit' —[5] This is [indeed] a refutation.

Our Rabbis taught: The Sages of Israel maintain: The Galgal[6] is stationary [fixed], while the mazzaloth[7] revolve; while the Sages of the nations of the world maintain: The Galgal revolves and the mazzaloth are stationary.[8] Rabbi observed: This disproves their view [viz.,] we never find the Wain in the south or Scorpio in the north.[9] To this R. Aha b. Jacob demurred: Perhaps it is like the pivot[10] of a millstone,[11] or like the door socket?

The Sages of Israel maintain: The sun travels beneath the sky by day and above the sky at night; while the Sages of the nations of the world maintain: It travels beneath the sky by day and below the earth at night. Said Rabbi: And their view is preferable to ours, for the wells are cold by day but warm at night.[12]

It was taught, R. Nathan said: In summer the sun travels in the heights of the heaven,[13] therefore the whole world is hot while the wells [springs] are cold; in winter the sun travels at the lower ends of the sky,[14] therefore the whole world is cold while the wells are hot.

Our Rabbis taught: The sun travels over four courses: [during] Nisan,[15] Iyar and Sivan, it travels over the mountains, in order to melt the snows; [in] Tammuz, Ab and Elul, over the inhabited world, to ripen the fruits; [in] Tishri, Marheshwan and Kislev, over seas, to dry up the rivers; in Tebeth, Shebat and Adar, through the wilderness, so as not to dry up the seeds [in the ground]. R. ELIEZER SAID: FROM THE THRESHOLD etc. Even though he can enter, and we do not say to him, 'Arise and enter'? but it surely was taught: An uncircumcised Jew who did not circumcise himself is punished by kareth: this is the opinion of R. Eliezer? — Said Abaye: 'A journey afar off' [is stated] in respect of a clean person, but 'a journey afar off' is not [stated] in respect of an unclean person.[16] Raba said: It is [a controversy of] Tannaim. For it was taught, R.Eliezer said: Distance of place is stated in connection with the Passover, and distance of place is stated in connection with tithe:[17] just

as there [it means] without [the boundaries of] its eating,[18] so here too it means outside [the place of] its eating.[19] R. Jose son of R. Judah said on R. Eliezer's authority: [It means] outside [the place] where it is sacrificed .[20] With whom does the following dictum of R. Isaac son of R. Joseph agree. [viz.:] In respect of those who are unclean, decide by the majority who are standing in the Temple Court.[21] With whom [does it agree]? With R. Jose son of R. Judah, as he stated [the law] on R. Eliezer's authority.[22]

SAID R. JOSE TO HIM, THEREFORE etc. It was taught, R. Jose the Galilean said: [BY] 'a journey afar off' I may understand a distance of two or three days: but when it is said, and is not in a journey, it teaches that from the threshold of the Temple Court and without is designated a journey .[23]

M I S H N A H

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(1) This is a play on the name Nimrod, deriving it from marad, to rebel.

(2) According to Talmudic tradition Nimrod instigated the building of the tower of Babel to storm heaven.

(3) Ps. XC, 10.

(4) According to the ancient tradition there were seven heavens.

(5) Isa. XIV, 15. [In Hag. 13a the distance is further extended and according to the calculation given there amounts to a total of 4,096,000 years' journey, which at the rate of eighty rabbinic mils in 24 hours (v. supra) amounts to 119,603,200,000 say — 120,000 million mils, which shows that the Rabbis had a fair idea of stellar distance. Cf. Feldman, W. M., Rabbinical Mathematics, p. 213.]

(6) ['Wheel sphere' probably the celestial sphere, v. n. 7.]

(7) Here fixed stars.

(8) [This will probably represent the Ptolemaic view according to which the stars are fixed on the surface of the celestial sphere which moves round the earth carrying the stars with it, v. op. cit. p. 71.]

(9) But if the Galgal revolves, the mazzaloth too would change their position. The view of the Jewish Sages is difficult to explain.

(10) Rashi. 'Aruch: the socket.

(11) "Which remains fixed in its place.

(12) [On this passage v. op. cit. p. 72.]

(13) Above the earth.

(14) Not above the earth but at its side.

(15) The first month of the Jewish civil year, commencing some time in March. The remaining eleven months are enumerated in order.

(16) v. supra 93b. Similarly, a man must make himself fit for the Passover, and otherwise he incurs kareth. But it is not his duty to bring himself within the area of obligation. Tosaf. points out an obvious difficulty: if he is uncircumcised or unclean and standing without the Temple court, as he must be in that case, he must make himself fit and keep the Passover on penalty of kareth; whereas if he is already circumcised or clean and standing without he is exempt! Tosaf explains it with the principle laid down by R. Zera, v. Yeb. 104b.

(17) Deut. XIV, 24 q.v.

(18) The second tithe must be eaten in Jerusalem. Anywhere outside Jerusalem is regarded as a distant place and the law of redemption applies.

(19) When Scripture states that if a man is on a journey afar off he is exempt, it means if he is anywhere outside Jerusalem, in the whole of which the Passover-offering was eaten. Hence if he is merely outside the Temple Court but in Jerusalem he is not exempt.

(20) viz., the Temple Court. Thus we have a controversy of Tannaim as to R. Eliezer's view.

(21) when the majority of those in the Temple Court are unclean, the Passover is sacrificed in uncleanness (supra 79a). But those who are not in the Temple Court are disregarded entirely. as they are on a 'journey afar off'.

(22) For according to the first Tanna a majority of all in Jerusalem would be required.

(23) Since 'afar off' is not mentioned here.

Talmud - Mas. Pesachim 95a

WHAT IS THE DIFFERENCE BETWEEN THE FIRST PASSOVER AND THE SECOND? THE FIRST IS SUBJECT TO THE PROHIBITION OF [LEAVEN] SHALL NOT BE SEEN AND [LEAVEN] SHALL NOT BE FOUND;[1] WHILE AT THE SECOND [A MAN MAY HAVE] LEAVENED AND UNLEAVENED BREAD IN THE HOUSE WITH HIM. THE FIRST REQUIRES [THE RECITING OF] HALLEL WHEN IT [THE PASCHAL LAMB] IS EATEN, WHEN THE SECOND DOES NOT REQUIRE HALLEL WHEN IT IS EATEN. BUT BOTH REQUIRE [THE RECITING OF] HALLEL WHEN THEY ARE SACRIFICED, AND THEY ARE EATEN ROAST WITH UNLEAVENED BREAD AND BITTER HERBS, AND THEY OVERRIDE THE SABBATH.

GEMARA. Our rabbis taught: According to all the statute of the Passover they shall keep it:[2] the Writ refers to the ordinance[s] pertaining to itself.[3] How do we know the ordinance[s] indirectly connected with itself?[4] Because it is said, they shall eat it with unleavened bread and bitter herbs.[5] You might think that regulations which are not even indirectly connected with itself [are included too]; therefore it is stated, nor shall they break a bone thereof:[6] just as the breaking of a bone stands out as an ordinance pertaining to itself, so is every ordinance pertaining to itself [included].[7] Issi b. Judah said: 'they shall keep it' [implies that] the Writ treats of regulations pertaining to itself.[8]

The Master said: 'You might think that regulations which are not even indirectly connected with itself [are included too]' — But surely you have said that the Writ refers to ordinance[s] pertaining to itself?-This is what he means: now that you have quoted. 'they shall eat it with unleavened bread and bitter herbs, which proves that 'they shall keep it'[9] is not exact, then say that it is like a particularization and a general proposition, whereby the general proposition is accounted as adding to the particularization, so that even all regulations [are included]:[10] hence he informs us [that It is not so].

Now Issi b. Judah, how does he utilize this [law concerning a] bone?-He requires it for [teaching that] both a bone which contains marrow and a bone which does not contain marrow [are meant].[11] And the Rabbis: how do they utilize this [verse] 'they shall keep it'?-they require it to teach that one may not kill the Passover-offering on behalf of a single person, so that as far as it is possible to procure [another unclean person] we do so.[12] Our Rabbis taught: 'According to all the statute of the Passover they shall keep it': you might think, just as the first is subject to the prohibition of [leaven] 'shall not be seen' and 'shall not be found', so is the second subject to the prohibition of [leaven] shall not be seen and shall not be found: therefore it is stated, they shall eat it with unleavened bread and bitter herbs.[13] Again, I know it only of positive precepts;[14] how do we know it of negative precepts? Because It is stated, They shall leave none of it unto the morning.[15] Also, I know it only of a negative precept modified to a positive precept;[16] how do we know it of an absolute negative precept? Because It is stated, 'and they shall not break a bone thereof': [hence] just as the particularization is explicitly stated as a positive precept, and a negative precept modified to a positive precept, and an absolute negative precept, so every positive precept, and a negative precept modified to a positive precept, and complete negative precept [are included].[17] What is included in the general proposition as applied to '[they shall eat it] with unleavened bread and bitter herbs'?-Roast with fire.[18] What does it exclude in its particularization?[19] -The putting away of leaven. May I [not] reverse it? — [The inclusion of] a precept pertaining to itself is preferable. What is included in the general proposition as bearing on 'they shall leave none of it unto the morning'?- thou shall not carry forth aught [of the flesh abroad out of the house],[20] (which is similar thereto, since the one is disqualified through being nothar,[21] while the other is disqualified through going out [of its permitted boundary]).[22] What does it exclude by its particularization?-[Leaven] 'shall not be seen and 'shall not be found,' (which is similar thereto, for the one does not involve flagellation, since it is a negative precept modified to a positive precept, while the other does not involve flagellation,

since It is a negative precept modified to a positive precept.)[23] May I [not] reverse it?- [The inclusion of] a precept pertaining to itself is preferable.

What is included in the general proposition as bearing on 'they shall not break a bone thereof?

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(1) Ex. XII, 19; Deut. XVI, 4

(2) Num. IX, 12 with reference to the second Passover.

(3) E.g.. how the sacrifice shall be prepared, that it is to be eaten roast etc.; but regulations not directly pertaining to itself, e.g.. the removing of leaven, are not included.

(4) E.g., that it is to be eaten with unleavened bread and bitter herbs.

(5) Num. IX, 11.

(6) Ibid. 12.

(7) But not others.

(8) So that 'nor shall they break a bone thereof' is unnecessary for that purpose.

(9) 'It' might imply that only the regulations directly bearing on the sacrifice itself are meant, and therefore exclude the eating of unleavened bread and bitter herbs.

(10) This is a general principle of exegesis that if a law is first stated in a particular instance and then in a general form, the former does not limit the latter but on the contrary the latter generalizes the former, so that all instances are included. Here a particular instance of similarity between the first Passover and the second is stated in v. 11 while in v. 12 a general law is stated that the two are alike in all respects.

(11) Supra 85a.

(12) Even if we have to defile a person at the first Passover, so that there may be at least two at the second; v. supra 91a.

(13) V. p. 508. they are alike only in respect of the regulations pertaining to or connected with itself, just like the particular case which is stated.

(14) 'They shall eat it' etc. is a positive precept, and therefore teaches that all the positive precepts applicable to the first Passover are also binding upon the second, e.g., the precept to eat it roast.

(15) Num. IX, 12; hence the deduction stated in the preceding note applies to negative precepts too.

(16) A prohibition which if violated must be repaired by a positive act. Thus 'and ye shall let nothing of it remain until the morning' (Ex. XII, 10) is followed by 'but that which remaineth of it until the morning ye shall burn with fire'. Technically such an injunction is less stringent than an ordinary negative precept and does not involve flagellation.

(17) Hence the general proposition, 'according to all the statute etc., is applied separately to each of these three particular laws, teaching that all laws which partake of their nature are included.

(18) V. n . 2.

(19) For just as the general proposition includes laws unstated, so the particularization teaches that some laws are excluded, as otherwise the former alone would suffice.

(20) Ex. XII, 46

(21) V. Glos.

(22) Var. lec. omits the bracketed passage.

(23) If flesh of the Passover sacrifice is left over, it must be burnt, while if leaven is not completely removed before Passover, so that it is 'seen' or 'found', it must be destroyed whenever discovered. Hence both of these negative precepts are modified to positive precepts, and he who violates them is not flagellated.-Var. lec. omits the bracketed passage.

Talmud - Mas. Pesachim 95b

— Eat not of it half-roast.[1] By its particularization what does it exclude? Thou shall not offer the blood of My sacrifice with leavened bread.[2] May I [not] reverse it?- [The inclusion of] a precept pertaining to itself is preferable.

THE FIRST REQUIRES [THE RECITING OF] HALLEL WHEN IT IS EATEN etc. Whence do we know it?-Said R. Johanan on the authority of R. Simeon b. Jehozadak: Scripture saith, Ye shall have a song as in the night when a feast is hallowed:[3] the night that is hallowed for a feast [Festival] requires [the reciting of] Hallel ['Song'], while the night which is not hallowed for a feast does not

require [the reciting of] Hallel.

BUT BOTH REQUIRE [THE RECITING OF] HALLEL WHEN THEY ARE SACRIFICED etc. What is the reason?-I can either say, [Scripture] excludes the night, but not the day; or alternatively, is it possible that Israel sacrifice their Passover-offerings or take their palm-branches[4] without reciting Hallel!

AND THEY ARE EATEN ROAST etc. Only the Sabbath [do they override], but not uncleanness:[5] our Mishnah does not agree with R. Judah,for it was taught: It [the second Passover] overrides the Sabbath, but it does not override uncleanness; R. Judah maintained: It overrides uncleanness too. What is the reason of the first Tanna?-Seeing that I have suspended him [from the first Passover] on account of uncleanness, shall he after all keep it in uncleanness?[6] And R. Judah?[7] — The Torah sought [means] for him to keep it in cleanness; yet if he was not privileged [thus], he must keep it in uncleanness. Our Rabbis taught: The first Passover overrides the Sabbath, [and] the second Passover overrides the Sabbath; the first Passover overrides uncleanness,[and] the second Passover overrides uncleanness; the first Passover requires the spending of the night [in Jerusalem], [and] the second Passover requires the spending of the night [in Jerusalem]. '[The second Passover] overrides uncleanness . With whom [does this agree]? — With R. Judah. But according to R. Judah, does it require the spending of the night [in Jerusalem]? Surely it was taught, R. Judah said: How do we know that the second Passover does not require the spending of the night [in Jerusalem]? Because it is said, and thou shalt turn in the morning, and go unto thy tents;[8] and it is written, six days thou shalt eat unleavened bread:[9] that which is eaten six [days] requires the spending of the night [in Jerusalem], but that which is not eaten six [days] does not require the spending of the night [in Jerusalem]?[10] -There is [a controversy of] two Tannaim as to R. Judah's opinion.

MISHNAH. [WITH REGARD TO] THE PASSOVER-OFFERING WHICH COMES IN UNCLEANNESS, ZABIN AND ZABOTH, MENSTRUANT WOMEN AND WOMEN AFTER CONFINEMENT MUST NOT EAT THEREOF, YET IF THEY DID EAT THEY ARE EXEMPT FROM KARETH;[11] BUT R. ELIEZER EXEMPTS [THEM] EVEN [OF THE KARETH NORMALLY INCURRED] FOR ENTERING THE SANCTUARY.

G E M A R A. Our Rabbis taught: If zabin and zaboth, menstruant women and women after confinement ate of the Passover-offering which was sacrificed in uncleanness, you might think that they are culpable, therefore it is stated, Every one that is clean may eat flesh [of sacrifices]. But the soul that eateth of the flesh of the sacrifice of peace-offerings, that pertain unto the Lord, having his uncleanness upon him, that soul shall be cut off:[12] with regard to that which is eaten by clean persons, you are culpable on its account on the score of uncleanness, but as to that which is not eaten by clean persons, you are not culpable on its account on the score of 'uncleanness —[13] R. Eliezer said: If zabin and lepers[14] forced their way through and entered the Temple Court at a Passover-offering which came in uncleanness, you might think that they are culpable; therefore it is stated , [command the children of Israel,] that they send out of the camp every leper, and everyone that hath an issue [zab], and whosoever,- is unclean by the dead:[15] when those who are unclean by the dead are sent out, zabin and lepers are sent out; when those who are unclean by the dead are not sent out, zabin and lepers are not sent out.

R. Joseph asked: What if persons unclean through the dead forced their way in and entered the Temple [hekal][16] at a Passoveroffering which came in uncleanness? [Do we say,] since the uncleanness of the Temple Court was permitted, the uncleanness of the Temple [hekal] too was permitted;[17] or perhaps, what was permitted was permitted, while what was not permitted was not permitted? Said Raba: Scripture saith, 'that they send out of the camp,' [implying] even from part of the camp.[18] Others maintain. Raba said: Scripture saith, without [mi-huz] the camp shall ye send then:[19] only where[20] 'without the camp shall ye send them,' is applicable, is 'that they send out of

the camp' applicable.[21]

A. Joseph asked: What if persons unclean by the dead forced their way through [to the altar] and ate the emurim: of a Passover-offering which came in uncleanness?[22]

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(1) Ex. XII, 9.
(2) Ex. XXXIV, 25.
(3) Isa. XXX, 29.
(4) On the Feast of Tabernacles, v. Lev. XXIII, 40.
(5) If the majority of those who should keep the second Passover are unclean, the sacrifice is not brought.
(6) Surely not.
(7) How does he rebut this argument?
(8) Deut. XVI, 7' 'Thy tents' is understood to refer to tents pitched without Jerusalem; but it cannot mean home, firstly because one might not travel on a Festival, and secondly because the pilgrimage burnt-offering was yet to be offered. The phrase 'in the morning' teaches that the night was to be spent in Jerusalem, even after the Passover sacrifice was consumed.
(9) Ibid. 8.
(10) I.e., only the Passover-offering which necessitates the eating of unleavened bread six days (actually seven; v. infra 120a), and prohibits leaven necessitates the spending of the night in Jerusalem; the first Passover alone fulfils this condition, but not the second. — Thus R. Judah is self-contradictory.
(11) The usual penalty for eating sacred flesh in a state of personal uncleanness. But if they actually entered the Temple too, they are liable to kareth on that account.
(12) Lev. VII, 19f.
(13) Hence when the Passover-offering comes in uncleanness, though zabin etc. may not eat of it, they nevertheless do not incur kareth.
(14) So the text as emended and Supra 67b.
(15) Num. V, 2.
(16) The hall containing the golden altar; the Temple proper, as opposed to the Temple court. Even priests might enter it only when necessary; here entry was unnecessary, since the offering was sacrificed in the Temple Court.
(17) I.e., no penalty is incurred on account of uncleanness.
(18) Even when they are not sent out of the entire camp, as here, they are sent out of the part where their presence is not necessary; hence if they enter it they incur kareth.
(19) Num. V, 3; 'mi-huz' implies right outside the whole of it.
(20) Lit., 'read in his case'.
(21) Hence, since he is not sent out of the whole camp, he is not liable.
(22) The emurim were burnt on the altar, and were therefore forbidden.

Talmud - Mas. Pesachim 96a

[Do we say,] since the uncleanness of the flesh was permitted, the uncleanness of the emurim too was permitted;[1] or perhaps, what was permitted was permitted, and what was not permitted was not permitted?Said Raba, Consider: whence is the uncleanness of emurim included?[2] From the uncleanness of the flesh, for it is written, That pertain onto the Lord,[3] which includes emurim: [hence] wherever the uncleanness of the flesh is interdicted, the uncleanness of the emurim is interdicted: while wherever [the interdict of] the uncleanness of the flesh is absent, [the interdict of] the uncleanness of the emurim is absent.

R. Zera asked: Where did they burn the emurim of the Passover offering of Egypt?[4] -Said Abaye, And who is to tell us that it was not prepared roast?[5] Moreover, surely R. Joseph learned: Three altars were there [for the sprinkling of the blood] viz., the lintel and the two doorposts.[6] Further, was there nothing else?[7]

M I S H N A H. WHAT IS THE DIFFERENCE BETWEEN THE PASSOVER-OFFERING OF EGYPT AND THE PASSOVER-OFFERING OF [SUBSEQUENT] GENERATIONS?[8] THE PASSOVER-OFFERING IN EGYPT WAS TAKEN ON THE TENTH [OF NISAN],[9] [ITS BLOOD] REQUIRED SPRINKLING WITH A BUNCH OF HYSSOP ON THE LINTEL AND ON THE TWO DOOR-POSTS, AND IT WAS EATEN IN HASTE ON ONE NIGHT; WHEREAS THE PASS OVER- OFFERING OF [SUBSEQUENT] GENERATIONS IS KEPT THE WHOLE SEVEN [DAYS].[10]

G E M A R A. Whence do we know it?-Because it is written, Speak ye unto all the congregation of Israel, saying: in the tenth day of this month they shall take [to them every man a lamb]:[11] the taking of this one was on the tenth , whereas the taking of the Passover-offering of [subsequent] generations is not on the tenth. If so, [when it is written,] And ye shall keep it [mishmereth] until the fourteenth day of this month,[12] does that too [intimate], this requires a four days' examination before slaughtering,[13] but no other requires examination? Surely it was taught, The son of Bag Bag[14] said: How do we know that the tamid[15] requires a four days' examination before slaughtering? Because it is said, Ye shall observe [tishmeru] to offer unto Me in its due season,[16] while elsewhere it is said, And ye shall keep it [mishmereth] until the fourteenth [etc.]:[17] just as there it requires a four days' examination before slaughtering, so here too it requires a four days examination before slaughtering? — There it is different, because tishmeru ['ye shall observe'] is written.[18] And thus [in connection with] the annual Passover-offering it is indeed written, then thou shalt keep this service in this month,[19] [which intimates] that all the services of this month [in subsequent generations] should be like this.[20] Hence that [word] 'this'[21] is to exclude the second Passover, which is like itself.[22]

But [again] if so, when it is written, and they shall eat the flesh in this night,[23] does that too [teach] that this is eaten at night, but another is not eaten at night?[24] -Scripture saith, then thou shalt keep this service [etc.].[25] Then what is the purpose of 'this'?- [It is required] for [the exegesis] of R. Eleazar b. 'Azariah and A. Akiba [respectively].[26]

But if so, when it is written, But no uncircumsized person shall eat thereof,[27] does that too [teach] that he may not eat 'thereof,' yet he may eat of the Passover-offering of [subsequent] generations?- [No, for] Scripture saith, 'Then thou shalt keep [this service etc.].' Then what is the purpose of 'thereof'?- Thereof he must not eat, but he eats unleavened bread and the bitter herbs. But if so, when it is written, There shall no alien eat thereof,[28] is it the case there too that he must not eat thereof, yet he eats of the Passover-offering of [subsequent] generations? — Scripture saith, 'Then thou shalt keep [etc.].' Then what is the purpose of 'thereof'?- In that case only ['thereof'] does apostasy disqualify, but apostasy does not disqualify in the case of terumah — Now it is necessary that an uncircumcised person should be stated, and it is necessary that an alien should be stated. For if the Divine Law stated an uncircumcised person, [I would say that he is disqualified] because he is repulsive, but an alien is not repulsive [so] I would say [that he is] not [excluded] from the Passover-offering]; hence [an alien] is necessary. And if we were informed about an alien, [I would argue that he is disqualified] because his heart is not toward Heaven, but [as for] an uncircumcised person, whose heart is toward Heaven,[29] I would say [that he is] not [excluded]. Thus both are necessary.

But if so, [when it is written,] A sojourner [toshab] and a hired servant [sakir] shall not eat thereof,[30] does that too [intimate] that he must not eat thereof, but he does eat of the annual Passover? — Scripture saith, 'Then thou shalt keep [etc.]'. Then what is the purpose of 'thereof'?- Only in this case does apostasy disqualify, but apostasy does not disqualify from terumah.[31] But if so, [when it is written, But every man's servant that is bought for money,] when thou hast circumcised him, then shall he eat thereof,[32] — does that too [intimate] that he must not eat thereof, but he does eat of the annual Passover? — Scripture saith, 'then thou shalt keep [etc.]'. Then what is the purpose of 'thereof' [bo]? Only in this case [bo] is the circumcision of his males and his slaves

indispensable,[33] but the circumcision of his males and his slaves is not indispensable in the case of terumah. But if so, when it is written, Neither shall ye break a bone thereof,[34] does that too [intimate] that he may not break [a bone] thereof, but he may break [a bone] of the annual Passover?-Scripture saith, 'then thou shalt keep [etc.]'. Then what is the purpose of 'thereof'? 'Thereof' [indicates] of a fit [sacrifice], but not of an unfit [one].[35]

But if so, when it is written, Eat not of it half-roast,[36] [does that too intimate,] of it you may not eat [half-roast], but you may eat half-roast of the annual Passover-offering?-Scripture saith, 'then thou shalt keep etc.' Then what is the purpose of 'of it'?- For the teaching of Rabbah in R. Isaac's name.[37]

AND WAS EATEN IN HASTE etc. How do we know it?- Because Scripture saith, and ye shall eat it in haste:[38] 'it' was eaten in haste, but no other was eaten in haste.

AND THE ANNUAL PASSOVER-OFFERING IS KEPT THE WHOLE SEVEN [DAYS] etc. To what does this refer? If we say, to the Passover-offering, — is there then a Passover-offering all the seven [days]?

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(1) So that liability on eating is not incurred on the grounds of their uncleanness, although there still remains the liability for the eating of emurim which are reserved for the altar.

(2) Whence do we learn that for eating emurim in an unclean state liability is incurred? — Actually only the uncleanness of the flesh is explicitly mentioned.

(3) Lev. VII, 20.

(4) No mention is made of an altar there.

(5) And eaten.

(6) I.e., there were three places for the sprinkling of the blood, corresponding to the altar in the Temple. But there was no altar for the burning of the emurim.

(7) In which the Passover-offering in Egypt differed from those offered in the Temple. Surely there were many points of difference (v. next Mishnah): why then assume that in this respect they were alike?

(8) 1.e., the annual Passover.

(9) Its owner had to take it four days beforehand, declaring, 'This is for the Passover-offering'.

(10) This is explained in the Gemara.

(11) Ex. XII, 3.

(12) Ibid. 6.

(13) It was taken on the tenth and examined every day until the fourteenth for a blemish.

(14) V. Aboth, Sonc. ed. p. 76, n. 7

(15) V. Glos.

(16) Num. XXVIII, 2.

(17) Tishmeru and mishmereth have the same root.

(18) Hence the animal must be examined daily for four days before it is sacrificed, and the same applies to the annual Passover-offering, though the latter is not actually declared to be taken for that purpose.

(19) Ex. XIII, 5.

(20) I.e., all the regulations of the Egyptian Passover hold good for the annual Passover too, and this includes the four days' examination. The special 'taking' however has been excluded by the exegesis above.

(21) In the verse, 'and ye shall keep it until the fourteenth day of this month'.

(22) Just as the Egyptian Passover was only one day, so is the annual second Passover of one day's duration only, and it is logical that 'this' should exclude another Passover which is similar to itself. Hence it teaches that the animal sacrificed at the second Passover does not require a four days' examination.

(23) Ex. XII, 8.

(24) Surely not-the annual Passover-offering was of course eaten at night.

(25) Ex. XIII, 5.

(26) According to the former, to teach that it may be eaten until midnight only; according to the latter, to show that it

may not be eaten two nights; v. Ber. 9a.

(27) Ibid. XII, 48.

(28) Ibid. 43. By 'alien' is understood not a non-Jew but a Jewish apostate, whose actions have alienated him from God.

(29) For this is understood to refer to one whose brothers died through circumcision, so that he fears the operation, but would otherwise have it performed.

(30) Ex. XII, 45.

(31) This seems quite unintelligible; Rashi deletes the whole passage on other grounds, observing that the answer is in any case pointless. Tosaf. in Yeb. 71 s.v. בו defends the present reading.

(32) Ibid. 44.

(33) The master may not partake of the Passover-offering until the males of his household are circumcised.

(34) Ex. XII, 46.

(35) V. supra 70a and 83a.

(36) Ibid. 9.

(37) Viz., that an uncircumcised person may not eat of tithe; v. Yeb. 74a.

(38) Ibid. 11.

Talmud - Mas. Pesachim 96b

— Rather [it must refer] to leaven. Hence it follows that at the Passover of Egypt [leaven was forbidden] one night and no more; but surely it was taught, R. Jose the Galilean said: How do we know that at the Passover of Egypt the [prohibition of] leaven was in force one day only? Because it is said, There shall no leavened bread be eaten[1] and in proximity [thereto] is written, This day ye go forth![2] -Rather this is its meaning: [The Passover-offering is kept] one night, and the same law applies to the annual Passover-offering; while [the prohibition of] leaven [was in force] the whole day, whereas at the Passover-offering of [subsequent] generations [the interdict of leaven] holds good for the entire seven [days].

MISHNAH. R.JOSHUA SAID: I HAVE HEARD [FROM MY TEACHERS] THAT THE SUBSTITUTE OF A PASSOVER-OFFERING[3] IS OFFERED,[4] AND THAT THE SUBSTITUTE OF A PASSOVER-OFFERING IS NOT OFFERED,[5] AND I CANNOT EXPLAIN IT.[6] SAID R. AKIBA, I WILL EXPLAIN IT: THE PASSOVER-OFFERING WHICH WAS FOUND BEFORE THE SLAUGHTERING OF THE PASSOVER-OFFERING MUST BE LEFT TO GRAZE UNTIL IT BECOMES UNFIT,[7] BE SOLD, AND ONE BRINGS A PEACE-OFFERING FOR ITS MONEY; AND THE SAME APPLIES TO ITS SUBSTITUTE. [IF FOUND] AFTER THE SLAUGHTERING OF THE PASSOVER, IT IS OFFERED AS A PEACE-OFFERING, AND ITS SUBSTITUTE LIKEWISE.[8]

G E M A R A. BUT LET HIM SAY, The Passover-offering is offered, and the Passover-offering is not offered?[9] -He informs us this, [viz.,] that there is a substitute of a Passover-offering which is not offered [as a peace-offering].[10] It was stated: Rabbah said: We learned, Before slaughtering and after slaughtering;[11] R. Zera maintained: We learned, Before midday and after midday.[12] But according to R. Zera, surely he teaches, BEFORE THE SLAUGHTERING OF THE PASSOVER-OFFERING?-SAY: BEFORE THE TIME OF THE SLAUGHTERING OF THE PASSOVER-OFFERING,[13]

This is dependent on Tannaim: The Passover which is found before slaughtering must graze [etc.]; [if found] after slaughtering, it is offered. R. Eleazar said: [If found] before midday it must graze [etc.]; after midday, it is offered.

[IF IT IS FOUND] AFTER THE SLAUGHTERING OF THE PASSOVER, HE BRINGS IT AS A PEACE-OFFERING etc. Raba[14] said:They learned this only if it was found after the slaughtering and he substituted [another] for it after the slaughtering. But if it was found before the slaughtering

while he substituted [another] for it after the slaughtering, its substitute derives from the power of rejected sanctity, and it cannot be offered.[15] Abaye raised an objection against him: If [he bring] a lamb [for his offering' etc.]:[16] for what purpose is 'if [he bring] a lamb' stated? To include the substitute of a Passover-offering after Passover, [teaching] that it is offered as a peace-offering. How is it meant? If we say that it was found after the slaughtering and he substituted [another] for it after the slaughtering, then it is obvious:[17] why do I require a verse? Hence it must surely apply where it was found before slaughtering and he substituted [another] for it after slaughtering?[18] — No: in truth it applies where it was found after slaughtering and he substituted [another] for it after slaughtering, while the verse is a mere support.[19]

Then for what [purpose] does the verse come?[20] -For what was taught: '[If he bring] a lamb [etc.]': this is to include the Passover-offering, in respect of its fat tail.[21] When it is stated, 'If [he bring] a lamb,' this is to include [an animal] more than a year old [dedicated for] a Passover-offering[22] and a peace-offering which comes in virtue of a Passover-offering[23] , in respect of all the regulations of the peace-offering, [viz.,] that they require laying [of the hands],[24] libations, and the waving of the breast and shoulder. Again, when it states, and if [his offering be] a goat,[25] it breaks across the subject [and] teaches of a goat that it does not require [the burning of the] fat tail [on the altar].[26]

Others recite it [Raba's dictum] in reference to the first clause: THE PASSOVER-OFFERING WHICH WAS FOUND BEFORE THE SLAUGHTERING OF THE PASSOVER-OFFERING MUST GRAZE UNTIL IT BECOMES UNFIT, BE SOLD, AND ONE BRINGS A PEACE-OFFERING FOR ITS MONEY, AND THE SAME APPLIES TO ITS SUBSTITUTE. Said Raba, They learned [this] only where It was found before the slaughtering and he substituted [another] for it before the slaughtering. But if it was found before the slaughtering and he substituted [another] for it after the slaughtering, it is offered as a peace-offering. What is the reason? The slaughtering [of the Passover-offering] stamps [with its sanctity] only something that is eligible therefor, [but] it does not stamp [with its sanctity] that which is not eligible therefor.[27]

Abaye raised an objection against him: 'If [he bring] a lamb [etc.]': what is its purpose? To include the substitute of a Passover-offering after Passover, [teaching] that it is offered as a peace-offering.

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(1) Ibid. XIII, 3.

(2) Ibid. 4; v. supra p. 130, n. 9. Thus it was prohibited the whole day, not during the night only.

(3) When an animal is dedicated for a sacrifice, another must not be declared as a substitute for it; if it is, both animals are holy, the holiness of the second being of the same nature as that of the first. But the substitute of a Passover-offering cannot be offered as such, but must be kept until after the Festival. Normally if a Passover-offering is not sacrificed at the proper time, e.g.,if it was lost, it is subsequently sacrificed as a peace-offering.

(4) As a peace-offering, after Passover.

(5) As a peace-offering, but must graze until it becomes blemished, whereupon it is redeemed.

(6) When it is offered and when it is not.

(7) Through a blemish.

(8) The animal originally dedicated for the Passover was lost, and another was dedicated in its stead. Now if it was found again before the second was slaughtered or before the time of slaughtering the Passover in general (the exact meaning is disputed in the Gemara), the fact that it was present at the time of slaughtering stamps it as a Passover, and by not slaughtering it, one has rejected it, as it were, with his own hands. Consequently, it can no longer be offered itself, but must be sold, etc. If after finding it he substituted another animal for it, that too is governed by the same law, as stated in n. I. But if it was found after the second was killed, the time of the slaughtering has not stamped it with the name of a Passover-offering, nor has it been rejected therefrom. Consequently, it is brought itself after the Festival as a peace-offering.

