



Today's Daf In Review is being sent I'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Pesachim Daf Yud Beis

- **Q:** A Mishna says that Beis Din would examine witnesses who were saying testimony in a capital case with 7 “chakiros”. They would ask them to give the following information about the incident witnessed: which shmitta cycle, which year of the cycle, which month, how many days into the month, what day of the week, what hour of the day, and the location. The Mishna continues, that Beis Din also asked the witnesses “bedikos”, which were questions beyond these 7. With regard to chakiros, if a witness answers that he does not know, the testimony is not accepted. However, a witness may say he doesn't know the answer to bedikos, and the testimony will still stand. The Gemara there explained, that saying “I don't know” to the chakiros would make it impossible for a second pair of witnesses to come and say that the first set of witnesses are lying based on the fact that the first set were somewhere else at the time of the reported incident (“hazamah”). Now, if what we said earlier is correct, that even witnesses are allowed to be off in their telling of the time by 2 or 3 hours (according to **R' Meir** or **R' Yehuda**), there can be no hazamah on the chakira of “what hour of the day” either, because they can always claim that they were mistaken by a couple of hours (so the second set's claim that the first set was not at that location at the claimed time can be agreed to and explained that the incident took place a couple of hours later or earlier)!? **A:** The second set of witnesses must claim that the first set was at a different location than the reported incident for the time claimed as the time of the incident, **plus** the time allowed for a mistake regarding time. According to **R' Meir** they will have to say the first set was elsewhere for 2 hours before and after the reported time, and according to **R' Yehuda** the second set's testimony must include 3 hours before and after the reported time.
- Our Mishna says that according to **R' Meir** one must stop eating chametz after the 5th hour (even though D'Oraisa one has until the end of the 6th hour), and according to **R' Yehuda** he must stop eating at the end of the 4th hour.
 - **Q:** According to **Abaye**, who says that **R' Meir's** view is that one does not err with regard to time at all, why can't he eat until the end of the 6th hour!? Even according to the version that **Abaye** says **R' Meir's** view is that one errs by a slight amount, he should be able to eat until right before the end of the 6th hour!? Also, according to **Abaye** that **R' Yehuda's** view is that one errs up to half an hour with regard to time, he should be able to eat until the middle of the 6th hour!? Even according to the version that **Abaye** says that **R' Yehuda's** view is that a person errs up to an hour plus a slight amount, he should be able to eat up until right before the end of the 5th hour!? **A:** **Abaye** said, witnesses are more careful people, and they only err those small amounts. The general population may err even more than that. Therefore, regarding chametz we have to allow for the possibility of even larger mistakes.
 - **Q:** According to **Rava**, who says that **R' Meir's** view is that people err slightly less than 2 hours, he should have to stop eating at the very beginning of the 5th hour!? **A:** Chametz is not assur until the beginning of the 7th hour, at which time the sun is in the west. Therefore, we can let him eat the entire 5th hour, because the sun is in the east and he will not make a mistake to the 7th hour.
 - **Q:** If so, let him eat the entire 6th hour as well!? **A:** **R' Ada bar Ahava** said, at the end of the 6th hour the sun is pretty much directly overhead, and it is difficult to tell whether it is in the east or west. Therefore, one may confuse the end of the 6th with the beginning of the 7th. To prevent that, we say that he may not eat chametz the entire 6th hour.
 - **Q:** According to **Rava**, who says that **R' Yehuda's** view is that people err slightly less than 3 hours, he should have to stop eating at the very beginning of the 4th hour!? **A:** At the

4th hour the sun is still well in the east, so there is no risk that he will confuse that with the 7th hour, at which time the sun is in the west.

- **Q:** If so, let him eat the entire 5th hour as well!? **A: Abaye** answers that witnesses are more careful people and wouldn't make this mistake, but the general population may. Therefore, we prohibit the chametz after the 4th hour. **A2: Rava** answers that the reason **R' Yehuda** prohibits eating chametz after the 4th hour is not because of the inaccuracies of telling time. It is because he holds that one must destroy the chametz by burning it. Therefore, the **Rabanan** prohibited eating chametz after the 4th hour so that people will have the 5th hour to go and collect wood to use for burning the chametz, which will be done at the beginning of the 6th hour.
 - **Q: Ravina** asked, a Braisa says that **R' Yehuda** allows any form of destruction of the chametz once the time for destroying the chametz has arrived!? **A:** Rather, **Rava** said, the reason why **R' Yehuda** prohibits eating chametz after the 4th hour is for the case of a cloudy day, when the position of the sun cannot be easily determined and is therefore easily confused.
 - **Q:** If so, who doesn't he prohibit eating the chametz during the 4th hour as well!? **A: R' Pappa** says, the 4th hour is when most people eat breakfast, so they will not confuse that time (their bodies know that time well).
- A Braisa says, "Ludim" eat during the first hour of the day, thieves eat during the second hour, inheritors of wealth (who don't work) eat during the 3rd hour, workers eat during the 4th hour, talmidei chachomim eat during the 5th hour, all others eat during the 6th hour.
 - **Q:** We just said that **R' Pappa** said most people eat in the 4th hour!? **A:** Change the Braisa to say, most people eat in the 4th hour, workers eat in the 5th hour, and talmidei chachomim eat in the 6th hour.
 - The Braisa continues, that eating breakfast after the 6th hour is no longer beneficial. **Abaye** said, that is only if he fasted up until that time.
- **R' Ashi** said, the same machlokes that exists between **R' Meir** and **R' Yehuda** with regard to testimony (how much they err in telling time) also exists regarding eating chametz.
 - **Q:** That is obvious!? **A: R' Ashi** means to say that **R' Meir** and **R' Yehuda** are consistent in their views. The reason the time allowed for erring is different between testimony and chametz is the reasons we gave above. It is not because the Mishnayos of testimony and chametz argue with each other in regard to what they held.
- **R' Simi bar Ashi** said, we only accept the testimony of the witnesses if the discrepancy is off by a couple of hours during the day. However, if one says the incident took place before sunrise and the other says it was after sunrise, the testimony is not accepted.
 - **Q:** This is obvious!? **A:** The chiddush is, even if one said it took place before sunrise and one said it was *during* sunrise, the testimony is not accepted.
 - **Q:** That is also obvious!? **A:** We would think they are both referring to the same time, and the one who said it was during sunrise saw the rays of light that come before sunrise and thought it was actually sunrise. **R' Simi bar Ashi** therefore teaches that we don't say that, and the testimony is therefore not accepted.