

גוי, וגם בעצמו אינו יכול לעשות, מתר אפלו על ידי ישראל בשכר.

ד) הא דמתר לעשות דבר האבד, זהו דוקא אם לא היה אפשר לו לעשותו קדם יום-טוב. אבל אם היה אפשר לו לעשותו קדם יום-טוב והניחו עד חל-המועד, אסור לעשותו בחל-המועד.

ה) כל מלאכות האסורות לעשות בחל-המועד, אם יש כּאן ישראל שאין לו מה לאכל כּראוי לחל-המועד ויום-טוב, מתר לעשותן על ידו, כּדי שיהא לו מה לאכול. ומכל מקום יעשה בצנעא, ואסור לעשותן על ידי גוי. אף לצרף מצוה, מתר.

ו) אפלו מלאכות המתרות, אסור לעשותן בשביל גוי.

כ' ניסן ז) אסור לזבל שדהו. ואפלו להכניס שם צאן בשביל שיעשו שם זבל, אסור. ואפלו על ידי גוי, אסור.

ח) זריעה, אסורה. ואם יש לו זרעים, שאם לא ישקם במים יפסדו לגמרי, מתר להשקותם.

ט) אסור לתלוש או לקצוץ שום דבר מן המחבר אם לא יתקלקלו הפרות עד לאחר יום-טוב, כי אם מה שהוא צריך לאכול במועד. ואינו צריך לצמצם, אלא תולש בהרוחה, ואם יותיר, יותיר. וכן עצים שהוא צריך להסקה במועד, מתר לקצצם ממחבר. ואם צריך לתלוש בשביל להאכיל לבהמה, יעשה בשנוי. ואסור ללקט עצים מן השדה ליפותו לחרישה. ואם נפר שמכונן לצרפו שצריך לעצים, כגון שנוטל הגדולים ומניח הקטנים, מתר. וכן אסור לקצוץ ענפי האילן לתקנו. ואם נפר שמכונן בשביל הענפים להאכילן לבהמתו ולא לתקנו, כגון שקוצץ פלן מצד אחד, מתר.

11. *Ritva, Mishnah Berurah* 542:2.

12. This is also true if you mistakenly thought it could wait until after Yom Tov (*Shulchan Aruch* 538:1), or you forgot it was *erev Yom Tov*. (*Peri Megadim M.Z.* 540)

13. This applies even if you thought you are allowed to do this and even if you thought you would get around to it later and then forgot about it. (*Maharsham*)

14. *Shulchan Aruch* 538:6. This does not apply to a *melachah* for the preparation of food. (see *Shulchan Aruch* 533:1 and *Mishnah Berurah* 533:2)

15. *Eliyahu Rabbah, Nishmas Adam* 105.

16. If this is not possible, he may do it in public if he does not have even bread and water.

you cannot find a non-Jew, and you are unable to do it yourself, it is permitted¹¹ to have it done, even by a Jew for pay.

4) The law that permits *melachah* in order to prevent a loss, applies only if it was impossible¹² for you to do it before Yom Tov, but if it was possible for you to do it before Yom Tov, and you left it for *Chol Hamoed*,¹³ you are forbidden to do it on *Chol Hamoed*.¹⁴

5) Any work that is forbidden on *Chol Hamoed*, [is permitted in the following circumstances,] if a Jew does not have enough food for *Chol Hamoed* and Yom Tov,¹⁵ it is permitted to give him work, so that he will have something to eat, but he should do it in private.¹⁶ It is forbidden to have such work done by a non-Jew,¹⁷ but if it is needed for a mitzvah, it is permitted.¹⁸

6) Even *melachos* that are permitted, are forbidden to be done for a non-Jew.¹⁹

April 29 7) It is forbidden to fertilize a field.²⁰ Even to put sheep in a field to fertilize it with manure is forbidden.²¹ Even to have it done by a non-Jew is forbidden.

