

ביצה פרק ראשון יום טוב (ביצה)

(fol.59d) **משנה א:** ביצה שנולדה ביום טוב בית שמאי אומרים תיאכל. ובית הלל אומרים לא תיאכל. בית שמאי אומרים שאור כזית וחמין ככזית. ובית הלל אומרים זה וזה בכזית:

Mishnah 1: An egg was laid on a holiday. The House of Shammai say that it may be eaten¹, but the House of Hillel say that it may not be eaten². The House of Shammai say that sour dough {causes liability} by the size of an olive and leavened matter by the size of a date³, but the House of Hillel say that both are by the size of an olive.

1 The preparation of food is permitted on a holiday (*Ex.* 12:16), but this is restricted to foodstuffs which were available before the start of the holiday. The House of Shammai hold that an entire chicken is food since slaughter for food is permitted on the holiday, and since everybody agrees that an egg found inside a slaughtered chicken on a holiday is permitted food, there is no reason to consider a laid egg as something different.

2 The House of Hillel consider the laid egg as a new entity which did not exist before the holiday and which therefore is *muqseh* and may not be moved.

3 This refers to the prohibition of leavened matter on Passover. While the

smallest amount of leavened matter is forbidden, only the possession of a minimal amount triggers the liability for a purification sacrifice if found to be unintentional. The House of Shammai hold that this amount is smaller for actively leavening material than for passive leavened material, whereas the House of Hillel do not differentiate between the two. It will be stated in Halakhah 2 that the disagreement only refers to possession; in matters of eating there is no disagreement. The reason this disagreement is mentioned here is that in the first case the House of Shammai is more lenient than the House of Hillel; the same is true in the second case.

(60a line 3) ביצה שנולדה ביום טוב כול'. מה טעמון דבית שמאי. מוכנת היא על גב אמה. מה טעמון דבית הלל. נעשית כמוקצה שייבש ולא ידע בו. אילו מוקצה שייבש ולא ידע בו שמא אינו אסור. והא תני. השוחט את התרנגולת ומצא בתוכה בצים אף על פי גמורות הרי אילו מותרות. רבי חנניה ורבי מנא. חד אמר. לא דומה טעם אכילתה מבפנים לטעם

אֲכִילָתָהּ מִבְּחוּץ. וְחוֹרְנָה אָמַר. שְׂאִינָה נִגְמָרֶת לְאַפְרוּחַ עַד שֶׁתֵּצֵא לְחוּץ. מָה הֵן בְּחֶלֶב. נֹאמַר.
אִם הֵיוּ מְעוּרוֹת לְגִידִים אֲסוּרוֹת. וְאִם לֹא מוֹתָרוֹת.

1 שמי | שמי גב | גבי 4 מבפנים | מבפנים וחורנה | וחורנה 5 נאמר | נאמר מעורות | מעורות
מעורות לגידים | לגידים לא | לו

“An egg was laid on a holiday,” etc. What is the reason of the House of Shammai? It is prepared in its mother’s body⁴. What is the reason of the House of Hillel? It is like *muqseh* which dried without him realizing it⁵, and is *muqseh* which dried without him realizing it not forbidden? But was it not stated⁶, “if one slaughters a chicken and found eggs inside it, even if they are complete⁷ they are permitted”? Rabbi Hananiah and Rabbi Mana. One said, its taste when eaten from its inside is not comparable to its taste when eaten from the outside. But the other said, it is not completed for a chick⁸ until it comes outside. What are they with milk⁹? Let us say, if they are connected to blood vessels they are forbidden, otherwise permitted¹⁰.

4 Since a chicken may be slaughtered as food on a holiday, it was available all the time and therefore its eggs should not be treated differently.

For most of Chapter 1 there exist one or two parallel Genizah fragments edited by L. Ginzberg in his *Yerushalmi Fragments*, pp. 154-172, noted G and G, 302-303 (G).

5 While *muqseh* is the technical term for anything which is not available to be moved on the holiday or Sabbath, the original meaning is “cut-up”, viz., a heap of cut-up figs lying on the flat roof to ferment and to be made into fig cakes. During the fermentation process the mass is inedible; therefore it has become the paradigm of anything not currently available for use. Here the original meaning is intended. If the owner had inspected his roof on the eve of the holiday he would have realized that the figs were ready food for the holiday and therefore falling under the category of “prepared food” permitted on Sabbath and

holiday. But since at sundown of the holiday he had no knowledge of the situation, the figs were not available to him at the start of the holiday and therefore remain forbidden for the rest of the holiday. Similarly, since the owner of the chicken does not know that the egg (which is completely formed with its hard shell) will be laid on the holiday, since it was not available at the start it cannot become available later.

6 Tosephta 1:2, Babli 2b, 6b.

7 With shell.

8 It cannot be used for hatching a new chick. The Yerushalmi presumes that every egg potentially is either food or material for hatching, disputed by the Babli, 2a.

9 Meat is forbidden to be used with milk. A laid egg may be used with either milk or meat. What is the status of a complete egg found inside a slaughtered chicken?

10 Cf. Babli 6b.

10) 60a line 60) הכל מודין בביצה שניצא רובה מערב יום טוב שהיא נאכלת ביום טוב. מה פליגין. בשיצא מיעוט. בית שמאי אומרים תיאכל. ובית הלל אומרים לא תיאכל. קשם שהיא אסורה לאכול כן היא אסורה לטלטל. נתערבה אחת במאה או אחת באלף כולן אסורות. מה. קמאן דאמר. ספק הכן אסור. ברם קמאן דאמר. ספק הכן מותר. מודה הוא הקא שהוא אסור. נשרין ספק מהיום נשרי ספק מאתמול נשרי. ברם הקא יש כאן אחת לאסור והיא מוכחת על כולן.

2 מיעוטה | G מעוטה שמי | G שמיי תיאכל | G תאכל (2) 3 לאכול | G לוכל באלף | G בלף 4 כמאן דאמר | G כמן דמר (2) הכא | G הכה 5 כולן | G כולם

“Everybody agrees that an egg of which a major part was laid before the start of the holiday may be eaten on the holiday¹¹”. Where do they disagree? If a minor part came out, where the House of Shammai say that it may be eaten, but the House of Hillel say that it may not be eaten¹². “¹³Just as it is forbidden as food so it is forbidden to be moved. If one was mixed with a hundred or a thousand, they are all forbidden¹⁴”. How? Following him who said, if the preparation is in doubt it is forbidden; but him who said, if the preparation is in doubt it is permitted, here he agrees that it is forbidden. For wind-fall there is a doubt where it fell today or fell yesterday, but here one is forbidden and it is proof for all of them¹⁵.

11 Tosephta 1:3; in one version in the Babli 7a (*Bekhorot* 8a) this holds true even if the egg in the meantime had again disappeared into the body of the chicken.

12 This is a logical consequence of the preceding statement. Since we consider an egg of which more than half is visible as completely laid, an egg of which less than half is visible is not laid at all and therefore is an egg totally laid on the holiday and not food available earlier.

13 Tosephta 1:3; Babli 3b,4a, *Šabbat* 43a. On the holiday (and Sabbath) one may move only things which may be used on the day (except if one needs the place occupied by an unusable implement, when one may clear the place.) Since the egg is neither food nor a usable implement, it cannot be moved.

14 In general, if prohibited material is a small minority in permitted material, it may be disregarded. For example, passive non-kosher ingredients in food may be disregarded if they constitute less than $\frac{1}{60}$ of the permitted food. But if the prohibition either will disappear by itself (as in the case of an egg laid on the holiday which is permitted food on the next day) or may be removed by some action, no such disregard is permitted; the entire mixture is prohibited until the prohibition disappears.

15 If fruit is found under a fruit tree on the holiday, there is a doubt whether it is forbidden as fallen on the holiday or whether it is permitted as fallen before the holiday. Therefore if this fruit is put into a basket with many other fruits, there is a

doubt whether any of this is forbidden. If we hold that the requirement to use only food available before the holiday is biblical (cf. *Ex.* 16:23) the wind-fall is forbidden, but if the requirement is rabbinic and traditional, the wind-fall is permitted cf. Babli 24a. There is nothing clearly

forbidden and the rule spelled out at the end of the preceding note cannot be applied. But if an egg was laid on the holiday, for the House of Hillel it certainly is forbidden and therefore the rule which forbids the mixture for the day can be applied.

[60a line 17] אַחֲרִים אוֹמְרִים מִשֵּׁם רַבִּי לְעֹזֵר. תִּיאָכֵל הִיא וְאִמָּהּ. [מֵהוּ תִאָכֵל הִיא וְאִמָּהּ]. אִם הָיְתָה אִמָּה מוֹכֶנֶת לִשְׁחִיטָה תִּהְיֶה מוֹתֶרֶת. וְאִם לֹא אִסּוּרָהּ. וְאִין כָּל-הַתְּרֻגּוּלִים מוֹכֶנִין לִשְׁחִיטָה. אָמַר רַבִּי בָּא. תִּיאָכֵל בְּהִכְיָה שְׁלֹאמָה.

1 אחרים | G אחרין | לעזר | G לעזר | תיאל | G תאכל | מהו | G מהוא | 2 לאו | G לוי | התרגולים | G
התרגולין | 3 תיאל | G תאכל

Others say in the name of Rabbi Eliezer: It may be eaten together with its mother¹⁶. [What means, “it may be eaten together with its mother”?]¹⁷ If its mother was prepared for slaughter¹⁸. But are not all chickens prepared for slaughter¹⁹? Rabbi Abba said, it may be eaten based on its mother’s preparation²⁰.

16 Even a follower of the House of Hillel may eat the egg laid on the holiday if he also eats its mother since then the egg was food at the start of the holiday (Note 6).

17 Corrector’s addition, justified by G.

18 This is an objection to R. Eliezer’s statement. If the chicken is raised to produce eggs, it is not food and therefore not

prepared for the holiday, nor can be its egg before it is laid.

19 Since a chicken which does not lay eggs anymore also is eaten, every chicken is potential food.

20 Even a follower of the House of Hillel may eat the egg laid by a chicken raised for its meat. Babli 2a.

[60a line 20] עֵגֶל שְׁנוּלָד בְּיוֹם טוֹב מוֹתֶר. שֶׁהוּא מוֹתֵיר עֲצָמוֹ לִשְׁחִיטָה. רַבִּי זְעוּרָה בְּעִי. מַעֲתָה מִדְּבָרִית תִּהְיֶה מוֹתֶרֶת. שֶׁהִיא מוֹתֶרֶת עֲצָמָה בִּשְׁחִיטָה. צְבִיָּה תִּהְיֶה מוֹתֶרֶת. שֶׁהִיא מוֹתֶרֶת עֲצָמָה בִּשְׁחִיטָה. חֲזוֹר רַבִּי זְעוּרָה וְאָמַר. עֵגֶל מֵאֶתְמוֹל הוּא גוֹמֵר. בְּרֵם הָכָא. בּוֹ בְּיוֹם נִגְמְרָה בּוֹ בְּיוֹם נוֹלָדָה. אָמַר רַבִּי בָּא. אֵתִיבָא כְּמָאן דְּאָמַר. הִבְהִמָּה יוֹלָדֶת לְחֻדָּשִׁים מְקוּטְעִין. בְּרֵם כְּמָאן דְּאָמַר. הִבְהִמָּה יוֹלָדֶת לְחֻדָּשִׁים מְסוּיָמִין. הִנֵּעַ עֲצָמָה שְׂשִׁים אִמָּתִי עֲלֶיהָ לְחֻדָּשִׁים. גּוֹזֵל שְׁנוּלָד בְּיוֹם טוֹב מוֹתֶר. שֶׁהוּא מוֹתֵיר עֲצָמוֹ בִּשְׁחִיטָה. לֹא כֵן תִּנִּי. בִּיצִים שְׂרִיקִימוֹ. גּוֹזֵלִים שְׁלֹא הֵעֵלוּ עֲלֵיהֶן כְּנָפִים אִסּוּרִין מִשּׁוּם שְׂקָץ. וְאִין לֹקִים עֲלֵיהֶן מִשּׁוּם נְבִילָה. וְאָמַר רַבִּי חֲנִי. וְאִפְּלוּ שְׁחָטוּן. אָמַר רַבִּי אֲבוּן. תִּיפְתֵּר בְּאֵילִין דְּנִנְקִין וְכִנְפֵיהוֹן עֲלֵיהוֹן.

1 עצמו | G את עצמו | 2 בשחיטה | G לשחיטה (2) צביה | G צביה | 3 ואמ' | G ומר | G גומר | GG גמור
הכא | G הכה | 4 אתיבא | G אתיבא | כמאן דאמר | GG כמן דמר | G לחדשין | (2) מקוטעין | G

מקטיעין 5 כמאן דאמר | G כמן דמר אימתי | G מאימתי 6 עצמו | G את עצמו בשחיטה | G לשחיטה
ביצים | G עצים שריקמו | GG שריקמו 7 גוזלים | G גוזלין עליהן | G - כנפים | G כנפיים אסורים |
GG אסורין משום | GG משם (2) לוקים | GG לוקין 8 חגי | GG חגי ואפי' | G אפילו תיפטר | G תפטר

A calf born on a holiday is permitted since it permits itself by slaughter²¹. Rabbi Ze'ira asked, in that case an animal kept outside should be permitted since it permits itself by slaughter²², deer should be permitted since it permits itself by slaughter²³. Rabbi Ze'ira came back and said, a calf is fully formed the day before, but here²⁴ it was born on the day it was fully formed. Rabbi Abba said, this follows him who said that an animal gives birth after split months; but what is for him who said, an animal gives birth after a fixed number of months²⁵? Think of it, that he knew when a male had mounted it²⁶. A pigeon chick born on a holiday is permitted since it permits itself by slaughter²⁸; did we not state, an egg which had started to develop, and chicks which do not yet have wings are forbidden as abomination, but one does not whip because of carcass meat? And Rabbi Haggai said, even if he slaughtered them²⁸. Rabbi Abun said, explain it about those born with wings²⁸⁹.

21 An unborn calf inside its mother does not need separate slaughter; its mother's slaughter also permits the calf which is considered part of its mother's body. But once it is born, it must be slaughtered to become food. Since the birth on the holiday introduces the duty of slaughtering, an action to satisfy this duty removes also the rabbinic prohibition of moving the animal.

22 A domestic animal kept all year outside, far from permanent human dwellings, may not be cared for on the holiday (Mishnah 5:7), therefore certainly it is not prepared to be food of the holiday. This seems to contradict the earlier statement.

23 Since one is prohibited from catching deer, it cannot possibly be holiday food unless caught before the holiday.

24 In the case of the chicken egg.

25 Babli *Bekhorot* 21a, a disagreement

whether cattle gives birth after a full 9 months or not. If the number of days of gestation is not fixed, the owner of the pregnant animal cannot have the intention to use the unborn calf as food on the holiday since he could not know the prospective date of birth.

26 In this case it might be possible to compute the day of birth in advance and the calf would be food if that day is a holiday.

27 Babli 6a. By an argument similar to that of Note 21 since an egg in which a chick started to develop is forbidden as food until the complete chick is hatched.

28 An egg is permitted only if no chick developed. A fully formed chick in an egg still is not considered a chick but a forbidden egg; even if a human takes away the shell and slaughters the chick it is the slaughter of an egg which cannot possibly

permit any food which was forbidden.

applies.

29 For these the argument of Note 21

60a line 30) רבי אבהו בשם רבי יוסה בירבי חנינה שאיל. כל-שתשמישו ביום מוליד ביום. בלילה מוליד בלילה. התיבון. הרי התרנגולת הרי אין תשמישא אלא ביום והיא יולדת בין ביום בין בלילה. אמר רבי אבון. שנייא היא. שכן היא יולדת בלא זכר. רבי זעורה בשם גידול. עגל שנולד מן הטרפה ביום טוב מותר. נעשה כדבר מוכן טמון כדבר שאינו מוכן.

1 אבהו | GG אבהו | ביר | GG בן שאיל | GG - 2 אין | G אן 3 שנייא היא | G - G שנייא היא שכן היא | G שהיא זעורה | GG זעור 4 גידול | GG גדול מוכן | G ממוכן

Rebbi Abbahu in the name of Rebbi Yose ben Rebbi Hanina (asked)³⁰:

³¹Any which has sexual relations during daytime gives birth during daytime, during nighttime gives birth during nighttime. They objected, does a chicken not have sexual relations only during daytime and it gives birth both during daytime and nighttime³²? Rebbi Abun said, there is a difference, since it gives birth without a male³³. Rebbi Ze'ira³⁴ in the name of Giddul: A calf born from a *terefa*³⁵ on a holiday is permitted; it has the status of something prepared³⁶ hidden in something not prepared.

30 Delete with G,G.

31 Babli 7a, *Bekhorot* 8a.

32 Denied by the Babli 7a which holds that chicken eggs are laid only during daytime and therefore an egg found in the nest at early dawn of a holiday is permitted as laid the day before.

33 It may lay several eggs from one fertilization by a male.

34 In both Genizah texts, Ze'ur (distinct from Ze'urah = Ze'ira).

35 An animal which cannot be expected to live for another 12 month; practically an animal injured or missing a limb or organ enumerated in *Hulin* Chapter 3. The meat from such an animal is biblically prohibited.

36 As food for the holiday. The calf is permitted food, the mother is not. Before the birth the calf was forbidden as *terefa*, now it is permitted and permits itself by slaughter.

60a line 35) תמן תנינן. ביצת נבילה אם יש פיצא בה נמכרת בשוק מותרת. ואם לאו אסורה. כדברי בית שמאי. ובית הלל אוסרין. מה טעמא דבית שמאי. גמורה היתה עד שלא תתנבל. מעתה אפילו אין פיצא בה נמכרת בשוק תהא מותרת. אם אומר את פן. נמצאת מתיר שקל שלפניצים. ובית שמאי כמשנה הראשונה. ובית הלל כמשנה האחרונה.

