

the birds, and here God is saying that the birds are wise, though He adds sorrowfully, 'but my people know not the judgment of the Lord.' The birds take a warning when it is given, but boys and girls often think they know better and don't need it.

A wise man in the Old Testament wrote about 'the evil days' that are ahead of us. He said, 'Remember now thy Creator in the days of thy youth, while the evil days come not.' That is the chill of Winter he is meaning. He was thinking of

the temptations that lie before us all, and the dangers we may meet in life. We must prepare for them soon. We must not let our heart grow cold and loveless. We must not let the winter frost come over it. We should keep it warm with love to Christ. If we make Him our companion, and tell Him our troubles and our secret thoughts, we are taking the best way to ensure our happiness and to keep the warmth of Summer in our hearts. That is the message of the birds and the leaves in September for boys and girls.

## The Calendar, the Sabbath, and the Marriage Law in the Geniza-Zadokite Documents.

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### II. The Sabbath.

THE best method of treating this part of the subject will no doubt be to give, first of all, a translation of the passages relating to the Sabbath, accompanied by the necessary textual, linguistic, and expository notes, and then to compare this set of ordinances with those contained in the Book of Jubilees, as well as the Talmudic and other codifications of the Sabbath law.

(a) Translation of p. 10, l. 14, to p. 11, l. 18.<sup>1</sup> Concerning the Sabbath, to observe it in accordance with its law (or in its proper manner).<sup>2</sup>

1. No one shall do any work on the sixth day from the time when the disk of the sun<sup>3</sup> shall be

distant from the [western] portal<sup>4</sup> by the width of its full orb;<sup>5</sup> for this is [the meaning of] what he said: 'Guard the Sabbath day to sanctify it (Dt 5<sup>12</sup>).

2. And no one shall utter vile and idle speech<sup>6</sup> on the Sabbath day. One shall not lend ought to one's neighbour upon interest,<sup>7</sup> nor shall one sit in judgment<sup>8</sup> on matters of property or gain. One shall not converse about work or labour to be done the following morning.<sup>9</sup>

<sup>4</sup> For the use of the term 'portal' in connexion with both the rising and the setting of the sun, see Enoch 72-82; and compare 'To the portals of the sunset' in Longfellow's *Hiawatha*.

<sup>5</sup> So also Professor G. F. Moore ('by its diameter'), but with a sign of interrogation. A definition of the exact time at which work must cease is clearly expected, and סלוא ('its full orb' being just over the horizon) supplies the requisite definiteness.

<sup>6</sup> By a singular error, Dr. Schechter joined ורק (pronouncing ורק) with the next sentence.

<sup>7</sup> It is remarkable that in all the translations that have so far come to hand, אל ישה ברעיו, is taken to mean that 'none shall demand a debt of his neighbour.' That the translation given here is correct can be easily seen from the use of the phrase in Dt 15<sup>9</sup> 24<sup>10</sup> (comp. the use of the Qal in the same sense in Jer 15<sup>10</sup>). The exact force of בניישה לך אלוה in Job 11<sup>6</sup> is doubtful, and the difference in the construction (ל instead of ב) must also be taken into consideration.

<sup>8</sup> Professor Kohler, 'Neither shall he discuss matters of business,' so also M. Lévi; but apparently without sufficient justification.

<sup>9</sup> לישא is used in this sense in *Mishnah Bikkūrim*, iii. 2.

<sup>1</sup> I adopt, for convenience' sake, Professor G. F. Moore's division of this part of the text into twenty small paragraphs (see *Harvard Theological Review*, July 1911, pp. 346-347), a division which is largely countenanced by the arrangement of the published Hebrew text.

<sup>2</sup> Evidently intended as a heading to what follows. The printed text exhibits a small break (presumably representing a corresponding break in the MS.) between this sentence and the laws themselves.

<sup>3</sup> With גלגל השמש ('disk of the sun') compare the Talmudic חמה גלגל; but שמש being the more usual Biblical word for 'sun,' our document presents us with what would appear to be the ordinary designation, where the scholastic language of the Talmud preserves חמה, which is only used in poetry in Biblical Hebrew, and is therefore presumably archaic.

