



Daf In Review – Weekly Chazarah

Maseches Beitzah, Daf טל – Daf מה

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf טל---39-----

MISHNA

- A burning coal has the techum of its owner. A flame has no techum restrictions at all, because it has no substance.
- One who uses a burning coal of hekdesch is chayuv for “me'ilah”. One who uses a flame of hekdesch, although assur to do, would not be chayuv for me'ilah.
- One who carries out a burning coal to the reshus harabim on Shabbos would be chayuv, but one who carries out a flame would be patur.

GEMARA

- A Braisa says, there were 5 distinctions made between a burning coal and a flame: 1) the coal has the techum of its owner and the flame has no techum; 2) using a coal of hekdesch carries the me'ilah penalty, whereas using a flame of hekdesch is assur, but there is no me'ilah penalty; 3) one may not benefit from a coal of avodah zarah, but may benefit from a flame of avodah zarah; 4) one is chayuv for carrying a coal out to the reshus harabim on Shabbos, but not for carrying a flame; 5) one who promises not to benefit from his friend may not use the coal of that friend, but may use his flame.
 - **Q:** Why is the flame of hekdesch assur to use but the flame of avodah zarah is mutar? **A:** Yidden find avodah zarah to be disgusting, so there was no need to be goizer against using their flames for the fear that it lead to using more. Hekdesch is not treated in that way, and the **Rabanan** therefore felt the need to be goizer.

HAMOTZI GACHELES L'RESHUS HARABIM CHAYUV V'SHALHEVES PATUR

- **Q:** A Braisa says that one who takes out even the smallest flame on Shabbos is chayuv!? **A:** **R' Sheishes** said, the Braisa is discussing where he took out the flame on a piece of wood (he is chayuv for carrying out the wood).
 - **Q:** Then let the Braisa say he is chayuv for the wood!? **A:** The wood is smaller than the size necessary to make him chayuv (however, with the flame it is considered significant enough to make him chayuv).
 - **A:** **Abaye** said the Braisa is discussing where he took the flame out on a keili.
 - **Q:** He should be chayuv for carrying out the keili!? **A:** It was a broken piece of pottery.
 - **Q:** He should be chayuv for carrying the pottery!? **A:** It was smaller than the size necessary to make him chayuv.
 - **Q:** If so, what is the case of our Mishna which says that one who carries out a flame is patur? **A:** Where one blew a flame into the reshus harabim.

MISHNA

- The water of a well has the techum of the owner of the well. A well belonging to a city has the techum of the people of the city. The water drawn from wells made for the people of Bavel who were traveling to Eretz Yisrael (public wells) take on the techum of the person who has drawn the water.

GEMARA

- **Q:** **Rava** asked **R' Nachman**, our Mishna says that the water of a private well takes on the techum of the owner, but a Braisa says that water from flowing rivers and streams (presumably, even if privately owned) have the techum of the one who draws them!? **A:** **Rabbah** said, our Mishna is talking about still, stationary water, and such water takes on its owner's techum.

V'SHEL OLEI BAVEL K'RAGLEI HAMIMALEI

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- If one drew water from such a well, with intent to draw it for his friend, **R' Nachman** says the water takes on the techum of the one it was drawn for, and **R' Sheishes** says it takes on the techum of the one who drew the water.
 - The point of machlokes is: **R' Sheishes** says that the water in the well is hefker, and one cannot acquire something of hefker for someone else. **R' Nachman** says that the water is considered as owned by all Yidden in a partnership, and such water can therefore be acquired for someone else.
 - **Q: Rava** asked **R' Nachman**, a Mishna says, if 2 people are assur to benefit from each other because of a promise made, they are allowed to use the well of the people who came from Bavel to Eretz Yisrael. Now, according to **R' Nachman**, who says the well is owned as a partnership, these 2 people should not be allowed to use the well, because they are using water which belongs in part to the one they are assur to benefit from!? **A:** The Braisa is discussing drinking water from the well. This is allowed because when the water is drawn, through breirah we say that the water drawn was his all along, and never belonged to that other individual. However, it would be assur for them to bathe in that well, because in that case, they would be benefitting from water owned by that other individual.
 - **Q:** This would mean that **R' Nachman** holds of breirah. However, based on **R' Nachman's** explanation of a Mishna regarding brothers who split an inheritance we see that he does not hold of breirah (he treats the brothers as having bought their portions from each other)!? **A:** All agree that the water in the public well is hefker. The machlokes between **R' Nachman** and **R' Sheishes** is whether when one picks up a hefker item with intent to give it to his friend, does the first person acquire it with his lifting and he then gives it to the friend, or does the first person not acquire it at all and it remains hefker until it is taken by the friend (who then acquires it). **R' Nachman** says that it remains hefker until the friend takes it, which is why this hefker water gets the techum of the person it was lifted for, and **R' Sheishes** says that the one who lifts it acquires it immediately, and the water therefore takes on his techum.