(9) Why does R. Joshua speak about the substitute of a Passover: surely he could say the same about the Passover itself?

(10) For I might otherwise think that since the substitute cannot be sacrificed as a Passover-offering, it is as though he dedicated it in the first place for a peaceoffering, and therefore must itself be offered as such in all cases, irrespective of what happens to the original. Hence he informs us that where the original cannot be offered, the substitute too cannot be offered.
(11) I.e., if it was found before or after the second was actually slaughtered.
(12) The time for slaughtering the Passover is from midday until evening. R. Zera maintains that if it is still unfound by midday, it can no longer be stamped as a Passover-offering even if it is found before the second is actually slaughtered, and therefore is subsequently sacrificed itself as a peace-offering.
(13) This does not emend the Mishnah but rather explains it.
(14) Var. lec. Rabbah.
(15) I.e., since the original is rejected, as explained in n. 6 on the Mishnah, the substitute is in the same position.
(16) Lev. III, 7. This refers to a peace-offering, and it is superfluous. For v. 6 states, and if his offering... be of the flock, while v. 12 states, and if his offering be a goat: since 'flock' only comprises goats and lambs, v. 6 must refer to lambs, which renders v. 7 unnecessary. Hence it must be written for a particular exegesis.
(17) Since it follows from the general principle of substitution, as explained in n. 1 and 6 on the Mishnah.
(18) And we are then informed that although the original itself cannot be offered, its substitute is offered!
(19) But not the actual source of the law, which follows indeed from general principles.
(20) Since it is superfluous, as explained on p. 519, n. 6.
(21) The fat tail of all other sacrifices is explicitly stated to be part of the emurim which are burnt on the altar (v. Lev. III, 9; VII, 3). The burning of the emurim is not mentioned at all in connection with the Passover, however, but deduced from elsewhere (v. supra 64b); consequently a verse is required to teach that the fat tail too is included.
(22) Hence unfit for its purpose (v. Ex. XII, 5).
(23) E.g., the substitute for a Passover-offering, or where the owner of a Passover-offering registered for a different animal, so that the first is a Passover remainder; both are sacrificed as peace-offerings.
(24) V. Lev. III, 2.
(25) Ibid. 12.
(26) 'And if' is regarded as a disjunctive, teaching that the provisions that apply to a lamb do not apply to a goat, unless expressly stated. The fat tail is mentioned in connection with the former (v. 9) but not the latter.
(27) I.e., if the animal is dedicated for a Passover-offering, the act or time of slaughtering the second animal stamps it with that sanctity, and since it was not offered then, it was rejected and must graze. But the act of slaughtering cannot stamp an animal with that sanctity, that it should be regarded as rejected if it was not fit for a Passover-offering at the time, and in the latter case this substitute was indeed unfit, since at that time it was as yet unconsecrated. Consequently now that it is consecrated, it is offered itself as a peace-offering.

Talmud - Mas. Pesachim 97a

You might think that it is also thus before Passover,[1] therefore it is stated, 'it':[2] 'it' is offered [as a peace-offering], but the substitute of a Passover-offering is not offered [as such] —[3] How is it meant? If we say that it was found before slaughtering and he substituted [another] for it before slaughtering, then it is obvious![4] Why do I require a verse? Hence it must surely apply to where it was found before the slaughtering, 'while he substituted [another] for it after the slaughtering. Thus the refutation of Raba is indeed a refutation.[5]

Samuel said: Whatever must be left to perish in the case of a sin-offering, is brought as a peace-offering in the case of a Passover,[6] and whatever must be left to graze in the case of a sin-offering,[7] must also be left to graze in the case of a Passover. While R. Johanan said: No Passover is brought as a peace-offering save that which is found after the slaughtering, but not [if it is found] before the slaughtering. To this R. Joseph demurred: Now is this a general rule? Surely there is the sin-offering more than a year old, which goes forth to pasture,[8] for R. Simeon b. Lakish said: A sin-offering more than a year old, we regard as though it stood in a cemetery,[9] and it must be left to graze; whereas a Passover in such a case is brought as a peace-offering, for it was taught: '[If he bring] a lamb [etc.]': this is to include the Passover-offering, in respect of its fat tail. When it is

stated, 'If [he bring] a lamb,' this is to include [an animal] more than a year old [dedicated for] a Passover and a peace-offering which comes In virtue of a Passover-offering in respect of all the regulations of a peace-offering,[10] [viz.,] that they require laying [of the hands], libations, and the waving of the breast and shoulder. Again, when it [Scripture] states, 'and if [his offering be] a goat', it breaks across the subject and teaches of a goat that it does not require [the burning of its] fat tail [on the altar]![11] — Said he to him, Samuel spoke only of lost [sacrifices],[12] but he did not say it of rejected [animals]. Yet is [this principle] possible [in the case of] a lost [sacrifice]? Surely an [animal which was] lost at the time of separating [another],[13] in the view of the Rabbis goes to pasture [until it receives a blemish], for we learned: If he set apart [an animal as] his sinoffering and it was lost, and he [then] set apart another in its stead, and [then] the first was found again, and behold! both stand [before us], [any] one of them may be sacrificed, while the other must die: this is Rabbi's ruling. But the Sages maintain: No sin-offering must die except one found after its owner has been atoned for.[14] Hence [if found again] before its owner was atoned for, it must graze. Whereas in the case of a Passover-offering, if it was lost and found again after midday [but] before the slaughtering [of the second], it is brought as a peace-offering? — Samuel agrees with Rabbi, who maintained: A lost animal goes forth to perish. But every lost [sin-offering], according to Rabbi, is left to die, whereas in the case of a Passover-offering, if it was lost before midday and found again before midday it must be left to graze?- [If found] before midday it is not [regarded as lost],[15] in accordance with Raba. For Raba said: A loss at night is not designated a loss .[16]

Then according to Rabbi, how is it possible that [a sin.offering] should be left to graze?

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(1) That the substitute of a Passover which is found before Passover is offered as a peace-offering.

(2) He seems to translate, If it (hu) is a lamb (which) he brings etc. , and treats the 'it' as a limitation.

(3) this does not mean that where the Passover itself is offered as a peace-offering its substitute is not, but that there is a substitute of the Passover which is not offered as a peace-offering.

(4) that it cannot be offered itself', having been rejected as explained in n. 6 on the Mishnah.

(5) Here we cannot answer that the verse is a mere support, as above, for in that case what is the purpose of the verse?

(6) There are five cases of the former: (i) the offspring of a sin-offering; (ii) the substitute of a sin-offering; (iii) a sin-offering whose owner died; (iv) a sin-offering which was lost, and refound after its owner had made atonement with another; and (v) a sin-offering more than a year old. All these must be allowed to perish. It is now assumed that all these, in the case of a Passover (the first of course is excluded, the Passover being a male), are brought as a peace-offering.

(7) until it receives a blemish, when it can be redeemed.-It is discussed anon which these are.

(8) Until it receives a blemish.

(9) Thus inaccessible to the priest for sacrifice-i.e., it cannot be sacrificed.

(10) This is the point of the objection.

(11) V. supra 96b for notes.

(12) I.e,, iv in p. 521, n. 7.

(13) If a sin-offering was lost and another consecrated, and then the first was found again before the second was sacrificed, so that the first was a lost animal only when the second was set apart, but not when it was sacrificed.

(14) By another offering.

(15) Even if another had been separated in its place.

(16) If a sin-offering was lost at night, and another was separated in its stead, and the first was found by the morning, even on Rabbi's view It is not regarded as having been lost, since it could not have been sacrificed at night in any case, and therefore it goes forth to pasture. By the same reasoning, if the lost Passover-offering is found before midday, it is not regarded as having been lost, since it could not have been sacrificed before midday.

— In accordance with R. Oshaia. For R. Oshaia said: If he set apart two sin-offerings as security,[1] he is atoned for by one of them, while the second must be left to graze. Yet surely a Passover-offering in such a case is brought as a peace-offering?[2] — Rather, Samuel holds as R.

Simeon, who maintained: The five sin-offerings are left to die.[3] But surely R. Simeon does not hold at all that [any sin-offering] must be left to graze?[4] Samuel too stated one rule [only]: Whatever must be left to perish in the case of a sin-offering must be left to graze in the case of a Passover-offering. Then what does he inform us?[5] — [His purpose is] to rebut R. Johanan, who said: No Passover is brought as a peace-offering except if it is found after the slaughtering, but not [if it is found] before the slaughtering, which proves that [in his opinion] the slaughtering stamps [it as a rejected animal]; hence he [Samuel] informs us that midday stamps [it]. Another version: Whereas in the case of the Passover, where it is lost and found after midday [but] before the slaughtering [of the second], it is brought as a peace-offering?[6] — Samuel agrees with Rabbah, who maintained: The slaughtering stamps [it].[7] But surely, since R. Johanan said thereon: 'No Passover-offering is brought as a peace-offering save when it is found after the slaughtering, but not [if it is found] before the slaughtering,' which proves that [in his opinion] the slaughtering stamps [it], it follows that Samuel holds [that] midday stamps it?- Rather Samuel agrees with Rabbi, who ruled: A lost [sacrifice] goes forth to perish — But all lost [sacrifices] are left to perish, in Rabbi's opinion, whereas in the case of the Passover-offering, where it is lost before midday and found before midday it must be left to graze? — He holds that [if it is found] before midday it is not [regarded as] lost, and he also holds: Midday stamps [it].

M I S H N A H. IF A MAN SETS ASIDE A FEMALE OR A TWO-YEAR OLD MALE FOR HIS PASSOVER-OFFERING,[8] IT MUST BE LEFT TO GRAZE UNTIL IT BECOMES UNFIT,[9] THEN BE SOLD, AND ITS MONEY IS SPENT[10] ON A VOLUNTARY SACRIFICE, ON A PEACE-OFFERING.[11]

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(1) Each as security for the other, in case the other is lost.

(2) For this is definitely a case where one is a remainder', not a rejected sacrifice.

(3) v. supra 97a. Those die in all cases, this holding good of iv whether it was refound before atonement was made with the second or after. Similarly, if two are set aside as a security for each other, the unsacrificed one must die.

(4) How then can Samuel say', whatever must be left to graze in the case of a sin-offering'?

(5) Since all sin-offerings must be left to die, it follows that Samuel teaches that all lost Passover-offerings are brought as peace-offerings. But this is already taught in the Mishnah, viz., IF THE PASSOVER-OFFERING IS FOUND AFTER THE SLAUGHTERING, IT IS BROUGHT AS A PEACE-OFFERING; this is explained supra as meaning after the time for slaughtering, i.e., after midday, which proves that if it is still lost at midday it is brought as a peace-offering.

(6) This is another version of the difficulty raised supra 97a: 'But surely an animal which was lost at the time of separating another, in the view of the Rabbis goes to pasture, whereas in the case etc. (continuing as in the text).

(7) V. supra 96b. Hence if found before the second is slaughtered it goes to pasture.

(8) Both are ineligible; v. Ex. XII, 5. 'A two-year old' means in its second year.

(9) Through a blemish.

(10) Lit., 'falls'.

(11) In the separate edition of the Mishnah 'On a peace-offering' is omitted, while Tosaf. in Zeb. 9b s.v. חד gives the reading as, 'and he brings a peace-offering with its money'. — By separating it for a Passover-offering he has stamped it as such, and since it is unfit, it is regarded as a rejected sacrifice, which cannot be offered itself but must be redeemed and the money expended on a sacrifice. Cf. Mishnah on 96b and n. 6 a.l.

Talmud - Mas. Pesachim 98a

IF A MAN SEPARATES HIS PASSOVER-OFFERING AND DIES, HIS SON AFTER HIM MUST NOT BRING IT AS A PASSOVER-OFFERING[1] BUT AS A PEACE-OFFERING.

G E M A R A.R.Huna son of R.Joshua said, This proves three things: [i] Live animals may be [permanently] rejected;[2] [ii] that which is rejected [even] ab initio is rejected;[3] and [iii] rejection is applicable to monetary sanctity.[4]

IF A MAN SEPARATES HIS PASSOVER-OFFERING etc. Our Rabbis taught: If a man separates his Passover-offering and dies, — If his son is registered with him, he must bring it as a Passover-offering; [if] his son is not registered with him, he must bring it as a peace-offering on the sixteenth [of Nisan].[5] Only on the sixteenth, but not on the fifteenth: he holds, Vows and voluntary offerings[6] may not be offered on a Festival.

Now when did the father die? Shall we say that he died before midday [then how is it stated], 'if his son is registered with him he must bring it as a peace-offering'? — But surely aninuth [bereavement] has previously fallen upon him![7] Again, if he died after midday, '[if] his son is not registered with him, he must bring it as a peace-offering'?-But midday has stamped it?[8] Said Rabbah: In truth it is meant where he died before midday, and what does 'he must bring it as a Passover-offering' mean? He must bring it for the second Passover.[9] Abaye said, It is taught disjunctively: If he died after midday, [and] his son is registered with him, he must bring it for the sake of a Passover. If he died before midday, [and] his son is not registered with him, he must bring it as a peace-offering. R. Sherabia said: In truth it means where he died after midday, the case being e.g., where his father was in a dying condition at midday.[10] R. Ashi said: In truth it means that he died after midday,[11] this being in accordance with R. Simeon, who maintained: Live animals cannot be [permanently] rejected.[12] Rabina said: [It means] e.g., where he set it aside after midday and its owner died after midday, and he holds: [only] midday establishes it .[13]

M I S H N A H. IF A PASSOVER-OFFERING BECAME MIXED UP WITH OTHER SACRIFICES, ALL MUST BE LEFT TO GRAZE UNTIL THEY BECOME UNFIT [THROUGH A BLEMISH], THEN BE SOLD, AND FOR THE PRICE OF THE BEST ONE MUST PURCHASE [AN ANIMAL] OF EACH DENOMINATION, AND MAKE UP[14] THE EXCESS FROM ONE'S PRIVATE PURSE.[15] IF IT BECAME MIXED UP WITH FIRSTLINGS,[16] -R. SIMEON SAID: IF [THE PASSOVER-OFFERING BELONGED TO] A COMPANY OF PRIESTS, THEY EAT [ALL ON THAT NIGHT].[17]

G E M A R A.

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(1) As now there are none registered for it.

(2) As here: the animal being rejected from its original purpose, viz., a Passover-offering, it remains ineligible even for a peace-offering, for which it is fit, but must graze. There is an opposing view in Yoma 63b, and quoted infra, that only a dead animal can be rejected permanently.

(3) This animal was not eligible for its purpose from the very outset. There is an opposing view in Suk. 33b that an animal can be permanently rejected only if it was originally eligible.

(4) Since this animal is unfit for a Passover-offering, it was sanctified from the very outset only for its value, viz., that its redemption money should be expended on a sacrifice. Nevertheless it becomes permanently ineligible for the altar.

(5) I.e., on the first of the Intermediate Days.

(6) P. 288, n. 3.

(7) Before the obligation of the Passover, which commences at midday. It is stated supra 91a that the Passover must not be sacrificed on behalf of an onen (v. Glos.) by himself, whereas the present passage implies that he brings it himself, even when he is not registered with others.

(8) As a Passover, and since it cannot be sacrificed as such it remains rejected and cannot be offered itself, as supra 96b ff.

(9) If he did not keep the first through his bereavement.

(10) Hence if his son was registered with him, he must bring it as a Passover, since that obligation preceded his bereavement. But if his son was not registered with him, he must bring it as a peace-offering, for since his father was already in a dying condition, midday did not establish it as a Passover-offering.

(11) But was not necessarily dying at midday.

(12) Save when they become actually unfit, e.g.,if they receive a blemish or are given as a harlot's hire (v. Deut. XXIII, 19).

(13) But not the rest of the time allotted for its slaughtering. Hence it has not been established and therefore it cannot be rejected. Consequently, if his son was not registered with him, he must bring it as a peace-offering.
(14) Lit., 'lose'.
(15) Lit., 'house'. Thus: if three lambs of unequal value, one dedicated for a Passover-offering, another for a guilt-offering, and the third for a burnt-offering, became mixed up, they must all be sold. Since the best may have been any of the three sacrifices, he must buy an animal for each sacrifice at the cost of the best; naturally he will need more than they realized, and he must make that up himself.-Instead of 'he must lose' there is a variant: 'and he must set aside'.
(16) Which are offered in the same way as Passover-offerings, viz., the blood of both is sprinkled in the same way, and neither require the waving of the breast and shoulder, nor laying of the hands, nor libations.
(17) Stipulating at the time of slaughtering: 'Whichever is the Passover-offering, we sacrifice it as such, and whichever is the firstling, we offer it as such'.

Talmud - Mas. Pesachim 98b

But he brings sacrifices to the place of unfitness?[1] -R. Simeon is consistent with his view, for he maintains: One may bring sacrifices to the place of unfitness.[2] For we learned: If a guilt-offering was mixed up with a peace-offering, — R. Simeon said: They must be slaughtered at the north [side of the altar][3] and eaten in accordance with [the laws of] the more stringent of them.[4] Said they to him: One may not bring sacrifices to the place of unfitness.[5]

Now according to the Rabbis, what do we do?[6] -Said Raba: We wait until they receive a blemish. Then he brings a choice animal and declares: 'Wherever the Passover-offering may be,[7] let it[s sanctity] be transferred to this one,'[8] and he eats them In accordance with the laws of a blemished firstling.[9]

M I S H N A H. IF A COMPANY LOST THEIR PASCHAL SACRIFICE AND INSTRUCTED ONE [OF THEIR NUMBER], 'GO AND SEEK IT, AND SLAUGHTER IT ON OUR BEHALF'; AND HE WENT, FOUND, AND SLAUGHTERED IT, WHILE THEY [Also] TOOK AN ANIMAL AND SLAUGHTERED [IT]: IF HIS WAS SLAUGHTERED FIRST, HE EATS OF HIS AND THEY EAT WITH HIM.[10] WHILE IF THEIRS WAS FIRST SLAUGHTERED, THEY EAT OF THEIRS,[11] WHILE HE EATS OF HIS.[12] BUT IF IT IS UNKNOWN WHICH OF THEM WAS FIRST SLAUGHTERED, OR IF THEY KILLED BOTH OF THEM AT THE SAME TIME, HE EATS OF HIS, BUT THEY MAY NOT EAT WITH HIM;[13] WHILE THEIRS GOES FORTH TO THE PLACE OF BURNING,[14] AND THEY ARE EXEMPT FROM KEEPING THE SECOND PASSOVER.[15]

IF HE SAID TO THEM, IF I DELAY, GO FORTH AND SLAUGHTER ON MY BEHALF,'[16] [AND] THEN HE WENT AND FOUND AND SLAUGHTERED [IT], WHILE THEY TOOK [ANOTHER] AND SLAUGHTERED [IT], IF THEIRS WAS SLAUGHTERED FIRST, THEY EAT OF THEIRS WHILE HE EATS WITH THEM.[17] WHILE IF HIS WAS SLAUGHTERED FIRST, HE EATS OF HIS[18] AND THEY EAT OF THEIRS.[19] But IF IT IS UNKNOWN WHICH OF THEM WAS SLAUGHTERED FIRST, OR IF THEY SLAUGHTERED BOTH OF THEM AT THE SAME TIME, THEY EAT OF THEIRS, BUT HE MAY NOT EAT WITH THEM, WHILE HIS OWN GOES FORTH TO THE PLACE OF BURNING, AND HE IS EXEMPT FROM KEEPING THE SECOND PASSOVER.[20]

IF HE INSTRUCTED THEM, AND THEY INSTRUCTED HIM,[21] THEY MUST ALL EAT OF THE FIRST [TO BE SLAUGHTERED],[22] AND IF IT IS UNKNOWN WHICH OF THEM WAS SLAUGHTERED FIRST, BOTH GO FORTH TO THE PLACE OF BURNING.[23]

IF HE DID NOT INSTRUCT THEM AND THEY DID NOT INSTRUCT HIM,[24] THEY ARE NOT RESPONSIBLE FOR EACH OTHER.[25]

IF THE PASCHAL SACRIFICES OF TWO COMPANIES BECOME MIXED UP, THESE TAKE POSSESSION OF ONE [ANIMAL] AND THOSE TAKE POSSESSION OF ONE. ONE MEMBER OF THESE JOINS THOSE, AND ONE MEMBER OF THOSE JOINS THESE, AND THEY DECLARE THUS:[26] IF THIS PASCHAL SACRIFICE IS OURS, YOUR HANDS ARE WITHDRAWN FROM YOUR OWN AND YOU ARE REGISTERED FOR OURS; WHILE IF THIS PASCHAL SACRIFICE IS YOURS,[27] OUR HANDS ARE WITHDRAWN FROM OURS AND WE ARE REGISTERED FOR YOURS.[28] SIMILARLY, IF THERE ARE FIVE COMPANIES CONSISTING OF FIVE MEMBERS EACH OR OF TEN EACH, THEY DRAW ONE FROM EACH COMPANY TO THEMSELVES AND MAKE THE FOREGOING DECLARATION.[29]

IF THE PASCHAL SACRIFICES BELONGING TO TWO [SINGLE INDIVIDUALS] BECOME MIXED UP, EACH TAKES POSSESSION OF ONE [ANIMAL]; THIS ONE REGISTERS A STRANGER[30] WITH HIMSELF AND THAT ONE REGISTERS A STRANGER WITH HIMSELF.[31] THE FORMER GOES OVER TO THE LATTER SACRIFICE AND THE LATTER GOES OVER TO THE FORMER SACRIFICE, AND THEY [I.E., EACH OWNER] DECLARE THUS: IF THIS PASCHAL SACRIFICE IS MINE, YOUR HANDS ARE WITHDRAWN FROM YOUR OWN AND YOU ARE REGISTERED FOR MINE; WHILE IF THIS PASCHAL SACRIFICE IS YOURS, MY HANDS ARE WITHDRAWN FROM MINE AND I AM REGISTERED FOR YOURS.'[32]

G E M A R A. Our Rabbis taught: if he instructed them and they instructed him, they must [all] eat of the first. If he did not instruct them and they did not instruct him, they are not responsible for each other.[33]

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(1) This difficulty arises on R. Simeon's ruling. A firstling may be eaten two days and the night in between, whereas the Passover-offering may be eaten only on the first night. Thus if it is not eaten by morning he must burn it as nothar (v. Glos.), whereas it is actually still fit.

(2) In such a case, rather than let them graze until they receive a blemish, which is the only alternative.

(3) The side prescribed for the slaughtering of a guilt-offering. Peace-offerings could be slaughtered on any side of the Temple Court.

(4) I.e., as guilt-offerings, viz., during one day and a night only, within the Temple precincts, and by male priests.-A peace-offering is eaten two days and one night, anywhere in Jerusalem, and by Israelites as well as priests.

(5) But they must be left to graze until blemished.

(6) When a Passover-offering is mixed up with a firstling. When it is mixed up with a burnt-offering or guilt-offering, or when a peace-offering is mixed up with a guilt-offering, the expedient stated in the Mishnah is possible. But a firstling, even when blemished, can not be redeemed in the sense that it becomes hullin but must be eaten by a priest with its blemish; while on the other hand when a Passover-offering receives a blemish, it must be redeemed and may not be eaten otherwise.

(7) I.e., whichever of these two animals is the Passover.

(8) Thus whichever is the Passover-offering is redeemed.

(9) These are: it may not be slaughtered or sold in the ordinary abattoir, nor weighed with the ordinary weights. These restrictions do not apply to a redeemed Passover-offering, and would not apply here if he knew which it was.

(10) By instructing him to slaughter it on their behalf they become registered for his and cannot register for another after the first was slaughtered. Hence their own is unfit and must be burnt.

(11) By slaughtering their own first they ipso facto cancelled their registration for the original, which is permissible, v. supra 89a.

(12) But not of theirs, since he had not registered with them.

(13) Lest their own was slaughtered first, whereby they had cancelled their registration for his.

(14) For his may have been killed first; v. n. 4.

(15) Because they were certainly registered for one animal at the first Passover, while the eating is not indispensable.

(16) But they did not instruct him to slaughter the lost animal on their behalf.
(17) While his own must be burnt, for according to his instructions he was now registered for theirs; hence his is unfit, having none registered for it.
(18) Cf. p. 528, n. 5.
(19) For they were not registered for his, since they had not instructed him to slaughter it on their behalf.
(20) Cf. p. 528, n. 9.
(21) He instructed them to slaughter on his behalf if he delayed, and they instructed him to slaughter on their behalf if he found the lost animal.
(22) For which they are all automatically registered now.
(23) Each must thus go forth lest it was slaughtered last and had none registered for it.
(24) To slaughter on each other's behalf.
(25) Each party eats of its own, whatever the order of their slaughtering.
(26) Each company declares thus to the newcomer.
(27) I.e., it belongs to your first company.
(28) One of each company must join the other, for otherwise each company would have to withdraw en masse from their own, if it had been taken by the second, thus leaving it momentarily entirely without owners, and this is forbidden.
(29) Each company consists of four new members and one original member. The latter (or all the original members, where each company consisted of more than five) makes the foregoing declaration to each new member in turn.
(30) Lit., 'a man from the street'.
(31) Thus there are now two registered persons for each sacrifice.
(32) The general reasoning is the same as in the previous cases.
(33) Thus in the first case one animal must be destroyed, whatever happens, while in the second both are eaten.

Talmud - Mas. Pesachim 99a

Hence the Sages said: Silence is better for the wise, and how much more so for fools, as it is said, Even a fool, when he holdeth his peace, is counted wise.[1] IF THE PASCHAL SACRIFICES BELONGING TO TWO [SINGLE

PERSONS] BECOME MIXED UP etc. Shall we say that our Mishnah does not agree with R. Judah? For it was taught: And if the household be too little for a lamb:[2] this teaches that they may go on decreasing [their numbers] ,[3] providing, however, that one of them remains:[4] this is R. Judah's view. R. Jose said: Providing that they do not leave the Paschal sacrifice as it is![5] — Said R. Johanan: You may even say [that it agrees with] R. Judah. Since R. Judah said, One may not slaughter the Passover-offering for a single person, then from the outset he stood to register another with himself, and he [the newly-registered person] is accounted as one of the [original] members of the company. R. Ashi said: Our Mishnah too proves this, for it teaches, SIMILARLY, IF THERE ARE FIVE COMPANIES CONSISTING OF FIVE MEMBERS EACH: thus,only of five [each], but not [if some consist] of five and [others of] four;

is not[the reason] because one of the [original] members of the company does not remain with it?[6] This proves it.

C H A P T E R X

M I S H N A H.

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(1) Prov. XVII, 28.
(2) Ex. XII, 4.
(3) V. supra p.474, n. 3.
(4) For 'if it be too few' implies that someone at least is registered for it.
(5) Without owners. Now R. Judah must mean that one of the persons who originally registered for it, when the animal

was first set aside for a Passover-offering, must remain registered for it, while in R. Jose's opinion it is sufficient that someone remains, even if he is not of those who originally registered for it. For if R. Judah's view Is not as stated, it does not differ in any way from R. Jose's. But in the Mishnah, when A, the only original owner of one of the sacrifices, declares, 'If this animal is not mine, I withdraw from the other and register for this', the other is left without anyone who first registered for it, since A is the only original owner.

(6) If it consisted of less than five, and one joins each other's company. For if it were unnecessary for all original member to remain, the Mishnah could teach that whatever the number of original members, each company increases itself to five and then does as stated.

Talmud - Mas. Pesachim 99b

ON THE EVE OF PASSOVER[1] CLOSE TO MINHAH[2] A MAN MUST NOT EAT UNTIL NIGHTFALL. EVEN THE POOREST MAN IN ISRAEL MUST NOT EAT [ON THE NIGHT OF PASSOVER] UNTIL HE RECLINES;[3] AND THEY[4] SHOULD GIVE HIM NOT LESS THAN FOUR CUPS [OF WINE],[5] AND EVEN [IF HE RECEIVES RELIEF] FROM THE CHARITY PLATE.[6]

G E M A R A. Why particularly THE EVE OF PASSOVER? Even the eves of Sabbaths and Festivals too [are subject to this law]? For it was taught: A man must not eat on the eves of Sabbaths and Festivals from minhah and onward, so that he may enter [i.e., commence] the Sabbath with an appetite [for food]: [these are] the words of R. Judah. R. Jose said: He may go on eating until nightfall! — Said R. Huna: This [our Mishnah] is necessary only on the view of R. Jose, who said: He may go on eating until nightfall: that is only on the eves of Sabbaths and [other] Festivals; but with respect to the eve of Passover he agrees [with R. Judah], because of the duty of [eating] unleavened bread.[7] R. Papa said: You may even say [that it must be taught on] R. Judah['s view too]: there, on the eve of Sabbaths and Festivals, it is forbidden only from minhah and after, but close to minhah it is permitted; whereas on the eve of Passover it is forbidden even close to minhah too. Now is it permitted just before minhah on the eve of the Sabbath and Festivals? Surely it was taught: A man must not eat on the eve of the Sabbath or Festivals from nine hours[8] and onwards, in order that he may enter the Sabbath with an appetite: [these are] the words of R. Judah. R. Jose said: He may go on eating until nightfall? — Said Mar Zutra: Who is to tell us that this is authentic?

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(1) Lit., 'on the eve of Passovers'. Tosaf. suggests that this may mean either on the eve when Passover-offerings are sacrificed, or on the eve of the first and second Passovers. But there is a variant reading ON THE EVES OF PASSOVER, the whole being in the plural; its meaning will then be on the eve of (every) Passover, as translated in the text, Heb. often using the plural in this way.

(2) V. Glos.; i.e., from just before minhah.

(3) As a sign of freedom, this being the practice in ancient days.

(4) Rashbam and Tosaf.: the charity overseers.

(5) Which every Jew must drink on the night of Passover. These correspond to the four expressions of redemption employed in Ex. VI, 6f: I will bring you out from under the burdens of the Egyptians, and I will deliver you from their bondage, and I will redeem you with an outstretched arm, and with great judgments; and I will take you to me for a people (commentaries and Jerusalemi).

(6) Tamhuy, daily distributed food collected from contributors, soup kitchen (Jast.). This was available only to the poorest of the poor, for he who had enough even for two meals only might not receive from the tamhuy (Pe'ah VIII, 7); even such must drink four cups of wine on the night of Passover.

(7) For since the eating of unleavened bread on the first night of Passover is compulsory (v. Ex. XII, 18) it is unfitting that should be eaten when one is already satisfied.

(8) I.e., about three p.m., whereas minhah time was nine and a half hours, about half past three p.m., two and a half hours before nightfall.

Talmud - Mas. Pesachim 100a

Talmud - Mas. Pesachim 100a

Perhaps it is a corrupted version.[1] Said Meremar to him — others state, R. Yemar; I visited the session of R. Phineas the son of R. Ammi, and a tanna arose and recited it[2] before him and he accepted it [as correct]. If so, there is a difficulty? Hence it is clearly [to be explained] as R. Huna.[3]

Yet is it satisfactory according to R. Huna? Surely R. Jeremiah said in R. Johanan's name-others state, R. Abbahu said in the name of R. Jose b. R. Hanina — : The halachah is as R. Judah in respect to the eve of Passover, and the halachah is as R. Jose in respect to the eve of the Sabbath. 'The halachah is as R. Judah in respect to the eve of Passover, whence it follows that R. Jose disagrees on both?[4] - No: 'The halachah [etc.]' proves that they disagree in respect to interruption. For it was taught: One must interrupt [the meal] for the Sabbath:[5] this is R. Judah's ruling. R. Jose said: One need not interrupt [the meal].[6] And it once happened that R. Simeon b. Gamaliel, R. Judah and R. Jose were dining[7] at Acco, when the day became holy upon them.[8] Said R. Simeon b. Gamaliel to R. Jose: 'Berabbi,[9] is it your wish that we interrupt [our meal] and pay heed to the words of our colleague Judah?' Said he to him: 'Every [other] day you prefer my words to those of R. Judah, whereas now you prefer R. Judah's words in my very presence — "will he even force the queen before me in my house"?'[10] 'If so,' he rejoined, 'we will not interrupt [the meal], lest the disciples see it and establish the halachah [thus] for all time.'[11] It was related: They did not stir thence until they had established the halachah as R. Jose.

Rab Judah said in Samuel's name: The halachah is neither as R. Judah[12] nor as R. Jose,[13] but one must spread a cloth[14] and sanctify [the day].[15] But that is not so, for R. Tahlifa b. Abdimi said in Samuel's name: Just as one must interrupt [the meal] for kiddush,

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(1) This Baraitha contradicts the previous one, and there is nothing to show that this is more correct, particularly as the latter agrees with the Mishnah as explained above.

(2) The second Baraitha: from nine hours.

(3) Hence 'from minhah' in the first Baraitha means just before nightfall, and thus the Mishnah and both Baraithas are in agreement.

(4) Whereas in R. Huna's view R. Jose agrees in respect of Passover eve.

(5) The Heb. is in the plural: Sabbaths. I.e., if one started eating before the Sabbath, he must interrupt the meal when the Sabbath commences, remove the table and recite grace (the table was generally removed before grace, v. Ber. 42a), then recite kiddush, the prayer of sanctification, and proceed as with a new meal. According to a version infra 100b, the table was removed before kiddush, which then preceded grace (Tosaf.).

(6) But he completes the meal, recites grace, and then kiddush. Now when R. Jeremiah states that the halachah is as R. Judah in respect to Passover eve, whence it follows that R. Jose disagrees there too, this disagreement is likewise in reference to interrupting the meal, R. Jose maintaining that even on the eve of Passover he need not interrupt it once he has commenced (i.e.,if he commenced at the permitted time — Rashbam and Tosaf). But he admits that a man must not commence a meal in the first place shortly before minhah, and that is the meaning of the Mishnah too.

(7) Lit., 'reclining'.

(8) I.e., the Sabbath or festival commenced.

(9) A title of honour, v. Naz., Sonc. ed. p. 64, n. 1.

(10) Esth. VII, 8; i.e., will you shame me in my own presence?

