

מסייע לרבי אלעזר, דאמר רבי אלעזר: אסור לו לאדם שישט אצבעו במים בתשעה באב, כדרך שאסור להשיט אצבעו ביום הכיפורים.

The Gemara comments: This statement supports the opinion of Rabbi Elazar, as Rabbi Elazar said: It is prohibited for a person to extend his finger into water on the Ninth of Av, just as it is prohibited for him to extend his finger into water on Yom Kippur.

מיתבי: אין בין תשעה באב לתענית ציבור אלא שזה אסור בעשיית מלאכה, וזה מותר בעשיית מלאכה במקום שנהגו. הא לכל דבריהם – זה וזה שוין. ואילו גבי תענית ציבור תנא: כשאמרו אסור ברחיצה – לא אמרו אלא כל גופו, אבל פניו ידיו ורגליו – לא!

The Gemara raises an objection: The only difference between the Ninth of Av and a communal fast is that on this day, a communal fast, performance of labor is prohibited, and on that day, the Ninth of Av, performance of labor is permitted in a place where people are accustomed to perform labor. By inference, with regard to all other matters this and that are equal. However, with regard to a communal fast, it was taught in a *baraita*: When the Sages said that bathing is prohibited, they said it only with regard to washing one's entire body, but with regard to washing one's face, one's hands, and one's feet in increments, the Sages did not say that it was prohibited. Apparently, with respect to washing, the Rabbis were stricter with regard to the Ninth of Av than they were with regard to a communal fast.

אמר רב פפא:

Rav Pappa said:

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HALAKHA

A groom is exempt from reciting *Shema* – חתן פטור מקריאת *Shema* – שמע: A man who marries a virgin is exempt from reciting *Shema* for three days after the wedding if he has not yet consummated the marriage. Some authorities rule that one may not opt to recite *Shema* (*Beit Yosef*). Other commentaries rule, for a variety of reasons, that a groom recites *Shema* and it is in no way presumptuous on his part (Rif; Rambam; Rosh). Nowadays, when people are unable to concentrate properly when reciting *Shema* even under normal circumstances, a groom recites *Shema*. Indeed, one who does not do so is guilty of presumptuousness (*Be'er Heitev; Shulhan Arukh, Oraḥ Hayyim 70:3*).

תנא קולי קולי קתני.

The *tanna* is teaching a series of leniencies. He taught only those aspects in which the Ninth of Av is more lenient than a communal fast. He did not teach those aspects in which it is more stringent. There was no attempt made to enumerate all the differences.

״ובכל מקום תלמידי חכמים וכו״. למימרא דרבן שמעון בן גמליאל סבר: לא חיישינן ליוהרא. ורבנן סברי: חיישינן ליוהרא? והא איפכא שמענן להו, דתנן: חתן, אם ירצה לקרות קרית שמע לילה הראשון – קורא. רבן שמעון בן גמליאל אמר: לא כל הרוצה ליטול את השם יטול.

It was stated in the mishna: And in all places Torah scholars are idle and do not perform labor on the Ninth of Av, and according to Rabban Shimon ben Gamliel one should always conduct himself like a Torah scholar in this regard and refrain from performing labor. The Gemara asks: Is that to say that Rabban Shimon ben Gamliel holds that we are not concerned about presumptuousness when a person conducts himself like a Torah scholar? And conversely, do the Rabbis hold that we are concerned about presumptuousness? Didn't we hear them say the opposite? As we learned in a mishna: With regard to the recitation of *Shema* on one's wedding night, the Rabbis said that if a groom wishes to recite *Shema* on the first night despite his exemption, he may do so.<sup>h</sup> Rabban Shimon ben Gamliel says: Not everyone who wishes to assume the reputation of a God-fearing person may assume it, and consequently, not everyone who wishes to recite *Shema* on his wedding night may do so. Their opinions in that mishna appear contrary to their opinions in the current mishna.

אמר רבי יוחנן: מוחלפת השיטה. רב שישא בריה דרב אידי אמר: לא תיפוך. דרבנן אדרבנן לא קשיא: הבא. כיון דכולי עלמא עבדי מלאכה ואיהו לא עביד – מיחוי ביוהרא. אבל התם, כיון דכולי עלמא קרי ואיהו נמי קרי – לא מיחוי ביוהרא.

Rabbi Yohanan said: The attribution of the opinions is reversed in one of the sources. Rav Sheisha, son of Rav Idi, said: Do not reverse either text, as it is possible to resolve the difficulty in another manner. The contradiction between the statement of the Rabbis here and the statement of the Rabbis there is not difficult. Here, on the Ninth of Av, since everyone is performing labor and he is not performing labor, his idleness is conspicuous and appears like presumptuousness. However, there, in the case of reciting *Shema* on one's wedding night, it does not appear like presumptuousness, as everyone is reciting *Shema* and he is reciting it with them.

In the Galilee people would not perform labor – בגליל לא היו עושין: The Rabbis' statement emphasizes that it was not due to local custom that people refrained from labor; rather, performing labor on the fourteenth was actually prohibited. Some commentaries explain the difference in terms of the punishment: A person who performs labor on the fourteenth in violation of an actual prohibition would be liable for excommunication by his community, but not if his performance only deviates from local custom. Other commentaries assert that the difference between custom and prohibition is with regard to the question of whether or not one who relocates must continue to observe the practice. Local customs apply only to those who reside in that particular place, while prohibitions apply everywhere (*Mikhtam*).

