

OVERVIEW of the Daf

1) Excess Korban Nazir money

The Mishnah ruled that excess funds set aside for a Korban Nazir is used for voluntary communal offerings. R' Chisda and R' Zaira disagree whether this ruling applies if the shelamim is offered last.

Each opinion is supported by a Baraisa.

2) Excess Korban Nazir bread

R' Chisda rules that excess bread from a nazir's korban should be left to spoil. The rationale for this ruling is explained by R' Yosi.

There were those who thought to apply R' Chisda's ruling to the נסכים as well, but R' Yosi bar R' Bun rejected the application.

The Gemara notes three opinions that agree that nesachim are considered קדשים קדשים.

3) HALACHAH 5: MISHNAH: The laws for using excess charitable funds are spelled out.

4) Surplus of funds collected for a dead person

R' Yirmiyah rules that if funds were collected for a dead person and it is discovered that he does have money, the funds, nonetheless, go to the heirs.

R' Idi of Chutra unsuccessfully challenges this ruling.

A Baraisa rules that excess funds collected for a dead person should be used to build a monument or for wine to sprinkle upon the coffin.

A second Baraisa discusses redirecting funds collected for one cause to another.

5) The words of tzaddikim are their memorial

R' Shimon ben Gamliel rules that we do not make monuments for tzaddikim.

The Gemara relates an incident involving R' Yochanan where the concept of the words of tzaddikim are their memorial is highlighted.

6) Quoting a teaching exactly as it was taught

R' Gidal taught how one should quote a teaching.

The Gemara presents three incidents where R' Zaira was particular regarding this principle.

A pasuk in Tehillim is explained as related to Dovid HaMelech's desire to build the Beis HaMikdash and Hashem's words of consolation.

הדרן עלך מצרפין שקלים

7) HALACHAH 1: MISHNAH: The Mishnah identifies the three times funds were withdrawn from the shekel account.

Three opinions are presented regarding the three times ma'aser should be taken from untithed animals.

8) Defining the word פרוס

The word פרוס is defined as half.

9) The three times to remove ma'aser from untithed animals

Three explanations are presented to explain why these three times were chosen for tithing animals.

R' Yosah rules that one who does not tithe his animals in a timely fashion violates that prohibition of delaying the mitzvah to bring an offering. ■

Distinctive INSIGHT

Torah thoughts leave everlasting impressions

שמעון בן נזירא בשם רבי יצחק אמר כל תלמיד חכם שאומרים דבר הלכה מפיו בעולם הזה שפתיו רוחשות עמו בקבר

Whenever a Torah law is stated in this world in the name of a Torah scholar [who has died], the lips of that scholar quiver with him in the grave.

The leaders of a certain city set out to recruit a rabbi to lead their community. They approached a qualified and notable scholar and appealed to him to accept the position, explaining to him how fitting it would be for him to serve as the spiritual guide to their city, where the Ta"z, the Magen Avraham and Rabbi Akiva Eiger were all buried. It would be only appropriate for a man of his stature to assume the role as Rabbi of their town.

A little while later, after having accepted the position, the Rabbi learned that the Ta"z was in fact buried in Lemberg, the Magen Avraham in Kahlisch, and Rabbi Akiva Eiger in Posen. He called the leaders of the community to his home and confronted them with the Jews. "Why did you fool me?" he asked.

"We did not mean to trick you at all," they answered. "In Lemberg, the teachings of the Ta"z are learned and studied daily. His legacy is alive and well, as if he himself lives on eternally. In Kahlisch, the Magen Avraham lives on by means of his writings. His lips continue to quiver in the grave as the education which he provided serves to guide and direct the daily life of the town until this very moment. Furthermore, Rabbi Akiva Eiger's lessons are the talk of the town in Posen, and the issues which he taught are still discussed as current events. In our city, however, no one is studying these books. The words of Torah which they disseminated are not heard here, and, for all intents and purposes, they are dead and buried in our town."

It is truly tragic when the loss of our sages is apparent to the degree that their actions, their influence and their ideas are no longer perceptible within the world. If we have suffered not only the physical loss of those who have departed, but their contributions to mankind as well, then the misfortune is absolute. However, as long as there are students who carry on the legacy of the fathers, then loss has been mitigated. ■

HALACHAH Highlight

Giving credit to the correct source

ור' יוחנן מאי כולי האי דבעי דימרון שמעתא משהיה וכו' [פני' הקרבן העדה וז"ל מאי האי דקפיד על ר"א שלא אמר ההלכה משמו]. כל ת"ח שאומרים דבר הלכה מפיו בעוה"ז שפתיו רוחשות עמו בקבר

Why was R' Yochanan so particular that the teaching should be said in his name (In other words, why was R' Yochanan upset with R' Elazar that he didn't recite the halachah in his name. Korban HaEidah)? ...Any scholar in whose name a halachah is cited in this world, his lips move with him in the grave.

