

**NEW EDITION OF
THE BABYLONIAN
TALMUD; VOL. V**

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New edition of the Babylonian Talmud; Vol. V by Michael L. Rodkinson

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TRACT PESACHIM (PASSOVER).

CHAPTER I.

REGULATIONS CONCERNING THE REMOVAL OF LEAVEN FROM THE HOUSE ON THE EVE OF PASSOVER AND THE EXACT TIME WHEN THIS MUST BE ACCOMPLISHED.

MISHNA : " Or " (by light) on the fourteenth (of Nissan), search should be made for leavened bread by the light of a candle, but it is not necessary to search all places in which it is not usual to put leaven. [Why then was it ordered, that two rows (of barrels) should be searched ? Because a warehouse or wine cellar is treated of, into which leavened bread is sometimes carried.] Beth Shammai decide " that search must be made between two rows of barrels over the whole surface of the warehouse " ; but Beth Hillel decree : It is sufficient to search between the two uppermost rows, as they are also the highest.

GEMARA : What is meant by " Or " ? Said R. Huna : " The dawn of day," and R. Jehudah said : " Night." At the first glance it was presumed that the word " Or " was actually explained by R. Huna to mean " the break of day," and by R. Jehudah to mean " night."

An objection was made, however, based upon the passage [Genesis xlv. 3] : " As soon as the morning was light (' Or ') the men were sent away," etc. Thus we see that " Or " means " day " ? Does then the passage say in the light of the morning ? it says distinctly " when the morning was light," which means when the morning was already light, the men were sent away.

Another objection was made : It is written [II Samuel xxiii. 4] : " And as in the light of morning the sun riseth," whence we see that by light is meant " day." Does it then read in the passage " Or Boker " (light is morning) ? It reads " Uchor Boker," which means " as the light of the morning," and this should be understood thus : " As the light of the morning on

this earth; so will the sun shine for the righteous in the world to come."

Another objection was made: "It is written [Gen. i. 5]: 'And God called the Or (light) Day,' whence we see, that light (Or) is day?" The passage means to say, that just as soon as it dawned the Lord called it "day."

Another objection was made: "It is written [Psalms cxlviii. 3]: 'Praise him, all ye stars of light (Or).' Whence we see that Or means night?" The passage means to say, "Ye stars that light."

Another objection was made: "It is written [Job xxiv. 14]: 'With the earliest light (Le-Or) riseth the murderer, he slayeth the poor and needy, and in the night he becometh like the thief.' Now, if the latter part of the passage states 'in the night he becometh like the thief,' then the first part must certainly mean to state, that at break of day the murderer slayeth those that pass by, while at night he robbeth houses like the thief. Whence we see that 'Or' means day?" The passage means to say the following: "If it is as clear as day to thee that the murderer cometh to slay thee, thou mayest slay him in self-defence; but if it is doubtful to thee whether he comes to slay thee or not, thou shouldst treat him as an ordinary thief and try not to slay him."

Another objection was made: "It is written [Job iii. 9]: 'Let the stars of its twilight be darkened; let it hope for light, and there be none.' Thence we see that by light (Or) is meant day?" The passage means to infer, that Job when cursing his fate, said also, that the man who announced his birth should hope for light and not be able to find it.

Another objection was made: "It is written [Psalms cxxxix. 11]: 'Surely darkness shall enshroud me, and into night be turned the Or (light) about me.' Whence we see, that by light (Or) is meant day?" In this passage David means to express the following: I thought, that in the world to come, which is equal to daylight, darkness will enshroud me, and now I find that even on this earth (which compared to the world to come is as night) it has also become light for me.

Yet another objection was made: "We learn further on in the Mishna: R. Jehudah said: 'Leaven should be searched for "Or" on the fourteenth, and in the morning of the fourteenth and at the time when the leaven is about to be burned.' If then R. Jehudah says, that on the morning of the fourteenth

leaven should be searched for, and preceding that he says 'Or' on the fourteenth, 'Or' must certainly mean 'night'?" Therefore we must say, that it is not as was presumed at the first glance to be the case, that R. Huna differed with R. Jehudah concerning the time of searching for leaven, but that both agreed upon twilight as being the proper time for that purpose, and by "Or" is meant "night," but the case was simply this: At the place where R. Jehudah resided twilight was called night, while in R. Huna's place of abode twilight was still called (day)light.

