



Daf In Review – Weekly Chazarah

Maseches Pesachim, Daf טז – Daf נה

This week's Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H

-----Daf טז---49-----

MISHNA

- When Erev Pesach falls on a Shabbos, **R' Meir** says all the chametz (besides what is needed for the Shabbos meals) must be destroyed before Shabbos begins. **The Chachomim** say, the chametz is destroyed on Shabbos. **R' Eliezer bar Tzadok** says, chametz of terumah must be destroyed before Shabbos (there are few eaters of such chametz), but chametz of chullin may be destroyed on Shabbos.

GEMARA

- A Braisa says, **R' Eliezer bar Tzadok** said that once, when Erev Pesach fell on Shabbos, **R' Gamliel** sent a messenger to let people know when the time for destroying the chametz was.

MISHNA

- If one is travelling on Erev Pesach to bring his Korbos Pesach, or to give a bris to his son, or to partake in a "seudas eirusin" (meal to celebrate a kiddushin between a man and woman), and he remembers that he has chametz still in his house: if he has time to go back and destroy the chametz and can still make it back to perform the mitzvah he is travelling for, he should do so. If time won't allow for that, he should just be mevatel the chametz in his heart.
 - If one is travelling to save Jews from attacking goyim, or to save people from a flooding river, from a fire, or from a collapsed building, he only needs to be mevatel the chametz in his heart.
 - If he is travelling to establish an eiruv techumin to allow him to travel on Yom Tov for an optional purpose, he must return and destroy the chametz.
- Similarly, one who leaves Yerushalayim with meat of kodashim (which must now be burned for having been taken out of Yerushalayim), if he has already passed Tzofim, he burns the meat at its current location. If he has not yet passed Tzofim, he goes back to Yerushalayim and burns the meat at a designated place on the Har Habayis.
- In the case of the chametz and the meat of kodashim, **R' Meir** says he only has to go back if it is the size of an egg. **R' Yehuda** says he must go back even if it is a kezayis. **The Chachomim** say, for the meat of kodesh he must go back even if it is only a kezayis. For chametz, he must only go back for the size of an egg.

GEMARA

- **Q:** A Braisa says that one who is travelling to a seudas eirusin must return to destroy his chametz!? **A:** **R' Yochanan** says, our Mishna follows **R' Yose**, who says that a seudas eirusin is a mitzvah, and this Braisa follows **R' Yehuda** who says it is not considered a mitzvah.
 - According to **R' Chisda**, who says that **R' Yose and R' Yehuda** only argue with regard to the second seudas eirusin, but agree that the first seudas eirusin is a mitzvah, we can say that the Mishna and the Braisa both follow **R' Yehuda**. The Mishna is discussing the first seudah and the Braisa is discussing the second seuda.
- A Braisa says, **R' Shimon** said, a talmid chachom is not permitted to benefit from a seudah that is not a seudas mitzvah.
 - **R' Yochanan** gives an example of such a seudah – a seudas eirusin of the daughter of a Kohen to a Yisrael, or the daughter of a talmid chachom to an ahm ha'aretz. We find that **R' Yochanan** said that such marriages do not end well (ends in divorce, premature death, produces no children, or poverty).
 - **Q:** **R' Yochanan** said that one who wants wealth should marry the daughter of a Kohen!? **A:** That is true if the husband is a talmid chachom.

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- **R' Yehoshua** married a Kohen's daughter and became sick. He said it must be because he is not fit to marry into the Kehuna. **R' Iddi bar Avin** married a Kohen's daughter and merited to 2 sons who received "smicha". **R' Pappa** attributed his wealth to having married a Kohen's daughter. **R' Kahana**, who had to flee to Eretz Yisrael to avoid his pursuers, said that he had to do so for having married a Kohen's daughter.
- **R' Yitzchak** learns from a pasuk that one who benefits from a seuda that is not a seudas mitzvah will eventually be forced into exile.
- A Braisa says, a talmid chachom who eats excessively at any seudah will eventually: have his home destroyed, his wife widowed, his children orphaned, forget his learning, be involved in much machlokes, not be listened to, be mechalel Hashem's Name, his rebbi's name, and his father's name, and will bring a bad name on himself and his offspring forever.
- A Braisa says, one should sell all his possessions to enable him to marry the daughter of a talmid chachom, because if he dies or is exiled, his father in law will raise his children for him in the proper way.
- A Braisa says, one should sell all his possessions to enable him to marry the daughter of a talmid chachom, and to enable him to marry off his daughter to a talmid chachom. Such a marriage is compared to high quality grapes ("invei hagefen b'invei hagefen").
- A Braisa says, one should sell all his possessions to enable him to marry the daughter of a talmid chachom. If such a girl is not available, he should marry the daughter of the great people of the generation. Next best option is the daughter of the community leaders. Next best would be the daughter of those in charge of the tzedaka funds. Next best would be the daughter of the rebbi of children. At no point should one marry the daughter of an ahm ha'aretz.
- A number of teachings about an ahm ha'aretz.
 - A Braisa says, **Rebbi** said, the pasuk of "zos **Toras** ha'beheima v'haof" teaches that an ahm ha'aretz may not eat meat.
 - **R' Elazar** said, one may even spear an ahm ha'aretz to death on Yom Kippur.
 - **R' Elazar** also said, one may not travel with an ahm ha'aretz, because he doesn't even value his own life (i.e. he doesn't learn Torah), so he surely won't value yours.
 - **R' Shmuel bar Nachmeini in the name of R' Yochanan** said, one may even rip apart an ahm ha'aretz like a fish. **Shmuel bar Yitzchak** said, this may be done from the back (which will kill him quicker).
 - **R' Akiva** said in a Braisa, when he was an ahm ha'aretz he wanted to bite talmidei chachomim like a donkey (to seriously harm them).
 - **R' Meir** said in a Braisa, one who marries off his daughter to an ahm ha'aretz, is as if he tied her up and placed her in front of a lion (because the ahm ha'aretz does not act properly when living with his wife).
 - **R' Eliezer** said, if the ahm ha'aratzim did not need us for business purposes, they would kill us.
 - **R' Chiya** taught a Braisa that says, one who learns Torah in front of an ahm ha'aretz, it is as if he lived with the ahm ha'aretz's arusah in front of him. Also, the hatred that an ahm ha'aretz has for a talmid chachom is greater than the hatred that the goyim have for the Yidden, and their wives are even more hateful than they themselves. A Braisa says, one who once learned and then became an ahm ha'aretz hates the tamidei chachomim more than anyone else.
 - A Braisa says, 6 things were said about an ahm ha'aretz: we do not involve them in things that will cause them to testify, we don't accept their testimony, we do not tell them secrets, we don't appoint them to look after the finances of orphans, we don't appoint them to be in charge of the tzedaka fund, and we don't travel with them. Others add that we don't announce their lost item if it is found.
 - The **T"K** doesn't agree with this last thing, because he says that maybe the ahm ha'aretz will have a descendant who will be a talmid chachom, who can benefit from the return of this lost item.

