



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

Nazir Daf Samach Hey

MISHNA

- If someone digs and finds a previously unknown meis, which is lying in the way Yidden are normally buried, we can assume that this meis was placed temporarily and that there are no other meisim in this area, and the meis may be moved along with the surrounding earth. If he finds 2 such meisim next to each other, the same process may be followed. If he finds 3 such meisim, and the distance between the two outer meisim is more than 4 amos but less than 8 amos (which would be typical of the way in which they would then bury meisim), we must assume that this entire area is a cemetery and these meisim may not be moved. To make the area lose the status of a cemetery, he must search for other meisim for a distance of 20 amos in all directions. If he finds even one meis at the end of that 20 amos, he would then have to search an additional 20 amos from that newly found meis. For although had he found this one isolated grave initially he would have been allowed to move it, since he had previously found the other graves there is "raglayim l'davar" ("legs to stand on") that this is part of a cemetery.

GEMARA

- **R' Yehuda** said, the Mishna says that "he finds" a meis, which would exclude a meis that was known to be permanently buried there (and would not be allowed to be moved). The Mishna says that he finds "a meis", which excludes the case where he finds a person who was killed (and had not died of natural causes, because we assume that the killed people were just buried there, and it is not a cemetery, even if he finds more than 3 such people there, in addition these meisim are considered to be incomplete, because people who are killed lose blood, and incomplete meisim will not give the area the status of a cemetery). The Mishna says that the meis was "lying", which comes to exclude a case where the meis was found in a sitting position. The Mishna says he was found lying the way Yidden are "normally buried", which excludes the case where he finds the meis with its head between its legs.
 - **Ulla bar Chanina** taught a Braisa that says, an incomplete meis may be moved without its surrounding earth, and does not count towards the determination of an area being considered a cemetery.
 - The reason that a meis found sitting or lying in a way that Yidden are not buried can be moved without its surrounding dirt and does not create a cemetery is because we assume these meisim to be goyim.
- A Braisa says, if 2 meisim are found buried in opposite directions (the head of one is near the feet of the other), they may be moved without the surrounding earth and there is no cemetery status. If he found 3 graves, of which one was previously known (but not known whether it was permanent or temporary) or even if 2 were previously known, they can be moved with the surrounding earth, and they do not create cemetery status.
 - **R' Yesheivav** once had a situation where two known graves were found next to one unknown grave and he wanted to give the area the status of a cemetery. **R' Akiva** told him, the status of a cemetery is only given when there are 3 known graves or 3 unknown graves.

NOTLAN V'ES TEFUSASAN

- **Q:** Where do we find this concept of taking the surrounding earth along with the meis? **A: R' Yehuda** said, the pasuk says that Yaakov told Yosef "unesasani miMitzrayim". The word "miMitzrayim" is extra, because it is obvious that since he is in Mitzrayim he means to be taken from there. The word teaches that he asked to be taken "along with Mitzrayim", meaning along with the surrounding earth.
- **Q:** How much surrounding earth must be taken? **A: R' Elazar** said, he takes all the loose earth and takes the depth of 3 fingers of the virgin soil below that as well.

- **Q:** A Braisa says that **R' Elazar the son of R' Tzadok** gives the parameters for the earth that must be taken, and does not mention the depth of 3 fingers of soil!? **A: R' Elazar** holds like another Braisa where **R' Yochanan in the name of Ben Azzai** says that the loose earth and the depth of 3 fingers of virgin soil must be taken.

BODEK HEIMENU

- **Rava** said, if a person found a grave and moved it elsewhere (as allowed in our Mishna), and he then found a second grave and moved it elsewhere (as allowed in the Mishna), and then afterwards finds a third grave in that same field, he may not move this 3rd grave to where he reburied the first 2, and may not return those first 2 to be next to the 3rd that he found.
 - **Others** say that **Rava** said that he is allowed to move the 3rd one to be with the other two.
 - **Q:** Discovery of a third grave should give the area the status of a cemetery, so why is he allowed to remove the 3rd grave? **A: Reish Lakish** explained, they were lenient in this way to limit the tumah in Eretz Yisrael.
- If he searched for the additional 20 amos and found no additional graves, **R' Menashya bar Yirmiya in the name of Rav** said, the 3 that were found still give the area the status of a cemetery.

MISHNA

- With regard to a safek of tzaraas the halacha is as follows: If the safek comes about before the person was declared a definite metzora, the safek is tahor. If the safek comes about after the person was declared a definite metzora, the safek is tamei.

GEMARA

- **Q:** How do we know that a safek before the confirmation is decided as tahor? **A: R' Yehuda in the name of Rav** said, the pasuk says "l'taharo oh l'tamo". Since the pasuk first says "tahor" we see that we are to favor something as being tahor and therefore a safek is ruled as tahor.
 - **Q:** If so, then even if he was a confirmed metzora we should say that the safek is tahor!? **A:** The statement of **R' Yehuda in the name of Rav** was said regarding a different matter and does not serve as the source for the ruling in the Mishna.

MISHNA

- There are 7 ways in which we examine a zav (to ascertain that the zivus was not from an external influence) if he was not yet a confirmed zav. They are: what he ate, what he drank, whether he was carrying a load, whether he was jumping, whether he was sick, whether he had seen something to cause it, and whether he had thoughts that may have caused it. Once he has been confirmed as a zav we do not need to examine him, because at that point even if he is an oneis, or has a safek, and even simple zerah will all make him tamei, since there are "raglayim l'davar" (the fact that he is already a zav shows that these other factors were not an influence).
- If a person hits another person and the doctors feel that the victim will die from the injury, and his condition initially improved, but then took a turn for the worse and the person died, the attacker is subject to the death penalty. **R' Nechemya** says he is patur, because there are "raglayim l'davar" (the fact that his condition improved shows that he did not die from the injury of the attack).

GEMARA

- **Q:** How do we know that once the person is determined to be a zav (he has seen two episodes of zivus) he is not checked for the external influences when he has his third zivus discharge? **A: R' Nosson** said, the pasuk says "v'hazav es zovo lazachar v'lanikeiva", which teaches that with regard to the third zivus discharge a man is compared to a woman, and just like a woman is never checked for external influences, the same is true for the third discharge of a man.
 - **Q:** A Braisa says that **R' Elazar** says he is examined for the third discharge, but not for the fourth discharge!? **A: R' Elazar** says the word "es" in the pasuk refers to an additional flow, which means that it is the *fourth* flow that is compared to a woman. However, the earlier 3 flows must all be checked for the possible influence of external factors.