-----Daf 40-----

MISHNA

- If one's produce was in another city which was beyond his techum (and he had not made an eiruv to allow him to reach his produce), even if the people of the other city had made an eiruv which would allow them to travel to him, they may not bring his produce to him (the produce is considered to be outside of its techum and may not be moved at all). If he had made an eiruv, his produce would follow the benefits and restrictions of his eiruv.
- If one invited guests from beyond his techum (but the guests had made an eiruv which allowed them to travel to him), he may not give them items to take back with them (since those items have the host's techum, which does not allow them to be taken back to the home of the guests) unless he transferred ownership of the items to the guests before Yom Tov began.

GEMARA

- If one gives produce to a friend to watch over them, **Rav** says the techum of the produce follows the techum of the friend, and **Shmuel** says the techum follows the techum of the owner of the produce.
 - **Q:** Maybe we can say that **Rav** holds this way because elsewhere he paskens like the **Chachomim** of a Mishna who say that when the owner of a chatzer gives permission for someone to bring in an object, he becomes responsible to prevent damage to that item. Similarly, when one watches produce for his friend, he becomes responsible for the produce and it therefore takes on his techum? Also, maybe we can say that **Shmuel** holds this way because elsewhere he paskens like **Rebbi** of that Mishna who says that the owner of the chatzer does not become responsible unless he specifically accepts responsibility upon himself. Similarly, the one watching the produce is not responsible and the produce is therefore considered to be owned by the owner and takes on his techum? **A: Rav** can say that his shita can even follow **Rebbi**. In our case of the produce, the friend has accepted responsibility to watch the produce,

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and that's why **Rebbi** would agree that it is in his reshus and follows his techum. However, in the case of the chatzer, the person never explicitly accepted any responsibility, and that is why it is different.

Shmuel can say that even the **Rabanan** may follow his shita. In the case of the chatzer, one wants his ox to be in the possession of the owner of the chatzer, because in that way he saves himself from liability if the ox damages the chatzer. However, in the case of the produce, one doesn't want his produce to be considered to be in the possession of his friend, and that's why it remains in the owner's techum.

- **Q:** Our Mishna says, if the owner of the produce made an eiruv, the produce may be brought to him. According to **Rav**, since the people of the other city are watching the produce, the techum should follow them, and not the owner!? **A: R' Huna** said, **Rav** agrees that when the person places his produce in a specific corner of the watcher's house, the watcher has accepted no responsibility and the techum follows the owner. This is the case that is discussed in the Mishna.
- **Q:** The Mishna says that when the host transfers ownership to the guests before Yom Tov, they may take the items back with them (because the items have the techum of the guests). According to **Rav**, even if he transfers ownership, since it remains in the host's house, he is the "shomer" and the techum should follow him!? **A:** Transferring ownership to them is like giving them a corner of the house, in which case the techum follows the guests. **A2:** By transferring ownership before Yom Tov, he shows that he wants it to be in their techum, and that he retains no ownership or responsibility over it.
- **R' Chana bar Chanilai** hung a piece of meat on a door at the onset of Yom Tov, and then wanted to take that meat back to his house (which he was able to reach via an eiruv that he had set up). **R' Huna** told him, if you hung up the meat before Yom Tov, the meat follows your techum. If your hosts had done that for you, it is in their techum.
 - **Q: R' Huna** was a talmid of **Rav**, and should therefore hold that even when he himself hung it, since it is being watched by the hosts, it follows their techum!? **A:** Hanging on a door is like placing an item in a specific corner.
 - **Q: R' Hillel** asked, even if the hosts hung it he should be able to take it, because **Shmuel** said that even one who buys from a merchant may take the animal according to the buyer's techum since the merchant had in mind before Yom Tov to give the animal to whoever bought it!? Here too, the hosts had in mind to give it to him! **Q2: Ravina** asked, **R' Yochanan** paskened like **R' Dosa** who said that an animal takes on the shepherd's techum even if he didn't get the animal until Yom Tov, because the owner had in mind to give it to him. Here too, the hosts had in mind to give it to him! **Q3: R' Ashi** asked, a Mishna said that one's possessions get his techum. If so, the meat should clearly follow **R' Chana's** techum!? **A: Rav** wasn't discussing techum. He was discussing the problem of "basar shenisalem min ha'ayin" (meat that wasn't watched and may have been switched out for non-kosher meat). **Rav** said, if you hung it on the door and can therefore recognize the meat as being the one you hung up, you may eat it. If not, you may not eat it.

MISHNA

- One may not give to drink and shecht animals from the wild, but one may give to drink and shecht domestic animals. Domestic animals are those that spend the night in the city. Animals from the wild are those that spend the night out in the field.