V'CHEIN MI SHEYATZA...

- **Q:** With regard to birchas hamazon, **R' Meir** is stringent and says that eating a kezayis is significant enough and **R' Yehuda** is lenient and says that he is patur until the size of an egg is eaten!? **A:** **R' Yochanan** said, the views were mistakenly reversed in that Mishna regarding birchas hamazon. **A2: Abaye** says, with regard to

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birchas hamazon, **R' Meir** darshens the pasuk to mean that only a kezayis is required and **R' Yehuda** darshens it to mean that the size of an egg is required. With regard to returning for chametz and to burn the meat of kodashim, **R' Meir** says he only must return for a piece the size of which would be subject to tumah (the size of an egg). **R' Yehuda** says, he must return for a piece equal to the size of the issur itself (a kezayis).

- A Braisa says, **R' Nosson** said, one must only return for chametz or to burn the meat of kodashim if the piece is the size of 2 kezaysim. However, the **Chachomim** did not agree with him.

-----Daf 50-----

- A pasuk says, in the times of Moshiach “there will be no light ‘yikaros v’kipaon’.”
 - **R' Elazar** said, this refers to the sun, which is “yikar” (precious) on this world, and “kafui” (trivial) in the next world.
 - **R' Yochanan** said, this refers to the halachos of “nega'im” and “ohalos”, which are difficult on this world, but will be easily understood in the next world.
 - **R' Yehoshua ben Levi** said, this refers to people who are respected on this world, but will not be in the next world.
 - We find this concept, when his son, **R' Yosef**, was deathly ill and his neshama went to Heaven. When he awoke, he told his father, I saw a backwards world up there. People who are respected here are not respected there. He also said, that he heard them saying in Heaven “Lucky is the one who comes here while still remembering his learning.” He also heard them say that no one comes close to the high level of those executed by the government. The Gemara says, this refers to 2 brothers from Lud, who plead guilty to a crime they did not commit, and were executed, just to save the community from being punished and killed out.
- A pasuk says, in the times of Moshiach, the “metzilos” on the horse will be holy to Hashem.
 - **R' Yehoshua ben Levi** said, this refers to the fact that at that time Hashem will increase the size of Yerushalayim to the point that a horse will have to run from dawn to midday, just to travel from one end to the other.
 - **R' Elazar** said, this refers to the bells that are hung between a horse's eyes, and means that people will donate them all to Hashem.
 - **R' Yochanan** said, this means that all the spoils the Yidden will get on that day from morning until midday will be donated to Hashem.
- **Q:** A pasuk says, “Hashem will become King on all the lands, on that day Hashem will be One and His Name will be One.” Hashem is One today as well!? **A:** **R' Acha bar Chanina** said, this refers to the fact that in this world, one makes one bracha when good things happen and a different bracha when bad things happen. In the next world, one will always make the bracha of “hatov v'hameitiv.”
 - **Q:** What does it mean that Hashem's Name will be One? His Name is One today as well!? **A:** **R' Nachman bar Yitzchak** said, this refers to the fact that in this world, Hashem's Name is read differently than it is written, whereas in the next world Hashem's Name will be read as it is written.

HADRAN ALACH PEREK EILU OIVRIN!!!

PEREK MAKOM SHENAHAGU -- PEREK RIVI'I

MISHNA

- If a person lives in a place where the custom is to work on Erev Pesach before chatzos, he may do so. If the custom is not to work, he may not work. If one travels from a place with one custom to a place with the other custom, he must follow the more stringent custom. A person should not conduct himself differently than the custom, so as not to cause arguments.
- Similarly, if one travels on shmitta and brings shmitta produce from a place in which he was allowed to store fruit in the house (there was still fruit of that kind in the field) to a place in which he may not store the fruit in his

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house, or visa-versa, he must put the stored fruit back into the field. **R' Yehuda** says, we tell him “Go out and bring for yourself”.

