

## Mishna - Mas. Oholoth Chapter 1

MISHNAH 1. [SOMETIMES] TWO [SERIES OF OBJECTS CAN] BE DEFILED THROUGH A CORPSE,<sup>1</sup> ONE BEING DEFILED WITH A SEVEN [DAYS'] DEFILEMENT AND ONE BEING DEFILED WITH A DEFILEMENT [LASTING TILL THE] EVENING.<sup>2</sup> [SOMETIMES] THREE [SERIES CAN] BE DEFILED THROUGH A CORPSE, TWO BEING DEFILED WITH A SEVEN [DAYS'] DEFILEMENT AND ONE WITH A DEFILEMENT [LASTING TILL THE] EVENING. [SOMETIMES] FOUR [SERIES CAN] BE DEFILED THROUGH A CORPSE, THREE BEING DEFILED WITH A SEVEN [DAYS'] DEFILEMENT AND ONE WITH A DEFILEMENT [LASTING TILL THE] EVENING. HOW [IS THE CASE OF] TWO [SERIES TO BE PRESENTED]? A PERSON WHO TOUCHES A CORPSE IS DEFILED WITH A SEVEN [DAYS'] DEFILEMENT AND A PERSON WHO TOUCHES HIM IS DEFILED WITH A DEFILEMENT [LASTING TILL THE] EVENING.<sup>3</sup>

MISHNAH 2. HOW [IS THE CASE OF] THREE [SERIES TO BE PRESENTED]? VESSELS TOUCHING A CORPSE<sup>4</sup> AND [OTHER] VESSELS [TOUCHING THESE] VESSELS ARE DEFILED WITH A SEVEN [DAYS'] DEFILEMENT, THE THIRD [SERIES]. WHETHER [CONSISTING OF] PERSONS OR VESSELS, IS DEFILED WITH A DEFILEMENT [LASTING TILL THE] EVENING.

MISHNAH 3. HOW [IS THE CASE OF] FOUR [SERIES TO BE PRESENTED]? VESSELS TOUCHING A CORPSE, A PERSON [TOUCHING THESE] VESSELS, AND [OTHER] VESSELS [TOUCHING THIS] PERSON,<sup>5</sup> ARE DEFILED WITH A SEVEN [DAYS'] DEFILEMENT. THE FOURTH [SERIES], WHETHER [CONSISTING OF] PERSONS OR VESSELS, IS DEFILED WITH A DEFILEMENT [LASTING TILL THE] EVENING. R. AKIBA SAID: I HAVE [A CASE OF] A FIFTH SERIES, [IF] A PEG<sup>6</sup> WAS FIXED IN A TENT, THE TENT,<sup>7</sup> THE PEG,<sup>8</sup> A PERSON TOUCHING THE PEG<sup>9</sup> AND VESSELS [TOUCHING] THE PERSON<sup>10</sup> ARE DEFILED WITH A SEVEN [DAYS'] DEFILEMENT. THE FIFTH [SERIES], WHETHER [CONSISTING OF] PERSONS OR VESSELS, IS DEFILED WITH A DEFILEMENT [LASTING TILL THE] EVENING. [THE SAGES] SAID TO HIM: THE TENT IS NOT RECKONED.<sup>11</sup>

MISHNAH 4. [BOTH] PERSONS AND VESSELS CAN BE DEFILED THROUGH A CORPSE.<sup>12</sup> A GREATER STRINGENCY [APPLIES IN SOME CASES] TO PERSONS THAN TO VESSELS AND [IN OTHER CASES] TO VESSELS THAN TO PERSONS; FOR WITH VESSELS [THERE CAN BE] THREE [SERIES OF DEFILEMENT].<sup>13</sup> WHEREAS WITH PERSONS [THERE CAN BE ONLY] TWO.<sup>14</sup> A GREATER STRINGENCY APPLIES TO PERSONS, FOR WHENEVER THEY FORM AN INTERMEDIATE [SERIES] THERE CAN BE FOUR [SERIES].<sup>15</sup> WHEREAS WHEN THEY DO NOT FORM AN INTERMEDIATE [SERIES] THERE CAN BE [ONLY] THREE.

MISHNAH 5. [BOTH] PERSONS AND GARMENTS CAN BE DEFILED BY A ZAB.<sup>16</sup> A GREATER STRINGENCY [APPLIES IN SOME CASES] TO PERSONS THAN TO GARMENTS AND [IN OTHER CASES] TO GARMENTS THAN TO PERSONS; FOR A PERSON WHO TOUCHES A ZAB CAN DEFILE GARMENTS,<sup>17</sup> WHEREAS GARMENTS THAT TOUCH A ZAB<sup>18</sup> CANNOT DEFILE [OTHER] GARMENTS. A GREATER STRINGENCY [APPLIES] TO GARMENTS, IN AS MUCH AS GARMENTS WHICH FORM THE SUPPORT OF A ZAB CAN DEFILE PERSONS,<sup>19</sup> WHEREAS A PERSON WHO FORMS THE SUPPORT OF A ZAB CAN NOT DEFILE<sup>20</sup> [OTHER] PERSONS.

MISHNAH 6. A PERSON CAN NOT DEFILE [AS A CORPSE] UNTIL HIS SOUL IS GONE FORTH, SO THAT EVEN IF HE HAS HIS ARTERIES SEVERED OR EVEN IF HE IS IN HIS

LAST AGONIES HE<sup>21</sup> [STILL] MAKES LEVIRATE MARRIAGE OBLIGATORY<sup>22</sup> AND LIBERATES FROM LEVIRATE MARRIAGE.<sup>23</sup> QUALIFIES [HIS MOTHER]<sup>24</sup> FOR EATING TERUMAH<sup>25</sup> AND DISQUALIFIES [HIS MOTHER]<sup>26</sup> FROM EATING TERUMAH. SIMILARLY IN THE CASE OF CATTLE OR WILD ANIMALS, THEY CANNOT DEFILE UNTIL THEIR SOUL IS GONE FORTH. IF THEIR HEADS HAVE BEEN CUT OFF, EVEN THOUGH THEY ARE MOVING CONVULSIVELY, THEY ARE UNCLEAN;<sup>27</sup> [MOVING. THAT IS TO SAY.] LIKE A LIZARD'S TAIL, WHICH MOVES CONVULSIVELY.

MISHNAH 7. MEMBERS<sup>28</sup> [OF THE BODY] HAVE NO [RESTRICTION AS TO] SIZE: EVEN LESS THAN AN OLIVE-SIZED PORTION OF A CORPSE. OR LESS THAN AN OLIVE-SIZED PORTION OF CARRION, OR LESS THAN A LENTIL-SIZED PORTION OF A REPTILE CAN DEFILE,<sup>29</sup> [EACH AFTER THE MANNER OF] THEIR RESPECTIVE DEFILEMENTS.<sup>30</sup>

MISHNAH 8. THERE ARE TWO HUNDRED AND FORTY-EIGHT MEMBERS IN A HUMAN BODY: THIRTY IN THE FOOT, [THAT IS] SIX TO EVERY TOE,<sup>31</sup> TEN IN THE ANKLE, TWO IN THE SHIN, FIVE IN THE KNEE, ONE IN THE THIGH, THREE IN THE HIP,<sup>32</sup> ELEVEN RIBS, THIRTY IN THE HAND, [THAT IS] SIX TO EVERY FINGER, TWO IN THE FORE-ARM, TWO IN THE ELBOW, ONE IN THE UPPER ARM AND FOUR IN THE SHOULDER, [THUS MAKING] ONE HUNDRED AND ONE ON THE ONE SIDE [OF THE BODY] AND ONE HUNDRED AND ONE ON THE OTHER; THEN EIGHTEEN VERTEBRAE IN THE SPINE, NINE [MEMBERS] IN THE HEAD, EIGHT IN THE NECK, SIX IN THE KEY OF THE HEART,<sup>33</sup> AND FIVE IN THE GENITALS. EACH ONE [OF THESE MEMBERS] CAN DEFILE BY CONTACT, CARRIAGE OR OVERSHADOWING. WHEN IS THIS SO? WHEN THEY HAVE UPON THEM [THEIR] APPROPRIATE FLESH,<sup>34</sup> BUT IF THEY HAVE NOT [THEIR] APPROPRIATE FLESH UPON THEM, THEY<sup>35</sup> CAN DEFILE BY CONTACT AND CARRIAGE BUT CANNOT DEFILE<sup>36</sup> BY OVERSHADOWING.<sup>37</sup>

(1) In concatenation, the first series of objects being defiled directly by the corpse, the second by the first after this has ceased to be in contact with the corpse, and so on.

(2) These two periods of defilement are mentioned in Num. XIX, 11 and 22.

(3) A corpse possesses the highest power of defiling, being regarded as the originating source, the 'father of fathers' of defilement ( אבי אבות הטומאה ). It can confer a generating defilement 'a father of defilement ( אב הטומאה ) on objects with which it comes into connection. Both these degrees of defilement require a cleansing period of seven days and hence are sometimes referred to as טומאת שבעה . The generating defilement can, in turn, confer a generated defilement ( ולד הטומאה ) of the first grade ( ראשון לטומאה ). This requires a cleansing period lasting only till sundown and hence is referred to as טומאת ערב . In our case, the first person acquires a generating defilement from the corpse and the second person a generated defilement from the first.

(4) Vessels, apart from those of earthenware, (according to a special rule deduced from Num. XIX, 16 in Naz. 53b) acquire the same degree of defilement as the source which defiles them; v. 'Ed., Sonc. ed., p. 10, n. I. Here the first series becomes אבי אבות הטומאה and the second אב הטומאה and not until the third series do we get ולד הטומאה .

(5) These latter vessels become אב הטומאה through contact with the preceding person who has that degree of defilement.

(6) שפוד Lit., 'a metal spit', explained by Bert. as a tent-peg and by Maim. as a tent-pole.

(7) In which there is a corpse. The tent, if made of wool or tax, becomes אבי אבות הטומאה .

(8) Also אבי אבות הטומאה even that portion of it outside the tent, because the peg is overshadowed by a tent containing a corpse.

(9) He becomes a 'father of defilement'.

(10) These too become like the source from which they contracted uncleanness, i.e., 'fathers of defilement'.

(11) The peg, being in the tent containing a corpse, is to be regarded as acquiring its defilement, not from the tent, but directly from the corpse. Thus there are four series only.

- (12) This Mishnah summarizes the result of the three previous Mishnahs.
- (13) V.p. 149. n.2.
- (14) V.p. 149, n. I end.
- (15) V.p 149, n. 3.
- (16) A person who has a flux. The laws of a zab are given in Lev. XV, 1-15. As a 'father of defilement' he defiles persons (v. 7) and vessels (v. 12) by contact and other means.
- (17) I.e., the garments he is wearing when he touches the zab, according to an explicit statement in Lev XV. 7.
- (18) Becoming thereby 'generated defilement', they cannot confer defilement on other garments, since no garments can acquire defilement of a lesser grade than the first.
- (19) Lev. XV, 10. Garments upon which a zab rides can defile persons. i.e., they are **זב**. This applies to any garments upon which a zab is supported. i.e., upon which he stands, sits or lies, by which he is balanced or against which he leans, v. Zab II. 4. This is called midras (pressure-) defilement.
- (20) They themselves are only 'generated defilement'.
- (21) Even though he is manifestly dying, he is still not accounted a corpse and unclean, but living and possessing the full legal implications of a living man as in the four following cases.
- (22) On his childless brother's widow (v. Deut. XXV, 5). Until he actually passes away, or grants her halizah (v. Deut. XXV, 9), she cannot marry another person.
- (23) If he is the sole son, he can liberate his widowed mother from the obligation of marrying her levir.
- (24) If she, being herself the daughter of a non-priest, is the widow of a priest, since she may continue to eat terumah as long as she has a son (a priest).
- (25) Heave-offering, permitted to be eaten only by priests and their families.
- (26) If she, being the daughter of a priest, is the widow of a non-priest. since she is precluded from returning to her father's house to eat terumah as long as she has a son (a non-priest).
- (27) The movement is not a sign of life.
- (28) A unit part of the body having flesh, sinew and bone.
- (29) If these portions form complete members (v. p. 153. n. 4).
- (30) A member of a corpse by contact, carriage and overshadowing (v. p. 153. n. 4), that of carrion by contact and carriage (v. Kel. I, 2) and of a dead reptile by contact only (v. Kel. I, I).
- (31) Reckoning from the ankle to the tip of the toe and in the case of the hand, from the wrist to the finger tips.
- (32) Socket of the hip bone.
- (33) The chest, so called according to Maim, because by its movements it causes the lungs to breathe upon the heart, opening the way for fresh air.
- (34) Defined (Kel. 1.5) as sufficient to form the basis of a growth of healing flesh if the member were part of a living organism.
- (35) But not members of a dead animal or reptile. which, if they have not sufficient flesh upon them, are clean.
- (36) For defilement by overshadowing, either a whole corpse or a whole member of a corpse is required (deduced from Nun., XIX, 14, v. Maim.).
- (37) For a detailed account of the criticism to which this Mishnah has been subjected from a medical point of view and for an anatomical commentary on the terminology v. Katzenelsohn, I. L. Talmud und Medizin (Berlin 1928) pp. 234-303. On p. 257 he states, 'The Rabbinical numeration accords exactly with the number of bones in a seventeen year old male'. That the anatomical knowledge of the Rabbis was based on practical experiments by dissection is known from Bek. 45a.' 'The disciples of R. Ishmael dissected the body of a prostitute who had been condemned to death by the government. By examination they found two hundred and fifty-two members'. Four were deducted as being found in the female but not in the male body, thus obtaining the figure 248. V. also J.E. VIII, p. 410 and Preuss, Biblische u. Talmudische Medizin, pp. 66f., who criticizes Katzenelsohn's views.

## Mishna - Mas. Oholoth Chapter 2

MISHNAH 1. THESE THINGS DEFILE<sup>1</sup> BY OVERSHADOWING: A CORPSE,<sup>2</sup> AN OLIVE-SIZED [PORTION OF FLESH] OF A CORPSE, AN OLIVE-SIZED [PORTION] OF NEZEL,<sup>3</sup> A LADLEFUL<sup>4</sup> OF CORPSE-MOULD,<sup>5</sup> THE SPINE OR THE SKULL,<sup>6</sup> [ANY] MEMBER OF A CORPSE, OR [ANY] MEMBER [SEVERED] FROM A LIVING PERSON, A

QUARTER<sup>7</sup> [OF A KAB] OF BONES COMPRISING THE STRUCTURAL MAJORITY<sup>8</sup> OR NUMERICAL MAJORITY, THE STRUCTURAL MAJORITY OR NUMERICAL MAJORITY [OF THE BONES] OF A CORPSE EVEN THOUGH THEY DO NOT AMOUNT TO A QUARTER [OF A KAB]; [ALL THESE] ARE UNCLEAN. HOW MANY [BONES] FORM THE NUMERICAL MAJORITY? ONE HUNDRED AND TWENTY-FIVE.

MISHNAH 2. [THE FOLLOWING LIKEWISE DEFILE:] A QUARTER<sup>9</sup> [OF A LOG] OF BLOOD,<sup>10</sup> A (QUARTER [OF A LOG] OF MIXED BLOOD<sup>11</sup> FROM ONE CORPSE. R. AKIBA SAYS: EVEN FROM TWO CORPSES.<sup>12</sup> [WITH REGARD TO] THE BLOOD OF A CHILD THAT HAS COMPLETELY FLOWED FORTH, R. AKIBA SAYS: [IT DEFILES] BE IT OF ANY QUANTITY SOEVER,<sup>13</sup> BUT THE SAGES SAY: [THERE MUST BE] A QUARTER [OF A LOG].<sup>14</sup> [WITH REGARD TO] AN OLIVE-SIZED [PORTION] OF [CORPSE] WORMS WHETHER ALIVE OR DEAD, R. ELIEZER DECLARES [IT] UNCLEAN, LIKE THE FLESH [WHENCE IT COMES], BUT THE SAGES DECLARE [IT] CLEAN. [WITH REGARD TO] THE ASHES OF CREMATED PERSONS, R. ELIEZER DECLARES ITS [MINIMUM] QUANTITY [FOR DEFILEMENT TO BE] A QUARTER [OF A KAB], BUT THE SAGES DECLARE [THEM TO BE] CLEAN. A LADLEFUL AND [A LITTLE] MORE<sup>15</sup> OF GRAVE-DUST<sup>16</sup> IS UNCLEAN. R. SIMEON DECLARES [IT TO BE] CLEAN. A LADLEFUL OF CORPSE-MOULD KNEADED WITH WATER IS NOT [REGARDED AS] JOINED [INTO ONE MASS] FOR [THE PURPOSES OF] DEFILEMENT.<sup>17</sup>

MISHNAH 3. THE FOLLOWING DEFILE BY CONTACT AND CARRIAGE BUT NOT BY OVERSHADOWING: A BONE OF BARLEYCORN SIZE,<sup>18</sup> EARTH FROM A FOREIGN COUNTRY,<sup>19</sup> A BETH PERAS,<sup>20</sup> A MEMBER OF A CORPSE, OR A MEMBER [SEVERED] FROM A LIVING PERSON WHICH HAS NO LONGER ITS APPROPRIATE FLESH, A SPINE OR A SKULL WHICH IS DEFICIENT. HOW MUCH IS [CONSIDERED] A DEFICIENCY IN THE SPINE? BETH SHAMMAI SAY: TWO VERTEBRAE, BUT BETH HILLEL SAY: EVEN ONE VERTEBRA. AND IN THE SKULL? BETH SHAMMAI SAY: [THE SIZE OF A] HOLE [MADE] BY A DRILL, BUT BETH HILLEL SAY: AS MUCH AS IF IT WERE TAKEN FROM A LIVING PERSON, HE WOULD DIE.<sup>21</sup> OF WHAT DRILL DID THEY SPEAK? OF THE SMALL ONE [USED] BY PHYSICIANS.<sup>22</sup> [THIS] IS. THE OPINION OF R. MEIR, BUT THE SAGES SAY: OF THE LARGE ONE IN THE TEMPLE-CHAMBER.<sup>23</sup>

MISHNAH 4. THE COVERING STONE<sup>24</sup> AND THE BUTTRESSING<sup>25</sup> STONE [OF A GRAVE] DEFILE BY CONTACT AND OVERSHADOWING<sup>26</sup> BUT NOT BY CARRIAGE.<sup>27</sup> R. ELIEZER SAYS: THEY DO DEFILE BY CARRIAGE. R. JOSHUA SAYS: IF THERE IS GRAVE DUST BENEATH THEM, THEY DEFILE BY CARRIAGE, BUT IF NOT THEY DO NOT DEFILE BY CARRIAGE. WHAT IS THE BUTTRESSING STONE? THAT UPON WHICH THE COVERING STONE IS SUPPORTED. THE STONE THAT SERVES AS BUTTRESS TO THE BUTTRESSING STONE, HOWEVER, IS CLEAN.

MISHNAH 5. THESE ARE CLEAN IF THEY ARE DEFICIENT<sup>28</sup> AN OLIVE-SIZED [PORTION] OF A CORPSE, AN OLIVE-SIZED [PORTION] OF NEZEL, A LADLEFUL OF CORPSE-MOULD, A QUARTER [OF A LOG] OF BLOOD, BONE OF THE SIZE OF A BARLEY-CORN, AND A MEMBER [SEVERED] FROM A LIVING PERSON, THE BONE OF WHICH [MEMBER] IS DEFICIENT.

MISHNAH 6. A BACKBONE OR A SKULL [MADE UP FROM THE BONES] OF TWO CORPSES, A QUARTER [OF A LOG] OF BLOOD FROM TWO CORPSES, A QUARTER [OF A KAB] OF BONES FROM TWO CORPSES, A MEMBER OF A CORPSE FROM TWO CORPSES, AND A MEMBER [SEVERED] FROM A LIVING PERSON, [SUCH A MEMBER BEING MADE UP] FROM TWO PERSONS, THESE R. AKIBA DECLARES UNCLEAN BUT THE SAGES

## DECLARE CLEAN.

MISHNAH 7. A BONE THE SIZE OF A BARLEY-CORN THAT IS DIVIDED INTO TWO, R. AKIBA DECLARES UNCLEAN BUT R. JOHANAN B. NURI DECLARES CLEAN. R. JOHANAN B. NURI SAID: THEY DID NOT SAY 'BONES' THE SIZE OF A BARLEY-CORN, BUT 'BONE' THE SIZE OF A BARLEY-CORN. A QUARTER [OF A KAB] OF BONES CRUSHED SO FINE THAT THERE IS NOT A SINGLE [BONE] OF BARLEY-CORN SIZE, R. SIMEON DECLARES CLEAN BUT THE SAGES UNCLEAN. A MEMBER [SEVERED] FROM A LIVING PERSON, WHICH [MEMBER] HAS BEEN DIVIDED INTO TWO IS CLEAN. R. JOSE DECLARES [IT] UNCLEAN; BUT HE AGREES THAT IF IT IS TAKEN FROM THE LIVING PERSON BY HALVES IT IS CLEAN.<sup>29</sup>

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(1) Cf. Nab. VII, 2.

(2) Explained in Naz. 50a as being that of an abortion, of less than olive-size.

(3) Possibly from nazal, 'to melt'; explained in Naz. 50a as 'the flesh of a corpse that has coagulated, and liquid secretions from a corpse that has been heated and has congealed'.

(4) Tarwad; Syrian 'large spoon or ladle'. 'Aruch on Kel. XVII, 12: 'the large ladle of physicians'.

(5) Dust known to have originated solely from a corpse. e.g dust from a corpse buried naked in a marble coffin (v. Naz. 51a).

(6) Either of these, even if they had not their appropriate flesh. They are recognisably part of a human skeleton (Bert.).

(7) One kab = four logs = twenty-four eggs, roughly equivalent to two litres.

(8) Bones which make up the greater part of the skeleton's structure e.g.. two shin bones and a thigh bone (Bek. 45a).

(9) One log (cf. Lev. XIV, 10) = six eggs, roughly, equivalent to half a litre.

(10) That has flowed forth after death.

(11) That has flowed forth partly here and partly after death (v. III, 5).

(12) For the reasons the dispute between R. Akiba and the Sages v. Hul. 72a.

(13) Making the case of blood analogous to that of bones, the majority of the skeleton defiling whatever size it be (v. supra 9).

(14) Because one cannot tell, as one can in the case of bones, when the whole amount is present.

(15) According to the text in most Mishnah editions. But the text printed in the Vilna editions of the Talmud read: 'A ladleful of corpse-mould and some grave-dust'. V. Nid. 27b where the same disputants differ over a case of a ladleful of corpse-mould and some (ordinary) dust.

(16) Dust, mixed with blood and cadaverous secretions, from a marble coffin A ladleful and more of this dust is presumed to contain a ladleful of mould.

(17) So that if only a part of his ladleful vote overshadowed, it could not convey tent-defilement. Human agency cannot effect a connection For defilement (v. Infra III, 4).

(18) Katzenelsohn (op. cit , p. 234, n. I) suggests that this size may have been chosen because the ossa sesamoidea, the smallest human bones, are of barleycorn size.

(19) Clods of foreign earth brought in to Palestine were decreed unclean by Jose b. Jo'ezer and Jose b. Johanan (Shab. 15a; v. also Naz. 54b).

(20) A grave-area; a field into which human bodies have been ploughed (v. infra XVIII, 1ff.). Peras according to Bert. from the root meaning 'to break' and according to Maim. from the meaning 'to spread' (viz, the area of uncleanness).

(21) Explained in Bek. 37b as a portion the size of a sela' (a silver coin worth approx. four shillings).

(22) The trepan.

(23) An instrument making a hole the size of a dupondium (Roman penny): v. Kel. XVII, 12.

(24) Golel. Maim. (in comment. on the M.) 'the stone (or wooden board etc.) covering a grave'. Rashi (on Keth. 4b) 'the cover of a coffin'. Perhaps from גלל 'to roll', hence a stone too heavy for lifting and needing to be rolled into position. Cf. אבן גלל Ezra V, 8.

(25) Dofek, from root 'to strike, knock against', hence 'frame against which the golel knocks'. Preuss however (op. cit. p. 609) explains golel as the great rolling stone blocking the entrance to a cave tomb and dofek as the wedge holding it in position.

(26) The grave is expressly included with the corpse in Num. XIX, 16 for defilement by contact, in the passage

following the one giving rules for defilement by overshadowing.

(27) Defilement by carriage is not taught in Scripture directly in connection with a corpse but is derived by the Rabbis a fortiori from carrion (v. Sifre on Num. XIX, 16). The Rabbis applied it to a corpse but not to the grave-stones. R. Eliezer here applies it even to the grave-stones

(28) I.e., if they fall short of the prescribed measure.

