

The Soncino Babylonian Talmud



TOHOROS

TRANSLATED INTO ENGLISH
WITH NOTES

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TOHOROS

INTRODUCTION

The Tractate Tohoroth¹ which bears the same name as the order that comprises it enunciates the laws of cleanness and uncleanness in relation mainly to foodstuffs and liquids, and to men engaged in their preparation or consumption and to vessels employed in the process.

[CHAPTER I](#), beginning with thirteen rules that govern the carrion of clean birds, passes on to those relating to unclean ones and cattle, and proceeds to a discussion of the extent to which foodstuffs of major and minor grades of uncleanness may be combined to constitute the prescribed minima and under what conditions the same or different grades of uncleanness may be conveyed to a number of loaves or pieces of dough, for instance, that clung to one another.

[CHAPTER II](#) deals with uncleanness that may be conveyed to dry or wet *Terumah* (v. [Glos.](#)) by the hands of a clean as well as an unclean person and with the various grades of uncleanness a person may contract from eating, and a foodstuff from contact with foodstuffs of corresponding grades of uncleanness.

[CHAPTER III](#) discusses the grades of uncleanness and minima applicable to foodstuffs that are capable of changing from a condition of fluidity to one of solidity and *vice versa*, and the uncleanness or cleanness of those whose bulk is increased or decreased by reason of weather conditions, concluding with a discussion on various forms of doubtful uncleanness.

[CHAPTER IV](#) continues the discussion of doubtful cases of uncleanness including those in which either the clean or the unclean object is on the move; those that are causes for the burning of *Terumah*; and those that are invariably regarded as clean.

[CHAPTERS V](#) and [VI](#) are concerned mainly with doubtful cases of uncleanness in which (a) a public domain and (b) both a public and a private domain are respectively involved.

[CHAPTER VII](#) discusses forms of doubtful uncleanness that are due to the presence of an *'am ha-arez* (v. [Glos.](#)) or his wife.

[CHAPTER VIII](#) brings to a conclusion the subject of the previous chapter and proceeds to enunciate rules on the stages when food-stuffs begin and cease respectively to be susceptible to uncleanness and on a number of cases of Rabbinical uncleanness caused through liquids.

[CHAPTER IX](#) discusses mainly the stages at which olives become susceptible to uncleanness.

[CHAPTER X](#) Concludes the Tractate with the laws of cleanness and uncleanness that apply to an olive-press and a wine-press.

I. W. SLOTKI

Footnotes

1. [H] plural of purification, cleansing (also euphemism for uncleanness).

TOHOROS

CHAPTER I

MISHNAH 1. THIRTEEN RULINGS GOVERN THE CARRION OF A CLEAN BIRD: THERE MUST BE¹ INTENTION² BUT³ IT NEED NOT BE RENDERED SUSCEPTIBLE;⁴ IT CONVEYS FOOD UNCLEANNESS⁵ IF ITS MINIMUM BULK IS THAT OF AN EGG; AND IT CONVEYS UNCLEANNESS⁶ WHEN IN ONE'S GULLET⁷ IF ITS MINIMUM BULK IS THAT OF AN OLIVE; HE THAT EATS OF IT MUST WAIT⁸ UNTIL SUNSET;⁹ GUILT IS INCURRED ON ACCOUNT OF IT FOR ENTERING THE SANCTUARY;¹⁰ *TERUMAH* IS BURNT ON ACCOUNT OF IT;¹¹ HE WHO EATS A MEMBER OF IT WHILE IT IS ALIVE MUST SUFFER THE PENALTY OF FORTY STRIPES;¹² SLAUGHTERING IT¹³ OR WRINGING ITS NECK¹⁴ FREES IT FROM UNCLEANNESS EVEN WHEN IT IS *TREFA*.¹⁵ SO R. MEIR.¹⁶ R. JUDAH RULED: THEY DO NOT FREE IT FROM UNCLEANNESS. R. JOSE RULED: THE SLAUGHTERING¹³ DOES FREE IT FROM THE UNCLEANNESS BUT THE WRINGING OF ITS NECK¹⁴ DOES NOT.

MISHNAH 2. THE LARGE FEATHERS¹⁷ AND THE DOWN¹⁸ CONTRACT UNCLEANNESS,¹⁹ AND²⁰ CONVEY UNCLEANNESS²¹ BUT DO NOT COMBINE [WITH THE FLESH TO CONSTITUTE THE PRESCRIBED MINIMUM].²² R. ISHMAEL RULED: THE DOWN DOES COMBINE [WITH THE FLESH]. THE BEAK²³ AND THE CLAWS²⁴ CONTRACT UNCLEANNESS¹⁹ AND²⁰ CONVEY UNCLEANNESS AND ALSO COMBINE [WITH THE FLESH TO CONSTITUTE THE PRESCRIBED MINIMUM].²² R. JOSE RULED: ALSO THE ENDS²⁵ OF THE WINGS AND THE END²⁵ OF THE TAIL COMBINE [WITH THE FLESH TO CONSTITUTE THE MINIMUM].²² SINCE THEY ARE LEFT UNPLUCKED ON FATTENED BIRDS.²⁶

MISHNAH 3. THE CARRION OF AN UNCLEAN BIRD NECESSITATES²⁷ INTENTION²⁸ AND²⁷ IT MUST BE RENDERED SUSCEPTIBLE;²⁹ IT CONVEYS

FOOD UNCLEANNESS³⁰ IF ITS MINIMUM BULK³¹ IS THAT OF AN EGG; THE CONSUMPTION OF A HALF OF HALF A LOAF'S BULK³² OF IT³³ RENDERS ONE'S PERSON UNFIT TO EAT *TERUMAH*;³⁴ AN OLIVE'S BULK OF IT IN ONE'S GULLET CONVEYS NO UNCLEANNESS; HE WHO EATS OF IT NEED NOT WAIT FOR SUNSET;³⁵ NO GUILT IS INCURRED ON ACCOUNT OF IT³⁶ FOR ENTERING THE SANCTUARY;³⁷ BUT ON ACCOUNT OF IT³⁶ *TERUMAH*³⁸ MUST BE BURNT; HE WHO EATS A MEMBER OF IT WHILE IT IS ALIVE IS NOT SUBJECT TO THE PENALTY OF FORTY STRIPES,³⁹ BUT SLAUGHTERING IT DOES NOT IMMEDIATELY⁴⁰ RENDER IT FIT.⁴¹ THE LARGE FEATHERS AND THE DOWN CONTRACT UNCLEANNESS AND CONVEY UNCLEANNESS AND COMBINE WITH THE FLESH TO CONSTITUTE THE PRESCRIBED MINIMUM. THE BEAK AND THE CLAWS CONTRACT UNCLEANNESS AND CONVEY UNCLEANNESS AND COMBINE [WITH THE FLESH TO MAKE UP THE PRESCRIBED MINIMUM].

MISHNAH 4. IN THE CASE OF CATTLE, THE HIDE, GREASE, SEDIMENT, FLAYED-OFF FLESH, BONES, SINEWS, HORNS AND HOOFS COMBINE⁴² [WITH THE FLESH] TO CONVEY FOOD UNCLEANNESS⁴³ BUT NOT TO CONVEY CARRION UNCLEANNESS.⁴⁴ SIMILARLY, IF A MAN⁴⁵ SLAUGHTERED AN UNCLEAN BEAST FOR AN IDOLATER AND IT WAS STILL JERKING ITS LIMBS,⁴⁶ IT CONVEYS FOOD UNCLEANNESS;⁴⁷ BUT IT CONVEYS NO CARRION UNCLEANNESS UNTIL IT IS DEAD OR ITS HEAD IS CHOPPED OFF.⁴⁸ [SCRIPTURE THUS] LAID DOWN MORE RESTRICTIONS IN REGARD TO THE CONVEYANCE OF FOOD UNCLEANNESS THAN IN REGARD TO THE CONVEYANCE OF CARRION UNCLEANNESS.

MISHNAH 5. A FOODSTUFF THAT CONTRACTED UNCLEANNESS FROM A 'FATHER OF UNCLEANNESS' AND ONE THAT CONTRACTED UNCLEANNESS FROM

TOHOROS

A DERIVED UNCLEANNESS⁴⁹ MAY BE COMBINED TOGETHER⁵⁰ TO CONVEY UNCLEANNESS ACCORDING TO THE LIGHTER GRADE OF THE TWO. HOW SO? IF THE BULK OF HALF AN EGG OF FOOD OF A FIRST GRADE OF UNCLEANNESS AND THE BULK OF HALF AN EGG OF FOOD OF A SECOND GRADE OF UNCLEANNESS WERE MIXED TOGETHER, THE TWO⁵¹ ARE REGARDED AS SUFFERING ONLY SECOND GRADE UNCLEANNESS;⁵² AND IF THE BULK OF HALF AN EGG OF FOOD OF A SECOND GRADE OF UNCLEANNESS AND THE BULK OF HALF AN EGG OF FOOD OF A THIRD GRADE OF UNCLEANNESS WERE MIXED TOGETHER, THE TWO⁵¹ ARE REGARDED AS SUFFERING ONLY THIRD GRADE OF UNCLEANNESS.⁵³ IF THE BULK OF AN EGG OF FOOD OF A FIRST GRADE OF UNCLEANNESS AND THE BULK OF AN EGG OF FOOD OF A SECOND GRADE OF UNCLEANNESS WERE MIXED TOGETHER, BOTH⁵¹ ARE REGARDED⁵⁴ AS SUFFERING FIRST GRADE UNCLEANNESS;⁵⁵ BUT IF THEY WERE THEN DIVIDED, EACH PART⁵⁶ IS REGARDED AS SUFFERING ONLY A SECOND GRADE OF UNCLEANNESS.⁵⁷ IF EACH PART⁵⁸ SEPARATELY FELL ON A LOAF OF *TERUMAH*, THEY CAUSE IT TO BECOME UNFIT,⁵⁹ BUT IF THE TWO FELL TOGETHER THEY CAUSE IT TO SUFFER SECOND GRADE OF UNCLEANNESS.

MISHNAH 6. THE BULK OF AN EGG OF FOOD OF A SECOND GRADE OF UNCLEANNESS AND THE BULK OF AN EGG OF FOOD OF A THIRD GRADE OF UNCLEANNESS THAT WERE MIXED TOGETHER ARE⁵¹ REGARDED AS SUFFERING SECOND GRADE OF UNCLEANNESS.⁶⁰ IF THEY WERE THEN DIVIDED, EACH PART⁶¹ IS REGARDED AS SUFFERING ONLY THIRD GRADE OF UNCLEANNESS.⁶² IF EACH PART SEPARATELY FELL ON A LOAF OF *TERUMAH* THEY DO NOT RENDER IT INVALID,⁶³ BUT IF THE TWO FELL TOGETHER THEY CAUSE IT TO SUFFER THIRD GRADE OF UNCLEANNESS. THE

BULK OF AN EGG OF FOOD OF A FIRST GRADE OF UNCLEANNESS AND THE BULK OF AN EGG OF FOOD OF A THIRD GRADE OF UNCLEANNESS THAT WERE MIXED TOGETHER ARE⁶⁴ REGARDED AS SUFFERING FIRST GRADE OF UNCLEANNESS,⁶⁵ BUT IF THEY WERE THEN DIVIDED, EACH PART IS REGARDED AS SUFFERING ONLY SECOND GRADE UNCLEANNESS,⁶⁶ FOR EVEN THE THIRD GRADE THAT TOUCHED THE FIRST HAS BECOME ONLY A SECOND GRADE. IF THE BULK OF TWO EGGS OF FOOD OF THE FIRST GRADE OF UNCLEANNESS AND THE BULK OF TWO EGGS OF FOOD OF THE SECOND GRADE OF UNCLEANNESS WERE MIXED TOGETHER THEY ARE REGARDED AS SUFFERING FIRST GRADE OF UNCLEANNESS. IF THEY WERE THEN DIVIDED, EACH PART IS STILL REGARDED AS SUFFERING FIRST GRADE OF UNCLEANNESS. BUT IF THEY WERE DIVIDED INTO THREE OR FOUR PARTS, EACH IS REGARDED AS SUFFERING FROM SECOND GRADE. IF THE BULK OF TWO EGGS OF FOOD OF THE SECOND GRADE OF UNCLEANNESS AND THE BULK OF TWO EGGS OF FOOD OF THE THIRD GRADE OF UNCLEANNESS WERE MIXED TOGETHER, THEY ARE REGARDED AS SUFFERING SECOND GRADE OF UNCLEANNESS. IF THEY WERE THEN DIVIDED, EACH PART IS STILL REGARDED AS SUFFERING SECOND GRADE OF UNCLEANNESS. BUT IF THEY WERE DIVIDED INTO THREE OR FOUR PARTS, EACH IS REGARDED AS SUFFERING ONLY THIRD GRADE OF UNCLEANNESS.

MISHNAH 7. IF PIECES OF DOUGH⁶⁶ CLUNG TO EACH OTHER⁶⁷ OR IF LOAVES ADHERED TO EACH OTHER,⁶⁸ AND ONE OF THEM CONTRACTED UNCLEANNESS FROM A [DEAD] CREEPING THING,⁶⁹ THEY ALL BECOME UNCLEAN IN THE FIRST GRADE;⁷⁰ AND IF THEY WERE THEN SEPARATED THEY ARE STILL REGARDED AS SUFFERING FIRST GRADE OF UNCLEANNESS. IF ONE OF THEM

TOHOROS

CONTRACTED UNCLEANNESS FROM A LIQUID⁷¹ THEY ALL SUFFER SECOND GRADE OF UNCLEANNESS;⁷⁰ AND IF THEY WERE THEN SEPARATED THEY ARE STILL REGARDED AS SUFFERING SECOND GRADE OF UNCLEANNESS. IF ONE OF THEM CONTRACTED UNCLEANNESS FROM THE HANDS,⁷² THEY ALL BECOME UNCLEAR IN THE THIRD GRADE; AND IF THEY WERE THEN SEPARATED THEY ARE STILL REGARDED AS SUFFERING THIRD GRADE OF UNCLEANNESS.

MISHNAH 8. IF TO A PIECE OF DOUGH⁷³ THAT WAS SUFFERING FIRST GRADE OF UNCLEANNESS OTHERS WERE MADE TO ADHERE,⁶⁷ THEY ALL BECOME UNCLEAR IN THE FIRST GRADE;⁷⁰ AND IF IT WAS SEPARATED, IT STILL REMAINS UNCLEAR IN THE FIRST GRADE BUT ALL THE OTHERS ARE REGARDED AS SUFFERING ONLY SECOND GRADE OF UNCLEANNESS.⁷⁴ IF TO A PIECE OF DOUGH⁷³ THAT WAS SUFFERING SECOND GRADE OF UNCLEANNESS OTHERS WERE MADE TO ADHERE,⁶⁷ THEY ALL BECOME UNCLEAR IN THE SECOND GRADE;⁷⁰ AND IF IT WAS SEPARATED, IT STILL REMAINS UNCLEAR IN THE SECOND GRADE BUT ALL THE OTHERS ARE ONLY UNCLEAR IN THE THIRD GRADE OF UNCLEANNESS. IF TO A PIECE⁷³ THAT WAS UNCLEAR IN THE THIRD GRADE OTHERS WERE MADE TO ADHERE,⁶⁷ IT REMAINS UNCLEAR IN THE THIRD GRADE BUT ALL THE OTHERS REMAIN CLEAN,⁷⁵ IRRESPECTIVE OF WHETHER THEY WERE SUBSEQUENTLY SEPARATED FROM IT OR WHETHER THEY WERE NOT SEPARATED.

MISHNAH 9. IF OF HOLY LOAVES⁷⁶ IN WHOSE HOLLOW THERE WAS HOLY WATER⁷⁷ ONE CONTRACTED UNCLEANNESS FROM A [DEAD]CREEPING THING, THEY ALL BECOME UNCLEAR.⁷⁸ IN THE CASE OF LOAVES OF *TERUMAH*,⁷⁹ UNCLEANNESS IS CONVEYED TO TWO LOAVES⁸⁰ AND INVALIDITY TO ONE.⁸¹ IF THERE WAS DRIPPING LIQUID BETWEEN

THEM,⁸² EVEN IN THE CASE OF *TERUMAH* ALL⁸² BECOME UNCLEAR.⁸³

Original footnotes renumbered.

1. If it is to convey uncleanness.
2. To use it as human food.
3. Unlike other dry permitted foodstuffs.
4. To uncleanness, by purposely bringing it in contact with a liquid.
5. Sc. renders clean foodstuffs, which it touches, unclear in the second grade.
6. To the man who eats it who becomes a 'father of uncleanness' and in turn conveys an uncleanness of the first grade to clothes or vessels with which he is then in contact.
7. Even before it had been swallowed.
8. Before he can attain cleanness.
9. Immersion alone being insufficient.
10. After eating of it.
11. If it or the man who ate it came in contact with the *Terumah*.
12. A round figure for the prescribed thirty-nine.
13. Outside the Temple.
14. In the Temple, as a sacrifice (cf. Lev. I, 15).
15. And forbidden as food.
16. Whose nine (out of the thirteen) rulings have so far been enumerated. The other four follow in the next Mishnah anonymously and are likewise the rulings of R. Meir.
17. Aliter: The small feathers.
18. Of a clean bird
19. In case the bird was not carrion and a dead creeping thing touched it.
20. If the bird was carrion.
21. To foodstuffs that touched them.
22. Of an egg or an olive (cf. *supra* I, I ab init.) to convey uncleanness. These do not act as 'protection' to the flesh to serve as correctives, v. 'Uk. I, I.
23. So much of it as is covered with flesh.
24. Cf. prev. n.
25. Nearest the body.
26. Thus constituting a union with the flesh.
27. If it is to contract and convey uncleanness.
28. To use it as food.
29. To uncleanness, by purposely bringing it in contact with a liquid.
30. Renders foodstuffs that it touches unclear.
31. That touched a dead creeping thing.
32. The bulk of two eggs (Rashi) or one and a half eggs (Maim.).
33. When it was unclear.
34. Before performing immersion, though there is no need to wait for sunset.
35. But may eat *Terumah* even before.

