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The Chicago Center

OVERVIEW of the Daf

1) An idolater mentioning a man's death without intention to testify

The Gemara concludes citing an incident that relates to an idolater mentioning a man's death without intention to testify.

Another Baraisa is cited that relates to circumstances where an idolater's report of someone's death is admissible.

2) MISHNAH: The Mishnah presents additional leniencies related to accepting reports of a man's death.

3) The admissibility of a bas kol

Rabbah bar Shmuel cites a Baraisa that presents a dispute between Beis Shammai and Beis Hillel whether a bas kol is admissible as evidence of a man's death.

The importance of this Baraisa is explained.

The Gemara explains why in the Mishnah's case of the bas kol there is no concern that the voice was a demon or the co-wife.

4) MISHNAH: The Mishnah presents the history of the ruling that a single witness's testimony is admissible to allow a married woman to remarry.

5) The testimony of a woman

A contradiction related to R' Akiva's position concerning the admissibility of a woman's testimony is presented.

The contradiction is resolved.

6) MISHNAH: The Mishnah continues the discussion of the previous Mishnah regarding the origin of the ruling to accept a single witness's testimony.

7) Clarifying the Mishnah

R' Kahana explains why the woman mentioned in the Mishnah was assumed to be unreliable.

A Baraisa is cited that supports the assertion that the innkeeper was an idolatress and why her report was nonetheless admissible.

8) Cross-examining witnesses of a man's death

A Baraisa presents an incident in which R' Tarfon accepted testimony regarding a man's death without cross-examining the witness.

The assertion that R' Tarfon does not require cross-examination is challenged.

The Gemara concludes that there is a dispute whether cross-examination in these cases is required.

The point of dispute regarding this matter is explained.

9) Concluding on a positive note

The Gemara concludes with a teaching that Torah scholars increase peace in the world. ■

הדרן עלך האשה בתרא
וסליקא לה מסכת יבמות

Today's Daf Digest is dedicated in loving memory of
מרת שרה בת ר' משה יוסף,ע"ה
By her children, Mr. & Mrs. Robert Hartman

Distinctive INSIGHT

Finding the body of the man bitten by a snake
נשכני נחש והרי אני מת והלכו ולא הכירוהו

The Mishnah tells of an incident in Tzalmon where a man stood on top of a mountain and called out, "I am So-and-so, the son of So-and-so. I have been bitten by a snake and I am dying!" The people who heard him went to find him, and they found a corpse, but they did not recognize it as the person whose name had been announced. The halacha of the Mishnah is that the wife of the announced man can remarry. We assume that the trauma of being bitten by a snake caused his face to become disfigured. Maros HaTzov'os (23:83), cited by Pischei Teshuva (Even Hoezer 17:92) explains that although we do not have to recognize the person, due to the disfiguration, nevertheless, we do require that a body be found at the site. If the people went and did not find a body, we might assume that the husband could have survived the snakebite, as they can be cured, as we find in Shabbos 109b. Later in that section of Even Hoezer, in סעיף כ"ט, we find a contrasting halacha. The Gemara earlier (121a) ruled that if a man was seen falling into a pit filled with scorpions and snakes, the witnesses can testify to that affect, and the man's wife can remarry, having concluded that the man could not possibly survive the encounter with these venomous predators. Maros HaTzov'os asks that this is inconsistent with the earlier statement that a person can be cured from a snakebite. We cannot attribute the deadly feature to the scorpions alone, because the Gemara in Avoda Zara (28) also notes that a scorpion bite is not always fatal. He answers that a pit filled with many dangerous animals is worse than having being bitten by one. Or else, we could say that although a snakebite or scorpion sting can each be

(Continued on page 2)

REVIEW and Remember

1. What is the בת קול that is admissible as evidence that a person died?

2. Is a woman allowed to testify based on another woman's testimony?

3. Why did R' Akiva accept the testimony of the adulteress innkeeper?

4. Are witnesses who testify about a man's death cross-

HALACHAH Highlight

Information related to a person's death gleaned from a dream
ומשיאין על פי בת קול