GEMARA

- The Mishna mentions giving to drink in association with slaughtering to teach a side point, that one should give an animal to drink before shechting it to allow for easier removal of the skin.
- A Braisa says, an "animal of the wild" is an animal that grazes in the fields from Pesach time and returns during the first rains (in the month of Cheshvan). Domestic animals are those that graze outside the techum, but return to within the techum for the night. **Rebbi** says, both these characteristics describe domestic animals. An animal of the wild is an animal that grazes out in the fields and never returns to the settlement at all – not in the summer or the winter.

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- **Q:** Presumably, by giving a definition of animals of the wild, **Rebbi** must hold that they are muktzeh. However, we find that **Rebbi** explains that **R' Shimon** says, only drying figs and raisins are muktzeh. If **Rebbi** gave the explanation, he must agree with this as well, which means that he does not hold of muktzeh!? **A:** Animals of the wild are muktzeh like drying figs and raisins (the animals were also fit to use before they went away, and then became unfit). **A2:** **Rebbi** explained the shita of **R' Shimon**, but he actually does not agree with it. **A3:** **Rebbi** does not hold of muktzeh. The definition he gives for animals of the wild was given according to the shita of the **Rabanan** who do hold of muktzeh.

HADRAN ALACH PEREK MASHILIN!!!

HADRAN ALACH MESECHTA BEITZAH!!!

MAZEL TOV!!!



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Maseches Rosh Hashanah, Daf כ – Daf א

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-----Daf כ---2-----

MESECHTA ROSH HASHANAH

PEREK ARBA'AH RASHEI SHANIM -- PEREK RISHON

MISHNA

- There are 4 “Rosh Hashanas”: 1) the first of Nisnon is rosh hashanah (the start of the year) for counting the years of kings (which was relevant when dating documents), and for the Yomim Tovim; 2) the first of Elul is rosh hashanah for purposes of animal ma'aser (it is the cutoff for determining which animals were born in which year), although **R' Elazar and R' Shimon** say the rosh hashanah for that purpose is the first of Tishrei; 3) the first of Tishrei is rosh hashanah for the years, for shmitta, for yovel, for purposes of new trees (for determining orlah), and for vegetable ma'aser; the first of Shevat is rosh hashanah for trees (for ma'aser of fruit) according to **B”S**, whereas **B”H** say it is on the 15th of Shevat.

GEMARA

- **Q:** With regard to what Halacha is it important to determine the year of the kings? **A: R' Chisda** said, for dating documents (which were dated using the year of the current king as a reference point), as a Mishna says that predated loan documents are passul.
- A Braisa says, if a king took the throne on the 29th of Adar, on the very next day (the first of Nisnon) he is considered to enter his second year of reign. If he took the throne on the first of Nisnon, he does not enter his second year until a full year later (on the first of Nisnon of the next year).
 - This first part of the Braisa teaches that the first of Nisnon is the rosh hashanah for kings, and it also teaches that one day of a year can at times be considered a full year.
 - The second part of the Braisa teaches that even if the king was voted into office in Adar, if he was not installed into office until Nisnon, his second year of reign does not begin until a full year has passed.
- A Braisa says, if a king dies in Adar and a new king takes the throne that same Adar, a document may be dated as the last year of the king that died or as the first year of the new king. If a king dies in Nisnon and a new king takes the throne that same Nisnon, a document may be dated as the last year of the king that died or as the first year of the new king. If a king dies in Adar and a new king takes the throne in Nisnon, the previous year must be referred to as the last year of the first king and the next year must be referred to as the first year of the new king.
 - **Q:** The first Halacha of the Braisa seems obvious!? **A:** We would have thought that we don't count the same year for two kings. The Mishna teaches that we do.
 - **Q:** The second Halacha of the Braisa seems obvious!? **A:** We would think that a day of a year may only count as a full year when it is the last day of the year. The Mishna teaches that even the first day of the year can be counted as a full year.
 - **Q:** The third Halacha of the Mishna seems obvious!? **A:** The case is where the son of a king was voted into office in Adar, but not installed until Nisnon. We would think that his reign should be counted from Adar.
- **Q: R' Yochanan** asked, how do we know that the year for a king begins with Nisnon? **A:** He said, it is based on a pasuk that associates the years from Yetziyas Mitzrayim to the years of Shlomo's kingship. This teaches, that just like the years from Yetziyas Mitzrayim are counted from Nisnon, so too the year of a king's reign is determined at Nisnon.