If this is so, why did the Tana of our Mishna commence with the word "Or"? Could he not have said plainly "on the eve"? He wished to commence the Mishna with a pleasing word and not with one suggesting darkness, and this is as R. Jehoshua ben Levi said elsewhere: At no time should a man allow an ill-sounding word to escape from his mouth; for the following verse used eight superfluous letters in order to circumvene the use of one ill-sounding word, as it is written [Gen. vii.]: "Of the clean beasts, and of the beasts that are not clean." Thus instead of using the word unclean (*Hatmeah*), it is written "that are not clean," which makes a difference of eight letters.*

Now if the question concerning the word "Or" has been finally decided and "Or" is supposed to mean "twilight," let us see why leaven must be searched for at night. Both according to R. Jehudah and R. Meir (as will be seen further on) it is prohibited to eat leavened bread from the sixth hour, and further, of the fourteenth of Nissan, let the time for searching commence at that hour. If the claim be made, that pious men seek to fulfil a religious duty even before the specified time, let them commence to search for leavened bread at sunrise on the fourteenth; but why at night? Said R. Na'hman bar Itz'hak: "This was ordained, because at twilight the men are generally in the house and the light of a candle at that time is the best means by which to search for leavened bread."

Said Abayi: Therefore a young scholar should not commence his study at twilight on the thirteenth of Nissan, as he might become engrossed in the ordinances and forget to search for leaven.†

* There is a difference of eight letters in the Hebrew original, and by a strange coincidence there is the same difference in English.

† These last two paragraphs are in the old edition, contained on page 4 e.

The master said: "A man should not allow an improper word to escape his lips."

Two disciples sat before Rabb: One of them said to him: "To-day's study of the ordinances made me as tired as a hog." The other one said: "To-day's study made me as tired as a tired goat." From that day on Rabb did not speak to the first of these disciples.

Two disciples (also) sate before Hillel, and one of them was R. Johanan ben Zakai. According to another version: Two disciples sate before Rabbi and one of them was R. Johanan. One of them asked: "Why must wine be pressed with clean utensils and olives do not require clean utensils?" The other disciple at some other time inquired: "Why must wine be pressed with clean utensils whereas for oil unclean utensils may be used?" Whereupon the master remarked: "I am certain that the one who put the former query to me will very shortly be empowered to decide legal questions in Israel." As a matter of fact, it was not long after when this came to pass.

There were three priests. One of them said: "My share (of the showbreads) was about the size of a bean." The other said: "My share was about the size of an olive." And the third one said: "My share was about the size of a lizard's tail." When the language of the last was heard, an investigation was made, and it was found that he was not a genuine priest.

There was a certain Aramæan who was wont to come to Jerusalem every Passover and, representing himself to be an Israelite, would partake of the paschal lamb. When he came back home in the city of Nisibis, he said to R. Jehudah ben Bathyra: "In your Law it is written [Exod. xii. 48]: 'But no uncircumcised person shall eat thereof.' Yet I go to Jerusalem every year and eat of the best of the paschal lamb." Said R. Jehudah ben Bathyra to him: "Did they then give thee some of the fat of the tail?" and he answered: "Nay." So R. Jehudah advised him when he should go there again to ask for it. When the Aramæan came to Jerusalem the following year, he asked that he be given some of the fat of the tail. Said they to him: "Who told thee that thou couldst have it? Is not the fat of the tail sacrificed on the altar?" and he answered them: "R. Jehudah ben Bathyra told me." Said they: "What does this mean?" (Surely R. Jehudah knoweth that this cannot be.) Accordingly an investigation was made and it was found out that the man was an Aramæan, and not an Israelite, and he was pun-

ished for the deception. To R. Jehudah ben Bathyra, however, they sent the following message: Peace be with thee, R. Jehudah ben Bathyra, who sittest in Nisibis and castest thy net in Jerusalem.

R. Kahana became ill. So the sages sent R. Jehoshua the son of R. Idi to find out what ailed R. Kahana. He came and found that R. Kahana's soul had already passed to its rest. R. Jehoshua accordingly made a rent in his garment, but made it so that it could not be perceived, and came back weeping. The sages asked him: "Is the soul of R. Kahana gone to its rest?" and he answered: "Yea, it is; but I did not care to tell of it; for it is written [Proverbs x. 18]: 'He that spreadeth abroad an evil report is a fool.'"

Johanah of Hakukah (according to Rashi and Tospath, but according to Rabbenu Hananel Johanah the Scribe) went out into the villages. Upon his return he was asked whether the wheat-crop was a success. He answered: "Barley is plentiful." They rejoined: "Go and report that to the horses and asses, as it is written [I Kings v. 8]: 'The barley and the straw also for the horses,'" etc. What then should Johanah have said? He ought to have said: Last year's crop was good or lentils are plentiful (*i.e.*, spoken of something fit for human beings to eat).

There was a man who used to go about and at every opportunity would say "Dono Dini" (Judge ye my judgment). Whence it was inferred that the man was one of the tribe of Dan, concerning whom it is written [Gen. xlix. 16]: "Dan shall judge his people, as one of the tribes of Israel."