(29) Because the member has never been of the size to acquire uncleanness

### **Mishna - Mas. Oholoth Chapter 3**

MISHNAH 1. [WITH REGARD TO] ALL<sup>1</sup> OBJECTS DEFILING BY OVERSHADOWING,<sup>2</sup> IF THEY<sup>3</sup> WERE DIVIDED AND BROUGHT INTO A HOUSE, R. DOSA B. HARKINAS DECLARES CLEAN [WHATSOEVER IS IN THE HOUSE],<sup>4</sup> BUT THE SAGES DECLARE [IT] UNCLEAN. HOW [IS THIS DIFFERENCE OF OPINION TO BE UNDERSTOOD]? IF [A PERSON] TOUCHES TWO [PORTIONS] OF CARRION,<sup>5</sup> EACH OF THE SIZE OF HALF AN OLIVE, OR CARRIES THEM, OR, IN THE CASE OF A CORPSE, IF HE TOUCHES [A PORTION] OF THE SIZE OF HALF AN OLIVE AND OVERSHADOWS [ANOTHER PORTION] OF THE SIZE OF HALF AN OLIVE, OR IF HE TOUCHES [A PORTION] OF THE SIZE OF HALF AN OLIVE AND [ANOTHER PORTION] OF THE SIZE OF HALF AN OLIVE OVERSHADOWS HIM, OR IF HE OVERSHADOWS TWO [PORTIONS, EACH] OF THE SIZE OF HALF AN OLIVE, OR IF HE OVERSHADOWS [A PORTION] OF THE SIZE OF HALF AN OLIVE AND [ANOTHER PORTION] OF THE SIZE OF HALF AN OLIVE OVERSHADOWS HIM, R. DOSA B. HARKINAS DECLARES HIM CLEAN, AND THE SAGES DECLARE HIM UNCLEAN. BUT IF HE TOUCHES [A PORTION] OF THE SIZE OF HALF AN OLIVE AND [HAS] ANOTHER OBJECT<sup>6</sup> OVERSHADOWING HIM AND [ANOTHER PORTION] OF THE SIZE OF HALF AN OLIVE, OR IF HE OVERSHADOWS [A PORTION] OF THE SIZE OF HALF AN OLIVE AND [HAS] ANOTHER OBJECT OVERSHADOWING HIM AND [ANOTHER PORTION] OF THE SIZE OF HALF AN OLIVE, HE IS CLEAN.<sup>7</sup> (R. MEIR SAID: EVEN HERE R. DOSA B. HARKINAS DECLARES HIM CLEAN AND THE SAGES DECLARE HIM UNCLEAN. EVERY [CASE] IS UNCLEAN<sup>8</sup> EXCEPT [A CASE OF] CONTACT [COMBINED] WITH CARRIAGE OR OF CARRIAGE [COMBINED] WITH OVERSHADOWING). THIS IS THE GENERAL PRINCIPLE:<sup>9</sup> EVERY OBJECT [WHOSE DEFILEMENT] PROCEEDS FROM ONE CAUSE<sup>10</sup> IS UNCLEAN, FROM TWO CAUSES IS CLEAN.

MISHNAH 2. IF A LADLEFUL OF CORPSE-MOULD WAS SCATTERED ABOUT IN A HOUSE, THE HOUSE IS UNCLEAN<sup>11</sup> BUT R. SIMEON DECLARES IT CLEAN.<sup>12</sup> IF A QUARTER [OF A LOG] OF BLOOD WAS ABSORBED IN [THE GROUND] OF A HOUSE, THE HOUSE IS CLEAN. [IN THE CASE OF] IT BEING ABSORBED BY A GARMENT, IF THIS IS WASHED AND A QUARTER [OF A LOG] OF BLOOD EMERGES FROM IT,<sup>13</sup> IT IS UNCLEAN,<sup>14</sup> IF NOT, IT IS CLEAN,<sup>15</sup> SINCE ANYTHING ABSORBED THAT CANNOT EMERGE IS CLEAN.<sup>16</sup>

MISHNAH 3. [IN THE CASE OF] IT<sup>17</sup> BEING POURED OUT IN THE OPEN AIR, IF THE PLACE [WHERE IT FELL] WAS AN INCLINE AND [A PERSON] OVERSHADOWED PART OF IT, HE [REMAINS] CLEAN.<sup>18</sup> IF IT WAS A CAVITY,<sup>19</sup> OR IF THE BLOOD CONGEALED,<sup>20</sup> HE [BECOMES] UNCLEAN. IF IT WERE POURED OUT ON A THRESHOLD WHICH INCLINED EITHER INWARDS OR OUTWARDS AND THE HOUSE OVERSHADOWED IT,<sup>21</sup> [THE HOUSE] IS CLEAN.<sup>18</sup> IF THERE WAS A CAVITY,<sup>22</sup> OR IF IT CONGEALED, [THE HOUSE BECOMES] UNCLEAN. EVERYTHING APPERTAINING TO A CORPSE IS UNCLEAN EXCEPT THE TEETH, HAIR AND NAILS;<sup>23</sup> BUT WHEN THEY ARE JOINED [TO THE CORPSE], THEY ARE ALL UNCLEAN.

MISHNAH 4. HOW IS THIS<sup>24</sup> [TO BE ILLUSTRATED]? IF THE CORPSE WERE OUTSIDE

AND ITS HAIR INSIDE, THE HOUSE IS UNCLEAN. [WITH REGARD TO] A BONE WHICH HAD UPON IT AN OLIVE-SIZED PORTION OF FLESH, IF ONE BROUGHT PART OF IT WITHIN, SO THAT THE HOUSE WAS OVERSHADOWING IT, [THE HOUSE] IS UNCLEAN.<sup>25</sup> [WITH REGARD TO] TWO BONES WHICH HAD UPON THEM TWO PORTIONS<sup>26</sup> OF FLESH, [EACH] OF THE SIZE OF HALF AN OLIVE, IF ONE BROUGHT PART OF THEM WITHIN SO THAT THE HOUSE WAS OVERSHADOWING THEM, [THE HOUSE] IS UNCLEAN. BUT IF [THE PIECES OF FLESH] WERE FIXED IN POSITION BY HUMAN AGENCY, THE HOUSE IS CLEAN SINCE CONNECTIONS EFFECTED BY HUMAN AGENCY ARE NOT [REGARDED AS BEING] CONNECTED.<sup>27</sup>

MISHNAH 5. WHAT IS 'MIXED BLOOD'?<sup>28</sup> 'THE BLOOD OF A CORPSE OF WHICH AN EIGHTH [OF A LOG] ISSUED DURING LIFETIME AND AN EIGHTH AFTER DEATH. THIS IS THE OPINION OF R. AKIBA. R. ISHMAEL SAYS: [WE MUST IMAGINE] A QUARTER [OF A LOG TO HAVE ISSUED] DURING LIFETIME AND A QUARTER AFTER DEATH, [THEN IT IS] A QUARTER TAKEN FROM BOTH OF THESE. R. ELEAZAR SON OF R. [JUDAH]<sup>29</sup> SAYS: BOTH OF THESE<sup>30</sup> ARE AS WATER. WHAT THEN IS 'MIXED BLOOD'? IT IS THAT OF A CRUCIFIED PERSON WHOSE BLOOD IS STREAMING FORTH AND UNDER WHOM IS FOUND A QUARTER [OF A LOG] OF BLOOD. IT IS UNCLEAN.<sup>31</sup> THAT, HOWEVER, OF A CORPSE WHOSE BLOOD DRIPS FORTH AND UNDER WHOM IS FOUND A QUARTER [OF A LOG] OF BLOOD, IS CLEAN.<sup>32</sup> R. JUDAH SAYS: NOT SO, BUT THAT WHICH STREAMS FORTH IS CLEAN<sup>33</sup> AND THAT WHICH DRIPS FORTH<sup>34</sup> IS UNCLEAN.

MISHNAH 6. FOR AN OLIVE-SIZED PORTION OF A CORPSE, AN OPENING [IN THE ROOM IN WHICH IT IS FOUND] OF ONE HANDBREADTH [SQUARE], AND FOR A [WHOLE] CORPSE, AN OPENING OF FOUR HANDBREADTHS [SQUARE, SUFFICES] TO PREVENT THE UNCLEANNESS FROM [SPREADING TO THE OTHER] OPENINGS;<sup>35</sup> BUT FOR ALLOWING THE UNCLEANNESS TO COME FORTH,<sup>36</sup> AN OPENING OF ONE HANDBREADTH [SQUARE SUFFICES].<sup>37</sup> [A PORTION] GREATER THAN THE SIZE OF AN OLIVE IS RECKONED AS A [WHOLE] CORPSE. R. JOSE SAYS: [ONLY]<sup>38</sup> THE SPINE AND THE SKULL ARE RECKONED AS A [WHOLE] CORPSE.

MISHNAH 7. [AN OBJECT] ONE HANDBREADTH SQUARE<sup>39</sup> [STANDING] ONE HANDBREADTH HIGH<sup>40</sup> CAN BRING UNCLEANNESS<sup>41</sup> AND SCREEN<sup>42</sup> FROM UNCLEANNESS. HOW DOES IT [SCREEN]?<sup>43</sup> IN THE CASE OF AN ARCHED-UP<sup>44</sup> DRAIN BENEATH A HOUSE, IF THERE WAS A SPACE OF A HANDBREADTH WIDE<sup>45</sup> THEREIN AND ITS OUTLET<sup>46</sup> WAS A HANDBREADTH WIDE, WHEN THERE IS UNCLEANNESS<sup>47</sup> INSIDE IT, THE HOUSE REMAINS CLEAN;<sup>48</sup> AND WHEN THERE IS UNCLEANNESS IN THE HOUSE, THAT WHICH IS WITHIN [THE DRAIN] REMAINS CLEAN, FOR THE MANNER OF THE UNCLEANNESS IS TO GO OUT AND NOT TO GO IN. IF THERE WAS A SPACE OF ONE HANDBREADTH WIDE THEREIN BUT ITS OUTLET WAS NOT ONE HANDBREADTH WIDE, WHEN THERE IS UNCLEANNESS THEREIN, THE HOUSE BECOMES UNCLEAN;<sup>49</sup> BUT WHEN THERE IS UNCLEANNESS IN THE HOUSE, THAT WHICH IS WITHIN IT REMAINS CLEAN, FOR THE MANNER OF THE UNCLEANNESS IS TO GO OUT<sup>50</sup> AND NOT TO GO IN.<sup>51</sup> IF THERE WAS NOT A SPACE OF ONE HANDBREADTH WIDE THEREIN AND ITS OUTLET WAS NOT ONE HANDBREADTH WIDE,<sup>52</sup> WHEN THERE IS UNCLEANNESS WITHIN IT, THE HOUSE BECOMES UNCLEAN; AND WHEN THERE IS UNCLEANNESS IN THE HOUSE, IT [ALSO] BECOMES UNCLEAN. IT IS ONE [AND THE SAME IF THE SPACE IS] A CAVITY EXCAVATED BY WATER OR BY VERMIN OR IF IT HAD BEEN EATEN OUT BY A SALINE SUBSTANCE; AND SIMILARLY [IF IT IS IN] A ROW<sup>53</sup> OF STONES OR A PILE<sup>54</sup> OF BEAMS. R. JUDAH SAYS: ANY 'TENT' NOT MADE BY HUMAN AGENCY<sup>55</sup> IS NOT CONSIDERED A TENT'. BUT HE AGREES THAT CREVICES AND CRAGS [CAN BE CONSIDERED AS 'TENTS'].

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- (1) Cf. 'Ed. III, 1.
  - (2) Mentioned supra II, 1f.
  - (3) I.e., a portion of the minimum quantity for defilement.
  - (4) In their divided state they cannot combine to convey defilement by overshadowing.
  - (5) The dispute apparently also included defilement by carrion.
  - (6) A board, etc.
  - (7) Even according to the Sages. The reason is discussed in Hul. 125b.
  - (8) R. Meir, continuing his exposition of the opinion of the Sages. According to him they hold that two quantities may combine to form the minimum quantity in any mixed case of contact and overshadowing (regarded as one and the same cause), but not in any other mixed case arising from two causes.
  - (9) Resuming the view of the first Tanna interrupted by the exposition of R. Meir.
  - (10) The object is being affected by two portions which together form the minimum quantity, and which both defile through the same cause, either contact, carriage or overshadowing.
  - (11) The scattered Portions are regarded as combining.
  - (12) Maintaining that since it Presumably is now mixed with the dust of the house, it is just like that corpse-mould originating from a mixture of corpse matter and non-cadaverous dust which does not defile (v. supra II, 1, n. 5).
  - (13) This fact is ascertained by mingling a quarter of a log of blood with a quantity of water equal to that used in washing the garment and comparing the colours of the two mixtures (Bert.).
  - (14) And renders the house in which it is brought unclean by overshadowing.
  - (15) In so far as it does not render the house unclean.
  - (16) v. Nid. 62b.
  - (17) A quarter log of blood from a corpse.
  - (18) The incline cannot be regarded as a connective, holding the full quarter of a log together.
  - (19) The equivalent word in Arabic means 'swamp'. 'gathering together of waters'.
  - (20) Even on an incline.
  - (21) I.e., part of it.
  - (22) In the threshold.
  - (23) Either because they change their substance continually or because they did not exist at the time the person was created.
  - (24) The last fact mentioned in the previous Mishnah.
  - (25) The bone forms the handle ( **ט** ) for the flesh in transmitting the uncleanness; v. 'Uk. I, 1.
  - (26) One portion upon each bone.
  - (27) Hence the bone, in this last instance, cannot be considered as forming the 'handle' for the flesh in transmitting uncleanness.
  - (28) . Referred to in supra II, 2.
  - (29) Sometimes known as R. Eleazar of Bertotha (v. Ab. III, 7).
  - (30) Definitions of 'mixed blood' according to R. Akiba and R. Ishmael.
  - (31) Such blood, streaming forth continually, is regarded as containing that drop issuing forth at the moment of death and also as containing at least half its bulk of unclean blood, issued after death.
  - (32) Each drop of unclean cadaverous blood is regarded as being neutralised as it falls into the greater bulk of non-cadaverous blood.
  - (33) Since it is regarded as possible that the drop of blood issuing from the crucified man at the moment of death did not fall into the quarter of a log but remained on the cross (Bert.).
  - (34) The slow rate at which the blood issues proving that it is cadaverous (Maim.). The question is discussed in Nid. 71a. V. also Preuss (op. cit.) p. 242.
  - (35) As explained infra VII, 3, corpse uncleanness through overshadowing extends beyond the room to the doors thereof, and even if they are closed, to the objects beneath their lintels, because it is assumed that the corpse is due to be removed through any one of them. Where, however, it is known that a definite exit will be used, that exit alone becomes unclean and all the rest, provided the doors be closed, remain clean. The Mishnah gives the minimum size of such an exit.
  - (36) And proceed to an adjacent space.



- (37) Even for a whole corpse.
- (38) So Wilna Gaon.
- (39) At least one handbreadth in length and breadth.
- (40) Above the uncleanness.
- (41) To other objects in the same space.
- (42) The object forming the roof protects other things above it from being defiled. If, however, the roof is less than one handbreadth high, the uncleanness will cleave its way upward and downward (v. infra VI, 6).
- (43) So Bert. and most comm., the screening effect being the novel aspect that needs illustrating.
- (44) קמור The word is akin to Gr. \*\* and Latin camera, 'a vaulted space'.
- (45) I.e., a space one handbreadth cube.
- (46) Carrying the waste out into the street.
- (47) An olive-sized portion of a corpse, a greater quantity necessitating an outlet of four handbreadths.
- (48) Since the uncleanness proceeds by the outlet into the street. The drain, by being of the stipulated size, thus screens the house from uncleanness.
- (49) There being no outlet for the uncleanness, the drain becomes a 'closed grave' whose uncleanness cleaves upwards and downwards.
- (50) To the street.
- (51) To the drain.
- (52) The dimensions of the outlet in this case are really immaterial, the drain in any case being reckoned as part of the ground of the house.
- (53) מרבך The word occurs in the quotation from this Mishnah in Suk. 20b as מרבך . which is, no doubt, from the same root as נרבך , Ezra VI, 4. The root רבך may possibly be the same as רבך 'to join together', hence a 'course of stones'. If one stone falls out a shelter can be formed.
- (54) סואר (also found as סור ). Explained in 'Aruch from the cognate Arabic as 'pile'. Possibly from a root similar to 'to collect'.
- (55) The reason of R. Judah's statement is given in Suk. 21a. He considers that 'tent' should be similar in manner to the 'Tent of Meeting', the tabernacle of the wilderness, made by human agency.

#### Mishna - Mas. Oholoth Chapter 4

MISHNAH 1. [WITH REGARD TO] A CUPBOARD<sup>1</sup> STANDING IN THE OPEN AIR, IF THERE IS UNCLEANNESS WITHIN IT, VESSELS IN THE [NICHE<sup>2</sup> IN THE] THICKNESS [OF ITS WALLS] REMAIN CLEAN.<sup>3</sup> IF THERE IS UNCLEANNESS IN [THE NICHE IN] ITS THICKNESS, VESSELS INSIDE [THE CUPBOARD] REMAIN CLEAN. R. JOSE SAYS: HALF AND HALF.<sup>4</sup> WHEN IT IS STANDING INSIDE A HOUSE, IF THERE IS UNCLEANNESS INSIDE [THE CUPBOARD]. THE HOUSE BECOMES UNCLEAR;<sup>5</sup> IF THERE IS UNCLEANNESS IN THE HOUSE, THAT WHICH IS WITHIN [THE CUPBOARD] REMAINS CLEAN,<sup>6</sup> FOR THE MANNER OF UNCLEANNESS IS TO GO OUT<sup>7</sup> AND NOT TO GO IN.<sup>8</sup> [WITH REGARD TO] VESSELS WHICH ARE BETWEEN [THE CUPBOARD] AND THE GROUND, OR BETWEEN IT AND THE WALL, OR BETWEEN IT AND THE ROOFBEAMS, IF THERE IS A SPACE OF ONE CUBIC HANDBREADTH THERE, THEY BECOME UNCLEAR<sup>9</sup> BUT IF NOT THEY REMAIN CLEAN.<sup>10</sup> IF THERE IS UNCLEANNESS THERE,<sup>11</sup> THE HOUSE BECOMES UNCLEAR.<sup>12</sup>

MISHNAH 2. [WITH REGARD TO] A DRAWER OF THE CUPBOARD, WHICH IS OF ONE CUBIC HANDBREADTH, BUT WHOSE OUTLET IS NOT A SQUARE HANDBREADTH IN SIZE, IF THERE IS UNCLEANNESS THEREIN, THE HOUSE BECOMES UNCLEAR; BUT IF THERE IS UNCLEANNESS IN THE HOUSE, THAT WHICH IS WITHIN [THE DRAWER] REMAINS CLEAN, FOR THE MANNER OF UNCLEANNESS IS TO GO OUT AND NOT TO GO IN. R. JOSE DECLARES [THE HOUSE]<sup>13</sup> CLEAN, SINCE HE CAN REMOVE [THE UNCLEANNESS] BY HALVES<sup>14</sup> OR BURN IT WHERE IT STANDS.<sup>15</sup>

MISHNAH 3. [IN THE CASE WHERE] THE CUPBOARD IS STANDING IN THE DOORWAY AND IS OPENED OUTWARD, IF THERE IS UNCLEANNESS THEREIN, THE HOUSE REMAINS CLEAN. IF THERE IS UNCLEANNESS IN THE HOUSE, THAT WHICH IS WITHIN [THE CUPBOARD] BECOMES UNCLEAN.<sup>16</sup> FOR THE MANNER OF UNCLEANNESS IS TO GO OUT AND NOT TO GO IN. IF ITS WHEELED BASE<sup>17</sup> PROTRUDED THREE FINGERBREADTHS BEHIND IT<sup>18</sup> AND THERE WAS UNCLEANNESS THEREIN<sup>19</sup> UNDER THE ROOF-BEAMS, THE HOUSE REMAINS CLEAN.<sup>20</sup> WHEN DOES THIS RULING APPLY? WHEN THERE IS A SPACE THEREIN OF ONE CUBIC HANDBREADTH,<sup>21</sup> WHEN IT IS NOT DETACHABLE,<sup>22</sup> AND WHEN THE CUPBOARD IS OF THE STIPULATED SIZE.<sup>23</sup>

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- (1) Of wood, with a cubic content of forty se'ahs. According to Kel. XV, 1 such a cupboard cannot receive uncleanness.
  - (2) These niches, of less than a cubic handbreadth in size, go right through the thickness of the walls and open inwards and outwards.
  - (3) The niches are reckoned as pertaining to the open air.
  - (4) The outside half of the niche is reckoned as pertaining to the open air and the inside half to the cupboard.
  - (5) Even if the cupboard doors are closed because the uncleanness must eventually proceed into the house.
  - (6) If the cupboard doors are closed.
  - (7) From the cupboard to the house.
  - (8) From the house to the cupboard.
  - (9) When there is a corpse in the house.
  - (10) The uncleanness not being able to penetrate.
  - (11) The space being less than a cubic handbreadth.
  - (12) The cupboard, though forming a 'tent' within a 'tent', cannot prevent the uncleanness from escaping, just as a sealed cover cannot do it (cf. Kel. VIII, 6).
  - (13) In the former case.
  - (14) So that the uncleanness going forth would be of less than the prescribed minimum size.
  - (15) So that the uncleanness would never go out.
  - (16) The text in Hul. 125b apparently followed by Bert. reads: 'clean'. This reading regards the uncleanness as going out of the house and missing the cupboard. The reading in this Mishnah is explained by Tosaf. Y.T. as applying to the case where the cupboard occupies almost the whole of the doorway. The uncleanness being unable to emerge. has to force its way through the cupboard walls.
  - (17) מוֹכְנֵי Gr. \*\*, machine (v. Kel. XVIII, 2).
  - (18) I.e., as the cupboard was standing in the doorway.
  - (19) In a container in the base.
  - (20) The base is regarded as belonging to the cupboard.
  - (21) The uncleanness is then not in a confined space and cannot cleave upwards.
  - (22) The base forms part of the cupboard.
  - (23) Forty se'ahs, v. Mishnah I, n. 1.

## Mishna - Mas. Oholoth Chapter 5

MISHNAH 1. [WITH REGARD TO] AN OVEN WHICH STOOD IN A HOUSE, WITH ITS OUTLET<sup>1</sup> CURVED TO THE OUTSIDE [OF THE HOUSE]. IF CORPSE-BEARERS OVERSHADOWED IT,<sup>2</sup> BETH SHAMMAI SAY: ALL BECOMES UNCLEAN.<sup>3</sup> BETH HILLEL SAY: THE OVEN BECOMES UNCLEAN, BUT THE HOUSE REMAINS CLEAN. R. AKIBA SAYS: EVEN THE OVEN REMAINS CLEAN.<sup>4</sup>

MISHNAH 2. [WITH REGARD TO] A HATCHWAY<sup>5</sup> BETWEEN THE HOUSE AND THE UPPER STOREY, IF THERE WAS A POT PLACED OVER IT AND THIS WAS PERFORATED [BY A HOLE OF SUFFICIENT SIZE] TO ADMIT LIQUID,<sup>6</sup> BETH SHAMMAI SAY: ALL BECOMES UNCLEAN.<sup>7</sup> BETH HILLEL SAY: THE POT BECOMES UNCLEAN<sup>8</sup> BUT THE

UPPER STOREY REMAINS CLEAN. R. AKIBA SAYS: ALL REMAINS CLEAN.

MISHNAH 3. IF [THE POT]<sup>9</sup> WAS WHOLE, BETH HILLEL SAY: IT PROTECTS ALL [FROM UNCLEANNESS]. BETH SHAMMAI SAY: IT PROTECTS ONLY FOOD, DRINK AND EARTHENWARE VESSELS.<sup>10</sup> BETH HILLEL RETRACTED AND TAUGHT AS BETH SHAMMAI.

MISHNAH 4. [WITH REGARD TO] A FLAGON,<sup>11</sup> FULL OF LIQUID, THE FLAGON IS DEFILED WITH A DEFILEMENT OF SEVEN [DAYS' DURATION] BUT THE LIQUID REMAINS CLEAN.<sup>12</sup> BUT IF ONE Poured IT OUT INTO ANOTHER VESSEL,<sup>13</sup> IT BECOMES UNCLEAR.<sup>14</sup> IF A WOMAN WAS KNEADING [IN THE UPPER STOREY.] AT A TROUGH, THE WOMAN AND THE TROUGH BECOME UNCLEAR, BUT THE DOUGH REMAINS CLEAR. BUT IF ONE TURNED IT OUT INTO ANOTHER VESSEL, IT BECOMES UNCLEAR. BETH HILLEL RETRACTED AND TAUGHT AS BETH SHAMMAI.<sup>15</sup>

MISHNAH 5. IF [LYING OVER THE HATCHWAY] THERE WERE VESSELS OF [BAKED] ORDURE,<sup>16</sup> VESSELS OF STONE, OR VESSELS OF [UNBAKED] EARTH,<sup>17</sup> ALL [IN THE UPPER STOREY] REMAINS CLEAR. IF IT WAS A VESSEL KNOWN TO BE CLEAR FOR HOLY THINGS OR FOR [THE WATER OF] PURIFICATION,<sup>18</sup> ALL REMAINS CLEAR,<sup>19</sup> EVERYONE<sup>20</sup> BEING TRUSTED WITH [REGARD TO MATTERS OF] PURIFICATION;<sup>21</sup> FOR CLEAR VESSELS AND EARTHENWARE VESSELS THAT ARE [ KNOWN TO BE] CLEAR<sup>22</sup> PROTECT IN ASSOCIATION WITH THE WALLS OF 'TENTS'.<sup>23</sup>

MISHNAH 6 HOW [IS THE CASE TO BE IMAGINED]? IF THERE WAS A CISTERN OR A CELLAR<sup>24</sup> IN A HOUSE<sup>25</sup> AND AN OLIVE-BASKET<sup>26</sup> WAS PLACED OVER IT, [THE CONTENTS OF THE CISTERN OR CELLAR] REMAIN CLEAR. BUT IF IT WAS A WELL [WITH ITS UPPER EDGE] LEVEL [WITH THE GROUND]. OR A DEFICIENT<sup>27</sup> BEEHIVE. UPON WHICH THE OLIVE-BASKET WAS PLACED, [THE CONTENTS] BECOME UNCLEAR.<sup>28</sup> IF IT WAS A SMOOTH BOARD OR A KNEADING BOARD<sup>29</sup> WITHOUT RIMS, [THE CONTENTS] REMAIN CLEAR.<sup>30</sup> FOR VESSELS CANNOT PROTECT ALONG WITH WALLS OF SHELTERS UNLESS THEY THEMSELVES HAVE WALLS. HOW MUCH MUST THE WALL BE? A HANDBREADTH. IF THERE WAS HALF A HANDBREADTH ON ONE AND HALF A HANDBREADTH ON THE OTHER,<sup>31</sup> IT IS NOT [CONSIDERED] A WALL, AS THERE MUST BE A WHOLE HANDBREADTH ON ONE OBJECT.