3. No one shall walk about<sup>1</sup> in the field for the purpose of doing the labour that is needful<sup>2</sup> for the Sabbath, nor shall one walk about<sup>3</sup> outside one's city beyond [the limit of] a thousand cubits.<sup>4</sup>

4. No one shall eat on the Sabbath day except of that which had been prepared [before the Sabbath] or of that which is spoiling in the field.<sup>5</sup> One shall not eat or drink except whilst in the camp.<sup>6</sup> [If a man is] on a journey, and has gone down to bathe, he may drink whilst standing,<sup>7</sup> but shall not draw water into any vessel.

5. One shall not send the son of a stranger<sup>8</sup> to do one's business on the Sabbath day.

<sup>1</sup> So also M. Lévi ('se promener'), the Hithpael requiring this meaning.

<sup>2</sup> So also Lévi ('en travail nécessaire au Sabbat'). The word probably indicates that which is considered *desirable*, but the idea of that which is *necessary* may go with it, and seems to be required here. For a specified kind of such necessary and permissible labour see § 8, but the prohibition of this section relates not to the work itself, but to the use of it as an occasion for 'walking about' in the field for the mere sake of doing so, or for the purpose of lengthening out the needful task.

<sup>3</sup> We here appear to have a prohibition directed against 'walking about' outside one's city except within the limits of 1000 cubits. For the extension of the limits to 2000 cubits for 'needful' purposes, see § 8. Here again the force of 'יהלך' ('se promener') has to be taken fully into account, and no emendation of the 1000 into 2000 seems to be necessary.

<sup>4</sup> Line 21 is corrupt. Judging by the construction of § 8, one should expect: **בִּי אֵם עַד אֶלֶף בָּמֹטָה**.

<sup>5</sup> Of **בַּשָּׂדֶה** ('in the field') only the ה is certain in the MS., whilst there is also a faint trace of the ך (Schechter). 'Spoiling' or 'perishing' is represented by **אֹכֵר**. Possibly, however, **עֵבֶר** ('prepared by labour') should be read; for though this word is mostly employed to denote the tanning of leather, it can also be used in a general sense.

<sup>6</sup> This translation is not without difficulty, as the sentence would be much better without **הֵיא**, unless one reads **הוּא** instead. One should, perhaps, render 'except of that which was in the camp before,' implying a prohibition against bringing food or drink into the camp on the Sabbath day.

<sup>7</sup> **עֹשֵׂר** appears to be an idiomatic phrase opposed to 'drawing drinking water into a vessel.' M. Lévi similarly, 'avec ses seules ressources.' Possibly, however, 'whilst dipping,' in accordance with the Syriac meaning of the root.

<sup>8</sup> It may be that 'the son of the stranger' (**בְּתוֹכָהֶם**) is here not meant to signify a heathen, but that, in allusion to Is 56<sup>3</sup>, it denotes a non-Israelite who had joined the Jewish community. If so, he would be identical with the **גֵּר** or proselyte, who ranks fourth in the Damascus community, the first three ranks being held by the Priests, the Levites, and the Israelites respectively (see p. 14, ll. 2-6, of document A).

6. No one shall put on soiled garments,<sup>9</sup> or . . . ,<sup>10</sup> unless they were washed<sup>11</sup> with water or rubbed with frankincense.

7. No one shall voluntarily fast<sup>12</sup> on the Sabbath day.

8. No one shall go behind his cattle to pasture them outside his city beyond [the limits of] two thousand cubits.<sup>13</sup> One shall not lift up one's hand to smite them with the fist. If an animal is stubborn, one shall not remove it out of the house.

9. No one shall carry anything out of the house to the outside, or from the outside into the house; and if he be in the entry,<sup>14</sup> he shall not pass anything out or bring anything into it [*i.e.* the entry].<sup>15</sup>

10. No one shall open<sup>16</sup> [the cover of] a glued vessel on the Sabbath.

11. No one shall carry on his person spices,<sup>17</sup> going out and coming in [with them] on the Sabbath.

12. No one shall move<sup>18</sup> in a dwelling-house<sup>19</sup> rock or earth.

<sup>9</sup> One should expect **יָלַבַּשׁ**; **יָקַח עִלָּיו** probably denotes 'putting on oneself' rather than 'using as a garment.'