TOHOROS

36. If a man ate the prescribed minimum after it had become unclean.
37. Since the uncleanness conveyed to the man is only Rabbinical.
38. That the man touched.
39. Because the relevant prohibition does not apply to forbidden creatures (v. Hul. 102a).
40. While it is still struggling and subject to the prohibition of a 'member from the living'.
41. For a Noachite who is permitted carrion but not a 'member from the living'.
42. To make up the prescribed minimum of the bulk of an egg.
43. If the flesh had contracted uncleanness from a dead creeping thing for instance.
44. To make up the bulk of an olive, for eating, touching or carrying, which is the prescribed minimum in the case of carrion.
45. An Israelite.
46. When to a Noachite it is still forbidden as a 'member of a living animal'.
47. Because the slaughtering performed by the Israelite, which renders a clean beast fit for consumption, also causes an unclean beast to be regarded as food both in respect of contracting uncleanness and of conveying it.
48. This is derived in Hul. 117b from Lev. XI, 39.
49. So that the former is subject to a first grade, and the latter only to a second grade of uncleanness.
50. To make up the prescribed minimum of the bulk of an egg.
51. While they are together.
52. Which causes no uncleanness to unconsecrated foodstuffs and only invalidity to *Terumah*.
53. That causes no invalidity even to *Terumah*.
54. Since the mixture contains the full prescribed minimum of this grade of uncleanness.
55. Which consequently causes unconsecrated food to be unclean.
56. Which contains only a half of the prescribed minimum of each grade.
57. *As supra*.
58. Which is suffering second grade of uncleanness.
59. Since *Terumah* is rendered invalid by a second grade of uncleanness. The term 'unfit' in connection with uncleanness denotes that the uncleanness contracted is not capable of being conveyed a grade further.
60. V. p. 364, n. 4.
61. V. p. 364, n. 8.
62. V. p. 364, n. 9.
63. A third grade of uncleanness (unlike a second grade) cannot cause *Terumah* to be invalid.
64. V. p. 364, n. 3.
65. V. p. 364, n. 7.
66. Of *Terumah*.
67. To such an extent that it is impossible to separate one from the other without tearing away some dough from the one or the other.
68. Cf. prev. n.
69. Which is a 'father of uncleanness' and imparts a first grade of uncleanness.
70. Their adhesion causing them to be regarded as one.
71. Which is invariably subject to the first grade of uncleanness.
72. Which, unless especially taken care of, are always regarded as suffering second grade of uncleanness and impart third grade of uncleanness.
73. Of *Terumah*.
74. Imparted to them by the piece that is first grade of uncleanness.
75. Since there is no fourth grade of uncleanness in *Terumah*.
76. E.g., Showbread; and the loaves were touching each other.
77. I.e., water that was prepared in purity under conditions of holiness.
78. Since the first loaf that was touched by the creeping thing contracted a first grade of uncleanness; the second loaf contracted from the first one a second grade of uncleanness; the third loaf contracts from the second a third grade of uncleanness and (since in the case of holy things a third grade may cause a fourth grade of uncleanness) it also imparts uncleanness to the water on it which (in accordance with the uncleanness of liquids) becomes unclean in the first grade and causes the loaf to contract second grade of uncleanness and so impart to the next loaf third grade of uncleanness. The next loaf, for the same reason, imparts second grade of uncleanness to the one next to it, and so on ad infinitum. *Var. lec.*: If consecrated loaves lay in their hollows (i.e., the loaves were each lying in separate hollows of a board), and similarly holy water (in the hollows of a stone).
79. Which, unlike holy things, never suffers fourth grade of uncleanness.
80. First grade uncleanness is conveyed by the creeping thing to the first loaf which it touched, and second grade uncleanness is conveyed by the first loaf to the second one that touched it.
81. The third loaf that was touched by the second. Since in *Terumah* a third cannot make a fourth it becomes only invalid but not unclean. As the loaf in the third grade cannot convey uncleanness, the water on it remains clean so that neither it nor the water

TOHOROS

can convey uncleanness to the next loaf that touched it, which (like the next loaf that touched it and the one that touched the next, and so on) consequently remains clean.

82. The loaves.

83. The liquid between the first loaf and a second becomes, in accordance with the law of unclean liquids, unclean in the first grade and consequently conveys uncleanness of the second grade to the second loaf that touched it. Similarly the water between the second and the third loaves becomes unclean in the first grade and causes the third loaf to be unclean in the second grade, and so on ad infinitum.

CHAPTER II

MISHNAH 1. IF A WOMAN WHO¹ WAS PRESERVING VEGETABLES² IN A POT TOUCHED³ A PROJECTING LEAF OUTSIDE THE POT ON A DRY SPOT,⁴ EVEN THOUGH THERE WAS AN EGG'S BULK⁵ IN THE LEAF,⁶ IT ALONE BECOMES UNCLEAN⁷ WHILE ALL THE REST⁸ REMAINS CLEAN.⁹ IF SHE TOUCHED IT¹⁰ AT A WET SPOT¹¹ AND THERE WAS AN EGG'S BULK⁵ IN THE LEAF,⁶ ALL¹² BECOMES UNCLEAN.¹³ IF THERE WAS NOT AN EGG'S BULK⁵ IN IT,¹⁴ IT ALONE BECOMES UNCLEAN BUT ALL THE REST REMAINS CLEAN. IF IT IS RETURNED INTO THE POT, ALL¹⁵ BECOMES UNCLEAN.¹⁶ IF THE WOMAN WAS UNCLEAN¹⁷ OWING TO CONTACT WITH ONE WHO CONTRACTED CORPSE UNCLEANNESS,¹⁸ AND SHE TOUCHED THE LEAF EITHER AT A WET SPOT OR AT A DRY SPOT, ALL¹⁹ BECOMES UNCLEAN IF THERE WAS AN EGG'S BULK IN THE LEAF;²⁰ BUT IF THERE WAS NOT AN EGG'S BULK²¹ IN IT, IT ALONE BECOMES UNCLEAN AND ALL THE REST REMAINS CLEAN. IF A WOMAN WHO WAS A TEBULATH YOM²² EMPTIED OUT THE POT WITH UNWASHED²³ HANDS,²⁴ AND SHE OBSERVED SOME LIQUID ON HER HANDS, AND IT IS UNCERTAIN WHETHER IT WAS SPLASHED FROM THE POT OR WHETHER A STALK²⁵ HAD TOUCHED HER HANDS, THE VEGETABLES ARE INVALID²⁶ BUT THE POT REMAINS CLEAN.²⁷

MISHNAH 2. R. ELIEZER RULED: HE WHO EATS FOOD OF FIRST[GRADE UNCLEANNESS²⁸ CONTRACTS] FIRST [GRADE UNCLEANNESS]; [HE WHO EATS FOOD OF] SECOND [GRADE UNCLEANNESS²⁸ CONTRACTS] SECOND [GRADE UNCLEANNESS]; [IF IT WAS] THIRD[GRADE UNCLEANNESS HE CONTRACTS] THIRD [GRADE UNCLEANNESS]. R. JOSHUA RULED: HE WHO EATS FOOD OF FIRST[GRADE] OR OF SECOND [GRADE UNCLEANNESS CONTRACTS]SECOND [GRADE UNCLEANNESS]; [IF IT WAS] THIRD [GRADE UNCLEANNESS, HE CONTRACTS] SECOND [GRADE UNCLEANNESS] IN REGARD TO HOLY THINGS²⁹ BUT NOT IN REGARD TO *TERUMAH*.³⁰ ALL THIS APPLIES TO COMMON FOODSTUFFS THAT WERE PREPARED IN CONDITION OF CLEANNESS THAT ARE APPROPRIATE FOR *TERUMAH*.³¹

MISHNAH 3. FIRST [GRADE UNCLEANNESS] IN COMMON FOOD IS UNCLEAN AND CONVEYS UNCLEANNESS,³² SECOND [GRADE UNCLEANNESS]³³ CONVEYS INVALIDITY³⁴ BUT DOES NOT CONVEY UNCLEANNESS;³⁵ AND THIRD [GRADE UNCLEANNESS]³⁶ MAY BE EATEN IN A DISH MIXED WITH *TERUMAH*.³⁷

MISHNAH 4. FIRST [GRADE] AND SECOND [GRADE UNCLEANNESS] IN *TERUMAH* ARE UNCLEAN AND CONVEY UNCLEANNESS;³⁸ THIRD[GRADE UNCLEANNESS]³⁹ CAUSES INVALIDITY⁴⁰ BUT CONVEYS NO UNCLEANNESS; AND THE FOURTH [GRADE UNCLEANNESS]⁴¹ MAY BE EATEN IN A DISH CONTAINING HOLY FOOD.⁴²

MISHNAH 5. FIRST, SECOND AND THIRD [GRADES OF UNCLEANNESS]IN HOLY FOODSTUFFS ARE UNCLEAN AND CONVEY UNCLEANNESS;⁴⁰ THE FOURTH [GRADE OF UNCLEANNESS] IS INVALID⁴³ AND CAUSES NO UNCLEANNESS; AND THE FIFTH [GRADE OF UNCLEANNESS]⁴⁴ MAY BE

TOHOROS

EATEN IN A DISH CONTAINING CONSECRATED FOOD.

MISHNAH 6. SECOND [GRADE UNCLEANNESS] IN COMMON FOOD CONVEYS UNCLEANNESS TO UNCONSECRATED LIQUIDS⁴⁵ AND CAUSES INVALIDITY TO FOODSTUFFS OF *TERUMAH*. THIRD [GRADE OF UNCLEANNESS] IN *TERUMAH* CONVEYS UNCLEANNESS TO CONSECRATED LIQUIDS⁴⁵ AND CAUSES INVALIDITY TO HOLY FOODSTUFFS IF IT⁴⁶ WAS PREPARED IN CONDITIONS OF CLEANNESS APPROPRIATE TO HOLY FOOD; BUT IF IT WAS ONLY PREPARED UNDER CONDITIONS OF CLEANNESS APPROPRIATE TO *TERUMAH*, IT CONVEYS UNCLEANNESS AT A FIRST AND AT A SECOND REMOVE, AND CAUSES INVALIDITY TO HOLY FOOD AT ONE ADDITIONAL REMOVE.⁴⁷

MISHNAH 7. R. ELIEZER OBSERVED: THE THREE OF THEM⁴⁸ ARE ON A PAR IN THE FOLLOWING CASES. THE FIRST GRADE OF UNCLEANNESS IN HOLY FOOD, IN *TERUMAH* OR IN COMMON FOOD CONVEYS UNCLEANNESS AT TWO REMOVES⁴⁹ AND CAUSES INVALIDITY AT ONE ADDITIONAL REMOVES IN THE CASE OF HOLY FOOD; IT CONVEYS UNCLEANNESS AT ONE REMOVE⁵⁰ AND CAUSES INVALIDITY AT ONE ADDITIONAL REMOVE⁴⁷ IN THE CASE OF *TERUMAH*; AND IN COMMON FOOD IT ONLY CAUSES INVALIDITY. THE SECOND [GRADE OF UNCLEANNESS] IN THE CASE OF ALL OF THEM⁴⁸ CONVEYS UNCLEANNESS AT ONE REMOVE⁴⁷ AND CAUSES INVALIDITY AT ONE ADDITIONAL REMOVE⁵¹ AS REGARDS HOLY FOOD; IT CONVEYS UNCLEANNESS TO COMMON LIQUIDS⁴⁵ AND CAUSES THE INVALIDITY OF FOODSTUFFS OF *TERUMAH*. THE THIRD GRADE [OF UNCLEANNESS] IN THE CASE OF ALL THESE⁵² CONVEYS UNCLEANNESS TO HOLY LIQUIDS⁵³ AND CAUSES INVALIDITY TO HOLY FOODSTUFFS.

MISHNAH 8. IF A MAN EATS FOOD OF A SECOND [GRADE OF UNCLEANNESS] HE MUST NOT WORK IN AN OLIVE-PRESS.⁵⁴ COMMON FOODSTUFFS THAT WERE PREPARED UNDER CONDITIONS PROPER TO THE CLEANNESS OF CONSECRATED FOOD ARE STILL REGARDED AS COMMON FOOD.⁵⁵ R. ELIEZER SON OF R. ZADOK RULED: THEY ARE REGARDED AS *TERUMAH* TO CONVEY UNCLEANNESS AT TWO REMOVES⁵⁶ AND TO RENDER *TERUMAH* INVALID AT ONE ADDITIONAL REMOVE.⁵⁷

1. When in a condition of cleanness.
2. Of *Terumah*.
3. With her hands which, having been unwashed, are regarded as being in a state of second grade uncleanness.
4. Which, unlike the wet part of the leaf within the pot, had never come in contact with liquids and, therefore, has never been rendered susceptible to uncleanness.
5. The prescribed minimum for capability to convey uncleanness to others.
6. As a whole.
7. Strictly speaking, 'invalid'; i.e. in the third grade of uncleanness, having contracted it from the woman's hands (cf. *supra* n. 3).
8. Whose uncleanness could be derived only from contact with this leaf.
9. Because a third grade of uncleanness in *Terumah* cannot convey uncleanness to others.
10. The leaf under discussion.
11. So that her hands (in accordance with the laws of uncleanness governing liquids) conveyed to the liquid a first grade of uncleanness.
12. The pot itself as well as its contents.
13. Because the water (cf. prev. n. but one) imparts to the leaf a second grade of uncleanness which in turn conveys to the water in the pot a first grade of uncleanness which conveys to the pot and its contents a second grade of uncleanness.
14. From 'ALL BECOMES UNCLEAN' to 'IT' is omitted from some edd.
15. The wet part of the leaf touched.
16. Even if the bulk of the leaf was less than that of an egg, because the smallest quantity of liquid on the leaf conveys uncleanness.
17. In the first grade.
18. The corpse being a 'father of the fathers of uncleanness'. the man who came in contact with it is a 'father of uncleanness', and

TOHOROS

- imparts to the woman first grade uncleanness.
19. The pot as well as its contents.
 20. Since the leaf which, owing to the moisture on it was susceptible to uncleanness, conveys an uncleanness of the first grade to the liquid in the pot and this in turn causes the pot and its contents to contract second grade uncleanness.
 21. The prescribed minimum for capability to convey uncleanness to others.
 22. Fem. of Tebul Yom; a Tebul Yom continues until sunset unclean in the second degree.
 23. Lit., 'soiled'.
 24. Which are regarded as suffering second grade uncleanness.
 25. Of the wet vegetable.
 26. As the uncleanness of a Tebul Yom is Pentateuchal any condition of doubt must be decided restrictively as certain uncleanness.
 27. Since a Tebul Yom does not render liquids unclean in the first grade (cf. Parah VIII, 7) and the hands (whose uncleanness is but Rabbinical) are in this matter of doubt regarded as clean, there is nothing that could impart uncleanness to the pot.
 28. A minimum of the bulk of two eggs (Rashi) or of one and a half eggs (Maim.).
 29. Which may contract from it third grade uncleanness and convey to other consecrated things fourth grade of uncleanness.
 30. Which he may consequently touch, though he must not eat it.
 31. Otherwise common food cannot give rise to a third grade uncleanness; nor can it apply to actual *Terumah* or to holy food which, if unclean, must not be eaten at all.
 32. To *Terumah*, which in turn can render other *Terumah* 'invalid'. If it touched common food it only renders it 'invalid', but the latter can convey no uncleanness or even invalidity to other common food.
 33. In common food.
 34. To *Terumah*.
 35. Sc. the *Terumah* it touched conveys neither uncleanness nor 'invalidity' to other *Terumah* and much less so to common food.
 36. Applicable to unconsecrated food that was kept under conditions of *Terumah* cleanness.
 37. If the mixing was accidental. Aliter: It may under certain conditions be intentionally mixed with it.
 38. The first grade conveys uncleanness to *Terumah* and the second grade conveys uncleanness to holy things only.
 39. In *Terumah*.
 40. To holy food.
 41. Applicable to *Terumah* that was kept under conditions of cleanness appropriate to holy food.
 42. Since in respect of *Terumah* it is altogether clean.
 43. *Var. lec.*, 'causes invalidity'.
 44. In the case of holy foodstuffs that were kept under conditions of cleanness proper to the ashes of the red heifer.
 45. Rendering them unclean in the first grade.
 46. The *Terumah*.
 47. A third.
 48. Holy food, *Terumah* and common food.
 49. Second and third.
 50. A second.
 51. A fourth.
 52. V. p. 371, n. 6.
 53. V. p. 371 n. 3.
 54. Where any oil of *Terumah* would become invalid through contact with it.
 55. Which cannot contract a third grade of uncleanness. The one particular man's fancy in treating them as consecrated food is disregarded in view of the common practice to treat them as common food.
 56. First and second.
 57. V. p. 371, n. 5.