MISHNAH 7. JUST AS THEY<sup>32</sup> PROTECT INSIDE [A 'TENT'] SO DO THEY PROTECT OUTSIDE. HOW SO? IN THE CASE OF AN OLIVE-BASKET SUPPORTED ON PEGS<sup>33</sup> ON THE OUTSIDE [OF A 'TENT']. IF THERE WAS UNCLEANNESS BENEATH IT, VESSELS IN THE OLIVE-BASKET REMAIN CLEAR.<sup>34</sup> BUT IF IT WAS [NEXT TO] THE WALL OF A COURTYARD OR OF A GARDEN, IT DOES NOT AFFORD PROTECTION.<sup>35</sup> [IN THE CASE OF] A BEAM<sup>36</sup> PLACED ACROSS FROM ONE WALL TO AN OTHER,<sup>37</sup> WITH A POT HANGING FROM IT,<sup>38</sup> IF THERE WAS UNCLEANNESS BENEATH IT,<sup>39</sup> R. AKIBA DECLARES THE VESSELS INSIDE IT TO BE CLEAR,<sup>40</sup> BUT THE SAGES DECLARE THEM UNCLEAR.<sup>41</sup>

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(1) Of one handbreadth square (v. Kel. VIII, 7). The reference is to an earthenware pot.

(2) With the corpse.

(3) The uncleanness penetrating the house by way of the outlet.

(4) Since only the outlet was overshadowed, not the oven itself.

(5) Of one handbreadth square.

(6) For the prescribed test to determine this fact, v. Nid. 49a.

(7) When there is a corpse in the house. The earthenware pot, because it is defective, is considered on its own and not as

a continuation of the roof of the house. It cannot protect its own contents from uncleanness since it no longer has the equivalent of a tightly fitting lid between itself and the defiling source. Hence it cannot protect the objects in the upper storey.

- (8) A precautionary measure of the Sages, but really it is clean and therefore can protect the upper storey.
- (9) This Mishnah deals with the case of a pot belonging to an 'am ha-arez, a person negligent of Rabbinic law (Bert.). V. 'Ed. I, 14, Sonc. ed., p. 8, for the full argument.
- (10) These objects, if they belonged to all 'am ha-arez would not, in any case, be used by a haber, a scrupulous observer of Rabbinic law, without due precaution. Other vessels, however, might be used unless they were definitely declared unclean.
- (11) 'Flagon', here of metal or wood. The flagon is in the upper storey, with the pot set over the hatchway.
- (12) Being protected by the pot, according to Beth Shammai in supra 3.
- (13) Of wood or metal, in the upper storey, which had thus already suffered corpse uncleanness.
- (14) Food and drink are only protected when they are in their original container.
- (15) V. 'Ed. I, 14.
- (16) אר"כ ובר"ק 'Aruch and Bert. 'cattle dung'. but Rashi (on Shab. 16b) 'marble'.
- (17) All these vessels being insusceptible to uncleanness and affording protection to everything, even wood or metal vessels.
- (18) Cf. Par. V, 1; Num. XIX, 17. It was the water used for compounding the ashes of the red heifer.
- (19) Cf. n. 7.
- (20) Even an 'am ha-arez
- (21) Cf. Par. V, 1.
- (22) Such as those mentioned in this Mishnah.
- (23) As in the case of the pot over the hatchway. No such protection can, however, be afforded by these vessels on their own as is explained in the next Mishnah.
- (24) A cistern or chamber with walls of masonry situated beneath a house. Both cistern and cellar have walls projecting at least one handbreadth above the floor.
- (25) In which there is a corpse.
- (26) A large basket in which olives were placed in order to become soft. Having a capacity of more than forty Se'ahs, it is insusceptible to uncleanness, cf. Kel. XV, I.
- (27) A beehive of more than forty se'ahs' capacity which had been broken and had not been stopped up with straw or the like. Var. lec., 'open'. i.e., at both ends.
- (28) In neither case are there any walls that could be associated with the walls of the olive-basket to protect from the uncleanness.
- (29) So Bert. Maim.: a perforated board, colander.
- (30) Not being regarded as vessels, they require no 'tent' walls with which to be associated.
- (31) I.e., half a handbreadth on the vessel and half on the projecting wall.
- (32) Vessels in association with 'tent walls.
- (33) The basket standing one handbreadth above the ground.
- (34) The basket touching the wall of the 'tent' is associated with it to protect its own contents.
- (35) The walls not being themselves made to serve as 'tent' walls.
- (36) One handbreadth broad, one handbreadth above the ground.
- (37) In the open air.
- (38) At a distance from the beam of less than a handbreadth.
- (39) The beam.
- (40) Just as in a room, where uncleanness is not able to penetrate into a space of less than a handbreadth.
- (41) The pot, not being directly associated with the walls of any 'tent', cannot protect its own contents.

## Mishna - Mas. Oholoth Chapter 6

MISHNAH 1. BOTH PERSONS AND VESSELS CAN FORM<sup>1</sup> 'TENTS' TO BRING UNCLEANNESS, BUT NOT TO [PROTECT OBJECTS SO THAT THEY] REMAIN CLEAN.<sup>2</sup> HOW [CAN THIS BE ILLUSTRATED]? [BY THE CASE OF] FOUR PERSONS CARRYING<sup>3</sup> A

BLOCK OF STONE.<sup>4</sup> IF THERE IS UNCLEANNESS BENEATH IT, VESSELS UPON IT BECOME UNCLEAR.<sup>5</sup> IF THERE IS UNCLEANNESS UPON IT, VESSELS BENEATH IT BECOME UNCLEAR. R. ELIEZER DECLARES THEM CLEAN.<sup>6</sup> [IN THE CASE OF THE LARGE STONE] BEING PLACED UPON FOUR VESSELS, EVEN IF THEY BE VESSELS OF [BAKED] ORDURE, VESSELS OF STONE, OR VESSELS [UNBAKED] OF EARTH,<sup>7</sup> IF THERE IS UNCLEANNESS BENEATH [THE STONE], VESSELS UPON IT BECOME UNCLEAR. IF THERE IS UNCLEANNESS BENEATH IT, VESSELS UPON IT BECOME UNCLEAR. [IN THE CASE OF THE LARGE STONE] BEING PLACED ON FOUR STONES OR ON ANY LIVING CREATURE, IF THERE IS UNCLEANNESS BENEATH IT, VESSELS UPON IT REMAIN CLEAN.<sup>8</sup> IF THERE IS UNCLEANNESS UPON IT VESSELS BENEATH IT REMAIN CLEAN.

MISHNAH 2. IN THE CASE WHERE THE CORPSE-BEARERS WERE PASSING ALONG A PORTICO<sup>9</sup> AND ONE OF THEM<sup>10</sup> SHUT A DOOR<sup>11</sup> AND<sup>12</sup> LOCKED IT WITH A KEY, IF THE DOOR CAN REMAIN IN ITS POSITION ON ITS OWN,<sup>13</sup> [THE CONTENTS OF THE HOUSE]<sup>14</sup> REMAIN CLEAN, BUT IF NOT, THEY BECOME UNCLEAR. SIMILARLY [IN THE CASE OF] A BARREL<sup>15</sup> OF DRIED FIGS OR A BASKET OF STRAW<sup>16</sup> PLACED IN A WINDOW,<sup>17</sup> IF THE DRIED FIGS OR THE STRAW CAN REMAIN IN THEIR POSITION ON THEIR OWN, [THE CONTENTS OF THE ROOM] REMAIN CLEAN, BUT IF NOT THEY BECOME UNCLEAR. [IN THE CASE OF] A HOUSE PARTITIONED OFF BY WINE-JARS, WHICH HAD BEEN PLASTERED WITH CLAY,<sup>18</sup> IF THE CLAY CAN REMAIN IN ITS POSITION ON ITS OWN, [THE SPACE PARTITIONED OFF] REMAINS CLEAN, BUT IF NOT, IT BECOMES UNCLEAR.

MISHNAH 3. A WALL SERVING A HOUSE IS TREATED BY HALVES. HOW SO? [IN THE CASE OF] A WALL LOOKING TOWARDS AN OPEN SPACE, HAVING UNCLEANNESS WITHIN IT, IF THIS IS IN THE INWARD HALF, THE HOUSE BECOMES UNCLEAR, BUT WHAT IS ABOVE [THE WALL]<sup>19</sup> REMAINS CLEAN.<sup>20</sup> IF IT IS IN THE OUTWARD HALF, THE HOUSE REMAINS CLEAN, BUT WHAT IS ABOVE [THE WALL] BECOMES UNCLEAR.<sup>21</sup> IF IT IS EXACTLY IN THE MIDDLE, THE HOUSE BECOMES UNCLEAR, AND AS FOR WHAT IS ABOVE, R. MEIR DECLARES IT UNCLEAR, BUT THE SAGES CLEAN.<sup>22</sup> R. JUDAH SAYS: THE WHOLE OF THE WALL<sup>23</sup> APPERTAINS TO THE HOUSE.

MISHNAH 4. [IN THE CASE OF] A WALL BETWEEN TWO HOUSES,IF THERE IS UNCLEANNESS WITHIN IT, THE HOUSE NEARER TO THE UNCLEANNESS IS UNCLEAR, AND THE HOUSE NEARER TO THE CLEAN PART IS CLEAN. IF [THE UNCLEANNESS] IS IN THE MIDDLE, BOTH ARE UNCLEAR. IF THERE IS UNCLEANNESS IN ONE OF THE [HOUSES] AND THERE ARE VESSELS IN [THE THICKNESS OF] THE WALL, THOSE IN THE HALF NEARER THE UNCLEANNESS ARE UNCLEAR, THOSE IN THE HALF NEARER THE CLEAN [HOUSE] ARE CLEAN, AND THOSE IN THE MIDDLE ARE UNCLEAR. [WITH REGARD TO THE] PLASTER-WORK BETWEEN THE HOUSE AND THE UPPER STOREY, IF THERE IS UNCLEANNESS THEREIN IN THE LOWER HALF, THE HOUSE [BELOW] IS UNCLEANNESS AND THE UPPER STOREY IS UNCLEAR AND THE HOUSE IS CLEAN: BUT IF IT IS IN THE MIDDLE, BOTH ARE UNCLEAR. IF THERE IS UNCLEANNESS IN EITHER [THE] HOUSE OR THE UPPER STOREY] AND THERE ARE VESSELS INSIDE THE PAYMENT, THOSE IN THE HALF NEARER THE UNCLEANNESS ARE UNCLEAR, AND THOSE IN THE HALF NEARER THE CLEAN [SPACE] ARE CLEAN. IF THEY ARE IN THE MIDDLE, THEY ARE UNCLEAR. R. JUDAH SAYS: ALL THE PLASTER-WORK [IS RECKONED] TO APPERTAIN TO THE UPPER STOREY.

MISHNAH 5. [IN THE CASE OF] UNCLEANNESS AMONG THE ROOF-BEAMS, [WITH A COVERING] BENEATH IT THIN AS GARLIC-SKIN,<sup>24</sup> IF THERE IS A SPACE WITHIN<sup>25</sup> OF A

CUBIC HANDBREADTH, EVERYTHING BECOMES UNCLEAN.<sup>26</sup> IF THERE IS NOT A SPACE OF A CUBIC HANDBREADTH, THE UNCLEANNESS IS CONSIDERED PLUGGED UP.<sup>27</sup> IF THE UNCLEANNESS WAS VISIBLE WITHIN THE HOUSE, IN EITHER CASE THE HOUSE BECOMES UNCLEAN.

MISHNAH 6. A HOUSE SERVING [TO FORM] A WALL<sup>28</sup> IS SUBJECT TO THE PRINCIPLE OF GARLIC-SKIN. HOW SO? [IN THE CASE OF] A WALL BETWEEN TWO TOMB-NICHES OR TWO CAVERNS, IF THERE IS UNCLEANNESS IN THESE SPACES AND IN THE WALLS ARE VESSELS, OVER WHICH THERE IS A COVERING THIN AS GARLIC-SKIN, THEY REMAIN CLEAN. IF THE UNCLEANNESS IS IN THE WALL AND THE VESSELS ARE IN THE SPACE, AND THERE IS A COVERING THIN AS GARLIC-SKIN OVER THE UNCLEANNESS, THEY REMAIN CLEAN. IF THERE IS UNCLEANNESS BENEATH A PILLAR, THE UNCLEANNESS<sup>29</sup> CLEAVES UPWARDS AND DOWNWARDS.

MISHNAH 7. VESSELS BENEATH THE CAPITAL<sup>30</sup> [OF A PILLAR] REMAIN CLEAN.<sup>31</sup> R. JOHANAN B. NURI DECLARES THEM UNCLEAN. [IN THE CASE OF] THE UNCLEANNESS AND THE VESSELS BEING [TOGETHER] BENEATH THE CAPITAL, IF THERE IS A SPACE OF ONE CUBIC HANDBREADTH THERE, [THE VESSELS] BECOME UNCLEAN; IF NOT, THEY REMAIN CLEAN.<sup>32</sup> [IN THE CASE OF] TWO WALL-CUPBOARDS,<sup>33</sup> ONE BESIDE THE OTHER, OR ONE ABOVE THE OTHER,<sup>34</sup> IF ONE OF THEM WERE OPENED, BOTH IT AND THE HOUSE BECOME UNCLEAN, BUT ITS COMPANION REMAINS CLEAN.<sup>35</sup> THE WALL-CUPBOARDS ARE CONSIDERED<sup>36</sup> AS IF PLUGGED UP,<sup>37</sup> AND ARE SUBJECT TO THE PRINCIPLE OF HALVES<sup>38</sup> FOR CONVEYING UNCLEANNESS INTO THE HOUSE.

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- (1) Either by they themselves overshadowing or else by supporting a 'tent' as explained further in this Mishnah.
  - (2) As can clean vessels in association with the walls of 'tents' (v. supra v, 5).
  - (3) In the open air.
  - (4) נִדְבָךְ . Bert. renders the word here 'a large and broad stone'. The reading adopted by the 'Aruch, however, is rendered 'bier'. If this reading is adopted. it is of course understood that there is no corpse on the bier.
  - (5) The stone overshadows all beneath it, causing all to be unclean, but cannot act as a 'tent' to prevent anything upon it from acquiring uncleanness from the source beneath.
  - (6) In both cases (so Bert.), R. Eliezer regarding persons and vessels as forming 'tents', valid for all purposes.
  - (7) These vessels are insusceptible to uncleanness but are too small (less than forty se'ahs) to afford protection.
  - (8) The stones not being vessels, they serve as valid sides of a 'tent' for all purposes.
  - (9) Exedra, a covered walk in front of a house.
  - (10) Of those who followed in the procession (Bert.).
  - (11) Leading directly from the portico to a house.
  - (12) L. suggests 'or', The man either keeping The door closed by his own weight or with a key.
  - (13) Without support of the key. or (L.) of the man.
  - (14) To which the door gives access.
  - (15) Of earthenware, with its mouth turned outwards.
  - (16) These foods, being spoiled beyond all possibility of edible value even for cattle are, of their own, insusceptible to uncleanness (Bert.).
  - (17) Not less than one handbreadth square and communicating between a clean and unclean space.
  - (18) There being uncleanness on one side of the partition.
  - (19) Even if directly above The uncleanness.
  - (20) The uncleanness being considered as belonging for all purposes to the house alone and not as 'compressed'. with powers of cleaving upwards and downwards.
  - (21) As compressed uncleanness cleaves upwards.
  - (22) Whereas R. Meir considers the wall to appertain both to the house and to the open space, the Sages hold that it belongs entirely to the house.
  - (23) Even the half towards the open space.

- (24) Preventing the uncleanness from being visible within the house (v. Kel. IX, 1).
- (25) Where the uncleanness is.
- (26) The space becomes a 'closed grave' defiling all its surroundings, in this case both the house and the upper storey.
- (27) Compressed uncleanness, cleaving upwards and downwards.
- (28) I.e., the wall has been formed by the excavation of two adjacent houses or caves.
- (29) Being compressed beneath the pillar in this vault (cf. supra III, 7, n. 6).
- (30) Lit., 'flower', hence applied to the flower-like decoration on the capital of a pillar.
- (31) Even when there is 'compressed' uncleanness beneath another part of the capital, since this kind of uncleanness does not spread sideways.
- (32) Less than one handbreadth being insufficient to convey uncleanness by overshadowing.
- (33) פּרדסִים , Aramaic 'wall-cupboard'. Perhaps some form from Gk. \*\* 'a tower', hence 'tower-like structure'.
- (34) With uncleanness beneath one of them. Each has a content of less than a cubic handbreadth '(L.)', a space of greater size constituting a closed grave. (V. Mishnah 5, n. 5).
- (35) The uncleanness is not considered as 'compressed' but Follows the law of uncleanness in a wall. When the companion cupboard is closed, it cannot receive the uncleanness.
- (36) When they are closed.
- (37) Forming part of the solid wall.
- (38) When the uncleanness lies beneath them (v. Mishnah 3).

## Mishna - Mas. Oholoth Chapter 7

MISHNAH 1. IF THERE IS UNCLEANNES IN A WALL [IN A FREE] SPACE OF ONE CUBIC HANDBREADTH, ALL UPPER STOREYS ABOVE IT, EVEN IF THERE ARE TEN OF THEM,<sup>1</sup> ARE UNCLEAN.<sup>2</sup> IF THERE WAS A SINGLE UPPER STOREY [BUILT] OVER TWO HOUSES,<sup>3</sup> THAT ONE BECOMES UNCLEAN BUT ALL UPPER STOREYS ABOVE IT REMAIN CLEAN.<sup>4</sup> [IN A] BEACH-<sup>5</sup> WALL, UNCLEANNES CLEAVES UPWARDS AND DOWNWARD.<sup>6</sup> [WITH REGARD TO] A SOLID TOMB MONUMENT,<sup>7</sup> A PERSON WHO TOUCHES IT FROM THE SIDE REMAINS CLEAN, SINCE [ITS] UNCLEANNES CLEAVES UPWARDS AND DOWNWARDS.<sup>8</sup> BUT IF THERE WAS A [FREE] SPACE OF A CUBIC HANDBREADTH IN THE PLACE WHERE THE UNCLEANNES WAS, A PERSON TOUCHING IT ANYWHERE BECOMES UNCLEAN, BECAUSE IT IS LIKE A CLOSED GRAVE. IF BOOTHS WERE PLACED ADJACENT TO [THE MONUMENT] THEY BECOME UNCLEAN.<sup>9</sup> R. JUDAH DECLARES THEM CLEAN.<sup>10</sup>

MISHNAH 2. ALL SLOPING [PARTS] OF 'TENTS' ARE RECKONED AS 'TENTS'.<sup>11</sup> [IN THE CASE OF] A 'TENT' [WHOSE SIDES] SLOPED DOWNWARDS AND FINISHED OFF [WITH A ROOF]<sup>12</sup> OF ONE FINGERBREADTH, IF THERE IS UNCLEANNES IN THE 'TENT',<sup>13</sup> VESSELS BENEATH THE SLOPE BECOME UNCLEAN. IF THERE IS UNCLEANNES BENEATH THE SLOPE, VESSELS IN THE 'TENT' BECOME UNCLEAN. IF THERE HAD BEEN<sup>14</sup> UNCLEANNES WITHIN, A PERSON WHO TOUCHES [THE TENT] FROM THE INSIDE ACQUIRES A SEVEN [DAYS'] DEFILEMENT,<sup>15</sup> BUT FROM THE OUTSIDE, A DEFILEMENT [LASTING TILL] EVENING.<sup>16</sup> IF THERE HAD BEEN UNCLEANNES OUTSIDE, A PERSON WHO TOUCHES THE 'TENT' FROM THE OUTSIDE ACQUIRES A SEVEN [DAYS'] DEFILEMENT, BUT FROM THE INSIDE, A DEFILEMENT [LASTING TILL] EVENING. IF THERE WAS [A PORTION OF UNCLEANNES] OF THE SIZE OF HALF AN OLIVE [TOUCHING IT] FROM WITHIN AND HALF AN OLIVE FROM WITHOUT,<sup>17</sup> A PERSON WHO TOUCHES [THE 'TENT'] EITHER FROM WITHIN OR WITHOUT ACQUIRES A DEFILEMENT [LASTING TILL] EVENING.<sup>18</sup> IF A PART [OF THE 'TENT' SIDE] TRAILED ALONG THE GROUND, WHEN THERE IS UNCLEANNES BENEATH OR ABOVE [THIS PART]. THE UNCLEANNES [THEREOF] CLEAVES UPWARDS AND DOWNWARDS. [IN THE CASE OF] A 'TENT' ERECTED IN AN UPPER STOREY, WITH A PORTION [OF ITS SIDE] TRAILING OVER THE HATCHWAY BETWEEN

THE HOUSE AND THE UPPER STOREY, R. JOSE SAYS: IT PROTECTS.<sup>17</sup> R. SIMEON SAYS: IT DOES NOT PROTECT UNLESS IT BE STRETCHED OUT AFTER THE USUAL MANNER OF ERECTING 'TENTS.

MISHNAH 3. IF A CORPSE IS IN A HOUSE IN WHICH THERE ARE MANY DOORS, THEY ALL BECOME UNCLEAN.<sup>19</sup> IF ONE OF THEM WAS OPENED, THAT ONE BECOMES UNCLEAN BUT ALL THE REST REMAIN CLEAN. IF IT WAS INTENDED TO CARRY OUT THE CORPSE THROUGH ONE OF THEM OR THROUGH A WINDOW OF FOUR HAND BREADTHS SQUARE, THAT PROTECTS ALL THE OTHER DOORS.<sup>20</sup> BETH SHAMMAI SAY: THE INTENTION MUST HAVE BEEN FORMED BEFORE THE PERSON DIED.<sup>21</sup> BETH HILLEL SAY: EVEN AFTER HE DIED.<sup>22</sup> IF [A DOOR] WAS BLOCKED UP AND IT WAS DECIDED TO OPEN IT, BETH SHAMMAI SAY: [IT IS EFFECTIVE]<sup>23</sup> AS SOON AS [A SPACE] FOUR HANDBREADTHS SQUARE HAS BEEN OPENED UP. BETH HILLEL SAY: AS SOON AS [THE PROCESS] HAS BEGUN. THEY AGREE, HOWEVER, THAT WHEN MAKING AN OPENING FOR THE FIRST TIME, FOUR HANDBREADTHS MUST BE OPENED UP.

MISHNAH 4. IF A WOMAN WAS IN HARD TRAVAIL AND WAS CARRIED FROM ONE HOUSE TO ANOTHER,<sup>24</sup> THE FIRST HOUSE BECOMES UNCLEAN BECAUSE OF DOUBT<sup>25</sup> AND THE SECOND OF A CERTAINTY. R. JUDAH SAID: WHEN IS THIS SO? WHEN SHE IS CARRIED OUT [SUPPORTED] BY THE ARMPITS, BUT IF SHE WAS ABLE TO WALK, THE FIRST HOUSE REMAINS CLEAN, FOR AFTER THE TOMB'<sup>26</sup> HAS BEEN OPENED THERE IS NO POSSIBILITY OF WALKING. STILLBORN CHILDREN ARE NOT [DEEMED TO HAVE] OPENED THE 'TOMB' UNTIL THEY PRESENT A HEAD ROUNDED LIKE A SPINDLE-KNOB.<sup>27</sup>

MISHNAH 5. IF [AT THE BIRTH OF TWINS] THE FIRST PROCEEDED FORTH DEAD AND THE SECOND ALIVE, THE [LIVE ONE] IS CLEAN.<sup>28</sup> IF THE FIRST WAS ALIVE AND THE SECOND DEAD, THE [LIVE CHILD] IS UNCLEAN.<sup>29</sup> R. MEIR SAYS: IF THEY WERE IN ONE MEMBRANE, [THE LIVE CHILD] IS UNCLEAN,<sup>30</sup> BUT IF THERE WERE TWO MEMBRANES, IT REMAINS CLEAN.<sup>31</sup>

MISHNAH 6. IF A WOMAN IS IN HARD TRAVAIL, ONE CUTS UP THE CHILD IN HER WOMB AND BRINGS IT FORTH MEMBER BY MEMBER, BECAUSE HER LIFE COMES BEFORE THAT OF [THE CHILD]. BUT IF THE GREATER PART HAS PROCEEDED FORTH, ONE MAY NOT TOUCH IT, FOR ONE MAY NOT SET ASIDE ONE PERSON'S LIFE FOR THAT OF ANOTHER.<sup>32</sup>

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(1) All connected with this wall by having their floor beams fixed into it.

(2) The wall is regarded as a closed grave, defiling all around.

(3) And this unclean wall between the two houses supports the upper storey.

