

This month's Daf Digest is dedicated
L'iluy Nishmas Mrs. Yenta Weiss, Rivke Yenta bas Asher Anshel & Yosef ben Chaim HaCohen Weiss
By Mr. and Mrs. Manny Weiss
L'iluy Nishmas **שרגא פייוול דוד בן קמואל**
By the Abramowitz family

OVERVIEW of the Daf

1) Are measurements determined objectively or subjectively

The Gemara questions R' Shimon ben Elazar's ruling that a measurement is determined objectively, from a different ruling of his where a measurement is determined subjectively.

Abaye explains why the second ruling is an exception to the rule.

The Gemara questions whether Rabanan dispute R' Shimon ben Elazar's second ruling. The issue is not resolved.

2) Foods that may be used for an eruv techumin

Raw meat and raw eggs may be used to make an eruv techumin although there is a dispute whether one egg or two eggs are necessary.

3) Foods that provide sustenance

The Mishnah that ruled that all foods provide sustenance except for salt and water seemingly refutes the position held by Rav and Shmuel that only foods from the five grains provide sustenance.

R' Huna explains how our Mishnah does not refute their opinion.

4) Using a loaf of bread prohibited by a vow or oath

R' Huna in the name of Rav ruled: If one took an oath not to eat a particular loaf of bread, it may be used for his eruv. If he vowed not to derive any benefit from a particular loaf of bread, it may not be used.

The Gemara refutes R' Huna's opinion from a Baraisa, but support for his position can be found in a version of a ruling from R' Eliezer.

5) Clarifying the Mishnah

Our Mishnah that allows a nazir to make an eruv with wine is inconsistent with the opinion of Beis Shamai as recorded in a Baraisa.

A second more restrictive version of Beis Shamai's position is quoted by Chananyah.

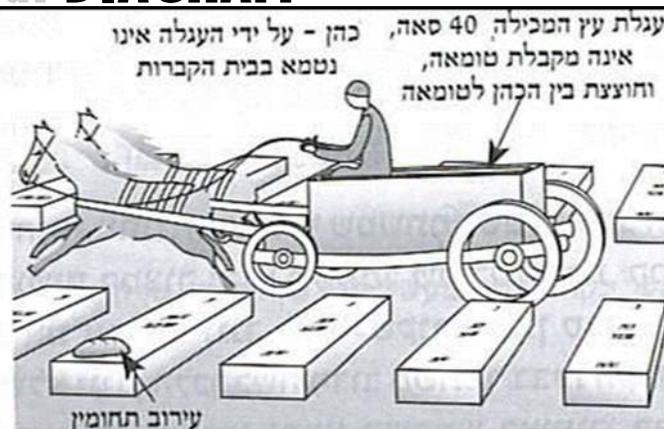
The Gemara questions why Sumchus disagrees with the ruling concerning teruma for a Yisroel and not the use of wine by a nazir.

After one suggestion fails, the Gemara explains that Sumchus follows the opinion of the Rabanan who prohibit violating a rabbinic decree during bein hashmashos. Since the eruv takes effect during bein hashmashos it can not be rendered edible at that time and is therefore unusable for the eruv.

A Mishnah is identified as being consistent with Sumchus' position. The Gemara suggests that the cited Mishnah is incon-

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Daf DIAGRAM



רבי יהודה אומר אף בבית הקברות... מפני שיכול לחוץ ולילך בשידה תיבה ומגדל

According to Rabbi Yehuda, even a kohen can place his eruv in a cemetery. Although he cannot enter to retrieve his eruv food, due to the impurity of the dead, if the kohen wishes, he may enter in a large wooden box to avoid the tum'ah. ■

REVIEW and Remember

1. Who is nicknamed Sinai?

2. What type of vow or oath renders a loaf prohibited for use as an eruv?

3. According to the Gemara's conclusion, why may a gluttonous person make an eruv with the quantity of food eaten by most people?

4. What is a beis hapras?

Today's Daf Digest is dedicated by Mr. and Mrs. George Saks in loving memory of their mother, **Malka bas Avrohom** and grandmother, **Chaya Baila bas Yitzchok Yaakov**

Today's Daf Digest is dedicated in Memory of **יצחק שלמה ז"ל בן הרב ישראל יחיאל פישמן שליט"א** by the Block family

Distinctive INSIGHT

Who is a Chaver?

לא נחשדו חבירים לתרום שלא מן המוקף

A chaver is not suspect of taking off teruma if the fruit was not at hand.

The term "חבר" is used in three contexts in shas.