1 לאו | G לוי 2 מה | G ומה | G שמי | G שמי | הייתה | G היית 3 אין | G אן שמי | G שמי דאמר רבי חייה בשם רבי יוחנן. בראשונה היו אוסרין. אין מעמידין לא בקיבת הנבילה ולא בקיבת הגוי. חזרו לומר. מעמידין בקיבת הנבילה ואין מעמידין בקיבת הגוי. רבי יוסי

בִּירְבִּי בּוֹן אֶמֶר. שְׁמוּאֵל בַּר אֲבָא בְּעֵי. מַה. קָרְבִּי אֶלְעֶזֶר. דְּרַבִּי לִיעֶזֶר אָמַר. סֵתֵם מִחֻשְׁבֶּת נֶכְרִי לַעֲבֹדָה זָרָה. רַבִּי יוֹסֵה בְּשֵׁם רַבִּי יוֹחָנָן הַכֵּין. בְּרֵאשׁוֹנָה הָיוּ אוֹמְרִין. אֵין מַעֲמִידִין לֹא בְּקִיבַת הַנְּבִילָה וְלֹא בְּקִיבַת הַגּוֹי. חֲזָרוּ לוֹמַר. מַעֲמִידִין בֵּין בְּקִיבַת הַנְּבִילָה בֵּין בְּקִיבַת הַגּוֹי. אָמַר רַבִּי יוֹסֵי. [לִשְׁן] מִתְּנִיתָהּ מִסִּיעָה לְרַבִּי חִיָּה בַר בָּא. קִיבַת הַנֶּכְרִי וְקִיבַת הַנְּבִילָה אֲסוּרָה כְּמִשְׁנֵה רֵאשׁוֹנָה. כְּשִׁירָה שְׁנָקָה מִן הַטְּרִיפָה קִיבַתָּה אֲסוּרָה כְּמִשְׁנֵה הִרְאשׁוֹנָה. וְטְרִיפָה שְׁנָקָה מִן הַכְּשִׁירָה קִיבַתָּה מוֹתֶרֶת כְּמִשְׁנֵה אַחֲרֹנָה. וְאֶפִּילוּ דִּיסְבְּרוּן בֵּית שְׁמִי (ל) [כ] בֵּית³⁷ הַלֵּל בְּמִשְׁנֵה (הִרְאשׁוֹנָה) [הַאֲחֲרֹנָה]³⁷. בִּיצָה גִּידוּלִי גּוֹפָה. קִיבָה מִמְּקוֹם אַחֵר בָּאָת. וְאִתְּיָא כְּהִיא דְּאָמַר רַבִּי יוֹסֵה בִּירְבִּי בּוֹן בְּשֵׁם רַבִּי יוֹחָנָן. מַעֲשֶׂה בְּבָנָיו שְׁלִיחָה בֵּין שְׁמוּעִי שְׁבִיקְעוּ לָהֶם זְאִיבִים וַיִּתֵּר מִשְׁלֵשׁ מֵאוֹת צֹאן. וְכָא מַעֲשֶׂה לִפְנֵי חֲכָמִין וַהֲתִירוּ קִיבּוּתֵיהֶם. אָמְרוּ. בִּיצָה גִּידוּלִי גּוֹפָה. קִיבָה מִמְּקוֹם אַחֵר בָּאָת.

1 דאמ' | G דמר הנבילה | G הנבלה 2 יוסי | G יוסה 3 אליעזר | G ליעזר 4 יסה | G יסא הכין | G הכיני 5 הנבילה | G הנבלה (2) 6 יוסי | G יוסה לשם) לשון | G לשון הנבילה | G הנבלה 7 ראשונה | G הראשונה 8 אחרונה | G האחרונה שמי | G שמיי 9 ואתיא | G ואתייה 10 כהיא | G כיי דאמ' | G דמר 11 להם | G להן זאיבים | G זאיבין קיבותיהם | G קיבותיהן

³⁸Rebbi Hiyya in the name of Rebbi Johanan: At first they were saying, one curdles³⁹ neither with the stomach content of the carcass⁴⁰ nor with the stomach contents of the Gentile⁴¹. They changed to say, one curdles with the stomach content of the carcass but not with the stomach contents of the Gentile. Rebbi Yose ben Abun said, Samuel bar Abba asked: Does this follow Rebbi Eliezer, since Rebbi Eliezer said, the thoughts of the Non-Jew are about pagan worship⁴²? Rebbi Yasa in the name of Rebbi Johanan: Originally, they said, one does curdle neither with carcass stomach contents nor with Gentile's stomach contents. They changed to say, one does curdle with carcass stomach contents and with Gentile's stomach contents. Rebbi Yose said, the language of a *baraita* supports Rebbi Hiyya bar Abba⁴³: Stomach contents of a Gentile or a carcass is forbidden following the original teaching. The stomach contents of a qualified animal which suckled from a *terefa*³⁵ are forbidden following the former teaching, and the stomach contents of a *terefa* which suckled from a qualified one are permitted following the later teaching. And even if the House of Shammai would argue like the House of Hillel in the first teaching, an egg is a growth of its body⁴⁴; the contents of the stomach come from the outside. It parallels what Rebbi Yose ben Rebbi Abun said in the name of Rebbi Johanan: It happened to the sons of Jehudah ben Shamuai that wolves tore more than 300 of their flock. The

case came before the Sages who permitted their stomach contents⁴⁵. They said, an egg is a growth of its body; the contents of the stomach come from the outside.

37 The scribe's text (in parentheses) is confirmed by G, against the corrector's text [in brackets].

38 A slightly corrupt parallel to this text is in *Avodah zarah* 2:7, Notes 293-302.

39 To make cheese. Babli *Hulin* 116a.

40 An animal which was not slaughtered following the rules of ritual slaughter. whose flesh therefore is forbidden as meat.

41 "Gentile's stomach content" naturally means "stomach content of animal slaughtered by a Gentile."

42 Does this follow R. Eliezer (whom practice does not follow in general) since it treats Gentile rennet as more problematic than the one derived from a carcass? Since here practice is said to follow R. Eliezer, the tradition seems questionable; one has to search for parallel traditions either to confirm or to reject.

43 The first version which keeps the prohibition of rennet from Gentile sources.

44 This now connects the discussion with the Mishnah here. The problem is to

understand the position of the House of Hillel since the preparation of food is permitted on a holiday (*Ex.* 12:16). According to the Babli and one opinion in the Yerushalmi the prohibition applies only to eggs laid by chickens raised to produce eggs. Then the mother was not food at the start of the holiday. While the egg is food according to everybody, for the House of Hillel it cannot change its character from non-food to food on the holiday. Then the question is raised why milk which is prohibited as food before being ingested by a ruminant becomes permitted by the animal's stomach. In this question, the revised ruling in matters of rennet would agree with the stance of the House of Shammai. But the answer is that the two cases cannot be compared; the stomach contents of an animal never were part of the animal and do not have the latter's status.

45 The latter teaching which permits rennet from animals prohibited as meat is confirmed by a ruling in an actual case.

60a line 55) נולדה ביום טוב תיאכל בשבת. בשבת תיאכל ביום טוב. רבי יודה אמר משם רבי ליעזר. היא המחלוקת. בית שמי אומרים. תיאכל. ובית הלל אומרים. לא תיאכל. רבי חנינה הורי לציפוראיי בספחי חרדל ובביצה כרבי יודה. עאל רבי יוחנן ודרש להון כרבנן דהכא וכרבנן דתמן. רבי אבא בר זמינא בשם רבי יוצדק. מן קומי אילין תרתין מיליא נחת רבי יוחנן מן ציפורין לטיבריא. אמר. מה אייתיתון לי ההו סבא [דאנא] שרי והוא אסר ואסר והוא שרי. אמר רבי בא. אתא עובדא קומי רבי יסא ובנא מעבד כרבי יוחנן. כד שמע דרב ורבי חנינה [תרויהוון] פליגין שרע מינה.

1 תיאכל | G תאכל (2) 2 שמי | G שמיי לציפוראיי | G לציפוראי 3 להון | ש לון כרבנן | G כרבנן 4 דהכא | G דהכה וכרבנן | ש וכרבנן אבא | G אבה זמינא | G זמינה יוצדק | ש יצחק קומי | ש קומי מיליא | G מלייה נחת | ש נחת ליה 5 מן ציפורין | G מצפורין ש מצפורין לטיבריא GG לטיבריה

איייתיתון | ש אתיתון ההך | ש הדין דיינא סבא | G סבה [דאנא] | G דיןא ש [דאי אנא] | 6 בא | ש ווא אתא
GG | אתה חנינה | חנינא | 7 [תרויהון] | G - G תרויהון

“If it was laid on the holiday it may be eaten on the Sabbath, on the Sabbath it may be eaten on the holiday⁴⁶. Rabbi Jehudah said in the name of Rabbi Eliezer, this is the disagreement. The house of Shammai say that it may be eaten, but the House of Hillel say that it may not be eaten⁴⁷.” Rabbi Ḥanina instructed the Sepphoreans about spontaneous growth of mustard⁴⁸ and about the egg following Rabbi Jehudah. Rabbi Joḥanan came and preached to them following the rabbis here and the rabbis there⁴⁹. Rabbi Abba bar Zemina in the name of Rabbi Joṣadaq: Because of these two things did Rabbi Joḥanan descend from Sepphoris to Tiberias. He said, why did you bring me this old man, what I am permitting he prohibits, what I am prohibiting he permits⁵⁰. Rabbi Abba said, there came a case before Rabbi Yasa and he wanted to act following Rabbi Joḥanan but when he heard that Rav and Rabbi Ḥanina disagreed he refrained.

46 An egg laid on a holiday which is a Friday may be eaten on the following Sabbath; and an egg laid on a Sabbath may be eaten on a holiday which is on the following Sunday.

47 Tosephta 1:3, Babli 4a. According to R. Eliezer, the House of Hillel hold that the prohibition of newly available food on Sabbath and holiday is biblical; therefore since the egg was unavailable one moment before the start of the Sabbath it is unavailable on the Sabbath. For the anonymous majority and the House of Shammai the prohibition is rabbinical; since holiday and Sabbath represent two different kinds of holiness, the prohibition on one day has no influence on the other day.

48 In the Sabbatical year, as exception to R. Simeon's rule that all spontaneous growth of cultivated plants are forbidden in the Sabbatical.

49 That spontaneous growth of mustard is forbidden as object of trade, and that an egg laid on the holiday was permitted on the Sabbath. From here on to the end of the next paragraph the text also is in *Ševi'it* 9:1 (Notes 22-30, ש).

50 The historicity of this remark is doubtful since R. Joḥanan was R. Ḥanina's student in Sepphoris (at least in Aggadah). It is reasonable to accept the fact that R. Joḥanan went to Tiberias to become there Chief Rabbi.

63) דאיתפלגון. שירי פתילה שירי מדורה שירי שמן שכו בשבת. מהו להדליקם
ביום טוב. רב ורבי חנינה תריהון אמרין. אסור. ורבי יוחנן אמר. מותר. אמר רבי מנא קומי
רבי יודן. מה אפפן לה פתילה גבי ביצה. אמר ליה. מן מה דאנן חמיי רבנן מדמי ליה. הדיא

אָמְרָהּ. הִיא הָדָא הִיא הָדָא. מִשָּׁם אַרְבָּעָה זָקִינִים אָמְרוּ. הִנָּא־כֹל עִירֻבוּ בְּרֹאשׁוֹן הָרִי הוּא כִּבְנֵי עִירוֹ בְּשִׁנֵּי. רַב חוּנָה בְּשָׁם רַב. הִלָּכָה כְּאַרְבָּעָה זָקִינִים. רַב חֲסִידָא בְּעֵי. מִחֻלְפָּה שִׁטְתִּיהָ דְרַב. תָּמֹן הוּא עֶבֶד לָהּ שְׁתֵּי קְדוּשּׁוֹת. וְהָכָא הוּא עֶבֶד לָהּ קְדוּשָׁה אַחַת. דְּאִיתְּפַלְגוּ. שְׁנֵי קְתִילָה שְׁנֵי מְדוּרָה שְׁנֵי שָׁמֶן שָׁכְבוּ בְּשִׁבְתָּ. מָהוּ לְהַדְלִיקָם בְּיוֹם טוֹב. רַב וְרַבִּי חֲנִינָה תִּרְיָהוֹן אָמְרִין. אָסוּר. רַבִּי יוֹחָנָן אָמַר. מוֹתֵר. אָמַר רַבִּי מְנָא קוֹמִי רַבִּי יוֹדִן. מָה אֶפְסָן לָהּ קְתִילָה גְבִי בִיצָה. אָמַר לֵיהּ. מֶן מָה דָּנָן חֲמִי רַבְּנָן מְדַמֵּי לָהּ. הָדָא אָמְרָהּ. הִיא הָדָא הִיא הָדָא.

1 דאיתפלגון | G דאתפלגון שירי | G שרי (3) מהו G מהוא 3 אפכן לה | G - דאנן | G דנן רבנן | G רבנן הדא | GG הדא (3) 5 בשני | GG בשני רב | G ר' חסדא | G חסדי שיטתיה | G שטתיה 6 והכא | G וכה | G והכה 7 מהו G מהוא 9 רבנן | G רבנן הדא | GG הדא (2) 8-6 שכבו... אמרה | G גר"ש

⁵¹Because they disagreed: May the remainders of a wick, a fire, or oil that burned out on the Sabbath be lit on the holiday⁵²? Rav and Rabbi Ḥanina both say it is forbidden, but Rabbi Johanan says, it is permitted. Rabbi Mana said before Rabbi Yudan, is it the reverse regarding an egg⁵³? He said to him, since the rabbis compare it, it means that the two cases are identical⁵⁴. They said in the name of four Elders⁵⁵: If somebody's *eruv* was eaten on the first <day> he is like the people of his town on the second <day>⁵⁶. Rav Huna said in the name of Rav: Practice follows the four Elders⁵⁷. Rav Ḥisda asked: the argument of Rav seems to be inverted. There, he makes it two sanctities, but here he makes it one sanctity. Because they disagreed: May the remainders of a wick, a fire, or oil that burned out on the Sabbath be lit on the holiday? Rav and Rabbi Ḥanina both say it is forbidden, but Rabbi Johanan says, it is permitted. Rabbi Mana said before Rabbi Yudan, is it the reverse regarding an egg? He said to him, since the rabbis compare it, it means that the two cases are identical⁵⁸.

51 This paragraph also is copied in *Eruvin* 3, Notes 169-176, where the readings of *Beṣah* and *Ševi'it* are compared.

52 This refers to Mishnah *Eruvin* 3:9 where it is stated that if a holiday precedes or follows a Sabbath one may make two *eruv*in to move one's Sabbath domain in two different directions for the two days. This clearly presupposes that the restriction of one's Sabbath domain to 2'000 cubits outside of town is rabbinical. (It is agreed that the limit of 12 *mil*, 3 *parasang*, is

biblical.) In the case here, it is agreed that the remainders of spent fuel are *muqṣeh* on the Sabbath, when lighting a fire was prohibited. If this is a biblical prohibition then it is *muqṣeh* also on the holiday which is on Sunday, but if it is rabbinic then it will be permitted on the holiday, when lighting a fire is permitted.

53 Since the dispute between the Houses of Hillel and Shammai was described earlier as whether a chicken automatically is food on a holiday or only if it was raised for its meat,

not for producing eggs.

54 At least for the House of Hillel, cf. Note 47.

55 According to the Babli *Eruvin* 38b the Elders are Rabban Simeon ben Gamliel, R. Ismael ben R. Johanan ben Beroqa, R. Eleazar ben R. Simeon, and R. Yose ben R. Judah. In Tosephta *Eruvin* 4:2 the statement is R. Meir's.

56 Essentially stated in Mishnah *Eruvin* 3:9.

57 Babli *Eruvin* 38b.

58 Instead of the last four sentences the source G simply states that one repeats from the start of the paragraph. Rav Hisda's question really is not answered. The Babli gives several tentative explanations of Rav's position. The one consistent with the Yerushalmi is that only weekdays can prepare for holidays but the Sabbath cannot prepare for a holiday. Since the reason for Rav's ruling in the case of fuel is not based on the number of sanctities involved, his decisions are consistent.

(75 line 60a) הכל מודין בנשרין שהן אסורין. רבי בון בר חייא בעא קומי רבי זעורה. מה בין נשרין מה בין בצים. אילו נשרים באימותיהן שפמא אינן אסורין. אילו בצים באימותיהן שפמא אינן מותרות. מעתה נולדה ביום טוב [לא] תיאכל בשבת. בשבת לא תיאכל ביום טוב. אמר ליה. וכיני. לא דיך שהחמרתה עליה. שאם נולדה ביום טוב לא תיאכל ביום טוב. בשבת לא תיאכל בשבת. אלא שאת מבקש להחמיר עליה שאם נולדה ביום טוב לא תיאכל בשבת. בשבת לא תיאכל ביום טוב. רבי ירמיה בעי. עיטורי סוכה מה הן. תזר רבי ירמיה ואמר. כל-שבעה הן בטילין על גב סוכה. מיכן והילך בהכינו הן. אמר רבי יוסה. כל-שבעה קדושת (שבעה) [סוכה חל] עליהן. מיכן והילך קדושת יום טוב עליהן. מה אתא מישאול. יום טוב שחל להיות ערב שבת כמאן דאמר. שתי קדושות הן.

1 מודין | G מודים | בנשרין | G בנשרים | בעא | G בין | 2-1 בן | G 2 נשרין | G נשרים | בצים | G בצים | באימותיהן | G באימותיהם | אינן | G אן | (2) אסורין | G אסורים | בצים | G בצים | באימותיהן | G באמותיהן | 3 תיאכל | GG תאכל | (2) 4 ליה | G לה | וכיני | G וכני | תיאכל | GG תאכל | (3) 5 תיאכל | GG תאכל | 6 מה הן | G מהן | ואמר | GG ומר | 8 (שבעה) [סוכה חל] | GG סוכה | והילך | G והלך | אתא | GG אתיה | מישאול | G מישאול | 9 כמאן דאמר | G כמן דמר

Everybody agrees that wind-fall is forbidden⁵⁹. Rabbi Abun bar Hiyya asked before Rabbi Ze'ira: What is the difference between wind-fall and eggs? Is wind-fall on its mother⁶⁰ not forbidden, but are eggs in their mother not permitted? Then if it was laid on the Sabbath it should not be eaten on the holiday, if laid on the holiday it should not be eaten on the Sabbath⁶¹! He answered him, is that so? Is it not enough that you were restrictive about it that if it was laid on the holiday it may not be eaten on the holiday that you want to be more restrictive that if laid on the holiday it should not be eaten on the Sabbath, if laid on the Sabbath it should not be eaten on the holiday⁶²?