8) Planting is forbidden. However if you have seeds that will spoil completely, unless they are put into water, you are permitted to water [soak] them.²²

9) It is forbidden to pluck or cut off anything that is growing, unless the fruit will spoil²³ [if left] until after Yom Tov. It is permitted to pluck what you need to eat on Yom Tov, and you do not have to skimp. You may pick a generous quantity, and if there is some left over, it does not matter.²⁴ Also, wood that is needed for heating on the festival, is permitted to be cut from a growing tree. If it is necessary to pick something in order to feed your animals, it should be done in an irregular way. It is forbidden to collect wood from a field in order to improve it for plowing. But if it is obvious that you intend it for your own need, because you need the wood, for example, if you take the big pieces and leave the small ones, it is permissible. Similarly, it is forbidden to cut off the (soft) branches of a tree in order to trim it. But if it is obvious that your purpose is to feed the branches to your animals, and not to trim the tree, for example, if you cut all the branches from one side of the tree, it is permitted.²⁵

But if he has bread and water, none of the *poskim* permit him to work in public in order to eat properly on Yom Tov. (*Peri Megadim* 542, *Mishnah Berurah*, *Sha'ar Hatziyun* 542:14)

17. *Shulchan Aruch* 543:1.

18. *Magein Avraham*.

19. *Chayei Adam* 106:11.

20. It is a *toldah* of the *melachah* of plowing. (*Levush*)

21. *Shulchan Aruch* 537:14.

22. See *Shulchan Aruch* 537 for details.

23. If they will spoil, it is for the prevention of loss and is permitted, if there is not much bother. In order to prevent the loss of profit, you may only do a *melachah* that is of Rabbinic status, and only if no bother is involved. (*Peri Megadim* 533:6)

24. See *Shulchan Aruch* 533:1.

25. See *Shulchan Aruch* 537. The rule is that your intent must be for something permissible, and this intent must be obvious. (*Mishnah Berurah* 537:34, *Levush*, *Gra*)

(י) מי שיש לו גן אצל גן גוי, והגוי לוקט פרותיו, ואם הישראל לא ילקט, יבוא לידי הפסד, מתר לו ללקטם. ואם המה דברים שיתקלקלו בתלוש אם לא יעשה לצרכם גם מלאכה אחרת, מתר לעשות הכל, אפלו לדרוך ענבים לעשות יין וכדומה לזה, ובלבד שלא יניח בכונה מלאכתו לחל-המועד.

(יא) אסור לגלח בחל-המועד, אפלו גלח את עצמו גם בערב יום-טוב, אלא מי שיצא מבית האסורים. ואפלו יצא בערב יום-טוב, אלא שלא היה לו פנאי לגלח אז.

(יב) ולקצוץ הצפרנים, גם כן אסור. אך אם קצצן בערב יום-טוב, מתר לקצצן גם בחל-המועד. וכן אשה לצרף טבילה, מתרת.

(יג) אסור לכבס שום דבר, אפלו לצרף המועד, אלא אם לא היה אפשר לו בשום אופן לכבס קדם יום-טוב. וכן מטפחות שמלפפין בהן את התינוקות, כיון שמשתינין תדיר וצריכין להם הרבה, מתר לכבסן, ויזהרו לכבסן בצנעא.

(יד) כל דבר שהוא לצרף רפואה, מתר לעשות, בין לאדם בין לבהמה.

(טו) חשבונות וכיוצא בזה, שאם לא יכתבם, ישפחם, מתר לכתבם, משום דהוי דבר האבד. וכן מה שהוא לצרף המועד, מתר לכתוב. אבל שאר דבר, אסור לכתב. ואגרת שלומים שכותב אדם לחברו, נוהגין לכתב בשנוי קצת, דהינו שכותבין שורה ראשונה עקמה. ולכל מה שמתר לכתוב, מתר גם לתקן קלמוס ודיו.

26. A prominent person should be stringent, even when the prevention of loss is concerned. (see *Mishnah Berurah* 533:53, *Beis Yosef* and *Taz-Rokeach*)

27. To take a haircut is also forbidden.

28. *Maseches Moed Katan* 14b. This is a Rabbinic prohibition to make sure that you shave *erev Yom Tov* so you will not enter *Yom Tov* looking disheveled. (see *Taz, Magein Avraham* 531:1)

29. *Shulchan Aruch* 531:2. Because people may not know you shaved before *Yom Tov* and will think everyone is permitted to shave on *Chol Hamoed*. (*Beis Yosef*)