<sup>10</sup> With Dr. Kohler (*American Journal of Theology*, July 1911, p. 424), I prefer to leave here a blank. Possibly **בְּתוֹכָהֶם** = 'in the midst' or 'within.' If so, a word after it denoting 'basket' has fallen out, and the prohibition would in that case apply, not only to garments that are themselves soiled or defiled, but also to such as had been mixed up with defiled articles of dress. Dr. Schechter emends **בְּתוֹכָהֶם** = 'by a Gentile,' but the construction seems awkward, although **ב** can be used in an instrumental sense.

<sup>11</sup> Instead of **יָקַח עִלָּיו** one expects **יָלַבַּשׁ**.

<sup>12</sup> Reading **יָתַר עַל** = 'shall not expose himself to hunger,' with M. Lévi and Dr. Kohler. Professor G. H. Moore, keeping **יָתַר עַל**, translates 'shall not exchange pledges,' with an additional note suggesting the prohibition of making an **עֵרֶב** (see the second part of the paper). The Hithpael of either **עֵרַב** or **עֵרַב עַל** can so far not be attested elsewhere. [After writing the above, Professor H. Gollancz (in conversation on the subject) suggested **יָתַר עַל**, which may well be accepted.]

<sup>13</sup> For a note on the exact bearing of this prohibition, see further on the note on § 3.

<sup>14</sup> Reading, with Dr. Schechter, **בְּתוֹכָהֶם** (= Bibl. Hebr. **בְּתוֹכָהֶם**), instead of **בְּתוֹכָהֶם**; but see note (10).

<sup>15</sup> **אֵלָיו** ('into it') having the fem. suffix, it must refer to a fem. noun. If, therefore, not an error for **אֵלָיו**, the form **בְּתוֹכָהֶם** (see note (9)) will have to be regarded as a noun that was actually in use at the time.

<sup>16</sup> For **פָּתַח** read **פָּתַח**.

<sup>17</sup> The usual Rabbinic pl. is **סַמִּינִים** instead of **סַמִּינִים**. In Biblical Hebrew **סַמִּים** (fem. **סַמִּים**) is used.

<sup>18</sup> As Dr. Schechter points out, **יָסַד** appears to have here the force of **יָסַד**. Both are found in Biblical Hebrew (see particularly Is 40<sup>15</sup> 22<sup>17</sup>), but their use is much modified in later Hebrew.

<sup>19</sup> So also M. Lévi ('une maison d'habitation'). Dr. Schechter corrects **בְּתוֹכָהֶם** into **יָמֵם הַשַּׁבָּת** ('the Sabbath day');

13. A male nurse<sup>1</sup> shall not carry an infant, going out and coming in [with it] on the Sabbath day.

14. No one shall provoke<sup>2</sup> his man-servant, or his maid-servant, or his hired workman<sup>3</sup> on the Sabbath day.

15. No one shall deliver cattle of their young on the Sabbath day.

16. And if it fall into a pit or a ditch, one shall not lift it out on the Sabbath day.

17. No one shall spend the Sabbath<sup>4</sup> in a place near the Gentiles.

18. No one shall profane<sup>5</sup> the Sabbath for the sake of wealth or gain.

19. And any human being who falls into a gathering of water<sup>6</sup> or into a place of . . . ,<sup>7</sup> no one shall lift him up by means of a ladder, or rope, or implement.<sup>8</sup>

20. No one shall bring [anything] upon the altar on the Sabbath day except the Sabbath burnt-offering, for so it is written, 'Except your Sabbaths.'<sup>9</sup>

(b) P. 12, ll. 3-6. And no one who shall go astray to profane the Sabbath and the festivals shall suffer the death penalty, but it is incumbent on men to keep him under surveillance; and if he shall desist<sup>10</sup> therefrom, they shall keep him under

but there seems no need for the correction. The specification 'on the Sabbath day' is omitted in connexion with other prohibitions in the same section (see particularly Nos. 8 and 9 in this translation).

<sup>1</sup> One should have thought that a female nurse would be included in the prohibition; see the second part of this paper.

<sup>2</sup> Taking יסיר to stand for יסור.

