The Gemara cites a related story: The diggers who were digging in Rav Nahman’s land came upon a grave, and Rav Achai bar Yoshiya, who was buried there, rebuked them. They came and said to Rav Nahman: A deceased person just rebuked us. Rav Nahman came and said to the person buried there: Who is the Master, i.e., who are you? He said to him: I am Achai bar Yoshiya. Rav Nahman said to him: How has your body been preserved? Didn’t Rav Mari say that the righteous will turn to dust? Rav Nahman said to him: And who is Mari, whom do I not know? Why should I be concerned about what he says? Rav Nahman said to him: Even without Rav Mari’s statement, there is an explicit verse which is written: “And the dust will return to the earth as it was” (Ecclesiastes 12:7).

Rav Achai said to him: Whoever taught you the book of Ecclesiastes did not teach you the book of Proverbs, for it is written in Proverbs: “A tranquil heart is the life of the flesh, but envy is the rotting of the bones” (Proverbs 14:30). This means that anyone who has envy in his heart during his lifetime, his bones rot in the grave, and anyone who does not have envy in his heart, his bones do not rot.

Rav Nahman touched him and saw that he had substance. Rav Nahman said to him: Let the Master arise and come into my house. Rav Achai said to him: You have revealed that you have not even studied Prophets, and it is not just the Writings of which you are ignorant, for it is written: “And you shall know that I am the Lord when I open one hour” (Ezekiel 37:1). As long as the dead have not been instructed to leave their graves, leaving of their own accord is prohibited.

Rav Nahman once again asked Rav Achai about the preservation of the flesh, and he said: But it is written: “For you are dust and you shall return to dust” (Genesis 3:19), so why has your body not turned into dust? He said to him: That verse applies to the righteous only one hour before the resurrection of the dead, so that they, too, may be created anew (Maharsha).

A certain apostate once said to Rabbi Abbahu: You say that the souls of the righteous are stored beneath the Throne of Glory, but if so, how did the oracle woman raise up Samuel using necromancy if his soul was no longer in this world? Rabbi Abbahu said to him: There, it was within twelve months of his death, as it was taught in a baraita: For a full twelve months a deceased person’s body remains and his soul ascends and descends, such that it is sometimes in this world with its body. After twelve months, the body ceases to exist.

They attempt to stir the listener and he is not stirred – קָפִּיּוּ לְהוֹצֵא. If a eulogy is an indication that the deceased has earned a share in the World-to-Come, it is unnecessary to attempt to stir the hearts of the listeners, as it serves no purpose. If a speaker stirs the emotions of the crowd, an outpouring of emotion would not indicate the deceased’s greatness. Nevertheless, even when the eulogizer attempts to deliver a moving eulogy, the listeners are not necessarily moved by every eulogy and thus the fact that they are stirred reflects well on the deceased.

Rav Achai bar Yoshiya – רבי אחא בר יוסייה. Rav Achai was one of the later tannaim who lived during the time of Rabbi Yehuda HaNasi. Apparently, he was the son of the tannan, Rabbi Yoshiya, who was a student of Rabbi Yishmael. Rav Achai lived in the Babylonian city of Hutzal, although he conducted business in Neharde’a and was buried there. From the few sources that provide background about his life, it appears that he earned a living as a businessman, but was also the leader of the city of Hutzal and the surrounding villages. His teachings are quoted several times in the Talmud and the halakhic midrash.

Rav Nahman lived and was active in Neharde’a a few generations after Rav Achai bar Yoshiya.

NOTES

Box [kufsa] – אֲבָרָהָם קְפִּיּוּ, מִשְׁלֵי, נְבִיאִים

LANGUAGE

Some explain that the people digging in Rav Nahman’s land were actually plowing his field and came across the grave. They did not know what to do with the body and went to ask Rav Nahman. Rav Achai bar Yoshiya appeared to Rav Nahman in a dream and their entire conversation took place in that dream (Pardes Rimonim).

