

## OVERVIEW of the Daf

### 1) Nesseh wine (cont.)

The Gemara concludes its citation of the Baraisa that supports R' Huna's assertion that the halacha regarding the point at which wine is subject to the laws of nesseh went through two stages.

A contradiction between our Mishnah and a Mishnah in Ma'asros concerning the point at which wine is subject to the laws of nesseh is noted.

Rava resolves the contradiction by differentiating between the positions of R' Akiva and Rabanan.

The Gemara inquires about a detail regarding R' Akiva's position and answers that inquiry from the Mishnah in Ma'asros.

A Baraisa is cited that presents a different version of the dispute between R' Akiva and Rabanan.

It is suggested that the language of the first Baraisa should be emended.

This resolution is unsuccessfully challenged.

### 2) Wine in the basin

R' Huna asserts that the Mishnah's ruling that the wine left in the basin is permitted is limited to where the contents of the strainer are not poured back into the basin.

The implication of this ruling is that the contents of the strainer become prohibited due to the connection established by the stream of wine. This implication is rejected.

### 3) Making wine with one's feet

A discussion is recorded related to whether an idolater can render wine nesseh wine with his foot.

In another incident Shmuel delayed three Yomim Tovim to rule on this case.

The Gemara begins to explore his hesitation about the matter. ■

## REVIEW and Remember

1. What is the point of dispute between R' Akiva and Rabanan?  
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2. At what point in the production process does wine become obligated to be tithed?  
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3. What is the principle of ניצוק?

4. Does any contact of an idolater with wine make it prohibited?  
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## Distinctive INSIGHT

*The opinion of Rav Huna regarding whether a flow connects*

שמע מינה ניצוק חיבור

The Mishnah (55a) taught the halacha of wine produced in a wine press. The grapes are placed in a collection tub (תפרוח) where they are crushed. The juice which flows from the grapes flows down a pipe to a lower pit (בור). The handling of the grapes during the crushing process in the upper chamber does not prohibit the juice, as it is not considered wine until it flows down into the pit. However, once a non-Jew touches the wine in the pit, the wine that is collected in the pit becomes prohibited. At that moment, the juice which is still in the upper chamber remains permitted, as well as the juice which is still flowing down in the pipe.

Our Gemara cites Rav Huna who clarifies the halacha of the Mishnah. Rav Huna informs us that the pipe leading from the upper tub to the lower pit had a basket (גרגותני) fastened at the end, and the basket served as a filter to catch grape peels and other sediments in the juice as it flowed into the pit. Rav Huna tells us that if the basket was removed after the grapes were pressed, the halacha of the Mishnah applies, and the wine in the upper tub is not prohibited. If, however, the basket was removed and then returned, the halacha would be that a non-Jew's touching the wine in the lower pit would also prohibit the juice in the upper tub. The Gemara first assumes that this is true due to the drops of juice in the basket, which connect the upper tub with the lower pit. This would mean that the flow (ניצוק) along the pipe and through the basket is a connection (חיבור).

The Gemara responds and says that the reason for Rav Huna's rule regarding the basket is not necessarily due to the connection which is established by the flow, but he understood that the Mishnah is discussing a case where the fluid level in the lower pit actually rose and the basket was partially submerged. The non-Jew's contact is considered direct, and not simply due to a legal definition of the ability of a flow to be a connection.

Tosafos (ד"ה שמע מינה) points out that on 72a Rav Huna clearly holds that a flow is considered adequate to be a connection between collections of liquids regarding יין נסך. Why, then, does our Gemara conduct a full analysis of

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 ר' ישראל בן ר' שמואל הלוי ע"ה

# HALACHAH Highlight

## When to start teaching Torah to a child

ההוא ינוקא דתנא עבודת כוכבים בשית שני

*A certain child who learned Masseches Avodas Kochavim by the age of six*

The Gemara recounts the incident of a six-year-old child who was sufficiently knowledgeable in Masseches Avodah Zarah to be able to answer related halachic inquiries. Pirkei Avos (5:21) teaches that a father should begin to teach his son מקרא at the age of five. The Gemara in Bava Basra (21a) relates that Yehoshua ben Gamla enacted a school system to be set up in every region and city to teach children from the age of six or seven. Along these lines, Rav instructed R' Shmuel bar Sheilas that before the age of six he should not admit children into his classroom but above that age they should be admitted and forced to learn. Tosafos<sup>1</sup> questions Rav's instruction to not accept children until the age of six when it seems to contradict the Mishnah in Pirkei Avos that teaches that one should begin teaching מקרא from the age of five. He answers by differentiating between a child who is strong and a child who is weak.