(11) Lit., 'for generations

(12) Who maintains that one must interrupt the meal, which implies that the table must be removed.

(13) Who ruled that no interruption whatsoever is required.

(14) Which hides the table so that it is not there, as it were.

(15) By reciting kiddush.

Talmud - Mas. Pesachim 100b

so must one interrupt it for habdalah.[1] Now what does 'one must interrupt' mean: surely by

removing the table?[2] — No: by [spreading] a cloth. Rabbah b. R. Huna visited the Resh Galutha.[3] When a tray [with food] was placed before him, he spread a cloth and sanctified [the day].[4] It was taught likewise: And they both agree that[5] one must not bring the table[6] unless one has recited kiddush;[7] but if it was brought, a cloth is spread [over it][8] and kiddush is recited.[9]

One [Baraitha] taught: Both[10] agree that one must not commence;[11] while another taught: And both agree that one may commence. As to what was taught, 'and both agree that one must not commence, it is well: that holds good on the eve of Passover.[12] But as to the statement, 'And both agree that one may commence,' when [is that]? If we say, on the eve of the Sabbath, — but surely they differ? — There is no difficulty: here it means before nine [hours]; there, after nine [hours].[13]

As for people who have sanctified [the day] in the synagogue,[14] Rab said: They have not done their duty in respect of wine,[15] but they have done their duty in respect of kiddush.[16] But Samuel maintained:

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(1) V. Glos.

(2) Thus the mere spreading of a cloth is insufficient.

(3) Exilarch, the official head of Babylonian Jewry.

(4) It was at the beginning of the meal, the Sabbath having commenced.

(5) Rashbam is inclined to delete this phrase. If retained, it refers to R. Judah and R. Jose (Tosaf. and one alternative in Rashbam): though' they differ as to whether the meal must be interrupted, they agree where it has not yet begun.

(6) Small tables were set for each person separately; these were brought in for the meal and removed when It was finished.

(7) So that the table is then brought in honour of the Sabbath. Nevertheless it was laid before the Sabbath.

(8) Cf. p. 534, n. 9.

(9) This expedient is adopted nowadays that large tables are used, as it would be too troublesome to bring them in after kiddush.

(10) R. Judah and R. Jose, who disagree in respect of commencing a meal on the eve of the Sabbath just before minhah and also in respect of interrupting a meal at nightfall, if it was begun well before minhah.

(11) A meal from minhah and onwards.

(12) As R. Huna Supra 99b.

(13) There is no controversy in respect to the former.

(14) I.e., who have listened to the kiddush recited by the Reader.

(15) If they wish to drink wine at home, they must recite the benediction for wine. Even if they drank wine in the synagogue, over which a benediction had been recited, that does not exempt them, at home, for the change of place breaks the continuity and renders this drinking a new act.

(16) And as far as they are concerned they need not repeat the kiddush at home.

Talmud - Mas. Pesachim 101a

They have not done their duty in respect of kiddush either. Then according to Rab, why he [the Reader] recite kiddush at home? — In order to acquit his children and his household [of their duty]. And [according to] Samuel, why must he recite kiddush in the synagogue?[1] — In order to acquit travellers of their obligation, for they eat, drink, and sleep in the synagogue.[2] Now Samuel is consistent with his view, for Samuel said: Kiddush is [valid] only where the meal is eaten. From this it was understood [by the disciples] that only [to adjourn] from one house to another [is forbidden],[3] but [to adjourn] from one place to another in the same house is not [forbidden]. Said R. 'Anan b. Tahlifa to them: On many occasions I was standing before Samuel, when he descended from the roof to the ground and then recited [again] kiddush.[4]

Now R. Huna too holds that kiddush is [valid] only where the meal is eaten. For [on one occasion] R. Huna recited kiddush and [then] his lamp was upset, whereupon he carried his utensils into the

marriage chamber [baldachin] of his son Rabbah, where a lamp was [burning] recited kiddush [again], and then ate something, which proves that he holds: kiddush is [valid] only where the meal is eaten.

Now Rabbah too holds: kiddish is [valid] only where the meal is eaten. For Abaye said: When I was at the Master's [sc. Rabbah's] house,[5] and he recited kiddush, he would say to us: 'Eat a little [here], lest by the time you reach your lodgings your lamps become upset, and you do not recite kiddush in the house where you eat, while you will not have discharged [your duty] with the kiddush of this place, because kiddush is [valid] only where the meal is eaten. But that is not so, for surely Abaye said: In all matters the Master [sc. Rabbah] acted in accordance with Rab, except these three, where he did as Samuel: [viz.,] one may light from lamp to lamp;[6] one can detach [the fringes] from one garment for [insertion in] another garment;[7] and the halachah is as R. Simeon in respect to dragging. For it was taught, R. Simeon said: A man may drag a bed, seat, or bench,[8] providing that he does not intend to make a rut![9] — He acted upon Rab's stringent rulings,[10] but he did not act upon Rab's lenient rulings.

But R. Johanan maintained: They have done their duty in respect of wine too.[11] Now R. Johanan is consistent with his view, for R. Hanin b. Abaye said in the name of R. Pedath in R. Johanan's name: Both for a change of wine

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(1) Seeing that one's duty is not fulfilled thereby in any case.

(2) Not actually in the synagogue, but in adjoining rooms (Tosaf. on the basis of Meg. 28a). Hence the synagogue is like home to them.

(3) After kiddush, since the meal must be eaten in the same place.

(4) V. R. Hananel. Proving that you must not adjourn from one place to another even in the same house.

(5) Abaye was an orphan, and brought up in Rabbah's house.

(6) One may kindle one Hanukkah lamp from another.

(7) V. Num. XV, 38.

(8) Over an earthen floor on the Sabbath or festival.

(9) Though the dragging will possibly make one. — Why then does he rule as Samuel in respect to kiddush?

(10) That was the general rule stated by Abaye, the three exceptions all being leniencies, where he acted as Samuel.

(11) This refers back to 100b bottom. Having heard the benediction for wine in the synagogue, they do not repeat the benediction at home, for in R. Johanan's view their departure from the synagogue does not break the continuity, as they are regarded as having had their mind set upon the meal and the wine from when they heard kiddush.

and for a change of place, he need not recite the benediction [again].[1]

An objection is raised: [For] a change of place, he must recite the benediction [again]; for a change of wine, he need not recite the benediction [again]? This refutation of R. Johanan is [indeed] a refutation.

R. Idi b. Abin sat before R. Hisda, while R. Hisda sat and said in R. Huna's name: As to what you said, [for] a change of place he must recite the benediction [again], they taught this only [of a change] from one house to another, but not from one place to another place.[2] Said R. Idi b. Abin to him: We have learnt it thus in the Baraitha of the School of R. Henak — others state, in the School of Bar Henak — in accordance with your ruling. Does then R. Huna teach us a Baraitha?[3] — R. Huna had not heard the Baraitha.[4]

Furthermore, R. Hisda sat and said in his own name: As to what you said: For a change of place he must recite the benediction [again], we said this only of things which do not require a benediction

after them in the same place;[5] but for the things which demand a blessing after them in the same place, he need not recite the benediction [again]. What is the reason? He [mentally] returns to the first appointed place.[6] But R. Shesheth maintained: Both for the one and the other he must recite the benediction [again].

An objection is raised: If the members of a company were reclining to drink, and they [precipitately] arose[7] to go out to welcome a bridegroom or a bride, when they go out, they do not need [to recite] a benediction beforehand;[8] when they return, they do not need [to recite] a benediction at the beginning.[9] When is that? If they left an old man or an invalid there;[10] but if they did not leave an old man or an invalid there, when they go out they need [to recite] a benediction beforehand, [and] when they return they need a benediction at the beginning. Now since he teaches, 'they [precipitately] arose,' it follows that we are treating of things which require a blessing after them in the same place,[11] and it is only because they left an old man or an invalid there that when they go out they do not need a benediction beforehand, and when they return they do not need a benediction at the beginning. But if they did not leave an old man or an invalid there, when they go out they need a blessing beforehand and when they return they need a blessing at the beginning: this is a difficulty according to R. Hisda?-Said R. Nahman b. Isaac:

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(1) If a man recites a blessing for wine and drinks, and the more wine is brought from a different barrel, even if the second is of a different quality, he does not repeat the blessing; similarly, if he recites a blessing over food or drink and then continues his meal elsewhere. Hence the same applies here. — Where a man need not recite a blessing, he may not recite, as a blessing must not be recited where there is no obligation.

(2) In the same house, e.g., from one room to another.

(3) Surely it is superfluous!

(4) Rashbam deletes both the question and the answer, as it is quite usual for an amora to state what is taught in the Baraitha.

(5) Where they are eaten, Rashbam: sc. water or fruit. After everything else, however, (i.e., wine, the seven species enumerated in Deut. VIII, 8, bread, and the five species of grain enumerated in the Mishnah Supra 35a) a blessing in the nature of grace must be recited where it is consumed. Tosaf.: after everything except bread and perhaps also the five species of grain a blessing need not be recited where they are eaten.

(6) Since these things must be followed by a blessing in the place where they are consumed, even when he changes his place he keeps the first in mind, so that his eating in both places should be as one act of eating, the subsequent blessing being for what he ate in both. Consequently, he does not recite a blessing before eating in the second place either.

(7) Lit., 'detached their feet'.

(8) I.e., the blessing after wine, since it is their Intention to return.

(9) When they drink afresh.

(10) Which assures that their departure is only an interruption.

(11) 'They detached their feet' implies that they hurried, on account of the bridegroom or bride, but otherwise they would have remained there, in order to recite the benediction before leaving. — According to Tosaf. (p. 538, n. 3) 'to drink must be omitted from the Baraitha, since in their view no beverage, not even wine, is subject to this rule.

Which Tanna [rules thus on precipitate] rising? R. Judah. For it was taught: If companions were reclining, and they [precipitately] arose to go to the synagogue or to the Beth Hamidrash, when they go out they do not need a blessing beforehand, and when they return they do not need a blessing at the beginning. Said R. Judah: When is that said? When they left some of their companions behind. But if they did not leave some of their companions behind, when they go out they need a blessing beforehand, and when they return they need a blessing at the beginning.

Then [make an opposite deduction]: it is only because they are things which need a blessing in the same place that when they go out they do not need a blessing beforehand and when they return they

do not need a blessing at the beginning. But for things which do not need a blessing in the same place, even on the view of the Rabbis, when they go out they need a blessing beforehand and when they return they need a blessing at the beginning: shall we say that this is a refutation of R. Johanan[‘s ruling]?[1] — But have we not [already] refuted him once? Shall we [then] say that from this too there is a refutation?-[No:] R. Johanan can answer you: The same law holds good that even for things which do not require a blessing after them in the same place it is unnecessary to recite a blessing [afresh], but as to why he teaches, ‘They [precipitately] arose,’ that is to inform you the extent[2] of R. Judah[‘s view], [viz.,] that even for things which require a blessing after them in the same place, it is only because they left some companions behind [that these additional blessings are not recited]; but if they did not leave some companions behind, when they go out they need a blessing beforehand, and when they return they need a blessing at the beginning.

It was taught in accordance with R. Hisda: If companions were reclining to drink wine and they arose [departed] and returned, they need not recite a blessing [anew].[3]

Our Rabbis taught: If members of a company were reclining when the day became holy upon them,[4] a cup of wine is brought to one of them and he recites over it the sanctity of the day [i.e., kiddush], and a second [cup is brought] over which he recites the Grace after meals:[5] these are the words of R. Judah. R. Jose said: he goes on eating until nightfall.[6]

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(1) V. supra 101b top that for a change of place no fresh blessing is required under any circumstances.

(2) Lit., ‘strength’.

(3) V. supra p. 538, n. 3. According to Rashbam the proof is obvious. On the view of Tosaf. ‘to drink wine’ must be deleted, the reference being to bread or the five pieces of grain.

(4) I.e., the sun set ushering in the Sabbath or Festival.

(5) Immediately, without waiting to finish the meal. Nevertheless, since the Sabbath has commenced, he must first recite the kiddush and then Grace. Hence if he wishes to eat more after Grace, he must begin a new meal.

(6) He need not interrupt his meal but may continue until the end.

Talmud - Mas. Pesachim 102b

When they finish [their meal], he recites the Grace after meals over the first cup and the sanctity of the day over the second. Yet why so: let us recite both over one cup?[1] — Said R. Huna in R. Shesheth's name: One may not recite two sanctities over the same cup.[2] What is the reason? Said R. Nahman b. Isaac: Because you may not perform religious duties in wholesale fashion.[3] Yet [may you] not? Surely it was taught: He who enters his house at the termination of the Sabbath, recites blessings over the wine, the light and the spices,[4] and then recites habdalah over the cup [of wine].[5] But if he has one cup only, he leaves it until after the meal[6] and he recites them all together after it?[7] — Where he has not [enough,] it is different. But on the Festival which falls after the Sabbath, though he has [wine] ,[8] yet Rab said: [The order is] Yaknah.[9] — I will tell you: Since he [Rab] did not include ‘the season’ [zeman],[10] it follows that we are discussing the seventh day of Passover,[11] by which time he has consumed all that he had and has one more. But on the first day of the Festival he has [wine], yet Abaye said: [The order is] Yakzanah; while Raba said: [The order is] Yaknehaz?[12] — But habdalah and kiddush constitute one observance],[13] [whereas] the Grace after meals and kiddush are two [distinct observances].

[To turn to] the [main] text: When a Festival falls after the Sabbath, Rab said: [The order is] Yaknah;[14] Samuel said: [The order is] Yanhak;[15]

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(1) The difficulty is on R. Jose's view only. But on R. Judah's, since the meal must be interrupted and the table removed, it is natural that two separate cups should be required for kiddush and Grace.

(2) Grace is here designated a ‘sanctity’: i.e., Grace and kiddush are two distinct religious duties, and therefore they

require separate cups.

(3) Lit. , 'bundles'. I.e. , each requires separate attention.

(4) As is done at the termination of the Sabbath. Kiddush and habdalah are both recited over wine; a blessing is pronounced over light because it is then that light was created, v. Supra 54a; spices are inhaled on the termination of the Sabbath to compensate for the loss of the superior ('additional') soul with which man is endowed on the Sabbath, Rashbam and Tosaf. a.l. and in Bez. 33b.

(5) Habdalah, being longer, is left to the last.

(6) Or perhaps, 'until after grace', מזון being elliptical for ברכת המזון .

(7) Lit., 'he chains them together after it'. Thus two religious acts are combined.

(8) This is assumed to refer to the first evening of Passover, when, as stated supra 99b, even the poorest man was provided with four cups of wine.

(9) This is a mnemonic: Y == Yayin (wine); K == kiddush; N == Ner (light, i.e., a blessing over light); and H == Habdalah thus kiddush and habdalah are both recited over the same cup.

(10) The benediction 'who hast kept us alive and preserved us and enabled us to reach this season'. This is recited on the first night (in the Diaspora on the first two nights) of every Festival, as well is in certain other occasions.

(11) Kiddush must be recited then too, as it follows the Intermediate Days, which are only semi-sacred; v. p. 16, n. 4; again, if it follows the Sabbath, Habdalah also is recited.

(12) V.n. 6. Z == zeman ('season').

(13) Both being recited on account of the sanctity of the Festival,to which reference is made even in the habdalah

(14) Wine is first, in accordance with Beth Hillel's view in Ber. 51b that since wine is more constant it takes precedence. Kiddush precedes habdalah because it is regarded as more important; also, if he recited habdalah first, it might appear that the Sabbath were a burden to him, which he desired to end at the earliest possible moment. After kiddush the order is NH ('light' and habdalah), this being the usual order at the conclusion of the Sabbath.

(15) Samuel gives precedence to habdalah over kiddush; the reason is stated infra 103a in the illustration on the ruling of R. Joshua b. Hananiah.

Talmud - Mas. Pesachim 103a

Rabbah said: Yahnak;[1] Levi said: Kanyah;[2] the Rabbis said: Kiynah;[3] ' Mar the son of Rabina said: Nakyah;[4] Martha said in R. Joshua's name: Niyhak.[5]

Samuel's father sent to Rabbi: Let our Master teach us what is the order of habdaloth.[6] He sent [back] to him: Thus did R. Ishmael b. R. Jose say, speaking in the name of his father who said it on the authority of R. Joshua b. Hananiah: [The order is] Nahiyk.[7] R. Hanina said: R. Joshua b. Hananiah's [ruling] may be compared to a king who departs [from a place] and governor who enters: [first] you escort the king [out], and then you go forth to greet the governor.[8] What is our decision thereon? — Abaye said: [The order is] Yakaznah;[9] while Raba maintained: Yaknehaz.[10] And the law is as Raba.

R. Huna b. Judah visited Raba's home. Light and spices were brought before them, [whereupon] Raba recited a blessing over the spices first and then one over the light. Said he to him: But both Beth Shammai and Beth Hillel [agree that] light comes first and then spices? And to what is this [allusion]?For we learned: Beth Shammai maintain. Light and Grace [after meals], spices and habdalah;[11] while Beth Hillel rule: Light and spices, Grace and habdalah![12] Thereat Raba answered: These are the words of R. Meir; but R. Judah said: Beth Shammai and Beth Hillel did not differ about Grace, [agreeing] that it comes at the beginning and about habdalah, that it comes at the end. About what do they differ? About light and spices. Beth Shammai maintain: Light [first] and then spices; while Beth Hillel rule: Spices [first] and then light; and R. Johanan said [thereon]: The people act in accordance with Beth Hillel as interpreted by R. Judah.

R. Jacob b. Abba visited Raba's home. He saw him recite the blessings 'who createst the fruit of the vine over the first cup, and then he recited a blessing over the cup of Grace[13] and drank it. Said

he to him: ‘Why do you need all this? Surely, sir, you have [already] recited a blessing for us once?’ ‘When we were at the Resh Galutha's[14] we did thus,’ replied he. ‘It is well that we did this at the Resh Galutha's,’ said he, ‘because there was a doubt whether they would bring us [more wine] or they would not bring us [more].[15] But here, surely the [second] cup stands before us and we have it in mind?’ ‘I acted in accordance with Rab's disciples ‘ he replied. For R. Beruna and R. Hananel, disciples of Rab, were sitting at a meal,

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(1) He agrees with Rab that Ner (light) interposes between kiddush and habdalah, because it is illogical to recite them consecutively, since they are mutually contradictory, as it were, kiddush declaring that the day is sacred, whereas habdalah declares that it is not as sacred as the Sabbath. He also agrees with Samuel that habdalah comes before kiddush, and he places wine (Yayin) at the head of all, for the reason stated on p. 541, n. 10.

(2) He too puts kiddush before habdalah, but holds that if wine is put at the beginning, the interval between it and habdalah will be so great that it may appear that the habdalah is not being recited over wine, which is essential. But kiddush need not be in immediate proximity to the wine, since it may be recited over bread too. For that reason too Ner (light) precedes the wine, so that the latter may be nearer to habdalah than to kiddush. — Rashbam transposes these last two views, mainly on the basis of J.T.

(3) They too place kiddush before habdalah. Hence we commence with kiddush, and then recite habdalah in its usual order, which is yayin (wine), Ner (light) and habdalah.

(4) He too places kiddush before habdalah, and also holds that wine must come near habdalah. But just as Ner generally precedes habdalah, because he enjoys the light first, so must it precede kiddush. Again, it cannot be recited between wine and habdalah, so that the wine should precede it, in accordance with the usual practice, because that would cause an interruption between the wine and the habdalah.

(5) He places habdalah before kiddush for the reason stated anon. He then puts wine before habdalah, for since that is immediately followed by kiddush, the wine is accounted for both, which is as it should be. For both kiddush and habdalah should be recited over wine in the first place, though the former is permitted over bread where wine is not available. Again, he puts wine before habdalah and kiddush instead of between them, since wine generally precedes. Furthermore, since Ner generally precedes habdalah, for the reason stated in the last note, it must now come at the very beginning.

(6) The pl. of habdalah employed generically.

(7) V. preceding note. He however places wine between habdalah and kiddush, so that it should really be near to both.

(8) The Sabbath, whose sanctity is greater, is the king; the Festival is the governor. Hence we first bid farewell to the Sabbath with habdalah and then welcome the Festival with kiddush.

(9) Yayin (wine), Kiddush, Zeman (season), Ner (light) and Habdalah.

(10) Yayin, Kiddush, Ner, Habdalah, and Zeman.

(11) This order is followed at the conclusion of the Sabbath if there is sufficient for one cup only.

(12) V. Ber. 51b.

(13) He recited Grace after meals over a second cup, and after Grace he recited the blessing for wine over it. — This is the present practice.

(14) V. Glos.

(15) Hence when we recited a blessing over the first cup we did not think of a second, which therefore constituted a fresh act of drinking, and so the blessing had to be repeated.

Talmud - Mas. Pesachim 103b

[and] R. Yeba Saba[1] waited on them. Said they to him, ‘Give us [wine] and we will say Grace.’ Subsequently[2] they said, ‘Give us [wine] and we will drink.’[3] Said he to them, ‘Thus did Rab say: Once you have said, "Give us [wine] and we will say Grace, It is forbidden to you to drink.[4] What is the reason? Because you let it pass out of your minds.’[5]

Amemar and Mar Zutra and R. Ashi were sitting at a meal and R. Aha the son of Raba waited on them. Amemar recited a separate blessing for each cup; Mar Zutra recited a blessing over the first cup and over the last cup;[6] [but] R. Ashi recited a blessing over the first cup and no more. Said R.

Aha b. Raba to them: in accordance with whom are we to act?-Amemar replied: I made a [fresh] decision [each time] .[7] Mar Zutra replied: I acted in accordance with Rab's disciples. But R. Ashi maintained: The law is not as Rab's disciples for surely when a Festival falls after the Sabbath, Rab ruled: [The order is] Yaknah.[8] But that is not so: there[9] he had detached his mind from drinking;[10] [whereas] here he had not detached his mind from drinking.

When he came to perform habdalah,[11] his attendant arose and kindled a torch at a lamp.[12] Said he to him, 'Why take all this trouble? Surely the lamp is standing before us!'[13] 'My servant has acted of his own accord,' replied he. 'Had he not heard it thus from you,'[14] he retorted, 'he would not have done it.' Said he to him: 'Do you then not hold, [To employ] a torch for habdalah is the best way of performing the precept?'

Then he commenced [habdalah] and recited: 'He who makes a distinction between holy and non-holy, between light and darkness, between Israel and the nations, between the seventh day and the six working days.' Said he to him: 'Why do you need all this? Surely Rab Judah said in Rab's name: "He who makes a distinction between holy and non-holy," was the formula of habdalah as recited by R. Judah ha-Nasi?' 'I hold with the following,' answered he. 'For R. Eleazar said in R. Oshaia's name: He who would recite but few [distinctions] must recite not less than three; while he who would add, must not add beyond seven.[15] Said he to him:

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(1) The elder; or, aged.

(2) Before reciting Grace.

(3) They changed their mind and did not wish to recite Grace yet.

(4) Until after grace.

(5) This proves that Grace constitutes an interruption, and so the blessing over the wine must be repeated after Grace; and Raba acted in accordance with this ruling.

(6) I.e., after Grace, as Raba did.

(7) After each cup I intended drinking, no more. Hence when I did drink another it was a new act of drinking, and so I repeated the blessing each time. Consequently my action does not involve a general ruling.

(8) V. supra p. 541, n. 10. Thus the benediction for wine is not recited twice, one on account of kiddush and again on account of habdalah. Hence the same applies to two cups in general.

(9) Where Rab ruled that once they had declared their intention of saying Grace they might not drink again without blessing.

(10) His decision to say Grace proved that.

(11) This is a continuation of the passage narrating .R. Jacob b. Aha's visit to Raba, which had been parenthetically interrupted by the somewhat similar story about Amemar and his companions. The meal in question took place toward the end of the Sabbath, and at the termination of the Sabbath Raba performed habdalah.

(12) For the blessing over light.

(13) Then let the blessing for light be said over the lamp itself.

(14) 'The Master'.

(15) I.e., not less than three points of distinction and not more than seven must be recited in the habdalah.

Talmud - Mas. Pesachim 104a

'But you said neither three nor seven?'[1]

'It is true,' answered he, '"between the seventh day and the six working days" is of the nature of the conclusion,[2] and Rab Judah said Samuel's name: He who recites habdalah must say [something] in the nature of the conclusion near to its conclusion. While the Pumbeditheans maintain: [He must say something] in the nature of the commencement just before its conclusion. Wherein do they differ?[3] — They differ in respect of a Festival which falls after the Sabbath [i.e., Sunday], when we conclude with '[Who makest a distinction] between holy and holy.'[4] On the view that something in

the nature of the commencement [must be repeated] immediately before the conclusion, it will be unnecessary to say, 'Thou didst make a distinction between the sanctity of the Sabbath and the sanctity of the Festival';[5] but on the view that [a formula] in the nature of the conclusion [must be said] immediately before the conclusion, it is necessary to say, 'Thou didst make a distinction between the sanctity of the Sabbath and the sanctity of the Festival.'

The [above] text [stated]: 'R. Eleazer said in R. Oshaia's name: He who would recite but few [distinctions] must recite not less than three; while he who would add must not add beyond seven.' An objection is raised: Habdalah is recited at the conclusion of the Sabbath, at the conclusion of Festivals, at the conclusion of the Day of Atonement, at the conclusion of the Sabbath [giving place] to a Festival, and at the conclusion of a Festival [giving place] to the Intermediary Days,[6] but not at the conclusion of a Festival [leading] to the Sabbath.'[7] He who is well-versed recites many [points of distinction], while he who is not well-versed recites one? — It is [dependent on] Tannaim. For R. Johanan said: The son of holy men recited one, but the people are accustomed to recite three.[8] Who is the son of holy men? — R. Menahem b. Simai; and why did they call him the son of holy men? Because he did not look at the effigy of a coin.[9] R. Samuel b. Idi sent [word] to him:[10] 'My brother Hanania recites one.' But the law does not agree with him. R. Joshua b. Levi said: he who recites habdalah must recite [formulas] in the nature of the distinctions mentioned in the Torah.[11] An objection is raised: What is the order of the distinctions [recited in the habdalah]? He recites, 'Who makest a distinction between holy and profane, between light and darkness, between Israel and the nations, between the seventh day and the six working days, between unclean and clean, between the sea and dry land, between the upper waters and the nether waters, between Priests, Levites and Israelites'; and the concludes with the order of Creation.[12] Others say, with 'he who formed the Creation.' R. Jose b. R. Judah said: He concludes, 'Who sanctifiest Israel.' Now if this is correct, surely no distinction is mentioned [in the Torah] between the sea and the dry land?[13] — Delete 'between the sea and the dry land' from this. If so, [you must] also [delete] 'between the seventh day and the six working days'?[14] — That corresponds to the conclusion,[15] Then there is one less' so there are not seven?[16] -I will tell you: [who made a distinction between] Priests, Levites and Israelites is two formulas. between Levites and Israelites [is one], as it is written, At that time the lord made distinct the tribe of Levi.[17] Between Priests and Levites [is another], as It is written, The sons of Amram: Aaron and Moses; and Aaron was made distinct that he should be sanctified as most holy.[18]

How does he conclude it? — Rab said: 'Who sanctifiest Israel.' While Samuel said: 'Who makest a distinction, between holy and non-holy,' Abaye, — others state, R. Joseph — denounced[19] this [ruling] of Rab. It was taught in the name of R. Joshua b. Hanania: When one concludes, 'Who sanctifiest Israel and makest a distinction between holy and non-holy,' his days and years are prolonged.

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(1) But four.

(2) Habdalah ends with, 'Blessed art thou, O Lord, who makest a division between holy and non-holy'. This phrase, 'between the seventh day' etc. is similar in meaning, and forms a natural bridge to the conclusion, as it were; hence it is not counted. — All benedictions commence with the formula, 'Blessed art thou, O Lord, our God, King of the universe'; if lengthy, they conclude with the formula, 'Blessed art thou, O Lord, who 'etc. It is this latter formula which is referred to as the conclusion.

(3) Seeing that in most blessings the' opening and the conclusion are similar in subject. Habdalah itself commences with 'He who maketh a distinction between holy and non.holy', while the passage preceding the conclusion is likewise 'who makest a division between the seventh day (i.e., holy) and the six working days (non-holy)'.

(4) Since both are holy, save that the holiness of the Sabbath is greater.

(5) Since the opening phrase is 'Who makest a distinction between holy and non-holy'.

(6) V. p. 16, n. 4. — Most of these phrases are in the plural in the original.

(7) thus habdalah is recited only to mark the passing of a day of higher sanctity than that which follows, but not the

reverse.

(8) This ‘son of holy men was a Tanna, while the common practice was likewise based on the ruling of a Tanna. Thus we have a controversy of Tannaim.

(9) V. A.Z. 50a. ‘Son’ is probably used attributively, R. Menahem himself being holy (v. M.K. 25b on the effect of his death); nevertheless this mode of expression is employed because this father too was holy. — Tosaf.

(10) [It is not clear to whom this refers.]

(11) As explained anon.

(12) I.e., ‘Blessed art thou, O Lord, who settest the Creation in order’.

(13) I.e., no phrase with the express term ‘distinction

(14) For no phrase states that God made a ‘distinction’ between the seventh day etc.

(15) And is therefore not counted.

(16) Whereas the purpose of this Baraitha is to enumerate the seven formulas of distinction referred to above.

(17) Deut. X, 8.

(18) I Chron. XXIII, 13.

(19) Lit., ‘cursed’.

Talmud - Mas. Pesachim 104b

But the law is not as he.[1] ‘Ulla visited Pumbeditha. Said Rab Judah to R. Isaac his son, ‘Go and offer him a basket of fruit, and observe how he recites habdalah.[2] He did not go, [however, but] sent Abaye. When Abaye returned, he [R. Isaac] asked him, ‘What did he say [in the habdalah]?’ ‘Blessed is He who maketh a distinction between holy and profane,’ replied he, ‘and nothing else.’ When he came before his father he asked him, ‘How did he recite it?’ ‘I did not go myself,’ replied he, ‘[but] I sent Abaye, and he told me [that he recited] " ‘ . . who makest a distinction between holy and profane".’ Said he to him, ‘Your pride and your haughtiness are the cause that you are unable to state the law from his own mouth.’

An objection is raised: In all blessings you commence with ‘blessed [art Thou’] and conclude with ‘blessed [art Thou],’ except in the blessings over precepts,[3] the blessings over fruits,[4] a blessing immediately preceding[5] another, and the last blessing of the reading of the Shema’;[6] in some of these you commence with ‘Blessed’ but do not conclude with ‘Blessed’, while in others you conclude with ‘Blessed’ but do not commence with ‘Blessed’; and [in the blessing] ‘Who is good and doeth good [unto all]’[7] you commence with ‘Blessed’ but do not conclude with ‘Blessed’.[8] [

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(1) A double ending is not employed, and the law is as Samuel.

(2) Make this an excuse for staying with him, so that you observe him reciting habdalah.

(3) A blessing is recited before the fulfilment of every precept.

(4) I.e., which are recited before eating or drinking; ‘fruits’ is employed generically and includes such items as bread, water, vegetables etc.

(5) Lit., ‘near to’.

(6) The morning Shema’ (v. Glos.) is preceded by two long benedictions and followed by one; the evening Shema’ is followed by two.

(7) This is the third blessing (if the three which constitute Grace after Meals; v. Singer's Prayer Book pp. 280-285 for the whole, and p. 283 for the blessing immediately proceeding

(8) The blessings for precepts and fruits are generally short, and therefore ‘Blessed’ is not repeated at the conclusion. Blessings immediately ‘preceding others: e.g., those of the Amidah (the ‘Eighteen Benedictions’). As each ends with the formula, ‘Blessed art Thou, O Lord, who’ etc., the following does not commence with ‘Blessed’. Similarly, the blessing immediately preceding the Shema’ concludes with ‘Blessed’ etc., and the Shema’ together with the blessing which follows it is regarded as one long blessing; hence that too does not commence with ‘Blessed’. (That benediction itself ends with ‘Blessed art Thou’, etc.; hence the fourth one recited in the evening — v. n. 5 — which follows immediately after, likewise does not commence with ‘blessed’.) The third blessing of Grace after meals, though immediately following a conclusion containing the formula, ‘Blessed art Thou, O Lord’, etc., commence with ‘Blessed’,

notwithstanding the above general rule, because it was instituted in memory of the Jews slain at Bethar in 135 C.E. which marked the 'disastrous end of the Bar Cochba revolt; hence it was regarded as quite distinct and apart from the rest. It is indeed a lengthy benediction, but as much of it consists of synonyms for God it would be unfitting to repeat 'Blessed art Thou' in the conclusion.

Talmud - Mas. Pesachim 105a

Now this raises a difficulty according to 'Ulla?[1] — 'Ulla can answer you: This too is like a blessing for precepts. [For] what is the reason in the case of a blessing over precepts?[2] Because It is [mere] praise;[3] this too is praise.[4]

R. Hanania b. Shelemia and the disciples of Rab were sitting at a meal, and R. Hamnuna Saba[5] was waiting on them. Said they to him, 'Go and see if the day has become holy,[6] in which case we will interrupt [the meal][7] and appoint it for the Sabbath.'[8] 'You do not need it,' he replied; 'the Sabbath itself makes it an appointed [meal].[9] For Rab said: Just as the Sabbath makes [it an] appointed [meal] in respect of tithe,[10] so does the Sabbath make [it an] appointed [meal] in respect of kiddush.'[11] Now they understood from him: just as it makes [it an] appointed [meal] in respect of kiddush, so does it make [it an] appointed [meal] in respect of habdalah.[12] Said R. Amram to them, thus did Rab say: It makes [it an] appointed [meal] in respect of kiddush, but it does not make [it an] appointed [meal] in respect of habdalah.[13] But that is only in respect of interrupting [the meal], viz., that we do not interrupt [it]; we may not however commence [one].;[14] And even about interrupting we said this with respect to eating only, but not with respect to drinking.[15] And with respect to drinking too we said this only of wine and beer: but as for water, it does not matter.[16]

Now he differs from R. Huna. For R. Huna saw a certain man drinking water before habdalah, [whereupon] he observed to him Are you not afraid of choking?[17] For it was taught in R. Akiba's name: He who tastes anything before reciting habdalah shall die through choking.[18] The Rabbis of R. Ashi's academy were not particular about water.

