



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

Gittin Daf Nun Ches

- The pasuk describing the time of the Churban Bayis Sheini says the Jewish children were "hamisula'im bapaz" (a rare and precious stone). This can't mean that they were covered with jewelry of paz, because **R' Shila** had taught that there is very little paz in the world. Rather, it means that they would shame paz with their beauty (the Jewish children were so beautiful). The Gemara says, the Romans would look at a paz stone during tashmish so that they should have beautiful children. When they captured they Jewish children, they would instead tie them to their bed and look at them during tashmish.
- A pasuk speaks of the terrible grief from the tragedies ("eini olilah l'nafshi..."). **R' Yehuda in the name of Shmuel in the name of R' Shimon ben Gamliel** said, this refers to the following. There were 400 batei medrash in Beitar. Each one had 400 teachers of children. Each teacher had 400 students. They planned to all stab the enemy when the enemy would come. However, the enemy was victorious, took them all, wrapped them in Sifrei Torah, and burned them all.
- A Braisa says, **R' Yehoshua ben Chananya** went to Rome and heard that there was an exceptionally beautiful Jewish child that was in prison there. He went to the door of the prison and stated a pasuk which asks why these tzaros have befallen Klal Yisrael. The child responded with a pasuk stating that it was the aveiros that caused this. **R' Yehoshua** said, I know this boy will be a tremendous posek in Klal Yisrael. I will redeem him at any cost. He went and redeemed him. It was not long before this boy became a great posek. This boy was the great **R' Yishmael ben Elisha**.
- **R' Yehuda in the name of Rav** said, it happened at the time of the Churban that the son and daughter of **R' Yishmael ben Elisha** were captured. The owner of the son was telling his friend, I have purchased this amazingly beautiful slave. His friend had bought the daughter and said, I have purchased this amazingly beautiful maid. They said, let's put them together to have children and we can split the gorgeous children. The brother and sister were put into a dark room, not knowing who they were in the room with. He stayed in one corner and said, I am a Kohen, descendants of Kohanim Gedolim, and cannot marry a maid. She stayed in the other corner and said I am the daughter of a Kohen, descendants of Kohanim Gedolim and cannot marry a slave. When the sun rose and they saw each other, they cried on each other until their souls departed and they passed away. This story is what Yirmiyah referred to in the pasuk of "ahl eileh ani bochiya..."
- **Reish Lakish** said, it happened during this time that Tzafnas bas Peniel, so named because she was very beautiful, and was the daughter of the Kohen Gadol, was captured. After being abused the entire night, her master covered her in seven coverings and took her to the market to sell. A very ugly man said, I want to see her beauty to decide if I should buy her. At first the master refused, but then acquiesced. The master removed the first 6 coverings. Tzafnas then ripped the seventh covering and rolled in the dust on the ground, saying to Hashem, "Ribono Shel Olam, even if You have no pity on us, have pity on Your Great Name!" This is the story referred to by Yirmiyah in the pasuk of "bas ami chigri sak...".
- **R' Yehuda in the name of Rav** said, before the Churban it once happened that a carpentry student wanted to be mezaneh with his teacher's wife. The teacher needed to borrow money, so the student told him, send your wife to my house and I will give her the money. She went there and he was mezaneh with her for 3 days. The teacher came to the student's house and asked where his wife was. The student replied, she left from my house immediately, but I heard that she was willingly mezaneh with some young men after she left me. The teacher asked, what should I do? The student told him, you must divorce her. The teacher said, but I don't have the money to pay her kesubah. The student said, I will lend you the money. When he divorced her,

the student married her. When the teacher couldn't repay the loan, he had to work for the student as repayment of the debt. The work included serving food and drink to the student and the wife (the teacher's old wife). When this story took place is when the decree was sealed in Heaven to bring about the Churban. Some say it was because of the zenus of this story (rather than the fact that he had to serve the student and his wife).

LAKACH MIN HASIKRIKON...