(4) The first upper storey affording them complete protection.

(5) שונית Bert.: a wall built in the place to which the sea comes in rough weather levelling out all free (hollow) spaces. Var. lec. (followed by L.) is שנית, 'rock'.

(6) The wall is regarded as part of the earth, in which no uncleanness is ever treated as a 'closed grave'. According to var. lec., the reason is because the principle of 'free space' applies only to a wall made by human agency (Wilna Gaon).

(7) Lit., 'resting place'. i.e., tomb (cf. Shek. II, 5).

(8) Like compressed uncleanness and not like a closed grave.

(9) Being regarded as 'tents' over corpses.

(10) Since they are placed against the sides.

(11) I.e., spaces under the sloping sides are considered as part of the 'tent' itself.

(12) So Bert. Cf. Shab. 138b where it is implied that the minimum size for the roof of a 'tent' must be a handbreadth. In



spite of this rule, for the purpose of conveying uncleanness, a smaller size does not prevent this 'tent' from being constituted.

(13) I.e., under the roof.

(14) In the past. However the uncleanness was not present when the 'tent' was touched.

(15) The inner side and the outer side of the 'tent' being reckoned as two vessels (Bert.). The inner side, having come into contact with the corpse, acquires its degree of uncleanness, **אבי אבות הטומאה** (cf. supra I, 2 n. 4) and confers both upon the person and the outer side of the 'tent' a generating defilement.

(16) The outer side conferring a generated defilement on the person touching it.

(17) In which case the 'tent' acquires a seven days' defilement, the two half olives combining on the view of the Sages, supra III, 1.

(18) The sides, in relation to those who touch them, being regarded as two vessels. (8) Although it is formed of a substance which is susceptible to uncleanness because it is part of a tent.

(19) V. Supra III, 6, n. 7.

(20) That are closed. Henceforth objects placed underneath them do not become unclean.

(21) After which, only a positive action can avail to afford protection from uncleanness.

(22) Nevertheless, vessels already in position at the time of death remain unclean.

(23) To protect other doors. V. Preuss op. cit. p. 458.

(24) And gave birth there to a dead child. V. also Preuss p. 236.

(25) Perhaps the womb had opened there and the child's head had protruded.

(26) I.e., the opening of the womb.

(27) Cf. Bek. 22a.

(28) If the dead child had been removed from the house. Uncleanness cannot be contracted in the womb.

(29) Having passed through an opening through which uncleanness is due to pass.

(30) Since it presumably touched the dead child outside the womb. On the membrane (**שפיר**) v. Preuss p. 456.

(31) On the theory that the dead child does not defile until it is out of the womb.

(32) On this principle v. Preuss p. 607.

## Mishna - Mas. Oholoth Chapter 8

MISHNAH 1. SOME THINGS FORM A PASSAGE<sup>1</sup> FOR UNCLEANNESS AND [ALSO] A SCREEN [AGAINST IT]; [SOME] FORM A PASSAGE FOR UNCLEANNESS BUT NOT A SCREEN; [SOME] FORM A SCREEN BUT NOT A PASSAGE; [AND SOME] FORM NEITHER A PASSAGE NOR A SCREEN. THE FOLLOWING FORM [BOTH] A PASSAGE AND A SCREEN: A CHEST,<sup>2</sup> A BOX, A CUPBOARD, A BEEHIVE OF STRAW, A BEEHIVE OF REEDS, OR THE WATER-TANK OF AN ALEXANDRIAN<sup>3</sup> SHIP, SUCH OF WHICH [OBJECTS] HAVE [FLAT] BOTTOMS<sup>4</sup> AND A CONTENT OF [AT LEAST] FORTY SEAH<sup>5</sup> LIQUID MEASURE OR TWO KORS<sup>6</sup> DRY MEASURE.<sup>7</sup> [FURTHER] A CURTAIN, A LEATHERN APRON,<sup>8</sup> A LEATHERN UNDERCOVER,<sup>9</sup> A SHEET, A MATTING UNDERLAY<sup>10</sup> OR A MAT<sup>11</sup> WHEN MADE INTO 'TENTS';<sup>12</sup> A HERD OF CATTLE,<sup>13</sup> UNCLEAN OR CLEAN, PACKS<sup>14</sup> OF WILD ANIMALS OR BIRDS, A RESTING BIRD,<sup>15</sup> A [SHADY] PLACE THAT [A WOMAN] MAKES FOR HER SON AMONGST THE EARS OF CORN; THE IRIS,<sup>16</sup> THE IVY,<sup>17</sup> ASS HERBS,<sup>18</sup> GREEK GOURDS<sup>19</sup> AND CLEAN FOODSTUFFS.<sup>20</sup> R. JOHANAN B. NURI DID NOT AGREE WITH REGARD TO CLEAN FOODSTUFFS EXCEPT IN THE CASE OF A CAKE OF DRIED FIGS.<sup>21</sup>

MISHNAH 2. [FURTHER.] PROJECTING CANOPIES,<sup>22</sup> BALCONIES,<sup>23</sup> DOVE-COTES, CREVICES AND CRAGS,<sup>24</sup> GROTTOS,<sup>25</sup> [OVERHANGING] PINNACLES, INTERLACED BOUGHS AND PROTRUDING STONES SUCH AS ARE CAPABLE OF SUSTAINING THIN PLASTER-WORK; ACCORDING TO R. MEIR. BUT THE SAGES SAY A MEDIUM PLASTER-WORK. THE FOLLOWING IS A CASE OF INTERLACED BOUGHS': A TREE WHICH THROWS SHADE OVER THE GROUND. PROTRUDING STONES' ARE [STONES] THAT PROJECT FROM A WALL.

MISHNAH 3. THE FOLLOWING FORM A PASSAGE BUT NOT A SCREEN: A CHEST, A BOX, A CUPBOARD, A BEEHIVE OF STRAW, A BEEHIVE OF REEDS, OR THE WATERTANK OF AN ALEXANDRIAN SHIP, SUCH OF WHICH [OBJECTS] HAVE NOT [FLAT] BOTTOMS OR HAVE NOT A CONTENT OF FORTY SE'AH'S LIQUID MEASURE OR TWO KORS DRY MEASURE.<sup>26</sup> [FURTHER.] A CURTAIN, A LEATHERN APRON, A LEATHERN UNDERCOVER, A SHEET, A MATTING UNDERLAY OR A MAT WHEN NOT MADE INTO 'TENTS',<sup>26</sup> CATTLE OR WILD ANIMALS WHEN THEY ARE DEAD, AND FOODSTUFFS THAT ARE [LIABLE TO BECOME] UNCLEAN.<sup>27</sup> IN ADDITION TO THESE, A MILL [WORKED BY] MAN-POWER.<sup>28</sup>

MISHNAH 4. THE FOLLOWING FORM A SCREEN BUT NOT A PASSAGE: A LOOM [WITH A WEB] SPREAD OUT,<sup>29</sup> THE ROPEWORK OF A BED, REFUSE BASKETS,<sup>30</sup> AND WINDOW-LATTICES.<sup>31</sup>

MISHNAH 5. THE FOLLOWING FORM NEITHER A PASSAGE NOR A SCREEN: SEEDS, PLANTS [STILL] ATTACHED TO THE SOIL, EXCEPT FOR THE PLANTS MENTIONED ABOVE,<sup>32</sup> A LUMP<sup>33</sup> OF HAIL, SNOW, FROST, ICE AND SALT. [FURTHER ANYTHING] THAT HOPS FROM ONE PLACE TO ANOTHER, OR LEAPS FROM ONE PLACE TO ANOTHER, A FLYING BIRD, A LOOSELY-FLAPPING GARMENT,<sup>34</sup> OR A SHIP FLOATING [FREELY] ON THE WATER. IF THE SHIP WERE TIED WITH SOMETHING THAT CAN KEEP IT STEADY, OR A STONE WERE [PLACED SO AS] TO HOLD DOWN THE GARMENT, THEY CAN FORM A PASSAGE FOR THE UNCLEANNESS. R. JOSE SAYS: A HOUSE ON A SHIP CANNOT FORM A PASSAGE FOR UNCLEANNESS.<sup>35</sup>

MISHNAH 6. IF TWO JARS CONTAINING TWO PORTIONS [ONE IN EACH] OF A CORPSE OF THE SIZE OF HALF AN OLIVE, AND SEALED WITH TIGHTLY FITTING LIDS<sup>36</sup> WERE LYING IN A HOUSE, THEY REMAIN CLEAN,<sup>37</sup> BUT THE HOUSE BECOMES UNCLEAN.<sup>38</sup> IF ONE OF THEM WAS OPENED, THAT [JAR] AND THE HOUSE BECOME UNCLEAN, BUT ITS COMPANION REMAINS CLEAN. A SIMILAR RULE APPLIES TO TWO ROOMS THAT OPEN INTO A HOUSE.<sup>39</sup>

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(1) Cf. supra III, 7.

(2) Heb. Shiddah. This word is frequently found (cf. Shab. 120a, Naz. 55a etc ) in connection with tebah and migdal, the two words rendered here 'box' and 'cupboard'. Hence it probably means something similar to them. Kel. XVIII, 1 and 2 contains a description of certain parts of a 'shiddah' from which Rashi (on Shab. 44a) infers that it is a wheeled cart used for carrying people. Bert. and L. describe it as a larger version of tebah. 'Aruch suggests the word is possibly derived from late Gk. \*\*, a chair. Perhaps it means a 'wheeled box chair'.

(3) Grain ships going from Alexandria to Rome.

(4) So that they can rest in stable equilibrium.

(5) One se'ah = six kabs, roughly twelve litres.

(6) Cf. 'Uk V, 2. One kor = thirty se'ahs, roughly three hundred ninety-three litres = nearly eleven bushels.

(7) These dimensions are given in connection with the above vessels in Kel. XV, 1, where it is explained that vessels of such a size are unsusceptible to uncleanness.

(8) Lat. scortea, 'a leathern article'. Bert., 'workman's apron'; Maim., 'bedcover'.

(9) Gk. \*\*, something 'thrown over' the bed, as an undercover.

(10) Cf. Kel. XXIV, 10; XXVII, 2; B.K. 25b. Perhaps from נפץ 'to spread'.

(11) מַחְצֵלֶת . Cf. Kel. XVII, 17; XX, 7. 'Aruch quotes the cognate Arabic meaning 'slender twigs' from which mats are woven.

(12) These articles, of their own, are susceptible to uncleanness. When forming 'tents', however, they can convey and screen in the normal manner.

(13) Standing in one place, packed tightly together (Bert.).

- (14) **מכונות** Maim. 'packs'. The word is usually taken to mean 'habitation' and here might well be rendered 'stalls', 'coops' (last.). The context, however, suggests a parallel with 'herd of cattle'.
- (15) According to Bert., a captive bird, tied to the place.
- (16) Cf. Kil. V, 8.
- (17) Cf. Kil. l.c.
- (18) **ירקות חמור** a kind of wild gourd. 'cucumis aqrestis'.
- (19) All the above-mentioned plants are regarded as having broad leaves (Bert.). or as being evergreen (L.). Moreover the reference is to such as are still connected with the soil, so that they form a suitable 'tent' and are unsusceptible to uncleanness.
- (20) I.e., such as are unsusceptible to uncleanness, not having come in contact with any liquid of the seven kinds, v. Maksh. VI, 4.
- (21) Which he regards as the only foods likely to be used as a shelter.
- (22) Zizirt. 'Aruch quotes the cognate Arabic root meaning 'to project'. Cf. B.B. III, 6 and also Oh. XIV, 2 for the distinction between this and the following word.
- (23) **גזריות**. A similar word, **גזזטרא** (Mid. 11,5; Shab. 96a etc.) is taken by 'Aruch from Gk. \*\*' 'gallery'. Our word may be a Hebraized form of this word.
- (24) V. supra III end.
- (25) **גהרים** corrected by 'Aruch to **גהרים**, quoting cognate Arabic 'grotto'. Maim.: from **גהר**, 'to stretch' (I. Kings XVIII, 42) hence 'projecting rock'. Bert.: 'light-holes'.
- (26) Thereby being susceptible to uncleanness.
- (27) Through the process mentioned in Maksh. VI, 4.
- (28) Not by animal power. A portable mill is susceptible to uncleanness.
- (29) The web, consisting of the warp threads alone, spread over a hatchway.
- (30) Cf. Kel. XXIV, 9. 'Aruch connects the word with **זבל** 'dung'.
- (31) All the articles in this Mishnah have holes in their structure. These holes, however, are less than one square handbreadth in area and therefore form valid screens (cf. Rashi on Hul. 125b).
- (32) V. supra I end.
- (33) Lit., 'a stone'.
- (34) Flying loose through the air.
- (35) If it sheltered over a corpse in the sea and vessels on the ship (L.).
- (36) The tightly fitting lid (Num. XIX, 15) forms a screen for an earthenware jar.
- (37) Each containing only half an olive's bulk of a corpse.
- (38) Since It contains an olive-sized portion of a corpse, a tightly fitting lid, while it serves as a screen for what is contained in an earthenware jar, does not prevent any uncleanness in the vessel from penetrating beyond it and defiling what is outside; v. Kel. VIII, 6.
- (39) If two sealed rooms each contain a portion of a corpse of half an olive size, they remain clean, but the house through which the uncleanness must pass becomes unclean.

## Mishna - Mas. Oholoth Chapter 9

MISHNAH 1. WITH REGARD TO A BEEHIVE<sup>1</sup> [LYING] IN THE DOORWAY<sup>2</sup> WITH ITS MOUTH [POINTING] OUTSIDE, IF AN OLIVE-SIZED [PORTION] OF A CORPSE WERE PLACED BELOW THAT [PART OF THE HIVE] WHICH IS OUTSIDE [THE HOUSE]. EVERYTHING DIRECTLY<sup>3</sup> BELOW OR ABOVE THAT OLIVE-SIZED [PORTION] BECOMES UNCLEAR;<sup>4</sup> BUT EVERYTHING THAT IS NOT DIRECTLY [BELOW OR ABOVE] THAT OLIVE-SIZED [PORTION]. OR THAT IS WITHIN [THE HIVE]<sup>5</sup> OR WITHIN THE HOUSE, REMAINS CLEAN. [IF THE UNCLEANNESS IS] WITHIN THE HOUSE, NOTHING BECOMES UNCLEAR EXCEPT THAT WHICH IS WITHIN THE HOUSE.<sup>6</sup> [IF THE UNCLEANNESS IS] WITHIN [THE HIVE] EVERYTHING BECOMES UNCLEAR.<sup>7</sup>

MISHNAH 2. [IN THE CASE OF THE HIVE] BEING ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BELOW IT OR IN THE HOUSE OR ABOVE IT,

EVERYTHING BECOMES UNCLEAN<sup>8</sup> EXCEPT THAT WHICH IS WITHIN [THE HIVE]. [IF THE UNCLEANNESS IS] WITHIN THE HIVE EVERYTHING BECOMES UNCLEAN.

MISHNAH 3. WHEN DO THESE RULES APPLY? WHEN [THE HIVE RETAINS THE STATUS OF] A VESSEL AND IS PERFORATED.<sup>9</sup> [IN THE CASE OF ITS] BEING DEFECTIVE, ALTHOUGH [ITS DEFICIENCY MAY BE] STOPPED UP WITH STRAW<sup>10</sup> OR BLOCKED UP<sup>11</sup> (WHAT IS [CONSIDERED] 'BLOCKED UP?' ANYTHING WHICH HAS NO [LONGER AN OPENING OF] ONE HANDBREADTH [SQUARE] IN ONE PLACE). IF AN OLIVE-SIZED [PORTION] OF A CORPSE IS PLACED BELOW IT, [EVERYTHING] DIRECTLY [BELOW THE PORTION] TO THE NETHERMOST DEEP BECOMES UNCLEAN;<sup>12</sup> [IF PLACED] ABOVE [THE HIVE EVERYTHING] DIRECTLY ABOVE TO THE SKY BECOMES UNCLEAN. [IF THE UNCLEANNESS IS] IN THE HOUSE, NOTHING BECOMES UNCLEAN EXCEPT THE HOUSE. [IF THE UNCLEANNESS IS] WITHIN [THE HIVE]. NOTHING BECOMES UNCLEAN EXCEPT THAT WHICH IS WITHIN [THE HIVE].

MISHNAH 4. [IN THE CASE OF SUCH A HIVE] BEING [PLACED] ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BELOW IT OR IN THE HOUSE, [THE SPACE] BELOW IT AND THE HOUSE BECOME UNCLEAN,<sup>13</sup> BUT [THE SPACE] ABOVE AND WITHIN REMAINS CLEAN.<sup>14</sup> [IF THE UNCLEANNESS IS] WITHIN, NOTHING IS UNCLEAN EXCEPT WHAT IS WITHIN; IF ABOVE [THE HIVE]. WHAT IS DIRECTLY ABOVE UP TO THE SKY BECOMES UNCLEAN.

MISHNAH 5. WHEN DO THESE RULES APPLY? WHEN THE MOUTH [OF THE HIVE IS POINTING] OUTWARDS. IN THE CASE OF THE MOUTH [POINTING] INWARDS, IF AN OLIVE-SIZED PORTION OF THE CORPSE IS PLACED BELOW OR ABOVE [THAT PART OF THE HIVE WHICH IS] OUTSIDE, EVERYTHING DIRECTLY BELOW OR ABOVE<sup>15</sup> THAT OLIVE-SIZED PORTION BECOMES UNCLEAN, AND EVERYTHING NOT DIRECTLY [BELOW OR ABOVE IT]. AND WHAT IS WITHIN [THE HIVE] AND THE HOUSE, REMAINS CLEAN. [IF THE UNCLEANNESS IS] WITHIN THE HIVE OR THE HOUSE, EVERYTHING BECOMES UNCLEAN.<sup>16</sup>

MISHNAH 6. [IN THE CASE OF THE HIVE IN THIS POSITION] BEING ONE HANDBREADTH HIGH OFF THE GROUND, IF THE UNCLEANNESS IS BELOW IT OR IN THE HOUSE OR WITHIN [THE HIVE] OR ABOVE IT, EVERYTHING BECOMES UNCLEAN.

MISHNAH 7. WHEN DO THESE RULES APPLY? WHEN [THE HIVE RETAINS THE STATUS OF] A VESSEL AND IS PERFORATED. [IN THE CASE OF ITS] BEING DEFECTIVE, ALTHOUGH [ITS DEFICIENCY MAY BE] STOPPED UP WITH STRAW OR BLOCKED UP (WHAT IS CONSIDERED BLOCKED UP? ANYTHING WHICH HAS NO [LONGER AN OPENING OF] ONE HANDBREADTH [SQUARE] IN ONE PLACE), IF AN OLIVE-SIZED [PORTION] OF A CORPSE IS PLACED BELOW IT, [EVERYTHING] DIRECTLY [BELOW THE PORTION] TO THE NETHERMOST DEEP BECOMES UNCLEAN; [IF PLACED] ABOVE [THE HIVE, EVERYTHING] DIRECTLY [ABOVE] TO THE SKY BECOMES UNCLEAN. [IF THE UNCLEANNESS IS PLACED] WITHIN [THE HIVE] OR IN THE HOUSE, EVERYTHING BECOMES UNCLEAN.<sup>17</sup>

MISHNAH 8. [IN THE CASE OF SUCH A HIVE IN THIS POSITION] BEING ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BELOW IT OR IN THE HOUSE OR WITHIN [THE HIVE]. EVERYTHING<sup>18</sup> BECOMES UNCLEAN EXCEPT WHAT IS ABOVE IT. IF THE UNCLEANNESS IS ABOVE IT, [EVERYTHING] DIRECTLY [ABOVE] TO THE SKY BECOMES UNCLEAN.

MISHNAH 9. [IN THE CASE WHEN THE HIVE] OCCUPIES ALL THE HOUSE AND THERE WAS NOT A SPACE OF A HANDBREADTH BETWEEN IT<sup>19</sup> AND THE ROOF BEAMS, IF THERE IS UNCLEANNESS WITHIN [THE HIVE], THE HOUSE BECOMES UNCLEAN; BUT IF THERE IS UNCLEANNESS IN THE HOUSE, WHAT IS WITHIN [THE HIVE] REMAINS CLEAN, FOR THE MANNER OF THE UNCLEANNESS IS TO GO OUT AND NOT TO GO IN.<sup>20</sup> [THIS APPLIES] WHETHER [THE HIVE] IS STANDING UPRIGHT, OR LYING ON ITS SIDE, WHETHER THERE IS ONE [HIVE] OR TWO.<sup>21</sup>

MISHNAH 10. [IN THE CASE WHERE THE NON-DEFECTIVE HIVE] WAS STANDING UPRIGHT IN THE DOORWAY AND THERE WAS NOT A SPACE OF ONE HANDBREADTH BETWEEN IT AND THE LINTEL, IF THERE IS UNCLEANNESS WITHIN IT, THE HOUSE REMAINS CLEAN; BUT IF THERE IS UNCLEANNESS IN THE HOUSE, WHAT IS WITHIN [THE HIVE] BECOMES UNCLEAN,<sup>22</sup> FOR THE MANNER OF THE UNCLEANNESS IS TO GO OUT AND NOT TO GO IN.<sup>23</sup>

MISHNAH 11. [IN THE CASE WHERE] IT<sup>24</sup> WAS LYING ON ITS SIDE IN THE OPEN AIR, IF AN OLIVE-SIZED [PORTION] OF A CORPSE WAS PLACED BELOW IT OR ABOVE IT, EVERYTHING DIRECTLY BELOW OR ABOVE THE OLIVE-SIZED [PORTION] BECOMES UNCLEAN; BUT EVERYTHING THAT IS NOT DIRECTLY BELOW OR ABOVE, AND WHAT IS WITHIN [THE HIVE] REMAINS CLEAN. [IF THE UNCLEANNESS IS] WITHIN [THE HIVE] EVERYTHING BECOMES UNCLEAN.

MISHNAH 12. [IN THE CASE WHERE THIS HIVE IN THE OPEN AIR] WAS ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BELOW IT OR ABOVE IT, EVERYTHING BECOMES UNCLEAN EXCEPT WHAT IS WITHIN THE HIVE]. [IF THE UNCLEANNESS IS] WITHIN, EVERYTHING BECOMES UNCLEAN. WHEN DO THESE RULES APPLY? WHEN [THE HIVE RETAINS THE STATUS OF] A VESSEL. [IN THE CASE OF ITS] BEING DEFECTIVE, ALTHOUGH [ITS DEFICIENCY MAY BE] STOPPED UP WITH STRAW, OR ACCORDING TO THE SAGES,<sup>25</sup> [IN THE CASE OF IT] CONTAINING FORTY SE' AHS, IF AN OLIVE-SIZED [PORTION] OF A CORPSE WERE PLACED BELOW IT, [EVERYTHING] DIRECTLY [BELOW] UNTO THE NETHERMOST DEEP BECOMES UNCLEAN; ABOVE IT, [EVERYTHING] DIRECTLY ABOVE TO THE SKY BECOMES UNCLEAN. [IF THE UNCLEANNESS IS] WITHIN [THE HIVE]. NOTHING IS UNCLEAN EXCEPT THAT WHICH IS WITHIN. [IN THE CASE WHERE] IT WAS ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE WAS UNCLEANNESS BELOW IT, WHAT IS BELOW BECOMES UNCLEAN;<sup>26</sup> [IF THE UNCLEANNESS] WAS WITHIN IT, WHAT IS WITHIN BECOMES UNCLEAN; ABOVE IT, [EVERYTHING] DIRECTLY [ABOVE] TO THE SKY BECOMES UNCLEAN.

MISHNAH 13. [IN THE CASE WHERE] IT WAS RESTING ON ITS BOTTOM AND [RETAINED THE STATUS OF] A VESSEL, IF THERE IS UNCLEANNESS BELOW IT, WITHIN IT OR ABOVE IT,<sup>27</sup> THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS.<sup>28</sup> [IN THE CASE WHERE] IT WAS ONE HANDBREADTH HIGH OFF THE GROUND OR COVERED<sup>29</sup> OR INVERTED [SO AS TO STAND] UPON ITS MOUTH, IF THERE IS UNCLEANNESS BELOW IT, WITHIN IT OR ABOVE IT, EVERYTHING BECOMES UNCLEAN.

MISHNAH 14. WHEN DO THESE RULES APPLY? WHEN [THE HIVE RETAINS THE STATUS OF] A VESSEL. [IN THE CASE OF ITS] BEING DEFECTIVE, ALTHOUGH [THE DEFICIENCY MAY BE] STOPPED UP WITH STRAW, OR ACCORDING TO THE SAGES, [IN THE CASE OF IT] CONTAINING FORTY SE' AHS, IF THE UNCLEANNESS IS BELOW IT, WITHIN IT OR ABOVE IT, THE UNCLEANNESS CLEAVES UPWARDS AND

DOWNWARDS. R. ELIEZER AND R. SIMEON SAY: UNCLEANNESS CAN NEITHER ASCEND INTO [THE DEFECTIVE HIVE] NOR DESCEND FROM IT.<sup>30</sup> [IN THE CASE WHERE] IT WAS ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BELOW IT, WHAT IS BELOW BECOMES UNCLEAN; WITHIN IT OR ABOVE IT, [EVERYTHING] DIRECTLY [ABOVE] IT TO THE SKY BECOMES UNCLEAN.