GEMARA

- **Q:** Why did the Mishna single out Erev Pesach? Every Erev Shabbos and Erev Yom Tov has the same halacha!? **A:** On Erev Pesach it is assur to work at chatzos. On all those other days it is only assur from the time of mincha. **A2:** One who works on Erev Pesach is put into cheirem. One who works on the other days does not see bracha from that work, but is not put into cheirem.
 - A Braisa says, one who works on Erev Shabbos or Erev Yom Tov from the time of mincha, or on Motzei Shabbos, Motzei Yom Tov, or Motzei Yom Kippur, or on Tisha B'Av, will never see bracha from this work.
 - A Braisa says, there are people who are hardworking and are rewarded (one who works all week, but not Erev Shabbos), people who are hardworking and lose (he works all week and on Erev Shabbos), people who are lazy and rewarded (they don't work all week or on Erev Shabbos), and people who are lazy and lose (they only work on Erev Shabbos).
 - **Rava** said, the women of Mechuza never work due to their frailty, but they are still considered part of the 3rd category, because they do not work on Erev Shabbos.
 - **Rava** said, one pasuk says Hashem rewards “until the Heavens”. Another pasuk says Hashem rewards even “above the Heavens”. **Rava** explains, the first pasuk discusses reward for one who does a mitzvah not for its sake. The second pasuk discusses reward for one who does a mitzvah for the sake of the mitzvah.
 - A Braisa says, one who looks to earn a living by having his wife try to rent scales to merchants, or by renting out a hand mill, will not see bracha from that money.
 - A Braisa says, one who makes money by selling thin sticks or jars will not see bracha from the money. The reason is that they are very bulky and therefore become the subject of people's ayin harah.
 - A Braisa says, merchants who sell in the public areas, people who raise small animals, people who chop down good trees for wood, and people who always insist on taking the best piece of something being divided will never see bracha from their gains, because they are noticed by people and become subject to their ayin harah.
 - A Braisa says, the wages: of a sofer, of a “meturgeman” (the person who listens to the shiur and repeats it loudly for all to hear), of a person who manages the money of orphans and takes a percentage of the profits, and money earned for overseas shipping services, will never see bracha from the money.
 - **Q:** We can understand why the meturgeman's wages do not bring bracha, because it looks like it was earned on Shabbos. Money earned from the orphans is also understandable, because the orphans are too young to agree to the percentage taken. Money earned from overseas shipping is understandable as well, because the many thieves and pirates threaten the very profits. However, why will a sofer never see bracha from his wages? **A: R' Yehoshua ben Levi** said, the Anshei Kneses Hagedolah davened that the sofrim should not become wealthy, so that they will always continue writing, and that there be a plentiful supply.
 - A Braisa says, sofrim and sellers of techeiles do not see bracha from their wages. However, if they do it for the sake of the mitzvah, they do see bracha.
- The people of Baishan would not travel from Tzor to Tzidon on Friday. Later generations asked **R' Yochanan** to permit them to begin doing so, for financial purposes. **R' Yochanan** said, you may not, because this custom has been established for you.

-----Daf 51-----

- The people of Chozai had the custom to take challah from rice dough (which is not chayuv in challah). **R' Yosef** instructed people to give that “challah” to a non-Kohen to eat in front of the people of Chozai (to show them that they are wrong).
 - **Q: Abaye** asked, a Braisa says that one may not pasken that something is mutar in front of people who have accepted something upon themselves as assur. So, how can you give the rice challah to a non-

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Kohen to eat in front of them!? **A: R' Yosef** said, **R' Chisda** said this halacha only applies to paskening in front of the Kutim, because they are lax in their observance and if they see that something they consider assur is truly mutar, they will say that other assur things are mutar as well.

- **Q: Abaye** asked, we should have the same concern for the people of Chozai!? **A: R' Ashi** said, we investigate. If most bread in Chozai is rice bread, we can't permit the challah to be eaten by a non-Kohen (even though the halacha is that challah is not taken from rice), because doing so may cause the entire concept of challah to be forgotten from these people. If, however, most bread is from the 5 grains, we do have a non-Kohen eat from the rice "challah", to prevent the people from separating challah from grains for rice, or visa-versa.
- **Q: R' Chisda** said that the rule against contradicting a custom applies only to Kutim, because they are unlearned and may end up permitting things that are truly assur. A Braisa says, 2 brothers may bathe together, however, in the place of Kavul the custom was to not allow that. Once, **Yehuda and Hillel, the sons of R' Gamliel**, bathed together in Kavul and were yelled at by the people for doing so. They immediately separated from each other so as not to be in violation of the custom. We see that we don't violate customs even of people other than Kutim!? A similar story happened with them when they wore a certain type of shoe on Shabbos in Biri, which, although mutar, was subject to a custom to prohibit them in Biri. A similar story happened with **R' Gamliel** himself, when he sat, on Shabbos in Ako, on the chair where a goy typically conducts business. Although this is mutar, it was subject to a custom to prohibit doing so in Ako. **A:** Since people from overseas (as in these 3 stories) don't have many Rabanan among them, they too can get confused and we therefore treat them like Kutim.
 - **Q:** The reason the custom was to prohibit sitting on the chairs of the goyim was because it looked like the one sitting there was conducting business on Shabbos. The reason the custom in Biri prohibited the shoes was because they easily fell off and may lead to one carrying in the reshus harabim. Why did the custom prohibit brothers from bathing together? **A:** A Braisa says one may not bathe with his father, father-in-law, mother's husband, or sister's husband, because it may lead to improper thoughts. **R' Yehuda** allows bathing with one's father or mother's husband so that he can help them. The people of Kavul instituted the custom to prohibit brothers from bathing to strengthen the true issur of brothers in law bathing together.
 - A Braisa says, one may not bathe with his rebbi unless his rebbi needs his assistance.
- When **Rabbah bar bar Chana** came to Bavel from Eretz Yisrael, he continued to follow the custom of Eretz Yisrael which allowed the eating of certain fats of an animal (in Bavel the custom was not to eat it). When **R' Avya Saba** and **Rabbah the son of R' Huna** visited him, he covered the fats to prevent them from seeing that he was not following their custom. **Abaye** told them, he has treated you like Kutim, by purposely not allowing you to see that he was not following your custom.
 - **Q:** We have learned that when going from one place to another one must follow the stricter customs of the place he came from and the one he is going to. How could **Rabbah bar bar Chana** not follow the custom of Bavel!? **A: Abaye** said, that doesn't apply when travelling from Eretz Yisrael to Bavel, because the Rabanan of Eretz Yisrael were considered superior and need not follow Bavel. **A2: R' Ashi** said, one must only follow the custom of where he has travelled to if he doesn't intend on returning to his place of origin. **Rabbah bar bar Chana** did intend to return to Eretz Yisrael, and so he did not have to follow the customs of Bavel as long as it was not in the open.
 - **Rabbah bar bar Chana** told his children not to eat those fats at all. He said that he, who saw **R' Yochanan** eat these fats, may rely on that to eat the fats as well. However, they, who only saw him eat it, should not rely on him to eat it.
 - This is contradictory to another statement of **Rabbah bar bar Chana**, where he says that he heard in the name of **R' Shimon ben R' Yose ben Lekunya**, who said that he, who

