

על גבי חרס – מותר.

ורבא אמר: על גבי חרס נמי אסור, משום דקא מוליד ריחא. רבא ורב יוסף דאמרי תרוניהו: אסחופי כסא אשיראי ביומא טבא – אסור. מאי טעמא – משום דקמוליד ריחא.

ומאי שנא ממולדו ומריח בו, וקוטמו ומריח בו? התי – ריחא מיהא איתא, ואסחופי הוא דקא מוסקי ריחא. הכא – אולודי הוא דקמוליד ריחא. רבא אמר: על גבי גחלת נמי מותר, מידי דהוה אבשרא אגומרי.

דרש רב גביהא מבי פתיל אפתתא דבי ריש גלותא: קטורא שרי. אמר ליה אממר: מאי קטורא? אי קטורא בידי – מעשה אומן הוא, ואי לעשן – אסור, דהא קא מכבה. אמר ליה רב אשי: לעולם לעשן, מידי דהוה אבשרא אגומרי.

איכא דאמרי, אמר ליה אממר: מאי קטורא? אי קטורא בידי – מעשה אומן הוא, אי לעשן – אסור, דקא מוליד ריחא. אמר רב אשי: אנא אמריתיה נהליה, ומשמיה דגברא רבא אמריתיה נהליה: לעולם לעשן, ומידי דהוה אבשרא אגומרי.

However, placing them on a scalding fragment of earthenware^N is permitted, as there is no concern of extinguishing or kindling.

And Rabba said: Placing the spices on a hot piece of earthenware is also prohibited, because it produces a new scent in the earthenware, and one may not create new things on a Festival. The Gemara notes that similarly, Rabba and Rav Yosef both said the following: It is prohibited to overturn a cup containing perfume onto silk garments on a Festival. What is the reason for this prohibition? It is because it produces a new scent in the garment.

The Gemara asks: And in what way is this case different from the case discussed in the following baraita: One may press a piece of aromatic wood between his fingers and smell it, and one may also snip off a piece of it in order to release its fragrance and smell it? In those cases too he produces a scent. The Gemara answers: There, the scent exists in any case, and he merely adds to the fragrance, as his pressing or snipping causes the smell to be stronger. Here, on the other hand, where he overturns a cup of perfume on clothing, he produces a new scent. Rava, however, said: It is even permitted to sprinkle the aromatic spices on the coals^H themselves, just as it is permitted to place meat on coals for roasting.

The Gemara relates that Rav Geviha from Bei Katil once taught at the entrance to the house of the Exilarch that ketura is permitted on a Festival; but he did not add any further clarification. Ameimar said to him: What is the meaning of ketura?^L If it means tying [ketura] ornamental knots by hand,^{NH} this is the act of a craftsman and is therefore certainly prohibited on a Festival. And if it is referring to burning incense [ketoret], this too is prohibited, as he extinguishes some of the coals when he sprinkles the aromatic powder on them. Rav Ashi said to him: Actually, it is referring to burning incense, which is permitted, just as it is permitted to place meat on coals for roasting.

Some say a slightly different version of this story, in which Ameimar said to Rav Geviha: What is the meaning of ketura? If it means tying ornamental knots by hand, this is the act of a craftsman, which is prohibited. If it is referring to burning incense, this too is prohibited, as he produces a new scent. Rav Ashi said: I said this halakha to Rav Geviha, and I said it in the name of a great man, Rava, that actually it is referring to burning incense, which is permitted, just as it is permitted to place meat on coals for roasting.

HALAKHA

On coals – על גבי גחלת: It is permitted to smoke fruit on a Festival, even on coals, as this comes under the category of permitted food preparation. The halakha is in accordance with the opinion of Rava, since he is the later authority (*Shulhan Arukh, Oraḥ Hayyim* 511:4, and in the comment of the Rema).

Tying knots by hand [beyadei] – קטורא בידי: It is prohibited to create a permanent fold on a Festival, e.g., pleats on women's clothing, because this is considered fashioning a garment and is similar to the act of a craftsman. This ruling follows the reading: *Bei yadei*, the knot of a sleeve. It is prohibited to do so even on the intermediate days of the Festival (*Maharshah; Shulhan Arukh, Oraḥ Hayyim* 519:5).