Beit Shammai prohibit performing labor, etc. – בית שמאי אוסרים וכו': Some commentaries explain that, according to Rabbi Meir, there is no disagreement between Beit Hillel and Beit Shammai, because there cannot be a dispute with regard to local custom. Rather, each one ascertains the local custom and acts accordingly (*Tosafot*). Others explain that according to Beit Hillel, if there is a local custom to refrain from working on the night of the fourteenth, it is a custom based on error and should be abandoned (Ran). Alternatively, the disagreement between Beit Hillel and Beit Shammai is with regard to the status of the day and the night. Beit Shammai consider the prohibition of working at night to be part of the general prohibition against working during the day. Therefore, in their opinion, any activity that is prohibited during the day is also prohibited the night before. However, Beit Hillel liken Passover eve to a fast day, in that night and day are considered two separate entities (*Nimmukei Yosef*; see Rabbi Ovadya Bartenura; *Tosefot Yom Tov*).

קליטה קודם – לקיטת החרד: The Torah states that the new grain of the year may be eaten only after the *omer* offering is brought. However, this applies only to the grain that was planted and took root before the *omer* offering was brought. Any grain that took root after the *omer* offering was brought is permitted only after the *omer* offering of the following year.

דרבן שמעון בן גמליאל אדרבן שמעון בן גמליאל לא קשיא; התם הוא דבעינן כוונה, ואנן סהדי דלא מצי כוונה דעתיה – מיתחוי ביהרא. אבל הכא, לא מיתחוי ביהרא – אמרי: מלאכה היא דלית ליה. פוק חזי כמה בטלמי איבא בשוקא.

**מתני'** וחכמים אומרים: ביהודה היו עושין מלאכה בערבי פסחים עד חצות, ובגליל לא היו עושין כל עיקר. הלילה, בית שמאי אוסרים, ובית הלל מתירין עד הנץ התחמה.

**גמ'** מעיקרא תנא מנהגא, ולבסוף תנא איסורא!

אמר רבי יוחנן: לא קשיא; הא – רבי מאיר, הא – רבי יהודה. דתנא, אמר רבי יהודה: ביהודה היו עושין מלאכה בערבי פסחים עד חצות, ובגליל אינן עושין כל עיקר. אמר לו רבי מאיר: מה ראית יהודה וגליל לכאן? אלא, מקום שנהגו לעשות מלאכה – עושין, מקום שנהגו שלא לעשות – אין עושין. מדקאמר רבי מאיר מנהגא – מפלל דרבי יהודה איסורא קאמר.

וסבר רבי יהודה ארבעה עשר מותר בעשיית מלאכה? והתנא, רבי יהודה אומר: המנבש בשלשה עשר ונעקרה בידו – שותלה במקום הטיט, ואין שותלה במקום הגריד.

בשלשה עשר – אין, בארבעה עשר – לא. מכדי שמעינן ליה לרבי יהודה דאמר: כל הרבבה שאינה קולטת לשלשה ימים – שוב אינה קולטת, ואי סלקא דעתך ארבעה עשר מותר בעשיית מלאכה – למה לי שלשה עשר? והאיבא ארביסר, וחמיסר, ומקצת שיתסר! אמר רבא: בגליל שני.

Similarly, the contradiction between the statement of Rabban Shimon ben Gamliel here and the statement of Rabban Shimon ben Gamliel there is **not difficult**. There, in the case of reciting *Shema* on one's wedding night, it is that we require concentration, and it is clear to all that he is unable to concentrate because of his preoccupation with the mitzva that he must perform. Therefore, if he recites *Shema* it appears like presumptuousness. It is as though he is announcing: I am able to concentrate although others in my situation are not. However, here, by not performing labor on the Ninth of Av it does not appear like presumptuousness, as people say: It is because he has no labor to perform. Go out and see how many idle people there are in the marketplace, even on days when it is permitted to perform labor.

**MISHNA** Apropos the discussion of performing labor on Passover eve, differences in other customs were cited. And the Rabbis say: In Judea, people would perform labor on Passover eves until midday, and in the Galilee people would not perform labor<sup>n</sup> on Passover eve at all. With regard to performing labor on the night before Passover eve, the night between the thirteenth and fourteenth of Nisan, Beit Shammai prohibit performing labor,<sup>n</sup> and Beit Hillel permit doing so until sunrise.

**GEMARA** The Gemara asks with regard to the mishna: Initially, at the beginning of the chapter, the *tanna* taught that in certain places there is merely a custom not to perform labor, and yet ultimately, in this latest mishna, he taught that according to the opinion of Beit Shammai, it is prohibited to perform labor. Apparently, performance of labor is not dependent on custom but is actually prohibited.

Rabbi Yoḥanan said: This is not difficult, since that first mishna is in accordance with the opinion of Rabbi Meir, and this current mishna is in accordance with the opinion of Rabbi Yehuda. As it was taught in a *baraita* that Rabbi Yehuda said: In Judea they would perform labor on Passover eves until midday, and in the Galilee they would not perform labor at all. Rabbi Meir said to him: What proof do you cite from Judea and the Galilee to the discussion here? Rather, in a place where people were accustomed to perform labor, one performs labor, and in a place where people were accustomed not to perform labor, one does not perform labor. The Gemara analyzes this *baraita*: From the fact that Rabbi Meir is speaking about custom, by inference, Rabbi Yehuda is speaking about a prohibition against performing labor in the Galilee.