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saw **R' Shimon ben Yochai** take and eat the after-growth of cabbage on shmitta, can rely on him to eat such after-growth at any time. However, he told **R' Yochanan ben Elazar**, you, who have only seen me (**R' Shimon ben R' Yose**) eat it, can only rely on me to eat it in front of me, but not elsewhere.

HAHOLEICH MIMAKOM...

- **Q:** It's understandable to say that one who goes to a place with a stringent custom must follow that custom "to prevent machlokes". However, if he is going to a place with a lenient custom (e.g. they do work on Erev Pesach), how can we tell him to do work to prevent machlokes, if he must keep the stringent custom of where he came from!? **A: Abaye** said, when the Mishna says he must follow the custom to prevent machlokes, it is referring to the first case. **A2: Rava** said, the Mishna means to say that in the second case there is no problem of causing machlokes. When one doesn't work when other people are working, the others will just say that he is a lazy person who doesn't work at all.
- **Q: R' Safra** asked **R' Abba**, we, who know when Rosh Chodesh is and truly don't need to keep 2 days of Yom Tov, surely must keep the 2 days in public. However, if we are in private, must we still keep Yom Tov? **A: R' Abba** said, **R' Ami** said, it need not be kept in private.

-----Daf כג--52-----

KAYOTZEI BO HAMOLEICH PEIROS SHEVI'IS...

- **Q:** The Gemara understands that **R' Yehuda** is saying, if one goes from a place in which the fruits are still in the field to a place in which they are no longer in the field, he may still store the fruits in his house, because he can tell the people to go to the place that he came from and get fruit over there. How does **R' Yehuda** allow that? Doesn't he agree that one must follow the stringencies of the place he is going to!? **A: R' Shisha the son of R' Idi** said, the Mishna is discussing a case where he went from a place that had fruit in the field to another place that had fruit in the field. After arriving in the new place, the old place no longer had fruit remaining in the field. The **T"K** says that the traveler must therefore return the fruit to the field (based on the place that he left). **R' Yehuda** says that he may tell them, you can come to where I am now and take fruit as well, and he therefore need not return the fruit to the field.
 - **Q:** We find that **R' Elazar** says that **R' Yehuda** is stating a chumra, not a kulah, so this can't be the proper explanation of the Mishna!? **A:** Reverse the shitas so that the **T"K** said he need not return the fruit to the field, and **R' Yehuda** says that he must.
 - **A: Abaye** said, the Mishna is discussing a case where he went from a place that had fruit remaining in the field to a place that did not, but he then went and returned to the place that he left, with the fruit. The **T"K** says he need not return the fruit to the field. **R' Yehuda** says, he must return the fruit to the field, because the people can tell him, you are returning from a place that had no fruit remaining in the field.
 - **Q: R' Ashi** asked, the fruit is from the first place, and now it is back in the first place. Just because it passed through the second place (which doesn't have fruit in the field) it must now be put into the field!? **A:** Rather, **R' Ashi** said, the **T"K and R' Yehuda** are arguing in the machlokes of Tanna'im of a Mishna. The Mishna says, if one soaks (to preserve) 3 different vegetables together on shmita, **R' Eliezer** says, as soon as one of those vegetables can no longer be found in the field, all 3 being soaked may no longer be kept and eaten. **R' Yehoshua** says, as long as one of the 3 is still found in the field, all of the 3 may be stored and eaten. **R' Gamliel** says, each species is viewed separately, and as long as it is available in the field, that species may be eaten. This is the subject of our Mishna as well. The **T"K** of our Mishna is meikel like **R' Yehoshua**, and **R' Yehuda** is machmir like **R' Gamliel**.
 - **A: Ravina** said, the machlokes in our Mishna is regarding the subject of a machlokes in another Mishna. The Mishna says, one may store and eat dates as long as it is available in the fields somewhere in the region (the 3 regions are Yehuda, the other side of the Yarden, and the Galil). **R' Shimon ben Gamliel** says, one may eat dates only if it is available among the branches of the tree in a field, not based on it being available among the thorns of the tree trunk. The **T"K** of our Mishna holds like

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the **T”K** of that Mishna, that even availability among the thorns allows for storing and eating of the dates. **R’ Yehuda** is machmir like **R’ Shimon ben Gamliel**, and allows storing based on availability among the branches only.