LANGUAGE

Ketura – קטורא: This word has two different meanings in Aramaic, which derive from two separate roots. The first is derived from the Aramaic root *k-t-r*, which corresponds to the Hebrew *k-sh-r*, meaning knot. The second meaning corresponds to the Hebrew *ketoret*, which means smoke or incense.

NOTES

On earthenware – על גבי חרס: The commentaries disagree about the details of this case. According to Rashi and others, an earthenware shard is placed on coals until it becomes extremely hot, at which point the aromatic spices are sprinkled on top of it. This certainly does not constitute extinguishing, as the earthenware fragment was not previously burning. Although the spices are kindled by the earthenware, this is permitted according to Rashi, because the kindling is done in an unusual manner (see *Tosafot*). However, Rabbi Aharon HaLevi holds that the spices are not actually kindled by the earthenware, and that they release their fragrance merely due to the heat. The Rid adopts an entirely different approach. He understands that a piece of earthenware would be heated

up before the Festival and made fragrant. On the Festival itself fruit would be placed on the earthenware, which was heated, so that the fragrance absorbed in the shard would pass to the fruit. According to this approach, the concern with regard to the production of a scent is referring to the fruit itself.

Tying by hand [beyadei] – קטורא בידי: There are two versions, or interpretations, of this statement. The first reads: Tying by hand [beyadei], meaning tying a knot with one's hands. The second is: Tying a knot of a sleeve [bei yadei], as folds and creases were fashioned on the edges of sleeves for decoration. The *Meiri* holds that folding and creasing alone are not considered the act of a craftsman unless the folds are sewn with a needle and thread.

LANGUAGE

Whole [mekulas] – מקולס: Some hold that this word derives from the Latin galea, plural galeas, meaning a metal helmet. Others claim that it is from the Greek κωνος, konos, meaning the cone or peak of a helmet, with the letter *lamed* substituting for the letter *nun*.



Ancient Greek conical helmet

Theodosius [Todos] – תודוס: This name is a shortened form of the Greek Θεόδωρος, Theodoros, which is similar in meaning to the Hebrew name Mattityahu, gift of God.

‘ועושין גדי מקולס’. תנא, רבי יוסי אומר: תודוס איש רומי הנהיג את בני רומי לאכול גדי מקולס בלילי פסחים. שלחו ליה: אלמלא תודוס אתה גוזרנו עליך נדוי, שאתה מאכיל את בני ישראל קדשים בחוץ.

It is taught in the mishna that one of Rabban Gamliel’s three leniencies was that one may prepare a whole [mekulas]¹ kidⁿ goat, meaning a goat roasted whole, with its entrails over its head, on the night of Passover. It is taught in a *baraita* in this regard that Rabbi Yosei says: Theodosius [Todos]¹ of Rome, leader of the Jewish community there, instituted the custom for the Roman Jews to eat whole kids on the night of Passover, in commemoration of the practice followed in the Temple. The Sages sent a message to him: Were you not Theodosius,ⁿ an important person, we would have decreed ostracism upon you, as you are feeding the Jewish people consecrated food, which may be eaten only in and around the Temple itself, outside the Temple.

קדשים סלקא דעתך? אלא אימא: בעין קדשים.

The Gemara expresses surprise: Can it enter your mind that the Sages really meant that Theodosius was feeding the Jewish people consecrated food outside the Temple? These goats are certainly not consecrated animals. Rather, say that he was feeding the Jewish people something similar to consecrated food, which people might mistake for a Paschal offering.

מתני' שלשה דברים רבי אלעזר בן עזריה מתיר וחכמים אוסרים: פרתו יוצאה ברצועה שבין קרניה.

MISHNA There are three things that Rabbi Elazar ben Azarya^p permits and the Rabbis prohibit: His cow would go outⁿ on Shabbat with a decorative strapⁿ between its horns. Rabbi Elazar holds that such a strap is considered an ornament for the cow rather than a burden, whereas the Sages view it as a burden.

