

לא – לא יאמר אדם לטוף שדהו: It is prohibited to walk in one's fields on Shabbat for the purpose of determining what they will require after Shabbat. This rule only applies when it is evident that this is one's intention (*Magen Avraham; Shulhan Arukh, Orah Hayyim 306:1*).

במאן – כרבני יוחנן בן נורי, דאמר: חפצי הפקר קונן שביתה?

Abaye asked: **In accordance with whose opinion do you say that nothing must be said when establishing an *eiruv tehumim*? It is in accordance with the opinion of Rabbi Yoḥanan ben Nuri, who said: A sleeping person acquires a Shabbat residence in the spot where he is sleeping. Even though he is comparable to ownerless property, **ownerless property itself acquires a Shabbat residence** and has its own Shabbat boundary, and there is no need for a person to establish a residence for it in a particular spot.**

אפילו תימא רבנן. עד כאן לא פליגי רבנן עליה דרבני יוחנן בן נורי – אלא בישן. דלא מיצי אמר. אבל בניעור, דאי בעי למימר מיצי אמר, אף על גב דלא אמר – במאן דאמר דמי.

Rabba replied: **Even if you say that my statement is in accordance with the opinion of the Rabbis, the Rabbis disagree with Rabbi Yoḥanan ben Nuri only with regard to a sleeping person, who cannot say anything, as he is asleep. Consequently, he cannot acquire a Shabbat residence. However, with regard to one who is awake, since if he wanted to speak he could speak, even though he did not say that he is acquiring his Shabbat residence, he is considered as one who did say that statement.**

אמר ליה רבה בר רב חנין לאביי: אי הוה שמייע ליה למר הא דתנא: לא יהלך אדם לטוף שדהו לידע מה היא צריכה, ביוצא בו

Rabba bar Rav Ḥanin said to Abaye: **If the Master, Rabba, had heard that which was taught in the following *baraita*: A person may not walk to the end of his field^h on Shabbat to determine what work and repair it requires, which will be done after Shabbat. Similarly,**

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לא יטייל אדם על פתח מדינה כדי שיכנס למרחץ מיד – הדר ביה.

a person may not stroll at the entrance to the city toward the end of Shabbat or a Festival in order to enter a bathhouseⁿ immediately upon the conclusion of Shabbat, then Rabba would have retracted his statement with regard to an *eiruv*. This *baraita* indicates that even walking on Shabbat for something one needs after Shabbat falls into the category of prohibited preparation.

ולא היא, שמע ליה ולא הדר ביה. התם – מוכחא מילתא, הכא – לא מוכחא מילתא היא.

The Gemara rejects this argument: **And this is not correct. Rabba heard this *baraita* but did not retract his ruling, as a distinction can be drawn between the cases. There, in the *baraita* pertaining to one who walks to the end of his field, or one who strolls at the entrance to the city, it is clear to all observers that he is doing so in order to determine what work the field needs after Shabbat, or to enter the bathhouse immediately after Shabbat, respectively. Whereas here, with regard to an *eiruv*, it is not clear to others that one's actions are for the purpose of establishing an *eiruv*.**

אי צורבא מרבנן הוא – אמרין: שמעתא משכתיה. ואי עם הארץ הוא – אמרין: חמרא אירפס ליה.

The Gemara explains: **If he is a Torah scholar [tzurva merabbanan],^l we, the observers, would say: Perhaps his study pulled him, i.e., he was engrossed in his study and was not paying attention to where he was going. And if he is an ignoramus, we would say: Perhaps he lost his donkey and went to look for it. His actions give no indication that he is going to establish an *eiruv* for the following day, as establishing an *eiruv* does not require any recognizable action.**

גופא. אמר רב יהודה: עירב ברגליו ביום ראשון – מערב ברגליו בשני. עירב בפת ביום ראשון – מערב בפת ביום שני.

The Gemara now examines Rav Yehuda's statement **itself**, which was cited in the course of the previous discussion. **Rav Yehuda said: If one established an *eiruv* with his feet on the eve of the first day, he may establish an *eiruv* with his feet on the eve of the second day as well. If he established an *eiruv* with bread that he deposited in the place where he wishes to acquire his place of rest on the eve of the first day, he may establish an *eiruv* with bread on the eve of the second day as well.**

עירב בפת בראשון – מערב ברגליו בשני. עירב ברגליו בראשון – אין מערב בפת בשני, שאין מערבין בתחלה בפת.