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- **Q:** Maybe the years from Yetziyas Mitzrayim are counted from Tishrei!? **A:** That can't be, because the pasuk which tells of Aharon's death says it took place on the 1st day of the 5th month (of Av) of the 40th year of Yetziyas Mitzrayim. After that episode, the pasuk tells of Moshe's speaking to the Bnei Yisrael on the 1st day of the 11th month (Shevat) of the "40th year". If Tishrei was the rosh hashanah for purposes of Yetziyas Mitzrayim, the pasuk of Moshe should have said that it was in the 41st year.
 - **Q:** The pasuk of Aharon clearly makes reference to it being the 40th year of Yetziyas Mitzrayim. However, the pasuk of Moshe just says it was the 40th year. Maybe it was the 40th year to some other event, like the building of the Mishkan (but was actually the 41st year of Yetziyas Mitzrayim, because the years for that purpose are counted at Tishrei)!? **A:** We find that **R' Pappa** says the words "the 20th year" (written elsewhere) make a gezeira shava. Here too, the words "the 40th year" make a gezeirah shava and teach that both are in reference to Yetziyas Mitzrayim.
 - **Q:** Who says that the story of Aharon's death (in Av) happened before the story of Moshe (in Shevat)? Maybe the story with Moshe happened first (and it was the Av that followed that Shevat, in which case it may be that Tishrei is the determining time for counting years of Yetziyas Mitzrayim)? **A:** This can't be, because the pasuk says that Moshe spoke to the Bnei Yisrael after he killed Sichon, and Sichon was still alive at the time of Aharon's death. We see this because the pasuk says that Canaan saw that the Anan Hakavod left (because Aharon had died) and thought he had the opportunity to attack Klal Yisrael.
 - **Q:** That was Canaan! Maybe Sichon actually died before Aharon!? **A:** A Braisa says that Sichon, Arad, and Canaan are one and the same.

-----Daf ל---3-----

- **Q:** Maybe the rosh hashanah for purposes of counting the years from Yetziyas Mitzrayim is Iyar? **A:** That can't be, because the pasuk says that the Mishkan was erected in the first month (Nissan) of the second year, and another pasuk says that the cloud was lifted from on the Mishkan in the second month (Iyar) of the second year. We see that Iyar is considered to be of the same year as Nissan.
- **Q:** Maybe Sivan is rosh hashanah for this purpose? **A:** That can't be, because the pasuk says that the yidden reached Har Sinai in the third month (Sivan) after Yetziyas Mitzrayim. If Sivan is the rosh hashanah, the pasuk should say that it was the second year.
- **Q:** Maybe rosh hashanah for this purpose is Tammuz, Av, or Adar? **A:** Rather, **R' Elazar** said, the way we know that the rosh hashanah is Nissan is based on a different pasuk. The pasuk says that Shlomo began to build the Beis Hamikdash in the second month (Iyar), "in the second", in the 4th year of his kingship. The second mention of "in the second" must mean that Iyar was also the second month to his count of years of kingship.
 - **Q:** Maybe it means the second day of the month? **A:** If that is so, the Torah would have said so clearly.
 - **Q:** Maybe it means the second day of the week? **A:** The Torah doesn't refer to days of the week in that way. Also, we learn the second mention of "sheini" from the first mention. Just like the first mention refers to the month, so too does the second mention of sheini, and we can learn that rosh hashanah for counting the years of a king is Nissan.
 - A Braisa says like **R' Yochanan**, by bringing all the pesukim that he brought (on the previous daf) to prove that the rosh hashanah for counting the years of a king is Nissan. The Braisa also mentions the pasuk of **R' Elazar**.
- **R' Chisda** said, Nissan is the rosh hashanah for counting the years of Jewish kings. However, when counting the years of non-Jewish kings, the rosh hashanah is Tishrei. We see this from Nechemya. The pasuk tells of a conversation that happened in Kislev of the 20th year, and then of a conversation that took place in the Nissan of the 20th year of King Artachshasta. We see that the year did not change at Nissan.
 - **Q:** The second pasuk clearly says it was the 20th year of Artachshasta, but the first pasuk only says it was the 20th year. Maybe it was in reference to something else? **A:** **R' Pappa** said, there is a gezeirah shava on the words "20th year", which teaches that they both refer to the years of Artachshasta.