CHAPTER III

MISHNAH 1. GREASE, BEAN-MASH AND MILK,¹ WHEN IN A CONDITION OF FLUIDITY,² ARE³ UNCLEAN IN THE FIRST GRADE. IF⁴ THEY TURNED SOLID THEY⁵ BECOME UNCLEAN IN THE SECOND GRADE. IF THEY AGAIN TURNED INTO FLUIDITY THEY ARE CLEAN IF THEIR BULK WAS EXACTLY THAT OF AN EGG;⁶ BUT IF IT WAS MORE THAN THE BULK OF AN EGG THEY REMAIN UNCLEAN, FOR AS SOON AS THE FIRST DROP ISSUED FORTH IT BECAME UNCLEAN BY CONTACT WITH AN EGG'S BULK.⁷

MISHNAH 2. R. MEIR RULED: OIL¹ ALWAYS² REMAINS UNCLEAN IN THE FIRST GRADE;² AND THE SAGES RULED: HONEY ALSO.² R. SIMEON OF SHEZUR RULED: ALSO WINE.² IF A MASS OF OLIVES¹ FELL INTO AN OVEN THAT WAS HEATED¹⁰ THE LATTER REMAINS CLEAN IF THE BULK OF THE OLIVES WAS EXACTLY THAT OF AN EGG;¹¹ BUT IF IT

TOHOROS

WAS MORE THAN THAT OF AN EGG THE OVEN BECOMES UNCLEAN,¹² FOR SO SOON AS THE FIRST DROP ISSUED FORTH IT BECAME UNCLEAN BY CONTACT WITH AN EGG'S BULK. IF THE OLIVES WERE SEPARATED THE OVEN REMAINS CLEAN EVEN IF THERE WAS A *SE'AH* OF THEM.¹³

MISHNAH 3. IF A MAN WHO CONTRACTED CORPSE UNCLEANNESS PRESSED OUT¹⁴ THE JUICE OF OLIVES OR GRAPES¹⁵ WHOSE BULK WAS EXACTLY THAT OF AN EGG, THE JUICE REMAINS CLEAN¹⁶ PROVIDED HE DOES NOT TOUCH THE PLACE ON WHICH THE LIQUID IS; BUT [IF THE BULK WAS] MORE THAN THAT OF AN EGG, THE JUICE BECOMES UNCLEAN,¹⁷ FOR SO SOON AS THE FIRST DROP ISSUED FORTH IT BECAME UNCLEAN BY CONTACT WITH AN EGG'S BULK. IF THE PERSON¹⁸ WAS A *ZAB* OR A *ZABAH* [THE JUICE] BECOMES UNCLEAN EVEN IF ONLY ONE BERRY [WAS PRESSED OUT]. FOR SO SOON AS THE FIRST DROP ISSUED FORTH IT¹⁹ BECAME UNCLEAN²⁰ BY CARRYING.²¹ IF A *ZAB* MILKED A GOAT, THE MILK BECOMES UNCLEAN, FOR SO SOON AS THE FIRST DROP COMES FORTH IT¹⁹ BECOMES UNCLEAN²⁰ BY CARRYING.²¹

MISHNAH 4. IF AN EGG'S BULK²² OF FOODSTUFFS,²³ WAS LEFT IN THE SUN AND IT SHRANK,²⁴ AND SO ALSO IN THE CASE OF AN OLIVE'S BULK OF CORPSE,²⁵ AN OLIVE'S²² BULK OF CARRION,²⁵ A LENTIL'S BULK²² OF A DEAD CREEPING THING,²⁵ AN OLIVE'S²² BULK OF PIGGUL,²⁶ AN OLIVE'S BULK²² OF NOTHAR,²⁶ OR AN OLIVE'S BULK²² OF FORBIDDEN FAT²⁵ THEY BECOME CLEAN; NOR DOES ONE INCUR GUILT ON ACCOUNT OF THESE FOR TRANSGRESSING THE LAW OF PIGGUL, NOTHAR OR UNCLEANNESS.²⁷ IF THEY WERE THEN LEFT OUT IN THE RAIN AND THEY SWELLED, THEY²⁸ BECOME UNCLEAN AND GUILT IS INCURRED ON ACCOUNT OF THEM FOR TRANSGRESSING THE LAW OF PIGGUL, NOTHAR OR UNCLEANNESS.

MISHNAH 5. ALL DOUBTFUL CASES OF UNCLEANNESS ARE DETERMINED ACCORDING TO THEIR APPEARANCE AT THE TIME THEY ARE FOUND: IF THEY WERE THEN²⁹ UNCLEAN THEY ARE ASSUMED TO HAVE BEEN UNCLEAN [ALL THE TIME]³⁰ AND IF CLEAN²⁹ THEY ARE ASSUMED TO HAVE BEEN CLEAN [ALL THE TIME]; IF THEY WERE THEN²⁹ COVERED³¹ THEY ARE ASSUMED TO HAVE BEEN COVERED [ALL THE TIME] AND IF UNCOVERED²⁹ THEY ARE ASSUMED TO HAVE BEEN UNCOVERED [ALL THE TIME]; IF A NEEDLE WAS FOUND FULL OF RUST³² OR BROKEN,³² IT IS CLEAN,³³ FOR ALL DOUBTFUL CASES OF UNCLEANNESS ARE DETERMINED ACCORDING TO THEIR APPEARANCE AT THE TIME THEY ARE FOUND.

MISHNAH 6. IF A DEAF-MUTE, AN IMBECILE OR A MINOR WAS FOUND IN AN ALLEY WAY³⁴ THAT CONTAINED AN UNCLEANNESS, HE IS PRESUMED TO BE CLEAN;³⁵ BUT ANY ONE OF SOUND SENSES³⁶ IS PRESUMED TO BE UNCLEAN.³⁷ FURTHER MORE, WHATSOEVER LACKS UNDERSTANDING³⁸ TO BE INQUIRED OF IS IN A CASE OF DOUBTFUL UNCLEANNESS PRESUMED TO BE CLEAN.

MISHNAH 7. IF A CHILD³⁹ WAS FOUND AT THE SIDE OF A GRAVEYARD WITH LILIES IN HIS HAND, AND THE LILIES GREW ONLY IN A PLACE OF UNCLEANNESS, HE IS NEVERTHELESS CLEAN, FOR IT MAY BE ASSUMED THAT AN OTHER PERSON GATHERED THEM AND GAVE THEM TO HIM.⁴⁰ SO ALSO WHERE AN ASS WAS AMONG THE GRAVES⁴¹ HIS HARNESS REMAINS CLEAN.⁴²

MISHNAH 8. IF A CHILD⁴³ WAS FOUND⁴⁴ BESIDE DOUGH⁴⁵ WITH A PIECE OF DOUGH IN HIS HAND, R. MEIR RULES THAT THE DOUGH⁴⁶ IS CLEAN;⁴⁷ BUT THE SAGES RULE THAT IT IS UNCLEAN, SINCE IT IS THE NATURE OF A CHILD TO SLAP DOUGH.⁴⁸ IF A DOUGH⁴⁹ BORE TRACES OF

TOHOROS

HENS' PICKINGS AND THERE WAS UNCLEAN LIQUID IN THE SAME HOUSE, THE LOAVES⁵⁰ ARE DEEMED TO BE CLEAN IF THERE WAS DISTANCE ENOUGH BETWEEN THE LIQUID AND THE LOAVES FOR THE HENS TO DRY THEIR MOUTHS ON THE GROUND;⁵¹ AND, IN THE CASE OF A COW OR A DOG, IF THERE WAS DISTANCE ENOUGH⁵² FOR IT TO LICK ITS TONGUE;⁵³ AND, IN THE CASE OF ALL OTHER BEASTS, IF THERE WAS DISTANCE ENOUGH⁵² FOR THEIR TONGUE TO DRY. R. ELIEZER B. JACOB HOLDS THE DOUGH TO BE CLEAN IN THE CASE OF A DOG WHO IS SAGACIOUS; FOR IT IS NOT ITS HABIT TO LEAVE FOOD⁵⁴ AND GO AFTER THE WATER.⁵⁵

1. That contracted any uncleanness.
2. Capable also of moistening other foodstuffs.
3. As is the rule of unclean liquids.
4. After contracting uncleanness.
5. Having been in contact, so to speak, with a liquid (their former shape) of the first grade of uncleanness.
6. Because, when the first drop was formed, the solid part was thereby reduced to less than an egg's bulk and, therefore, became incapable of conveying any uncleanness to that drop (and much less to any subsequent drop) which, having assumed a new form of existence, has also passed into a state of cleanness.
7. Of the remaining solid. The rest of the liquefied matter then contracts uncleanness from that drop since any quantity of liquid is capable of conveying uncleanness.
8. Even when congealed.
9. Like liquids, since it never changes into a proper solid.
10. The heat causing some liquid to flow out from the solid olives.
11. V. *supra* n. 6.
12. From contact with the liquid.
13. Since each olive is less than an egg's bulk.
14. In a container that was insusceptible to uncleanness.
15. Which he had touched before he pressed them.
16. V. p. 373, n. 6.
17. From contact with the unclean olives or grapes.
18. Who pressed out the juice.
19. Whatever its quantity.
20. In the first grade.
21. Or 'shaking' (Heset) on the part of the *Zab*, even if there was no direct contact.
22. The minimum that can convey uncleanness.
23. That contracted uncleanness.
24. So that less than the prescribed minimum (cf. prev. n. but one) remained.
25. That shrank (cf. prev. n.).
26. V. Glos.
27. *Var. lec.* 'and forbidden fat'.
28. Consisting now of the prescribed minimum.
29. When found.
30. If, for instance, a body was touched in the dark, and it is unknown whether it was that of a live or of a dead person, but later in the daylight it was found to be a corpse, it is assumed that death had occurred by the time it was touched, and the man that touched it is, therefore, unclean.
31. In cases where such covering affords protection against uncleanness.
32. A condition in which uncleanness ceases.
33. Even after the rust is removed or the needle is repaired, it being assumed that it was already in a rusty or broken condition at the time contact with the unclean object had taken place.
34. Which has the status of a private domain where doubtful cases of uncleanness are deemed to be unclean.
35. Because, as stated *infra*, one who is incapable of giving sensible information in reply to an enquiry is, in cases of doubtful uncleanness, deemed to be clean even in a private domain.
36. About whom there is doubt whether he did or did not touch an uncleanness.
37. In a private domain. In a public domain doubtful cases of uncleanness are always presumed to be clean.
38. Not only the categories of person mentioned but also cattle and utensils.
39. Who 'lacks understanding to be inquired of' (cf. prev. Mishnah); v. Sot. 28aff.
40. Since the child accordingly was not in the graveyard, and since the lilies which suffered first grade uncleanness only cannot convey uncleanness to a human being, the child remains clean.
41. So that it is doubtful whether he did or did not overshadow a grave.
42. It being presumed that there was no overshadowing.
43. Who was unclean.
44. In a private domain.
45. That was clean.
46. At the side of which he was found.
47. Since some children (a minority) have not the habit of slapping dough and since the dough was in a presumptive state of cleanness the child in question (on the principle of

TOHOROS

minority plus presumption) may be assumed to belong to the class of children who do not slap dough, and the piece of dough in his hand may be presumed to have been given to him by some clean person.

48. As the majority of children do slap dough, the child in question must be presumed to be one of that class, and the dough that has presumably been touched by him must, therefore, be regarded as unclean.
49. Made into loaves.
50. Cf. prev. n.
51. After drinking of the unclean liquid, as is their nature after a drink.
52. Between the liquid and the dough.
53. Cf. p. 376, n. 14.
54. The dough, which is not easily procurable.
55. Which he can get much more easily. Hence it may well be presumed that before drinking the water he had well finished with the dough.

CHAPTER IV

MISHNAH 1. IF AN UNCLEAN¹ OBJECT WAS THROWN FROM ONE PLACE TO ANOTHER;² A LOAF³ AMONG KEYS⁴ OR A KEY⁵ AMONG LOAVES,⁶ [THAT WHICH WAS CLEAN REMAINS] CLEAN.⁷ R. JUDAH⁸ RULED: IF A LOAF³ WAS THROWN AMONG KEYS⁴ THE FORMER BECOMES UNCLEAN, BUT IF A KEY⁵ WAS THROWN AMONG LOAVES⁶ THE LATTER REMAIN CLEAN.

MISHNAH 2. IF A DEAD CREEPING THING WAS HELD IN THE MOUTH OF A WEASEL THAT WAS PASSING OVER LOAVES OF *TERUMAH* AND IT IS DOUBTFUL WHETHER THE CREEPING THING DID OR DID NOT TOUCH THEM, SUCH CONDITION OF DOUBT IS DEEMED CLEAN.⁹

MISHNAH 3. IF A WEASEL HELD IN ITS MOUTH A [DEAD] CREEPING THING OR IF A DOG HAD CARRION IN ITS MOUTH AND THEY PASSED BETWEEN CLEAN [PERSONS] OR IF CLEAN PERSONS PASSED BETWEEN THEM,¹⁰ THEIR CONDITION OF DOUBT IS DEEMED CLEAN, SINCE THE UNCLEANNESS,¹¹ HAD NO RESTING PLACE.¹² IF THEY¹³ WERE PICKING AT THEM¹⁴ WHILE THESE¹⁵ LAY ON THE

GROUND,¹⁶ AND A PERSON STATED, 'I WENT TO THAT PLACE BUT I DO NOT KNOW WHETHER I DID OR DID NOT TOUCH IT',¹⁵ HIS CONDITION OF DOUBT IS DEEMED UNCLEAN, SINCE THE UNCLEANNESS HAD A RESTING PLACE.

MISHNAH 4. IF AN OLIVE'S BULK OF CORPSE WAS HELD IN A RAVEN'S MOUTH AND IT IS DOUBTFUL WHETHER IT OVERSHADOWED A MAN OR VESSELS IN A PRIVATE DOMAIN, THE MAN'S CONDITION OF DOUBT IS DEEMED TO BE UNCLEAN¹⁷ BUT THE VESSELS' CONDITION OF DOUBT IS DEEMED CLEAN.¹⁸ IF A MAN DREW WATER IN TEN BUCKETS¹⁹ AND A DEAD CREEPING THING WAS FOUND IN ONE OF THEM,²⁰ IT ALONE IS DEEMED UNCLEAN BUT ALL THE OTHERS REMAIN CLEAN.²¹ IF ONE Poured OUT FROM ONE VESSEL INTO ANOTHER AND A DEAD CREEPING THING WAS FOUND IN THE LOWER VESSEL, THE UPPER ONE REMAINS CLEAN.²²

MISHNAH 5. ON ACCOUNT OF SIX DOUBTFUL CASES OF UNCLEANNESS IS *TERUMAH* BURNT:²³ ON ACCOUNT OF THE DOUBT OF A BETH HA-PERAS [GRAVE AREA],²⁴ ON ACCOUNT OF EARTH²⁵ ABOUT WHICH THERE IS DOUBT WHETHER IT CAME FROM THE LAND OF THE GENTILES,²⁶ ON ACCOUNT OF A DOUBT ABOUT THE GARMENTS OF AN 'AM HA-AREZ,²⁷ ON ACCOUNT OF A DOUBT ABOUT VESSELS FOUND BY CHANCE,²⁸ ON ACCOUNT OF SPITTLE ENCOUNTERED BY CHANCE,²⁹ ON ACCOUNT OF A DOUBT ABOUT HUMAN URINE²⁹ THAT WAS NEAR THE URINE OF A BEAST.³⁰ ON ACCOUNT OF A CERTAINTY OF HAVING TOUCHED THESE, WHICH GIVES RISE TO THE DOUBTFUL UNCLEANNESS,³¹ *TERUMAH* IS BURNT. R. JOSE RULED: ALSO ON ACCOUNT OF THEIR DOUBTFUL CONTACT³² IN A PRIVATE DOMAIN;³³ BUT THE SAGES RULED: IN A PRIVATE DOMAIN THE *TERUMAH* IS ONLY HELD IN

TOHOROS

SUSPENSE³⁴ AND IN A PUBLIC DOMAIN IT IS DEEMED CLEAN.³⁵

MISHNAH 6. IN THE CASE OF TWO KINDS OF SPITTLE, ONE OF WHICH WAS [POSSIBLY] UNCLEAN³⁶ AND THE OTHER WAS DECIDEDLY CLEAN, [ANY *TERUMAH*] IS TO BE HELD IN SUSPENSE IF [TOUCHED BY ONE WHO] TOUCHED OR CARRIED OR SHIFTED [ONE OF THE TWO KINDS OF SPITTLE] WHILE THEY WERE IN A PRIVATE DOMAIN, OR, WHO TOUCHED ONE OF THEM IN A PUBLIC DOMAIN WHILE IT WAS STILL MOIST, OR WHO CARRIED IT IRRESPECTIVE OF WHETHER IT WAS MOIST OR DRY. IF THERE WAS BUT ONE [KIND OF POSSIBLY] UNCLEAN SPITTLE AND A MAN TOUCHED, CARRIED OR SHIFTED IT IN A PUBLIC DOMAIN, *TERUMAH*³⁷ IS BURNT ON ACCOUNT OF IT; AND IT IS STILL MORE EVIDENT THAT THIS IS THE CASE IF IT WAS³⁸ IN A PRIVATE DOMAIN.

MISHNAH 7. THE FOLLOWING CASES OF DOUBTFUL UNCLEANNESS THE SAGES DECLARED TO BE CLEAN:³⁹ A CONDITION OF DOUBT CONCERNING DRAWN WATER IN RESPECT OF A RITUAL BATH,⁴⁰ AND A CONDITION OF DOUBT CONCERNING AN OBJECT OF UNCLEANNESS THAT FLOATED UPON THE WATER.⁴¹ IN THE CASE OF A CONDITION OF DOUBT CONCERNING LIQUIDS AS TO WHETHER THEY HAVE CONTRACTED UNCLEANNESS IT IS DEEMED UNCLEAN, BUT IF IT WAS WHETHER UNCLEANNESS HAS BEEN CONVEYED IT IS DEEMED CLEAN. IF THERE IS DOUBT CONCERNING THE HANDS AS TO WHETHER THEY HAVE CONTRACTED UNCLEANNESS, HAVE CONVEYED UNCLEANNESS OR⁴² HAVE ATTAINED CLEANNESS, THEY ARE DEEMED CLEAN. [THE SAGES, MOREOVER, DECLARED AS CLEAN] A CONDITION OF DOUBT THAT AROSE IN A PUBLIC DOMAIN;⁴³ A CONDITION OF DOUBT CONCERNING AN ORDINANCE OF THE SCRIBES; A CONDITION OF DOUBT

CONCERNING COMMON FOODSTUFFS;⁴⁴ A CONDITION OF DOUBT CONCERNING CREEPING THINGS; A CONDITION OF DOUBT CONCERNING LEPROSY SIGNS; A CONDITION OF DOUBT CONCERNING A NAZIRITE VOW; A CONDITION OF DOUBT CONCERNING FIRSTLINGS; AND A CONDITION OF DOUBT CONCERNING SACRIFICES.

MISHNAH 8. 'A CONDITION OF DOUBT CONCERNING AN OBJECT OF UNCLEANNESS THAT FLOATED UPON THE WATER'⁴⁴ [IS DEEMED CLEAN] WHETHER⁴⁵ THE WATER WAS IN VESSELS OR IN THE GROUND. R. SIMEON RULED: IF IN VESSELS IT IS DEEMED UNCLEAN⁴⁶ BUT IF IN THE GROUND IT IS DEEMED CLEAN.⁴⁷ R. JUDAH RULED: IF THE DOUBT⁴⁸ AROSE WHEN THE MAN WENT DOWN INTO THE WATER HE IS DEEMED UNCLEAN,⁴⁹ BUT IF WHEN HE CAME UP⁵⁰ HE IS DEEMED CLEAN. R. JOSE RULED: EVEN IF THE ROOM AVAILABLE⁵¹ WAS NO MORE THAN WHAT SUFFICED FOR THE MAN AND THE UNCLEANNESS THE FORMER REMAINS CLEAN.