If he established an *eiruv* with bread on the eve of the first day, and his *eiruv* was eaten, he may change and establish an *eiruv* with his feet on the eve of the second day. However, if he established an *eiruv* with his feet on the eve of the first day, he may not establish an *eiruv* with bread on the eve of the second day, as one may not initially establish an *eiruv* with bread on a Festival for the sake of Shabbat because it is prohibited to prepare on a Festival for Shabbat.

NOTES

פתח מדינה – פתח מרחץ: The question may be asked: In these circumstances, why can't the same argument, that onlookers might conclude that one went to look for his donkey or was engrossed in his studies, be made? The difference in the case of a bathhouse is that one will not simply walk toward it; he will wait at the entrance to the bathhouse. However, this is not the case with regard to one who is establishing his *eiruv*, since he does not stay there but returns immediately (Maharam of Lublin).

LANGUAGE

צורבא מרבנן – Torah scholar [tzurva meirabbanan]: This refers to a Torah scholar, particularly a young scholar. Since ancient times, authorities have disagreed as to the linguistic source of this expression. Some relate the word *tzurva* to *tzarevet*, which connotes something hot and scorching like fire. This describes a young scholar's manner in his Torah studies (Rav Hai Gaon). Other commentaries explain that it means vigor and strength, and they find support for this interpretation from other talmudic expressions. The word would therefore be similar to the Arabic root ضرب, *d'rb*, which also denotes vigor and strength (Ran; *Arukh*).

עירוב ליומים – One who establishes an *eiruv* for two days – One who establishes an *eiruv* with bread for two days must use that same bread for both days, in accordance with the opinion of Shmuel (*Shulḥan Arukh, Oraḥ Hayyim* 416:2).

An *eiruv* for the days of Rosh HaShana – עירוב בימי ראש השנה: The two days of Rosh HaShana are considered as one day. Consequently, one may not establish separate *eiruvim* in two different directions for the two days, in accordance with the view of the Rabbis (*Shulḥan Arukh, Oraḥ Hayyim* 416:1–2).

NOTES

And the Rabbis...good advice – עצה טובה – The Ra'avad explains that the Gemara is saying as follows: What did Rav Yehuda and Shmuel add that was not already explained in the mishna? The Rabbis answer that from the mishna alone one may have assumed that this was merely good advice; therefore, Rav Yehuda and Shmuel taught that there is no other way to do it (see Rashba).

Strengthen us – החליצנו: In this context, the term *haḥalitzeinu* means grant us enthusiasm and strength. The root of the Hebrew word is used in this sense in several places in the Bible, such as “*ḥalutzim*” (Deuteronomy 3:18), meaning armed, and “*heihaltzu*” (Numbers 31:3), meaning arm yourselves. Both of these usages imply zeal and strengthening (Rabbeinu Yehonatan).

Whether today or tomorrow – אם היום אם למחר: If one would not employ this formulation, he would be lying in his prayer, since it is impossible for both today and tomorrow to occur on the first of the month (Rabbeinu Yehonatan).

And the Rabbis did not agree with him – ולא הודו לו – The rationale is that if this conditional phrase appears in the prayer, the common people would make light of the sanctity of the two days, saying that they contain only questionable sanctity (Rabbeinu Yehonatan).

עירוב בפת ביום ראשון – מערב בפת ביום שני. אמר שמואל: ובאותה הפת. אמר רב אשי: דיקא נמי מתניתין דקתני: כיצד הוא עושה? מוליכו בראשון, ומחשיך עליו ונוטלו – ובא לו. בשני מחשיך עליו ואוכלו, ובא לו.

ורבנן – דילמא התם עצה טובה קא משמע לן.

מתני' רבי יהודה אומר: ראש השנה, שהיה ירא שמא תתעבר – מערב אדם שני עירובין, ואומר: עירובי בראשון למזרח, ובשני למערב. בראשון למערב ובשני למזרח. עירובי בראשון, ובשני כבני עירי. עירובי בשני, ובראשון כבני עירי, ולא הודו לו חכמים.

ועוד אמר רבי יהודה: מתנה אדם על הכלכלה ביום טוב ראשון, ואוכלה בשני.

וכן ביצה שנוטלה בראשון תאכל בשני, ולא הודו לו חכמים.

רבי דוסא בן הרכינס אומר: העובר לפני התיבה ביום טוב של ראש השנה, אומר: “החליצנו ה' אלהינו את יום ראש החדש הזה אם היום, אם למחר”. ולמחר הוא אומר: “אם היום, אם אמש”, ולא הודו לו חכמים.