MISHNAH 15. WITH REGARD TO A COFFIN<sup>31</sup> WHICH IS BROAD BELOW AND NARROW ABOVE, AND HAD A CORPSE WITHIN, A PERSON TOUCHING IT BELOW<sup>32</sup> REMAINS CLEAN; BUT ABOVE, BECOMES UNCLEAN.<sup>33</sup> IF IT IS BROAD ABOVE AND NARROW BELOW, A PERSON TOUCHING IT ANYWHERE BECOMES UNCLEAN. IF IT WAS THE SAME [ABOVE AND BELOW], A PERSON TOUCHING IT ANYWHERE BECOMES UNCLEAN. THIS IS THE OPINION OF R. ELIEZER, BUT R. JOSHUA SAYS: A HANDBREADTH AND MORE<sup>34</sup> BELOW IS CLEAN,<sup>35</sup> BUT FROM THAT HANDBREADTH UPWARDS IS UNCLEAN. IF IT IS MADE LIKE A CLOTHES-CHEST,<sup>36</sup> A PERSON TOUCHING IT ANYWHERE BECOMES UNCLEAN. IF IT WAS MADE LIKE A CASE,<sup>37</sup> A PERSON TOUCHING IT ANYWHERE AT THE PLACE WHERE IT OPENS, REMAINS CLEAN.

MISHNAH 16. [WITH REGARD TO] A JAR<sup>38</sup> RESTING ON ITS BOTTOM IN THE OPEN AIR, IF AN OLIVE-SIZED [PORTION] OF A CORPSE IS PLACED BENEATH IT OR WITHIN IT DIRECTLY [ABOVE] ITS BOTTOM, THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS,<sup>39</sup> AND THE JAR BECOMES UNCLEAN.<sup>40</sup> [IF THE UNCLEANNESS IS] OUTSIDE BELOW THE SIDE, THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS,<sup>41</sup> BUT THE JAR REMAINS CLEAN.<sup>42</sup> [IN THE CASE WHERE THE UNCLEANNESS IS] WITHIN [THE JAR] AND BENEATH THE SIDES,<sup>43</sup> IF THERE IS WITHIN THE [CAVITY OF] THE SIDES A SPACE OF A CUBIC HANDBREADTH EVERYTHING<sup>44</sup> [WITHIN THE CAVITY] BECOMES UNCLEAN, BUT WHAT LIES DIRECTLY [BELOW] THE MOUTH REMAINS CLEAN. IF THERE IS NOT [A SPACE OF A CUBIC HANDBREADTH]. THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS. WHEN DO THESE RULES APPLY? WHEN THE JAR IS CLEAN.<sup>45</sup> [IN THE CASE WHERE IT WAS CAPABLE OF BECOMING] UNCLEAN,<sup>46</sup> OR WAS ONE HANDBREADTH HIGH OFF THE GROUND,<sup>47</sup> OR COVERED,<sup>48</sup> OR INVERTED [SO AS TO STAND] ON ITS MOUTH,<sup>49</sup> IF THERE IS UNCLEANNESS BENEATH IT, WITHIN IT OR ABOVE IT, EVERYTHING BECOMES UNCLEAN.<sup>50</sup>

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(1) A wooden cylinder open at one end (its mouth) for the collection of honey, and perforated at the closed end to give ingress to the bees. It is less than forty se'ahs in content and therefore is to be considered a vessel and not a valid 'tent' on its own; but the fact that it has perforations renders it insusceptible to uncleanness (L.).

(2) Part inside and part outside the house.

(3) In a vertical line.

(4) Being a vessel, the hive can afford no protection (supra VI, 1).

(5) Being insusceptible to uncleanness, the hive can protect its own contents.

(6) The contents of the hive remain clean, the uncleanness not entering by the perforations. regarded as being loosely stopped up.

(7) The uncleanness going out by the perforations.

(8) A 'tent' is thereby formed and the uncleanness is carried into the house.

(9) **מהלחלת**. Some commentators, basing their interpretation of these words on Kel. X, 3, render 'lying loosely in the doorway'. But there seem to be two qualities required here. Firstly the hive must be a useable vessel and not defective. Secondly, it must have perforations that are free and not blocked up. L. and Bert. both render 'perforated'.

(10) The straw cannot restore it to the status of a vessel.

(11) **אפוצה**. Some commentators, taking this word to be the opposite of **מהלחלת**, and basing their interpretation on a passage in J. Pes. I, 27c (where these two words appear as contrasts) render 'fixed tightly in the entrance'. 'Aruch

from Arabic 'to compress', whence Bert. 'with the perforations blocked up'.

(12) But all else remains clean. Not being a vessel, the hive can protect.

(13) The uncleanness being transferred from one space to another.

(14) The hive protecting.

(15) Some texts add 'or within (the hive)'.

(16) Even within the hive, the uncleanness entering its mouth.

(17) Only in this respect does this Mishnah differ from Mishnah 3.

(18) cf Mishnah 5 end n. 2.

(19) The hive is regarded as resting on its bottom so that there is not a handbreadth's space between the mouth and the roof beams.

(20) Cf. supra III, 7.

(21) The one standing on top of the other.

(22) Var. lec., clean. V. Rashi.

(23) For this reason if the uncleanness is within the hive the house is clean.

(24) The unbroken hive.

(25) Who maintain, as against R. Meir (v. Tosef. Kel. pt. II, V, 1) that certain articles when they are of the size of forty se'ahs, no longer retain the status of a vessel, but take on that of a 'tent'. V. also Kel. XV, 1.

(26) All below, the object acting as a 'tent'.

(27) Above the opening.

(28) Even when the uncleanness is within, since the open mouth is in direct communication with the air above.

(29) With another vessel, which cannot protect what is within the hive from uncleanness.

(30) Being defective, it can, in their opinion, afford protection.

(31) Excavated from the living rock.

(32) I.e., touching a portion of the rock not directly beneath the inner wall-surface of the tomb but outside it. Not immediately supporting the covering stone (supra II, 4) it is clean, being reckoned part of the ordinary rock.

(33) Touching the covering stone.

(34) Measured from the lower base of the hollow of the coffin.

(35) Being reckoned part of the ordinary rock.

(36) 'A box' (cf. Kel. XVI. 7). The cover lies over the thickness of the sides (Bert.).

(37) גַּלְוִים קוּם perhaps from Gr. \*\* (the LXX rendering For ἰσθῆ II Chron. XXIV. 8) 'a case'. The cover sinks in within the sides, not touching their thicknesses. It therefore resembles the first case in our Mishnah (Bert.).

(38) Made of a substance insusceptible to uncleanness. It is narrow above and below, bulging in the middle.

(39) Cf. Mishnah 13. n. 4.

(40) I.e., what is within the jar in a direct line with the uncleanness.

(41) In a direct line. There is not a space of one cubic handbreadth below the bulge of the jar, hence the uncleanness is compressed.

(42) Being insusceptible to uncleanness from the outside.

(43) I.e., in the cavity formed by the bulge.

(44) Reckoned a 'tent'.

(45) Insusceptible to uncleanness.

(46) And consequently unable to serve as a screen to protect the contents in the jar where the uncleanness is outside beneath the bulge.

(47) In this case the jar forms a 'tent' which conveys uncleanness and does not serve as a screen (v. supra VI, I). spreading consequently the uncleanness in every case to the jar and its contents.

(48) Whilst they would not affect the case where the uncleanness was outside under the bulge of the jar, where it was placed beneath the jar or within it directly above its bottom or beneath the sides, the contents of the jar become unclean because a tightly fitting cover does not serve as a screen against compressed uncleanness (v. Kel. X. 2). with the result that the cover itself forms a 'tent' defiling the contents of the jar.

(49) Cf. previous note mut. mut.

(50) The cases vary in detail (L.). V. nn. 12-13.

## Mishna - Mas. Oholoth Chapter 10

## Mishna - Mas. Oholoth Chapter 10

MISHNAH 1. [WITH REGARD TO] A HATCHWAY IN A HOUSE,<sup>1</sup> WHICH [HATCHWAY] HAS AN OPENING OF A [SQUARE] HANDBREADTH, IF THERE IS UNCLEANNESS IN THE HOUSE,<sup>2</sup> WHAT IS DIRECTLY [BELOW] THE HATCHWAY REMAINS CLEAN.<sup>3</sup> IF THE UNCLEANNESS IS DIRECTLY [BELOW] THE HATCHWAY, THE HOUSE REMAINS CLEAN. IF THE UNCLEANNESS IS EITHER IN THE HOUSE OR DIRECTLY [BELOW] THE HATCHWAY, AND A PERSON PLACED HIS FOOT ABOVE [THE HATCHWAY]. HE HAS COMBINED<sup>4</sup> [WITH THE ROOF TO BRING] UNCLEANNESS. IF PART OF THE UNCLEANNESS IS IN THE ROOM AND PART OF IT DIRECTLY [BELOW] THE HATCHWAY,<sup>5</sup> THE HOUSE BECOMES UNCLEAN AND WHAT IS DIRECTLY [AGAINST] THE UNCLEANNESS BECOMES UNCLEAN.<sup>6</sup>

MISHNAH 2. [IN THE CASE WHERE] THE HATCHWAY HAS NOT AN OPENING OF A [SQUARE] HANDBREADTH, IF THERE IS UNCLEANNESS IN THE HOUSE, WHAT IS DIRECTLY [BELOW] THE HATCHWAY REMAINS CLEAN. IF THE UNCLEANNESS IS DIRECTLY [BELOW] THE HATCHWAY, THE HOUSE REMAINS CLEAN.<sup>7</sup> [IN THE CASE WHERE] THE UNCLEANNESS IS IN THE HOUSE, IF HE PLACED HIS LEG ABOVE [THE HATCHWAY]. HE REMAINS CLEAN.<sup>8</sup> [IN THE CASE WHERE] THE UNCLEANNESS IS DIRECTLY [BELOW] THE HATCHWAY, IF HE PLACED HIS LEG ABOVE IT, R. MEIR DECLARES [HIM] UNCLEAN, BUT THE SAGES SAY: IF THE UNCLEANNESS WAS [IN POSITION] BEFORE HIS LEG, HE BECOMES UNCLEAN,<sup>9</sup> BUT IF HIS LEG WAS [IN POSITION] BEFORE THE UNCLEANNESS, HE REMAINS CLEAN.<sup>10</sup> R. SIMEON SAYS: [IN THE CASE WHERE] TWO [MEN'S] LEGS, ONE ABOVE THE OTHER, WERE [IN POSITION] BEFORE THE UNCLEANNESS. IF THE FIRST PERSON WITHDREW HIS LEG AND THE OTHER PERSON'S LEG WAS STILL THERE, [THE SECOND] REMAINS CLEAN, BECAUSE THE FIRST PERSON'S LEG WAS [IN POSITION] BEFORE THE UNCLEANNESS.<sup>11</sup>

MISHNAH 3. IF PART OF THE UNCLEANNESS IS IN THE HOUSE AND PART DIRECTLY [BELOW] THE HATCHWAY,<sup>12</sup> THE HOUSE BECOMES UNCLEAN, AND WHAT IS DIRECTLY [ABOVE] THE UNCLEANNESS BECOMES UNCLEAN.<sup>13</sup> THIS IS THE OPINION OF R. MEIR. R. JUDAH SAYS: THE HOUSE BECOMES UNCLEAN BUT WHAT IS DIRECTLY [ABOVE] THE UNCLEANNESS REMAINS CLEAN.<sup>14</sup> R. JOSE SAYS: IF THERE IS SUFFICIENT<sup>15</sup> OF THE UNCLEANNESS FOR IT TO BE DIVIDED SO THAT [ONE PART] DEFILES THE HOUSE AND [THE OTHER PART] DEFILES WHAT IS DIRECTLY [ABOVE] THE UNCLEANNESS,<sup>16</sup> [BOTH SPACES] BECOME UNCLEAN; IF NOT, THE HOUSE BECOMES UNCLEAN BUT WHAT IS DIRECTLY [ABOVE] THE UNCLEANNESS REMAINS CLEAN.

MISHNAH 4. [IN THE CASE OF] MANY HATCHWAYS, ONE ABOVE THE OTHER,<sup>17</sup> HAVING AN OPENING OF ONE HANDBREADTH [SQUARE], IF THERE IS UNCLEANNESS IN THE HOUSE,<sup>18</sup> WHAT IS DIRECTLY [BELOW] THE HATCHWAYS REMAINS CLEAN. IF THE UNCLEANNESS IS DIRECTLY [BELOW] THE HATCHWAYS, THE HOUSE REMAINS CLEAN. [IN THE CASE] WHERE THE UNCLEANNESS IS EITHER IN THE HOUSE OR DIRECTLY [BELOW] THE HATCHWAYS, IF AN ARTICLE SUSCEPTIBLE TO UNCLEANNESS WERE PLACED EITHER IN THE UPPER OR THE LOWER [HATCHWAY], ALL BECOMES UNCLEAN.<sup>19</sup> IF THE ARTICLE IS INSUSCEPTIBLE TO UNCLEANNESS, WHAT IS BELOW BECOMES UNCLEAN,<sup>20</sup> BUT WHAT IS ABOVE REMAINS CLEAN.<sup>21</sup>

MISHNAH 5. [IN THE CASE] WHERE THE HATCHWAYS HAVE NOT AN OPENING OF A SQUARE HANDBREADTH, IF THERE IS UNCLEANNESS IN THE HOUSE, WHAT IS DIRECTLY [BELOW] THE HATCHWAYS REMAINS CLEAN. IF THERE IS UNCLEANNESS DIRECTLY [BELOW] THE HATCHWAYS, THE HOUSE REMAINS CLEAN. [IN THE CASE]



WHERE THE UNCLEANNESS IS IN THE HOUSE,<sup>22</sup> IF AN ARTICLE WHETHER SUSCEPTIBLE TO UNCLEANNESS OR INSUSCEPTIBLE TO UNCLEANNESS WAS PLACED EITHER IN THE UPPER OR THE LOWER [HATCHWAY], NOTHING BECOMES UNCLEAN EXCEPT THE LOWER STOREY.<sup>23</sup> [IN THE CASE] WHERE THE UNCLEANNESS IS DIRECTLY [BELOW] THE HATCHWAYS, IF AN ARTICLE SUSCEPTIBLE TO UNCLEANNESS WERE PLACED EITHER IN THE UPPER OR LOWER [HATCHWAY], EVERYTHING BECOMES UNCLEAN.<sup>24</sup> IF THE ARTICLE IS INSUSCEPTIBLE TO UNCLEANNESS, WHETHER [IT IS PLACED] IN THE UPPER OR LOWER [HATCHWAY], NOTHING BECOMES UNCLEAN EXCEPT THE LOWER STOREY.<sup>25</sup>

MISHNAH 6. [WITH REGARD TO] A HATCHWAY IN A HOUSE WITH A POT SO PLACED BELOW IT THAT, IF IT WAS RAISED, ITS RIMS WOULD NOT TOUCH THE [EDGES OF THE] HATCHWAY, IF THERE IS UNCLEANNESS BELOW, WITHIN OR ABOVE [THE POT], THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS.<sup>26</sup> [IN THE CASE] WHERE [THE POT] WAS ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BELOW IT OR IN THE HOUSE, WHAT IS BELOW IT AND IN THE HOUSE BECOMES UNCLEAN,<sup>27</sup> BUT WHAT IS WITHIN [THE POT] OR ABOVE IT, REMAINS CLEAN.<sup>28</sup> [IF THE UNCLEANNESS IS] WITHIN OR ABOVE [THE POT], EVERYTHING BECOMES UNCLEAN.<sup>29</sup>

MISHNAH 7. [IN THE CASE WHERE THE POT WAS] SO PLACED ON THE SIDE OF THE THRESHOLD<sup>30</sup> SO THAT IF IT WAS RAISED IT WOULD TOUCH THE LINTEL OVER A [SPACE OF A SQUARE] HANDBREADTH,<sup>31</sup> IF THERE IS UNCLEANNESS BELOW, WITHIN OR ABOVE [THE POT], THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS. [IN THE CASE] WHERE IT WAS ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BELOW IT OR IN THE HOUSE, WHAT IS BELOW IT AND IN THE HOUSE BECOMES UNCLEAN. IF THE UNCLEANNESS IS WITHIN OR ABOVE [THE POT], EVERYTHING BECOMES UNCLEAN.<sup>32</sup> [IN THE CASE WHERE THE POT] IF RAISED WOULD NOT TOUCH THE LINTEL OVER A [SPACE OF A SQUARE] HANDBREADTH, OR IS JOINED TO THE LINTEL,<sup>33</sup> IF THERE IS UNCLEANNESS BELOW IT, NOTHING IS UNCLEAN EXCEPT WHAT IS BELOW [THE POT].<sup>34</sup>

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(1) In the roof, giving access to the open air.

(2) under the roof away from the hatchway.

(3) Not being overshadowed.

(4) Cf. supra VI, 1. The man's foot has combined with the roof to form a 'tent' For the uncleanness and everything in the room, even what is directly below the hatchway, is unclean.

(5) Although the whole does not exceed an olive's hulk, so that neither part has sufficient to convey uncleanness.

(6) Since vessels overshadowing but a portion of the prescribed minimum of uncleanness present (cf. supra III, 4) become unclean.

(7) These rules are the same as in Mishnah 1.

(8) No uncleanness escapes through a hole less than a square handbreadth in area (Tosef. XI, 7) but all the house becomes unclean as in Mishnah 1 by combination of Foot with roof.

(9) because it overshadowed uncleanness.

(10) Because his leg had already combined to Form a complete 'tent' before the uncleanness had come, and the latter cannot escape now through a hole of less than a square handbreadth in a valid 'tent'.

(11) He is not regarded as coming into position after the uncleanness.

(12) Of less than a square handbreadth in size.

(13) V. Mishnah 1, n. 6.

(14) Any continuation of a portion of uncleanness not being able to defile through an opening of less than a handbreadth.

(15) I.e., a minimum of twice the size of an olive.

(16) Though they are not so divided in fact.

- (17) One in the ceiling of the ground floor and the other in the roof, vertically above the first.
- (18) Not under the hatchways.
- (19) Including whatever is in the house, the article placed over the hatchway forming a 'tent' overshadowing all. Even if the article was only in the lower hatchway the upper storey would become unclean, seeing that the article is susceptible to uncleanness and cannot therefore screen the upper storey, and hence is regarded as being in the upper hatchway (Bert.). ‘
- (20) Being overshadowed by the article.
- (21) It forms a valid screen.
- (22) In the lower storey.
- (23) The uncleanness being unable to escape through an opening of less than a square handbreadth.
- (24) As in Mishnah 4.
- (25) Where the uncleanness is, the article screening.
- (26) Even penetrating the earthenware pot which normally cannot be defiled from its outside.
- (27) Since the pot combines with the roof and brings the uncleanness by overshadowing.
- (28) The pot screening in conjunction with the walls of the house (cf. supra V, 5).
- (29) I.e., the pot, which consequently cannot serve as a screen, and hence all else in the house as in Mishnah 4.
- (30) I.e., on the outer side of the house where also the uncleanness was.
- (31) It is a case where the pot was wider below and getting narrower towards the opening, so that when it is raised the opening would be entirely outside the lintel, whereas the bottom part would still be covering the lintel over the space of a handbreadth.
- (32) As in Mishnah 6, n. 4.
- (33) In such a manner as not to touch a handbreadth of the lintel,
- (34) Since there is no handbreadth under the lintel the uncleanness does not pass into the house and consequently what is within and above the pot is clean.

## Mishna - Mas. Oholoth Chapter 11

MISHNAH 1. [WITH REGARD TO] A HOUSE, [WHOSE ROOF] HAS BEEN SPLIT [INTO TWO].<sup>1</sup> IF THERE IS UNCLEANNESS IN THE OUTER [PART].<sup>2</sup> VESSELS IN THE INNER [PART] REMAIN CLEAN.<sup>3</sup> IF THE UNCLEANNESS IS IN THE INNER [PART]. VESSELS IN THE OUTER [PART ARE DECLARED CLEAN]. ACCORDING TO BETH SHAMMAI, WHEN THE SPLIT IS FOUR HANDBREADTHS WIDE;<sup>4</sup> BUT BETH HILLEL SAY: [WHEN THE SPLIT IS OF] ANY SIZE.<sup>5</sup> R. JOSE SAYS IN THE NAME OF BETH HILLEL: [WHEN IT IS] ONE HANDBREADTH WIDE.

MISHNAH 2. [WITH REGARD TO] A PORTICO WHICH HAS BEEN SPLIT [INTO TWO]. IF THERE IS UNCLEANNESS ON THE ONE SIDE,<sup>6</sup> VESSELS ON THE OTHER SIDE REMAIN CLEAN.<sup>7</sup> IF A PERSON PLACED HIS LEG OR A REED ABOVE [THE SPLIT],<sup>8</sup> HE HAS COMBINED [WITH THE ROOF TO BRING THE] UNCLEANNESS.<sup>9</sup> IF HE PLACED THE REED ON THE GROUND,<sup>10</sup> IT DOES NOT FORM A PASSAGE FOR THE UNCLEANNESS, [NOR CAN IT DO SO] UNTIL IT IS ONE HANDBREADTH OFF THE GROUND.<sup>11</sup>

MISHNAH 3. A THICK WOOLLEN BLANKET OR A THICK WOODEN BLOCK<sup>12</sup> CANNOT FORM A PASSAGE FOR UNCLEANNESS<sup>13</sup> UNLESS THEY ARE ONE HANDBREADTH HIGH OFF THE GROUND. IF [GARMENTS] ARE FOLDED ONE ABOVE THE OTHER THEY CANNOT FORM A PASSAGE FOR THE UNCLEANNESS UNLESS THE UPPERMOST IS ONE HANDBREADTH HIGH OFF THE GROUND.<sup>14</sup> IF A PERSON WERE PLACED THERE,<sup>15</sup> BETH SHAMMAI SAY: HE CANNOT FORM A PASSAGE FOR THE UNCLEANNESS. BUT BETH HILLEL SAY: A MAN IS HOLLOW AND HIS UPPERMOST SURFACE FORMS A PASSAGE FOR THE UNCLEANNESS.

MISHNAH 4. IF A PERSON WAS LOOKING OUT OF A WINDOW AND OVERSHADOWED A FUNERAL PROCESSION,<sup>16</sup> BETH SHAMMAI SAY: HE DOES NOT FORM A PASSAGE FOR THE UNCLEANNESS.<sup>17</sup> BUT BETH HILLEL SAY: HE DOES FORM A PASSAGE FOR THE UNCLEANNESS. THEY AGREE THAT IF HE WAS DRESSED IN HIS CLOTHES OR IF THERE WERE TWO PERSONS, ONE ABOVE THE OTHER, THESE<sup>18</sup> FORM A PASSAGE FOR THE UNCLEANNESS.<sup>19</sup>

MISHNAH 5. [IN THE CASE] WHERE THE PERSON WAS LYING ON THE THRESHOLD AND THE FUNERAL PROCESSION OVERSHADOWED HIM,<sup>20</sup> BETH SHAMMAI SAY: HE DOES NOT FORM A PASSAGE FOR THE UNCLEANNESS.<sup>21</sup> BUT BETH HILLEL SAY: HE DOES FORM A PASSAGE FOR THE UNCLEANNESS.

MISHNAH 6. [IN THE CASE] WHERE THE UNCLEANNESS WAS IN THE HOUSE AND CLEAN PERSONS OVERSHADOWED HIM,<sup>22</sup> BETH SHAMMAI DECLARE THEM CLEAN, BUT BETH HILLEL DECLARE THEM UNCLEAR.<sup>23</sup>

MISHNAH 7. [WITH REGARD TO] A DOG WHICH HAD EATEN THE FLESH OF A CORPSE, HAD [SUBSEQUENTLY] DIED<sup>24</sup> AND WAS LYING OVER THE THRESHOLD, R. MEIR SAYS: IF ITS NECK HAS A THICKNESS OF ONE HANDBREADTH IT CAN FORM A PASSAGE FOR THE UNCLEANNESS, BUT IF NOT, IT CANNOT FORM A PASSAGE FOR THE UNCLEANNESS. R. JOSE SAYS: WE [EXAMINE TO] SEE WHERE THE UNCLEANNESS IS. [IF IT LIES FROM BENEATH] THE LINTEL INWARDS, THE HOUSE BECOMES UNCLEAR; [FROM BENEATH] THE LINTEL OUTWARDS, THE HOUSE REMAINS CLEAN. R. ELIEZER SAYS: IF ITS MOUTH [POINTS] INWARDS, THE HOUSE REMAINS CLEAN; IF ITS MOUTH [POINTS] OUTWARDS, THE HOUSE BECOMES UNCLEAR, SINCE THE UNCLEANNESS PROCEEDS FORTH THROUGH ITS HINDER

PARTS. R. JUDAH B. BATHYRA SAYS: WHETHER THE ONE [CONDITION] OR THE OTHER [APPLIES]. THE HOUSE BECOMES UNCLEAN.<sup>25</sup> HOW LONG SHOULD [THE UNCLEANNESS] HAVE REMAINED IN ITS ENTRAILS?<sup>26</sup> THREE WHOLE DAYS.<sup>27</sup> [IN THE CASE OF THE UNCLEANNESS BEING IN THE ENTRAILS] OF FISHES OR BIRDS, AS LONG AS [IT TAKES FOR THE UNCLEANNESS] TO FALL IN THE FIRE AND BE CONSUMED; SO R. SIMEON. R. JUDAH B. BATHYRA SAYS: IN THE CASE OF FISHES OR BIRDS, TWENTY-FOUR HOURS.