30. This includes all situations where everyone knows you were not able to shave before *Yom Tov*. (see *Sha'ar Hatziyun* 531:7, *Ritva*)

31. The *Mishnah Berurah* 531:7 disagrees with the ruling and permits it only if he was released from jail (etc.) near nightfall when there was no time. (see *Sha'ar Hatziyun* 531:9)

10) If you have a garden adjacent to a garden of a non-Jew, and the non-Jew is gathering his fruit, and if you do not gather (your fruit), you will incur a loss, you are permitted to gather them.²⁶ And if they are fruits that will spoil when they are picked, unless you do additional *melachah*, you are permitted to do everything [that is necessary] even to press grapes to make wine or similar *melachos*, provided you did not intentionally leave this work to be done on *Chol Hamoed*.

11) It is forbidden to shave²⁷ on *Chol Hamoed*,²⁸ even if you shaved on *erev Yom Tov*.²⁹ But a person who has been released from jail,³⁰ even if he was released *erev Yom Tov*, but had no time³¹ to shave then, is permitted to shave on *Chol Hamoed*.

12) Cutting your nails is also³² forbidden,³³ but if you cut them on *erev Yom Tov*, you are permitted to cut them also on *Chol Hamoed*.³⁴ A woman is also permitted (to cut her nails) for the ritual immersion.³⁵

13) It is forbidden to launder anything, even (clothes) needed for the festivals,³⁶ unless it was impossible to wash them before *Yom Tov*.³⁷ Since (babies) urinate all the time, and you need many diapers,³⁸ you are permitted to wash them, but you should be careful to wash them in privacy.³⁹

14) Anything required to restore health, is permitted to be done, either for man⁴⁰ or beast.

15) It is permitted to record bills and similar records which, if not recorded will be forgotten because it is considered prevention of a loss.⁴¹ You are permitted to write⁴² whatever is necessary for the needs of *Yom Tov*, but it is forbidden to write anything else. Social letters that friends write to each other, should be written with a slight change,⁴³ like writing the first line unevenly.⁴⁴ For everything that you are permitted to write, you are also permitted to prepare a pen and ink.

32. For the same reason as shaving. (*Levush*) Those allowed to shave are also allowed to cut their nails. (*Magein Avraham, Mishnah Berurah 532:2*)

33. It is forbidden only if done with a utensil. (*Ramah 532:1*)

34. *Magein Avraham*

35. *Ramah*

36. For the same reason that shaving is forbidden.

37. For example, it got soiled during the holiday, and you have nothing else to wear.

38. Four or five at a time. (*Ramah 534:1*) This *halachah* applies also to hand towels that are changed daily. (*Magein Avraham*)

39. If it will wash better in the public area, you may wash it in public. (*Ramah 534:1*)

40. *Shulchan Aruch 532:2*.

41. *Shulchan Aruch 545:4*.

42. This, however, is only permitted if the writing is commonplace and not professional. (*Mishnah Berurah 545:18*)

43. *Rema 545:5*. However, you may not purposely leave your letter writing for *Chol Hamoed*. (*Shibolei Haleket, Mishnah Berurah 545:31*) The reason some permit writing letters to a friend is because it makes them happy and is, therefore, considered a need of *Chol Hamoed*. (*Ritva, Peri Megadim, see Sha'ar Hatziyun 545:30*) This would mean the letter would have to be received before *Yom Tov* is over. It is best not to write about things pertaining to business. (see *Biur Halachah 545:5*)

44. *Bach, Taz* etc. But *Magein Avraham* says to make all the lines uneven.

(טז) מי שצריך למעות אפלו שלא לצרף המועד, אלא שהוא חושש פן לא ימצא ללוות לאחר המועד, והמלוה אינו רוצה להלוות לו בלי שטר, מתר לו לכתוב את השטר.

(יז) אין נושאין נשים בחל-המועד, משום דאין מערבין שמחה בשמחה. אבל מתר להחזיר גרושתו. ומתר לעשות משתה לברית מילה ולפדיון הבן. גם מתר לעשות משתה לכתובת תנאים.

(יח) מתר לשכור פועלים, ואפלו ישראלים, שיעשו מלאכתו לאחר המועד.

