

## OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah enumerates when a new year begins for four different matters.

### 2) New Year for kings

R' Chisda explains that the significance of identifying the New Year for kings is for dating contracts.

A related Baraisa is cited that gives examples of determining a New Year for kings.

The novelty if the Beraisa's two rulings are explained.

Another Baraisa is cited and explained.

R' Yochanan identifies the source that teaches that the New Year for kings is determined from the first of Nisan.

R' Yochanan's source assumes that we count the years from the exodus from Nisan. This assumption is unsuccessfully challenged.

The Gemara also begins to demonstrate that Aharon HaKohen passed away before Moshe Rabbeinu. ■

## REVIEW and Remember

1. What are the four New Years?  
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2. Why is a postdated contract valid and a predated contract invalid?  
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3. When is the party for the beginning of the second year of the king's reign?  
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4. How did R' Yochanan prove that reigns of kings are calculated from Nisan?  
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*Today's Daf Digest is dedicated by  
Mr. and Mrs. Shmuel Yaakov Meystel  
In loving memory of their mother  
Mrs. Selma Behren—מרת סימא בת ר' פסח, ע"ה*

## Distinctive INSIGHT

*Rosh HaShana for [Jewish] kings and festivals*

באחד בניסן ראש השנה למלכים ולרגלים

The Gemara notes that Rosh Chodesh Nisan is the date for renewal of the year for Jewish kings. Gentile kings, however, have the year of their reign advance on Rosh Chodesh Tishrei. Ben Yehoyada explains that it is appropriate for the reign of the Jewish king to advance at Nisan for a number of reasons. The name of the month—Nisan—is spelled נִסָּן. If we expand the name and spell each letter, it appears as נ"ן י"ד ס"מ"ך נ"ן. The numerical equivalent of each letter is the same as the letters which make up the rest of its name. For example, the first letter (50 = נ) is followed by another (50 = נ). The 'י' is equal to 10, and this is the same as the rest of its name (10 = י+ו). The same is for the next letter (60 = ס), where the balance of its name is also equal to 60 (ס+מ). The month of Nisan symbolizes an aspect of doubling. This indicates that the reign of a Jewish king influences both this world and the world above. The leadership of the Jewish people impacts both the physical as well as the spiritual worlds. Gentile kings, however, only control the movement within the dimension of the mundane.

Sfas Emes notes that the fact that Nisan is the Rosh HaShana for kings is listed before the fact that it is Rosh HaShana for the festivals. The reason for the order of listing is that the change of the year for kings is actually on the first day of Nisan, whereas the beginning of the cycle of the festivals only becomes actualized on the fifteenth of the month, with the onset of Pesach. Also, the practical aspect of changing the year for kings is in order to record the date in loan documents, as the Gemara explains. The practical aspect of Pesach being the first of the festivals is in order to calculate when a person would be in violation of delaying the fulfillment of a vow (בל תאחר). This is a relatively less frequent occurrence as compared to dating of loan documents. Therefore, the Mishnah records the more frequent halachah before that which is less common. ■

## HALACHAH Highlight

### *A pre-dated Kesubah*

למלכים למאי הלכתא אמר ר' חסדא לשטרות דתנן שטרי חוב המוקדמין פסולין

[The first of Nisan is the New Year for] kings, for what halachah is this relevant? R' Chisda said it is for contracts as the Mishnah states, predated loan documents are invalid.

The Gemara<sup>1</sup> says that the significance of having a New Year for kings is to accurately date a contract. The reason accurate dating of a contract is significant is because it protects purchasers (לקוחות). When a loan document is properly drawn up the lender has a lien on the borrower's property. In the event that the borrower defaults on the loan the lender may repossess land which was sold subsequent to the loan. If the contract was predated it would empower the lender to illegally repossess land that is not encumbered to this loan<sup>2</sup>.

A common application of this halachah relates to the proper dating of a kesubah. A kesubah needs to be accurately dated because the kesubah empowers the woman to collect property owned by the husband from the date of the kesubah, and if it is predated it author-

izes the woman to collect property that she has no legal right to collect. This is especially important when a wedding is scheduled to take place late in the afternoon. It is not uncommon for the kesubah to be filled out during the day with the kiddushin and nessesuim not taking place until it is after dark. In such a circumstance how should the kesubah be dated? Should the kesubah be filled in with the day of the afternoon when the kesubah is being recorded, or should it be filled with the date of that night when the wedding is taking place? Worse yet, is a circumstance where the kesubah was filled in with the expectation that the wedding would take place during the day and as a result of things running behind schedule, the signing of the kesubah will not take place until after sunset. There are many intricate details<sup>3</sup> involved in determining practical halachah for these matters but it is prudent for those planning a wedding to avoid the question altogether and schedule the wedding early enough or late enough to steer clear of any question of a predated kesubah. ■

1. גמ' ב
2. ע' רש"י ד"ה שטרי חוב
3. ע' ספר הנשואין כהלכתם פ"א סע' כ"ז והלאה עם ההערות וגם ספר כתובה כהלכתה פ"ד סע' י' והלאה ■

## STORIES Off the Daf

### *Tithing one's self*

באחד באלול ראש השנה למעשר בהמה ר' אלעזר ור"ש אומרים באחד בתשרי

The Beis Yisroel of Gur, zt"l, was in Kfar Ata on the 12th of Elul in 5713 (1953 according to the secular calendar) visiting with a community of his devoted followers. Everyone sat together at a festive meal and the chassidim served many different varieties of fresh fruit in honor of the occasion. Since the produce of Eretz Yisroel must be carefully tithed before it can be consumed, a member of the group decided to eliminate all

doubt in the minds of the rest of the group by declaring, "It has already been ma'asered and it is fit to eat."

The Gerrer Rebbe, famous for his incisive mind, shot back cryptically, "Every person must also ma'aser himself!"

Since the fruit was properly tithed and certainly didn't need further tithing, no one understood what the Rebbe meant.

He explained, "We find in the opening Mishnah of Masseches Rosh HaShanah that the first of Elul is considered the new year regarding the tithing of one's livestock. As we see on the daf, Rav Eliezer and Rav Shimon differ and hold to the opinion that the proper date is the first of Tishrei instead. The Noam

Elimelech, zt"l, states that tithing represents fear of heaven. Seen from this perspective, the Tanna Kama is really saying that a person who wakes up to repent as late as Rosh Chodesh Elul is no better than a beast!"

The Rebbe went on, "Rav Elazar and Rav Shimon, on the other hand, maintain that one who starts repenting on Rosh Chodesh Elul is still within the category of a human being. However if he waits for Rosh HaShanah itself, he is no better than a dumb animal! Rabbosai, we are in the middle of Elul, and Rosh HaShanah is just around the corner. We must ma'aser ourselves and do teshuvah right away!" ■