MISHNAH 8. WITH REGARD TO A CELLAR<sup>28</sup> IN A HOUSE,<sup>29</sup> WITH A CANDLESTICK [STANDING] THEREIN WHOSE CALYX<sup>30</sup> PROTRUDES<sup>31</sup> AND [SUPPORTS] AN OLIVE-BASKET SO PLACED THAT IF THE CANDLESTICK IS TAKEN AWAY THE OLIVE-BASKET WOULD STILL REMAIN OVER THE MOUTH OF THE CELLAR,<sup>32</sup> BETH SHAMMAI SAY: THE CELLAR REMAINS CLEAN<sup>33</sup> BUT THE CANDLESTICK BECOMES UNCLEAN.<sup>34</sup> BETH HILLEL SAY: THE CANDLESTICK ALSO REMAINS CLEAN. BUT THEY AGREE THAT IF THE OLIVE-BASKET WOULD FALL [INTO THE CELLAR] IF THE CANDLESTICK WAS TAKEN AWAY, ALL WOULD BECOME UNCLEAN.

MISHNAH 9. VESSELS [THAT ARE] BETWEEN THE RIMS OF THE OLIVE-BASKET<sup>35</sup> AND THE RIMS OF THE CELLAR, EVEN TO THE NETHERMOST DEEP,<sup>36</sup> REMAIN CLEAN.<sup>37</sup> IF THERE IS UNCLEANNESS IN THE CELLAR, THE HOUSE BECOMES UNCLEAN.<sup>38</sup> IF THERE IS UNCLEANNESS IN THE HOUSE, VESSELS IN THE WALLS OF THE CELLAR<sup>39</sup> REMAIN CLEAN, IF THE PLACE WHERE THEY ARE HAS A CONTENT OF ONE CUBIC HANDBREADTH;<sup>40</sup> IF NOT, THEY BECOME UNCLEAN. IF THE WALLS OF THE CELLAR ARE WIDER [APART]<sup>41</sup> THAN THOSE OF THE HOUSE, IN EITHER CASE THE VESSELS REMAIN CLEAN.<sup>42</sup>

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- (1) Two separate 'tents' thus being formed.
  - (2) Nearer the exit of the house.
  - (3) Because the uncleanness goes out by the exit and not into the inner portion. however narrow the split.
  - (4) The uncleanness can be taken out through the wide split.
  - (5) Subject to a minimum thickness of a plumb-line (Tosef.).
  - (6) Of the split.
  - (7) Cf. n. 3 mut. mut.
  - (8) Either in the case of the house or portico.
  - (9) Cf. supra X, 1.
  - (10) Directly below the split.
  - (11) And thus forming a common 'tent' with the roof connecting both parts of the house.
  - (12) **כופת** from **כפת** 'to invert', a wooden block used as a low seat.
  - (13) Even though one handbreadth high and placed directly below the split.
  - (14) Rather: they form a passage for the uncleanness if only the uppermost is one handbreadth high from the ground (Wilna Gaon).
  - (15) Directly under the object. V. 'Ed. IV, 12.
  - (16) And the corpse.
  - (17) Sc. into the house from which he was looking out. because he is not one handbreadth high above the sill. Beth Shammai differ from Beth Hillel and do not regard the man as being hollow, and his body forms a partition between the corpse and the house.
  - (18) The garments or the upper person.
  - (19) Since these are one handbreadth above the sill.
  - (20) And the corpse.
  - (21) To bring it into the house, as in Mishnah 4.
  - (22) The person described in Mishnah 5.
  - (23) Each school in accordance with its respective view in Mishnahs 4 and 5.

- (24) If the dog was alive, any uncleanness that it had swallowed would not defile (v. Hul. 71b).
- (25) For notes on this Mishnah v. Hul., Sonc. ed., p. 126a.
- (26) Before the dog died so that it would have time to be digested.
- (27) V. Shab. 155b for a Talmudic statement based upon this observation.
- (28) **הדות** The same word as **דוֹת** supra V, 6.
- (29) In which there is a corpse.
- (30) **פֶּרֶחַ** Cf. Kei. XI, 7. The flower-shaped structure which holds the lamp.
- (31) Into the house.
- (32) I.e., it would not fall down into the cellar.
- (33) Being protected by the olive-basket.
- (34) Being made of metal and protruding into the house.
- (35) That was not supported by the candlestick.
- (36) I.e., even those in the ground.
- (37) The basket affording protection otherwise the corpse uncleanness In the house would spread to the vessels in the ground of the cellar, v. infra XV, 5.
- (38) Cf. supra IV, 1.
- (39) I.e., those parts which are not covered by the basket, the basket being round, whereas the cellar is square, so that the corners of the opening the latter remain uncovered.
- (40) V. supra III, 7.
- (41) So that the cellar walls are not the continuation of the walls of the house.
- (42) In this case the walls of the cellar are not regarded at all as part of the house.

## Mishna - Mas. Oholoth Chapter 12

MISHNAH 1. [WITH REGARD TO] A BOARD PLACED OVER THE MOUTH OF A NEW<sup>1</sup> OVEN,<sup>2</sup> OVERLAPPING IT ON ALL SIDES TO THE EXTENT OF A HANDBREADTH, IF THERE IS UNCLEANNESS BENEATH [THE BOARD]. VESSELS ABOVE IT REMAIN CLEAN; IF THERE IS UNCLEANNESS ABOVE IT, VESSELS BENEATH IT REMAIN CLEAN.<sup>3</sup> IN THE CASE OF AN OLD OVEN, THEY BECOME UNCLEAR.<sup>4</sup> R. JOHANAN B. NURI DECLARES THEM CLEAN.<sup>5</sup> [IN THE CASE WHERE THE BOARD] IS PLACED OVER THE MOUTH OF TWO [OLD] OVENS, IF THERE IS UNCLEANNESS BETWEEN THEM, THEY BECOME UNCLEAR. R. JOHANAN B. NURI DECLARES THEM CLEAN.

MISHNAH 2. [WITH REGARD TO] A COLANDER<sup>6</sup> PLACED<sup>7</sup> OVER THE MOUTH OF AN OVEN, [SO THAT THIS IS] CLOSED WITH A SEALED LID,<sup>8</sup> IF THERE IS UNCLEANNESS BELOW OR ABOVE IT, EVERYTHING BECOMES UNCLEAR; BUT WHAT IS DIRECTLY [ABOVE] THE AIR-SPACE OF THE OVEN REMAINS CLEAN.<sup>9</sup> IF THERE IS UNCLEANNESS DIRECTLY [ABOVE] THE AIR-SPACE OF THE OVEN, EVERYTHING DIRECTLY ABOVE IT EVEN TO THE SKY BECOMES UNCLEAR.

MISHNAH 3. [IN THE CASE WHERE] THE BOARD PLACED OVER THE MOUTH OF AN OLD OVEN PROJECTS FROM EITHER [END] TO THE EXTENT OF ONE HAND BREADTH BUT NOT FROM THE SIDES, IF THERE IS UNCLEANNESS UNDER ONE END [OF THE BOARD]. VESSELS [UNDER] THE OTHER END REMAIN CLEAN.<sup>10</sup> R. JOSE DECLARES THEM UNCLEAR.<sup>11</sup> A BATH<sup>12</sup> DOES NOT FORM A PASSAGE FOR UNCLEANNESS.<sup>13</sup> IF THERE WAS A BRACKET<sup>14</sup> IN IT, R. ELIEZER SAYS: IT [STILL] DOES NOT FORM A PASSAGE FOR THE UNCLEANNESS. R. JOSHUA SAYS: THE BATH IS REGARDED AS NOT BEING THERE, AND THE BRACKET ABOVE FORMS A PASSAGE FOR THE UNCLEANNESS.

MISHNAH 4. [WITH REGARD TO] THE SHOE<sup>15</sup> OF A CRADLE,<sup>16</sup> FOR WHICH A HOLE HAD BEEN MADE [IN THE CEILING TO BRING IT] INTO THE HOUSE [BELOW],<sup>17</sup> IF [THE

HOLE] IS ONE HANDBREADTH SQUARE, EVERYTHING<sup>18</sup> BECOMES UNCLEAN;<sup>19</sup> BUT IF IT WAS NOT [ONE HANDBREADTH SQUARE]. ITS [UNCLEANNES] IS COMPUTED AS ONE RECKONS WITH [CASES OF CONTACT WITH] A CORPSE.<sup>20</sup>

MISHNAH 5. [WITH REGARD TO] THE ROOF BEAMS<sup>21</sup> OF THE HOUSE AND OF THE UPPER STOREY WHICH HAVE NO CEILING-WORK UPON THEM AND ARE IN A LINE, [THE UPPER ONES EXACTLY ABOVE THE LOWER]. IF THERE IS UNCLEANNES BENEATH ONE OF THEM, ALL BENEATH THAT ONE BECOMES UNCLEAN. IF IT IS BETWEEN A LOWER AND AN UPPER [BEAM]. WHAT IS BETWEEN THEM BECOMES UNCLEAN. IF IT IS ABOVE THE UPPER [ROOF BEAMS], WHAT IS DIRECTLY ABOVE TO THE SKY BECOMES UNCLEAN. [IN THE CASE] WHERE THE UPPER [ROOF BEAMS] WERE [OVER THE GAPS] BETWEEN THE LOWER [ROOF BEAMS],<sup>22</sup> IF THERE IS UNCLEANNES BENEATH ONE OF THEM, WHAT IS BENEATH ALL OF THEM BECOMES UNCLEAN; IF ABOVE THEM, WHAT IS DIRECTLY ABOVE TO THE SKY BECOMES UNCLEAN.

MISHNAH 6. [WITH REGARD TO] A BEAM WHICH IS PLACED ACROSS FROM ONE WALL TO ANOTHER AND WHICH HAS UNCLEANNES BENEATH IT, IF IT IS ONE HANDBREADTH WIDE, IT CONVEYS THE UNCLEANNES TO ALL BENEATH IT; IF IT IS NOT [ONE HANDBREADTH WIDE], THE UNCLEANNES CLEAVES UPWARDS AND DOWNWARDS. HOW MUCH MUST ITS CIRCUMFERENCE BE SO THAT ITS WIDTH SHOULD BE ONE HANDBREADTH? IF IT IS ROUND, ITS CIRCUMFERENCE MUST BE THREE HANDBREADTHS; IF SQUARE, FOUR HANDBREADTHS, SINCE A SQUARE HAS A [CIRCUMFERENCE] ONE QUARTER GREATER THAN [THAT OF] A CIRCLE.<sup>23</sup>

MISHNAH 7. [WITH REGARD TO] A PILLAR LYING [ON ITS SIDE] IN THE OPEN AIR, IF ITS CIRCUMFERENCE IS TWENTY-FOUR HANDBREADTHS, IT FORMS A PASSAGE FOR UNCLEANNES FOR ALL BENEATH ITS SIDE;<sup>24</sup> BUT IF IT IS NOT, THE UNCLEANNES CLEAVES UPWARDS AND DOWNWARDS.

MISHNAH 8. IF AN OLIVE-SIZED PORTION OF A CORPSE ADHERES TO THE THRESHOLD,<sup>25</sup> R. ELIEZER DECLARES THE HOUSE UNCLEAN. R. JOSHUA DECLARES IT CLEAN. IF IT WAS PLACED BENEATH THE THRESHOLD, THE [CASE] IS JUDGED BY THE HALF [IN WHICH THE UNCLEANNES IS].<sup>26</sup> IF IT IS ADHERING TO THE LINTEL, THE HOUSE BECOMES UNCLEAN. R. JOSE DECLARES IT CLEAN. IF IT WAS IN THE HOUSE, A PERSON TOUCHING THE LINTEL BECOMES UNCLEAN.<sup>27</sup> [AS FOR] A PERSON TOUCHING THE THRESHOLD, R. ELIEZER DECLARES HIM UNCLEAN. R. JOSHUA SAYS: [IF HE TOUCHES IT AT A POINT] BELOW A HANDBREADTH [FROM THE UPPER SURFACE]. HE REMAINS CLEAN; ABOVE THAT HANDBREADTH HE BECOMES UNCLEAN.<sup>28</sup>

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(1) One not yet kindled (v. Kel. V, 1). It is not reckoned a vessel and is unsusceptible to uncleanness; hence it can protect against uncleanness.

(2) Standing in the open air,

(3) The board and new oven serving as a screen.

(4) Heated ovens are vessels susceptible to uncleanness and hence (v. supra VI, 2) serve as 'tents' to bring uncleanness, but not to protect against it.

(5) Ovens differing, in his opinion, from other vessels in respect of the law laid down in VI, 1, being completely attached to the ground.

(6) Cf. supra V, 6.

(7) In the same position as the board in Mishnah 1.

(8) As in Kel. IX. 7.

- (9) Since the air-space itself remains clean because of the sealed lid.
- (10) The board affording no passage for the uncleanness and the oven serving as partition between the two 'tents' formed by each projection.
- (11) In his view the oven forms no partition.
- (12) Attached to the ground, **בטה** Some readings have **אבטה** 'Aruch gives a cognate Arabic root meaning 'a bath' or 'sill', whence Bert. renders 'bath' and Maim. 'windowsill'.
- (13) If there is a board placed over it projecting at both ends.
- (14) **י"ז** found also in supra VIII, 2 meaning 'wall-projection'. The bracket overlies the whole length of the bath and the board is over the bracket.
- (15) **סנדל** 'sandal', explained as metal shoe placed under the cradle legs for protection or adornment.
- (16) Placed in the upper storey.
- (17) Where there is a corpse.
- (18) In the upper storey. Var. lec.: it forms a passage for the uncleanness.
- (19) The shoe affording no protection.
- (20) The shoe and cradle acquiring seven-day uncleanness, and the child in it uncleanness lasting till evening (v. supra I, 2).
- (21) Each of one handbreadth in width.
- (22) And were of the same size as those gaps.
- (23) Of a diameter equal to the side of the square. The circumference of the square is four handbreadths and of the circle, three, using the simplified calculation employed in the Talmud here and elsewhere ('Er. I, 5; Suk. 7b).
- (24) Such a pillar has, according to the Rabbinic reckoning, a diameter of eight handbreadths. When a circle of this size is inscribed in a square, there is sufficient space in the corners between the circle and the square to inscribe a smaller square with a side of one handbreadth. Therefore under a pillar of these dimensions a space of one cubic handbreadth, the minimum size of a shelter for uncleanness, can be found. Mathematically computed, the side of the smaller square inscribed in the corner between a circle and the circumscribed square has a relation to the side of the larger square of  $1:4+2/2$ . The circle thus has a circumference Gr.  $** (4+2/2)$  times the side of the smaller square. If that side was one handbreadth, the circumference would be approximately twenty-one and a half handbreadths. The measurement in our Mishnah is thus slightly too large. V. figure given by Hoffmann (Itzkowski-Kanel ed. Mishnah VI, 2 p. 210).
- (25) Outside the door jamb and not under the lintel.
- (26) Only the inner half of the threshold being reckoned with the inside of the house.
- (27) cf. supra VII, 3.
- (28) Cf. supra IX, 15.

### Mishna - Mas. Oholoth Chapter 13

MISHNAH 1. [WITH REGARD TO] A LIGHT HOLE NEWLY MADE, ITS MINIMUM SIZE<sup>1</sup> IS THAT OF A HOLE MADE BY THE LARGE DRILL OF THE TEMPLE CHAMBER.<sup>2</sup> [IN THE CASE OF] THE RESIDUE OF A LIGHT-HOLE<sup>3</sup> [THE SIZE IS] TWO FINGERBREADTHS HIGH BY A THUMB-BREADTH BROAD. THE FOLLOWING IS CONSIDERED A RESIDUE OF A LIGHT-HOLE A WINDOW THAT A PERSON HAD BLOCKED UP BUT HAD NOT BEEN ABLE TO FINISH. [IN THE CASE OF A HOLE] BORED BY WATER, OR BY REPTILES. OR EATEN AWAY BY SALTPETRE. THE MINIMUM SIZE IS THAT OF A FIST.<sup>4</sup> IF THE HOLE HAD BEEN INTENDED FOR [DOMESTIC] USE, ITS MINIMUM SIZE IS ONE HANDBREADTH SQUARE; FOR LIGHTING. ITS MINIMUM SIZE IS THAT OF A HOLE MADE BY THE DRILL. THE HOLES IN GRATING<sup>5</sup> OR LATTICE-WORK<sup>6</sup> MAY BE JOINED TOGETHER TO FORM [AN OPENING] THE SIZE OF A HOLE MADE BY THE DRILL, ACCORDING TO THE OPINION OF BETH SHAMMAI. BETH HILLEL SAY: [NOTHING CAN BE RECKONED] UNLESS THERE IS A HOLE OF THE SIZE MADE BY THE DRILL IN ONE PLACE. [THE FOREGOING SIZES APPLY] FOR PURPOSES OF ALLOWING THE UNCLEANNESS TO COME IN OR TO GO OUT.<sup>7</sup> R. SIMEON SAYS: ONLY FOR ALLOWING THE UNCLEANNESS TO COME IN; BUT FOR ALLOWING THE UNCLEANNESS TO GO OUT [THE MINIMUM SIZE] IS ONE HANDBREADTH SQUARE.

MISHNAH 2. [WITH REGARD TO] A WINDOW MADE FOR LETTING IN AIR, ITS MINIMUM SIZE IS THAT OF A HOLE MADE BY THE DRILL. IF A HOUSE WAS BUILT OUTSIDE IT, ITS MINIMUM SIZE BECOMES ONE HANDBREADTH SQUARE. IF THE ROOF<sup>8</sup> WAS PLACED AT THE HEIGHT OF THE MIDDLE OF THE WINDOW, THE MINIMUM SIZE OF THE LOWER PART IS ONE HANDBREADTH SQUARE AND OF THE UPPER PART THAT OF A HOLE MADE BY THE DRILL.

MISHNAH 3. [WITH REGARD TO] A HOLE IN THE DOOR, ITS MINIMUM SIZE IS THAT OF A FIST. THIS IS THE OPINION OF R. AKIBA. R. TARFON SAYS: ONE HANDBREADTH SQUARE. IF THE CARPENTER HAD LEFT A SPACE AT THE BOTTOM OR THE TOP [OF THE DOOR]. OR IF ONE HAD SHIFT [THE DOOR] BUT NOT CLOSED IT TIGHTLY,<sup>9</sup> OR IF THE WIND BLEW IT OPEN, THE MINIMUM SIZE IS THAT OF A FIST.

MISHNAH 4. IF A PLACE<sup>10</sup> WAS MADE FOR A ROD, A STAVE,<sup>11</sup> OR A LAMP, THE MINIMUM SIZE IS WHATEVER IS NEEDFUL, ACCORDING TO THE OPINION OF BETH SHAMMAI. BETH HILLEL SAY: ONE HANDBREADTH SQUARE. [IF IT WAS MADE] FOR A PEEP-HOLE,<sup>12</sup> FOR SPEAKING THROUGH TO HIS FELLOW, OR FOR [DOMESTIC] USE, THE MINIMUM SIZE IS ONE HANDBREADTH SQUARE.

MISHNAH 5. THE FOLLOWING [OBJECTS SERVE TO] REDUCE [THE AREA OF A SQUARE] HANDBREADTH:<sup>13</sup> [A PORTION] OF LESS THAN AN OLIVE-SIZE OF FLESH [OF A CORPSE] REDUCES [THE OPENING FOR UNCLEANNESS THAT IS] CAUSED BY A QUARTER OF A KAB OF BONES<sup>14</sup> [FROM A CORPSE]; [A PORTION] OF LESS THAN A BARLEY-CORN SIZE OF BONE REDUCES [THE OPENING FOR UNCLEANNESS THAT IS] CAUSED BY AN OLIVE-SIZED PORTION OF FLESH; LESS THAN AN OLIVE-SIZED PORTION OF A CORPSE,<sup>15</sup> LESS THAN AN OLIVE-SIZED PORTION OF CARRION, LESS THAN A LENTIL-SIZED PORTION OF REPTILE, LESS THAN AN EGG-SIZED PORTION OF FOOD, A PLANT GROWING AGAINST THE WINDOW,<sup>16</sup> A COBWEB<sup>17</sup> HAVING SUBSTANCE, THE CARCASE OF A CLEAN BIRD THAT HAVE NOT BEEN INTENDED [FOR FOOD],<sup>18</sup> AND THE CARCASE OF AN UNCLEAN BIRD THAT HAD BEEN INTENDED [FOR FOOD] THAT HAD NOT BEEN RENDERED SUSCEPTIBLE [TO UNCLEANNESS], OR WHICH HAD BEEN RENDERED SUSCEPTIBLE [TO UNCLEANNESS] BUT HAD NOT BEEN INTENDED [FOR FOOD].<sup>19</sup>

MISHNAH 8. THE FOLLOWING CANNOT REDUCE [THE AFORESAID AREA]: BONE CANNOT REDUCE [THE AREA] FOR [OTHER] BONES;<sup>20</sup> NOR [CORPSE] FLESH FOR [OTHER] FLESH; NOR AN OLIVE-SIZED [PORTION] OF A CORPSE, NOR AN OLIVE-SIZED PORTION OF CARRION, NOR A LENTIL-SIZED PORTION OF REPTILE, NOR AN EGG-SIZED PORTION OF FOOD, NOR A PLANT GROWING IN THE WINDOWS,<sup>21</sup> NOR A COBWEB HAVING NO SUBSTANCE, NOR THE CARCASE OF A CLEAN BIRD WHICH HAD BEEN INTENDED [FOR FOOD], NOR THE CARCASE OF AN UNCLEAN BIRD WHICH HAD BEEN INTENDED [FOR FOOD] AND HAD BEEN RENDERED SUSCEPTIBLE TO UNCLEANNESS, NOR WARP AND WOOF THREADS SMITTEN WITH PLAGUE,<sup>22</sup> NOR A BRICK FROM A BETH PERAS.<sup>23</sup> [THIS LAST IS] THE OPINION OF R. MEIR,<sup>24</sup> BUT THE SAGES SAY: THE BRICK CAN REDUCE, BECAUSE THE DUST [OF THE BETH PERAS] IS CLEAN.<sup>25</sup> THIS IS THE GENERAL RULE: WHAT IS CLEAN REDUCES [THE AREA], AND WHAT IS UNCLEAN DOES NOT REDUCE IT.

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(1) For giving passage to the uncleanness.

(2) V. supra II, 3.

(3) Already made but partially blocked.



- (4) Of a giant called Ben Batiah (Kel. XVII, 12).
- (5) V. supra VIII, 4. Such as are used for the doors of food safes (Bert.).
- (6) רפפות from the root רפף 'to shake', hence 'loosely-moving shutters'. (Tosef. XIV, 3, those of summer houses).
- (7) Some commentators refer the ease of going out to that in supra VII, 3.
- (8) Of the adjacent house.
- (9) מירקה, from מרק 'to finish'.
- (10) I.e., a hole.
- (11) The staff with which the weaver beats together the newly spun woof-threads.
- (12) לזון את עיניו 'to feast his eyes'. i.e., to allow of a look-out. Preuss, however, p. 329. translates 'to nourish the eyes'. i.e., to effect a cure on them.
- (13) Making the opening too small to allow passage for the uncleanness.
- (14) But nor for an olive-sized portion of flesh, in which case the two portions would combine to convey the uncleanness.
- (15) This has already been mentioned, but is repeated here to teach that it reduces the opening in, respect of all things enumerated in II, 1-2, as conveying uncleanness by overshadowing.
- (16) But planted some little distance away (according to L. three handbreadths away).
- (17) כרבי 'Aruch quotes a cognate Arabic word meaning 'spider's web' (so Bert.). In Mel, XVII, 17 the same word, as is shown by the context, means 'reed-pith'.
- (18) And is therefore not yet susceptible to uncleanness. The law's concerning a clean bird are detailed in Toh. I, 1.
- (19) Unclean birds require both conditions to be fulfilled, intention for food and predisposition by moisture (Maksh.) as in Toh. 1, 3
- (20) V. supra 5, n. 7.
- (21) In a part where such a growth is undesirable and would ultimately be removed (Bert ).
- (22) Which are unclean (Neg. XI, 8).
- (23) V. Supra II, 3; infra XVII, 1.
- (24) He holds that such bricks are unclean.
- (25) When the original clod has been broken up.

## Mishna - Mas. Oholoth Chapter 14

MISHNAH 1. A CANOPY<sup>1</sup> FORMS A PASSAGE FOR THE 'UNCLEANNES,<sup>2</sup> BE IT OF WHATSOEVER WIDTH;<sup>3</sup> BUT A BALCONY OR ROUNDED [PROJECTION<sup>4</sup> ONLY] WHEN THEY ARE ONE HANDBREADTH WIDE. WHAT IS A CANOPY? THAT [PROJECTION] WHOSE [MAIN] SURFACE FACES DOWNWARDS, WHILE A BALCONY HAS ITS [MAIN] SURFACE FACING UPWARDS. IN WHAT [CIRCUMSTANCES] WAS IT SAID THAT A CANOPY FORMED A PASSAGE FOR UNCLEANNES BE IT OF WHATSOEVER WIDTH? WITH REGARD TO A CANOPY WHICH IS THREE COURSES,<sup>5</sup> OR TWELVE HANDBREADTHS, ABOVE THE DOORWAY. WHEN HIGHER THAN THAT, IF FORMS A PASSAGE FOR UNCLEANNES ONLY IF IT IS ONE HANDBREADTH WIDE. CORNICES<sup>6</sup> AND CARVINGS FORM A PASSAGE FOR THE UNCLEANNES WHEN THEY ARE ONE HANDBREADTH WIDE.