There was a nation which was either called חבר, or it was referred to as such. This people exercised political control over the Jewish people during the period of the Amoraim. Some explain that this is a term used to refer to the Persians, or a different nation which resided near the Persians (see Rashi, Shabbos 45b, and Gittin 17a). They were a particularly cruel people, to the extent that our sages recommend that if anyone had to be a slave, it would be better to serve a Yishmael or Edom master, rather than a Chaver.

"Chaver" commonly refers to a talmid chacham, based upon the verse in Shir HaShirim (8:3): "The friends hearken to your voice." The Gemara (Bava Basra 75a) identifies the "friends" of the verse as talmidei chachamim. Rambam (to Mishna Demai 2:3) suggests that the term "חבר" best describes Torah scholars, because their association with one another is wholesome and generally for the sake of Heaven.

Finally, "חבר" refers to anyone who accepts upon himself to be careful and meticulous in the laws of ritual impurity, and the laws of taking off tithes conscientiously. In this context, this is synonymous with the term "פרוש". A woman who accepts upon herself to act in this manner is called a חבירה.

A person who was lacking in awareness of the halachos of ritual impurity was known as an עמ הארץ—an ignorant person. Such a person is assumed to be in a state of impurity, because he is unaware of how to maintain his status of purity. Therefore, we

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sistent with R' Shimon Ben Elazar's ruling concerning a giant but the Gemara disputes the assertion.

6) Making an eruv for a kohen

R' Yehudah in the name of Shmuel explains why an eruv is valid for a kohen in a beis hapras.

The Gemara relates the dispute concerning a kohen placing his eruv in a cemetery with the dispute between Rebbi and R' Yosi the son of R' Yehudah concerning a moving tent. ■

must be concerned that he has unknowingly come in contact with impurity.

An עמ הארץ cannot be relied upon to have properly separated the tithes from his fruit and grain. Yochanan Kohen Gadol and his beis din conducted a survey in Eretz Yisroel, and they determined that such people could be trusted to have separated teruma, but not ma'asros.

A person would be known as a "חבר" or a "נעמן"—trusted one" if it was known that he takes off ma'aser from his own fruit, and from fruit which he purchases from an עמ הארץ. Also, he is known for taking ma'aser off fruit he grows to sell to others, or that he buys in order to sell. Finally, a נאמן would not eat together with עמי הארץ who were suspect in this area of not taking off ma'aser from their produce.

The halacha is that when ma'aser is designated as representative of a particular pile of produce, the fruit which is becoming permitted should be adjacent to where the teruma is at that moment. Some say that this is a Torah law (Tosafos, Gittin 30b, ד"ה לתרום) while others say that it is only rabbinic (ibid., Rashi ד"ה מוקף).

Our Gemara teaches that a חבר only separates his teruma while the pile of fruit being represented is at hand. ■

Gemara GEM

Eruvin for Minors

ב"ש אומרים אין מערבין לנוזר בין כו' ב"ה אומרים הערבין לנוזר בין אמרו להם בית הלל לבית שמאי אי אתם מודים שמערבין לגדול ביום הכפורים כו' כשם שמערבין לגדול ביום הכפורים כו' כך הערבין לנוזר בין כו'

Beis Hillel's position is that the Rabbinic decree of eruvei techumin is uniform. Hence, although an adult may not partake of the food of the eruv on Yom Kippur, the eruv is nonetheless valid, since it is suitable for a minor. Similarly, although a nazir may not partake of an eruv of wine, it is nevertheless valid for him since others may partake of it.

The Ohr Somayach (Hil. Maachalos Asuros 17:27) notes that this position seems to conflict with the position of the Rashba that a minor is not subject to Rabbinic prohibitions, and that therefore it is even permissible for an adult to deliberately feed a minor a Rabbinically prohibited substance. If so, queries the Ohr Somayach, a minor is not subject at all to the prohibition that the eruv is meant to permit. [Thus, making an eruv for Yom Kippur on the basis of a minor's potential to partake of the eruv would seem no better making an eruv on the basis of a non-Jew's potential to partake of the eruv, which is definitely not effective.]

In the end, however, the Ohr Somayach reconciles the position of Beis Hillel with the position of the Rashba. He ex-

plains that although the minor himself is not personally subject to the prohibition of Techum Shabbos in the sense that he is held liable if he violates the prohibition, the techum of all his possessions are subject to the techum. Hence, were the minor not to participate in an eruv techumin, all the objects he owns would remain forbidden to exceed the two thousand amos of his original techum. Indeed, posits the Ohr Somayach, it would seem that an adult is forbidden to move the minor beyond the child's own techum unless the child participated in an eruv. Thus, the minor may not be obligated to participate in an eruv techumin, but he is subject to one, and therefore he may serve as the basis for an eruv on Yom Kippur. ■