The Gemara asks: And does Rabbi Yehuda hold that performance of labor on the fourteenth is permitted everywhere other than the Galilee? Wasn't it taught in a *baraita* that Rabbi Yehuda says: With regard to one who is weeding a field on the thirteenth of Nisan and a stalk of grain was uprooted in his hand, he plants it in a muddy place so that it will take root before the *omer* offering<sup>n</sup> is brought on the sixteenth of Nisan? It will then be permitted to eat the grain after the *omer* offering is brought. However, one should not plant it in a dry place, as it will not take root there immediately. If it begins to sprout only after the *omer* offering is brought, that grain will remain prohibited until after the following year's *omer* offering is brought.

From Rabbi Yehuda's statement it can be inferred that if a person was weeding on the thirteenth of Nisan, yes, this is the *halakha*; however, on the fourteenth of Nisan, no, one may not replant the stalk of grain. Now, we learned that Rabbi Yehuda said: Any graft that does not take hold in three days will no longer take hold. If it could enter your mind that performing labor on the fourteenth is permitted, why do I need this *halakha* to be taught specifically with regard to the thirteenth? It would have been a greater novelty had he taught the *halakha* with regard to a case that occurs on the fourteenth. Aren't there three days remaining for grain planted on the fourteenth to take root before the *omer* offering, i.e., the fourteenth of Nisan, the fifteenth of Nisan, and part of the sixteenth of Nisan? Rava said: They taught this *halakha* of replanting a stalk of wheat with regard to the Galilee; as mentioned in the *baraita*, Rabbi Yehuda says that in the Galilee they do not perform labor at all.

NOTES

Three crafts are permitted – שְׁלֹשׁ אֲמָנוּת מותרות – Some commentaries explain that the agreement between Rabbi Meir and the Rabbis in the mishna is only with regard to those places where the custom is not to perform labor on Passover eve. In any other place, where that is not the custom, all types of labor are permitted (Ra'avad; Ran). Other commentaries understand that the mishna's statement applies to initiating labor even in a place where the custom is to perform labor on Passover eve. Even in such a place, although anyone may continue work that was started earlier, only people in these three professions may initiate work on the fourteenth of Nisan (Rashi; Rambam; Nimmukei Yosef).

Barbers – הפּוֹרְסִים: Some add that not only is cutting hair permitted, but sharpening or fixing the scissors is permitted as well. In fact, whatever actions are necessary for grooming before the Festival are permitted (Nimmukei Yosef).

HALAKHA

Labor...on Passover eve – מְלָאכָה בְּעֶרֶב פֶּסַח: Even in a community where the custom is to perform labor on Passover eve, only tailors, barbers, and people who wash clothes may initiate new tasks. This is in accordance with the opinion of the Rabbis in the mishna. Some authorities teach that these types of labor may be performed even in a place where the custom is not to perform labor on Passover eve (Rema, citing the Rosh). With regard to other types of labor, if the task was initiated the day before, it may be completed on the fourteenth of Nisan before midday, as long as it is for the purpose of the Festival (Shulhan Arukh, Orah Hayyim 468:5).

וְהָאֵיכָא לַיְלִיא! אָמַר רַב שֵׁשֶׁת: כָּבִית שְׂמַאי. רַב אָשִׁי אָמַר: לְעוֹלָם כָּבִית הַלֵּל, לְפִי שְׂאִין דְּרַכּוֹן שֶׁל בְּנֵי אָדָם לְנִבְשׁ בַּלַּיְלָה.

רַבִּינָא אָמַר: לְעוֹלָם בִּיהוּדָה, וּבִהַשְׂרָשָׁה, חַד "מְקַצֵּת הַיּוֹם כְּכוֹל" – אָמְרִינן, הֲרֵי "מְקַצֵּת הַיּוֹם כְּכוֹל" – לֹא אָמְרִינן.

מַתְנִי רַבִּי מֵאִיר אֹמֵר כָּל מְלָאכָה שֶׁהִתְחִיל בָּהּ קוֹדֵם לְאַרְבַּעַת עָשָׂר – גּוֹמְרָה בְּאַרְבַּעַת עָשָׂר, אֲבָל לֹא יִתְחִיל בָּהּ בַּתְּחִלָּה בְּאַרְבַּעַת עָשָׂר, אִף עַל פִּי שִׁיבוֹל לְגוֹמְרָה. וְחַכְמִים אֹמְרִים: שְׁלֹשׁ אֲמָנוּת עוֹשִׂין מְלָאכָה בְּעֶרֶב פֶּסַחִים עַד חֲצוֹת, וְאֵלּוּ הֵן: הַחַיִּטּוֹן, וְהַסְּפָרִים, וְהַכּוֹבֵסִין. רַבִּי יוֹסִי בֵּר יְהוּדָה אֹמֵר: אִף רִעְעָנִין.