Rabina asked R. Nahman b. Isaac: He who did not recite kiddush on the eve of the Sabbath,[19] can he proceed to recite kiddush at any time of the day?[20] — Said he to him: Since the sons of R. Hiyya said, he who did not recite habdalah at the termination of the Sabbath can proceed to recite habdalah the whole week, [it follows that] there too, he who did not recite kiddush on the eve of the Sabbath can proceed to recite kiddush at any time of the day. He raised an objection to him: On the nights of the Sabbath and on the nights of a Festival there is sanctification [kiddush] over the cup [of wine] and a reference [to the Sabbath or Festival] in the Grace after meals.[21] On the Sabbath and a Festival[22] there is no sanctification over a cup [of wine], but there is a reference in the Grace after meals. Now if you should think that he who did not recite kiddush on the eve of the Sabbath can proceed to recite kiddush the whole day, then on the Sabbath and festival [during the day] too there may be sanctification over the cup, 'or if he did not recite kiddush in the evening, he recites kiddush on the morrow?-Said he to him: He [the Tanna] does not teach a case of 'if'.

He raised an objection to him: [If a man must choose between] the honour of the day and the honour of the night,[23] the honour of the day takes precedence; and if he has only one cup [of wine], he recites

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(1) Why did he not conclude habdalah with blessed' etc.?

(2) That we do not conclude with 'blessed.'

(3) It contains nothing else, and is consequently short.

(4) To God, for having made a distinction between holy and profane, and it does not treat of any other subject.

(5) The aged, or the Elder.

(6) I.e. if the Sabbath has commenced.

(7) By removing the tables; v. supra p. 533, n. 7.
(8) By removing the table and then bringing it back the meal would be specially appointed as being one account of the Sabbath. (Three meals must be eaten on the Sabbath, and probably they wished to signify that this, though started before, should count as one.)
(9) Since you must pause to recite kiddush, that itself gives it the character of an appointed meal for the Sabbath.
(10) A man may make a light meal, but not a full ('appointed') meal of untithed produce before it is completely ready and subject to tithe. (Produce is not subject to tithe until it has been harvested, threshed and carried in through the front of the house, v. B.M., Sonc. ed. p. 507f.) But the Sabbath, confers upon every meal, even if light, the character of a full, appointed meal, so that untithed produce is then forbidden.
(11) Nothing whatsoever may be eaten before kiddush; thus we see that the Sabbath automatically makes it a Sabbath meal.
(12) One must not eat at the conclusion of the Sabbath before habdalah. They understood that if a man commences during the day, the conclusion of the Sabbath automatically renders what follows an appointed meal, which is forbidden before habdalah, hence habdalah must be recited in the middle of the meal.
(13) For having commenced the meal on the Sabbath, he honours the Sabbath by concluding it without interruption, even if it continues beyond nightfall.
(14) Even a light meal before habdalah.
(15) Drinking must be interrupted for habdalah.
(16) Drinking water is of such slight consequence that it is permitted before habdalah. Drinking wine and beer however, occupies an intermediate position: it is sufficiently unimportant to be interrupted for habdalah, but too important to start after nightfall before habdalah.
(17) This was a rebuke.
(18) Through being unable to catch his breath.
(19) I.e., at the very commencement of the Sabbath' immediately after nightfall. Perhaps the phrase, eve of the Sabbath' indicates that the kiddush was slightly advanced, so as to avert the possibility of commencing the Sabbath too late; cf. O.H. 271, 1 and אברהם מגן a.l.
(20) Sc. the Sabbath.
(21) Special passages are inserted.
(22) I.e., during the daytime.
(23) The Sabbath is honoured by indulging in more drink and special dainties; here he lacks sufficient for additions at all meals, and must choose between them.

Talmud - Mas. Pesachim 105b

the kiddush of the day over it,[1] because the kiddush of the day takes precedence over the honour of the day. Now if this is correct,[2] let him leave it until the morrow and do both with it?[3] -A religious duty is [more] precious [when performed] at the proper time.

Yet do we say, A religious duty is [more] precious [when performed] at the proper time?[4] Surely it was taught: He who enters his house on the termination of the Sabbath recites blessings over the while, the light and the spices, and then he recites habdalah over the cup [of wine]. But if he has one cup only, he leaves it until after the meal and recites then all together after it.[5] Thus we do not say, A religious duty is [more] precious at the proper time? — Said he to him, 'I am neither a self-pretended scholar[6] nor a visionary [i.e., story-teller] nor unique [in this ruling], but I am a teacher and systematizer of traditions,[7] and they rule thus in the Beth Hamidrash as I do; we draw a distinction between ushering the day in and ushering the day out: as for ushering the day in, the more we advance it the better, as we thereby show our love for it; but as for ushering the day out, we delay it, so that it may not be [appear] a burden upon us.[8]

You may infer eight things from this Baraitha: [i] He who recites habdalah during the prayer[9] must [also] recite habdalah over the cup [of wine];[10] [ii] Grace [after meals] requires a cup [of wine]; [iii] the cup [of wine] for Grace demands a [minimum] standard;[11] [iv] he who says a blessing [over

anything] must partake thereof;[12] [v] if he tastes it he renders it defective;[13] [vi] even when one has tasted [food] he recites habdalah;[14]

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(1) I.e., kiddush on Friday evenings, which marks the sanctification of the whole day. But he must not leave it for drinking during the meal.

(2) Viz., R. Nahman's ruling.

(3) Kiddush, and pay honour to the day by drinking some of it during a meal.

(4) Even in such a case, where by postponing it an additional purpose is served.

(5) V. supra 102b notes.

(6) I have not said this on my own authority.

(7) The translation follows Jast. V.

(8) Hence kiddush is said as early as possible, and it may not be deferred for the morrow. But we willingly delay the habdalah.

(9) To Amidah or the Eighteen Benedictions, which constitute the Prayer par excellence; a habdalah formula is inserted in the fourth benediction.

(10) For 'he who enters his house' implies that he has seen away from home, presumably at the synagogue, where he would already have recited habdalah in the Amidah of the evening service.

(11) Viz., a quarter of log (rebi'ith). Otherwise, he could use half for habdalah and half for Grace.

(12) Either he or one of the listeners. For otherwise he could recite habdalah over the cup of wine and leave it untouched for Grace.

(13) it is now assumed that he had more than one rebi'ith, but not two. Hence he could perform habdalah, drink the excess, and leave a rebi'ith for Grace. Since this is not done, it follows that merely by drinking a little of the whole cup it becomes unfit for Grace.

(14) There is a contrary view infra 106b, q.v. Here we see that when there is insufficient wine, he has his meal and then recites habdalah.

Talmud - Mas. Pesachim 106a

[vii] you may recite two sanctities over the same cup;[1] and [viii] this is [the ruling of] Beth Shammai as interpreted by R. Judah.[2] R. Ashi said: [The deductions that] if he tastes it he renders it defective, and that the cup of Grace requires a [minimum] standard, are the same thing,[3] and this is what he Says: What is the reason that once he tastes of it he renders it defective? Because the cup of Grace requires a [minimum] standard. R. Jacob b. Idi objected to a defective pitcher. R. Idi b. Shisha objected to a defective cup. Mar b. R. Ashi objected even to a defective barrel.[4]

Our Rabbis taught: Remember the Sabbath day, to keep it holy:[5] remember it over wine.[6] I know it only of the day; whence do we know it of the night?[7] Because it is stated, 'remember the Sabbath day, to keep; it holy.' [You ask], 'Whence do we know it of the night?' — on the contrary, the principal kiddush is recited at night, for when he sanctifies, he must sanctify [from] the beginning of the day. Moreover, [you say,] 'whence do we know it of the night? Because it is stated, "remember the sabbath day to keep it holy"- the Tanna seeks [proof] for the night, while he adduces a verse relating to the day[time]? — This is what he means: 'Remember the Sabbath, day, to keep it holy': remember it over the wine at its commencement.[8] I know it only of the night: whence do we know it of the day? Because it is said, 'Remember the Sabbath day, to keep it holy.

What blessing does he recite by day?[9] -Said Rab Judah: ...who createst the fruit of the vine.[10] R. Ashi visited Mahuza.[11] Said they [the Mahuzaeans] to him, let the master recite the Great kiddush for us.' They gave him [the cup of wine]. Now he pondered, What is the Great kiddush? Let us see, he reasoned, for all blessings [of kiddush] we first say '. . . who createst the fruit of the vine'[12] [So] he recited'. . .who createst the fruit of the vine,' and tarried over it,[13] [and then] he saw an old man bend [his head] and drink. Thereupon he applied to himself [the verse], The wise man, his eyes are in his head.[14]

The sons of R. Hiyya Said: He who did not recite habdalah at the termination of the Sabbath proceeds to recite habdalah anytime during the week. And, until when?-Said R. Zera: Until the fourth day of the week.[15] Even as R. Zera sat before R. Assi — others state, R. Assi sat before R. Johanan — and he sat and stated: In respect to divorces the first day of the week, the second, and the third [are defined as] after the Sabbath; the fourth, the fifth, and the eve of the [Sabbath] day [rank as] before the Sabbath.[16] R. Jacob b. Idi said: But [he does] not [recite a blessing] over the light.[17]

R. Beruna said in Rab's name:

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(1) habdalah and Grace are two separate sanctities. i.e., religious duties.

(2) That the blessing for light precedes that of spices, for Beth Hillel reverse it (supra 103a). It cannot be the ruling of Beth Hillel as interpreted by R.Meir, for on that view the blessing for light precedes Grace, whereas this Baraitha states that the blessings are recited after Grace.

(3) I.e., tasting it renders it unfit only when less than the minimum quantity is thereby left; otherwise it would remain fit.

(4) A small barrel is meant. If kiddush or habdalah was recited over wine contained in one of these, they insisted that it should be full.

(5) Ex. XX, 8.

(6) Kiddush, whereby the Sabbath is remembered,' must be recited over wine.

(7) That kiddush must be recited Friday evening over wine.

(8) 'To keep it holy' implies that it is to be 'remembered,' i.e,, sanctified, by kiddush, when the holiness of the day commences, which is in the evening.

(9) It is stated Supra 105a that kiddush ('sanctification) is not recited by day.

(10) I.e., no special benediction apart from the usual one recited over wine.

(11) V. p. 20 ,n. 5.

(12) Hence it would be fitting for that to be called the Great kiddush, since it is recited on every occasion.

(13) He paused before drinking it in order to see whether this was deemed sufficient for the kiddush by day.

(14) Eccl. II, 14.

(15) Exclusive. From the fourth day onward the days are counted with the following Sabbath, and it would be inappropriate to recite habdalah then for the preceding Sabbath.

(16) E.g., if a man divorces his wife on condition that she performs a certain acton after a particular Sabbath, it must be done not later than the third day following; if he stipulates, before the Sabbath, Wednesday, Thursday, or Friday are meant.

(17) When he recites habdalah later in the week. Rashbam: the reason is presumably because the blessing for light can be recited only at the termination of the Sabbath (v. supra 54a), since it was then created for the first time.

Talmud - Mas. Pesachim 106b

He who washes his hands [before eating][1] must not recite kiddush.[2] Said R. Isaac b. Samuel b. Martha to them: Rab has not yet died[3] and we have [already] forgotten his ruling! I stood many times before Rab: sometimes he preferred bread [and] recited kiddush over bread; at others he preferred wine [and] recited kiddush over wine.[4]

R. Huna said in Rab's name: Once he has tasted [food] he must not recite kiddush.[5] R. Hana b. Hinena asked R. Huna: May he who has tasted [food] recite habdalah?[6] I maintain, replied he, [that] he who has tasted [food] recites habdalah. But R. Assi said: He who has tasted [food] may not recite habdalah.

R. Jeremiah b. Abba visited R. Assi. He forgot himself and ate something. [Then] they gave him a cup [of wine] and he recited habdalah. Said his [R. Assi's] wife to him [R. Assi]: But you[7] do not act thus? Leave him, replied he; he holds as his teacher.[8]

R. Joseph said in Samuel's name: He who has tasted [food] may not recite kiddush; he who has tasted [food] may not recite habdalah. But Rabbah said in R. Nahman's name in Samuel's name: He who has tasted [food] does recite kiddush; and he who has tasted [food] does recite habdalah ‘

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(1) The hands must be washed before partaking of a meal at which bread is eaten, and there must be no interruption between the washing and the eating of some bread.

(2) Before breaking bread-kiddush, of course, comes first — , as it constitutes an interruption, and he discharges his own duty thereby. If he does recite kiddush, he must wash again before eating.

(3) Lit., Rab's soul has not yet gone to rest.’ — Or perhaps: Rab has only just died.

(4) Rashi and Rashbam: if he was very hungry he would wash and recite kiddush over the bread and immediately eat it. This proves that the reciting of kiddush is not an interruption and does not necessitate washing again. R. Tam: sometimes he preferred bread (being very hungry) and recited kiddush (over wine) with the intention of eating bread immediately after it (עַל can bear this meaning); hence he must have washed before kiddush, and as we see, another washing is unnecessary.

(5) In the evening, but just wait for the morrow.

(6) That evening — sc. at the termination of the Sabbath — , or must he to wait for the morrow.

(7) Lit., ‘the Master.’

(8) Sc. Rab, in whose name R. Huna gave his ruling.

Talmud - Mas. Pesachim 107a

Raba said: The law is: He who has tasted [food] recites kiddush, and he who has tasted [food] recites habdalah Again, he who does not recite kiddush on the eve of the Sabbath proceeds to recite kiddush any time during the Sabbath, until the termination of the Sabbath. He who did not recite habdalah at the termination of the Sabbath proceeds to recite habdalah and time during the week.[1] Amemar commenced this ruling of a Raba in the following version: The law is: He who has tasted [food] recites kiddush, he who has tasted [food] recites habdalah; he who did not recite kiddush on the eve of the Sabbath proceeds to recite kiddush at any time of the day. He who did not recite habdalah proceeds to recite habdalah the whole day.[2] Mar Yanuka and Mar Kashisha the sons of R. Hisda[3] said to R. Ashi: Amemar once visited our town: lacking wine, we brought him beer [for habdalah], but he would not recite habdalah [over it], ‘and passed the night fasting.’[4] The next day we took trouble to procure wine for him, whereupon he recited habdalah and ate something. The following year he again visited our town, [and] we offered him beer. Said he, ‘If so, it is the wine of the country’;[5] [so] he recited habdalah and ate a little. This proves three things; [i] [Even] he who recites habdalah in the Prayer must recite habdalah over a cup [of wine];[6] [ii] a man must not eat until he has recited habdalah; and [iii] he who did not recite habdalah at the termination of the Sabbath

proceeds to recite habdalah any time during the week.

R. Hisda asked R. Huna:[7] Is it permitted to recite kiddush over beer? Said he to him, Seeing that I asked Rab, and Rab asked R. Hiyya, and R. Hiyya asked Rabbi about pirzuma,[8] fig [-beverage], and asne,[9] and he could not resolve it for him, can there be a question about [barley] beer! Now it was understood from him: kiddush indeed may not be recited over it, yet we can recite habdalah over it. Said R. Hisda to them, Thus did Rab say: Just as you may not recite kiddush over it, so may you not recite habdalah over it. It was stated too' R. Tahlifa b. Abdimi said in Samuel's name: Just as you may not recite kiddush over it, so may you not recite habdalah over it. Levi sent to Rabbi beer strained thirteenfold.[10] On tasting it he found it well-flavoured. Said he: 'Over such as this it is fitting to recite kiddush and to utter all the psalms and praises in the world.' At night it caused him pains. Said he: 'Seeing that it chastises us, shall it propitiate!'[11]

R. Joseph said: I will vow in the presence of a multitude[12] not to drink beer. Raba said: I would drink flaxwater,[13] yet I would not drink beer. Raba also said: His drink shall be but beer who recites kiddush over beer.[14] Rab found R. Huna[15] reciting kiddush over beer. Said he to him: 'Abba[16] has begun to acquire istiri[17] with beer. '[18]

Our Rabbis taught: You recite kiddush over wine only, and you say a blessing over wine only. Do we then not recite the blessing, 'by whose word all things exist' over beer and water? — Said Abaye, this is what he means: You do not say, 'bring a cup of blessing to say Grace [after meals],' over aught except wine.

Our Rabbis taught: You do not recite kiddush over beer. On the authority of R. Eleazar son of R. Simeon they said: You can recite kiddush [over it]. The tasting of wine [demands] but a small quantity.[19] R. Jose b. Judah said: [At least] a mouthful. R. Huna said in Rab's name, an thus did R. Gidal of Naresh[20] learn: He who recites kiddush and drinks a mouthful [of the wine] as discharged [his duty]; if not, he has not discharged [his duty]. it. Nahman b. Isaac said: I recite this [name] neither [as] Gidal b. Menassia nor Gidal b. Manyomi, but simply Gidal. What difference does that make? — In respect of opposing [one statement] of his to [another statement] of his.[21]

CLOSE TO MINHAH. The scholars asked: Did we learn, CLOSE TO the great MINHAH, or perhaps we learned, CLOSE TO the lesser "MINHAH?[22] Did we learn, CLOSE to the great MINHAH, the reason being on account of the Passover-offering, lest he come to prolong [the meal]

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(1) V. supra 106a.

(2) Viz., Sunday, but not the whole week.

(3) Yanuka means youth; Kashisha, old age. Some accordingly translate: the younger add the elder sons of R. Hisda respectively. Others however translate: The son born to R. Hisda in his youth and the son born in his old age, i.e., the elder and the younger sons of R. Hisda respectively. Rashi and Keth. 89b s.v. מר and Tosaf. in B.B. 7b s.v. מר

(4) Dan. VI, 19. He would not eat without reciting (habdalah.

(5) Beer is evidently a popular drink and occupies the same place here that wine generally occupies elsewhere.

(6) V. Supra p. 552, n. 4.

(7) Text as emended (Bah).

(8) Jast. A beer brewed from figs,in that case it must differ from תאיני which is also a beverage made from figs, while ordinary beer is from barley. Rashi however regards pirzuma as barley beer, while ordinary beer is made from dates.

(9) Jast.: a drink made of shrubbery fruit(.?) — All these are superior to the ordinary barley beer about which R. Hisda asked.

(10) R. Han.: repeatedly strained for clarity — thirteen merely indicates many. Rashbam: beer made by pouring water on dates, then pouring the same water with its date infusion over other dates, this operation being repeated many times.

(11) Rashbam: i.e., it causes pain — is it fit to propitiate God therewith, i.e., to recite kiddush over it — surely not! Others: first it entices (by its pleasant flavour) and then it causes pain.

(12) A vow made in the presence of a multitude cannot be annulled, v. Git. 36a.
(13) I.e., water in which flax is steeped.
(14) If he grudges the money for wine, there will come a time when he can afford only beer for his general drinking.
(15) Var. lec., Rabbah b. Bar Hanah.
(16) Lit., 'father' — a title of respect.
(17) Coins.
(18) I.e., you have begun trading with beer, so it has become sufficiently valuable in your eyes to recite kiddush over it.
(19) He who says a blessing over wine must taste some of it (supra 105b bottom); the smallest quantity suffices.
(20) identical 'with Nahras or Nahr-sar, on the canal of the same name, on the east bank of the Euphrates; Obermeyer, p. 307.
(21) If a statement by one of these two is found to contradict the present one, there is no difficulty, as he is not identical with either. Or perhaps: he may be identical with one of them, so that a contrary statement by the other does not prove a self-contradiction.
(22) The time for the great minhah is six and a half hours (i.e., half an hour after midday) and onwards. This is the earliest hour for the sacrificing of the evening amid (v. supra 58a). The lesser minhah is two and a half hours before nightfall.

Talmud - Mas. Pesachim 107b

and refrain from performing the Passover [-offering]; or perhaps we learned CLOSE TO the lesser 'MINHAH, the reason being on account of the unleavened bread, lest he merely gorge himself with the unleavened bread?[1] Said Rabina, Come and hear: Even King Agrippa[2] who was accustomed to eat at nine hours, might not eat on that day until night. fall. Now it is well if you say that we learned, CLOSE TO the lesser MINHAH, Hence it is that which is noteworthy about Agrippa;[3] but if you say [that] we learned, CLOSE TO the great MINHAH, what is there noteworthy about Agrippa, seeing that the interdict has [already] fallen upon him from before?[4] What then? We learned, CLOSE TO the lesser MINHAH? Yet after all what is there remarkable about Agrippa: surely the the of the interdict has come![5] -You might say: Nine hours[6] to Agrippa is like four hours[7] to us;[8] Hence he informs us [otherwise]. R. Jose[9] Said: But he may make a meal[10] with various sweet-meats.[11] R. Isaac would make a meal with vegetables. It was taught likewise: The attendant may make a meal with the inwards,[12] and he may [also] offer them to the guests. And though there is no proof of this, yet there is a hint thereof, for it is said, Break up for you a fallow ground, and sow not among thorns.[13]

Raba used to drink wine the whole of Passover eve, so as to whet his appetite'[14] to eat more unleavened bread in the evening. Raba said: How do I know that wine whets the appetite? Because we learned:

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(1) Lit., '.a gross eating,' having eaten his fill beforehand.
(2) A king of the Hasmonean dynasty, who followed Rabbinical teaching.
(3) I.e., though he did not eat earlier, and at nine hours interdict has not yet commenced (for it commences just before nine and a half hours), he might nevertheless not start then, as he would probably prolong it.
(4) Surely we would not think him exempt from the interdict merely because he had not yet eaten.
(5) I.e. , about three p.m.
(6) I.e., about ten a.m.
(7) Before he finishes his meal. For even R Jose, who maintains that a man needs not interrupt the meal once he has commenced (supra 99b), admits that he must not commence a meal knowing that he will prolong it beyond the forbidden period.
(8) Since the latter hour is the general mealtime, while Agrippa did not breakfast until three p.m.
(9) Alfasi reads: Assi.
(10) Lit., 'dip.'
(11) Fruit or meat, without bread: these were generally dipped into a relish. — The time meant is from minhah and

onwards.

(12) Of an animal which he is preparing for the festival meals.

(13) Jer. IV, 3. Rashi: i.e., do not work without profit; so if a man is engaged on preparing food and is forbidden to eat thereof it causes him mental suffering. [Rashi did not seem to read: 'and he may offer them to the guest. Rashbam and Tosaf. explain the reference to a relish prepared for whetting the appetite and the verse is quoted in illustration that the stomach must be prepared to receive food as the ground for seeds].

(14) Lit., 'draw his heart'.

Talmud - Mas. Pesachim 108a

Between these cups,[1] if he wishes to drink [more] he may drink; between the third and the fourth he must not drink.[2] Now if you say that it [wine] satisfies, why may he drink? Surely he will merely gorge on the unleavened bread! Hence this proves that it sharpens the appetite.

R. Shesheth used to fast[3] the whole of the eve of passover. Shall we say that R. Shesheth holds [that] we learned, Close TO the great MINHAH, the reason being on account of the Passover [sacrifice], lest he prolong [the meal] and refrain from performing the Passover [-offering]; and he [also] holds as R. Oshaia, who said: 'The son of Bathyra used to declare valid the Passover [-offering] which one slaughtered in its own name[4] on the morning of the fourteenth'; and from the morning it is the time for the Passover, for the whole day is the time for the Passover, as he holds, [and the whole assembly . . . shall kill it] between the evenings[5] [means any time] between yesterday evening and this evening?[6] — I will tell you [that is] not [so]. R. Shesheth was different, for he was delicate, and if he ate anything in the morning his food would not benefit him in the evening.[7]

EVEN THE POOREST MAN IN ISRAEL MUST NOT EAT UNTIL HE RECLINES. It was stated: [For the eating of] the unleavened bread reclining is necessary; for the bitter herbs reclining is not necessary.[8] [As for the drinking of] the wine, — It was stated in R. Nahman's name [that] reclining is necessary, and it was stated in R. Nahman's name that reclining is not necessary. Yet they do not disagree: one [ruling] refers to the first two cups, and the other ruling refers to the last two cups. Some explain it in one direction, others explain it in the other direction. [Thus:] some explain it in one direction: for the first two cups reclining is necessary, because it is at this point that freedom commences; for the last two cups reclining is necessary, [because] what has been has been.[9] Others explain it in the contrary direction: on the contrary, the last two cups necessitate reclining, [because] it is precisely then that there is freedom; the first two cups do not necessitate reclining, [because] he is still reciting 'we were slaves.'[10] Now that it was stated thus and it was stated thus, both [the first and the last ones][11] necessitate reclining. Lying on the back is not reclining; reclining on the right side is not reclining.[12] Moreover he may put [his food] into the windpipe before the gullet,[13] and thus endanger himself.

A woman in her husbands [house] need not recline,[14] but if she is a woman of importance she must recline.[15] A son in his father's [house] must recline.[16] The scholars asked: What about a disciple in his teacher's presence? — Come and hear, for Abaye said: When we were at the Master's [Rabbah b. Nahman's] house, we used to recline on each other's knees. When we came to R. Joseph's house he remarked to us, 'You do not need it: the fear of your teacher is as the fear of Heaven.'

An objection is raised: A man must recline with all [people], and even a disciple in his master's presence? — That was taught of a craftsman's apprentice.

The scholars asked: What about an attendant? — Come and hear, [or R. Joshua b. Levi said: A attendant, who ate as much as an olive of unleavened bread while reclining has discharged [his duty]. Thus, only while reclining, but not if he was not reclining. This proves that he must recline. This proves it.

R. Joshua b. Levi also said: Women are subject to [the law of] these four cups

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(1) The first and second, and the second and third.
(2) The third cup is drunk in connection with grace after meals. Having died already, he has no need to drink for his appetite, and if he now drinks more he will appear to be adding to the statutory number (four) of cups. T.J. states that drink after the meal (apart from the two which are still to be drunk to make up the four) intoxicates and makes the person unfit to recite the hallel.
(3) Lit., sit in a fast'.
(4) i.e., as a Passover, and not as a different sacrifice.
(5) Ex. XII, 6 (E.V. (at dusk).
(6) I.e., the evenings commencing the fourteenth and the fifteenth. The night must be omitted, since offerings cannot be sacrifices at night. — Though of course sacrifices lead altogether ceased by the time of R. Shesheth, yet if on this view one had to fast when the temple stood, it would still be necessary, because the interdict had never formally been rescinded.
(7) I.e., he would have no appetite in the evening.
(8) the former symbolizes freedom; the latter, bondage. Bitter herbs may not be eaten while reclining.
(9) The last two cups come after the meal, by which time the whole narrative of Israel's liberation has been completed. Hence there is no need then to emphasize the theme of freedom.
(10) V. infra 116a.
(11) var. lec.: all.
(12) Since he must eat with his right hand.
(13) if he eats lying on his back may go down the wrong way.
(14) Because she stands under his authority.
(15) Isserles (O.H. 472, 4 Gloss) remarks that women nowadays are of high worth.
(16) He does not sense his father's authority so strongly.

Talmud - Mas. Pesachim 108b

because they too were included in that miracle.[1]

Rab Judah said in Samuel's name: These four cups must contain sufficient for the mixing of a generous cup.[2] if he drank them raw [undiluted], he has discharged [his duty].[3] If he drank them [all] at once,[4] he has discharged [his duty]. If he gave his sons and household to drink of them,[5] he has discharged [his duty].

'If he drank them raw [undiluted]. he has discharged [his duty].' Raba observed: He has discharged [his duty] of wine, but he has not discharged [his duty] of [symbolizing his] freedom.[6] If he drank them [all] at once, Rab said:[7] He has discharged [his duty of drinking] wine,[8] [but] he has not discharged [his duty of] four cups.[9] 'If he gave his sons and household to drink of them, he has discharged [his duty]': Said R. Nahman b. Isaac: Providing that he [himself] drank the greater part of [each] cup.

An objection is raised: These four cups must contain the standard of a rebi'ith, whether neat or diluted, whether new [wine] or old; R. Judah said: It must possess the taste and the appearance of wine. Thus it is incidentally taught.'the standard of a rebi'ith,' whereas you say, 'a generous cup'? — I will answer you: Both are the same standard, [for] what does he mean by 'sufficient for the mixing of a generous cup? For each one separately [of the four cups]. which is a rebi'ith for all of them together.[10]

'R. Judah said: It must possess the taste and appearance of wine. Said Raba, What is R. Judah's reason? Because it is written, Look not thou upon the wine when it is red.[11]

Our Rabbis taught: All are bound to [drink] the four cups, men, women, and children. Said R. Judah: Of what benefit then is wine to children? But we distribute to them

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(1) Of liberation; v. Sot. 11b, where it is stated that the Israelites were redeemed as a reward to the righteous women of that generation.

(2) Their wine was too strong to be drunk neat. 'A generous cup' is one of sufficient quantity for Grace, viz., a rebi'ith (quarter of a log), and Rab Judah said that each of these four cups must contain enough undiluted wine to make up to a rebi'ith of diluted wine. — The usual mixture was one Part wine to three parts water.

(3) Providing that he drank a rebi'ith on each, occasion (Rashbam).

(4) Without following the order prescribed infra 114a and 116a-b.

(5) Possibly separate cups were not set for each member of the household. as is done nowadays; v. supra 99b Tosaf. s.v. לא יפחתו לו מארבע כוסות

(6) I.e., he has discharged his duty in a poor way, since drinking undiluted wine is hardly drinking at all — This does not refer to wine nowadays, which is not so strong and does not require dilution.

(7) Alfasi and Asheri omit: Rab said.

(8) V. infra 109: a man must rejoice on a Festival by drinking wine; this duty he has now discharged.

(9) But all count as one cup. and another three are necessary.

(10) I.e. , a rebi'ith of the raw wine, which when diluted will make four rebi'ith of drinkable wine, a rebi'ith for each cup.

(11) Prov. XXIII, 31. Thus it does not merit the name wine unless it has its appearance too.

parched ears of corn and nuts on the eve of Passover, so that they should not fall asleep, and ask [the 'questions'].[1] It was related of R. Akiba that he used to distribute parched ears and nuts to children on the eve of Passover, so that they might not fall asleep but ask [the 'questions']. It was taught, R. Eliezer said: The mazzoth are eaten hastily[2] on the night of Passover, on account of the children, so that they should not fall asleep.[3] It was taught: it was related of R. Akiba[4] [that] never did he say in the Beth Hamidrash, 'It is time to rise [cease study]', except on the eve of Passover and the eve of the Day of Atonement. On the eve of Passover, because of the children, so that they might not fall asleep. On the eve of the Day of Atonement,in order that they should give food to their children.

Our Rabbis taught: A man is in duty bound to make his children and his household rejoice on a Festival, for it is said, And thou shalt rejoice it, thy feast, [thou and thy son, and thy daughter, etc.][5] Wherewith does he make them rejoice? With wine. R. Judah said: Men with what is suitable for them, and women with, what is suitable for them. 'Men with what is suitable for them': with wine. And women with what? R. Joseph recited: in Babylonia, with coloured garments; in Eretz Yisrael, with ironed lined garments.

It was taught, R. Judah b. Bathyra said: When the temple was in existence there could be no rejoicing save with meat, as it is said, And thou shalt sacrifice peace-offerings, and shalt eat there; and thou shalt rejoice before the Lord thy God.[6] But now that the Temple is no longer in existence, there is no rejoicing save with wine, as it is said, and wine that maketh glad the heart of man.[7] R. Isaac said: The xestes[8] for muries in Sepphoris was about equal to the Temple log, and thereby we gauge the rebi'ith of [wine for] Passover.[9] R. Johanan said: The ancient tomanta which was in Tiberias exceeded this by a quarter, and thereby we gauge the rebi'ith of [wine for] Passover. R. Hisda said: The rebi'ith of the Torah[10] is [the cubic content of a vessel] two fingerbreadths square by two and seven-tenths[11] fingerbreadths in depth.[12] As it was taught: Then he shall bathe all his flesh in water:[13] [this intimates] that nothing must interpose between his flesh and the water; 'in water' [means] in the water of a mikweh; 'all his flesh' [implies sufficient] water for his whole body to be covered therein. And how much is that?

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(1) v. infra 116a Mishnah.
(2) Others: the plate containing the mazzoth is lifted, to draw the attention of the children to the unusual fare; others, the mazzoth are taken away from the children before they have eaten their fill, as a heavy meal conduces to sleep.
(3) Var. lec.: so that they should ask 'questions'. This agrees with the first alternative translation in the preceding note. R. Han. reads both: so that they should not fall asleep but ask.
(4) In Suk. 28a this is attributed to R. Johanan b. Zakkai.
(5) Deut. XVI, 14. Presumably the proof lies in the bracketed passage, which is absent in the text. Possibly too he reads: we-Simmakta (pi'el) 'and thou shalt cause to rejoice' instead of we-Samakta 'and thou shalt rejoice. Tosaf.'s reading, however, and Maharsha emends text accordingly, is: and thou shalt rejoice, thou and thy household (ib. XIV 26). This refers to the eating of the second tithe in Jerusalem, and its teaching is applied here to Festivals.
(6) Deut. XXVII, 7.
(7) Ps. CIV, 15.
(8) A measure kept as a standard; it was somewhat less than a pint.
(9) Required for the four cups.
(10) In respect to several Biblical laws a rebi'ith is specified by the Rabbis.
(11) Lit., ' two and a half and a fifth.'
(12) Hence the volume of a rebi'ith is 2 X 2 X 27 == 108 cubic fingerbreadths.
(13) Lev. XV, 16.

Talmud - Mas. Pesachim 109b

A square cubit by three cubits' depth, and the Sages estimated the standard of the water of a mikweh at forty se'ahs.[1]

R. Ashi said: Rabin b. Hinena told me, The Table in the Sanctuary was jointed.[2] For if you should think that it was [permanently] fastened, how could one immerse a cubit in a cubit?[3] What difficulty is this! Perhaps it was immersed in the sea which Solomon made. For R. Hiyya taught: The sea which Solomon made held one hundred and fifty clean [i.e., regulation-sized] mikwoth.