Rebbi Jeremiah asked, what is the status of decorations of a *sukkah*⁶³? Rebbi Jeremiah turned around and said, all seven <days> they are insignificant in the *sukkah*, afterwards they are prepared⁶⁴. Rebbi Yose said, all seven <days> the holiness of (seven) [*sukkah* falls]⁶⁵ on them, afterwards the holiness of the holiday falls on them. What did he come to question? If the holiday falls on a Friday according to him who says, they are two kinds of holiness⁶⁶.

59 Fruit that fell from its tree on a holiday.

60 The tree. Since fruit hanging on a tree must be harvested before it can be moved, it is biblically forbidden.

61 If the egg only is permitted because it may be eaten in its mother, on a Sabbath when slaughter is prohibited the egg should be prohibited according to everybody if the holiday was on a Friday.

62 Since we had concluded earlier that also for the House of Hillel it is a matter of preparation, not harvest or a similar biblical injunction, there is no reason to pile rabbinic restrictions on rabbinic restrictions.

63 Edible decorations. Since the *sukkah* may not be demolished during the week of Tabernacles, any decorations are part of the *sukkah* and may not be taken. The question

is about the Eighth Day which is a holiday but not part of Tabernacles and not a time when the *sukkah* is used. Cf. *Šabbat* 3, Note 170.

64 This is a position denied by R. Jeremiah in *Šabbat* 3 but accepted by R. Yose's brother. After the holiday the decorations are simply fruits hanging on the wall which can be taken at any moment.

65 The best readings are those of the Genizah texts, "the holiness of *sukkah* is".

66 Since the holiness of the *sukkah* is biblical, and so is the holiness of holiday, it is consistent to extend the holiness of the decorations to the holiday, but it is not necessary to extend it to a following Sabbath.

(60b line 10) [הלכה ב]. רבי זריקון בשם רבי יוסי בן חנינה. לא שנו אלא לביעורו. הא לאכילה כזית. רבי אבהו בשם רבי יוחנן. בין לביעורו בין לאכילה כזית. קם רבי מנא עם רבי חזקיה. אמר ליה. מן הן שמע רב הדא מילתא. אמר ליה. מן רבי אבהו. אמר ליה. [ואוף] (ו)אנן אמרין. רבי אבהו בשם רבי יוחנן. בין לביעורו בין לאכילה כזית. די לא כן. ניתני שולשים ושבוע כריתות בתורה.

1 [G|...] - יוסי | G יוסה 2 אבהו | G אבהו 3 רב | G רבי הדא מילתא | G דהה מלתא אבהו | G אבהו [...] - G 4 אבהו | G אבהו די לא כן | G דלכן 5 שלשים | G שלשים

[Halakhah 2]⁶⁷. Rebbi Zeriqa in the name of Rebbi Yose ben Ḥanina:

They stated this only for its elimination, but for eating the volume of an olive⁶⁸. Rebbi Abbahu in the name of Rebbi Joḥanan, whether for elimination or eating, the volume of an olive⁶⁹. Rebbi Mana was standing with Rebbi

Hizqiah; he said to him, from where did the rabbi hear this?. He told him, from Rabbi Abbahu. He answered, we also are saying, Rabbi Abbahu in the name of Rabbi Johanan, whether for elimination or eating, the volume of an olive¹⁵, for otherwise one would have to state “37 extirpations in the Torah”⁷⁰.

67 Corrector’s addition, to be deleted. He designated the discussion of the second part of Mishnah 1 as separate Halakhah. Therefore his count of Halakhot in this Chapter deviates systematically from the scribe’s.

68 Even the House of Shammai agree that eating leavened matter in the volume of an olive on Passover creates liability.

69 This statement refers only to the opinion of the House of Hillel. While

leavened matter is forbidden on Passover in the most minute amount, liability is created only by the volume of an olive, whether active leavening or passive leavened matter.

70 If there were different standards for leavening and leavened matter, Mishnah *Keritut* 1:1 which enumerates the 36 transgressions causing extirpation should have enumerated them separately and arrived at a total of 37.

משנה ב: השוחט חיה ועוף ביום טוב בית שמאי אומרים יחפור בדקר ויכסה. ובית הלל אומרים לא ישחוט אלא אם כן היה לו עפר מוכן. ומודין שאם שחט שיחפור בדקר ויכסה. שאפר בירה מוכן. (fol. 59d)

Mishnah 2: If somebody slaughtered a wild animal or a bird⁷¹ on the holiday, the House of Shammai say that he shall dig with a picket⁷² and cover, but the House of Hillel say that he should not slaughter unless he had dust prepared. But they agree that if he slaughtered that he may dig with a picket and cover, <and> that the ashes of the cooking stove are prepared⁷³.

71 Whose blood has to be covered by dust, *Lev.* 17:13.

72 Even though digging is an activity forbidden on the holiday, since slaughter for food is permitted without restriction there is biblical authorization to provide the `necessary dust. The House of Hillel agree that by biblical standards this is true; they say that rabbinically one has to refrain from

digging if possible.

73 The ashes produced from the firewood in the stove are qualified as dust to cover the blood of birds. Therefore they are useful for activities permitted on the holiday and cannot be *muqseh*. In this context, “prepared” means “available for the preparation of food on the holiday.”

(60b line 15) **הלכה ב** [ג]: רבי חייה בשם רבי יוחנן. המבשל בילה ביום טוב אינו לוקה. שהותר מכלל בישול ביום טוב. רבי שמעון בן לקיש אמר. לוקה. שלא הותר מכלל בישול אלא לאכילה בלבד. התיב רבי בא בר ממל על הדא דרבי יוחנן. מעתה החורש ביום טוב אינו לוקה. שהותר מכלל חרישה ביום טוב. רבי יוסה בשם רבי אילא. לא הותרה חרישה קדושה. רבי שמי אמר קומי רבי יוסה. רבי אחא בשם רבי אילא. דרבי שמעון היא. דרבי שמעון אמר. עד שיהא לו צורך בגופו של דבר. קם רבי יוסי עם רבי אחא. אמר ליה. אתה אמתה הדא מילתא. לא כן אמר רבי יוחנן. דברי רבי מאיר. עשרים וארבעה דברים מקולי בית שמי ומחומרי בית הלל. וזה אחד מהם. נאמר עשרים ושלשה. אלא רבי מאיר ורבי שמעון שניהן אמרו דבר אחד. לא כן סברנו מימר. רבי יוסה ורבי שמעון שניהן אמרו דבר אחד. נימר. רבי מאיר ורבי יוסה ורבי שמעון שלשתם אמרו דבר אחד. אלא מילין דצריך לרבנן פשיטון לכוון. פשיטון לרבנן צריך לכוון. קצר לצורך עשבים חייב משום קוצר ואינו חייב משום שהוא מייפה את הקרקע. לא צורכה דילא. קצר לזיפות את הקרקע מהו שיהא חייב משום קוצר ומשום שהוא מייפה את הקרקע. ואפילו תימר דרבי שמעון היא. ברם לרבנן מכל מקום הרי חרש ומכל מקום הרי קצר. אמר רבי מנא. מיליהון דרבנן מסייען לרבי יוסי רבי. דאמר רבי חייה בשם רבי יוחנן. דג שסחטו. אם לגופו פטור. אם להוציא ציר הרי זה חייב. ואפילו תימר דרבי שמעון היא. ברם לרבנן מכל מקום הרי סחט ומכל מקום הרי הוציא ציר.

1 נבילה | GG נבלה 4 אילא | G הלא 5 שמי | G סימיי אחא | G אחא אילא | G הלא G לא היא | G הוא 6 יוסי | GG יוסה אחא | G אחא ליה | G לה אתה אמרתה | GG את אמרת 7 דא מילתא | G הדה מלתה דברים | G דברין 8 שמי | G שמי מהם | GG מהן נאמר | GG נימר ושלשה | GG ושלושה 9 לא כן | G ולכן שניהן | GG שניהם 10 שלשתם | GG שלשתן מילין | GG מלן דצריך | G דצריך לרבנן | G לרבנן 11 פשיטון | G פשטון לרבנן | G לרבנן צריך לכוון | G - עשבים | G עשבין משום | G משום ואינו | G ואנו 12 לזיפות | G ליפות מהו | GG מהוא 13 ואפילו | G ואפלו כרבנן | G כרבנן 14 ומכל | G מכל דרבנן | G דרבנן יוסי | G יוסה 15 פטור | G הרי זה פטור 16 כרבנן | G כרבנן ומכל | G מכל

⁷⁴Rebbi Hiyya in the name of Rebbi Johanan: He who cooks carcass meat on a holiday is not flogged, because the category of cooking is permitted on a holiday⁷⁵. Rebbi Simeon ben Laqish said, he is flogged, for the category of cooking is permitted only for food⁷⁶. Rebbi Abba bar Mamal objected to this {statement} by Rebbi Johanan. Then one who ploughs on a holiday should not be flogged since actions of the category of ploughing are permitted on a holiday⁷⁷. Rebbi Yose in the name of Rebbi Ila: ordinary ploughing was not permitted⁷⁸. Rebbi Shammai said before Rebbi Yose: Rebbi Aha in the name of Rebbi Ila, this⁷⁹ is Rebbi Simeon's, for Rebbi Simeon said, only if he needs the essence of the matter⁸⁰. Rebbi Yose met Rebbi Aha. He said to him, did you say this? But did not Rebbi Johanan say, the words of Rebbi Meir are that in 24 matters the House of Shammai are lenient and the House of Hillel

restrictive, and this is one of them. Should we say 23⁸¹? But Rabbi Meïr and Rabbi Simeon both said the same⁸². But were we not of the opinion that Rabbi Yose and Rabbi Simeon both said the same⁸³? Should we say, Rabbi Meïr, Rabbi Yose, and Rabbi Simeon all three said the same⁸⁴? But matters which are problematic for the rabbis are obvious for you; are those which are obvious for the rabbis problematic for you? If one harvested for grasses⁸⁵ he is liable for harvesting but is not liable for improving the soil. There is only the problem if he harvested in order to improve the soil. Is he liable for harvesting and for improving the soil? Even if you say it follows Rabbi Simeon, but for the rabbis in any case he ploughed, in any case he harvested⁸⁶. Rabbi Mana said, the words of the rabbis support my teacher Rabbi Yose, for Rabbi Hiyya said in the name of Rabbi Johanan, if one compressed a fish⁸⁷, if for its body he is not liable, but if to produce fish sauce he is liable. Even if you say that he said this following Rabbi Simeon, but for the rabbis in any case he compressed, in any case he produced fish sauce⁸⁸.

74 This paragraph is from *Šabbat* 7, Notes 239-254.

75 It is presumed that carcass meat, which is forbidden as human food, is not prepared as animal feed. For R. Johanan (Babli 12b) since making fire and cooking is permitted for preparing food on the holiday (*Ex.* 12:16) it is permitted for any purpose.

76 He disputes that cooking be permitted for anything that is not food.

77 This refers to Mishnah 1:2. Now digging is a derivative of ploughing, therefore some kind of ploughing is biblically permitted on a holiday.

78 Since no plough is authorized, the work is not professional and, since the intent is not to prepare the soil for agriculture, the prohibition is rabbinical; the Houses of Shammai and Hillel do not disagree about the interpretation of a biblical commandment.

79 Both the Houses of Shammai and Hillel do permit to use a professional tool; they must hold that the intent determines liability.

80 There is liability only if the prohibited action is the object of his intent, not a by-product. Cf. *Šabbat* 2, Note 19.

81 Since in this interpretation both Houses agree that the digging does not create liability and the biblical commandment to cover the blood overrides the rabbinic "fence around the law".

82 Mishnah 1:2 is anonymous and therefore presumed to be R. Meïr's. If it implies the position of R. Simeon then both must agree in this matter. The opponent of R. Simeon in this matter is Rabbi Jehudah, student of his father R. Ilai, who was a student of the Shammaite R. Eliezer. It is intrinsically unlikely that the House of Shammai should accept what later was

formulated by R. Simeon.

83 *Šabbat* 2, Note 19. Babli *Šabbat* 31b.

84 Then we should hold that this is their (direct or indirect) teacher R. Aqiba's position and it is difficult to fathom who would disagree; but we see that this opinion is not generally accepted in tannaitic sources.

85 He was weeding and using the uprooted weeds as fodder. This is forbidden on a holiday as it is forbidden on the

Sabbath.

86 In the Babli, these rabbis are identified with R. Jehudah.

87 A pickled herring. Since the preparation of food is permitted on a holiday, this sentence and the next are copied in error from *Šabbat*, since the activities are only forbidden on *Šabbat*. Babli *Šabbat* 145a.

88 This is all one *Šabbat* liability.

(60b line 36) רב אבון בשם רבנן דתמן. זאת אומרת שאין אפר הכירה מוכן אלא [למצה]. אמר רבי מנא. בשלל הכינו. אבל אם הכינו מכסין בו (צואה) ומצה. ואתייהא כהיא דאמר רבי שמאי. דרש רבי אחא בשם רב יהודה. הכינו למצה מכסין בו מצה. צואה. מכסין בו צואה מצה. רבי יוסה בירבי בון אמר. איתפלגון רב זירא ורבי אבא בר יוסף. חד אמר. יש הכן לצואה. וחרנה אמר. אין הכן לצואה. מתיב מאן דאמר. אין הכן. למאן דאמר. יש הכן. ויכסה בו את הכוי. אמר ליה. כוי דרדך בגי אדם לטעות בו. צואה אין דרדך בגי אדם לטעות בה. אמר ליה. אם אומר את כן. אף הוא חופר בדקר ומכסה. ותני כן. הביא עפר לטוח את גגו. סיד לסוד את ביתו. מכסין בו. אית תניי תני. אין מכסין. רבי יוסה בירבי בון בשם רב חסדא. מאן דאמר. מכסין. לשעבר. מאן דאמר. אין מכסין. בבא לישאל בתחילה.

1 רבנן | רבנן | G | (ל) - G | 2 הכינו | G | היינו (2) | מצה | G | מצה | G | ואתייה | G | ותייה | כהיא | GG | כיי | 3 שמי | G | שמי | מכסין | G | מכסים (2) | 4 מצה | G | מצה | ביר' | G | בר | איתפלגון | GG | אתפלגון | זירא | GG | זירא | ור' | GG | ורב | 5 וחרנה | G | וחרנה | אין | G | אן | מאן דאמ' | GG | מן דמר | אין | הכן | G | יש הכן לצואה | למאן דאמ' | GG | למן דמר | יש | G | אן | 6 אדם | G | אדם | (2) | אין | G | אן | 7 אם | G | ואם ומכסה | G | ויכסה | ותני כן | G | תני הביא | G | וביא | 8 לטוח | G | לטוח | מכסין | G | מכסים (2) | - | G | בו | ר' יוסה ביר' | בון בשם | G | אמ' | 9 מאן | G | מן (2) | מכסין | G | מכסים (2) | לישאל | G | לשאל

Rav Abun in the name of the rabbis there: this⁸⁹ implies that the ashes of the stove are prepared only for the commandment⁹⁰. Rabbi Mana said, if he did not prepare it⁹¹. But if he prepared it, one covers with it (excrement)⁹² and commandment. This parallels what Rabbi Shammai said, Rabbi Aḥa preached in the name of Rav Jehudah: If he prepared it for the commandment one covers with it for the commandment, for excrement one covers with it excrement and commandment. Rabbi Yose ben Rabbi Abun said, Rav Zera and Rabbi Abba bar Joseph disagreed. One said, there is preparation for excrement, but the other said, there is no preparation for excrement. The one who said that there is no preparation objected to the one who said that there is

preparation, could he not use it to cover {the blood of} the Koy⁹³? He answered him, people are apt to err about the Koy⁹⁴, people are not apt to err about excrement. He said to him, if you would say so, he would take the picket and cover⁹⁵. And it was stated so⁹⁶: “If one brought dust to plaster his roof, lime to whitewash his house, one uses it to cover.” There are Tannaim who state, one does not use it to cover. Rabbi Yose ben Rabbi Abun in the name of Rav H̥isda, he who said, one uses it to cover, after the deed; he who said, one does not use it to cover, one who comes to ask before he starts⁹⁷.

89 If the Mishnah was to be understood that ashes from the cooking stove may be used without restriction on the holiday, it should have indicated that it may be used for some mundane action. Since the remark about the ashes is appended to the discussion of a religious act, one infers that it may be used for religious acts only.

90 The ל prefixed by the corrector to the word מצה is standard Babli syntax; as the following text shows clearly it has to be deleted.

91 Ashes which existed before the holiday may be designated before the holiday for any use intended on the holiday.

92 Scribe's text deleted by the corrector who did not understand the text. As noted already by *Qorban ha'Edah*, this has to be undeleted.

93 The blood of kosher wild animals has to be covered and all their fat may be consumed. The blood of domesticated kosher animals is not covered and their visceral fat is forbidden as food. Mishnah

Bikkurim 2:8-9 states that the Koy is possibly a wild animal or possibly a domesticated animal; therefore his blood has to be covered but its fat may not be eaten. It may not be slaughtered on the holiday; if slaughtered anyhow its blood may not be covered on the holiday.

In *Bikkurim* 2:7 (Note 154) R. Eleazar says the Koy is the result of the mating of a he-goat with a hind or a stag mating with a she-goat; but the rabbis say, it is a separate kind and the Sages could not determine its classification.

In the Babli 8b this is a declarative sentence, not an interrogation.