PERSONALITIES

Rav Achai bar Yoshiya – רבי אחא בר יוסייה: Rav Achai bar Yoshiya was a student of Rabbi Yishmael. Rav Achai lived in the Babylonian city of Hutzal, although he conducted business in Neharde’a and was buried there. From the few sources that provide background about his life, it appears that he earned a living as a businessman, but was also the leader of the city of Hutzal and the surrounding villages. His teachings are quoted several times in the Talmud and the halakhic midrash. Rav Nahman lived and was active in Neharde’a a few generations after Rav Achai bar Yoshiya.
They attempt to stir the listener and he is stirred—states that one who sits at a meal and does not eat suffers more than if moving eulogy, the listeners are not necessarily moved by every eulogy; listeners, as it serves no purpose. If a speaker stirs the emotions of the crowd, an outpouring of emotion would not indicate the deceased's

Let your clothes be white—should always view himself as if death is at hand, and that he may die at any moment in his days. However, neither he nor his student Abaye saw fault in this, for Abaye said: If a Sage is pleased with the way: “And oil shall not be absent upon the head of him that offereth sacrifices” (Isaiah 65:13–14). This is the punishment of the wicked.

We learned there in a mishna that Rabbi Eliezer says: Repent one day before your death. Rabbi Eliezer’s students asked him: But does a person know the day on which he will die? He said to them: All the more so this is a good piece of advice, and one should repent today lest he die tomorrow; and by following this advice one will spend his entire life in a state of repentance. And King Solomon also said in his wisdom: “At all times your clothes should be white, and oil shall not be absent from upon your head” (Ecclesiastes 9:8), meaning that a person always needs to be prepared.

Similarly, Rabban Yoḥanan ben Zakkai said the following story as a parable to this lesson: The situation is comparable to a king who invited his servants to a feast and did not set a time for them to come. The wise among them adorned themselves and sat at the entrance to the king’s house. They said: Is the king’s house missing anything necessary for the feast? Certainly the king could invite them at any moment. The fools among them went to attend to their work and said: Is there such thing as a feast without the toil of preparing for it? While the feast is being prepared, we will attend to other matters.

Suddenly, the king requested that his servants come to the feast. The wise among them entered before him adorned in their finest clothes, and the fools entered before him dirty. The king was happy to greet the wise ones and angry to greet the fools. The king said: These wise servants who adorned themselves for the feast shall sit and eat and drink, but these fools who did not adorn themselves for the feast shall stand and watch. There is a similar outcome for people who think that their day of death and judgment is far away and do not prepare themselves for it.

Rabbi Meir’s son-in-law said in the name of Rabbi Meir: If the punishment for those who did not prepare themselves in advance was merely to stand and watch, it would not be severe enough because they also look like servants at the feast, which is not such a disgraceful punishment. Rather, these and these, both groups of people, sit at the feast. These wise and righteous people eat, and these wicked fools are hungry; these righteous people drink, and these wicked people are thirsty, as it is stated: “Therefore, thus said the Lord, God: Behold, My servants shall eat and you shall be hungry; behold, My servants shall drink and you shall be thirsty; behold, My servants shall rejoice and you shall be ashamed. Behold, My servants shall sing from a joyous heart and you shall scream from a pained heart” (Isaiah 65:13–14).

Alternatively, the verse quoted above can be interpreted in the following way: “At all times let your clothes be white”; this is clothing that contains ritual fringes (tizzit), which are white. “And oil shall not be absent from upon your head”; these words hint to phylacteries, which are worn on the head.
MISHNA One who was traveling on Shabbat eve and night fell, and Shabbat began while he was still en route," gives his money pouch to a gentile traveling with him. And if there is no gentile with him he places it on the donkey. Once he reached the outer courtyard of the city, where belongings can be securely placed, he takes the vessels that may be moved on Shabbat off the donkey. With regard to the vessels that may not be moved on Shabbat, he unites the ropes that attach his bags to the donkey, and the bags of vessels fall on their own.

