



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

### Nedarim Daf Mem Hey

**Q:** A Braisa says, if a person declares his vineyard to be hefker, and in the morning then goes and begins picking the fruit, he would be chayuv in "peret, olielos, shikcha, and peyah". However, he would be patur from maaser. According to **Ulla** we can say that this follows the **Rabanan**, and this Braisa is giving the Halacha D'Oraisa, which says that even if a person retracts his hefker, the field is still considered to have been hefker. However, according to **Reish Lakish**, who would say that this Braisa follows **R' Yose** like the other Braisa, why is the produce of this field patur from maaser? Even D'Oraisa he can retract the hefker, and as such he should be chayuv in maaser!? **A: Reish Lakish** will say that although the previous Braisa follows **R' Yose**, this Braisa follows the **Rabanan**. **A2:** We can say that this Braisa follows **R' Yose** as well. The previous Braisa was discussing where the declaration of hefker was made in front of 2 people, and in that case it can be retracted. This Braisa is discussing where the declaration was made in front of 3 people, and that is why a retraction cannot be made.

- We find such a distinction made by **R' Yochanan in the name of R' Shimon ben Yehotzadak**.

**HADRAN ALACH PEREK EIN BEIN HAMUDAR!!!**

### **PEREK HASHUTFIN -- PEREK CHAMISHI**

MISHNA

- Partners who each made a neder not to benefit from the other may not walk into their jointly owned chatzer. **R' Eliezer ben Yaakov** says that they may, because each partner is walking into the chatzer based on his own ownership rights, without those of his partner.
  - Both partners are not allowed to put a mill, an oven, or raise chickens, in the courtyard.