AND THEY SHOULD GIVE HIM NOT LESS THAN FOUR [CUPS]. How could our Rabbis enact something whereby one is led into danger: Surely it was taught: A man must not eat in pairs, nor drink in pairs,[4] nor cleanse [himself] twice nor perform his requirements[5] twice? — Said R. Nahman: Scripture said, [it is] a night of guarding [unto the lord]:[6] [i.e.,] it is a night that is guarded for all time[7] from harmful spirits. Raba said: The cup of Grace [after meals] combines [with the others] for good, but does not combine for evil.[8] Rabina said: Our Rabbis instituted four cups as symbolizing liberty: each one

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(1) 1 se'ah == 6 kabs; 1 kab == 4 logs; 1 log == 4 rebi'ith; 1 cubit == 6 handbreadths; 1 handbreadth = 4 fingerbreadths. On this basis R. Hisda arrives at his estimate. Thus:1 Se'ah == 96 rebi'ith; 40 se'as == 96 X 40 == 3840 rebi'ith. Hence cubic capacity of mikweh is 3840 X 108 == 41472 fingerbreadths which is the equivalent of cubic capacity of 3 cubic cubits, 1 cubic cubit being equal to 243 (== 13824 fingerbreadths), and 3 cubic cubits being equal to 3 X 13824 == 41472].
(2) And the joints could be taken apart.
(3) The Table was a cubit square, while a mikweh, as stated here, was likewise a cubit square; hence it would be impossible to immerse the Table in the mikweh if it became unclean and needed a ritual bath.
(4) I.e., he must not eat or drink two or a multiple of two of anything, a malignant potency being ascribed to twos.
(5) A euphemism for intimacy.
(6) Ex. XII, 42.
(7) Lit., 'that is guarded and comes on.'
(8) The third cup, which is drunk in collection with Grace after meals, combines with others to break the spell of evil which, might be caused by drinking the first two, but is not counted in the four for harm.

Talmud - Mas. Pesachim 110a

is a separate obligation.[1]

'He must not perform his requirements twice.' Why? Has he not [newly] decided?[2] -Said Abaye, This is what he [the Tanna] means: He must not eat in pairs and drink in pairs and he must not perform his needs even once [after eating or drinking in pairs], lest he be weakened[3] and be affected.[4]

Our Rabbis taught: He who drinks in pairs, his blood is upon his own head. Said Rab Judah: When is that? If he had not seen the street;[5] but if he has seen the street, he is at liberty [to drink a second cup]. R. Ashi said: I saw that R. Hanania b. Bibi used to go out and see the street at each cup. Now we have said [this][6] only [if he intends] to set out on a journey [after drinking]; but [if he intends to stay] at home, it is not [harmful]. R. Zera observed: And going to sleep is like setting out on a journey. R. Papa said: And going to the privy is like setting out on a journey. Now [if [he intends to stay] at home it is not [dangerous]? Yet surely Raba counted the beams,[7] while when Abaye had drunk one cup, his mother would offer him two cups in her two hands;[8] again, when R. Nahman b. Isaac had drunk two cups, his attendant would offer him one cup; [if he had drunk] one cup, he would offer him two cups in his two hands?[9] — An important person is different.[10]

'Ulla said: Ten cups are not subject to [the danger of] pairs. 'Ulla is consistent with his view, for 'Ulla said, while others maintain, it was taught in a Baraitha: The Sages instituted ten cups in a mourner's house. Now if you should think that ten cups are subject to [the danger of] pairs, how could our Rabbis arise and enact a regulation whereby one is led into danger! But eight are subject to 'pairs.' R. Hisda and Rabbah son of R. Huna both maintained: 'Shalom' [peace] combines [with others] for good, but does not combine for evil;[11] but six is subject to 'pairs'. Rabbah and R. Joseph both maintained: Wiyhuneka ['and be gracious unto thee'] combines [with others] for good, but does not combine for evil;[12] but four is subject to 'pairs.' Abaye and Raba both maintained: We-yishmereka ['and keep thee'] combines [with others] for good, but does not combine for evil.[13] Now Raba is consistent with his view, for Raba allowed the Rabbis to depart [from his house] after four cups, [and] though Raba b. Liwai[14] came to harm, he paid no heed to the matter, saying, 'That was [his punishment] because he raises difficulties at the public session.[15]

R. Joseph said: The demon Joseph told me [that] Ashmedai the king of the demons is appointed over all pairs.'[16] and a king is not designated a harmful spirit.[17] Others explain it in the opposite sense: On the contrary, a king is quick-tempered [and] does whatever he wishes, for a king can break through a wall to make a pathway for himself and none may stay him.[18]

R. Papa said, Joseph the demon told me: For two we kill; for four we do not kill, [but] for four we harm [the drinker]. For two [we hurt] whether [they are drunk] unwittingly or deliberately; for four, only if it is deliberate, but not if it is unwitting. And if a man forgot himself and happened to go out,[19] what is his remedy? Let him take his right-hand thumb in his left hand and his left-hand thumb in his right hand and say thus: 'Ye [two thumbs] and I, surely that is three![20] But if he hears one saying, 'Ye and I, surely that is four!' let him retort to him, 'Ye and I are surely five!' And if he hears one saying, 'Ye and I are six,' let him retort to him, 'Ye and I are seven.[21] This once happened until a hundred and one , and the demon burst [with mortification].

Amemar said: The chief of the sorceresses told me: He who meets sorceresses should say thus: 'Hot dung in perforated baskets for your mouths, o ye witches! may your heads become bald,[22] the wind carry off your crumbs,[23]

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(1) Hence they do not combine.

(2) The second is occasioned by a new desire, and does not combine with, the first.
(3) Through intimacy.
(4) Since eating or drinking in pairs has already made him more susceptible to hurt than he would otherwise have been.
(5) i.e., if he does not go out between the drinks.
(6) That pairs is harmful.
(7) At each cup he mentally counted one beam, to ensure not drinking in pairs.
(8) Likewise that he should not drink in pairs.
(9) Though in a these cases they were remaining at home.
(10) The demons are at greater pains to hurt him; hence he is endangered even when staying at home.
(11) 'Shalom' (peace) is the seventh word (in Heb.) of the verse The Lord lift up His countenance upon tee, and give thee peace (Num. VI, 26). Hence the seventh cup combines with others for good etc. as on p. 565, n. 5.
(12) Wiyhuneka is the fifth Hebrew word of the verse, The Lord make His face to shine upon thee, and be gracious unto thee (ibid. 25).
(13) This is the third word of the verse, The Lord bless thee, and keep thee (ibid. 24).
(14) Or, the Levite.
(15) He would raise difficulties in the course of my public lectures, thereby putting me to shame.
(16) Those who drink in pairs are at his mercy.
(17) It is beneath his dignity to cause hurt. Hence there is generally no danger in pairs (though occasionally he may disregard his dignity — Rashbam).
(18) Hence the danger is all the greater.
(19) After drinking 'pairs.'
(20) Thus breaking the spell of pairs.
(21) And so on.
(22) Lit., 'bald be your baldness' — they practised witchcraft with their hair.
(23) Likewise used in the practice of witchcraft. Rashbam holds that this is an allusion to Ezek. XIII, 18f, q.v.

Talmud - Mas. Pesachim 110b

your spices be scattered, the wind carry off the new saffron which ye are holding, ye sorceresses; as long as He showed grace to me and to you, I had not come among [you]; how that I have come among you, your grace and my grace have cooled.'[1]

In the West [Palestine] they were not particular about 'pairs. R. Dimi of Nehardea was particular even about the marks on a [wine-] barrel:[2] it once happened that a barrel burst.[3] This is the position in general: when one is particular, they [the demons] are particular about him,[4] while when one is not particular,[5] they are not particular about him. Nevertheless one should take heed. When R. Dimi came,[6] he said: Two eggs, two nuts, two cucumbers and something else — [these are] halachah from Moses at Sinai;[7] but the Rabbis were doubtful what this something else was, and so the Rabbis forbid a 'pairs' on account of the 'something else.' And as to what we have said, Ten, eight, six and four are not subject to 'pairs,' that was said only in respect to the harmful spirits [mazzikin], but where witchcraft is concerned we fear even many.[8] As [it once happened in] the case of a certain man who divorced his wife, [whereupon] she went and married a shopkeeper. Every day he [her first husband] used to go and drink wine, [and though] she exercised her witchcraft against him, she could avail nought, because he was heedful of 'pairs.' One day he drank to excess and did not know how much he drank; until sixteen [cups] he was clear-headed and on is guard; after that he was not clear-headed and took no care, [and] she turned him out at an even [number of drinks]. As he was going along an Arab met him and observed to him: A corpse is walking here![9] He went and clasped a palm tree; the palm tree cried out[10] and he burst.

R. 'Awira said: Plates and loaves are not subject to even numbers. This is the general rule: That which is completed by man is not subject to even numbers; [but in the case of] that which is completed by Heaven, such as various kinds of eatables, we fear [even numbers]. A shop is not

subject to even numbers.[11] If a man changes his mind,[12] it is not subject to even numbers. A guest is not subject to even numbers.[13] A woman is not subject to even numbers; but if she is an important woman, we take heed. R. Hinena son of R. Joshua said: Asparagus [-wine] combines [with other liquors] for good, but does not combine for harm.[14]

Rabina said in Raba's name: [A doubt concerning] even numbers [is resolved] stringently;[15] others state: [A doubt concerning] even numbers [is resolved] leniently.[16]

R. Joseph said: Two [cups] of wine and one of beer do not combine; two of beer and one of wine combine, and your token [is this]: 'This is the general principle: Whatever is joined thereto of a material more stringent than itself is unclean; of a material more lenient than itself, is clean.'[17]

R. Nahman said in Rab's name: Two [cups] before the meal[18] and one during the meal combine; one before the meal and two during the meal do not combine. R. Mesharsheya demurred: Do we then desire to effect a remedy for the meal: we desire to effect a remedy for the person, and surely the person stands remedied![19] Yet all agree that two during the meal and one after the meal do not combine, in accordance with the story of Rabbah b. Nahmani.[20]

Rab Judah said in Samuel's name: All mixed drinks combine,[21]

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(1) I have not taken sufficient care of myself.

(2) Indicating the quantities sold. He took care that there should not be an even number of these.

(3) When an even number of marks had bee made on it.

(4) They are more anxious to injure him.

(5) Takes no great pains to save himself from demons.

(6) From Palestine to Babylonia.

(7) It is a tradition dating back from Moses that even numbers of these and of another unnamed commodity are harmful.

(8) A large multiple of two, such as six, eight, etc.

(9) He recognized that he was doomed.

(10) Probably, made a rustling noise. [Var. lec., 'withered']

(11) I.e., if one drinks in two shops. Others: if one drinks an even number of glasses in one shop, for these are harmful at home only. The incident related above, however, took place in a tavern.

(12) He drank one glass, not intending to drink more; then decided to drink another.

(13) He does not know how much will be offered him, therefore at each he is regarded as having decided afresh.

(14) Cf. p. 565, n. 5.

(15) If a man does not know whether he has drunk an even number or not, he Should drink another. This turns an even number into odd, not an odd into even, because in the latter case this glass represents a fresh decision (cf. p. 568, n. 8), and does not combine with the others.

(16) Thus showing that he is not particular about it and thereby removing the hostility of the demons (cf. supra).

(17) Materials, to become unclean, must be of a certain minimum size, which varies according to the value of the material: the greater the value, the more stringent it is, i.e., the smaller its minimum. If the material is less than the minimum and a piece of another material is joined to it, making it up to the minimum, the rule is as stated. Thus here too, wine, being more valuable than beer, combines with it; beer being less valuable than wine, it is disregarded.

(18) Lit., 'tray.'

(19) Since he has drunk three.

(20) V. B.M. 86a.

(21) If a man drinks mixed (i.e., diluted) wine and then any other mixed drink (so Rashbam), they combine.

Talmud - Mas. Pesachim 111a

except water;[1] while R. Johanan maintained: Even water. R. Papa said: This was said only of hot [water] mixed with cold or cold mixed with hot; but not [if it is] hot mixed with hot or cold with

cold.[2]

Resh Lakish said: There are four actions for which he who does them has his blood on his own head and forfeits his life,[3] viz.: easing oneself between a palm tree and the wall passing between two palm trees; drinking borrowed water, and passing over spilt water, even if his wife poured it out in his presence. 'Easing oneself between a palm tree and the wall': this was said only if there is not four cubits,[4] but if he leaves four cubits it does not matter. And even if he does not leave four cubits [space], it was said only where there is no other path;[5] but if there is another path, it does not matter.

'Passing between two palm-trees.' This was said only where a public thoroughfare does not cross between them; but if a public thoroughfare crosses between them, it does not matter.

'Drinking borrowed water.' That was said only if a child borrowed it; but [if] an adult, it does not matter. And even if a child borrowed it, this was said only in respect to the countryside, where it is not found [in abundance]; but in the town, where it is found in abundance, it does not matter. And even in respect to the countryside, this was said only of water, but there is no objection against [borrowed] wine and beer.

'And passing over spilt water.' This was said only if he did not interpose dust[6] or spit into it; but if he interposed dust or spit into it, it does not matter. Again, this was said only if the sun had not passed over it nor did he walk sixty steps over it; but if the sun had passed over it and he walked sixty steps over it, it does not matter. Again, this was said only if he was not riding an ass and was not wearing shoes; but if he was riding an ass and was wearing shoes, it does not matter. Yet that is only where there is nought to fear of witchcraft; but where there is aught to fear of witchcraft, even if there are all these [safeguards], we still fear, as in the case of a certain man who rode on a ass and was wearing his shoes; his shoes shrank, and his feet withered.

Our Rabbis taught: There are three who must not pass between [two men], nor may [others] pass between them, viz.: a dog, a palm tree, and a woman. Some say: a swine too; some say, a snake too. And if they pass between, what is the remedy? — Said R. Papa: Let them commence [a verse] with el [God] and end with el.[7] Others say: Let them commence [a Scriptural passage] with lo [not] and finish with lo.[8] If a Menstruant woman passes between two [men], if it is at the beginning of her menses she will slay one of them[9] and if it is at the end of her menses she will cause strife between them. What is the remedy? Let them commence [a verse] with el and end with el. When two women sit at a crossroad , one on one side of the road and one on the other side of the road, facing each other, they are certainly engaged in witchcraft. What is the remedy? If there is another road [available], let one go through it. While if there is no other road, [then] if another man is with him, let them clasp hands and pass through; while if there is no other man, let him say thus: 'Igrath Izlath, Asya, Belusia[10] have been slain with arrows.'[11]

When one meets a woman coming up from her statutory tebillah,[12] if [subsequently] he is the first to have intercourse, a spirit of immortality will infect him; while if she is the first to have intercourse, a spirit of immortality will infect her. What is the remedy? Let him say thus : 'He poureth contempt upon princess, and causeth them to wander in the waste, where there is no way.'[13]

R. Isaac said: What is meant by the verse, Yea, though I walk through the valley of the shadow of death, I will fear no evil, for Thou art with me?[14] This refers to him who sleeps in the shadow of a single palm-tree or in the shadow of the moon. Now in respect to the shadow of a single palm-tree this holds good only where the shadow of the neighbouring [tree] does not fall upon it; but if the shadow of the neighbouring tree falls upon it, it does not matter. Then when it was taught: He who sleeps in the shadow of a single palm-tree in a courtyard and he who sleeps in the shadow of the moon, has is blood on is own head, how is it meant? Shall we say that the shadow of the

neighbouring tree does not fall upon it, — then even in a field too [it is dangerous]? Hence you may surely infer from this that in a courtyard [there is danger] even if the shadow of the neighbouring tree fall on it. This proves it. And in respect to the shadow of the moon too, this holds good only when [it falls] in the west,[15] but when it is in the east it does not matter.

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(1) Cold water mixed with hot water is not regarded as a mixed drink and does not combine with other mixed drinks.

(2) R. Johanan too admits that this is not a mixture, and it does not combine with other mixed drinks.

(3) I.e., whatever happens, he has only himself to blame.

(4) Between tem: this leaves no room for the evil spirits to pass comfortably and so they injure him.

(5) For the demon to pass through.

(6) I.e., he did not scatter dust upon the water before passing over it.

(7) Rashbam: Num. XXIII, 22f, which commence and finish with el in Heb.

(8) Ibid. 19.

(9) I.e., cause perjury to one of them (Rashbam).

(10) The demons by whose aid you seek to work witchcraft.

(11) The text is obscure.

(12) After her period of menstruation.

(13) Ps. CVII, 40.

(14) Ps. XXIII, 4.

(15) I.e., at the end of the month when the moon is in the east and casts its shadow in the west.

Talmud - Mas. Pesachim 111b

If one eases oneself on the stump of a palm-tree, the demon Palga[1] will seize him, and if one leans one's head on the stump of a palm-tree, the demon Zerada[2] will seize him. He who steps over a palm-tree, if it had been cut down, he will be cut down [killed]; if it had been uprooted, he will be uprooted and die. But that is only if he does not place his foot upon it; but if he places his foot upon it, it does not matter.

There are five shades:[3] the shade of a single palm-tree, the shade of a kanda-tree,[4] the shade of a caper-tree, [and] the shade of sorb bushes.[5] Some say: Also the shade of a ship and the shade of a willow. This is the general rule: Whatever has many branches, its shade is harmful, and whatever has hard prickles [or, wood], its shade is harmful, except the service-tree, whose shade is not harmful although its wood is hard, because Shida [the demon] said to her son, ‘Fly from the service-tree, because it is that which killed your father’; and, it also killed him. R. Ashi said: I saw R. Kahana avoid all shades.

[The demons] of caper-trees are [called] Ruhe [spirits]: those of sorb-bushes are [called] Shide [demons]: those which haunt roofs are [called] Rishpe [fiery-bolts]. In respect of what does it matter? In respect of amulets.[6] [The demon] of caper-trees is a creature without eyes. What does it matter? In respect of fleeing from it.[7] A scholar was once about to ease himself among the caper-trees, when he heard it advancing upon him so he fled from it. Well he had gone, it embraced a palm-tree,[8] whereupon the palm-tree cried out[9] and it [the demon] burst.

[The demons] of sorb-bushes are [called] Shide. A sorb-bush which is near a town has not less than sixty Shide [demons] [haunting it]. How does this matter? In respect of writing an amulet. A certain town-officer went and stood by a sorb-bush near a town, whereupon he was set upon by sixty demons and his life was in danger. He then went to a scholar who did not know that it was a sorb-bush haunted by sixty demons, and so he wrote a one-demon amulet for it . Then he heard how they suspended a hinga[10] on it [the tree][11] and sing thus: ‘The man's turban is like a scholar's, [yet] we have examined the man [and find] that he does not know "Blessed art Thou".’[12] Then a certain scholar came who knew that it was a sorb-bush of sixty demons and wrote a sixty-demon amulet for

it. Then he heard them saying, ‘Clear away your vessels from here.’

Keteb Meriri:[13] there are two Ketebs, one before noon and one after noon; the one before noon is called Ketheb Meriri, and looks like a ladle turning in the jug of kamka.[14] That of the afternoon is called Keteb Yashud Zaharaim [‘Destruction that wasteth at noonday’];[15] it looks like a goat's horn, and wings compass it about.

Abaye was walking along, with R. Papa on his right and R. Huna, son of R. Joshua on his left. Seeing a Keteb Meriri approaching him on the left, he transferred R. Papa to his left and R. Huna son of R. Joshua to his right. Said R. Papa to him: ‘Wherein am I different that you were not afraid on my behalf?’ ‘The time is in your favour,’ replied he.[16]

From, the first of Tammuz[17] until the sixteenth they are certainly to be found; henceforth it is doubtful whether they are about or not, and they are found in the shadow of hazabe[18] which have not grown a cubit, and in the morning and evening shadows when these are less than a cubit [in length], but mainly in the shadow of a privy.

R. Joseph said: The following three things cause defective eyesight: combing one's head [when it is] dry, drinking the drip-drop [of wine], and putting on shoes while the feet are still damp.

[Eatables] suspended in a house lead[19] to poverty, as people say, ‘He who suspends a basket [of food] puts his food in suspense.’ Yet this relates only to bread, but it does not matter about meat and fish, [since] that is the usual way [of keeping them]. Bran[20] in a house leads to poverty. Crumbs in a house lead to poverty: the demons rest upon them on the nights of Sabbaths and on the nights of the fourth days.

The genius appointed over sustenance is called Neki'ah [Cleanliness]; the genius appointed over poverty is called Nabal [Folly or Filth] . Dirt on the spout of a pitcher leads to poverty. He who drinks water out of a plate is liable to a cataract. He who eats cress without [first] washing his hands will suffer fear thirty days.

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(1) Jast. conjectures paralysis. [Aruch: ‘headache on one side of the head’, megrim, connecting it with rt. meaning ‘to divide’].

(2) Perhaps vertigo; Rashi: megrim.

(3) Involving danger on account of the demons that inhabit them.

(4) MS.M.: kinura, the name of a shrubby tree, Christ's-thorn or lote (Jast.).

(5) [Var. lec.: add as fifth ‘the shade of the willow-tree].

(6) Charms to counteract them, in which their names are written.

(7) As it is sightless it cannot follow.

(8) In error. Rashi and Rashbam read נפקא אדקלא , it tripped over a palm-tree.

(9) [Or, withered v. supra p. 568, n. 5.]

(10) A musical instrument.

(11) Jast. Perhaps: they danced in chorus about it.

(12) He does not know which benediction to recite when he puts it on ridiculed his pretentions to scholarship.

(13) ‘Bitter destruction’ (v. Deut. XXXII, 24). Regarded here as the name of a demon.

(14) A kind of sauce made of milk and bread-crumbs. — The translation follows the reading of Rashi and Rashbam, which differs from cur. edd.

(15) Ps. XCI, 6.

(16) You have been blessed with good fortune, so the demon will not harm you.

(17) The fourth month of the Jewish year, roughly corresponding to July.

(18) A species of shrub.

(19) Lit., ‘are harmful.’

(20) So Rashbam.

Talmud - Mas. Pesachim 112a

He who lets blood without washing his hands will be afraid seven days. He who trims his hair and does not wash his hands will be afraid three days. He who pares his nails and does not wash his hands will be afraid one day without knowing what affrights him.

[Putting] one's hand to one's nostrils is a step to fear; [putting] one's hand to one's forehead is a step to sleep. It was taught: If food and drink [are kept] under the bed, even if they are covered in iron vessels, an evil spirit rests upon them.

Our Rabbis taught: A man must not drink water either on the nights of the fourth days [Wednesdays] or on the nights of Sabbath,[1] and if he does drink, his blood is on his own head, because of the danger. What is the danger? An evil spirit. Yet if he is thirsty what is his remedy? Let him recite the seven 'voices' which David uttered over the water and then drink, as it is said: The voice of the Lord is upon the waters; the God of glory thundereth, even the Lord is upon many water. The voice of the Lord is powerful; the voice of the Lord is full of majesty. The voice of the Lord breaketh the cedars; yea, the Lord breaketh in pieces the cedars of the Lebanon ... The voice of the Lord heweth out flames of fire. The voice of the Lord shaketh the wilderness; the Lord shaketh the wilderness of Kadesh. The voice of the Lord maketh the hinds to calve, and strippeth the forests bare; and in His temple all say: 'Glory.'[2] But if [he does] not [say this], let him say thus: 'Lul shafan anigron anirdafin,[3] I dwell among the stars, I walk among lean and fat people.' But if [he does] not [say this], if there is a man with him he should rouse him and say to him, 'So-and-so the son of So-and-so, I am thirsty for water,' and then he can drink. But if not, he knocks the lid against the pitcher, and then he can drink. But if not, let him throw something into it and then drink.

Our Rabbis taught: A man should not drink water from rivers or pools at night, and if he drinks, his blood is on his own head, because of the danger. What is the danger? The danger of blindness.[4] But if he is thirsty, what is his remedy? If a man is with him he should say to him, 'So-and-so the son of So-and-so, I am thirsty for water.' But if not, let him say to himself, 'O So-and-so,[5] my mother told me, "Beware of shabrire" : Shabrire, berire, rire, ire re,[6] I am thirsty for water in a white glass.'

AND EVEN [IF HE RECEIVES RELIEF] FROM THE CHARITY PLATE ETC. That is obvious? — It is necessary only even according to R. Akiba who said: Treat your Sabbath like a weekday[7] rather than be dependent on man; yet here, in order to advertise the miracle, he agrees.[8]

Tanna debe Eliyahu [taught]:[9] Though R. Akiba said, 'Treat your Sabbath like a weekday rather than be dependent on men,' yet one must prepare something trifling at home.[10] What is it? Said R. Papa: Fish hash. As we learned, R. Judah b. Tema said: Be strong as the leopard and swift as the eagle, fleet as the deer and valiant as a lion to do the will of thy Father in heaven.[11]

Our Rabbis taught: Seven things did R. Akiba charge his son R. Joshua: My son, do not sit and study at the highest point of the town;[12] do not dwell in a town whose leaders are scholars;[13] do not enter your own house suddenly, and a the more your neighbour's house; and do not withhold shoes from your feet.[14] Arise early and eat, in summer on account of the sun [i.e., heat] and in winter on account of the cold; treat your Sabbath like a weekday rather than be dependent on man , and strive to be on good terms with the man upon whom the hour smiles. R. Papa observed: [That does] not [mean] to buy from or to sell to him, but to enter into partnership with him. But now that R. Samuel b. Isaac said: What is meant by the verse, Thou hast blessed the work of his hands?[15] Whoever took a farthing [perutah] from Job was blessed; even to buy from and to sell to him is advisable.

Five things did R. Akiba charge R. Simeon b. Yohai when he was immured in prison.[16] He [the latter] said to him, 'Master, teach me Torah.' 'I will not teach you,' he replied.[17] 'If thou wilt not teach me, ' said he, 'I will tell my father Yohai and he will deliver thee to the state.' 'My son,' answered he, 'more than the calf wishes to suck does the cow desire to suckle.' Said he to him, 'Yet who is in danger: surely the calf is in danger!'[18] Said he to him: 'If you wish to be strangled, be hanged on a large tree,[19] and when you teach your son, teach him from a corrected scroll.' (What is that? Said Raba, — others state, R. Mesharsheya: A new one, for once an error has entered, it remains.)[20] 'Do not cook in a pot in which your neighbour has cooked.' (What does that mean? [Do not marry] a divorced woman during her husband's lifetime. For a Master said: When a divorced man marries a divorced woman, there are four minds in the bed. Alternatively, [it refers] even to a widow, for

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(1) Rashbam: without a light.

(2) Ps. XXIX, 3-5, 7-9.

(3) This is an incantation.

(4) Shabrire, v. Git., Sonc. ed. p. 327, n. 4.

(5) Addressing himself thus.

(6) [An incantation against the demon of blindness resembling an Abracadabra amulet, in which each succeeding line is reduced by one letter].

(7) In the matter of food and drink.

(8) That he must take from charity.

(9) V. p. 504, n. 1.

(10) In honour of the Sabbath.

(11) Thus even the poorest must make an effort to honour the Sabbath.

(12) Many pass there, and they will disturb your studies.

(13) Intent on their studies, they neglect the affairs of the town!

(14) Cf. Shab. 129a.

(15) Job I, 10.

(16) R. Akiba was kept in prison several years and then martyred for defying Hadrian's edict against practising and teaching Judaism, Ber. 61b; v. J.E. I, 3051.

(17) He did not wish to endanger him.

(18) He pleaded to be allowed to take the risk.

(19) If you must depend on an authority, see that he is a great one.

(20) A error learned in childhood is difficult to dispel.

Talmud - Mas. Pesachim 112b

not all fingers[1] are alike). Enjoying the produce without interest[2] is a good deed and profitable investment.[3] A religious deed which leaves the body pure is marrying a woman when one [already] has children.

Four things did our holy Teacher[4] command his children: Do not dwell in Shekanzib,[5] because [its inhabitants] are scoffers and will corrupt you to disbelief. And do not sit upon the bed of a Syrian woman. Some say, [that means:] do not lie down to sleep without reading the shema'; while others explain: do not marry a proselyte. But others explain 'Syrian' literally, [the reason being] on account of what happened to R. Papa.[6] And do not seek to evade toll tax, lest they discover you and deprive you of a that you possess. And do not stand in front of an ox when he comes up from the meadow, because Satan dances between his horns.[7] Said R. Samuel: this refers to a black ox and in the month of Nisan.[8] R. Oshaia recited: One must remove a distance of fifty cubits from an ox that is a tam[9] [and] as far as the eye can see from an ox that is a mu'ad. A Tanna taught in R. Meir's name: [Even] when the ox's head is in the feeding-bag, climb up to the roof and throw away the ladder from under you.

Rab said: The cry for an ox[10] is 'hen, hen'; for a lion, 'zeh zeh'; for a camel, 'da da'; a ship's cry is 'helani hayya hela we-hiluk hulia.'[11]

Abaye said: Skin, a fish, a cup, hot water, eggs, and the vermin in linen are all injurious to 'something else'.[12] Skin: [that means] he who sleeps on a tanner's hide.[13] A fish: [viz.,] shibuta[14] during Nisan. A cup: the residue of fish hash. Hot water: pouring extremely hot water over oneself.[15] Eggs: [i.e.,] he who treads on [their] shells. Vermin in linen: if one launders his garment and does not wait eight days before putting it on, the vermin[16] are produced and harmful for 'something else'.

R. Papa said: A man should not enter a house in which there is a cat, without shoes. What is the reason? Because the cat may kill a snake and eat it; now the snake has little bones, and if a bone sticks into his foot it will not come out, and will endanger him. Others say: A man should not enter a house where there is no cat, in the dark.[17] What is the reason? Lest a snake wind itself about him without his knowing, and he come to danger. Three things did R. Ishmael son of R. Jose charge Rabbi: (Mnemonic: Makash).[18] Do not inflict a blemish upon yourself. (What does that mean? Do not engage in a lawsuit with three, for one will be your opponent and the other two witnesses [against you] .) And do not feign interest in[19] a purchase when you have no money.[20] When your wife as performed tebillah, do not be intimate with her the first night. Said Rab: That refers to a niddah by Scriptural law,[21] [for] since there is the presumption of an open well,[22] she may continue with gonorrhoeic discharge.[23]

Three things did R. Jose son of R. Judah charge Rabbi. Do not go out alone at night, and do not stand naked in front of a lamp, and do not enter a new bath-house, lest it [the floor] split.[24] How long [is it regarded as new]? — Said R. Joshua b. Levi: For twelve months. 'And do not stand naked in front of a lamp,' for it was taught: He who stands naked in front of a lamp will be a epileptic, and he who cohabits by the light of a lamp will have epileptic children.

Our Rabbis taught: If one cohabits in a bed where an infant is sleeping, that infant [will be] an epileptic. Now that was said only if he is less than one year old; but if he is a year old, it does not matter. Again, this was said only if he is sleeping at [their] feet; but if he is sleeping at [their] head, it does not matter. Again, this was said only if he does not lay his hand upon him; but if he lays his hand upon him, it does not matter.

'And do not go out alone at night', for it was taught: One should not go out alone at night, i.e., on the nights of neither Wednesday nor Sabbaths, because Igrath the daughter of Mahalath,[25] she and one hundred eighty thousand destroying angels go forth, and each has permission to wreak destruction independently. Originally they were about a day. On one occasion she met R. Hanina b. Dosa [and] said to him, 'Had they not made an announcement concerning you in Heaven, "Take heed of Hanina and his learning," I would have put you in danger.' 'If I am of account in Heaven,' replied he, 'I order you never to pass through settled regions.' 'I beg you,' she pleaded, 'leave me a little room.' So he left her the nights of Sabbaths and the nights of Wednesdays. On another occasion she met Abaye. Said she to him, 'Had they not made an announcement about you in Heaven, "Take heed of Nahmani[26] and his learning," I would have put you in danger.' 'If I am of account in Heaven,' replied he, 'I order you never to pass through settled regions.' But we see that she does pass through? — I will tell you: Those are

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(1) Euphemism: The wife thinks always of her first husband.

(2) Lit., 'hire.'

(3) Lit., 'a large body'. The passage is a difficult one, particularly with the reading of the ed. לא , but it would seem to refer to lending money on a field and receiving some of its produce in part repayment. But as its value is probably calculated at less than market price, this is a profitable investment, yet at the same time there is no actual interest. Such a

transaction is permitted (B.M. 67b). 'Ar. and MS.M. read: וְלֹא , and Jast. accordingly translates: An act of charity and at the same time a good investment is the act of him who helps to produce fruits, while he has the reward (e.g. , one who loans money to a husbandman on security, allowing payment in small instalments).

(4) I.e., R. Judah ha-Nasi.

(5) A town in Babylonia, on the cast side of the Tigris; v. Obermeyer, Landschaft, pp. 190f. It is there (p. 191, n. 4) pointed out, however, that R. Judah, a Palestinian, would have had no occasion to warn his children against living in a town in Babylonia, nor could he have known the character of its inhabitants well enough to justify this warning; hence it is conjectured that 'Raba' should be read here instead.

(6) V. Ber. 8b.

(7) Rashbam: the ox is mad, as explained infra.

(8) The first month-about April.

(9) The technical name of an ox that has not yet gored three times. When it has, it is called mu'ad.

(10) With which to chase it away or to urge it to work.

(11) Perhaps the ancient equivalent of 'yo heave ho'. [MS.M. reads simply: 'hayya, hayya'].

(12) Leprosy.

(13) Rashi and Rashbam. I.e., before it is completely dressed.

(14) Probably mullet (Jast.).

(15) At a bath.

(16) Which it may still contain.

(17) MS.M.: Without shoes.

(18) V. p. 348, n. 8. M == Mum (blemish); K == mekah (a purchase); SH == ishteka (your wife).

(19) Lit., 'stand over.'

(20) V. B.M. 58b and notes a.l. in Sonc. ed.

(21) By which a woman performs tebillah seven days after the beginning of menstruation, even if menstruation lasted all the seven days. Subsequently, however, it was enacted that she must wait seven days from the end of menstruation. Rab observes that R. Ishmael's charge held good only when the more lenient Scriptural law was practised.

(22) I.e., her blood-flow has continued almost until tebillah.

(23) During intimacy.

(24) Through the heat.

(25) The queen of demons.

(26) Abaye was so called because he was brought up in the house of Rabbah b. Nahman.