MISHNAH 2. A CANOPY THAT IS ABOVE A DOORWAY FORMS A PASSAGE FOR THE UNCLEANNES WHEN IT IS ONE HANDBREADTH WIDE;<sup>7</sup> IF ABOVE A WINDOW TWO FINGERBREADTHS HIGH OR THE SIZE OF A HOLE MADE BY A DRILL,<sup>6</sup> WHEN OF ANY WIDTH WHATSOEVER. R. JOSE SAYS: WHEN OF EQUAL SIZE [TO THE PARTICULAR WINDOW].

MISHNAH 3. A ROD ABOVE A DOORWAY<sup>8</sup> EVEN IF ONE HUNDRED CUBITS HIGHER,<sup>9</sup> FORMS A PASSAGE FOR THE UNCLEANNES WHEN IT IS OF ANY WIDTH. THIS IS THE OPINION OF R. JOSHUA. R. JOHANAN B. NURI SAYS: LET NOT THIS CASE BE MORE STRINGENT THAN THAT OF A CANOPY.

MISHNAH 4. [IN THE CASE OF] A CANOPY<sup>10</sup> GOING ALL ROUND THE HOUSE, OCCUPYING SPACE ABOVE THE DOORWAY TO THE EXTENT OF [BUT] THREE FINGERBREADTHS, IF THERE IS UNCLEANNESS IN THE HOUSE, VESSELS BENEATH [THE CANOPY] BECOME UNCLEAN.<sup>11</sup> IF THE UNCLEANNESS IS BENEATH [THE CANOPY]. R. ELIEZER DECLARES THE HOUSE UNCLEAN,<sup>12</sup> BUT R. JOSHUA DECLARES IT CLEAN. A SIMILAR [RULE APPLIES] TO A COURTYARD SURROUNDED BY A PORTICO.<sup>13</sup>

MISHNAH 5. [WITH REGARD TO] TWO CANOPIES, ONE [DIRECTLY] ABOVE THE OTHER, HAVING [EACH] A WIDTH OF ONE HANDBREADTH AND THERE BEING A SPACE OF ONE HANDBREADTH BETWEEN THEM, IF THERE IS UNCLEANNESS BENEATH THEM,<sup>14</sup> WHAT IS BENEATH THEM BECOMES UNCLEAN; IF IT IS BETWEEN THEM, WHAT IS BETWEEN THEM BECOMES UNCLEAN; ABOVE THEM,<sup>15</sup> EVERYTHING DIRECTLY [ABOVE] TO THE SKY BECOMES UNCLEAN. [IN THE CASE WHERE] THE UPPER [CANOPY] OVERLAPPED THE LOWER TO THE EXTENT OF ONE HANDBREADTH, IF THERE IS UNCLEANNESS BENEATH OR BETWEEN THEM, WHAT IS BENEATH AND BETWEEN THEM BECOMES UNCLEAN;<sup>16</sup> IF IT IS ABOVE THEM, WHAT IS DIRECTLY [ABOVE] TO THE SKY BECOMES UNCLEAN. [IN THE CASE WHERE] THE UPPER [CANOPY] OVERLAPPED THE LOWER TO AN EXTENT OF LESS THAN A HANDBREADTH, IF THERE IS UNCLEANNESS BENEATH THEM, WHAT IS BENEATH AND BETWEEN THEM BECOMES UNCLEAN; IF IT IS BETWEEN THEM OR BENEATH THE OVERLAPPING [PART]. R. ELIEZER SAYS: WHAT IS BENEATH THEM AND BETWEEN THEM BECOMES UNCLEAN. R. JOSHUA SAYS: WHAT IS BETWEEN THEM AND BENEATH THE OVERLAPPING [PART] BECOMES UNCLEAN, BUT WHAT IS BENEATH [THE LOWER ONE] REMAINS CLEAN.

MISHNAH 6. [IN THE CASE WHERE] THEY HAD A WIDTH OF A HANDBREADTH BUT THERE WAS NOT A SPACE OF A HANDBREADTH BETWEEN THEM, IF THERE IS UNCLEANNESS BENEATH THEM, WHAT IS BENEATH BECOMES UNCLEAN; IF IT IS BETWEEN THEM<sup>17</sup> OR ABOVE THEM, EVERYTHING DIRECTLY [ABOVE] TO THE SKY BECOMES UNCLEAN.<sup>18</sup>

MISHNAH 7. [IN THE CASE WHERE] THEY DID NOT HAVE A WIDTH OF A HANDBREADTH, WHETHER THERE IS A SPACE OF A HANDBREADTH BETWEEN THEM OR WHETHER THERE IS NOT, IF THERE IS UNCLEANNESS BENEATH, BETWEEN OR ABOVE THEM, THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS. A SIMILAR [RULE APPLIES] TO TWO CURTAINS,<sup>19</sup> [THE LOWER ONE OF WHICH IS] ONE HANDBREADTH HIGH OFF THE GROUND.<sup>20</sup>

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(1) V. supra VIII, 2, n. 9. Here it seems to be a kind of ornamental moulding going round the house.

(2) Beneath it, transferring it to the house.

(3) Since it is joined to the house (L.).

(4) גבליִת . The cognate Arabic word means 'hill'. The Tosef. XIV explains it as a balcony rounded off at both ends. The word may be similar to גבן 'humpy'.

(5) Sc. of bricks. נדבך . Cf. supra VI. I, n. 4.

(6) עטרות , ornaments in the shape of a crown (corona hence cornice) above doorways and windows.

(7) This rule seems to contradict that in the previous Mishnah. Bert. explains this case to apply when the door is closed; L. when the canopy extends over the doorway alone. (8) V. supra XIII, 1.

(8) Placed parallel to the top of the entrance.

(9) In contradistinction to a canopy where there is the limit of twelve handbreadths.

(10) One handbreadth wide (Bert.).

- (11) Rendered so by the ultimately emerging uncleanness.
- (12) Because of the stringency of the laws applying to canopies of even less than a handbreadth in width (Bert.).
- (13) Whose roofed portion extends for three fingerbreadths over the door of a house in the courtyard.
- (14) Beneath the lower canopy, and so elsewhere.
- (15) Above the upper canopy, and so elsewhere.
- (16) The overlapping combining the upper and lower canopies to form a passage for the uncleanness.
- (17) Being in a space of less than a cubic handbreadth, the uncleanness cleaves upwards and downwards.
- (18) A variant followed by Bert. reads as follows: (In the case where) the canopies had a width of a handbreadth but the spaces were not a handbreadth wide, if there is uncleanness beneath or between them, what is beneath or between them becomes unclean; if it is above, what is directly (above) to the sky becomes unclean. The spaces referred to are those between the canopies and between the lower canopy and the ground. The lower canopy, since there is not a space of a handbreadth below or above it, is treated as non-existent.
- (19) Stretched horizontally.
- (20) The upper curtain being one handbreadth above the lower.

## **Mishna - Mas. Oholoth Chapter 15**

MISHNAH 1. A THICK WOOLLEN BLANKET OR A THICK WOODEN BLOCK DO NOT FORM A PASSAGE FOR UNCLEANNESS UNLESS THEY ARE ONE HANDBREADTH HIGH OFF THE GROUND. IF [THE GARMENTS] ARE FOLDED ONE ABOVE THE OTHER THEY DO NOT FORM A PASSAGE FOR THE UNCLEANNESS UNLESS THE UPPERMOST IS ONE HANDBREADTH HIGH OFF THE GROUND.<sup>1</sup> TABLETS OF WOOD [PLACED] ONE ABOVE THE OTHER DO NOT FORM A PASSAGE FOR THE UNCLEANNESS UNLESS THE UPPERMOST IS ONE HANDBREADTH HIGH OFF THE GROUND; BUT IF THEY WERE OF MARBLE, THE UNCLEANNESS<sup>2</sup> CLEAVES UPWARDS AND DOWNWARDS.<sup>3</sup>

MISHNAH 2. [WITH REGARD TO] WOODEN TABLETS TOUCHING EACH OTHER AT THEIR CORNERS,<sup>4</sup> AND ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BENEATH ONE OF THEM, [A PERSON] TOUCHING THE SECOND [TABLET]<sup>5</sup> BECOMES DEFILED WITH A SEVEN-DAY DEFILEMENT. VESSELS UNDER THE FIRST [TABLET] BECOME UNCLEAN; BUT THOSE UNDER THE SECOND REMAIN CLEAN.<sup>6</sup> A TABLE CANNOT FORM A PASSAGE FOR UNCLEANNESS UNLESS IT CONTAINS A SQUARE? OF ONE HANDBREADTH.

MISHNAH 3. [WITH REGARD TO] JARS STANDING ON THEIR BOTTOMS OR LYING ON THEIR SIDES IN THE OPEN AIR AND TOUCHING ONE ANOTHER TO THE EXTENT OF A HANDBREADTH,<sup>7</sup> IF THERE IS UNCLEANNESS BENEATH ONE OF THEM, THE UNCLEANNESS CLEAVES UPWARDS AND DOWNWARDS.<sup>8</sup> WHEN DOES THIS RULE APPLY? WHEN THE [JARS] ARE CLEAN.<sup>9</sup> BUT IN THE CASE WHERE THEY WERE UNCLEAN<sup>10</sup> OR ONE HANDBREADTH HIGH OFF THE GROUND, IF THERE IS UNCLEANNESS BENEATH ONE OF THEM, WHAT IS BENEATH ALL BECOMES UNCLEAN.

MISHNAH 4. [WITH REGARD TO] A HOUSE,<sup>11</sup> PARTITIONED OFF BY BOARDS OR CURTAINS FROM THE SIDES OR FROM THE ROOF BEAMS,<sup>12</sup> IF THERE IS UNCLEANNESS IN THE HOUSE, VESSELS BEYOND THE PARTITION REMAIN CLEAN.<sup>13</sup> IF THERE IS UNCLEANNESS BEYOND THE PARTITION, VESSELS IN THE HOUSE BECOME UNCLEAN.<sup>14</sup> [WITH REGARD TO] THE VESSELS BEYOND THE PARTITION,<sup>15</sup> IF THERE IS A SPACE OF A [CUBIC] HANDBREADTH THERE, THEY BECOME UNCLEAN, BUT IF NOT, THEY REMAIN CLEAN.<sup>16</sup>

MISHNAH 5. [IN THE CASE WHERE] IT WAS PARTITIONED OFF FROM THE FLOOR, IF

THERE IS UNCLEANNESS BENEATH THE PARTITION, VESSELS IN THE HOUSE BECOME UNCLEAR.<sup>17</sup> [IN THE CASE WHERE] THE UNCLEANNESS IS IN THE HOUSE, VESSELS BENEATH THE PARTITION, IF THERE IS A SPACE THERE OF ONE CUBIC HAND BREADTH, REMAIN CLEAN; BUT IF NOT, THEY BECOME UNCLEAR, SINCE THE FLOOR OF THE HOUSE IS RECKONED AS THE HOUSE EVEN TO THE NETHERMOST DEEP.

MISHNAH 6. [WITH REGARD TO] A HOUSE FILLED WITH STRAW, WITHOUT A SPACE OF A HANDBREADTH [BEING LEFT] BETWEEN [THE STRAW] AND THE ROOF BEAMS, IF THERE IS UNCLEANNESS WITHIN [THE STRAW] VESSELS AT THE EXIT<sup>18</sup> BECOME UNCLEAR.<sup>19</sup> [IN THE CASE WHERE] THE UNCLEANNESS WAS OUTSIDE,<sup>20</sup> THE VESSELS WITHIN, IF THEY ARE IN A SPACE OF A CUBIC HANDBREADTH, REMAIN CLEAN, BUT IF NOT THEY BECOME UNCLEAR.<sup>21</sup> IF THERE IS A SPACE OF A HAND BREADTH BETWEEN THE STRAW AND THE ROOF BEAMS, IN EITHER CASE THE VESSELS BECOME UNCLEAR.<sup>22</sup>

MISHNAH 7. [WITH REGARD TO] A HOUSE FILLED WITH EARTH<sup>23</sup> OR PEBBLES WHICH HAD BEEN DEEMED VALUELESS,<sup>24</sup> ON SIMILARLY A HEAP OF PRODUCE OR A MOUND OF PEBBLES EVEN AS ACHAN'S MOUND,<sup>25</sup> EVEN IF THE UNCLEANNESS IS BY THE SIDE OF THE VESSELS, THE [IN CLEANNESS CLEAVES UPWARDS AND DOWNWARDS].<sup>26</sup>

MISHNAH 8. [WITH REGARD TO] THE FORECOURT OF A TOMB, A PERSON STANDING THEREIN REMAINS CLEAN AS LONG AS THERE IS A SPACE OF FOUR CUBITS SQUARE, ACCORDING TO THE OPINION OF BETH SHAMMAI. BETH HILLEL SAY: FOUR HANDBREADTHS [IS THE MINIMUM SIZE]. [WITH REGARD TO] A ROOF BEAM WHICH HAD BEEN USED AS A COVERING STONE<sup>27</sup> FOR A TOMB, WHETHER IT IS STANDING UPRIGHT<sup>28</sup> OR LYING ON ITS SIDE, NOTHING BECOMES UNCLEAR EXCEPT WHAT IS OPPOSITE THE OPENING OF THE GRAVE. IF THE END [OF THE BEAM] WERE MADE THE COVERING STONE OF A GRAVE, ONLY [THAT PART] UP TO FOUR HANDBREADTHS [FROM THE GRAVE] BECOMES UNCLEAR. [THIS APPLIES] WHEN [THE BEAM] IS GOING TO BE CUT. R. JUDAH SAYS: ALL THE BEAM IS REGARDED AS BEING ONE.

MISHNAH 9. [WITH REGARD TO] A JAR FULL OF CLEAN LIQUID AND SEALED WITH A TIGHTLY FITTING LID,<sup>29</sup> WHICH HAD BEEN MADE THE COVERING STONE OF A TOMB, A PERSON TOUCHING IT CONTRACTS SEVEN-DAY UNCLEANNESS BUT THE JAR AND THE LIQUID REMAIN CLEAN.<sup>30</sup> [IN THE CASE OF] A BEAST<sup>31</sup> THAT HAD BEEN USED AS A COVERING STONE, A PERSON TOUCHING IT CONTRACTS SEVEN-DAY UNCLEANNESS. R. MEIR SAYS: NOTHING POSSESSING THE BREATH OF LIFE CAN CONVEY UNCLEANNESS ON ACCOUNT OF [ITS BEING USED AS] A COVERING STONE.<sup>32</sup>

MISHNAH 10. IF A PERSON TOUCHES A CORPSE AND [SUBSEQUENTLY]<sup>33</sup> TOUCHES VESSELS, OR OVERSHADOWS A CORPSE AND [SUBSEQUENTLY]<sup>33</sup> TOUCHES VESSELS, THESE BECOME UNCLEAR. IF HE OVERSHADOWS A CORPSE AND OVERSHADOWS VESSELS,<sup>32</sup> OR TOUCHES A CORPSE AND OVERSHADOWS VESSELS,<sup>34</sup> THESE REMAIN CLEAN. IF HIS HAND HAS A SURFACE OF A HANDBREADTH SQUARE, THEY BECOME UNCLEAR. [WITH REGARD TO] TWO HOUSES CONTAINING TWO PORTIONS OF CORPSE-FLESH OF HALF AN OLIVE SIZE [ONE IN EACH], IF A PERSON STRETCHED BOTH HIS HANDS INTO THEM, AND HIS HANDS WERE EACH ONE HAND BREADTH SQUARE, HE CONVEYS THE UNCLEANNESS;<sup>35</sup> BUT IF [THEY WERE] NOT [ONE

## HANDBREADTH SQUARE], HE DOES NOT CONVEY THE UNCLEANNES.

- (1) Repeated from supra XI, 3.
- (2) Beneath them.
- (3) The uncleanness under the marble tablets being regarded as compressed, though the upper is more than a handbreadth high off the ground.
- (4) But to the extent of 'less than a handbreadth.
- (5) Which has contracted אֲבֵי אֲבוֹת הַטּוֹמְאָה from direct contact with the 'tent' over the uncleanness (v. supra I, 1 n. 3; 3, n. 3).
- (6) The uncleanness can only be conveyed from the first by contact, not by overshadowing, as the connection between the two tablets is less than one square handbreadth in area. (7) Explained by L. as the minimum area of a square that can be inscribed in a circular table.
- (7) This proviso is mentioned on account of the final clause.
- (8) Being regarded as 'compressed'.
- (9) And are therefore treated like marble tablets.
- (10) Since unclean vessels cannot serve as a screen they are treated like wooden tablets, and the upper parts of the vessels touching each other (as stated) form a 'tent' to spread the uncleanness to all vessels.
- (11) Consisting of a single room.
- (12) I.e., vertically or horizontally.
- (13) The partition serving as a screen, cf. supra VI, 2.
- (14) Through the emerging uncleanness, since a partition like a closely fitted cover can afford protection only against the entrance of uncleanness; but it does not prevent its egress, v. Kel. VIII, 6.
- (15) In which was the uncleanness.
- (16) The uncleanness cleaving upwards and downwards only.
- (17) V. n. 8, and supra III, 7.
- (18) The space left free near the exit.
- (19) As in Mishnah 4 where the vessels in the house become unclean through the uncleanness in the part partitioned off.
- (20) I.e., in the above-mentioned free space.
- (21) As is the case with the vessels beyond the partition where the uncleanness was in the house.
- (22) In this case the straw is regarded not as a partition but as contents of the house and not able to offer protection
- (23) Var. lec., straw
- (24) Lit., 'and he abandoned it'.
- (25) V. Josh. VII, 26.
- (26) And the vessels remains clean.
- (27) V. supra II, 4, n. 4.
- (28) I.e., sloping, its lower end resting on the tomb and the upper leaning on some other object.
- (29) V. Kel. X, 2.
- (30) An earthen jar being insusceptible to uncleanness on its outer surface and its contents being protected by the tightly fitting lid.
- (31) A live one, tied to its place.
- (32) Agreeing with his decision in 'Er. I, 7.
- (33) L.
- (34) Even at the same time, as long as the same part of the body is not performing the two actions (L.).
- (35) Into both houses, since he joins the two portions into one.

### Mishna - Mas. Oholoth Chapter 16

MISHNAH 1. ALL MOVABLE THINGS FORM A PASSAGE FOR THE UNCLEANNES<sup>1</sup> WHEN THEY ARE OF THE THICKNESS OF AN OX-GOAD.<sup>2</sup> R. TARFON SAID: MAY I [SEE THE] RUIN<sup>3</sup> OF MY SONS IF THIS IS [NOT] A RUINED HALACHAH<sup>4</sup> WHICH SOMEONE [DEDUCED FROM THE FOLLOWING CASE WHICH HE HAD] HEARD AND MISUNDERSTOOD. A FARMER WAS PASSING BY AND OVER HIS SHOULDER WAS AN

OX-GOAD, ONE END OF WHICH OVERSHADOWED A GRAVE. HE WAS DECLARED UNCLEAN ON ACCOUNT [OF CARRYING] VESSELS THAT WERE OVERSHADOWING A CORPSE.<sup>5</sup> R. AKIBA SAID: I CAN AMEND [THE HALACHAH] SO THAT THE WORDS OF THE SAGES CAN EXIST [AS THEY ARE]: ALL MOVABLE THINGS FORM A PASSAGE FOR THE UNCLEANNESS TO COME UPON A PERSON CARRYING THEM, WHEN THEY ARE OF THE THICKNESS OF AN OX-GOAD; UPON THEMSELVES. WHEN THEY ARE OF WHATSOEVER THICKNESS;<sup>6</sup> AND UPON OTHER MEN OR VESSELS [WHICH THEY OVERSHADOW]. WHEN THEY ARE ONE HANDBREADTH WIDE.<sup>7</sup>

MISHNAH 2. HOW [CAN THIS RULE BE ILLUSTRATED]? [BY THE CASE OF] A SPINDLE<sup>8</sup> FIXED INTO THE WALL., WITH [A PORTION OF CORPSE FLESH] OF HALF AN OLIVE-SIZE ABOVE IT AND [A PORTION OF CORPSE FLESH] OF HALF AN OLIVE-SIZE BELOW IT. EVEN THOUGH ONE [PORTION] IS NOT DIRECTLY [ABOVE] THE OTHER, [THE SPINDLE] BECOMES UNCLEAN.<sup>9</sup> HENCE IT IS FOUND THAT [A MOVABLE OBJECT] FORMS A PASSAGE FOR THE UNCLEANNESS TO COME UPON ITSELF WHATSOEVER ITS THICKNESS. IF A POT SELLER PASSES BY A GRAVE WHEN HE HAS ON HIS SHOULDER HIS CARRYING-YOKE,<sup>10</sup> ONE END OF WHICH OVERSHADOWS A GRAVE, VESSELS ON THE OTHER SIDE REMAIN CLEAN. IF THE YOKE IS ONE HANDBREADTH WIDE, THEY BECOME UNCLEAN.<sup>11</sup>

MOUNDS WHICH ARE NEAR TO A CITY OR TO A ROAD, WHETHER THEY ARE NEW OR OLD, ARE UNCLEAN.<sup>12</sup> [AS FOR THOSE THAT ARE] AFAR OFF, NEW ONES ARE CLEAN BUT OLD ONES ARE UNCLEAN.<sup>13</sup> WHICH [MOUND IS ACCOUNTED] NEAR? ONE FIFTY CUBITS [AFAR OFF]. AND OLD? ONE SIXTY YEARS OLD. [THIS IS] THE OPINION OF R. MEIR. R. JUDAH SAYS: 'NEAR' [MEANS] THERE IS NONE NEARER THAN IT, AND OLD' [MEANS] THAT NO ONE REMEMBERS [WHEN IT WAS MADE].

MISHNAH 3. IF ONE FINDS<sup>14</sup> A CORPSE UNEXPECTEDLY.<sup>15</sup> LYING IN ITS NATURAL POSITION,<sup>16</sup> HE MAY REMOVE IT ALONG WITH THE [BLOOD-] SATURATED EARTH<sup>17</sup> [ROUND ABOUT].<sup>18</sup> IF HE FINDS TWO, HE MAY REMOVE THEM ALONG WITH THE [BLOOD-] SATURATED EARTH [ROUND ABOUT]. [IN THE CASE WHERE] HE FINDS THREE, IF THERE IS A SPACE OF FROM FOUR TO EIGHT CUBITS BETWEEN THE FIRST AND THE LAST, THAT IS, THE SPACE OF A BIER AND ITS BEARERS,<sup>19</sup> THEN IT MUST BE ACCOUNTED A GRAVEYARD,<sup>20</sup> AND HE MUST SEARCH [THE GROUND] FOR TWENTY CUBITS<sup>21</sup> FROM THAT POINT. IF HE FOUND [ANOTHER CORPSE] AT THE END OF THOSE TWENTY CUBITS, HE MUST SEARCH FOR A FURTHER TWENTY CUBITS FROM THAT PLACE, SINCE THERE ARE ALREADY GROUNDS FOR BELIEF<sup>22</sup> [THAT THIS IS A GRAVEYARD], IN SPITE OF THE FACT THAT IF HE HAD FOUND THIS [LONE GRAVE] IN THE FIRST CASE, HE COULD HAVE REMOVED IT WITH THE [BLOOD-] SATURATED EARTH [ROUND ABOUT].

MISHNAH 4. HE WHO SEARCHES<sup>23</sup> MUST DO SO OVER A SQUARE CUBIT AND THEN LEAVE A CUBIT, [DIGGING DOWN]<sup>24</sup> UNTIL HE REACHES ROCK OR VIRGIN SOIL. [A PRIEST]<sup>25</sup> CARRYING OUT EARTH FROM A PLACE OF UNCLEANNESS MAY EAT OF HIS TERUMAH,<sup>26</sup> BUT IF HE IS CLEARING AWAY A RUIN,<sup>27</sup> HE MAY NOT EAT OF HIS TERUMAH.

MISHNAH 5. IF HE WAS SEARCHING AND CAME TO A RIVER BED, A POOL<sup>28</sup> OR A PUBLIC ROAD, HE MAY DISCONTINUE [HIS SEARCH]. [WITH REGARD TO] A FIELD WHERE MEN HAVE BEEN SLAIN, THE BONES MAY BE GATHERED TOGETHER ONE BY ONE, AND ALL [THE AREA] MAY BE ACCOUNTED CLEAN.<sup>29</sup> IF A PERSON IS REMOVING A GRAVE FROM HIS FIELD, HE MAY GATHER TOGETHER THE BONES ONE

BY ONE, AND ALL MAY BE ACCOUNTED CLEAN. [WITH REGARD TO] A PIT INTO WHICH ABORTIONS OR PEOPLE THAT HAD BEEN SLAIN USED TO BE THROWN, THE BONES MAY BE GATHERED TOGETHER ONE BY ONE, AND ALL MAY BE ACCOUNTED CLEAN. R. SIMEON SAYS: IF IN THE FIRST PLACE IT HAD BEEN PREPARED AS A GRAVE, THERE IS [THE QUESTION OF BLOOD-] SATURATED EARTH [TO BE CONSIDERED].<sup>30</sup>

(1) By acting as temporary 'tents'.

(2) Defined as having a circumference of one handbreadth, which is less than the minimum handbreadth in width required with immovable things (Bert.).

(3) אִקְפָּה 'to destroy'. 'cut off'. The phrase the equivalent of 'May I bury my sons', was a common one of H. Tarfon's. v. B.M. 85a.

(4) Rule.