NOTES

A whole [mekulas] kid – גדי מקולס: Rashi and others hold that *mekulas* is derived from the Aramaic term for a hat [kula], in reference to the fact that the kid was roasted whole, with its entrails suspended over its head in the form of a hat. The Rambam explains that it is derived from the word *kilus*, meaning praise or greatness, because the kid was roasted whole, as one would prepare it for dignitaries. With regard to the *halakha* itself, some say that it applies only to a kid, but a sheep roasted whole is permitted. This is because it is evident that the sheep is not an offering, since the tail of a sheep-offering was also burned on the altar, while the tail of a non-consecrated sheep was eaten (Rashba). Others disagree and rule that this prohibition applies to a sheep as well. In the Jerusalem Talmud it is apparently indicated that only a calf roasted whole is permitted.

because Theodosius possessed both of these qualities that they did not place him under a ban.

Were you not Theodosius – אלמלא תודוס אתה: In tractate *Pesahim*, the *amora'im* disagree as to whether this Theodosius was a Torah scholar or merely a powerful man. Elsewhere the Talmud cites homiletic teachings in his name, and in the Jerusalem Talmud it is related that he would send money to support the Sages in Eretz Yisrael. This is apparently the reason that Rashi mentions both traits, explaining that he was a great scholar and a dignified man. The *Hatam Sofer* explains that it was only

His cow would go out – פרתו יוצאה: Various opinions are recorded in the Jerusalem Talmud as to why the mishna emphasizes that it was Rabbi Elazar ben Azarya’s cow that went out. According to one opinion, this comes to teach that Rabbi Elazar ben Azarya would persistently send out his cow to provoke the other Rabbis, to the point that they threatened to excommunicate him. According to an alternative opinion, Rabbi Elazar ben Azarya’s own cow did in fact once go out in this fashion, and he so regretted the mistake that he took to fasting to atone for his error. According to yet another approach in the Jerusalem Talmud, the mishna means to allude that Rabbi Elazar ben Azarya’s wife went out dressed in an improper manner, as Samson states: “Had you not plowed with my calf” (Judges 14:18), referring to his wife.

Go out with a strap – יוצאה ברצועה: Most commentaries hold that this strap was for decoration. Since it provides no benefit to the animal or its owner but merely serves as an ornament, it is therefore considered a burden and is prohibited. In the Jerusalem Talmud it is indicated that even if the strap is used to lead the animal, the Rabbis still prohibit it, as it is not indispensable.

PERSONALITIES

Rabbi Elazar ben Azarya – רבי אלעזר בן עזריה: One of the foremost *tanna'im* of the generation following the destruction of the Temple, Rabbi Elazar ben Azarya came from a family renowned for its wisdom, lineage, and wealth. His father, Azarya, also a scholar as well as an extremely wealthy man, supported his scholarly brother Shimon, who is therefore called Shimon, brother of Azarya. Rabbi Elazar ben Azarya traced his priestly lineage back to Ezra the Scribe, and some traditions even draw parallels between the two.

active in communal affairs and would travel with other scholars to represent the people in Rome. Despite his youth, the greatest Sages of his generation treated him as an equal. Some say his teacher was Rabbi Eliezer. Nevertheless, Rabbi Elazar ben Azarya would refrain from acting on his opinions against the views of his colleagues and would fast for lengthy periods to atone for causing his neighbors to err in *halakha*, although he himself thought that the actions they performed were permitted.

Following the great dispute that led to the removal of Rabban Gamliel from his post as *Nasi*, Rabbi Elazar ben Azarya was found to be the most worthy candidate for the position due to his virtues enumerated by the Sages, although he was very young at the time, possibly eighteen or sixteen. Even after Rabban Gamliel was reinstated, Rabbi Elazar ben Azarya was retained as vice-president of the Sanhedrin. He continued to be very

He was considered one of the great lecturers of his time, so much so that Rabbi Yehoshua exclaimed: No generation that includes Rabbi Elazar ben Azarya can be viewed as orphaned. He lived beyond the age of seventy (Jerusalem Talmud). It is not known what happened to his family, although a certain Rav Ezra ben Rav Avtulus, an *amora* in Eretz Yisrael and a scholar and lecturer in his own right, is mentioned as a tenth-generation descendant of Rabbi Elazar ben Azarya.