Talmud - Mas. Pesachim 113a

the narrow paths [which they frequent], whence their horses bolt and come [into civilized places] bringing them along.

Rab said to R. Assi: Do not dwell in a town in which no horses neigh or dogs bark.[1] And do not dwell in a town where the leader of the community is a physician.[2] And do not marry two [women],[3] [but] if you do marry two, marry a third.[4]

Rab said to R. Kahana: Deal in carcases, but do not deal in words;[5] flay carcases in the market place and earn wages and do not say, 'I am a priest and a great man and it is beneath my dignity.'[6] [Even] if you [merely] ascend the roof, [take] victuals with you.[7] [Even] if a hundred pumpkins cost but a zuz in town, let them, be under your skirts.[8] Rab said to his son Hiyya: Do not take drugs[9] and do not leap in great jumps;[10] do not have a tooth extracted,[11] and do not provoke serpents and do not provoke a Syrian woman.

Our Rabbis taught: Three must not be provoked, viz.: an insignificant Gentile,[12] a little snake, and a humble pupil. What is the reason? Because their kingdom stands behind their ears.[13]

Rab said to his son Aibu: I have laboured over your studies but without success, [so] come and I

will teach you worldly wisdom. Sell your wares while the sand is still on your feet.[14] Everything you may sell and regret,[15] except wine, which you can sell without regrets.[16] Untie your purse and [then] open your sacks.[17] Better a kab from the ground than a kor from the roof.[18] When the dates are in your bag run to the brewery [beth sudna].[19] And to what extent? — Said Raba: Up to three se'ahs. R. Papa said: If I were not a beer manufacturer I would not have become wealthy. Others say, R. Hisda said: If I were not a beer manufacturer, I would not have become wealthy. What is [the meaning of] sudna?[20] Said R. Hisda: A pleasant secret [sod na'eh] and the exercise of charity.[21]

R. Papa said: Every bil.[22] requires collecting;[23] in every credit sale it is doubtful whether it [payment] will be forthcoming or not, and when it is forthcoming it may be bad money.[24]

Three things did R. Johanan say in the name of the men of Jerusalem: when you go out to battle, do not go out among the first but among the last, So that you may return among the first; and treat your Sabbath like a weekday rather than be dependent on your fellow-beings, and strive to be on good terms with him upon whom the hour smiles.

Three things did R. Joshua b. Levi say in the name of the men of Jerusalem. Do not practise immodesty[25] on account of the incident which occurred;[26] if your daughter has attained puberty, free your slave and give [him] to her;[27] and beware of your wife with her first son-in-law. What is the reason?-R. Hisda said: On account of immorality: R . Kahana said: On account of money.[28] And [in fact] both are correct.

R. Johanan said: Three are of those who will inherit the world to come, viz.: he who dwells in Eretz Yisrael; and he who brings up his sons to the Study of the Torah; and he who recites habdalah over wine at the termination of the Sabbath. Who is that? He who leaves over [wine] from kiddush for habdalah.[29]

R. Johanan said: Concerning three does the Holy one, blessed be He, make proclamation every day:[30] a bachelor who lives in a large town without sinning, a poor man who returns lost property to its owner, and a wealthy man who tithes his produce in secret.[31] R. Safra was a bachelor living in a large town.

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(1) These guard the town: the dogs raise the alarm and the marauders are pursued on horseback.

(2) There seems to be no adequate reason for this. Possibly a doctor would be too busy to give proper attention to communal matters. R. Tam in B.B. 110a s.v. לא תימא reads אסי instead of אסיא , i.e., do not dwell in a town whose head is (R.) Assi — a playful warning against the cares of office, which leave but little time for study.

(3) Lest they devise plots against you.

(4) She will reveal their designs.

(5) Gossip or quibbling.

(6) The greatest man is not degraded by honest work.

(7) Do not undertake the least journey without provisions.

(8) Keep them in stock and do not wait to buy until you actually need them.

(9) Even as a medicine, as they are habit forming.

(10) Or: do not jump over a brook — the strain affects the eyesight.

(11) When you have toothache — it will eventually cease in any case. [R. Hananel refers it to a molar tooth, the extraction of which affects the eyesight. Preuss, Biblisch — talmudische Medizin, p. 330, quotes Celsus: majore periculo in superioribus dentibus fit (extractio), quia potest tempora oculosque concutere].

(12) Lit., ‘a little Gentile’.

(13) They will grow up and take revenge. The particular expression may have been occasioned by Diocletian's rise to be Emperor of Rome though born of slaves — according to the Rabbis he was a swineherd originally. When Emperor he tried to avenge insults offered to him in his lowly position.

(14) Immediately you return from buying, sell.

(15) If the price advances — you might have received more.
(16) Had you waited it might have turned to vinegar.
(17) Pocket the money for a purchase before delivering it.
(18) Rather earn little near home than much far away.
(19) To brew beer of them — otherwise you may eat them.
(20) That it is employed to denote a brewery.
(21) It is a pleasant secret — it is profitable and affords the means of charity.
(22) Lit., 'everything on account (of which a bill or bond must be indited).'
(23) Do not be certain of the money until you have actually collected it.
(24) If payment is made in small instalments the money may be frittered away.
(25) Do not frequent places where immodest sights are to be seen. Var. lec.: do not frequent roofs.
(26) Viz. , David's sin with Bath Sheba.
(27) Marry her at the earliest possible moment.
(28) She is likely to spend your money on him.
(29) He has only a little wine and specially reserves for habdalah that which remains over from kiddush.
(30) As having earned His special approval.
(31) I.e., without ostentation.

Talmud - Mas. Pesachim 113b

Now a tanna recited [R. Johanan's dictum] before Raba and R. Safra, [whereupon] R. Safra's face lit up. Said Raba to him: it does not mean such as you, but such as R. Hanina and R. Oshaia, who were cobblers in Eretz Yisrael and dwelt in a street of harlots and made shoes for harlots and went in to them:[1] they [the harlots] looked at them, but they [these scholars] would not lift their eyes to look at them, and their [the harlots'] oath was 'by the life of the holy Rabbis of Eretz Yisrael.'[2]

Three the Holy One, blessed be He, loves: he who does not display temper, he who does not become intoxicated, and he who does not insist on his [full] rights.[3]

Three the Holy One, blessed be He, hates: he who speaks one thing with his mouth and another thing in his heart; and he who possesses evidence concerning is neighbour and does not testify for him; and he who sees something indecent in his neighbour and testifies against him alone.[4] As it once happened that Tobias sinned and Zigud alone came and testified against him before R. Papa, [whereupon] he had Zigud punished. 'Tobias sinned and Zigud is punished!' exclaimed he, 'Even so,' said he to him, 'for it is written, one witness shall not rise up against a man,[5] whereas you have testified against him alone: you merely bring him into ill repute.'[6] R. Samuel son of R. Isaac said in Rab's name: Yet he may hate him,[7] for it is said , If thou see the ass of thine enemy lying under' its burden.[8] Now which enemy [is meant]: Shall we say, a Gentile enemy, — but it was taught: The enemy of whom they spoke is an Israelite enemy, not a Gentile enemy? Hence it obviously means an Israelite enemy. But is it permitted to hate him? Surely it is written , Thou shalt not hate thy brother in thy heart?[9] Again if there are witnesses that he had committed wrong, the all indeed hate him! why particularly this person? Hence it must surely apply to such a case where he had seen something indecent in him. R. Nahman b. Isaac said: it is a duty to hate him, as it is said, The fear of the Lord is to hate evil.[10] R. Aha son of Raba asked R. Ashi: What about telling his teacher, that he should hate him?-Said he to him: If he knows that his teacher regards him as trustworthy as two [witnesses], he should tell him; but if not, he must not tell him.

Our Rabbis taught: There are three whose life is not life; the [over.] compassionate, the hot-tempered, and the [too] fastidious; whereon R. Joseph observed: And a these [qualities] are found in me.

Our Rabbis taught: Three hate one another, viz.: dogs, fowls, and Parsee priests;[11] some say,

harlots too; some say, scholars in Babylonia too.

Our Rabbis taught: Three love each other, viz.: proselytes, slaves , and ravens. Four are too impossible for words:[12] a poor man who is arrogant, the wealthy man who flatters,[13] a lecherous old man, and a leader who lords it over the community without cause. Some say: Also he who divorces his wife a first and a second time and takes her back. And the first Tanna?[14] — it may be that her kethubah[15] is large,[16] or else he has children from her and cannot divorce her.[17]

Five things did Canaan charge his sons: Love one another, love robbery, love lewdness , hate your masters and do not speak the truth . Six things were said of a horse: it loves promiscuity, it loves battle, it has a proud spirit ‘ it despises sleep, eats much and excretes little. Some say: it also seeks to slay its master in battle. Seven are banned[18] by Heaven; these are they: A Jew who has no wife; he who has a wife but no children;[19] and he who has children but does not bring them up.to the study of the Torah; and he who has no phylacteries on his head and on his arm ‘ no fringes on his garment and no mezuzah on his door, and he who denies his feet shoes. And some say: Also he who never sits in a company assembled for a religious purpose.[20] Rabbah b. Bar Hanah said in the name of R. Samuel b. Martha in Rab's name on the authority of it. Jose of Huzal: How do we know that you must not consult astrologers?[21] Because it is said: Thou shalt be whole-hearted with the lord thy God.[22] And how do we know that one who knows that his neighbour is greater than himself even in one thing must show him honour? Because it is said, because a surpassing [superior] spirit was in him, and the king thought to set him over’ the whole realm.[23] And she [a woman] who sits over clean blood is forbidden intercourse;[24] for how long? Said Rab: A ‘onah.[25]

A Tanna taught: Joseph of Huzal is identical with Joseph the Babylonian with Issi b. Gur Aryeh, with Issi b. Judah, with Issi b. Gamaliel and with Issi b. Mahallallel, and what was his [real] name? Issi b. ‘Akabia.[26] it. Isaac b. Tabla is identical with R. Isaac b. Hakla, and with R. Isaac b. Ila'a.[27]

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(1) To deliver the shoes.

(2) Thus by their chastity in face of great temptation they sanctified the Divine Name.

(3) In the sense that he does not retaliate.

(4) Being the only person who has seen it.

(5) Deut. XIX, 15.

(6) Since no action can follow your unsupported testimoy.

(7) As an evildoer-hate is morally wrong otherwise.

(8) Ex. XXIII, 5.

(9) Lev. XIX, 17.

(10) Prov. VIII,13.

(11) והחברין Guebers, [Aliter: ‘partners’ v. Strashun].

(12) Lit., ‘the mind does not tolerate them’.

(13) I.e., who denies his true feelings.

(14) Why does he not include the last?

(15) Marriage settlement, which she can claim from him on divorce.

(16) So that he must take her back, as he cannot pay it.

(17) I.e., he cannot remain constant to the divorce.

(18) Var. lec. : as banned.

(19) By his own volition.

(20) E.g., at a circumcision feast.

(21) Lit., ‘Chaldeans,’ who were we versed in astrological arts.

(22) Deut. XVIII, 13.

(23) Dan. VI, 4.

(24) This is based on the Scriptural law that for a period of thirty-three or sixty-six days beginning respectively on the eighth or the fifteenth day after childbirth a woman's blood is clean (v. Lev. XII, 1-5), i.e. ‘ it does not defile her and

cohabitation is permitted. When this period is ended, she is designated ‘a woman sitting over clean blood,’ and cohabitation is forbidden, lest she have a blood discharge and think that just as her blood did not defile before, it does not defile her now either.

(25) Lit. , ‘a period’ — Rashi: one night. — Thus the law applies to the forty-first or the eighty-first night only.

(26) [Issi (a variant of Joseph) was the son of ‘Akabia b. Mahallallel, the story of whose excommunication is told in ‘Ed. V, 6, and it was in order to be spared the tragic memories associated with the name of ‘Akabia that Issi did not describe himself as the son of ‘Akabia; v. Derenbourg, Essai p. 484].

(27) In the edd. there follows ‘hu R. Isaac b. Aha’: the same is R. Isaac b. Aha; Bah however deletes hu, in which case another person is now referred to.

Talmud - Mas. Pesachim 114a

R. Isaac b. Aha mentioned in legal discussions is the same as R. Isaac b. Phineas mentioned in homilies, and the token is ‘Hear ‘me [shema'uni], — my brethren [ahay] , and my people.’[1]

Rabbah b. Bar Hanah said in R. Johanan's name in the name of R. Judah b. R. Il'ai: Eat onions [bazel] and dwell in the protection [bezel] [of your house],[2] and do not eat geese and fowls lest your heart pursue you;[3] reduce your food and drink and increase [expenditure] on your house. When ‘Ulla came, he said: In the West [Palestine] a proverb is current: he who eats the fat tail [allitha] must hide in the loft [‘alitha],[4] but he who eats cress [kakule] may lie by the dunghill [kikle][5] of the town.[6]

M I S H N A H. THEY FILLED[7] THE FIRST CUP FOR HIM; BETH SHAMMAI MAINTAIN: HE RECITES A BLESSING FOR THE DAY [FIRST],[8] AND THEN RECITES A BLESSING OVER THE WINE; WHILE BETH HILLEL RULE: HE RECITES A BLESSING OVER THE WINE [FIRST], AND THEN RECITES A BLESSING FOR THE DAY.

G E M A R A. Our Rabbis taught: [These are] the matters which are disputed by Beth Shammai and Beth Hillel in respect to the meal: Beth Shammai maintain: He recites a blessing for the day [first] and then recites a blessing over the wine, because the day is responsible for the presence of the wine;[9] moreover, the day has already become sanctified while the wine has not yet come.[10] But Beth Hillel maintain: He recites a blessing over the wine and then recites a blessing for the day, because the wine enables the kiddush to be recited.[11] Another reason: the blessing for wine is constant, while the blessing for the day is not constant ,[12] [and of] that which is constant and that which is not constant, that which is constant comes first. Now the law[13] is as the ruling of Beth Hillel. Why state [another reason]?[14] — [This:] for should you argue: there we have two [reasons], whereas here there is [only] one,[15] [I answer that] here also there are two, [for of] that which is constant and that which is not constant, that which is constant comes first. ‘Now the law is as the ruling of Beth Hillel’: that is obvious, since there issued a Bath Kol?[16] — If you wish I can answer that this was before the Bath Kol. Alternatively, it was after the Bath Kol, and this is [in accordance with] R. Joshua who maintained We disregard a Bath Kol.[17]

MISHNAH. THEY THEN[18] SET [IT] BEFORE HIM.[19] HE DIPS THE LETTUCE[20] BEFORE YET HE HAS REACHED THE AFTERCOURSE OF THE BREAD.[21] THEY SET BEFORE HIM MAZZAH, LETTUCE [HAZERETH], AND HAROSETH[22] AND TWO DISHES, THOUGH THE HAROSETH IS NOT COMPULSORY. R. ELEAZAR SON OF R. ZADOK SAID: IT IS COMPULSORY. AND IN THE TEMPLE THEY USED TO BRING THE BODY OF THE PASSOVER-OFFERING BEFORE HIM.

G E M A R A.

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(1) I Chron. XXVIII, 2. Thus in legal discussions (shema'ta, connected with shema'uni) his name appears as b. Aha (connected with ahay).

(2) Do not spend overmuch on food, then you will be able to afford your house.
(3) Do not cultivate a greedy appetite so that you are always wanting to eat.
(4) He who squanders his money on costly dishes must hide from his creditors.
(5) [Aliter: 'place of assembly' from Grk.**,a circle].
(6) Afraid of none — not being in debt.
(7) Lit. , 'mixed. ,
(8) I.e. , the blessing on the sanctity of the Festival.
(9) If it were not a festival no wine would be required.
(10) The festival automatically commences with the appearance of the stars, even if no wine as yet been brought to the table. Thus it is first in time, and therefore first in respect to a blessing too.
(11) without wine or bread kiddush cannot be said. Bread is the equivalent of wine in this respect, and the blessing for bread precedes the blessing for the day.
(12) Whenever 'wine is drunk a blessing over it is required, whereas the blessing of sanctification is confined to festivals.
(13) [MS.M.: the halachah].
(14) Is not the first sufficient?
(15) Beth Shammai give two reasons for their view, whereas only one supports beth Hillel's
(16) Proclaiming the law always to be as Beth Hillel; v. Er. 13b.
(17) V. B.M. 59b.
(18) After having recited the kiddush over the wine.
(19) Rashi and Rashbam: vegetables. R. Han.: the table with the food, which was brought after kiddush.
(20) Tosaf.: into water or vinegar, and eats it. This is to stimulate the child's wonder, as it Is unusual to commence the meal thus.
(21) Viz., the bitter herbs, which are eaten after the unleavened bread. Bertinoro reads: before he has reached the breaking (i.e., the distribution) of the bread.
(22) V. Glos.

Talmud - Mas. Pesachim 114b

Resh Lakish said: This[1] proves that precepts require intention, [for] since he does not eat it[2] the stage when bitter herbs are compulsory, he eats it with [the blessing,] 'Who createst the fruit of the ground,' and perhaps he did not intend [to fulfil the obligation of] bitter herbs; therefore he must dip it again with the express purpose of [eating] bitter herbs. For if you should think [that] precepts do not require intention, why two dippings: surely he has [already] dipped it once?[3] But whence [does this food]? Perhaps after a precepts do not require intention, and as to what you argue, why two dippings, [the answer is,] that there may be a distinction for [the sake of] the children.[4] And should you say, if so, we should be informed about other vegetables:[5] If we were informed about other vegetables I would say: Only where other vegetables [are eaten first] do we require two dippings, but lettuce alone[6] does not require two dippings:[7] hence he informs us that even lettuce [alone] requires two dippings, so that there may be a distinction [shown] therewith for the children. Moreover, it was taught: If he ate them [the bitter herbs] while demai,[8] he has discharged [his duty]; if he ate them without intention, he has discharged [his duty]; if he ate them, in half quantities,[9] he has discharged [his duty], providing that he does not wait between one eating and the next more than is required for the eating of half [a loaf]?[10] -it is [dependent on] Tannaim. For it was taught, R. Jose said: Though he has [already] dipped the lettuce [hazereth], it is a religious requirement to bring lettuce and haroseth and two dishes before him.[11] Yet still, whence [does this food]: perhaps R. Jose holds [that] precepts do not require intention and the reason that we require two dippings is that there may be a distinction [shown] for the children?- If so, what is the 'religious requirement?'[12]

What are the two dishes?-Said R. Huna: Beet and rice.[13] Raba used to be particular for[14] beet and rice, since it had [thus] issued from the mouth of R. Huna. R. Ashi said: From R. Huna you may infer that none pay heed to the following [ruling] of R. Johanan b. Nuri. For it was taught, R. Johanan b.

Nuri said: Rice is a species of corn and kareth is incurred for [eating it in] its leavened state, and a man discharges his duty with it on Passover.[15] Hezekiah said: Even a fish and the egg on it.[16] R. Joseph said: Two kinds of meat are necessary, one in memory of the Passover-offering and the second in memory of the hagigah.[17] Rabina said: Even a bone and [its] broth.

It is obvious that where other vegetables are present, he recites[18] the blessing, 'who createst the fruit of the ground' over the other vegetables and eats, and then[19] recites the blessing, '[Who hast commanded us] concerning the eating of bitter herbs,' and eats.[20] But what if he has lettuce only? Said R. Huna: First he recites a blessing over the bitter herbs, 'Who createst the fruit of the ground,' and eats, and then [later] he recites over it 'concerning the eating of bitter herbs' and eats.

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(1) The fact that he dips lettuce twice.

(2) The first lettuce.

(3) The first lettuce is eaten before it is obligatory (v. n. 8 in Mishnah); hence the ordinary blessing for vegetables is recited, not 'who hast commanded us concerning the eating (If bitter herbs,' though later it will be eaten as an obligation. This he did not discharge his duty of eating bitter herbs with the first lettuce, because that was not his intention, which proves that one does not discharge one's duty unless it is expressly done with that intention.

(4) v.p. 587, n. 8.

(5) The Mishnah should state that a vegetable is dipped into water and eaten Why specify hazereth (lettuce), which is one of the vegetables which may be eaten as bitter herbs (v. supra 39a)?

(6) I.e., where lettuce alone is eaten.

(7) for once he has eaten it he has done his duty in respect of bitter herbs.

(8) V. Glos.

(9) I.e., as much as half an olive the first time and the same the second time, as much as an olive being the minimum quantity which must be eaten.

(10) V. supra p. 208, n. 9. — This distinctly contradicts Resh Lakish.

(11) And Resh Lakish maintains that R. Jose's reason is because precepts require intention.

(12) mizwah implies that it is an essential obligation.

(13) Even these constitute two dishes, and of course two kinds of meat all the more (Rashbam and Tosaf.)

(14) Lit., 'go in search of.'

(15) Tabshil denotes a boiled dish: hence if it were a species of corn, boiling would make it leaven.

(16) I.e.,the egg with which it is smeared before it is prepared. Though it becomes all one, yet it counts as two dishes.

(17) v. Mishnah supra 69b.

(18) At the first dipping.

(19) At the second dipping.

(20) Each blessing being over a different vegetable.

Talmud - Mas. Pesachim 115a

To this R. Hisda demurred: After filling his stomach with it he returns and recites a blessing over it! — Rather, said R. Hisda: On the first occasion he recites over it, 'Who createst the fruit of the ground,' and, 'concerning the eating of bitter herbs,' and eats, while subsequently he eats the lettuce without a blessing. In Syria they acted in accordance with R. Huna, while R. Shesheth the son of R. Joshua acted according to R. Hisda. And the law is in accordance with R. Hisda. R. Aha the son of Raba used to go in search of other vegetables, so as to avoid controversy.[1]

Rabina said, R. Mesharsheya son of R. Nathan told me: Thus did Hillel[2] say on the authority of tradition:[3] A man must not make a sandwich of mazzah and bitter herbs together and eat them, because we hold that mazzah nowadays[4] is a Biblical obligation, whereas bitter herbs are a Rabbinical requirement and thus the bitter herbs, which are Rabbinical, will come and nullify the mazzah, which is Biblical. And even on the view that precepts cannot nullify each other, that applies only to a Biblical [precept] with a Biblical [precept], or a Rabbinical [precept] with a Rabbinical

[precept], but in the case of a Scriptural and a Rabbinical [precept], the Rabbinical [one] comes and nullifies the Scriptural [one]. Which Tanna do you know [to hold] that precepts do not nullify each other? — it is Hillel.[5] For it was taught, it was related of Hillel that he used to wrap them together,[6] for it is said, they shall eat it with unleavened bread and bitter herbs.[7] R. Johanan observed: Hillel's colleagues disagreed with him. For it was taught: You might think that he should wrap them together and eat them, in the manner that Hillel ate it, therefore it is stated, they shall eat it with unleavened bread and bitter herbs, [intimating] even each separately.[8] To this R. Ashi demurred: If so, what is [the meaning of] 'even'?[9] Rather, said R. Ashi, this Tanna teaches thus: You might think that he does not discharge his duty unless he wraps them together and eats them, in the manner of Hillel therefore it is stated, they shall eat it with unleavened bread and bitter herbs, [intimating] even each separately. Now that the law was not stated either as Hillel or as the Rabbis,[10] one recites the blessing. '[Who hast commanded us] concerning the eating of unleavened bread' and eats; then he recites the blessing, 'concerning the eating of bitter herbs,' and eats; and then he eats unleavened bread and lettuce together without a blessing. in memory of the Temple, as Hillel [did].[11]

R. Eleazar said in R. Oshaia's name: Whatever is dipped in a liquid[12] requires the washing of the hands.[13] Said R. Papa: Infer from this that the lettuce

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(1) Lit., 'to exclude himself from a controversy'.

(2) The reference is to R. Hillel, the fourth century Babylonian amora, and not to Hillel, the great Nasi who flourished in the first century B.C.E.

(3) I.e., it came to him anonymously; Kaplan, Redaction of the Talmud, p. 227.

(4) I.e., after the destruction of the Temple and the cessation of sacrifices.

(5) Hillel 1.

(6) Place the paschal meat of bitter herbs between mazzah.

(7) Num. IX, 11.

(8) This is deduced from the sing. 'it.'

(9) 'Even' shows that they may certainly be eaten together.

(10) Though the aforementioned Tanna does not disagree with Hillel, as R. Ashi has shown, it was nevertheless held that some Rabbis did disagree.

(11) This he acts on both views, by eating them first separately and then together.

(12) Vegetables, which are dipped into vinegar.

(13) Unwashed hands are, unclean in the second degree and therefore disqualify terumah (v. Mishnah supra 14a and note a.l.), and whatever disqualifies teruma defiles liquids in the first degree (supra 14b). Therefore the hands must be washed.

Talmud - Mas. Pesachim 115b

must be plunged right into the haroseth[1] to counteract the kappa.[2] For if you should think that it need not be sunk into it, why is the washing of the hands required?[3] Surely he does not touche [the haroseth]?[4] Yet perhaps I may maintain that in truth it need not be sunk [into the haroseth], the kappa dying from its smell; yet why is washing of the hands required? In case he plunges it in.

R. Papa also said: A man must not keep the bitter herbs [an appreciable time] in the haroseth, because the sweetness of its ingredients [sc. the haroseth] my neutralize its bitterness, whereas the taste of bitter herbs is essential, but it is then absent.

R. Hisda brought[5] Rabbana 'Ukba[6] and he lectured: If he washed his hands at the first dipping- he must wash his hands at the second dipping [too]. The Rabbis discussed this before R. Papa: This was stated in general,[7] for if you should think that it was stated here [in connection with Passover], why must he wash is hands twice? Surely he has [already] washed his hands once?[8] Said R. Papa to them: On the contrary, it was stated here, for if you should think that it was stated in general, why two

dippings?[9] What then? it was stated here? Then why must he wash his hands twice: surely he has [already] washed his hands once? — I will tell you: since he is to recite the Haggadah[10] and Hallel,[11] he may let his thoughts wander[12] and touch [something unclean].

Raba said: If he swallows ,unleavened bread, he discharges his duty;[13] if he swallows bitter herbs, he does not discharge his duty.[14] If he swallows unleavened bread and bitter herbs [together], he discharges his duty of unleavened bread, [but] not his duty of bitter herbs. If he wraps them in bast and swallows them, he does not discharge his duty of unleavened bread either.

R. Simi b. Ashi said: unleavened bread [must be set] before each person [of the company]. bitter herbs before each person. and haroseth before each person, but we remove the table[15] only from before him who recites the Haggadah. R. Huna said: All these too [are Set only] before him who recites the Haggadah.[16] And the law is as R. Huna.

Why do we remove the table? — The School of R. Jannai said: So that the children may perceive [the unusual proceeding] and enquire [its reasons]. Abaye was sitting before Rabbah, [when] he saw the tray taken up from before him. Said he to then: We have not yet eaten, and they have [already] come [and] removed the tray from before us! Said Rabbah to him: You have exempted us from reciting, 'Why [is this night] different?'[17]

Samuel said: Bread of ['oni][18] [means] bread over which we recite ['onin] many words.[19] It was taught likewise: 'Bread of ['oni]' means bread over which we recite ['onin] many words. Another interpretation: 'Bread of ['oni]': 'ani [poverty] is written:[20] just as a beggar generally has a piece,

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(1) which is a liquid.

(2) A poisonous substance in the hazereth.

(3) For the first dipping, v. infra.

(4) With his hand, if the lettuce is only dipped lightly in it.

(5) אדבריה .

(6) 'Rabbana' is a Babylonian title, probably the equivalent of the Palestinian 'Rabban' lit., 'our teacher,' which is a peculiar title of honour, higher than 'Rabbi.'

(7) When a man eats vegetables at other times of the year. Since the eating of vegetables then is not statutory, each time he eats them (after dipping) even at the same meal counts as a separate act, for when he ate the first time he did not intend eating them again; hence he must wash his hands at each.

(8) Knowing that he would eat vegetables a second time; hence once should suffice.

(9) The vegetable having been dipped once into vinegar, it need not be dipped again.

(10) The narrative of the exodus, which is an essential part of the ritual.

(11) 'Praise,' i.e., Ps. CXIII-CXVIII.

(12) I.e., not think about keeping is hands clean.

(13) Of eating unleavened bread, though he has not chewed it.

(14) Because he has not tasted its bitterness, which is essential. Rashi reads: if he swallows bitter herbs, he has discharged his duty because even then he cannot altogether avoid tasting its bitterness.

(15) V. p. 535, n. 7.

(16) Since the meal has not yet commenced it is sufficient to place the food before one.

(17) V. Mishnah infra 116a. By your observation you have in fact asked that question.

(18) E.V. 'affliction'. Deut. XVI, 3.

(19) v. supra p. 166, n. 10.

(20) Defective, though it is read plene, denoting 'reciting'.

so here too a piece [is taken].[1] Another interpretation: just as a poor man fires [the oven] and his wife

bakes,[2] so here too, he heats and she bakes.[3]

THOUGH HAROSETH IS NOT A RELIGIOUS REQUIREMENT. Then if it is not a religious requirement, on what account does he bring it? — Said R. Ammi: On account of the kappa.[4] R. Assi said: The kappa of lettuce [is counteracted by] radishes; the kappa of radishes, [by] leeks; the kappa of leeks, [by] hot water; the kappa of a these, [by] hot water. And in the meanwhile[5] let him say thus: 'Kappa kappa, I remember you and your seven daughters and your eight daughters.in.law.'

R. ELEAZAR SON OF R. ZADOK SAID: IT IS A RELIGIOUS REQUIREMENT. Why is it a religious requirement? R. Levi said: In memory of the apple-tree;[6] R. Johanan said: In memory of the day.[7] Abaye observed: Therefore one must make it acrid and thicken it: make it acrid, in memory of the apple-tree; and thicken it, in memory of the day. It was taught in accordance with R. Johanan: The condiments[8] are in memory of the straw;[9] [and] the haroseth [itself] is a reminder of the day. R. Eleazar son of R. Zadok said: Thus did the grocers[10] cry, 'Come and buy ingredients for your religious requirements. MISHNAH. THEY FILLED A SECOND CUP FOR HIM. AT THIS STAGE[11] THE SON QUESTIONS HIS FATHER;[12] IF THE SON IS UNINTELLIGENT, HIS FATHER INSTRUCTS HIM [TO ASK]: 'WHY IS THIS NIGHT DIFFERENT FROM ALL [OTHER] NIGHTS. FOR ON ALL [OTHER] NIGHTS WE EAT LEAVENED AND UNLEAVENED BREAD, WHEREAS ON THIS NIGHT [WE EAT] ONLY LEAVENED BREAD; ON ALL OTHER NIGHTS WE EAT ALL KINDS OF HERBS, ON THIS NIGHT BITTER HERBS; ON ALL OTHER NIGHTS WE EAT MEAT ROAST, STEWED OR BOILED, ON THIS NIGHT, ROAST ONLY.[13] ON ALL OTHER NIGHTS WE DIP[14] ONCE, BUT ON THIS NIGHT WE DIP TWICE.' AND ACCORDING TO THE SON'S INTELLIGENCE HIS FATHER INSTRUCTS HIM.[15] HE COMMENCES WITH SHAME AND CONCLUDES WITH PRAISE; AND EXPOUNDS FROM 'A WANDERING ARAMEAN WAS MY FATHER'[16] UNTIL HE COMPLETES THE WHOLE SECTION.

G E M A R A. Our Rabbis taught: If his son is intelligent asks him, while if he is not intelligent his wife asks him; but if not,[17] he asks himself. And even two scholars who know the laws of Passover ask one another.

WHY IS THIS NIGHT DIFFERENT FROM ALL OTHER NIGHTS? FOR ON ALL OTHER NIGHTS WE DIP ONCE, WHILE ON THIS NIGHT WE DIP TWICE. To this Raba demurred: Is then dipping once indispensable all other days? Rather, said Raba, It was thus taught: For on all other nights we are not obliged to dip even once, whereas on this night, twice. To this R. Safra demurred: A statutory obligation on account of children![18] Rather, said R. Safra, He teaches thus: We do not dip even once, whereas this night [we dip] twice. HE COMMENCES WITH SHAME AND CONCLUDES WITH PRAISE. What is 'WITH SHAME'? Rab said: 'Aforetime our fathers were idolaters'; while Samuel said: 'We were slaves.'[19] R. Nahman asked his slave Daru: 'When a master liberates his slave and gives him gold and silver, what should he say to him?' 'He should thank and praise him,' replied he. 'You have excused us from saying "Why [is this night] different?"' observed he. [Thereupon] he commenced by reciting, 'We were slaves.'

MISHNAH. R. GAMALIEL USED TO SAY: WHOEVER DOES NOT MAKE MENTION OF[20]

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(1) The blessing for the unleavened bread must be said over a piece of mazzah only, not over a whole one, to emphasize Israel's poverty in Egypt. (Hence three mazzoth are required, two because every festival and the Sabbath require two loaves, and a third which is broken, so that the blessing may be recited over the piece.)

(2) Without delay, as they' cannot afford more fuel should the oven cool.

(3) Even wealthy people must bake the unleavened bread without unnecessary delay, lest it turn leaven.

(4) V. supra 115b.

(5) While waiting for the cure to take effect-or perhaps, until he takes these.

(6) Under which the Israelitish women in Egypt gave birth to their children; v. Sot,. 11b.
(7) Wit which they made bricks.
(8) Which are mixed in the haroseth.
(9) Just as the straw was kneaded into the clay.
(10) Lit., 'parched.grain merchants' — such would sell spices etc. too. Rashi and Rashbam: vendors who sat behind latticed windows.
(11) Lit. , 'and here'.
(12) Why all this unusual procedure?
(13) I.e., in Temple times, v. supra 70a.
(14) So the text as emended, and it is thus quoted in the Gemara; v. O.H. 473. 7 and מ"ז 9 a.l.
(15) The answer must be intelligible to the child.
(16) Deut. XXVI, 5.
(17) If he has no wife.
(18) 'Obliged' (hayyabin) connotes a religious precept, whereas as stated supra 114b the first dipping is merely to stimulate the children's wonder.
(19) The modern liturgy combines both, commencing however with the latter.
(20) Perhaps better: 'explain.' as R. Gamaliel's main point is that their purpose must be explained; v. Kaplan, Redaction of the Talmud, p. 203.