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- **Q:** How do we know that the conversation of Kislev preceded the conversation of Nisnon (which would show that Nisnon is not the rosh hashanah)? Maybe the conversation of Nisnon was first (which would show that Tishrei is not the rosh hashanah)? **A:** Based on the conversations that took place, it is clear that the conversation in Kislev took place first. In the conversation in Kislev, Chanani told Nechemya that the Yidden in Yerushalayim were suffering, and (although the Beis Hamikdash was rebuilt) the walls of Yerushalayim were still destroyed. That conversation led to the conversation in Nisnon, where Nechemya asked Artachshasta permission to go to Yerushalayim and rebuild its walls.
- **Q: R' Yosef** asked, a pasuk discussing the rebuilding of the Beis Hamikdash says, they worked on “the 24th day of the 6th month (Elul) in the second year of Daryavesh”. Another pasuk that follows, says that on the 21st day of the 7th month (Tishrei), Hashem spoke to Chaggai. According to **R' Chisda**, the pasuk should have said that it was the 3rd year of Daryavesh at that point!? **A: R' Avahu** said, Koresh was a righteous king, and that's why his years are counted from Nisnon, like the years of a Jewish king.
 - **Q: R' Yosef** asked, 1) we find that Daryavesh's years were not counted from Nisnon in the pesukim, because one pasuk says that the Beis Hamikdash was completed in Adar of the 6th year of Daryavesh, and another pasuk says that Ezra, who went up to Yerushalayim more than a year later, reached Yerushalayim in the month of Av of the 7th year of Daryavesh. If we count from Nisnon, it should be the 8th year!? 2) **R' Yosef** asked from a pasuk regarding Daryavesh, so how does **R' Avahu** give an answer about Koresh!? **A:** We can answer the second question based on a Braisa that says that Koresh, Daryavesh, and Artachshasta are one and the same person. **A: R' Yitzchak** said, the first question is not problematic, because Daryavesh was righteous for a time, and then became wicked. When he was righteous, his years were counted from Nisnon, like a Jewish king. When he became wicked, his years were counted from Tishrei, like a non-Jewish king.

-----Daf 7--4-----

- **Q: R' Kahana** asked, did Daryavesh become wicked by the time Ezra went up to Yerushalayim? We find that he instructed to give the Yidden whatever was needed for the Beis Hamikdash and the korbanos!? **A: R' Yitzchak** said, the pasuk says that he did that so that the Yidden can better daven for the welfare of Daryavesh and his family. We see that all he gave was with selfish intentions.
 - **Q:** We have learned that if one gives tzedakah for the zechus that his children should live, or so that he merit Olam Habah, he is considered to be completely righteous!? **A:** If a Yid does that he is considered righteous, because we can assume that his true intention is still to perform the mitzvah. When a goy does this, he does not have these good intentions, and therefore he is not considered to be righteous.
 - **A:** We can also see that Daryavesh was wicked, because he instructed that the Beis Hamikdash be built with rows of wood in between the rows of stone. He did so to allow it to be easily destroyed if he so desired.
 - **Q:** Shlomo also placed rows of wood in between the rows of stone!? **A:** Shlomo placed the wood on top (which didn't risk the structural integrity), whereas Daryavesh placed the wood underneath. Also, Shlomo had the wood recessed, and covered it with plaster.
 - **A: R' Yosef** said, we see that he became wicked, because Nechemya said that he spoke to the king “v'hasheigal yosheves etzlo” (the “sheigal” was sitting next to him). **Rabbah bar Lima in the name of Rav** said, that refers to a female dog that he would be mezaneh with.
 - **Q:** We find that he gave the sheigal to drink wine. A dog doesn't drink wine!? **A:** It was trained to drink wine.
 - **Q:** A pasuk seems to say that the Yidden get s'char for having a “sheigal”? **A:** The pasuk means, the Yidden get s'char for being attached to the Torah like a dog is to its master.
 - **A:** We can answer both these questions by saying that the word sheigal means a queen. Here, **Rav** had a tradition that it was a dog. It was referred to as his queen because he loved it like a queen and gave it a place next to him like a queen.

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- **A:** We see that he became wicked from another pasuk. Originally he instructed to give whatever was needed. Later, the pasuk says that he said what should be given. We see that he changed and began to limit what was given.
 - **Q:** Maybe initially he just didn't know what would be needed, but later he knew and therefore stated what should be given? **A:** We must use one of the other reasons mentioned that show his wickedness.