- A Mishna says, there are 3 regions for the “biur” obligation – Yehuda, the other side of the Yarden, and the Galil. Each region may store and eat produce during shmita if that species still remains in a field of that region. **R’ Chama bar Ukva in the name of R’ Yose bar Chanina** said, we learn this from the pasuk that says “b’artzecha”, which teaches that since the animals from one region would not travel to another region to look for food, the “biur” obligation is only based on the availability within one’s region.
- A Braisa says, fruits that were taken out of Eretz Yisrael on shmita, but are no longer available in that region, may be placed back into the field outside of Eretz Yisrael. **R’ Shimon ben Elazar** says they must be returned to Eretz Yisrael, based on the pasuk of “b’artzecha”.
 - **R’ Safra** took wine from Eretz Yisrael on shmita, and was unsure whether it needed to be returned to Eretz Yisrael to be placed back into a field or whether that was allowed to be done where he was (it was no longer available in the fields). He asked **R’ Huna the son of R’ Ika** and **R’ Kahana** whether they had heard how **R’ Avahu** had paskened regarding the above Braisa. **R’ Kahana** said that **R’ Avahu** paskened like **R’ Shimon ben Elazar** and the wine must be returned to Eretz Yisrael. **R’ Huna** said that **R’ Avahu** paskened like the **T”K** and the wine need not be brought back to Eretz Yisrael. **R’ Safra** said, we will follow **R’ Huna**, because he is more particular about being exact with his rebbi’s words.
- **R’ Illai** chopped down a palm tree that had tiny, unripe dates on it, during shmita (thereby destroying the fruit), for its wood.
 - **Q:** The Torah says that shmita fruit may not be destroyed!? We can’t answer that these unripe dates are not called “fruit”, because we find that **R’ Nachman** says regarding “orlah” that the small fruit that accompany the actual fruit are considered to be fruit!? **A:** **R’ Nachman** follows **R’ Yose**, but the **Rabanan** argue and say that it is not considered to be a fruit.
 - **Q:** **R’ Simi from Neharda’ah** asks, we see in a Mishna that the **Rabanan** only argue regarding the tiny fruits of grapes, carobs, and olives. However, they would agree that these tiny dates are considered fruit!? **A:** **R’ Illai** chopped down a male date tree, whose fruits never fully ripen and are therefore not considered to be fruit.

-----Daf ל”ג-----53-----

- **Q:** We quoted the Braisa that says, dates may be stored and eaten on shmita as long as there are still some dates in a field of the region, whether in the branches or stuck in the thorns of the trunk. **R’ Shimon ben Gamliel** said, only if there are still dates in the branches. Another Braisa says that dates may only be eaten until Purim, and **R’ Yochanan** says only until Chanukah!? **A:** The times of the 2 Braisos actually coincide. **A2:** The Braisa said, that if there are still fruits on the tree after that time, the deadline for biur is extended. The first Braisa is discussing such an extension.
- A Braisa says, **R’ Shimon ben Gamliel** says, the telltale sign of mountains is gallnut trees (this teaches that other fruit trees on mountains will be of low quality and therefore, if there is a date tree on a mountain, one does not bring bikurim from it); the telltale sign of valleys is date trees (these dates are used for bikurim, but grain that is grown in the valleys are not brought as bikurim); the telltale sign of streams is reeds (this teaches that the stream used for the eglah arufah process must have reeds); the telltale sign of a plain is the sycamore tree (this teaches a business aspect, that if one agrees to sell a plain, it is understood to mean that there are sycamore trees in that property). The Gemara says, all the other telltale signs may be to teach the business aspect of the area as well.

MISHNA

- One may sell small animals (e.g. sheep and goats) to goyim in a place where the custom is to do so. If the custom is not to sell such animals to goyim, he may not sell to them.

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- In either case, one may not sell “large” (i.e. those that perform work) animals to goyim (as a gezeirah to prevent one from lending or renting an animal to a goy who would then work the animal on Shabbos, and a Yid may not have his animal do work on Shabbos). This issur includes even young and small animals of these species, whether healthy or injured. **R’ Yehuda** allows the sale of an injured animal (he holds that the goy is buying it to slaughter it and it will not be used for work or lead to the lending or renting of an animal). **Ben Beseirah** allows the selling of a horse (which is used for riding, which is itself only assur D’Rabanan on Shabbos).
- One may eat roasted meat on the night of Pesach in a place where the custom is to allow it, but not in a place where the custom does not allow it.

GEMARA

- **R’ Yehuda in the name of Rav** said, one may not say “this meat is for the Pesach”, because it looks like he is making it kodesh, and then eating kodashim outside of Yerushalayim. **R’ Pappa** said, one may say that about wheat, because he would be saying that he intends to guard this wheat for Pesach use, not that he is making it kodesh.
 - **Q:** A Braisa says, **R’ Yose** said, Tudus of Rome instituted the custom that the Roman Jews eat a roasted goat with its intestines attached on the outside (as it was done in the times of the Beis Hamikdash) on the night of Pesach. The **Chachomim** told him, if you were not Tudus (such an important person), we would put you in cheirem, because you are causing the Yidden to eat something very similar to kodashim outside of Yerushalayim. It seems that the problem is that the intestines were attached, as was done for a true Korbon Pesach. However, if that would not be done, it seems that it would not be problematic. If so, why did **Rav** say that it is problematic!? **A:** When it has the intestines attached on the outside, it is problematic whether or not one states that the meat is for the Pesach. If the intestines are not so attached, it is still problematic if that statement is made.
 - **R’ Acha** said the Braisa quoted **R’ Shimon**, not **R’ Yose**. **R’ Sheishes** asked, we find the **R’ Shimon** says, when someone is makdish something in an improper way, his statement does not create any kedusha. If so, why were the **Rabanan** upset with Tudus!? **Ravina** said, it is no less of a question if we say the Braisa is quoting **R’ Yose**, because we find that **R’ Shimon** comes to his conclusion based on the shita of **R’ Yose**, who says that when one makes a statement, his entire statement is considered purposeful. Presumably, **R’ Yose** will therefore hold like **R’ Shimon** as well!? **R’ Ashi** said, it could be that **R’ Yose** does not hold like **R’ Shimon** and will say that kedusha is assigned through such a statement, which is why the **Rabanan** were upset with Tudus.
 - **Q:** Was Tudus afforded the respect by the **Rabanan** because he was a talmid chachom or because he was a powerful man? **A:** A Braisa brings a teaching by Tudus, which must mean that he was a talmid chachom (he taught that Chananya, Mishael, and Azarya willingly threw themselves into the fire because they made a kal v’chomer: if the frogs in Mitzrayim willingly threw themselves into the fire for Hashem’s sake, surely we must do so as well).
 - **R’ Yose bar Avin** said, Tudus would give merchandise to talmidei chachomim to sell and support themselves, which **R’ Yochanan** says is a tremendous thing and merits such a person to sit in the Yeshiva of Heaven.