94 And infer that its fat is permitted since its blood is covered.

95 A possible (not prosecutable) holiday violation. Babli 8a.

96 Tosephta 1:5.

97 The restrictions on using building materials to cover blood or excrement are rabbinic in nature.

תני. רבי יוסי אומר. כוי אין מכסין את דמו מפני שהוא ספק. מה אם מילה שונדייה דוחה את השבת. אין ספיקה דוחה את יום טוב. כיסוי הדם שאין ודאיו דוחה את השבת. דין הוא שלא ידחה ספיקו את יום טוב. ומוותר לשחוט בשבת. רבי יוסה אומר לה סתם. רבי יוסה בירבי בון בשם רבי יוחנן. בשוחט לחולה. אומר לו. והרי שופך שבגבולים

יוכיח. שאין ונדיו דוחה שבת והרי ספיקו דוחה יום טוב. מה ספק יש שם. יום חול הוא יתקע יום טוב הוא יתקע. רבי חנינה בשם רבי אחא. באנדוגינס שתקע. ותני כן. אנדוגינס מוציא את מינו [ואינו] מוציא את שאינו מינו. טומטום אינו מוציא לא את מינו ולא את שאינו מינו. רבי יוסי בעי. אם באנדוגינס שתקע. בדא דתני. אין לו תשובה. אמר רבי (אבין) [אבין]. זה אחד מארבעה דברים שהיה רבי חיה הגדול אומר. אין להן תשובה. והשיב רבי לעזר בנו של רבי לעזר הקפר. מה אם מילה שאין ספיקה דוחה את יום טוב ונדיו דוחה את לילי יום טוב. תאמר בכיסוי הדם שונדיו דוחה את לילי יום טוב. הואיל ונדיו דוחה את לילי יום טוב דין הוא שידחה ספיקו את יום טוב. וקמת כמה דצרכת לרבנן קדמאי וקשת בידיהון. כן צרכת לרבנן (אחריי) [אחרא] וקשת בידיהון. על דעתיה דרבי אחא. אנדוגינס מוציא את מינו בתחילה. על דעתיה דרבי יוסה. לשעבר.

1 יוסי | G יוסה מכסין | G מכסים מילה | G המילה 2 ודיו | G ודיו 4 שבגבולם | G שבגבולין 5 ודיו | G ודיו שבת | GG את השבת - | GG את יום | G - חול | G חל 6 תניה | G חנייה אחא | G אחא 7 [...] | GG - אינו | G או 8 יוסי | GG יוסה 9 דברים | G דברין 10 לעזר | GG לעזר שאין | G <ש>אן 11 תאמר | G תמר שודיו | G שודיו ודיו | GG ודיו לרבנן | G לרבנן 12 לרבנן | G - G | [...] אחראי

It was stated⁹⁸: “Rebbi Yose says, one does not cover the Koy’s blood because it is a doubtful case.” Since circumcision whose certainty pushes aside the Sabbath, in doubt does not push aside the holiday⁹⁹, then for covering the blood which in case of certainty does not push aside the Sabbath it only is logical that in a case of doubt it not push aside the holiday¹⁰⁰. But is it permitted to slaughter on a Sabbath¹⁰¹? Rebbi Yose said it without attribution, Rebbi Yose ben Rebbi Abun in the name of Rebbi Johanan: If he slaughtered for a sick person¹⁰². They told him, does not the *shofar* in the countryside disprove it? For in case of certainty it does not push aside the Sabbath, but in a case of doubt it pushes aside the holiday¹⁰³. What kind of doubt is there? If it is a weekday, he may blow, if it is a holiday, he may blow¹⁰⁴. Rebbi Hanina¹⁰⁵ in the name of Rebbi Aḥa: In case of a hermaphrodite¹⁰⁶ who blew. And it was stated so¹⁰⁷: “The hermaphrodite frees his own kind [but does not free persons not of his own kind.]¹⁰⁸ The sexless frees neither his kind nor not his kind¹⁰⁹.” Rebbi Yose¹¹⁰ asked, if in the case of a hermaphrodite who blew, is that where we stated, it has no counter argument? Rebbi (Abbaye) [Abbin]¹¹¹ said, that is one of four cases when the Great Rebbi Ḥiyya said, there is no counter-argument. But Rebbi Eleazar the son of Rebbi Eleazar the caper grower¹¹² found a counter-argument. Since circumcision which in a case of doubt does not push aside the holiday, in a

case of certainty pushes aside holiday night¹¹³, you can say about covering the blood where in case of certainty it pushes aside holiday night, since in case of certainty it pushes aside holiday night, in a case of doubt it should push aside the holiday¹¹⁴. This establishes that what was problematic to the earlier rabbis and was difficult for them, so it is problematic to the later rabbis and is a difficulty for them. In the opinion of Rabbi Aḥa, the hermaphrodite frees his own kind *a priori*, in the opinion of Rabbi Yose, *a posteriori*¹¹⁵.

98 Tosephta 1:5, *Hulin* 6:1; Babli 8a, *Hulin* 84b.

99 If a baby is born on a Sabbath it is circumcised the next Sabbath. If he is born during twilight, when it was not clear on which calendar date the birth actually was, then it cannot be circumcised before the eighth day counting from the second possible date. If that should be a holiday, the circumcision has to be delayed for another day since violating the holiday for what may be a ninth, not an eighth, day would be desecrating the holiday. Mishnah *Šabbat* 19:5.

100 Since according to Mishnah *Megillah* 1:8 the only activity forbidden on the Sabbath and permitted on a holiday is the preparation of food. Covering the blood is an activity occurring after what is a preparation of food, and only preparations are permitted.

101 Since slaughter is forbidden on the Sabbath, covering the blood cannot occur and the premise of the argument is vacuous.

102 If freshly cooked meat is prescribed by a competent medical authority to a dangerously sick person, it has to be provided on the Sabbath. The obligation to violate the Sabbath extends to slaughter but not to covering the blood.

103 Since outside the Temple the *shofar* is

not blown on a Sabbath (Mishnah *Roš Haššanah* 4:1), but on the holiday falling on a weekday it is blown everywhere even when it is not known whether the 1st of Tishre is the 30th or the 31st of Elul.

104 Since on New Year's Day the blowing is a biblical obligation, it certainly is permitted on that day. On a workday one may blow anyhow.

105 With the Genizah sources, read "Ḥananiah" the late Amora, for Ḥanina, the early one.

106 Greek ἀνδρόγυνος "man-woman", a person having both male and female sex organs. He is considered a probable male and therefore probably required to hear the *shofar* sound; therefore he may perform the blowing for similar probable males.

107 *Roš Haššanah* Tosephta 2:5, Babli 29a.

108 Corrector's addition, is found in the Tosephta text but not in the Genizah sources; to be deleted.

109 The person with neither male nor female sex characteristics may be a male or a female. As a female he would not be obliged by a religious obligation to be performed at a set time; therefore his blowing cannot free even another sexless person since the blower might be a genetic female and the hearer a genetic male.

110 The late Amora.

113 This argument does not make any sense. Since the text is confirmed by the Genizah sources, the loss of a “not” must have happened at a very early stage of transmission. One must read: “in a case of

115 Since R. Aḥa asserts that the hermaphrodite has the right to blow, he must hold that if such a person comes to ask whether he may blow for others, the answer must be positive. But since R. Yose the Amora questions whether the argument about the hermaphrodite can be used against R. Yose the Tanna, he must hold that the Tosephta does not forbid him to blow but does not authorize it *a priori*.

1 וּמוֹדִים | G וּמוֹדִין | בְּדָקֶר | G בְּדָקֶל | הָדָא | G הָדָה | דָּתָא | אִמְרֵי | G דִּתְמוֹר 3 | בְּדָקֶר | G בְּדָקֶל | חֲבֵרִיָּא | G חֲבֵרִיָּה 4 | דּוּחָה | G דּוּחוֹ 5 | תַּעֲשֶׂה | G תִּיעֲשֶׂה | נִיחָא | GG נִיחָה 6 | בְּלָא | G בְּלָמְצוּהָ | בְּלָא 7 | מְהוֹ | G מָה | הֵיאָה | G מְהוּא 8 | אִינְתְּלֵנוֹן | G אִינְתְּלֵנוֹן | ר' עִזְרָה | G רַב | עִזְרָה | מְטוּנָא | G מְטוּנָה | חוֹרִינָה | G חוֹרִינָה | מָאן | GG מָן | דִּמְר' | G דִּמְר' | מָאן | דִּמְר' | G מָן | דִּמְר' 2 | 10 | מְהוֹ | G מְהוּא | לִשְׁתַּמְשׁ | G לִשְׁתַּמְשׁ

“But they agree that if he slaughtered that he may dig with a picket and cover, and that the ashes of the cooking stove are prepared⁷³.” That which you are saying is about ashes which were burned before the holiday, but it does not apply to ashes which were burned on the holiday¹¹⁶, if he did not slaughter, but if he slaughtered it is better that he cover with ashes which were burned on the holiday rather than dig with a picket and cover¹¹⁷. The colleagues are

saying that a positive commandment pushes aside a prohibition¹¹⁸. This is understandable following the opinion of Rabbi Jonah who said, a positive commandment pushes aside a prohibition even if they are not written side by side¹¹⁹. Following the opinion of Rabbi Yose who said, a positive commandment pushes aside a prohibition only if they were written side-by-side, since he started the meritorious deed one tells him to clean it up¹²⁰. Rabbi Ze'ira asked, if a monkey formed a bowl, what¹²¹? Rabbi Yose ben Rabbi Abun said, Rabbi Ze'ira¹²² and Rav Hamnuna disagreed. One said, it is forbidden, but the other said, it is permitted. For him who said that it is forbidden it is like cut-up fig cake which dried out without his knowledge⁵. For him who said that it is permitted it is as if he put it in order erroneously¹²³. For him who said that it is permitted, may one use its place¹²⁴? Would we say that soil may not be used?

116 Since the wood has been turned into ashes on the holiday, this is non-food material in a state different from what it was at the start of the holiday and therefore is *muqseh*.

117 Since *muqseh* is a rabbinic prohibition but digging a biblical violation, it is better to disregard the rabbinic prohibition even though there is biblical permission to disregard the biblical prohibition. (For *muqseh* as rabbinic institution cf. *Introduction to Tractates Šabbat and `Eruvin*, p. 3, Note 4.)

118 And therefore one may dig to obtain dust to cover the blood.

119 The dispute between RR. Jonah and Yose is also in *Hallah* 2:1, Note 10. It is not mentioned in the Babli (which nevertheless holds that the principle does not apply to holidays since the rules of holidays are both positive commandments and prohibitions.)

120 He must agree that if slaughter is biblically permitted on a holiday, with the

consumption of meat a positive commandment, there can be no biblical prohibition to deal with all consequences of the slaughter.

121 The monkey formed a bowl out of clay on the holiday. If a human made the bowl it clearly would have been *muqseh*, and also forbidden as the result of biblically forbidden work. But the monkey is not a human.

122 In one of the Genizah sources this is a purely Babylonian dispute involving a Rav Ze'ura.

123 "Putting in order" means separating heave and tithes, to make the harvest totally profane and generally usable. This is a mental act not dependent of material action, rabbinically prohibited on a holiday but valid.

124 The hole created by the monkey could be considered as not-existent before the holiday. But the prohibition of newly created things cannot apply to soil.

(fol. 59d) **משנה ג** [ד]: בית שמאי אומרים אין מוליכין את הסולם משוכך לשוכך אבל מטהו מחלון לחלון. ובית הלל מתירין. בית שמאי אומרים לא יטול אלא אם כן נענע מבטוח יום. ובית הלל אומרים עומד ואומר זה זה אני נוטל:

Mishnah 3 [4]: The House of Shammai say, one does not move the ladder¹²⁵ from dovecote to dovecote, but one may bend it¹²⁶ from window to window; and the House of Hillel permit it¹²⁷. The House of Shammai say, one may not take¹²⁸ unless one had moved when it was still daylight, but the House of Hillel say, he may stand there and say, this and that I shall take.

125 A ladder used only to service dovecotes.

126 One may move it from one opening in the dovecote to another by keeping the top of the ladder in contact with the dovecote.

127 While the ladder is necessary to use the dovecote it is not part of the building and taking the ladder away from one is not

demolishing part of the building.

128 On the holiday one may not take a pigeon to slaughter as food unless he took the bird in his hand and reserved it for that purpose before the start of the holiday. But for the House of Hillel a timely declaration of intent is enough.

(60c line 2) **הלכה ג** [ד]: יהודה ברבי חייא נפק לברא. שאילו ליה. סולם שלעליה מהו. אמר לון. שרי. כד דאנתא גבי אבוא. אמר ליה. מה מעשה בא לדידך. אמר. היתרתי להן סולם שלעליה. ואקים תנייה קומי ותנא. במה דברים אמורים. בסולם שלשוכך. אבל בסולם שלעליה אסור. מה בין סולם שלשוכך מה בין סולם שלעליה. אמר רבי יעקב בר אחא. סולם שלשוכך אם עשה הוא מלאכתו מאתמול כחישין הן. סולם שלעליה יכול הוא לעשות מלאכתו מאתמול. אמר רבי יוסי ברבי בון. סולם שלשוכך יכול הוא לעמוד עליו ולעשות מלאכתו. סולם שלעליה אינו יכול לעמוד עליו ולעשות מלאכתו. סולם שלשוכך שהוא עולה בו לעליה. סולם שלעליה שהוא עולה בו לשוכך.

1 בר' חייא | ג בירבי לברא | ג לברא שאלון | G אתון שאלון שלעליה | GG של עליה מהו | GG מהוא
2 דאתא | G דאתה | G אתא | G אירע לדידך | G על ידיך להן | G להם | 3 ותנא | G ותנה במה דברים
| G במי דברין | 4 בין | G בן שלעליה | GG של עליה (2) | 5 אם | G אם הוא מלאכתו | G מלאכתו
כחישין | G כחשין | G כחשים שלעליה | GG של עליה | 6 מלאכתו | G מלאכתו | 7 שלעליה | GG של עליה
מלאכתו | G מלאכתו | 8 לעליה | G לעליה שלעליה | G של עליה

Halakhah 3 [4]: Jehudah the son of Rabbi Hiyya¹²⁹ went out. They asked him, what are the rules for a ladder to the upper floor? He told them, it is permitted¹³⁰. When he returned to his father, he asked him, what case came to your hands? He said, I permitted them the ladder to the upper floor. He appointed his Tanna before him, who stated¹³¹, “when was this said, about a

ladder for a dovecote. But a ladder for the upper floor is forbidden.” What is the difference between a ladder for a dovecote and a ladder for the upper floor? Rabbi Jacob bar Aḥa said, a ladder for a dovecote if he had used it the day before for work it would be weak; a ladder for the upper floor may be used for work the day before¹³². Rabbi Yose ben Rabbi Abun said, on the ladder for a dovecote he may stand and use it for his purpose; on the ladder for the upper floor he may not stand and use it for his purpose¹³³. A ladder for a dovecote even if it is used to climb to the upper floor; a ladder for the upper floor even if it used to climb to the dovecote¹³⁴.

129 A son of the Elder Rabbi Ḥiyya. His twin sons, Jehudah and Hizqiah, never held a rabbinic title and never served as rabbis of one place, but made it their business to teach Torah at places not served by the rabbinical establishment.

130 To move it on the holiday.

131 Tosephta 1:8.

132 The ladder of the dovecote, because it is intended to be moved from one opening to another, is built as light as possible; moving it is no exertion. But the ladder used to access the upper floor, or the roof from the upper floor, essentially is part of the building and is made as heavy as possible.

The ladder for the dovecote cannot be used for heavy work without danger that it might break.

133 Since the ladder for the dovecote is so flimsy, anybody who sees him standing on the ladder knows that he does so for a use permitted on the holiday, to take some pigeons as food. But if he is seen moving the heavy ladder in the building to some other place, people will suspect him of using the ladder for work forbidden on the holiday.

134 A flimsy ladder may be moved everywhere, a sturdy one nowhere.

בֵּית שְׁמַי אֹמְרִים לֹא יִטּוֹל אֶלָּא אִם כֵּן נִיעֲנַע מִבְּעוֹד יוֹם. מִחֻלְקָה שִׁטְתּוֹן דְּבֵית שְׁמַי. דִּתְנִינָן תַּמָּן. וְעוֹד אָמַר רַבִּי אֶלְיעֶזֶר. עוֹמֵד הוּא אָדָם עַל הַמּוֹקֶצֶה עָרֵב שֶׁבֶת בְּשִׁבְעֵיט וְאֹמֵר. מִכֵּן אֲנִי אוֹכֵל לְמַחֵר. וְרַבִּי לִיעֶזֶר לֹא שָׁמְתִי הוּא. חוֹמֶר הוּא בְּדִבְרֵי שֵׁשׁ בּוֹ רוּחַ חַיִּים. 1 שְׁמִי | שְׁמִי נִיעֲנַע | 2 שְׁמִי | שְׁמִי אֵלְעִיזֵר | 3 מִכֵּן | 4 אֶדָן | 5 עַד כֵּן לֹא G |

“The House of Shammai say, one may not take¹²⁸ unless one had moved when it was still daylight.” The argument of the House of Shammai seems inverted, as we have stated there¹³⁵: “In addition, Rabbi Eliezer said, a person stands near the drying figs Friday afternoon in a Sabbatical year¹³⁶ and says,

from here I shall eat tomorrow.” Is Rabbi Eliezer not a Shammaite¹³⁷? One is restrictive if living things are involved.

135 Mishnah 4:7.

136 Since produce is ownerless in the Sabbatical year, no tithes do apply. The same statement would apply in a regular year if tithes had been given from the drying figs. But since the obligation of tithes applies only to produce ready to be used, fig cakes (and raisins) usually are tithed only if

they are fully dry. Since no tithes are due, a declaration of intent is all that is needed to make the food usable on Sabbath or holiday; no physical action is required.

137 And therefore his statement should be logically consistent with the Mishnah of the House of Shammai. A parallel to this paragraph is in Halakhah 4:7.