Chasam Sofer<sup>2</sup> wonders why Tosafos challenged Rav's instruction from the Mishnah in Pirkei Avos when the same question could have been posed against the enactment of Yehoshua ben Gamla who also began admission above the age of six. Chasam Sofer answers that Yehoshua ben Gamla's enactment was for Beis Din to take responsibility for the Torah edu-

*(Insight...continued from page 1)*

whether Rav Huna's words can be interpreted in this manner? And it is even more perplexing to find that our Gemara concludes that we should not ascribe this view to Rav Huna.

Rabeinu Tam explains that although Rav Huna stated that a flow is a connection, it must be that he retracted this position, and our Gemara is discussing his opinion after he retracted.

Ritva explains that Rav Huna holds that a flow does connect. Yet, in the Gemara later (ibid.), our Mishnah and Gemara are not cited as part of that discussion. The reason is that nothing can be proven from our case, according to our conclusion. ■

cation of orphans. Regarding such children, Yehoshua ben Gamla gave instructions not to accept them when they are less than six years old regardless of how intelligent they are. Since their hearts are weakened by their loss, Beis Din may not impose on them an early start to the education even though academically it would be beneficial. The Mishnah in Pirkei Avos, on the other hand, addresses a father who wants to provide his son with the best Torah education that he can. A father has the option to push his son earlier since sending his son to study Torah is a fulfillment of his obligation to teach his son Torah. Therefore, he is allowed to put aside the concern that Torah study will weaken his son in consideration of the fact that it will allow his son to make greater advancements in his Torah education. ■

1. תוסי ב"ב כ"א. ד"ה בבציר.

2. שו"ת חת"ס אה"ע ח"ב סי' קכ"ז. ■

# STORIES Off the Daf

## The Torah of the Deceased

"תלתא ריגלי..."

On today's daf we find that Shmuel waited to clarify a certain halachah for three particular periods. Rashi here explains that these times were the three festivals, since they learned the halachos of each festival during the festival. But Rashi in Yevamos explains in the name of the geonim that this refers to days on which certain great amoraim had died. On the yahrtzeits of these great sages, the chachomim would gather to learn at their gravesites. This was therefore an auspicious time to clarify an ambiguous halachah.<sup>1</sup>

When a certain scholar noticed that the prevalent custom was to set up a yeshiva at a scholar's grave he wondered how this could possibly be permitted. "In Berachos we find that one may only speak about the needs of a dead person in front of him, and that we are also forbidden to speak about Torah in front of the deceased!"

When this scholar raised this question before the Ri Migash, zt"l, he rejected this reasoning. "References in chazal about setting up a yeshiva on a scholar's grave refer to the yeshiva that he had headed during his lifetime. This is obviously a great honor for the deceased, that his students should continue in his merit. Although the Gemara forbids speaking even Torah in front of a dead person—and being at his grave is the same as in front of

the deceased—this is only when the one learning did not think to honor the deceased through his learning. Or it may be that one or two discussing Torah is not respectable enough to merit a dispensation at a gravesite. But a full yeshiva is certainly a great honor and may certainly be established near the grave of a scholar."<sup>2</sup>

When the Beis Yosef, zt"l, was asked how it was permitted to give a derasha or recite verses at a gravesite, he said, "The Mahari Abuhav, zt"l, held that this is absolutely acceptable, based on the words of earlier rishonim. This is the regular custom and is certainly permitted."<sup>3</sup> ■

1. רש"י ביבמות דף קכ"ב ע"א, ד"ה תלתא ריגלי

2. שו"ת מהר"י מיגאש, סי' מ"ז

3. ב"י, יו"ד, סי' שד"מ ■