Comb [mekardin] – מקרדין: Some suggest that this word derives from the root *k-r-d*, similar to *g-r-d*, meaning scratch, or *k-r-tz*, meaning cut or shape. It is likewise similar to *kirtzuf*, meaning brushing; in fact, *lehitgared* is translated into Aramaic as *le'itkartzafa*.

HALAKHA

One may comb an animal – מקרדין את הבהמה – It is permitted to remove parasites from the skin of an animal on a Festival, either by hand or with a wooden implement, even if it sometimes causes bruising. One may not do so with an iron comb, which will necessarily tear off hairs. On Shabbat it is prohibited to comb the animal at all. The *halakha* is in accordance with the opinion of Rabbi Elazar ben Azarya, which is in accordance with Rav Nahman's ruling and the Rambam's understanding of this *halakha* (*Shulhan Arukh, Oraḥ Hayyim* 523:1).

The *halakha* is in accordance with Rabbi Shimon – הלקה כרבי שמעון: It is permitted to perform an action on Shabbat from which an unintended prohibited labor might ensue. This *halakha* is in accordance with the opinion of Rabbi Shimon, as stated by Rav Nahman (*Shulhan Arukh, Oraḥ Hayyim* 337:1).

NOTES

One may grind pepper – שוחקין את הפלפלין: Although one is permitted to crush spices in the regular manner on a Festival, grinding them in a mill is considered a luxury that was performed only for special people. Alternatively, the ease of the task might cause one to grind more than he requires (*Meir*).

Would tithe – הנה מעשר: *Tosafot* discuss the apparent anachronism of this assertion, since animal tithes were not separated after the destruction of the Temple. Most commentaries accept the explanation of *Tosafot* that animal tithe was not canceled immediately upon the destruction of the Temple, but only many years later. Others explain that the reference here is not to the animal tithes brought as offerings, but to charity tithe, an obligation that applies at all times (*Simhat Yom Tov*).

Small-toothed...large-toothed – גדולים...קטנים: Rashi and many other commentaries explain that the difference between combing and brushing depends on the teeth of the implement in question, whether they are small and dense or large and far apart. However, Rabbeinu Hananel and the Rambam hold that Gemara is distinguishing here between different types of parasites: Combing will eliminate small parasites, e.g., ticks, whose removal might bruise the animal, whereas brushing will remove only larger ones without causing any bruising.

ומקרדין את הבהמה ביום טוב, ושוחקין את הפלפלין ברחים שלהן.

רבי יהודה אומר: אין מקרדין את הבהמה ביום טוב, מפני שעושה חבורה, אבל מקרצפין. והכמים אומרים: אין מקרדין, אף לא מקרצפין.

גמ' למימרא דרבי אלעזר בן עזריה תדא פרה הויא ליה? והאמר רב, ואמרי לה אמר רב יהודה אמר רב: תליסר אלפי עגלי הוה מעשר רבי אלעזר בן עזריה מעדריה כל שתא ושתא! תנא: לא שלו היתה, אלא של שכנתו היתה, ומתוך שלא מיחה בה – נקראת על שמו.

"ומקרדין את הבהמה ביום טוב." תנו רבנן: אינהו קרוד ואינהו קרצוף? קרוד – קטנים ועושים חבורה, קרצוף – גדולים, ואין עושים חבורה.

ושלש מחלוקות בדבר: רבי יהודה סבר: דבר שאינו מתכוון – אסור. מיהו קרוד – קטנים ועושים חבורה, קרצוף – גדולים, ואין עושים חבורה, ולא גורנין קרצוף אטו קרוד.

ורבנן סברי נמי כרבי יהודה דבר שאינו מתכוון אסור, וגורנין קרצוף אטו קרוד. ורבי אלעזר בן עזריה סבר לה כרבי שמעון, דאמר: דבר שאינו מתכוון מותר, ובין קרוד ובין קרצוף שרי.

אמר רבא אמר רב נחמן אמר שמואל, ואמרי לה אמר רב נחמן לחודיה: הלקה כרבי שמעון, שהרי רבי אלעזר בן עזריה מודה לו. אמר ליה רבא לרב נחמן: ולימא מר הלקה כרבי יהודה, שהרי חכמים מודים לו. אמר ליה: אנא כרבי שמעון סבירא לי ועוד: שהרי רבי אלעזר בן עזריה מודה לו.