- **Rav** said, we only say that he didn't truly transfer ownership of the land if he told the purchaser to make a kinyan of chazaka. However, if he went and wrote a document of sale, that shows that he truly meant to transfer ownership. **Shmuel** said, even a document of sale does not show true transfer unless he wrote achrayus into the document as well.
 - There is a Braisa in which **R' Shimon ben Elazar** says like **Shmuel**. **Rav** would say that when the Braisa says it must be written with achrayus, it means that a document must be written.
- A Braisa says, if the purchaser of the land from the sikrikon used the land for 3 years with knowledge of the original owner, and the purchaser then sold the land to someone else, the original owner can no longer claim that he was never given his 25% payment (as the **Rabanan** instituted), because if that was true, he should have said something during the first three years.
 - **Q:** What is the case talking about? If it is talking about where the second purchaser claims that he knows that the first purchaser paid the 25%, then even if it was still in the hands of the first purchaser, and he was the one making that claim, he would be believed (so why do we need to involve a second purchaser)!? If the case is where the second purchaser says he does not know if the 25% payment was made, then the payment would have to be made then, so why does the Braisa say that he does not have to make a payment!? **A: R' Sheishes** said, the case is where the claim is not made (because he does not know). However, in such a case Beis Din will make the claim on behalf of the purchaser, because if the payment was never made, the original owner should have said something during the three years of chazakah. However, Beis Din would not make this claim for the original purchaser, only for a second purchaser.
- A Braisa says, if land is taken by a goy for payment of a debt, or for no reason at all (but not with a threat to life), the halachos of sikrikon do not apply (only by sikrikon does he sincerely give it away). In the case where it was taken for no reason, if it remains by the goy for 12 months, then anyone may purchase it and fully own it.
 - **Q:** The Braisa said that when it is taken for no reason the halachos of sikrikon do not apply, but then it says that after 12 months it may be purchased, which is the halacha of sikrikon!? **A:** The Braisa means to say, that in regard to sikrikon, if it remained by the goy for 12 months, anyone may purchase it.
 - **R' Yosef** said, we have a tradition that land is not taken for "no reason" in Bavel.
 - **Q:** We see that land is taken for no reason!? **A:** He meant that in such a case the land would not have to be given back, because in Bavel there is a court system, and if the owner didn't fully give it away, he would have gone to court to get it back.
 - Gidal bar Re'ilai once had an arrangement where he was to pay the property tax for an absentee owner of a co-op type field, and would then have rights to the produce of that field. He prepaid the taxes for 3 years. However, after just one year the owner came back and demanded that Gidal leave. **R' Pappa** was going to write a collection document for Gidal to collect the prepaid taxes for the remaining two years from the members of the co-op. **R' Huna the son of R' Yehoshua** said, that would not be correct, because then you are protecting the purchaser to the extent as if he had bought from a sikrikon, which is reserved for that case alone! Rather, Gidal brought this loss upon himself by prepaying so far in advance.

ZU MISHNA RISHONA, BEIS DIN SHEL ACHAREIHEN AMRU...

- **Rav** said, he must pay ¼ of the purchase price, either in land or in money. **Shmuel** said, he pays ¼ of the value of the land, which is equal to 1/3 of the purchase price.
 - The machlokes is that **Shmuel** says that the sikrikon sells for ¼ less than the land's true value, and **Rav** says that he sells for 1/5 less than the true value.

- **Q:** A Braisa (similar to our Mishna) says that he pays $\frac{1}{4}$ of the money, which seems to suggest like **Rav**, that $\frac{1}{4}$ of the purchase price is what must be given!? **Q: Shmuel** would say that the Braisa means that he must give $\frac{1}{4}$ of all the money given – that is the sum of the purchase price plus the money given to the owner (this sum equals the value of the land). Therefore, it is $\frac{1}{4}$ of the value of the land that must be given.
- The Mishna said that **Rebbi** set up a Beis Din that decided that $\frac{1}{4}$ must always be given. **Rav** said, “I was part of that Beis Din, and my vote was taken first”.
 - **Q:** We have learned that when voting on financial matters we begin with the vote of the most prominent member of the Beis Din, and therefore **Rebbi's** vote should have been taken first!? **A: Rabbah the son of Rava** said, in **Rebbi's** Beis Din, they never began with the most prominent member (they darshened the pesukim differently).
 - **Rabbah the son of Rava** said, from the times of Moshe Rabbeinu until the times of **Rebbi**, there was never one person who was the greatest in Torah and authority.
 - **Q:** There was Yehoshua!? **A:** Elazar was there with him who was as great in Torah.
 - **Q:** There was Elazar!? **A:** Pinchas was there with him who was as great in Torah.
 - **Q:** There was Pinchas!? **A:** The Elders were there with him who were as great in Torah.
 - The Gemara keeps asking and answering: In the times of the Elders there was Shaul, in the times of Shaul there was Shmuel, in the times of Dovid there was Ira Haya'iri, in the times of Shlomo there was Shimi ben Geira, in the times of Chizkiya there was Shevna, in the times of Ezra there was Nechemya ben Chachalya.
 - **R' Acha the son of Rava** said, I can also say that from the times of **Rebbi** until **R' Ashi** there was no one person who was the greatest in Torah and authority.
 - **Q:** There was **Huna bar Nosson** in the times of **R' Ashi**, who was as great as him!? **A: Huna bar Nosson** subordinated himself to **R' Ashi**, and therefore **R' Ashi** was considered to be the greatest of his time.