It seems from our Gemara that the issue of saying a halachah in the name of the one who originated it is to provide positive benefit for the one who said it. The Midrash Tanchuma², however, cites an alternative source for this halachah. The Midrash writes that one who does not cite a teaching in the name of the one who said it is guilty of stealing, as the pasuk (Mishlei 22:22) states, "Do not steal from the poor man for he is poor." Many poskim quote this Midrash as a matter of practical halachah³. R' Yaakov Reisher, author of Teshuvos Shvus Yaakov, asserts that when it is obvious that the speaker is unable to generate these teachings on his own it would be permitted to repeat them without attributing them to their source. His rationale is based on the assumption that the prohibition is a form of דעת גניבת. Therefore, when there is no concern that people will be fooled, it is unnecessary to attribute the teaching⁴. Accordingly, a speaker does not have to quote the specific person from whom he heard a halachah to avoid violating the prohibition, it would be sufficient to merely state that it was heard from someone else, thereby avoiding taking undue credit for himself. Those poskim who do not accept the qualification of the Shvus Yaakov would, however, require a speaker to identify the precise source of the teaching under all circumstances to avoid "stealing from the poor." Of course, all opinions agree that it is preferable to repeat a halachah in the name of the author since it brings redemption⁵ and in the case of a deceased scholar it causes his lips to move with him in the grave. As a matter of practical consideration⁶ a student should repeat teachings

REVIEW and Remember

1. What is the reason that leftover bread from a nazir's korban is left to spoil?

2. How does one show disrespect to an idol?

3. Is it possible for a person to live in the Bais Midrash forever?

4. Explain: גרנות של מעשר בהמה.

in the name of his Rebbe unless⁷ he calculates that by repeating the teaching in the name of his Rebbe it will somehow reflect poorly upon the Rebbe. ■

1. כן פירש כאן הקרבן העדה. והענין "ששפותיו יהיו דובבות בקבר", פירש התקלין חדתינו וז"ל שאור התורה היוצא מפי האומר מתקשר בשאר נפשו. עכ"ל. ולכאור' י"ל עוד, שבמתים חפשי מהמצות, משא"כ שאומרים ד"ת משמו, מעורר להוסיף לו זכות כחי שמוסיף זכויות, והוי כאומר בשפתיו ד"ת ומעין שכתב הרוקח והובא בבית יוסף באור"ח בסוף סימן תרכ"א. ודו"ק
2. במדרש תנחומא פרשת במדבר אות כ"ב. וכ"ה בילקוט שמעוני רמז תרכ"ה
3. עי' מגן אברהם סימן קנ"ו, וגרע"א, וחכ"ש, ושע"ת שם ובשם הנודע ביהודה ובית אפרים. ואפשר שהגזילת דל שבתנחומא ר"ל כגמ' כאן, שגזול את השפתותיו דובבות של המת, ומדויק כן שמה"ט נקרא "דל", שבמתים חפשי. ודו"ק
4. ע' פתחי תשובה חושן משפט סימן רמ"ו ב' שסתם כהשבות יעקב
5. בסוף פ"ק דמגילה
6. כלומר שההיתיר שכתוב בסוגיין שלתלמיד מותר לומר את דברי רבו בסתם, אינו שייך בזמה"ז שבזמנינו כל מה שאומרים סתם הוא משם עצמו. כ"כ המחצית השקל שם, ובשם הש"ף ביו"ד סימן ס"ק מ"ג
7. במחצית השקל שם, ובשם הלחם חמודות. ועע"ש בחכ"ש שהביא להלכה את הגמ' בנזיר נ"ו ב', שכשמצטט ספר שהביא בשם חכם שאמר בשם חכם אחר אצ"ל אלא שם הראשון ואחרון אבל אצ"ל האמצעי. ■

STORIES Off the Daf

The essence of learning

האוומר שמועה בשם אומרה יראה בעל שמועה כאילו עומד לנגדו

What should it matter whether one "sees the originator of the statement" before his eyes or not? Might this not distract one from focusing on the essence of the Gemara? The Chofetz Chaim, ז"ל, cites the Midrash that the Torah we learn in this world is what gives us life in the next world, and the more we learn the stronger our life force there will be. And the closeness to Hashem that we will experience through

this life force is greater than the most intense worldly pleasure that one can imagine. The Pnei Zakein, ז"ל, takes this idea even further and says that this is all the more true of the one who innovated a Torah concept. Since every soul is really a חלק אל-ה ממעל, a bit of Godliness from Above, the soul of the one who innovates a Torah concept is powerfully connected to the Source of all life. "Seeing" the originator of the concept does not refer to a mere physical observation; it means to connect to the נשמה of the one who brought it down, by following his path and sanctifying ourselves.

Rav Yisrael of Ruzhin, ז"ל, was once sitting with a group of scholars and the

Ruzhiner Rebbe quoted a Gemara in the name of a certain amora.

One of the scholars spoke up. "But Rebbe, I believe that this Gemara was said by a different amora!"

The other scholars brought out the volume in question, and quickly saw that the Ruzhiner was indeed correct.

The other scholar was beside himself. "I can't believe it! I just learned this Gemara yesterday and I already have the names confused! Why could I not keep it straight?"

The Rebbe explained, "When you learn a Gemara, you are only trying to remember the content. For me, 'amar Rava' is also Torah!" ■