With regard to the statement: If he established an *eiruv* with bread on the eve of the first day, he may establish an *eiruv* with bread on the eve of the second day, Shmuel said: Only with the same bread. Rav Ashi said: The wording of the mishna is also precise according to this understanding, as we learned: What does he do if a Festival occurs on Friday, and he wishes to establish an *eiruv* that will be valid for both the Festival and Shabbat? He brings the *eiruv* to the spot that he wishes to establish as his residence on the eve of the first day, and he stays there with it until nightfall, and then he takes it with him and goes away. On the eve of the second day, he takes the *eiruv* back to the same place as the day before, and stays there with it until nightfall, and then he may eat the *eiruv* and go away. The wording of the mishna indicates that he must establish his *eiruv* for the second day with the same bread that he used for the first day, as argued by Shmuel.^h

The Gemara adds: And the Rabbis, who do not accept the opinion of Shmuel, argue that this is no proof, as perhaps there, the mishna is merely teaching us good adviceⁿ as to how one can rely on a single *eiruv* and avoid having to prepare an additional *eiruv* for the second day.

MISHNA During the time period when the Jewish calendar was established by the court according to the testimony of witnesses who had seen the new moon, Rosh HaShana would be observed for only one day if witnesses arrived on that day, and for two days if witnesses failed to arrive and the month of Elul was declared to be an extended, thirty-day month. Rabbi Yehuda says: With regard to Rosh HaShana, if one feared that the month of Elul might be extended, and he wanted to travel in two different directions on the two days that could be Rosh HaShana, this person may establish two *eiruvim* and say: My *eiruv* on the first day shall be to the east and on the second day to the west, or alternatively: On the first day it shall be to the west, and on the second day to the east. Similarly, he may say: My *eiruv* shall apply on the first day, but on the second day I shall be like the rest of the inhabitants of my town, or alternatively: My *eiruv* shall apply on the second day, but on the first day I shall be like the rest of the inhabitants of my town. And the Rabbis did not agree with him that the two days of Rosh HaShana can be divided in such a manner.^h

And Rabbi Yehuda said further, with regard to the two days of Rosh HaShana that one observes because he does not know which is the real day of the Festival: A person may make a condition with regard to a basket of *tevel* produce on the first day of the Festival and say as follows: If today is the Festival and tomorrow is an ordinary weekday I will separate the *teruma* and tithes tomorrow, and I have performed nothing today; if today is an ordinary weekday, I hereby separate the appropriate *teruma* and tithes now. He may then eat the produce on the second day of the Festival, since one of his two acts of tithing was certainly performed on an ordinary weekday.

And similarly, an egg that was laid on the first day of the Festival may be eaten on the second day, since one of the days is certainly an ordinary weekday. And the Rabbis did not agree with him even with regard to these two days.

Rabbi Dosa ben Harekinas says: One who passes before the ark in the synagogue and leads the congregation in prayer on the first day of the festival of Rosh HaShana says: Strengthen us,ⁿ O Lord our God, on this day of the New Moon, whether it is today or tomorrow.ⁿ And similarly, on the following day he says: Whether Rosh HaShana is today or yesterday. And the Rabbis did not agree with himⁿ that one should formulate his prayer in this conditional manner.

If witnesses came from the time of *minḥa* and on – **בָּאוּ עֵדִים מִן הַמִּנְחָה וְלִמְעֻלָּה**: If witnesses came after the offering of the afternoon sacrifice, claiming they saw the new moon on the first day, their testimony is not examined, and the month and the Festival are not sanctified on that day. Rather, both that day and the following day are observed as Festival days. Therefore, the sanctity of the two days of Rosh HaShana is not based on doubt, but upon an independent rabbinic decree that both days are considered sanctified. In the Jerusalem Talmud this is phrased differently, in far stronger terms, stating that the sanctity of the two days of Rosh HaShana is a custom of the prophets and Rosh HaShana is different than the other Festivals, which are kept in the Diaspora for two days based on a doubt as to which day is the real day of the Festival.

So that people will not demean the day – **כִּי הֵיכִי דְלָא – לְלוּוֹלֵי בֵּיהּ**: Since the witnesses are not examined on that day, their testimony is technically disregarded, and the first day is actually an ordinary weekday. However, the Sages decreed that the remainder of the day should be observed as a Festival, so that people would not treat the day lightly in future years. This is the interpretation of the passage accepted by most of the commentaries.