And one may comb [mekardin]¹ an animal^h with a fine comb on a Festival in order to remove ticks and dirt from its hair; the Rabbis prohibit this due to a concern that he might thereby come to wound or bruise the animal. And one may grind pepperⁿ needed on the Festival even in its own mill, although this appears similar to a weekday labor.

Rabbi Yehuda says: One may not comb an animal to remove ticks and dirt from its hair on a Festival because this certainly creates a wound, but one may brush it with a wooden comb, as its blunt teeth do not wound the animal. But the Rabbis say: One may not comb, nor may one even brush.

GEMARA With regard to the mishna's statement that Rabbi Elazar ben Azarya's cow would go out on Shabbat with a strap between its horns, the Gemara asks: Is that to say that Rabbi Elazar ben Azarya had only one cow? But didn't Rav say, and some say that Rav Yehuda said that Rav said: Rabbi Elazar ben Azarya would titheⁿ from his herds thirteen thousand calves each and every year, which means that he had ten times that number of calves alone. Why, then, does the mishna speak of his cow? The Gemara answers that it is taught in the *Tosefta*: This cow was not his; rather, it was his neighbor's. And because he did not protest her conduct and tell her that it is prohibited to do so, the cow was called by his name to his discredit, as if it were his.

It is taught in the mishna that Rabbi Elazar ben Azarya holds that one may comb an animal on a Festival. The Sages taught in a *baraita*: What is considered combing and what is brushing? Combing is performed with a small-toothed comb and makes a wound; brushing is done with a large-toothedⁿ comb and does not make a wound.

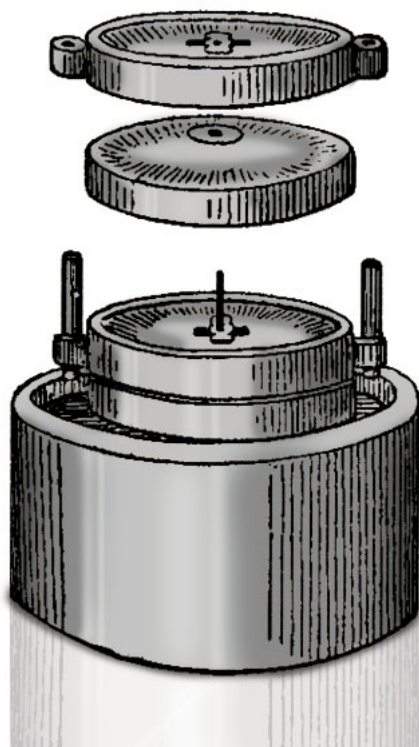
And there are three disputes with regard to this matter. Rabbi Yehuda holds that an unintentional act, a permitted action from which an unintended prohibited labor ensues on Shabbat, is prohibited, as in his opinion it is prohibited to perform an action that involves a prohibited labor on Shabbat even if one has a permitted action in mind and does not intend to perform the labor in question. Therefore, one may not comb an animal in a manner that will cause a wound, even unintentionally. However, he differentiates between the cases: Although he prohibits combing with a small-toothed comb that makes a wound, he permits brushing with a large-toothed comb that does not make a wound, and we do not issue a decree and prohibit brushing due to combing, as there is no concern that people will err and come to permit even combing in the prohibited manner.

And the Rabbis also hold in accordance with the opinion of Rabbi Yehuda with regard to the fundamental issue that an unintentional act is prohibited. However, they maintain that we issue a decree and prohibit brushing due to combing. On the other hand, Rabbi Elazar ben Azarya holds in accordance with the dissenting opinion of Rabbi Shimon, who said that an unintentional act is permitted. Therefore, both combing and brushing are permitted, as even if the combing or brushing bruises the animal, there is no transgression of a prohibition, as there was certainly no intention to cause the animal a wound.

Rava said that Rav Nahman said that Shmuel said, and some say that Rav Nahman said this teaching himself: The *halakha* is in accordance with the opinion of Rabbi Shimon,^h that an unintentional act is permitted on Shabbat, as Rabbi Elazar ben Azarya agrees with him. Rava said to Rav Nahman: And let the Master say the opposite, that the *halakha* is in accordance with the opinion of Rabbi Yehuda, as the Rabbis agree with him. Rav Nahman said to him: Fundamentally I hold in accordance with the opinion of Rabbi Shimon; I am merely adding another reason for doing so, which is that Rabbi Elazar ben Azarya agrees with him.