<sup>3</sup> For שוכרו read שכרו.

<sup>4</sup> ישבות is the form one expects instead of ישבית, the latter form having the usual meaning of 'destroying' or 'disturbing' in the last line of p. 11.

<sup>5</sup> The correction of יחל into יחלל (see Dr. Schechter's note) is not necessary, the Hiphil being used in the sense of 'profaning' in Ezk 39<sup>7</sup>.

<sup>6</sup> Correcting, with Dr. Schechter, into מל מקוה טים.

<sup>7</sup> A word has here clearly fallen out in the MS.

<sup>8</sup> This seems to imply that a human being may be saved in the cases specified by unaided human effort (see *The Expositor* for December 1911, p. 515).

<sup>9</sup> If the author here definitely referred to Lv 23<sup>38</sup>, he must have interpreted the word סלבר there used to mean 'except' or 'save,' where in reality it means 'beside.' Possibly he was thinking of Jubilees 50<sup>30</sup>, where also the Sabbath is referred to in connexion with sacrifice. The quotation remains in any case rather puzzling.

<sup>10</sup> Taking ירפא to stand for ירפה (for the frequent use of the root consult the Hebrew O.T. Concordances), more particularly so as in Jer 38<sup>4</sup> ירפא is actually used for ירפה.

surveillance for seven years, and he may then come into the congregation.

(c) P. 11, l. 21 to p. 12, l. 1. This passage is very obscure, but an attempt must be made to translate it. Some remarks of its bearing will be given in the second part of this paper: 'And any one who enters the house of worship,<sup>11</sup> shall not enter [it] unclean [without] washing. And when the trumpets of the congregation shall sound, he shall either be beforehand or be later, so that they may not disturb the entire service, it is the holy Sabbath.'

*Comparison with other Forms of the Sabbath Law.*<sup>12</sup>

(a) P. 10, l. 14 sqq. On § 1. With regard to the cessation of work from the moment when the sun's disk begins to enter the horizon, it is possible that the sectaries accepted the definition of twilight (בין השמשות) = the time between the two suns, or rather between the sun and the moon) given by Rabbi in Talmud Yerosholmi, *Berākōth*, fol. 2<sup>b</sup>: 'When the disk of the sun has begun to sink and the disk of the moon has begun to rise, that is twilight.' For other definitions see the same passage in Talm. Yerush., and also Talm. Bab. *Shabbath*, fol. 34<sup>b</sup>. Anyhow, the addition of ordinary to sacred time by way of making 'a fence' round a command is an acknowledged principle both among the Rabbanites and the Karaites (see, e.g., the Karaite treatise *Gan Eden*, by Aaron b. Elijah, fol. 37<sup>a</sup>, where the word שומר of Dt 5<sup>12</sup> is similarly interpreted; Talm. Bab. *Mo'ed Katan*, 5<sup>a</sup>, where the general principle is enunciated in connexion with Lv 18<sup>80</sup>).

On § 2. Dr. Schechter suggests that by 'vile and idle speech' not more is meant than דברי חול, i.e. ordinary topics of conversation (e.g. relating to business, gossip, etc.), but the terms used in this passage appear too strong for that. It is, on the other hand, difficult to accept the implied permission to use vile and idle speech on week-days, so that from this point of view Dr. Schechter's

<sup>11</sup> Literally, 'house of prostration'; comp. the Arabic مسجد ('Mosque'). As Dr. Schechter points out, the Falashas also use the term for their places of worship; but, as he remarks, 'it is never [apart from the Falasha communities] applied to a Jewish place of worship' (instead of his never, one might say nowhere else).

<sup>12</sup> There will be no attempt at furnishing exhaustive references in this part of the paper. The aim rather is to refer to striking analogies in a clear and sufficiently full form.

suggestion appears in a favourable light; and if he is right in this, the analogy which he adduces from the Talmudical tractate *Shabbath*, fol. 150<sup>a</sup>, would hold good, for in that passage speech regarding business matters or work is forbidden (see also the end of § 2), the Biblical authority there referred to being Is 58<sup>13</sup> ('nor finding thine own pleasure, nor speaking thine own words').