There was another man who continually used to say: "On the edge of the sea will I build my palaces." It was said, that the man was probably of the tribe of Zebulon, concerning whom it was written [ibid. 13]: "Zebulon shall dwell at the edge of the seas."

A question was propounded to R. Na'hman bar Itz'hak: "If a man let a house to another on the fourteenth (of Nissan), who of the two men must search for leavened bread? Shall we say, the one who let the house, because whatever leavened bread there may be in the house is his, or that the renter must search for it, because it will be found in his domicile?" Answered R. Na'hman bar Itz'hak: "This was taught in a Boraitha, viz.: If a man let a house to another and have not yet delivered the keys before the fourteenth of Nissan, he must

each for leavened bread; but if the keys were delivered on the fourteenth, the renter must search for it."

Another question was propounded to the same R. Na'hman: "How is it, if a house was rented on the fourteenth (of Nissan) (and it is not known whether the leavened bread had been searched for or not), shall we assume, that if the house was rented from an Israelite, there is no question, but that the leavened bread had been searched for on the preceding night, or shall we not assume such to be the case?" ["What question was this: Let the man who let the house be asked." "In case the man who let the house could not be found] must the renter be troubled to go and search for leavened bread under those circumstances or not?" and R. Na'hman replied: "We have learned this in a Boraitha: 'All persons are credited if they assert, that the leavened bread was removed, even women, slaves, and minors.' Why are they credited? Because the probability is that such was the case; and the entire law concerning the search for leavened bread is merely a rabbinical institution, the biblical law holding it to be sufficient, if the use of the leavened bread was renounced in thought only; hence where a rabbinical regulation was concerned, anyone testifying that it had been complied with, was credited by the Rabbis.

The schoolmen propounded a question: "If a man let a house to another and told him, that he had already searched for leavened bread; but it was subsequently proven, that he had not, what is the law governing this case? Shall we say, that the renter may on that ground withdraw from his agreement (and not rent the house), or that the agreement is nevertheless binding?" Come and hear: Abayi said: "Not only in such places where the search for leavened bread is not paid for is the agreement binding, because it is more satisfactory to a man to perform a religious duty himself; but even in such places, where men are hired and paid to make search for leavened bread, the agreement is binding, because it is more pleasing to a man to accomplish a religious duty with his own money."

Said R. Jehudah in the name of Rabh: "One who finds leavened bread in his house on the festival (of Easter) should cover it with a vessel (because it must not be handled)." Said Rabha: If the leavened bread was not his property but was consecrated, he need not even cover it with a vessel (because the article being consecrated there is no fear of its being eaten, and people as a rule keep away from consecrated things).

The same said again in the name of the same authority: "If there was leavened bread belonging to a Gentile in the house of a man, he should make a partition ten spans high as a sign that it should not be touched, but if the leavened bread was consecrated he need not make that partition (because the bread being consecrated there is no fear of it being eaten)."

He said again in the name of Rabh: "One who leaves his house to go to sea or to go with a caravan prior to thirty days before the Passover, he need not search for leavened bread; but if he goes away *within* the thirty days preceding the Passover, he must burn the unleavened bread in his house." Said Abayi: "A man who leaves his house within the thirty days preceding Passover must burn the unleavened bread if his intention is to return on the Passover, but if such is *not* his intention, he need not do this," and Rabha rejoined: "If a man leave his house and intend to return *on the Passover*, he must burn the unleavened bread even on the New Year day. Why only if he leave within the thirty days before Passover? Therefore," explained Rabha, "the rule that one need not search for the unleavened bread if he leaves prior to thirty days before Passover applies to one who does not intend to return on Passover, but if his intention is to return on Passover, he must do this even if he leaves on New Year day." And Rabha decrees thus in accordance with his theory elsewhere, namely: If one turned his house into a warehouse prior to thirty days before Passover and there was leavened bread in that house, he need not search for it (because, when the Passover arrives, the leavened bread will lie underneath the grain stored in that warehouse); but if he did this within thirty days preceding Passover, he must search for leavened bread (notwithstanding the fact that it will lie underneath the grain; for during these thirty days the duty to search for leavened bread is already incumbent upon him, whereas prior to that time he was not even supposed to think of removing the leavened bread). Concerning the statement, that one need not search for the leavened bread if he turned his house into a warehouse prior to thirty days before Passover, it holds good only if he did not intend to do this before Passover; but if he did intend to turn his house into a warehouse before Passover, he must search for the leavened bread even then.

Why are thirty days particularly specified? It is as we have learned in a Boraitha, viz.: "One may inquire and preach concerning the laws of Passover thirty days previous to that festi-