BACKGROUND

Pepper mill – רְחִים שֶׁל פֶּלְפֶּלִין – The sketch depicts a Roman-era metal spice mill. The three parts of the mill are clearly displayed.



Roman spice mill

Ritual impurity imparted by treading – טְמֵאָה מִדְּרָם: This is a form of ritual impurity imparted by a *zav*, a *zava*, a woman after childbirth, and a menstruating woman. These individuals render objects on which they stand, sit, lie, or lean ritually impure. Such an object is a primary source of ritual impurity, like the individual who imparted the impurity, and it imparts ritual impurity to people or objects that carry or touch it. Only objects that are specifically intended for sitting or lying upon can achieve this status; other objects upon which the impure individual stands or sits become ritually impure, but these are considered only derivative sources of ritual impurity.

HALAKHA

The ritual impurity of a pepper mill – רְחִים שֶׁל פֶּלְפֶּלִין: A pepper mill is susceptible to ritual impurity because of each of the three vessels of which it is comprised: A metal vessel, a wooden receptacle, and a sieve (Rambam *Sefer Tahara, Hilkhot Kelim* 10:7).

A child's wagon – עֲגֻלָּה שֶׁל קֶטָן: A child's wagon is susceptible to ritual impurity imparted by treading because the child leans on it (Rambam *Sefer Tahara, Hilkhot Kelim* 25:16).

מתני' רחמים של פלפלין טמאה משום שלשה בלים: משום בלי קבול, ומשום בלי מתכת, ומשום בלי כברה.

גמ' תנא: תחתונה – משום בלי קבול, אמצעית – משום בלי כברה, עליונה – משום בלי מתכת.

מתני' עגלה של קטן טמאה מדרם, ונטלת בשבת, ואינה נגרות אלא על גבי בלים.

רבי יהודה אומר: כל הכלים אין נגדרין, חוץ מן העגלה, מפני שהיא כובשת.

MISHNA The aforementioned pepper mill^{NB} is a composite vessel, and each of its parts must be considered independently with respect to ritual impurity. It is susceptible to ritual impurity because of each of the three vessels^N of which it is comprised: It is susceptible to impurity because it is a wooden receptacle, it is susceptible to impurity because it is a metal vessel,^N and it is susceptible to impurity because it is a sieve.^H

GEMARA A Sage taught: The lower section of the mill is susceptible to impurity because it is viewed as a receptacle, since the ground pepper descends into it. The middle section is susceptible to impurity because it is a sieve, as it serves to filter the pepper. Finally, the upper part, in which the pepper is actually ground, is susceptible to impurity because it is a metal vessel. Although it is not a receptacle, it is nevertheless susceptible to impurity, since it is made of metal.

MISHNA A child's wagon,^{NH} with which he plays and upon which he also sits, is susceptible to ritual impurity imparted by treading.^B It is considered a fixed seat of the child, so that if the child is a *zav* and he sits on the wagon, it contracts the ritual impurity imparted by the treading of a *zav*. And this wagon may be handled on Shabbat, as it is considered a vessel. And it may be dragged on the ground on Shabbat only upon cloth, a stone pavement, or the like, as otherwise it would create a furrow when dragged, and one would be liable due to the prohibited labor of plowing.

Rabbi Yehuda says: For this reason, no vessels may be dragged on the ground on Shabbat except for a wagon, which is permitted because its wheels do not make a furrow in the ground but merely press the earth down. Since no earth is moved from its place, this is not considered digging or plowing on Shabbat.

NOTES

Pepper mill – רְחִים שֶׁל פֶּלְפֶּלִין: This mishna, and to a certain extent the following one as well, does not deal with the usual subject matter of this tractate. Rather, because the previous mishna mentioned a pepper mill with regard to the *halakhot* of Festival, this mishna continues to discuss other *halakhot* related to such a mill (*Meiri*).