(5) Which vessels rendered the bearer unclean through carriage. But the person reporting the halachah at the beginning of the Mishnah thought (wrongly according to R. Tarfon) that the man was deemed unclean because he had been overshadowed by a goad simultaneously overshadowing a corpse.

(6) No standard being fixed for the defilement of objects which themselves form a 'tent'.

(7) For further notes v. Shab. Sonc. ed., p. 16b.

(8) נושׁ Jast. 'something hollow', 'reed', cf. כוּם כוּם . Here 'spindle', cf. Kel. IX, 6. Its size is less than a handbreadth.

(9) Both combine to form an olive's bulk according to the view of the Sages, supra III. 2.

(10) סל. Probably, as Kel. XVII, 16. אַסל from Gk. \*\* 'a carrying-yoke'.

(11) The carrying-yoke forming a 'tent' overshadowing the vessels on both sides.

(12) Since they may have been used for the secret burial of abortions.

(13) Since they may have been near when newly made.

(14) Whilst ploughing the field. This Mishnah occurs in Naz. 64b, Sonc. ed., p. 244. where it is discussed in the ensuing Gemara. V. loc. cit. for notes: v. also B.B. 101b.

(15) בתחלה , Lit 'in the first place'. I.e. without knowing before that there was a corpse lying there. The word is missing in the version of B B. loc. cit.

(16) Showing that there had been a normal burial.

(17) C.f. supra III, 5.

(18) The field being thereby restored to a state of cleanliness.

(19) This explanation of the distance is missing from Naz. loc. cit. but appears in the B.B. version. The size of the intervening space is evidence of a regular graveyard.

(20) The graves must then not be disturbed.

(21) The reason for this size is given in B.B.

(22) Lit., 'the matter has legs'.

(23) The prescribed area.

(24) So Bert.

(25) Who may, in the case of emergency, occupy himself with such work.

(26) דמעו Ex. XXII, 28. The word is referred by Rabbinic commentators to terumah. V. Rashi ad loc. דמעו 'tear', 'liquor'.

(27) Of a house that has fallen on a man who may have died.

(28) שולית 'pool'. V. B.K. 61a for the possible meanings and suggested derivations of this word.

(29) No account being taken of blood-saturated earth either in this or the succeeding cases.

(30) no note.

## Mishna - Mas. Oholoth Chapter 17

MISHNAH 1. IF A GRAVE IS PLOUGHED [INTO A FIELD] THIS MAKES IT A BETH PERAS.<sup>1</sup> TO WHAT EXTENT IS IT SO MADE? FOR THE LENGTH OF A FURROW OF A HUNDRED CUBITS,<sup>2</sup> [THAT IS TO SAY, OVER] AN AREA OF FOUR SE'AHs.<sup>3</sup> P. JOSE

SAYS: AN AREA OF FIVE [SE'AHs]. [THIS<sup>4</sup> APPLIES WHEN THE PLOUGH IS DRIVEN] ON A DOWNWARD SLOPE;<sup>5</sup> BUT WHEN ON AN UPWARD SLOPE, A QUARTER [OF A KAB] OF VETCH SEED SHOULD BE PLACED ON THE KNEE<sup>6</sup> OF THE PLOUGH,<sup>7</sup> AND THE SPACE UNTIL WHERE [THE LAST] THREE VETCHES GROW NEXT TO EACH OTHER<sup>8</sup> IS MADE INTO A BETH PERAS. R. JOSE SAYS: [A BETH PERAS IS ONLY MADE BY A PLOUGH GOING] DOWNWARDS BUT NOT UPWARDS.

MISHNAH 2. IF A PERSON WAS PLOUGHING<sup>9</sup> AND STRUCK AGAINST A ROCK OR A FENCE, OR IF HE SHOOK THE PLOUGHSHARE,<sup>10</sup> [ONLY] TO THAT PLACE IS THE BETH PERAS FORMED. R. ELIEZER SAYS: ONE BETH PERAS CAN FORM ANOTHER BETH PERAS.<sup>11</sup> R. JOSHUA SAYS: SOMETIMES IT CAN, BUT AT OTHER TIMES IT CANNOT. HOW SO? IF HE PLOUGHED FOR HALF A FURROW'S LENGTH<sup>12</sup> AND THEN RETURNED AND PLOUGHED A [FURTHER] HALF, OR SIMILARLY [IF HE PLOUGHED] TO THE SIDE, HE MAKES A BETH PERAS. IF HE PLOUGHED A FULL FURROW'S LENGTH AND THEN RETURNED AND PLOUGHED FROM THAT POINT BEYOND, HE DOES NOT MAKE THIS<sup>13</sup> A BETH PERAS.

MISHNAH 3. IF A PERSON PLOUGHS FROM A QUARRY,<sup>14</sup> OR FROM A HEAP OF BONES,<sup>15</sup> OR FROM A FIELD IN WHICH A GRAVE HAD BEEN LOST,<sup>16</sup> OR IN WHICH A GRAVE WAS SUBSEQUENTLY FOUND,<sup>17</sup> OR IF HE PLOUGHS A FIELD WHICH WAS NOT HIS OWN,<sup>18</sup> OR IF A GENTILE PLOUGHED, THIS DOES NOT MAKE IT A BETH PERAS; FOR THE RULE OF BETH PERAS DOES NOT APPLY [EVEN] TO SAMARITANS.

MISHNAH 4. [IN THE CASE WHERE] THERE WAS A BETH PERAS ABOVE A CLEAN FIELD, IF RAIN WASHED DOWN SOIL FROM THE BETH PERAS TO THE CLEAN FIELD, EVEN WHERE THIS WAS REDDISH AND THE [OTHER SOIL] TURNED IT WHITE, OR WHERE THIS WAS WHITE AND THE OTHER TURNED IT RED,<sup>19</sup> THIS DOES NOT MAKE IT A BETH PERAS.<sup>20</sup>

MISHNAH 5. [WITH REGARD TO] A FIELD IN WHICH A GRAVE HAD BEEN LOST, AND IN WHICH A HOUSE HAD BEEN BUILT WITH AN UPPER STOREY ABOVE IT, IF THE DOOR OF THE UPPER ROOM WAS DIRECTLY ABOVE THE DOOR OF THE HOUSE, THE UPPER STOREY REMAINS CLEAN;<sup>21</sup> BUT IF NOT THE UPPER STOREY BECOMES UNCLEAR.<sup>22</sup> [WITH REGARD TO] SOIL FROM A BETH PERAS, OR SOIL FROM A FOREIGN COUNTRY<sup>23</sup> THAT CAME IN WITH VEGETABLES, [SCATTERED PARTICLES ARE REGARDED AS] COMBINING TOGETHER [TO FORM A PORTION] THE SIZE OF A PACKING-BAG<sup>24</sup> SEAL.<sup>25</sup> THIS IS THE OPINION OF R. ELIEZER; BUT THE SAGES SAY: THERE MUST BE ONE PORTION OF THE SIZE OF A PACKING-BAG SEAL. R. JUDAH SAYS: IT HAPPENED ONCE THAT LETTERS CAME FROM OVERSEAS FOR THE SONS OF THE HIGH PRIESTS<sup>26</sup> AND THEY HAD ON THEM ABOUT A SE'AH OR TWO SE'AHs OF SEALS,<sup>27</sup> BUT THE SAGES DID NOT HAVE ANY SCRUPLES ON ACCOUNT OF UNCLEANNESs.<sup>28</sup>

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(1) V. supra II, 3. n. 8.

(2) Each way, length and breadth. So Bert. but Tosef XVII, I has 'in every direction'. The plough is presumed to carry bones with it to that extent.

(3) In which four seeks of seed can be sown. According to 'Er. 23b, the tabernacle area, one hundred cubits by fifty, could be sown by two se'ahs. One se'ah==six kabs (v. supra II, I, n. 7).

(4) Area of four se'ahs.

(5) Or on the level (Bert.). the hones in these cases being likely to be carried the full distance.

(6) בִּוּרְךָ V. Kel. XXI, 2. A knee-shaped receptacle in the plough sometimes used for containing seed which is gradually shaken out in decreasing number on to the field by the movement of the implement.



- (7) Which is then driven upwards.
- (8) I.e. where no more than three had fallen together out of the knee, thus indicating that practically all the seeds (and hence also bones) have been shaken off.
- (9) Over a grave.
- (10) So as to free it of soil. All these processes tend to remove any bones that may have been attached to the plough.
- (11) If one begins to plough from a point within the original area.
- (12) Fifty cubits.
- (13) Outer portion.
- (14) **מלטמיהא** Possibly Gk. \*\* ‘quarry’, presumably one containing bones. Bert. **מלא טמיהא** ‘(pit) filled with bones’.
- (15) Treated leniently because of the unlikelihood of such a procedure.
- (16) Doubt existing as to whether any bones have actually been touched and even then, as to whether they have been scattered.
- (17) He acted unwittingly.
- (18) And therefore which he cannot render unclean by any doubtful action.
- (19) Proving definitely that soil had been transferred.
- (20) The land of a Beth Peres applies only to solid soil not to washed down soil.
- (21) Even if the grave is under the entrance, the uncleanness proceeds into the house and not to the upper storey.
- (22) The grave might possibly be directly under the entrance.
- (23) Cf. supra II, 3, n. 7.
- (24) **מרצופין** ‘packing-bags’, from **רצה** ‘to pack’, ‘pave’. It is mentioned in connection with shipping in B.B. V, 1, and may well have been the common Levantine trade term for the object. As such it was possibly adopted by the Greeks as Gr.\*\*. (Lat. marsupium, Eng. marsupial).
- (25) The minimum size for uncleanness for a clod.
- (26) Cf. Keth. XIII, I.
- (27) Sc. of clay.
- (28) No single seal attaining the minimum size.

## Mishna - Mas. Oholoth Chapter 18

MISHNAH 1. ROW CAN THE GRAPES OF A BETH PERAS BE GATHERED?<sup>1</sup> THE MEN AND THE VESSELS MUST BE SPRINKLED [ONCE]<sup>2</sup> AND THEN A SECOND TIME.<sup>3</sup> THEREUPON THEY GATHER THE GRAPES AND TAKE THEM OUT OF THE BETH PERAS. OTHERS<sup>4</sup> THEN RECEIVE [THE GRAPES] AND TAKE THEM TO THE WINEPRESS.<sup>5</sup> IF THE LATTER SET [OF PERSONS] CAME INTO CONTACT WITH THE FORMER, THEY BECOME UNCLEAN. THIS IS ACCORDING TO THE OPINION OF BETH HILLEL. BETH SHAMMAI SAY: [THE GATHERER] MUST HOLD THE SICKLE WITH BAST,<sup>6</sup> OR MUST CUT OFF THE GRAPES WITH A SHARP FLINT,<sup>7</sup> LETTING [THE GRAPES FALL] INTO AN OLIVE-BASKET,<sup>8</sup> AND THEN HE TAKES [THEM] TO THE WINEPRESS.<sup>9</sup> R. JOSE SAID: WHEN DO THESE RULES APPLY? [ONLY] IN THE CASE OF A VINEYARD WHICH SUBSEQUENTLY BECAME A BETH PERAS; BUT A PERSON WHO PLANTS [VINES] IN A BETH PERAS MUST SELL [THE GRAPES] IN THE MARKET.<sup>10</sup>

MISHNAH 2. THERE ARE THREE [KINDS OF] BETH PERAS:<sup>11</sup> A FIELD INTO WHICH A GRAVE HAS BEEN PLOUGHED MAY BE PLANTED WITH ANY KIND OF PLANT,<sup>12</sup> BUT MUST NOT BE SOWN WITH ANY KIND OF SEED,<sup>13</sup> EXCEPT WITH SEED [YIELDING PRODUCE] WHICH IS REAPED. IF [SUCH PRODUCE] WERE PLUCKED, THE THRESHING-FLOOR MUST BE PILED UP IN [THE FIELD] ITSELF,<sup>14</sup> AND THE [GRAIN] SIFTED THROUGH TWO SIEVES.<sup>15</sup> THIS IS THE OPINION OF R. MEIR. BUT THE SAGES SAY: GRAIN [MUST BE SIFTED] THROUGH TWO SIEVES, BUT PULSE THROUGH THREE SIEVES.<sup>16</sup> THE STUBBLE AND THE STALKS MUST BE BURNED.<sup>17</sup> [SUCH A FIELD] CONVEYS UNCLEANNESS BY CONTACT AND CARRIAGE BUT DOES NOT CONVEY

## UNCLEANNES BY OVERSHADOWING.<sup>18</sup>

MISHNAH 3. A FIELD IN WHICH A GRAVE HAS BEEN LOST<sup>19</sup> MAY BE SOWN WITH ANY KIND OF SEED,<sup>20</sup> BUT MUST NOT BE PLANTED WITH ANY KIND OF PLANT,<sup>21</sup> NOR MAY ANY TREES BE PERMITTED TO REMAIN THERE EXCEPT SHADE-TREES WHICH DO NOT PRODUCE FRUIT.<sup>22</sup> [SUCH A FIELD] CONVEYS UNCLEANNES BY CONTACT, CARRIAGE AND OVERSHADOWING.

MISHNAH 4. A MOURNERS' FIELD<sup>23</sup> MAY NEITHER BE PLANTED NOR SOWN,<sup>24</sup> BUT ITS EARTH IS REGARDED AS CLEAN AND OVENS MAY BE MADE OF IT FOR HOLY USE.<sup>25</sup> [WITH REGARD TOT HE FIRST<sup>26</sup> CASE OF A BETH PERAS] BETH SHAMMAI AND BETH HILLEL AGREE THAT IT IS EXAMINED<sup>27</sup> FOR ONE WHO WOULD PERFORM THE PASCHAL SACRIFICE,<sup>28</sup> BUT IS NOT EXAMINED FOR ONE WHO WOULD EAT TERUMAH.<sup>29</sup> [WITH REGARD TO A] NAZIRITE,<sup>30</sup> BETH SHAMMAI SAY: IT IS EXAMINED,<sup>31</sup> BUT BETH HILLEL SAY: IT IS NOT EXAMINED.<sup>32</sup> HOW IS IT EXAMINED? THE EARTH THAT IS ABLE TO BE MOVED IS TAKEN,<sup>33</sup> PLACED INTO A SIEVE WITH FINE MESHES, AND CRUMBLLED. IF A BONE OF BARLEY-CORN SIZE IS FOUND THERE [THE PERSON PASSING THROUGH THE FIELD] IS DEEMED UNCLEAN.

MISHNAH 5. HOW IS A BETH PERAS<sup>34</sup> RENDERED CLEAN? [SOIL TO A DEPTH OF] THREE HANDBREADTHS<sup>35</sup> IS REMOVED FROM IT, OR<sup>36</sup> [SOIL TO A HEIGHT OF] THREE HANDBREADTHS IS PLACED UPON IT. IF FROM THE ONE HALF [SOIL TO A DEPTH OF] THREE HANDBREADTHS WAS REMOVED, AND UPON THE OTHER HALF [SOIL TO A HEIGHT OF] THREE HAND BREADTHS WAS PLACED, IT BECOMES CLEAN. R. SIMEON SAYS: EVEN IF ONE HANDBREADTH AND A HALF WAS REMOVED<sup>37</sup> AND ONE HANDBREADTH AND A HALF FROM ANOTHER PLACE WAS PLACED UPON IT, IT BECOMES CLEAN. IF A BETH PERAS IS PAVED WITH STONES THAT CANNOT [EASILY] BE MOVED, IT BECOMES CLEAN. R. SIMEON SAYS: EVEN IF [THE SOIL OF] A BETH PERAS IS BROKEN UP IT BECOMES CLEAN.

MISHNAH 6. A PERSON WHO WALKS THROUGH A BETH PERAS<sup>38</sup> ON STONES THAT CANNOT [EASILY] BE MOVED, OR [WHO RIDES] ON A MAN OR BEAST WHOSE STRENGTH IS GREAT, REMAINS CLEAN; [BUT IF HE WALKS] ON STONES THAT CAN [EASILY] BE MOVED, OR [RIDES] UPON A MAN OR BEAST WHOSE STRENGTH IS SMALL,<sup>39</sup> HE BECOMES UNCLEAN.<sup>40</sup> A PERSON WHO TRAVELS IN THE LAND OF THE GENTILES OVER MOUNTAINS OR ROCKS, BECOMES UNCLEAN;<sup>41</sup> BUT IF [HE TRAVELS] BY THE SEA OR ALONG THE STRAND,<sup>42</sup> HE REMAINS CLEAN. WHAT IS [MEANT BY] 'THE STRAND'? ANY PLACE TO WHICH THE SEA RISES WHEN IT IS STORMY.

MISHNAH 7. IF ONE BUYS A FIELD IN SYRIA NEAR TO THE LAND OF ISRAEL, IF IT CAN BE ENTERED IN CLEANNESS,<sup>43</sup> IT IS DEEMED CLEAN AND IS SUBJECT TO [THE LAWS OF] TITHES AND SABBATICAL YEAR [PRODUCE];<sup>44</sup> BUT IF IT CANNOT BE ENTERED IN CLEANNESS, IT [IS DEEMED] UNCLEAN, ALTHOUGH IT IS STILL SUBJECT TO [THE LAWS OF] TITHES AND SABBATICAL YEAR [PRODUCE].<sup>45</sup> THE DWELLING-PLACES OF HEATHENS<sup>46</sup> ARE UNCLEAN.<sup>47</sup> HOW LONG MUST [THE HEATHEN] HAVE REMAINED IN [THE DWELLING-PLACES] FOR THEM TO REQUIRE EXAMINATION? FORTY DAYS,<sup>48</sup> EVEN IF THERE WAS NO WOMAN WITH HIM. IF, HOWEVER, A SLAVE<sup>49</sup> OR [AN ISRAELITE] WOMAN WATCHED OVER [THE DWELLING-PLACE], IT DOES NOT REQUIRE EXAMINATION.

MISHNAH 8. WHAT DO THEY EXAMINE? DEEP DRAINS AND EVIL-SMELLING

WATERS. BETH SHAMMAI SAY: EVEN ASH-HEAPS AND CRUMBLED EARTH.<sup>50</sup> BETH HILLEL SAY: ANY PLACE WHERE A PIG OR A WEASEL<sup>51</sup> CAN GO REQUIRES NO EXAMINATION.<sup>52</sup>

MISHNAH 9. COLONNADES<sup>53</sup> ARE NOT [SUBJECT TO THE LAWS] OF HEATHEN DWELLING' PLACES.<sup>54</sup> R. SIMEON B. GAMALIEL SAYS: A HEATHEN CITY<sup>55</sup> THAT HAS BEEN DESTROYED IS NOT [SUBJECT TO THE LAWS] OF HEATHEN DWELLING-PLACES. THE EAST [SIDE] OF CAESAREA<sup>56</sup> AND THE WEST [SIDE] OF CAESAREA<sup>57</sup> ARE GRAVEYARDS. THE [NATURE OF THE] EAST [SIDE] OF ACRE WAS DOUBTFUL,<sup>58</sup> BUT THE SAGES DECLARED IT CLEAN. RABBI AND HIS LAW COURT VOTED [TO DECIDE] ABOUT KENI<sup>59</sup> AND DECLARED IT CLEAN.

MISHNAH 10. [THE FOLLOWING] TEN PLACES ARE NOT [SUBJECT TO THE LAWS] OF HEATHEN DWELLING-PLACES: ARABS' TENTS,<sup>60</sup> FIELD-HUTS, LEAN-TO SHEDS, FRUIT-SHELTERS,<sup>61</sup> SUMMER SHELTERS,<sup>62</sup> A GATE-HOUSE, THE OPEN SPACES OF A COURTYARD, A BATH-HOUSE, AN ARMOURY<sup>63</sup> AND THE PLACE WHERE THE LEGIONS [CAMP].<sup>64</sup>

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(1) So that they remain clean and can be used for making wine without rendering unclean by virtue of the law of Lev. XI, 38.

(2) On the third day (Num. XIX, 18f) notice of the gathering having been given.

(3) The sprinkling serves as a precaution, reminding the gatherers of the laws of uncleanness appertaining to a Beth peras and thereby preventing carelessness. Although the grapes have been rendered susceptible to uncleanness by virtue of the gathering (v. Shab. 14a), they are not affected by the uncleanness of Beth Peras 'which is only Rabbinical, and the method whereby they have been rendered susceptible also being only Rabbinical.

(4) Who did not enter the Beth Peras.

(5) Once taken to the winepress they become susceptible to uncleanness by virtue of Biblical law, and to such the uncleanness of Beth Peras applies, hence they must be taken to the winepress by others.

(6) **סִיב** 'fibre', palm-bast'. (perhaps from **סָבַב** 'to be hairy'). East is insusceptible to uncleanness and therefore protects the sickle and hence also the grapes against uncleanness.

(7) Insusceptible to uncleanness.

(8) Cf. supra V, 6.

(9) Having taken these precautions, he will be reminded of the laws of Beth Peras even whilst in the winepress.

(10) As a penalty he is not allowed to use the methods enabling wine to be made.

(11) Enumerated respectively in Mishnahs 2, 3 and 4.

(12) Because its fruit cannot become unclean, as the law of overshadowing does not apply to such a field (v. end of Mishnah).

(13) The roots of such plants are sometimes pulled out with the produce and they may have been in contact with a portion of bone.

(14) So as not to spread the uncleanness abroad.

(15) To detect any portion of bone.

(16) More earth being found in association with this type of produce.

(17) On the field.

(18) The field owes its uncleanness to the possible presence of a barleycorn-sized portion of bone and therefore has the same laws as that object (v. supra II, 3).

(19) The exact location of the grave being unknown. This is the second type of Beth Peras.

(20) Because the roots could not reach as far as the grave (Maim). Tosef. XVIII, 11, however, has the reading, in the name of R. Judah. 'may not be sown', and this is read also in our Mishnah by Beth. and others.

(21) Because the roots would reach to the grave (Maim.). Bert.: Otherwise people might be attracted to the field and thus contract defilement by overshadowing.

(22) Such may be planted at the outset (Bert.).

(23) **שְׂדֵה בּוֹכִיִן** Lit. 'field of those who bewail'. This is the third type of Beth Peras. It is explained in M.K. 5b as a

- field in which final leave is taken of the departed before the burial. It was close to the cemetery. Tosef. XVII, 12 reads **כוכין** 'tomb niches'.
- (24) Because the owner has given up hope of ever using the field again, and it now becomes common property. v. M.K. loc. cit. Maim. explains the prohibition as a precaution lest a corpse may possibly be concealed therein, since it is in proximity to the cemetery.
- (25) The field differs in this respect from the two former types.
- (26) So Bert.
- (27) To determine whether it is unclean or not.
- (28) Who must definitely be clean (Num. IX, 6).
- (29) The neglect to eat terumah is not as grave as in the case of the paschal lamb.
- (30) Who passed through such a field.
- (31) B. Sh. afford the Nazirite an opportunity of having himself declared clean.
- (32) The Nazirite is considered unclean and must perform the rites prescribed in Num. VI, 9-12.
- (33) I.e., loose earth.
- (34) Of the first type.
- (35) The depth to which a ploughshare penetrates (cf. B.B. II. 12).
- (36) Some texts prefix 'Rabbi (Judah the Patriarch) says'.
- (37) From the surface of the whole field.
- (38) Of the first type
- (39) As defined in B.M. 105b.
- (40) By his own weight he may have moved a bone.
- (41) Earth from the neighbouring regions may have collected there and it is unclean (supra II, 3).
- (42) **שונית**. V. supra VII, 1. Possibly from **שן** 'rock'.
- (43) No gentile land intervening.
- (44) It is considered part of the Land of Israel.
- (45) The laws of Sabbatical year produce applied in Syria (v. Tosef. Kel. BK I, 5).
- (46) **כנענים**. I.e., heathens living in the Land of Israel.
- (47) Because of the heathen practice of burying abortions in their houses (Bert.).
- (48) The time of the formation of the child in the womb. V. Nid. III, 7.
- (49) Of an Israelite.
- (50) The crumbling may be an indication of a burial.
- (51) **הולדה** Bert. reads instead **ברדלם** ('hyena' or 'marten') which is found together with **הולדה** in the Tosef. XVI, 13.
- (52) The animals would have discovered and devoured the uncleanness.
- (53) **אצטונית**. From Gk. \*\*, 'colonnade'.
- (54) As no abortions are likely to be buried there.
- (55) Situated in the Land of Israel.
- (56) Maritima, the Roman capital of Palestine.
- (57) **קסרין** In a variant version **קסריון** the district of Caesarea (Phillipi). in the north of Palestine, near the headwaters of the Jordan. It was a less important city than C. Maritima, hence the diminutive form.
- (58) According to one opinion as to whether it was on Israelite territory (cf. Git. I, 1), and to another as to whether it was a graveyard.
- (59) Neubauer's Geographie du Talmud p. 276 suggests an identification with Wady Kanah (in Samaria). Perhaps Cana (of Galilee), five miles from Sepphoris, the seat of Rabbi's court.
- (60) Of the nomadic Bedouin who move their tents from one place to another. The place on which they stand is only temporarily occupied.
- (61) According to Bert. a field-shelter in which the fruit was kept in order to guard it from rain (v. Ma'as. III, 7 where the word is found along with the other agricultural buildings mentioned here).
- (62) **אלקטיות** 'Aruch quotes Aramaic **קיטא** 'summer'. Bert. describes the structure as one which has a roof but no walls.
- (63) Lit., 'the place of the arrows'.
- (64) All these places are only temporarily occupied and hence no fear is entertained lest abortion had been buried in

them.