גַּמ' אֵיבְעִיא לְהוּ; לְצוּרְךָ הַמוּעֵד תִּנְן, אֲבָל שְׁלֵא לְצוּרְךָ הַמוּעֵד – אֲפִילוּ מִיגְמַר נְמִי לֹא, אוּ דִילְמָא: שְׁלֵא לְצוּרְךָ הַמוּעֵד תִּנְן, אֲבָל לְצוּרְךָ אֶתְחִילִי מִתְחִילִין. אוּ דִילְמָא: בֵּין לְצוּרְךָ הַמוּעֵד בֵּין שְׁלֵא לְצוּרְךָ, מִיגְמַר – אִין, אֶתְחִילִי – לֹא.

תָּא שְׂמַע: אֲבָל לֹא יִתְחִיל בַּתְּחִלָּה בְּאַרְבַּעַת עָשָׂר אֲפִילוּ צִלְצוֹל קֶטָן, אֲפִילוּ שְׂבֻכָה קֶטְנָה. מֵאִי "אֲפִילוּ"? לֹא אֲפִילוּ הֵנִי דְלְצוּרְךָ הַמוּעֵד, מִיגְמַר – אִין, אֶתְחִילִי – לֹא. מִכָּל דְּשְׁלֵא לְצוּרְךָ – מִיגְמַר נְמִי לֹא גְמְרִינן!

לֹא, לְעוֹלָם דְּשְׁלֵא לְצוּרְךָ – מִיגְמַר נְמִי גְמְרִינן. וּמֵאִי "אֲפִילוּ" – אֲפִילוּ הֵנִי נְמִי דְּזוּטְרִי נִיגְהוּ. דְּסַלְקָא דְּעַתְךָ אָמִינָא: הִתְחִילְתָּן זוּ הִיא גְמַר מְלָאכְתָּן, נִתְחִיל בָּהּ נְמִי לְכַתְּחִילָה – קַמְשְׂמַע לָן.

The Gemara further asks: **Isn't there the night** between the thirteenth and the fourteenth of Nisan, during which according to the opinion of Beit Hillel, labor is permitted even in the Galilee, which is the *halakha*? Rabbi Yehuda could have taught the *halakha* with regard to weeding on the night before the fourteenth. **Rav Sheshet said:** Rabbi Yehuda said this **in accordance with** the opinion of Beit Shammai, who prohibit performing labor that night. **Rav Ashi said:** There is no reason to suggest implausibly that Rabbi Yehuda holds in accordance with the opinion of Beit Shammai, contrary to the accepted *halakha*. **Actually,** Rabbi Yehuda holds in accordance **with** the opinion of **Beit Hillel**. However, he did not teach the case about the night before the fourteenth of Nisan **because it is not the typical manner of people to weed at night**. It is virtually impossible to identify weeds in the dark.

Ravina said: **Actually,** it can be explained that Rabbi Yehuda is referring to **Judea**. With regard to a plant **taking root**, we state only **once** the principle: The legal status of **part of the day** is like that of the **entire day**, but we **do not state twice** the principle: The legal status of **part of the day** is like that of the **entire day**. When discussing a plant that was replanted on the fourteenth, in the tally of three days, the legal status of part of both the fourteenth and the sixteenth cannot be like that of entire days. A plant takes root after a fixed amount of time, and this is not affected by formalistic halakhic principles like: The legal status of part of the day is like that of the entire day.

**MISHNA** Rabbi Meir says: With regard to any labor that one began before the fourteenth of Nisan, he may complete it on the fourteenth before midday. However, one may not begin to perform that labor from the outset on the fourteenth, even if he is able to complete it before midday. **And the Rabbis say:** The practitioners of only three crafts are permitted<sup>N</sup> to perform labor until midday on Passover eve,<sup>H</sup> and they are: Tailors, barbers,<sup>N</sup> and launderers, whose work is needed for the Festival. Rabbi Yosei bar Yehuda says: Even shoemakers are permitted to work on the fourteenth.

**GEMARA** A dilemma was raised before the Sages: Was it with regard to labor for the purpose of the Festival that we learned in the mishna that Rabbi Meir permits completing labor on the fourteenth, but labor that is not for the purpose of the Festival may not even be completed? Or perhaps it was with regard to labor that is not for the purpose of the Festival that we learned that Rabbi Meir permits completing labor on the fourteenth, but with regard to labor that is for the purpose of the Festival, we may even initiate it. Or perhaps, with regard to both labor that is for the purpose of the Festival and labor that is not for the purpose of the Festival, completing, yes, it is permitted, but initiating, no, it is prohibited.

Come and hear a resolution to the dilemma from that which we learned: **However, one may not begin work from the outset on the fourteenth, even if it is a small belt, or even a small hairnet. What is the meaning of the term even in this context? Isn't it that even with regard to those items that are for the purpose of the Festival, completing, yes, it is permitted, but initiating, no, it is prohibited? And by inference, with regard to labor that is not for the purpose of the Festival, we may not even complete labor that was begun previously. This supports the first possibility cited above.**

The Gemara rejects this answer: **No; actually,** this means that even labor that is not for the purpose of the Festival we may also complete, in accordance with the third possibility above. **And what is the meaning of the term even?** It is that this *halakha* applies **even to these items, a belt and a hairnet, which are small; as it could enter your mind to say:** Since they are small and their initiation is their completion, let us even initiate their manufacture on the fourteenth *ab initio*. Therefore, it teaches us that even with regard to this type of labor, initiating is prohibited. This *baraita* does not provide an unequivocal resolution to the dilemma.