The 'vile and idle speech' seems, however, to find a closer analogy in the Falasha<sup>1</sup> Sabbath Commandments published, with a French translation by Halévi, under the title *Te'ezāza Sanbat*, where on p. 142 is found a prohibition not to utter 'des malédictions ou des blasphèmes.'

Remarkable also is the analogy with the following passage from the *Didascalia Apostolorum*, bk. vii. ch. xxxvi. : ὅπως μηδὲ λόγον τις ἐν ὄργῃ ἐκ τοῦ στόματος αὐτοῦ προσέβηαι θελήσῃ ἐν τῇ ἡμέρᾳ τῶν σαββάτων.

On § 3. If the interpretation offered in a note on the translation be correct, our sectaries had a double limit of distances for walking out on the Sabbath, 2000 cubits having been allowed for needful purposes, and 1000 for mere promenading. No limit of distance is mentioned in Jubilees 50<sup>8</sup> in connexion with the setting out on a journey, and it is possible that our manifesto supplies the details there lacking (comp. Dr. Charles' note on the verse in Jubilees). In Talmudical literature the distance of 2000 cubits alone is known.

On § 4. Regarding the previous preparation of food for the Sabbath day, compare Jubilees 50<sup>8</sup> ('save what ye have prepared for yourselves on the sixth day, so as to eat, and drink, and rest, and keep Sabbath from all work on that day'); 2<sup>29</sup> (similar in purpose). Close is also the analogy with the Falasha ordinance (Halévi, p. 142): 'Ne vous servez pas de ce que vous n'avez pas préparé le sixième jour pour manger and pour boire ce jour-là.'

The ordinance is, of course, in full accord with Talmudic law (see Dr. Schechter *in loco*); the Biblical passage on which it is based being Ex 16<sup>5</sup>,

<sup>1</sup> On the Falashas, or Abyssinian Jews, see the article 'Falashas' in the *Jewish Encyclopædia*. Their exact relation to Jewry in general has, however, not yet been clearly determined. The portraits given in the *J.E.* article certainly suggest a very large non-Jewish admixture, to say the least of it. The possibility of an ultimate connexion with the ancient Jewish colony of Elephantinê is not excluded, but, if so, inter-marriage with negroid races on a large scale must be assumed.

but in the manner of insisting on it the analogy with Jubilees and Falasha law is much closer.

If the suggestion made in a note on the translation that עֹרֵב 'prepared by labour' should be read, were accepted, an interesting parallel might be adduced from Mt 12<sup>1</sup>, Mk 2<sup>23</sup>, Lk 6<sup>1</sup>, where the plucking of the corn-ears, which the Pharisees held to be forbidden, would not have been 'prepared by labour,' inasmuch as plucking with the hand on the Sabbath day was the point in question. There is also a close likeness between the last clause of § 4 and Jubilees 2<sup>29</sup> 50<sup>8</sup> (*q.v.*).

On § 5. If the interpretation of בְּרֵיחַנְכֶם suggested in the note on the translation be accepted, there would here be no clashing with Talmudic law. If, on the other hand, a heathen is meant by 'the son of the stranger,' the difference between the lenient view of Talmudical ordinance (as practised in orthodox Jewish circles down to the present day) and the prohibition of the employment of Gentile labour in the manifesto would be very marked.

On § 6. The meaning of the prohibition seems to be 'that working-day garments which are either dirty or have an offensive odour should not be worn on the Sabbath' (Dr. Kohler, *in loco*, who also rightly compares the general Talmudical rule regarding special decency of Sabbath garments, to be found in *Shabbath*, fol. 113<sup>a</sup>).

On § 7. That fasting and nothing else is here meant seems clear from the presence of the same prohibition in Jubilees 50<sup>12</sup>; compare also the Falasha law (Halévi, p. 143): 'Celui qui jeûne le jour de Sabbat mourra.' Talmudic law is, of course, in full accord with the general principle, the pleasures of the table being a necessary part of Sabbath enjoyment; but in the manner of insisting on it the analogy with Jubilees and *Te'ezāza Sanbat* is striking.

The idea that the prohibition of making the fictitious juncture of property and distances by means of an עֹרֵב is here meant is hardly likely. The qualification מְרִוּוֹנוֹ (voluntarily) would, to begin with, be without meaning in that case. On the 2000 cubits of § 8 see the remarks on § 3.