Talmud - Mas. Pesachim 116b

THESE THREE THINGS ON PASSOVER DOES NOT DISCHARGE HIS DUTY, AND THESE ARE THEY: THE PASSOVER-OFFERING. UNLEAVENED BREAD, AND BITTER HERBS. THE PASSOVER-OFFERING IS [SACRIFICED] BECAUSE THE OMNIPRESENT PASSED OVER THE HOUSES OF OUR FATHERS IN EGYPT, AS IT IS SAID, THEN YE SHALL SAY: IT IS THE SACRIFICE OF THE LORD'S PASSOVER, FOR THAT HE PASSED OVER etc.[1] THE UNLEAVENED BREAD IS [EATEN] BECAUSE OUR FATHERS WERE REDEEMED FROM EGYPT, AS IT IS SAID, AND THEY BAKED UNLEAVENED CAKES OF THE DOUGH WHICH THEY BROUGHT FORTH OUT OF EGYPT etc.[2] THE BITTER HERB IS [EATEN] BECAUSE THE EGYPTIANS EMBITTERED THE LIVES OF OUR FATHERS IN EGYPT, AS IT IS SAID, AND THEY MADE THEIR LIVES BITTER etc.[3] IN EVERY GENERATION A MAN IS BOUND TO REGARD HIMSELF AS THOUGH HE PERSONALLY HAD GONE FORTH FROM EGYPT, BECAUSE IT IS SAID, AND THOU SHALT TELL THY SON IN THAT DAY, SAYING: IT IS BECAUSE OF THAT WHICH THE LORD DID FOR ME WHEN I CAME FORTH OUT OF EGYPT.[4] THEREFORE IT IS OUR DUTY TO THANK, PRAISE, LAUD, GLORIFY, EXALT, HONOUR, BLESS, EXTOL, AND ADORE HIM WHO WROUGHT ALL THESE MIRACLES FOR OUR FATHERS AND OURSELVES; HE BROUGHT US FORTH FROM BONDAGE INTO FREEDOM, FROM SORROW INTO JOY, FROM MOURNING INTO FESTIVITY, FROM DARKNESS INTO GREAT LIGHT, AND FROM SERVITUDE INTO REDEMPTION. THEREFORE LET US SAY BEFORE HIM, HALLELUJAH![5] HOW FAR DOES ONE RECITE IT? BETH SHAMMAI MAINTAIN: UNTIL 'AS A JOYOUS MOTHER OF CHILDREN,'[6] WHILE BETH HILLEL SAY: UNTIL 'THE FLINT INTO A FOUNTAIN OF WATERS,'[7] AND HE CONCLUDES WITH [A FORMULA OF] REDEMPTION. R. TARFON USED TO SAY WHO REDEEMED US AND REDEEMED OUR FATHERS FROM EGYPT, BUT HE DID NOT CONCLUDE [WITH A BLESSING].[8] R. AKIBA SAID: 'SO MAY THE LORD OUR GOD AND THE GOD OF OUR FATHER SUFFER US TO REACH OTHER SEASONS AND FESTIVALS WHICH COME TOWARDS US FOR PEACE, REJOICING IN THE REBUILDING OF THY CITY AND GLAD IN THY SERVICE, AND THERE WE WILL PARTAKE OF THE SACRIFICES AND THE PASSOVER-OFFERINGS[9] etc. AS FAR AS BLESSED ART THOU, O LORD, WHO HAST REDEEMED ISRAEL.'

GEMARA. Raba said: He must say 'and us did he bring forth from there.'

Raba said: He must lift up the unleavened bread, and he must lift up the bitter herb,[10] but he need not lift up the meat;[11] moreover, it would appear as though he ate sacrifices without [the Temple].[12] R. Aha b. Jacob said: A blind person is exempt from reciting the Haggadah. [For] here it is written, it is because of that [zeh],[13] while elsewhere it is written, This our son [zeh]:[14] just as there the blind are excluded,[15] so here to the blind are excluded. But that is not so, for Meremar said: I asked the scholars of the School of R. Joseph, who recites the Aggadah[16] at R. Joseph's? And they told me, R. Joseph; Who recites the Aggadah at R. Shesheth's? And they told me, R. Shesheth.[17] — These Rabbis held that un-leavened bread nowadays is a Rabbinical obligation.[18] Hence it follows that R. Aha b. Jacob holds that unleavened bread nowadays is a Scriptural obligation?[19] But Surely it was R. Aha b. Jacob himself who said: [The obligation of eating] unleavened bread nowadays is Rabbinical! — He holds, Whatever our Rabbis enacted, they enacted it similar to the Scriptural Jaw.[20] But according to R. Shesheth and R. Joseph too, surely it is certain that whatever our Rabbis enacted, they enacted similar to a Scriptural law? — How compare![21] As for there, it is we: since it should have been written, 'He is our son,' whereas it is written, 'This our son,'[22] you may infer that it comes to exclude blind persons. But here, if not 'for the sake of this' what should be written? Hence it comes [to intimate], 'for the sake of the unleavened bread and bitter herbs.'[23]

THEREFORE IT IS OUR DUTY.

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(1) Ex. XII, 27.

(2) Ibid. 39.

(3) Ex. I, 14.

(4) Ibid. XIII, 8.

(5) 'Praise ye the Lord,' with which Hallel commences.

(6) Ps. CXIII, 9.

(7) Ibid. CXIV, 8.

(8) Hatham is the technical term meaning to round off a liturgical passage with a blessing formula, 'Blessed art Thou, O Lord.'

(9) So the text as emended, 'sacrifices' referring to the hagigah of the fourteenth, which was eaten before the Passover-offering (v. supra 70a); hence it is mentioned before too.

(10) When saying, 'This unleavened bread' ' . . 'this bitter herb.'

(11) Which is set in memory of the Passover-offering; v. R. Joseph's dictum supra 114b.

(12) If he lifted up the meat as he said 'This Passover-offering,' it would look as if he had actually consecrated it as a sacrifice, which is forbid den, Since sacrifices may not be offered without the Temple (Raba refers to post-Temple times). Hence he must not lift up the meat.

(13) Lit., 'this'.

(14) Deut. XXI, 20.

(15) For 'this our son' implies that his parents see and point at him.

(16) Haggadah.

(17) R. Joseph and R. Shesheth were both blind.

(18) Sc. that unleavened bread must he eaten on the first night of Passover (the interdict of leavened bread of course is Biblical). Hence the reciting of the Haggadah is likewise Rabbinical, and therefore 'unaffected by R. Aha b. Jacob's deduction.

(19) For he states his law generally, and therefore meant it for post-Temple times too.

(20) On which it is based. Hence since the blind were exempt from reciting the Haggadah when it was a Scriptural obligation, they are still exempt now that it is only Rabbinical.

(21) They reject the law entirely, together with the analogy on which it is based.

(22) v. Sanh., Sonc. ed. p. 486, n. 2 and 3.

(23) I.e., it does not intimate that he who recites must see it, but simply means: it is for this reason that I eat unleavened bread and bitter herbs viz., because of what the Lord did for me etc.

Talmud - Mas. Pesachim 117a

R. Hisda said in R. Johanan's name: Hallelujah, Kesjah[1] and Jedidjah[2] are single words.[3] Rab said: Kesjah and merhabjah[4] are single words. Rabbah[5] said merhabjah alone [is a single word]. The scholars asked: What about merhab Jah in R. Hisda's view?[6] The question stands. The scholars asked: What about Jedidjah in Rab's view? — Come and hear: Jedidjah is divisible into two, therefore Jedid is non-sacred while Jah [the Lord] is sacred.[7] The scholars asked: What about Hallelujah in Rab's view? Come and hear, for Rab said: I saw [a copy of] the Psalms in my friend's college,[8] wherein 'Hallalu' was written on one line and 'jah' on the following.[9] Now he disagrees with R. Joshua b. Levi, for R. Joshua b. Levi said: What is the meaning of 'Hallelujah? Praise him with many praises.[10] Further, he [R. Joshua b. Levi] is self-contradictory. For R. Joshua b. Levi said: The Book of Psalms was uttered with ten synonyms of praise, viz.: nizzuah [victory], niggun [melody], maskil,[11] mizmor [psalm], shir [song], ashre [happy], tehillah [praise], tefillah [prayer], hodayah [thanksgiving] [and] hallelujah. The greatest of all is 'hallelujah,' because it embraces the [Divine] Name and praise simultaneously.[12]

Rab Judah said in Samuel's name: The Song in the Torah[13] was uttered by Moses and Israel when they ascended from the [Red] Sea. And who recited this Hallel?[14] The prophets among them ordained that Israel should recite it at every important epoch and at every misfortune — may it not come upon them! and when they are redeemed they recite [in gratitude] for their redemption.

It was taught, R. Meir used to say: All the praises which are stated in the Book of psalms, David uttered all of them, for it is said, The prayers of David the son of Jesse are ended [kallu]:[15] read not kallu but kol ellu [all these].[16] Who recited this Hallel? R. Jose said: My son Eleazar maintains [that] Moses and Israel said it when they ascended from the [Red] Sea, but his college disagree with him, averring that David said it. But is view is prefer able to theirs: Is it possible that Israel slaughtered their Passover-offerings or took their palm-branches without uttering song![17] Another argument: Micah's image[18] stands at Beki[19] and Israel recites the Hallel![20]

Our Rabbis taught: As for all the songs and praises to which David gave utterance in the Book of Psalms, R. Joshua said: He spoke them in reference to himself; R. Joshua said: He spoke them with reference to the [Jewish] community; while the Sages maintain: Some of them refer to the community, while others refer to himself. [Thus:] those which are couched in the singular bear upon himself, while those which are couched in the plural allude to the community. Nizzuah and niggun[21] [introduce psalms] relating to the future; maskil [indicates that it was spoken] through a meturgeman [interpreter]; [the superscription] To David, a psalm' intimates that the Shechinah rested upon him and then he uttered [that] song; 'a psalm of david' intimates that he [first] uttered [that particular] psalm and then the Shechinah rested upon him. This teaches you that the Shechinah rests [upon man] neither in indolence nor in gloom nor in frivolity nor in levity, nor in vain pursuits,[22] but only in rejoicing connected with a religious act, for it is said, 'but now bring me a minstrel.' And it came to pass, when the minstrel played, that he hand of the lord came upon him.[23] Rab Judah said in Rab's name: And it is likewise so in a matter of halachah.[24] R. Nahman said: And it is likewise so for a good dream.[25] But that is not so, for R. Giddal said in Rab's name: If a scholar sits before his teacher and his lips do not drip anxiety.[26] they shall be burnt, for it is said, His lips are as lilies [shoshanim], dropping with flowing myrrh [mor 'ober]:[27] read not shoshanim but sheshonim [that study]; read not mor'ober but mar 'ober [dropping anxiety]? — There is no difficulty: One applies to the teacher, the other to the disciple. Alternatively, both refer to the teacher, yet there is no difficulty: the one holds good before he commences; the other, after he commences. Even as Rabbah used to say something humorous to his scholars before he commenced [his discourse], in order to amuse them;[28] after that he sat in awe and commenced the lecture.

Our Rabbis taught: Who uttered this Hallel? R. Eleazar said: Moses ad Israel uttered it when they

stood by the [Red] Sea. They exclaimed, 'Not unto us, not unto us,'[29] and the Holy Spirit responded. 'For mine own sake, for mine own sake, will I do it.'[30] R. Judah said: Joshua and Israel uttered it when the kings of Canaan attacked them. They exclaimed, 'Not unto us [etc.]' and the Holy Spirit responded etc. R. Eleazar the Modiite said: Deborah and Barak uttered it when Sisera attacked them. They exclaimed, 'Not unto us [etc.].' and the Holy Spirit responded. 'For Mine own sake, for Mine own sake, will I do it.' R. Eleazar b. 'Azariah said: Hezekiah and his companions uttered it when Sennacherib attacked them. They exclaimed, 'Not unto us [etc.]' and the Holy Spirit responded etc. R. Akiba said: Hananiah, Mishael and Azariah uttered it when the wicked Nebuchadnezzar rose against them. They exclaimed, 'Not unto us etc.,' and the Holy Spirit responded etc. R. Jose the Galilean said: Mordecai and Esther uttered it when the wicked Haman rose against them. They supplicated, 'Not unto us etc.', and the Holy Spirit responded etc. But the Sages maintain: The prophets among them enacted that the Israelites should recite at every epoch and at every trouble — may it not come to them! — and when they are redeemed, they recite it [in thankfulness] for their delivery.

R. Hisda Said: Hallelujah marks the end of a chapter; Rabbah b. R. Huna said: Hallelujah marks the beginning of a chapter.[31] R. Hisda observed: I saw that in the copies of the Psalms used in the college of R. Hanin b. Rab, 'Hallelujah' was written in the middle of the chapter,[32] which proves that he was in doubt.

R. Hanin b. Raba said: A agree that in the case of, 'My mouth shall speak the praise of the Lord, and let all flesh bless His holy name for ever and ever.'[33] 'Hallelujah which follows it is the beginning of the [next] psalm. In the wicked shall see, and be vexed; he shall gnash with his teeth, and melt away, the desire of the wicked shall perish:[34] the 'Hallelujah' which follows it commences the [next] psalm. Again, in the passage. 'that stated in the house of the lord in the night seasons,[35] the following 'Hallelujah commences the [next] psalm.[36] Bible scholars[37] add the following: He will drink of the brook by the way, therefore will he lift up the head:[38] Hallelujah which follows it is the beginning of the next psalm. The fear of the lord is the be ginning of wisdom; a good understanding have a they that do thereafter; His praise endureth for ever.[39] 'Hallelujah which follows it is the beginning of the [next] psalm.

Shall we say that this is dependent on Tannaim? [For we learned:] HOW FAR DOES HE RECITE IT? BETH SHAMMAI MAINTAIN: UNTIL AS A JOYOUS MOTHER OF CHILDREN, WHILE BETH HILLEL. SAY: UNTIl. THE FLINT INTO A FOUNTAIN OF WATERS.' But another [Baraitha] taught: How far does he recite it? Beth Shammai maintain: Until 'when Israel came forth out of Egypt.'[40] while Beth Hillel say: Until, 'Not unto us, O Lord, not unto us.'[41]

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(1) In Ex. XVII, 16: The hand upon kesjah (E.V.: the throne of the Lord).

(2) II Sam. XII, 25: and he called his name jedidjah (E.V. Jedidiah).

(3) Though Jah means the 'Lord,' it combines to form a single word.

(4) Ps CXVIII, 5: He answered me ba-merhabjah (E.V.: with great enlargement]; lit., 'with the Lord's enlargement.

(5) Rashal reads: Raba:

(6) Is it one word or two?

(7) This would affect e.g., the manner of its writing. If 'Jedid' is written incorrectly, it can be erased and rewritten. But Jah, being sacred (i.e., God's name), must not be erased and would have to be cut out entirely, together with its parchment.

(8) I.e., at the college of R. Hiyya.

(9) Thus he evidently regards it as two words.

(10) Since he interprets the whole word thus, he evidently regards it as one.

(11) V. e.g., superscriptions to Ps. XLII, XLIV, and XLV; perhaps lit., 'a psalm giving instruction.'

(12) Thus he interprets 'Jah' separately.

(13) 'Torah' bears here its narrower connotation of Pentateuch. The 'Song' referred to is that contained in Ex. XV.

(14) Ps. CXIII-CXVIII. [MS.M. (gloss) inserts: Moses and Israel recited it].
(15) Ps. LXXII, 20.
(16) The verse thus reads: All these are prayers etc.
(17) Until the time of David — surely not.
(18) V. Judg. XVII.
(19) [Probably a variant of Bochin, v. judg. II, 1].
(20) Rashbam: Hallel, which contains a sweeping condemnation of idolatry (v. Ps. CXV, 5-8), could not have been composed in the days of David while Micah's idolatrous image was still in existence; hence it must have been composed at the Red Sea.
(21) V. supra.
(22) Lit., 'idle words' or chatter.
(23) II Kings III, 15. Maharsha in Shab. 30a observes that the verse is quoted to show that the Shechinah does not rest on a man who is plunged in gloom, Elisha requiring the minstrel to dissipate the gloom occasioned by Jehoram's visit.
(24) Serious study should be preceded by light-hearted conversation.
(25) Going to sleep in good spirits promotes happy dreams.
(26) Lit., 'bitterness'. To show due reverence.
(27) Cant. V, 13.
(28) Lit., 'and the scholars rejoiced'.
(29) Ps. CXV, 1.
(30) Isa. XLVIII, 11.
(31) Where a single 'Hallelujah separates two psalms (e.g., Ps. CXXXIV and CXXXV), R. Hisda maintains that it ends the first, while Rabbah b. R. Huna places it at the beginning of the second.
(32) I.e., the two men were into one with 'Hallelujah' in the middle.
(33) Ps. CXLV, 21.
(34) Ps. CXII, 10.
(35) Ibid. CXXXIV, 1.
(36) This is somewhat difficult as 'Hallelujah' does not immediately follow. Possibly the phrase is quoted loosely to indicate which psalm is meant, viz., CXXXIV, 'Hallelujah,' the commencing the next. Tosaf. however quotes 'Ye that stand in the house of the Lord, in the courts of the house of our God'. In our edd. this is Ps. CXXXV, 2, and does not end the psalm; but according to Tosaf. it does, while v. 3, which begins with 'Hallelujah,' (E.V. praise ye the lord) is the beginning of another psalm.
(37) Presumably scholars who specialized in the study of the Bible.
(38) Ps. CX, 7.
(39) Ps. CXI, 10.
(40) Ibid. CXIV, 1.
(41) Ibid. CXV, 1. In each case whereas the Mishnah quotes the ending of the chapters according to our edd., the Baraitha quotes the beginning of the following chapters.

Talmud - Mas. Pesachim 117b

Surely then they differ in this: he who says, until 'as a joyous mother of children', holds that [the following] 'Hallelujah' [praise ye lord] is the beginning of the [next] psalm; while he who says until, ',when Israel came forth out of Egypt', holds that 'Hallelujah is the end of the [previous] psalm![1] — R. Hisda reconciles it with his view. All agree that 'Hallelujah is the end of the psalm. Hence the statement, until 'when Israel came forth out of Egypt is well. While he who says, until 'a joyous mother of children is meant inclusively. Then let him say, 'up to "hallelujah"'? And should you answer, because we would not know which 'Hallelujah,' then let him say, 'up to the "Hallelujah" of "as a joyous mother of children"'? This is a difficulty . Rabbah b. R. Huna reconciles it with his view. All agree that 'Hallelujah is the beginning of the psalm. Hence the statement, until 'as a joyous mother of children' is well. While he who says, until 'when Israel came forth' does not mean it inclusively. Then let him say, 'until the Halelujah? And should you answer, because we would not know which 'Hallelujah is meant, then let him say, 'until the Hallelujah of "when Israel came

forth"'? This is a difficulty.

AND HE CONCLUDES WITH [A FORMULA OF] REDEMPTION. Raba said: [The ending of the benediction following] the reciting of the shema'[2] and Hallel is 'who redeemed Israel';[3] that of prayer[4] is 'the redeemer of Israel'.[5] What is the reason? Because it is a petition.[6] R. Zera said: [The formula] in kiddush is 'who did sanctify us with His commandments and did command us'; that of prayer is 'sanctify us with Thy Commandments.' What is the reason? Because it is supplication. R. Aha b. Jacob said: And he must refer to the Egyptian exodus in the kiddush of the day. [For] here it is written, that thou mayest remember the day [when thou camest forth out of the land of Egypt],[7] while there it is written, Remember the sabbath day, to hallow it [by reciting kiddush].[8]

Rabbah b. Shila said: [The formula] in Prayer is 'who causest the horn of Salvation to spring forth,'[9] while that of the haftarah[10] is 'the shield of David.' And I will make thee a great man, like unto the name of the great ones [that are in the earth the earth].[11] R, Joseph taught: that alludes to the fact that we say 'the shield of David.'[12]

R. Simeon b. Lakish said: And I will make thee a great nation:[13] that means that we say', 'the God of Abraham'; and I will bless thee — that we say, 'the God of Isaac'; and make thy name great, — that we say, 'the God of Jacob.' You might think that we conclude with [a reference to] all of them: therefore it is said, and be thou a blessing: with thee do we conclude, but we do not conclude with all of them.

Raba said: I found the elders of Pumbeditha[14] sitting and stating: On the Sabbath, both in Prayer[15] and in kiddush [we conclude the benediction with] 'who sanctifiest the Sabbath.' On a festival, both in Prayer and in kiddush [we conclude with] 'who sanctifiest Israel and the [festive] seasons.' Said I to them, On the contrary, [the formula] of Prayer both on the Sabbath and on a festival is 'who sanctifiest Israel.' In the kiddush of the Sabbath [the formula is] 'who sanctifiest the Sabbath'; On a festival, 'who sanctifiest Israel and the seasons.' Now I will state my reason and your reason. Your reason is: the Sabbath is permanently fixed, hence both in Prayer and in kiddush 'who sanctifiest the Sabbath' [is said].[16] On festivals, which are fixed by Israel, for they intercalate the months[17] and fix [the beginnings of] the years,[18] 'who sanctifiest Israel and the seasons' [is said].[19] My reason: Prayer, which is [carried on] in public, [requires] 'who sanctifiest Israel';[20] as for kiddush, which is [recited] privately [at home], on the Sabbath [the formula is] 'who sanctifiest the Sabbath,' while on festivals it is 'who sanctifiest Israel and the seasons[21] That [argument] however is Incorrect: is not prayer [recited] privately [too], and is not kiddush recited pubiicly?-Raba however, holds: Follow the main [practice].[22]

'Ulla b. Rab visited Raba. he recited [kiddush] in accordance with the elders of Pumbeditha, and he said nothing to him [in protest]. This proves that Raba retracted. R. Nathan the father of R. Hune the son of R. Nathan[23] visited R. Papa. He recited it in accordance with the elders of Pumbeditha, whereupon R. Papa praised him. Rabina said: I visited Meremar at Sura, when the reader[24] went down [to the reading desk][25] and recited it as the elders of Pumbeditha. Everybody made to silence him, but he said to them, 'Leave him alone: the law is as the elders of Pumbeditha.' Then they did not silence him.[26]

MISHNAH. THEY FILLED THE THIRD CUP FOR HIM. HE THEN RECITES GRACE AFTER MEALS. OVER THE FOURTH [CUP] HE CONCLUDES THE HALLEL, AND RECITES THE GRACE OF SONG.[27] BETWEEN THESE CUPS[28] HE MAY DRINK IF HE WISHES; BETWEEN THE THIRD AND THE FOURTH HE MAY NOT DRINK.

GEMARA. R. Hanan said to Raba: This proves that Grace after meals requires a cup [of wine]. Said he to him: Our Rabbis instituted four cups as symbolizing freedom:[29] let us perform a religious

act with each.[30]

OVER THE FOURTH [CUP] HE CONCLUDES THE HALLEL, AND RECITES THE GRACE OF SONG.

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(1) This of course is on the view of Beth Shammai. The differences in the view of Beth Hillel are then stated for the sake of parallelism (Rashbam).
(2) This is followed by one benediction in the morning and two in the evening, before the 'Prayer,' i.e. the Eighteen benedictions.
(3) In the past tense.
(4) The Amidah on weekdays. It consists of the Eighteen Benedictions, the fifth of which is a prayer for redemption.
(5) In the present tense.
(6) For the future. Hence the past tense would be inappropriate.
(7) Deut. XVI, 3.
(8) Ex. XX, 8. 'Remember' in the second verse, I.e., the reciting of kiddush (and the Sabbath is an example of a holy days, including Festivals). must include the 'remember," of the first verse, vi., the Egyptian exodus.
(9) That is the ending of the fifteenth benediction.
(10) V. Glos. It is followed by four benedictions. The reference here is to the third, whose subject-matter is the same as the fifteenth benediction mentioned in the preceding note.
(11) II Sam. VII, 9.
(12) it is a great honour to David that God is designated 'the shield of David' in the conclusion of a benediction.
(13) Ex. XII, 2.
(14) Rab Judah and R. 'Ena, v. Sanh. 17b.
(15) The 'Amidah on Sabbath and Festivals consists of seven benedictions.
(16) Because its sanctification depends entirely on God.
(17) The Jewish month consists of either 29 or 30 days, the length of each month being fixed by the Jewish authorities.
(18) Thereby fixing the dates of festivals too.
(19) Thus Israel must be mentioned, because through Israel the festivals are sanctified.
(20) I.e., a reference to the whole community.
(21) The emphasis being on the sacred nature of the day, 'Israel' must be mentioned in the latter case because the sanctification (If the seasons is dependant thereon (supra).
(22) Prayer is essentially intended for the community,not withstanding that private prayer too is possible. Again, kiddush is chiefly intended for the home ('in the place of the meal'), though it is also recited in the synagogue on account of the wayfarers.
(23) 'The son of R. Nathan' should probably be deleted.
(24) Lit., 'the deputy of the congregation.' In the Talmud this is the name of the reader who leads the congregation in prayer; the modern title 'hazzan' dates from the post-Talmudic period.
(25) In Talmudic times this was on a lower level than the rest of the synagogue building, in accordance with Ps. CXXX, 1: out of the depths have I called Thee O Lord.
(26) Omitted in MS. M. var. lec. add: And the law is as the elders of Pumbeditha.
(27) The phrase is explained in the Gemara.
(28) Viz., first, second and third.
(29) This is omitted in Rashbam.
(30) Hence Grace is recited over the third. But on other occasions a cup may not be required for Grace after meals.

Talmud - Mas. Pesachim 118a

What is 'THE GRACE OF SONG'? Rab Judah said: 'They shall praise Thee, O Lord our God'; while R. Johanan said: 'The breath of a living [etc.]'[1]

Our Rabbis taught: At the fourth he concludes the Hallel and recites the great Hallel this is the view of R. Tarfon. Others say: The Lord is my shepherd; I shall not want.'[2] What comprises the

great Hallel? Rab[3] Judah said: From 'O give thanks' until 'the rivers of Babylon.'[4] While R. Johanan said: From 'A song of ascents' until 'the rivers of Babylon.'[5] R. Aha b. Jacob said: From 'for the Lord hath chosen Jacob unto himself'[6] until 'the rivers of Babylon.' And why is it called the great Hallel? — Said R. Johanan: Because the Holy One, blessed be He, sits in the heights of the universe and distributes food to all creatures.[7]

R. Joshua b. Levi said: To what do these twenty-six [verses of] 'Give thanks'[8] correspond? To the twenty-six generations which the Holy One, blessed be He, created in His world; though He did not give them the Torah, He sustained them by His love.[9]

R. Hisda said:[10] What is meant by the verse, O give thanks unto the Lord, for He is good?[11] Give thanks unto the Lord who exacts man's debts by means of His goodness:[12] the wealthy man through his ox and the poor man through his sheep,[13] the fatherless through his egg and the widow through her fowl.

R. Johanan said: Man's sustenance involves twice as much suffering as [that of] a woman in childbirth. For of a woman in childbirth it is written, in pain [be-'ezeb — thou shalt bring forth children],[14] whereas of sustenance it is written, in toil [be-'izzabon — shalt thou eat].[15] R. Johanan also said: Man's sustenance is more difficult [to come by] than the redemption, for of redemption it is written, the angel who hath redeemed me from all evil,[16] thus a mere angel [sufficed], whereas of sustenance it is written, the God who hath fed [shepherded] me.[17] R. Joshua b. Levi said: When the Holy One, blessed be He, said to Adam, 'Thorns also and thistles shall it bring forth to thee,'[18] tears flowed from his eyes, and he pleaded before Him, 'Sovereign of the Universe! Shall I and my ass eat out of the same crib!' But as soon as He said to him, 'In the sweat of thy face shalt thou eat bread,'[19] his mind was set at rest. R. Simeon b. Lakish said: Happy are we that we did not remain subject to the first! Abaye observed: Yet we have still not [altogether] escaped from it, for we eat herbs of the field.[20]

R. Shizbi said in the name of R. Eleazar b. 'Azariah: A man's sustenance is as difficult [to provide] as the dividing of the Red Sea, for it is written, Who giveth food to a flesh,[21] and near it, To Him who divided the Red Sea in sunder.[22]

R. Eleazar b. 'Azariah said: A man's excretory organs [when blocked up] are as painful as the day of death and [as difficult to overcome][23] as the dividing of the Red Sea, for it is said, The prisoner hasteneth to be loosed; [and he shall not go down dying into the pit, neither shall his bread fail];[24] and that is followed by [For I am the Lord thy God,] who stirreth tip the sea, that the waves thereof roar.[25]

Again. R. Shesheth said on the authority of R. Eleazar b. 'Azariah: He who despises the Festivals[26] is as though he engaged in idolatry, for it is said, Thou shalt make thee no molten gods,[27] which is followed by, The feast of unleavened bread shalt thou keep.[28]

R. Shesheth also said on the authority of R. Eleazar b. 'Azariah: Whoever relates slander, and whoever accepts slander, and whoever gives false testimony against his neighbour, deserve to be cast to dogs, for it is said, ye shall cast to the dogs,[29] which is followed by, Thou shalt not take up a false report,[30] which may be read tashshi.[31]

Now since there is the great Hallel, why do we recite this one?[32] Because it includes [a mention of] the following five things: The exodus from Egypt, the dividing of the Red Sea, the giving of the Torah [Revelation], the resurrection of the dead, and the pangs of Messiah.[33] The exodus from Egypt, as it is written, When Israel came forth out of Egypt;[34] as the dividing of the Red Sea: The sea saw it, and fled;[35] the giving of the Torah: The mountains skipped like rams;[36] resurrection of the

dead: I shall walk before the Lord [in the land of the living];[37] the pangs of Messiah: Not unto us, O Lord, not unto us.[38]

R. Johanan also said: 'Not unto us, O Lord, not unto us' refers to the servitude to [foreign] powers. Others state, R. Johanan said: 'Not unto us, O Lord, not unto us' refers to the war of Gog and Magog.[39] R. Nahman b. Isaac said: [Hallel is recited] because it contains [an allusion to] the deliverance of the souls of the righteous from the Gehenna, as it is said, I beseech Thee, O Lord, deliver my soul.[40] Hezekiah said: Because it alludes to the descent of the righteous[41] into the fiery furnace and their ascent from it. 'Their descent,' for it is written, Not unto us, O Lord, not unto us: [this] Hananiah said; 'But unto Thy name give glory' was said by Mishael; For Thy mercy, a rid for Thy truth's sake, by Azariah; Wherefore should the nations say?[42] by all of them. 'Their ascent from the fiery furnace,' for it is written, O praise the Lord, all ye nations;[43] [this] Hananiah said; Laud Him, all ye peoples, was said by Mishael; For His mercy is great toward us,[44] by Azariah; 'And the truth of the Lord endureth for ever,' by all of them. Others maintain [that] it was Gabriel who said, 'And the truth of the Lord endureth for ever.' [For] when the wicked Nimrod cast our father Abraham into the fiery furnace, Gabriel said to the Holy One, blessed be He: 'Sovereign of the Universe! Let me go down, cool [it], and deliver that righteous man from the fiery furnace.' Said the Holy One, blessed be He, to him: 'I am unique in My world, and he is unique in his world: it is fitting for Him who is unique to deliver him who is unique. But because the Holy One, blessed be He, does not withhold the [merited] reward of any creature, he said to him, 'Thou shalt be privileged to deliver three of his descendants.'[45]

R. Simeon the Shilonite lectured: When the wicked Nebuchadnezzar cast Hananiah, Mishael, and Azariah into the fiery furnace, Yurkami, Prince of hail,[46] rose before the Holy One, blessed be He, and said to Him: 'Sovereign of the Universe! Let me go down and cool the furnace and save these righteous men from the fiery furnace.' Said Gabriel to him, 'The might of the Holy One, blessed be He, is not thus [manifested], for thou art the Prince of hail, and all know that water extinguishes fire. But I, the Prince of fire, will go down and cool it within

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(1) V. P. B. p. 125.

(2) Ps. XXIII.

(3) Text as read by Asheri.

(4) I.e., Ps. CXXXVII.

(5) Ps. CXX-CXXXIV all bear the superscription 'A song of ascents.' Hence he probably means Ps. CXX-CXXXVI.

(6) Ps. CXXXV. 4

(7) The subject matter of Ps. CXXXVI, 25-26. Which is a great thing indeed, and for that He is praised by the reciting of the great Hallel.

(8) Ps. CXXXVI contains twenty-six verses, each of which expresses gratitude to God.

(9) There were twenty-six generations from Adam until Moses. These, lacking the Torah, could not be sustained trough their own merit but only through God's love.

(10) Var. lec.: R. Joshua b. Levi also said.

(11) Ps. CXXXVI, 1 .

(12) I.e., from what He has granted to man.

(13) When people must suffer loss in expiation of wrong, the loss is regulated according to their means.

(14) Gen. III, 16.

(15) Ibid. 17 'Izzabon is more emphatic than 'ezeb (both belong to the same root), and therefore denotes greater suffering.

(16) Gen. XLVIII, 16.

(17) Ibid. 15.

(18) Gen. III, 18.

(19) Ibid. 19.

(20) Wild herbs. The translation is that of the amended text given in the margin. [Cur. edd.: 'Happy were we had we

remained subject to the first,' that is, and thus been spared the sweat of the brow in search for a livelihood. Thereupon Abaye observes — we still retain part of this advantage in that there are wild herbs which provide food without toil.]
(21) Ps. CXXXVI, 25.
(22) Ibid. 13.
(23) The Heb. קשה has both meanings.
(24) Isa. LI, 14.
(25) Ibid. 15. This is understood as an allusion to the dividing of the Red Sea.
(26) The Intermediate Days of the Festival, doing unnecessary work thereon (Rashi).
(27) Ex. XXXIV, 17.
(28) Ibid. 18.
(29) Ex. XXII, 30.
(30) Ex. XXIII, 1.
(31) [תשיא from rt. meaning 'to entice', 'induce', 'mislead', hence attempting to influence the judge to one side by bearing false testimony against another person. v. Sanh., Sonc. ed. p. 31 n. 10]. Rashbam deletes this phrase, holding that the whole follows from the verse as it stands.
(32) Viz., Ps. CXIII-CXVIII.
(33) I.e,, the suffering which must precede his coming.
(34) Ibid. CXIV, 1.
(35) Ibid. 3.
(36) Ibid. 4; cf. Judg. V. 4f.
(37) Ps. CXVI, 9.
(38) Ibid. CXV, 1. This is now interpreted as a prayer to be spared the great distress of that time; cf. Sanh. 97a.
(39) V. Ezek. XXXVIII and Sanh., Sonc, ed. p. 630. n. 7.
(40) Ps. CXVI, 4.
(41) Hananiah, Mishael and Azariah.
(42) Ps. CXV, 2.
(43) Ps. CXVII, 1.
(44) Ibid. 2.
(45) And when that promise was fulfilled, Gabriel said 'and the truth' etc.
(46) The presiding genius over hail-storms.