GEMARA We learned in the mishna: One who was traveling on Shabbat eve and night fell, and Shabbat began while he was still en route, gives his money pouch to a gentile. The Gemara asks: What is the reason that the Sages permitted him to give his pouch to a gentile? Is it not prohibited for a Jew to ask a gentile to perform a prohibited labor on Shabbat? The Gemara answers: The Sages maintain that a person does not restrain himself when faced with losing it. They answered why it is cited here as a reason for leniency. They answered that in the case of a house fire, panic reigns and if certain allowances were made, people would allow themselves to remove even prohibited items from the house. In this case, there is no sense of panic, and therefore there is no concern that one will extend the leniency to prohibited items. (Tosefot Rav HaLevi 1:3)

HALAKHA One who was traveling and night fell while he was en route -}' תַּנָּן: One who is traveling and Shabbat begins while he is still on the road may give his money to a gentile to carry it for him if there is a gentile traveling with him. If there is no gentile with him, he may place his pouch on the donkey. (Rambam Sefer Zemanim, Hilkhot Shabbat 6:22; Shulchan Arukh, Orah Hayyim 266:9).

One who is traveling on Shabbat eve and arrives after nightfall at a location where he can securely leave his belongings, may take the vessels that may be moved on Shabbat from his donkey. With regard to the rest of the vessels, i.e., the vessels that may not be moved on Shabbat, he may unite the ropes that attach his bags to the donkey and let the bags of vessels fall on their own. (Rambam Sefer Zemanim, Hilkhot Shabbat 21:0, Shulchan Arukh, Orah Hayyim 266:9).

Specifically with regard to his own pouch, but in the case of a lost object, no. One may give a gentile an object that he is carrying on Shabbat if it is one's own property. However, it is prohibited to give a gentile someone else's lost object that one found after Shabbat began. (Rambam Sefer Zemanim, Hilkhot Shabbat 6:22; Shulchan Arukh, Orah Hayyim 266:9).

NOTES A person does not restrain himself when faced with losing his money. The early commentators pointed out that the Gemara applied this same principle to prohibit taking objects out of a burning house on Shabbat, and asked why it is cited here as a reason for leniency. They answered that the mishna is in fact establishing a halakha restricted to his pouch. The Gemara comments: And we only said that this allowance does not apply to a lost object when it did not come into his possession before Shabbat. However, if the object already came into his possession before Shabbat, its legal status is like that of his pouch. (Rambam Sefer Zemanim, Hilkhot Shabbat 6:22; Shulchan Arukh, Orah Hayyim 266:9).

Some state this dilemma in a different manner. Rava raised a dilemma: With regard to a lost object that came into his possession before Shabbat, what is the ruling? Is it halakha that since it already came into his possession, its legal status is like that of his pouch? Or perhaps, since he did not exert himself to acquire it, its legal status is not like that of his pouch. Since he expended no effort, he would be capable of restraining himself even when faced with losing it. Therefore, there is no need for the Sages to permit him to give it to a gentile. The Gemara concludes: Let this dilemma stand unresolved.

We learned in the mishna: And if there is no gentile with him he places it on the donkey. The Gemara infers: The reason is specifically because there is no gentile with him; if there is a gentile with him, he gives it to the gentile and does not place it on a donkey. The Gemara asks: What is the reason for this halakha? The Gemara answers: With regard to a donkey belonging to a Jew, you are commanded with regard to its rest on Shabbat. With regard to a gentile, you are not commanded with regard to his rest and no Torah prohibition is being violated.
A donkey, a deaf-mute, an imbecile, and a minor – אָדָם מַעֲמִיד עַצְמוֹ עַל מָמוֹן

Although he is not obligated in mitzvot, the Sages imposed certain strictures with regard to him, and there are circumstances in which he can even facilitate the fulfillment of mitzvot by others.

A person does not restrain himself when faced with losing his money, and is therefore exempt from all mitzvot and liabilities and has the halakhic status of an animal (Rambam Sefer Zemanim, Hilkhot Shabbat 20:6; Shulḥan Arukh, Oraĥ Ĥayyim 266:5).

An imbecile and a minor – בָּטָן וְ ָטָן: A minor will possess halakhic intelligence when he reaches majority. Therefore, one who is traveling with an imbecile and a minor should give his pouch to the imbecile, even though the minor is not currently obligated to observe mitzvot (Rambam Sefer Zemanim, Hilkhot Shabbat 20:6; Shulḥan Arukh, Oraĥ Ĥayyim 266:5).