תא שמע, רבי מאיר אומר: כל מלאכה שהיא לצורך המועד –

Come and hear the resolution to the dilemma from another source from another source. **Rabbi Meir says:** With regard to any labor that is for the purpose of the Festival,

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Daf 55 Amud b

גומרה בארבעה עשר. אימתי – בזמן שהתחיל בה קודם ארבעה עשר, אבל לא התחיל בה קודם ארבעה עשר – לא יתחיל בה בארבעה עשר, אפילו צילצול קטן, אפילו שבכה קטנה, לצורך המועד – אין, שלא לצורך המועד – לא! הוא הדין דאפילו שלא לצורך נמי גמרינו, והא קא משמע לן: דאפילו לצורך המועד, מיגמר – אין, אתחולי – לא.

one completes it on the fourteenth. When is that the case? It is when he initiated the labor prior to the fourteenth. However, if he did not initiate the labor prior to the fourteenth, he should not initiate it on the fourteenth, even if it is only manufacturing a small belt or even a small hairnet. The Gemara analyzes this: When it is for the purpose of the Festival, yes, one may complete this labor. However, when it is not for the purpose of the Festival, no, one may not complete it, in accordance with the third possibility above. The Gemara rejects this analysis: Actually, the same is true; we may also complete the task even when it is not for the purpose of the Festival. And this comes to teach us that even when it is for the purpose of the Festival, completing a labor, yes, one may do so, but initiating a labor, no, one may not, in accordance with the third aforementioned possibility.

תא שמע, רבי מאיר אומר: כל מלאכה שהיא לצורך המועד – גומרה בארבעה עשר, ושאינה לצורך המועד – אסור. ועושים מלאכה בערבי פסחים עד חצות במקום שנהגו. מקום שנהגו – אין, לא נהגו – לא! ושמע מינה: לצורך המועד – אין, שלא לצורך המועד – לא. שמע מינה.

Come and hear yet another resolution to the dilemma. **Rabbi Meir says:** With regard to any labor that is for the purpose of the Festival, one may complete it on the fourteenth, and if it is not for the purpose of the Festival, it is prohibited to complete it. And one may perform labor on Passover eves until midday in a place where people were accustomed to do so. The Gemara infers: In a place where people were accustomed to perform labor, yes, one may do so. However, in a place where people were not accustomed to perform labor, no, one may not do so. And learn from it that for the purpose of the Festival, yes, one may perform labor. However, if it is not for the purpose of the Festival, no, one may not do so, in accordance with the first aforementioned possibility. The Gemara concludes: Indeed, learn from it that this is so.

”וחכמים אומרים שלש אומניות.” תנא: החייטין – שכן הדיוט תופר בדרבו בחולו של מועד, הספרין והכובסין – שכן הבא ממדינת הים והיוצא מבית האסורין מספרין ומכבסין בחולו של מועד. רבי יוסי ברבי יהודה אומר: אף הרצענין, שכן עולי רגלים מתקנני מנעליהן בחולו של מועד.

It was stated in the mishna that the Rabbis say: The practitioners of only three crafts are permitted to perform labor until midday on Passover eve. It was taught in explanation of their opinion: The tailors may perform labor on Passover eve, as a layperson is permitted to sew in his usual manner during the intermediate days of the Festival. Since this type of labor is permitted during the intermediate days, when the prohibition against labor is more stringent than on Passover eve, one may be lenient on Passover eve as well. This is also the case with regard to barbers and launderers, as well as one who arrives from a country overseas and had no opportunity to cut his hair or launder his clothes prior to the Festival, or one who leaves prison. Such a person may cut his hair and wash his clothes on the intermediate days of the Festival. **Rabbi Yosei, son of Rabbi Yehuda, says:** Shoemakers may also perform their labor, because Festival pilgrims may repair their shoes during the intermediate days.

במאי קמיפלגי? מר סבר: למידין תחילת מלאכה מסוף מלאכה. ומר סבר: אין למידין תחילת מלאכה מסוף מלאכה.

The Gemara asks: With regard to what principle do the Rabbis and Rabbi Yosei disagree? The Gemara answers: One Sage, Rabbi Yosei, son of Rabbi Yehuda, holds: We learn the halakha with regard to the initiation of labor from the halakha with regard to the conclusion of labor; if it is permitted to repair shoes, it is also permitted to initiate their production. And one Sage, the Rabbis, holds: We cannot learn the halakha with regard to the initiation of labor from the halakha with regard to the conclusion of labor; therefore, although it is permitted to repair shoes, it is prohibited to produce new ones.

**One may place eggs – מושיבין שוכבין** – Rashi and Rabbi Ovadya Bartenura suggest an alternative explanation: According to this statement, it is permissible to build dovescotes for doves and to place an egg under a hen. According to the Rambam, this phrase indicates that one may build or repair a chicken coop, since the language of the mishna does not seem to refer to brooding (see *Me'irin*).