Talmud - Mas. Pesachim 118b

and heat it without,[1] and will thus perform a double miracle.[2] Said the Holy One, blessed be He, to him, 'Go down.' It was then that Gabriel commenced [with praise] and said, 'And the truth of the Lord endureth for ever.'

R. Nathan said: it was the fish in the sea who said, 'and the truth of the Lord endureth for ever,' this being in accordance with R. Huna. For R. Huna said: The Israelites of that generation [sc. of the Egyptian exodus] were men of little faith, and as Rabbah b. Mari expounded: What is taught by the verse, But they were rebellious at the sea, even at the Red Sea?[3] This teaches that in that moment the Israelites were rebellious and said: Just as we ascend at one side [of the sea] so do the Egyptians ascend from another. Whereupon the Holy One, blessed be He, ordered the Prince of the Sea,[4] 'Spue them forth on to the dry land.' Said he to Him, 'Sovereign of the Universe! Does a master make a gift to his servant and then take it back from him!' 'I will give you one and a half times their number,' He replied. 'Sovereign of the Universe, he pleaded, 'can a servant claim [a debt] from his Master!' 'Let the brook of Kishon be surety for Me,' He answered. Straightway he spewed them forth on to the dry land, and Israel came and saw them, as it is said, and Israel saw the Egyptians dead on the sea-shore.[5]

What is [this allusion to] 'one and a half times their number'? For in the case of Pharaoh it is written, [and he took] six hundred chosen chariots,[6] whereas in the case of Sisera it is written, [And

Sisera gathered . . .] nine hundred chariots of iron.[7] When Sisera came [to fight Israel] he advanced against them with iron staves. Thereupon the Holy One, blessed be He, brought forth the stars out of their orbits against them, as it is written, The stars in their courses fought against Sisera.[8] As soon as the stars of heaven descended upon them they heated those iron staves . So they went down to cool them and to refresh themselves in the brook of Kishon. Said the Holy One, blessed be He, to the brook of Kishon, 'Go and deliver your pledge.' Straightway the brook of Kishon swept them out and cast them into the sea, as it is said, The brook Kishon swept them away, that ancient brook.[9] What does 'that ancient brook' mean? The brook that became a surety in ancient times. In that hour the fish in the sea opened [their mouths] and exclaimed, 'and the truth of the Lord endureth for ever.'

R. Simeon b. Lakish said, What means 'Who maketh the barren woman ['akereth] to dwell in her house'?[10] The congregation of Israel said before the Holy One, blessed be He, 'Sovereign of the Universe! Thy sons have made me like a weasel that dwells in the vaults ['ikare][11] of houses.'[12]

Raba lectured, What means, I love that the Lord should hear [my voice and my supplications]?[13] The congregation of Israel said: Sovereign of the Universe! When am I loved by Thee? When Thou hearest the voice of my supplications. I was brought low [dallothi], and He saved me.[14] The congregation of Israel spoke before the Holy One, blessed be He, Sovereign of the Universe! Though I am poor [dallah] in religious deeds, yet I am Thine, and it is fitting that I should be saved.

R. Kahana said: When R. Ishmael son of R. Jose fell sick, Rabbi sent to him: Tell us two or three things which you have said to us in your father's name. He sent back to him, Thus did my father say: What is meant by the verse, O praise the Lord, all ye nations:[15] What business have the nations of the world here?[16] This is its meaning: 'O praise the Lord, all ye nations' for the mighty and wondrous deeds which He wrought for them; all the more we, since 'His mercy is great toward us.' Furthermore [he sent word to him]: Egypt is destined to bring a gift to the Messiah. He will think not to accept it from them, but the Holy One, blessed be He, will instruct him, 'Accept it from them: they furnished hospitality to My children in Egypt.' Immediately, 'Nobles shall come out of Egypt [bringing gifts].[17] Then Ethiopia shall argue with herself: If those [the Egyptians] who enslaved them are thus [treated], how much the more we, who did not enslave them! At that the Holy One, blessed be He, shall bid him: 'Accept it from then,.' Straightway, 'Ethiopia shall hasten to stretch out her hands unto God.'[18] Then shall the wicked Roman State argue with herself: If those who are not their brethren are thus [accepted], how much the more we, their brethren.[19] But the Holy One, blessed be He, will say to Gabriel: Rebuke the wild beast of the reeds [kaneh]; the multitude of ['adath] the bulls:[20] rebuke the wild beast [Rome] and take thee possession [keneh] of the congregation ['edah].[21] Another interpretation: rebuke the wild beast of the reeds, i.e.. that dwells among the reeds, as it is written, The boar out of the wood doth ravage it, that which moveth in the field feedeth on it.[22] R. Hiyya b. Abba interpreted it in R. Johanan's name: Rebuke the wild beast all of whose actions may be recorded with the same pen.[23] 'The multitude of the bulls [abbirim], with the calves of the people':[24] that means that they slaughtered the valiant [abbirim] like calves which have no owners.[25] 'Everyone opening his hand with the desire of money':[26] they stretch out their hand to accept the money, but do not carry out its owners' wishes. 'He hath scattered the people that delight in approaches': what caused Israel to be scattered among the nations? The approaches [to the nations] which they desired.[27]

He also sent to him: There are three hundred and sixty five thoroughfares in the great city of Rome, and in each there were three hundred and sixty five palaces; and in each palace there were three hundred and sixty five storeys,[28] and each storey contained sufficient to provide the whole world with food.[29] R. Simeon b. Rabbi asked Rabbi — others say, R. Ishmael son of R. Jose asked Rabbi — For whom are all these [other storeys]? — For you, your companions and acquaintances, as it is said, And her gain and her hire shall be holiness to the Lord,' it shall not be stored nor treasured; for her gain shall be for them that dwell before the Lord.[30] What does 'it shall not be stored' mean?

— R. Joseph learned: 'It shall not be stored' refers to a storehouse [granary]; 'nor treasured,' to a treasure house.[31] What means 'for them that dwell before the Lord'? — Said R. Eleazar:

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(1) To burn those who threw them into it; cf. Dan. III, 22.
(2) Lit., 'a miracle within a miracle.'
(3) Ps. CVI, 7.
(4) According to ancient beliefs the sea, like the elements in general, were in charge of particular angels.
(5) Ex. XIV, 30.
(6) Ibid. 7.
(7) Judg. IV, 13.
(8) Ibid. V, 20.
(9) Ibid. 21.
(10) Ps. CXIII, 9.
(11) Lit., 'root', 'foundations' hence 'vaults'.
(12) The congregation of Israel is personified here as a woman, as often, and she complains that through the sins of her less worthy children she is ashamed of the daylight but must hide like the weasels in the dark vaults of houses.
(13) Ps. CXVI, 1.
(14) Ibid. 6.
(15) Ibid. CXVII 1.
(16) Why should they praise God because 'His mercy is great toward us' (ibid. 2)?
(17) Ps, LXVIII, 32.
(18) Ibid.
(19) Rome was always identified with Edom, the state built by Esau's descendants; v. Gen. XXXV, 1.
(20) Ps. LXVIII, 31.
(21) I.e., Israel.
(22) Ps. LXXX, 14. Kaneh is now interpreted as the cane reeds of the forest, the boar (or, swine) being Rome. This interpretation is probably connected with the midrash that when Solomon married Pharaoh's daughter an angel planted a large reed in the sea whereon Rome was built (Midrash Rabbah on Cant. 1, 6).
(23) Kaneh is now connected with the same word meaning feather, quill. — All their activities are of the same nature — evil to Israel.
(24) Ps. LXVIII, 31.
(25) To protect them.
(26) Reading mithrapes as mattir pas — the letters are almost the same — opening the hand, and connecting raze with razon, desire; the money that is given to ensure the fulfilment of one's wishes. E.V.: Every one submitting himself with pieces of silver.
(27) Maharsha retains the natural translation 'war': had they submitted to Nebuchadnezzar and Titus at the first and second Temples respectively, instead of desiring war, they would not have gone into exile.
(28) מעלה means a stairway, and is probably to be understood as in the text.
(29) Maharsha: The number three hundred and sixty five is symbolic, because the Gentiles depend on the solar year of three hundred and sixty five days.
(30) Isa. XXIII, 18.
(31) I.e., of gold and silver.

Talmud - Mas. Pesachim 119a

They who recognize their colleagues' place in the academy. Others state, R. Eleazar said: They who welcome their colleagues in the academy.[1] What does 'and for stately clothing' [li-mekasseh 'athik][2] mean? That refers to him who 'conceals' [mekasseh] the things which the Ancient ['athik] of days[3] concealed. And what is that? The secrets of the Torah.[4] Others explain: That refers to him who reveals the things which the Ancient of days concealed [kissah]. And what is it ? The reasons of the Torah.[5]

R. Kahana said on the authority of R. Ishmael b. R. Jose: What is meant by, 'For the leader [la-menazzeah]: a Psalm of David?[6] Sing praises to Him who rejoices when they conquer Him.[7] Come and see how the character of the Holy One, blessed be He, is not like that of mortal man. The character of mortal man is such that when he is conquered he is unhappy, but when the Holy One is conquered He rejoices,for it is said, Therefore He said that He would destroy them, had not Moses His chosen stood before Him in the breach, [to turn back His wrath].[8]

R. Kahana said on the authority of R. Ishmael son of R. Jose, and our Rabbis said in the name of R. Judah Nisi'ah:[9] What is implied by the verse, And they had the hands of a man under their wings?[10] Yado [his hand] is written:[11] this refers to the Hand of the Holy One, blessed be He, which is spread out under the wings of the Hayyoth,[12] in order to accept penitents [and shield them] from[13] the Attribute of Justice.[14] Rab Judah said in Samuel's name: All the gold and silver in the world Joseph gathered in and brought to Egypt, for it is said, And Joseph gathered up all the money that was found [in the land of Egypt, and in the land of Canaan].[15] Now I know it only about that of Egypt and Canaan; whence do we know it about that of other countries? Because it is stated, And all the countries came unto Egypt [to Joseph to buy corn].[16] And when the Israelites migrated from Egypt they carried it away with them, for it is said, and they despoiled the Egyptians.[17] R. Assi said: They made it like a trap in which there is no corn;[18] R. Simeon b. Lakish said: Like a pond without fish.[19] Thus it [the treasure] lay until Rehoboam, when Shishak king of Egypt came and seized it from Rehoboam, for it is said, And it came to pass in the fifth year of king Rehoboam, that Shishak king of Egypt came up against Jerusalem; and he took away the treasures of the house of the Lord, and the treasures of the king's house.[20] Then Zerah, king of Ethiopia, came and seized it from Shishak; then Assa came and seized it from Zerah king of Ethiopia and sent it to Hadrimon the son of Tabrimon. The Ammonites came and seized it from Hadrimon the son of Tabrimon. Jehoshaphat came and seized it from the Ammonites, and it remained so until Ahaz, when Sennacherib came and took it from Ahaz. Then Hezekiah came and took it from Sennacherib, and it remained thus until Zedekiah, when the Babylonians [Chaldeans] came and seized it from Zedekiah. The Persians came and took it from the Chaldeans; the Greeks came and took it from the Persians . the Romans came and took it from the Greeks, and it is still lying in Rome.

R. Hama son of R. Hanina said: Three treasures did Joseph hide in Egypt: one was revealed to Korah; one to Antoninus the son of Severus;[21] and the third is stored up for the righteous for the future time.

Riches kept by the owner thereof to his hurt:[22] R. Simeon b. Lakish said: This refers to Korah's wealth. And a the substance that was at their feet.[23] R. Eleazar said: This refers to a man's wealth, which puts him on his feet. R. Levi said: The keys of Korah's treasure-house were a load for three hundred white mules,[24] though all the keys and locks were of leather.[25]

(Mnemonic: Diyash, ADYish, Kashdek, me-Odeka)[26] R. Samuel b. Nahmani said in R. Jonathan's name: I will give thanks unto Thee, for Thou hast answered me[27] was said by David; The stone which the builders rejected is become the chief corner-stone;[28] by Yishai [Jesse]; This is the Lord's doing,[29] by his brothers; This is the day which the Lord hath made[30] by Samuel. We beseech 'Thee, O Lord, save now![31] was said by his brothers: We beseech Thee, O Lord, make us now to prosper! by David; Blessed be he that cometh in the name of the Lord,[32] by Jesse; We bless you out of the house of the Lord,[32] by Samuel; The Lord is God, and hath given us light,[33] by all of them; Order the festival procession with boughs, by Samuel; Thou art my God, and I will give thanks unto Thee,[34] by David; Thou art my God, I will exalt Thee, by all of them.

We learned elsewhere: Where it is the practice

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(1) I.e.. who treat them in a friendly fashion. Maharsha: who are among the earliest, so that they can greet their

colleagues who arrive latter.
(2) This completes the verse.
(3) God; v. Dan. VII, 13.
(4) Esoteric teaching, which was to be confined to the few.
(5) It is meritorious to investigate the reasons of Scriptural laws.
(6) This is the superscription of a number of psalms; ‘menazzeah is derived from nazzeah, to be victorious.
(7) I.e., prevail upon Him to rescind intended punishment. La-menazzeah is now understood in a causative sense: to Him who makes men victorious.
(8) Ps. CVI, 23.
(9) The Prince. I.e., R. Judah II, — The text is as emended in the margin.
(10) Ezek. I, 8.
(11) Instead of yede, the hands of.
(12) Lit., ‘living creatures’ — the angels that bore the Divine Chariot, as described in Ezek. I.
(13) Var. lec.: on account of.
(14) Justice, Mercy. etc., are often hypostasized.
(15) Gen. XLVII, 14.
(16) Ibid. XLI, 57.
(17) Ex. XII, 36.
(18) To attract the birds. Bird-traps were set with corn. [Aliter: Like a fortress without corn (pro. visions). Var. lec.: like a net without fish.]
(19) Var. lec. (v. D.S.): like husks without grain.
(20) I Kings XIV, 25f.
(21) On his identity v. Sanh., Sonc. ed. p. 610 n.7.
(22) Eccl. V, 12.
(23) Deut. XI, 6.
(24) This of course is not to be taken literally.
(25) Instead of metal, so as to be light in weight, yet they were such a load.
(26) D == David; Y == Yishay (Jesse); A ==Ehaw (his brothers); Sh == Shemuel (Samuel), K == kulan (all of them); me-Odeka == on the passage commencing Odeka, ‘I will give thanks unto Thee’.
(27) Ps. CXVIII, 21.
(28) Ibid. 22.
(29) Ibid. 23.
(30) Ibid. 24.
(31) Ibid. 25.
(32) Ibid. 26.
(33) Ibid. 27.
(34) Ibid. 28.

Talmud - Mas. Pesachim 119b

to repeat,[1] he must repeat; to recite it once only,[2] he must recite them once only; to pronounce a blessing after it [sc. the Hallel], he must pronounce a blessing upon it: it all depends on local custom. Abaye observed: This was taught only [about a blessing] after it, but a blessing before it is obligatory, for Rab Judah said in Samuel's name: A blessing must be recited for a religious duties before [‘ober] they are performed. How is it implied that ‘ober connotes priority? — Said R. Nahman b. Isaac: Because it is written, Then Ahimaaz ran by the way of the Plain, and overran [wa-ya'abor, i.e., ran before] the Cushite.[3] Abaye said: [It follows] from this: And he himself passed over [‘abar] before them.[4] Others quote the following: And their king is passed on [wa-ya'abor] before them, and the Lord at the head of them.[5]

It was taught: Rabbi repeated [certain] verses of it[6] [sc. Hallel]; R. Eleazar b. Perata added passages[7] to it. What did he add? Said Abaye: He added [passages] for repetition from ‘I will give

thanks to thee' and onwards.

R. 'Awira lectured, Sometimes stating it in R. Ammi's, Sometimes in R. Assi's name: What is meant by. And the child grew, and was weaned [wa-yiggamel]?[8] The Holy One, blessed be He, will make a great banquet for the righteous on the day He manifests [yigmol] His love to the seed of Isaac.[9] After they have eaten and drunk, the cup of Grace[10] will be offered to our father Abraham, that he should recite Grace, but he will answer them, 'I cannot say Grace, because Ishmael issued from me. Then Isaac will be asked, 'Take it and say Grace.' 'I cannot say Grace,' he will reply, 'because Esau issued from me.' Then Jacob will be asked: 'Take it and say Grace.' 'I cannot say Grace,' he will reply. 'because I married two sisters during [both] their lifetimes, whereas the Torah was destined to forbid them to me. Then Moses will be asked, 'Take it and say Grace.' 'I cannot say Grace, because I was not privileged to enter Eretz Yisrael either in life or in death.' Then Joshua will be asked: 'Take it and say Grace.' 'I cannot say Grace,' he will reply, 'because I was not privileged to have a son,' for it is written, Joshua the son of Nun;[11] Nun his son, Joshua his son.[12] Then David will be asked: 'Take it and say Grace.' 'I will say Grace, and it is fitting for me to say Grace,' he will reply, as it is said, I will lift up the cup of salvation, and call upon the name of the Lord.[13] MISHNAH. ONE MAY NOT CONCLUDE AFTER THE PASCHAL MEAL [BY SAYING]. 'NOW TO THE ENTERTAINMENT! [APIKOMAN].'[14]

GEMARA. What does APIKOMAN mean? Said Rab: That they must not remove from one company to another.[15] Samuel said: E.g., mushrooms for myself and pigeons for Abba.[16] R. Hanina b. Shila and R. Johanan said: E.g., dates, parched ears of corn, and nuts. It was taught as R. Johanan: You must not conclude after the Paschal meal with e.g., dates, parched ears, and nuts.

Rab Judah said: One may not conclude after the [last] unleavened bread [is eaten][17] by saying, 'Now to the entertainment!' We learned: YOU MAY NOT CONCLUDE AFTER THE PASCHAL, MEAL [BY SAYING], 'NOW TO THE ENTERTAINMENT!' Thus it is forbidden only after the Paschal meal, but you may conclude [thus] after the unleavened bread? — He proceeds to a climax:[18] After the unleavened bread it need not be stated, since its taste is not substantial;[19] but [I might think] that there is no objection after the Paschal lamb, whose taste is substantial and cannot [easily] be wiped out. Hence he [the Tanna] informs us [otherwise].

Shall we say that this supports him: [As for] sponge cakes, honey-cakes and iskeritin,[20] a man may fill his stomach with them, providing that he eats as much as an olive of unleavened bread at the end. [This implies], only at the end,

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(1) Certain verses at the end of Hallel, viz., Ps. CXVIII, 21-29. Every verse of the rest of the Psalm is repeated in the text, either actually or by parallelism, and therefore these four verses are repeated when they are recited.

(2) Lit., 'to (say it) straight off.'

(3) II Sam. XVIII, 23.

(4) Gen. XXXIII, 3.

(5) Mic. II, 13.

(6) [Rashi(Suk. 39a): 'from "We beseech thee, O Lord, etc." onwards.']

(7) [I.e., to those repeated by Rabbi (Rashi loc. cit.)].

(8) Gen. XXI, 8: the verse continues: And Abraham made a great feast on the day that Isaac was weaned.

(9) I.e., when Israel is vindicated and his glories restored.

(10) The cup of wine over which Grace after meals is recited.

(11) Num. XIV, 38 et passim.

(12) I Chron. VII, 27. This occurs in the genealogical lists, and since it is not carried beyond Joshua, we must assume that he was not blessed with a son.

(13) Ps. CXVI, 13.

(14) Gr. **.

(15) V. Supra 86a for notes.
(16) I.e., Rab. Rab and Samuel used to eat pigeons and mushrooms respectively after the meal, as desert, and Samuel says that this must not be done after the Paschal meal. Thus his interpretation (and R. Johanan's which follows) is stricter than Rab's. For Rab only forbids further eating elsewhere, whereas Samuel forbids it in the same place.
(17) I. e., nowadays at the end of the meal in memory of the Paschal lamb.
(18) Lit., 'he says, it is unnecessary".'
(19) He must finish the meal with the taste of the Paschal lamb and the unleavened bread predominant in his mouth. Now the taste of the latter is not substantial and enduring, and therefore it is superfluous to teach that nothing may be eaten after it.
(20) V. Supra 37a. These are regarded as 'rich mazzah' and therefore the duty of eating mazzah, which must be 'bread of affliction (poverty)' cannot be discharged with them.

Talmud - Mas. Pesachim 120a

but not at the beginning![1] — [No:] He proceeds to a climax. [If he eats it] at the beginning it goes without saying [that his duty is discharged], since he eats it with an appetite; but at the end, [where] he may come to eat it as mere gorging, I might say that he does not [do his duty]. Hence he [the Tanna] informs us [otherwise].

Mar Zutra recited it thus: R. Joseph said in Rab Judah's name in Samuel's name: One may conclude after the unleavened bread [by saying] 'Now to the entertainment.' Shall we say that this supports him: ONE MAY NOT CONCLUDE AFTER THE PASCHAL MEAL. [BY SAYING], 'NOW TO THE ENTERTAINMENT'; hence one may not conclude thus [only] after the Paschal lamb, yet one may conclude thus after the unleavened bread? — [No:] — He proceeds to a climax. After the unleavened bread it need not be stated, seeing that its taste is not substantial; but I would say [that it is] not so after the Paschal lamb; hence [the Tanna] informs us [otherwise]. An objection is raised: [As for] sponge-cakes, honey-cakes, and iskeritin, a man may fill his stomach therewith, providing that he eats as much as an olive of unleavened bread at the end. Thus it is only at the end, but not at the beginning? He proceeds to a climax: at the beginning, when he eats with an appetite, it is unnecessary [to teach it]; but at the end, where he may merely gorge, I might say [that it is] not [permitted]; hence [the Tanna] informs us [that it is].

Raba said: [The eating of] unleavened bread nowadays is a Scriptural obligation, whereas [that of] bitter herbs is Rabbinical. Yet wherein do bitter herbs differ? Because it is written, they shall eat it [the Passover-offering] with unleavened bread and bitter herbs,[2] [which implies], when [the law of] the Passover-offering is in force, [that of] bitter herbs is in force, and when the Passover-offering is not in force, bitter herbs are not required either! Then in the case of unleavened bread too, surely it is written, 'they shall eat it with unleavened bread and bitter herbs'? — Scripture indeed repeated [the precept] in the case of unleavened bread: at even ye shall eat unleavened bread.[3] But R. Aha b. Jacob maintained: Both the one and the other are [only] Rabbinical. But surely it is written, 'at even ye shall eat unleavened bread'? — That is required in respect of an unclean person and one who was on a journey afar off.[4] For you might argue: Since they cannot eat of the Passover-offering, they need not eat unleavened bread or bitter herbs either; hence [the verse] informs us [otherwise]. And Raba?[5] — He can answer you: In respect of an unclean person and one who was on a journey afar off a verse is not required, for they are no worse than an uncircumcised person and an alien.[6] For it was taught: No uncircumcised person shall eat thereof:[7] 'thereof' he may not eat, but he must eat unleavened bread and bitter herbs. And the other?[8] — It is written in the case of the one [the uncircumcised etc.] and it is written in the case of the other [the unclean etc.], and they are both necessary.[9]

It was taught in accordance with Raba: Six days thou shalt eat unleavened bread, and on the seventh day shall be a solemn assembly to the Lord thy God:[10] just as [on] the seventh day [the

eating of unleavened bread] is voluntary,[11] so [on] the six days it is voluntary. What is the reason?[12] Because it is something which was included in the general law and then excluded from the general law, in order to illumine [other cases], [which means that] it was excluded not in order to throw light upon itself, but in order to throw light upon the entire general law.[13] You might think that on the first night too it is [merely] voluntary; therefore it is stated, 'they shall eat it with unleavened bread and bitter herbs.' I know this only when the Temple is in existence; whence do we know it when the Temple is not in existence? From the verse, 'at even ye shall eat unleavened bread': thus the Writ made it a permanent obligation.

MISHNAH. IF SOME OF THEM[14] FELL ASLEEP, THEY MAY EAT [WHEN THEY AWAKE]; IF ALL OF THEM FELL ASLEEP THEY MUST NOT EAT.[15]

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(1) And the presumed reason is because nothing may be eaten after the last unleavened bread.

(2) Num. IX, 11.

(3) Ex. XII, 18. Bah (on the basis of Tosaf. in Kid. 37b) suggests that the following verse should be quoted instead: in all your habitations shall ye eat unleavened bread (ibid. 20).

(4) But who will be fit by the evening.

(5) Does he not admit this? and if he does, on what grounds does he differentiate between unleavened bread and bitter herbs?

(6) I.e., one who does not observe Jewish law; v. supra, p. 131, n. 5.

(7) Ex. XII, 48.

(8) R. Aha b. Jacob: how does he answer this?

(9) An unclean person etc. cannot be deduced from an 'alien,' for since the former will observe the second Passover a month hence, I would argue that he can then discharge his obligation of eating unleavened bread and bitter herbs too. But an 'alien' will not have that opportunity, and therefore he is naturally bound to eat the unleavened bread and the bitter herbs now. By the same reasoning, if there were only one verse, I would apply it to the latter, but not to the former.

(10) Deut. XVI, 8.

(11) But not obligatory.

(12) Why do I interpret it thus, seemingly in contradiction to the literal meaning?

(13) This is a principle of exegesis. Now the general rule is stated: seven days shall ye eat unleavened bread (Ex. XII, 15); when the seventh is excluded by the verse, 'six days' etc, this throws light not on the seventh alone, but upon the whole period, teaching that the eating of unleavened bread therein is voluntary.

(14) Sc. of a company at a Passover meal.

(15) In the latter case they have a ceased to think about the Paschal lamb; when they awake it is as though they would eat in two different places, sleep breaking the continuity of action and place, and thus it is forbidden.

Talmud - Mas. Pesachim 120b

R. JOSE SAID: IF THEY FELL, INTO A LIGHT SLEEP, THEY MAY EAT; IF THEY FELL FAST ASLEEP, THEY MUST NOT EAT.[1] THE PASSOVER-OFFERING DEFILES ONE'S HANDS AFTER MIDNIGHT;[2] PIGGUL AND NOTHAR DEFILE ONE'S HANDS.

GEMARA. R. JOSE SAID: IF THEY FELL INTO A LIGHT SLEEP, THEY MAY EAT; IF THEY FELL FAST ASLEEP, THEY MUST NOT EAT. What condition is meant by 'A LIGHT SLEEP'? Said R. Ashi: A sleep which is not sleep, a wakefulness which is not wakefulness. E.g., if he answers when called, cannot make a reasoned statement, yet recollects when reminded. Abaye was sitting [at the Passover meal] before Rabbah. Seeing him dozing he remarked to him, 'You, sir, are sleeping.'[3] 'I was merely dozing.' replied he, 'and we have learnt: 'IF THEY FELL INTO A LIGHT SLEEP, THEY MAY EAT; IF THEY FELL, FAST ASLEEP', THEY MUST NOT EAT.'

THE PASSOVER-OFFERING DEFILES ONE'S HANDS AFTER MIDNIGHT etc. This proves that from midnight it is nothar. Which Tanna [holds thus]? — Said R. Joseph. It is R. Eleazar b.

'Azariah. For it was taught: And they shall eat the flesh in that night.'[4] R. Eleazar b. 'Azariah said: 'In that night' is stated here, while elsewhere it is stated, For I will go through the land of Egypt in that night:[5] just as there it means midnight, so here too [they may eat the Passover-offering] until midnight.[6] Said R. Akiba to him: Yet surely it is already stated, [and ye shall eat it] in haste,[7] [implying] until the time of haste.[8] If so, what is taught by 'in [that] night?' You might think that it can be eaten like [other] sacrifices, [viz.,] by day: therefore it is stated, 'in [that] night': it is eaten by night, but it may not be eaten by day. Now how does R. Akiba employ 'that [night]'? He utilizes it as excluding a second night. For I might argue. Since the Passover-offering is a sacrifice of lesser sanctity,[9] and the peace-offering is a sacrifice of lesser sanctity, the just as the peace-offering is to be eaten two days and one night, so in the case of the Passover-offering, I will substitute nights for days,[10] and it may be eaten two nights and one day. Therefore the Divine Law wrote 'that [night]'. And R. Eleazar b. 'Azariah?[11] — He can answer you: That is deduced from, and ye shall let nothing of it remain until the morning.[12] And R. Akiba?[13] — He can answer you: Had not the Divine Law written 'that [night]'. I would have said, what does 'morning' mean? the second morning. Then what of R. Eleazar b. 'Azariah? — He can answer you: Wherever 'morning' is written, It means the first morning.[14]

Raba said: If a man eats unleavened bread after midnight nowadays, according to R. Eleazar b. 'Azariah he does not discharge his duty.[15] That is obvious, [for] since it is assimilated to the Passover-offering, it is like the Passover-offering? — You might say, surely the Writ[16] excluded it from the analogy;[17] hence he informs us that when the Writ restores it, it restores it to its original state.[18]

PIGGUL AND NOTHAR DEFILE ONE'S HANDS. R. Huna and R. Hisda — one maintains: It is on account of suspected priests; while the other said: It is on account of the lazy priests. One maintained: As much as an olive [defiles]; while the other said: [At least] as much as an egg.

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(1) This distinction refers to the first clause, when only some of them fell asleep.

(2) Because it is then nothar, q.v. Glos.

(3) This happened while he was eating the unleavened bread at the end of the meal, and Abaye meant that he might not continue now.

(4) Ex. XII, 8.

(5) Ibid. 12.

(6) After which it is nothar.

(7) Ibid. 11.

(8) I.e., when they had to make haste to leave Egypt, which was in the morning.

(9) V. p. 108, n. 2.

(10) This is necessary, since its main eating is at night.

(11) How does he refute this argument?

(12) Ex. XII, 10.

(13) Does he not admit this?

(14) Cf. supra 71a and b.

(15) Since he holds that the Passover-offering may not be eaten after midnight, while as stated supra 120a unleavened bread is assimilated to the Passover-offering.

(16) I.e., the verse 'at even ye shall eat unleavened bread'.

(17) In that unleavened bread is declared obligatory nowadays despite the absence of the paschal lamb, v. supra 120a.

(18) V. supra 120a. I.e., once the Writ teaches that unleavened bread nowadays is obligatory, notwithstanding the analogy, it becomes assimilated to the paschal-offering in respect of the hours during which the obligation can he discharged.

One taught in reference to piggul, while the other taught in reference to nothar. He who taught in reference to piggul [gave the reason as being] on account of the suspected priests. While he who taught in reference to nothar [gave the reason as being] on account of the lazy priests. One said: As much as an olive [defiles]; while the other said: [At least] as much as an egg. He who maintained, as much as an olive, [accepts the standard] as its prohibition; while he who rules, as much as an egg, [holds that the standard is the same as its uncleanness.[1]

MISHNAH. IF HE RECITED THE BLESSING FOR THE PASSOVER-OFFERING, HE THEREBY EXEMPTS THE [FESTIVAL] SACRIFICE; [BUT] IF HE RECITED THE BLESSING FOR THE SACRIFICE, HE DOES NOT EXEMPT THE PASSOVER-OFFERING: THIS IS THE VIEW OF R. ISHMAEL. R. AKIBA SAID: THE FORMER DOES NOT EXEMPT THE LATTER, NOR DOES THE LATTER EXEMPT THE FORMER.[2]

GEMARA. When you examine the matter, [you must conclude] that in R. Ishmael's opinion sprinkling [zerikah] is included in pouring [shefikah], but pouring is not included in sprinkling. Whereas in R. Akiba's opinion pouring is not included in Sprinkling, nor is sprinkling included in pouring.[3] [

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(1) V. supra 85b for notes on the whole passage.

(2) The ‘sacrifice’ referred to is the hagigah of the fourteenth (v. supra 69b). An appropriate blessing was recited before each.

(3) Rashbam: both R. Ishmael and R. Akiba hold that the blood of the Passover-offering must be poured out, i.e., the priest must stand quite close to the altar and gently pour the blood on to its base. But the blood of the hagigah requires sprinkling, i.e., from a distance and with some force’. Now R. Ishmael holds that if the blood of the hagigah is poured out instead of sprinkled, the obligation of sprinkling has nevertheless been discharged. Consequently, the blessing for the Passover-offering includes that of the hagigah, since in both the blood may be poured on to the base of the altar. But if the blood of the Passover-offering is sprinkled, the obligation has not been discharged: consequently the blessing for the hagigah, whose blood is normally sprinkled, does not exempt the Passover-offering. By the same reasoning we infer that in R. Akiba's view neither includes the other.

Talmud - Mas. Pesachim 121b

R. Simlai was present at a Redemption of the Firstborn,[1] He was asked: It is obvious that for the redemption of the firstborn it is the father who must recite the blessing, 'who hast sanctified us with Thy commandments and hast given us command concerning the redemption of the first born.' But as for the blessing, 'Blessed . . . who hast kept us alive and preserved us and enabled us to reach this season,' does the priest[2] recite it or the child's father? Does the priest recite the blessing, since the benefit redounds to him; or does the child's father recite it, since it is he who carries out a religious duty?[3] He could not answer it, so he went and asked it at the schoolhouse, and he was told: The child's father recites both blessings. And the law is that the child's father recites both blessings.[4]

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(1) V. Ex. XIII, 13; Num. XVIII, 16.

(2) Who receives the five shekels of redemption.

(3) The religious duty is primarily his, since any priest could receive the redemption money.

(4) Rashbam: this story is quoted here because the Mishnah too treats of two blessings.