A deaf-mute and a minor – בָּטָן וּבָּטָן: One who is traveling with a deaf-mute and a minor may give his pouch to whomever he prefers. As the dilemma in the Gemara was not resolved, both the Rif and the Rosh ruled that one may act in accordance with either possibility (Rambam Sefer Zemanim, Hilkhot Shabbat 20:6; Shulḥan Arukh, Oraĥ Ĥayyim 266:5).

Although he is not obligated in mitzvot, the Sages imposed certain strictures with regard to him, and there are circumstances in which he can even facilitate the fulfillment of mitzvot by others.

A donkey, a deaf-mute, an imbecile, and a minor – אָדָם מַעֲמִיד עַצְמוֹ עַל מָמוֹן

When the Sages refer to an imbecile they mean someone who has no halakhic intelligence at all, and is therefore exempt from all mitzvot and liabilities and has the halakhic status of an animal (Rabbeinu Hananel). However, since he is a human being, one may not place an object on him as one may on an animal. When they refer to a deaf-mute they mean someone whose halakhic intelligence is limited. This was a consequence of the deaf-mute’s inability to communicate with his surroundings in ancient times. Although he is not obligated in mitzvot, the Sages imposed certain strictures with regard to him, and there are circumstances in which he can even facilitate the fulfillment of mitzvot by others.

A deaf-mute and an imbecile – בָּטָן וְ ָטָן: When the Sages refer to a deaf-mute they mean someone whose halakhic intelligence is limited. They are: A deaf-mute, an imbecile, and an imbecile and a minor – בָּטָן וְ ָטָן: They are: A deaf-mute, an imbecile, and a deaf-mute and an imbecile – בָּטָן וּבָּטָן: They are: A deaf-mute, an imbecile, and a deaf-mute and an imbecile.

The Gemara teaches an additional halakha: If there was no gentle with him but there was a donkey, a deaf-mute, an imbecile, and a minor, meaning someone under thirteen years old, one places it on the donkey, but one neither gives it to the deaf-mute, nor the imbecile, nor the minor. What is the reason for this? Although they are not obligated to fulfill mitzvot, these are people, but this donkey is not a person. It is preferable to place it on the donkey rather than give it to a person. And if a deaf-mute and an imbecile were with him, he gives it to the imbecile. If an imbecile and a minor were with him, he gives it to the imbecile.

A dilemma was raised before the Sages: If a deaf-mute and a minor were with him, what is the ruling? To whom does he give his pouch? The Gemara answers: According to the opinion of Rabbi Eliezer you have no dilemma. Rabbi Eliezer holds that a deaf-mute has a greater degree of halakhic intelligence than does a minor, as it was taught in a baraita: Rabbi Yitzḥak says in the name of Rabbi Eliezer: The teruma of a deaf-mute that he separated from his produce does not vacate its sanctified status and assume non-sacred status because his status with regard to halakhic intelligence is uncertain. According to Rabbi Eliezer, a deaf-mute apparently has a degree of halakhic intelligence, and therefore has a greater obligation in mitzvot than a minor.

When you raise this dilemma, the issue is in accordance with the opinion of the Rabbis, as we learned in a mishna: There are five categories of people who may not separate teruma ab initio, and if they separated teruma, their teruma is not considered teruma. They are: A deaf-mute, an imbecile, and a minor, and one who separates teruma from produce that is not his; and a gentile who separated teruma from the produce of a Jew, even with his permission, his teruma is not considered teruma because a gentile cannot be appointed as an agent to separate teruma, and all the more so he cannot separate teruma on his own. The deaf-mute and the minor have the same legal status according to the Rabbis; therefore, a dilemma arises as to which of them should receive the pouch on Shabbat.

What should one do? Should he give it to the deaf-mute because the minor will eventually reach the stage of halakhic intelligence, when he will be obligated to observe the mitzvot, and it is preferable that he not become accustomed to desecrating Shabbat? Or perhaps he should give it to the minor, because if he is allowed to give it to the deaf-mute, onlookers will mistake him for an adult with halakhic intelligence and conclude that it is permitted to give his pouch to an adult? In that case it would be preferable to give the pouch to a minor, as it is clear that he is not obligated in mitzvot. Regarding this halakha, some say that he gives it to the deaf-mute and some say that he gives it to the minor, and no definitive conclusion was reached.
HALAKHA

Move the pouch in increments, each less than four cubits – "סאדה טבי יهة". One who is traveling with money on Shabbat eve, and has neither a gentile, nor a donkey, nor a deaf-mute, nor an imbecile, nor a minor with him at nightfall, may carry it in increments smaller than four cubits until he reaches his destination (Rambam Sefer Zemanim, Hilkh Shabbat 20:7; Shulhan Arukh, Oraḥ Hayyim 266:2).