In the latter part of § 8 the removal of a beast out of the house is declared to be prohibited equally with the removal of other objects spoken of in § 9. The analogy with Jubilees 2<sup>29</sup>, suggested by Dr. Schechter and M. Lévi, cannot be insisted on, as no cattle is specifically mentioned there.

On § 9. The prohibition of transferring anything from the house to the outside, and *vice versa*, is one of the topics much discussed in the Talmudical tractate *Shabbath* (see particularly the Mishnah of *Shabbath* vii. 2, where such an act is declared to be one of the thirty-nine leading kinds of work (מלאכות) that are forbidden on the Sabbath. But all the same the form of the prohibition in our manifesto reminds one strongly of Jubilees 2<sup>50</sup> 50<sup>8</sup> (*g.v.*), as well as of the Falasha law (Halévi, p. 142) against a person, 'qui fait sortir quelque chose de sa tente, ou y apporte quelque chose du dehors' (on the difference between the rigour of the punishment in Jubilees and *Te'ezâza Sanbat* on the one hand, and our manifesto on the other, see farther on). An interesting reference may be made to Jn 5<sup>10</sup> ('It is the Sabbath day: it is not lawful for thee to carry thy bed'); cf. Neh 13<sup>19</sup>.

On § 10. That the Talmudic law inclined very much to mildness in a matter of this kind can be seen from the different cases discussed in *Shabbath*, fol. 146<sup>a</sup> (from the Mishnah given on the page mentioned, it would appear to follow that in a case like that of our § 10 it would have been forbidden to make a hole in the fastening, but not to take off the glued cover in its entirety), for further references see Dr. Schechter, *in loco* (the Karaites agree with the prohibition of the manifesto).

On § 11. A similar prohibition is found in Mishnah *Shabbath*, v. 5.

On § 12. No exact parallel can so far be adduced, though the prohibition is, of course, in full accord with the spirit of both the Talmudic and other forms of law. It is possible that in the Falasha ordinances the words 'celui qui porte (?)' (Halévi, p. 142) have a bearing on this prohibition.

On § 13. Interesting is the following passage from Mishnah *Shabbath*, xviii. 2: 'A woman may push along her son. Said Rabbi Yehūdah, This is only permitted when the child lifts up one foot and sets down the other (*i.e.* when it moves along in the ordinary manner of walking); but it is forbidden, if the child is being dragged.' It is questionable, however, whether the two passages are as closely related to each other as Dr. Schechter and others suppose. In the Mishnah quoted, there seems to be no reference to moving from the house to the outside, and *vice versa*, whereas here the 'going in and coming out' is expressly mentioned.—The fact, on the other

hand, that in the Mishnah 'a woman' is the subject of the prohibition, whilst here it is 'a male nurse,' need not denote contrariety, for אִמָּה may possibly be intended to mean a nurse in general, and the express reference to woman in the Mishnah can only have been made on account of the greater frequency in confiding a child to the care of its mother.

On § 14. Nothing exactly analogous seems to be at hand elsewhere, though the quotations from the *Didascalia* and the *Te'ezâza Sanbat* given in the remarks on § 2 may fairly be taken to cover this prohibition also.

On § 15. There is an identical prohibition with regard to festival days in Mishnah *Shabbath*, xviii. 3, and the same law must apply to the Sabbath on the *a fortiori* (or חזקת) principle. The Mishnah adds that the assistance referred to may be given in the case of a woman even on the Sabbath, and the inference to be drawn from the wording of the manifesto also points to permission in the case of a woman.

On § 16. Compare the much milder treatment recommended in *Shabbath*, fol. 128<sup>b</sup>: 'If a beast has fallen into a cistern of water, we should bring bolsters and pillows and put them under it; if it then rises out of it, well and good.'

On § 17. On the similar enactment obtaining among the Samaritans and the Karaites, see L. Wreschner, *Samaritanische Traditionen*, pp. 13–15, where the prohibition is quoted from the Samaritan author Abu'l-Faraj Munajja on the one hand, and from Anan, the founder of Karaism on the other.