V'LIRGALIM

- **Q:** The first of the Yomim Tovim begins on the 15th of Nisson, not on Rosh Chodesh!? **A:** **R' Chisda** said, the Mishna means, that the month of Nisson has in it the Yom Tov that is the rosh hashanah for the Yomim Tovim.
 - The halachic significance of this is according to **R' Shimon**, who says that one is oiver the issur of "baal ti'achar" (delaying to bring a korbun that he must bring) only when the 3 Yomim Tovim have passed, in order.
 - A Braisa says, many different obligations are subject to the issur of baal te'achar. One is oiver on that issur when 3 Yomim Tovim pass and he has not fulfilled his obligation. **R' Shimon** says, he is only oiver when 3 Yomim Tovim pass in order (i.e. beginning with Pesach). **R' Meir** says, one is oiver as soon as even one Yom Tov passes. **R' Eliezer ben Yaakov** says, one is oiver when 2 Yomim Tovim pass without having fulfilled the obligation. **R' Elazar the son of R' Shimon** says, one is oiver when Succos passes without having fulfilled the obligation.
 - The **T"K** feels that the Torah, seemingly unnecessarily, repeated the mention of the Yomim Tovim. This must have been done to teach that one is oiver for baal te'achar when 3 Yomim Tovim have passed.
 - **R' Shimon** says, the Torah is discussing Succos, therefore the repetition of Succos is unnecessary. It is repeated to teach that Succos must be the last Yom Tov to pass (the 3 Yomim Tovim must be in order).
 - **R' Meir** says, the pasuk says "you shall come there (to the Beis Hamikdash)", and then immediately says "vahaveisem shamah" (you shall bring there). This teaches that if even one Yom Tov passes, he is oiver on baal te'achar.
 - The **Rabanan** say that this pasuk teaches a mitzvas assei to bring the korbun at the first possible time, but doesn't teach when one will be oiver for baal te'achar. **R' Meir** says, since the pasuk says to bring it, and you didn't, you are oiver.
 - **R' Eliezer ben Yaakov's** reasoning is based on the pasuk of "eileh taasu LaShem *b'mo'adeichem*", using the plural form, and the minimum amount of a plural is two.
 - The **Rabanan** say that this pasuk teaches like **Rabbeinu Yonah** says, that all the Yomim Tovim are compared to each other to teach that they all bring kapparah for a tamei person who ate tahor kodashim or who entered the Mikdash, and for a tahor person who ate tamei kodashim.
 - **R' Elazar the son of R' Shimon's** reasoning is as was taught in a Braisa, where **R' Elazar the son of R' Shimon** says, the Torah is discussing Succos, therefore the repetition of Succos is unnecessary. It is repeated to teach that Succos alone is what causes one to be oiver for baal te'achar.
 - **Q:** According to **R' Meir** and **R' Eliezer ben Yaakov**, what does the pasuk that mentions all the Yomim Tovim a second time come to teach? **A:** It teaches what was taught by **R' Elazar in the name of R' Oshiya**, who says that we learn that one may bring his Shavuos korbun for 7 days after Shavuos. We learn this from the fact that the Torah says "B'Chag Hamatzos, U'V'Chag Hashavuos". Just like this may be done for 7 days on Pesach, it may be done for 7 days on Shavuos.
 - **Q:** The pasuk also says "U'V'Chag HaSuccos", and should therefore teach that the korbun of Shavuos can be brought for 8 days, as the korbun of Succos may be brought for 8 days!? **A:** The 8th day of Succos is a separate and distinct Yom Tov, and therefore

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the korbon of Succos cannot be brought on that day (so it too may only be brought for 7 days).

- **Q:** A Mishna clearly says that the korbon of Succos may even be brought on the 8th day, so we should learn out that the korbon of Shavuos may also be brought for 8 days!? **A:** When faced with 2 ways to learn (7 days from Pesach or 8 days from Succos), we must choose the more conservative approach (“tafasta merubah lo tafasta”).
- **Q:** If so, why did the Torah write “Chag HaSuccos” in the pasuk? **A:** It was written to compare Succos to Pesach. Just like one must stay overnight in Yerushalayim on Pesach, based on the pasuk of “u’fanisa baboker v’halachta l’ohalecha”, one must also stay in Yerushalayim overnight on Succos as well.