(יט) מתר ללכת חוץ לתחום, בין ברגליו בין בקרון בין רכוב.

(כ) אין מעלין בהמה זכר על נקבה להרביעה, משום דלא הוי דבר האבד.

(כא) אין מושיבין תרנגולת על בצים לגדל אפרוחים. ואם הושיבה קדם המועד וברחה, אם זה בתוך שלשה ימים לבריחה, מתר להחזירה. אבל לאחר שלשה ימים, אסור להחזירה, אפלו אם יפסדו הביצים. ולהושיב אחרת תחיתה, אפלו תוך שלשה ימים, אסור.

כא' ניסן

סימן קה

דברים האסורים משום טרחה

(א) אסור להסיע ולשא מטלטליו וכלי ביתו בחל-המועד מדירה שבחצר זו לדירה שבחצר אחרת, אפלו מדירה כעורה לדירה נאה. אבל מבית לבית בחצר אחת, מתר. וכן אם שתי החצרות סמוכות ויש פתח ביניהן, מתר להוציא החפצים דרך שם. ובמקום פסידא, מתר

45. *Magein Avraham* 545:23.

46. Even without a meal. (*Maharsha, Ra'anach Magein Avraham* etc) But if it is made with a meal, it then becomes a *de'oraisa* prohibition. (*Eliyahu Rabbah* 546)

47. *Maseches Moed Katan* 8b.

48. *Shulchan Aruch* 546:2. *Beis Yosef* holds you should not make the meal on the same day. *Kesav Sofer* Responsum 79 says according to *Tosafos* and *Rosh* you may. (see *Mishnah Berurah* 546:7)

16) A person who needs money, even if not for Yom Tov needs, and is afraid that he might not get a loan after Yom Tov, and the lender refuses to give a loan without receiving a note, is permitted to write such a note.⁴⁵

17) Weddings are not performed on *Chol Hamoed*⁴⁶ because one kind of rejoicing⁴⁷ should not be mixed with another. But one is permitted to remarry the woman he divorced.⁴⁸ It is permitted to make a feast for a circumcision, or the redemption of a firstborn. It is also permitted⁴⁹ to make a feast for an engagement.⁵⁰

18) It is permitted to hire workers, even Jews,⁵¹ to do work for you after Yom Tov.

19) You are permitted to go outside the *techum*, either on foot or in a vehicle,⁵² or on horseback.

20) It is not permitted to mate a male animal with a female animal, because no loss is sustained [by delaying it]

21) You are not allowed to set a chicken on eggs to hatch them. If you set her before the festival and she ran away, if it is within three days from the time she ran away, you are permitted to put her back, but after three days, you are forbidden to put her back, even if the eggs will be spoiled. And to set another in her place, even within three days is forbidden.

April 30

Chapter 105

Things Forbidden Because They are Bothersome

1) It is forbidden to move and carry movable belongings and household utensils on *Chol Hamoed*, from an apartment in one courtyard to an apartment in another courtyard, even from an unattractive apartment to a nice one.¹ But to move these items from one house to another in the same courtyard, is permitted.² Similarly, if the two courtyards are adjacent to each other, and there is a door between them, it is permitted to take things out through that door. However, if you would otherwise incur a loss, you are permitted to move these articles even from one city

49. *Shulchan Aruch* 546:4.

50. *Eliyahu Rabbah*, *Chayei Adam* 117:11. *Mishnah Berurah* 546:2 rules that if you are not serving a whole meal, but just cake etc., there is certainly no need to be stringent.

51. *Rambam*, *Magein Avraham*. (*Eliyahu Rabbah*, however, permits hiring only non-Jewish workers).

52. You are allowed to repair your vehicle for travel to meet a friend or to profit in order to purchase holiday necessities. But you may not do so in order to profit for other needs. (*Peri Megadim* 536:1) Going on an outing is considered a Yom Tov need, and you may repair your vehicle to go on one. (*Shulchan Aruch*, *Ramah* 536:1)

1. *Shulchan Aruch* 535:1. If these items are necessary for the *Moed*, and it is obvious that it is so, you may do it even openly. (*Eliyahu Rabbah*, *Mishnah Berurah* 535:4)

2. Because there is less bother and less publicity. (*Mishnah Berurah*)