One places the pouch on the donkey as it is walking – "לכיש חמאוект". When placing his pouch atop an animal on Shabbat, one must place it while the animal is walking and remove it when the animal stops. When the animal starts moving again it places it again. He does so to avoid performing a full-fledged act of carrying, which would consist of lifting and placing (Rambam Sefer Zemanim, Hilkh Shabbat 20:6; Shulhan Arukh, Oraḥ Hayyim 266:2).

Any action that if one performs it by himself he is liable – "אדם נוכד". If one lifts an object on Shabbat and places it on another person while that person is walking, and then takes it from him before that person stops, neither person is liable, even if they were walking from one domain to another. This is because there was no full-fledged act of carrying, which would consist of lifting and placing (Rambam Sefer Zemanim, Hilkh Shabbat 13:2).

The Gemara asks: If there is neither a gentile nor a donkey nor a deaf-mute nor an imbecile nor a minor there, what should one do? Rabbi Yitzḥak said: There was another manner of dealing with this situation, and the Sages did not want to reveal it. The Gemara asks: To what was Rabbi Yitzḥak referring when he said: There was another manner? The Gemara answers: The alternative is to move the pouch in increments, each less than four cubits, and thereby carry the object in the public domain without violating a Torah prohibition. The Gemara asks: Why didn’t the Sages want to reveal this alternative? The Gemara answers: It is due to the verse: “It is the glory of God to conceal a thing; but the glory of kings is to search out a matter” (Proverbs 25:2). And here, what glory of God is there in concealing this option? The Gemara answers: If one were to move the pouch in this manner, there is concern lest he come to carry the object four cubits in the public domain.

The ruling that one should give his pouch to a gentile rather than carry in increments each less than four cubits was among the eighteen decrees issued in accordance with the position of Beit Shamai, enumerated in the first chapter of tractate Shabbat. Sages of later generations disagreed with regard to these eighteen decrees: It was taught in a baraita that Rabbi Eliezer says: On that day they measured with a large se’a measurement; i.e., they did well to issue these decrees, which construct a fence around the Torah to prevent its violation. Rabbi Yehoshua said: On that very day they measured with a minimal se’a, i.e., because these decrees are difficult to observe, they not only will lead people to violate the decrees, but to violate Torah prohibitions as well.

We learned in the mishna that the Master said: When there is no gentile with him, one places the pouch on the donkey. The Gemara asks: Isn’t he thereby driving a laden animal? And the Torah stated: “And the seventh day is Shabbat for the Lord your God, you shall not perform any manner of labor, neither you, nor your son, nor your daughter, nor your slave, nor your maidservant, nor your animal, nor your stranger that is within your gates” (Exodus 20:10). He is causing the prohibited labors of carrying from domain to domain and of carrying in the public domain by placing the pouch on his donkey on Shabbat.

Rav Adda bar Ahava said: One places the pouch on the donkey as it is walking, because in doing so he does not commit a full-fledged violation of the Torah prohibition against carrying out from domain to domain on Shabbat. A full-fledged violation consists of lifting and placing the object. Because the animal was already walking when the pouch was placed on it, the animal performed no lifting. The Gemara asks: Isn’t it impossible that the animal will not stand in its place at some point after it begins walking, either in order to urinate or to defecate, and when it begins walking again there is both an act of lifting and an act of placing performed by the donkey. The Gemara answers: There is a solution to that problem. When the donkey is walking, one places the pouch on it, and when it stands, he removes it. The Gemara asks: If so, one could even place the pouch on another Jew as well, as there would be neither lifting nor placing.