Nevertheless, some commentaries explained the Gemara in the opposite manner: The first day is in fact the day sanctified as a Festival, since witnesses did come to testify about the new moon on that day, and the decree not to accept their testimony immediately does not cancel the sanctity of the day. The Sages, however, decreed that the following day should also be sanctified, so that people would not treat the Festival lightly when they saw that the Levites did not sing the Festival song at the offering of the afternoon sacrifice, when the witnesses had not yet arrived (Ra'avad).

GEMARA Who are the Sages who did not agree with Rabbi Yehuda? Rav said: It is those who follow the opinion of Rabbi Yosei, as it was taught in the *Tosefta*: Even though the Rabbis disagree with him about a Festival and Shabbat that occur on consecutive days and say that one cannot make two separate *eiruvim* for the two days, they concede to Rabbi Eliezer with regard to Rosh HaShana that if a person feared that the month of Elul might be extended, he may establish two *eiruvim* and say: My *eiruv* on the first day shall be to the east, and on the second day to the west, or: On the first day it shall be to the west, and on the second day to the east, or: My *eiruv* shall apply on the first day, but on the second day I shall be like the rest of the inhabitants of my town, or: My *eiruv* shall apply on the second day, but on the first day I shall be like the rest of the inhabitants of my town. But Rabbi Yosei prohibits it.

Rabbi Yosei said to the Rabbis: Don't you concede that if witnesses came from the time of *minḥa* and onⁿ on the first day of Rosh HaShana and testified that they had seen the new moon, we do not rely on their testimony to sanctify that day as Rosh HaShana; rather, since their testimony was not given on time, we observe that day as sanctified and also the following day as sanctified? This indicates that the two days of Rosh HaShana are not observed out of doubt as to which is the proper day; rather, it is as though the two days are one long day that are imbued with one unified sanctity. Therefore, it should not be possible to divide them.

גַּמְ' מֵאֵן "לֹא הוּדוּ לוֹ" אָמַר רַב: רַבִּי יוֹסֵי הֵיִא, דְּתַנְיָא: מוֹדִים חֲכָמִים לְרַבִּי אֱלִיעֶזֶר בְּרֵאשׁ הַשָּׁנָה שֶׁהִיא יָרָא שְׂמָא תַתְּעֵבֵר, מְעַרְבֵר אָדָם שְׁנֵי עִירוּבֵין, וְאוֹמֵר: עִירוּבֵי בְּרֵאשׁוֹן לְמִזְרַח וּבְשֵׁנִי לְמַעְרָב. בְּרֵאשׁוֹן לְמַעְרָב וּבְשֵׁנִי לְמִזְרַח. עִירוּבֵי בְּרֵאשׁוֹן, וּבְשֵׁנִי כַבְנֵי עִירֵי. עִירוּבֵי בְּשֵׁנִי, וּבְרֵאשׁוֹן כַּבְנֵי עִירֵי. רַבִּי יוֹסֵי אָסֵר.

אָמַר לְהֵן רַבִּי יוֹסֵי: אִי אַתֶּם מוֹדִים שְׂאָם בָּאוּ עֵדִים מִן הַמִּנְחָה וְלִמְעֻלָּה, שְׁנוּהֲגִין אוֹתוֹ הַיּוֹם קִדְשׁ וְלִמְחַר קִדְשׁ?

Perek III

Daf 39 Amud b

וּרְבֵנָן – הֵתָם כִּי הֵיכִי דְלָא לְלוּוֹלֵי בֵּיהּ.

And the Rabbis hold that there, the first day is not observed as a Festival by Torah law but due to rabbinic decree, so that people will not demean the dayⁿ in future years and end up desecrating the Festival should the witnesses come on time. However, by Torah law it is an ordinary weekday, and therefore one can establish two separate *eiruvim* for the two days.

וְעוֹד אָמַר רַבִּי יְהוּדָה וְכוּ'.

We learned in the mishna that in addition to his ruling with regard to *eiruvim* for the two days of Rosh HaShana, Rabbi Yehuda said further that the two days can be split with regard to a basket of *tevel* produce and an egg laid on the first day of the Festival.

וְצִרְיָא, דְּאִי אֲשַׁמְעִינָן רֵאשׁ הַשָּׁנָה – בְּהָא קָאָמַר רַבִּי יְהוּדָה מְשוּם דְלָא קְעָבִיד מִיָּדֵי. אָבֵל כְּלַבְלָה, דְּמִיחֵי כְּמִתְקֵן טִיבְלָא – אֵימָא מוֹדָה לְהוּ לְרַבְנָן.