-----Daf 17--5-----

- **Q:** How do the **T”K** and **R’ Shimon** learn that the korbon of Shevuos may be brought for 7 days? **A:** They learn it from the teaching of **Rabbah bar Shmuel**, who says that we count days to reach Rosh Chodesh, and the kedusha lasts for the same amount of time as the units counted (i.e. one day). So too, we count weeks to reach Shavuos, and the kedusha for the korbon lasts the same amount of time as the unit counted (i.e. a week).
 - **Q:** We also count days to reach Shavuos, so maybe the kedusha should only last one day? **A:** **Rava** said, that may be true, but we also count weeks, so it is a valid teaching. Also, the Yom Tov is called “Chag Shavuos” – the Yom Tov of the weeks.
- **Q:** The Braisa quoted earlier listed a number of korbanos that are subject to the issur of baal te’achar. One korbon mentioned was the Korbon Pesach. However, the Pesach may not be brought at any time other than Erev Pesach, so it can’t be subject to baal te’achar!? **A:** **R’ Chisda** said, the Pesach was mentioned along with the other korbanos, but in truth it is not subject to baal te’achar of passing the series of Yomim Tovim. **A2:** **R’ Sheishes** said, the Braisa is referring to the shelamim brought on Pesach, which may be brought after as well.
 - **Q:** That would be a regular case of Shelamim, which is listed separately in the Braisa!? **A:** The Braisa mentions the shelamim of Pesach separately from the other Shelamim. We would think that the shelamim of Pesach should be treated like the Korbon Pesach, since it is also associated with Pesach. The Braisa teaches that it is treated like a regular Shelamim.
- The Gemara bring a Braisa which gives the source for all the korbanos listed in the Braisa as being subject to the issur of baal te’achar: The pasuk says “ki sidor neder” – this refers to a neder. Via a gezeirah shava we learn that the word “neder” includes a “nedava” as well. “LaShem Elokecha” refers to the different ways of giving money to hekdesh. “Lo se’acher l’shalmo” teaches that one is only oiver for the underlying korbon, but not for failing to bring a substitute korbon. “Ki darosh yidrishenu” refers to a chatas, asham, olah, and shelamim. “Hashem Elokecha” refers to tzedaka, ma’aser of produce, and bechor. “Mei’imach” refers to leket, shikcha, and peya”. “V’haya becha cheit” teaches that one is oiver for delaying, but the korbon does not become passul.
 - **Q:** The Braisa said, “Lo se’acher l’shalmo” teaches that one is only oiver for the underlying korbon, but not for failing to bring a substitute korbon. The substitute of what korbon? The substitute of an olah and a shelamim are offered and therefore would be subject to baal te’achar!? The substitute of a chatas is left to die and not offered!? **A:** It refers to the substitute of a Todah. The Halacha is that if a Todah became mixed with a substitute and one then dies, the remaining one cannot be brought, because a Todah can only be brought with its breads, and this one may be the substitute, which doesn’t have the breads that were originally designated.
 - **Q:** Since it can’t be offered, why do I need a pasuk to tell me that it is not subject to baal te’achar? **A:** **R’ Sheishes** said, the Braisa is actually discussing the substitute for an Olah or Shelamim. The case is where the original korbon passed 2 Yomim Tovim and then got a mum. We would think that the replacement korbon steps into its shoes and one is oiver baal te’achar after just one more Yom Tov. The Braisa teaches that it gets its own 3 Yomim Tovim before being subject to baal te’achar.

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- **Q:** How would **R' Meir** understand this? He had said that one is oiver as soon as one Yom Tov passes!? **A: Rava** said, he would say the Braisa is discussing where a korbon got a mum during the first Yom Tov and a replacement was designated. We would think that the replacement must be offered before the end of this very Yom Tov. The Braisa teaches that it must pass a full Yom Tov before one would be oiver for baal te'achar.
- **Q:** The Braisa said, "V'haya becha cheit" teaches that one is oiver for delaying, but the korbon does not become passul. However, another Braisa learns this about a bechor from a hekesh from ma'aser (and presumably all other korbanos would be learned through a comparison to bechor)!? **A:** We would say that bechor is different in that it is not brought as a kapara or as an appeasement. However, other korbanos which are, may become passul if brought after their proper time. The Braisa learns from the pasuk that no korbon becomes passul in that way.
 - **Q:** In another Braisa, **Ben Azzai** learns this Halacha from the word "oso" written regarding a korbon that is piggul. He learns that only piggul is passul, but not a korbon for which one was oiver baal te'achar!? **A:** The pasuk of "V'haya becha cheit" teaches that only the person himself is punished for baal te'achar, and his wife is not punished. We would think, since **R' Yochanan** said that a man's wife dies an untimely death as a punishment for his not having money to repay for money he stole, maybe the same punishment happens with baal te'achar. The pasuk therefore teaches that only he has the sin, and not his wife.

-----Daf 1--6-----

- A Braisa darshens a pasuk regarding paying one's obligations: "Motza sifasecha" – refers to a mitzvas assei to pay one's obligations. "Tishmor" – refers to a lo sassei if one does not. "V'asisa" – teaches that Beis Din should force one to pay. "Kasher nadarta" – refers to a neder. "Lashem Elokecha" refers to a chatas, asham, olah, and shelamim. "Nedavah" refers to a nedavah. "Asher dibarta" refers to things given to hekdesch for upkeep of the Beis Hamikdash. "B'phicha" – refers to regular tzedakah.
 - **Q:** How can we say that the mitzvas assei is learned from "Motza sifasecha", when a Braisa says we learn it from "U'vasa shama, v'haveisem shama"? **Q2:** How can we say that the mitzvas lo assei is learned from "Tishmor", when a Braisa says we learn it from "Lo si'achar l'shalmo"? **Q3:** How can we say that "V'asisa" teaches that Beis Din should force one to pay, when a Braisa says we learn it from "Yakriv oso"? **A:** Both sets of pesukim are needed. One refers to where a person made the promise to bring a korbon but had not yet designated an animal, and the other set refers to where he designated the animal but had not yet offered it. We would think that maybe only promising without designating is a problem, because he has not kept his word, but designating without offering is not a problem, because the animal, wherever it is, is considered to be in the possession of Hashem. We would also possibly say that only designating without offering is a problem, because he is keeping the animal in his possession, but where he never even designated it, it is not a problem because his mere words don't have real effect. Therefore we need both sets of pesukim.
 - **Q:** How can we say that this Braisa refers to a promise without a designation? One of the promises listed was a "nedavah", which means that one designates a particular animal as a korbon!? **A:** The case referred to by the Braisa as "nedavah" is where one actually made a neder (which obligates himself to bring a korbon) on the condition that he is not responsible if the animal is lost or damaged.
 - The Braisa said, "B'ficha" – refers to regular tzedakah. **Rava** said, one is chayuv to give the tzedaka immediately (without waiting for Yomim Tovim to pass), because poor people are waiting and in need of the funds.
 - The chiddush is that we should not say, since it is written among the korbanos, the Torah means to allow passing of the Yomim Tovim.
 - **Rava** said, as soon as one Yom Tov passes and one did not bring his obligated korbanos, he is oiver on the assei.