We permit a woman to marry based on a heavenly voice

There was once an incident of a man who drowned in waters that have no end. Two nights after he disappeared he appeared to his mother in a dream and identified the location of his body. When this area was searched a button that was unique to the deceased was found as well as another person who drowned with him, but the person in question was not found. The man appeared a number of times to his mother in dreams with accurate information, but his body was never discovered. Sefer Meshivas Nefesh[1] cited our Mishnah that writes that a woman is permitted to marry based on a bas kol – a heavenly voice. This would seemingly indicate that a dream should also be admissible. The difficulty with relying on a dream is that the Gemara Sanhedrin[2] writes explicitly that information from dreams does not impact a case in any way. How then could the Mishnah indicate that information from a heavenly voice is relevant? Answers Sefer Meshivas Nefesh, when a person receives accurate information in a dream it is certainly reliable, as the Gemara Berachos[3] relates that it is possible for dreams to be truthful. Additionally, when the information is so detailed and accurate it is unlikely that it emerged from the subconscious thought of the person having the dream, therefore it can be reliable. As far as the Gemara Sanhedrin is concerned, the limitation against using information for dreams is limited to monetary cases where even a single witnesses' testimony is not admissible to collect money, consequently information from a dream is also not admissible. On the other hand since the testimony of a single witness is admissible for cases of determining a man's death to allow his widow to remarry it follows that information gathered from a dream will also be acceptable.

Chasam Sofer[4] and Chiddushei Harim[5] disagree and maintain that one may not rely on information gleaned from a dream even to use it as support for other leniencies (סניף להיתר). ■

1. משיבת נפש (הראשון) סי' ל"ה
2. גמ' סנהדרין ל'
3. גמ' ברכות נ"ה-נ"ז
4. שו"ת חת"ס ח"ג אה"ע סי' נ"א
5. שו"ת חידושי הרי"ם סי' ז' ■

(Insight. Continued from page 1)

healed, having been attacked by both is certainly fatal. The reason for this dismal prognosis is that the cure for each of these bites has a negative impact on the other.

A third answer could be that he could be healed of the bites if he would get immediate medical attention. However, due to his having fallen into a pit he cannot procure adequate medical attention, and he will die.

Bris Olam argues against the premise of the Maros HaTzov'os, and he says that even if the people go to where the voice came and they do not find a body, they may still testify that his wife may remarry. Although a snakebite can be cured, this man screamed out that he was about to die, this man obviously realized that his condition was hopeless and he was about to expire. Under such conditions, a person knows his fate, and he knew that he could not survive. ■

STORIES Off the Daf

"Torah scholars increase peace in the world..."
תלמידי חכמים מרבים שלום בעולם

In the end of Adar 5722 (1962), the Slabodka Yeshiva finished Maseches Yevamos and made a gala siyum. The bochurim begged Rav Yechezkel Abramsky, zt"l, to speak during the celebration, and he eventually agreed. Rav Abramsky taught a very powerful lesson that none could forget. Just before making the actual siyum mesechta he said, "On the last amud of Yevamos we find a statement incorporated in our prayers which is actually repeated several times in Shas: Talmidei chachamim marbim shalom baolam... What does this really mean, that Torah scholars 'multiply peace in the world?' Is this meant to teach us that a Torah scholar should spend the bulk of his time going from house to house making peace between husband and wife and man and his neighbor?! No, this statement actually refers to a much higher calling."

Rav Abramsky continued, "People who are truly happy are at peace with everyone. Unsatisfied people are contentious and always looking for a fight. All of their days are one big grudge and they are always angry at everyone. It is well known that the true Torah scholar takes tremendous pleasure from every daf gemara that he learns. They get more pleasure from learning the holy Torah than a new millionaire gets from his sudden fortune. As the wealthy man basks in his abundant blessings, the Torah scholar basks in the glow of the even greater windfall of acquiring an eternal connection to Hashem! For this reason he is a man at peace with all. He is so filled with delight and fulfillment from his learning that he never gets angry and never holds a grudge against anyone. Truly a part of the Am medushnei oneg! He hardly notices mundane matters that don't go his way since he is so filled up with the pleasure of his learning; such things are insignificant in his eyes!"

Rav Abramsky concluded, "This is what the Gemara means. The very fact that such joyous and fulfilled people exist is how they fill the world with peace!" ■

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