60c line 15) בֵּית הַלֵּל אוֹמְרִים עוֹמֵד וְאוֹמֵר זֶה הֵנּוּ אֲנִי נוֹטֵל: מִחֻלְפָּה שִׁיטְתוֹן דְּרַבְנָן. דִּתְיִינָן תִּמְנָן. וְחֻכְמִים אוֹמְרִים. עַד שֶׁיִּשְׁשׂוּם וְיֵאמַר. מִכֵּן וְעַד כָּאן. וְהִכָּא אֵינּוּן אֲמָרִין הֵכָן. עוֹד אֵינּוּן אֵת לְהוֹן חוֹמֶר הוּא בְּדָבָר שֶׁיֵּשׁ בּוֹ רוּחַ חַיִּים. אָמַר רַבִּי יוֹסֵה בִּירְבִּי בּוּן. לֹא מִקֵּשׁ עַל שׁוֹבְכִיָּה. וְאָמַר. יִזְכֶּה לִי שׁוֹבְכִי לְמַחָר.

1 דרבנן | ג דרבנן 2 כאן | ג כן והכא | G והכא

“The House of Hillel say, he may stand there and say, this and that I shall take.” The argument of the House of Hillel seems inverted, as we have stated there¹³⁵: “But the Sages say, only if he delineates and says, from here to there;” and here they are saying so? Still they hold that one is restrictive if living things are involved¹³⁸. Rabbi Yose ben Rabbi Abun said, Levi was knocking on his dovecote and saying, my dovecote shall provide me tomorrow¹³⁹.

138 While for fig cake the delineation of the heap from which one may take on the holiday is enough, for living birds one requires a declaration which individual birds are selected for the holiday.

139 Levi (ben Sisi) holds that for the House of Hillel the entire dovecote is selected, one does not need separate identification of the birds and Mishnaïot 1:3 and 4:7 are totally parallel. Cf. Halakhah 4:7.

(fol. 59d) **משנה ד:** זִמְנוֹן שְׁחוּזִים וּמִצָּא לְבָנִים וּמִצָּא שְׁחוּזִים שְׁנַיִם וּמִצָּא שְׁלֹשָׁה אֲסוּרִין. שְׁלֹשָׁה וּמִצָּא שְׁנַיִם מוֹתְרִין. בְּתוֹךְ הַקֵּן וּמִצָּא לְפָנֵי הַקֵּן אֲסוּרִין. וְאִם אֵין שֵׁם אֵלָּא הֵם הָרִי אֵלּוּ מוֹתְרִין:

143 If the designated birds were chicks
unable to fly and only these chicks were
around, it does not matter where they are
found in the neighborhood of the dovecote,
even if other dovecotes are not too far away.

Halakhah 4 [5]: The Mishnah is Rabbi's¹⁴⁴, as it was stated¹⁴⁵: "200 and he found a mina, (the mina was taken away) [a mina was deposited and a mina taken away]¹⁴⁶, the words of Rabbi. But the Sages are saying, it is profane.¹⁴⁷" There, we have stated¹⁴⁸: "If somebody said to his son, 'Second Tithe is in that corner' but he found it in another corner, that is profane." Rabbi Jacob bar Aḥa in the name of Rabbi Assi, this is Rabbi's, as we have stated¹⁴⁵: "Two hundred and he found a talent, a talent was taken, the word of Rabbi, but the Sages say, it is profane." He turned around and said, this is everybody's opinion since pigeon chicks usually start to fly¹⁴⁹. But did not Rabbi Ḥalaphta ben Shaul state, the same rule applies to pigeon chicks and to eggs¹⁵⁰? Therefore, it is Rabbi's. There, his father put it there and he found, here, his

he put it there and he found it¹⁵¹. Rabbi Abba bar Cohen said before Rabbi Yose in the name of Rabbi Aḥa: Rabbi Abba bar Zavda instructed according to Rabbi for Second Tithe¹⁵².

144 The statement that if three chicks are selected but only two found, that we presume that one flew away, but not that all three flew away and these are new ones.

145 Tosephta *Ma'aser Šeni* 5:7, Babli 10b. The entire paragraph is in *Ma'aser Šeni* 4:9 (Notes 160-166) with the quotes changed as appropriate.

146 The corrector's text is the Babli's and the Tosephta's; it should be deleted. The scribe's text in parentheses is confirmed by **G** and the parallel in *Ma'aser Šeni*.

147 Rabbi holds that if a smaller amount is found it is the remainder of the original dedicated amount. The Sages hold that if money was set aside for Second Tithe and the exact amount was not recovered, it is

different money and never dedicated. They must hold that if three chicks were selected but only two found, these are forbidden as never selected.

148 Mishnah *Ma'aser Šeni* 4:12 (Note 146).

149 Babli 10b, as final opinion. In this opinion, the two cases are not comparable.

150 If on the eve of the holiday he found a number of eggs and instead of taking them away he declared them food for the holiday, but then the next morning he found a different number.

151 This would be a different reason to find the two cases not comparable.

152 While the two cases are not comparable, they follow parallel rules.

60c line 29) אָמַר רַבִּי יוֹדָן. הָדָא דְאֵתְ אָמַר. כְּשֶׁהָיוּ שָׁם שְׁתֵּי קִינִים. אָבָל אִם אֵין שָׁם אֶלָּא
קו אֶחָד לֹא בָדָא. וְהָא תִּנְיָנָא. אִם אֵין שָׁם אֶלָּא הֵן הָרִי אֵילּוּ מוֹתְרִין: [אָמַר רַבִּי יוֹסִי בַר בּוּנִי].
בְּשֶׁאֵין שָׁם אֶלָּא גּוֹזֵל אֶחָד. [קִין אֶחָת שְׁחוּרִים בְּלִבָּד].

1 הדא דאת אמר | G | הדה שתמר 2 אחד | G | אחת | הן | G | הם 3 אחד | G | אחד בלבד [...] - G

Rebbi Yudan said, this¹⁵³ is only if there were there two broods. But if only one brood is there it does not apply¹⁵⁴. But did we not state, “if there are no others around they are permitted”¹⁵⁵? [Rebbi Yose bar Abun said,]¹⁵⁶ if there only is a single chick available¹⁵⁷. [Only one brood of black ones.]¹⁵⁶

153 Discussion of the statement in the Mishnah that if chicks are forbidden who could not fly when designated in the dovecote and then found in front of the dovecote.

154 If there is no probability that these may be from another place.

155 Is not R. Yudan's statement that of the

Mishnah?

156 The corrector's additions in parentheses are without bases in the sources and have to be deleted.

157 One might interpret the Mishnah as permitting the use only if there is only one chick and the identity is guaranteed. But following R. Yudan it is sufficient if there is

only one brood, even if only part of the the Babli 11a.
chicks are designated as food. Differently in

(fol. 59d) **משנה ה:** בית שמאי אומרים אין נוטלין את העלי לקצב עליו בשר. ובית הלל מתירין. בית שמאי אומרים אין נותנין את העור לפני הדריסה ולא יגביהנו אלא אם בן יש עליו בשר ובית הלל מתירין. בית שמאי אומרים אין מסלקין את התריסין ביום טוב ובית הלל מתירין אף להחזיר.

Mishnah 5: The House of Shammai say that one may not take the pestle¹⁵⁸ to cut meat on it, but the House of Hillel permit. The House of Shammai say that one may not give the hide to be trampled on¹⁵⁹ nor lift it¹⁶⁰ unless meat was left on it, but the House of Hillel permit. The House of Shammai say that one may not remove the shutters¹⁶¹ but the House of Hillel permit even to return them.

158 Or any other implement whose common use is not for the preparation of food.

159 Hides of animals slaughtered as food on the holiday are raw material for the manufacture of leather. The House of Shammai hold that hides stripped of all the meat are industrial material and *muqseh* on the holiday. The House of Hillel hold that (almost) nothing becomes *muqseh* if it was not so at the start of the holiday. In this version of the Mishnah the hides may not be brought to the workplace.

160 Or otherwise move them while *muqseh*.

161 Grocery stores usually were shuttered by iron plated movable on hinges; opening

the store meant turning the shutters into horizontal sale platforms. Since the grocer may give on credit spices or other food items to housewives whose supply did run out on the holiday, the House of Hillel encourage this by letting the grocer lock his store on the holiday.

In the Babli, the independent Mishnah mss., and as quote in **G**, the sentence about the shutters is first in the Mishnah. Since this sentence is discussed first in the Halakhah, it seems clear that the order of the items in the Mishnah of the *editio princeps*, which is not from the ms., is an aberration.

(60c line 33) **הלכה ה:** שמואל אמר. המלחם את התריסין ביום טוב חייב משום בונה. וקשוא. דבר שאילו גשאו בשבת חייב חטאת. בית הלל מתירין אף להחזיר. רבי חנניה בשם רבי יוחנן. התירו סופו מפני תחילתו. שאם אומר את לו שלא יחזיר אף הוא אינו פותח. ולא

יפתח. אף הוא מְמַעֵט בְּשִׁמְחַת יוֹם טוֹב. אָמַר רַבִּי אֶחָא. מַחְזִיר. וּבִלְבָד שְׁלֹא יַחְזִיר כָּל-צוּרָכוֹ.
אָמַר רַבִּי יוֹסִי בִירְבִי בּוֹן. בְּשִׂאֵין שָׁם פֶּתַח. אֲבָל אִם יֵשׁ שָׁם פֶּתַח מְשֻׁתָּמֵשׁ דֶּרֶךְ הַפֶּתַח.
2 וקשיא | G וקשיא 3 מפני | G משם אומ' את | G את אומ' 4 אחא | G אחא 5 יוסי | G יוסי

Halakhah 5: ¹⁶²Samuel said, anybody who tightly closes the shutters¹⁶³ on the holiday is liable because of building. This is difficult. Something which if it was done on the Sabbath makes him liable for a purification sacrifice¹⁶⁴ the House of Hillel permit to restore¹⁶⁵? Rabbi Hanania in the name of Rabbi Johanan: They permitted the end because of the start. For if you say that he cannot put them back he will not open. Don't let him open! Then he detracts from the enjoyment of the holiday. Rabbi Aḥa said, he may put them back on condition that he not restore completely¹⁶⁶. Rabbi Yose ben Rabbi Abun said, if there is no door there. But if there is a door he uses the door¹⁶⁷.

162 While this text belongs here it also is comparable to writing with the back of one's found in *Šabbat* 12, Notes 39-44. hand.

163 Greek θωπίς "shield, armor".

164 Following Samuel.

165 On the holiday.

166 Then the work is not professional and

167 If customers can have access to the store without the owner removing the shutters, the House of Hillel will agree that the emergency permit is not valid.

[בית שמאי אומרים אין נוטלין את העלי לקצב עליו בשר. ובית הלל מתיירין].
הא שלא לקצב עליו בשר אסור. הָדָא הִיא דְאָמַר רַבִּי (בָּא) חִינְנָה בַר שְׁלֵמְיָה בְּשֵׁם רַב. מוֹדִין
חֲכָמִים לְרַבִּי נְחֵמְיָה בְּצִיזָה וּבִמְזוּרָה וּבִוּכָנָה. בְּצִיזָה. דּוּ עֶצֶר בֵּיהּ. וּמְזוּרָה. דּוּ חֲבֵט בֵּיהּ.
וּבִוּכָנָה. דּוּ כְּתֵת בֵּיהּ.

1 [. . .] G - 2 הדא | G חננה | G חכמים 3 חכמין | G ביירה | G ביזרה | G ובוכנה | G
ומוכנה 4 ובוכנה | G ומוכנה

[“The House of Shammai say that one may not take the pestle¹⁵⁸ to cut meat on it, but the House of Hillel permit.”] Therefore, not to cut meat on it is forbidden¹⁶⁸. This is what ¹⁶⁹Rebbi (Abba,) ¹⁷⁰Hinena bar Shelemiah in the name of Rav said: The Sages agree with Rebbi Nehemiah about the press, the plank, and the mace; the press with which he presses, the plank on which one beats them, the mace with which he smashes them¹⁷¹.

168 Work tools may be used on the holiday only for preparation of food; otherwise they remain *muqseh*.

169 The remainder of the text here is from

Šabbat 17, Notes 48-50. R. Nehemiah states there that while the general rule is that implements may be moved and used on Sabbath and holiday, tools of trade may be

used only for a direct need of the day.
170 Unjustified deletion by the corrector;
the name is confirmed by both parallel
sources.

wine press and represent considerable
investment. The mace is used to mash
grapes on the plank put over the vat in the
wine press.

171 The items mentioned all belong to the

(60c line 43) [בית שמאי אומרים אין נוטנין את העור.] שוין שלא יגדנו. מה אגן קיימין.
אם במחובר לו. כגופו הוא. אם בפרוש. הדין היא דאמר רבי יעקב בר אבהו חיינא קרתחיה
בשם רבי הושעיה. דיסיקה שיש בתוכה מעות. נוטין עליה כפר ומטלטלה. כהדא אנטכי
נפלת על רבי ירמיה בשבתא. וחשבון עליה ורימונה. לא שהלכה רבי הושעיה אלא בגין רבי
ירמיה דלא יסכן. שוין שלא ימלחנו. תני. אבל הוא מולח עליו בשר לצלי. חבריא בשם רב.
מולח הוא אדם דבר מרובה. אף על פי שאינו יכול לוכל ממנו אלא דבר קממעט. רבי אבהו
בשם רב. מולח ומערים מולח ומערים. מלח הקא ומלח הקא. עד דהוא מלח כוליה.

1 G | [...] - אגן | G 2 אחא | G אחא חיינא | G חננה קרטיחיה | G קרטיחיה 3 דיסיקה | G
דיסיקה כהדא | G כהדה 4 בשבתא | G בשבתה 5 הוא מולח | G מולח הוא חבריא | G חבריה 6
אדם | G אדן לוכל | G לוא | כל | אחא | G אחא 7 מולח | G מלח

["The House of Shammai say that one may not give the hide."] They
agree that one may not scrape it¹⁷². Where do we hold? If it is connected to it,
it is part of its body¹⁷³. If separated,¹⁷⁴ it parallels what Rabbi Jacob bar Aḥa
said, Hinena from Cartagena in the name of Rabbi Hoshia: On a saddle
bag¹⁷⁵ full of coins one puts a loaf and may move it¹⁷⁶. As the following: an
Antiochene cooking vessel fell on Rabbi Jeremiah on the Sabbath; they
thought about it¹⁷⁷ and lifted it. Not that practice follows Rabbi Hoshia but
that Rabbi Jeremiah should not be endangered. They agree that one may not
salt it. It was stated: but he might salt meat on it to roast¹⁷⁸. The colleagues in
the name of Rav: A person may salt a large quantity even though he will be
able to eat from it only a small quantity. Rabbi Aḥa in the name of Rav: One
salts cunningly, and salts cunningly; he salts here and salts there until he
salted everything¹⁷⁹.

172 Hide which becomes available on the
holiday may not be scraped clean from meat
fibers; this would be professional
preparation for tanning.

173 When the House of Shammai ask that a
piece of meat be on the hide, they could not
mean that the meat be still fully connected

to the hide since then their statement would
be obvious.

174 This statement is from *Šabbat* 16, Notes
79-80.

175 Greek διςάκιον. Literally "double
bag".

176 While the saddle bag is *muqseh*,

anything *muqseh* may be moved if it serves as a basis for something which may be moved. Babli *Šabbat* 142b.

177 Since cooking is forbidden on the Sabbath, a cooking vessel may not be moved unless the intention is for some use which is legitimate on the Sabbath.

178 Salting the hide is the first step in the tanning process; as such it is forbidden on the holiday. But since cooking is permitted,

the hide may be used as table on which meat is salted before it is roasted. Babli 11a.

179 The cunning is that one spreads out the salting process and moves from place to place on the hide until every place has been salted. This is an approved circumvention of the holiday rules to encourage people to eat meat on the holiday, which in absence of refrigeration has to be fresh. Babli 11b.

מסנה ו: בית שמאי אומרים אין מוציין לא את הקטן ולא את הלולב ולא את ספר תורה לרשות הרבים. ובית הלל מתירין: (fol. 59d)

Mishnah 6: The House of Shammai say, one may bring neither a small child, nor a *lulav*, nor a Torah scroll into the public domain, but the House of Hillel permit it¹⁸⁰.

180 Since in principle everything forbidden on the Sabbath is forbidden on the holiday except the preparation of food, the House of Shammai forbid carrying in the public domain of anything which is not food nor

needed for the preparation of food. The House of Hillel hold that since carrying is permitted for the purpose of preparing or serving food, it is permitted for any purpose legitimate on the holiday.

הלכה ו: הא גדול אסור. רבי שמואל בריה דרבי יוסה בירבי בון אמר. אפילו גדול מותר. ולידא מילה תנינן קטן. בא להודיעך כוחן שלבית שמי עד איכן היו מחמירין. שמואל מיטען מערס לערס. אמר רבי זעורה קומי רבי יסא. אמר דהנה איסתניס. אמר ליה. ברי הנה מיני ומינד. תני. רבי ישמעאל בירבי אומר. אבנים שישבנו עליהן בנערותינו עשו עמנו מלחמה בזקנותינו. רבי יונה מפקד לחבריא. לא תיתבון לכוון על מסובייתה [ברייטא] דסדרה דבר עולא דאינון צנינין. רב מפקד לתלמידיו. לא תיתבון לכוון על טבלה ברייתא דסדרא דאסי דאינון צנינין. רבי אבהו הנה נחת מסחי בהדין דימוסין דטיבריה. והנה מיסתמיך על תרין גויתין. שרעון וזקפון. שרעון וזקפון. אמרו ליה. מהו הכן. אמר לון. שימורתי כוחי לזקנותי. רב חונה לא נחת לבית וועדא. רב קטינא שאיל. לא כן תני. מטלטלין את האיסתניסין.