MISHNAH 9. 'IN THE CASE OF A CONDITION OF DOUBT CONCERNING LIQUIDS AS TO WHETHER THEY HAVE CONTRACTED UNCLEANNESS IT IS DEEMED UNCLEAN'.⁵² IN WHAT CIRCUMSTANCES? IF AN UNCLEAN PERSON STRETCHED HIS FOOT BETWEEN CLEAN LIQUIDS AND THERE IS DOUBT WHETHER HE TOUCHED THEM OR NOT, SUCH A CONDITION OF DOUBT IS DEEMED TO BE UNCLEAN. IF A MAN HAD AN UNCLEAN LOAF IN HIS HAND AND HE STRETCHED IT OUT⁵³ BETWEEN CLEAN LIQUIDS, AND THERE IS DOUBT WHETHER IT TOUCHED THEM OR NOT, SUCH A CONDITION OF DOUBT IS DEEMED TO BE UNCLEAN. 'BUT IF IT WAS WHETHER UNCLEANNESS HAS BEEN CONVEYED, IT IS DEEMED CLEAN'.⁵² IN WHAT CIRCUMSTANCE? IF A MAN HAD IN HIS HAND A STICK ON THE END OF WHICH

TOHOROS

THERE WAS AN UNCLEAN LIQUID AND HE THREW IT AMONG CLEAN LOAVES AND THERE IS DOUBT WHETHER IT TOUCHED THEM⁵⁴ OR NOT, SUCH A CONDITION OF DOUBT IS DEEMED CLEAN.

MISHNAH 10. R. JOSE RULED: A CONDITION OF DOUBT⁵⁵ IN THE CASE OF LIQUIDS IS DEEMED UNCLEAN IN RESPECT OF FOODSTUFFS⁵⁶ AND CLEAN IN RESPECT OF VESSELS.⁵⁷ HOW SO? IF THERE WERE TWO JARS,⁵⁸ THE ONE UNCLEAN AND THE OTHER CLEAN, AND A DOUGH WAS PREPARED WITH THE CONTENTS OF ONE OF THEM AND A DOUBT AROSE AS TO WHETHER IT WAS PREPARED WITH THE CONTENTS OF THE UNCLEAN, OR OF THE CLEAN ONE, SUCH IS 'A CONDITION OF DOUBT IN THE CASE OF LIQUIDS [WHICH] IS DEEMED UNCLEAN IN RESPECT OF FOODSTUFFS AND CLEAN IN RESPECT OF VESSELS'.

MISHNAH 11. 'IF THERE IS DOUBT CONCERNING THE HANDS AS TO WHETHER THEY HAVE CONTRACTED UNCLEANNESS,⁵⁹ HAVE CONVEYED UNCLEANNESS⁶⁰ OR HAVE ATTAINED CLEANNESS, THEY ARE DEEMED CLEAN'.⁶¹ 'ANY CONDITION OF DOUBT⁶² THAT AROSE IN A PUBLIC DOMAIN'⁶¹ IS DEEMED CLEAN' 'A CONDITION OF DOUBT CONCERNING AN ORDINANCE OF THE SCRIBES'⁶¹ [NAMELY, IF A MAN IS UNCERTAIN WHETHER] HE ATE UNCLEAN FOODSTUFFS OR DRANK UNCLEAN LIQUIDS, WHETHER HE IMMERSED HIS HEAD AND THE GREATER PART OF HIS BODY IN DRAWN WATER,⁶³ OR WHETHER THERE FELL ON HIS HEAD AND THE GREATER PART OF HIS BODY THREE LOG OF DRAWN WATER,⁶⁴ SUCH A CONDITION OF DOUBT⁶⁵ IS DEEMED CLEAN. IF, HOWEVER, A CONDITION OF DOUBT AROSE CONCERNING A FATHER OF UNCLEANNESS EVEN THOUGH IT WAS ONLY RABBINICAL, IT IS DEEMED UNCLEAN.

MISHNAH 12. 'A CONDITION OF DOUBT CONCERNING COMMON FOODSTUFFS'⁶¹ REFERS TO THE CLEANNESS PRACTICED BY PHARISEES.⁶⁶ 'A CONDITION OF DOUBT CONCERNING CREEPING THING'⁶⁷ — [THIS IS DETERMINED] ACCORDING [TO THEIR CONDITION AT] THE TIME THEY ARE FOUND.⁶⁸ 'A CONDITION OF DOUBT CONCERNING LEPROSY SIGNS'⁶⁷ — [A LEPROSY SIGN]⁶⁹ IS DEEMED CLEAN IN THE BEGINNING BEFORE IT HAD BEEN DETERMINED TO BE UNCLEAN, BUT AFTER IT HAD BEEN DETERMINED TO BE UNCLEAN, A CONDITION OF DOUBT⁷⁰ IS DEEMED UNCLEAN. 'A CONDITION OF DOUBT CONCERNING A NAZIRITE VOW'⁶⁷ — [IN SUCH A CONDITION OF DOUBT⁷¹ THE MAN] IS PERMITTED [ALL THAT IS FORBIDDEN TO A NAZIRITE].⁷² 'A CONDITION OF DOUBT CONCERNING FIRSTLINGS'⁶⁹ — [IN SUCH A CASE ONE IS EXEMPT FROM GIVING THE FIRSTLINGS TO THE PRIEST] IRRESPECTIVE OF WHETHER THEY ARE FIRSTBORN OF MEN⁷³ OR FIRSTLINGS OF CATTLE,⁷⁴ WHETHER THE FIRSTLINGS OF AN UNCLEAN BEAST⁷⁵ OR A CLEAN ONE, FOR IT IS THE MAN WHO ADVANCES THE CLAIM⁷⁶ AGAINST HIS FELLOW THAT MUST PRODUCE THE PROOF.⁷⁷

MISHNAH 13. 'AND A CONDITION OF DOUBT CONCERNING SACRIFICES'⁶⁷ — IF A WOMAN HAS EXPERIENCED FIVE DOUBTFUL CASES OF MISCARRIAGE OR FIVE DISCHARGES OF DOUBTFUL ZIBAH SHE BRINGS ONLY ONE SACRIFICE⁷⁸ AND MAY THEN EAT OF THE SLAIN SACRIFICES, SHE BEING UNDER NO OBLIGATION TO BRING THE REMAINDER.⁷⁹

1. Or clean (cf. foll. n.).
2. So that a doubt arose whether it touched anything clean or whether the clean object (cf. prev. n.) touched anything unclean.
3. That was clean (cf. prev. n. but one).
4. That were unclean.
5. That was unclean.
6. That were clean.

TOHOROS

7. The assumption being that there was no contact after the haphazard throw between the clean and the unclean objects, and furthermore because the clean object under consideration lacks understanding, v. *supra* III, 6.
8. Drawing a distinction between an uncleanness at rest and one on the move.
9. Because the uncleanness was on the move, and because the bread lacks understanding, v. Shek. II, 7.
10. It being doubtful whether there was contact between the clean and the unclean.
11. Which was on the move.
12. This principle applying even to persons, though these do not lack understanding.
13. Sc. the weasel or the dog.
14. The creeping thing or the carrion.
15. V. p. 378, n. 14.
16. In a private domain.
17. For overshadowing, which reaches to the ground, is on a par with a resting uncleanness, and the man affected is capable of answering an enquiry (cf. *supra* III, 6).
18. Since vessels are not capable of answering an enquiry (cf. prev. n.).
19. One after the other.
20. A doubt thus arising whether the creeping thing was in the well and thus conveyed uncleanness to all the buckets.
21. It being assumed that where the uncleanness was found there it was all the time; and, though it came in contact with the water in the well, it conveyed no uncleanness to it, since the latter is regarded as attached to the ground which is not susceptible to uncleanness.
22. It is not assumed that the creeping thing was first in the upper vessel from which it subsequently dropped into the lower one.
23. In all other cases of doubtful uncleanness *Terumah* may not be burnt.
24. Into which *Terumah* was carried; on Beth ha-Peras, v. [Glos.](#)
25. Which came in contact with *Terumah*.
26. In which case it would be unclean.
27. It being uncertain whether he did or did not touch them. If he did, uncleanness would have been conveyed to them.
28. Which might possibly be unclean ones.
29. Which might be that of a *Zab* or a menstruant and which would, therefore, convey uncleanness.
30. And thus distinguishable from it. If one kind alone is encountered a double doubt arises: Whether (a) it is that of a man or a beast and, if it is that of a man, whether (b) that man was unclean or clean.
31. Owing, as stated *supra*, to the doubtful nature of their uncleanness.
32. With *Terumah*; though in such a case a double doubt arises.
33. Is *Terumah* burnt.
34. Owing to the double doubt involved (cf. prev. n. but one).
35. For further notes on this Mishnah v. Shab. (Sonc. ed.) p. 156 notes.
36. In the case of certain uncleanness the *Terumah*, touched in a private domain by one who came in contact with the spittle, would have had to be definitely burnt.
37. That the man subsequently touched.
38. Lit., 'and there is no need to say' that the *Terumah* is to be burnt.
39. Irrespective of whether they occurred in a private or in a public domain.
40. It being doubtful whether the drawn water had fallen into the ritual bath that contained less than the prescribed minimum of valid water or, if it was certain that it fell into it, whether its quantity was as much as three logs which constitute the minimum for invalidating a ritual bath.
41. This and the following cases are explained *infra*.
42. Having been unclean.
43. Even concerning a Pentateuchally ordained uncleanness.
44. Cf. prev. Mishnah.
45. It being uncertain whether a man had touched the uncleanness.
46. Sc. the man concerning whom a doubt arose as to whether he touched the unclean object is deemed unclean.
47. Cf. p. 381, n. 8 mut. mut.
48. Whether the man has touched the unclean object.
49. Since it is in the nature of a floating object to be drawn towards one descending into the water.
50. When the floating object naturally recedes from him.
51. In the water.
52. *Supra* IV, 7.
53. *Var. lec.* 'threw it' (cf. foll. n.).
54. After it had come to a rest.
55. As to their uncleanness.
56. Because, in his opinion, liquids convey uncleanness to foodstuffs according to a Pentateuchal law.
57. Whose contraction of uncleanness from liquids is but a Rabbinical ordinance.
58. Containing water.
59. From unclean foodstuffs or liquids.
60. To foodstuffs.
61. *Supra* IV, 7.
62. Of uncleanness.

TOHOROS

63. Which renders the immersion invalid.
64. Which cause a clean person to become unclean.
65. As to whether he subsequently performed immersion and much more so if there is doubt as to whether uncleanness had at all been contracted.
66. Lit., 'the cleanness of separation'. To keep away from the clothes of those who are not so meticulous as oneself in the observance of the laws of cleanness and uncleanness. If a Pharisee is in doubt whether he came in contact with such cloths he may regard himself as clean and continue to eat his usual food that he keeps under conditions of cleanness.
67. *Supra* IV, 7.
68. Sc. if a creeping thing was thrown among clean foodstuffs but was not found touching any of them, they are deemed to be clean. It is not assumed that before it came to rest it touched them.
69. Concerning which there is doubt whether it increased in size.
70. Sc. whether it had diminished in size.
71. Where, for instance, a man made his vow dependent on an assertion that a heap of wheat contained a certain number of measures, and the heap was lost before the assertion could be checked.
72. The drinking of wine and shaving for instance.
73. Who are redeemed with five *shekels* which are given to the priest.
74. Which are the priest's due.
75. An ass.
76. The priest who claims the firstling or the redemption of the firstborn.
77. As there is doubt no proof is possible, and the father of the firstborn and the owner of the firstling are exempt.
78. A sin-offering of a bird, brought as doubtful offering.
79. V. Ker. 8a.

CHAPTER V

MISHNAH 1. IF IN A PUBLIC DOMAIN THERE WAS A [DEAD] CREEPING THING¹ AND A FROG,² AND SO ALSO [IF THERE WAS THERE] AN OLIVE'S BULK OF A CORPSE³ AND AN OLIVE'S BULK OF CARRION,⁴ A BONE OF A CORPSE⁵ AND A BONE OF CARRION,² A CLOD OF CLEAN EARTH² AND A CLOD FROM A GRAVE AREA⁶ OR A CLOD OF CLEAN EARTH² AND

A CLOD FROM THE LAND OF THE GENTILES,⁴ OR IF THERE WERE TWO PATHS, THE ONE UNCLEAN⁷ AND THE OTHER CLEAN, AND A MAN WALKED THROUGH ONE OF THEM BUT IT IS NOT KNOWN WHICH,⁸ OR OVERSHADOWED ONE OF THEM BUT IT IS NOT KNOWN WHICH,⁹ OR HE SHIFTED¹⁰ ONE OF THEM BUT IT IS NOT KNOWN WHICH,¹¹ R. AKIBA RULED THAT HE IS UNCLEAN,¹² BUT THE SAGES RULE THAT HE IS CLEAN.¹³

MISHNAH 2. WHETHER¹⁴ THE MAN SAID,¹⁵ 'I TOUCHED AN OBJECT ON THIS SPOT BUT I DO NOT KNOW¹⁶ WHETHER IT WAS UNCLEAN OR CLEAN', OR 'I TOUCHED ONE BUT I DO NOT KNOW WHICH OF THE TWO I TOUCHED', R. AKIBA RULES THAT HE IS UNCLEAN,¹⁷ BUT THE SAGES RULE THAT HE IS CLEAN.¹⁸ R. JOSE RULES THAT HE IS UNCLEAN IN EVERY CASE¹⁹ AND CLEAN ONLY IN THAT OF THE PATH,²⁰ SINCE IT IS THE USUAL PRACTICE FOR MEN TO GO²¹ BUT IT IS NOT THEIR USUAL PRACTICE TO TOUCH.²²

MISHNAH 3. IF THERE WERE TWO PATHS,²³ THE ONE UNCLEAN²⁴ AND THE OTHER CLEAN,²⁵ AND A MAN WALKED BY ONE OF THEM AND THEN PREPARED CLEAN FOODSTUFFS²⁶ WHICH WERE SUBSEQUENTLY CONSUMED AND, HAVING BEEN SPRINKLED UPON ONCE AND A SECOND TIME²⁷ AND HAVING PERFORMED IMMERSION AND ATTAINED CLEANNES, HE WALKED BY THE SECOND PATH AND THEN PREPARED CLEAN FOODSTUFFS,²⁸ THE LATTER ARE DEEMED CLEAN.²⁸ IF THE FIRST FOODSTUFFS WERE STILL IN EXISTENCE BOTH MUST BE HELD IN SUSPENSE.²⁹ IF HE HAD NOT ATTAINED CLEANNES IN THE MEANTIME,³⁰ THE FIRST ARE HELD IN SUSPENSE³¹ AND THE SECOND MUST BE BURNT.³²

MISHNAH 4. IF THERE WAS A DEAD CREEPING THING AND A FROG IN A PUBLIC DOMAIN AND A MAN TOUCHED ONE OF THEM³³ AND THEN PREPARED

TOHOROS

CLEAN FOODSTUFFS³⁴ WHICH WERE SUBSEQUENTLY CONSUMED; AND THEN HE PERFORMED IMMERSION, TOUCHED THE OTHER AND THEN PREPARED CLEAN FOODSTUFFS,³⁴ THE LATTER ARE DEEMED CLEAN.³⁵ IF THE FIRST FOODSTUFFS WERE STILL IN EXISTENCE BOTH MUST BE HELD IN SUSPENSE.³⁶ IF HE DID NOT PERFORM IMMERSION IN THE MEANTIME,³⁷ THE FIRST ARE HELD IN SUSPENSE³⁸ AND THE SECOND MUST BE BURNT.³⁹

MISHNAH 5. IF THERE WERE TWO PATHS, THE ONE UNCLEAN AND THE OTHER CLEAN, AND A MAN WALKED BY ONE OF THEM AND THEN PREPARED CLEAN FOODSTUFFS,³⁴ AND SUBSEQUENTLY ANOTHER MAN CAME AND WALKED BY THE SECOND PATH AND THEN PREPARED CLEAN FOODSTUFFS,³⁴ R. JUDAH RULED: IF EACH BY HIMSELF ASKED FOR A RULING THEY ARE BOTH TO BE DECLARED CLEAN;⁴⁰ BUT IF THEY ASKED FOR A RULING SIMULTANEOUSLY,⁴¹ BOTH ARE TO BE DECLARED UNCLEAN. R. JOSE RULED: IN EITHER CASE THEY ARE BOTH UNCLEAN.

MISHNAH 6. IF THERE WERE TWO LOAVES, THE ONE UNCLEAN AND THE OTHER CLEAN, AND A MAN ATE ONE OF THEM AND THEN PREPARED CLEAN FOODSTUFFS, AND AFTERWARDS ANOTHER MAN CAME AND ATE THE SECOND LOAF AND THEN PREPARED CLEAN FOODSTUFFS, R. JUDAH RULED: IF EACH BY HIMSELF ASKED FOR A RULING THEY ARE BOTH TO BE DECLARED CLEAN,⁴⁰ BUT IF THEY ASKED FOR ONE SIMULTANEOUSLY⁴¹ BOTH ARE TO BE DECLARED UNCLEAN. R. JOSE RULED: IN EITHER CASE THEY ARE BOTH UNCLEAN.

MISHNAH 7. IF A MAN SAT IN A PUBLIC DOMAIN AND SOMEONE⁴² CAME AND TROD ON HIS CLOTHES, OR SPAT AND THE FORMER TOUCHED THE SPITTLE, ON ACCOUNT OF THE SPITTLE *TERUMAH*⁴³

MUST BE BURNT,⁴⁴ BUT ON ACCOUNT OF THE CLOTHES THE MAJORITY PRINCIPLE IS FOLLOWED.⁴⁵ IF A MAN SLEPT IN THE PUBLIC DOMAIN, WHEN HE RISES HIS GARMENTS SUFFER MIDRAS UNCLEANNESS;⁴⁶ SO R. MEIR. BUT THE SAGES⁴⁷ RULE THAT THEY ARE CLEAN. IF A MAN TOUCHED SOMEONE IN THE NIGHT AND IT IS NOT KNOWN WHETHER IT WAS ONE WHO WAS ALIVE OR DEAD, BUT IN THE MORNING WHEN HE GOT UP HE FOUND HIM TO BE DEAD, R. MEIR RULES THAT HE⁴⁸ IS CLEAN, BUT THE SAGES RULE THAT HE IS UNCLEAN,⁴⁹ SINCE ALL DOUBTFUL CONDITIONS OF UNCLEANNESS ARE [DETERMINED] IN ACCORDANCE WITH [THEIR APPEARANCE AT] THE TIME THEY ARE DISCOVERED.