MISHNA

- If one is in a place where the custom is to light a candle for Yom Kippur, he should light a candle. If he is in a place where the custom is not to light a candle, he should not.
 - In either case, one may light candles in the shuls, beis hamedrash, dark alleys, and for a sick person.

GEMARA

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- Both customs were instituted for the same purpose, to prevent tashmish from taking place. One custom felt that a candle should be lit, because it is assur to have tashmish in the light. The other custom felt that having light allows the couple to see each other and may create desire.
- **R' Yehuda in the name of Shmuel** said, we only make a bracha on fire on Motzei Shabbos, because that was the time that fire was created. **Rabbah bar bar Chanah** said, “You are correct, and **R' Yochanan** said the same thing”.
 - **Ulla** was once riding on a donkey, with **R' Abba** walking alongside on the right and **Rabbah bar bar Chanah** walking alongside on the left. **R' Abba** asked **Ulla**, is it true that the 2 of you have said that **R' Yochanan** says one is only to make a bracha on fire on Motzei Shabbos, because that is when fire was created? **Ulla** shot **Rabbah bar bar Chanah** a stern glance (as if to ask how he could have said such a thing). **Rabbah bar bar Chanah** said, I quoted **R' Yochanan** regarding a different halacha (**R' Yochanan** says that the **Rabanan** say lighting a candle for Yom Kippur in a place where the custom is not to light a candle, is assur even when Yom Kippur falls out on Shabbos), not that one.
 - **Ulla** and **Rabbah bar bar Channah** did not want to agree with what **R' Abba** had heard, because they knew that **R' Yochanan** said we make a bracha on fire on Motzei Shabbos *and* Motzei Yom Kippur.
 - **Q:** We find that **R' Yochanan** paskens like **R' Yehuda** who says that the bracha on fire is made only on Motzei Shabbos and should be made when making havdalah over a cup of wine!? **A:** **R' Yochanan** says that a bracha is made on Motzei Yom Kippur only if the fire existed on Yom Kippur. On Motzei Shabbos, a bracha is made whether it existed on Shabbos or was made anew after Shabbos. This accounts for the difference between the seemingly contradictory statements of **R' Yochanan**.

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- **Rebbi** would say the brachos of havdalah as they became available to him (made a bracha on fire when he saw fire, a bracha on besamim when he had besamim). **R' Chiya** would say all the brachos with the rest of havdalah over a cup of wine.
 - **R' Yitzchak bar Avdimi** said, although **Rebbi** would do that, he would repeat all of them together with the rest of havdalah over a cup of wine to be “motzi” the rest of his family.
- **Q:** How can we say that fire was created on Motzei Shabbos? **R' Nechemya** says in a Braisa that fire was created during bein hashmashos of the Friday going into Shabbos of Creation!? **A:** Fire for human use was created Motzei Shabbos. **R' Nechemya** is referring to the fire of Gehenom.
 - **Q:** A Braisa says that the fire of Gehenom was created before the world was created!? **A:** The space for Gehinom was created before the world was created, but the fire for Gehenom was created on Friday at bein hashmashos.
 - **Q:** **R' Yose** says in a Braisa that the fire of Gehenom was created on the second day of Creation!? **A:** The space for Gehenom was created before the world, the fire of Gehenom was created on the second day of Creation, on Friday at bein hashmashos, Hashem “planned” the creation of fire for human use in “thought”, and this fire was actually created on Motzei Shabbos.
 - A Braisa supports this view. **R' Yose** says in the Braisa that fire and the mule were both planned in “thought” in this way on Friday and were actually created on Motzei Shabbos.
- A Braisa says, 10 things were created on Friday at bein hashmashos: the well (rock) of Miriam, the man, the rainbow, the letters of the aleph-beis, the pen, the “luchos”, the burial place of Moshe Rabbeinu, the cave that Moshe and that Eliyahu hid in, the opening of the speaking donkey’s mouth, and the opening of the ground to swallow Korach and his people. Some add, the stick of Aharon with its almonds and flowers. Some add, the mazikin (sheidim). Some add, the clothing of Adam Harishon.

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- A Braisa says, there are 7 things that are concealed from people: the day of death, the day of consolation, the depth of judgment, what another is thinking, what business will make him successful, when Moshiach will come, and when Rome will be destroyed.
- A Braisa says, 3 things were created in “thought” to be created at a later time. These things are logically necessary for the functioning of the world: the decomposition of a meis (so that people bury them), that the pain of losing a relative is forgotten, and that grain rots (so that people won’t just hoard all the grain to keep it forever). Others add, that currency is accepted.

MISHNA

- One may do work on Tisha B’Av in a place where the custom is to work. In a place where the custom is not to work, one may not do work. In either place, talmidei chachomim should not do work. **R’ Shimon ben Gamliel** says, anyone may consider himself a talmid chachom for this halacha.

