

OVERVIEW of the Daf

1) Tithing one species of grain for another

The Gemara continues to analyze the source for the Mishnah's ruling that one may separate terumah or ma'aser from one grain for another.

The source that is cited raises the question why regarding animals one is not permitted to tithe one category of animals for another.

Abaye cites a source that restricts this practice.

Abaye's explanation is unsuccessfully challenged and it is noted that R' Ila agrees with Abaye.

Rava suggests another reason why we differentiate between the exposition that is made from the word וצאן and the exposition that is made from the word ראשיתם.

R' Huna the son of R' Nachman unsuccessfully challenges the premise that the phrase ובקר וצאן is superfluous.

An alternative response of Rava to the challenge from R' Huna the son of R' Nachman is recorded.

The Gemara challenges this alternative response from another seemingly contradictory ruling of Rava.

Two responses to this challenge are presented.

2) MISHNAH: The Mishnah discusses when animals are considered grouped together for the purpose of tithing.

3) Combining animals that are spread out for maaser

The source for the Mishnah's ruling concerning combining animals that are spread out is presented.

A contradiction between two rulings of the Mishnah is noted and resolved.

Rav and Shmuel disagree how many animals must be in the inner and outer groups in order for them to combine.

Each Amora explains the rationale behind his position. ■

Distinctive INSIGHT

The extent of one's vision

וקים להו לרבנן דשיתסר מיל קא שלטא ביה עינא דרועה

The Mishnah taught that for ma'aser purposes the animals that one owns can join into one grouping when they are gathered within an area of sixteen mil. The verse in Yirmiyahu (33:13) states that the time will come when a person would own so many sheep that their owner would not be able to count them on his own. This suggests that when a flock is spread over too great of an area it is no longer one group. The sages have determined that this area is the range of sixteen mil.

Sefer Harei Besamim asks a question based upon a Gemara in Yevamos (115a). If a man is lost at sea where the edge of the water is beyond sight ("waters that have no end"), the man's wife remains prohibited. We must be concerned that the husband might have surfaced beyond our vision and that he is still alive. Rashi there explains that the range of sight is one parsah in each direction, which is only four mil, which is less than the range of sixteen mil cited in our Gemara.

Based on a comment of Rashi in Eiruvin (8a), Sefer Harei Besamim suggests that there is a difference between the extent of sight on land, which is sixteen mil, and on sea, which is four mil.

Sh'vus Yaakov explains that the Gemara in Yevamos is discussing a case where we not only have to be able to see someone at a distance, but we also have to be able to see whether the person is alive or dead. While it may be possible to see sheep up to a distance of sixteen mil, it is only possible to see if a man lost at sea is still alive up to four mil.

Chut HaMeshulas explains that a person can certainly see beyond one parsah, which is four mil. The verse in Bereshis (13:15) speaks about Avraham Avinu who was told to look across the land, and he was promised, "I will give you the land which you see." However, the Gemara in Yevamos is not just speaking about the ability to peer across a landscape, but it is speaking of being able to see a specific person or item. This can only be dependably done up until four mil.

The Gemara in Sukka (2a) reports that schach of a sukka which is higher than twenty amos is not valid. The verse says that the purpose of dwelling in a sukka is in order that we realize that God housed us in sukkos in the desert when we departed from Egypt. When schach is above twenty amos, a person sitting in the sukka does not notice that he is under the schach, because his eyesight does not perceive the roof above that height. Yet, our Gemara says that a person can see up to sixteen mil. This question was posed by R' Yitzchak Tzvi Levinzon to the Imrei Emes, and he answered that a person can see up to twenty amos even without paying attention. However, when one pays close attention and has specific intent, he is able to see much farther. ■

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HALACHA Highlight

Forming a minyan in a field

As large as an animal's grazing range

Teshuvos Minchas Yitzchok¹ was asked about people who daven in the summer in a field, how far apart they could be spread and still constitute a minyan. Does the matter depend upon whether they could see one another, whether they could all hear the sh'liach tzipbur or perhaps they have to stand within four amos of one another since the pasuk (Devarim 23:15) indicates that a person's camp is four amos. He responded that combining for a minyan depends upon two factors. The first prerequisite is that everyone must be able to hear the sh'liach tzipbur. This is based on Shulchan Aruch's ruling that if nine people do not listen to the sh'liach tzipbur it may be that the berachos recited by the sh'liach tzipbur are berachos l'vatalos. The second prerequisite is that the participants in the minyan have to be capable of seeing one another. This is based on Pri Chadash's ruling that when two groups of people are in different rooms they combine to make a minyan if some of them could see one another. Although there are authorities who disagree, in the case of an open field all opinions would agree since there is no wall dividing the group into two that seeing one another is sufficient for them to combine.

Our Mishnah teaches that animals combine for tithing

כמלא רגל בהמה רועה

REVIEW and Remember

1. What does one have to do to violate the prohibition against kilayim ?
2. What is the source that one cannot separate terumah from one food for another ?
3. What is the point of dispute between Abaye and Rava ?
4. How far can a person see ?

if they are in an area "as large as an animal's grazing range." This is defined by the Mishnah as an area of sixteen mil. Rashi² explains that this refers to the size of an area in which animals could spread out but still be watched by a single shepherd. Sef'er Imrei Devash³ also wondered whether the discussion in our Mishnah has bearing on the question of how far apart a group of people may be spread out and still constitute a minyan. Perhaps they can be as far apart as sixteen mil since they should be able to see one another but perhaps forming a minyan follows a different set of rules. He leaves the matter unresolved. ■

¹ שו"ת מנחת יצחק ח"ב סי' מ"ד.
² רש"י ד"ה רועה.

³ ספר אמרי דבש המובא במתיבתא לסוגייתינו. ■

STORIES off the Daf

The Firstborn's Duty

"כמלא רגל בהמה רועה..."

On today's daf we find that animals can be massed into a unit for ma'aser beheimah only if the distance between them is up to the distance a shepherd allows animals of his herd to stray. Since they are all visible to the shepherd, they are considered as a unit. Sometimes similar questions arise about whether one is part of a unit, even at a distance, when it comes to other halachic obligations. Those who stay with an ill relative in the hospital often have a difficult time of it. An observant Jew has even more challenges than the average person since he must also observe mitzvos in a setting that is not always con-

ducive. On Shabbos and yom tov, it gets much harder.

A firstborn son was with his father in the hospital constantly during the period leading up to erev Pesach. He hardly had any time to learn because his father needed almost constant care of one sort or another. Although he usually joined the same siyum each year, that year it was completely impossible for him. Not surprisingly, there was no time for him to make his own siyum, nor was there a siyum available in the non-Jewish hospital. When he realized this he thought quite hard about how to get a siyum. Adding the pressure of fasting to the vast pressure of spending most of erev Pesach in the hospital was a sure recipe for disaster. He did not wish to lose his temper. Aside from the anguish it might cause his father, it would also make a chilul Hashem.

When he asked a friend what to do, he received a good suggestion. "Why not call into shul while they are making the siyum?"

But he was unsure if this was acceptable. He answered, "Rav Shlomo Zalman Auerbach, zt"l, rules that one may not hear havdalah via the phone, nor may one discharge any halachic obligation by phone since he is not hearing another's actual voice. What one on the phone hears is just an electric impulse or a digital signal, so why should I be able to discharge my obligation to hear a siyum via phone?"

But when this question reached Rav Shlomo Zalman he ruled in a surprising manner. "In circumstances of duress, you can join the siyum via telephone."¹ ■

¹ מעדני שלמה, ע"ב בי ■