MISHNAH 8. IF THERE WAS IN THE TOWN AN IMBECILE, A HEATHEN, OR A SAMARITAN WOMAN, ALL SPITTLE ENCOUNTERED IN THE TOWN IS DEEMED UNCLEAN.⁵⁰ IF A WOMAN TROD ON A MANS CLOTHES OR SAT WITH HIM IN A BOAT,⁵¹ HIS CLOTHES REMAIN CLEAN IF SHE KNEW HIM TO BE EATING *TERUMAH*;⁵² BUT IF NOT, HE MUST ASK HER.

MISHNAH 9. IF A WITNESS SAYS,⁵³ 'YOU HAVE CONTRACTED UNCLEANNESS', BUT HE SAYS, 'I HAVE NOT CONTRACTED ANY UNCLEANNESS', HE IS REGARDED AS CLEAN. IF TWO WITNESSES SAY,⁵³ 'YOU HAVE CONTRACTED UNCLEANNESS', AND HE SAYS, 'I HAVE NOT CONTRACTED ANY UNCLEANNESS', R. MEIR RULES THAT HE IS UNCLEAN,⁵⁴ BUT THE SAGES RULE: HE MAY BE BELIEVED ON HIS OWN EVIDENCE.⁵⁵ IF A WITNESS SAYS,⁵³ 'YOU HAVE CONTRACTED UNCLEANNESS', BUT TWO WITNESSES SAY, HE HAS NOT CONTRACTED ANY UNCLEANNESS, WHETHER IN A PRIVATE DOMAIN OR IN A PUBLIC DOMAIN, HE IS REGARDED AS CLEAN. IF TWO WITNESSES SAY, 'HE HAS CONTRACTED UNCLEANNESS', AND ONE WITNESS SAYS, 'HE HAS NOT

TOHOROS

CONTRACTED ANY UNCLEANNESS', WHETHER IN A PRIVATE DOMAIN OR IN A PUBLIC DOMAIN, HE IS REGARDED AS UNCLEAR. IF ONE WITNESS SAYS, 'HE HAS CONTRACTED UNCLEANNESS', AND ANOTHER SAYS, 'HE HAS NOT CONTRACTED ANY UNCLEANNESS', OR IF ONE WOMAN SAYS, 'HE HAS CONTRACTED UNCLEANNESS', AND ANOTHER WOMAN SAYS, 'HE HAS NOT CONTRACTED ANY UNCLEANNESS', HE IS REGARDED AS UNCLEAR IF THE EVIDENCE RELATES TO A PRIVATE DOMAIN,⁵⁶ BUT IF IT RELATED TO A PUBLIC DOMAIN HE IS REGARDED AS CLEAN.⁵⁷

1. One of the eight enumerated in Lev. XI, 29, which are 'fathers of uncleanness' and convey uncleanness by contact.
2. Which conveys no uncleanness whatsoever.
3. Which conveys uncleanness (cf. prev. n. but one) by overshadowing also.
4. That conveys uncleanness by contact and carrying only.
5. Which conveys uncleanness by *Heset* (v. [Glos.](#)).
6. *Beth ha-Peras* (v. [Glos.](#)). This conveys uncleanness by contact and carrying only.
7. There having been a grave across its breadth which any one going through the path must pass over and thus overshadow it and contract uncleanness.
8. Of the two paths.
9. Whether the olive's bulk of corpse or that of the carrion.
10. Or carried.
11. Whether it was the bone of the corpse or that of the carrion.
12. Because, in his opinion, only food which, if once unclean, cannot any more be rendered clean, is deemed to be clean in a case of doubt in a public domain, but not men and vessels which may attain cleanness through immersion and sprinkling. Aliter: A doubtful case of uncleanness is deemed clean, according to R. Akiba, in a public domain only when a number of people are involved but not, as in this case, where only an individual is concerned (Wilna Gaon).
13. Cf. prev. n. mut. mut.
14. This is a continuation of the previous rulings.
15. In the case where there was in the public domain a creeping thing and a frog.
16. Owing to the similarity of the frog and the
17. V. p. 385, n. 12.
18. V. p. 385, n. 13.
19. Enumerated in this and in the preceding Mishnah.
20. *Supra* V, 1.
21. And the imposition of uncleanness in such a case would involve undue hardship. Hence the relaxation of the restriction.
22. As uncleanness could, therefore, be avoided the restriction could well be maintained.
23. In a public domain.
24. V. *supra* p. 385, n. 7.
25. But it was not known which was which.
26. Of *Terumah* which must be kept in conditions of cleanness.
27. On the third and the seventh day respectively.
28. Because the doubt occurred in a public domain.
29. Since both have to be considered simultaneously and one at least is obviously unclean.
30. Between the preparation of the first and the second foodstuffs.
31. Neither eaten nor burnt. *Var. lec.*, 'are clean'.
32. Since they are unclean in any case.
33. But did not know whether it was the clean or the unclean.
34. Of *Terumah* which must be kept in conditions of cleanness.
35. Because the doubt occurred in a public domain.
36. Since both have to be considered simultaneously and one at least is obviously unclean.
37. Between the preparation of the first and the second foodstuffs.
38. Neither eaten nor burnt. *Var. lec.*, 'are clean'.
39. Being unclean in any case.
40. Since neither can be declared unclean when his uncleanness is only a matter of doubt in a public domain.
41. When it is impossible to declare them both clean since one at least must be unclean.
42. Who could possibly be suspected of uncleanness.
43. Which the first man touched.
44. As a preventive measure against contact with spittle that was known to be unclean.
45. Sc. only if the greater number of people in the place were *Zabs* is midras uncleanness (v. [Glos.](#)) imposed.
46. Since it is possible that most of the people have trodden on them and that among these was a *Zab*.
47. Holding that even in a case like this a condition of doubt in a public domain is deemed clean.
48. The live man.

TOHOROS

49. Provided the dead man was not seen alive in the previous evening.
50. Since the class of women mentioned do not exercise the necessary care when they are in their menstruation periods.
51. Where, if she was a menstruant, she would convey to him midras uncleanness (cf. *Zab. III, 1*).
52. Since in that case she would keep away from his clothes and would not enter the same boat when in her menstruation.
53. To any man.
54. Since two witnesses on whose evidence a man may be sent to death may well be relied upon in subjecting one to uncleanness which involves no greater liability than that of a sacrifice for entering the Sanctuary in an unclean state.
55. Because he could well claim, even if the witnesses' evidence is accepted, that he has subsequently attained cleanness through immersion.
56. As is the rule with any condition of doubtful uncleanness in such a domain.
57. Cf. prev. n. mut. mut.

CHAPTER VI

MISHNAH 1. IF A PLACE THAT WAS A PRIVATE DOMAIN HAS BECOME A PUBLIC DOMAIN¹ AND THEN WAS TURNED AGAIN INTO A PRIVATE DOMAIN, WHILE IT IS A PRIVATE DOMAIN ANY CONDITION OF DOUBT ARISING IN IT IS DEEMED UNCLEAN BUT WHILE IT IS A PUBLIC DOMAIN ANY CONDITION OF DOUBT ARISING IN IT IS DEEMED CLEAN. IF A MAN WHO WAS DANGEROUSLY ILL IN A PRIVATE DOMAIN WAS TAKEN OUT INTO A PUBLIC DOMAIN AND THEN BROUGHT BACK INTO A PRIVATE DOMAIN,² WHILE HE IS IN THE PRIVATE DOMAIN ANY CONDITION OF DOUBT ARISING THROUGH HIM³ IS DEEMED UNCLEAN⁴ BUT WHILE HE IS IN THE PUBLIC DOMAIN ANY CONDITION OF DOUBT ARISING THROUGH HIM³ IS DEEMED CLEAN.⁵ R. SIMEON RULED: THE PUBLIC DOMAIN CAUSES A BREAK.⁶

MISHNAH 2. FOUR CASES OF DOUBT, R. JOSHUA RULED, ARE DEEMED UNCLEAN AND THE SAGES RULE THAT THEY ARE

DEEMED CLEAN. FOR INSTANCE? IF AN UNCLEAN MAN⁷ STOOD⁸ AND A CLEAN MAN PASSED BY⁹ OR THE CLEAN MAN STOOD AND THE UNCLEAN ONE PASSED BY;⁹ OR IF AN UNCLEAN OBJECT WAS IN A PRIVATE DOMAIN AND A CLEAN ONE IN THE PUBLIC DOMAIN OR THE CLEAN OBJECT WAS IN THE PRIVATE DOMAIN AND THE UNCLEAN ONE IN THE PUBLIC DOMAIN, AND THERE IS DOUBT WHETHER THERE WAS CONTACT¹⁰ OR NOT, OR WHETHER THERE WAS OVERSHADOWING¹⁰ OR NOT, OR WHETHER THERE WAS SHIFTING¹¹ OR NOT, R. JOSHUA RULES THAT THE CLEAN BECOMES UNCLEAN,¹² BUT THE SAGES RULE THAT THE CLEAN REMAINS CLEAN.

MISHNAH 3. IF A TREE STANDING IN A PUBLIC DOMAIN HAD WITHIN IT AN OBJECT OF UNCLEANNESS AND A MAN CLIMBED TO THE TOP OF IT, AND THE DOUBT AROSE AS TO WHETHER HE DID OR DID NOT TOUCH THE OBJECT OF UNCLEANNESS. SUCH A CONDITION OF DOUBT IS DEEMED UNCLEAN.¹³ IF A MAN¹⁴ PUT HIS HAND INTO A HOLE IN WHICH THERE WAS AN OBJECT OF UNCLEANNESS AND THERE IS DOUBT WHETHER HE DID OR DID NOT TOUCH IT, SUCH A CONDITION OF DOUBT IS DEEMED UNCLEAN.¹³ IF A SHOP THAT WAS UNCLEAN WAS OPEN TOWARD A PUBLIC DOMAIN AND THERE IS DOUBT WHETHER A MAN DID OR DID NOT ENTER IT, SUCH A CONDITION OF DOUBT IS DEEMED CLEAN.¹⁵ IF THERE IS DOUBT WHETHER HE DID OR DID NOT TOUCH ANYTHING, SUCH A CONDITION OF DOUBT IS DEEMED CLEAN.¹⁶ IF THERE WERE TWO SHOPS, THE ONE UNCLEAN AND THE OTHER CLEAN, AND A MAN ENTERED INTO ONE OF THEM, AND A DOUBT AROSE AS TO WHETHER HE ENTERED THE UNCLEAN, OR THE CLEAN ONE, SUCH A CONDITION OF DOUBT IS DEEMED UNCLEAN.¹⁷

MISHNAH 4. HOWEVER MANY THE DOUBTS AND THE DOUBTS ABOUT

TOHOROS

DOUBTS THAT ONE CAN MULTIPLY, A CONDITION OF DOUBT IN A PRIVATE DOMAIN IS DEEMED UNCLEAN, AND IN A PUBLIC DOMAIN IT IS DEEMED CLEAN. FOR INSTANCE? IF A MAN ENTERED AN ALLEY¹⁸ AND AN UNCLEAN OBJECT WAS IN THE COURTYARD, AND A DOUBT AROSE AS TO WHETHER THE MAN DID OR DID NOT ENTER IT;¹⁹ OR IF AN OBJECT OF UNCLEANNESS WAS IN A HOUSE AND THERE IS DOUBT WHETHER A MAN ENTERED OR NOT; OR EVEN WHERE HE ENTERED, THERE IS DOUBT WHETHER THE UNCLEANNESS WAS THERE OR NOT; OR EVEN WHERE IT WAS THERE, THERE IS DOUBT WHETHER IT CONSISTED OF THE PRESCRIBED MINIMUM OR NOT; OR EVEN WHERE IT CONSISTED OF THE PRESCRIBED MINIMUM, THERE IS DOUBT WHETHER IT WAS UNCLEAN OR CLEAN; OR, EVEN WHERE IT WAS UNCLEAN, THERE IS DOUBT WHETHER THE MAN HAD TOUCHED IT OR NOT, ANY SUCH CONDITION OF DOUBT IS DEEMED UNCLEAN. R. ELIEZER²⁰ RULED: ANY CONDITION OF DOUBT IN REGARD TO ENTERING IS DEEMED CLEAN, BUT ANY CONDITION OF DOUBT IN REGARD TO CONTACT WITH THE UNCLEANNESS IS DEEMED UNCLEAN.²¹

MISHNAH 5. IF A MAN ENTERED A VALLEY²² IN THE RAINY SEASON²³ AND THERE WAS AN UNCLEANNESS IN A CERTAIN FIELD, AND HE STATED, 'I WENT INTO THAT PLACE²⁴ BUT I DO NOT KNOW WHETHER I ENTERED THAT FIELD²⁵ OR NOT', R. ELIEZER RULES THAT HE IS CLEAN,²⁶ BUT THE SAGES RULE THAT HE IS UNCLEAN.²⁷

MISHNAH 6. A CONDITION OF DOUBT OCCURRING IN A PRIVATE DOMAIN IS DEEMED UNCLEAN UNLESS THE MAN CONCERNED CAN SAY, 'I DID NOT TOUCH THE UNCLEAN THING'. A CONDITION OF DOUBT IN A PUBLIC DOMAIN IS DEEMED CLEAN UNLESS THE MAN CONCERNED CAN SAY, 'I DID TOUCH THE UNCLEAN

THING'. WHAT IS REGARDED AS A PUBLIC DOMAIN? THE PATHS OF BETH GILGUL²⁸ AND SIMILAR PLACES ARE REGARDED AS A PRIVATE DOMAIN²⁹ IN RESPECT OF THE LAWS OF THE SABBATH, AND A PUBLIC DOMAIN IN RESPECT OF THOSE OF UNCLEANNESS.³⁰ R. ELIEZER³¹ STATED: THE PATHS OF BETH GILGUL WERE MENTIONED ONLY BECAUSE THEY ARE REGARDED AS A PRIVATE DOMAIN IN BOTH RESPECTS.³² PATHS THAT OPEN OUT TOWARDS CISTERNS, PITS, CAVERNS OR WINE-PRESSES ARE REGARDED AS A PRIVATE DOMAIN IN RESPECT OF THE LAWS OF THE SABBATH AND AS A PUBLIC DOMAIN IN RESPECT OF THOSE OF UNCLEANNESS.

MISHNAH 7. A VALLEY IN SUMMER TIME³³ IS REGARDED AS A PRIVATE DOMAIN IN RESPECT OF THE LAWS OF THE SABBATH, BUT AS A PUBLIC DOMAIN IN RESPECT OF THOSE OF UNCLEANNESS; AND IN THE RAINY SEASON³⁴ IT IS REGARDED AS A PRIVATE DOMAIN IN BOTH RESPECTS.³⁵

MISHNAH 8. A BASILICA³⁶ IS REGARDED AS A PRIVATE DOMAIN IN RESPECT OF THE LAWS OF THE SABBATH BUT AS A PUBLIC DOMAIN IN RESPECT OF THOSE OF UNCLEANNESS. R. JUDAH RULED: IF A MAN STANDING AT ONE DOOR CAN SEE THOSE THAT ENTER AND LEAVE AT THE OTHER DOOR, IT IS REGARDED AS A PRIVATE DOMAIN IN BOTH RESPECTS; OTHERWISE IT IS REGARDED AS A PRIVATE DOMAIN IN RESPECT OF THE SABBATH AND AS A PUBLIC DOMAIN IN RESPECT OF UNCLEANNESS.

MISHNAH 9. A FORUM³⁷ IS REGARDED AS A PRIVATE DOMAIN IN RESPECT OF THE SABBATH LAWS AND AS A PUBLIC DOMAIN IN RESPECT OF THE LAWS OF UNCLEANNESS; AND THE SAME APPLIES TO ITS SIDES.³⁸ R. MEIR RULED: THE SIDES ARE REGARDED AS A PRIVATE DOMAIN IN BOTH RESPECTS.³⁹

TOHOROS

MISHNAH 10. COLONNADES⁴⁰ ARE REGARDED AS A PRIVATE DOMAIN IN RESPECT OF THE SABBATH LAWS AND AS A PUBLIC DOMAIN IN RESPECT OF THE LAWS OF UNCLEANNESS. A COURTYARD INTO WHICH MANY PEOPLE ENTER BY ONE DOOR AND LEAVE BY ANOTHER,⁴¹ IS REGARDED AS A PRIVATE DOMAIN IN RESPECT OF THE SABBATH LAWS AND AS A PUBLIC DOMAIN IN RESPECT OF THE LAWS OF CLEANNESS.