In the last clause of the mishna we have arrived at the *halakhot* of the intermediate days of the Festival – **סיפא** – **אתאן לחולו של מועד**: Several explanations have been suggested to reconcile the Rambam's opinion, which forms the basis for the accepted practice, with the standard version of the Gemara. According to the Vilna Gaon, the Rambam had a variant reading of the text: In the first clause, we come to the intermediate days. In other words, it is permitted to restore a hen that fled during the intermediate days, but one may place a new hen to brood only on Passover eve. The Rabbis of Narvona retained the standard version of the text, but explained that the expression: The last clause, does not refer to the last part of the mishna, which speaks of a hen that died, but to the last clause of the first part of the mishna, i.e., the phrase: A hen that fled. Therefore, the last clause of the final part of the mishna: If it died, refers to Passover eve. Placing a different hen to brood is therefore prohibited under any circumstances (see *Me'irin*).

With regard to the dung in a courtyard, one may clear it to the sides – **הזבל שבהצר מסלקין אותו לצדדין** – In the Jerusalem Talmud there is a different version of the *Tosefta* that refers to dung in an alleyway. Therefore, the Gemara's question is not raised there.

## HALAKHA

**One may place eggs – מושיבין שוכבין** – One may repair a chicken coop on Passover eve, according to the Rambam's understanding of this mishna (*Kesef Mishne*). Some authorities permit placing a hen over an egg to brood (Rashi; Rambam *Sefer Zemanim, Hilkhhot Yom Tov* 8:20; *Shulhan Arukh, Oraḥ Hayyim* 468:6, 536:4; *Levush*).

**A brooding hen that died – דוגרת שמתה** – If a hen was brooding eggs for more than three days and died on Passover eve, one may replace it with another so that the chicks will be able to hatch (Rambam *Sefer Zemanim, Hilkhhot Yom Tov* 8:20; *Shulhan Arukh, Oraḥ Hayyim* 468:7).

**One may sweep dung from beneath the legs of an animal – גורפין מתחת רגלי בהמה** – It is permitted to sweep dung from beneath an animal's legs on Passover eve (*Shulhan Arukh, Oraḥ Hayyim* 468:8).

**The intermediate days – חולו של מועד** – One may not place a hen to brood on eggs during the intermediate days of a Festival. If a hen that was already brooding fled, it may be returned within three days of fleeing. However, it is prohibited to replace it with another hen, even if the first one died (Rema). Some early authorities (Rabbeinu Ḥananel; *Roke'ah*; Maharam Ḥalawa) and later ones (*Derisha*; *Taz*) are lenient with regard to this last issue, based on Rashi's understanding of the Gemara (*Shulhan Arukh, Oraḥ Hayyim* 536:4).

**Removal of dung – סילוק הזבל** – One may not remove dung from a courtyard on Passover eve. However, it may be swept to the sides. If the courtyard becomes filthy, the dung may be removed to the garbage dump, in accordance with Rava's statement (*Shulhan Arukh, Oraḥ Hayyim* 468:9).

**מתני' מושיבין שוכבין לתרגולים בארבעה עשר, ותרגולות שברחה מתזריין אותה למקומה. ואם מתה – מושיבין אחרת תחתיה. גורפין מתחת רגלי בהמה בארבעה עשר, ובמועד מסלקין לצדדין. מוליכין בלים ומביאין מבית האומן, אף על פי שאינם לצורך המועד.**

**גמ' השתא איתובי מותבינן, אהדורי מיבעיא? אמר אביי. סיפא אתאן לחולו של מועד.**

**אמר רב הונא: לא שנו אלא תוך שלשה למרדה, דאכתי לא פרח צימרא מינה. ואחר שלשה לשיבתה – דפסדא לה ביעי לגמרי. אבל לאחר שלשה למרדה, דפרח לה צימרא מינה, ותוך שלשה לשיבתה דאכתי לא פסדי ביעי לגמרי – לא מהדרינן. רבי אמי אמר: אפילו תוך שלשה לשיבתה מהדרינן.**

**במאי קמיפליגי? מר סבר: להפסד מרובה – חששו, להפסד מועט – לא חששו, ומר סבר: להפסד מועט נמי חששו.**

**גורפין מתחת. תנו רבנן: הזבל שבהצר מסלקין אותו לצדדין, שברפת ושבהצר – מוציאין אותו לאשפה.**

**MISHNA** This mishna continues the discussion of the *halakhot* of Passover eve. **One may place eggs<sup>NH</sup> under hens on the fourteenth of Nisan** so that the birds will brood until the eggs hatch.<sup>B</sup> **And if a hen fled from brooding, one may restore it to its place. And if a brooding hen died, one may place another in its stead.<sup>H</sup>** Similarly, **one may sweep dung from beneath the legs of an animal<sup>H</sup> on the fourteenth of Nisan. And during the intermediate days of the Festival one may clear it to the sides.** Similarly, **one may take vessels to the craftsman's house for repair and bring others from there even though they are not for the purpose of the Festival.**

**GEMARA** Now, the mishna stated that placing a brooding hen to sit on eggs is permitted; is it necessary to mention that restoring a hen to its brooding place is permitted? **Abaye said: In the last clause of the mishna we have arrived at the halakhot of the intermediate days<sup>H</sup> of the Festival,<sup>N</sup> when placing a hen to sit on eggs is prohibited, yet one may nevertheless restore a hen that fled, as failure to do so will cause him to incur a loss. On the fourteenth of Nisan, one may even place a hen to brood *ab initio*.**