On § 18. This prohibition may be brought into relation with Jubilees 50<sup>8</sup>, when setting out on a journey 'in regard to any buying or selling' is forbidden.

On § 19. The inference, as was mentioned in the note on the translation, must be that unaided human effort may be employed to save a human being in the case specified. Talmudic law, on the other hand, is much less severe, decreeing that danger to human life overrides Sabbath law (for the references see Drs. Schechter and Kohler, *in loco*), so that necessary implements could be used.

On § 20. The 'Sabbath burnt-offering' may, of course, be taken to include the 'continual burnt-offering' which formed part of the Sabbath Temple worship (see Nu 28<sup>9, 10</sup>).

(b) On p. 12, ll. 3–6. It is important to note that both in Jubilees and *Te'ezâza Sanbat* the

penalty for profaning the Sabbath is death, and that the severe sentence is in both works often repeated by way of special emphasis. This is, of course, in agreement with the original Pentateuchal law (see, e.g., Ex 31<sup>14,15</sup>). In Nu 15<sup>32-36</sup> an instance of stoning for gathering sticks on the Sabbath day is actually recorded. In the Mishnah, however, the death-penalty for such offences no longer appears, and it is particularly remarkable that, notwithstanding the close affinity of our manifesto with the severer Sabbath laws of Jubilees and the Falashas, the death-penalty is definitely ruled out.—Another point to be noted is that the Hebrew word which in the translation here given is rendered 'surveillance' is taken from Nu 15<sup>34</sup> ('put him in *ward*'), as if to emphasize the fact that the death-penalty recorded in that passage is abrogated, so that only the ordinance of *מישטרי* ('ward') remains.

(c) On p. 11, ll. 21 sqq. The sounding of trumpets for the purpose of making known to the people when they were to leave off work is mentioned in *Mishnah Sukkah*, v. 5, and Josephus, *Wars*, bk iv. ix. 12.—It may be that the being

'beforehand or later' refers to the person who had been unclean, and that he is enjoined—in the case of his regaining ceremonial purification just about the beginning of the Sabbath—not to come in with the rest of the congregation, but to enter either before or after in order not to cause a kind of uneasiness among those who may have known of his ceremonial uncleanness, but who may not be aware of his purification in time for the beginning of the Sabbath.

*Additional Note.*—The present article was finished before the appearance of Dr. Charles' *Fragments of a Zadokite Work*, and it has not been considered either necessary or convenient to institute a comparison between the translation and interpretation given here and the translation and notes contained in the work named. Nor had the rendering of Lagrange reached the present writer whilst preparing the article.

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## Literature.

### SIR HENRY VANE THE YOUNGER.

MOST of us are familiar with the name of Sir Henry Vane from our school studies in Milton. This is Milton's sonnet:

Vane, young in years, but in sage counsel old,  
Than whom a better senator ne'er held  
The helm of Rome, when gowns not arms  
repell'd

The fierce Epirot and the African bold,  
Whether to settle peace or to unfold  
The drift of hollow states, hard to be spell'd;  
Then to advise how war may, best upheld,  
Move by her two main nerves, iron and gold  
In all her equipage: besides to know  
Both spiritual power and civil, what each means,  
What severs each, thou hast learn'd, which few  
have done:

The bounds of either sword to thee we owe;  
Therefore on thy firm hand Religion leans  
In peace, and reckons thee her eldest son.

The sonnet itself is of extreme interest. Here is the story of it. The sonnet to Vane was not published in Milton's lifetime, but was, as already mentioned, written by him and sent direct to Vane himself. In 1662, the year of the latter's death, when Sikes published his biography, it was not safe to mention Milton's name as that of an admirer of the republican hero, and so the author of the sonnet is merely described as a 'learned gentleman.' A collected edition of Milton's minor poems was issued in 1673, but four of his sonnets were omitted from them—that to Vane and those to Cromwell and Fairfax, along with that to Cyriac Skinner in which the poet speaks with satisfaction of his *Pro populo Anglicano defensio*. These four sonnets were first published after the Revolution in 1694. They appeared, very incorrectly printed, at the end of Philips's *Life of Milton* prefixed to the translation into English of Milton's public letters. They are also inserted by Toland in his *Life of Milton* (1698). Tonson omitted them in