The Gemara comments: And it was necessary to teach us all three laws, as they could not have been derived from one another. As, if he had only taught us the *halakha* with regard to establishing an *eiruv* for the two days of Rosh HaShana, one might have said that only in this case does Rabbi Yehuda say his ruling because in this case one does not actually do anything on the Festival itself. But in the case of a basket, where it appears as though one is rendering *tevel* fit on a Festival, say that Rabbi Yehuda concedes to the Rabbis that it is decreed prohibited.

וְאִי אֲשַׁמְעִינָן הֵנִי תַרְתֵּי – מְשוּם דְלִיכָא לְמִגְוֹר עֲלֵיהּ, אָבֵל בִּיצָה דְאֵיכָא לְמִגְוֹר בְּהַ מְשוּם פִּירוֹת הַנוֹשְׁרִין וּמְשוּם מִשְׁקִין שְׂזָבוּ – אֵימָא מוֹדָה לְהוּ לְרַבְנָן, צִרְיָא.

And had he taught us only these two *halakhot*, we might have said that Rabbi Yehuda is lenient because there is no reason to issue a decree prohibiting them, as the potential prohibitions involved are not so severe. But in the case of an egg that was laid on the first day of a Festival, where there is reason to issue a decree prohibiting it, as explained in tractate *Beitza*, because of fruit that fall from a tree or due to liquids that oozed from fruit on a Festival, both of which the Sages prohibited as a safeguard against violating Torah prohibitions, say that Rabbi Yehuda concedes to the opinion of the Rabbis, which maintains that this egg may not be eaten even on the second day of the Festival. It was therefore necessary to teach us all three cases.

Perhaps this is what he said – דילמא הכי קאמר – Rashi points out that this is a difficult interpretation of Rabbi Yosei's statement, as it alters its straightforward meaning. However, it was difficult for the Sages to accept that Rabbi Yosei, whose halakhic opinion is generally accepted, would be stringent in this regard. Consequently, they preferred a far-fetched interpretation of his statement instead of a dubious halakhic ruling (see Rashba).

Days of Rosh HaShana in the Diaspora – ימי ראש השנה – בגולה: There is a good reason to emphasize that when the New Moon was announced based on the testimony of witnesses who appeared before the court, there was indeed a difference between the two days of Rosh HaShana in Jerusalem and Rosh HaShana in other parts of Eretz Yisrael and the Diaspora. In Jerusalem, Rosh HaShana was not always observed for two days. Often, witnesses would arrive in the early part of the first day, which was declared to be Rosh HaShana, and only that day would be observed. However, if witnesses did not arrive early in the day, the Festival would be observed for two days even in Jerusalem. Therefore, although all Festivals are observed for two days in the Diaspora due to the doubt as to which day had been declared as the New Moon, there is an additional reason to observe Rosh HaShana for a second day: It was possible that even in Jerusalem Rosh HaShana was being observed for a second day (Rashba).

תנאי. כיצד אומר רבי יהודה מתנה אדם על הבקלה ביום טוב ראשון ואוכלה בשני: היו לפניו שתי בקלות של טבל, אומר: אם היום חול ולמחר קדש – תהא זו תרומה על זו, ואם היום קדש ולמחר חול – אין בדברי בלום, וקורא עליה שם ומניחה.

ולמחר הוא אומר: אם היום חול – תהא זו תרומה על זו, ואם היום קדש – אין בדברי בלום, וקורא עליה שם ואוכלה. רבי יוסי אוסר. וכן היה רבי יוסי אוסר בשני ימים טובים של גלויות.

הוא בר טביא דאתא לבי ריש גלותא, דאתציד ביום טוב ראשון של גלויות, ואשתחית ביום טוב שני.

רב נחמן ורב חסדא אכלו, רב ששת לא אכל. אמר רב נחמן: מאי אעביד ליה לרב ששת דלא אכיל בישרא דטביא? אמר ליה רב ששת: והיכי איכול? דתני איסי ואמרי לה איסי תני: וכן היה רבי יוסי אוסר שני ימים טובים של גלויות!

אמר רבא: ומאי קושיא? דילמא הכי קאמר: וכן היה רבי יוסי אוסר בשני ימים טובים של ראש השנה בגולה. אי הכי ש"ל גלויות"? "בגולה" מיבעי ליה!

אמר רב אסי: ומאי קושיא? דילמא הכי קאמר: וכן היה רבי יוסי עושה איסור שני ימים טובים של גלויות, בשני ימים טובים של ראש השנה לרבנן דשרו.