1. A valley, for instance, is a private domain in the winter when on account of the growing crops people are kept out of it, and a public domain in the summer when many laborers carry on in it the various activities associated with the harvest.
2. Where he was found to be dead.
3. Sc. if there is doubt whether a person had touched him while he was still alive or when he was already dead.
4. It being assumed that he was dead in the private domain before he was taken out into the public domain. Hence the man who touched him in the private domain, whether before or after he had been taken into the public domain, is deemed unclean.
5. And any one who touched him in the public domain before he was brought back into the private domain remains clean.
6. Between the first and the second presence in the private domain; sc. since the dead man is deemed to have been alive while he was in the public domain he cannot possibly have been dead prior to that. Hence any condition of doubt during his first presence in the private domain must be deemed clean.
7. A leper.
8. Under any form of roof.
9. The doubt arising whether (a) there was contact between the two or (b) the man that walked remained stationary for a moment while under the roof (cf. prev. n.) and the clean man thus contracted uncleanness by overshadowing.
10. Cf. prev. n.
11. Of the unclean by the clean.
12. In his opinion a doubt involving both a private and a public domain is to be regarded as involving the former alone.
13. Because though, in respect of the Sabbath laws, a tree or a hole in a public domain is regarded as a public domain, in respect of uncleanness it is treated as a private domain.
14. While standing in the public domain.
15. The unclean shop in the public domain is on a par with a dead creeping thing lying in a public domain, and the doubt concerning entry into it is on a par with the doubt concerning the touching of the creeping thing; the former, therefore, like the latter are deemed clean (cf. *supra* V, lf).
16. Cf. prev. n.
17. Since there is no doubt that he entered one private domain at least.
18. Which in this respect is like a private domain.
19. The courtyard.
20. *Var. lec.* Eleazar.
21. This is derived by analogy from the conditions governing a Sotah, (v. Glos).
22. Comprising many fields.
23. When the fields are sown and, therefore, regarded as a private domain.
24. The valley.
25. Which contained the uncleanness.
26. Since the fields are separated from each other the condition of doubt is one relating to entry which is deemed clean.
27. Because the valley unites all the fields into one unit.
28. Which are not frequented by many people. On Beth Gilgul v. *MGWJ* 1921, p. 88 and 320.
29. Sc. not a public domain. They are in fact a *Karmelith* (v. Glos).
30. Even if less than three men were present when the doubt arose. Where three men are present even a private domain proper is treated as a public domain in respect of the laws of uncleanness.
31. *Var. lec.* Eleazar.
32. The laws of the Sabbath and the laws of uncleanness.
33. When it is frequented by the laborers engaged in it in various harvesting activities.
34. When it is deserted.
35. V. p. 393, n. 9.
36. A large hall with doors opening in all directions, used as a public meeting place but not as a thoroughfare.
37. Faron, a building in the style of a basilica whose doors are directly opposite one another. Aliter: A house in the heart of a public domain.
38. On either side of the passage from one door to the other.
39. The laws of the Sabbath and the laws of uncleanness.
40. In front of shops, having behind them raised benches on which the traders sit or display their wares.
41. Though the doors are not directly opposite one another.

TOHOROS

CHAPTER VII

MISHNAH 1. IF A POTTER¹ LEFT HIS POTS² AND WENT DOWN TO DRINK,³ THE INNERMOST POTS REMAIN CLEAN⁴ BUT THE OUTER ONES ARE DEEMED UNCLEAN.⁵ R. JOSE RULED: THIS APPLIES ONLY WHERE THEY ARE NOT TIED TOGETHER, BUT WHERE THEY ARE TIED TOGETHER, ALL THE POTS⁶ ARE DEEMED CLEAN.⁷ IF A MAN ENTRUSTED HIS KEY TO AN 'AM HA-AREZ THE HOUSE REMAINS CLEAN, SINCE HE ENTRUSTED HIM ONLY WITH THE GUARDING OF THE KEY.⁸

MISHNAH 2. IF A MAN LEFT AN 'AM HA-AREZ IN HIS HOUSE AWAKE AND⁹ FOUND HIM AWAKE, OR ASLEEP AND⁹ FOUND HIM ASLEEP, OR AWAKE AND⁹ FOUND HIM ASLEEP, THE HOUSE REMAINS CLEAN.¹⁰ IF HE LEFT HIM ASLEEP AND FOUND HIM AWAKE, THE HOUSE IS DEEMED UNCLEAN;¹¹ SO R. MEIR. BUT THE SAGES RULED: ONLY THAT PART IS UNCLEAN TO WHICH HE CAN STRETCH OUT HIS HAND AND TOUCH IT.¹²

MISHNAH 3. IF ONE LEFT CRAFTSMEN IN HIS HOUSE, THE HOUSE IS DEEMED UNCLEAN; SO R. MEIR. BUT THE SAGES RULED: ONLY THAT PART IS UNCLEAN TO WHICH THEY CAN STRETCH OUT THEIR HANDS AND TOUCH IT.¹³

MISHNAH 4. IF THE WIFE OF A HABER¹⁴ LEFT THE WIFE OF AN 'AM HA-AREZ GRINDING CORN IN HER HOUSE, THE HOUSE IS DEEMED UNCLEAN IF SHE CEASED FROM TURNING THE HANDMILL,¹⁵ BUT IF SHE DID NOT CEASE FROM TURNING THE HANDMILL, ONLY THAT PART OF THE HOUSE IS DEEMED UNCLEAN TO WHICH SHE CAN STRETCH OUT HER HAND AND TOUCH IT. IF THERE WERE TWO WOMEN,¹⁶ THE HOUSE IS UNCLEAN IN EITHER CASE,¹⁷ SINCE, WHILE THE ONE IS GRINDING, THE OTHER CAN GO ABOUT TOUCHING; SO R. MEIR. BUT THE SAGES RULED: ONLY

THAT PART OF THE HOUSE IS UNCLEAN TO WHICH THEY CAN STRETCH OUT THEIR HANDS AND TOUCH IT.

MISHNAH 5. IF A MAN LEFT AN 'AM HA-AREZ IN HIS HOUSE TO GUARD IT, WHENEVER HE¹⁸ CAN SEE THOSE THAT ENTER AND LEAVE,¹⁹ ONLY FOODSTUFFS AND LIQUIDS AND UNCOVERED EARTHENWARE ARE DEEMED UNCLEAN,²⁰ BUT COUCHES AND SEATS AND EARTHENWARE THAT HAVE TIGHTLY FITTING COVERS REMAIN CLEAN; AND WHENEVER HE¹⁸ CANNOT SEE EITHER THOSE WHO ENTER OR THOSE WHO LEAVE,¹⁹ EVEN THOUGH THE 'AM HA-AREZ²¹ HAS TO BE LED AND EVEN THOUGH HE WAS BOUND, ALL IS DEEMED UNCLEAN.²²

MISHNAH 6. IF TAX COLLECTORS²³ ENTERED A HOUSE,²⁴ THE HOUSE²⁵ IS DEEMED UNCLEAN.²⁶ EVEN THOUGH AN IDOLATER WAS WITH THEM²⁷ THEY ARE BELIEVED IF THEY SAY,²⁸ 'WE HAVE ENTERED BUT TOUCHED NOTHING'.²⁹ IF³⁰ THIEVES ENTERED A HOUSE, ONLY THAT PART IN WHICH THE FEET OF THE THIEVES HAVE TRODDEN IS DEEMED UNCLEAN.²⁹ AND WHAT DO THEY CAUSE TO BE UNCLEAN? FOODSTUFFS AND LIQUIDS AND OPEN EARTHENWARE ONLY, BUT COUCHES AND SEATS AND EARTHENWARE THAT HAVE TIGHTLY FITTING COVERS REMAIN CLEAN. IF AN IDOLATER³¹ OR A WOMAN,³² WAS WITH THEM, ALL IS DEEMED UNCLEAN.³³

MISHNAH 7. IF A MAN LEFT HIS CLOTHES IN A WALL-NICHE OF A BATH-HOUSE,³⁴ R. ELEAZAR B. AZARIAH RULES THAT THEY ARE DEEMED CLEAN,³⁵ BUT THE SAGES RULED: THEY CANNOT BE REGARDED AS CLEAN UNLESS HE GIVES HIM³⁶ THE KEY³⁷ OR THE SEAL³⁷ OR UNLESS HE LEFT SOME SIGN ON THEM. IF A MAN³⁸ LEFT³⁹ HIS CLOTHES⁴⁰ FROM ONE VINTAGE TO THE NEXT, HIS⁴¹ CLOTHES REMAIN CLEAN;⁴² BUT IF HE LEFT THEM WITH AN

TOHOROS

ISRAELITE⁴³ THE CLOTHES ARE DEEMED UNCLEAN UNLESS HE⁴⁴ DECLARES, 'I HAVE TAKEN GOOD CARE⁴⁵ TO GUARD THEM'.

MISHNAH 8. IF ONE⁴⁶ WHO WAS CLEAN HAD GIVEN UP THE THOUGHT OF EATING [HIS *TERUMAH*]. R. JUDAH RULES THAT IT⁴⁷ STILL⁴⁸ REMAINS CLEAN, SINCE IT IS USUAL FOR UNCLEAN PERSONS TO KEEP AWAY FROM IT.⁴⁹ BUT THE SAGES RULE THAT IT⁵⁰ IS DEEMED UNCLEAN.⁵¹ IF HIS HANDS WERE CLEAN AND HE HAD GIVEN UP THE THOUGHT OF EATING *TERUMAH*, EVEN⁵² THOUGH HE SAYS, 'I KNEW THAT MY HANDS HAVE CONTRACTED NO UNCLEANNESS', HIS HANDS ARE DEEMED UNCLEAN, SINCE THE HANDS ARE ALWAYS BUSY.⁵³

MISHNAH 9. IF A WOMAN WHO ENTERED HER HOUSE TO BRING OUT SOME BREAD FOR A POOR MAN AND, WHEN SHE CAME OUT, FOUND HIM STANDING AT THE SIDE OF LOAVES OF *TERUMAH*, AND SIMILARLY IF A WOMAN WHO WENT OUT FOUND HER NEIGHBOUR RAKING OUT COALS UNDER A COOKING POT OF *TERUMAH*, R. AKIBA RULES THAT THEY⁵⁴ ARE UNCLEAN, BUT THE SAGES RULE THAT THEY ARE CLEAN. SAID R. ELIEZER B. PILA:⁵⁵ IS BUT WHY DOES R. AKIBA RULE THAT THEY ARE UNCLEAN AND THE SAGES RULE THAT THEY ARE CLEAN? ONLY FOR THIS REASON: THAT WOMEN ARE GLUTTONOUS AND EACH MAY BE SUSPECTED OF UNCOVERING HER NEIGHBOUR'S COOKING POT TO GET TO KNOW WHAT SHE IS COOKING.⁵⁶

1. Who was a Haber (v. Glos).
2. In a public domain, and thereby caused obstruction on the road.
3. Thus losing sight of his wares which, in his absence, might be rendered unclean, v. n. 5.
4. V. next note.
5. Because the skirts of an 'am ha-arez might have been caught in the interior (air-space) of the pots. This is, however, not likely to happen with the inner pots, v. Keth. 24b.
6. Even the inner ones (cf. foll. n.).

7. Even the outer ones are clean, because when they are tied to the others the mouths of the pots are not sufficiently exposed upwards to catch in their interior the skirts of passers-by. Maim. reads: Unclean, because by moving the outer ones the 'am ha-arez might indirectly have moved the inner ones also to which they are tied.
8. The 'am ha-arez would not, therefore, venture to enter the house which was not placed under his care.
9. On returning.
10. For, having been left awake the 'am ha-arez would not dare to touch anything for fear that the master would return any moment. When he is left asleep and found asleep there is no need to suspect that he awoke in the meantime.
11. Since the 'am ha-arez is not afraid to move about the house touching its contents because he assumes that the owner who left him asleep would be in no hurry to return.
12. From where he lay, that is where the master found him on that same spot.
13. Without having to ascend or descend.
14. Who is trusted as much as the Haber himself.
15. Before the Haber's wife returned; since this would give her time to walk about the house and touch things.
16. Grinding the corn, each being the wife of an 'am ha-arez.
17. Whether grinding did or did not cease before the Haber's wife returned.
18. The householder.
19. The house.
20. Since the 'am ha-arez might have touched them.
21. Being incapable of walking.
22. Since another person, capable of conveying uncleanness to these objects, may have visited the house and touched them.
23. Of the 'am ha-arez class.
24. To seize a pledge for unpaid taxes.
25. Sc. all the articles in it.
26. Because, when searching the house for a pledge, they may have touched the various objects in it.
27. In which case it might have been assumed that out of fear of him they would make a thorough search and, therefore, touch every article in the house.
28. *Var. lec.* inserts, 'we did not enter; but they are not believed if they say'.
29. V. Hag. 26a.
30. *Var. lec.*, 'and so if'.
31. Who is considered as a *Zab*.
32. Who might well have been a menstruant.
33. Since he or she may have touched all the objects in the house.

TOHOROS

34. Odiarin; Aliter: A bath-attendant, Heb. Odiarin. (Var. lec., oriarin), cf. Lat. olearius.
35. Since no one would put his hands on them for fear of being suspected of stealing.
36. The bath- attendant or the bath, keeper (cf. prev. n. but one) to the owner of the clothes. Aliter: The owner of the clothes to the bath-attendant or bath-keeper.
37. Of the locker in which the clothes are kept.
38. An Israelite who was engaged in the vintage of an idolater's vineyard to prepare wine under conditions of purity.
39. With the idolater
40. That were clean.
41. Some edd. read, 'with an idolater, his'.
42. Since the idolater would not dare to touch them for fear of spoiling his vintage.
43. Who was an 'am ha-arez and who is not so conscientious in this respect.
44. The 'am ha-arez.
45. Lit., 'there was in my heart'.
46. A priest.
47. The *Terumah*. Aliter: He (the priest).
48. Despite the priest's lack of interest in it. Aliter: Despite his decision not to eat *Terumah*.
49. The *Terumah*. Aliter: Him (the priest).
50. Aliter. he.
51. Cf. prev. n. but one mut. mut.
52. *Var. lec.* 'R. Judah rules even'.
53. And consequently might have touched an unclean object without the man's awareness of it.
54. The loaves and the contents of the pot.
55. I.e., Philo. *Var. lec.* Piabi.
56. In the case of the poor man, however, R. Akiba agrees with the Sages.

CHAPTER VIII

MISHNAH 1. IF A MAN WHO DWELT IN THE SAME COURTYARD WITH AN 'AM HA-AREZ FORGOT SOME VESSELS IN THE COURTYARD, EVEN THOUGH THEY WERE JARS WITH TIGHTLY FITTING COVERS, OR AN OVEN WITH A TIGHTLY FITTING COVER, THEY ARE DEEMED UNCLEAN.¹ R. JUDAH RULES THAT AN OVEN² IS CLEAN WHENEVER IT HAS A TIGHTLY FITTING COVER. R. JOSE RULED: AN OVEN ALSO IS DEEMED UNCLEAN UNLESS IT WAS PROVIDED WITH A SCREEN TEN HANDBREADTHS HIGH.³

MISHNAH 2. IF A MAN DEPOSITED VESSELS WITH AN 'AM HA-AREZ THEY ARE DEEMED TO BE UNCLEAN WITH CORPSE UNCLEANNESS⁴ AND WITH MIDRAS UNCLEANNESS.⁵ IF THE LATTER KNEW HIM⁶ TO BE A CONSUMER OF *TERUMAH*,⁷ THEY ARE FREE FROM CORPSE UNCLEANNESS⁸ BUT⁹ ARE UNCLEAN WITH MIDRAS UNCLEANNESS.¹⁰ R. JOSE RULED: IF THE MAN⁶ ENTRUSTED HIM,¹¹ WITH A CHEST FULL OF CLOTHES, THEY ARE DEEMED TO BE UNCLEAN WITH MIDRAS WHEN THEY ARE TIGHTLY PACKED,¹² BUT IF THEY ARE NOT TIGHTLY PACKED THEY ARE ONLY DEEMED TO BE UNCLEAN WITH MIDDAF,¹³ EVEN THOUGH THE KEY IS IN THE POSSESSION OF THE OWNER.¹⁴

MISHNAH 3. IF AN ARTICLE WAS LOST DURING THE DAY AND WAS FOUND ON THE SAME DAY IT REMAINS CLEAN.¹⁵ IF IT WAS LOST DURING DAYTIME AND FOUND IN THE NIGHT, OR IF IT WAS LOST IN THE NIGHT AND FOUND DURING THE DAY¹⁶ OR IF IT WAS LOST ON ONE DAY AND FOUND ON THE NEXT DAY, IT IS DEEMED TO BE UNCLEAN.¹⁷ THIS IS THE GENERAL RULE: PROVIDED A NIGHT OR PART OF A NIGHT HAS PASSED OVER IT, IT IS DEEMED UNCLEAN. IF CLOTHES HAVE BEEN SPREAD OUT¹⁸ IN A PUBLIC DOMAIN, THEY REMAIN CLEAN;¹⁹ BUT IF IN A PRIVATE DOMAIN THEY ARE DEEMED UNCLEAN.²⁰ IF, HOWEVER, ONE KEPT WATCH OVER THEM, THEY REMAIN CLEAN.²¹ IF THEY FELL DOWN AND HE²² WENT TO BRING THEM, THEY ARE DEEMED UNCLEAN.²³ IF A MAN'S BUCKET FELL INTO THE CISTERN OF AN 'AM HA-AREZ AND HE WENT TO BRING SOMETHING WHEREWITH TO DRAW IT UP, IT IS DEEMED UNCLEAN, SINCE IT WAS LEFT FOR A TIME IN THE DOMAIN OF AN 'AM HA-AREZ.

MISHNAH 4. IF A MAN LEFT HIS HOUSE OPEN AND FOUND IT OPEN,²⁴ OR CLOSED AND FOUND IT CLOSED,²⁵ OR OPEN²⁴ AND

TOHOROS

FOUND IT CLOSED, IT REMAINS CLEAN;²⁶ BUT IF HE LEFT IT CLOSED AND FOUND IT OPEN, R. MEIR RULES THAT IT IS DEEMED UNCLEAN,²⁷ AND THE SAGES RULE THAT IT REMAINS CLEAN,²⁸ SINCE, THOUGH THIEVES HAD BEEN THERE, THEY MAY HAVE CHANGED THEIR MIND²⁹ AND GONE AWAY.

MISHNAH 5. IF THE WIFE OF AN 'AM HAREZ ENTERED A HABER'S HOUSE³⁰ TO TAKE OUT HIS SON OR HIS DAUGHTER OR HIS CATTLE, THE HOUSE REMAINS CLEAN, SINCE SHE HAD ENTERED IT WITHOUT PERMISSION.³¹

MISHNAH 6. A GENERAL RULE HAS BEEN LAID DOWN CONCERNING CLEAN FOODSTUFFS: WHATEVER IS DESIGNATED AS FOOD FOR HUMAN CONSUMPTION IS SUSCEPTIBLE TO UNCLEANNESS UNLESS IT IS RENDERED UNFIT TO BE FOOD FOR A DOG; AND WHATEVER IS NOT DESIGNATED AS FOOD FOR HUMAN CONSUMPTION IS NOT SUSCEPTIBLE TO UNCLEANNESS UNLESS IT IS DESIGNATED FOR HUMAN CONSUMPTION. FOR INSTANCE? IF³² A PIGEON FELL INTO A WINE-PRESS³³ AND ONE INTENDED TO PICK IT OUT FOR AN IDOLATER,³⁴ IT BECOMES SUSCEPTIBLE TO UNCLEANNESS; BUT IF HE INTENDED IT FOR A DOG IT IS NOT SUSCEPTIBLE TO UNCLEANNESS. R. JOHANAN B. NURI RULES THAT IT IS SUSCEPTIBLE TO UNCLEANNESS. IF A DEAF MUTE, AN IMBECILE OR A MINOR INTENDED IT AS FOOD,³⁵ IT REMAINS INSUSCEPTIBLE; BUT IF THEY PICKED IT UP³⁵ IT BECOMES SUSCEPTIBLE; SINCE ONLY AN ACT OF THEIRS³⁶ IS EFFECTIVE WHILE THEIR INTENTION IS OF NO CONSEQUENCE.