Because of three vessels – משום שלשה בלים: There are differences of opinion with regard to the precise definition of these three vessels. All agree that although the mill is comprised of several parts that work together, each component is nevertheless viewed as a vessel in its own right. Therefore, each of the parts is susceptible to ritual impurity even if has become detached from the others (*Rid*). Furthermore, if one part broke or was lost, the entire mill is not considered broken and the remaining parts can still become ritually impure (Rabbi Yitzhak Abuhav). Similarly, if only one section of the mill contracts impurity, the other parts remain pure (Rabbi Aharon HaLevi).

Because it is a metal vessel – משום בלי מתכת: Rashi and many other commentaries hold that the upper part is made of wood, partly coated with metal, whereas the Rambam in his Commentary on the Mishna seems to indicate that the upper section is made entirely of metal (see *Pe'at Yam*). The categorization of each of the parts of the mill as a certain type of vessel is important because if a certain part does not fulfill the necessary conditions of its category, it will not become ritually impure.

A child's wagon – עֲגֻלָּה שֶׁל קֶטָן: Rashi explains that the mishna is referring to a child's wagon in which he sits and rides. Both *Tosafot* and the *Rid* explain that the mishna is not referring to an actual wagon but to a wheeled device designed to help a small child learn to walk. The Rashba agrees with Rashi that the mishna is referring to a child's wagon, but not one in which he is meant to ride. Rather, the reference is to a toy wagon with which the child plays, but which is large enough for him to sit on from time to time (see Rabbi Aharon HaLevi).

Dragging vessels – דְּרִיטָה כְּלִים: It is permitted to drag beds, chairs, and benches on Shabbat, whether they are large or small, provided that one does not intend to make a furrow in the ground. If they are so large that it is impossible for them not to make a furrow, it is prohibited, even on hard ground (*Magen Avraham*). One may be lenient if the entire town is paved with stones or some other hard material (*Mishna Berura*). A wagon that may be handled may likewise be dragged over any floor, even if the wagon is very large, as it does not make a furrow (*Shulhan Arukh, Oraḥ Ḥayyim 337:1*).

גמ' עגלה של קטן טמאה מדרם – דקא סמיך עלויה. ונטלת בשבת – משום דאיכא תורת כלי עלה.

GEMARA It is taught in the mishna that a child's wagon is susceptible to ritual impurity imparted by treading. Why? It is because he leans on it. The mishna also teaches that this wagon may be handled on Shabbat. Why? It is because it has the status of a vessel, and one may handle a vessel on Shabbat.

“ואינה נגדרת אלא על גבי בלים.” על גבי בלים – אין, על גבי קרקע – לא, מאי טעמא – דקא עביד חריץ. מני – רבי יהודה היא, דאמר: דבר שאין מתכוין אסור.

The mishna further teaches that a child's wagon may be dragged on Shabbat **only upon cloth**. The Gemara infers: **Upon cloth, yes**, it is permitted; but **directly on the ground, no**, it is not permitted. **What is the reason** for this *halakha*? It is **because he creates a furrow** in the ground when he drags the wagon across it. The Gemara asks: In accordance with **whose** opinion is this mishna? **It is in accordance with the opinion of Rabbi Yehuda, who said: An unintentional act**, i.e., a permitted action from which an unintended prohibited labor ensues on Shabbat, **is prohibited**, even though the person performing it does not have the prohibited labor in mind.

דאי רבי שמעון – האמר: דבר שאין מתכוין מותר. (דתנן). רבי שמעון אומר: גורר אדם מטה פסא וספסל, ובלבד שלא יתכוין לעשות חריץ.

As, if it were in accordance with the opinion of **Rabbi Shimon, didn't he say: An unintentional act is permitted**, since there was no intention to perform the prohibited action? **As we learned** explicitly in a mishna that **Rabbi Shimon says: A person may drag a bed, a chair, or a bench on the ground, provided that he does not intend to make a furrow.**^h Even if one forms a furrow unwittingly, he need one need not be concerned, as this was not his intention.

אימא סיפא, רבי יהודה אומר: אין הכל נגדרין בשבת חוץ מן העגלה מפני שהיא כובשת, מפני שכובשת – אין, אבל חריץ – לא עבדא.

