NEW EDITION OF THE BABYLONIAN TALMUD.
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FORMULATED, AND TRANSLATED
INTO ENGLISH. VOLUME VI. (XIV.), SECTION
JURISPRUDENCE (DAMAGES), TRACT BABA
BATHRA (LAST GATE, PART II)

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ISAAC MAYER WISE & GODFREY TAUBENHAUS & MICHAEL L. RODKINSON

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MICHAEL L. RODKINSON

SECTION JURISPRUDENCE (DAMAGES)

TRACT BABA BATHRA (LAST GATE, PART IL)

Volume VI. (XIV.)

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EXPLANATORY REMARKS.

In our translation we adopted these principles;

- Teman of the original—We have learned in a Mishna; Tanio—We have learned in a Bornitha; Itemar—It was taught.
- Questions are indicated by the interrogation point, and are immediately followed by the answers, without being so marked.
- When in the original there occur two statements separated by the phrase, Lithus ackrema or Walbayith Aema or Jaha d'amri (literally, "otherwise interpreted"), we translate only the second.
- 4. As the pages of the original are indicated in our new Hebrew edition, it is not deemed necessary to mark them in the English edition, this being only a translation from the latter,
- 5. Words or passages enclosed in round parentheses () denote the explanation rendered by Rashi to the foregoing sentence or word. Square parentheses [] contain commentaries by authorities of the last period of construction of the Gemara.

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TO THE REVEREND GENTLEMEN

HERRN GEHEIMER REGIERUNGSRATH

MORITZ LAZARUS, Ph.D., D.D.

UNIVERSITY PROFESSOR

AND

Mons. ZADOC KAHANA

GRAND RABBIN DU CONSISTOIRE CENTRAL DES ISRAÉLITES DE FRANCE

WHOSE NAMES ARE FAMOUS

IN THE SCHOLARLY WORLD ALL OVER THE GLOBE THIS FOURTEENTH VOLUME

IS MOST SINCERELY INSCRIBED BY THEIR ADMIRER AND

PERSONAL FRIEND

MICHAEL L. RODKINSON

New York, Eve of Passover, 5662 (April 21st, 1908)



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CHAPTER VI.

MISHNAS I. TO VIII. If one sold fruit and it did not sprout, or an ox and thereafter it was found a goring one. May the trouble of slaughtering and selling the meat be taken into consideration? If an ox was found killed at the side of another pasturing one. Between majority and hazakah, which should be preferred (see footnote p. 217)? All hold the theory of majority. If one delivered wheat for grinding to fine meal, but the miller did not properly grind it; or if meal were delivered to a baker and he did not bake it properly. If one buys fruit, he has to accept a quarter of a kabh of dust on a saah. If he sold a cellar of wine, he must accept ten harsh barrels on each hundred. If wheat, a quarter of a kabh of peas; if barley, a quarter of chaff; if lentils, of dust. If the buyer has found more than the above prescribed quantity. The difference between a cellar and this cellar, and also if for keeping was added. May or may not wine which is sold in retail stores be considered products of the vine? If one sells wine, and it turns sour. Which wine is considered an old one. If one is proud, he is not tolerated even by his family. A commoner who disguises himself in the garment of a scholar cannot enter into the habitation of the Holy One, etc. If one sells, or a contractor undertakes to build, a wedding or a widow house. A groom who resides in the house of his father-in-law is lighter than bran, and still lighter is an invited guest who brings with him an uninvited one, and still lighter is he who answers before hearing the question. If one wishes to build a stable. If one possesses a well, situated on the other side of his neighbor's house, or a garden inside of his neighbor's. If there was a public thoroughfare through one's field, etc. If one sells a place for digging a grave, or an undertaker makes a place for one, the inside of the cave must be four by six, etc.,

CHAPTER VII.

MISHNAS I. TO VI. I sell you earth of the size whereon one kur can be sown, etc., or measured with a line. In case the buyer has to make return, it shall be in money. If the seller said "the size of a kur," without sill

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