MISHNAH 7. THE OUTER PARTS OF VESSELS THAT HAVE CONTRACTED UNCLEANNESS FROM LIQUIDS, R. ELIEZER RULED, CONVEY UNCLEANNESS TO LIQUIDS³⁷ BUT³⁸ DO NOT RENDER FOODSTUFFS UNFIT.³⁹ R. JOSHUA RULED:

THEY CONVEY UNCLEANNESS TO LIQUIDS³⁷ AND ALSO RENDER FOODSTUFFS⁴⁰ UNFIT. SIMEON THE BROTHER OF AZARIAH⁴¹ RULED: THEY DO NEITHER THE ONE NOR THE OTHER,⁴² BUT LIQUIDS THAT CONTRACTED UNCLEANNESS FROM THE OUTER PARTS OF VESSELS CONVEY UNCLEANNESS⁴³ AT ONE REMOVE AND CAUSE UNFITNESS AT A SECOND REMOVE.⁴⁴ IT⁴⁵ MAY THUS SAY,⁴⁶ 'THEY⁴⁷ THAT RENDERED YOU UNCLEAN DID NOT RENDER ME UNCLEAN BUT YOU HAVE RENDERED ME UNCLEAN'.

MISHNAH 8. IF A KNEADING TROUGH WAS SLOPING DOWNWARDS AND THERE WAS DOUGH⁴⁸ IN THE HIGHER PART AND DRIPPING MOISTURE IN THE LOWER PART, THEN THREE PIECES⁴⁹ THAT JOINTLY MAKE UP THE BULK OF AN EGG⁵⁰ CANNOT⁵¹ BE COMBINED TOGETHER,⁵² BUT TWO⁵³ ARE COMBINED.⁵⁴ R. JOSE RULED: THE TWO ALSO CANNOT BE COMBINED UNLESS THEY COMPRESS LIQUID BETWEEN THEM.⁵⁵ IF THE LIQUID, HOWEVER, WAS LEVEL,⁵⁶ EVEN THOUGH THE PIECE RESEMBLED MUSTARD SEED⁵⁷ THEY⁵⁸ ARE COMBINED TOGETHER.⁵⁴ R. DOSA RULED: CRUMBLED FOOD CANNOT BE COMBINED TOGETHER.⁵⁴

MISHNAH 9. IF A STICK IS COMPLETELY COVERED WITH UNCLEAN LIQUID⁵⁹ IT BECOMES CLEAN AS SOON AS IT⁶⁰ HAS TOUCHED THE [WATER IN THE] RITUAL BATH;⁶¹ SO R. JOSHUA. BUT THE SAGES RULED: ONLY WHEN THE WHOLE OF IT⁶² IS IMMERSSED.⁶³ A JET,⁶⁴ A SLOPE⁶⁵ OR DRIPPING MOISTURE⁶⁶ DOES NOT SERVE AS A CONNECTIVE⁶⁷ EITHER FOR UNCLEANNESS⁶⁸ OR FOR CLEANNESS.⁶⁹ A POOL OF WATER,⁷⁰ HOWEVER, SERVES AS A CONNECTIVE IN RESPECT BOTH OF UNCLEANNESS AND CLEANNESS.

1. Since the jars may have been shifted by his menstruant wife (v. [Glos.](#) s. v. *Heset*). The oven, even if attached to the ground, is

TOHOROS

- deemed unclean as a preventive measure against confusing what is detached from the ground (which is unclean) with what is attached.
2. Which is attached to the ground (cf. prev. n.) and is consequently immovable.
 3. Which could serve as a reminder to the household of the '*am ha-arez* *.*) * to keep away from it.
 4. Requiring sprinkling with the ashes of the red heifer on the third and the seventh day.
 5. So that any man that carried them or was carried on them becomes unclean.
 6. The depositor.
 7. I.e., a priest.
 8. It is assumed that the '*am ha-arez* will keep away from the *Terumah* if he suffers from corpse uncleanness.
 9. If the vessels are suitable for midras.
 10. For, though the man might take care to keep them in a condition of cleanness in respect of corpse uncleanness, he cannot be sure that his wife did not sit on them during her menstruation uncleanness.
 11. The '*am ha-arez*.
 12. Since one sitting on the lid would exercise pressure on all the clothes.
 13. A minor grade of uncleanness that can be conveyed to foodstuffs and liquids only.
 14. Since shifting (Heset) is possible in a closed chest also.
 15. Had any man touched it he would also have picked it up.
 16. Sc. on the next day.
 17. With midras. In the darkness of the night a menstruant or an idolater may have trodden on the lost article without being aware of it.
 18. To dry.
 19. As any other condition of doubt in a public domain which is deemed clean. There is no need to provide, as is the case with a lost article, against the possibility of midras, since people as a rule do not tread on clothes that are spread out to dry.
 20. As is the rule with a condition of doubt in such a domain.
 21. Even in a private domain. There is no need to consider the possibility of an occasional lapse.
 22. Having lost sight of them.
 23. They might have contracted an uncleanness while they were out of sight.
 24. Finding it open, a thief would be afraid to enter, knowing as he does that the owner might at any moment return.
 25. In which case it is unlikely that a thief has dared and managed to open it, to touch the objects within, and also to close it.
 26. Cf. prev. two notes.
 27. A thief having apparently been there.
 28. If nothing had been stolen.
 29. Before they touched anything in the house.
 30. Without his permission.
 31. Though it was for the owner's benefit, she is afraid to remain in it long enough to touch its contents.
 32. With reference to the last clause.
 33. Where it died and deteriorated and thus became unfit for human consumption.
 34. Who does not mind eating the bird even in its deteriorated condition.
 35. For an idolater's consumption.
 36. In this case the picking out.
 37. Even if the latter are unconsecrated.
 38. Since their uncleanness is only Rabbinical.
 39. Even if they were *Terumah*.
 40. Of *Terumah*.
 41. V. Zeb. 2a.
 42. Sc. they neither convey uncleanness to unconsecrated liquids nor to foodstuffs or *Terumah*.
 43. To *Terumah*.
 44. If the *Terumah* they have rendered unclean touched other *Terumah*.
 45. The *Terumah*.
 46. To the liquids from which it contracted the uncleanness.
 47. The outer parts of the vessels.
 48. That was unclean.
 49. Two of which are on the dry part of the trough and one within the liquid, the middle one touching the upper piece and the lower piece while separating them from each other.
 50. The prescribed minimum for conveying uncleanness.
 51. On account of the two pieces that do not directly touch each other (cf. prev. n. but one).
 52. To convey uncleanness to the liquid which in turn would have conveyed uncleanness to the trough.
 53. Sc. the middle one and the one below it in the liquid, if together they make up the bulk of an egg.
 54. To constitute the prescribed minimum.
 55. Sc. they are so close to each other that the liquid between them seems to be compressed.
 56. Lit., 'standing', the trough lying level and the pieces of unclean dough floating in the liquid.
 57. Small and numerous but together making up the bulk of an egg.
 58. On account of the liquid that forms a connecting link.
 59. Water. The ruling does not apply to any other liquids.
 60. Sc. only one end of it.

TOHOROS

61. Though the remainder of the stick was outside the water. The water on the stick, which forms a slope, serves as a connective.
62. The stick.
63. Only then does the water on the stick become clean.
64. Of water.
65. Water running down an incline.
66. With which one touching it could not moisten another object.
67. Between the clean vessel from which it comes and the unclean one into which it descends.
68. If the jet of water, for instance, came from a clean vessel, that vessel remains clean though the jet descended into an unclean vessel.
69. As, for instance, in the case of the stick, if the lower end alone touched the ritual bath the stick remains unclean.
70. Lit., 'a marsh', a collection of standing water.

CHAPTER IX

MISHNAH 1. AT WHAT STAGE DO OLIVES¹ BECOME SUSCEPTIBLE TO UNCLEANNESS?² WHEN THEY EXUDE THE MOISTURE [PRODUCED] BY [THEIR LYING IN] THE VAT³ BUT NOT THE ONE [PRODUCED WHILE THEY ARE STILL] IN THE BASKET.⁴ THIS IS ACCORDING TO THE VIEW OF BETH SHAMMAI. R. SIMEON RULED: THE MINIMUM TIME PRESCRIBED FOR PROPER EXUDATION⁵ IS THREE DAYS.⁶ BETH HILLEL RULED: AS SOON AS THREE OLIVES STICK TOGETHER.⁷ R. GAMALIEL RULED: AS SOON AS THEIR PREPARATION⁸ IS FINISHED;⁹ AND THE SAGES AGREE WITH HIS VIEW.

MISHNAH 2. IF A MAN HAD FINISHED THE GATHERING¹⁰ BUT INTENDED TO BUY SOME MORE,¹¹ OR IF HE HAD FINISHED BUYING BUT INTENDED TO BORROW¹² SOME MORE, OR IF¹³ A TIME OF MOURNING, A WEDDING FEAST OR SOME OTHER HINDRANCE BEFELL HIM¹⁴ THEN EVEN IF ZABS AND ZABAHS WALKED OVER THEM¹⁵ THEY¹⁵ REMAIN CLEAN.¹⁶ IF ANY UNCLEAR LIQUIDS FELL UPON THEM,¹⁵ ONLY THE PLACE WHERE IT TOUCHED THEM BECOMES UNCLEAR,¹⁷ AND ANY SAP THAT ISSUES FORTH FROM THEM¹⁸ IS¹⁹ CLEAN.²⁰

MISHNAH 3. WHEN THEIR PREPARATION IS FINISHED THEY¹⁵ BECOME SUSCEPTIBLE TO UNCLEANNESS. IF AN UNCLEAR LIQUID FELL UPON THEM THEY²¹ BECOME UNCLEAR.²² THE SAP THAT ISSUES FROM THEM²³ R. ELIEZER RULES IS CLEAN,²⁰ BUT THE SAGES²⁴ RULE THAT IT IS UNCLEAR. R. SIMEON STATED: THEY DID NOT DISPUTE THE RULING THAT SAP THAT ISSUES FROM OLIVES IS CLEAN; BUT ABOUT WHAT DID THEY DIFFER? ABOUT THAT WHICH COMES FROM THE VAT,²⁵ WHICH R. ELIEZER REGARDS AS CLEAN AND THE SAGES REGARD AS UNCLEAR.²⁶

MISHNAH 4. IF A MAN²⁷ HAD FINISHED [THE GATHERING OF HIS OLIVES] AND²⁸ PUT²⁹ ASIDE³⁰ ONE BASKETFUL, LET³¹ HIM GIVE IT TO A POOR³² PRIEST;³³ SO R. MEIR. R. JUDAH RULED: HE³⁴ MUST HAND HIM³⁵ OVER THE KEY FORTHWITH.³⁶ R. SIMEON RULED:³⁷ WITHIN TWENTY-FOUR HOURS.

MISHNAH 5. IF A MAN PUT HIS OLIVES IN A BASKET,³⁸ THAT THEY MIGHT BE SOFTENED SO THAT THEY BE EASY TO PRESS, THEY BECOME SUSCEPTIBLE TO UNCLEANNESS;³⁹ BUT IF TO BE SOFTENED SO THAT THEY MAY BE SALTED⁴⁰ BETH SHAMMAI RULED: THEY BECOME SUSCEPTIBLE. BETH HILLEL RULED: THEY DO NOT BECOME SUSCEPTIBLE.⁴¹ IF A MAN CRUSHED OLIVES⁴² WITH UNWASHED⁴³ HANDS⁴⁴ HE CAUSES THEM TO BE UNCLEAR.⁴⁵

MISHNAH 6. IF A MAN PUT HIS OLIVES ON A ROOF TO DRY, EVEN THOUGH THEY ARE PILED UP TO THE HEIGHT OF A CUBIT,⁴⁶ THEY DO NOT BECOME⁴⁷ SUSCEPTIBLE TO UNCLEANNESS.⁴⁸ IF HE PUT THEM IN THE HOUSE TO PUTRIFY, THOUGH HE INTENDS TO TAKE THEM UP ON THE ROOF,⁴⁹ OR IF HE PUT THEM ON THE ROOF THAT THEY MIGHT OPEN SO THAT THEY COULD BE SALTED,⁵⁰ THEY BECOME SUSCEPTIBLE TO UNCLEANNESS.

TOHOROS

IF HE PUT THEM IN THE HOUSE WHILE HE SECURED⁵¹ HIS ROOF⁵² OR UNTIL HE COULD TAKE THEM ELSEWHERE,⁵³ THEY DO NOT BECOME SUSCEPTIBLE TO UNCLEANNESS.⁴⁸

MISHNAH 7. IF THE MAN DESIRED TO TAKE FROM THEM⁵⁴ [A QUANTITY SUFFICIENT FOR] ONE PRESSING OR FOR TWO PRESSINGS,⁵⁵ BETH SHAMMAI RULED: HE MAY TAKE OFF [WHAT HE REQUIRES] IN A CONDITION OF UNCLEANNESS,⁵⁶ BUT MUST COVER UP [WHAT HE TAKES] IN A CONDITION OF CLEANNESS.⁵⁷ BETH HILLEL RULED: HE MAY ALSO COVER IT UP IN A CONDITION OF UNCLEANNESS.⁵⁸ R. JOSE RULED: HE MAY⁵⁹ DIG OUT [WHAT HE REQUIRES] WITH METAL AXES⁶⁰ AND CARRY IT TO THE PRESS IN A CONDITION OF UNCLEANNESS.⁶¹

MISHNAH 8. IF A [DEAD] CREEPING THING WAS FOUND IN THE MILLING STONES,⁶² ONLY THE PLACE THAT IT HAS TOUCHED BECOMES UNCLEAN; BUT IF THE MOISTURE WAS RUNNING,⁶³ ALL BECOMES UNCLEAN.⁶⁴ IF IT⁶⁵ WAS FOUND ON THE LEAVES,⁶⁶ THE OLIVE-PRESS MEN⁶⁷ SHALL BE ASKED⁶⁸ WHETHER THEY CAN SAY, 'WE DID NOT TOUCH IT'. IF IT⁶⁵ TOUCHED THE MASS [OF OLIVES], EVEN BY AS LITTLE AS THE BULK OF A BARLEY GRAIN, [THE MASS BECOMES] UNCLEAN.

MISHNAH 9. IF IT⁶⁵ WAS FOUND ON BROKEN OFF PIECES⁶⁹ BUT IT TOUCHED AS MUCH AS AN EGGS BULK,⁷⁰ [THE ENTIRE MASS] BECOMES UNCLEAN.⁷¹ IF IT WAS FOUND ON SEVERED PIECES THAT LAY UPON OTHER SEVERED PIECES,⁷² EVEN THOUGH IT TOUCHED⁷³ AS MUCH AS AN EGG'S BULK⁷⁰ ONLY THE PLACE⁷³ IT TOUCHED BECOMES UNCLEAN.⁷⁴ IF IT⁶⁵ WAS FOUND BETWEEN THE WALL AND THE OLIVES, THE LATTER REMAIN CLEAN.⁷⁵ IF IT WAS FOUND [ON OLIVES⁷⁶ THAT WERE LYING] ON THE ROOF [OF THE VAT],⁷⁷ [THE OLIVES IN] THE VAT

REMAIN CLEAN.⁷⁵ IF IT⁶⁵ WAS FOUND IN THE VAT, [THE OLIVES ON] THE ROOF⁷⁶ ARE [ALSO] REGARDED AS UNCLEAN.⁷⁸ IF IT⁶⁵ WAS FOUND BURNT⁷⁹ UPON THE OLIVES, AND SO ALSO IN THE CASE OF A RAG⁸⁰ THAT WAS SCORCHED,⁸¹ [THE OLIVES REMAIN] CLEAN, BECAUSE ALL CASES OF UNCLEANNESS ARE DETERMINED IN ACCORDANCE WITH THEIR APPEARANCE AT THE TIME THEY ARE FOUND.⁸²

1. That are intended for the manufacture of oil.
2. On account of the moisture they exude.
3. This liquid being desired and welcomed by the owner is, like all liquids that are deliberately put on foodstuffs or whose presence on the food is desired, capable of rendering the olives susceptible to uncleanness, v. Maksh. I, 1.
4. In which the olives are gathered and the moisture in which runs to waste through its holes. Such moisture is useless to the owner and, therefore, undesired by him (cf. prev. n.).
5. Before which time the moisture cannot be regarded as valid oil.
6. Only after the third day can the moisture be regarded as oil and thus render the olives susceptible to uncleanness. Seven kinds of liquids, of which oil is one, are capable of imparting such susceptibility to foodstuffs.
7. In the vat, owing to the moisture exuded.
8. Lit., 'their work'.
9. Sc. when no more olives are to be added to the batch of olives finally harvested and ready to be placed in the vat. It is then that exudation is desired and it is, therefore, then that the liquid is capable of rendering the olives susceptible to uncleanness.
10. Of his olives, from the tree.
11. To add to those in the vat; in consequence of which the exudation of the first batch is unwelcome, since by the time the second batch would begin to exude the first would be too soft and spoilt.
12. *Var. lec.* 'to gather'. Cf. prev. n.
13. Before he completed the packing of the vat.
14. So that he is compelled to complete the packing later, and the exudation of the first batch is consequently unwelcome to him (cf. prev. n. but two).
15. The olives.
16. Since the liquid, as stated *supra*, was undesired and, therefore, incapable of rendering the olives susceptible.

