



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

### Rosh Hashanah Daf Chuf Beis

#### MISHNA

- If a father and son saw the new moon, they should go to testify in Beis Din. Not that they can testify as a pair of witnesses (close family members are passul as a pair of witnesses), rather they should go so that if one of them becomes otherwise passul, the other will be available to be a witness. **R' Shimon** says, a father and son, and all other relatives can testify together as a pair of witnesses for this testimony. **R' Yose** said, it once happened that Tuvia, the doctor, went to testify regarding the new moon with his son and his freed slave. The Kohanim accepted him and his son to testify but said the freed slave was passul. When they came to Beis Din, he was accepted along with his freed slave, and his son was said to be passul.

#### GEMARA

- **R' Levi** explained that the shitah of **R' Shimon** is based on a pasuk. The pasuk says that Hashem spoke to Moshe and Aharon and said "Hachodesh hazeh lachem" – which he darshens to mean that the testimony of the new month is even fit to be given by them, although they were brothers.
  - The **Rabanan** say that the pasuk means to teach that the testimony is given over to the jurisdiction of the greatest Chachomim, as were Moshe and Aharon.

#### AMAR R' YOSE MAASEH B'TUVIA HAROFEH...

- **R' Chanan bar Rava** paskened like **R' Shimon**.
  - **R' Huna** asked, we have **R' Yose** and the story that argue on **R' Shimon**, and you pasken like him!? **R' Chanan** said, I mentioned to **Rav** many times that the Halacha follows **R' Shimon**, and he never corrected me! **R' Huna** asked, how did you tell **Rav** that **R' Shimon** paskens? He said, I actually quoted **R' Shimon** as having the view of **R' Yose** in our Mishna. **R' Huna** said, that is why he didn't correct you, because he held that we pasken like **R' Yose's** view.
- **Tavi**, the son of **Mari Tavi**, said in the name of **Mar Ukva in the name of Shmuel**, the Halacha follows **R' Shimon**.

#### MISHNA

- The following people are passul to testify regarding the new moon: a gambler, one who lends with interest, one who bets on bird races, one who does business with produce of shmitta, and slaves. The general rule is, any testimony for which a woman is passul, these people are passul as well.

#### GEMARA

- The Mishna suggests that testimony for which a woman is a valid witness, these people would be valid as well. **R' Ashi** said, from here we see that these people would be valid to give testimony that a man has died so that his wife may remarry (a woman may give this testimony).

#### MISHNA

- If one saw the new moon but cannot physically walk to Beis Din, he may be taken on a donkey to Beis Din (even on Shabbos). He may even be carried there in his bed. If they are afraid that they will be attacked on the way, they may take sticks to arm themselves. If they must travel very far, they may even take food. Witnesses may travel all of Friday night and Shabbos day if they will have enough time to get to Beis Din and say testimony before the day is over.

## PEREK IHM EINAN MAKIRIN -- PEREK SHEINI

### MISHNA

- If we know that Beis Din will not know “him” (the witness), we send along another to testify about the witness. This was done, because initially Beis Din would accept the testimony of any Jew, but when the Baisusim tried to undermine the entire process, the **Rabanan** instituted that testimony may only be accepted from people that were known to be trustworthy.

### GEMARA

- **Q:** The Mishna says “we send along another”, which suggests that even one person would be believed. However, a Braisa suggests that 2 people are needed!? **A:** **R’ Pappa** said, “another” in the Mishna means another *pair* of witnesses. This must be what is meant, because the Mishna begins by saying, if Beis Din doesn’t know “him”. Clearly that must be referring to a set of 2 people. Similarly, “another” means a set of 2 people.
  - **Q:** We find that a Braisa says that **R’ Nehorai** went along to testify regarding a witness in Usha. This suggests that he went, and would be believed, on his own!? **A:** He had a second person along with him. The Braisa doesn’t mention this other person out of respect for **R’ Nehorai**. **A2:** **R’ Ashi** said, **R’ Nehorai** was going to meet up with another witness in Usha.
    - **Q:** If he was going to join another person, why does the Braisa need to even mention this? **A:** We would think that since it is not certain that the other person will be there, he should not be allowed to be mechalel Shabbos and go along. The Braisa teaches that he may.
- **Ulla** once came to Bavel and reported which day was made as Rosh Chodesh that month in Eretz Yisrael.
  - **R’ Kahana** said, not only do we believe **Ulla** to give such a report, rather every Yid would be believed, since this is a report that we will eventually find out about through other sources. One would not lie about a report which will become known through other sources.

### BARISHONA HAYU MIKABLIN EIDUS HACHODESH MIKAL ADAM...

- A Braisa explains, the Baisusim once hired 2 people to go and say false testimony that they had seen the new moon, and in that way tried to sabotage the process. They didn’t realize that one of the hired people accepted the “job” just to foil the plan. When Beis Din realized what the Baisusim had planned, they instituted that only known, trustworthy people would be accepted as witnesses for saying testimony regarding the new moon.

### MISHNA

- Initially they would light torches on the mountaintops to let everyone in sight know that Rosh Chodesh had been declared. When the Kusim sabotaged that process (by lighting fires without Beis Din having declared Rosh Chodesh), they stopped this process and instead sent messengers to spread the word.
  - When the process was done, they would use very tall poles with flammable substances. They would light the tops of the poles on a mountaintop, and wave them back and forth, and up and down. This waving would continue to be done until the person saw that someone further away on the next mountaintop began to do the same, and the process would repeat itself until the 3<sup>rd</sup> person began, etc. The first mountain was Har Hazeisim, the second was Sartava, then Grufina, then Chavran, and then Beis Baltin. The one on top of Beis Baltin would continue waiving until the entire Bavel looked to him like a bonfire.

### GEMARA

- The Mishna uses the word “masi’in” to refer to burning torches. This word is used to mean this in a pasuk as well, where the pasuk says “Vayisa’em Dovid”, and means that Dovid “burned them”.

- A Braisa says that the torch process was only used to signal for a Rosh Chodesh that was proclaimed on the 30<sup>th</sup> day (meaning, that the passing month only had 29 days), and the torches were lit the night following the 30<sup>th</sup> day.
  - **Q:** Why wasn't the torch process used for Rosh Chodesh following a 30 day month? **A: R' Zeira** said, the reason is for the confusion that would occur when Rosh Chodesh was declared on the 30<sup>th</sup> day which fell out on a Friday. In that case, the torches could not be lit on Friday night, and would therefore have to be lit on Motzei Shabbos. If torches were lit even following full 30 day months, there would be confusion whether the torches lit were to signal Rosh Chodesh on Friday (and simply couldn't be lit earlier) or to signal Rosh Chodesh on Shabbos.
    - **Q:** Why couldn't they light torches for a Rosh Chodesh on day 30 or day 31, and in the above confusing situation, they could simply not light torches. In that way they would know that it was on Friday, because if it was on Shabbos, torches would be lit on Motzei Shabbos!? **A:** People would still think that Rosh Chodesh may have been on day 31 (on Shabbos), and the reason no torches were lit was because something happened that prevented them from doing so.
    - **Q:** Why didn't they institute that the torch process should only be done when Rosh Chodesh was declared on day 31? **A: Abaye** said, they didn't do this because this would cause all the people who were relying on the torch signal to determine Rosh Chodesh, to have to keep Rosh Hashanah for 2 days (only once the night following the 31<sup>st</sup> passed with no torches being lit would they know that Rosh Chodesh (and Rosh Hashanah) was actually on day 30).