2 ולידא G ולידה שמי | G שמיי 3 זעורה | G זעירה נאמר | G נימר 4 ברי | G ברא ביר | G ביר יוסה 5 לחברייא | G לחבריה תיתבון | A תיבון לכוון | A - מסאובייתה | G מסטובייתה 6 [...] - GA -

דסדרה | A דסדרא צנינן | G צנינן א צנינן תיתבון | A תיבון טבלה | GA טבלתה 7 ברייתא | G ברייתא A בר יונה דסדרא | G דסדרה דאסי | G דאסי A דבר אסא צנינן | G צנינן A צנינן אבהו | G אבהוא נחת | GA נחת בהדן | A בהדה דטיבריה | G דטיבריה A דטיבריא 8 מיסתמך | G מיסתמך גותיין | A גותאין אמרון | A אמרין מהו | G מהוא הכן | A כן 9 לון | A להון לזקנותי | G לזקנותי חונה | A חונא נחת | A נחת לבית וועדא | A - שאיל | G שאל 10 האיסתניסין | G האסתנסין

Halakhah 6: Therefore not an adult¹⁸¹? Rabbi Samuel, the son of Rabbi Yose ben Rabbi Abun said, even an adult is permitted. For what purpose was stated “a small child”? It comes to inform you of the strength of the House of Shammai, how far they are restrictive. Samuel was carried from bed to bed¹⁸². Rabbi Ze'ira said before Rabbi Yasa, let us say that he was asthenic¹⁸³. He told him, he was healthier than I and you. It was stated, Rabbi Ismael ben Rabbi <Yose>¹⁸⁴ says, the stones on which we sat on in our youth make war against us in our old age. Rabbi Jonah ordered the colleagues, do not sit on the [outside]¹⁸⁵ stone benches of the assembly¹⁸⁶ of Bar Ulla because they are cold. Rav commanded his students, do not sit on the outside table of the assembly of Issy because it is cold. Rabbi Abba went down to bathe in the public baths of Tiberias, leaning on two Goths¹⁸⁷. They fell down and he lifted them up, they fell down and he lifted them up. One asked him, what is this? He said to them, I preserved my strength for my old age. Rav Huna did not come to the house of assembly. Rav Qatina asked, was it not stated that one carries the asthenics?

181 Since the Mishnah could be read that the House of Hillel only permit to carry a baby but not anybody able to walk by himself.

182 It is not clear whether these were his own beds or, since he was a medical man, whether he was carried in a litter on his visits to the sick, as explicitly endorsed in the next paragraph.

183 Greek 'ασθενής.

184 Added from **G**. Here starts a fragment of an Ashkenazic text edited by J. Sussman in *Kobez al Yad* xii (xxii) 1994 (A).

185 Corrector's addition, unsupported by any source, to be deleted.

186 The house of study.

187 Babli *Ketubot* 62a, *Berakhot* 60a.

63c line 60) רב חונה הורי לריש גלותא לצאת בכסא. רב חסדא בעי. לא כן תני. אין יוצאין בכסא אהד אנשים ואחד נשים. אפילו תלמיד חכמים אינו טועה בדבר הזה. ורב חונה טעי. רבי ירמיה הורי לבר גירונטי אסא מיטענה בסדינא מיעול מבקרא ביישינא בשובתא. מילשא בר בריה דרבי יהושע בן לוי מיטען בסדינא מיעול מידרוש בציונא בשובתא. אמר רבי זריקן לרבי זעורה. כד תיעול לדרומא את שאל לה. אשתאלת לרבי סימון. אמר לון רבי סימון

בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי. לֹא סוּף דָּבָר שְׂצוּרָה לְרַבִּים בּוֹ. אֶלָּא שָׁמָּה יֵצְרוּ לוֹ הַרְבֵּים. דְּלָמָּא.
 רַבִּי לִיעֲזָר וְרַבִּי אֲבָא מְרִי וְרַבִּי מִתְּנִיָּה הוֹרִי פִּיתָא לְאַרְסְקִינִס בְּשׁוּבְתָא. שָׁמָּה יֵצְרוּ לוֹ הַרְבֵּים.
 1 חונה | A הונא לריש | A לאיתניה דריש בכסא | A בכסאי חסדא | A חסדאי 2 בכסא | A בכיסוי
 אנשים | A האיש נשים | A האשה חכמ' | A חכם חונה | A הונא 3 מיטענה | A מסינה | A בסדינא | G
 בסדינה | A בסדינה מבקרא | G מבקרה ביישיא | A לביישיא | A בשובתא | G (בש)בנה 4 בצבורא | G
 לציבורה | A בשובתא | G בשובתה 5 זעורא | A זעירא | G לדומה | A לר' סימון | A לר' סימון | G ליה
 A להון 6 בו | A כן יצרכו | A יצטרכו לו | A לה הרבים | A רבים | G דלמא | G דלמה 7 אבא מרי | G
 אבמרי | G הורי | G הורין למיתי | G פיתא | G פיתה | G לארסקינס | G לארסקינס | G בשובתא | G בשובתה 8-7
 דלמא... הרבים | A -

Rav Huna instructed the Head of the Dispersion¹⁸⁸ to go out in a chair¹⁸⁹. Rav H̥isda asked, was it not stated, one does not go out in a chair, whether men or women? Even a student of the Sages does not err in this matter, and Rabbi Huna erred¹⁹⁰? Rabbi Jeremiah instructed Bar Gerontios the healer to be carried on a sheet when going visiting the sick on the Sabbath¹⁹¹. Miasha the grandson of Rabbi Joshua ben Levi was carried on a sheet when going preaching in public on the Sabbath. Rabbi Zeriqan said to Rabbi Ze'ira, when you go to the South, ask about this. It was asked from Rabbi Simon. Rabbi Simon told them in the name of Rabbi Joshua ben Levi, not only for the needs of the public but also for a possible need of the public¹⁹². Example: Rabbi Eliezer, Rabbi Abba Mari, and Rabbi Mattaniah instructed {to bring}¹⁹³ bread to Ursicinus¹⁹⁴ on the Sabbath, for a possible need of the public.

188 A: "the wife of the Head of the Diaspora." Since it is not clear whether this text is a source or a compilation, and the statement contradicts the following discussion, it should not be accepted.

189 To be carried on the holiday. Since the Head of the Diaspora was the quasi-king of the Jews of Babylonia, his actions can be classified as public needs.

190 But certainly for public needs it is permitted to use a chair. Babli 25b.

191 If he is carried on an improvised contraption he can take his medical equipment with him, which he could not do were he walking. Since the way of transportation is not a common one, it is

only rabbinically forbidden. Since the carrying needs several carriers, it is a Sabbath infraction depending on the action of several persons and neither prosecutable nor generating liability in the sense of the Sabbath laws.

192 A general instruction that for urgent public needs the Sabbath (and holiday) restrictions on transportation may be circumvented as described in the previous Note.

192 Ginzberg's reading in G; the edition of the Jerusalem Talmud by the Academy of the Hebrew Language, 2001, reads "to bake". This is the expression used by the Yerushalmi in *Ševi'it* 4:2 (Note 28) and its

copy in *Sanhedrin* 3:6, where it is reported that R. Jonah and R. Yose, greater authorities than the three rabbis mentioned here, permitted baking bread for the army of Ursicinus (the legate of the Emperor Gallus in Syria starting 351 C. E.) Since the paragraph deals with transport, Ginzberg's

reading seems to be more appropriate. The rabbis instructed the people to bring bread to the Roman army on the Sabbath, probably by having several people doing the carrying, and to prepare for it even though no request was made before the start of the Sabbath.

60c line 73) תני. ולא את המפתח. בית הלל מתירין. ואמר רב הושעיה בר רב יצחק. הדיא דאת אמר. במפתח שלאוכלין. אבל במפתח שלפלים לא בדיא. והא רבי אבהו יתיב ומתני ומפתחא דפלמנטרין בגדיה. פילפלין הנה ליה בגויה.

1 בית | G ובית רב הושעיה בר רב | G רב הושעיה בש' ר' A ר' | הדא | G הדא A הא 2 דאת אמר | GA דתמר שלאוכלין | G של אכלין שלכלים | G של כלין אבהו | G אבהו 3 ומפתחא | GA ומפתחה דפלמנטרין | A דפלטורין פילפלין | G פלפלין בגויה | GA בגויה

It was stated: And not the key; the House of Hillel permit¹⁹³. And Rav Hoshai'a the son of Rav Isaac¹⁹⁴ said, this refers to a key of edibles, but not to a key of implements. But did not Rabbi Abbahu sit and teach, and a key of a jewel box¹⁹⁵ in his hand? He had pepper inside.

193 In Tosephta 1:11 there is a statement that any key may be carried in one's hand (but not tied to the belt, which is the usual weekday dress.)

194 No such sage is known otherwise. Read with G: "Rav Hoshai'a in the name of Rabbi Isaac."

195 Greek διπλωματάριον.

משה א' בית שמאי אומרים אין מוליכין חלה ומתנות לכהן ביום טוב בין שהורמו מאמש בין שהורמו מהיום. ובית הלל מתירין. אמרו להם בית שמאי גזירה שנה חלה ומתנות מתנה לכהן ותרומה מתנה לכהן בשם שאין מוליכין את התרומה כך לא יליכו את המתנות. אמרו להם בית הלל לא. אם אמרתם בתרומה שאינו זכאי בהקמתה תאמרו במתנות שזכאי בהקמתן:

Mishnah 7: The House of Shammai are saying, one may not bring *hallah*¹⁹⁶ and priests' parts¹⁹⁷ to a Cohen on the holiday, whether they have been separated the day before or on the day itself, but the House of Hillel permit. The House of Shammai said to the House of Hillel, it is an equal cut¹⁹⁸. *Hallah* and priests' parts are a gift to the Cohen, and heaven¹⁹⁹ is a gift

to the Cohen. Just as one may not bring heave to the Cohen, so one may not bring these parts. The House of Hillel said to them, no. If you mention heave where he has no right to separate, what can you say about the gifts which he may separate²⁰⁰?

196 The priest's part of bread dough (*Num.* 15:20).

197 The priest's part of profane slaughter, *Deut.* 18:3.

199 The priest's part in agricultural harvest, *Num.* 18:12.

200 Since harvest is forbidden on the holiday, clearly it must be finished before the holiday. Since it is a deadly sin to eat from grain, wine, or olive oil from which

heave was not taken, separating heave is an indispensable part of the harvest and must be finished before the holiday. Therefore one may ask that the priests' parts in agricultural produce must be delivered before the holiday. But since baking and slaughtering for meat is permitted on the holiday, *hallah* and priest's parts may be separated on the holiday and there is no reason to forbid their delivery.

60d line 1) **הלכה ז:** תני. אמר רבי יודה. לא נחלקו בית שמי ובית הלל. שמולכין את המתנות שהורמו ביום טוב. ואת המתנות שהורמו מערב יום טוב עם המתנות שהורמו ביום טוב. על מה נחלקו. על המתנות שהורמו מערב יום טוב לעצמן. שבית שמי אוסרין. ובית הלל מתירין.

1 שמי | G שמי 3 שמי | G שמי

Halakhah 7: It was stated²⁰¹: “Rebbi Jehudah said, the House of Shammai and the House of Hillel did not disagree that one may bring parts which were separated on the holiday, as well as parts which were separated before the start of the holiday with parts separated on the holiday. Where did they disagree? About parts which were separated before the start of the holiday by themselves, where the House of Shammai forbid and the House of Hillel permit.”

201 Tosephta 1:12, Babli 12b.

60d line 5) **הלכה ח:** וקשא על דבית הלל. תרומה אינו זכאי בהרמתה. הגע עצמך שיש עליה תניי. זו מפני זו. ולמה תנינו חלה. מפני חלה שהורמה ביום טוב. כהדא דתני. הלש עיסה ביום טוב. מפריש חלתה ביום טוב. לשה מערב יום טוב ושכח להפריש חלתה. אסור לטלטלה. ואין צריך לומר ליטול ממנה. עירס. לא אמר אלא לש. הא עירס לא. אמר רבי שמואל אחוי דרבי ברכיה. תיפתר בעיסה טמאה שאינו מפריש חלתה אלא בסוף. אמר רבי יוסה גירבי בון. בדין הנה בעיסה טהורה שלא יפריש חלתה אלא בסוף. תקנה תיקנו בה

שֶׁיִּפְרִישְׁנָה תְּחִילָה שְׁלֹא תִיטָּמָא הָעִיסָה. מִתְּנִיתָה בְּיוֹם טוֹב שְׁלֶפֶסֶת. אֲבָל בְּעֶצְרָת וּבְחָג מוֹתֵר. רַבִּי יוֹסֵה בִּירְבִּי בּוֹן רַבִּי חוּנָה בְּשֵׁם רַבִּי אֲחָא. אֲפִילוּ בְּעֶצְרָת וּבְחָג אֲסוּר. עַל שֵׁם כְּלִמְלֵאכָה לֹא־יַעֲשֶׂה בָהֶם.

1 וקשיא | G וקשיא | זכאי | 2 ולמה | A ולמה לא מפני חלה | A - כהדא | GA כהדא | 3 להפריש | A - 4 צריך | GA צורך ממנה | A הימנה | 5 טמאה | GA טמאה | 6-5 אמ' ר' ... בסוף | A - 7 תיטמא | A נטמאת | 8 אחא | G אחא | ר' חונה בשם ר' אחא | A בש' ר' חייא

Halakhah 8: It is difficult for the House of Hillel, could he not have the right to separate heave? Think of it, if he made a stipulation²⁰²! One because of the other²⁰³. And why was *hallah* stated? Because of *hallah* which was separated on the holiday. As it was stated:²⁰⁴ “if one kneads dough on a holiday, he separates its *hallah* on the holiday. If he kneaded it before the holiday but forgot to take its *hallah*, it is forbidden to move it; it is unnecessary to say, to take *hallah* from it.” If he mixed water and flour? He only mentioned “kneaded”, so not when he mixed²⁰⁵? Rabbi Samuel, brother of Rabbi Berekhiah, said: explain it if the dough was impure where he takes *hallah* only at the end. Rabbi Yose ben Rabbi Abun said, it should have been the rule that for pure dough one should take *hallah* only at the end. They instituted that one should take it at the start, lest the dough become impure²⁰⁶. The Mishnah is about the holiday of Passover; therefore on Pentecost and Tabernacles it is permitted²⁰⁷. Rabbi Yose ben Rabbi Abun, Rabbi Huna in the name of Rabbi Aha, even on Pentecost and Tabernacles it is prohibited, because of *no work shall be done on them*²⁰⁸.

202 *Demai* 7:5: “R. Isaac ben Eleazar said, a person can say on Friday, this shall be heave tomorrow, but nobody can say on the Sabbath, this shall be heave tomorrow.” Therefore it is possible to actually separate heave on the Sabbath or a holiday if the modality of separation was stipulated the day before.

203 Since in general heave may not be delivered to the Cohen on the holiday, one makes no exemption for the rare case in which delivery would be possible.

204 Tosephta 1:14. The text from here to

the end of the Halakhah also is in *Pesahim* 3:3, Notes 68-72.

205 Even though Mishnah *Hallah* 3:1 permits separating *hallah* immediately after mixing the flour with water.

206 Since then only the *hallah* has to be guarded from impurity but not the dough itself.

207 The remark applies both to Tosephta *Yom Tov* 1:14 and Mishnah *Pesahim* 3:3.

208 *Ex.* 12:16. Since impure *hallah* may not be eaten, it may not be baked on a holiday.

(fol. 59c) **משנה ח:** בית שמאי אומרים תבלין נידוכין במעוץ של גין ותמלח בפה ובגין הפרור. ובית הלל אומרים תבלין נידוכין בדרך במוץ של אבן ותמלח במוץ של גין:

Mishnah 8: The House of Shammai say that spices are pounded in a wooden mortar, and salt in a container or with a cooking spoon. But the House of Hillel say that spices are pounded normally in a stone mortar and salt in a wooden mortar²⁰⁹.

209 The House of Shammai hold that since pounding spices and salt could have been done the day before, the general permission to cook cannot be extended to these preparations; they must be done in a way different from working day usage to avoid a biblical transgression. The House of Hillel

hold that pounded spices quickly use their taste (in the absence of containers which can be tightly closed); therefore pounding spices is an integral part of the cooking process and may be done as on a weekday, but for taking salt from a block they agree with the reasoning of the House of Shammai.

(60d line 16) **הלכה ט:** וידוך מאתמול. חבריא בשם רבי יוחנן. שטעמן מר. רבי זעורה בשם רבי יוחנן. שטעמן פג.

1 חבריא | GA חבריה זעורה A | זעירה

Halakhah 9: Could he not pound the day before? The colleagues in the name of Rabbi Johanan, because they taste bitter; Rabbi Ze'ira in the name of Rabbi Johanan, because they lose their taste²¹⁰.

210 Babli 14a.

(60d line 17) שמואל שחק על סיטרא דמדוכתא. רב אמר. כל הנידוכין נידוכין בדרך. רב חונה רבי ירמיה רבי אימי בשם רבי יוחנן. השום והשחלים והחרדל נידוכין בדרך. רבי אבהו בשם יוחנן. העושה אלינתי בשבת חייב משם מרקיה. הא ביום טוב מותר. רבי חזקיה בשם רבי ירמיה. העושה אלינתי ביום טוב אסור משם מרקיה. יצחק דיהבא שאל לרבי יוחנן. מהו מישחוק קונדיטון ביומא טבא. אמר ליה. שרי. ויב לי ונאנא שתי. רבי אבהו בשם רבי יהושע בן לוי שרי. רבי זעורה בעא קומי רבי אבהו. מאן דעביד טבאות לא שחיק ליה מאתמול. אמר ליה. אין. מחלפה שיטתיה דרבי אבהו. הכא הוא אמר. שרי. והכא הוא אמר. אסור. אלא בגין דרבי אבהו דע דרבי זעורה מחמר ואינון מחמרין. בגין כן הוא עבד דכותהו. אית דבעי מימר. הכין אמר ליה. מאן דבעי דינא טב לא שחיק ליה מן דאיתמול. רבי זעורה שאל לקלה דרומא עבדיה דרבי יודן נשייא. שחק הוא מרד קונדיטון ביומא טבא. אמר ליה. אין. וכל מיני סיקריקון. רבי יצחק בירבי לעזר בשם רבי אימי אבוי

דְּרַבִּי אֶבְדּוּמָא דְּצִיפּוֹרִין. מַה פְּלִגִּין. לִיתֵּן לְצִלִּי. הָא לְקִדְרָה מוֹתֵר. רַבִּי נְחוּם אָמַר. רַבִּי שְׁמוּאֵל בַּר אֲבָא בְּעִי. הָדָא אִטְרִיתָא. לְגִבָּשׁ אָסוּר. לְקִדְרָה מוֹתֵר. עַל יָד עַל יָד צְרִיכָה.