TOHOROS

17. Because only that place that has been touched by the liquid has been rendered by it susceptible to uncleanness as well as unclean simultaneously.
18. Before the packing has been completed.
19. Since it is unwelcome.
20. Sc. it neither causes the olives to be susceptible to uncleanness nor does it itself contract any uncleanness.
21. Even the olives that have not been directly touched by the liquid.
22. Since the unclean liquid is mixed up with their sap.
23. Which, according to R. Eliezer, is no proper oil and cannot, therefore, be classed among the seven liquids that render foodstuffs susceptible to uncleanness.
24. Regarding the sap as one of the liquids that may cause susceptibility to the uncleanness of foodstuffs.
25. After the good oil had been removed.
26. Since some particles of good oil must remain in it.
27. Who was an 'am ha-arez and who, after the season of gathering, is not trusted to keep his olives in conditions of cleanness.
28. In order that it may not become susceptible to uncleanness like the others.
29. *Var. lec.* 'let him put'.
30. To keep it in conditions of cleanness so that *Terumah* for the priest may be taken from it.
31. *Var. lec.*, 'and let'.
32. *Var. lec.*, 'in the presence of a'. The reading 'poor' does not exclude a wealthy priest; but the scanty *Terumah* given after the season is usually allotted to a poor priest.
33. Who must himself press out the oil and take off the *Terumah* under conditions of certain cleanness.
34. Who was an 'am ha-arez and who, after the season of gathering, is not trusted to keep his olives in conditions of cleanness.
35. The priest.
36. Sc. the same day on which the gathering of his olives had been finished; thus making sure that no uncleanness whatsoever could be conveyed to them.
37. With reference to the time within which the key must be given to the priest.
38. *Var. lec.*, 'press'.
39. Owing to the exuding moisture which was welcomed by him.
40. And eaten in that condition.
41. Since the exuding moisture is not welcomed, the owner preferring it to remain in the olives.
42. Of *Terumah*.
43. Lit., 'unclean'.
44. Which, unless washed, are always deemed to be unclean in the second grade and to convey invalidity to *Terumah* and first grade uncleanness to liquids.
45. As the exuding moisture is welcomed by him it renders the olives susceptible to uncleanness and also unclean in the second grade, since the moisture that becomes unclean in the first grade conveys to the olives an uncleanness of the second grade.
46. So that the weight of the upper olives inevitably presses down on the lower ones and causes exudation.
47. *Var. lec.*, 'behold they are'.
48. Since the exuding moisture is not welcomed, the owner preferring it to remain in the olives.
49. To dry.
50. *Var. lec.*, 'that they might putrefy or open'.
51. Aliter: While he prepares a watchman's hut on.
52. Where they are subsequently to be taken to dry.
53. Cf. prev. n.
54. The mass of olives that are not yet susceptible to uncleanness.
55. Sc. he is not taking the entire batch to which he intends to add some more olives.
56. And it nevertheless remains clean, since the olives are still unsusceptible to uncleanness.
57. Since its separation from the mass constitutes the completion of its preparation for the olive-press and the exuding moisture renders it susceptible to uncleanness.
58. So long as the greater part of the mass remains in the basket incomplete.
59. Even when moving the entire mass.
60. Though such axes are subject to many restrictions of uncleanness.
61. In his opinion the olives remain unsusceptible to uncleanness until the actual pressing had begun.
62. Of olives.
63. Thus connecting the creeping thing with the mass of olives.
64. From contact with the moisture that contracted uncleanness from the creeping thing.
65. The creeping thing.
66. That cover up the olives, and that are unsusceptible to uncleanness.
67. Though they belong to the class of the 'am ha-arez.
68. Since in this matter even the word of an 'am ha-arez may be relied upon.
69. Of the main mass of olives, each piece being less than egg's bulk and lying on the main mass.
70. Made up of the broken off pieces.

TOHOROS

71. On account of its contact with the egg's bulk of the small pieces that contracted uncleanness from the creeping thing.
72. The former being separated from the main mass by the latter.
73. Of the upper pieces.
74. The lower pieces remain clean since each in turn only touched an unclean piece above it that was smaller than the prescribed minimum. The pieces are not combined to constitute the required bulk.
75. It being assumed that it had never touched them.
76. Taken from the vat.
77. To dry.
78. As these olives were once in the vat it is assumed that the creeping thing was there with them before they were taken up to the roof.
79. When it no longer conveys any uncleanness.
80. Of a *Zab*.
81. V. p. 408, n. 18.
82. Hence it is assumed that the creeping thing or the scorched rag was in that condition during all the time that it lay on the olives.

CHAPTER X

MISHNAH 1. IF A MAN LOCKED IN THE LABOURERS¹ IN THE OLIVE-PRESS² AND THERE WERE OBJECTS THEREIN SUFFERING MIDRAS UNCLEANNESS, R. MEIR RULED: THE OLIVE-PRESS IS DEEMED TO BE UNCLEAN.³ R. JUDAH RULED: THE OLIVE-PRESS REMAINS CLEAN.⁴ R. SIMEON RULED: IF THEY⁵ REGARD THEM⁶ AS CLEAN, THE OLIVE-PRESS IS DEEMED UNCLEAN;⁷ BUT IF THEY REGARD THEM AS UNCLEAN,⁸ THE OLIVE-PRESS REMAINS CLEAN. SAID R. JOSE: WHY INDEED IS UNCLEANNESS IMPOSED?⁹ ONLY BECAUSE THE 'AM HAREZ CLASS¹⁰ ARE NOT VERSED IN THE LAWS OF HESSET.¹¹

MISHNAH 2. IF THE LABOURERS IN AN OLIVE-PRESS¹² WENT IN AND OUT,¹³ AND IN THE OLIVE-PRESS¹⁴ THERE WAS UNCLEAN LIQUID, THE LABOURERS REMAIN CLEAN IF THERE IS SPACE ENOUGH BETWEEN THE LIQUID AND THE OLIVES FOR THEIR FEET TO BE DRIED¹⁵ ON THE GROUND.¹⁶ IF AN UNCLEANNESS

WAS FOUND IN A FRONT OF LABOURERS¹⁷ IN THE OLIVE-PRESS OR GRAPE HARVESTERS,¹⁷ THEY ARE BELIEVED IF THEY DECLARE, 'WE HAVE NOT TOUCHED IT'; AND THE SAME LAW APPLIES ALSO TO THE YOUNG CHILDREN¹⁸ AMONG THEM.¹⁹ THEY²⁰ MAY, FURTHERMORE, GO OUTSIDE THE DOOR OF THE OLIVE-PRESS AND RELIEVE THEMSELVES BEHIND THE WALL, AND STILL BE DEEMED CLEAN. HOW FAR MAY THEY GO AND STILL BE DEEMED CLEAN? AS FAR AS THEY CAN BE SEEN.²¹

MISHNAH 3. IF THE LABOURERS IN THE OLIVE-PRESS OR THE GRAPE HARVESTERS WERE ONLY BROUGHT WITHIN THE PRECINCTS OF THE CAVERN²² IT SUFFICES;²³ SO R. MEIR. R. JOSE RULED: IT IS NECESSARY THAT ONE²⁴ SHOULD STAND OVER THEM UNTIL IMMERSION IS PERFORMED.²⁵ R. SIMEON RULED: IF THEY REGARD THE VESSELS AS CLEAN, ONE MUST STAND OVER THEM UNTIL THEIR IMMERSION IS PERFORMED; BUT IF THEY REGARD THEM AS UNCLEAN, IT IS NOT NECESSARY FOR ONE TO STAND OVER THEM UNTIL IMMERSION IS PERFORMED.

MISHNAH 4. IF A MAN DESIRES TO PUT GRAPES [INTO THE WINE-PRESS] FROM THE BASKETS OR FROM WHAT WAS SPREAD OUT ON THE GROUND, BETH SHAMMAI RULED: HE MUST PUT THEM IN WITH CLEAN HANDS, FOR IF HE PUTS THEM IN WITH UNCLEAN HANDS HE RENDERS THEM UNCLEAN.²⁶ BETH HILLEL RULED: HE MAY PUT THEM IN WITH UNCLEAN HANDS AND YET HE MAY SET ASIDE HIS *TERUMAH* IN A CONDITION OF CLEANNESS.²⁷ [IF THEY ARE TAKEN] FROM THE GRAPE-BASKET²⁸ OR FROM WHAT WAS SPREAD OUT ON LEAVES,²⁹ ALL AGREE THAT THEY MUST BE PUT IN WITH CLEAN HANDS, FOR IF THEY ARE PUT IN WITH UNCLEAN HANDS THEY BECOME UNCLEAN.

TOHOROS

MISHNAH 5. IF A MAN EATS GRAPES OUT OF THE BASKETS OR FROM WHAT IS SPREAD OUT ON THE GROUND, EVEN THOUGH THEY WERE BURST AND DRIPPED INTO THE WINE-PRESS, THE WINE-PRESS REMAINS CLEAN.²⁷ IF HE EATS THE GRAPES OUT OF THE GRAPE-BASKET²⁸ OR FROM WHAT WAS SPREAD OUT ON LEAVES, AND A SINGLE BERRY DROPPED INTO THE VAT, IF IT HAS A SEAL³⁰ ALL IN THE VAT REMAINS CLEAN;³¹ BUT IF IT HAS NO SEAL, ALL IN THE VAT BECOMES UNCLEAN.³² IF HE DROPPED³³ SOME OF THE GRAPES³⁴ AND TROD THEM³⁵ IN AN EMPTY PART OF THE WINE-PRESS,³⁶ THE CONTENTS OF THE LATTER REMAIN CLEAN IF THE BULK OF THE GRAPES WAS EXACTLY THAT OF AN EGG;³⁷ BUT IF IT WAS MORE THAN THE BULK OF AN EGG, THE CONTENTS BECOME UNCLEAN, FOR SO SOON AS THE FIRST DROP ISSUED IT CONTRACTED UNCLEANNESS FROM THE REMAINDER WHOSE BULK IS THAT OF AN EGG.

MISHNAH 6. IF A MAN³⁸ WAS STANDING AND SPEAKING BY THE EDGE OF THE CISTERN³⁹ AND SOME SPITTLE⁴⁰ SPIRTED FROM HIS MOUTH, AND THERE ARISES THE DOUBT WHETHER IT REACHED THE CISTERN OR NOT, THE CONDITION OF DOUBT IS REGARDED AS CLEAN.⁴¹

MISHNAH 7. IF THE CISTERN³⁹ IS EMPTIED OUT⁴² AND A [DEAD] CREEPING THING WAS FOUND IN THE FIRST JAR, ALL THE OTHER JARS ARE DEEMED UNCLEAN;⁴³ BUT IF IT WAS FOUND IN THE LAST, ONLY THAT ONE IS UNCLEAN BUT ALL THE OTHERS⁴⁴ REMAIN CLEAN.⁴⁵ WHEN DOES THIS APPLY? ONLY WHEN THE WINE IS DRAWN DIRECTLY WITH EACH JAR, BUT IF IT WAS DRAWN WITH A LADLING- JAR⁴⁶ AND A [DEAD] CREEPING THING WAS FOUND IN ONE OF THE JARS, IT ALONE⁴⁴ IS UNCLEAN.⁴⁵ WHEN DOES THIS APPLY? ONLY WHEN THE MAN EXAMINED [THE JAR AND THE LADLING-JAR]⁴⁷ BUT DID NOT⁴⁸ COVER UP [THE CISTERN AND THE

JAR],⁴⁹ OR COVERED THEM UP BUT DID NOT EXAMINE THEM;⁵⁰ BUT IF HE BOTH EXAMINED THEM AND COVERED THEM UP AND A [DEAD] CREEPING THING WAS FOUND IN ONE JAR, ALL THE CONTENTS OF THE CISTERN⁵¹ ARE DEEMED UNCLEAN; IF IT WAS FOUND IN THE CISTERN, ALL ITS CONTENTS ARE DEEMED UNCLEAN AND IF IT WAS FOUND IN THE LADLING-JAR AL THE CONTENTS OF THE CISTERN⁵¹ ARE DEEMED UNCLEAN.

MISHNAH 8. [THE SPACE] BETWEEN THE ROLLERS⁵² AND [THE PILE OF] GRAPE SKINS IS REGARDED⁵³ AS A PUBLIC DOMAIN.⁵⁴ A VINEYARD IN FRONT OF THE GRAPE HARVESTERS⁵⁵ IS DEEMED⁵³ TO BE A PRIVATE DOMAIN⁵⁶ AND THAT WHICH IS BEHIND THE HARVESTERS⁵⁷ IS DEEMED⁵³ TO BE A PUBLIC DOMAIN.⁵⁸ WHEN DOES THIS LAW⁵⁹ APPLY? ONLY WHEN THE PUBLIC ENTER AT ONE END AND GO OUT AT THE OTHER.⁶⁰ THE IMPLEMENTS OF THE OLIVE-PRESS, THE WINE-PRESS AND THE BASKET-PRESS,⁶¹ IF THEY ARE OF WOOD, NEED ONLY BE DRIED⁶² WHEN⁶³ THEY BECOME CLEAN; BUT IF THEY ARE OF REED GRASS⁶⁴ THEY MUST BE LEFT UNUSED⁶⁵ FOR TWELVE MONTHS, OR THEY MUST BE SCALDED IN HOT WATER.⁶⁶ R. JOSE RULED: IT SUFFICES IF THEY ARE IMMersed⁶⁷ IN THE CURRENT OF THE RIVER.⁶⁸

1. Who belonged to the 'am ha-arez class and who are usually careless in the observance of the laws of cleanness and uncleanness but for whose cleansing he had especially arranged.
2. Thus making sure that they would not come out and contract any uncleanness from without and that no unclean person would get in and convey uncleanness.
3. The 'am ha-arez, in his opinion, cannot be trusted to keep away from the unclean objects even in such circumstances.
4. Having been made clean for the purpose the laborers may be relied upon to keep away from all possible uncleanness.
5. The laborers.
6. The unclean objects in the olive-press.

TOHOROS

7. Since they would not mind handling those objects and thus contract and convey uncleanness.
8. In which case they would avoid them.
9. In the case under discussion.
10. Who, contrary to the view of R. Meir, are not suspected of being so careless as actually to touch an unclean object.
11. V. [Glos.](#) And, shifting one of the objects even without directly touching it, would unknowingly contract and convey uncleanness.
12. Who were free from uncleanness.
13. Walking with their bare feet on the ground.
14. On the floor.
15. Before they reached the olives.
16. In such a case the liquid which, having dried up, does not come in contact with the olives, cannot possibly convey any uncleanness to them, while the laborers themselves are not affected by the liquid which conveys no uncleanness to men.
17. V. p. 410, n. 12.
18. Who are presumed to be unclean on account of their contact with menstruants who do not refrain from embracing them.
19. Sc. they are believed if they declare that they have not touched the children.
20. Who belonged to the 'am ha-arez class and who are usually careless in the observance of the laws of uncleanness and cleanness but for whose cleansing one had especially arranged.
21. By the owner, from his position at the press.
22. Containing the ritual bath for their immersion or that of the vessels which they are going to use.
23. To regard them as clean, even if the owner did not witness the actual immersion.
24. Who is versed in the laws of immersion.
25. Since they themselves are not familiar with these laws.
26. Since unclean hands convey uncleanness to exuding liquid and the liquid in turn conveys uncleanness to the grapes.
27. The exuding liquid, in their opinion, does not render the grapes susceptible to uncleanness since in a basket or on the ground it runs to waste and is, therefore, undesired and unwelcomed.
28. Lined with pitch to prevent the waste of any liquid.
29. In which cases the liquid is not wasted and, therefore, welcomed.
30. Sc. its stalk was still on it sealing it up, so that no liquid would come forth.
31. For, though the berry became susceptible to uncleanness when it was cut with the intention of putting it in the wine-press and, in consequence, contracted uncleanness from the man's hands, it nevertheless cannot convey uncleanness to the contents of the vat since (a) a foodstuff cannot convey uncleanness to another foodstuff and (b) it is smaller than the prescribed minimum.
32. Since the liquid in the berry contracted uncleanness from the man's hands and, there being no prescribed minimum for liquids, it conveys uncleanness to the contents of the wine-press.
33. Into the wine-press.
34. Of those whose stalks were still on them, that were cut with the intention of being put into the wine-press, and that in consequence became susceptible to uncleanness and then contracted uncleanness from the hands.
35. To press the wine out.
36. Sc. one on which there was no liquid.
37. For, as soon as the first drop exudes, there remains less than the minimum prescribed for the conveyance of uncleanness.
38. An 'am ha-arez.
39. In which the wine is gathered.
40. Which is deemed unclean and, in accordance with a Rabbinical law, conveys uncleanness to foodstuffs and liquids.
41. As is the case with any other unclean object that is thrown through space.
42. With a number of jars in succession.
43. It being assumed, since an uncleanness at one time may be presumed to have existed at an earlier time, that the unclean object was in the jar all the time and that it conveyed uncleanness to all the contents of the cistern when that jar was lowered into the water.
44. Since it is not presumed that an uncleanness found in one place was first present in another place.
45. The assumption being that the unclean object in the jar was never in the cistern.
46. Which draws the wine from the cistern and then empties it into the jar.
47. Before using them.
48. After each drawing of the wine.
49. To prevent any unclean object from falling into them. In such a case it may well be assumed that it was only then that the unclean object had fallen in.
50. So that it may well be presumed that the unclean object was in the jar all the time.
51. In which it must obviously have been first.
52. Beams kept for the purpose of placing upon the grape skins (after the main part of the juice had been pressed out) in order to squeeze out any possible juice that still remained in them.
53. In respect of conditions of doubtful uncleanness which are deemed clean in public, and unclean in a private domain.

TOHOROS

54. Since many men are required for the lifting up and the carrying of the beams from their position to the pile of grape skins.
55. Sc. a vineyard or a part of it that had not yet been harvested.
56. Since the public are kept out of it.
57. Sc. the part that had already been harvested.
58. Since the public freely use it.
59. The last mentioned.
60. Otherwise it must still be regarded as a private domain.
61. 'Ikal or 'Ekel, a basket or bale of some loose texture into which the pressed out olives are packed to undergo a further process of pressing.
62. After being washed with a mixture of ashes and water.
63. After due ritual immersion.
64. Which has a greater capacity for absorption.
65. Lit., 'he causes them to grow old'.
66. After which due ritual immersion restores them to cleanness.
67. For twelve hours.
68. Where the rapidity of the water current expels the absorbed moisture.