The Gemara raises a difficulty: If so, **say the latter clause** of the mishna as follows: **Rabbi Yehuda says: No vessels may be dragged on the ground on Shabbat except for a wagon, because it merely presses the earth down**. This is not prohibited as plowing because it does not create a furrow. This indicates that a wagon may be dragged on the ground on Shabbat **because, yes, it presses the earth down, but it does not make a furrow**. Since it has already been established that the first section of the mishna is also in accordance with the opinion of Rabbi Yehuda, and there it appears that a wagon dragged along the ground makes a furrow, Rabbi Yehuda seems to contradict himself.

תרי תנאי ואליבא דרבי יהודה.

The Gemara answers: It must be explained that this is a dispute between **two tanna'im** who hold in accordance with the opinion of **Rabbi Yehuda** but differ with regard to the content of that opinion. The first *tanna* holds that even a wagon makes a furrow, whereas the other *tanna* maintains in the name of Rabbi Yehuda that a wagon does not make a furrow.

הדרן עלך יום טוב

מתני' אין צדין דגים מן הביבירים
ביום טוב, ואין נותנין לפניהם מזונות,

MISHNA One may not trap^N fish^H from their ponds^N on a Festival even with the intention of eating them, as this falls into the category of hunting, a type of labor that is not permitted on a Festival. Nor may one place food before them, as it is not his duty to feed them; rather, they maintain themselves by eating smaller fish or different types of algae that grow in the water.

אבל צדין חיה ועוף מן הביבירין ונותנין
לפניהם מזונות.

However, one may trap an animal or a bird from their enclosures [*beivarim*],^L as they are viewed as already captured, and therefore the action is not considered an act of hunting. And one may also place food before them^H as one does for other household animals.

רבן שמעון בן גמליאל אומר: לא כל
הביבירין שוין. זה הכלל: כל

Rabban Shimon ben Gamliel says: Not all enclosures are identical with respect to the *halakhot* of hunting. This is the principle: With regard to any animal

LANGUAGE

Enclosures [*beivarim*] – ביבירין: From the Latin vivarium, a place in which animals are kept, a fishpond, and the like.

NOTES

One may not trap – אין צדין: The earlier authorities discuss at length the following question: Why is the labor of trapping not permitted on a Festival as are other labors related to food preparation? Rashi holds that since trapping and similar labors can be done on the eve of the Festival, they may not be performed on the Festival itself. Others suggest that trapping is prohibited since it is a labor performed with uncertainty, as one cannot be sure he will succeed in catching anything (cited in *Meiri*). Most commentators and authorities (*Tosafot*; Rashba; *Meiri*; and others) accept some version of the approach in the Jerusalem Talmud that not all types of prohibited labor related to food preparation are permitted by the Torah on a Festival. For example, labors such as reaping and grinding are prohibited. It follows that analogous labors from other realms of activity, such as trapping in contrast to slaughtering, are likewise prohibited.

The *Maggid Mishne* reaches a similar conclusion from a different perspective. He explains that when the Torah speaks of labors that are prohibited on a Festival, it refers to those labors that one does not normally perform himself in his own home, but rather hires people to do on his behalf. The Torah prohibited all such labors on a Festival, including reaping and trapping.

Ponds – ביבירים: The commentators note that the word *beivarim* has two different meanings: When it refers to fish, it means ponds; when it refers to animals, it means large enclosed areas where domesticated animals are raised or where undomesticated animals are held after having been caught (see Rambam's Commentary on the Mishna; *Meiri*).

HALAKHA

Trapping fish – צידת דגים: One may not catch fish on a Festival, even from a small pond. Some rule that if the water is clear and the pond is small, it is permitted, as the fish are considered already caught (*Magen Avraham*). Others (*Mishna Berura*), however, prohibit the practice even in such a case (*Shulhan Arukh, Orach Hayyim* 497:1).

may not place food or drink before animals, birds, or fish that are considered set-aside [*muktze*] on a Festival, lest he come to take them. It is permitted, however, in the case of a non-kosher animal, where this concern does not apply (*Magen Avraham*). If one caught fish before the Festival and placed them in a small receptacle full of water, he is permitted to feed them (*Nekudot HaKesef*, citing *Bah*; *Shulhan Arukh, Orach Hayyim* 497:2).

Placing food before animals – נתינת מזונות לבעלי חיים: One