Rav Pappa said: Any action that if one performs it by himself, he is liable to bring a sin-offering for it, if he performed it by means of another, he is exempt but it is still prohibited for him to do so. And any action that if performed by means of another, he is exempt from bringing a sin-offering but it is still prohibited for him to do so, performing the action by means of his donkey is permitted ab initio.

NOTES

On that day they measured with a large se’a – "םעט כד דב נג". Tosafot understand the dispute between Rabbi Eliezer and Rabbi Yehoshua to be limited to the decree requiring one to give his pouch to a gentile on Shabbat. Others explain that the rest of the eighteen decrees were motivated by concern for ritual impurity or for violation of a prohibition. However, in this case it is possible to avoid carrying in the public domain by carrying the pouch in increments of less than four cubits. Therefore, the decree requiring one to give his pouch to a gentile can be considered an added stricture that people will not be able to fulfil and that will cause them to carry the pouch four cubits, thereby violating a Torah prohibition (Maharsha).
The Gemara asks: What is the reason for this? Since, when walking in the usual manner, he has no conspicuous reminder that it is Shabbat, there is concern lest he come to perform the acts of lifting and placing by stopping to rest on his way home. The Gemara asks: Ultimately, when he reaches his home, it is impossible that he will not stop and stand a bit, and at that point, he will have performed the prohibited labor of carrying the package from the public domain into the private domain of his house. The Gemara answers: This is referring to a case in which he does not place the package in the typical manner when he reaches his home. Rather, he throws it down in an unusual manner. Since he did not perform the action in the typical manner, it is not prohibited by Torah law.

With regard to the topic of driving a donkey on Shabbat, the Gemara cites that which Rami bar Hama said: With regard to one who drives his laden animal on Shabbat, if he does so unwittingly, he is liable to bring a sin-offering; and if he does so intentionally, he is liable to be executed by stoning. The Gemara asks: What is the reason for this ruling? Rava said that the verse states: “You shall not perform any manner of labor, neither you…nor your animal” (Exodus 20:10). From this he derived: His animal is similar to himself; just as he, if he performed a prohibited labor on Shabbat unwittingly, he is liable to bring a sin-offering, and if he did so intentionally, he is liable to be executed by stoning, so too, if he performed a prohibited labor by means of his animal, if he did so unwittingly, he is liable to bring a sin-offering, and if he did so intentionally, he is liable to be executed by stoning.

Rava said: There are two possible responses with which this statement can be rejected. One is, as it is written: “You shall have one law [Torah] for him that does unwittingly… and for the proselyte who resides among them. But the soul that does with a high hand, whether he be home-born or a stranger, he blasphemes the Lord; and that soul shall be cut off from among his people” (Numbers 15:29–30). This verse is referring to one who worships idolatry unwittingly. The entire Torah is juxtaposed to idolatry, and from that juxtaposition it is derived: Just as in the case of idolatry one is liable only when he performs an action with his body, i.e., himself, here too, in the case of Shabbat, he is liable only if he performs an action with his body, i.e., himself. He is not liable for an action performed by his animal.

And furthermore, with regard to the statement that if he drove the laden donkey he is liable to be executed by stoning, we learned in a mishna that enumerates those who are executed by stoning: One who desecrates Shabbat by performing a matter that for its unwitting performance one is liable to bring a sin-offering, and for its intentional performance one is liable to be executed by stoning. By inference, there is another matter, another prohibition, that for which its unwitting performance one is not liable to bring a sin-offering, and for which its intentional performance one is not liable to be executed by stoning.

And what is that Torah prohibition? Is it not the prohibition of driving a laden animal? Apparently, driving a laden animal and other labors performed by means of animals on Shabbat are not punishable by stoning, even though they are prohibited by Torah law. The Gemara rejects this second proof. No, this is not necessarily so. It is possible that the mishna is referring to the prohibition of Shabbat limits, and it is in accordance with the opinion of Rabbi Akiva, who holds that it is a Torah prohibition but that one is neither liable to bring a sin-offering for violating it unwittingly, nor is he liable to be executed by stoning for violating it intentionally. And likewise, it may refer to the prohibition of kindling a fire on Shabbat in accordance with the opinion of Rabbi Yosei, who holds that it is not punishable by stoning but by lashes, like other prohibitions.