1 סיטרא דמדוכתא | G סיטרה דמדוכתה | A שטרא דמדוכתה | הנדוכין | A הנדוכין | כדרכן | A כדככן | 2-1 רב חונה ... כדרכן | A - 2 אימי | G אמי | A - 3 אבהו | G אבהו | A ירמיה | אלנתין | G אילונתין | A אלונטית | מרקיה | G מרקיה | A מרקח | 4 ר' לזקיה ... מרקיה | A - אלנתין | G אילנתין | מרקיה | G מרקיה | דיהבא | G דהבה | A דהבא | 5 מהו | G מהו | A מישחוק | A לשחוק | וייב | G ר' יצחק עטושיה שאל לריש לקיש משחוק קונדיטון ביומא טבא א' ליה שרי ויב | A יצחק עטושיה שאל לר' שמעון בן לק' מהו משחוק קונדיטון ביומא טבא אמ' ליה שרי והב | G ונא | G אבהו | G אבהו | 6-5 ר' אבהו ... שרי | A - 6 בן לוי | G - זעורא | G זעורה | זעירא | בעא | G בעה | A בעי | אבהו | G אבהו | A - ואמ' דעבד | A דעבד לא | A - 7 מאיתמול | G מאתמול | אמ' ליה אין | A - אבהו | G אבהו | הכא | G הכה | הוא | A - (2) והכא | G וכה | 8 אסור | G אסיר | אבהו | G אבהו | זעורא | G זעורה | זעירא | מחמר | A מחמר | מחמרין | A | מחמרין | כן | G - בגין כן הוא | A והוא | 9 אית | A ואית | הכן | G דיא | G דיא | דיהא | שחיק | A שחק | מן דאיתמול | G מן אתמול | A מאתמול | 10 זעורה | A זעירה | דרומא | G דרומי | A לקיומה | הוא | A - 11 סיקריקון | G סיקריקון | אימי | G אמי | 11-13 ר' יצחק ... צריכה | A - 12 אבא | G אבה | הדא | G הדא | אטרייתא | G איטרייתא

Samuel pounded on the side of the mortar²¹¹. Rav said, anything that is pounded may be pounded in its ordinary way²¹². Rav Huna²¹², Rabbi Jeremiah, Rabbi Immi in the name of Rabbi Johanan: Garlic, and cress, and mustard seed are pounded in their ordinary way²¹³. Rabbi Abbahu in the name of Rabbi Johanan: He who makes *oenanthium*²¹⁴ on a Sabbath is liable because of compounding. Is it therefore permitted on a holiday²¹⁵? Rabbi Hizqiah in the name of Rabbi Jeremiah: Making *oenanthium* on a holiday is forbidden²¹⁶ because of compounding. Isaac Gold asked Rabbi Johanan, may one pound for spice wine²¹⁷ on a holiday? He said to him, it is permitted. <Rabbi Isaac from Atosha asked Rabbi Simeon ben Laqish, may one pound to make spice wine on a holiday? He said to him, it is permitted;>²¹⁸ give it to me and I shall drink. Rabbi Ze'ira asked before Rabbi Abbahu: Would one not act well in pounding it the day before? He said to him, yes. The argument of Rabbi Abbahu is inverted. Here he says permitted, and there he says forbidden²¹⁹. But since Rabbi Abbahu knew that Rabbi Ze'ira was restrictive, and that they²²⁰ are restrictive, therefore he agreed with them. Some want to say that so he said to him: If one wants that it be good he will not pound it the day before. Rabbi Ze'ira asked Kallidromos²²¹, the slave of Rabbi Judah the Prince, does your master pound to make spice wine on a holiday? He said to him yes, and all kinds of cuts of meat²²².

Rabbi Isaac ben Rabbi Elazar in the name of Rabbi Immi, the father of Rabbi Eudaimon of Sephoris. Where do they disagree²²³? For grilling. Put

for the pot it is permitted. Rebbi Naḥum said, Rebbi Samuel bar Abba asked about noodle dough. To let it dry is forbidden, for the pot it is permitted, part and part is questionable²²⁴.

211 If he had to grind some spices he turned the mortar on its side to make it different from weekday pounding. Since this is a statement of what he did, not what he taught, it seems that this was a personal precaution since in his medical practice he might also pound some materials for compounding a medicine which if done in the ordinary way would be a biblical infraction, as mentioned later in this paragraph.

212 If it may be ground into fine particles at all, it may be done the way it is done on weekdays. Babli 14a in the name of Samuel.

213 If this name belongs to the chain of transmission it would have to be Rebbi Huna. But since **G** also has the title “Rav”, and Rav Huna was the leader of the second generation of Amoraim in Babylonia, one has to read the statement as indicating two sources. Both Rav Huna and R. Jeremiah quoting R. Immi in the name of R. Joḥanan state

214 A wine-based medicine (Galen 13. 540). In the Babli *Šabbat* 140a defined as a suspension of balsamum in old wine.

215 Since it is stated to be forbidden only on a Sabbath and at least the wine base of the medicine is food.

216 The way it is formulated for the Sabbath it cannot be formulated for the holiday. Compounding (spices or medicines) is one of the 39 categories of work forbidden on the Sabbath, an unintended infraction makes the person

liable for a purification sacrifice since the intentional infraction is a capital crime or deadly sin. But work on holidays is a simple prohibition which never can trigger liability for a purification sacrifice, and intentional infraction is not a deadly sin. Therefore “liable” fits for the Sabbath and “forbidden” for the holiday.

217 Latin *conditum* (*vinum*), usually used for the finished product, here used for the spices to be put into the wine. Even though spice wine might be used for medical purposes it also is a drink for healthy people and therefore its preparation is permitted on the holiday.

218 Sentence missing in the ms. and printed edition. Since the sentence is both in **G** and **A**, it belongs to the text, and was dropped by the scribe because of homeoteleuton.

219 While R. Abbahu did not explicitly say that pounding spices for spice wine is forbidden on the holiday, he agreed with R. Ze'ira that it was better to pound the day before, implying that on the holiday it must be done in a way different from weekday action, against Rav's ruling at the start of the paragraph.

220 The Babylonians, including R. Ze'ira the immigrant from Babylonia.

221 Reading of S. Lieberman, *Tarbiz* 3, p. 209.

222 Mincing the meat with the knife, *sica*. Probably this means to make sausage on the holiday.

223 The disagreement of the Houses of Shammai and Hillel about pounding salt.

When it is used sparingly, both agree that it may be pounded in a wooden mortar in the regular way. If great quantities are needed the House of Shammai is restrictive. Babi 14a.

224 Making noodle dough for use after the

holiday clearly is a biblical violation and forbidden. Making soup noodles for immediate use clearly is permitted. Making both cannot be biblically forbidden; whether it is rabbinically forbidden is left undecided.

(fol. 59d) **משנה ט:** הבנור קטנית ביום טוב בית שמאי אומרים בנור אוכל ואוכל. ובית הלל אומרים בנור בנורכו בתיקו ובתמחוי אבל לא במטבא ולא בנפה ולא בכברה. רבן גמליאל אומר אף מדיח ושולח:

Mishnah 9: If one selects out legumes²²⁵ on the holiday, the House of Shammai say he picks out the food²²⁶ and eats. But the House of Hillel say, he picks out normally into his chest or a basket, but not on a tablet, not with a fine sieve nor with a coarse sieve²²⁷. Rabban Gamliel says, also he drenches and scoops off²²⁸.

225 He separates the edible from the inedible parts of peas, beans, or lentils.

226 Since separating the chaff from the grain is a biblical Sabbath violation, and on the holiday may be classified as preliminary to the preparation of food, the House of Shammai require that on the holiday one follows the Sabbath rules, which let you pick out the food but not the chaff.

227 They hold that the activity is included

in the permitted preparation of food but require that it be done in a way which does not resemble commercial preparation of the harvest for sale.

228 He proposes to dump the entire material into a vat or barrel filled with water. The chaff will float on the surface and can easily be swept out. Since the legumes will be wet, it is not a commercial procedure.

(60d line 34) **הלכה י:** רבי יונה בעי. עשה כן בשבת. על דבית שמאי מהו שיהא חייב. אמר ליה רבי יוסה. ולמה לא. אילו עשה כן בשבת על דבית הלל שקמא אינו חייב. והכא חייב. אמר רבי מנא. איות אמר רבי יונה אבא. לא אתגיא אלא על דבית שמאי. למה. הותר מכלל ברירה ביום טוב. לא הותר מכלל ברירה בשבת.

1 שמי | G שמי מהו | G מהוא 2 והכא | G והכה 3 אתייה | G אתייה שמי | G שמי

²²⁹Rebbi Jonah asked, if he did this on the Sabbath, in the opinion of the House of Shammai would he be liable? Rebbi Yose said to him, why not? If he did it on the Sabbath would he not be liable according to the House of

Hillel? And here he is liable. Rabbi Mana said, my father Rabbi Jonah said it correctly. It is a problem only for the House of Shammai. Why? Because the category of selecting was permitted on the holiday, nothing of the category of selecting was permitted on the Sabbath²³⁰.

229 This and the following paragraphs are from *Šabbat* 7, Notes 314-342. The Genizah text ends here; the text A brings only the first few lines.

230 The objection of R. Yose is pointless. There is no problem for the House of Hillel since they hold that selecting as a category is permitted on the holiday but forbidden on the Sabbath. But we do not know whether the House of Shammai hold the same and are rabbinically restrictive on the holiday

more than the House of Hillel or whether they hold that selecting does not belong to the preparation of food but to preliminaries to preparation which are not exempted on the holiday and for which, therefore, the rules are identical on Sabbath and holiday. Since in his days, in the middle of the Fourth Century, the House of Shammai had disappeared for 250 years, no answer can be given.

10b line 15) בָּרַר אוֹכְלִים מִתּוֹךְ אוֹכְלִים. חִזְקִיָּה אָמַר. חַיִּיב. וְרַבִּי יוֹחָנָן אָמַר. פָּטוּר. מִתְּנִיתָהּ פְּלִגְנָה עַל חִזְקִיָּה. בּוֹרֵר וְאוֹכֵל. בּוֹרֵר וּמִנִּיתָ עַל הַשּׁוֹלֵחַן. רַבִּי בּוֹן בַּר חִיָּה בָּשָׂם רַבִּי שְׁמוּאֵל בַּר רַב יִצְחָק. תִּיפְתֵּר בְּשִׁקְיוֹ אוֹרְחִים אוֹכְלִין רַאשׁוֹנָה רַאשׁוֹנָה. וְהָא תַנִּי. וּבִלְבָד שְׂלֵא יָבוֹר אֶת כָּל-אוֹתוֹ הַמִּין. אִם עָשָׂה כֵן בְּשִׁבְתָּ חַיִּיב. עַל דַּעֲתִיָּה דְחִזְקִיָּה. שְׁכֵן הַבּוֹרֵר כְּדָרְכוֹ בְּשִׁבְתָּ חַיִּיב. עַל דַּעֲתִיָּה דְרַבִּי יוֹחָנָן. שְׁכֵן הַבּוֹרֵר כְּדָרְכוֹ בְּמָקוֹם אַחֵר חַיִּיב. עַל דַּעֲתִיָּה דְחִזְקִיָּה. אֶפִּילוּ עִיגּוּלִין מִן גּוֹ עִיגּוּלִין. וְאַפִּילוּ רִמּוֹנִים מִן גּוֹ רִמּוֹנִים. אִין פִּינִי אֶפִּילוּ בְּנֵי נֶשׁ מִן גּוֹ בְּנֵי נֶשׁ. מֵאִי קָדוֹן. כָּל-עֲמָא מוֹדִי לֵהִיא דְאָמַר רַבִּי אִימִי. רַבִּי אִימִי הֵוָה לֵיהּ אוֹרְחִין. אֶפִּיק קוֹמִיָּהוֹן תְּרַמּוּסִין וּפְסִילִיָּה. אָמַר לוֹן. יְהִבוּן דַּעֲתָכוֹן דַּאֲתוֹן מִיכּוֹל קִיָּרְסִיָּה בְּסוּפָה.

²³¹If one selected food out of food, Hizqiah said, one is liable; Rabbi Johanan said, one is not liable²³². A *baraita* disagrees with Hizqiah: He selects and eats, he selects and puts on the table²³³. Rabbi Abun bar Hiyya in the name of Rabbi Samuel bar Rav Isaac: explain it if guests were eating what was served. But was it not stated: On condition that he did not select all of its kind? In the opinion of Hizqiah, because one who selects on the Sabbath is liable. In the opinion of Rabbi Johanan, because one who selects normally at another place²³⁴ is liable. In the opinion of Hizqiah, even rings among rings²³⁵, even pomegranates among pomegranates. Or is it so, even people among people²³⁶? How is this? Everybody agrees with that of Rabbi Immi. For

Rebbi Immi had guests; he brought before them lupines²³⁷ and beans²³⁸. He told them, be careful to eat the artichokes²³⁹ at the end.

231 The paragraph has a parallel in the Babli, *Šabbat* 74a/b.

232 It is somewhat difficult to understand Hizqiah's position. What is biblically forbidden on the Sabbath is removing chaff from food, not food from chaff (except, as mentioned later in this paragraph, if the entire batch was cleaned, when there is no difference what was taken from where.) Biblically Hizqiah would have to forbid to remove the food one does not want to eat from the food one wants to eat; the other way would only be rabbinically forbidden.

233 For immediate consumption. There is no difference whether one puts food in his own mouth or in others'.

234 The "other place" is the Sabbath.

Liability on the Sabbath can always be avoided by doing things in a decidedly unprofessional way; the mention of doing things "normally" is appropriate here.

235 String figs from a heap of string figs.

236 Then it would be forbidden on the Sabbath to call people to read the Torah unless they had been selected beforehand. This we never heard.

237 Greek *θερμός*.

238 Greek *φάσηλος*.

239 Greek *κινάρα*. On a holiday it is permitted to select anything for immediate consumption, even if there are no remainders, and eat a different dessert at the end.

60d line 47) תני. אין בוררין לא טוחנין ולא (מקדקין) [מקדקין]. הבורר הטוחן המקדק בשבת נסקל. וביום טוב סופג את הארבעים. והתנין. בורר קדרון בחיקו ובתמחו. אמר רבי חנינא ענתנייה. דרבן גמליאל היא. דרבן גמליאל אמר. אף מדיח ושולח: והא תני. שלבית רבן גמליאל היו שוחקין פילפלין בריחים שלחן. מותר לטחון ואסור לבור. אמר רבי יוסי בירבי בון. לא הותרה טחינה כדרךה. מניין שאין בוררין ולא טוחנין ולא מקדינן. רבי אחא בשם רבי שמעון בן לקיש. כל מלאכה לא יעשה בהם עד ושמרתם את המצות. רבי יוסי בעי. כלום למדו לתבשיל אלא מיכן. רבי יוסה לא אמר כן. אלא רבי יוסה בשם רבי שמעון בן לקיש. אף אשר אכל לכל לפש הוא לבדו יעשה להם עד ושמרתם את המצות. תני חזקה ופליג. אף הוא לבדו הרי אילו מיעיטין. שלא יקצור ולא יטחון ולא ירקד ביום טוב.

It was stated: One does neither select, nor grind, nor sift²⁴⁰. He who selects, or grinds, or sifts, on the Sabbath is stoned. On a holiday he absorbs the 40²⁴¹. But did we not state: "he picks out normally into his chest or a basket"? Rebbi Hanina from Antonia said, this is Rabban Gamliel's, for "Rabban Gamliel says, also he drenches and scoops off." And was it not stated, in the household of Rabban Gamliel they were grinding pepper in their

mills²⁴²? It is permitted to grind but forbidden to select. Rabbi Yose ben Rabbi Abun: Normal grinding was not permitted²⁴³. And from where that one may neither select, nor grind, nor sift? Rabbi Aḥa in the name of Rabbi Simeon ben Laqish: *No work shall be done on them up to and you shall guard the unleavened bread*²⁴⁴. Rabbi Yose asked, but did one not infer cooking only from there? Rabbi Yose did not say so, but Rabbi Yose in the name of Rabbi Simeon ben Laqish: *Only what can be eaten by every person this alone may be made by you, up to and you shall guard the unleavened bread*²⁴⁵. Hizqiah stated in disagreement²⁴⁶: *only, every, person*, are diminutions, not to select, nor to grind, nor to sift on a holiday.

240 Translation of the corrector's text and the text in *Šabbat*. The scribe's text "one is not pedantic" would leave open the possibility that coarse selection and grinding was not prosecutable.

241 The 39 lashes which are the standard punishment for breaking biblical prohibitions for which no other biblical punishment is specified. The Babli disagrees and declares these activities only rabbinically prohibited on a holiday, cf. Tosaphot *Šabbat* 95a, s. v. החרדה.

While preparing food is biblically permitted on a holiday as shown later in the paragraph, there is a dispute between the anonymous majority and R. Jehudah whether this includes preparations which could have been made the day before without impairing the quality of the food, which the majority prohibits and R. Jehudah and Rabban Gamliel permit. It is stated here that for the majority the prohibition is biblical, at least concerning preparations for baking.

242 Rabban Gamliel will agree that milling flour is biblically forbidden on a holiday; he will hold that grinding pepper in a peppermill is not professionally grinding and not something which may be done the day before without impairing the quality of the spice.

244 Ex. 12:16-17. The text omitted by the quote "up to" permits preparation of food on a holiday, as quoted later in the paragraph.

245 There is nothing missing between the two quotes, so that the note "up to" seems to be superfluous. The meaning is explained in Tosaphot *Beṣah* 3a s.v. גזרה (at the end): vv. 16,17 form a unit: *what can be eaten by every person this alone may be made by you, and you shall guard the unleavened bread*. Any preparation of *mazzah* which requires guarding against possible leavening is permitted on the holiday, anything preceding this, i. e., mixing flour with water to make dough, is forbidden.