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- **Q:** A Mishna says that **R' Yehoshua and R' Papayus** said, that they once ate a Shelamim cow on Pesach, and ate its offspring as a Shelamim (which was born to the Shelamim, and therefore must be offered as well) on Succos. Now, we can say that it couldn't be brought on Pesach with the mother because maybe it was not yet 8 days old, but according to **Rava**, how could they have allowed Shavuos to pass by without bringing the korbon!? **A: R' Zevid in the name of Rava** said, the animal was sick on Shavuos, and therefore could not be brought then. **A2: R' Ashi** said, when the Mishna said that they ate the child on "chag", it meant the Yom Tov of Shavuos.
- **Rava** said, once 3 Yomim Tovim have passed, a person is oiver for baal te'achar each and every day.
 - **Q:** A Braisa says, one can be oiver for baal te'achar when a year passes, even if 3 Yomim Tovim have not passed, and one can be oiver if 3 Yomim Tovim pass, even if a year has not passed. Now, this Braisa is trying to show how many ways one may be oiver. If **Rava** is correct, it should have said that one is oiver each and every day!? **A:** The Braisa was trying to establish the starting date one would be oiver, but not the number of times he would be oiver.
 - **Q:** According to the shita that passing any 3 Yomim Tovim makes one oiver, how can one pass over a year without having passed 3 Yomim Tovim? According to **Rebbi**, who says that one always counts 365 days to be oiver, it is possible that he made a promise right after the Pesach before a leap year, so that 365 days later he has not yet passed 3 Yomim Tovim. However, according to the **Rabanan**, who say that on a leap year he would not be oiver until 13 months have passed, how is the Braisa to be explained? **A:** It will follow what **R' Shmaya** said, that Shavuos sometimes falls on the 5th of Sivan (when Nissan and Iyar have 30 days each), sometimes on the 6th (when only one has 30 days) and sometimes on the 7th (when both only have 29 days). If one made the promise the day after Shavuos when it fell on the 5th, and the next year it fell on the 7th, it is possible to go through an entire year without 3 Yomim Tovim.
- **Q: R' Zeira** asked, would one be oiver for baal te'achar if he delayed bringing a korbon that he must bring on behalf of his parent who had passed away? On the one hand, this is not *his* promise and is therefore not included in the pasuk of "ki sidor neder". On the other hand, it seems to be included in the pasuk of "U'vasa shama, v'haveisem shama"! **A: R' Chiya** taught a Braisa that says, the word "Mei'imach" teaches that an heir is not subject to the issur of baal te'achar.
 - **Q:** We have learned previously that "Mei'imach" is needed to teach that leket, shikcha, and peyah are subject to the issur of baal te'achar!? **A:** The "mem" of "mei'imach" allows for a second drasha.
- **Q: R' Zeira** asked, is a woman subject to the issur of baal te'achar? On the one hand she is not obligated to bring a "korbon re'iyah" on Yom Tov (and therefore need not go to Yerushalayim on Yom Tov), but on the other hand she is chayuv in the mitzvah of Simcha on Yom Tov (which obligates her to go to Yerushalayim). **A: Abaye** said, since she must go for the mitzvah of Simcha, she is subject to baal te'achar.
 - **Q:** We find that **Abaye** says that a woman is not chayuv in the mitzvah of Simcha!? **A:** He was answering according to the shita of **R' Zeira**, who says that she is chayuv.
- **Q:** When do we begin counting the year of a bechor? **A: Abaye** says, from the time of birth. **R' Acha bar Yaakov** says from the time it is fit to be offered on the Mizbe'ach (i.e. at 8 days old).
 - They are not arguing. **Abaye** is discussing an animal with a mum, which is not fit to be offered at all.
 - **Q:** Even with a mum, it cannot be eaten immediately, because we must establish that the animal is viable (i.e. not a neifel) before shechting it!? **A:** The case is where we know it was a full-term baby, in which case we are allowed to assume that it is a viable animal.