אשכחיה רב ששת לרבה בר שמואל, אמר ליה: תני מר מידי בקדושות? אמר ליה, תנינא: מודה רבי יוסי בשני ימים טובים של גלויות. אמר ליה: אי משכחת להו – לא תימא להו ולא מידי.

אמר רב אשי, לדידי אמר לי אמיתר: ההוא בר טביא לאו איתצודי איתציד,

It was taught in a *baraita*: How is one to carry out what Rabbi Yehuda said, that a person may make a condition with regard to a basket of *tevel* produce on the first day of the Festival and then eat the produce on the second day? If there were two baskets of *tevel* produce before him, he says as follows: If today is an ordinary weekday and tomorrow is sanctified, let this basket be *teruma* for that basket; and if today is sanctified and tomorrow is an ordinary weekday, my statement has no significance. And he bestows upon the basket the name of *teruma*, and sets it aside.

And on the next day he says as follows: If today is an ordinary weekday, let this basket be *teruma* for that basket; and if today is sanctified, my statement has no significance. And He bestows upon the basket the name of *teruma*, and he may then eat the produce in the other basket, as *teruma* has definitely been separated on a weekday.¹¹ Rabbi Yosei prohibits this. And, so too, Rabbi Yosei would prohibit this procedure even on the two Festival days of the Diaspora, even though the second day is only observed because of a doubt as to the proper day on which to observe the Festival.

The Gemara relates that a particular young deer was brought to the house of the Exilarch. The deer was trapped by a gentile on the first day of a Festival observed in the Diaspora and slaughtered on the second day of the Festival.¹² The question arose whether it was permitted to eat it, based on the fact that one of these two days was certainly an ordinary weekday.

Rav Nahman and Rav Hisda ate from it, but Rav Sheshet did not eat from it. Rav Nahman said in a jesting manner: What can I do for Rav Sheshet, who does not eat deer meat? Rav Sheshet said to him: How can I eat it, as Isi taught, and some say that this should be read as a question: Didn't Isi teach: And, so too, Rabbi Yosei would prohibit this procedure even on the two Festival days of the Diaspora?

Rava said: What is the difficulty? Perhaps this is what he said:¹³ And, so too, Rabbi Yosei would prohibit this procedure even on the two Festival days of Rosh HaShana in the Diaspora,¹⁴ but with regard to the two days of other Festivals observed in the Diaspora, he too would agree with Rabbi Yehuda and permit it. They said to him: If so, the phrase of the Diaspora is inappropriate. It should have said in the Diaspora.

Rav Asi said: What is the difficulty? Perhaps this is what he said: And so too, Rabbi Yosei would treat the prohibition of such a procedure on the two Festival days of the Diaspora as on the two Festival days of Rosh HaShana, according to the opinion of the Rabbis, who permit it. In any case, the proof from this *baraita* is inconclusive.

The Gemara further relates that afterward Rav Sheshet met Rabba bar Shmuel and said to him: Has the Master learned anything with regard to the two sanctities of a Festival and the like? Rabba bar Shmuel said to him: We have learned that Rabbi Yosei concedes with regard to the two Festival days of the Diaspora. Rav Sheshet said to him: If you happen to meet Rav Nahman and Rav Hisda, who disagreed with me and ate the deer in the Exilarch's house, do not tell them anything of what you just told me, lest they use this *tannaitic* source to embarrass me about my refusal to eat.

Rav Ashi said: Ameimar told me that the deer was not trapped on the Festival;

HALAKHA

A condition with regard to a basket – תנאי בבקלה: One may stipulate a condition and separate *teruma* from a basket of *tevel* produce on the first day of a Festival and then eat the produce on the second day. However, this rule only applies to the two Festival days observed outside of Eretz Yisrael but not to Rosh HaShana (Rambam *Sefer Zemanim, Hilkhot Yom Tov* 6:12).

Trapped on the first day and slaughtered on the second – שניצוד בראשון ונשחט בשני: An animal that was trapped by a gentile on the first day of a Festival may be eaten on the second Festival day observed outside of Eretz Yisrael, once the time necessary for trapping it has elapsed (see Rashi). The *Tur*, citing the Rosh, is stringent and prohibits

eating the deer until the second Festival day has ended and the time necessary for trapping it has elapsed so that a Jew does not come to ask a gentile to trap it on a Festival. The custom is to be stringent in this matter but to practice leniency for the sake of guests (*Shulhan Arukh, Orah Hayyim* 515:1).