246 Against the Mishnah where the House of Hillel permit selecting.

60d line 59) רבי זעורה רב חייה בר אשי בשם רב. המשמר חייב משם בורר. אמר רב זעורה. לא מסתברא די לא משם מרקידי. רבי יונה ורבי יוסה תריהון אמרין. בקדמיתא הוינן אמרין. יאות אמר רבי זעורה. מה המרקד קמח מלמטון וסולת מלמעלן. אף המשמר זין מלמטון ושקרים מלמעלן. ולא הוינן אמרין כלום. למה הותר מכלל ברירה והותר מכלל שימור. הותר מכלל ברירה. בורר קדרכו בחיקו ובתמחוי. והותר מכלל שימור. אבל נותנין לתלויה ביום טוב. ולא הותר מכלל הרקדה. דאמר רבי חנינה בר יקה בשם רב יהודה. אין שונין את הקמח אבל מרקדין לאחורי הנפה. אין תימר משם מרקידי הוא. יהא אסור. אמר רבי יוסי בירבי בון. די לא כרבי יודה. דתני משם רבי יודה. אף מכשירי אוכל נפש התירו. בעינא הדא מילתא מהו לשנות את הקמח לאחורי הנפה כרבנן.

1 המשמר | G המשמר 2 מסתברא | G מסתברא די לא | G דלא בקדמיתא | G בקדמיתא 3 המרקד | G המרקד 4 הוינן | G הוינן 5 אבל נותנין | G ונותנין 8 די לא | G דלא בעינא | G בעינא 9 מילתא | G מלה מהו | G מהוא כרבנן | G כרבנן

²⁴⁷Rebbi Ze'ira, Rav Hiyya bar Ashi in the name of Samuel: One who filters is liable because of selecting. Rebbi Ze'ira said, it is more reasonable that it should be because of sifting. Rebbi Jonah and Rebbi Yose both said, at the start we were saying that Rebbi Ze'ira said it correctly, since as in sifting the flour is below and the farina²⁴⁸ on top, so in filtering wine the wine is at the bottom and the yeast on top; but we were not saying anything. Why? Because the category of selecting was permitted, the category of filtering was permitted²⁴⁹. The category of selecting was permitted: "he selects normally, on his chest, or from a pot". Also the category of filtering was permitted, "on a holiday one puts into one which was hanging²⁵⁰". But the category of sifting was not permitted. As Rebbi Hanina bar Yaqe said in the name of Rav Jehudah, One does not re-sift the flour but one may pass it through the back of the sieve²⁵². If you say it is because of sifting, it²⁵³ should be forbidden. Rebbi Yose ben Rebbi Abun said, it does not follow Rebbi Jehudah, for it was stated in the name of Rebbi Jehudah, also preparations for making food are permitted²⁵³. There is a question about the following: following the rabbis, may one re-sift the flour through the back of the sieve?

247 This text also appears in *Šabbat* Chapter 20 (17c line 35). The parallel in the Babli is in *Šabbat* 138a where the argument of R. Ze'ira is quoted in his name but the introductory statement is in the name of Rav

Cahana. In *Šabbat*, the original author is Samuel, not Rav. This may be a *lectio difficilior* since Rav Hiyya bar Ashi was a companion of Rav; but if Rav Cahana is Cahana, the stepson of Rav, it would

represent a Babylonian tradition.

248 The coarser pieces.

249 On a holiday, as shown later from Mishnaïot.

250 Mishnah *Šabbat* 20:1. According to the anonymous majority on a holiday one may not put a filter on top of a barrel because this is an activity not covered by the general permission to prepare food, but if the filter already was in place one may filter wine on a holiday.

251 This sentence, while it is at this place in all sources, does not belong here but at the very end of the paragraph where it

answers to a question raised there. If flour had been sifted before but the housewife wants to sift it again on the holiday before using it for baking, she may turn the sieve upside down and use it with the sieve instead of being concave downwards being convex upwards. This is unprofessional and therefore not biblically forbidden even according to the opinion stated in the preceding paragraph that all preparations preceding making dough are forbidden on the holiday. Cf. Babli 29b.

252 Filtering.

253 Tosephta *Megillah* 1:7.

משנה י: בית שמאי אומרים אין משלחין ביום טוב אלא מנות. ובית הלל אומרים משלחין בהמה חיה ועוף בין חיון בין שחוטין. משלחין יינות שמנים וסלתות וקמניות אבל לא תבואה. רבי שמעון מתיר בתבואה:

Mishnah 10: The House of Shammai say, on a holiday one sends only portions²⁵⁴, but the House of Hillel say one sends domestic animals, wild animals, and birds, whether alive or slaughtered. One sends wines, oils, and flour, and legumes, but no grains²⁵⁵. Rabbi Simeon permits grains²⁵⁶.

254 Either a prepared meal or a single piece of meat which can be cooked as is.

255 Since it was stated in the previous Halakhah that grinding grains is forbidden on the holiday; therefore grains are not food

available on the holiday.

256 Grains can be used as cold or hot cereal and also as animal feed without being ground. There is no reason not to treat them as ready food on the holiday.

(60d line 71) **הלכה יא:** וקשיא על דבית שמאי. ירד גדולה מותר לשלחה. גדי קטן אסור לשלחו. אמר רבי יודן. לא מסתברא בטוענו. אבל אם היה מושכו והולך מה בין מושכו להוליכו מה בין מושכו להשקותו. רבי הושעיה רבה אמר לרבי יודן נשיא. שמעת מאביד. תרגולת מותר לטלטלה. מה אם היתה מוכנת לשחיטה מותרת. ואם לאו אסורה. ואין כל-תרגולין מוכנין לשחיטה. לכן צריכה אפילו אינה מוכנת. אמרה לו בלחשה. אמר לו. למה את אמרה לי בלחשה. אמר לו. כשם ששמעתיה בלחשה. כך אני אומרה לך בלחשה.

1 שמי | G שמיי 3 שמעת | G שמעתה מאבך | G מאבך 4 מותרת | G תהא מותרת לאו | G לוי אסורה
G | תהא אסורה 5 תרגולין | G תרגולין לו | G ליה

Halakhah 11: It is difficult for the House of Shammai. A large thigh one is permitted to send, a small kid goat one is not permitted to send. Rabbi Yudan said, it only is understood if he carries it²⁵⁶. But if he draws it and it walks, what is the difference if he draws it to deliver it or he draws it to let it drink? The Great Rabbi Hoshai asked Rabbi Jehudah the Prince, did you hear from your father whether one is permitted to move a chicken²⁵⁷? Certainly if it was ready for slaughter it is permitted, otherwise it is forbidden. But are not all chickens ready for slaughter? The question is, maybe even if it is not ready²⁵⁸. He told him in a whisper²⁵⁹. He asked him, why are you telling me in a whisper? He said to him, just I heard it in a whisper, so I am telling you in a whisper.

256 The House of Shammai can forbid to deliver a whole animal only if it is carried, not if the animal walks.

257 If the House of Hillel do not allow an egg laid on the holiday to be moved, would it not be reasonable to conclude that a chicken raised to produce eggs cannot be moved either.

258 If the chicken explicitly is raised to lay

eggs, not to be used as meat.

259 If it is to be a private ruling, not to be made public, it must be a permission to move such a chicken for which the prior argument was made that it may not be moved. The permission to deliver live animals on a holiday spelled out in the House of Hillel's Mishnah is not restricted.

61a line 3) תני. משלחין חטים שהן מאכל עסיסיות. פול שהוא מאכל נדיות. שעורים שהן מאכל בהמה. לא כן תני משם רבי שמעון. לכל-נפש. אף נפשות בהמה בכלל. אתיא דרבי שמעון כשיטת רבי עקיבה רבו. כמה דרבי עקיבה אמר. לכל-נפש. אף נפשות בהמה בכלל. כן רבי שמעון אומר. לכל-נפש. אף נפשות בהמה בכלל.

1 חטים | G חטין שעורים | G שעורין 2 אתיא | G אתיה

It was stated²⁶⁰: “One sends wheat because when crushed it is food, beans because when wet they are food, barley because it is animal feed.” Did we not state so in the name of Rabbi Simeon? *For all breathing*²⁶¹, also breathing animals are included. The argument of Rabbi Simeon parallels that of his teacher Rabbi Aqiba. Just as Rabbi Aqiba said²⁶², *for all breathing*, also breathing animals are included, so Rabbi Simeon said, *for all breathing*, also breathing animals are included.

260 Tosephta 1:23, a different text Babli 14b. In the Tosephta, (and the quote in *Or Zarua* II 341) instead of נדיית one reads לודיית “from Lydda”. This also would make Tosephta spelling) a toponymic. But since the Genizah text confirms the scribe’s, it is impossible here to emend the text, in particular because the Tosephta is

not certain as a Palestinian text. Here it is tentatively interpreted as from Arabic נדי “to be moist, covered with dew”.

261 *Ex.* 12:16. The verse permits preparing food “for all breathing things” on the holiday. *Mekhilta Bo Pisha* 9.

262 Babli 21b.

מִשְׁלָחוֹת בְּלִים בֵּין תְּפוּרִין בֵּין שְׂאִינֵן תְּפוּרִין. אֵף עַל פִּי שְׂאִין לְצוּרָהּ (fol. 59d)
הַמוֹעֵד. אֲבָל לֹא סִנְדָּל מְסוּמָר וְלֹא מִנְעָל שְׂאִינֵן תְּפוּרָה. רַבִּי יְהוֹדָה אוֹמֵר אֵף לֹא מִנְעָל לְבָן
מִפְּנֵי שְׁצָרִידָא אוֹמֵן. זֶה תִּכְלָל כָּל־שְׂנֵאוֹתֵיהֶן בּוֹ בְּיוֹם טוֹב מִשְׁלָחוֹת אוֹתוֹ:

Mishnah 11: One may send garments whether sewn or not sewn²⁶³, and even if they do not respond to a holiday need²⁶⁴. But not a sandal with nails²⁶⁵ nor a shoe which is not sown. Rabbi Jehudah says, also no white shoe²⁶⁶ because it needs a craftsman. This is the principle: Anything which one may use on the holiday one may send.

263 The sewn garments may be worn, the unsewn pieces of cloth may be used to cover items, in particular food.

264 Not for a specified need of the holiday, only a possibility of legitimate use.

265 Nails in the soles, which are forbidden to wear on the Sabbath (*Mishnah Šabbat* 6:2) and holidays.

266 Not colored white but undyed leather, which needs expert dying.

הַלְכָה יב: בִּינֵי מִתְּנִיתָהּ. מִפְּנֵי שֶׁהוּא צָרִידָא בִּיצַת אוֹמֵן. מִתְּנִיתָהּ דְּרַבִּי לִיעֶזֶר.
דִּתְנִינָן תַּמָּן. מִנְעָל עַל הָאֵמוֹם. רַבִּי לִיעֶזֶר מְטָהֵר וְחֻכְמִים מְטַמֵּין. דְּבָרֵי הַכֹּל הֵיא. שְׂנֵיָא הֵיא
הַכָּא. שֶׁהוּא כְּמִקְשִׁיר כָּלִי בְּיוֹם טוֹב. תִּנִּי. אֵין מְפָרְקִין אֶת הַמִּנְעָל מֵעַל הָאֵמוֹם בְּיוֹם טוֹב.
אֲבָל מְפָרְקִין אֶת הַמִּנְעָל מֵעַל הָאֵמוֹם בְּחוּלֹ שְׁלִמוֹעֵד.

2 שניא | ג שניה 3 האימום | G האמום

Halakhah 12: So is the Mishnah: Because it needs the shoe-maker’s form²⁶⁷. Is the Mishnah Rabbi Eliezer’s? As we have stated there²⁶⁸, “the shoe on the shoe-maker’s last, Rabbi Eliezer declares pure but the Sages declare impure²⁶⁹.” It is the opinion of everybody. It is different here since he is like finishing an implement on the holiday²⁷⁰. It was stated²⁷¹: One does not

dismantle a shoe from the last on the holiday, but one dismantles a shoe from the last on the intermediate days of the holiday²⁷¹.

267 Blackening a shoe is not really professional work; it can be done by everybody, but it needs professional tools. Babli 15a.

268 Mishnah *Kelim* 26:4.

269 In this context, “pure” means “impervious to impurity”, “impure” means “possibly impure”. For R. Eliezer a shoe still on the last is not an implement, therefore it does not fall under any of the categories of things that may become impure. For the Sages, the moment the shoe is fully sewn and may be worn immediately after being removed from the last, it is a

shoe and therefore subject to impurity. Babli *Šabbat* 141b.

270 In the case of the Mishnah, while a person may be embarrassed when wearing a shoe with leather in its natural color, the shoe is not less wearable than a regularly dyed one. Therefore blackening the shoe is not really “hitting with a hammer”, the biblically prohibited action on the Sabbath and holidays of turning a work-piece into an implement, but it looks like it and therefore must be rabbinically forbidden.

271 Since on the intermediate days one may prepare clothing for immediate use.

61a line 13) מְהוּ לְהַעֲמִיד חֶלֶב בְּיוֹם טוֹב. אִם אוֹמֵר אֵת כֵּן. אִף הוּא חוֹלֵב וּמַעֲמִיד מֵיוֹם טוֹב לַחֹל.

1 מהו | G מהו

May one make cheese from milk on the holiday²⁷²? If you are saying so, he will milk and make cheese on the holiday for the workday.

272 There can be no biblical prohibition to make soft cheese which can be used on the same day it is made, since this is no different from cooking a dish, presuming the

milk was available from before the holiday. The prohibition is purely rabbinical. Babli *Šabbat* 95a.

61a line 14) תִּנָּה רַבִּי חֲלָפְתָא בֶּן שְׂאוּל. תַּכְשִׁיטִין אֲסוּר לְשִׁלְחָן. אָמַר רַבִּי מְנָא. לֹא אָמְרוּ אֶלָּא לְשִׁלְחָן. הֵא לְלוּבָשׁן מוֹתֵר. תִּנִּי. מְטִלְטְלִין אֵת הַשּׁוֹפָר לְהַשְׁקוֹת בּוֹ אֵת הַתֵּינֹק. אֵת הַפִּינְקֶס אֵת הַקֶּרֶקֶשׁ אֵת הַמֶּרְאָה לְכִסּוֹת בֵּהֶן אֵת הַכִּלִּים. אָמַר רַבִּי אֲבוּן. מוֹתֵנִיתָה אֲמָרָה שְׂאֲסוּר לְלוּבָשׁן. דְּתִנִּינָן. כָּל־שְׂנִיאֹתֵינוּ בּוֹ בְּיוֹם טוֹב מִשְׁלַחֲנָן אוֹתוֹ; אִם אוֹמֵר אֵת שְׂמוֹתֵר לְלוּבָשׁן. וְהָא מוֹתֵר לְשִׁלְחָן. מְהוּ הִדָּא דְּתִנִּי. מְטִלְטְלִין אֵת הַשּׁוֹפָר לְהַשְׁקוֹת בּוֹ אֵת הַתֵּינֹק. אֵת הַפִּינְקֶס אֵת הַקֶּרֶקֶשׁ אֵת הַמֶּרְאָה לְכִסּוֹת בֵּהֶן אֵת הַכִּלִּים. בְּשִׁישׁ עָלֶיהֶם תּוֹאֵר כָּלִי. עַד כְּדוֹן בְּתַכְשִׁיטִין שְׁלֹזָהֵב. וְאַפִּילוּ תַכְשִׁיטִין שְׁלֶכְסָף. וְאַמְרִין בְּשֵׁם רַבִּי יִרְמְיָה. אֲסוּר. וְאַמְרִין בְּשֵׁם רַבִּי יִרְמְיָה. מוֹתֵר. אָמַר רַבִּי חִזְקִיָּה. אֲנִי יָדַע רֹאשָׁה וְסוֹפָא. טַלְיִין דְּקִיקוֹן הָיוּ מִתְרַבְּיָן בְּדִרְתֵּיהֶן דְּרַבִּי יִרְמְיָה. אֲתָא וְשָׂאֵל לְרַבִּי זְעוּרָה. אָמַר לֵיהּ. לֹא תֵאָסוּר וְלֹא תִישָׁרִי.

1 חלפתא | חלפתה G | מהו | מהוא G | הדא | הדה G | עליהם | עליהן G | ואמרין | ואמרין G (2) 8
 וסופא | וסופה G | 9 מתרביין | מתרביין G | אתא | אתה G

²⁷³Rebbi Halaphta ben Shaul stated: It is forbidden to send jewelry. Rebbi Mana said, they said only to send, therefore to wear is permitted. It was stated: “One may move the *shofar*²⁷⁴ to let a child drink, the writing tablet, and the bell, and the mirror, to cover vessels.” Rebbi Abun said, a Mishnah says that it is forbidden to wear it, as we have stated: “Anything which one may use on the holiday one may send.” If you say that it is permitted to wear it should be permitted to send. And what is that which was stated: “One may move the *shofar* to let a child drink, the writing tablet, and the bell, and the mirror, to cover vessels”? If they are called implements²⁷⁵. So far gold jewelry. Also even silver jewelry? They said in the name of Rebbi Jeremiah forbidden, and they said in the name of Rebbi Jeremiah permitted. Rebbi Hizqiah said, I know the beginning and the end. Small girls were growing up in Rebbi Jeremiah’s dwelling. He went and asked Rebbi Ze’ira, who told him: do not forbid and do not permit²⁷⁶.

273 This text is copied in *Šabbat* 6 (Notes 60-65).

274 Tosephta *Šabbat* (13:16 ed. Lieberman) The ram’s horn. As a musical instrument it cannot be used on a holiday other than New Year’s Day. Since writing is forbidden on the holiday, a writing tablet cannot be used. The mirror is discussed in *Šabbat* 6. The Tosephta applies to the Sabbath as well as to holidays since one speaks of moving in a private domain (Babli *Šabbat* 35b/36a).

275 They must have permitted use. For

example, the *shofar* must have been used on a preceding weekday as bottle for a toddler; the other things mentioned must have been used as covers.

276 Since in principle silver jewelry is forbidden to wear on a holiday as much as gold jewelry, he cannot permit. But since the girls would not listen to him if he would forbid, he should not prohibit. Since this is a rabbinic prohibition only, it is better that people should be ignorant of the prohibition than violate it knowingly.