



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

Sanhedrin Daf Yud Daled

- **R' Yehoshua ben Levi** said, semicha cannot be done in chutz laaretz.
 - This can't mean that we don't judge cases of penalty outside EY, because a Mishna clearly says that we do. Rather, this means that we can't give semicha to a judge in chutz laaretz.
 - **Q:** It is obvious that if the ones giving the semicha are outside EY and the ones receiving are in EY it will not be effective, based on what **R' Yehoshua** said. What if the ones giving are in EY and the ones receiving are in chutz laaretz? **A:** We find that **R' Yochanan** was upset that **R' Shemen bar Abba** was not with him so that he would be able to give him semicha. We see that the person receiving the semicha must be with the person giving it.
 - **R' Yochanan** was upset that he was logistically not able to give semicha to **R' Chanina and R' Hoshaya**. They told him he should not be upset because they came from Beis Eili (who was subject to a curse), and based on a pasuk we are taught that the descendants of Beis Eili should not receive semicha.
 - **R' Zeira** would hide to avoid getting semicha, based on the statement of **R' Elazar** that a person should stay out of the spot of the public eye and service, and with that he will live. However, when he then heard that **R' Elazar** also said that a person only rises to greatness if all his aveiros have been forgiven, he pushed to get semicha.
 - When **R' Zeira** got smicha, the **Rabanan** said, "she is beautiful without makeup or braids in her hair" (meaning that he didn't need nice clothing to make him who he was).
 - When **R' Ami and R' Assi** got smicha, the **Rabanan** said, it is people like this who deserve semicha.
 - The Gemara says that the maids of the Caesar would praise **R' Avahu** when he would arrive at the palace.

ARIFAS EGLAH B'SHLOSHA

- A Braisa says, **R' Yehuda** says – "zikeinecha" refers to 2, "shoftecha" refers to 2, and we can't have an even number of judges, so we add one more to make 5. **R' Shimon** says "zikeinecha" is two, and we can't have an even number of judges so we add one more for a total of 3.
 - **Q:** What does **R' Shimon** do about the word "v'shoftecha"? **A:** He says that teaches that it must be from the choicest of judges – i.e. from the Great Sanhedrin. **R' Yehuda** learns this from the fact that the pasuk could have said "ziknei" (which is also plural) and instead says "zikeinecha". **R' Shimon** says the word "ziknei" would have meant any elders in the marketplace. "Zikeinecha" teaches that it must be judges from a Beis Din. Still, we would think they can even be from a Beis Din of 23 judges. The word "shoftecha" teaches that they must be from the Great Sanhedrin of 71 judges. **R' Yehuda** learns a gezeirah shava from eglah arufah to the case of "par helam davar shel tzibbur" – just as there the "ziknei" refer to judges of the Great Sanhedrin, the same is here as well.
 - **Q:** If he learns the gezeirah shava, why doesn't he learn from there in its entirety, including that there must be 5 judges. Why do we need the words of "zikeinecha" and "shoftecha" altogether? **A:** **R' Yehuda** does not learn the gezeirah shava. He also only learns from the word "shoftecha". However, he darshens the vav of "v'shoftecha" to require an additional two judges, thus making for 4 judges, and one is added to arrive at an odd number. **R' Shimon** doesn't darshen the vuv and is thus left with a total of 3 judges.

- **Q:** If the plural words mean to add two judges, then when the pasuk says “v’yatzu” it should be understood to add another two judges and “umadidu” should add two more, which according to **R’ Yehuda** would create a total of 9 necessary judges, and according to **R’ Shimon** would necessitate 7 judges!? **A:** Those words are needed for another drasha. “V’yatzu” teaches that the judges themselves must measure, and they cannot send messengers. “Umadidu” teaches that a measurement must be made even if the body is clearly closer to one of the cities, because the measuring itself is a mitzvah.
- Our Mishna does not follow the view of **R’ Eliezer ben Yaakov**, who says that “zikeinecha” teaches that the Sanhedrin must be there and “shoftecha” teaches the king and the Kohen Gadol (who are each referred to as a judge (“shofet”) in pesukim) must be there as well.
 - **Q:** Does **R’ Eliezer ben Yaakov** only argue with regard to the king and the Kohen Gadol, but with regard to the Sanhedrin he agrees with **R’ Yehuda** or **R’ Shimon** (that either 5 or 3 judges are needed), or does he require that the entire Sanhedrin be present? **A:** **R’ Yosef** says we can bring proof from a Braisa that all must be present. A Braisa says that if a “zaken mamrei” rebels against the Sanhedrin when they are not sitting in their usual place, he is not chayuv. Now the case must be where he encountered all of the Sanhedrin outside of their place, because if he encountered less than all he would surely not be chayuv. However, we learn from pesukim that the Sanhedrin are not allowed to all leave at once unless it is for a mitzvah. We can say that the mitzvah they are all allowed to leave for is the mitzvah of eglah arufah according to the view of **R’ Eliezer ben Yaakov!**
 - **Abaye** said this is no proof. It may be that the mitzvah they all had to leave for was to extend the boundaries of Yerushalayim or of the Azaros, which we have learned requires the presence of all of the Sanhedrin on site.
 - There is a Braisa that is a proof to **R’ Yosef**. The Braisa is similar to the one quoted by **R’ Yosef** and then adds specific examples of why the entire Sanhedrin may be elsewhere than in their usual place. The example given is that they went to perform the eglah arufah process.

NETAH REVAI UMAASER SHEINI SHE'EIN DAMAV YEDU'IN B'SHLOSHA

- A Braisa says, what is the case of maaser sheini that doesn't have a known value? It would be fruits that have rotted or wine that has spoiled, or coins that have rusted.
- A Braisa says, when one needs to appraise maaser sheini that doesn't have a known value, it must be appraised by 3 merchants who are expert appraisers, but not by people who are not merchants. Even a goy may be one of the 3 merchants, and even the owner may be one of the 3.
 - **Q:** **R’ Yirmya** asked, can we use 3 experts who are partners and pool their earnings? **A:** A Braisa says that a man and his 2 wives may appraise maaser sheini that doesn't have a known value. This shows that people who pool their earnings can be the experts.
 - The Gemara says this is no proof, because the Braisa may be referring to a case where the husband and wife do not share their earnings (like **R’ Pappa** and his wife).

HAHEKDEISHOS B'SHLOSHA

- Our Mishna does not follow **R’ Eliezer ben Yaakov** who says in a Mishna that even the appraisal of a small spinning fork of hekdesch must be done by 10 people.
 - **Q:** **R’ Pappa** asked **Abaye**, the view of **R’ Eliezer ben Yaakov** makes sense, because he follows the view of **Shmuel** who learns from 10 mentions of the word “Kohen” in the pesukim that there must be 10 people to appraise something of hekdesch. However, how do the **Rabanan** learn that there are 3 that are needed? The Gemara remains with a KASHYEH.