**Rav Huna said: They taught this halakha** that one may restore the hen to the eggs **only** when it is within **three days of its rebellion**, when the hen fled from its place, **as the heat has not yet completely dissipated** from the hen, so that restoring the hen to its place to resume its brooding will be effective; furthermore, this *halakha* applies only if it is also at least **three days after** the hen began sitting, when failure to restore the hen to sit on the eggs will cause **the eggs to be totally ruined**, as on the one hand they are no longer edible, and on the other hand the chick in the egg is only partially formed. **However**, if it is more than **three days after its rebellion, when its heat has completely dissipated, or within three days from when it began sitting, when failure to restore the hen to sit on the eggs will not yet cause the eggs to be totally ruined, one may not restore the hen to sit on the eggs.** **Rabbi Ami said: Even within three days from when it began sitting, one may restore the hen to sit on the eggs.**

The Gemara asks: **With regard to what principle do Rav Huna and Rabbi Ami disagree?** The Gemara explains: One Sage, Rav Huna, holds that with regard to a **major loss**, the Sages were concerned about the eggs being completely ruined, and therefore one may restore the hen to its place only if it had already sat on the eggs for three or more days. With regard to a **minor loss** of being forced to sell at a discount the unhatched eggs that were incubated for less than three days, **they were not concerned.** **And one Sage, Rabbi Ami, holds that with regard to a minor loss, they were also concerned, and therefore the Sages permitted one to restore the hen to its place during the intermediate days of the Festival.**

It was stated in the mishna: **One may sweep the dung from beneath the legs of an animal on the fourteenth of Nisan. The Sages taught in greater detail in the Tosefta: With regard to the dung in a courtyard, one may clear it to the sides,<sup>N</sup> and with regard to the dung that is in the barn and in a courtyard, one may take it out to the garbage dump.<sup>H</sup>**

## BACKGROUND

**Brooding of hens – דיגרת תרגולים** – Brooding in birds, and specifically hens, depends on several factors. During the brooding period, the temperature of many birds rises. Occasionally, there are specific areas of the bird's body that become even warmer. This is part of the complex mechanism of brooding. The bird's temperature during this period depends on

the activation of internal glands and the external stimulation from the brooding itself. It is possible that if a hen stops brooding for whatever reason, after some time the internal stimulus will also cease, described in the Gemara as the dissipation of heat, and restoring the hen to sit on the egg would be pointless.

Rava tested us – בְּדִיק לֵן רְבָא: Occasionally, one of the Sages, such as the head of a yeshiva, would challenge his students with a question, often with regard to an uncommon case. At times, these questions were those to which the questioner had no clear answer. At other times, however, questions were presented simply to test the knowledge of the students. As is clear from this story, the Sage posing the question did not always express his own opinion on the matter.

The *halakhot* of the intermediate days – דִּינֵי חוֹל הַמוֹעֵד: The *halakhot* that apply to the intermediate days of the Festivals are described in detail in tractate *Moed Katan*. Certain types of labor are permitted during the intermediate days, while other types are prohibited. Labor is permitted if it fills a great need, or if refraining from that labor would cause one to incur financial loss. One may not work during the intermediate days merely to make a profit. A craftsman may work at his craft if he has nothing to eat, in which case people may provide him with work.

Branches – גְּמִזִּיּוֹת: According to Rashi and others, this refers to branches that grow from the stump of a tree that was consecrated and chopped down. Other commentaries explain that these are branches that grow from the roots surrounding a tree. In the latter case as well, one might conclude that those branches were not included in the original consecration (*ge'onim*).

## HALAKHA

Vessels to and from the craftsman's house – כְּלִים מִבֵּית הָאוּמָן: Vessels may be taken to a craftsman to be repaired and may be brought from his house on Passover eve, even if they are not for the purpose of the Festival. This ruling is in accordance with the statement of Rav Pappa and the conclusion of the Gemara (*Shulhan Arukh, Orach Hayyim* 468:10).

Bringing vessels during the intermediate days – הַבָּאָה: One may not bring vessels from a craftsman during the intermediate days of a Festival unless they are for the purpose of the Festival. If the craftsman has nothing to eat, and the customer does not trust him, the items may be moved to an adjacent courtyard but may then only be taken home surreptitiously (*Shulhan Arukh, Orach Hayyim* 534:3).

## BACKGROUND

Cup from the house of a glassmaker – כּוּס מִבֵּית הַיָּגֵג



Glass vessels from the talmudic period

הָא גּוֹפָא קִשְׂיָא! אִמְרַת: וְבַל שְׂבַחְצֵר מִסְלָקִין אוֹתוֹ לְעֻדְדִין. וְהָדָר תָּנִי: שְׂבַרְפַּת וְשְׂבַחְצֵר מוֹצִיאִין אוֹתוֹ לְאִשְׁפָּה! אָמַר אַבְיִי: לֹא קִשְׂיָא; כָּאן – בְּאַרְבְּעָה עָשָׂר, כָּאן – בְּחוּלוֹ שֶׁל מוֹעֵד. רְבָא אָמַר: הָא וְהָא בְּחוּלוֹ שֶׁל מוֹעֵד, וְהָיִי קְאָמַר: אִם נַעֲשֶׂה חֲצֵר כְּרַפַּת – מוֹצִיאִין אוֹתוֹ לְאִשְׁפָּה.