GEMARA

- **Shmuel** said, the only fast day in Bavel with all the chumros of a “ta’anis tzibur” (communal fast day) is Tisha B’Av.
 - **Q:** Does that mean that **Shmuel** would say that bein hashmashos of Tisha B’Av is assur like Tisha B’Av itself? We find that **Shmuel** says that it is not! Yet, when it comes to a communal fast, the Mishna says that one may eat while it is day, which presumably means to say that bein hashmashos would be assur!? **A:** The Mishna means to say that it is assur to eat at night, but bein hashmashos would be mutar (and therefore bein hashmashos of Tisha B’Av would be mutar as well).
 - A Braisa may be a proof to this. The Braisa says, the only difference between Yom Kippur and Tisha B’Av is that regarding Yom Kippur, a “safek” is assur. Presumably this refers to bein hashmashos and we see that on Tisha B’Av it would be mutar! The Gemara says, it could be that the “safek” referred to in the Braisa is when one is unsure when Rosh Chodesh was established and therefore which day Yom Kippur would be.
- **Rava** said that **R’ Yochanan** said, the bein hashmashos of Tisha B’Av is assur.
 - **Q:** **R’ Yochanan** says that Tisha B’Av is not like a communal fast. Presumably this means to say that its bein hashmashos is not assur!? **A:** **R’ Yochanan** meant to say that work is permitted on Tisha B’Av.
 - **Q:** Our Mishna already said that work is permitted on Tisha B’Av, and is only assur as a custom in some places!? **A:** **R’ Yochanan** meant to say that we don’t daven “ne’ilah” on Tisha B’Av (which is done on communal fasts).
 - **Q:** **R’ Yochanan** says that a person may daven all the time, so he wouldn’t say that one can’t daven ne’ilah on Tisha B’Av!? **A:** On communal fasts he is chayuv to daven ne’ilah. On Tisha B’Av it is only optional.
 - **A:** **R’ Yochanan** may have meant that we don’t have a “shmonah esrei” of 24 brachos on Tisha B’Av like we do on communal fast days.
 - **A:** **R’ Pappa** said, **R’ Yochanan** may have meant that Tisha B’Av is not like the first set of communal fasts (that were instituted when there was no rainfall in Eretz Yisrael) which were more lenient, rather it is like the later fasts, which are very stringent and therefore the bein hashmashos of Tisha B’Av would be assur as it is for those later fasts.
 - **Q:** A Braisa says, the only difference between Yom Kippur and Tisha B’Av is that regarding Yom Kippur, a “safek” is assur. Presumably this refers to bein hashmashos and we see that on Tisha B’Av it would be mutar!? **A:** **R’ Shisha the son of R’ Idi** says, the “safek” referred to in the Braisa is when one is unsure when Rosh Chodesh was established and therefore which day Yom Kippur would be.
 - From this Braisa it seems that in all other respects, Yom Kippur and Tisha B’Av are equal. This would be a proof to **R’ Elazar** who says that one may not even stick his finger into water on Tisha B’Av, as on Yom Kippur.
 - **Q:** A Braisa says, the only difference between a communal fast and Tisha B’Av is that work is permitted on Tisha B’Av when the custom allows it. However, it would seem

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that regarding washing they are equal. Now, on a communal fast it is only assur to wash one's whole body at one time!? **A: R' Pappa** said, the Braisa was teaching the leniency of Tisha B'Av compared to communal fasts, but with regard to washing it would be more stringent.

U'VICHOL MAKOM TALMIDEI CHACHOMIM...

- **Q:** With regard to a chosson saying kriyas shema we find that the **Rabanan** allow him to treat himself as a talmid chachom, and say it, but **R' Shimon ben Gamliel** says he may not. Here they say the opposite!? **A: R' Yochanan** says we must reverse the shitos. **A2: R' Shisha the son of Rav Idi** explained: the **Rabanan** say, by Shema everyone is saying shema, so his saying of shema doesn't look like he is trying to label himself as a talmid chachom, but on Tisha B'Av, if he doesn't work and everyone else does, that would be a problem. **R' Shimon ben Gamliel** says, we feel a chosson can't have proper kavana, and therefore, a chosson who says shema is showing that he feels he can, which is a problem. With regard to Tisha B'Av, if he doesn't work, people will say that this person simply doesn't have work to do, so it doesn't come across as trying to be labeled as a talmid chachom.

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MISHNA

- The **Chachomim** say, in Yehuda the custom was to do work until chatzos on Erev Pesach. In the Galil, they did not do work at all on Erev Pesach.
 - In the Galil, **B"S** say it is assur to do work the night leading into Erev Pesach, and **B"H** say it is mutar until sunrise.

GEMARA

- **Q:** The Mishna begins with discussing a custom, and then changes to say it is "assur"! **A: R' Yochanan** said, the beginning of the Mishna follows **R' Meir**, who says it is a custom, and the end of the Mishna follows **R' Yehuda** who says it is assur according to a halacha. We find this in a Braisa where **R' Yehuda** says that the **Chachomim** allowed work in Yehuda, but not in the Galil. **R' Meir** argued and said it is all dependent on custom.
 - **Q: R' Yehuda** says, if one accidentally rips out grain from the ground on the 13th of Nisson, he may replant it on that day (and it will be considered as planted in the ground when the Omer is brought on the 16th of Nisson, and will thereby become mutar to eat). It seems that he only allows this on the 13th of Nisson, but not on the 14th, presumably because the 14th of Nisson is assur to do work. Based on this, how can **R' Yehuda** say (above) that the **Rabanan** allowed work to be done in Yehuda!? **A: Rava** said, this statement of **R' Yehuda** was said in regard to the Galil.
 - **Q:** Why must he plant it by the 13th? Why can't he plant it on the night entering the 14th? **A: R' Sheishes** said, this is following **B"S**, who say that the night going into the 14th is assur to do work. **A2: R' Ashi** said, it can even follow **B"H**. The reason he discusses the 13th, is because people don't work in their fields in the dark, so it is an unlikely case that one would accidentally pull out grain at night.
 - **A: Ravina** said, **R' Yehuda** may even be discussing replanting the grain in Yehuda. The reason it must be done on the 13th is because it must be rooted before the Omer is brought (on the 16th) and to take root, it needs a minimum of 2 full days and a partial 3rd day. Therefore, it must be planted *before* the 14th begins (i.e. on the 13th) so that it has time to take root on the 14th, 15th, and part of the 16th.