”מוליכין בליים ומביאין מבית האומן.” אמר רב פפא: בדיק לן רבא, תנן: מוליכין ומביאין בליים מבית האומן, אף על פי שאינן לצורך המועד. ורמניהו: אין מביאין בליים מבית האומן, ואם חושש להן שמא יגנבו – מפנין לחצר אחרת!

ומשמין: לא קשיא; כאן – בארבעה עשר, כאן – בחולו של מועד. ואיבעית אימא: הא והא בחולו של מועד, ולא קשיא; כאן – במאמינו, כאן – בשאינו מאמינו.

והתנא: מביאין בליים מבית האומן, בגון הכד מבית הכדר, והכוס מבית הזגג. אבל לא צמר מבית הצבע, ולא בליים מבית האומן. ואם אין לו מה יאכל – נותן לו שקרו ומניחו אצלו. ואם אינו מאמינו – מניחן בבית הסמוך לו. ואם חושש שמא יגנבו – מביאין בצניעה בתוך ביתו.

תרצת מביאין, מוליכין קשיא. דקתני: אין מביאין, וכל שכן דאין מוליכין! אלא מתוורתא כדשנינן מעיקרא.

מתני' ששה דברים עשו אנשי יריחו, על שלשה מיחו בידם. ועל שלשה לא מיחו בידם. ואלו הן שלא מיחו בידם: מרביבין דקלים כל היום, וכורבין את שמע, וקוצרין וגודשין לפני העומר. ואלו שמיחו בידם: מתירין גמזיות של הקדש,

The Gemara asks: **This matter itself is difficult.** On the one hand, you said: With regard to **the dung in a courtyard, one may clear it out to the sides**, from which it may be inferred that one may not take it out to the garbage dump. **And then it was taught in the Tosefta:** With regard to the dung that is in the barn and in a courtyard, one may take it out to the garbage dump. **Abaye said:** This is **not difficult.** Here, where the Sages permitted taking out the dung to the garbage dump, it refers to the **fourteenth** of Nisan. **There**, where they permitted only moving it to the sides, it refers to the **intermediate days of the Festival.** **Rava said:** Both this case and that case refer to the **intermediate days, and this is what it is saying:** In an ordinary courtyard one may only move the dung to the sides; however, **if the courtyard becomes as filthy as a barn, one may take out the dung to the garbage dump.**

It was stated in the mishna: **One may take vessels to the craftsman's house for repair and bring others from there.** **Rav Pappa said:** Rava tested us.<sup>N</sup> We learned in the mishna: **One may take vessels to the craftsman's house<sup>H</sup> for repair and bring others from there even if they are not for the purpose of the Festival.** He raised a contradiction from that which we learned: **One may not bring vessels from a craftsman's house, and if he is concerned lest they be stolen, he may move them to another courtyard belonging to the craftsman, but not to his own house.**

And we answered: This is **not difficult.** Here, where one may bring vessels from the craftsman's house, it is referring to the **fourteenth** of Nisan. **There**, where one may not bring them, it is referring to the **intermediate days** of the Festival.<sup>NH</sup> **And if you wish, say** instead that **this and that** are referring to the **intermediate days, and nevertheless, this is not difficult.** Here, where one may not bring them home, it is referring to a case where **he trusts** that the craftsman will return the items; **there**, where it is permitted to take the vessels home, it is referring to a case where **he does not trust him.**

As it was taught in the following *baraita*: **One may bring vessels from the house of a craftsman, such as a jug from the house of a potter, or a cup from the house of a glassmaker,<sup>P</sup> but one may bring neither wool from the house of a dyer nor other vessels from the house of a craftsman that are not for the purpose of the Festival.** **And if the craftsman has nothing to eat, one gives the craftsman his payment on the intermediate days of the Festival and leaves the item with him.** **And if he does not trust that the craftsman will deliver the items, he leaves them in the adjacent house.** **And if he is concerned lest the item be stolen, he may bring them to his house surreptitiously.**

The Gemara asks: **You have resolved the issue of bringing items from a craftsman's house, but taking items to his house is difficult, as it was taught: One may not bring, and all the more so one may not take items to be repaired.** Therefore, the Gemara rejects the second answer and concludes: **Rather, it is clear as we answered initially, i.e., the baraita refers to the intermediate days and the mishna refers to Passover eve.**

**MISHNA** The mishna continues the discussion of the *halakhot* of Passover eve, along with other local customs. **Six actions were performed by the Jewish residents of Jericho, contrary to common practice.** With regard to **three**, the Sages reprimanded them, and with regard to **three**, the Sages did not reprimand them. **And these are the ones with regard to which they did not reprimand them:** The residents of Jericho would graft palm trees the entire day on the fourteenth of Nisan; and they would bundle *Shema*, as explained in the Gemara; and they would harvest and pile grain before the *omer* offering was brought. **And these are the ones with regard to which the Sages reprimanded them:** They would permit the use of consecrated branches<sup>N</sup> of carob or sycamore trees. This refers to trees whose branches were cut and consecrated for Temple upkeep, which subsequently sprouted new branches;