MISHNA

- **R' Meir** says, any work project that one had begun before the 14th may be completed on the 14th (in the Galil), but one may not begin a new project on the 14th, even if it can be completed before chatzos.
- The **Chachomim** say, 3 tradesmen may work (even in the Galil, and even on new projects) until chatzos: tailors, barbers, and launderers. **R' Yose bar Yehuda** says, shoemakers are included in this list as well.

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GEMARA

- **Q:** Is **R' Meir** discussing completing something that is needed for Yom Tov, but if it is not needed for Yom Tov, one may not even complete a started project, or is he discussing something that is not needed for Yom Tov, but something that is needed for Yom Tov may even be begun on Erev Yom Tov, or does he mean to say, whether needed for Yom Tov or not, a project may be completed, but not begun?
 - A Braisa says that one may not begin to make “even” a small belt or hat on the 14th. Seemingly, the word “even” is teaching that even though it is needed for Yom Tov, a project may only be completed, not begun, but if something is not needed, it may not even be finished on the 14th.
 - It could be that even if not needed for Yom Tov, a project may be finished on the 14th. The Braisa’s use of the word “even” may be teaching, that even though these items are very small, and beginning the project is really completing them as well, still, they may not be begun on the 14th.
 - A Braisa says, **R' Meir** says, a project which is needed for Yom Tov may be completed on the 14th only if it was begun before the 14th, even a small belt or hat. This clearly seems to say that only something needed for Yom Tov may be completed on the 14th.
 - It could be that even if not needed for Yom Tov a project may be finished on the 14th. The Braisa may be teaching that even if needed for Yom Tov, a project may only be finished, not begun.
 - A Braisa says, **R' Meir** says, a project that is needed for Yom Tov may be finished on the 14th, but if not needed for Yom Tov, it may not be finished on the 14th. In a place where the custom is to work on the 14th, one may even complete a project that is not needed for Yom Tov. This Braisa is clearly a proof that in a place where the custom is to prohibit work, one may only complete a project that is needed for Yom Tov. **SHEMAH MINAH.**

V'CHACHOMIM OMRIM SHALOSH UMANYIOS

- A Braisa explains, tailors may work on the 14th, because an unskilled person may even sew on Chol Hamoed. Barbers and launderers may work, because one who comes from overseas or prison on Chol Hamoed may take a haircut and wash his clothes. **R' Yose the son of R' Yehuda** says a shoemaker may work, because the people travelling to Yerushalayim for Yom Tov may fix their shoes on Chol Hamoed.
 - **The Chachomim** say, since they may only *repair* shoes on Chol Hamoed, it gives them no right to *make* shoes on Erev Yom Tov.

MISHNA

- One may place eggs under a chicken (to warm) on the 14th of Nisson. One may also return a chicken that has run away from the egg it was sitting on. If the chicken dies, one may replace it with another chicken.
- One may sweep away waste from the animals on the 14th of Nisson. On Chol Hamoed, one may only push the waste to the side.
- One may bring keilim to, and get keilim from, a craftsman, even though they are not needed for Yom Tov.

GEMARA

- **Q:** The Mishna said that we may place an egg under a chicken, so surely we can return a chicken that ran away!? **A: Abaye** said, the chiddush of that part of the Mishna is that we can return a chicken to the egg even on Chol Hamoed.
 - **R' Huna** said, this is only true if we return the chicken within 3 days of it having run away (in which case a chicken is typically willing to resume the warming process), and only if it had already been sitting on the egg for 3 days (in which case the egg will be totally ruined if the warming process is not continued, and we allow the returning of the chicken only to prevent a total and substantial loss). **R' Ami** said, even if it is within 3 days of the warming process having begun, a chicken may be returned to the egg on Chol Hamoed (we allow the returning of the chicken even to prevent a small loss).

GORFIN MITACHAS

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- A Braisa says, one may move the waste to the side of the chatzer, and one may totally remove the wastes from a stable and a chatzer.
 - **Q:** The Braisa first says that one may only move the wastes in a chatzer to the side, and then it says that it may be totally removed!? **A: Abaye** said, the first halacha discusses Chol Hamoed, and the second halacha discusses the 14th of Nisson. **A2: Rava** said, both discuss Chol Hamoed. The Braisa is saying, on Chol Hamoed, the waste should be pushed to the side. The Braisa then says, if there is so much waste that the chatzer becomes like a stable, it may be totally removed.

MOLICHIN KEILIM U'MIVI'IN MIBEIS HA'UMAN

- **R' Pappa** said, **Rava** would test his talmidim with the following. Our Mishna says that keilim may be brought to and taken from the craftsman even if it is not needed for Yom Tov, but a Braisa says that we may not take keilim from a craftsman, and if we are concerned that they will be stolen from the craftsman, we may move them to another chatzer!? The talmidim answered, our Mishna is discussing the 14th of Nisson, and the Braisa is discussing Chol Hamoed.
 - The Gemara says, we can also answer that both are discussing Chol Hamoed, but the Mishna is discussing where we don't trust the craftsman, so we are allowed to take the keili home, and the Braisa is discussing where we do trust the craftsman, so the **Rabanan** did not allow him to take it home.
 - **Q:** This doesn't answer the difference between our Mishna which allows bringing the keili to the craftsman and another Mishna which says it is prohibited to do so!? **A:** We must go back to the original answer, that our Mishna is discussing the 14th of Nisson and the other Mishna is discussing Chol Hamoed.